

# BURLINGTON, MASSACHUSETTS ANNUAL REPORT



OF THE TOWN OFFICERS / YEAR ENDING DECEMBER 2006



**ANNUAL REPORT**  
**OF THE**  
**TOWN OFFICERS**  
**YEAR ENDING**  
**DECEMBER 2006**



**BURLINGTON**  
**MASSACHUSETTS**





## *In Memoriam*

**Eve Berman**

School Teacher – Retired

**C. Joseph Brown**

Former Moderator

**Eleanor Burrell**

School Clerk – Retired

**Laura Cooper**

Council on Aging Volunteer

**Father John Crispo**

BCLC Board of Directors

**Guy DeFilippo**

DPW Assistant Superintendent  
– Retired

**Lawrence E. Faria**

Fire Lieutenant – Retired

**Hazel Kiewlicz**

School Teacher – Retired

**Patricia A. Larson**

Board of Registrars

**William Lundgren**

Firefighter – Retired

**Ruth Malcolmson**

School Clerk – Retired

**Dorothy Manning**

School Teacher – Retired

**James Melchionna**

Ways and Means, BCAT Board  
Member, Former Selectman

**Flora Shiang**

School Teacher – Retired

**Eleanor Smith**

School Custodian – Retired

**Lee Sylvester**

Public Library – Assistant to the  
Children's Librarian

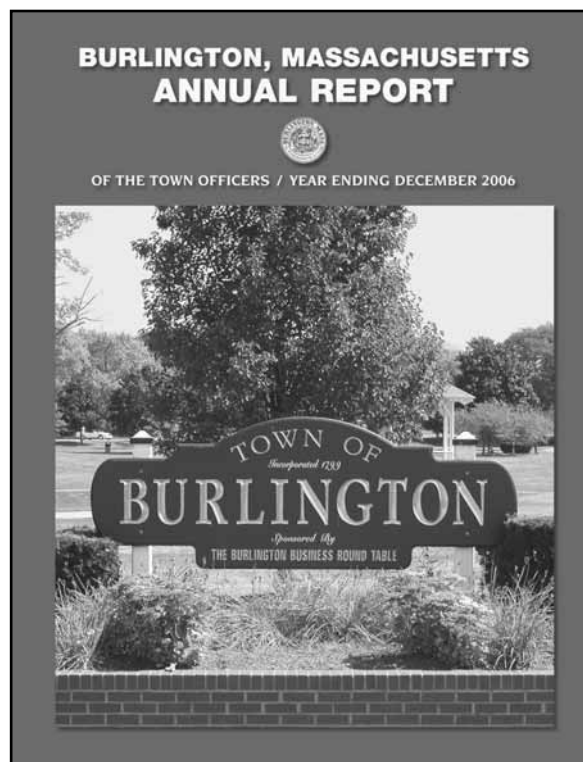
**Mary Thiel**

School Special Education  
Teacher – Retired

**Josephine Tintle**

School Clerk – Retired

*Employees, board and committee members who have passed away during 2006*



**ON THE COVER:**

Photograph of the Town of Burlington sign on the Common taken by Amy Warfield of the Town Clerk's Office.

Report organized by Pauline Crusco of the Selectmen's Office.

Cover designed by Peter Amirault of TYPE A of Medford.





## TABLE OF CONTENTS

TOWN OF BURLINGTON DIRECTORY .....	vi
---------------------------------------	----

### INTRODUCTION

General Information .....	1
Town Government Schedule.....	1
Town Offices Schedule .....	2
Officials Elected.....	2

### GENERAL GOVERNMENT

Board of Selectmen and Town Administrator .....	3
Human Resources .....	7
Town Moderator .....	8
Town Counsel .....	8
Town Clerk .....	9
Vital Statistics.....	9
Election Returns/ Voting Statistics ...	10
Archives .....	22
Board of Registrars .....	24
Police Department.....	25
Fire Department .....	35
Public Works Department.....	41
Administrative.....	42
Engineering.....	42
Operations Management ..	45
Cemetery Division .....	45
Central Maintenance Division.....	46

Highway Division .....	46
Water & Sewer Utilities Division ....	47
B-Line Bus.....	49
Conservation Commission.....	50
Board of Appeals.....	51
Building Department .....	52
Veterans Services.....	54
Community Life Center.....	59
Council on Aging.....	62
Treasurer/Collector .....	65
Assessors .....	67
Planning Board .....	69
Recreation Department .....	74
Board of Health.....	77
Public Library.....	81
Historical Commission.....	85
Beautification Committee .....	89

### SCHOOL DEPARTMENT

School Committee.....	90
Superintendent of Schools.....	92
Schools and Departments .....	93
Shawsheen Valley Regional Vocational/Technical School District .....	116

### OTHER

BCAT.....	132
Burlington Community Scholarship Foundation ..	133
Housing Authority.....	134
Metropolitan Area Planning Council.....	135

### ADDENDA

Town Meeting Members .....	138
Officials Appointed .....	140
Boards and Committees Appointed .....	140
Town Meeting Minutes .....	145
Town Accountant.....	202
Financial Report	





## TOWN OF BURLINGTON DIRECTORY

Department Town of Burlington	Telephone (Area Code 781)	E-mail/Web Address
Burlington Web .....		www.burlington.org
Information/Connecting all Departments .....	270-1600	
Main Fax Number Connecting Offices .....	270-1608	
Accounting .....	270-1610	accounting@burlmass.org
Assessors .....	270-1650	assessor@burlmass.org
B-CAT .....	273-5922	bcat@burlington.mec.edu
B-Line Information .....	270-1965	
Board of Health		
Public Nurse .....	270-1957	nurse@burlmass.org
Sanitarian/Environmental Engineer .....	270-1954	health@burlmass.org
Building Inspector .....	270-1615	building@burlmass.org
Community Life Center .....	270-1961	bclc@burlmass.org
Conservation Commission .....	270-1655	conservation@burlmass.org
Council On Aging .....	270-1950	coa@burlmass.org
C.O.A. Lunch Line .....	270-1952	
Dog Pound .....	270-1698	aco@burlmass.org
Emergency Management Agency .....	270-1914	
Fire		
Emergency/Ambulance .....	911	
Communications for the Deaf .....	911	
Business .....	270-1925	fire@burlmass.org
Library .....	270-1690	library@burlmass.org
Management Information Systems .....	270-1613	
Planning Board .....	270-1645	planning@burlmass.org
Police		
Emergency .....	911	
Communications for the Deaf .....	911	
Business .....	270-1914	police@burlmass.org
Public Works .....	270-1670	dpwburlington@burlmass.org
Chestnut Hill Cemetery .....	229-1879	
Pine Haven Cemetery .....	270-1982	
Central Maintenance .....	270-1678	
Engineering .....	270-1640	engineering@burlmass.org
Highway .....	270-1677	
Water & Sewer Utilities Division .....	270-1679	
Sewer Section .....	229-2043 or 270-1684	
Vine Brook Ground Water Treatment Plant .....	270-1648	
Recreation		
Office .....	270-1695	recreation@burlmass.org
Garage .....	270-1697	
School Department .....	270-1800	www.burlington.mec.edu
Burlington High School .....	270-1800	
Foxhill School .....	270-1791	
Francis Wyman School .....	270-1701	
Marshall Simonds School .....	270-1781	
Memorial School .....	270-1721	
Pine Glen School .....	270-1712	
Selectmen .....	270-1630 and 270-1631	selectmen@burlmass.org
Shawsheen Regional Technical School .....	(978) 667-2111	www.shawsheen.tec.ma.us
State Internet Portal .....		www.mass.gov
Tax Collector .....	270-1625	tax@burlmass.org
Town Administrator .....	270-1635	selectmen@burlmass.org
Town Clerk .....	270-1660	clerk@burlmass.org
Treasurer .....	270-1623	treasurer@burlmass.org
Veterans Agent .....	270-1959	veterans@burlmass.org

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## ANNUAL REPORTS OF THE TOWN OF BURLINGTON, MASSACHUSETTS 2006

[www.burlington.org](http://www.burlington.org)

A part of Woburn in 1642, a Woburn Precinct as of 1730.  
Burlington was incorporated as a town on February 28, 1799.

Population as of January 2006: 23,424.

Area of Town 7,577 acres or 11.88 square miles.

Tax Rate FY07 Residential: \$9.20

Commercial: \$26.00

Elevation at Town Hall 220 feet above sea level.

**Governor:** **Mitt Romney**

**[www.mass.gov](http://www.mass.gov)**

State House, Room 360

Boston, MA 02133

617 725-4005

**U.S. Senators:** **Edward M. Kennedy**

**[www.Kennedy.Senate.gov](http://www.Kennedy.Senate.gov)**

2400 John F. Kennedy Federal Bldg.

Boston, MA 02203

617 565-3170

**John F. Kerry**

**[www.Kerry.Senate.gov](http://www.Kerry.Senate.gov)**

1 Bowdoin Square, 10th Floor

Boston, MA 02114

617 565-8519

**Congressman:** **John Tierney**

6th District

**[www.house.gov/tierney](http://www.house.gov/tierney)**

17 Peabody Square

Peabody, MA 01960

978 531-1669

**Councilor:**

6th District

**Michael J. Callahan**

500 Salem St.

Medford, MA 02155

617 725-4015 Ext. 6

**State Senator:**

4th Middlesex

**Robert A. Havern**

**[Robert.Havern@state.ma.us](mailto:Robert.Havern@state.ma.us)**

State House, Room 109D

Boston, MA 02133

617 722-1432

**Representative:**

21 Middlesex

**Charles Murphy**

**[Rep.CharlesMurphy@hou.state.ma.us](mailto:Rep.CharlesMurphy@hou.state.ma.us)**

State House, Room 136

Boston, MA 02133

617 722-2396

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## TOWN GOVERNMENT SCHEDULE

Board of Appeals Meets on the first and third Tuesdays of the month, Town Hall, 7:30 P.M.

Board of Assessors Meets the last Thursday of the month, Town Hall, 6:00 P.M.

Board of Health Meets the second and fourth Tuesdays of the month, Town Hall, 7:00 P.M.

Board of Selectmen Meets the second and fourth Mondays of the month, Town Hall, 7:00 P.M.

Conservation Commission Meets the second and fourth Thursdays of the month, Town Hall, 7:00 P.M.

Council on Aging Commission Meets the second Wednesday of the month, 61 Center St., 10:00 A.M.

Historical Commission Meets the third Wednesday of the month, Town Hall Annex, 7:00 P.M.

Housing Authority Meets on the first Wednesday of the month, 15 Birchcrest St., Noon

Library Trustees Meets on the second Thursday of the month, Library, 7:00 P.M.

Planning Board Meets the first and third Thursdays of the month, Town Hall, 7:30 P.M.

Recreation Commission Meets on the second and fourth Mondays, 61 Center St., Rm. 103, 7:00 P.M.



School Committee	Meets the second and fourth Tuesdays of the month, Burlington High School, 7:30 P.M.
Town Meeting	Meets the fourth Monday in January, second Monday in May (annual), and fourth Monday in September, Fogelberg Auditorium, Burlington High School, 7:30 P.M.

All other scheduled board/committee meetings are posted at Town Hall and are published as a monthly calendar on the Town's web page [www.burlington.org](http://www.burlington.org)

## TOWN HALL SCHEDULE

Open Daily:	8:30 a.m. - 4:30 P.M., Monday thru Friday
All offices	
	Nurse: Walk-in Clinics Human Services Center, 61 Center Street.
	1st and 3rd Tuesday 9:00 A.M. - Noon
	2nd Thursday of each month - 3:30 - 5:30 P.M.
	Board of Health/Lahey Clinic Free Care Community Clinic, by appointment only, call the nurse at 270-1957. This program is offered to residents aged 19 - 65 who do not have health insurance or are under insured.

## ELECTED OFFICIALS

### Town Clerk (5 Yrs.)

Jane L. Chew	7 Winn Valley Dr.	2011
Elected 4/85		

### Moderator (1 Yr.)

Phillip A. Gallagher	8 Corcoran Rd.	2007
Elected 4/05		

### Selectmen (3 Yrs.)

Albert L. Fay, Jr.	11 Raymond Rd.	2009
Elected 4/00		
Gary J. Gianino	11 Thornton Dr.	2008
Elected 4/93		
Kevin B. McKelvey	4 Allison Dr.	2007
Elected 4/98		

### Selectmen (3 Yrs.)

Ralph C. Patuto	43 Francis Wyman Rd.	2009
Elected 4/06		
Sonia Rollins	8 Paula St.	2007
Elected 4/04		

### Assessors (3 Yrs.)

Lisa M. Annunziata	5 Independence Dr.	2007
Appt. 7/99 Elected 4/00		
Michael W. Crocker	15 Thornton Dr.	2008
Appt. 2/98 Elected 4/98		
Paul R. Sheehan	5 Thornton Dr.	2009
Appt. 1/99 Elected 4/99		

### Treasurer/Collector (3 Yrs.)

Brian P. Curtin	3 Lee Ave.	2007
Elected 4/76		

### School Committee (3 Yrs.)

Michael F. DeSimone	5 Gloria Circle	2009
Elected 4/06		
Christine M. Monaco	18 Corcoran Rd.	2007
Elected 4/92		
Thomas F. Murphy, Jr.	3 Lexington St.	2007
Elected 4/93		
Stephen A. Nelson	25 Fairfax St.	2008
Elected 4/96		
John L. Vanella	8 Pearson Circle	2008
Elected 4/81		

### Library Trustees (3 Yrs.)

Paula F. Bernard, Jr.	263A Cambridge St.	2009
Appt. 10/02 Elected 4/03		
Edith F. Entwistle	62 Beaverbrook Rd.	2008
Elected 4/96		
Ellen Marie Ferguson	76 Francis Wyman Rd.	2007
Elected 4/01 (W/I)		
Samuel P. Martorano	1 Laurel Ln.	2008
Write-in 4/03		
Eileen C. Sickler	13 Foster Rd.	2009
Appt. 6/03 Elected 4/04		
Steven E. Wasserman	3 Indian Hill Rd.	2007
Elected 4/04 (W/I)		

### Planning Board (5 Yrs.)

Ernest E. Covino, Jr.	4 Donna Ln	2010
Elected 4/89		
Ann M. Cummings	20 Tinkham Ave.	2008
Elected 4/03		

### Planning Board (5 Yrs.)

John A. DeFrancesco	50 Westwood St.	2007
Elected 4/82		
Albert L. Fay, Jr.	11 Raymond Rd.	2009
Elected 4/94		
Jayne L. Hyde	17 Meadowvale Rd.	2007
Elected 4/96		
Joseph A. Impemba	11 Briarwood Ln.	2011
Elected 4/06		
Paul R. Raymond	1 Dorothy Rd.	2010
Elected 4/90		

### Board of Health (3 Yrs.)

James J. Dion	19 Crystal Circle	2009
Elected 4/93		
Eugene Terry McSweeney	1 McSweeney Way	2008
Elected 4/99		
Catherine E. Read	22 University Ave.	2009
Appt. 3/02 Elected 4/03		
Edmund F. Wall	4 Waite Ave.	2007
Elected 4/01		
Edward J. Weiner	43 Freeport Dr.	2007
Elected 4/89		

### Constable - 1st (3 Yrs.)

Sheila E. Howard	2 Hallmark Gardens #4	2007
Elected 4/96		

### Constable - 2nd (3 Yrs.)

Anthony J. Saia	27 Alcine Ln.	2007
Elected 4/77		

### Housing Authority(5 Yrs.)

Joseph J. Arena	10 Moss St.	2009
Elected 4/84		
Michael J. Austin	8 Partridge Ln.	2007
Appt. 9/05 Elected 4/06		
Bernice H. Ferguson	19 Bedford St.	2011
Appt. 6/05 Elected 4/06		
James H. Langley, Jr.	13 Algonquin Dr.	2008
Elected 4/03		
James J. Rogers	42 Locust St.	
Gov. Appt. (1999)		

### Recreation Commission (3 Yrs.)

Kristine E. Brown	8 Luther Rd.	2007
Elected 4/04		
John J. Ferren	37 Lantern Ln.	2009
Elected 4/97		

### Recreation Commission (3 Yrs.)

Christine M. Monaco	18 Corcoran Rd.	
School Comm. Appt.		
Paul R. Raymond	1 Dorothy Rd.	
Planning Bd. Appt.		
Kevin J. Sullivan	14 Frothingham Rd.	2008
Elected 4/01		

### Shawsheen Tech (3 Yrs.)

Paul V. Gedick	5 County Rd.	2009
Elected 4/03		
John P. Miller	15 Birchcrest St. #209	2008
Elected 4/05		

## REPORT OF THE BOARD OF SELECTMEN AND THE TOWN ADMINISTRATOR



*Board of Selectmen: Front row (left to right): Kevin B. McKelvey, Vice Chairman; Gary J. Gianino, Chairman; Sonia A. Rollins; Back row (left to right): Albert L. Fay; Ralph C. Patuto*

Calendar year 2006 again presented the Board and the Administration with a number of challenging and exciting tasks and we are proud of our many accomplishments during the past year. Municipal governments are facing continued pressures on many fronts and the Board continues to evaluate innovative and creative ways to deliver our services in a cost effective and efficient manner. As we reported last year, we had anticipated our local economy would improve and the market "correction" that has been evident over the past few years would stabilize the value shift from



our Commercial/Industrial sector to the residential sector. This anticipated market correction was a primary reason the Board adopted an operating budget increase of no more than 2% for FY 2007 and this action by the Board limited our overall tax increase on the residential sector to just over 5%. The Board remains fully cognizant of the very difficult time many of our residents endured during the previous year in dealing with the 23% average residential tax increase and was committed in working with our Administration and the Ways & Means Committee to provide some relief for our taxpayers. As we look to calendar year 2007, we are confident that many of our initiatives from 2006 will help us achieve our goal of providing quality services in a cost effective manner.

### Personnel Matters

This past year saw a number of key personnel changes within our Departments. Our long time, well respected Superintendent of Public Works, Mr. Syamal Chaudhuri retired after 23 years with the Town of Burlington. Mr. Chaudhuri was originally hired as the Town Engineer in 1983 and later was appointed Public Works Superintendent. During his tenure in Burlington, he was known for his customer service to our residents, his desire to improve and maintain our overall infrastructure and his loyalty to this community. The Town Administrator immediately launched a search for Mr. Chaudhuri's successor and with the assistance of our Human Resources Director conducted a series of interviews with eligible candidates and in October named Mr. John Sanchez as our new Superintendent of Public Works. Mr. Sanchez comes to Burlington from Arlington where he served that community as its Superintendent of Public Works. We welcome Mr. Sanchez to our team and wish him well in this challenging position. Additionally, long time highway Superintendent William Bannon announced his retirement and left the employment of the Town in October of 2006. Mr. Al Ferreira was named to replace Mr. Bannon by the Town Administrator soon after Mr. Bannon's last day of employment. During this same time frame, our Assistant Town Administrator announced to the community that he was selected to be the Town of Hopkinton's first Town Manager and would leave his employment with Burlington at the end of the calendar year. We all wish Tony well in his new endeavor and trust he has been well educated in his craft by serving the Town of Burlington for the past 2½ years. Mr. Mercier filled Mr. Troiano's position by moving our Public Works Operations Manager (Mr. Tom Hickey) to the position of Assistant Town Administrator.

Although not within our jurisdiction, the Board would like to acknowledge the retirement of our School Superintendent Dr. James Picone who worked very closely with our Town Administrator and helped foster a spirit of cooperation between the Town and the School leadership that remains the envy of many of our neighbors.



*Town Administrator  
Robert A. Mercier*

The election of 2006 also saw long time incumbent Selectman Joseph Impemba announce that he would not seek re-election in 2006. After a spirited election with a number of candidates, the Board welcomed Ralph Patuto as our newest member and re-organized our leadership team with Gary Gianino assuming the role of Chairman and Kevin B. McKelvey taking on the role of Vice-Chairman.

Finally, on a sad note, former Selectman and community activist James Melchionna passed away after a long battle with a debilitating illness. We remember Jim fondly for his commitment to the community, his positive outlook on life, his generosity and his sense of humor. He will be sadly missed by our community.

### Infrastructure Improvements

The Board and the Administration remain committed to the maintenance and upkeep of our valuable assets in which the Town has invested millions of dollars over the years. As an example of that commitment, we approached our Town Meeting in January seeking additional money for the completion of the upgrades to the Mill Pond Treatment Plant and replacement of deteriorating water mains in some of our streets. The Town Meeting overwhelmingly approved of our request and we are pleased to report that we broke ground on the Treatment Plant upgrade in late summer of 2006. The

plant is scheduled to re-open in May of 2007 to help us meet the demands for water during the summer months. The Board and the Administration would like to express our thanks to Mayor Tom McLaughlin of Woburn who helped us move this project along by assisting us in his city's review of our building plans and site plan approval. In May of 2006, we sought authorization to spend funds for a number of other important projects within the Town. The Town Meeting approved expenditure request to expand the Pine Haven Cemetery, repair and upgrade the 40 year old Terrace Hall Fire Station, replace a large portion of the High School roof and allow us to bond money that we hope will result in the eventual building of a new Memorial School. We were also pleased to see the completion of exterior upgrades to the Town's historical museum and the Burlington Police Station. These repairs cost approximately \$400,000 and will improve the energy efficiency of both buildings as well as the durability of the exterior components on both structures.

### **Housing Issues**

The Town of Burlington has a very active Housing program under our jurisdiction and this past year we were involved in a number of initiatives that are aimed at maintaining our 10% affordable housing stock as required by state policy. Burlington has been aggressive in pursuing creative means to maintain our affordable housing stock. Unlike many of our neighbors who have not reached the goal of 10% affordable housing, we have not been faced with the prospect of hostile 40B affordable housing complexes. Instead, we have involved ourselves in negotiations with prospective developers about maintaining our share of 10% by engaging in programs like the LIP (Local Initiative Program) process which is a cooperative venture between the Town and the developer that results in a project the community can accept while also maintaining its 10% share for affordable units. The most recent example of a successful project is the Arborpoint project that will provide 10% affordable rental units and 10% affordable "for sale" units for first time home buyers. This large project involved some intense discussions with the DHCD (Department of Housing and Community Development) because of our creative discussions with the developer and the uniqueness of our structured monitoring to assure we maintain our 10% affordable component in perpetuity. In fact, the latest document issued by DHCD shows Burlington not only has maintained its 10% affordable ratio but indeed has increased that to just over 11%!

This past year we were proud to have completed our association with the developers of the Grandview Commons senior housing condominium project behind the Marion Tavern. This project was an integral part of the 2001 land swap and was a primary goal of the Board. The completed complex houses 42 one and two bedroom units and as this report goes to print, all 42 units have been sold to eligible Burlington seniors. We are proud that we had the ability to provide this opportunity to our seniors and we would like to thank all the parties involved in this important initiative including our office staff, our partners in the development and a special mention to Jayne Hyde who not only is our housing expert but who is a champion of affordable housing here in Burlington.

### **Policy Initiatives**

The Board engaged in a number of policy discussions during the past year and set a direction for the Administration in a number of important areas. The disposition of property under our jurisdiction was on a number of our regular Board meeting agendas during the past year. The Board has directed the Administration to prepare RFP's for the Wildwood School and the Carpenter house. In addition, the Board also directed the Administration to sell the two lots remaining from the original configuration of the Sleeper Drive sub-division to help pay for the restoration of the Grandview Farm/Marion Tavern complex. Unfortunately, the town did not receive a "responsive bid" to this RFP and we are discussing alternative strategies regarding this complex.

The Board also engaged in active policy discussions with the City of Woburn concerning the future of the so-called "City of Boston" property. Our Board and the Mayor of Woburn have expressed a united position with respect to this property and its ultimate disposition. To that end, the City and the Town have engaged in discussions with the Trust for Public Land to possibly be an intermediary between our interest and that of the City of Boston. Additionally, Board member Sonia Rollins took a lead in the development of the Town Center Overlay district that passed Town Meeting. The full Board backed this initiative as a progressive and necessary engine for the re-development of the center of Town.

Under the leadership of Board members Kevin B. McKelvey and Ralph Patuto, the full Board continued to refine its Alcohol Rules and Regulations following discussions with the Police Department, the license holders and

members of the community. We believe this is a novel approach to working cooperatively with our stake holders and many of those who hold these licenses have expressed their support for our process.

As the year came to a close, the Board broached the subject of a review of all Town services and how we can through re-organization, consolidation, policy changes and the implementation of business principals better and more efficiently deliver our necessary services to the residents of Burlington. We expect this to be a major policy issue for us throughout 2007.

### Economic Development

The key to fiscal stability in Burlington is the development of a positive economic climate that will encourage growth and expansion within our Commercial/Industrial sector. The Board has taken an aggressive stance in supporting reasonable and positive developments that will help us sustain our ability to provide services that are, in many cases, the envy of our neighbors. Over the past year, we have been fortunate to see the realization of some very important economic development projects here in Burlington. In February of 2006, the Nordstrom's groundbreaking ceremony was held at the Burlington Mall. This is significant because it is the beginning of Nordstrom's entry into the Massachusetts market and we are one of the 4 sites they have selected for this initiative. In addition, in late summer of 2006 we saw the opening of the new "lifestyle" center here in Burlington on the old Raytheon Service center site. This "redeveloped" site will generate nearly triple the dollars in real estate taxes that the Town previously received from the prior use. The site will also include one of the very few retail large L.L. Bean stores in the country. We are also pleased that our office market demand has picked up and vacancies are slowly going back to reasonable levels. As this goes to print, our largest office park owned by the Nordblom family is being considered by our Town Meeting for a complete re-zoning that will totally change the face of that 127 acre property! The owners have been working with all interested parties for well over a year to accomplish their goal. If successful, this project has the potential to certainly stabilize our financial situation for many years to come.

The Board accomplished a very important goal this past year to help our strategy of reasonable and responsible growth to sustain the many services offered by this community. Since 1986, the Town has been under an Administrative Consent Order (ACO) with respect to dis-

charges into the Town's sanitary sewer. That order required developers to remove 10 gallons of effluent for every 1 gallon they place into the system. This was becoming a major impediment to our ability to attract new companies into Burlington. We believe we have been at the forefront of what is called I and I removal and in 2006 we negotiated with the DEP to reduce that requirement to 4-1. This is a major hurdle and is an important decision in our overall economic development strategy. Selectman Al Fay, our Town Administrator, Superintendent Chaudhuri and many others deserve credit for this milestone.

### Summary

The Board and the Administration has considered 2006 (FY 2007) as a "correction" year in terms of our financial status. Although very challenging, we have been able to maintain nearly all of our services and personnel and still provide one of the lowest residential tax rates and overall tax burden on homeowners in eastern Massachusetts. We are not satisfied with that statistic and will continue to strive to improve Burlington while remaining cognizant of our residents' ability to pay for their Government. We have a strong management team in place, dedicated and committed employees and a strong volunteer group ready to assist in our endeavor.

We remain grateful to our Town Administrator and his staff for their professionalism and commitment to the Town of Burlington. To all of our managers and employees in their various departments we "thank you" for the jobs you do everyday for the residents of Burlington.

Respectfully submitted,

#### **The Board of Selectmen:**

Gary J. Gianino, Chairman  
Kevin B. McKelvey, Vice-Chairman  
Albert L. Fay, Jr., Member  
Sonia A. Rollins, Member  
Ralph C. Patuto, Member

#### **Administration:**

Robert A. Mercier, Town Administrator  
Anthony J. Troiano, Assistant Town Administrator

#### **Professional staff:**

Janis Critch, Executive Assistant to the T.A.  
Pauline Crusco, Principal Clerk  
Sandra Madigan, Principal Clerk  
Jean Gallant, Senior Clerk

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## HUMAN RESOURCES DEPARTMENT

It is a pleasure to submit the highlights of the Human Resources Department for 2006. The human resources function in any organization is always rewarding and challenging; each day brings with it new opportunities to learn things about employees as human beings and how each interaction affects an organizations day-to-day operations.

In last year's Annual Report, I touched upon the Town's opportunity to participate in a customer service training video. As I write this piece, it is expected to be completed and marketed nationwide sometime during the coming year. In addition to receiving the finished product gratis for on-going training purposes, the Town expects positive and widespread public relations exposure for its participation. It is very exciting that Burlington's employees were able to participate in this unique opportunity!

In addition to working closely with the Town's labor counsel for the resolution of employees' disputes, union grievances and arbitrations, I am also involved in handling employment-related lawsuits, claims of harassment and discrimination as well as allegations of disparate treatment in the workplace for both the Town and the School Department. Further, I am responsible for gathering data and doing classification/compensation studies to ensure that the Town of Burlington/Burlington Public Schools are paying market-competitive wages and offering fringe benefits comparable to other municipalities in the state with comparable demographics and annual budgets. This is extremely beneficial when preparing for collective bargaining meetings with our diverse union groups throughout the community.

All of the Union Contracts on the municipal side expire June 30, 2007. Currently, the School Department has negotiated agreements with all of their union groups that expire June 30, 2008. The management team, consisting of representatives from both the municipal and school departments, continues to meet in order to work collaboratively with union groups to discuss ways to potentially save the community money through cost savings mechanisms in the wake of the rising cost of health insurance. While government shares the concerns and financial burden of double-

digit increases with private business through the escalating cost of health insurance premiums, this will prove to continue to be an area of discussion and concern in the coming years, most certainly during the upcoming collective bargaining process with both the municipal and school union groups.

On the educational side, I am honored to serve as the Chairperson of the Search Committee for the position of High School Principal, with Linda Hayes' pending retirement at the end of the school year. Although all of us on the School Department's Administrative Council will be sorry to see Linda retire, we anticipate welcoming a new member to the team. Additionally, it will be a pleasure to participate in the search for a new Assistant Superintendent of Curriculum and Instruction, with Superintendent Elect Katie Spinos taking over the helm for retiring Superintendent Dr. Jim Picone. Best wishes to Katie on her promotion and best of luck to Jim!

On the municipal side, the Town is in the process of hiring a new Assistant Town Administrator as Tony Troiano leaves to assume the position of Town Manager in the Town of Hopkinton. Under Bob Mercier's leadership and mentoring, Tony was able to acquire this exciting new position and we all wish him the best of luck in the future. Additionally, after over 20 years of dedicated service to the Town of Burlington, Superintendent of Public Works Syamal Chaudhuri retired at the end of the year. A wonderful tribute to his service was held at the Café Escadrille in the fall. The Town welcomes John Sanchez to the administrative team!

2006 was another busy and exciting year. I anticipate the challenges and initiatives that 2007 promise to bring to both the municipal and school departments. Again, I wish to extend my sincerest thanks to Bob Mercier and Jim Picone for their guidance and leadership. I'd also like to thank Dr. Picone for his support over the past few years. I can't thank Janis, Pauline, Jean and Sandi enough for their assistance throughout the year. Rosemary and Denise are most appreciated by Katie and I for always assisting when needed.

Respectfully submitted,

Anne Marie Tucciarone-Mahan  
Human Resources Director

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## TOWN MODERATOR

Fiscal year 2007 was uneventful from the perspective of the operation of town meeting. The annual meeting in May as well as the September meeting were held and concluded in a timely and uncontroversial manner.

The January meeting looks to be an exciting event as the town will take up one of the most significant development proposals brought forward in the past 25 years.

Progress is being made in the opening of the budget and financial process as the Ways and Means Committee has changed venues to the main hearing room and the likelihood of televised editions of the meetings may soon be realized. In discussions on this subject at the annual Moderator's Association meeting it was noted that many communities are opening the budget process in this way.

On the committee front all of the committees are full at this point with the exception of the Rules Committee. The Rules Committee has historically been a challenge to keep full and I am in the process of reviewing a potential proposal to change the by-laws that would automatically appoint the senior most members of the town meeting as members of the Rules Committee.

In an effort to keep abreast of town meetings problems and procedures across the state I have been appointed to the Town Meeting 2020 Committee. That committee is an arm of the Massachusetts Moderators Association. Its mission is to anticipate the future needs of representative town meeting and open town meetings in the Commonwealth.

Respectfully submitted,

Phillip A. Gallagher  
Moderator

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## TOWN COUNSEL

During 2006, Town Counsel handled a number of litigation matters. In addition, the firm rendered numerous legal opinions to various Town boards, approved contracts as to form, and handled a number of real estate transactions. There are currently ten active litigation cases involving the Town and the School Department. Most of these cases involve appeals from decisions of the various land use boards. Four cases were resolved in 2006.

Town Counsel has worked closely with the Town administration to complete the various components of the Grandview Farm land exchange and the development of the affordable housing units pursuant to that agreement. We have also been providing advice concerning the proposed development of the Northwest Park, as well as ongoing advice to the Planning Board and the Zoning Board of Appeals on a number of other development projects.

We extend our appreciation to the Board of Selectmen for their confidence in retaining this firm, and appreciate the assistance and cooperation on all matters from the Board of Selectmen, Town Meeting, the Town Administrator, department heads, boards, committees, and other Town personnel. We look forward to working with the members of the Town Government in the future.

Respectfully submitted,

Leonard Kopelman, for the  
Firm of Kopelman and Paige, P.C.  
Town Counsel

## TOWN CLERK

It was a busy year with three elections all of which generated a lot of public interest and high turnouts. Some provisions of the Help America Vote Act (HAVA) of 2002 are still being implemented. Among the newer provisions, students under the age of 18 were allowed to work the polls. We were fortunate to have a number of Burlington High School students agree to work. Their contribution to the process was appreciated by fellow poll workers and the general public and we look forward to their continued participation in the election process.

Thanks to all the poll workers, school custodians, police, DPW, Emergency Management, School Dept., voters, candidates, and the staff of the Clerk's office for all your efforts in keeping elections running smoothly and to Ed Weiner and Jane Richard for their continued support of the Student Vote program at April town elections. Very special thanks to Pat Larson, recently deceased, for the many years of support and assistance in the office and at the polls along with her husband Bud. She will be missed.

Enhancements to the website continue. A Guide for New Businesses to familiarize business owners with license requirements and the permit process was published this year. Discussion for on-line bill paying and credit card acceptance for transactions with the clerk's office has been initiated and it is hoped those services will be provided in 2007. The public's feedback is always appreciated.

This year a policy of offering free passport photo's during school vacation weeks was implemented and appears to have stimulated business. We processed 1087 passport applications this year, a 40% increase over last year. Total revenue generated in 2006 was \$143,189, a slight increase over last year.

Special recognition and congratulations to Peg Gelinas for achieving 25 years of great service to the Office of the Town Clerk and the Town of Burlington!

Following are the historical profiles on Vital Statistics (Births, Marriages, Deaths), Voting Statistics, Election Results, and the Archives report. Town Meeting Minutes are included in the Appendix.

Respectfully submitted,

Jane L. Chew, Town Clerk

## VITAL STATISTICS

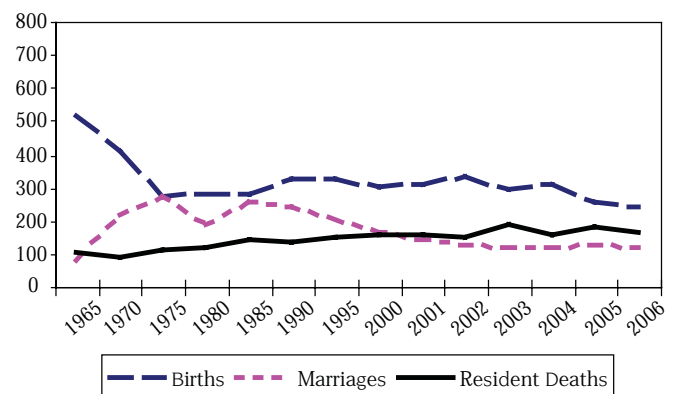
### HISTORICAL PROFILE (Adjusted)

The following Births, Marriages, and Deaths were recorded in the Office of the Town Clerk. The figures for marriages and deaths are not exclusively those of residents. The figures for births for the last two years do not include all out of wedlock births. As those figures become available from the state, the chart will be amended.

Note: Lahey Clinic opened in 1980, Long Meadow Assisted Living 1999, Sunrise Assisted Living 2005

	<b>Births</b>	<b>Marriages</b>	<b>Deaths</b>	<b>(Resident)</b>
1965	509	80	99	
1970	406	217	87	
1975	265	263	105	
1980	271	185	113	
1985	275	253	403	(140)
1990	318	240	472	(132)
1995	322	196	532	(142)
2000	297	161	705	(150)
2001	303	140	695	(149)
2002	328	122	720	(143)
2003	290	118	724	(182)
2004	305	130	688	(153)
2005	253	123	788	(175)
2006	239	113	754	(160)

Received through 1/5/07





# ELECTION RESULTS

TOWN OF BURLINGTON								Student Vote
TOTAL TALLY SHEET								
April 8, 2006								
Election								
# Eligible Voters						13,811		
Total Votes Cast						5,593		
Percent						40.50%		
PRECINCT	1	2	3	4	5	6	GRAND TOTAL	
TOTAL VOTES CAST	1,090	542	991	830	1,108	1,032	5,593	359
TOWN CLERK - 5 YR (1)								
Blanks	262	125	219	178	199	211	1,194	65
Jane L. Chew*	817	414	767	644	898	817	4,357	282
Write-ins	11	3	5	8	11	4	42	12
TOTAL								
TOTAL	1,090	542	991	830	1,108	1,032	5,593	359
MODERATOR - 1 YR (1)								
Blanks	321	161	294	216	269	263	1,524	76
Phillip A. Gallagher*	757	376	689	606	826	755	4,009	266
Write-ins	12	5	8	8	13	14	60	17
TOTAL								
TOTAL	1,090	542	991	830	1,108	1,032	5,593	359
SELECTMEN - 3 YR (2)								
Blanks	283	137	262	217	227	243	1,369	117
Albert L. Fay, Jr.*	470	234	367	349	532	426	2,378	174
Roderick R. Arsenault	30	18	42	39	45	32	206	13
John J. Keene	305	190	325	280	357	287	1,744	96
Virginia E. Mooney	222	152	269	222	254	240	1,359	45
Ralph C. Patuto	405	179	336	313	425	458	2,116	70
Walter T. Zenkin	462	174	378	236	375	374	1,999	199
Write-ins	3	0	3	4	1	4	15	4
TOTAL								
TOTAL	2,180	1,084	1,982	1,660	2,216	2,064	11,186	718
ASSESSOR - 3 YR (1)								
Blanks	341	159	315	257	289	304	1,665	86
Paul R. Sheehan*	742	383	670	565	807	721	3,888	263
Write-ins	7	0	6	8	12	7	40	10
TOTAL								
TOTAL	1,090	542	991	830	1,108	1,032	5,593	359
SCHOOL COMMITTEE -3 YR (1)								
Blanks	64	39	68	28	57	51	307	23
Sharon Marie Sotiros*	501	243	399	325	459	442	2,369	103
Michael F. DeSimone	521	259	519	474	591	538	2,902	226
Write-ins	4	1	5	3	1	1	15	7
TOTAL								
TOTAL	1,090	542	991	830	1,108	1,032	5,593	359
LIBRARY TRUSTEES - 3 YR (2)								
Blanks	774	363	686	496	638	647	3,604	229
Paula F. Benard, Jr.*	724	364	652	577	803	721	3,841	245
Eileen C. Sickler*	675	350	638	580	761	688	3,692	234
Write-ins	7	7	6	7	14	8	49	10
TOTAL								
TOTAL	2,180	1,084	1,982	1,660	2,216	2,064	11,186	718
PLANNING BOARD - 5 YR (1)								
Blanks	305	136	305	239	279	303	1,567	67
Joseph A. Impemba	763	398	667	579	800	709	3,916	278
Write-ins	22	8	19	12	29	20	110	14
TOTAL								
TOTAL	1,090	542	991	830	1,108	1,032	5,593	359

# Town of Burlington

PRECINCT	1	2	3	4	5	6	Total	Student Vote
<b>BOARD OF HEALTH - 3 YR (2)</b>								
Blanks	741	363	683	519	619	646	3,571	226
James J. Dion*	720	363	658	583	800	720	3,844	241
Catherine E. Read*	712	354	638	551	785	688	3,728	240
Write-ins	7	4	3	7	12	10	43	11
<b>TOTAL</b>	<b>2,180</b>	<b>1,084</b>	<b>1,982</b>	<b>1,660</b>	<b>2,216</b>	<b>2,064</b>	<b>11,186</b>	<b>718</b>
<b>HOUSING AUTHORITY - 5 YR (1)</b>								
Blanks	355	166	322	251	294	293	1,681	85
Bernice H. Ferguson	729	374	667	573	812	732	3,887	261
Write-ins	6	2	2	6	2	7	25	13
<b>TOTAL</b>	<b>1,090</b>	<b>542</b>	<b>991</b>	<b>830</b>	<b>1,108</b>	<b>1,032</b>	<b>5,593</b>	<b>359</b>
<b>HOUSING AUTHORITY - 1 YR (1)</b>								
Blanks	356	173	322	264	312	293	1,720	85
Michael J. Austin	724	366	664	563	788	732	3,837	265
Write-ins	10	3	5	3	8	7	36	9
<b>TOTAL</b>	<b>1,090</b>	<b>542</b>	<b>991</b>	<b>830</b>	<b>1,108</b>	<b>1,032</b>	<b>5,593</b>	<b>359</b>
<b>RECREATION COMM. - 3 YR (1)</b>								
Blanks	327	153	306	250	263	268	1,567	80
John J. Ferren*	756	386	681	575	836	759	3,993	268
Write-ins	7	3	4	5	9	5	33	11
<b>TOTAL</b>	<b>1,090</b>	<b>542</b>	<b>991</b>	<b>830</b>	<b>1,108</b>	<b>1,032</b>	<b>5,593</b>	<b>359</b>
<b>SHAWSHEEN TECH H.S. - 3 YR (1)</b>								
Blanks	219	109	215	150	181	183	1,057	77
Paul V. Gedick*	656	342	579	521	745	653	3,496	179
Sharad K. Desai	213	91	195	158	179	194	1,030	95
Write-ins	2	0	2	1	3	2	10	8
<b>TOTAL</b>	<b>1,090</b>	<b>542</b>	<b>991</b>	<b>830</b>	<b>1,108</b>	<b>1,032</b>	<b>5,593</b>	<b>359</b>
<b>PRECINCT 1</b>								
<b>TOWN MEETING - 3 YR (6)</b>								
Blanks	1,760						1,760	
Donna D. Gregorio*	664						664	
Mark S. Saia*	608						608	
David J. Woodilla*	479						479	
Walter T. Zenkin*	636						636	
Donald D. Barrucci, Jr.	478						478	
Bradford D. Bond	455						455	
John G. Lamb	499						499	
John E. O'Keefe	578						578	
Gene J. Rossi	372						372	
Write-ins	11						11	
<b>TOTAL</b>	<b>6,540</b>						<b>6,540</b>	
<b>PRECINCT 2</b>								
<b>TOWN MEETING - 3 YR (6)</b>								
Blanks		950					950	
Todd M. Duggan*		327					327	
Marjorie J. Foster*		305					305	
Jerome J. Lynch, III*		354					354	
Ann Louise McNamara*		373					373	
Eleanor N. O'Connell*		377					377	
John J. Ryan*		316					316	
Richard C. Wilde		247					247	
Write-ins		3					3	
<b>TOTAL</b>		<b>3,252</b>					<b>3,252</b>	

# 2006 Annual Report

PRECINCT	1	2	3	4	5	6	Total
<b>PRECINCT 3</b>							
<b>TOWN MEETING - 3 YR (6)</b>							
Blanks			1,626				1,626
Anne P. Coady*			388				388
Kathleen S. Cool*			387				387
Stephen G. Marchese*			460				460
Mildred J. Nash*			415				415
Mabel A. Nevins*			303				303
Anne E. Rowe*			356				356
Kathleen A. Brine			447				447
Lucy M. Damiani			433				433
Paul Gerard Noonan			449				449
Hope M. Paulsen			324				324
Jeffrey N. Pearsons			348				348
Write-ins			10				10
<b>TOTAL</b>			<b>5,946</b>				<b>5,946</b>
<b>PRECINCT 4</b>							
<b>TOWN MEETING - 3 YR (6)</b>							
Blanks				1,420			1,420
Wendi J. Dellemonico*				524			524
Joan B. Hastings*				557			557
Mark E. Kashgegian*				497			497
Roberta E. Mills*				518			518
Frank P. Monaco*				528			528
Virginia E. Mooney*				429			429
Timothy J. Brown				490			490
Write-ins				17			17
<b>TOTAL</b>				<b>4,980</b>			<b>4,980</b>
<b>PRECINCT 5</b>							
<b>TOWN MEETING - 3 YR (6)</b>							
Blanks					1,859		1,859
Patricia J. Angelo*					669		669
Vincent H. Gerbrands*					644		644
Nancy J. Hofferty*					712		712
Virginia M. Igo*					677		677
Christopher P. Murphy*					705		705
Paul Andrew Gilpin					660		660
Christopher E. Hartling					697		697
Write-ins					25		25
<b>TOTAL</b>					<b>6,648</b>		<b>6,648</b>
<b>PRECINCT 6</b>							
<b>TOWN MEETING - 3 YR (6)</b>							
Blanks						1,823	1,823
Roger A. Bell*						541	541
Ellen M. Cormier						576	576
Daniel R. DiTucci*						547	547
David J. Ghio*						497	497
Wayne S. Saltsman*						430	430
Joseph S. Stavolta, Sr.*						414	414
Diane Kendrigan Creedon						479	479
Robert G. Schlansky						408	408
Joseph Silva						462	462
Write-ins						15	15
<b>TOTAL</b>						<b>6,192</b>	<b>6,192</b>

# Town of Burlington

QUESTION 1								Student Vote
Shall the town vote to amend the Zoning Bylaws to create a Town Center Overlay District as presented under Article 9 of the January 23, 2006 Town Meeting Warrant, as summarized below?								
Blanks	69	31	76	28	39	59	302	84
Yes	580	217	433	404	569	470	2673	160
No	441	294	482	398	500	503	2618	115
TOTAL	1090	542	991	830	1108	1032	5593	359
<p style="text-align: center;"><b>Summary</b></p> <p>The Zoning Bylaw amendments, adopted by the January 23, 2006 Town Meeting, Warrant Article 9, created a new overlay zoning district, the Town Center Overlay District ("the TC"). As an overlay district, the TC changes various provisions of the Town's Zoning Bylaw that apply to land in the underlying zoning district. The TC's purposes include encouraging mixed-use development, pedestrian accessibility, open space, and landscaping. All development in the TC, except for single-family dwellings, is subject to site plan approval by the Planning Board. Certain uses also require a special permit. Among the uses allowed by right are single through multi-family dwellings, fitness centers, and retail stores of less than 20,000 square feet. Building permits for residential units are limited to 40 per year (subject to certain exemptions) and not more than 25% of the total floor area of all buildings may be residential. Among the uses allowed by special permit are retail stores larger than 20,000 square feet, performance theaters, and parking structures for more than three vehicles. The TC decreases some of the dimensional requirements that apply to uses in the underlying district and increases other requirements, but does not change the minimum lot size or frontage requirements. The TC also makes changes to the Definitions and Use Regulations sections of the Zoning Bylaw to incorporate the other amendments. The TC includes a provision called a "Transfer of Development Rights," which allows the transfer of development rights from one parcel in the TC to another parcel. A parcel that cannot be developed now would not be developable under that provision. Other restrictions apply regarding eligibility of a parcel for such transfer.</p> <p><b>A YES VOTE</b> would confirm the vote of the January 23, 2006, Town Meeting, amending the Zoning Bylaws to create a Town Center Overlay District.</p> <p><b>A NO VOTE</b> would reverse the vote of the January 23, 2006, Town Meeting, and would result in no amendment being made to the Zoning Bylaws.</p>								

The polls were open at 8:00 A.M. at the Burlington High School. All precinct workers were sworn in by the Wardens, machines and ballot boxes were all checked, memory packs were sealed, and all counters were set at zero. The polls closed at 8:00 P.M.

Wardens:	Votes Cast	Registered Voters	%
Prec. 1 Eleanor O'Connell	1090	2,521	43.2%
Prec. 2 Paul Raymond	542	2,028	26.7%
Prec. 3 Elaine Perachi	991	2,460	40.3%
Prec. 4 Patricia Stanford	830	2,000	41.5%
Prec. 5 Joan Hastings	1108	2,429	45.6%
Prec. 6 Barbara Reetz	1032	2373	43.5%
		13811	

The above figures includes 442 Absentee Ballots cast by precinct as follows: 1=84, 2=46, 3=72, 4=79, 5=85, 6=76.

# of "Inactive Voters": 1653

VOTER PROFILE:	AGE	TOTAL	%
	18-30	255	4.6%
	31-40	709	12.7%
	41-50	1305	23.3%
	51-60	1080	19.3%
	61-70	1139	20.4%
	71-80	880	15.7%
	80+over	225	4.0%
	Total	5593	100.0%

WEATHER: a.m. cold, drizzling p.m. cold overcast

Attest:

Jane L. Chew, CMC  
Town Clerk

# 2006 Annual Report

TOWN OF BURLINGTON							
TOTAL TALLY SHEET							
SEPTEMBER 19, 2006							
Election							
# Eligible Voters						13,920	
Total Votes Cast						3,715	
Percent						26.7%	
PRECINCT	1	2	3	4	5	6	TOTAL
Democrat	617	450	646	534	615	604	3,466
Republican	47	24	46	41	48	43	249
TOTAL VOTES CAST	664	474	692	575	663	647	3,715
DEMOCRATIC PARTY							
SENATOR IN CONGRESS							
Blanks	162	82	143	106	136	127	756
Edward M. Kennedy	443	354	496	413	466	469	2,641
Write-ins	12	14	7	15	13	8	69
TOTAL	617	450	646	534	615	604	3,466
GOVERNOR							
Blanks	4	0	6	4	6	1	21
Christopher F. Gabrieli	237	142	226	173	230	221	1,229
Deval L. Patrick	223	178	228	224	196	210	1,259
Thomas F. Reilly	153	130	186	131	183	172	955
Write-ins	0	0	0	2	0	0	2
TOTAL	617	450	646	534	615	604	3,466
LIEUTENANT GOVERNOR							
Blanks	56	34	47	44	29	47	257
Deborah B. Goldberg	204	167	214	157	212	211	1,165
Timothy P. Murray	200	155	228	190	230	205	1,208
Andrea C. Silbert	155	92	156	143	143	140	829
Write-ins	2	2	1	0	1	1	7
TOTAL	617	450	646	534	615	604	3,466
ATTORNEY GENERAL							
Blanks	165	91	125	109	115	122	727
Martha Coakley	449	353	520	417	497	480	2,716
Write-ins	3	6	1	8	3	2	23
TOTAL	617	450	646	534	615	604	3,466
SECRETARY OF STATE							
Blanks	102	63	93	69	59	77	463
William Francis Galvin	408	318	470	397	457	457	2,507
John Bonifaz	106	68	83	68	99	70	494
Write-ins	1	1	0	0	0	0	2
TOTAL	617	450	646	534	615	604	3,466

# Town of Burlington

PRECINCT	1	2	3	4	5	6	Total
<b>TREASURER</b>							
Blanks	192	105	168	136	146	133	880
Timothy P. Cahill	423	341	476	394	464	469	2,567
Write-ins	2	4	2	4	5	2	19
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>AUDITOR</b>							
Blanks	199	124	184	138	158	152	955
A. Joseph DeNucci	416	320	461	394	451	451	2,493
Write-ins	2	6	1	2	6	1	18
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>REPRESENTATIVE IN CONGRESS</b>							
Blanks	173	107	169	119	142	130	840
John F. Tierney	441	335	474	410	467	471	2,598
Write-ins	3	8	3	5	6	3	28
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>COUNCILLOR</b>							
Blanks	239	138	223	174	186	169	1,129
Michael J. Callahan	376	306	422	355	427	433	2,319
Write-ins	2	6	1	5	2	2	18
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>SENATOR IN GENERAL COURT</b>							
Blanks	70	41	54	40	41	45	291
Robert A. Havern, III	294	211	305	287	301	287	1,685
Joanna Gonsalves	252	196	287	206	273	272	1,486
Write-ins	1	2	0	1	0	0	4
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>PRECINCT</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>TOTAL</b>
<b>REPRESENTATIVE IN GENERAL COURT</b>							
Blanks	156	94	136	105	115	121	727
Charles A. Murphy	454	346	506	424	496	480	2,706
Write-ins	7	10	4	5	4	3	33
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>DISTRICT ATTORNEY</b>							
Blanks	228	124	202	169	179	165	1,067
Gerard T. Leone, Jr.	388	322	442	364	433	436	2,385
Write-ins	1	4	2	1	3	3	14
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>



# 2006 Annual Report

PRECINCT	1	2	3	4	5	6	Total
<b>CLERK OF COURTS</b>							
Blanks	149	79	110	118	92	95	643
Bruce M. Desmond	132	93	157	133	152	150	817
Michael A. Sullivan	336	277	378	282	371	358	2,002
Write-ins	0	1	1	1	0	1	4
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>REGISTER OF DEEDS</b>							
Blanks	236	130	199	168	166	161	1,060
Eugene C. Brune	380	316	446	363	446	440	2,391
Write-ins	1	4	1	3	3	3	15
<b>TOTAL</b>	<b>617</b>	<b>450</b>	<b>646</b>	<b>534</b>	<b>615</b>	<b>604</b>	<b>3,466</b>
<b>REPUBLICAN PARTY</b>							
<b>SENATOR IN CONGRESS</b>							
Blanks	5	5	4	1	7	3	25
Kenneth G. Chase	16	9	21	18	23	17	104
Kevin P. Scott	26	10	20	22	18	23	119
Write-ins	0	0	1	0	0	0	1
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>GOVERNOR</b>							
Blanks	6	5	11	0	9	4	35
Kerry Healey	40	18	32	38	39	37	204
Write-ins	1	1	3	3	0	2	10
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>LIEUTENANT GOVERNOR</b>							
Blanks	12	6	9	6	18	9	60
Reed V. Hillman	35	18	37	35	30	33	188
Write-ins	0	0	0	0	0	1	1
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>ATTORNEY GENERAL</b>							
Blanks	12	8	11	3	12	10	56
Larry Frisoli	35	16	34	38	36	31	190
Write-ins	0	0	1	0	0	2	3
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>SECRETARY OF STATE</b>							
Blanks	45	20	44	37	45	41	232
Write-ins	2	4	2	4	3	2	17
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>

# Town of Burlington

PRECINCT	1	2	3	4	5	6	Total
<b>TREASURER</b>							
Blanks	46	22	44	38	44	41	235
Write-ins	1	2	2	3	4	2	14
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>AUDITOR</b>							
Blanks	46	23	44	40	45	41	239
Write-ins	1	1	2	1	3	2	10
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>REPRESENTATIVE IN CONGRESS</b>							
Blanks	11	9	12	5	13	10	60
Richard W. Barton	36	15	33	36	34	32	186
Write-ins	0	0	1	0	1	1	3
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
PRECINCT	1	2	3	4	5	6	TOTAL
<b>COUNCILLOR</b>							
Blanks	10	9	13	6	18	15	71
William John Barabino	37	15	33	35	30	28	178
Write-ins	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>SENATOR IN GENERAL COURT</b>							
Blanks	44	21	44	36	42	42	229
Write-ins	3	3	2	5	6	1	20
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>REPRESENTATIVE IN GENERAL COURT</b>							
Blanks	43	24	44	35	42	42	230
Write-ins	4	0	2	6	6	1	19
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>DISTRICT ATTORNEY</b>							
Blanks	45	21	45	38	44	41	234
Write-ins	2	3	1	3	4	2	15
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>
<b>CLERK OF COURTS</b>							
Blanks	46	22	44	37	44	41	234
Write-ins	1	2	2	4	4	2	15
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>

## 2006 Annual Report

PRECINCT	1	2	3	4	5	6	Total
<b>REGISTER OF DEEDS</b>							
Blanks	44	22	45	38	44	42	235
Write-ins	3	2	1	3	4	1	14
<b>TOTAL</b>	<b>47</b>	<b>24</b>	<b>46</b>	<b>41</b>	<b>48</b>	<b>43</b>	<b>249</b>

The polls were open at 7:00 a.m. at the Burlington High School. All precinct workers were sworn in by the Wardens. The machines and ballot boxes were all checked, memory packs were sealed, and the counters all read zero. The polls closed at 8:00 p.m. Two Democratic Absentee Ballots were delivered to the Town Clerk at 7:59 pm and the totals were adjusted.

Wardens:	Registered			% of Total Voting	
	<u>Votes Cast</u>	<u>Voters</u>	<u>%</u>		
Prec. 1 Mabel Nevins	664	2,529	26.3%	DEM	24.9%
Prec. 2 Paul Raymond	474	2,047	23.2%		
Prec. 3 Elaine Perachi	692	2,490	27.8%	REP	1.8%
Prec. 4 Patricia Stanford	575	1,991	28.9%		
Prec. 5 Joan Hastings	663	2,461	26.9%		
Prec. 6 Barbara Reetz	647	2,402	26.9%		

The above figures include 186 Absentee Ballots cast by precinct as follows:  
1=35, 2=13 , 3=36, 4=34 , 5=33, 6=35.

Weather: AM Sunny/Warm PM Sunny/Hot

Attest:

Jane L. Chew  
Town Clerk

# Town of Burlington

TOWN OF BURLINGTON							
TOTAL TALLY SHEET							
NOVEMBER 7, 2006							
Election							
# Eligible Voters						14,179	
Total Votes Cast						9,480	
Percent						66.9%	
PRECINCT	1	2	3	4	5	6	TOTAL
TOTAL VOTES CAST	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>SENATOR IN CONGRESS</b>							
Blanks	52	41	59	37	43	62	294
Edward M. Kennedy	1,028	838	1,077	896	1,026	1,015	5,880
Kenneth G. Chase	658	437	591	434	614	556	3,290
Write-ins	3	7	1	2	2	1	16
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>GOVERNOR/LT. GOVERNOR</b>							
Blanks	11	12	16	19	17	16	91
Healey & Hillman	815	580	749	530	721	702	4,097
Patrick & Murray	758	607	810	684	778	755	4,392
Mihos & Sullivan	128	99	125	120	155	138	765
Ross & Robinson	29	24	26	14	13	23	129
Write-ins	0	1	2	2	1	0	6
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>ATTORNEY GENERAL</b>							
Blanks	72	66	77	43	54	62	374
Martha Coakley	1,105	850	1,132	942	1,104	1,089	6,222
Larry Frisoli	563	406	518	384	526	482	2,879
Write-ins	1	1	1	0	1	1	5
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>SECRETARY OF STATE</b>							
Blanks	212	154	195	126	198	164	1,049
William Francis Galvin	1,222	953	1,232	1,034	1,229	1,211	6,881
Jill E. Stein	302	208	297	208	255	255	1,525
Write-ins	5	8	4	1	3	4	25
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>TREASURER</b>							
Blanks	234	174	235	147	215	179	1,184
Timothy P. Cahill	1,214	930	1,222	1,005	1,207	1,204	6,782
James O'Keefe	289	212	267	214	257	248	1,487
Write-ins	4	7	4	3	6	3	27
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>AUDITOR</b>							
Blanks	235	184	226	151	227	188	1,211
A. Joseph DeNucci	1,190	899	1,196	991	1,147	1,148	6,571
Rand Wilson	312	236	304	225	307	295	1,679
Write-ins	4	4	2	2	4	3	19
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480
<b>REPRESENTATIVE IN CONGRESS</b>							
Blanks	101	80	113	69	83	82	528
John F. Tierney	1,083	859	1,113	935	1,105	1,101	6,196
Richard W. Barton	555	381	502	365	494	451	2,748
Write-ins	2	3	0	0	3	0	8
TOTAL	1,741	1,323	1,728	1,369	1,685	1,634	9,480

# 2006 Annual Report

<b>COUNCILLOR</b>							
Blanks	204	151	203	133	171	178	1,040
Michael J. Callahan	822	655	854	728	844	853	4,756
William John Barabino	464	305	453	297	413	380	2,312
Rosemary A. Macero	127	100	109	98	127	114	675
Ted Sarandis	124	110	109	110	128	109	690
Write-ins	0	2	0	3	2	0	7
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>SENATOR IN GENERAL COURT</b>							
Blanks	513	338	477	351	450	410	2,539
Robert A. Havern, III	1,211	968	1,233	1,003	1,207	1,209	6,831
Write-ins	17	17	18	15	28	15	110
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>REPRESENTATIVE IN GENERAL COURT</b>							
Blanks	412	308	405	273	379	342	2,119
Charles A. Murphy	1,306	987	1,304	1,080	1,281	1,280	7,238
Write-ins	23	28	19	16	25	12	123
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>DISTRICT ATTORNEY</b>							
Blanks	550	362	523	372	475	430	2,712
Gerard T. Leone, Jr.	1,178	954	1,194	984	1,194	1,193	6,697
Write-ins	13	7	11	13	16	11	71
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>CLERK OF COURTS</b>							
Blanks	538	361	509	364	468	420	2,660
Michael A. Sullivan	1,193	954	1,207	994	1,201	1,205	6,754
Write-ins	10	8	12	11	16	9	66
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>REGISTER OF DEEDS</b>							
Blanks	554	375	512	366	480	428	2,715
Eugene C. Brune	1,175	937	1,206	991	1,187	1,195	6,691
Write-ins	12	11	10	12	18	11	74
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>Question 1</b>	<b>WINE SALES AT FOOD STORES</b>						
Blanks	27	21	47	13	19	43	170
Yes	711	482	657	551	678	615	3,694
No	1,003	820	1,024	805	988	976	5,616
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>Question 2</b>	<b>CANDIDATES TO BE NOMINATED BY MORE THAN ONE PARTY</b>						
Blanks	134	108	156	73	87	129	687
Yes	497	391	451	401	493	455	2,688
No	1,110	824	1,121	895	1,105	1,050	6,105
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>
<b>Question 3</b>	<b>SUBSIDIZED CHILD CARE SYSTEM COLLECTIVE BARGAINING</b>						
Blanks	123	76	141	65	76	105	586
Yes	742	642	736	608	769	725	4,222
No	876	605	851	696	840	804	4,672
<b>TOTAL</b>	<b>1,741</b>	<b>1,323</b>	<b>1,728</b>	<b>1,369</b>	<b>1,685</b>	<b>1,634</b>	<b>9,480</b>

## Town of Burlington

The polls were open at 7:00 a.m. at the Burlington High School. All precinct workers were sworn in by the Wardens. The machines and ballot boxes were all checked, memory packs were sealed, and the counters all read zero. The polls closed at 8:00 p.m.

Wardens:	<u>Votes Cast</u>	<u>Registered Voters</u>	<u>%</u>
Prec. 1 Mabel Nevins	1741	2,565	67.9%
Prec. 2 Eleanor O'Connell	1323	2,125	62.3%
Prec. 3 Elaine Perachi	1728	2,546	67.9%
Prec. 4 Patricia Stanford	1369	2,032	67.4%
Prec. 5 Joan Hastings	1685	2,482	67.9%
Prec. 6 Barbara Reetz	1634	2,429	67.3%
Total	9480	14,179	66.9%

The above figures include 601 Absentee Ballots cast by precinct as follows:  
1=119, 2=68, 3=115, 4=105, 5=89, 6=105.

On November 17th, one overseas ballot was counted and added to the totals.

Attest:

Jane L. Chew  
Town Clerk

## VOTING STATISTICS

### VOTES CAST

TOWN ELECTION	Prec. 1	Prec. 2	Prec. 3	Prec. 4	Prec. 5	Prec. 6	Total	%
1996	298	157	347	269	317	315	1703	13%
1997	695	371	771	598	719	738	3889	30%
1998	608	261	622	513	593	594	3191	16%
1999	362	130	392	327	296	283	1790	13%
2000	607	304	572	541	673	595	3292	24%
2001	550	267	535	505	560	527	2944	21%
2002	419	188	361	386	433	416	2197	16%
2003	611	330	632	554	733	612	3472	25%
2004	860	430	748	629	906	845	4410	32%
2005	547	214	444	424	439	420	2488	18%
2006 (Inci. Ref.)	1090	542	991	830	1108	1032	5593	40%

### SPECIAL ELECTIONS

Referendum 1985	1492	1224	1361	1277	5354	41%		
Referendum 1991	1234	1338	1108	770	930	1093	6473	49%
PROP 2½ 1994	718	385	667	672	768	735	3945	28%
Selectman 1997	457	198	353	331	368	408	2115	15%
PROP 2½ 2003	1113	592	1036	878	1177	1079	5875	42%

### PRESIDENTIAL PRIMARIES

March 1992	847	931	861	713	751	836	4939	36%
March 1996	335	244	344	321	313	359	1916	14%
March 2000	824	550	861	767	791	791	4584	32%
March 2004	452	305	452	417	509	439	2574	18%

### STATE PRIMARIES

September 1994	484	310	523	482	499	526	2826	21%
September 1996	336	182	335	362	391	339	1944	14%

September 1998	566	371	609	556	589	577	3268	23%
September 2000	126	70	171	115	171	160	813	8%
September 2002	701	447	747	612	729	666	3902	28%
September 2004	144	96	195	154	180	162	931	7%
September 2006	664	474	692	575	663	647	3715	27%

### STATE/PRESIDENTIAL ELECTIONS

November 1988*	2051	1981	2157	1841	1814	2025	11869	88%
November 1990	1921	1958	2021	1677	1737	1908	11222	82%
November 1992*	2202	2444	2309	1840	1920	2076	12791	87%
November 1994	1818	1329	1715	1573	1687	1732	9854	72%
November 1996*	2101	1630	1974	1800	1905	1918	11328	79%
November 1998	1522	1008	1480	1295	1382	1408	8095	57%
November 2000*	2133	1582	2028	1828	2001	2000	11572	79%
November 2002	1726	1199	1693	1378	1738	1630	9364	66%
November 2004*	2279	1719	2170	1731	2174	2087	12160	83%
November 2006	1741	1323	1728	1369	1685	1634	9480	70%

\* Denotes Presidential Election

## ARCHIVES

Nearing the end of its first decade as a town office, the Archives continues to provide residents, employees and outside patrons with prompt, reliable and accurate access to town documents and information. We serve an expanding level of needs for information and services and strive at all times to perform in a cost-effective manner with no interruptions in services.



Service is the hallmark of our operations. We act in support of the greater activities of town government by delivering our functions in a prompt and efficient manner. We serve all departments in their recordkeeping and recording needs. Our collections range from financial records delivered earlier in a given day to the very first Town Meeting minutes of 1799. Our holdings document the history of the town and the day-to-day business activities that keep municipal services functioning.

Who uses our services? I took a look at April 28, a Friday when we served a wide variety of patrons. On a given day we may have appointments or scheduled events but much of the time our activities are unscheduled. Such was the case on that day when we:

- Transferred records from two departments to the Archives and delivered documents from the Archives to three offices;
- Uncovered the background of a structure for a member of the town's Historical Commission;
- Assisted personnel from two town departments researching payroll records for retirees;
- Pulled tax records for a homeowner exploring an abatement issue;
- Provided information about a local family's life during the 1940s for a genealogical researcher in Canada;
- Researched issues relating to acquisition of a piece of municipal property; and
- Sent information about the town's building plans microimaging program to another Middlesex County community.

A selected day from last year tells a lot about the Archives and its mission. We make available historical information and add value to the functions of town departments by storing records, handling records, assisting citizens on their behalf, and performing research. Moreover the interest shown by other towns in our operations proves that we are seen as the model for a municipal archives program.

In all, the Archives filled a total 689 requests from patrons in 2006. Reversing the previous year's trend, more requests (351) came from town departments than the general public. Again, the Archives' Image Collection was the

most frequently consulted records series among non-employee users. The extensive research services provided within this collection indicates the Archives needs to provide a more representative and complete sampling of photographs showing the town's development and history. As such, the Archives is exploring the records of other town departments for additional images to supplement our existing collections.

Delivery of services to departments continues to be the main function of the Archives. At different times we act as filing cabinet, shredding bin, transfer and transportation service, researcher, and reformatting advisor. In the past year we brought 72.5 cubic feet of records from different departments to our shelves, sent a further 18.7 feet to our microfilm contractors for filming, and supervised the shredding of 103.75 feet of documents that had either reached their retention period or had been satisfactorily filmed.

Continuing our work of last year, shelving rearrangements within the vault were completed in August and provide better physical and intellectual control over our holdings. In addition, in October we began transferring a large volume of obsolete records from the Police Department for review and destruction. In the spring, and again in November Library Director Lori Hodgson ably assisted the Archivist in weeding a large backlog of obsolete business records from her facility. During the coming year we intend to, and in some cases, have begun undertaking more extensive records storage and destruction services for several town departments, including Police, School, and Public Works. These three departments have had a low level of interaction with the Archives in previous years and, we believe, could benefit more from our services.

We live by three main sets of laws and guidelines – the Town's bylaws, Massachusetts General Laws Chapter 66 (the Public Records statute) and the Commonwealth's records retention regulations for municipalities. In our facility and services we follow established archives and records management practices through an evolving set of procedures that reduce risk and improve our ability to deliver services. During September and October we finalized work on an Archives Preservation Plan and a disaster plan. As the names suggest, these will allow us to keep and maintain our collections and effectively respond to threats and problems.

As importantly, we are professionally involved with experts in a number of fields. During the past year the Archivist attended meetings of New England Archivists, as well as a pair of gatherings sponsored by the Massachusetts Government Information Systems Association. The Archivist addressed the latter organization on the subject of records retention and archives, specifically in their electronic form.

What is most apparent from our interaction with professionals in related fields is that the subject of electronic records is evolving rapidly with a need for a comprehensive series of regulations and guidelines across legal, administrative, fiscal, physical, and logistical issues. This is true even within our own preservation plan, which needs a section on electronic records. To that end, the Archives plans to focus its efforts on electronic records during 2007. We need to come up with comprehensive electronic records strategies or long-term data storage and retrieval and daily usage that will meet users' needs while satisfying legal considerations. This process has begun with the creation of a survey measuring electronic records uses and practices within town offices. The survey will serve as a knowledge base for planning efforts in this area.

The Archives could not exist without the assistance and support of Town Meeting members and municipal department heads. On a daily basis Town Clerk Jane Chew and assistant clerks Peg Gelinis, Lois Shramek, and Amy Warfield provide invaluable assistance and direction to this office. Their assistance and input is what allows the Archives to provide the best service of its kind to the Town and its citizens.

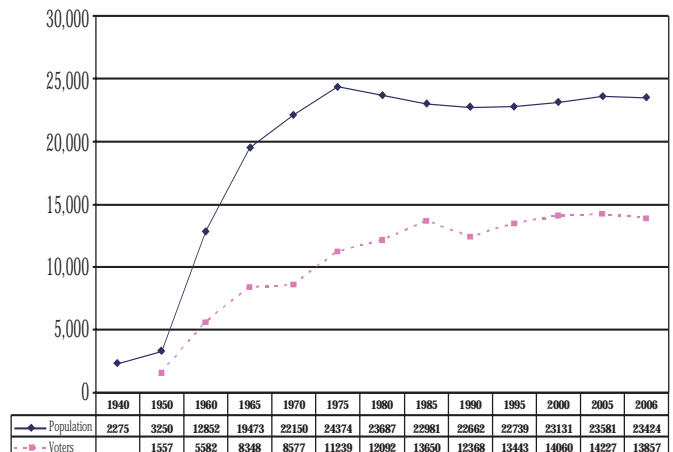
Respectfully submitted,

Daniel McCormack  
Archivist/Records Manager

## BOARD OF REGISTRARS

In 2006, the Board of Registrars lost its longest serving member. Patricia A. Larson, who died in December, served on the board for 34 years. She will be sadly missed.

### POPULATION/REGISTERED VOTERS: Based on Annual Town Census



#### Year-End Summary:

- 964 - # of residents registered and added to the rolls
- 667 - # of residents dropped from the rolls
- 183 - # of voters placed on the inactive rolls
- 2902 - # of persons eligible but not registered
- 83% - eligible residents registered to vote
- 310 - Registration Forms sent to 18 yr. Olds
- 450 - Mail-In Registrations Received

### Population Trends

Age Group									Since
	1995	2000	2001	2002	2003	2004	2005	2006	1990
0-9	2955	2931	2963	2990	3048	2892	2888	2803	-4.4%
10-19	2620	2833	2837	2861	2902	2968	2986	3038	7.2%
20-29	3476	2500	2440	2733	2865	2988	2429	2430	-2.8%
30-39	3877	3624	3620	3665	3576	3278	3567	3370	-7.0%
40-49	3208	3378	3424	3464	3512	3628	3623	3654	8.2%
50-59	2712	2905	2859	2862	2903	3052	3026	3041	4.7%
60-69	2220	2325	2315	2317	2318	2302	2278	2264	-2.6%
70-79	926	1398	1495	1551	1632	1750	1774	1824	30.5%
80-89	270	417	474	495	519	622	639	717	71.9%
90+	34	75	84	61	93	99	88	95	26.7%
Unknown	442	745	780	141	34	109	283	188	
Total	22740	23131	23301	23140	23402	23688	23581	23424	1.3%

During the spring, 5563 of 6732 voter signatures submitted on nomination papers for state officers were certified.

Respectfully submitted,

Jane L. Chew  
Jeanne S. Ganley  
Robert J. Macdonald

### POLICE DEPARTMENT

#### Departmental Roster (as of 12/31/2006)

##### Chief of Police

Francis Hart

##### Captains

George Devlin                      Carleton Boutwell

##### Lieutenants

Walter Bevis                      Thomas Duffy  
William Faria                      Stephen O'Meara

##### Sergeants

Robert Downer                      Greg Skehan  
Glen Mills                      Michael DeBye  
Robert T. Kirchner                      Thomas Browne  
Michael McDade                      Timothy McDonough

##### Patrol Officers

Christopher Priest                      Keith Sheppard  
Kevin Rogers                      Joseph Papsedero  
Robert Healey                      Stephen Papagno  
Stephen Cross                      John Thompson  
Gary Burdick                      Lyn Reynolds  
Edward Mackey                      William A. Soda  
Spiros Tsingos                      Kevin Doherty  
Gary Redfern                      Paul Callahan  
Richard Hanafin                      David M. McLean  
James Tigges                      Matthew Leary  
Harry Sawyer Jr.                      John Lynch  
Charles Ferguson III                      Peter Abaskharoun  
William Preston                      Michael Minichiello  
Thomas Fournier                      Thomas Carlson  
Bernard Schipelliti                      Matthew Creamer  
Anne Marie Browne                      Mark Driscoll  
Daniel Houston                      Roberto Reyes  
Kevin Cooney                      Gerard McDonough  
Timothy Kirchner                      Patrick McCarthy  
David H. McLean                      Scott Lauder  
Albert Gagne                      Catherine Martin  
Paul Glejzer                      Daniel Hanafin  
Robert Aloisi Jr.                      David Outerbridge

### Clerical Staff

Catherine M. Devaney      Jeanne Jones  
Rosemarie Tieri

### Civilian Dispatchers

Gail Fay      June Connolly  
Eileen Barnard

### Animal Control Officer

Gerry Mills, Jr.

### Traffic Supervisors/Matrons

Helen M. Bulman – Head Traffic Supervisor  
Helen Dignan      Maureen Wall  
Nancy Bibbey      Christina Priest  
Maureen Robillard      Carol Jangro  
Carol Goodwin      Candice Oliver  
Claire Hogaboom      Mary Ellen Tully  
Donnalee Lozier      Christine DeSantis  
Diane Welch      Kristen Culleton  
Carol Santoro

### Special Police Officers

Richard Hovasse      John Petone  
Harry Sawyer Sr.      Richard Turcotte  
Gerald Crocker      Mark Sherwood  
Alfred Sciuto      Gerry Hanafin  
William Duffey      Christopher Mason  
Michael Joyce      Robert Luz  
Thomas Sullivan      David Metzdorf  
Charles Chicarello      Brad Zarba  
Gail Fay      Timothy Hovasse  
Eileen Barnard      Steven Giacoppo  
Gerry Mills Jr.      Sean Connors  
Sharon Srabian      Christopher Ryan

### Introduction

*“Good, better, best - never let it rest - till your good is better - and your better best.”* This quote by John Furphy characterizes our accomplishments in 2006. From our *Child Safety Seat Checkpoint* to our *National Night Out* to our *Sobriety Checkpoint*, we tried to bring “better” and “best” to the residents of Burlington. There are so many reasons to be proud of the work done by the men and women of the Burlington Police Department. Please read on for detailed examples.

### Activities and Accomplishments

It was another busy year on the training front. In January, noted domestic violence expert Mark Wynn kicked off the year with a tremendously popular training session. During the year, we offered 45 training opportunities beyond mandated training sessions such as our annual firearms qualification. Featured trainings included *Accountability and Discipline*, *Identification and Interrogation*, *Arrest Warrants*, *Modern Policing in America* and *Patrol Interdiction*.

In February, our annual Safety Seat Checkpoint drew another big crowd. The purpose of the checkpoint is to make sure that child safety seats are installed correctly. Nearly 90% of seats are not installed correctly. Spearheaded by Officers Bernie Schipelliti and Kevin Cooney, with help from other area officers, this program promotes the safety of children and teaches parents how to make minor adjustments of the car seats. When necessary, defective seats are removed and replaced at no cost to the parent.

In March, the Citizen Police Academy – Class of 2006 graduated with a new insight into what police work entails. This program offers citizens a chance to learn about policing from the inside and features field trips, demonstrations and class presentations.

In May, we hosted our very popular Open House. More than 500 residents attended this event, which featured demonstrations, tours, games and great food.



*SLOW DOWN sign campaign*

In June, we conducted our first-ever Slow Down Sign Campaign. The police department supplied lawn signs to residents. The signs urged motorists traveling through the

neighborhoods to be cognizant of their speed and to SLOW DOWN. The program was extremely popular and we needed to place an additional sign order to meet the demand.

We increased our alcohol compliance checks to five in 2006. While still not error-free, two of the checks resulted in 100% compliance, which is a very encouraging trend. Our partnerships with the alcohol licensees grew stronger, as we exchanged dialogue on relevant issues during six different meetings. Spearheaded by Selectmen Kevin McKelvey and Ralph Patuto, we made significant progress with important revisions to the rules. We also set the groundwork for our Server Registration Program, which will require all servers and sellers of alcohol to be trained and registered.

In August, we teamed up with the Massachusetts State Police to conduct a Sobriety Checkpoint. Using their new B.A.T. Mobile (Breath Alcohol Testing Mobile) as the command center for coordinating the checkpoint, eight officers from each department participated. The checkpoint was conducted on Middlesex Turnpike near Route 128. We hope to repeat the checkpoint in 2007.



*The State Police B.A.T. mobile at our sobriety checkpoint.*

Throughout the year, our increased efforts at detecting and arresting drunk drivers resulted in a significant increase in arrests during 2006. We made 59 arrests for operating under the influence of alcohol and 5 arrests for operating under the influence of drugs in 2006. Leading the way in drunk-driving arrests were Officers Mike Minichiello and Steve Papagno.

Also taking place in August, one of our premier community events: National Night Out. Thanks to the great partnership with Shaw's, we hold this event each year to

give residents a chance to meet their police officers. The event features many activities, police-resident interactions and great food.



*National Night Out*

Space limitations preclude listing all the additional activities we participated in during 2006. Please check our website ([www.bpd.org](http://www.bpd.org)) after May 1 for our detailed Year in Review report.

## Awards

At the September meeting of the Massachusetts Chiefs of Police Association, we received a plaque for finishing sixth in the *Massachusetts Law Enforcement Challenge*. The *Law Enforcement Challenge* is a joint effort of the Massachusetts Chiefs of Police Association and the Governor's Highway Safety Bureau. This program recognizes police departments for their traffic safety efforts to reduce motor vehicle-related fatalities, injuries and economic loss in communities by combining traffic enforcement with public education.

On October 13, Sergeant Tim McDonough received the very prestigious *George L. Hanna Jr. Award for Bravery*. Tim earned this honor for his part in containing a hostage situation while assigned to the NEMLEC SWAT Team. The award was presented to Tim at the State House.



*Sergeant Tim McDonough at the State House during the George L. Hanna Jr. awards ceremony.*

Also in October, we received the AAA National Gold Award. Bestowed by AAA Southern New England, this award recognized our traffic safety efforts and our educational initiatives to reduce traffic crashes and to promote public safety.



*The AAA Gold Award.*

## Transitions

Detective Frank Nardone retired in December. Officers Catherine Martin, Daniel Hanafin and Scott Lauder graduated the police academy in May and joined the department as full-time officers. Officer Jonathan Cameron resigned in May. Officer David Outerbridge was appointed as a full-time officer in September.

We also want to congratulate local resident Mark Delaney, who was appointed Colonel of the State Police. It is a great honor for both Mark and the Town of Burlington.



*Chief Hart attends the installation of Colonel Mark Delaney.*

## Acknowledgments

The toughest part of any annual report is to write the acknowledgments, since there is always the danger of leaving someone out. That said, let me first acknowledge a great boss – Bob Mercier. Bob is always supportive of the police department and the town is lucky to have someone of his caliber as Town Administrator. While a bit premature, I cannot leave it to next year's report to recognize Anne Marie Tucciarone-Mahan, who will be leaving us in February 2007. This is a tremendous loss for the town and for me personally, as Anne Marie did so much for the police department. She is a great person and a great friend, and I will profoundly miss her.

Special thanks to Selectman Kevin McKelvey, who is one of the most dedicated individuals I've ever met. We are always very happy to have him serve on the Selectmen's police subcommittee and we look forward to our continued relationship.

Special thanks to Selectman Ralph Patuto, who along with Selectman McKelvey worked with us to improve the Town's alcohol rules and regulations. Serving as the catalyst for many efforts aimed at alcohol and drug issues, the Burlington Drug and Alcohol Task Force also deserves special recognition. The task force is co-chaired by Charlie Franich and Marilyn Belmonte. They keep us moving in the right direction.

Our business partners facilitate the many events we conduct during the year. Steve Duran and the crew at Shaw's are extremely generous to the town, by hosting *National Night Out*. Oracle and their key personnel Kathy Juliano, Diane Currier and the now-retired Lou Murray are great supporters of the department, making generous donations to our programs and inviting the police department to participate in their events as well.

We also want to acknowledge our great police partners. The North Eastern Massachusetts Law Enforcement Council (NEMLEC) is our regional police consortium. They provide expertise and resources in many areas and they are always there when we need them. The Massachusetts State Police also partner with us and provide officers and equipment for our events, and additional backup when critical incidents take place. We also want to acknowledge our wonderful relationship with the Burlington Fire Department, led by a great chief, Lee Callahan.

Thanks to the residents of Burlington who support our efforts and often send notes expressing gratitude for an officer's assistance. We appreciate your kind words.

Finally, the biggest accolades go to the men and women of the department. They are the ones who make your homes, businesses and streets safer. They are the ones who respond in the middle of the night. They are the ones who train to serve you. I am proud of them.

Respectfully submitted,

Francis Hart  
Chief of Police

## Crime Overview

The chart below compares the crime totals for the past three years.

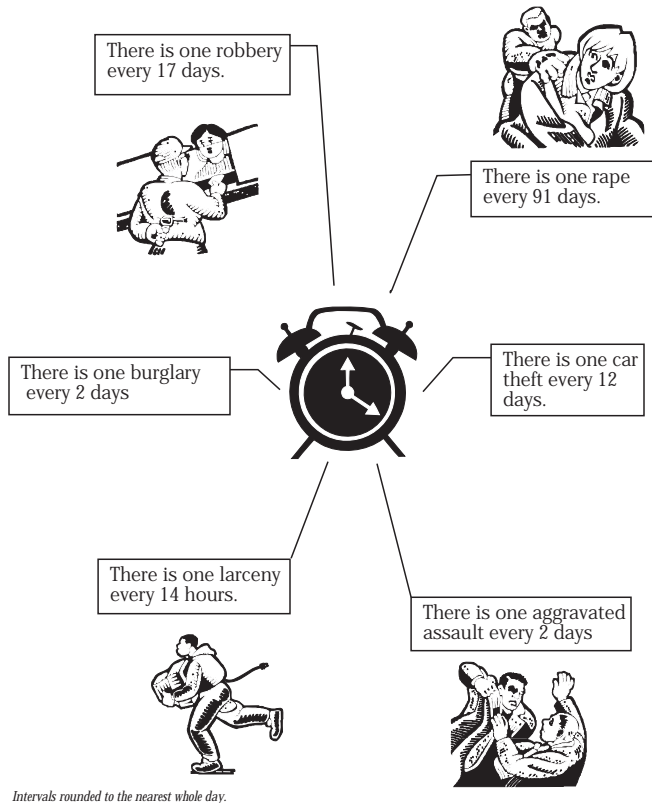
Crime Comparison – 2004-2006				
	2004	2005	2006	
	TOTALS	TOTALS	TOTALS	CHANGE
Homicide	0	0	0	0%
Robbery	15	14	22	+57%
Rape	5	7	4	-43%
Assault (Aggravated & Simple)	36	89	155	+74%
Larceny	640	681	618	-9%
Narcotics Violations	22	67	70	+4%
Burglary	79	72	188	+161%
Motor Vehicle Theft	28	53	30	-43%
<b>TOTALS</b>	<b>825</b>	<b>983</b>	<b>1087</b>	<b>+10.6%</b>

NOTE: Percentages rounded to nearest whole number.

When evaluating the numbers in the above chart, bear in mind that Burlington historically has a low crime rate, particularly in the violent index-crime categories. Small changes in the actual numbers of incidents from year to year can show up as large percentage differences and are often meaningless when considering crime trends. We have recently switched from the archaic Uniform Crime Reports (UCR) reporting system and converted to the modern National Incident Based Reporting System (NIBRS). As a result, we expect some categories of statistics to be skewed for the next few years as this new reporting system takes hold.



## 2006 CRIME CLOCK FOR BURLINGTON



### ARREST ACTIVITY – 2006

Arrests in 2005: 255    Arrests in 2006: 273  
Percentage Change: +7%

The total number of arrests for the year was 273. Breakdowns by different categories are listed below.

Historically, the majority of arrests involve more males than females.

Arrests by Sex	
Males	Females
196	71

Arrests are typically distributed across the three working shifts unevenly. The evening shift usually has the most arrests.

Arrests by Shift		
Day	Evening	Night
(8/4)	(4/12)	(12/8)
65	162	71

The busiest days for arrests in 2006:

Arrests by Day of Week	
Tuesday	50
Thursday	41
Sunday	40
Monday	39
Saturday	36
Wednesday	33
Friday	26

When looking at the frequency of arrests by month, it is interesting to see where the peaks and valleys are:

Arrests by Month	
October	37
November	33
April	30
March	28
December	24
August	23
September	21
January	20
February	19
May	18
July	16
June	9

More people are arrested from Burlington than anywhere else. These are the top locations where our arrestees have resided:

Burlington	110	Lynn	9
Woburn	34	Wilmington	7
Billerica	14	Boston	6
Out of State	10	Lawrence	4
Lowell	9	Medford	3
<b>Criminal Summons &amp; Warrants</b>		<b>345</b>	

### CRASH ACTIVITY – 2006

2005 Crashes: 1,235    2006 Crashes: 1,239  
Percentage Change: +.3%

The total number of traffic crashes in 2006 was 1,239 a .3 % increase from 2005. The total does not necessarily include crashes that were of a very minor nature (requiring no report) or crashes investigated by the State Police.

Crashes by Day of Week	
Sunday	121
Saturday	167
Monday	177
Thursday	177
Tuesday	186
Wednesday	189
Friday	222

Crashes by Month	
December	153
January	126
October	123
August	116
May	102
June	102
April	92
November	91
July	85
September	84
March	84
February	81

Types of Crashes	
Angle	652
Rear End	306
Head-On	153
Other/Unknown	128

Severity of Injuries	
Killed	1
Serious Visible Injury	49
Minor Visible Injury	13
Injury, Not Visible	10

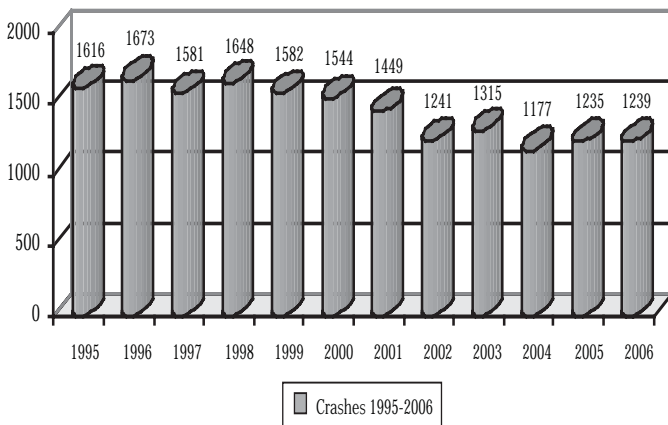
Crashes by Shift	
8 A.M. – 4 P.M.	690
4 P.M. – Midnight	422
Midnight – 8 A.M.	122
Unknown/Unreported	5

### Summary of Locations Where Crashes Occurred

This chart shows locations with ten or more crashes in 2005 or 2006. These are historically the top 24 locations for crashes and they account for nearly 40 % of the total crashes in 2006 and nearly 50% of total crashes for 2005.

Location	Total crashes 2005	Total crashes 2006
75 Middlesex Tp (At / near Burlington Mall)	130	127
Middlesex Tp & Route 128	121	63
Cambridge St & Route 128	47	51
150 Lexington St	13	25
43 Middlesex Tp	18	24
Bedford St & Cambridge St	16	23
Mall Rd & Middlesex Tp	17	22
34 Cambridge St	20	22
Route 128 & Winn St	45	18
Bedford St & Middlesex Tp	14	17
Cambridge St & Terry Av	10	16
41 Mall Rd	16	14
Cambridge St & Mall Rd	14	13
Lexington St & Mall Rd	7	13

Cambridge St & Wilmington Rd	15	12
Middlesex Tp & Wheeler Rd	10	12
Center St & Winn St	14	11
123 Cambridge St	12	11
Cambridge St & Winn St	21	10
43 Mall Rd	10	8
Cambridge St & Skilton	12	8
47 Middlesex Tp	14	7
Cambridge St & Wayside Rd	10	5
Executive Park & Mall Rd	14	4
Total for these Locations	620	536



## CITATION ACTIVITY – 2006

Citations in 2005: 5,183    Citations in 2006: 4,549  
Percentage Change: -12%

The total number of citations written in 2006 was 4,549 – a decrease of approximately -12%. Breakdowns by different categories are listed below.

Top 20 violations.

Top Twenty Violations During 2006	
Speeding	1,796
Red Light Violation	911
Seatbelt Violations	496
Uninspected M/V	411
Defective Equipment	329
Sign U/Turn Violations	244
Stop Sign Violation	221
Marked Lanes	118

Improper Left Turn	92
License Not in Possession	92
Failure to Obey Traffic Sign	85
Registration Not in Possession	78
Unregistered M/V	65
Oper M/V Without a License	55
Failure to Yield	54
OUI/Alcohol or Drugs	53
Failure to Display Plates	40
Oper After Susp/Revocation	34
Oper M/V With Susp/Revoked Reg	24
Uninsured M/V	18

## Citations by Month

January	725
November	597
December	583
August	510
March	497
October	457
September	440
February	440
June	420
July	413
April	349
May	299

## INCIDENT/SERVICE ACTIVITY – 2006

Total 2005: 23,749    Total 2006: 24,798  
Percentage Change: 2005 to 2006: +4%

Type of Call	2006	2005	2004
911 Calls (Calls related to total incidents)	4,589	4,489	3,929
911 Calls (misdialed, hang-up)	619	1,353	1,290
Abandoned M/V	31	44	53
Alarm (Burglar)	1,555	1,859	1,856
Ambulance Request	1,311	1,363	1,320
Animal Bite	7	7	7
Animal Complaint	328	414	409
Animal Control Activity	17	34	25
Animal/Dead	37	61	56
Assault/In Progress	2	13	8

# Town of Burlington

Type of Call	2006	2005	2004
Assault/Past	46	49	41
Assist Other Agency	209	229	210
Assist Public	n/a	0	375
Attempted M/V Burglary	5	5	1
Attempted Suicide	6	2	2
ATV/Dirt Bike Complaint	21	40	29
Bike Unit Activity	n/a	0	4
Bomb Threat	2	0	0
Brush Fire	n/a	0	5
Building Check	3,731	3,162	980
Burglary/Attempt	14	12	12
Burglary/In Progress	9	14	6
Burglary/Past	89	47	53
Bylaw Violation	14	20	27
Child Abuse/Neglect	8	8	9
Civil Complaints	57	69	41
Commercial M/V Enforcement	55	4	0
Commercial M/V Inspection	70	38	0
Cruiser Maintenance	131	166	0
Disabled M/V	435	705	547
Disturbance	292	300	234
Domestic/In Progress	103	86	75
Domestic/Past	46	31	41
Domestic Violence Officer Activity	2	7	13
Driving To Endanger/In Progress	89	120	115
Driving To Endanger/Past	62	55	46
Drug Complaint	21	16	6
Dumping	10	27	11
Elder Abuse / Neglect	0	3	1
Escort	66	73	47
Evidence	n/a	0	9
Explosion	3	8	5
Exposer/Flasher	4	7	12
Fight/In Progress	32	34	27
Fire	120	137	89
Fire Alarm	43	57	63
Fireworks	33	34	23
Flim-Flam	22	24	27
Found Animal	19	16	36
Found Person	4	14	9
Found Property	69	119	92
Grass Fire	n/a	0	1
Gas – Leak/Smell	40	29	20
Gunshots	29	10	7
Harassing Phone Calls	54	84	59
Harassment	34	53	46
Hazard	21	25	12
HazMat Complaint	5	1	3

Type of Call	2006	2005	2004
Identity Fraud	40	38	32
Investigation	n/a	0	64
Juvenile	n/a		10
Kidnap/Abduction	1	2	0
K-9 Activity	71	8	0
Liquor Violation	3	2	2
Lockout	345	420	409
M/V Accident/Cruiser	2	11	7
M/V Accident/Hit & Run	173	205	183
M/V Accident/No Personal Injury	646	736	683
M/V Accident/Past	32	35	45
M/V Accident/Personal Injury	128	115	134
M/V Accident/Unknown	252	215	220
M/V Burglary	167	88	106
M/V Fire	19	24	24
M/V Recovery	11	36	29
M/V Stop	2273	2,231	1,965
M/V Theft	48	73	54
Malicious Damage/In Progress	27	15	27
Malicious Damage/Past	228	222	240
Missing Child	23	15	18
Missing Person	35	43	25
Missing Property	47	152	127
Missing/Lost Animal	7	32	31
Noise Complaint	220	203	196
Notification	52	39	43
Obscene/Annoying Phone Call	n/a	0	3
On-The-Job Injury/Exposure	2	5	13
Open Door/Window	36	35	35
Paper Service	256	284	204
Park & Walk	117	160	235
Parking Complaint	403	637	353
Personal Medical Alarm	n/a	0	2
Police Information	116	373	438
Power Outage	14	32	22
Prisoner Transport	84	49	0
Private Invest	2	9	5
Protective Custody	n/a	18	4
Psychological/Suicide Threat	25	24	26
Repossession	5	20	22
Restraining Order Violation	23	28	20
Reverse 9-1-1 Activation	n/a	6	12
Road Hazard	297	358	309
Robbery/Past	9	8	10
Robbery/Progress	2	2	7
Runaway	0	3	10
Safety Officer Activity	363	401	183
Sewer Alarm	4	184	195

Type of Call	2006	2005	2004
Sexual Assault	10	12	8
Solicitor Complaint	23	37	24
Stolen Plate	7	16	13
Suicide	5	7	2
Suspicious Activity	392	360	389
Suspicious M/V	337	284	335
Suspicious Person	223	274	210
Theft/In Progress	22	38	48
Theft/Past	484	575	556
Threats/In Progress	6	1	7
Threats/Past	68	76	55
Traffic Assignment	2,230	2,108	2,124
Traffic Control	60	66	68
Traffic Signals Out	148	184	155
Trespass/In Progress	15	16	7
Trespass/Past	3	16	1
Uttering	41	36	36
Vehicle Complaint	195	231	47
Warrant Arrest	30	25	16
Water Leak	21	46	57
Weapons Complaint	n/a	0	2
Well-being Check	238	255	206
Wires Down	101	104	86
Youth Complaint	161	185	199

#### Calls by Shift

8 A.M. – 4 P.M.	8,968
4 P.M. – Midnight	8,690
Midnight – 8 A.M.	7,139

#### Calls by Month

December	2,436
August	2,315
October	2,276
June	2,178
July	2,147
September	2,112
November	2,108
January	2,045
May	1,975
March	1,759
February	1,738
April	1,709

#### Summary of Specific Locations For Calls For Service

75 Middlesex Tp (Burlington Mall)	1,375
34 Cambridge St (Crossroads)	558
1 Mall Rd (Marriott Hotel)	361
41 Mall Rd (Lahey Clinic)	309
Route 128 (North and South)	294
Cambridge St & Wilmington Rd	284
123 Cambridge St (BHS)	282
Cambridge St & Route 128	275
43 Middlesex Tp (Middlesex Mall)	260
Baron Park Ln (Lord Baron)	247
New England Executive Park	213
Arboretum Way (Archstone Apts)	186
26 Beacon St (Beacon Village)	176
42 Mall Rd (Longmeadow Place)	170
108 Middlesex Tp (Chili's)	164
41 Terrace Hall Ave (FW School)	158
Middlesex Tp & Mall Rd	157
Cambridge St & Mall Rd	155
98 Middlesex Tp (Barnes & Noble)	154
114 Winn St (MSMS)	152
101 Middlesex Tp (Burlington Square)	139
85 Wilmington Rd (Shopping Plaza)	131
Cambridge St & Wayside Rd/Wall St	124
Farms Dr (Stonebrook Farms)	121
Winn St & Route 128	120
84 Middlesex Tp (Circuit City)	120
20 South Ave (AMC Theatres)	116
Cambridge St & Winn St	102
150 Lexington St (Kohl's)	97
Cambridge St & Bedford St	89
Cambridge St & Francis Wyman Rd	85

Winn St & Peach Orchard Rd	81
279 Cambridge St (Colonial Park)	81
120 Cambridge St (Shopping Plaza)	71
Middlesex Tp & Bedford St	65
Middlesex Tp & Wheeler Rd	65
Littles Brook Court	59
Cambridge St & Terry Ave	51
1 Network Dr (Sun Microsystems)	44
Middlesex Tp & South Ave	37
Hallmark Gardens	30
Seven Springs	30

**Summary of Locations Where Cars Are Broken into:**  
(4 most popular locations)

Burlington Mall	30	Wall St	13
South Ave	26	Cambridge St	13

## FIRE DEPARTMENT

### Department Roster

#### FIRE CHIEF

Lee Callahan

#### ASSISTANT FIRE CHIEF

\*Steven Yetman

#### CAPTAINS

\*Kevin Browne                      \*John Corbett  
\*Scott Carpenter                  \*Michael Nolan

#### LIEUTENANTS

\*James Browne                      \*Timothy Browne  
\*Andrew Connerty                  \*Peter McAnespie  
\*Steven McLean                      \*Robert Paul  
\*John Skinner                        \*James Sorenson

#### FIRE PREVENTION/INSPECTION SERVICES

Captain \*Michael Hanafin  
Lieutenant \*Mark Saia

#### TRAINING/COMMUNICATIONS

Captain \*Michael Patterson

#### CLERICAL STAFF

Joanne Arbing                      Mary Fay                      Karen Carlson

#### FIREFIGHTERS

\*David Angelo                      John Hunt  
\*Gary Arbing                        \*Shaun Kenney  
\*Michael Bibbey                      \*Gerard Letendre  
\*Jeffrey Boucher                      \*Donald MacDonald  
\*William Callahan                      \*Anthony Marino  
\*Kevin Cauty                        \*Michael McLaughlin  
\*Mark Cedrone                        \*Edgar McLean  
\*Clifford Comeau                      \*Nicholas Menkello  
\*Sean Connors                        \*Brendan Micciche  
\*Ernest Covino                        \*Kevin Pollicelli  
\*Kurt Duprez                        \*John Price  
\*Todd Ficociello                      \*David Richardson  
\*Michael Fontannay                      \*Michael Runyan  
\*Michael Gledhill                      Leonard Sawyer  
\*Gerard Hanafin                        \*James Sherman  
\*John Hanafin                        \*David Sullivan

## FIREFIGHTERS

*James Hapenny	*Paul Sullivan
*Eric Holey	*William Toland
*Richard Hovasse	*John Walthall
*Timothy Hovasse	*Fred Williams

## EMERGENCY VEHICLE TECHNICIAN

G. Thomas Lee

## CIVILIAN DISPATCHERS

*Stephen Baia	*Elaine Carpenter
*Nicole DeTomasi	*Scott Perry

\*Department EMTs

## FIRE CHIEF

2006 continued to be a busy year for the Burlington Fire Department. Medical aid calls increased to more than 2,490 responses by Burlington's ambulances. There were over 4,030 emergency responses requiring fire apparatus. For the year, we recorded a 7% increase in responses, totaling over 6,500. In the past decade our call volume has increased by close to 1,800 calls per year, continuing to put a strain on personnel (no increased staffing) and equipment. As our population ages; and as land is developed and re-developed we anticipate that our call volume will continue to rise significantly.

Burlington suffered no fire fatalities in 2006, despite not being able to provide as much fire safety education to our

community as we'd like, due to budget constraints. In one fire of note, an unidentified man led a woman to safety from her home after fire broke out in her kitchen.

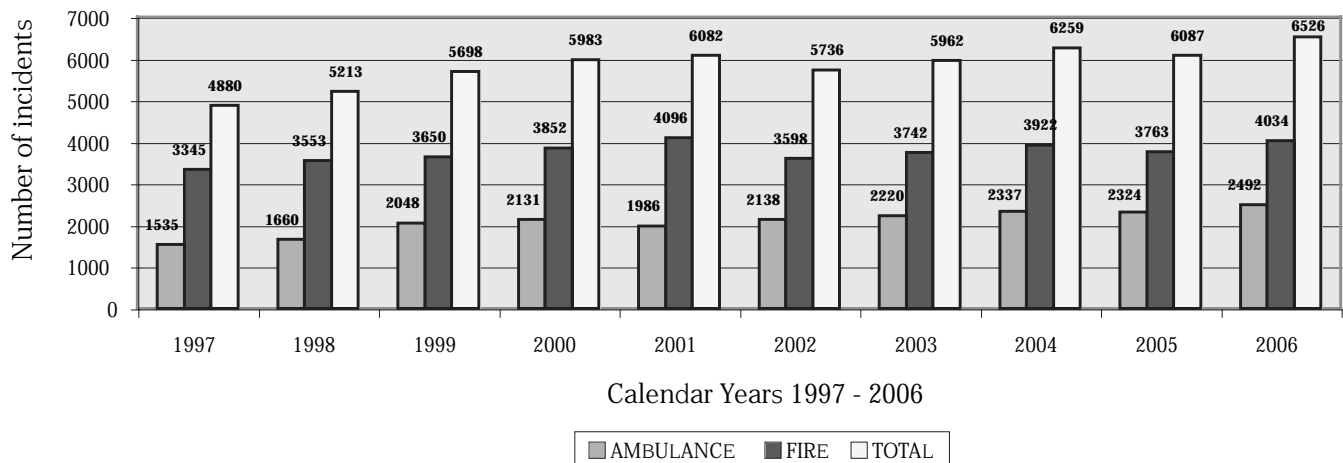
Oracle Corp. donated more than \$3,000 for the purchase of Carbon Monoxide (CO) monitoring equipment. The new equipment allows our personnel to use state of the art techniques when responding to CO detector alarm calls. As a reminder, state law now requires CO detectors in all residences.

We were also able to provide and install several hundred smoke and CO detectors in the homes of many of our senior residents. The detectors were provided by state and federal grants that we were successful in obtaining. We partnered with the Council on Aging with the project. Later in the year we responded to a CO detector call and found elevated levels of CO in the home due to a malfunctioning heater. The CO levels probably would have been lethal if not detected. The CO detector that sounded the alarm was installed during the free installation program. That program probably saved two lives!

We received a grant from the state homeland security agency that allowed us to purchase enough equipment to supply a second de-contamination unit (mass decon unit) in case of any multi-person hazardous material exposure. That grant provided approximately \$22,000.

Three new firefighters were hired and sent to the fire academy in the spring of 2006; Brendan Micciche, Eric Holey, and Jeffrey Boucher. Their hiring filled all previous vacancies in the department. Also, in December long-time

## AMBULANCE - FIRE EXPERIENCE RECORD



Fire Department mechanic and Emergency Vehicle Technician (EVT) Tom Lee transferred to another position within the DPW. We wish him well and look forward to regularly crossing paths with him in the future. A new mechanic will replace Tom in early 2007.

2006 saw the passing of retired Lieutenant Larry Faria and Firefighter Bill Lundgren. Larry was a fire service pioneer in new technology. He wrote one of the first books on Self-Contained Breathing Apparatus (SCBA). His book was used as the standard in fire academies across the country in the 1970s and 80s. Larry also spent part of his BFD career as the Fire Prevention Officer. Bill spent part of his career working at Station 2 covering the west side of Burlington and was known for his healthy workouts before it was popular to do so.

Town Meeting authorized money for the remodeling of Station 2 on Terrace Hall Ave. We anticipate expanding and updating the building to provide for the needs of the Fire Department for the next several decades as the town experiences growth and additional public safety needs. Town Meeting also authorized funds for the purchase of a new 100' ladder/tower truck to replace the 1990 aerial the town currently owns and which has been removed from service late in 2006 due to severe safety issues. We expect to receive that truck in approximately one year.

Looking toward the future, the town must start to address updating the municipal fire alarm system which transmits fire alarms from all types of buildings, including commercial, public, industrial, residential, schools, and a myriad of other applications for which a fire alarm system is mandated. The current telegraph-type technology, although still in use, has been surpassed by 21st century technology. The newer available systems provide more building and alarm related information to firefighters before they even reach the scene. Their maintenance and service requirements are greatly reduced. However, the transition to such a system requires some significant expenditures, which will more than pay for themselves in just a few years after complete change to a new system. We plan to address this issue in the coming year.

Also, we plan to explore BFD's ability to move to a more advanced EMS program. We currently provide Basic Life Support (BLS) ambulances with Advanced Life Support (ALS) provided by a contractor. With an anticipated increase in medical emergencies, we must look toward the future and how we are prepared to address our ability to respond to such emergencies.

The planned changes and build-outs of areas in our commercial districts and the continuous increase in all types of emergency calls continue to strain our personnel. Additional personnel will be needed in the near future in order to accommodate a larger and more diverse call volume.

I wish to thank the residents and businesses of Burlington for their continued support of the Burlington Fire Department and its members. Members of other Burlington town departments and elected officials have continued to work with us and for us, as needed, in order to respond to the needs of the town. In an effort to be compliant with federal and state requirements of inter-operability, your public servants have been attending training in which several Burlington departments are represented. Captain Patterson has done a fantastic job in providing the training sessions.

Finally, I want to thank the men and women of the Burlington Fire Department for their dedication to the job and the community in which they serve. They are your fire department and always ready to respond to your calls for assistance. Their professionalism is admired by other emergency agencies across the region. You should be proud, as I am, of their dedication, skill, and commitment.

Respectfully submitted,

Lee Callahan  
Fire Chief

## **FIRE PREVENTION/INSPECTIONAL SERVICES**

New development in commercial and residential properties continued in 2006. Through inspections, enforcement of fire codes, construction plan reviews, fire investigations, issuing of permits and fire education programs much has been achieved in the past year.

Commercial and large residential construction projects require many steps including site plan reviews, which consider requirements such as apparatus access, water supply, exposure to other structures, type of occupancy, etc. The next step is a meeting with Fire Protection Engineers to discuss Fire Alarm, Fire Suppression, Municipal Fire Alarm connections and the issuing of the proper permits. Once the project is started, on-site inspections are required to keep track of the progress being made. The Certificate of Occupancy is issued after a final inspection and all new systems are tested.



## 2006 Annual Report

### Burlington Fire Department 2006 Report of Incidents by Type of Incident

TYPE OF INCIDENT	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
<b>Accidents</b>													
Motor Vehicle Crash	37	19	21	20	36	29	25	34	31	38	34	29	<b>353</b>
Pedestrian	3	0	0	1	1	2	0	0	2	1	0	0	<b>10</b>
<b>Medicals</b>	<b>136</b>	<b>126</b>	<b>125</b>	<b>130</b>	<b>138</b>	<b>148</b>	<b>148</b>	<b>173</b>	<b>154</b>	<b>155</b>	<b>162</b>	<b>156</b>	<b>1751</b>
<b>Alarms</b>													
Accidental	32	41	28	30	33	42	43	20	37	42	37	32	<b>417</b>
False	1	2	2	8	3	5	8	1	3	0	3	4	<b>40</b>
System Malfunction	17	34	20	6	11	15	23	17	23	17	12	18	<b>213</b>
<b>Fire</b>													
Cooking Fire	5	4	4	3	0	3	0	1	3	0	1	3	<b>27</b>
Residential	1	1	0	2	0	0	0	3	1	1	0	1	<b>10</b>
Apartments	0	0	1	0	0	0	0	0	0	0	0	0	<b>1</b>
Assisted Living	0	0	0	0	0	0	0	1	0	0	0	0	<b>1</b>
Brush, Grass	0	0	1	7	4	1	1	0	0	0	1	1	<b>16</b>
Business/store/restaurant	0	0	0	1	1	1	2	0	1	0	0	1	<b>7</b>
Dumpster-trash	1	0	0	1	1	0	1	0	0	0	0	0	<b>4</b>
Motor Vehicle Fire	3	1	1	0	1	2	4	2	2	1	1	0	<b>18</b>
Lightning strikes	0	0	0	0	0	0	1	0	0	0	0	0	<b>1</b>
Oil burner Malfunction	0	0	0	0	0	0	0	0	0	0	0	1	<b>1</b>
Motor Malfunction	1	0	0	0	0	0	0	0	0	0	0	0	<b>1</b>
Smoke Scare	1	3	3	8	11	4	7	8	4	8	4	3	<b>64</b>
<b>Outside Burning</b>													
Authorized	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
Unauthorized	2	0	2	1	0	1	0	1	0	1	3	0	<b>11</b>
<b>Misc.</b>													
Hazmat	1	0	1	0	1	0	2	1	4	1	1	0	<b>12</b>
CO2 Problem	3	2	5	5	2	5	4	0	2	2	6	9	<b>45</b>
Spill Leak Fuel	1	2	2	2	3	3	2	0	0	4	1	0	<b>20</b>
Natural Gas Leak	4	3	5	3	5	0	5	3	0	3	5	5	<b>41</b>
Power lines down/ Arcing	1	0	0	0	0	0	0	0	0	0	0	3	<b>4</b>
Electrical Problem	5	2	2	3	7	4	3	3	2	5	1	1	<b>38</b>
Water Problem	2	3	1	1	38	7	4	1	1	2	2	0	<b>62</b>
Service Call	26	19	32	33	48	59	69	80	53	66	53	68	<b>606</b>
Public Service/Assistance	4	5	1	1	1	5	4	2	1	4	3	1	<b>32</b>
Elevator Extrication	3	2	2	3	1	3	2	3	0	0	0	1	<b>20</b>
Lock Outs	2	0	1	0	3	1	0	2	2	3	3	1	<b>18</b>
Aircraft Standby	1	0	4	0	0	2	1	5	1	1	1	3	<b>19</b>
Nothing Found	3	2	4	1	1	4	2	1	3	2	4	0	<b>27</b>
Cancelled en-route	2	5	1	4	6	3	3	7	2	5	4	4	<b>46</b>
Good Intent Call	10	2	7	6	3	2	9	7	2	8	5	3	<b>64</b>
Cover Assignment / Mutual Aid	1	2	5	5	4	3	4	3	2	5	0	0	<b>34</b>
<b>Totals</b>	<b>309</b>	<b>280</b>	<b>281</b>	<b>285</b>	<b>363</b>	<b>354</b>	<b>377</b>	<b>379</b>	<b>336</b>	<b>375</b>	<b>347</b>	<b>348</b>	<b>4034</b>

The following is a list of permits and inspections made in 2006:

#### TYPE OF SERVICE

Commercial Occupancy Inspections . . . . .	176
Master Box Certifications . . . . .	74
On Site – Inspections . . . . .	459
Permits Issued . . . . .	594
Plan Review . . . . .	261
Residential Occupancy Inspections . . . . .	153
Site Plan Reviews . . . . .	44
Smoke Detector Inspections . . . . .	246
<b>TOTAL . . . . .</b>	<b>2007</b>

The following is a count of all permits and inspections done during the period of January 1, 2006 to December 31, 2006:

#### PERMITS

AST . . . . .	30
Blasting . . . . .	3
Dumpster . . . . .	37
Extinguishing System . . . . .	8
Fire Alarm. . . . .	79
Flammable Storage . . . . .	64
Haz-Mat . . . . .	2
Oil Burner. . . . .	64
Propane Storage . . . . .	30
Sprinkler . . . . .	127
Tank Installation . . . . .	31
Tank Removal. . . . .	54
Tank Truck. . . . .	9
UST . . . . .	18
Welding/Burning . . . . .	38
<b>TOTAL . . . . .</b>	<b>594</b>

#### INSPECTIONS

Commercial Occupancy . . . . .	176
Fire Drills . . . . .	15
Knox Box . . . . .	30
Oil Burner. . . . .	31
Oil Tank Installation . . . . .	19
Oil Tank Removal. . . . .	15
On Site – Fire Prevention . . . . .	295
On Site – Plug In . . . . .	16
On Site – Plug Out . . . . .	19
Quarterly . . . . .	19

Residential Occupancy . . . . .	153
Smoke Detectors . . . . .	246
<b>TOTAL . . . . .</b>	<b>1034</b>
<b>BUILDING PLANS STAMPED &amp; REVIEWED. . . . .</b>	<b>261</b>
<b>SITE PLAN REVIEWS. . . . .</b>	<b>44</b>
<b>MASTER BOX CERTIFICATIONS. . . . .</b>	<b>74</b>
<b>COMBINED TOTALS . . . . .</b>	<b>2007</b>

Inspectional services would like to take this opportunity to thank all residents and members of the business community for their cooperation in making Burlington a safer place to live and work.

Respectfully submitted,

Captain Michael Hanafin

Lieutenant Mark Saia

#### TRAINING DIVISION

2006 was a busy year for The Burlington Fire Training Division. It is becoming increasingly difficult to deliver presentations and hands-on evolutions to the firefighters based on the increased call volume that we face. However, training is still a priority in this Department.

Members of the fire department participated in many training activities over the course of 2006. The following is a brief narrative of some of the activities that took place:

- Fire department members and other town department members were presented with courses based on the National Incident Management System (NIMS.). This training provided all participants a better understanding of incident scene management. This included lectures on unity of command in which all responding agencies work as one to control the incident. All first responding agencies must become NIMS compliant.
- Fire Department members participated in search and rescue evolutions at Victoria Station. Members had their masks blackened and searched as a team to find a downed victim. This evolution required the use of search lines and firefighter experience.
- Firefighters were trained in high-rise fire operations. This training was provided by Fire and Rescue Training Inc. A retired Boston Fire command officer presented a lecture which included his personal experience at the Prudential building fire. The sec-

and part of the class consisted of hands-on evolutions at the new Kimball Woods apartment complex located on the Woburn line. This new eleven-story complex will pose a new challenge for firefighters.

- Lahey Clinic built a new parking garage on their site. Once again this garage will pose Burlington Firefighters with a new challenge. The parking garage was not sprinklered and the potential for automobile fires is great. Members of our department trained using the garage's standpipe system and connecting to the garage's fire department connection.

Photos by Mike Patterson



*Photos: Various training activities.*



- Firefighters participated in firefighter rescue techniques in a house on Lowell Street that was to be demolished. Firefighters working as a team rescued one another from a simulated floor collapse. Firefighters also trained in a through the wall, self rescue evolution.
- We ended the year with emergency vehicle operator training. Members were presented with classroom instruction followed by participating in hands-on evolutions utilizing an obstacle course that was set up at the Burlington Mall's parking lot.
- Finally, members of the department were trained in basic pump operations. Firefighters were presented with a classroom lecture followed by hands-on evolutions at the Wildwood School parking lot.
- Burlington Fire Department welcomed the following new members to the department: Brendan Micciche, Eric Holey, and Jeff Boucher. Each member participated in a two-week orientation prior to being assigned to a shift.

Respectfully submitted,

Captain Michael Patterson  
Training Division

## AMBULANCE EMERGENCY MEDICAL SERVICE

2006 was a very busy and successful year for the Burlington Fire Department ambulances. We set a record for number of responses at two thousand four hundred ninety two, which equates to an increase of 8% over last year and 60% since 1996. Amazingly this was accomplished with the same manning level as we had in 1990. We also had a considerable number of cardiac arrest saves due in part to Early CPR (cardio pulmonary resuscitation), Early Defibrillation and Early ALS (advanced life support).

All members of the Department have received training and certification in the newest CPR standards and we continue to offer Bystander CPR classes eight times a year.

The Fire Department looks forward to discussion of advancement to the ALS level in the very near future.

Respectfully submitted,

Ed McLean  
EMS Coordinator

## PUBLIC WORKS DEPARTMENT

Syamal N. Chaudhuri  
(Retired)

### Superintendent of Public Works

Thomas F. Hayes                      Teresa J. Keene  
**Town Engineer                      Administrative Assistant**

Thomas F. Hickey  
**Operations Manager**

### Assistant Superintendents

William A. Bannon(Retired)      Paul W. Nielsen  
**Highway                      Central Maintenance**

David C. McCafferty  
**Water and Sewer Utilities**

### Managers

Paul W. Cauldwell                      William D. Keene  
**Cemetery                      Treatment Plant**

### DPW Staff

Frank E Anderson	Larry Kennedy
Andrew Avant	Richard Kullman
John T. Baldwin	William Lundgren II
Paul S. Bieren	Russell J. Makiej
Robert S. Clougherty	Donna L. Manning
Craig H. Cooper	Pialisa A. Manent
John Doherty	James Marchese, Jr.
Arlene DeFilippo	Armand Marion
Richard L. Dubbs	Nanette D. Masotta
Michael P. Dwyer	Lisa Matarazzo
Robert Feeney	Timothy Mazzone
Allen F. Ferreira	Ricky McClenningham
Dennis F. Fitzgerald	Robert W. McMahon
Mark V. Gerbrands	Donald McNeil
Michael Giardina	Eric A. Moran
Robert S. Glover	Donald H. Price
Thomas Harrington	Michael A. Quinones
Frederick M. Haynes	Charles D. Ralph
Wayne Higden	Richard A. Reid
Stephen A. Johnson	Patricia Q. Robichaud
Roderick Joslin	Brian A. White
William Kane	Charles F. Woods Jr
Kevin J. Keene	

I would like to thank the employees of the DPW. They have made my job that much easier because of their knowledge and professionalism. As I retire after 23 years, I will remember all of them fondly. Thank you for your support for so many years.

Respectfully submitted,

Syamal N. Chaudhuri  
Superintendent Public Works

## ADMINISTRATIVE

Water & Sewer billing sent approximately 16,800 bills out in the amount of \$5,623,347.86.

Purchasing processed over 4,500 invoices, and the staff handled approximately 3,000 Customer Service calls.

I would like to express my gratitude to the Administrative Staff: Pialis Manent, Patti Robichaud and Arlene Defilippo. Their hard work and support is greatly appreciated. They are a wonderful group of ladies.

I would also like to express gratitude and fond wishes to Syamal Chaudhuri, Superintendent of Public Works, who retired December 29, 2006. He has been a wonderful mentor and someone I'm proud to call a friend. He will be missed.

Respectfully submitted,

Teresa Keene  
Administrative Assistant

## ENGINEERING DIVISION

The Engineering Division evaluates, designs, bids, and manages Town funded infrastructure improvement projects. Engineering staff manages consulting engineers hired to design projects outside the expertise of the division. In addition, the Division provides support to other Public Works Divisions as well as any Town Department that requests technical assistance. This office maintains and updates infrastructure plans, project files, and Public Works GIS datalayers.

### Capital Improvement Projects

The Division designed, obtained permits, and provided construction management for the following projects, which were funded through Articles approved by Town Meeting:

- **Briarwood Lane Area Cleaning and Lining (W2-06-1063)** - Awarded to Bizko Contracting Corp. Fall River, MA, the work consisted of cleaning and lining 3000 linear feet of existing 8-inch vinyl-lined asbestos cement water main along Briarwood Lane, Sleeper Drive and Theodore Circle. The contract value of this project is \$333,995.05.
- **Skelton Road Area Water Main Construction (W2-06-1064)** - Awarded to Defelice Corporation Dracut, MA, consisted of the installation of 5800 linear feet of 12" cement lined ductile iron water main to replace an existing 6" asbestos cement lined water main along Cedar Street, Skelton Road, Olean Road, Winona Road and County Road. The contract value of this project is \$628,993.70.
- **Bituminous Paving Various Streets (AP-06-1069)** - Developed drawings and specifications, bid, and managed the street paving contract which was awarded to P. J. Keating Co. at the contract value of \$997,534.50.
- **Sewer Lining Project at Crossroads Plaza** - Awarded to National Watermain Co., consisted of the installation of 600 feet of Cured In Place (CIP) liner. After the October 2005 collapse of the trunk sewer main at Cambridge Street near Wayside Road, the downstream sewer line was inspected and determined to be in extremely poor condition, so the lining was scheduled and completed in October 2006.

## Contract Management

The Division managed outside consultants hired to undertake the following projects:

- **Bike Path Design** - The preliminary design and grant application for a bike path has been ongoing for several years due to the extensive review process and competitive nature of the Enhancement Grant Program. This year the Town received the approval for a \$1.1 million bike path project. As agreed, under the terms of the grant, the Town is responsible for the final design of the project, after which the State will bid and oversee construction of the bike path.
- **Street Lights** - The Engineering Division manages the Street Light maintenance program with the Town's service contractor Republic ITS. Street Light outages can be reported to the Engineering Office or Republic ITS at 1-800-544-4876.

- **Sewer System Inflow & Infiltration Mitigation Design** – Phase 3 Awarded to National Water Main Cleaning Company and consisted of the Internal TV inspection of all sewer lines of five (5) Sub-Areas identified in the 2000 SSES with high infiltration rates not previously inspected under Phase 1 & 2. To further extend the available funds, sewer manhole inspections were conducted using “in-house” forces from the DPW/Engineering Division.

Plan by: Town of Burlington Engineering Division



Crossroads Lining Project – Sewerage Bypass Plan

## DPW Projects

The Division designed, permitted, and provided construction assistance for the following projects which were undertaken by DPW forces and/or in conjunction with private contractors:

- **Laurel Lane/ Orchid Circle Drainage and Water Main Construction** - Installation of approximately 250 feet of water main and drain line by Burlington Loam under the Annual Construction Bid.
- **Local Drainage Improvements** - Undertaken by Burlington Loam under the Annual Construction Bid and consisting of installation of minor drainage improvements in Daniel Drive, Foxhill Road, Sandybrook Road, Manhattan Drive, and Bedford Street.

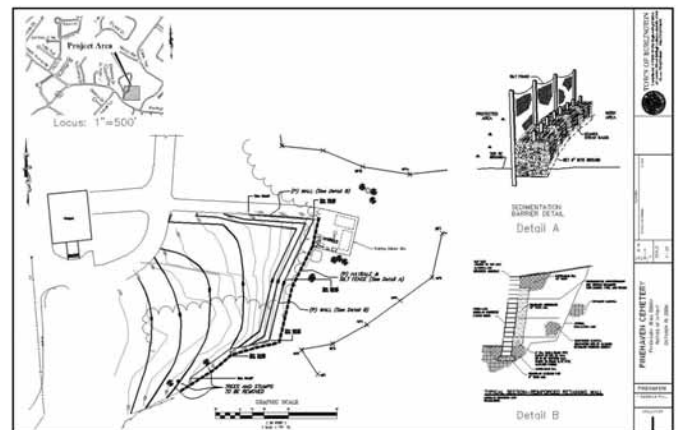
- **Ray Avenue Culvert Repair** – Evaluation and temporary repair of dual 24"x48" drainage culverts that run under Ray Avenue undertaken by the Highway Division with the assistance of manpower and equipment provided at no charge by Murray Hills, Inc.

## Other Projects

The Division provided design and/or technical assistance on the following projects:

- **Pine Haven Cemetery Expansion** - Permitted and designed the expansion of the cemetery to include a modular concrete retaining wall, site grading, and lot layout. The project plans and specifications for bidding will be completed in early 2007, with construction anticipated to begin in the spring.
- **Human Services Building Parking Lot Expansion** – Provided design and field supervision for drainage interconnection with the Grandview Senior Housing, reconfiguration of the traffic circulation, and conceptual parking lot options.

Plan by: Town of Burlington Engineering Division



Pine Haven Cemetery Wall Design

## Subdivision/Site Plan Inspection

Inspection of subdivisions and building sites include water and sewer connections, pressure testing of water lines, vacuum testing of sewer manholes, mandrel and ball testing of sewer lines, hydrant installation, and drainage systems. Inspection of roadway construction includes underground utilities, sub-base materials, compaction, grading, binder pavement, finish pavement, curbing, and

sidewalks. Inspection also includes lighting, parking layout, landscaping, signage and pavement of utility trenches.

The Division conducted construction inspections of the following projects:

- Michael Drive
- Brookside Lane Extension
- Rosario Estates
- Kelly Farms Estates
- Shamrock Drive
- Arborpoint Development
- Wayside Commons
- Lahey Clinic Expansion
- Grandview Senior Housing
- Burlington Mall Expansion
- Burger King Renovation
- Quinn Perkins Sand & Gravel
- 86 Cambridge Street – Restaurant
- 382-390 Cambridge Street – Retail Development
- Sump Pump Redirection & SMH Repair ( I/I mitigation)

Photo by: Mark Gerbrands, Town of Burlington Engineering Division



*Installing Watermain Rosario Way & Francis Wyman Road*

Photo by: Mark Gerbrands, Town of Burlington Engineering Division



*Curbing & Sidewalk, Brookside Way Subdivision*

Photo by: Mark Gerbrands, Town of Burlington Engineering Division



*Installing Subsurface Drainage, Burger King Middlesex Turnpike*

Photo by: Mark Gerbrands, Town of Burlington Engineering Division



*Sewer Main relocation Burlington Mall*

## Infrastructure Management

- **Plan Filing System** – In an effort to automate the Town's record drawings, many of the plans have been scanned to image files and linked to a plan database, allowing quick retrieval of utility data, while preventing wear and tear on original plans.
- **Pavement Management System** – The Division continues to evaluate pavement conditions and update the Town's GIS based Pavement Management System, which was implemented in 2002. The inspection data is used to generate a Pavement Condition Index (PCI), which enables us to set and revise street paving priorities.
- **Utility Permits** - The Division has created a utility permit system built on a Microsoft Access database consisting of tables, input forms, and permit reports to streamline and automate the permit process. Division personnel also conduct inspection of sewer and water connections to ensure compliance with good construction practice as well as update individual service tie cards. This year the division issued 170 Street Opening Permits, 35 Water Permits, and 188 Sewer Permits.

## Geographical Information System (GIS)

The Geographical Information System has become more and more integral to our daily operations; the Pavement Management System is fully GIS based and in its 6th year of successful operation, the Assessors Department continues to use GIS to develop abutter's lists, and the street light database has been converted to GIS allowing us to better respond to lighting problems. The Engineering Division continues to develop infrastructure datalayers; the sewer collection system is complete, while the storm water and water distribution themes require final checks and corrections.

## Web Site

To make information more easily available the Engineering Division maintains a website at [www.Burlington.org](http://www.Burlington.org). Some of the information that you will find here is:

- Various Town Maps
- Licensed Utility Contractors
- Approved Driveway Paving Contractors
- Local Land Surveyors

- Utility Permit Information and Applications
- Contracts Out to Bid & Bid Results

I would like to thank all the Engineering staff for a great year. Everyone is so willing to lend a hand and help out to keep the Division not only productive but also an enjoyable place to work. I look forward to 2007 for another successful and safe year.

Respectfully submitted,

Thomas F. Hayes, P.E.  
Town Engineer

## OPERATIONS MANAGEMENT

The following reports from the DPW's Cemetery, Central Maintenance, Highway and Water & Sewer Utilities Divisions summarize the day-to-day activities, special projects, and emergency actions for 2006. All year long, the men and women of the Burlington Department of Public Works endeavor to carry out their respective duties, courteously and professionally in order to ensure the highest level of safe, quality service to the residents and businesses of Burlington. I would like to commend all the personnel of these Divisions for a job well done.

Respectfully submitted,

Thomas F. Hickey  
Operations Manager

## CEMETERY DIVISION

### Pine Haven

Cemetery personnel performed 76 burials with 72 lots sold. There is ongoing development of Section D. Damaged trees and shrubs were replaced along the fence on Bedford Street. The Chapel at Pine Haven was painted with a high quality paint to preserve its integrity. The Chapel is used throughout the year for services of many different denominations.

### Chestnut Hill

Cemetery personnel performed 66 burials with 8 lots sold. Extra trimming of overgrown trees and shrubs was performed by using the Middlesex Sheriff's Department Community Outreach Program. Removal of 2 large maple trees that had died from disease. 284 Feet of sprinkler lines



were replaced in Section P-1. 180 Feet of sprinkler lines were added to Section C.

### **Old Burial Grounds**

Regular maintenance is conducted throughout the year to keep this historic cemetery looking good.

General Maintenance is performed throughout the year which includes weed wacking around the headstones and trees, cutting grass, trimming trees and bushes, repairing and maintaining the sprinkler system, repairing and painting fences, repairing equipment, snowplowing and snow removal.

I would like to take this opportunity to thank the employees of the Cemetery Division for all their hard work throughout the year. Also, a special thank you to all DPW employees who do a great job when extra help is needed. Thanks to the Veteran's Administration of Burlington and the Veterans for their help in the preparations for Memorial Day.

Respectfully submitted,

Paul W. Cauldwell  
Manager  
Cemetery Division

### **CENTRAL MAINTENANCE**

The Central Maintenance Division maintains and repairs vehicles and equipment of six plus departments for the Town, which is continually increasing. Many of the older vehicles, which are well beyond their replacement years, need and require more maintenance than the newer ones.

Along with our routine maintenance program, the winter months increases the need of repairs to the vehicles and snow fighting equipment. During Spring, Summer and Fall we are kept very busy trying to get all the equipment and vehicles back in top condition.

As always, many thanks to the personnel of Central Maintenance for a job well done. Thank you Robert Glover, Eric Moran and Michael Quinones.

Many thanks to all the Town employees who bring to our attention any problems with the vehicles or equipment as soon as possible.

Respectfully submitted,

Paul W. Neilsen  
Assistant Superintendent

### **HIGHWAY DIVISION**

During 2006 the Highway Division experienced 16 storms which included sanding operations for a total of 37 inches of snow. We continued to maintain roadways, sidewalks, street and traffic signs, catch basins and drainage manholes, guardrails, repairing or replacing mailboxes and many different special projects. The department spent many hours sweeping all streets and sidewalks. The following is a detailed list of the work that was completed.

#### **Paving Projects:**

- Page Road
- Lido Avenue
- Walnut Street
- Sycamore Street
- Hillside Avenue
- Larson Circle
- Colburn Street from Wellesley Avenue to Mayflower Avenue
- Crescent Road from Colburn Street to Rhuey Pass
- Burlington High School from gymnasium exit to first loading dock

#### **Sidewalks:**

- Fox Hill Road: installed handicap ramps on sidewalks
- Marshall Simonds Middle School: handicap ramp by gym

#### **Special Projects:**

- Memorial School and Fox Hill School installed gravel pads and created an accessible road at the portable trailers for emergency vehicles
- Installed 30 ft drainage pipe and built a new headwall on Wildmere Avenue
- New headwall on High Pine Avenue
- Installed drainage on Ray Avenue
- Sidewalk repairs
- 41 catch basins rebuilt and repaired
- 3300 catch basins cleaned
- Headwalls and Sluiceway cleaned
- Brush cutting throughout town

- Line and Crosswalk painting
- 104 new street signs installed not including stolen or faded
- Berm and lawn repair due to plowing

**Roads Paved by Pavement Management:**

- Robin Street from Wellesley Avenue to Waite Avenue
- Sandy Brook Road from Terrace Hall Avenue to Brown Avenue
- Princeton Road from Carey Avenue to the dead end
- Olean Road from Skelton Road to the dead end
- Peach Orchard Road from Winn Street to Pine Avenue
- Winn Street from Cambridge Street to Sears Street
- Mill Street from Town Line Road to Skilton Lane
- Mallard Way from Mill Street to Spring Valley Road
- Burlington Mall Road (sections)

I have been privileged to have been appointed as Assistant Superintendent of this division and am looking forward to serving the community for many years. I would like to welcome Robert McMahon who transferred from our Cemetery Division in November 2006 and was appointed as the Working Foreman.

I would like to thank the employees of the Highway for their support and the other Town departments and snow and ice contractors for their continued hard work.

A special note: We would like to take this opportunity to thank Assistant Superintendent William Bannon who retired October 13, 2006 after a 37 year career. Without his dedication and guidance we would not be the department we are. "You taught us well." And to Syamal Chaudhuri, Superintendent of Public Works, who retired December 29, 2006. Your support and friendship has been unconditional and we Thank You! A long and healthy retirement to you both. You deserve it!

Respectfully submitted,

Allen F. Ferreira  
Assistant Superintendent  
Highway Division

**WATER & SEWER UTILITIES DIVISION**

The following summarizes the work of this division in 2006:

**Water Section:**

- Starting in April we instituted our annual flushing program throughout the town in order to continue the betterment of quality to the drinking water.
- We continued with the intensive fire hydrant servicing program and again I am proud to announce that as of this report all 3,100 hydrants are in full operation.
- We also continued the program of servicing the water main gates throughout the distribution system.

**This is a list of some statistics of the water section:**

- Handled 614 service appointments
- Installed 233 water meters
- Installed 279 outside meter viewer
- Checked 297 possible household leaks for residents
- Conducted 83 turn offs and ons
- Installed 38 household main valves
- Installed 154 security seals
- Conducted 203 water meter lab bench tests
- Issued 13 demolition permits
- Conducted 152 mark outs for dig safe system
- Conducted 7 water pressure tests
- Installed 10 electronic water meters - pilot program to upgrade water meter system
- 12 water main breaks
- 2 gate repairs- 1-6 inch-and 1-8 inch
- 11 service connection repairs
- Replaced 11 fire hydrants due to insurance claims from accidents
- Repaired 66 hydrants

**Sewer Section:**

- March - extensive sewer main flushing program
- Jet rodded 235,000 feet of sewer mains
- Installed a new diesel emergency generator at Bedford St. Sewer Station in line with program of installing generators for emergencies
- Upgraded the Terrace Hall Ave. Sewer Station with a new energy efficient control system

- Instituted a new odor control system at Wilmington and Francis Wyman stations using an environmental friendly chemical to control hydrogen sulfide odors
- 22 sewer station alarms
- Sewer main blockages
- Conducted root control in pipelines
- Conducted grease control

In August we had a major sewer transmission pipe break. The pipe line is from one of the main flow stations at Lucaya Ave. We want to thank Dick Bagni of Jodi of Burlington for his assistance in the timely repair and helping to get the pipeline back on line.

In May there was a short circuit of the operating system for the Town Line Sewer Station. The system was upgraded.

### Water Treatment Section:

The year 2006 was an exciting year with the rehabilitation of the Mill Pond Treatment Facility getting under way in August. The completion of this project will result in a better product year round and meeting current and future proposed EPA rules and regulations. It is expected that the facility will be back in full operation by mid 2007.

The Town completed a successful well rejuvenation program in 2006. Well #4 was returned to original specifications and yield. The well now delivers over 60 gallons per minute more bringing the overall group B close to the expected 1 million gallon a day rate. The well was in excellent condition with the screen and well case in good shape. The production well #10 and #11 were also cleaned with excellent results showing an increase production of over 100 plus gallons. The well #11 needed the most work with the pump and part of the column needing to be replaced.

The water quality testing on facility effluents showed that the production sources met or exceeded all state and federal requirements. The Lead and Copper testing program met all standards with a 90th percentile for Lead of 1 part per billion and Copper of .1 part per Million (from the Maximum contaminant level of 15 ppb and 1.3 ppm respectively). The overall results show that the town corrosion program is working since there is no maximum Contaminant Level exceedence (MCL) for the sites tested. The raw water or source water to the facilities showed no drastic changes from the previous year. The DPW is keeping a close watch on all areas that could potentially impact all source waters. The on going Microscopic Particulate testing of the Mill Pond

raw water and effluent waters to date has shown no Cryptosporidium or Giardia Lambria presence. This testing is required under the Safe Water Drinking Act Tier II Treatment Rule. The Total Organic Carbon (TOC) testing shows at least a 60% removal and is reflected in Trihalomethane (THM) and Haloacetic compounds (HAA5s) which are well below maximum containment levels of 80 ppb for THM's and 60 ppb for HAA5's.

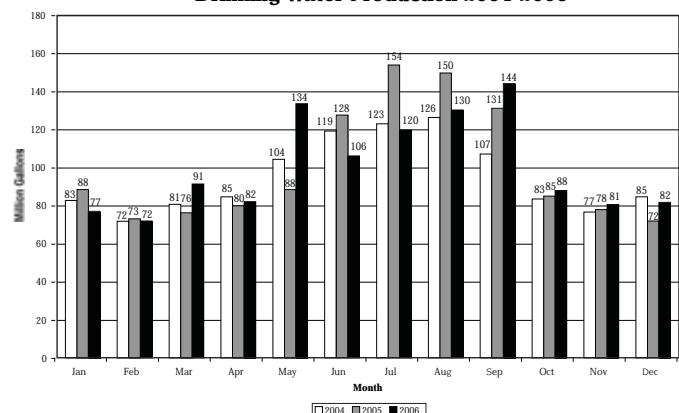
The Mill Pond Dam and two dikes were fully inspected and were found to be in excellent shape. The DPW in accordance with new directives from Massachusetts Dam Safety have formulated a new (EAP) Emergency Action Plan to help in case there is a problem with the dam or dikes. This will call for an extensive phone and personal notification plan involving three town and state departments. When fully implemented it will save considerable time and possible damage.

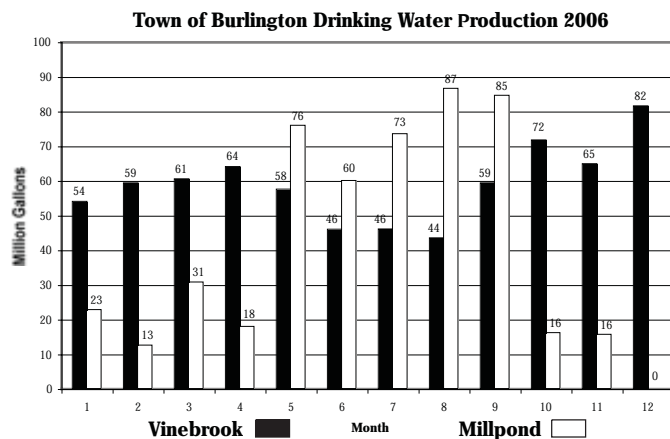
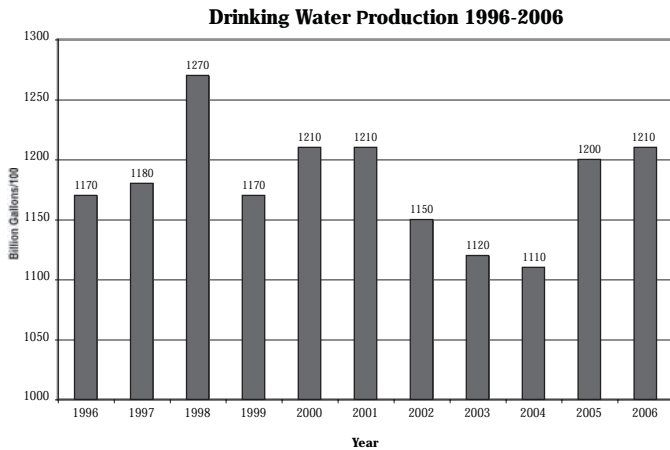
The Cross Connection Program proceeded well in 2006 with very few failures. All repairs were completed within the allotted time for non-compliance violations issued.

The elevated storage tanks are in good shape as of 2006. The Blanchard Rd. tank which was fully painted in 2005 with a new high tech coating system should last close to 20 years without a problem. The largest tank that the Town of Burlington operates, the 4.2 MG Greenleaf MT., is in good shape, on the interior, having been repaired and painted in early 2004, but needs the exterior coated in the next two years. The Center St. tank will be getting a full inspection in FY08 on both the interior and exterior.

If there any questions about the water quality production or the water sources please contact William Keene, Water Quality Production Manager at 781-270-1648 or e-mail at [wkeene@burlmass.org](mailto:wkeene@burlmass.org).

**Drinking Water Production 2004-2006**





In closing, I would like to thank all the personnel of the Water & Sewer Utilities Division for another year of top quality professionalism in their duties.

Respectfully submitted,

David C. McCafferty  
Assistant Superintendent  
Water/Sewer Utilities Division

## B-LINE

The B-Line has 3 brand new buses traveling throughout the Town. The B-Line buses are safe, clean and convenient (just wave us down) and all three are wheelchair accessible. We travel around Town from 7:30 am until 6:00 pm getting people to and from work, school and medical appointments. The B-Line does not operate on weekends or holidays.

The B-Line provided 200 rides per day during 2006. The buses travel by all supermarkets (Shaw's, Roche Bros., and Market Basket), all Malls (Crossroads, Burlington and Middlesex Commons and the new Wayside Commons), Lahey Clinic and Lahey at Wall Street.

The B-Line is available to get your student home after Homework Clinic on Tuesdays and Thursdays from the Middle School. We also stop in front of the High School twice a day and we travel by all parks and fields in Burlington, as well as the Cinema.

After 18 years of service with no increase, the B-Line finally found it necessary to raise its fares and pass rates. As of October 2006, the new fares are (exact change is necessary as drivers carry no money):

Under 6	Free
Students with ID's	\$ .50
Seniors (Over 65)	\$ .50
Adults	\$1.00
Transfers	Free

Pass applications may be obtained from any of the B-Line bus drivers or through the DPW office. The new pass rates are as follows:

	<b>Special Needs,</b>	
	<b>Adults</b>	<b>Seniors &amp; Students</b>
Annual Pass (July - June)	\$80.00	\$45.00
6 Month Pass (Jan-June/July-Dec)	\$45.00	\$25.00
3 Month Pass (Jan-Mar/Apr-June/July-Sept/Oct-Dec)	\$25.00	\$15.00

The B-Line is still the most in-expensive mode of travel around Burlington, and connects with the MBTA and other routes:

- Lowell LRT at Chestnut Ave., the Burlington Mall & Lahey Clinic
- Burlington-Alewife (350), all along Cambridge Street & Burlington Mall
- Bedford (351) at Chestnut Ave. & the Burlington Mall
- Boston Express (352) at Chestnut Ave.
- Boston Express (354) at Van DeGraff Drive

Once again, we would like to thank the Burlington Mall for funding the cost of operating the three B-Line buses for the five Saturdays between Thanksgiving and Christmas. Taking advantage of this opportunity, the B-Line buses provided 419 rides this holiday season. This is a terrific way to get your holiday shopping done and not worry about finding a parking space at the Mall or fighting the traffic.

For more information see our web-site at [www.burlington.org](http://www.burlington.org) click on "Community Connections – Transportation – B-Line" for exact route maps and schedules.

You CAN get there from here – Buzz Around Burlington on a brand new B-Line Bus!!

Respectfully submitted,

Patti Robichaud  
B-Line Coordinator

### CONSERVATION COMMISSION

Photo by Randy Newell



*Conservation Commission: Front Row (left to right): James Nash, Larry Cohen, and Marylee Everett. Back Row (left to right): Gail Lima, Indra Deb. Absent from photo: Kerry Melanson.*

The Burlington Conservation Commission respectfully submits the following report of the activities of the Conservation Commission and Conservation Staff during 2006. Anyone wishing to learn more about the functions and activities of the Commission is invited to contact the Conservation Department or any member of the Conservation Commission, attend a Conservation Commission meeting, or visit the Conservation Department webpage (<http://www.burlington.org/conservation/>).

The Conservation Commission is comprised of seven volunteer members appointed by the Board of Selectmen to three-year terms. Larry Cohen and Marylee Everett continued as chair and vice-chair of the Commission in 2006. Chris LoRusso moved from Burlington and resigned in May.

A three-person Conservation Staff, comprised of Conservation Administrator John Keeley, Conservation Assistant Randy Newell and Principal Clerk Ellen Longo, assists the Conservation Commission. The staff is responsible for providing technical review of project proposals, ensuring compliance with the timelines and administrative requirements of the wetlands statutes, providing input to other Town Boards and officials, and assisting residents and project proponents in navigating the application process.

The Commission is responsible for ensuring compliance with the Massachusetts Wetlands Protection Act and the local Wetland By-law (Burlington By-law Article XIV). To this end, the Commission receives and reviews applications for projects involving work within one hundred feet of wetland resource areas or within 200 feet of a river or perennial stream. Through the public hearing process, the Commission determines whether a project is permissible under the wetlands regulations, whether the proposal can be improved to better protect the town's resources, and then issues or denies a permit accordingly.

The Conservation Commission is also responsible for managing several parcels of Town-owned land under its jurisdiction. These include the Mill Pond, Sawmill Brook, Marion Road and Little Brook Conservation Areas, in addition to several smaller parcels. Beyond managing existing Conservation Land, the Commission pursues and promotes the acquisition of additional open space throughout the Town through several means, including conservation restrictions, land donations, land transfers, and outright purchases.

The Conservation Department unsuccessfully applied for a state grant that would have allowed us to expand the Sawmill Brook Conservation Area by acquiring several abutting parcels in 2006. The Massachusetts EOE Self-Help grant would have funded over half of the acquisition cost. Town Meeting had approved the acquisition in September, subject to grant approval. This area is rich in history, is a popular hiking area, and contains rare wildlife species. We plan to continue to pursue grants to acquire these parcels, as they have been identified as a high priority in the 2005 Open Space and Recreation Plan.

## Regulatory Functions/Permitting

The Conservation Commission reviewed and permitted a variety of projects in 2006, including: the Wayside Road/Cambridge Street widening, a residential subdivision off Muller Road, and numerous smaller residential projects.

An Erosion and Sedimentation Control Bylaw was approved by Town Meeting in September. This bylaw was needed, in part, to comply with the federal National Discharge Pollution Elimination System (NPDES) Phase II rule. It will regulate earth-disturbing activities to help prevent erosion of soil into the Town's stormwater system and, eventually, Burlington's streams and wetlands. Conservation Department staff assisted Larry Cohen, Burlington's NPDES Phase II coordinator, as well as the Stormwater Management Advisory Committee and Department of Public Works in drafting the bylaw. The bylaw is unique and innovative, in that the Conservation Commission will share permitting responsibility with the Planning Board, thereby reducing the regulatory burden for many applicants.

## Land Management

The Land Steward program was reinstituted in 2006. Any residents interested in being a steward of a Conservation area in Town should contact the Conservation Department.

## Stream Cleaning

The summer stream-cleaning program entered its sixteenth year under the supervision of Drew Smith. The three-person stream cleaning crew quickly was reduced to two because of a non-work related injury, but Drew and Melissa Bainbridge did a great job. We continued to find that the smaller crew is more logistically efficient.

This report was prepared on behalf of the Conservation Commission by John Keeley, Conservation Administrator.

Respectfully submitted,

The Burlington Conservation Commission  
 Larry Cohen, Chair  
 Marylee Everett, Vice Chair  
 Indra Deb, Commissioner  
 Gail Lima, Commissioner  
 Kerry Melanson, Commissioner  
 James Nash, Commissioner

## BOARD OF APPEALS



*Board of Appeals: Front Row (left to right): John Sullivan (Chairman), Robert Meaney and George Murray (Vice Chairman). Back Row (left to right): John Alberghini (1st Alternate), Bill Gaffney and Gene Lane (2nd Alternate). Missing from photo is Wayne Harding (Clerk).*

The Board of Appeals of the Town of Burlington is created under Section 9.5.1 of the Zoning By-Law, pursuant to Chapter 40A of the Massachusetts General Laws. The two alternative and five permanent members of the Board are appointed by the Town Administrator to unpaid terms of one and five years respectively. Its purpose is to hear and decide appeals from an adverse decision of the Building Inspector or any Town Board, to make determinations in Flood Hazard Districts, to hear and decide petitions for variances, in particular instances to permit signs in a Business or Industrial Zoning District larger than those specified in the Zoning By-Law and, to issue comprehensive permits under MGL Chapter 40B.

The vast majority of cases heard by the Board are petitions for variances from strict compliance with the Zoning By-Law. After giving notice by mail to the abutters of the affected parcel and giving notice to all others by newspaper publication, the Board holds a public hearing to hear all of the evidence either in favor of or in opposition to the granting of the variance.

In order to grant a variance from the strict requirements of the applicable zoning by-law, the Board must find the following:

1. That, owing to circumstances relating to the soil conditions, shape or topography of such land or structure

which is the subject matter of the petition for a variance and especially affecting such land or structure, but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the zoning by-law would involve substantial hardship, financial or otherwise, to the petitioner.

2. That desirable relief may be granted without substantial detriment to the public good.
3. That desirable relief may be granted without nullifying or substantially derogating from the intent and purpose of the by-law.

The burden upon the Board of Appeals is a great one and cannot be taken too lightly because the collective decision that it makes will have a lasting effect upon the town and its citizens. It is the only town board with explicit authority given by the State Legislature to actually allow citizens to avoid complying with the law, in appropriate situations.

There is no set formula by which the Board can make its decision so that every decision appears compatible with the other. What may be a substantial derogation of the intent and purpose of the zoning by-law in one petition may not be so in another. Consequently, it is difficult to compare any one decision of the Board with another. Each case must be treated individually and must stand on its own merits and not be decided by precedence.

In 2006, the Board heard 49 cases, 22 were residential cases which generated \$2,000.00 in fees and 27 commercial cases which generated \$6,250.00 in fees. The applications generated in total \$8,250.00 in fees.

The members of the Board of Appeals are pleased and honored to serve the town and look forward to another successful year of dedicated service to its citizens.

Respectfully submitted,

John Sullivan, Chairman  
 George Murray, Vice Chairman  
 Wayne Harding, Clerk  
 Robert Meaney  
 William Gaffney  
 John A. Alberghini, 1st Alternate  
 Gene Lane, 2nd Alternate  
 Karen Peters, Recording Clerk

## BUILDING DEPARTMENT

I herewith submit my report as Inspector of Buildings for the year 2006.

The total estimated building permit construction costs for 2006 was \$96.5 million dollars. The value of residential construction was \$22 million dollars. Commercial construction values were estimated at \$72 million dollars. The total number of permits issued by the Building Department staff during 2006 rose to 3,048 from last years 2,770; resulting in 5,969 inspections being performed this past year. The total permit fees collected in 2006 was \$1,468,711.

Residential construction activity continues at Seven Springs; whereas projects at Kimball Woods (256 apartments) and Grandview Commons (42 condos for senior housing) were completed this year. A total of 32 dwelling building permits were issued, of which 29 were single-family dwellings and 3 were multi-unit dwellings at The Villages of Seven Springs. Residential building activity this year for single-family dwellings included the following:

- 16 Second Floor Additions
- 11 Two-Story Additions
- 25 Finish/Remodel Basement
- 24 Family Room Additions
- 48 Kitchen Additions/Remodels
- 38 Bathroom Additions/Remodels
- 16 Seasonal/Sunrooms
- 23 Garages
- 94 Roofs
- 50 Siding
- 50 Decks
- 23 Swimming Pools

New commercial construction rose primarily with \$42M in retail construction. Attributable to the Burlington Mall Expansion (\$17M), Crate & Barrel (\$7M) and Wayside Commons (\$14M). Food establishment construction values climbed from a year earlier coming in at \$8.4M. Burlington Mall's retail tenants with significant construction include L'Occitane, The Children's Place, Finish Line, and Jasmine Sola. Wayside Commons retail construction values for the build out of new retail stores was \$9.5M and the restaurant construction values were \$5M.

Construction values for office use were an estimated \$12.5M; significantly, BAE Systems at 8 New England Executive Park, SAP America and Sophos at 3 Van de Graaff Drive and Rounder Records at One Rounder Way.

Other significant construction included Lahey Clinic's construction of Hema/Oncology & Urology and Pet CT Suite (\$9.5M) and Mill Pond Water Treatment Plant (\$2.2M).

The Building Department personnel received and replied to over 40 emergency calls from the Fire Department and other Town agencies this past year. In addition, we responded in excess of 108 complaints/violations and provided an estimated 63 zoning determinations. The majority of zoning complaints and violations this year were due to the significant amount of illegal freestanding / A-frame signs placed throughout the town. We issued 86 annual Certificates of Inspection. Of those 21 were Chapter 304 certificates issued to liquor establishments in Burlington.

We continue to work diligently with state agencies and public safety departments going through a continuation of certification classes, meetings and training exercises. These agencies include the Local Emergency Planning Committee (LEPC), Massachusetts Emergency Management Agency (MEMA), and Federal Emergency Management Agency (FEMA), and the Commonwealth of Massachusetts Department of Fire Services (DFS) and the Commonwealths' Board of Building Regulations and Standards (BBRS).

Our staff continues with the Microfilm Imaging Project. In 2006 approximately 4,750 sets of building plans from 1986 through 1992 have been processed and are out being microfilmed. Upon their return we will have microfiche in the office covering the years 1986 through 2005.

Again, this past year the Building Department took part in two (2) programs to assist us with the administration of the office, the Senior Tax Work Off Program and the Police Department's Community Service Program. We have found both these programs instrumental in helping us to get the job done.

The Building Department's permit tracking system and handheld Pocket PC devices, offer a quick and easy access to the tracking and reporting of all inspections. It has proven to be a very helpful tool both in the office and in the field.

The department has available informational brochures, Building/Development Process Handbook, explaining the permitting process, The Building Department's Most Frequently Asked Questions, and the 2nd Water Meter

Guidelines, a brochure explaining the procedure for installing these meters.

The Building Department's goals for the future are (1) to stay ahead of the demand that will be imposed by construction activity underway and what is being proposed, (2) continue to microfiche our building plans in archived storage, and (3) integrate existing paper files into the records tracking software. We realize this is an ambitious list but to date, we have been able to attain the goals we have set; directly attributable to this department's endeavor to get the job done.

The entire staff has worked remarkably throughout the year to meet the increasing demands. Thank you to Andy Ungerson, Senior Building Inspector; Bruce Clark, Local Building Inspector; Glenn Paparo, Plumbing and Gas Inspector; Jim McDonough, Inspector of Wires; and Judy Sorensen, Principal Clerk for all their dedication to the job and their commitment to excellence.

The total number of permits issued and estimated values are as follows:

BUILDING PERMITS			
Work Categories	No. Issued	Estimated Construction Cost (In Dollars)	Fees Collected
New Residential Dwellings	59	10,096,371	107,200
Residential Additions	138	8,251,575	182,307
Residential Remodels	272	3,001,565	30,417
Residential Garages	7	250,000	2,500
New Commercial Structures	8	14,797,569	165,759
Commercial Additions	9	20,500,317	248,424
Commercial Alterations	167	36,885,783	414,515
Signs	157	638,727	7,850
Miscellaneous	72	452,694	21,984
Foundation Only	6	203,600	2,311
Swimming Pools	24	317,840	930
Demolitions	58	1,041,750	6,100
Temporary Mobile Homes	0	0	0
Temporary Trailers	20	29,000	900
<b>TOTALS</b>	<b>970</b>	<b>\$96,466,791</b>	<b>\$1,191,198</b>



		Fees Collected	No. of Inspections
Building Permits	970	\$1,191,198	2,006
Certificates of Inspection	86	8,048	104
Electrical Permits	999	135,369	2,072
Plumbing Permits	599	106,270	962
Complaints/Violations	480	27,685	617
Gas Permits	108		208
Miscellaneous Copies, etc.		141	
<b>TOTALS</b>	<b>3,242</b>	<b>\$ 1,468,711</b>	<b>5,969</b>

Respectfully submitted,

John J. Clancy  
Inspector of Buildings

## THE OFFICE OF VETERANS' SERVICES



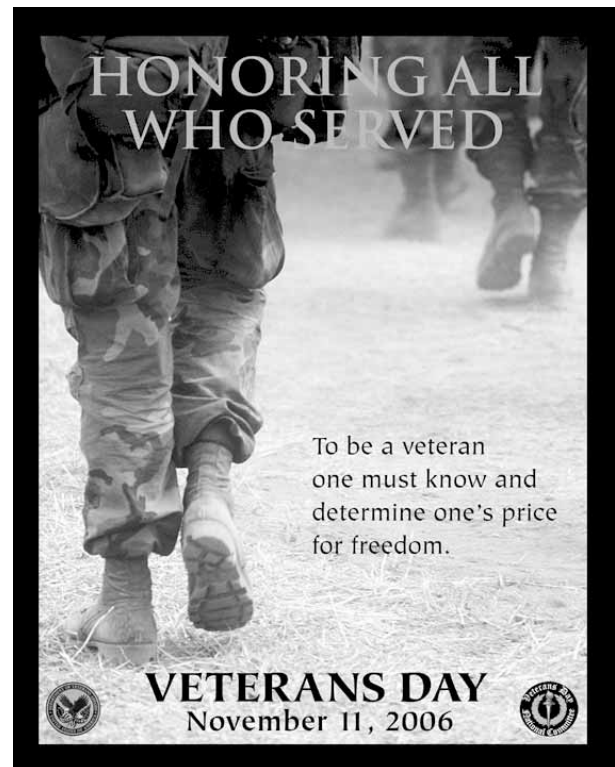
Human Services Building, 61 Center Street – Photo by Betty McDonough

### Overview

For more than 100 years a Veterans' Service Officer has been available in every Massachusetts city and town and the Commonwealth does more for its veterans than most other states in the nation. The Office of Veterans' Services in Burlington is here to assist veterans where and when necessary. We provide as much information and direction as possible.

The Burlington Office of Veterans' Services staff consists of one full-time Director of Veterans' Services, and one full-time Principal Clerk. The office is a one stop Human Service Office and has as its top priorities: the providing of services designed to improve the quality of life for every veteran in town, their families and surviving dependents, for people with disabilities and their families, families in need of fuel assistance, and those wishing to be employed under Labor Services with the town.

This does not include people and entire families who continue to arrive at our door looking for advice and assistance with issues not listed in our title. The Office of Veterans' Services handles innumerable human service issues for many citizens of town. Elderly and young alike are always asking about job assistance, or seeking information and assistance about Social Security, Medicare and Medicaid. Families seek us out and ask for advice about health insurance and health care as well as educational assistance for college-bound children. We also answer questions about long-term care and Medicare Part D. With a continual influx of low-income families living in subsidized housing in Burlington, many people arrive at this office to ask for assistance.



Honoring All Who Served – 2006 poster provided by Department of Veterans Affairs

We have been advised by the State Office of Veterans' Services that more than fifty Burlington men and women have returned home from serving their Country in some capacity and are now eligible for veterans benefits. This office is honored when we have a chance to assist them.

Because of the ongoing combat actions in the Middle East, there has been an outpouring of support and respect for the men and women serving in the military. The Allied Veterans, Burlington's Marine Corps League, the Disabled American Veterans, the Veterans of Foreign Wars and the American Legion donated money, gifts and phone cards to send over to our troops. Under the guidance of Burlington High School Teacher, Alan McRae, the students and volunteers once again are to be commended for the great work in assembling and sending out more than 100 additional packages to the troops this year.



*Burlington High School students and volunteers amongst the 100 care packages to be sent overseas to our troops - Photo by Alan McRae, Burlington High School Teacher and coordinator of the program to support our troops*

Most people in town know this office through the public events, but the focus and primary concerns of the Burlington Office of Veterans' Services is the day-to-day work, in private, with all veterans to ensure they and their families receive the proper counseling and benefits due them. We also interact with a wide variety of residents on a myriad of issues and topics not related to the issue of a veteran.

Almost 300 Burlington veterans and families receive more than one and a half million dollars in Federal VA Benefits each year. Visitors to the office also seek advice on health care and prescription assistance from the VA, as well as education, home loans and other benefits available through state and federal programs.

After the traditional placement of the 23 wreaths around town by members of the Allied Veterans Council, the Memorial Day Ceremony at Chestnut Hill Cemetery was held with all the proper dignity our deceased veterans deserve. This year there was a special tribute to the twenty-five Burlington men who either died in battle or are listed as missing in action, since World War I.



*Leonard Millican, Killed in WWI – Photo donated by Millican family*



*Kenneth MacKenzie, Killed in WWI – Photo donated by MacKenzie family*

The first two, who died in the War To End All Wars, in 1918, are Leonard Millican and Kenneth MacKenzie. After discussions with family members, we were able to obtain original photos of both men and two reproduced photos are now hanging in the lobby of Millican – MacKenzie American Legion Post # 273 on Winn Street.

Our guest speaker was Burlington resident, Commander Peter Dutton of the United States Navy and Reverend Peggy Derrick of the United Church of Christ Congregational was our Chaplain



*Memorial Day's guest speaker was Burlington resident, Commander Peter Dutton of the USN – Photo by Betty McDonough*

Veterans' Day was held at beautiful Pine Haven Cemetery, and the speaker was Lieutenant Colonel Michael Parkyn, United States Marine Corps Fellow at MIT. Joseph Signoretti was our Chaplain.

In attendance for both days were members of the Board of Selectmen, the American Legion Rifle Squad and members of the American Legion, the DAV led by Commander Andy Giordano, VFW Commander Jack Rodwell and members of the VFW, the Marine Corps League, led by Commander Arthur Enos, and the Marine Corps League Honor Guard, led by Carl Patterson. Also joining us for both events was the Burlington High School Marching Band who did a wonderful job playing the National Anthem and the Military Medley, the cub scouts, boy and girl scouts, and veterans and their families. Members of the Burlington Police Department Honor Guard were present for both events and members of the Burlington Fire Department joined us for Memorial Day. Burlington resident, Joe McGrath, did a fine job on the bagpipes.



*Veterans' Day – Burlington's American Legion Rifle Squad stand at attention – Photo by Betty McDonough*

Burlington High School Principal Linda Hayes held her sixth and final annual Veterans' Day ceremony. This office was honored to be invited, and we assisted with identifying local veterans to be invited. Marine Corps League Commander Art Enos, on behalf of the Allied Veterans, presented a plaque to Principal Hayes to thank her for holding these wonderful programs each year. The plaque and an American Flag that flew over the USS Constitution were presented in front of the entire student body.

Once again, special thanks go out to the staff at the Marriott Hotel and general manager Jim Kappel for delivering and serving a continental breakfast to our veterans each and every Memorial Day and Veterans' Day. The hotel supplies the food and beverage and the staff volunteers their time. We also thank Paul Cauldwell and his cemetery staff for their continued hard work and assistance in taking care of the veterans' graves and the grounds of the cemeteries. Thanks also to Doug Gillingham and his crew from Recreation Maintenance for continually keeping the

grounds of the Town Common impressive for our flag raising ceremonies.

We were honored this year to be asked by the Burlington Fire and Police Departments to assist in the coordination of the fifth anniversary of the tragedy of 9-11-2001. The ceremony was held on a beautiful day, and family and friends of those lost, whose names are on the memorial, as well as members of the police and fire department and residents of the town were in attendance to remember this sad day.



*Burlington Fire Department Honor Guard – Photo by Officer James Tigges*



*Burlington Police Department Honor Guard – Photo by Officer James Tigges*

After a fourth successful year on line, the [www.veteransinfo.net](http://www.veteransinfo.net) web page has been very successful, with more than 10,500 hits from which telephone, e-mail, and hard mail inquiries were developed. The web page is maintained and updated on a regular basis by Betty McDonough, and with links to many other interesting sites, a vast array of information is available.

## VETERANS' BENEFITS

The Commonwealth is the only state that has made generous provisions by state law, by providing guidance and assistance to veterans in need of: food, housing, clothing, employment, medical and burial assistance. Veterans' benefits are not automatic. It takes a great deal of time and paperwork to provide the necessary benefits to veterans and their families. The Burlington Office of Veterans' Services assists in providing the following state and federal veterans' benefits for every veteran in town, their families, and surviving dependents.



*State Veterans' Services Logo*

### State Veterans' Benefits Massachusetts Chapter 115

If you are a veteran with 90 days of active duty with at least one day during wartime with Honorable Discharge, a veteran with 180 days of service during Peacetime Service with Honorable Discharge, the dependent of a veteran, a surviving spouse or child of a deceased veteran, you may be eligible for veterans' benefits from the State of Massachusetts such as bonuses which are available for all wartime periods WW-1 to the present. There are a number of exemptions available to certain disabled veterans or their survivors, and in Burlington a 100% service-connected veteran can get as much as \$1,000 if they meet certain criteria, and other veterans with at least a 10% service-connected disability can receive at least \$500.

There are also two state cemeteries that are available to inter the Commonwealth's deceased veterans, spouses and dependents, and there is a \$2,000 annuity for 100% service-connected disabled veterans, parents of a son or daughter whose death occurred as a result their active duty service in time of war, and to the spouse whose husband died in combat.

Veterans and their families are given preference for state-funded public housing through their local housing authority, and veterans are given preference for employment on the eligibility list for civil service positions. There are a variety of license plates for veterans available through the Registry of Motor Vehicles, and certain disabled veterans are eligible for motor vehicle sales and excise tax exemptions.

Veterans may be eligible to attend a state college tuition free or discounted, on space available basis.



*Federal VA Logo*

### Federal Veterans' Benefits

Local Burlington veterans may be eligible for Federal Veterans' Affairs Benefits. Certain VA benefits and medical care require wartime service. You can be a dependent of a veteran, a surviving spouse or child of a deceased veteran, a current member of the Reserves or National Guard, or an active duty service member.

There are two disability programs and both pay monthly benefits to disabled veterans. One is a Disability Compensation where the VA can pay compensation if a veteran is at least 10% disabled as a result of their military service. Another is a Disability Pension where the VA can pay a veteran a pension if the veteran is a wartime veteran with limited income and no longer able to work.

There is VA educational training where the VA will pay benefits to eligible veterans, dependents, reservists and service members while they are in an approved training program. The major VA programs are: Montgomery GI Bill, Veterans' Educational Assistance Program (VEAP), and Survivors & Dependents Educational Assistance.

The VA offers a number of home loan services to eligible veterans, some military personnel, and certain spouses. There are guaranteed loans, refinancing loans and special grants for disabled veterans to adapt their homes.

There is a program called Dependency and Indemnity Compensation (DIC) and a benefit is payable to survivors of: a service member who died on active duty, veterans who died from service-connected disabilities, and certain veterans who were being paid 100% VA Disability Compensation at the time of death.

A Death Pension is payable to some surviving spouses and children of deceased wartime veterans. The benefit is based on financial need. The VA Civilian Health and Medical Program (CHAMPVA) shares the cost of medical services for eligible dependents and survivors of certain veterans.

The VA can offer certain burial benefits and services to honor our Nation's deceased veterans. The VA will furnish cemetery Bronze Markers to all eligible veterans. The VA can provide an American Flag to drape an eligible veteran's casket, and the VA can pay a burial allowance for veterans who die of service-related causes. Most veterans and some dependants can be buried in a VA National or State Veterans' Cemetery.

### **DISABILITY ACCESS COMMISSION (DAC)**

This office provides coordination between the Commission and the town and local businesses. Serving as the representative of the Board of Selectmen to the Commission, this office coordinates, schedules and maintains records of all DAC business. The DAC continues to work with the town and the schools to ensure accessibility and reasonable accommodations in the various buildings.

### **FUEL ASSISTANCE**

Due to serious economic situations, this fuel assistance season has once again been one of the busiest in recent years. With the economy not doing well, more residents become eligible for this benefit. Eligible residents apply for this joint state and federal benefit through this office. Verification is sometimes time consuming but is required in order for the applicant to receive the proper amount of assistance.

### **LABOR SERVICE**

This office is responsible for maintaining the Labor Service List for the town. Labor Service is the part of Civil Service that does not require an exam to be placed on the list. Departments in town that utilize the Labor Service List are DPW, Cemetery, Recreation Maintenance, and school cafeterias.

Respectfully submitted,

Bob Hogan, Director

Betty McDonough, Principal Clerk



*U.S. Military Departments: Army, Marine Corps, Navy, Air Force, and Coast Guard – Image Mixing by Amy Warfield*

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## **BURLINGTON COMMUNITY LIFE CENTER**

### **Mission and Overview**

The Burlington Community Life Center is a department for the Town with the responsibility of providing mental health and social services to families with children, adolescents and young adults (specifically ages 9-22). BCLC also provides information and referral services for ALL Burlington residents of any age. In addition, BCLC staff provide screening for People Helping People, primarily for residents making requests of the Covenant for Basic Needs (established in 1981 by the Burlington Clergy Association).

The BCLC has been in operation since 1974 when it became a Town department. Prior to this, the office had opened under the name House of Common in 1972. In 1978, BCLC was given the specific mandate to provide counseling services to teenagers and their families. In recent years, there was increasing demand for BCLC to provide services to younger children, so the age range was expanded to include families with children nine years old and above.

The BCLC continues to work with adults and young people on such diverse problems as family conflict, adolescent issues, parenting skills, marriage and relationship problems, drug and alcohol abuse, depression and suicide, neglect, domestic violence and the like. The BCLC offers individual, family, and group therapy services, and our philosophy is oriented toward involving entire families in treatment whenever possible. Since it is within the family that these problems are most acutely felt, and these same families often possess the best and most available resources to resolve problems, we believe that family therapy is often the most useful and effective means of treatment.

Evening appointments may be arranged for working families by calling in during regular office hours (9-5). During later evening hours and on weekends, the agency voicemail will collect messages for BCLC staff and refer callers to a 24-hour back-up emergency mental health service if there is an immediate crisis that cannot wait until the staff is available.

### Interdepartmental/Agency Collaboration

BCLC staff work collaboratively with town departments and other mental health and social service agencies. At the request of Burlington High School's health education department, we have again provided workshops for sophomore health classes on depression.

Charlie Franich, BCLC therapist, was re-elected in June 2006 to serve as co-chair of the town's Drug & Alcohol Task Force along with Marilyn Belmonte, parent and community educator. This year was notable for a number of initiatives. In January the Task Force, in close collaboration with Chief of Police Fran Hart, successfully secured a \$5,000 grant from our local Comprehensive Health Network Area #15 for the purpose of reducing access to alcohol for minors. The grant has allowed for 1) a doubling of police department compliance checks on local liquor-licensed establishments, 2) the inauguration of a server registration program for any employees serving alcohol in the town of Burlington, and 3) a parent education forum on "gateway" drugs accessible to elementary and middle school youth.

In March, the Task Force facilitated Burlington's participation in a nationwide series of "Town Hall Meetings on Underage Drinking" sponsored by a broad coalition of federal agencies and the Commonwealth's Bureau of Substance Abuse Services. In May, the Task Force invited the community to participate in Burlington's Third Annual

Alcohol-Free Weekend as the kick-off to Drug and Alcohol Awareness Week. In September, after careful review with the town's liquor license holders, the Board of Selectmen voted to approve the establishment of a server registration program. And immediately prior to Election Day in November, the Board of Selectmen voted unanimously to oppose Question One, which would have dramatically increased the number of liquor-selling outlets in the Commonwealth. This initiative was then defeated at the polls.

Additional involvement in the schools has continued to include Peggi Stallings Durand, Charles Franich and Dinah Lane working with Gloria Wojtaszek of the high school guidance department to administer a Peer Education Program with 45 select sophomores, juniors and seniors who have pledged to be drug and alcohol-free. The approach and curriculum have been revised in recent years to insure that the appropriate messages are being conveyed. More careful screening has been put in place in order to do our best to ensure that high school student participants are setting a consistent example of sobriety. In the Spring, these high school students engage in discussions with between 200-250 seventh graders over the course of four sessions about the dangers of substance abuse. This model presumes that seventh graders will be most receptive to these issues when hearing about them from other socially successful, non-drinking high school students.

BCLC staff also met periodically with members of the Burlington Clergy Association and were involved in local and regional meetings of agencies and programs concerned with mental health or social services (Lahey Initiative Committee on Domestic Violence, Lahey Community Benefits Committee, Local Officials of Human Services Council, and other adolescent service organizations).

### SOCIAL SERVICES

The BCLC also offers ALL Burlington residents a range of social services including the administration of resources offered through People Helping People, Inc. PHP is a non-profit, umbrella organization made up of community volunteers who help oversee and coordinate the efforts of three established groups: Community Food Pantry, Covenant for Basic Needs and Burlington Holiday Program (formerly Burlington Santa). Wes Simons continued to serve on the Board of Directors of PHP. Through the strong efforts of a new board member, Valerie Healey, there was a significant increase in food and financial contributions to

the pantry. Another important contribution Valerie made this year was her initiative in creating PHP's first website ([www.peoplehelpingpeopleinc.org](http://www.peoplehelpingpeopleinc.org)).

Many residents are aware that PHP's Holiday Program helps needy families during the holidays. However, some other extensions of this program help needy families throughout the year with back-to-school clothes and the like. We express a great deal of gratitude to members of the United Church of Christ under the leadership of the Reverend Peggy Derick and Randy Nowell. Approximately 100 Thanksgiving baskets were provided to families and individuals again this year. The Burlington Rotary Club for several years has made these baskets possible by providing the turkeys. A number of companies provided other food and financial support.

This spring, after many years as co-coordinators of the Holiday Program, Karen Gallagher and Barbara Naddaff decided to step down. We thank them for their hard work, diligence, dedication and countless hours of leading this important program and helping with the transition to new leadership. For this holiday season, a new board member of PHP, Valerie Healey, did an excellent job as the new coordinator, learning quickly and keeping this program afloat. Michele Trigilio of BCLC also provided a great deal of hard work, vital oversight and organization for the program. We thank the many other volunteers that made the Holiday Program possible again this year.

The PHP Board also manages the Covenant for Basic Needs. They work with the Burlington Clergy Association to provide limited help for those residents experiencing financial emergencies. The BCLC staff screen those applying for this assistance. In FY2006, we handled over 100 requests. This number does not include the many requests we receive from residents applying for the Holiday Program and the scores of residents already served by the Pantry.

We extend our heartfelt gratitude to Roberta Damelin and her group of volunteers for their tireless efforts and hundreds of volunteer hours managing the Food Pantry. Several other people have also put a lot of time and energy into making this program work. We thank members of the PHP Board and all those residents, groups and companies who contributed time, talent and money to help PHP through another year. (The Pantry voicemail may be reached at 781-270-6625.)

BCLC also maintains an information and referral service to assist ANY resident in locating the particular social service that a resident may require. Our staff has assisted young people and their parents in situations requiring hospitalizations, finding appropriate emergency or residential care, and the like. Due to dwindling resources and program cuts, this search has been more difficult and sometimes resources have been unavailable.

## STATISTICAL NOTES

An average of over 200 residents each month receive counseling services. Over 100 people made requests for assistance from People Helping People throughout the year, especially during the holidays. A summary of our clinical statistics follows in the table below.

### Age Range:

167	Adults (26 & Older)
18	Young Adults (19-25)
184	Adolescents & Children

### Treatment Modality:

245	Family Counseling
69	Individual Counseling
5	Team Family Counseling
50	Group Counseling

### Referral Sources:

40%	Schools
21%	Self Referrals (These are mostly former clients who were happy with the services provided previously and returned due to a new crisis or issue.)
25%	Community (police, clergy, doctors, crisis team, lawyers, other town depts, DMH, DSS)
14%	Family & Friends
1%	Other

## OTHER COMMUNITY SERVICES

As in previous years, the BCLC provided administrative and other support to a number of programs in the community of benefit to Burlington residents. Michele Trigilio continues to do an excellent job coordinating the FISH and Rent-A-Kid programs. FISH (Friends in Service to



Humanity) volunteers provided 63 rides to local medical and social service appointments for residents in need of transportation. The Rent-A-Kid referral service received 52 requests from adult residents who wanted to hire young people to do a variety of odd jobs.

## TRAINING

The BCLC provides training to graduate student interns as part of their professional education. BCLC has provided field placement training since the late seventies to graduate students from Boston University, Simmons School of Social Work, Lesley University, Tufts University, Antioch University, Northeastern University, Salem State, and University of Massachusetts, Boston. We thank the students for their long hours of service and dedication. BCLC has consistently received high marks for the training and supervision received by students at the agency.

## BOARD OF DIRECTORS

The Board of Directors at the Community Life Center continued their involvement and I deeply appreciate their help and support. Board members include:

Ronald MacKenzie, Chair	Thelma Iozzo
Marilyn Langley, Vice-chair	Ann McNamara
Father John Crispo, passed away 10/20/2006	Roberta Mills
Candace Gustafson	Betty Murphy
Michael Howard	Sgt. Greg Skehan

## SUMMARY

The demand for our services continues to be heavy while other resources in the area continue to diminish. We extend our thanks to the many in the town who have supported our efforts.

Respectfully submitted,

Wesley M. Simons  
Executive Director

## COUNCIL ON AGING

After the passing of Jeanne Garrett, the first Coordinator of the Council on Aging both the Council and the Selectmen voted unanimously to rename the senior center after Ms. Garrett. The unveiling of the new sign and renaming ceremony took place on February 27, 2006, around the time of the anniversary of her passing.

Full-time permanent staff remained the same during 2006. However, our meal site manager through Minuteman Senior Services changed twice. We now have Joan Arena working to make sure home delivered meals reach our homebound elders. We also lost the front desk clerk through budget cuts.

SHINE Counselor and long-time front desk volunteer Laura Cooper passed away in February. Laura was extremely professional and knowledgeable about all of the workings at the senior center and we still miss her presence. Our new counselor working with Ruthann Covino is Diane Fitzgerald.

## Volunteerism

The senior center runs as smoothly as it does in very large part thanks to the many volunteers here at the center. The number of volunteer hours total well over 28,750 and according to the United Way and Points of Light Foundation the monetary value of all of these volunteered hours is over \$444,475. But in reality the value of our volunteers is priceless, particularly when you consider that over 900 seniors walk through the doors of the center each year to participate in activities or to just be with other people. Our Volunteer of the Year was Judy Lavin who was presented with an award at our Volunteer Appreciation Luncheon in May.

The following groups have volunteered their time to feed us, entertain us or provide for us in some way this year: Boy Scout Pack 555, Burlington Police Patrolman's Union, Francis Wyman Student Council, High School Chorus, Salvation Army, Daisy Troop 1571, and Interact Club.

## Monthly Meetings

The Council on Aging Board meetings are held on the second Wednesday of the month at the Senior Center at 10:00am in Room 136. The meetings are open to all with citizen participation encouraged.



*Volunteers get the "Spotlight" ready to mail to residents in Burlington*

### Monthly Newsletter

The Senior Spotlight, a monthly informational newsletter is mailed to all persons 60 and over in the Town of Burlington. There is no charge for this subscription. The monthly newsletter serves as a very valuable link between the Council and the elderly community. The Spotlight updates news pertaining to medical and legal issues. A monthly listing of schedules and events along with a daily lunch menu is included in the newsletter. An average of 3,300 newsletters are mailed out each month.

### COA Van

The Council on Aging van provides door-to-door transportation free to seniors within the boundaries of the town for senior center programs, the Lunch program, shopping and medical appointments. Ridership continues to increase and unfortunately for the first time we had to deny rides to people wanting to come to the senior center or go for medical appointments because of the number of people we are now serving. We have seen a 20% increase in the number of rides we provide to seniors.

### Meals and Minuteman Senior Services

A lunchtime "Eating Together Program" operated by Minuteman Senior Services is available Monday through Friday at the Senior Center providing a nutritious meal and an opportunity to socialize with old and new friends. Also operated by Minuteman Senior Services, the Nutrition

Program provided Home Delivered Meals to those Burlington Residents who are homebound and in need, unable to prepare their own meals for whatever reason. In addition, Minuteman provides a wide range of services to Burlington Residents designed to maintain individuals in their own home and communities. Services include Case Management, In-home Services, Money Management, Nursing Home Pre-screening and Companionship.

### SHINE (SERVING HEALTH INFORMATION NEEDS OF ELDERS)

Counselors from the Serving Health Information Needs of Elders (SHINE) program saw 185 clients during the year at the Burlington Senior Center down from 444 last year. This decrease is due to the new Medicare Part D program for prescription drugs that SHINE counselors helped seniors sign up for the previous year. SHINE is available on Tuesdays from 1:00-3:00pm, with increased hours during fall open enrollment, by appointment to assist and inform elders of their rights and availability of health benefits. Nursing Home Assistance is part of this service. The SHINE Counselor is a qualified, trained volunteer sponsored by the State Department of Elder Affairs through Minuteman Senior Services. The Outreach worker is also available for homebound clients.

### Outreach

The outreach worker is available by appointment, which may be made by calling the COA office. Home visits are available by request. Our Alzheimer's Caregiver Support group meets on the second Monday of the month at 1:00pm and is co facilitated with our outreach worker, Joanne Fitzpatrick, Dr. Wayne Saltsman, Geriatric Chair at Lahey Clinic and Diane Luther, RN from the Board of Health. The bereavement group has been resurrected and now meets each Thursday morning. This group is extremely helpful for the folks who recently lost their spouses or a child. The Chronic Disease Self-Management course, a six-week workshop intended to help anyone with a chronic condition take control met three times this year with 36 people participating. The Healthy Eating for Successful Living in Older adults is a new workshop which met three times as well and was attended by a total of 30 people. All six workshops were funded by Lahey Clinic.

## Legal Assistance

Legal assistance is available monthly by appointment only. This is a free service with a knowledgeable lawyer who specializes in Elder Law.

## Fuel Assistance

Fuel assistance is available at the Council on Aging Office from November 1st through April 30th in collaboration with the Emergency Fuel and Weatherization Program located in Lowell, Massachusetts.

## Tax Assistance

Tax Assistance is available FREE from February to March. Volunteers are trained and available through the AARP Tax Assistance Program. Appointments are necessary; call the COA office to set up an appointment.

Senior homeowners who are eligible may apply for the Senior Property Tax Program at the COA office. The program allows qualified participants to work 100 hours and then apply their earnings toward their property tax. The Senior Property Tax Program is quite popular as another tool in helping seniors make ends meet. Changes in the federal law meant making some changes to the program, which now begins in January and ends in October in order to reflect exemptions in the January tax bill. A W2 is also now required with the application.

## Informational Presentations and Social Engagement

Informational Presentations are offered at the senior center on a wide array of subjects such as Medicare, Long Term Care, HMO, legal issues, financial planning, Housing and Health and Wellness. The 4th Annual Safety and Wellness Fair was held this fall with information from all of the above and included many town departments with important information about being safe and well for seniors and their caregivers. Shaws sponsored a lunch free for all attendees. Twenty-five vendors and 93 seniors participated in this year's fair.

Holiday parties, volunteer recognitions, summer cook-outs and various fund-raisers continue to be held at the senior center, giving older residents a place to go and be engaged so they don't become isolated.



*One of our most talented seniors comes to the senior center to paint each Friday*

### Programs available at the Senior Center

- In the Artist Workshop you pick the media of your choice. This class has been slowing down and now has 2 or 3 people per week participating.
- Quilting with an average of 10 participants each class is taught once a week during the fall, winter and spring. The "Crafty Chicks" changed their name this year to the "Knit Wits" a much more fitting name for this group. They continue to meet once a week for conversation and "needlework."
- Beano is offered every week on Thursdays and twice a month on Sundays. Generally between 75 and 100 people attend each gathering with an occasional 125 attendees.



*Senior Stretch is by far the most popular activity at the senior center*

- Exercise is offered in the form of Square Dancing, TaiChi and Exercise Classes. The Exercise Classes are taught three times a week with the assistance of Lahey Clinic and a grant provided by Lahey also allows us to have a Tai Chi teacher. There is a low-impact class downstairs in the Murray Kelly Wing and a more intense class upstairs in the gym. An average of 50 people attend each class, an average total of 100 people each day the classes are held.
- Movies, both current and classic are offered twice a month, weekly during the hot summer months; refreshments are served during the movie. During the summer months an average of 20 to 30 people take advantage of the movies to come in out of the heat of the day.
- Day and overnight trips are available to seniors; and sign up is on the Trip Boards at the Senior Center.
- Thanks to an arrangement with the Recreation Department the COA now has a computer lab and seniors are taking classes offered by the Recreation Department during the day.
- Card games of all kinds from bridge to more raucous games are played throughout the week.

The Council would like to take this opportunity to once again thank Au Bon Pain, Shaws and Trader Joe's for their generous donations of baked goods and other edibles throughout the year as well as Lahey Clinic for the exercise instructor on Monday and Wednesdays. Also, thank you to Lahey Clinic for their grant that provides us with a Tai Chi teacher, senior stretch teacher, intergenerational program "Then and Now" and Chronic Disease and Healthy Eating Workshops. Thank you to the George Ramlose Foundation for their award of a grant to pay for new computer equipment in the shared computer lab. Thank you to the Interact club for raising the money and donating a new sound system to the seniors. And finally, thank you to Representative Charles Murphy and Senator Robert Havern for sponsoring the birthday party we threw for our residents who have reached the ripe young ages of 90+.

**COA Staff**

Margery McDonald, Coordinator  
Debra Gochis, Principal Clerk  
Joanne Fitzpatrick, Outreach Worker  
Francis Rais, Van Driver  
Patricia Walsh, Van Driver  
Joan Arena, Meal Site Manager  
Pasquale Grifone, Weekend Van Driver  
John Mooney, Weekend Van Driver

**COA Board Members**

Jack Gulde, Chairperson  
Muriel O'Brien, Vice Chair  
Ruthann Covino, Treasurer  
Jeannette Cain, Secretary  
Eleanor Bonfanti  
Mary Lindley  
Mary Patterson  
Gordon Thomson  
Dr. Wayne Saltsman (alternate)  
Bernice Whittington (alternate)

Respectfully submitted,

Margery R. McDonald  
Coordinator

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**TREASURER/COLLECTOR**

The Town of Burlington residential single-family homeowners annual tax increase for fiscal year 2007 was 5.74% compared to 22.73% in fiscal year 2006. The commercial industrial increase was only 1.47%. This was a direct result of the Town officials and Town Meeting working together to hold the line by voting a 4% tax levy increase and a 3% operating budget increase for Fiscal Year 2007. This continues the State mandate that requires the Town to lower the amount of value we can tax business each year. We are presently at 183% and will go to 175% for Fiscal 2008 and down to the mandated 170% for Fiscal Year 2009.

The value of all Town property went from \$4,279,756,995 in 2006 to \$4,514,750,045 in Fiscal 2007, an increase of \$234,993,050. This increase was concentrated in Residential values continuing to increase from \$3,006,687,085 in 2006 to \$3,153,355,610 in 2007, or a \$146,668,525 increase. Commercial industrial also went up from \$1,273,069,910 to \$1,361,394,435 or an \$88,324,525 increase in 2007. This is good news for residential homeowners because it shows commercial industrial values in Burlington are on the increase. The total taxes levied went from \$61,942,299 to \$64,407,127 or an increase of \$2,464,828 for Fiscal Year 2007.

The breakdown of taxes levied on its two tax rates for FY 2007 are in the following chart.

CLASS	LEVY PERCENTAGE	VALUATION BY CLASS	TAX RATES	LEVY BY CLASS
Residential	45.0429%	3,153,355,610.00	9.20	29,010,871.61
Open Space	00.0000%	0.00		
Commercial	41.2295%	1,021,337,855.00	26.00	26,554,784.23
Industrial	09.3244%	230,982,000.00	26.00	6,005,532.00
SUBTOTAL	95.5968%	4,405,675,465.00		61,571,187.84
Personal	4.4032%	109,074,580.00	26.00	2,835,939.08
<b>TOTAL</b>	<b>100.0000%</b>	<b>4,514,750,045.00</b>		<b>64,407,126.92</b>

The Town of Burlington continued to explore and review strategies to reduce rising health insurance costs to both our employees and the Town. Two new initiatives were considered for 2007 to help those efforts. The Board of Selectmen voted to offer an alternative HMO plan through Harvard Pilgrim insurance called the Best Buy plan. This plan has a \$1,000 deductible per person for hospitalization \$2,000 per family and a maximum out of pocket deductible of \$2,000 per individual or \$4,000 per family. The premium rates are 25 to 30% less per individual and family compared to our

Harvard and Blue Cross non-deductible plans. This plan is offered in addition to our traditional plans for employees that are younger and healthier. We have also expanded our Wellness Program to all employees to try and promote good health with Walking Programs and Physical Fitness Programs to promote weight loss and education about reducing health insurance costs and future claims by making smart choices.

The Board of Selectmen voted to offer the same traditional plans for active employees for 2007. The premium rates for HMO Blue went up 7.46% and Harvard Pilgrim went up 6%. The Senior plans for Blue Cross Medex plan premium rates went up 4.74% and the Managed Blue For Seniors plan rose by 9.6%. The Harvard Pilgrim First Seniority Program was cancelled by Harvard Pilgrim and they are now offering a new First Seniority Freedom plan. The premium rate for this plan is less money monthly. The Town of Burlington continues to offer its active and retired employees quality health insurance benefits at reasonable monthly premiums.

The following is a listing of gross and net payrolls as well as the withholding for benefits and other payroll deductions of Town employees for the years 2002 through 2006.

	2002	2003	2004	2005	2006
<b>GROSS PAYROLL</b>	<b>48,609,985.84</b>	<b>49,490,339.72</b>	<b>44,325,409.87</b>	<b>46,435,761.50</b>	<b>48,538,925.34</b>
<b>Withholdings</b>					
Federal Tax	5,435,539.77	5,537,236.71	4,820,174.95	4,937,280.96	5,360,115.89
State Tax	2,131,583.48	2,209,469.82	1,974,114.74	2,119,796.34	2,197,188.83
Retirement	4,097,607.16	4,171,770.58	3,692,483.43	3,896,043.84	4,130,766.59
Chap 32-B Health Insurance	1,463,020.93	1,436,281.13	1,444,522.10	1,541,965.45	1,675,848.00
Disability Insurance	46,531.63	39,389.19	33,038.16	31,537.24	38,781.91
Delta Dental Insurance	224,173.05	203,887.58	175,751.92	181,188.62	196,131.50
Credit Union	3,471,040.95	3,311,869.05	3,035,022.06	3,013,240.84	2,946,815.13
Tax Shelter Annuities	773,235.54	825,481.02	862,304.19	793,494.61	818,098.48
Deferred Comp Plans	1,323,437.80	1,237,024.55	1,138,086.33	1,197,688.49	1,203,030.57
Teachers' Association	145,334.68	181,485.76	169,618.05	177,379.63	187,477.73
Union Dues	122,918.91	121,867.60	130,831.36	150,271.26	159,858.69
Suspense	175,915.88	171,905.95	154,027.94	140,890.13	132,462.18
United Way	3,779.00	3,447.00	2,043.00	1,789.00	1,615.00
Life Insurance	108,483.39	96,035.32	51,390.13	83,542.27	72,149.96
FICA-Medex	398,996.57	426,999.24	387,813.49	437,787.45	489,639.52
Social Security	12.65	0.00	644.10	1,012.44	1,038.43
U.S.Savings Bonds	10,163.93	10,310.81	0.00	0.00	0.00
<b>TOTAL WITHHOLDINGS</b>	<b>19,931,775.32</b>	<b>19,984,461.31</b>	<b>18,071,865.95</b>	<b>18,704,908.57</b>	<b>19,611,018.41</b>
NET PAYROLL	28,678,210.52	29,505,878.41	26,253,543.92	27,730,852.93	28,927,906.93

The Town of Burlington Community Scholarship Foundation had another successful year of fund raising and increasing the amount of scholarships awarded. The assets of the foundation increased by \$117,643 bringing our endowment balance to \$1,394,330 as of December 31, 2006. The annual Telethon raised \$50,000 in receipts and another \$9,540 was donated by residents from our tax billing check-off system. We were also able to raise \$4,663 from our Adopt-A-Class program.

These contributions enabled the Scholarship Foundation to grant \$85,220 in Scholarships in 2006. The Burlington High School Scholarship Fund awarded \$298,000 in Scholarships in 2006. It is very encouraging to note that Burlington has consistently awarded over \$300,000 in Scholarships for the last several years. I believe we are in the top 5% of Scholarships granted from Cities and Towns in the State.

The investments of the endowment funds earned a 16.2% return. This successful investing helped generate additional funds that will be used to increase the number of Scholarships awarded in 2007.

Town Meeting voted an authorization of \$26,110,000 to pay for the cost of construction of a new Elementary School at the Memorial School. If the Town receives 50% reimbursement from School Construction Chapter 70 funding the project would cost the Town approximately \$13,055,000. Town Meeting also voted an authorization of \$3,600,000 to renovate our Terrace Hall Fire Sub-Station for \$900,000, repair our High School roof \$1,300,000, Road Construction/Department of Public Works \$750,000, upgrade various Recreation fields and new lighting \$500,000, and \$200,000 for building improvements/Museum, and Police Station vinyl siding. These capital projects are the Town's plan to make infrastructure improvements as needed and maintain a consistent Bonded Debt expense that does not distort our annual budgeting to meet other operating expenses.

The Town's investment income was increased from \$384,031 in Fiscal Year 2005 to \$760,835 in Fiscal 2006 or a \$376,804 increase. This significant increase was a result of interest rates increasing to over 5% and the amount of Trust Funds the Town maintains also increasing. The Town Stabilization Fund is currently at \$3,600,000 and the Town's Scholarship endowment is \$1,394,330 as noted earlier. The Town's Free Cash balance was \$3,193,888 as of 07/01/2006.

The Town of Burlington has been able to maintain all current services offered to Residents. The Town also was able to avoid layoffs, override votes to increase taxes and no user fees for Busing, Trash, or Athletic Programs. The Town continued to invest and improve our current infrastructure and still maintain an unused levy capacity of four million dollars.

The financial future of the Town of Burlington continues to look bright. We must continue to maintain conservative spending habits and look for a permanent solution to the use of our many idle properties. The Land Locked Parcel, Wildwood School, and Grandview Farms. The Board of Selectmen and Town Meeting must come up with an innovative plan to convert these properties to a productive use that adds both revenue and economic value to the Town's infrastructure without severely impacting Annual Budgets.

STAFF: Teresa Clement, Pat Dotson, Sheila Flaherty, Jayne Hyde, Deborah Keene, Paula McMahon, Loreen Perron, Lisa Runyan, Mary T. Smith, Melinda Sullivan, Phyllis Van Wart

Respectfully submitted,

Brian P. Curtin  
Treasurer/Collector

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## ASSESSORS DEPARTMENT

The Board of Assessors is pleased to submit the following report of department activities for the calendar year ending December 31, 2006.

During the year the Assessors held regular meetings on the last Thursday of the month, and when needed, had meetings with taxpayers and interested citizens.

The Appraiser/Assistant Assessor, Russell Washburn, also attends monthly department head meetings chaired by Bob Mercier, Town Administrator.

The primary function of the Assessors Office is to value all real and personal property within its community. Members of the Board, as well as office staff, attended schools, classes, conferences, seminars and clerk's meetings sponsored by the Department of Revenue, Massachusetts Association of Assessing Officers and the

Middlesex County Assessors Association, in an effort to maintain their proficiency in the administration of the office, and the appraisal and maintenance of real and personal property for assessment purposes.

Massachusetts law mandates a value be placed on all real property and taxable personal property. A great deal of information about property and marked characteristics is collected, recorded and analyzed. As an example, Income and Expense Statements are mailed to Commercial and Industrial property/building owners every year, and sales information forms are mailed to every new owner of real property each month. Forms of List are mailed to all business owners requesting information on all taxable personal property at that location. Every building permit received in the office is reviewed and any that affects value requires a site visit.

The State Department of Revenue mandates that the Assessing Department visit each house every nine years to verify property data. Although the last Data Verification Program was conducted in 1999, we have already entered into the new cycle. Patriot Properties, which was contracted in 2003, has continued the new inspection cycle. Valuation inspections are conducted by map area (approximately 100-200 per map). A letter from the Assessors Office is mailed to each residential owner notifying the taxpayer when to expect a data collector. If access is not gained, a subsequent letter requesting an appointment is mailed. At this point in time, visits have been conducted to approximately 60% of the residential households. Fiscal 2006 was a certification year. This means all property values (both real estate and personal) were recertified by the Department of Revenue.

Once the Board of Selectmen sets the tax rate the tax bills are mailed out. This generates a lot of activity within the office, including but not limited to, processing exemptions and abatement applications. Abatement applications are subject to field review. The information gathered, along with the Assistant Assessors' recommendation, is provided to the Board of Assessors for a determination on the application. Notices are sent out to the applicants of the Board's decision. This year we processed over 370 exemption applications. In September of 2005, the Board of Assessors recommended that the Town of Burlington adopt new guidelines for exemptions for seniors and increase the amount of money given out on all exemptions. The recommendations were accepted by Town

Meeting. The Assessors Office received over 100 exemption applications for the senior exemption alone and 103 were accepted by the Board of Assessors. An article to Town Meeting needs to be voted on to retain these changes annually. Any abatement or exemption applicant can file an appeal within three months of the date of denial, if denied by the Board of Assessors.

During the first two weeks of January over 1,000 Forms of List were mailed and due back in the office March 1, 2006. Also, approximately 645 income and expense requests were mailed out to owner or lessee of property located in the town. The Income and Expense forms are due in the office sixty days after they are mailed and the Forms of List are to be in the Assessors office by March 1st.

Also at the beginning of the year, a large motor vehicle excise commitment was received from the Registry of Motor Vehicles with ten additional medium to small commitments received periodically during the year. Since many in the community receive an excise tax bill, the bills generate a flurry of varied questions that are addressed by the staff. Out of approximately 26,000+ excise bills received, over 1,016 required some sort of adjustment. As an example, if a car is sold, stolen, taken off the road or the taxpayer has moved to another community or state, the taxpayer will call or visit the office to clarify this matter.

The Registry of Deeds went on line in July of 2004. The general public now has access to look up deeds that have been recorded or registered in the Middlesex Registry of Deeds, Southern District. The web site address is [www.cambridgedeeds.com](http://www.cambridgedeeds.com). The Registry also provides a compact disk to the Assessors Office every six weeks. 931 building permits and approximately 110 certified abutters list were processed in the office last year. In January 2005 the Geographic Information System (GIS) went into place and the Assessors Office will now generate the abutter's lists. Certified lists as well as labels are now provided by the Assessors Office for a fee. Last year the Assessors generated over \$3,465.00 in fees from abutter lists as well as from copies of maps and property record cards.

The assessed value tax roll for the Town of Burlington contains 9,077 accounts, 8,059 real property accounts and 1,021 personal property accounts, with an annual total assessed value of 5,020,186,645 for Fiscal Year 2007. The average assessment for a single-family home in Burlington is \$406,990 for Fiscal 2007.

The two installed touch computer terminals for the public that provide easy access to assessment records have been a continued success. The computer software allows searches by ownership, street, and map, parcel and lot of all taxable and exempt properties in the Town of Burlington. Burlington went on line with their new web site, [www.burlington.org](http://www.burlington.org), where residents can look up different properties as well as their own for detailed information. Also now available on line are Assessors maps.

In September, Russell H Washburn was honored by the Massachusetts Assessor Association for 20 years in the assessing field. The Board of Assessors would like to extend their thanks to Mr. Washburn for his years of dedicated service. The Board of Assessors also would like to thank the rest of the Administrative staff, Marcia Nonni, Maureen Nicolero and Debra Smoske for their dedication with expanding administrative responsibilities.

Respectively submitted,

Paul R. Sheehan, Chairman  
Lisa M. Annunziata, Vice Chairman  
Michael Crocker, Secretary

## PLANNING BOARD



*Planning Board: Front row (left to right): Member Clerk Joseph A. Impemba, Chairman Paul R. Raymond, Vice Chairman Ann M. Cummings. Back Row (left to right): Ernest E. Covino, Jr., Albert L. Fay, Jr., Jayne L. Hyde, John A. DeFrancesco.*

## ORGANIZATION AND MEMBERSHIP

The Planning Board was established by a vote of Town Meeting in 1939 in accordance with Massachusetts General Laws, and the first Board was elected in 1940. The Board normally holds regularly scheduled meetings on the first and third Thursdays of each month. At the annual Town Elections in April 2006, Joseph A. Impemba was elected to a five-year term, replacing Paul F. Roth who chose not to seek re-election. The Planning Board's officers and committee appointments following the May 4, 2006 Board reorganization were as follows:

### OFFICERS

Paul R. Raymond, Chairman  
Ann M. Cummings, Vice Chairman  
Joseph A. Impemba, Member Clerk

### MEMBERS

John A. DeFrancesco  
Ernest E. Covino, Jr.  
Albert L. Fay, Jr.  
Jayne L. Hyde

### COMMITTEE MEMBERSHIP

Paul R. Raymond serves as the Board's representative to the Land Use Committee and the Recreation Commission.

Ann M. Cummings serves as the Board's representative to the Route 3A Committee and the B-Line Advisory Committee.

Joseph A Impemba serves as the Board's representative to the Route 3A Committee.

John A. DeFrancesco serves as the Board's representative to the Information Systems Advisory Committee and the Burlington Housing Partnership.

Ernest E. Covino, Jr. serves as the Board's representative to the Route 3A Committee and the Burlington Housing Partnership.

Albert L. Fay, Jr. serves as the Board's representative to the Tri-Town Growth Committee, Citizens' Advisory Committee, Sign Bylaw Committee, Bike Path Committee, North Suburban Planning Council, and Telecommunications Committee.

Jayne L. Hyde serves as the Board's representative to the Sign Bylaw Committee, Burlington Housing Partnership, Senior Housing Options Advisory Committee, Storm Water Management Committee, Telecommunications Committee, and alternate representative to the Land Use Committee.



## PLANNING BOARD STAFF

D. Anthony Fields, Planning Director  
Kristin E. Hoffman, Assistant Planner  
Jennifer Gelinas, Principal Clerk

Planning Director D. Anthony Fields also serves as the Town's representative to the Metropolitan Area Planning Council and the North Suburban Planning Council.

## LONG RANGE PLANNING ACTIVITIES

### Town Center Initiative:

The zoning petition to create a Town Center Overlay District was passed at the January 2006 Town Meeting. Opponents to the district obtained sufficient signatures to place the matter on the annual town election in April, where the passage of the district was sustained. The district envisions a more mixed-use atmosphere, but provides the Planning Board with jurisdiction over architectural styles and strengthens its ability to impose pedestrian amenities and landscaping buffers. The initiative now moves to non-zoning elements such as traffic calming, streetscape improvements, merchant organization and marketing, and sign regulations.



*The Arborpoint housing project continues with many buildings in various stages of construction. The housing project replaces a former gravel pit and concrete plant. The bridge in the foreground is part of the Town's expanding bicycle path network.*

### Stormwater Management Bylaws:

A multi-department effort yielded approval of new regulations to better address stormwater management and erosion control. The Planning Board and Conservation Commission will now jointly administer the new bylaws, and are working on regulations for this purpose. While the new bylaw adds an additional step to larger, more traditional development projects, it also adds a level of oversight of small construction sites that were not previously subject to erosion control standards. These bylaws are a result of federal changes implemented under the National Pollutant Discharge Elimination Systems Act.

### Northwest Park:

The Board and staff have been involved in discussions with the Nordblom Company over a potential redevelopment of the existing office park into a mixed use center. Nordblom representatives worked with a Task Force of Town Meeting Members through the summer to refine a vision, and a subcommittee of Planning Board members began to work on zoning documents under the Planned Development District provisions to provide the regulatory framework for the vision. The concept involves the eventual replacement of 40 existing buildings within the office park, and its evolution into a mixed use project over the next 15 to 20 years. The proponents hope to proceed to the January 2007 Town Meeting for adoption of the proposed PDD rezoning. The proposed development would be the largest combined development in Burlington's history.



*The former Filene's department store at the Burlington Mall is demolished in preparation for a new Nordstrom's department store.*

## Regional Natural Hazards Mitigation Plan:

Through our involvement with the Metropolitan Area Planning Council, Planning Staff are working in coordination with the DPW, fire, police, and conservation departments to provide background information and oversight of a regional natural hazards mitigation plan involving some 28 communities. An intent of the plan is to identify areas where building or rebuilding may be inappropriate due to various natural hazards such as flooding, hurricanes, tornadoes, earthquake, wildfire, and blizzards.

## PERMITTING ACTIVITIES

Development activity under the jurisdiction of the Planning Board falls into three categories: subdivisions, site plans, and special permits. The Subdivision Control Law is the statutory authority that gives the Planning Board jurisdiction over the creation of new lots and construction of new streets. Site Plan review and Special Permit granting authority are derived from Town Meeting through the Burlington Zoning Bylaw.

In 2006, there were 80 applications and requests related to land development that required a formal decision by the Planning Board. The largest project reviewed in 2006 involved changes at the Burlington Mall. The closure of the Filene's department store yielded a proposal for a new Nordstrom's department store, along with the construction of a new interior corridor in Burlington Mall and the demolition of the former Sullivan Tire Center and construction of a free standing Crate and Barrel store. A CVS pharmacy proposed in the town center also received substantial review. The application technically preceded the formal adoption of the Town Center criteria, but the applicants agreed to incorporate features more appropriate to our town center. It will also bring a traffic signal and other safety improvements to the intersection of Cambridge Street and Skilton Lane. Another small project in the Town Center was the proposed facelift for the A.J. Rose Carpet Store. Among other applications, Palomar received approval for a substantial addition, 7 food establishments were reviewed and approved at Wayside Commons, the small strip mall on Cambridge Street at the Billerica line received approval for a small addition and facelift, Bickford's restaurant received approval to expand seating as part of its application to address handicapped accessibility issues. Dunkin Donuts on Winn Street continues to pursue a drive-through and other parking and circulation improvements, but remains unresolved at the

end of the year. Projects under construction during the past year include Wayside Commons, Arborpoint, Burlington Car Wash, E.H. Perkins, Border Café, Landana Grill, Burger King, iRobot, Grandview Commons, Kimball Woods, and the Mill Pond Water Treatment Plant. A summary of the development applications is provided below.

## DEVELOPMENT APPLICATIONS UNDER SUBDIVISION CONTROL LAW

The review of proposals to create new lots or construct new streets under the Subdivision Control Law may fall under one of three categories: ANR, Preliminary Subdivision, or Definitive Subdivision.

### Approval Not Required Plans (ANR's)

The ANR procedure may be used to create new lots if the proposed lots have the minimum required frontage on a public way, or to convey land area to an adjacent lot. By State Law, these divisions of land are not regulated under the full requirements of the Subdivision Control Law, and the Planning Board has no authority to review and approve them as definitive subdivisions. If the plan proposes lots with the minimum required frontage and legitimate access, the Planning Board must endorse the plan within 21 days to acknowledge that it is not subject to the full requirements of the subdivision control law, even where the plan may not meet other requirements of the Zoning Bylaw. There were twelve "Approval Not Required" (ANR) plans filed with the Board in 2006, of which ten were approved, one on which the Planning Board chose to take no action upon and one in which the applicant chose to withdraw without prejudice.



*Grandview Commons, an affordable senior housing complex adjacent to the Human Services Center, was completed and occupied in 2006.*

## Preliminary Subdivisions

A preliminary subdivision plan reflects the potential division of land into two or more lots, and is required for all non-residential subdivisions. It is recommended, but optional, for residential subdivisions. The preliminary subdivision plan allows the Planning Board and the Board of Health to review and have input on a conceptual proposal with respect to lot configuration, road layout, utilities, and drainage. One "Preliminary Subdivision" plan for Woodland Farm Circle was filed and subsequently approved by the Board in 2006.



*Lahey Clinic opened its new parking garage and lobby in 2006.*

## Definitive Subdivisions

A definitive subdivision plan is a division of land into two or more lots and details specifically how a new subdivision road will be laid out, the final lot configuration, and the location and dimensions of utilities such as water, sewer, and drainage facilities. The Planning Board must review the submitted plan for conformance with the Board's adopted Subdivision Rules and Regulations and the Board of Health's recommendations. The Planning Board must approve the plan unless it does not conform with its adopted regulations or with the regulations of the Board of Health. Four definitive subdivision plans were filed in 2006, and one application was pending from 2005, all of which were subsequently approved by the Board. The approved subdivision plans resulted in the net gain of 11 new building lots, including:

- Kevin Magee – 64/66 Bedford Street – 1 new lot
- John Mangano – Highland Way – 1 new lot

- Aldo Gallinelli – Woodland Farm Circle – 6 new lots
- Blueberry Estates, LLC – Muller Road and Kelly Farm Way – 1 new lot



*Border Books and L.L. Bean anchor the new Wayside Commons lifestyle center that opened in September 2006, replacing a former Raytheon facility.*

## UNDER THE ZONING BYLAW

The Zoning Bylaw requires that the development, redevelopment, or improvement of all commercial, multi-unit residential and municipal services projects may only be constructed in accordance with an approved site plan. The Planning Board reviews such proposals to ensure that the development of a site is conducted in accordance with the Zoning Bylaw and will not result in problems with respect to Town utilities, or create adverse impacts on adjacent property. The Planning Board's Site Plan Rules and Regulations have established four levels of review depending on the scope of activity proposed and previous decisions of the Planning Board affecting the subject property. The four levels of review are Site Plan, Site Plan Waiver, Minor Engineering Change, and Insignificant Change. The Zoning Bylaw also designates the Planning Board as the Special Permit Granting Authority.

### Site Plans

A formal Site Plan review is required for projects involving new construction or substantial additions or alterations to an existing facility, and may be imposed where an alteration is proposed for existing facilities that predate the establishment of the site plan review process. The application process requires a public hearing and a multi-departmental review of the proposal. Eight site plan applications

were filed in 2006. Six of the applications were approved and two remain pending into 2007. Three pending applications from 2005 were approved in 2006. A discussion of some of the major projects is provided earlier in this report.

### Site Plan Waivers

For property where a site plan has been previously approved, or for a relatively minor change to a property where there is no approved site plan, a property owner may receive permission to make changes to the development on that property by applying for a site plan waiver. A waiver of the site plan requirement may also be considered for existing facilities that need to implement handicapped accessibility improvements when no approved site plan is on file. The Planning Board received eight requests for site plan waivers in 2006. Seven of the applications were approved and one remains pending into 2007.

### Minor Engineering Changes

A property owner may wish to make a minor change to an approved site plan. Such changes usually involve minor adjustments in plan details necessitated by field conditions. Examples of such changes include parking space alignment, handicapped access adjustments, and minor drainage improvements. The Planning Board received sixteen requests for minor engineering changes in 2006. Fourteen of the applications were approved and two remain pending into 2007.

### Insignificant Changes

Insignificant changes to an approved plan constitute the most minor site changes made in accordance with site plan review. This type of change may include a minor adjustment of parking space alignment necessitated by on-site conditions, changes in exterior doorways, minor handicapped accessibility improvements, or changes in building footprint which do not increase the gross floor area of the building. The Planning Board received eight requests for insignificant changes in 2006 all of which were subsequently approved.

### Special Permits

The purpose of a special permit is to control uses which may be appropriate, depending on the location and the manner in which the use is developed and operated. Special permits are generally for uses specified in the Zoning Bylaw

which require the highest degree of scrutiny by the Planning Board. The Planning Board reviews each proposed special permit and determines if the use should be allowed and what conditions should be required. The Town of Burlington requires special permits for three types of use:

- certain land uses determined to require conditional review for development throughout the town
- certain land uses and site development, such as discharge of storm water into a wetlands, which have the potential to adversely affect wetlands
- certain uses and site development which have the potential to adversely affect the aquifer and water resource districts

Restaurants, fast-order food establishments, hazardous materials use and storage, fuel storage, automotive uses, and communication antennas are common examples of uses that require a special permit in Burlington.

Twenty-three special permit applications were filed in 2006, of which fifteen were issued, and eight remain pending into 2007. Eight applications pending from 2005 were issued.



*Paul Roth is presented with a portfolio in recognition of his service to the Board.*

### APPLICATION FEES

The Town collects fees for applications made to the Planning Board for subdivisions, site plans, site plan waivers, special permits, and planned development district rezoning applications. Subdivision inspection fees are also required. Fees collected are directed to the general revenue fund of the Town. In 2006, the following fees were collected:

Subdivisions .....	\$2,870.00
Approval Not Required .....	1,700.00
Preliminary Subdivisions .....	220.00
Special Permits .....	14,800.00
Site Plans .....	11,078.91
Site Plan Waivers .....	2,343.00
Minor Engineering Changes .....	4,900.00
Insignificant Changes .....	600.00
PDD Rezoning .....	5,000.00
<b>TOTAL FEES COLLECTED .....</b>	<b>\$43,511.91</b>

### In Memoriam:

James Melchionna passed away in November of this year. He will be remembered elsewhere in this annual report for his service to the Town as a Selectman in the 1980's and more recently as a member of the Ways and Means Committee. The Planning Board will remember him more as a local land use attorney who represented several important projects in the 1990's. We extend our condolences to his family and appreciation for his service and commitment to the Town of Burlington.

Respectfully submitted,

Paul R. Raymond	Chairman
Ann M. Cummings	Vice-Chairman
Joseph A. Impemba	Member Clerk
John A. DeFrancesco	Member
Ernest E. Covino, Jr.	Member
Albert L. Fay, Jr.	Member
Jayne L. Hyde	Member

## RECREATION DEPARTMENT

The Recreation Department's mission is to enhance the quality of life for the people of Burlington by providing the best possible recreation programs, facilities, and services for residents of all ages and abilities. In 2006, the Recreation Department successfully implemented a number of projects that will have a positive impact on the quality of life in our community for many years to come.

- New sports lighting systems were installed at the Simonds Park baseball fields and at Rotary Field. The new lights were needed for reasons of safety and efficiency, as well as to provide more opportunities for children to play baseball and softball and for adults to play in the Recreation Department softball leagues.



*The Recreation Department installed lights at Rotary Field in 2006 in support of youth sports programs and adult softball leagues. Photo by Doug Gillingham*

- An irrigation system was installed at the Simonds Park Little League field, and the infields at both Simonds Park baseball fields were re-sodded. Local contractors, Jim Martin and Steve Marchese, donated their time to assist with the sprinkler system installation.
- The six tennis courts at Rahanis Playground were completely rehabilitated, including drainage improvements, re-paving, and new fencing. The courts are heavily used by the tennis-playing public, Burlington High School tennis teams, and Recreation Department instruction programs.
- The Recreation Department greatly expanded fitness opportunities for Burlington adults during the year as a way of promoting physical fitness and healthy lifestyles in our community.
- Programs for special needs teens and adults were improved and expanded during 2006. The Recreation Department offers a wide variety of social, cultural, and athletic activities for the town's special needs citizens.



*With help from Burlington Rotary, Special Olympics softball participation more than doubled. Photo by Rick Karwan*

- An on-line registration system was established in 2006 as a convenience for Burlington residents who wish to sign up for Recreation Department activities via the internet.

- A computerized field scheduling system was adopted by the Recreation Department during the past year as a way to improve the Department's field-reservation process.
- Several improvements were made at the Simonds Park wading pool in the summer of 2006. A pass system was established to help prevent over-crowding, and a wading pool director was hired to oversee pool operations. Burlington residents were overwhelmingly supportive of the changes and were very pleased with the results.



*The Simonds Park wading pool was the place to be on a hot summer day. Photo by Rick Karwan*

- New computers were purchased for the Recreation Department's computer classroom, partially funded by a grant requested by the Council on Aging in collaboration with the Recreation Department. The additional computers have made it possible to expand instructional programs for adults and senior citizens.
- Several renovation projects were completed at the Recreation Center, and the Recreation Department was able to purchase some new equipment and furnishings for the Center.
- A new, paved walking trail was constructed at TRW Playground. The project was funded through a donation from Sunrise Assisted Living.

- A new, modernistic "space climber" was installed at Rahanis Playground. The play structure was donated to the town by VHB, Inc.
- The Recreation Department's preschool programs were improved significantly in 2006, and discipline guidelines were updated for all children's programs.
- Recreational opportunities for senior citizens were expanded greatly during the past year, especially through the Recreation Department's "Club 55+," an organization that provides a wide variety of programs for active seniors, such as bowling, swimming, tennis, golf, ice skating, skiing, and walking.



*Bocce has become popular with senior citizens in the Recreation Department's Club 55+ program. Photo by Rick Karwan*

- In the summer of 2006, the Recreation Department offered more programs than ever before: 40 programs for children, 25 programs for adults, 15 trips, 11 concerts, and 4 movies.



*The Fire Department teamed up with the Recreation Department to organize a fire-fighters' muster for children.*

- A new middle school park program was added during the summer. More than 60 middle school students signed up for this innovative youth program.
- The Recreation Department could not possibly meet the recreational needs of the Burlington townspeople were it not for the support of the Recreation Commission, the dedication of the Recreation Department staff, the generosity of local businesses and organizations, and the thoughtfulness of so many families and individuals. The following groups and individuals are worthy of special recognition for their contributions to the Recreation Department's achievements in 2006:
  - Recreation Supervisor, Brendan Egan, was selected as "New Professional of the Year" by the Massachusetts Recreation and Park Association at the State Conference in September.
  - Marshall Simonds III was congratulated by the Recreation Commission for many years of distinguished service as a Trustee of the Marshall Simonds Trust. Mr. Simonds, who will step down as a Trustee in 2007, supported numerous improvement projects at Simonds Park.
  - Lisa Miksenas, director of the Recreation Department's popular Youth Center for the past nine years, received the Recreation Commission's Exemplary Service Award.
  - During the past year, the Recreation Commission presented certificates of appreciation to several organizations and individuals for their long-term

support of Recreation Department programs and facilities: RCN Corporation, Burlington Lions Club, NSTAR, Al Fay, David LeBlanc, Knights of Columbus, Burlington Players, BCAT, Litchfield Company, Outback Steakhouse, and Cambridge Savings Bank.

- National Development Corporation donated \$25,000 to the town to assist in the acquisition and development of recreational facilities for the residents of the Town of Burlington.
- The Burlington Disability Access Commission provided funding for accessibility improvements at the Simonds Park ballfields.



*The Recreation Department arranged for Santa and his helpers to arrive by horse and carriage for the annual tree lighting in December.*

The Recreation Department made a great deal of progress in 2006 in pursuit of its goal to enhance the quality of life for all the people of Burlington. We are already working on plans to address the community's recreational needs in 2007. With the continued support of the townspeople, we are confident that the Recreation Department will successfully respond to the town's needs in the coming year. We want Burlington's Recreation Department to be the best it possibly can be.

Respectfully submitted,

Don Roberts, Director of Recreation  
Doug Gillingham, Director of  
Recreation Maintenance

## BOARD OF HEALTH

### OVERVIEW

The mission of the Burlington Board of Health is to protect and promote the public health, to protect the natural environment, to respond to public health emergencies and to serve the citizens of the Town of Burlington. The Board of Health initiates, provides and enforces federal, state mandated and non-mandated programs, including inspections, direct services to individuals and groups, investigation of complaints, the issuance of permits and the provision of public health education (Mission Statement adopted in 2006).

The Board of Health consists of five elected members that are elected for three-year terms. The Board of Health staff consists of one full-time Director of Public Health, one full-time Health Agent/Sanitarian, one full-time Environmental Engineer, one full-time Supervising Public Health Nurse, one part-time Public Health Nurse, one full-time Principal Clerk, and one part-time Principal Clerk.



*Board of Health Members: (left to right) Ed Wall, Chairman, Dr. Cathy Read, Jim Dion, Dr. Ed Weiner, Terry McSweeney, Vice Chair.*

The work of the Board of Health serves the community and includes conducting inspections, issuing permits, investigating complaints, promoting public health through education, providing community nursing programs, and preparing for emergencies of all kinds.



## ROUTINE PROGRAMS

### Environmental (Protection of the environment)

- Environmental Report Review (Monitoring of reports about environmental issues associated with parcels and businesses in Burlington)
- Household Hazardous Waste (Twice a year collection for citizens)
- Universal Waste Collection (Quarterly collection of fluorescent bulbs for businesses, town properties and citizens)
- Mercury Recovery (Collection of thermometers, thermostats, batteries and other mercury-containing devices)
- Mosquito Control (Annual larviciding and spraying provided by East Middlesex Mosquito Control Project)
- Plan Reviews: Environmental (Assessment of Site Plans, Special Permits, proposals before the Conservation Commission and Demolition and Renovation projects) and Food Establishment (Review and Approval of Plans for New Establishments and Renovations)
- Rabies Clinic (Annual, Serving Dogs and Cats)
- Septic Tank Abandonment (Connection to Sewer)
- Soil Evaluation and Perc Testing
- Inspections and Enforcement (Mandated Inspections and Complaint Investigations)

### Community Nursing (Services provided at Board of Health office and at senior housing, assisted living sites, group homes and on occasion other locations as needed)

- Screenings: Blood Pressure, Cholesterol, Blood Sugar, lead, TB (The goal is to identify those who need medical intervention but are currently not receiving medical care.)
- Communicable Disease Reporting/Surveillance, Follow up (State mandated)
- Immunizations (includes review of health records for Recreational Camps)
- Clinics: Flu, Meningitis, Pneumonia, Lahey Community Clinic
- Health Education

## COMMUNITY NURSING SERVICES 2006

Community Nursing Services	Person Visits
Senior Housing Walk-in Clinics . . . . .	257
Tuesday Morning Walk-in Clinics . . . . .	1662
Thursday Evening Walk-in Clinics . . . . .	23
Lahey Community Clinic . . . . .	12

Community Nursing Services	Procedures or Shots
Blood Pressure Screening . . . . .	2370
Blood Sugar Screening . . . . .	20
Cholesterol Screening . . . . .	22
Immunizations (excludes flu and pneumonia) . . . . .	156
Immunizations – Flu . . . . .	1725
Immunizations – Pneumonia . . . . .	40
Lead Poisoning Blood Testing . . . . .	4
Mantoux Skin Testing for Tuberculosis . . . . .	67
Tuberculosis Surveillance/Case Management . . . . .	55
(follow-up contacts)	

Communicable Diseases	Cases
Hepatitis B . . . . .	4
Hepatitis C . . . . .	6
Pertussis . . . . .	4
Chicken Pox . . . . .	2
Viral Meningitis . . . . .	1
Mumps . . . . .	1
Lyme Disease . . . . .	1
Legionnaire Disease . . . . .	1
Bacterial Pneumonia . . . . .	5
Dengue Fever . . . . .	1
Campylobacter . . . . .	3
Cryptosporidium . . . . .	1
Giardia . . . . .	4
Salmonellosis . . . . .	2
Shiga Toxin . . . . .	1

### Permits 2006:

Food Establishments . . . . .	231
Temporary Food Events . . . . .	66
Mobile Trucks . . . . .	12
Plan Review . . . . .	30
Swimming Pools . . . . .	21
Tanning Establishments . . . . .	9
Body Art Establishments . . . . .	0
10-Day Emergency Beaver Permits . . . . .	1

Massage Establishments.....	14
Practitioners .....	33
Massage Students .....	1
Tobacco .....	28
Recreational Camps.....	4
Drain Layers .....	17
Septic System Abandonment .....	10
Septage Haulers.....	7
Septic System Installation .....	0
Funeral Homes.....	2
Kennels .....	3
Keeping of Animals .....	2
Wells .....	14
Demolition/Renovation.....	31
Drainage .....	7
Hazardous Materials Facilities .....	94
Recombinant DNA.....	2
<b>Total .....</b>	<b>639</b>

#### **Inspections 2006**

Food Establishments.....	795
Food Establishment Plan Reviews.....	30
Mobile Trucks .....	13
Housing.....	25
Tanning Establishments .....	23
Massage Establishments.....	9
Swimming Pool/Whirlpool .....	93
Recreational Camps.....	10
Septic System Abandonment .....	4
Perc Tests .....	9
Tobacco Retailers.....	47
Smoking in the Workplace.....	4
Kennels .....	3
Occupancy.....	254
Frozen Dessert .....	15
Hazardous Materials Facilities .....	124
<b>Total .....</b>	<b>1458</b>

#### **Complaint Investigations 2006**

Food.....	46
Housing.....	37
Nuisance.....	51
Septic.....	10

Environmental/Hazardous Materials .....	4
Drainage .....	12
Smoking in the Workplace.....	4
Miscellaneous.....	10
<b>Total .....</b>	<b>174</b>

#### **EDUCATIONAL PROGRAMS**

- Annual Pool Operators Refresher Training
- Council on Aging Health Fair
- Mosquito Habitat/Bite Prevention – Fight the Bite Campaign

#### **REGULATIONS ADOPTED IN 2006**

- Regulations Concerning the Keeping of Certain Domesticated Animals and Fowl in Residential Areas of the Town of Burlington and Concerning the Use of Certain Animal Products – revised February 28, 2006
- Private Well Regulations - revised February 14, 2006
- Regulations Concerning Grease Trap Requirements for Food Establishments – adopted February 14, 2006

#### **WEBSITE DEVELOPMENT:**

##### **WWW.BURLINGTON.ORG/BOH/BOH**

This year the Board of Health developed its portion of the Town of Burlington website. Now included on the website are links to helpful public health information, updates on food recalls, regulations and forms for citizens and permit holders, dates for activities of the Board of Health as well as other useful information.

#### **TOBACCO CONTROL**

The Board of Health is a member of the Metro West Suburban Tobacco Control Program. This state-funded consortium of six towns provides compliance check inspections for tobacco retailers as well as other services related to tobacco control, youth access and workplace smoking laws. Massachusetts Department of Public Health Tobacco Control Program funds the program for five years.

#### **EMERGENCY PREPAREDNESS**

The Board of Health implemented plans for handling public health emergencies. These plans have been in development for three years. In 2006 the plans were tested in a

real-time full-scale exercise held on November 18, 2006 at the Marshall Simonds Middle School. The purpose of the exercise was to assess and test the Board of Health's capabilities to provide all Burlington citizens vaccinations for pandemic flu in a short period of time. The exercise used an organizational structure adaptable to other types of public health emergencies including outbreak incidents beginning with a single case of hepatitis A in a food handler to cases of meningitis in a school to a bioterrorist event involving thousands of people or even the entire population.

This full-scale Emergency Dispensing Site (EDS) exercise was conducted during a scheduled seasonal flu vaccination clinic. Protocols were used to simulate an actual mass immunization. The goal of the exercise was to familiarize the necessary town departments and outside agencies with the protocols in place for deploying the EDS within 24 hours of notification from federal, state or local authorities.



*Board of Health staff planning for exercise.*

The exercise was very successful: 877 citizens, volunteers and town employees received a flu shot within four hours. In addition the Fire Department offered citizens blood pressure testing during the exercise. Over 100 Board of Health employees and members, Burlington employees, and citizen volunteers were needed to staff the exercise. Without their assistance the exercise could not have been possible. The Board of Health is honored to have worked so closely with so many people and is grateful for all the support received.



*Marshall Simonds Gym set up to receive patients for flu shots.*

During the exercise the Board of Health depended upon two very important structures: 1) activation of Burlington's Volunteer Reserve Corps (a group of credentialed volunteers working under national guidelines and called a Medical Reserve Corps or MRC) and 2) activation of the Incident Command System (ICS), a nationally established command structure used by public safety personnel.

The Burlington Volunteer Reserve Corp became a reality in 2006 when 130 citizens "signed up" to serve. They attended at least one training meeting provided by the Board of Health and representatives from Emergency Preparedness Region 4A of which Burlington is a member (See [www.region4A.org](http://www.region4A.org) and [www.region4A-MRC.org](http://www.region4A-MRC.org)), became credentialed, and agreed to be called for service in a public health emergency. These volunteers can administer immunizations and medicine, screen citizens for medical conditions, provide clerical and logistical help, work radios and electronic equipment, process papers, manage large crowds, prepare food and help out in other ways. Some volunteers attended trainings on the ICS, CPR and first aid, and pandemic influenza.

Town Administrator Robert Mercier activated the ICS on Friday, November 17, 2006. The Board of Health was designated as the Incident Commander and lead agency for the duration of the exercise. The ICS is a pre-determined and nationally used command structure that can be put into place quickly so that all those working under the structure know and understand the responsibilities of each participant. In a large-scale emergency when outside volunteers and agencies may assist the Board of Health the ICS allows all those who participate to understand the organizational structure no matter what background or job responsibilities

they bring into the event. This system was developed originally for fighting large forest fires where multiple fire departments and volunteers had to learn to work together quickly. The system was adapted for use by all public safety and emergency personnel. Since September 11, 2001 public health personnel are required to be trained and be able to use the ICS.

Town departments participating in the Board of Health full-scale exercise include Fire, Police, Department of Public Works, Management Information System, Emergency Management, Town Administrator and Selectmen, BCAT, Burlington Community Life Center, and Burlington School System.

The exercise was funded in part by grants from several sources: Northeast Regional Homeland Security Council, Massachusetts Department of Public Health (MDPH) and MA Emergency Preparedness Region 4A.

## **PROFESSIONAL DEVELOPMENT**

In 2006 Board of Health staff attended trainings to support their professional responsibilities. The Board of Health staff participated in Student Government Day. The Director of Public Health served as President of the Massachusetts Health Officers Association (MHOA). The Director of Public Health and the Health Agent presented a talk at the MHOA annual education conference in November 2006. The Environmental Engineer served on the Executive Committee of the East Middlesex Mosquito Control Project.

## **TOTAL MONEY RECEIVED BY BOARD OF HEALTH FOR 2006: \$57,307.00**

The Board of Health hosted a Senior Volunteer, Alice Eastman, who worked 100 hours in the Board of Health office.

## **BOARD OF HEALTH STAFF**

Heidi Porter, M.P.H., Environmental Engineer, Marlene Johnson, R.S., Health Agent, Judy Baggs, B.S.N., R.N., Supervising Nurse, Dianne Luther, R.N. Public Health Nurse, Jane Richard, Principal Clerk, Cathy Piccolo, Principal Clerk.

Respectfully submitted,

Sharon Walker Mastenbrook, M.A., M.S., R.S.  
Director of Public Health

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## **PUBLIC LIBRARY**

The past year was, once again, a very busy one for the library. I'm sure you've heard or read the opinion that libraries will become obsolete as more people own computers and are using the Internet. This is definitely not the case in Burlington! Library use here continues to grow (circulation of library materials increased 15 % in 2006) and we use feedback from the community to help us determine what is most needed. We know from patron input that they still want a place to borrow books, but they also want more: more classes, more programs, more computer access, more hours, more and different space to work, and more materials in all formats. As a successful library, we do our best to meet these needs.

This year we added new technological enhancements, many of which can be accessed from our very popular web page. The Museum Pass Software and the Online Calendar that are contracted through *Library Insight*, a software company catering to library needs, went live to the public during the beginning of 2006. Patrons are thrilled to be able to place reserves for museum passes from their home, as seen in the increase in pass usage (see statistics chart pg. 84). They can login at times which are convenient to their own busy schedules, view availability, and reserve passes. If an email address was entered, a reminder notice is sent.

The Calendar portion of this software was added to our website in February. Patrons looking for information on programs held at the library can find this information quickly. Meeting room bookings, as well as library programs, are entered by staff and are available instantly for viewing by the public. The calendar is helpful to groups and organizations that are planning a meeting at the library as well. They can check availability and chose a date before applying for use.

Another great feature of Library Insight is the Reading module. This allows the staff to create illustrated booklists that can be accessed from the library's web page. Lists covering a wide variety of topics have been created by the staff. These are a great place to check for ideas on what to read next.

Technology continues to drive us to offer more formats of material. Not only do we have audio books on cassette and audio books on CDs, we now offer digital audio books for downloading. This new format, offered by a company

called Overdrive, is available through Merrimack Valley Library Consortium (MVLC). With a computer and an MP3 player, you can download a wide variety of titles from your own home and at a time convenient to you. This program, launched in July, was announced at our library with a raffle of an MP3 player. Interest in the downloadable audio format continues to grow in popularity with the Burlington patrons.

Security cameras were another technology that was added in the past. We have not had to rely on them often, but once again this year they helped catch a thief. We feel that they are a deterrent.

Improvements for the staff also come as part of the technological enhancements. We have been updating all staff computers to Windows XP, and should complete this task by the beginning of 2007. The Technical Services department had two very old computers replaced, and are the first staff to have flat screen monitors. A program to improve printed receipts for books being held or sent to other libraries has streamlined work at the Circulation Desk. This is proving an important time-saver, since delivery of books to and from other libraries is a service which continues to grow dramatically (see chart pg. 84).

During the year, we continued to address the need for different types of space for working and for leisurely reading. The remainder of the furniture purchased from the proceeds of our first May Basket Raffle arrived at the beginning of the year. Three new tables and chairs in the Reference Area provide a great place to work for those looking for a space that is out of the mainstream, yet near reference materials. In this area we also added four leather chairs with side tables for quiet reading.

More people are also taking advantage of our wireless connection and can be found working in areas throughout the library. Individual chairs are found under windows for a cozy place to sit and read or study.

With the proceeds from the second annual May Basket Raffle, the Exhibit area is gaining a new look. We replaced the old exhibit boards with a system for hanging pictures from moldings along the walls. New furniture has been ordered for this space and will arrive in the first quarter of 2007. Our first floor Exhibit area and the glass display cases were booked by a total of 18 different groups or individuals with different exhibits every month in 2006.

Although the public asks for additional hours, we did have to cut some hours this year. In an effort to meet budget requirements, we did not resume our Sunday schedule until the first of October. A number of our patrons informed us that they were unhappy about the loss of September Sundays. We continue to be asked to add longer hours on Sunday, longer hours for summer Saturdays, and to be open Sundays in the summer. We are hopeful that the economic climate will improve, allowing for review of these requests.



*New Furniture*

### REFERENCE

The Reference Department answered 9,776 questions in 2006, an increase of more than 500 questions from 2005. The Internet terminals on the second floor were used 20,397 times, and 949 additional patrons accessed the Internet using the library's wireless service. Study rooms were occupied 1950 times.

In 2006, the library increased its subscription to the Reference USA database to include the residential as well as the business database. The Reference USA business database includes data for over 15 million businesses and is used routinely by patrons gathering sales leads and conducting market research. The residential database includes 210 million U.S. residents and allows users to search by name, address or telephone number. Also new for 2006, database users can access ReferenceUSA from home with a Burlington library card.

The 1 hour workshops, developed by the Reference Department to teach users more about library resources and the Internet, continued to be popular in 2006. Navigating the 'Net, a workshop introduced in 2005, was

presented 11 times in 2006 and the Online Catalog Workshop was presented 3 times in 2006. Health Care Information on the Internet was presented once.

Three new workshops were introduced in 2006. Librarian, Shelley Sloboder, developed Navigating the 'Net II, a continuation of our popular introductory workshop Navigating the 'Net. Librarian, Marnie Smith, developed the new Online Database Workshop where participants learn to search thousands of full text newspaper and magazine articles, take practice exams online such as the SAT, find sales leads and company information, as well as suggestions as to what to read next. Librarian, Donna Manoogian, offers help in setting up a free Yahoo email account and teaches users how to use it.

The Burlington Public Library became a used cell phone collection point in 2006. Donated cell phones are sent to Charitable Recycling, which refurbishes them and gives them to other organizations, one being emergency shelters for abused adults and children. These cell phones give the adults and children ready access to emergency communication when they leave the shelter. More than 200 phones were collected in the first 6 months.

The Reference Department added book lists to the library website last year. New book lists include Memoirs, Nonfiction That Read Like Fiction, Success Classics, Spectacular Debut Novels, Edgar Allan Poe Award Winners, 100 Books 100 Years, and Christian Fiction. Click the "book list" link on the homepage to explore our reading suggestions.

The Reference Department continues its commitment to supporting the curriculum of the Burlington Public Schools by purchasing materials to serve as resources for homework assignments. New to the reference collection this year is "Poetry for Students" - a 25 volume set, which analyzes content and criticism of commonly studied poetry.

### CHILDREN'S SERVICES

During 2006, 219 storytimes with a total attendance of 5110 were held by the Youth Services Department. The library also hosted 19 special events with a total attendance of 1502. Most special programs were offered during school vacation weeks and holidays, including summer vacation. In April the department held its 4th annual Turn Off the TV challenge. Ninety three children read 247 books in our "Penguin Power-Reading is Cool" book club.

Participating readers received bookmarks, book bags and buttons. During the summer, the library sponsored the State Summer Reading Program. The staff made a number of school visits to all 4 public elementary schools and also Mt. Hope Christian Center to advertise this program, speaking to over 1000 children. These visits were well received, reflected by the fact that more than 700 children participated in the *What's Buzzin'@your library* program.

With the department back up to full staff, outreach to preschools was added in autumn of 2006. In 7 visits during the last three months of 2006, staff has seen over 178 children. Many of these children have never been to the library, and the goal of this outreach is to bring them in.

The play area of the library continues to make the library's Youth Services Department a multiple use resource for the community. This spacious area under the skylight has leggos, puzzles, puppets and a stage, as well as parenting and media collections at hand.

Commitment to education is also a role of the Youth Services Department. The public schools, private schools, and the homeschools are all supported. In this role, the library continues to be a major resource for homeschool families and also continues to host a discussion group for Homeschool parents.



*Scrabble Tournament*

### YOUNG ADULT

The Young Adult area both lost and gained a librarian in 2006. Lee Sylvester, an integral member of the department since 2001, passed away of cancer in August. David Kiersh

was hired in October to replace her. Mr. Kiersh is an artist and comic book illustrator and has a degree in Library Science from Queen's College.

The Scrabble Club that was started by Ms. Sylvester in 2004 is ongoing and currently run by staff member Joanna Troutt. In 2006, the Scrabble Club met 29 times with an attendance of 215. Two scrabble tournaments were hosted here this year with approximately 100 area youth participating.

The summer reading program for teens, *Tune in @your library*, was very successful. Over 175 young adults, ages 12 to 18, participated in this program earning prizes for time spent reading.

In the Fall, Mr. Villano, the new media specialist in the middle school, and Ms. Maynard, the Children's Librarian, organized library visits for incoming 6th graders. All twelve of the 6th grade classes visited the library (about 300 children). During the visits teens were introduced to library resources beyond the Children's Area, including computerized catalog searching.

During the final months of 2006, focus is returning to programming for the young adults. Drawing Comics and Henna Tattoos are two programs that were held in December. Other great programs are being planned for the next calendar year.

## CIRCULATION

Activity in the Circulation Department continues to increase. Library patrons checked out 344,565 items in 2006. This is an increase of 15% (over 45,000 items) from 2005! The number of items that were picked up from the "holds" shelf increased by 3723 to a total of 41,596, an increase of 9 %.

In 2006, with the new Library Insight software in place, a total of 1785 museum passes were reserved, with 51% of them done by patrons via the internet. This is an increase of almost 200 passes (12%) over last year.

Circulation Aide Hena Zaman resigned in October to move to New Jersey. Jaclyn Payne, who began work in early December, replaced her.

## LIBRARY STATISTICS

	2003	2004	2005	2006
Items checked out	276,270	296,212	299,392	344,565
Items borrowed from other MVLC libraries	22,721	29,956	29,349	34,633
Items lent to other MVLC libraries	13,174	16,007	17,744	23,537
Website visits	20,803	61,691	77,595	83,338
Attendance in library	101,123	120,047	148,039	143,685
Items added to the collection	7,651	7,134	9,679	10,300
Meeting room use	1,333	1,330	1,092	1,047
Museum passes use	1,023	985	1,155	1,349

## TECHNICAL SERVICES

The Technical Services Department is the department that prepares every book, DVD, CD, and audio book that goes on the shelf for the public to see. This year, the staff of this department prepared 10,300 items for the collection. May and June were the busiest months in the department, during which there was also a rush to order, catalog, and process the summer reading materials in time for the start of school vacation.

Like everywhere else today, this department relies more heavily on their computers and the connection to the outside world than ever before. Orders are placed online, entering material into the catalog for the public to search is done on line, labels and inserts for audiovisual material, when needed, are created on their computers. Therefore, the staff was thrilled when, in October, the old two work-horse computers were replaced with new, more efficient computers with flat screens.

## VOLUNTEERS

The Volunteer Program at the Library is a big success. Assistant Director, Susanne Sullivan, who coordinates and supervises the program, has had to maintain a waiting list through much of the year. Ninety three people volunteered, providing well over 1800 hours of service in 2006. The tasks assigned to volunteers include shelving films and music CDs; writing order cards or typing booklists; cleaning DVDs and CDs; pulling books from the shelf from lists; updating flyers listing new films; and moving boxes of donations.

Teen volunteers are supervised by the Youth Services staff. This year, teens contributed over 250 hours in the library, mostly helping with the Summer Reading Program. Some time is also spent helping with puppet shows and artistic projects.

## FRIENDS

*The Friends of the Burlington Public Library* organization continues to provide support, especially in these tight budget years. Without this great organization, public computers, programs, museum passes, and new furniture would not be possible. The Summer Reading program is supported primarily by funds from the Friends, as are the adult evening programs. In 2006, two successful book sales and the 2nd annual May Basket Raffle brought in revenue for the Friends allowing for continuation of the programs that the public has come to expect from the library. The Raffle raised funds that will allow for the updating of the "Exhibit" area. Furniture has been ordered and we expect it to be in place by the end of the first quarter of 2007. The Friends have also worked hard at ways to raise more money to support the library. This year they found sponsors, both corporate and individual, for most of the museum passes thus freeing some revenue to spend elsewhere. The group also wrapped gift items at Barnes and Noble for tips, benefited from a coupon sale at Barnes and Noble, and is participating in a Blockbuster fundraiser. Thank you to the *Friends of the Burlington Public Library* for your continued support.

I would like to acknowledge the Library Trustees who are committed to making this Library the best that it can be. I also must acknowledge the town administration and Boards for their continued support and who realize that a good library is vital to their community. I am especially thankful to the staff; they continue to be one of the major assets of the library - helpful, friendly, and professional always. I personally am grateful to each and every one of them for their commitment to the Library and to our community.

On a more personal note, it was a difficult year for the Library staff. We lost an important member of our team when Lee Sylvester, Assistant to the Children's Librarian, succumbed to cancer this summer. She was an inspiration to all, and will be truly missed.

Respectfully submitted,

Lori Hodgson  
Library Director

## HISTORICAL COMMISSION

Photo by Mike Tredeau



*Historical Commission members are, from left, front row, Co-Chair Mike Tredeau, Norman Biggart, Eldrine Emerson, Kathleen Horton, and Hope Paulsen. Back row, Co-Chair Joyce Fay, Ralph Porcello, Norma Robichaud, Treasurer Toni Faria, and Recording Secretary Sandra Coven.*

## Museum Exhibit

The Historical Commission, with help from the Burlington Historical Society, hosted an exhibit on American flags, including one that flew over the U.S.S. Constitution in Boston Harbor. Commission members who coordinated the exhibit, which opened on Flag Day (June 14), were Joyce Fay, Toni Faria and Kathi Horton.



*Burlington Historical Commission members Toni Faria, Hope Paulsen and Sandy Coven at the Flag Exhibit.*

The exhibit included flags from the museum inventory, and some which were loaned or donated to the museum. The exhibit, which ran throughout the summer and fall, drew many visitors to the museum.



## National Register

This year, both the Burlington Historical Museum and the Old West School were accepted for placement on the National Register of Historic Places. The museum, built in 1855, was one of the town's one-room schoolhouses, and served Burlington's school children until the Union School was opened in 1898. Before becoming the museum, the building also served as the town library, and for a brief time, the police station. The Old West School was built in 1792, along with three other one-room schoolhouses, and is the last remaining one-room schoolhouse in Burlington. It is still the site of historic visits and events.

## Burlington Historical Museum

Restoration of the exterior of the Burlington Historical Museum was completed this year. The clapboards were cleaned and re-painted white. The shutters were not replaced, because the Historical Commission determined the shutters did not accurately reflect the historical era of the former schoolhouse.



*The Burlington Historical Museum, during its renovation, and afterwards.*

Nordblom Co. donated a new flagpole for the front lawn, and some additional landscaping was completed.

## Historic Sites

The Historical Commission continued this year to host field trips to the West School, the Burlington Historical Museum and the Old Burying Ground for various school and scout groups, and for residents.



*Memorial School students visit the Old West School with their teacher.*

Commission members focused on connecting the student visits to Burlington's elementary local history curriculum. The commission has found that visits to the West School and other historical sites have remained steady throughout the year, and that interest in the town's history continues to grow.

## The Old West School

One of the most popular events at the Old West School is its open house on Halloween. This year was no exception, with scores of children and parents visiting the site to enjoy cider and donuts, and artwork donated by Burlington's elementary school children. The Historical Commission remains concerned about the overall structural condition of the 209-year-old school, and will pursue resolution of the problems this coming year.

## Sewall House

After many years of planning, the Historical Commission unveiled a bronze plaque, marking the site of the historic Sewall House. The Sewall House, built ca. 1732, was home to three Burlington pastors, including Thomas Jones, John Marett, and Samuel Sewall. On April 19, 1775, as the British marched to Lexington, Samuel Adams and John Hancock escaped to the Sewall House. The house and its occupants were important to the history of Burlington, and when the mansion burned down in 1897, the town lost many valuable historical artifacts.

Photo by Joyce Fay



*The plaque marking the site of the Sewall House was unveiled in September.*

Town officials and residents met at the corner of Lexington Street and Independence Drive for the September 16 ceremonies, and Burlington High School teachers Robert Costa and Jeffrey Hoyt, who were instrumental in coordinating the project, unveiled the marker. Thanks to help from Commission member Hope Paulsen, a contingent of Wilmington Minutemen added a touch of colonial authenticity with their musket volleys. The small parcel of land on which the marker sits was donated by the Frederick Born family of Lexington Street, who also attended the dedication. A grant from the Burlington Cultural Council helped make the marker a reality.

## Demolition Delays

Fulfilling the guidelines of the town's demolition delay bylaw, the Historical Commission inspected the Staples House on Middlesex Turnpike, which had been seriously damaged by fire. Commission Co-Chair Mike Tredeau photographed the interior to document the historic aspects of the house, which was built ca. 1820. The house was of historical significance, but the fire damage was too extensive, and demolition delay was not exercised.



*The Staples House was heavily damaged by fire, and was demolished in 2006.*

The commission also inspected the Bennett House on Francis Wyman Road, and photographed the interior. It was determined to not be of historical significance. The commission emphasizes that although the demolition delay bylaw is valuable, it has no financial resources to purchase endangered historic properties or to contribute to their restoration.

## Rte. 3 Overlay District

The Historical Commission unanimously supported the 3A Overlay District project, which was approved by Town Meeting this year.



*The Old Burying Ground is one of several historic sites in the town center, and will benefit from the 3A overlay district.*

The commission believes it will benefit historical sites in the town center, including Grandview Farm, the Union School, the Walker House and Walker Barn, the historical museum, the Old Burying Ground, and the United Congregational Church.

### BCAT Historical Program

Co-Chair Mike Tredeau worked with BCAT staff to develop local TV programs about Burlington history. He and the commission outlined specific ideas for programs, and developed a list of possible guest speakers, and locations to be photographed. Work on the series continues.

### Historical Plaques

Commission member Ralph Porcello researched size and style of historical plaques. They will be placed on Burlington's historical homes, and will include the name and year built. Letters seeking permission from owners of the historic homes will be mailed in 2007.

### Donations

- Olive Bruce of the Burlington Historical Society donated two desks and chairs.
- The Burlington Veterans Office donated an American flag for use in the flag exhibit.
- DAV Commander Andy Giodano donated a flag and plaque for the museum's Flag Exhibit.

- One wooden cradle was left on the museum's front steps, origin unknown.
- Catherine Sullivan of Burlington donated a Brownie Hawkeye camera and flash attachment, and a Kodak projector from the 1950s.
- The family of Pauline Keans, former chairman of the Burlington Historical Commission, donated several boxes of historical material.
- Norma Robichaud, a member of the historical commission's advisory board, donated a small soup urn.
- Jean Pitts of Virginia donated a fur piece.
- Forest Knowles of Burlington donated clothing from 1900, including clothes worn by his father and mother, a wedding dress, baby and children's clothing, and patterns.
- Kate and Chris Nunes donated two children's books and one apothecary jar.
- George and Judy Judge, children of George Judge of Burlington, donated a Church of Christ, ceramic plate, ca. 1940s.

### Thank You

The Historical Commission extends special thanks to Recreation Maintenance Director Doug Gillingham and his crew for their help with the Sewall Marker installation, and their work at the museum. Thanks also to other town employees and BCAT staff for ongoing help. And, finally, thank you to members of the Burlington Historical Society, who are always there to help.

Respectfully submitted,

The Burlington Historical Commission  
 Joyce Fay and Mike Tredeau, Co-Chairs  
 Sandy Coven, Recording Secretary  
 Toni Faria, Treasurer  
 Norman Biggart  
 Kathleen Horton  
 Eldrine Emerson  
 Ralph Porcello, Alternate  
 Hope Paulsen, Alternate  
 John DeMelo, Norma Robichaud,  
 Gene Rossi, Judy Wasserman,  
 Advisory Members

*Photos by various Historical Commission Members.*

## BEAUTIFICATION COMMITTEE

The Burlington Beautification Committee (BBC) is pleased to submit the following report for the year 2006.

During the year the committee continued to oversee its ongoing list of projects.

1. We are pleased to report that many of the businesses along Cambridge Street, Bedford Street, Burlington Mall Road, Winn Street and Middlesex Turnpike continue to maintain attractive landscaped properties.
2. We are also pleased to report that a number of local landscapers and citizens of Burlington continue to maintain their assigned areas.

### Around Burlington:

- Ron Given – Burlington Landscapers – the intersection of Center and Winn Streets
- Guild Insurance – the Island on Olympia Way
- Chris Clark – Cut Above Landscaping – DiIorio Green at the intersection of Cambridge Street and Burlington Mall Road
- Jerry McCarthy – Mac's Landscaping – Historic Museum at Cambridge and Bedford Streets
- Members of the Garden Club – Colonial Garden on the island across from the Fire Station

### Town Common:

- Davis Prato – Prato Associates - The Gazebo
  - Kevin Sullivan – Edward V. Sullivan Funeral Home – Corner of Bedford and Center Streets
  - Members of the Garden Club and Beautification Committee – The flower planters located at the entrances to the common
3. The Recreation Maintenance Department continued to maintain the Commons general appearance and provided significant help to the Beautification Committee.

In June, Andy Giordano joined the committee as an enthusiastic and committed member.

This report is respectfully submitted by the volunteer committee:

Carol Engel  
Andy Giordano  
George Major  
Joan McSweeney, Secretary  
Elaine Zuccaro, Chairman

## SCHOOL COMMITTEE



*School Committee: Front row (left to right): John L. Vanella; Christine M. Monaco, Chairman; Michael F. DeSimone. Back row (left to right): Stephen A. Nelson; Thomas F. Murphy, Jr., Vice Chairman.*

	Term Expires
Christine M. Monaco, Chair 18 Corcoran Road	2007
Thomas F. Murphy, Jr., Vice Chair 3 Lexington Street	2007
Stephen A. Nelson 25 Fairfax Street	2008
John L. Vanella 8 Pearson Circle	2008
Michael DeSimone 5 Gloria Circle	2009
Andrea Giangreco Student Representative	

The regular meetings of the School Committee are held in the School Committee Room, Open Space A, Burlington High School, 123 Cambridge Street, Burlington, on the second and fourth Tuesday of each month at 7:30 p.m. If a change in meeting dates is voted, a posting on the Town bulletin board is required by law. Information is secured by calling the Superintendent's Office.

## SCHOOL COMMITTEE

2006 was a very eventful year for the Burlington School Department. As usual, the first quarter of the year was focused mainly on preparing and finalizing our budget and ultimately presenting it to Town Meeting. We appreciate the efforts of the Ways and Means Committee, particularly the school committee subcommittee of the Ways and Means Committee, for all the time and effort that they put forth in assisting us with the budget. We would also like to particularly thank Craig Robinson, our Director of Finance and Operations, for his efforts in coordinating all of the budget work for the administration. We also thank all of our building principals for their efforts and cooperation in putting together the budget. Due to some strict budget guidelines we had to eliminate a few computer-related positions from our budget, however, due to the efforts of some parents, Town Meeting was kind enough to restore the positions to our budget and a total budget of \$30,898,596 was approved by Town Meeting. The School Committee appreciates the continued support of all segments of town government to assist us in delivering the best educational services possible in a fiscally responsible manner.

Town Meeting also voted to authorize a bond of up to \$26,110,000 for purposes of replacing Memorial Elementary School. The Facilities Committee that the School Committee had appointed last year spent many hours reviewing the Facilities Master Plan and ultimately determined that constructing a new Memorial School on the site of the current school was the best option available to the Town to address the space needs of the school system, as well as the deteriorating condition of the Memorial School. The School Committee is grateful to the members of the Facilities Committee, including Selectmen Gary Gianino and Sonia Rollins and Town Meeting Members John Cormier, Walter Zenkin and Karen Morgan, for all of the time that they contributed to this effort. We also wish to again extend our appreciation to Town Meeting for supporting the needs of the School Department. The Facilities Committee is in the process of choosing a Project Manager and an Architect to assist in the design and construction of the new Memorial School. We also have to go through the process of applying for reimbursement from the Commonwealth of Massachusetts to assist with the costs of constructing the new school, so there are still some additional hurdles to clear before the school is ready, however, we will continue to

work diligently on this project. The condition of the school facilities continues to be very important to us, and we would also like to acknowledge the custodial staff for their fine work in maintaining our buildings and keeping them clean and safe for the children and the staff.

In August of this year our Superintendent, Dr. James Picone, announced his retirement after 18 years with the Burlington School Department. Jim spent 15 years as the Assistant Superintendent for Business and Finance and the last three years he has been the Superintendent. Jim has been a tremendous leader and a valued friend over the course of his career in Burlington and every student, parent, resident, and employee of the School Department has benefited from his efforts and commitment. We wish Jim and his wife Kathleen the best of luck in all of their future endeavors.

To replace Jim, the School Committee unanimously voted to hire Ms. Katie Spinos, who has been the Assistant Superintendent for Curriculum and Instruction in Burlington for the past seven years and prior to that she had been the Assistant Superintendent in Newton for ten years. Katie brings a great deal of experience and enthusiasm to the job, and we are all very excited about bringing her on board as the new Superintendent. She has been an outstanding Assistant Superintendent, and we are confident that her well-rounded background in education and school administration will enable her to be an outstanding superintendent.

We have also had several other notable retirements announced this year including Linda Hayes, the High School Principal and Tom Imbriglio, the Director of Guidance. Both Linda and Tom have been valuable members of the school administration team and will be missed by all of their colleagues. They both leave large shoes to fill, and we wish both of them well in their retirements. Joe Attubato has been named to replace Tom Imbriglio, and we wish Joe well in his new position. A search team has been established to hire the new high school principal, and we hope to have the new person in place by the end of the school year.

The annual Town Election resulted in Michael DeSimone being elected to the School Committee. Mike has settled in well, and we look forward to having him on the Committee. We also thank Sharon Sotiros for her time on the Committee and for her contributions to the Town and to the students.

We would also like to acknowledge the ongoing efforts of the Burlington Education Foundation (BEF) and express our appreciation for their continued good work. The BEF is a non-profit organization that is in its third year, and they continue to make valuable contributions to the school system. Their annual spelling bee and 5K fun run fundraisers continue to be successful, and they use the money that they raise to fund grants to classroom teachers. It is another example of the strong community support for the School Department and the School Committee is very appreciative of that support.

The School Committee also enjoyed a poignant moment this past year as, through the efforts of some residents and the school administration, it was decided that the High School gymnasium would be named for John Vanella in honor of his 25 years as a member of the School Committee. John's common sense, experience, and business background make him an invaluable member of the School Committee, and he has given tirelessly to the Town for many years. It was a well-deserved honor, and we thank John for all that he has done for us over the years.

The Committee would like to thank all of its employees for their efforts and assistance in allowing the School Department to deliver first class services to the residents of Burlington. We wish Andrea Giangreco, our student representative this year, best of luck as she moves on to college.

The School Committee thanks all of the residents for their continued support of the School Department, and we invite anybody to call us with any questions or concerns.

Respectfully submitted,

BURLINGTON SCHOOL COMMITTEE

Christine Monaco, Chairman  
Thomas F. Murphy, Jr., Vice-Chairman  
Stephen A. Nelson  
John L. Vanella  
Michael DeSimone

### Superintendent of Schools

Katie Spinos  
B.A., Boston College  
M.Ed., Boston College  
M.S.M., Lesley College  
Ph.D. Candidate, Boston College

### Director of Finance and Operations

Craig Robinson B.S., University of Vermont

### Director of Pupil Services

Dr. Cathleen Estep  
B.A., Rosemont College  
M.Ed., Boston University  
C.A.E.S., Boston College  
Ph.D., Boston College

### Burlington High School Administration

Linda A. Hayes  
Principal  
B.A., University of Massachusetts  
M.Ed., Fitchburg State College  
C.A.G.S., University of  
Massachusetts

Daniel O'Connell  
Associate Principal  
B.S., University of Massachusetts  
M.Ed., Salem State College

Richard T. Sheehan, Jr.  
Associate Principal  
B.A., Stonehill College  
M.Ed., Salem State College

### Marshall Simonds Middle School

Richard J. Connors  
Principal  
B.S., Salem State College  
M.Ed., Boston University

### Elementary Schools

Eric W. Sprung  
Principal  
Fox Hill School  
B.A., University of Pittsburgh  
M.Ed., University of Pittsburgh  
M.Ed., George Mason University

Kathleen Burns  
Principal  
Francis Wyman School  
B.S., Framingham State College  
M.Ed., Boston State College

Karen Rickershauser  
Principal  
Memorial School  
B.A., Simmons College  
M.Ed., Antioch College  
C.A.G.S., Salem State College

T. Jane Graham-Dwyer  
Principal  
Pine Glen School  
B.S., Salem State College  
M.Ed., Northeastern University

## SUPERINTENDENT OF SCHOOLS

The 2006/2007 school year began on August 28 with the introduction of 40 new professional and support staff members who were hired over the summer to replace veteran staff members who retired. The changes in personnel will continue as veteran staff members file for retirement. Central office and the building principals are working on ways to attract and maintain highly qualified teachers and instructional assistants for our classrooms.

The school department operating budget was submitted to Town Meeting and subsequently approved at an increase of 3% over the prior year's appropriation. The budget increase was appreciated by everyone in the school department. However, it concerns me that a continued trend of annual budget increases, that are lesser than percentage increases for the teaching staff, will eventually affect the quality of the teaching and instruction in Burlington.

Even with limited supplies and materials, teachers continue to do a wonderful job providing a curriculum that is current with state standards. Evidence of that success can be found in the profile of the senior class of 2006. Out of the 233 seniors who received a diploma, 100% passed both the English and Mathematics MCAS Exams. The number of Burlington High seniors passing both sections of the state exam is one of the highest in the Middlesex League. Another indicator of success is the number of seniors who pursue post-secondary education. Of the graduating class of 2006, 93% of those seniors chose to further their education beyond high school.

In August 2005, the Architect hired by the school department to conduct the Master Plan of all school facilities made his initial report to a small group of community members. It came as no surprise that his findings pointed to the known deficiencies at the Middle School and Memorial School. Last Spring, Town Meeting generously supported moving forward with planning for the Memorial School in order to address specific facility concerns and anticipated enrollment needs at the elementary level. The facility steering committee, chaired by Tom Murphy and consisting of myself, Christine Monaco, Gary Gianino, Sonia Rollins, Craig Robinson, John Cormier and Walter Zenkin, has been meeting to identify a project manager and architect. The town-wide facility committee appointed by the School Committee will begin meeting this winter. As

soon as the State School Building Authority is ready for site visits, Burlington will be positioned to move forward.

At the September Town Meeting, there was a request for additional funds to hire a new kindergarten teacher and assistant, along with start-up materials and supplies for Memorial. This was caused by unexpected enrollment increases. Thankfully, Town Meeting approved this warrant, which resulted in an increase of \$72,900 in the operating budget. The town also generously supported additional funding for two technology specialists, cut from the schools' proposed budget, which was recommended by parents. Such strong community support is the continued success of the schools.

The school department also benefits from support directly provided by the Burlington Education Foundation. The annual Spelling Bee was held in December at the Burlington Marriott and two teams from the school department participated in this fun filled event. The BEF raised over \$16,000 at this event. This money was distributed through grants administered by the BEF to teachers who applied for special projects. Projects funded included: *Connecting Strands of Cultures Through Art*, Katalin Spang, Pine Glen; *Fox Hill Spring Celebration*, Jamie Jaffe, Fox Hill; *Knights and Castles: Europe in the Middle Ages*, Neil Lusas, Marshall Simonds Middle School; *Punoetry with Jeff Nathan*, Jane Lynch and Kerrin Gover, Pine Glen; *Robotics-FIRST Vex Competition*, Philip Vachon, Burlington High School; *The World On-Demand: UnitedStreaming.com*, Dennis Villano, Marshall Simonds Middle School.

At the beginning of the school year, Superintendent Jim Picone announced his retirement after 18 years of service, the final three as Superintendent. Dr. Picone will clearly be missed. His leadership and commitment, along with his outreach to the community, established a strong basis for community support. Dr. Picone had many well-wishers at his retirement party in December. He was wished the very best for his future endeavors and for the time he will enjoy with his family.

As the newly appointed Superintendent at the start of 2007, I am excited to sustain the high quality of the Burlington Schools and to continue to move the schools forward. The degree of collaboration, the commitment to quality, and the extent of community support make Burlington a wonderful school system and a great place to work. I welcome suggestions and input from faculty, staff and community members. The priorities as we prepare for

the budget and plan for the year ahead include: maintaining effective classroom instruction; improving student achievement; preparing students with 21st century skills; improving communications and operations; and designating resources for facility planning and building leadership capacity. Focusing resources on priorities is essential with planned retirements anticipated for key teaching and administrative positions, ever-increasing demands on school facilities with growing enrollments and changing program needs, and tight fiscal times.

I look forward to continuing strong positive relationships within the Burlington Schools' community and working together with current and new school faculty and administrators to build upon the partnerships that exist throughout the Town. Town Administrator Bob Mercier, department chairs, elected officials, along with business and community leaders, have always supported the schools and have played an important role in the transition. The School Committee continues to demonstrate an impressive level of commitment to the quality of teaching and learning in Burlington and dedicate their time and effort to support every student's experience through thoughtful deliberation of budget and policy matters, their presence in the classroom, on the stage, on the playing field and throughout the many school programs and offerings. Together, I am confident we will sustain and strengthen the Burlington Schools.

Respectfully submitted,

Katie Spinos  
Superintendent of Schools

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## CURRICULUM AND INSTRUCTION

During the 2006/2007 school year, Burlington is continuing to focus on several key initiatives. Throughout grades K-12 the school system continues to focus on strengthening literacy, developing mathematical skills and concepts, and updating our social studies curriculum. There are also specific initiatives at each level and school, including ongoing efforts for mentoring new staff, professional development for all, and identifying best practices to improve the achievement of all students.

At the high school level, faculty and administrators continue to map and develop curriculum to align with state



frameworks and follow the multi-year curriculum/course review plan. Faculty worked on curriculum over the summer months and again updated course expectations tied to both the high school mission statement and state frameworks. The world language department chair, an Italian teacher and principal hosted students, teachers and administrators from the schools in Trentino, Italy. The program scheduled from September 16-23, 2006 was a huge success. After review of the curriculum, additional AP course proposals were created to add AP Italian and AP World History to the 2006/2007 program of studies. The leadership from the high school instructional leadership team (ILT), especially the high school principal, has resulted in a focused mission and solid planning on curriculum and professional development.

The high school sent four additional teachers to the 2006 Model Schools Conference at the start of the summer. This inspirational conference provides a source for ideas to further school-wide improvements. For example, the literacy initiative included a handbook on supporting the teaching of reading in the content areas developed by Burlington teachers for their colleagues. There are also various high school study groups to better use data to inform school-wide practices. Funding was again designated for the PLAN assessment for all grade 10 students and the SRI for all grade 9 students. These assessments provide benchmarks and better understanding of the literacy skills of all ninth and tenth graders. Both tools provide insight that can inform decision-making (e.g. text book recommendations that match reading levels) and help faculty target individual students' strengths and areas for improvement.

Articulation between the middle and high school was identified in the high school self study as an area requiring additional time. Team leaders and department chairs are encouraged to continue to communicate, share resources and designate professional development time for discussions across grades 6-12. For example, high school and middle school faculty shared the same keynote speaker for literacy, to increase common strategies and approaches.

With writing specialist Bette Murray's leadership and creativity, working with a few key teachers and Robert Casey, English Department Chair at Burlington High School, Burlington is the recipient of a first year arts' council grant to fund a poet-in-residence. Steve Ratiner, the poet, is working this school year with faculty and is planning a summer program. Last year's project focused on

grade 6 and 8 students at the Marshall Simonds Middle School. The program provides enrichment for students and professional development for teachers.

Along with the elementary school faculty, the middle school teachers are phasing-in the newly aligned mathematics learning expectations. The current school year is the fourth year of implementing elementary programs, *Bridges in Mathematics* for grades K and 1 and *Investigations in Number, Data and Space* for grades 2-5, along with literature and manipulatives that were purchased in 2003/2004 as teaching resources. In addition to support for classroom teachers, a team of teachers and administrators took a 20-hour mathematics course to strengthen mathematics instruction in grades K-8. Funding resources were designated for math curriculum resources for updated teacher guides for grades 2-5. This is a second year of implementation of the Marshall Simonds Middle School updated math curriculum including the adoption of the McDougal Littell math series for the middle school mathematics program.

New social studies resources were piloted and purchased for various elementary grades. Several additional teachers attended a week-long intensive training on the *Responsive Classroom* during the summer; over time the goal is for all elementary staff to complete this training. To date, we have approximately half of the elementary faculty trained in *Responsive Classroom*. Additional training is planned for the coming summer. Teacher reference guides and resource materials were also purchased for each school. The Blais' donation targeted for social studies, provided initial funding towards the *Responsive Classroom* social skills/civics training and materials, and grade 3 Massachusetts books and resources. Grade 3 curriculum plans should be completed this winter. A system-wide elementary committee convened to work on aligning social studies with revising social studies frameworks. As part of our efforts to learn more about the diverse students attending Burlington Schools, we scheduled professional development about India (culture, geography, arts, etc.) for elementary grades; and kits were distributed with lessons that tie into state frameworks and provide a lens for engaging students.

The Burlington Public Schools was awarded a year three federal foreign language assistance project grant for the current school year and C.A.S.I.T. funds totaling approximately a quarter of a million dollars this school year. (The grant is renewable for a total of three years pending federal funds, making this the final year.) This project enables Burlington

to offer Italian language in grades 1-5 twice each week throughout the school year via Italian language teachers. The grant also includes funding for interdisciplinary connections between math and Italian that enables teachers to create learning centers that allow students to practice both acquired math skills and concepts and Italian language. The curriculum connection happens through teachers of math and Italian collaborating in the design of curriculum materials and through students working independently in learning centers during classroom instructional time. Additional funding is designated for professional development for teachers, including language and culture programs, travel study and articulation of Italian language learning from grades 1-12. Approximately 34 educators participated in travel study to Italy in the combined summer of 2005 and February 2006 trips, and a third group is planned for February 2007. New curriculum materials were purchased and teachers continue to be creative in making age appropriate materials. An after school option is also offered through collaborative efforts with the Burlington Public Schools After School Program for additional Italian language and culture learning opportunities. Overall, the students and staff have embraced the opportunity to provide Burlington school children with an engaging opportunity to develop their world languages and interest in diverse culture, arts, geography and now math! After last year's debut performance of the *Gabrielli Piero Integration Theater Troupe* from Rome from April 27 - May 6, 2006, and the staff professional development in Rome, we hope to pilot a version of best practices from the renowned Italian arts group so that Burlington can offer inclusive approaches for theater arts and provide an immersion experience for our students.

In addition to initiatives discussed above, the curriculum office provides support for teachers including oversight of the mentor program and coordination of professional development. Professional development opportunities are also planned to support the implementation of curriculum, broaden instructional strategies and to better connect assessment to teaching and learning. Professional development days are designated within the school calendar. Programs are also offered throughout the year via partnerships with organizations like Teachers as Scholars, NESDEC, Primary Source, and subject area organizations like the Massachusetts Association of Foreign Language Teachers (MaFLA) or the Massachusetts Computer Using Educators (Mass CUE).

The curriculum office also offers special programs for students. In the summer of 2006, over 200 students partic-

ipated in literacy programs at Pine Glen Elementary School for two or four weeks. The summer literacy programs strengthen students reading and writing, and keep students reading over the summer, which is critical to retaining skill levels for the start of each school year. Enrichment opportunities provide a basis for boosting students' confidence and developing academic skills. Combined, the Italian language and culture after school programs and the vacation programs served hundreds of Burlington students beyond the school day in 2006.

Respectfully submitted,

Katie Spinos  
Assistant Superintendent  
for Curriculum and Instruction

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## BURLINGTON HIGH SCHOOL

In accordance with the requirements of the Commission on Public Secondary Schools of the New England Association of Schools and Colleges (NEASC), Burlington High School continued to address the 35 recommendations of the 2004 NEASC Visiting Committee. On October 1, 2006 a two year follow-up report was submitted to the Association by the high school principal. The report indicated that 20 of the NEASC recommendations had already been completed, while 14 of the recommendations were in progress. The recommendation to provide access to the gymnasium for students with disabilities was included in the Ten Year Capital Plan and accepted by the Burlington School Committee and the Burlington Town Administrator. Elevators providing access to the gymnasiums are planned for the future.

Burlington High School students continued to perform exceptionally well on the MCAS tests. One hundred percent of the Class of 2006 passed the ELA and Math MCAS tests. Eighty-one percent of the class achieved Proficient or Advanced in both the English Language Arts and Math MCAS tests. Further indication of student achievement was evident in the school report card required under the federal *No Child Left Behind Act*. The Adequate Yearly Progress (AYP) Report showed that BHS performed very high in English Language Arts and high in Math.

In June, Mr. John Driscoll retired from the Social Studies Department, concluding an illustrious career. In December

of 2006, Mr. Thomas Imbriglio retired as the BHS Support Services Coordinator. Mr. Imbriglio was employed as a guidance counselor, Director of Guidance and Coordinator. His service totaled 34 years and his work ethic and expertise will be missed. Replacing these retirees are Jillian Mariani, a Social Studies teacher and Joseph Attubato, a guidance counselor who is serving as the Interim Support Services Coordinator.

Other new faculty members are Alexandra Savelyev, Art; Robert Vigneau, Business; Adam Chiocca, English Language Learners; Rene Botticelli, Foreign Language; Brigid Boyle, Math; Brian McNeil, Math; Christopher Sweeney, Physical Education; Matthew Jackling, Health; Noreen Flanagan, Science; Mary Vamivakis, Special Education; and Kathy Allard, Special Education. Timothy Calvin and Jessica Netishen were hired to fill vacancies created by the leaves of absences granted to Jason Lord and Nicole Fuller. Kimberly Osborne is replacing Leisel Smith who also took a one year leave of absence.

The new staff in the Business and Special Education Departments were hired to meet the increasing demand for electives and inclusion classes. In response to the increasing size of the Special Education Department, Mrs. Eileen Poehler was hired to serve as a Department Head.

Burlington High School was awarded several grants during the past year. As part of the Massachusetts States Scholars Initiative, Burlington High was named one of five schools to be designated for States Scholars funding and recognition. This national initiative brings business leaders into the schools and classrooms to encourage students to take a demanding four year curriculum. Students who meet the States Scholars requirements are recognized for their achievement and are eligible for special programs and scholarships.

The Burlington Education Foundation also awarded grants to the Foreign Language, Art, English and Science Departments at Burlington High School, allowing teachers to plan programs and bring performers to the high school that would not have been possible otherwise. In November, the Massachusetts Department of Education awarded the high school \$5600 for academic support programs outside of the school day. Funding for a Poet-in-Residence was also granted to the high school by the Massachusetts Cultural Council.

Technology updates included the installation of newer software, operating systems, hard drives, memory and utili-

ties programs. Nine Smart Boards were purchased for use by the Math teachers with professional development provided to the department. A new hardwired Social Studies computer lab was installed to replace the failing wireless lab, while the number of laptops available for student home use through the Library/Media Center was augmented.

Burlington High School continued to honor its Veterans at the annual Veterans Day Assembly. The 5th year anniversary of the September 11 terrorist attacks was marked by a special service planned by the Student Council and the High School administration. Despite the early morning start, the high school auditorium was filled to capacity. Pictures of Burlington's victims, Robert Hayes, Thomas McGuinness, and Mary and Jim Trentini, were on display in the high school lobby. Among the items exhibited was a handmade quilt prepared for Mrs. Barbara Hayes.

Other community service projects sponsored by BHS clubs and organizations included the Toys for Tots campaign. Donations were also collected for African AIDS orphans, the American Cancer Society and other charities. The OPEN Community Service Club, under the leadership of Alan McRae and with the assistance of Joan Proctor, collected donations for the troops serving in Iraq and Afghanistan, sending 100 boxes for the holiday season.

One of the highlights of the past year was the one week visit by 13 Italian exchange students and their four chaperones during the month of September. The Italian students were hosted by Burlington High School families and spent their time visiting high school classes, local points of interest and educational sites in the Boston area. The exchange was supported by donations from businesses, clubs, individuals and the high school. The Trentino Department of Education, Trento, Italy, paid the transportation expenses for the students and adults.

The second stage of the exchange is expected to take place in September 2007 when 15 Burlington High School students and four adults will travel to Cles, Italy. Burlington High School students have also been preparing for an exchange program to China to take place in February 2007. Through the China Pathways grant, qualified students have been studying Chinese history and culture, preparing to travel to China.

Respectfully submitted,

Linda A. Hayes, CAGS  
Principal

## ART DEPARTMENT

Burlington High School art students again received honors in the Boston Globe Scholastic Art Exhibition. In all, ten works (of the thirteen entries the school was allotted) by nine Burlington High art students earned recognition. Michael Comperchio earned an Honorable Mention in the category of Photography. Cody Creekmore earned an Honorable Mention in Computer Graphics. Shauna Leva earned an Honorable Mention in the Drawing category. Kristen Rubino earned an Honorable Mention in Computer Graphics. Harilaos Skourtis earned an Honorable Mention and a Gold Key, both in Graphic Design. Megan O'Brien earned a Silver Key in Photography. Michael O'Neill earned a Gold Key in Computer Art. Tiffany Huang earned an Honorable Mention in Drawing. Tiffany also earned recognition for her portfolio, which went on to the national competition in New York. Winnie Tsui earned an Honorable Mention in Drawing. Winnie also earned recognition as a Portfolio Nominee, so her portfolio joined Tiffany's on the trip to the national competition. These artists were selected from among over 3500 entrants in the competition. An exhibition of the over 300 Gold and Silver Key winners was on display at the State Transportation Building in Boston from mid-February until late March of 2006.

In the national competition, 155 gold medal pieces were chosen from 15,000 gold key regional winners from across the United States. Michael O'Neill's digital artwork, *Bird Man*, earned a Silver Key medal in the national competition. His work was one of only 800 awarded from over 200,000 entrants in the regional national competitions nationwide. The national award ceremony was held at Carnegie Hall in New York City, and Mr. O'Neill's work was on display at the Corcoran Gallery of Art in Washington, D.C.

In the spring of 2006, the department produced its thirty-third annual "Exhibition." The theme for this year's art show was "Reflections," shared with the high school's literary magazine, *COLLAB*. Hundreds of pieces of work were exhibited in the high school library and main lobby. The reception for the exhibition was well attended. This was the third year that senior art students were offered individual alcoves to display their portfolios, and these seniors helped organize and host the event, supplying refreshments and offering commentary on their works to guests. It continued to be a motivation for these students and the underclassmen who will present their work next year.

Student Harilaos Skourtis designed the invitations and posters for the event.

Christina Coyne and Samuel Faller were selected to represent Burlington High at the annual Art All-State Festival at the Worcester Art Museum. Art All-State is jointly sponsored by the museum, the Massachusetts Art Education Association, the Massachusetts Alliance for Arts Education and the Massachusetts Directors of Art Education. Both Ms. Coyne and Mr. Faller enjoyed the experience. Ms. Coyne plans on enrolling in art school upon graduation. Mr. Faller is looking forward to studying architecture in college.

Other notable student-centered events occurred in 2006. In the spring, Christina Coyne, Ivan Gombya, Shari Hirtle, and Winnie Tsui participated in an exhibit of their work at the Starbucks at 82 Mall Road. Starbucks hosted a reception for the students and their guests on January 19. Ms. Tsui participated in a second exhibition of her work at that location in the spring.

The art department responded to a request by the Burlington Business Round Table for student involvement in their "Calf Project," with partial proceeds benefiting Lahey Clinic's Gordon Cancer Center. Portfolio students Tiffany Huang, Heather McCarthy, Christopher McCrobie, Kristen Rubino, and Geoffrey Silvis painted a fiberglass calf in the image of a construction worker. This calf was sponsored by Northland Residential Development. Cambridge Savings Bank's "Moolah" was painted by Drawing and Painting students Ivan Gombya, Catryna Conway, Michael Lowe, Agamani Sakar, and Tiffany Huang. The Starbucks-sponsored "Moocaccino" was painted by Christina Coyne, Melissa Godin, Tiffany Huang, and Shauna Leva. These painted calves were displayed in the Un-Common Calf Parade on the Burlington Common on Burlington Pride Day. They were later auctioned.

A request by Fire Chief Lee Callahan was answered by some of our Portfolio students, who painted murals of the Burlington Rent-tool fire and the Francis Wyman House fire at Fire Department Headquarters. Michaela Baril, Tiffany Huang, Heather McCarthy, Christopher McCrobie, Kristen Rubino, and Geoffrey Silvis volunteered their artistic services for this project.

Graduating students of 2006 were accepted into art and architecture programs at the Massachusetts College of Art, the Maryland Institute College of Art, Northeastern University, Boston University, Hartford Art School at the

University of Hartford, and Wentworth Institute of Technology. At least eight of our art students were planning on majoring in art or architecture in college.

The Burlington Arts Festival included work from BHS students Shauna Leva and Tiffany Huang and art teacher Ms. Christina Chang-Riley. All three sold work at the event. The festival was sponsored by the Burlington Cultural Council.

The Burlington Cultural Council also sponsored a visit by Boston-based artist Wen Ti Tsen, who spoke to our students about his mural projects created at various locations throughout the United States.

Students Ivan Gombya and Marwa Osman were awarded full scholarships by the Art Institute of Boston to its Young Artist Program during the summer. Anesu Dhliwayo was admitted to the Boston Architectural Center's summer program. Melissa Godin was enrolled in a six-week summer program for photography at the California College of the Arts. This fall, several of our students enrolled in Saturday pre-college classes at the Art Institute of Boston. Meagan Kelley, Sandra Sierra, and Ivan Gombya were enrolled in a Saturday portfolio class. Marwa Osman was enrolled in a photography class. Andrew Gerwig and Ross Baker were enrolled in AIB's graphic design class.

Over forty Burlington students exhibited fifty-two of their art works at the High School Art Majors Exhibition sponsored by the Lexington Arts & Crafts Society this fall. This exhibit, shared with several neighboring communities, celebrated Burlington student accomplishment by providing the display area for the greatest representation of BHS artists in the history of the exhibition. These outstanding students presented their work: Caitlyn Abruzzo, Ross Baker, Jennifer Brine, Kristine Capua, Michelle Carpenter, Phillip Chang, Danielle Ciccone, Ed Clifford, Michael Comperchio, Catryna Conway, Lauren Costa, Christina Coyne, Colleen Dolan, Samuel Faller, Brianna Gainley, Ashley Gallo, Nicole Gamez, Melissa Godin, Ivan Gombya, Rachel Gregorio, Noelle Hagopian, Jessica Harris, Peter Hovey, Marissa Jones, Meagan Kelley, Shauna Leva, Elizabeth Lopreste, Michael Lowe, Cindy Luong, Christopher Magliozzi, Julie Mantzouranis, Derik Martel, Justus Merchant, Lillian Mezynski, Meghan Murray, Rashika Nayak, Jennifer Nille, Marwa Osman, Mitali Patel, Nitin Rana, Gina Rauch, Jacob Sherburne, and Jennifer Vachon.

In late November, the Portfolio class printed a series of notecards featuring some of the best work by the advanced

art students. There were two sets, each containing ten notecards with ten different artworks, with envelopes, in a pearl white stationary box. Each box contained an assortment of landscapes, still lifes, photographs, digital art, abstractions and imaginative work. Set one included work by: Jenn Vachon, Rachel Gregorio, Marissa Jones, Michael Lowe, Melissa Godin, Ivan Gombya, Noelle Hagopian, Megan Kelley, Christina Coyne, and Chris Magliozzi. Set two included work by: Jacob Sherburne, Kate Schissler, Shauna Leva, Conor Murphy, Catherine Mezynski, Sam Faller, Colleen Dolan, Ross Baker, Catryna Conway, and Alysse Gerardi. The notecard sets were sold through the school bookstore and through the art department. The purpose of their sale was to get Burlington High School artists' work out to a wider audience, and the purchase price will go towards continuing this printing project in the future and for funding other special opportunities for BHS art students. The printing of the notecards was funded by a grant from the Burlington Education Foundation.

As always, curriculum-based field trips played a big role in our students' learning this past year. Students participated in trips to New York's Museum of Modern Art, the exhibition of the Boston Globe Scholastic Art Awards, and the BodyWorlds2 exhibit at the Boston Museum of Science, where Portfolio students drew anatomical studies.

The Macintosh lab, part of the long-range technology plan financed by Sun Microsystems, continues to provide students with exciting possibilities in the computer graphics field. In addition to the *Digital Arts* course, both the *Communication Arts* and the *Interior and Exterior Design* courses frequently access the equipment and graphics programs. Many of the works created in the lab go on to publication as posters, banners, and program covers for the graduation ceremony, the school musical, the athletic booster club, and the high school's Program of Studies. Several of the artworks that earned recognition in the Boston Globe Scholastic Art Awards were created in this lab.

Ms. Christina Chang-Riley serves as the advisor for Students for Asian Cultural Awareness. In May, SACA sponsored a visit by Neena Gulati, a renowned classical Indian dance teacher from the Treveni School of Dance, to come with a few of her students to perform in the high school's auditorium. Mr. George Ratkevich continues to serve as a co-advisor for *COLLAB*, the high school's award-winning literary and arts magazine. The 2006 edition of *COLLAB* received first place recognition by the American Scholastic

Press Association and second place recognition by the Columbia Scholastic Press Association. Mr. Ratkevich also continues to serve as an advisory board member for the Boston Globe Scholastic Art Awards.

Joining the department in the fall of 2006 was Ms. Alexandra Savelyev, who is teaching the photography courses. Ms. Savelyev is a professional photographer who was educated at the Art Institute of Boston.

Respectfully submitted,

George Ratkevich  
Art Department Chairman

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## ENGLISH DEPARTMENT

The English Department continued its mission of preparing students for lifelong literacy with visible signs of success. If measured by test scores, our progress is palpable: 84% of the class of 2009 scored advanced or proficient on the MCAS language arts exam with 97% of the entire class passing on their first attempt. Seventeen students in the Class of 2006 scored in the highest levels of the Advanced Placement literature test and earned a full year of college credit in the process.

Curriculum changes approved by the School Committee are designed to maintain a comprehensive program that meets the needs of twenty-first century students. British Literature for seniors will become British and World Literature and will introduce students to the works of Asian, African and Latino writers. A new elective, Contemporary Literature, will be offered as well. These changes have been made through departmental teamwork in conjunction with the support of Principal Linda Hayes.

Many student activities are flourishing at BHS under the guidance of English teachers. Ethan Feinsilver's journalism classes produced excellent editions of the **Devil's Advocate** while Collab magazine, now with the help of co-advisor Benjamin Lally, published a fine collection of student writing and art work. Karen Hallman signed on as co-advisor for **Arrowhead**, the BHS yearbook, and put her own yearbook editor experience to work. Shannon Cobery stepped in to assist the director of the school musical in the spring while several English teachers are counted in the coaching ranks including Bob Conceison (hockey), Anne

Ford (field hockey), Callie Graham (soccer), Judy Crossman (swimming) and Ben Lally (softball). Several English teachers are also serving as class and club advisors.

Teachers Nicole Fuller and Jason Lord departed BHS for leaves of absence. Their replacements, Jessica Netishen and Timothy Calvin have quickly assumed their roles. Netishen, a BHS graduate, earned both her bachelor and master degrees in English from Northeastern University; Calvin was graduated with degrees from University of Massachusetts and Tufts University.

Respectfully submitted,

Robert W. Casey  
English Department Head

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## FAMILY AND CONSUMER SCIENCE PROGRAM

The Family and Consumer Science program is comprised of two components, Child Development and Culinary Arts. The Child Development Program, led by teacher Rosemary Bransfield, offers a one or two year program for juniors and seniors. The course continues to serve the needs of the Burlington community by providing a pre-school program for Burlington residents. The program provides a 1:1 ratio of high school students to pre-school children.

The Culinary Arts Program, led by teacher Marjorie Arcand, offers elective courses in Food Preparation, Gourmet Foods, and Professional Foods. Each course develops food preparation skills and offers an introduction to career opportunities.

Respectfully submitted,

Daniel O'Connell  
Marjorie Arcand  
Rosemary Bransfield

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## FOREIGN LANGUAGE DEPARTMENT

The Burlington High School Foreign Language program continues to provide a challenging curriculum in which the ability to use language for meaningful communication is a

priority. This is accomplished by incorporating classroom activities with the use of technology in the language lab as well as experiences outside the classroom. A five-year sequence of French, Italian, Latin and Spanish is offered at several levels to meet the diverse needs of the student population.

In February, Ms. Gilmartin organized a ten-day student trip to Spain. She and retired teacher Mr. Wayne Little led a group of twelve students to cities including Barcelona, Madrid and Sevilla. Teachers and students participated in numerous activities during Foreign Language Week in March. Mrs. Price and her French 3 Honors students visited Marshall Simonds Middle School to demonstrate French-Canadian square dancing. Ms. DeBellis' Latin students taught Latin to Fox Hill students and Mrs. Walton visited Francis Wyman School with Spanish students. Latin student Mary-Alice Perdichizzi and Spanish student Sonika Hegde received Honorable Mentions for their entries in the MaFLA Essay contest, as did Spanish student Noelle Hagopian for her entry in the MaFLA Poster Contest. MaFLA 2006 Student Achievement Awards went to Meghan Murray (FR), Swati Varshney (LAT), Sandhya Narayanan (SP), Julie Mantzouranis (IT) and Christopher Magliozzi (LEAD). The French, Italian, Latin and Spanish Clubs sponsored various activities and community service projects including Toys for Tots, the Burlington Food Pantry food drive and Operation Christmas Child.

The first part of the Italian exchange Program with Pilati High School in Cles, Italy took place in September. Burlington High School families hosted thirteen students, two teachers and four administrators. Parents, students and the Burlington High School faculty are to be commended for their gracious hospitality during a most rewarding week.

Advanced Placement Spanish students earned college credit having passed the Advanced Placement Spanish Language Examination in May. Advanced Placement Italian is now being offered as well.

The department welcomed two new teachers to replace Ms. Shanon Gilmartin and Mr. Patrick Moreno. Spanish teacher Ms. Renee Botticelli is a recent graduate of Merrimack College and our new Italian teacher, Mrs. Ivana Gentile, is a University of Massachusetts graduate.

Respectfully submitted,

Maria P. Walton  
Foreign Language Department Head

## MATHEMATICS DEPARTMENT

The goal of the Burlington High School Mathematics Department is to meet and/or exceed the needs of a wide academic range of students. This goal is accomplished by continuing accessing, upgrading, and implementing a variety of courses ranging from Advanced Placement courses (such as A.P. Calculus and A.P. Computer Programming) to Basic Skills Math and Computers.

The Burlington High School Mathematics Department consists of 14 full-time teachers with a combined teaching experience of over 250 years. Not only is the staff of the High School Mathematics Department experienced, but it is both innovative and pro-active.

The High School Mathematics teachers regularly attend Professional Development Workshops and take courses relative to current Mathematics trends such as Child-Centered Learning.

The Burlington High Mathematics Department takes pride in not only its teaching staff but in the following:

### Math League:

The Burlington High Mathematics Department continues to excel in the "Math League." This year's team, as defending champions (with outstanding coaching by Mrs. Jean Saxe), finished behind only Bedford to clinch second place. Other teams in the League are Bedford, Arlington Catholic, Lexington Minuteman, Wakefield, Woburn, Stoneham, and Somerville.

### Computer Lab:

The Mathematics Department utilizes three computer labs. All three labs continue to be used all seven periods per day.

### Designated Mathematics Tutor:

Students have access to receive individualized Mathematics tutoring seven periods per day plus an additional hour per day after regular school hours.

### MCAS:

The classes of 2004, 2005 and 2006 of the Burlington High School Mathematics Department have all (100%)

passed the Mathematics portion of the MCAS. This success rate can primarily be attributed to a skilled Mathematics Department, especially Mr. Ed Chapdelaine.

### Mathematics Department Retirement:

The Burlington Mathematics Department wishes to acknowledge the retirement in 2006 of Mr. Roswell Paine, a dedicated and effective Mathematics teacher for 34 years.

Respectfully submitted,

James P. Curtin  
Mathematics Department Chairperson

## HIGH SCHOOL PUPIL SERVICES DEPARTMENT

The High School Pupil Services Department has worked to meet the diverse and complex needs of the high school student population. The Guidance Counselors, through the use of varied counseling techniques, work with students to identify and remediate problem areas as well as to help them develop appropriate educational/career goals and courses of action to achieve those goals.

The Guidance Department significantly expanded the use of the web-based college management system, called TCCI Family Connection. The current sophomore, junior and senior classes have utilized the system during the 2006/2007 school year. The freshman class will have initial access to the program during the second semester of the 2006/07 school year. This system provides an easy pathway for students to:

- Get involved in the planning and advising process
- Conduct in-depth college searches
- Research specific colleges
- Sign up for college visits at Burlington High School
- Communicate directly via email with their guidance counselors

The program for special needs students continues to be effective in identifying learning problems while offering in-depth special needs support and academic diversity for those students with learning disabilities. In the 2006/2007 school year, inclusion courses were again expanded in the

areas of English, Mathematics, Social Studies, and Science. Currently, thirty inclusion courses are offered in Grades 9, 10, and 11. In these courses special education teachers provide direct support and service to students in mainstream academic classrooms.

This past September, Mrs. Kimberly Osborne assumed the counseling position vacated by Mrs. Leisel Smith who has taken a leave of absence for the 2006-2007 school year. Mrs. Eileen Poehler was named the High School Special Education Department Head. Additionally, Mrs. Kathy Allard and Mrs. Mary Vamivakas assumed two special education instructor positions at Burlington High. Both primarily serve as inclusion teachers. Effective December 29th, Mr. Thomas Imbriglio retired after thirty five years from his position as Support Services Coordinator at Burlington High School. Effective January 1, 2007, Mr. Joseph Attubato will assume the position of Support Services Coordinator at Burlington High School.

The Guidance Department hosted representatives from fifty-three colleges and technical schools who spoke to interested students regarding admission requirements, costs and financial aid information during conferences at the high school. The Guidance Department also cosponsored a regional college fair held at Shriner's Auditorium that had representatives from over two hundred colleges and universities.

The 2006 Burlington High School Scholarship Program, affiliated with the Burlington Community Scholarship Foundation, produced highly successful results. One hundred ninety-six donors contributed to the 2006 program. Three hundred seventy-seven scholarships, totaling \$297,000 were awarded at the presentation ceremonies. Our deepest gratitude is extended to the local individuals, civic groups and business organizations that contributed to the scholarship program. Since 1988, five thousand four hundred ninety-five scholarships totaling \$4,233,500.00 have been awarded to the graduates of Burlington High School.

### The following is a profile of the Class of 2006:

Size of Graduating Class: . . . . . 233 students  
Number of Students Continuing  
Education: . . . . . 215 or 92.3% of Class  
Number of Students Seeking  
Employment: . . . . . 18 or 7.7% of Class



**Continuing Education Information:**

Four-Year Baccalaureate Programs: . . 169 or 72.5% of Class  
 Four-Year Public Institutions: . . . . . 71 or 30.4% of Class  
 Four-Year Private Institutions: . . . . . 98 or 42.1% of Class  
 Two-Year Associate Degree Programs: . 30 or 12.9% of Class  
 Two-Year Public Institutions: . . . . . 29 or 12.4% of Class  
 Two-Year Private Institutions: . . . . . 1 or 0.4% of Class  
 Educational/Vocational Non-Degree : . . 16 or 6.8% of Class Programs

**2006 CEEB Test Summary:**

219 students tested out of a class of 233 or 94%  
 Mean Critical Reading Score: 515  
 Mean Math Score: 542              Mean Writing Score: 520

**SAT I Cumulative Percentages**

**(Per Cent of Students scoring at or above a given range):**

	<b>Reading</b>	<b>Math</b>	<b>Writing</b>
Above 700	7%	8%	4%
Above 650	11%	19%	13%
Above 600	22%	32%	23%
Above 550	40%	49%	38%
Above 500	55%	67%	58%
Above 450	74%	86%	76%

**# Of Scores In A Given Range:**

	<b>Reading</b>	<b>Math</b>	<b>Writing</b>
750-800	2	9	5
700-749	13	10	5
650-699	10	24	20
600-649	25	30	21
550-599	39	38	34
500-549	35	40	45
450-499	43	42	42
400-449	33	25	22
<b>TOTALS</b>	<b>200</b>	<b>218</b>	<b>194</b>

**SAT II Mean Scores:**

Literature:	558	Spanish:	533
Biology M:	663	Physics:	664
Math Level II:	695	Math Level I:	619
Chemistry:	685	US History:	649

**MCAS Test Results Summary:**

Beginning with the Class of 2003 all students must pass both the MCAS English Language Arts Test and the MCAS Mathematics Test prior to receiving a high school diploma.

**Testing results for the Class of 2006 are as follows:**

Original Enrollment of  
 Class of 2006: . . . . . 233 students  
 Passed both the English  
 Language Arts and  
 Mathematics tests: . . . . . 233 students or 100% of Class  
 Passed the English  
 Language Arts test: . . . . . 233 students or 100% of Class  
 Passed the Mathematics  
 test: . . . . . 233 students or 100% of Class  
 Scored either proficient or  
 advanced on the English  
 Language Arts test: . . . . . 189 students or 81.0% of Class  
 Scored either proficient or  
 advanced on the  
 Mathematics test: . . . . . 190 students or 82.0% of Class

Respectfully submitted,

Joseph Attubato  
 Support Services Coordinator

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## READING

At Burlington High School, the development and advancement of reading skills is essential to the understanding of our challenging and relevant curriculum. To assist the classroom teacher in this endeavor, the high school reading specialist provides the requisite verbal support services to students in all grades. Using both formal and informal assessment instruments, individualized programs are designed to facilitate student learning. Referrals come directly to the office of the reading specialist from guidance counselors, classroom teachers, parents, and the students themselves. In addition to these services, the reading specialist also takes an active role in the implementation of our literacy initiative, which this year (phase three) has emphasized the connection between reading and writing across the curriculum.

Respectfully submitted,

Robert F. Conceison  
Reading Specialist

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## SCIENCE DEPARTMENT

The 2006 school year was an excellent year for the Science Department. Four of our teachers, Mr. Rick Beaumont, Mr. Alan McRae, Dr. Peter Nassiff and Mr. Chuck Wood, were recognized in Who's Who in High School Teaching.

Dr. Nassiff was a "Research Experiences for Teachers" fellow at MIT's Haystack Observatory this summer. He made a presentation of his work in San Francisco this December at an international scientific convention.

One of our science students, Ms. Amrita Saigal, was a National Intel Science Talent Search winner, and another student, Mr. Matt Arsenault, placed third in a regional chemistry exam and qualified to participate in the US Chemistry Olympiad Trials.

Our students excelled in AP science courses. Fifty-two students (70% of all students) received AP science credit. Over 96% passed biology, 70% passed chemistry, 86% passed calculus physics, and around 50% passed environ-

mental science, given the first time in several years. Over 25% (19 students) obtained the highest possible score of 5.

We hosted the American Chemical Society's "High School Teachers' Night" in October where over 200 New England teachers attended.

Dr. Nassiff was on the State MCAS Committee and is a consultant for the DOE in chemistry and physics. He is the major contributor for the revised Massachusetts Chemistry Framework.

Mr. McRae worked with Harvard-Smithsonian Center for Astrophysics and NASA to produce a CD of his astronomy classes. Through the Community Service Club, Mr. McRae, with generous donations from the Burlington Community (over \$10,000), oversaw distribution of 100 gift boxes to local residents who are serving overseas in the military.

Ms. Jill McInerney attended a summer institute in AP Environmental Science. Engineering/Technology was added to the Science Department.

Ms. Noreen Flanagan joined the staff in physics to replace Joel Vaughan who decided to pursue a Ph.D. at Michigan. Ms. Holly Freisen was married this summer and is now Holly Potters.

Respectfully submitted,

Dr. Peter J. Nassiff  
Head of the Science Department

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## SOCIAL STUDIES DEPARTMENT

In the area of curriculum, the new Advanced Placement World History course was started in September with two full sections of enthusiastic students. The instructor, Miss Rachel Zucker, took the recommended training and prepared the course syllabus during the summer. A host of supplementary materials have been purchased. Miss Zucker is confident that our Burlington students will perform very well on the college-level examination in May.

The several staff development days during the year have been used efficaciously. In March, all the members of the Social Studies Department attended the 37th annual Northeast Regional Conference on the Social Studies held at the Park Plaza Hotel in Boston. On the first day, the United

States History teachers were treated to a customized walking tour of the Freedom Trail led by a costumed professional docent. The second day allowed for a wide array of sessions, workshops, technology exhibits, and an examination of all the current publications in the Social Studies field.

For the fall professional development day, on November 7th, the entire department attended an all-day program at the Peabody Essex Museum in Salem. In the morning, the Museum staff presented several "hands-on" activities and teaching strategies that all teachers could use at all levels. In-depth content areas were addressed in the afternoon session. The World History teachers were given a separate tour of the "Chinese Home" and related far eastern topics. The United States History teachers had a tour that highlighted the American History exhibits and culminated with an exclusive and memorable visit to the Gardner-Pingree House.

The Social Studies Department is very pleased to report that our innovative, yet time consuming, wireless computer lab has been replaced during the year with a "hard wired" lab in a single designated room. The time saved in not having to take out and put away the laptops each period has been a great advantage. Students now have much more time each period for research assignments. Lab use has increased by more than fifty percent because of this very welcome change.

Again, during the year, the Social Studies Department conducted the election, selection, and nomination of students for various awards and honors:

The **delegate** and **alternate** to Student Government Day, held in April at the State House in Boston, were Christopher Magliozzi and Zachary Davis, respectively.

The two boys selected to attend Boys State, held this year from June 10-16, 2006 at Stonehill College, were Christopher Magliozzi and Michael Collins. The two girls selected to participate in Girls State at Westfield State College from June 18-23, 2006 were Danielle Murkidjian and Diana Ryan. We thank the local units of the American Legion and Auxiliary, Post No. 273, for their continued support of this highly worthwhile program.

In the fall, members of the senior class elected Christopher Magliozzi to be the recipient of the Daughters of the American Revolution "Good Citizen" award (nominated by the faculty and elected by the senior class). A certificate and pin will be presented to Christopher in March of 2007 at a ceremony conducted by the Lexington Chapter.

Daniel M. Cadarette was chosen to receive the "Good Citizen" award from the Middlesex County Bar Association during their annual Law Day program held on May 1, 2006 at the Cambridge Court House.

Another dynamic local Student Government Day was conducted in May. Thirty-eight junior-year students were elected from their *World History II* class to assume the roles of almost all the town municipal departments. As in the past, specific assignments were made by lottery. In the morning, students were briefed by Town Administrator Robert Mercier and introduced to the members of town government. Thereafter, students departed with their government official to learn as much as possible about their job. At lunchtime everyone gathered at the Café Escadrille for an excellent meal and lively discussion. Upon returning to the classroom, participating students shared with their classmates what they had learned that day about Burlington town government. The teachers involved were Mr. Bridge, Mr. Carr, Mr. Halvorson, Mr. Hoyt, and Mr. Tower.

There were just a few staff changes during the year. John A. Driscoll retired in June after 34 years of faithful service to the Burlington Public Schools. His primary teaching focus had been United States History and Introduction to Law. The popular bi-annual fieldtrips he helped to organize to the Massachusetts correctional facility at Bridgewater, combining Mr. Costa's sociology classes and the law students, serve to epitomize, in one example, his many fine attributes as a gentleman and a teacher. We sincerely wish him a long and healthy retirement. Mr. Michael Coughlin has taken over the law classes and his schedule has been increased to full-time.

Jillian D. Mariani was hired in the summer to fill a full-time position that required a strong World History background. Miss Mariani graduated from Skidmore College in 2000 with a Bachelor of Arts degree in the double major of History and French Language & Literature. She received departmental honors in history and was the recipient of the Lee Prize in her field. For the past four years, Miss Mariani has taught a variety of history courses at the Montrose School, a highly respected private secondary school in Natick, Massachusetts. She has embraced her teaching assignment in Burlington with energy, integrity, and enthusiasm.

Respectfully submitted,

Jeffrey W. Hoyt, Chairman  
Social Studies Department

## DEPARTMENT OF ATHLETICS

The Burlington Athletic Department has had another successful year because of its wide variety of athletic programs and its ever increasing number of student athletes. The programs receive great support from the student body, the community, and the school administration.

The Seventh Annual Burlington High School Athletic Hall of Fame Induction was held on October 5, 2006 and was another great success. The list of inductees included, for Coach, Rick Hayes and for team, the 1983 Wrestling Team. The athletes included were Kevin Sullivan, Rick Coven, Kevin Curtin, Nancy Toland Aiello, Barry Yeadon and Jay Bramanti. The inductees were honored at the Marriott Hotel in Burlington.

This year, the Winter Sports programs had another encouraging year. The Boy's Basketball team was led by Seniors Jack Miles, Dan Trahan and Nathan Pierce, finishing 11 and 11. They moved on in tournament play to the Division II Quarterfinals where they lost to North Andover. The Girl's Basketball Team was led by Seniors Michaela Murphy and Rebecca McMahon, and they finished 5 and 15. The Boy's Hockey Team was led by Seniors David Gill and Travis Taylor, and finished 13 and 6 and 2. They also went on to tournament play losing to St. Bernard's. The Girl's Hockey Team was led by Seniors Lauren Volpe, Jessica Walsh and Jessica Caprio, finishing 6, 13 and 1. The Boy's Gymnastic Team, led by Eric Ostlund and Jeremy Steele, finished with a 6 and 2 record. The Girl's Gymnastic Team, led by Vicki Travers, Danielle DeRosa, Annalee Bergquist and Brittany Bartlett, finished with a record of 2 and 6. The Boy's Indoor Track Team, led by Ryan Carney, Harry Skourtis, Paul Kekejian and Matt Tirrell, finished 7 and 2. Jesse Faller broke the school record in the 2 mile and Greg Nelson broke the school record in the high jump, as well as Matt Tirrell who broke the school record for the 1000 meter. Michelle Flynn, Laura Kikuchi, Michelle Meegan and Becca Tieri led the Girl's Indoor Track team, finishing 3 and 6. Brian Burk and Dan Ricardelli led the Boy's Swim Team to a 2 and 7 record. The Wrestling Team, led by Senior Captain Nick Cappello, ended the season with a record of 7 and 14 and 1.

The Athletic Department's Spring program included the introduction of Girls Lacrosse. The program was at the JV level coached by Kristen Burrell. The Boy's Baseball Team, this year led by Kevin Mazure and Dan Walsh, finished with a record of

9 and 11. Softball had a record of 10 and 9 moving on to tournament play, losing to Stoneham in the preliminary round. Leaders of the team were Angela Duffy, Katherine Kelly and Amanda Scarfo. Boy's Lacrosse, led by Tom Boucher, Sean Litchfield and Dan Reale, finished 4 and 14. Boy's Tennis, led by Captains John Burke, Dan Cadarette and Vishal Parwani, finished 14 and 6. They continued on in tournament play losing in the quarter finals to Winchester. Girl's Tennis was led by Meri Ruhotina and finished with a record of 14 and 7. They lost to Lynnfield in the North Semi-Finals State Tournament. Boy's Track finished 6 and 3 led by Ryan Carney, Matt Tirrell, Pat Rielly and Tom Chandonnet. Greg Nelson was voted Middlesex League Co MVP. He also broke the school high jump record. The 4 x 800 team also broke the school record. Competing were Matt Tirrell, Chris Tirrell, Jesse Faller and Pat Rielly. The 4 x 400 meter run by Tom Smith, Andrew Tieri, Dan Indingaro and Greg Nelson also broke the school record. Rebecca Tieri, Laura Kikuchi, Heather McCarthy, Rebecca McMahon, Michelle Flynn, Stephanie Hon and Michaela Murphy led the Girl's Track Team, finishing 7 and 2.

The Fall Sports program started with the Football Team's most successful season ever. They won the Middlesex League Title, participated in the playoffs and continued on to the Super Bowl. They were led by Captains Dan Walsh, Garrett Redfern, Jeremy Steele and Paul Lonero. The Boy's Soccer Team, led by Senior Captains Chris Magliozzi and Jared Restivo, finished 1 and 16 and 1. The Girl's Soccer Team, led by Kate Schissler and Melissa Wilked, finished with a 4, 12 and 2 record. The Golf Team was led by Christy Jefferson and Joe Sheehan finishing 5 and 4. Boy's Cross-Country, led by Jason Steinbach and Chris Tirrell, finished 3 and 6 and the Girl's, led by Sonika Hegde and Nicole Gamez, finished 4 and 5. Girl's Swimming and Diving finished 5 and 5 and 1 led by Jenessa Redfern, Caitlin Brewer and Jenn Vachon. Field Hockey finished 3, 15 and 1, led by Diana Ryan, Alyssa Leone and Danielle Murkidjanian. The Competition Cheering Squad also had a great season finishing first in the Middlesex League again, as well as Division III State Champions, qualifying them for the Nationals in Dallas, Texas where they placed fourth. Girl's Volleyball was led by Lauren Hennessey and Christine Conceison and finished the season with a record of 0 and 18. The Athletic Department would like to congratulate all the athletes.

Respectfully submitted,

Edward L. Gillis  
Athletic Director

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## HIGH SCHOOL LIBRARY

After six years of providing professional services to the students and staff at BHS Library, Mrs. Field was reassigned to help the librarian at Francis Wyman and Memorial elementary schools. Mrs. Vena, from the Media Department, now works part of the day in the BHS library behind the circulation desk. She also shelves books and keeps the library clean and orderly.

The student library book club, which began last December with about four students, continued throughout the year and met once a month on Tuesday afternoons. This year the club has grown to twelve, attracting students from all grades. The club had a visit from Dave Kiersh, the Young Service Librarian from the town library. Dave gave book talks on a number of his favorite books. All of his top picks focused on “technological advances” and included science fiction, suspense, and mystery. The students were responsive and wrote down titles for the “next read.”

The librarians at the town library worked with Ms. DiSanto to provide books for the student book club, as well as multiple copies of books for an American history class group read, and numerous historical films for a world history class. All these services were provided through the Inter Library Loan Program. The students and staff at BHS are very grateful to the town librarians for their collaborative support.

The Summer Reading Program, *Read It* – 2006, included four books chosen by students and faculty. Students who read from this list and created a visual were invited to an informal book discussion and a pizza lunch in the cafeteria.

Ms. Kelley DiSanto led another faculty book discussion with middle and high school teachers. To coincide with the district’s Italian initiative the group read short stories, plays and folk tales from Italy. Two non-fiction books focusing on the Middle East will be read in the spring.

Ms. DiSanto took advantage of Burlington’s membership with the Teacher’s As Scholars Program and attended a course at Harvard on India: History and Fictions. With sixteen teachers from neighboring communities, three books were read and discussed about the Partition in 1947.

The library media center continues to meet the research needs of all students by providing print and non-print resources that support curriculum projects. We look forward to another successful year.

Respectfully submitted,

Susan Kelley DiSanto  
Library Media Specialist

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## MARSHALL SIMONDS MIDDLE SCHOOL

Marshall Simonds Middle School placed a strong emphasis on student learning and instruction in 2006. A new mathematics curriculum was implemented in grades 6, 7, and 8. New texts, supplementary materials, and technology were used to further designated program objectives. The adjustment of the social studies curriculum at the middle school was completed. The study of world geography was introduced to students in grade 6 and world history became the major content for students in grades 7 and 8. A major reorganization of the special education and guidance departments was completed in 2006. Special education teachers assumed responsibility for writing Individual Education Plans and ensuring that the schedules of special education students reflected their needs. Special education teachers also spent a large portion of their time working with team teachers in inclusionary settings. Guidance counselors were given more time to work individually with middle school boys and girls. Although they did attend I.E.P. meetings and consult with staff regarding optimum placement recommendations, counselors no longer were required to prepare student educational plans.

The communication between the middle school and the community remained at a very high level. Weekly newsletters, letters from the principal, a school website, P.T.O. sponsored “Education Nights,” alliances with the Lahey Clinic and the Burlington Education Foundation maintained a strong partnership between the home and the school.

The developmental growth of adolescents was emphasized by a number of activities that included educational field trips, school assemblies, Vaudeville, concerts, and an assortment of initiatives that recognized student achievement. Grade 7 student Courtney Tolliday was nationally recognized with a “Gold Key” by the Scholastic Art and Writing

Awards assessment of excellence in art. Grade 8 student Kevin Parker was selected as the recipient of a \$1,000.00 scholarship from the Math Moves U Middle School/High School Grant Program sponsored by Raytheon Company. Grade 6 student Mark Steinbach was the state winner of an essay contest sponsored by the Massachusetts Municipal Association. Mark's essay was entitled "If I Were Elected Leader of My Community I Would Make a Difference By."

In December, the School Council from Marshall Simonds Middle School identified the following goals for emphasis in the 2006-2007 school year:

1. Continue to implement "Inclusion" initiatives in grades 6, 7, and 8.
2. Initiate and coordinate instructional practices to address weaknesses in math competencies identified by grade level MCAS tests.
3. Provide professional development opportunities for middle school staff that will support school-wide literacy and address Adequate Yearly Progress in middle school English Language Arts.
4. Enhancement of a school environment characterized by tolerance and respect for all groups.
5. Articulate and identify the facility needs that exist at Marshall Simonds Middle School.

Eight middle school teachers retired in 2006. Spanish teacher Frank Droney spent eight years at the middle school, grade seven science instructor Jane Dolan worked at the high school and middle school for 21 years, and media specialist Arthur Pinsoneault devoted 25 years to elementary and middle school students. Technology teacher Kathleen Tsoukalas, grade 8 math teacher Barbara Intoppa, and grade 8 science teacher Lucy Morris each spent 33 years instructing Burlington students. Theodora Grelle, a grade 7 social studies teacher, dedicated 34 years of her life to the education of boys and girls in Burlington, and family and consumer education instructor Marlene Carroll was a teacher at the middle school and high school for 36 years. All of these outstanding educators have shared an abundance of their personal and professional attributes with the children who have been assigned to them. They will be greatly missed!

The middle school community looks ahead to 2007 with a strong desire and motivation to continue to address the academic and developmental needs of children in grades 6, 7, and 8.

Respectfully submitted,

Richard J. Connors  
Principal

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## FOX HILL SCHOOL

Fox Hill welcomed the following staff members in 2006: Susan Boari and Robyn Miliano – office staff, Erin Garwood and Tara Cedrone - Speech and Language Specialists, Neil Rebelo - Physical Education Teacher, Rose Magliozi - Library Instructional Assistant, Roberta Klix, Victoria McIsaac, and Donna Warrino - PDD teachers, and Lisa Oliver - School Nurse. All of the classroom teachers returned to Fox Hill in 2006 and a very qualified teaching staff remains in place.

Fox Hill is addressing a number of goals in the 2006-2007 school year. Fox Hill focuses on student achievement by reviewing MCAS data and creating school plans to address student needs, and we offer after-school programs supporting students with homework, writing, and MCAS preparation. We continue to hire and retain quality teachers by hiring staff with the necessary certifications, incorporating a shared leadership model, and supporting teachers with quality mentors within the school system. Fox Hill creates a climate to meet the needs of diverse learners where special education students are serviced in the least restrictive environment, and teachers are supported by their colleagues to create innovative instructional strategies to meet the needs of all learners.

The Fox Hill community takes an active role helping make decisions in the best interest of the students at Fox Hill. The Fox Hill Council assists the principal to establish school goals that are in the best interest of students. The Fox Hill Council is made up of parents and teachers with the goal of writing an effective school plan to address the needs of Fox Hill School. In addition, an advisory council of teachers helps make internal decisions to improve the daily operations at Fox Hill.

Teachers are encouraged to develop their skills through a variety of professional development opportunities. Staff at Fox Hill participate in school based, district-wide, and state run training. Training focus varies from language arts, MCAS strategies, Burlington Public Schools writing program, enhancement of technology, and sharing of best educational practices. These workshops create an atmosphere of life long learning among staff as well as students.

This year Fox Hill was fortunate to receive portable classrooms to support the increasing enrollment at Fox Hill. Fox Hill portable classrooms house two full-size classrooms, educational offices, and built in restrooms. Currently the fifth grade students are housed in the full-size portable classrooms. This additional space allowed for all classroom teachers and our music program to have classroom space to provide effective instruction.

Fox Hill School received a BEF grant to support a Fox Hill Spring Festival. The festival will be run with the support of the Revels Performing Arts Company. The grant will incorporate student cooperation, school spirit, music, and build school community. The school is looking forward to the celebration during the traditional Fox Hill School Spirit Week.

The Fox Hill music program is always creating school excitement and enthusiasm. Each grade level puts on special performances coordinated by classroom teachers and the music teacher. The Fox Hill chorus, a combination of 4th and 5th grade students, performs a winter concert and a spring extravaganza which are always spectacular. The Physical Education program supports the students with numerous activities including a popular obstacle course and culminating with an end-of-year field day. The art program proudly displays student creativity around the building. Student art can also be seen in the principal's office, the senior center, and local businesses.

The Fox Hill PTO continues to play an important role in the success of our students. PTO funds numerous events such as a pumpkin fair, winter festival, ice cream social, picnic, cultural activities, field trips, teacher appreciation luncheon, fifth grade graduation events, and much more. It is a pleasure to have the PTO and parent volunteers supporting the education of Fox Hill students. PTO utilized funding to purchase White Board technology, stage curtains, and support teacher initiatives

The Fox Hill School actively participates in numerous philanthropic events throughout the year. Items such as toys, books, games, coats, hats, mittens, and old cell-phones went to various organizations such as: People Helping People, Boston Community Schools, Coats for Kids, and US troops overseas. Students participated in each of these activities by decorating boxes, sorting and counting items, and speaking to classes about the upcoming charity events. Additionally, Fox Hill students raised money for Muscular Dystrophy through a "Hop-a-thon."

Respectfully submitted,

Eric Sprung  
Principal

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## FRANCIS WYMAN SCHOOL

Excellent education for happy children and child-centered learning activities continue to be the focus of Francis Wyman School this year 2006. Highlights of this year are as follows:

### January/February

Preparations continue for our international guests in late April with community volunteers assisting the Administration and the Italian teachers. DARE graduation witnessed fifth graders promising to abstain from substances such as tobacco and alcohol to the delight of their parents.

### March/April

Our traditional Dr. Seuss' birthday celebration brought many voluntary readers including the Superintendent, the Town Administrator, Selectmen Fay and McKelvey, and other dedicated community readers. Our generous fifth graders donated \$4,456.23 to St. Jude's math-a-thon; and, to the delight of intergenerational families, our Spring Carnival was held in April. Francis Wyman hosted the two professional development days to discuss such topics as India culture, curriculum mapping, math, science and literacy. Student Council's Penny Week collected and donated to Make-A-Wish Foundation. Kindergarten Story Hour greeted 94 excited, prospective Kindergarteners. We had our Welcome Party for our long awaited Italian guests from the Gabrielli Theater group of Rome.

## May/June

Culminating their American debut in Burlington, the Roman theater group left their mark on our engaged students and host families, and invited all to Italy ANYTIME. Growing Healthy Children Seminar continues with Health in Sports. Our Artist in Residence worked with our students on Italian tiles that grace our lobby near the auditorium. First grades hosted their annual Author's Tea which made many parents proud of their children's reading and writing talents. Two teachers retired in June, Donna Barrett and Nancy Abraham.

## September/October

Open House for all grades was held on two nights in early September. Outdoor education focusing on marine life brought our fifth grade team to Plymouth at Camp Bournedale on September 11th. In mid October, with the assistance of many dedicated parent volunteers, the fourth grade team under the direction of John Papadonis and Wendy Pavlicek of the Science Center launched the rockets they made, to the delight of all who witnessed 128 rockets lift off. The annual Halloween parade was witnessed by many smiling parents, teachers and staff.

## November/December

Professional Development discussed topics such as assessment, support of functional behavior and literacy, social studies and math. The Kindergarten team conducted their own Thanksgiving complete with student-made costumes and placemats as they dined on student-prepared food. Parent conferences were held in early December. Writing consultant, Bill Atwood, worked with teachers in grades 3-5 district-wide. Kindergarteners performed segments of the Nutcracker to a standing room only audience, including the retiring Superintendent Picone and the new Superintendent Spinos.

Another successful and challenging year at Francis Wyman.

Respectfully submitted,

Kathleen A. Burns  
Principal

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## MEMORIAL SCHOOL

The year 2006 continued to be one of learning, growth, and change for the Memorial School community. First, there were several changes in staff. Diane Ingvarsson, fourth grade teacher, and Marie Gordinier, librarian, retired after many years of dedicated service to the children and families of Burlington. Kindergarten assistant Joyce Baylor, building substitute Kristen Powderly, and speech and language assistant Stacie Sullivan moved on to new challenges. Due to these and additional changes in enrollment and grade level configurations, first grade teacher Michele Burnham joined the kindergarten team, and new staff members Valerie Burns, 5th grade teacher, Martha Stokken and Crystal Grigway, kindergarten assistants, Bethany Folger, speech and language assistant, and Melanie Duncan, building substitute, became part of the Memorial staff.

The school year 2006-2007 welcomed new students and their families to Memorial with the annual PTO-sponsored *New Family Night*. Over dessert and coffee, families new to the Memorial community had the opportunity to learn about the school and make new friends at the same time. Teachers hosted *Back to School Night for Parents*, inviting them to become partners in their child's education by providing an overview of the learning goals, expectations, and activities that children would experience in the coming year. Parents were also welcomed by the PTO co-presidents and encouraged to become involved in their efforts to enrich the school lives of Memorial students and staff.

In keeping with the district goals, the focus on literacy development and mathematics continued in grades K-5. Teachers took part in Professional Development experiences around literacy and writing, developing various ways to incorporate writing across the curriculum, including mathematics. Activities like *Read Across America* and the *Massachusetts Children's Book Award* program offered high-interest opportunities for children to extend and apply skills and develop confidence as readers and writers. Technology specialists worked with classroom teachers to integrate technology into various curriculum units. At each grade level, children learned to use the computer as a tool for research, writing, illustrating, presenting, and/or publishing, engaging students and enhancing learning.



Memorial also promoted a variety of additional learning opportunities. These included a Pre-School Read-Aloud program, designed to introduce children and their families to the school where they will attend kindergarten; concerts presented by the chorus and band in both winter and spring to showcase students' musical accomplishments and enrich the community at large; shared learning experiences with residents of Longmeadow and the Perkins School for the Blind to promote respect and understanding toward others; an after-school Homework Club for students in grades three through five to provide teacher-support for both homework and study skills; and an After-School Skills Workshop to improve students' writing and math skills.

Besides developing strong students, cultivating good citizens continues to be a priority at Memorial. The Responsive Classroom, a program designed to accomplish exactly that, is in place in most classrooms. Students in grades K-5 authored – and voted to adopt – the Memorial School Constitution in order to “create a safe, calm, happy, and caring environment, learn to take responsibility for our own actions at all times, and do the right thing even when no one is watching.” To foster this kind of behavior on a consistent basis, we adopted a program called the Pillars of Character. Each grade level will present an assembly for the school around one of six character traits - trustworthiness, respect, responsibility, fairness, citizenship, and caring - to teach their schoolmates what it means to demonstrate a particular trait. Memorial families demonstrated their understanding of respect and caring for others by generously contributing to the Burlington Food Pantry, Toys for Tots, Kitty Angels, Buddy Dog Humane Society, and Overcoats for Kids.

In a display of citizenship and appreciation, the Memorial community came together to observe Memorial Day. Third graders led us in the observance with a presentation of poetry, song, and historical vignettes to honor those brave men and women who were willing to put their country, and our freedoms, first. They also taught us about the meaning of our school's name and about the Burlington heroes of World Wars I and II, and the Korean Conflict, to whom our school is dedicated. Later in the day, the entire school created a wreath of fresh flowers to adorn the dedication plaque on the front porch. In November, we observed Veterans' Day at a whole-school assembly where we honored family members and friends of the Memorial community for their service to our country. Fifth graders explained how the day came to

be, fourth graders led the school in singing several patriotic songs, and the names of family members and friends of the Memorial community who have served, or are currently serving, were read aloud in silent tribute.

The tireless efforts of the PTO provided many 'extras' at our school, including enrichment experiences designed to expand students' views of the world. Ruby Bridges, the six-year-old child who changed the south forever by attending an all-white school back in the 1950's, changed us forever too when she visited our school in April and shared her story with students in grades two through five. “Give a person a chance,” she said; “don't make up your mind before you get to know her (or him).”

The PTO sponsored many other activities and events throughout the year to support and enhance learning, and to foster community among students, families, and staff. Wish List donations were made to classrooms, field trips received financial support, and events like the Ice Cream Smorgasbord for students in December and evening and weekend activities like Pizza/Movie Night, Pancake Breakfast, and end-of-the-year Family Picnic provided opportunities for us to learn and laugh together. A special event was added to this list - the Memorial School Annual Evening of Wine-Tasting. Held at the Hilton Garden Inn, it was extremely well attended by parents, staff, and members of the community. This adults-only evening was an enjoyable way to raise funds to support school activities and build relationships and strengthen friendships at the same time. Already in the planning stages, Memorial's Second Annual Evening of Wine-Tasting is sure to be a memorable event.

Memorial School continues to thrive as a learning community. Dedicated teachers and staff committed to student success, supportive families who care about their children and their school, and students who are enthusiastic about learning, all work together to learn and grow with and from one another. We are grateful for the support of the town of Burlington, and look forward with great anticipation to the construction or renovation of a new Memorial School.

Respectfully submitted,

Karen Rickershauser  
Principal

## PINE GLEN SCHOOL

At Pine Glen we focus on our goal of educating the whole child. We continue to challenge and support students about their learning in Literacy and Mathematics. Also, we are using curriculum mapping to support instruction in Social Studies and Science. Our arts program is strong, as witnessed by art shows and musical performances. In physical education our children learn to maintain strong bodies. The Italian program continues to be a valued program. As well as academic learning, we strive to support our children as they grow into community leaders. Through the formation of a Student Council, our students have been given a format for representation and a voice in decision making.

There have been several changes in staffing. Martha Ogren, Jill Papadonis, Carol Jacobson and Barbara Smola retired. Under Mrs. Ogren's guidance the library grew and children were introduced to a love of children's literature. As a grade 5 teacher Mrs. Papadonis exposed students to challenging learning and prepared the children for the transition to middle school. Carol Jacobson was the Literacy Specialist who oversaw the literacy learning for students. Also, Amy Hackett relocated and left our school. Each one of these professionals brought their special gifts to our learning community, and they will be missed. We wish them the very best as their lives move in new directions.

Staffing changes allowed us to hire several new staff members. Aimee Coutu, Anna Lisa Comunale, Sarah Fillebrown, and Deidre DeSalvador were hired. Aimee, Anna Lisa and Sarah had been working at Pine Glen over the past few years, in ancillary capacities. Due to the professionalism that each person demonstrated in these positions, they were hired as classroom teachers. We are pleased to have Deidre DeSalvador as our new Literacy Specialist. She works with students, does literacy training, and oversees our new literacy tutors, Julianne Roque and Joia Silva. Additionally, Beth Mosier, a music teacher from the district, has joined our staff, picking up additional classes as our school populations increases.

To meet the needs of an ever tightening budget, the number of librarians was reduced. Additionally, to make space for our ever increasing student population, the

library was moved to a new site. The new placement is on the basement floor where we have created a media area, putting the library next to a research room that connects to our computer lab. Buildings and Grounds was most helpful at getting everything ready for a new school year. We thank them for their support. After cleaning, painting and installing shelves, books were moved and the new space was ready to welcome students. Helen Downes serves our students as our Librarian. When she is working at another school, Rose Magliozzi works as a Library Assistant. They have been a welcome addition to our learning community.

In addition to our professional staff, Pine Glen benefits from the generosity of several community groups. Our School Council, made up of parents, teachers and community representatives advises us. Our PTO works very hard to support our valued traditions, Pine Glen gatherings, and enhance student learning through enrichment projects. The PTO has sponsored an artist-in-residence to work with all students, creating a mural that will grace our foyer. The conversation and planning took place this year. The mural will be created and unveiled early next year. Additionally, we continue to develop a strong relationship with the BEF. Recognizing all the support the BEF provides for our students, the Student Council planned a fundraiser, sponsoring a team at the BEF Spelling Bee. We are fortunate to have a community that stands behind our schools. In return, Pine Glen strives to help our children recognize that it is important to give back to our community.

The excitement in learning is apparent in all that we do at Pine Glen. We strive to care for our school, grow as citizens, and learn in all academic areas. We are grateful for the continued support that the citizens of Burlington provided to our school. It is our pleasure to guide our children and share in their learning. We thank the parents and the town for entrusting us with Burlington's most valuable resource...the children.

Respectfully submitted,

T. Jane Graham-Dwyer  
Principal

## BURLINGTON SCIENCE CENTER

The Burlington Science Center enjoyed another year of exciting Science! Here are some of the activities conducted this year to make Science Come Alive in Burlington Public School Classrooms:

- Two inter-active exhibits rotated throughout the Elementary Schools this year: *The Science of Prairie Dogs* and *The Science of Piranha*. Both the live Prairie Dogs and the Piranha were the result of generous donations to the Science Center for educational use.
- The new Starlab purchased by the Burlington Education Foundation was put to use this year. All the first graders in Burlington had the exciting opportunity to huddle inside and become awestruck by the starry skies instantly appearing before their eyes.

Photo by Rick Karwan



Pine Glen student, Cassie Ramirez and Ms. Pavlicek display the Science Center's American Alligator named "Maximo."

- The Science Center and Math Facilitator provided two exciting days of Professional Development for all Elementary Staff. The workshop series focused on the integration of Math and Science for Elementary Students. The first day provided essential-to-learning training in the area of the metric system and appropriate tools for measurement. The second day was highlighted by a series of training sessions at the Boston Museum of Science devoted to Elementary Engineering.
- This year's large auditorium program was entitled, *The Science of Birds and Flight*. Students were presented both a biological and physical science perspective to the world of flight. Some of the highlights of the program were: a large hot-air balloon, a live red-tailed hawk and tom turkey.
- The Science Center was featured in the *Boston Globe* with a full-spread article highlighting the program as an exemplar in Science Education.
- The Science Center continued its goal of providing high-powered Science Education via the following activities: chick hatching, frog hatching, live animal visitors, live animal programs, physical and earth science programs and reservoir/ beaver habitat and tide pool trips.

Respectfully submitted,

John N. Papadonis  
Wendy Pavlicek  
Mary Lou McQuinn

## COMPUTER/MEDIA SERVICES DEPARTMENT

This year has been one of adaptation and restructuring for the department. Retirements at the elementary level of two media specialists and a middle school media specialist, as well as a middle school computer resource teacher led to a reduction in staff. The department will miss the services of Arthur Pinsoneault, Marie Gordinier, Martha Ogren, Kathleen Tsoukalas and Maria DelCheccolo. Their contribution to the education of Burlington students and their dedication and professionalism are benchmarks all educators can strive for.

The four elementary schools share two media specialists and two instructional assistants. The administration, teaching staff and the media specialists have made this change work at the most efficient level possible. The middle school welcomed a new media specialist, Dennis Villano, who brings a multimedia and journalism background to the position.

The Computer/Media Services Department continued to support all aspects of computer, print and non-print media/library services for the entire district. The use of multimedia for research, curriculum development, and learning continues to expand as resources are made available on line and through the Internet. The use of electronic white boards in math classes at the middle school and the high school make learning in these classes more interactive.

The entire system has benefited from the increased speed of our fiber optic wide area network and increased Internet access speed. Each school has access to an updated common server where information is stored in folders for faculty and students. Our communication with the community at large continues to expand with our web pages, use of e-mail and continued use of our expanded phone system. The use of Connect Ed, an electronic web based phone message service, provides the school district a powerful tool which allows very quick time sensitive calls to all school age families about school closing for weather and for special events going on in the school district.

Our long-term technology planning for the school district is providing the right technology for the needs of classroom teachers, specialists and students to use on a day-to-day basis. Our budget has provided for new software and support materials that provide staff with the resources they need to support education with technology. The budget also supports the repairs of both media and computer equipment with minimal down time. Our technical staff provides excellent support for all types of equipment and the maintenance of our network.

The library/media and computer department staffs extend a heartfelt thank you to the townspeople of Burlington for their support of these vital educational programs and support services.

Respectfully submitted,

Arthur Fallon

Coordinator of Computer/Media Services

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## MUSIC DEPARTMENT

The year 2006 was a very strong year for the Music Department. Students excelled in their General Music classes and in their performing ensembles. Music teachers continue to add richness into the culture of each building through the use of music at various assemblies. With the help of the Music Booster's organization and the support of the administration, equipment was maintained. Enhancements were made to the program with the addition of new instruments, technology, and concert attire. The Curriculum was fortified through the professional development workshops with the updated Curriculum Maps, and the addition of the Common Curriculum Maps. Finally, the Music Faculty produced a department mission statement and expectations.

In the four elementary schools, every student in grades 1-5 performed for the school with their General Music Class. These performances showcased the achievement and skill development as well as practical knowledge of music. The joy is evident when a child is proud of their achievements and when they see the emotional affect their music has on their audience. Hundreds of fourth and fifth grade students took advantage of the opportunity to participate in Chorus and Band ensembles. These ensembles produce two formal concerts during the year for parents and two for the school. Each performance was unique to the building and showcased the students' talent and hard work. This is due in large part to the passion and determination of the elementary music teachers: Susan LaVoie, Beth Mosier, Jeanne Coroniti, Jennifer Agati, Mark Napierkowski, John Butler, and Linsley Peabody.

In the Middle School, the Symphonic Band, Concert Band, Jazz Band, Chorus, Boys' Chorus, and A Cappella ensembles performed at two formal concerts for parents and many assemblies for the students. The General Music classes in grades 6 and 7 continued to provide quality music education. The music classes fostered practical skill development on the guitar and piano as well as knowledge of composers and styles.

At the high school, the Chorus, Concert Band, Select Singers and Jazz Band all performed at formal evening concerts for parents and community. In addition, these ensembles added to the culture of the building with their performances at the 911 Ceremony, Veterans' Assembly,

Holiday Assembly, etc. The Music Theory students produced an original compact disc recording of their own compositions. Musical Theatre classes produced songs, monologues, dances, and scale set design models. Individual students excelled in regional competitions. Brianna Bensenouci, Katherine Teebagy, and Meghan Murray were accepted into the Senior District Festival Chorus. In addition, Meghan Murray participated in the All-State Chorus performing at Symphony Hall in March. Finally, she went on to audition and was chosen to participate in the All-Eastern Honors Choir to perform in March 2007 with the best singers from the Eastern United States.

The Marching Band was again participating at every football game. Proudly, we are the only Middlesex League School that has a marching band at every football game, home and away. This year, the band was proud to continue its season by performing at the playoff and the Super Bowl games. The Marching Band again participated in the Salem Invitational. The advisors once again ensured a quality performance that the town could be proud of: Matt Lovell, Jennifer Agati, John Butler, and Katina McClain.

The annual Spring Musical was ANYTHING GOES. This production showcased the talents of many dancers, actors, and singers in a classic Cole Porter Comedy. The community turned out in record numbers to see the show that was a huge success. Advisors for this production worked tirelessly to oversee all the details of the production: Leanne Reardon, Susan LaVoie, and John Middleton-Cox. Parent volunteers constructed an impressive two-story set depicting the stern of an ocean-liner. All the volunteers deserve to be congratulated for their countless hours of work.

Quality supplies, textbooks, and equipment continue to be purchased and maintained. Examples of these are: Band instruments, digital pianos, general music textbooks, recording equipment, and concert scores. This is due in large part to the support of the School Administration.

The Music Boosters continued to provide invaluable services and support for the Marching Band and Chorus, including the funding for the new Chorus Concert Attire.

The Music Staff completed common curriculum outlines. The outlines provide the agreements among all music staff, by level, as to what will be taught. Finally, the music staff produced a mission statement and a list of student expectations. They are listed above.

## MISSION STATEMENT AND LEARNING EXPECTATIONS

### Music Department Mission Statement

The Music Department of the Burlington Public Schools prepares students for a lifelong appreciation and understanding of music by offering a challenging and diverse music curriculum as guided by the state and national frameworks.

### Student Learning Expectations

Burlington Music Students will:

- A. Present quality performances
- B. Achieve music literacy
- C. Explore a diverse repertoire
- D. Form community connections

The Music Department provides students with the opportunity to develop positive relationships and long lasting memories.

Respectfully submitted,

John A. Middleton-Cox  
Music Coordinator

## ATTENDANCE MONITOR

The function of the Attendance Monitor is the enforcement of the Department of Education regulations pursuant to compulsory school attendance. Children between the ages of 6 and 16 years are required to be enrolled in a public, private, or School Committee approved home-schooled program. Daily attendance is monitored. Telephone contact is made with the home when notification of absence by the parent has not occurred. Habitual tardiness and absenteeism result in further intervention by the administration and appropriate action is taken. Parents are encouraged to help their children maintain regular and timely attendance so necessary for the achievement of academic success.

Students between the ages of 14 and 18 years seeking part time employment may obtain employment permits from the Office of Pupil Services. Permits are issued specifically for the work positions stated on the certificate. When a student seeks another position, a new permit must be obtained. It is the responsibility of the Attendance Monitor to maintain records pursuant to student employment. The Department of Labor and Industries publishes a booklet providing information relative to child labor laws affecting student's employment. Copies of these booklets are available to students in the Office of Pupil Services.

Students out of school ten days or longer due to medical purposes are provided with home/hospital tutorial services. It is the responsibility of the Attendance Monitor to obtain a Physician's Statement for Temporary Home or Hospital Education filled out and signed by a Physician. This form is kept on file and needs to be updated every six weeks. The Attendance Monitor assigns a tutor to work with the student and oversees the hours of service and length of services provided to each student.

The Attendance Monitor acts as the designated school district Homeless Education Liaison required by the McKinney-Vento Act. This role is to assist homeless students enroll in school and to ensure they receive the educational services for which they are eligible. The liaison is also responsible for maintaining all records and submitting annual data to The Commonwealth of Massachusetts Department of Education.

The Department of Education requests that Spring and Fall Statistical Reports be filed each year. As a result of the changes in both state and federal law, there has been a significant increase in the amount of data that the school department must submit on an annual basis. With the implementation of *No Child Left Behind*, there will be an even greater increase in federal requirements for information.

Respectfully submitted,

Debra P. Miller  
Attendance Monitor

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## SCHOOL PHYSICIAN

All the standard and sports physicals have been completed. The physicals for the elementary and middle schools will commence in the spring. All the students have been courteous and orderly during these examinations. My thanks go to the nurses for organizing and coordinating these student physicals so that this difficult task goes smoothly and efficiently.

My hearty congratulations go to our champion football team and coaches for the best season ever! Their determination, drive and stamina against stiff competition were an inspiration to all of us, as well to future high school players. My appreciation goes to the trainers for their assistance during the home games which I attend.

As always, my gratitude goes to the school and sports departments for giving me the honor and the opportunity to serve as their school and team physician these past 23 years.

Respectfully submitted,

Gary L. Goldfarb, M.D., F.A.A.P.  
School Physician

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## SCHOOL NURSES

The Burlington School Nurses have continued to meet challenges and maintain their distinct clinical knowledge base for decision making in their school nursing practice. Our school nurses modify, remove health related barriers to learning, teach health promotion, and encourage an optimal level of wellness for their students. Each school employs a full time registered nurse. We have participated in various continuing education workshops such as Asthma prevention and management in the school setting. Each nurse is certified by the Massachusetts Department of Education and upholds the same standards as educators.

The following is a summary of services that were provided during the school year:

- Health room visits by students
- Health room visits by staff
- Flu Clinic for staff at the High School and Fox Hill School

- Emergency assessments, acute injury care, and referrals
- Medication administration, both daily and in emergency situations
- Individual Health Care Plans and team participation for 504 Plans
- Allergy and Asthma planning with interventions
- Training and communication to staff related to health issues, actual and potential
- Participation in Emergency Response Teams
- Emergency Care Plans
- Infectious disease control
- Vaccine surveillance, vaccine compliance and coordination with Burlington Public Health Nurses
- Prevention and health promotion
- Nutritional health
- Mental health, developmental stages, puberty teaching
- Refugee and Immigrant health
- Participation in school health physicals
- Communication to families regarding health screenings
- Statistics to Massachusetts Department of Public Health
- School-based alcohol and tobacco prevention education

All children were screened for hearing, vision, height and weight. Students in grades 5 through 9 were screened for scoliosis problems. Appropriate referrals were submitted to families' primary care physicians.

The Burlington School Nurses would like to thank the administrative staff and the School Committee for their dedication and support.

Respectfully submitted,

Patricia A. Peach, RN, BSN  
Director of School Nurses

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## BUILDINGS AND GROUNDS

Last year the Burlington School Department received two modular buildings, through the generous donation of the Raytheon Corporation. These buildings are now being utilized as portable classrooms at the Memorial and Fox Hill Elementary Schools as temporary space to help alleviate overcrowding. Last spring, Town Meeting voted to authorize a bond for the purpose of replacing Memorial Elementary School and partial replacement of the Burlington High School roof. The Facilities Committee is now in the process of choosing a Project Manager and an Architect to assist in the design and construction of these projects.

The Burlington School Department buildings continue to see significant improvements through the support of the School Committee, Ways & Means, Capital Budget, Town Meeting Members and numerous Parent Teachers Organizations. The students and staff can continue to look forward to a safe and clean educational environment. The Buildings and Grounds personnel thank those involved for their past and future support in our effort to make the Burlington School Department a showcase for all users.

Respectfully submitted,

Craig Robinson  
Director

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## SHAWSHEEN VALLEY REGIONAL VOCATIONAL/TECHNICAL SCHOOL DISTRICT

The Shawsheen Valley Regional Vocational Technical School District is pleased to submit its 2006 Annual Report to the citizens of Bedford, Billerica, Burlington, Tewksbury, and Wilmington. Located on Cook Street in Billerica next to the towns of Burlington and Wilmington, the school celebrated its 36th anniversary this year, perpetuating the highest quality in vocational technical education to area youth and residents.

The elected representatives of the 10-member Regional School Committee that governs the District are: Mark Trifiro, Treasurer, and Donald Drouin from Bedford; Kenneth L.

Buffum and Bernard F. Hoar, Vice-Chairman, from Billerica; Paul V. Gedick and John P. Miller from Burlington; J. Peter Downing and Patricia W. Meuse, Secretary, from Tewksbury; and James M. Gillis, Chairman, and Robert G. Peterson, from Wilmington. Charles Lyons has been Superintendent/Director of the District since 1987.

Shawsheen Valley Technical High School (SVTHS) is one of 26 regional vocational technical school districts in Massachusetts. One thousand two hundred and fifty-four (1,254) high-school students were enrolled in SVTHS's day school programs in October of 2006 and more than 600 adults participated in the school's various adult and continuing education courses.

In June of 2006, Shawsheen Tech graduated 254 seniors. By September of 2006, ninety-six percent of SVTHS graduates were either employed in their area of expertise or pursuing higher education. In addition, one percent entered the military forces, and three percent were employed in other trade areas.

The Shawsheen Tech faculty is an exceptional group of talented academic and vocational-technical educators who are all highly qualified to teach in their respective disciplines and occupational areas. Shawsheen employs 131 full-time teachers as well as 16 paraprofessionals (teacher aides). Of those full-time teachers, there are 11 department heads and 16 lead teachers. All SVTHS teachers hold state certification credentials and exhibit the character, health, personality and professional competency worthy of serving the needs of District students.

### NEASC Accreditation

During the 2005-2006 school year, the SVTHS staff completed its self-study in preparation for the fall decennial visit by the New England Association of Schools and Colleges, the accrediting agency for secondary schools in this area. The visiting team conducted a peer evaluation on October 16-19, 2006.

In its summary remarks the visiting team commended Shawsheen Valley Technical High School on the following:

- The school's atmosphere – including the working relationships and rapport among students, staff, administration and support personnel.
- The school grounds and physical plant, which are exceptionally clean and well maintained.

- A very positive relationship that exists between SVTHS and the five towns in the district.
- Ten of the nineteen technologies have achieved national accreditation status.

The findings of the decennial visiting team will be reported out at the commission's spring meeting in April at which time it is expected that the commission will vote continued accreditation for Shawsheen Valley Technical High School.

### Academic Programs

**MCAS Performance:** Shawsheen Valley Technical High School students remain preeminent among their vocational peers on measures of English Language Arts (ELA) and Mathematics competencies measured statewide by MCAS testing. Ninety-nine percent (298 of 301 students) of the current senior class has attained an MCAS Competency Determination by passing the MCAS English Language Arts and Mathematics portions of the test.

In the spring of 2006, the performance of Shawsheen sophomores on the ELA MCAS test once again attracted positive attention. Measured by the Advanced-Proficient index, which represents the number of students who score at or above MCAS' Proficient level, this school's tenth graders outperformed their peers from all other Massachusetts vocational-technical high schools on the ELA test. Seventy percent of Shawsheen's sophomores scored within the index range, exceeding the state average by one point. Ninety-seven percent of Shawsheen's 319 sophomores passed the test on their initial attempt.

In the spring of 2006, sixty-two percent of Shawsheen Valley Technical High School's sophomores scored within the Advanced-Proficient range in Mathematics, and ninety-six percent passed the test on their initial attempt. Measured by the Advanced-Proficient index, the outstanding Mathematics performance of Shawsheen's sophomores ranked seventh among the thirty-one Massachusetts vocational-technical high schools.

**NEASC Decennial Evaluation:** Under the direction of recently retired Guidance Director Bruce Perkins, the SVTHS faculty and staff conducted a yearlong, comprehensive self-review of the school's academic programs. The review identified many areas of program excellence—which were subsequently commended by the NEASC visiting team—along with areas whose improvement would strengthen an already preeminent program.



**New Staff:** As SVTHS continues to be impacted by the retirement of veteran staff, the school has had the opportunity to add new talent. Shawsheen Tech began early in the school year to plan recruitment activities. SVTHS staff was actively involved in the planning of the second annual Merrimack Valley Recruitment Fair, which was held at the Lowell Auditorium in March of 2006. Members of the faculty circulated within the large crowd at the event distributing the Shawsheen Tech recruitment brochure and speaking personally with potential hires. Shawsheen's participation in the Merrimack Valley Recruitment Fair, as well as the posting of vacancies on Monster.com, resulted in the hiring of most new teachers well before the end of the school year. The new academic faculty include: Ms. Patti Timmerman (Reading), Ms. Christy McKee (English), Ms. Stacy Taucher (English), and Ms. Ginny Ryan (English), Ms. Jennifer Neville (Mathematics), Ms. Diane Leary-Uong (Science), Mr. William Bellino (Social Studies), Ms. Kristy Michalek (Physical Education), and Mrs. Catherine Banda (Support Services).

### Support Services

During the 2005-2006 school year, the SVTHS Support Services Department continued to make significant advancement in the process of preparing Individual Educational Plans (IEPs) and communicating individual student needs to teachers. A secure, web-based software program (Excent) now allows the SVTHS professional staff 24/7 access to a student's IEP. All staff has received training in utilizing the IEP software in support of students' needs thereby increasing the communication between the educational staff, student, and parents.

With the graduating Class of 2006, all students on IEPs met State Competency Determination and local graduation requirements. Contributing to the MCAS success of Special Education students at Shawsheen was the extra effort taken to identify and implement appropriate accommodations for students with diagnosed special needs. As a result of a "team" effort on the part of Academic, Vocational/Technical and Special Education staff to address the needs of our Special Education population, Adequate Yearly Progress (AYP) was achieved in both English Language Arts and Mathematics.

Throughout the summer of 2006, the Support Services Department members committed themselves to profes-

sional development. Teams of SVTHS educators developed curricula in the content areas and transition planning that integrates the vocational competencies for students with special needs. Of particular note, a team of Shawsheen educators from both the Science and Support Services Departments worked on developing a curriculum to accommodate students with special needs in a science lab environment. Funded by a National Science Foundation Grant through the sponsorship of Boston University, staff training took place at B.U.'s educational facilities with instruction provided by university staff members.

### Students Clubs and Activities

**SVTHS Video:** Students and staff collaborated to update the informational video used during visits to district middle schools. Teams of students and staff present these "Road Shows" to students who are considering applying to the school. During the summer, Shawsheen's Audio-Visual Specialist Ms. Joanne Wicks, who also serves on the Board of Directors of Billerica Access Television, posted the new "Road Show" video on BATV for the community viewing.

In anticipation of the decennial visit by the New England Association of Schools and Colleges, Ms. Joanne Wicks, along with Mr. Don Meskie of Computer Science and Internet Technology, Mr. Tim Broadrick of Graphic Arts, and Mr. Tim Woodward of the English Department, designed and produced an extraordinary "Community and School Report" video with the able assistance of Computer Science and Internet Technology students Brandon Castrello, Richard Pantano, Paul Ware, Chrissy Hawes, and Derek Bouley.

**Web Club:** Throughout the school year, SVTHS's Computer Science and Internet Technology faculty and students maintained and updated school web site, <<http://www.shawsheen.tec.ma.us>>. This talented technical team filmed, edited, and downloaded for streaming on the Shawsheen website athletic and other school events.

**Gay/Straight Alliance:** Shawsheen Tech has been spared diversity-based incidents, owing in large part to the continued awareness and respect for diversity fostered by the Gay/Straight Alliance (GSA) under the thoughtful leadership of its faculty advisor, Ms. Christine Tobin. The GSA meets regularly at the school and provides a forum for students to educate each other and their school community about issues relating to sexual orientation.

**Student Council:** Directing attention to the less fortunate continues to be the focus of Student Council activity. The annual Food Drive and Turkey Bowl generated \$525 and twenty cases of food for the Billerica Food Pantry. The recycling program—also an ongoing school commitment—expanded the scope of its recycling program to include printer cartridges, cell phones, paper products, and five-cent returnables.

**Newspaper:** From writing to photography and layout, SVTHS students have demonstrated considerable academic and vocational talents in 2006 by producing four editions of the school newspaper, *The Rampage*. Articles are generated via English classes while Commercial Art and Design students produce photographs before Graphic Arts students design, layout and print a quality product.

**Literary Magazine:** The Shawsheen Tech Literary magazine, *Ramblings*, was published at the end of the school year and highlighted the visual art and creative writing talents of Shawsheen Tech students as well as staff members. Selections included illustrations, photography, short stories, poems and essays.

**Drama Club:** The Drama Club's spring 2006 production was *The Butler Did It Again*, directed by, Tim Kelly. The cast and crew consisted of twenty students who were co-advised by Ms. Angela Caira and Mr. Timothy Woodward. The students and staff in Masonry, Carpentry, and Commercial Art and Design planned, built and decorated the set. The process of bringing a full-stage production to fruition was an arduous but cooperative task that resulted in two very successful performances. The Drama Club is planning a dinner cabaret for the winter 2006 as prelude to its spring stage production.

**Oratory Club:** The oratory club holds meetings before and after school to discuss and practice strategies for successful interviewing as well as writing and presenting speeches. Some of the contests that students participate in are *The Voice of Democracy*, *The Lions' Club Youth Speech Contest*, *SkillsUSA Prepared Speech*, *SkillsUSA Extemporaneous Speech*, and *SkillsUSA Job Interview*.

**All Night Graduation Party:** A culminating highlight to the school year is the highly successful All Night Graduation party that is held on the evening of graduation. The Shawsheen Tech Parent Activity Council created the event and is instrumental in its planning (along with Class

Advisors) and funding. This fun and safe activity for the graduating class was truly a memorable concluding activity for the Class of 2006.

**Alumni:** Under the direction of faculty advisor Ms. Gail Poulten, the Shawsheen Alumni Association is forming seminal committees and heading in an exciting new direction. Any SVTHS alum interested in working with Mrs. Poulten should contact her at [gpoulten@shawsheen.tec.ma.us](mailto:gpoulten@shawsheen.tec.ma.us) or 978-671-3584.

## Athletics

More than 415 students participated in interscholastic athletics capturing the Commonwealth Athletic Conference Championships in golf and spring track (League Meet) and a share of the title in hockey. SVTHS state tournament qualifiers included golf, boys' and girls' soccer, boys' and girls' basketball, hockey, wrestling (individual and team), lacrosse, spring track (individual), softball and baseball. Also, the football team captured its first-ever State Vocational (Large) Championship. The softball and girls' soccer teams were State Vocational Finalists while the Volleyball team also qualified for State Vocational tournament play. Spring of 2006 also included the second year of sub varsity competition for the Shawsheen Rams girls' lacrosse program. Girls' lacrosse will compete at the varsity level in 2007.

In addition to these outstanding teams, SVTHS athletics developed exemplary individual athletes. Kyle Marzeoti of Billerica was selected to the Boston Globe and Boston Herald All-Scholastic football team while Derek Sorensen and Keith Wiitala, both of Billerica, advanced to the MIAA All-State Wrestling tournament. Moreover, dozens of SVTHS student athletes received league all-star recognition in various sports.

## Capital Improvements

The Capital Budget for FY2008 – 2012 was approved by the School Committee at its meeting on December 19, 2006. The initial requests for FY 2008 exceeded \$1.6 million that has been reduced to \$920,703. The fiscal impact on our five District communities will be only \$562,252, reflecting a modest increase over the assessment for FY2007 that was \$535,985.

Major increases in the capital budget for FY 2008 include:

- \$180,757 reflecting the new interest cost for the approved \$5.5 million bond issue that will provide for a new school roof, upgrades to our heating, ventilation and air control systems, and needed enhancements to our electrical systems
- \$80,000 to purchase new walk-in refrigerators for our cafeteria
- \$29,000 for a steamer and steam kettle unit for the culinary arts program
- \$40,000 for a portion of the costs for improvements to the pool
- \$96,000 for computer replacements as part of our four-year computer technology plan

Revenues to be used to offset the FY 2008 capital budget to minimize the assessment to member towns total \$358,451 includes:

- \$151,403 in reimbursement from the Commonwealth of Massachusetts for the bond issue used to replace our windows
- \$67,666 from grants from the federal government
- \$125,700 from various revolving funds
- \$13,682 in interest earned from investments

The Capital Budget does not contain funds to make major repairs to the school pool as recommended in a report received from KBA architects in late November of 2006.

## Community Services

**Adult Evening School:** The Adult Evening School continues to offer a wide variety of opportunities to adults interested in expanding their vocational and technical knowledge and skills. More than thirty courses are offered during both the fall and spring semesters. The enrollment in these courses has exceeded six hundred adult learners during the past year. Course offerings include a variety of traditional vocational programs such as welding, electrical, woodworking and collision repair as well as technical programs in Adobe Photoshop, web design, digital photography and computer applications. Residents interested in taking these and other types of practical courses are encouraged to contact Mr. Art Holmes, Adult Education Coordinator, at (978) 667-2111 for information and/or a brochure.

**School of Practical Nursing:** During June commencement exercises, the School of Practical Nursing graduated its twelfth class, comprising 36 Licensed Practical Nurses (LPN). Since its inception in September of 1994, a total of 429 students have successfully graduated from this program and have gone on to rewarding careers as Licensed Practical Nurses. This intense ten-month program offers qualified adults a combination of evening coursework and clinical externship experiences that prepare aspiring healthcare professionals for the state LPN exam. The significance and benefit of this valuable program to the community is magnified by the extreme shortages of qualified healthcare professionals that exist both locally and nationally. Residents interested in applying to the LPN program are urged to contact the Director of the School of Practical Nursing, Ms. Patricia Noonan, at (978) 671-3646.

**Middle School Career Awareness:** There were 472 middle-school students from the District who participated in after-school, career awareness activities during the winter of 2005-06. Students spent five hours exploring six of twelve different career path options aligned with the manufacturing, transportation, services, information technology and construction industries. Mr. Richard Lavoie coordinates this program in conjunction with a guidance counselor from each of the middle schools located within the district. He can be reached at (978) 667-2111, Extension 594 for registration materials or general information. The program is free of charge and is available to District middle-school students. Busing is provided by SVTHS.

**Tech Prep:** SVTHS is very proud of the articulation agreements that it has developed with nine local colleges. Through the nationally recognized Tech Prep program, these agreements provide qualified SVTHS students the opportunity to receive college credit for coursework completed prior to high-school graduation. Students receive post-secondary credit when they matriculate into a degree program at one of the nine institutions. These Tech Prep articulation agreements serve to further develop career paths for our graduates, maximize their interest in obtaining advanced degrees in their vocational-technical areas and assure that students are engaged in a post-secondary educational career path that is both relevant and rewarding. Ongoing negotiations with several union and open shop apprenticeship programs focus on articulated advanced-placement for qualified students who choose to enter apprentice programs upon graduation.

**Summer School:** SVTHS enrolled 127 students from ten surrounding school systems in twenty-six courses during the summer of 2006. Courses were offered in English 8, 9, 10, 11, 12, and Remedial Reading; Mathematics 7, 8, 9, 10 and 11; Pre-Algebra; Intermediate Algebra; Algebra 1; Algebra 2; Geometry; U.S. History; Civics; Civics II; World History/World Civilization/World Cultures; Middle-School Social Studies; Lab Physical Science; Lab Biology; Earth Science; Health; and Physical Education. Many courses were team taught, requiring students to complete integrated research tasks in a state-of-the-art PC lab. Remedial Reading instruction was offered by certified Consulting Teachers of Reading using traditional and technologically assisted instruction. Individual and small-group pull-out tutoring was available for students whose Individual Educational Plans stipulated these services. Individuals seeking summer-school information should contact Dr. Robert Kanellas, the Summer School Coordinator, at 978-671-3640.

**Swim Programs:** SVTHS offered several high-quality swim programs on a year-round basis during 2006 in its Olympic-sized swimming pool. Youth swim lessons, and family-swim programs were available on a regularly scheduled basis during the winter, spring, summer and fall seasons. In addition, the Shawsheen pool acts as the home site for interscholastic high-school swim teams from the Billerica, Bedford and Burlington public schools. During the summer months, local organizations and recreation departments from Wilmington, Tewksbury and Burlington schedule pool hours as part of their respective summer recreational programs. Individuals seeking swim program information should contact Mr. Anthony Fiore, Aquatic Director, at 978-671-3699.

**Billerica House of Correction:** The Billerica House of Corrections opened a new facility during this year that included a state-of-the-art Culinary Arts training kitchen with classrooms. SVTHS provided extensive technical assistance to the House of Corrections by working closely and collaboratively with their staff to develop and implement a 300-hour Fundamentals of Culinary Arts course and curriculum. This course will consist of 200 hours of hands-on kitchen instruction supplemented by 100 hours of related classroom theory that includes acquisition of the nationally recognized ServSafe sanitation credential. This program will begin providing valuable training to inmates during FY 07. Shawsheen Tech looks forward to continuing to provide technical assistance through the development of

a second 300-hour course to be made available to those who successfully complete the initial offering. In addition, Shawsheen Tech will provide end-of-course assessment services that will validate inmate achievement of the course objectives.

**Middlesex Community College:** SVTHS entered into a partnership with the Hospitality Management Department of Middlesex Community College to deliver four courses at Shawsheen Tech as part of the requirements for its Culinary Arts Certificate or Associates in Science Degree option. The courses that will be delivered in the kitchens and related classrooms at Shawsheen Tech are Culinary Skills and Restaurant Service, Culinary Theory, Baking and Pastry, and Sanitation and Food Service Operation. The initial offering of the first two courses took place during the spring semester with solid student enrollment and exemplary student evaluations.

## Computer Services

**Student Information System:** The Computer Services staff completed the 2006 Academic School Year using the "iPASS" student information system meeting all Department of Education and district reporting requirements. Changes were implemented in iPASS to meet the Department of Education's new end of year requirements for reporting summer transfers, dropouts and summer graduates. In February, a training session was presented to all vocational teachers on the Certificate of Occupational Proficiency report that allows vocational teachers to provide each student with a detailed report of the student's competencies in their shop area. In February and July, the Computer Services department submitted the Department of Education's School Safety and Discipline Reports. Shawsheen was one of only twenty-five schools in the state to submit the report electronically. In the spring, Computer Services introduced student pictures into the iPASS database so teachers could see a student's picture on-line. In the spring, Computer Services setup and trained the Nurse's office to use the "iHealth" module of iPASS. This allows the Nurse's office to track all visits to its office and provide reports of services delivered. During the summer, all student academic scheduling as well as ninth grade exploratory scheduling was completed. The customized "welcome back to school" letter to parents was also generated by the iPASS system. In the fall, student progress reports and 1st quarter report cards were produced. Customized "Failure" letters to parents were also generated for any student that had failed one or more classes for the

first marking period. In the fall, the Computer Services department added the Class of 2010 to Parent Access Manager. Use of the iPASS Parent Access Manager has increased from 25% (2004) and 53% (2005) to 65% of the parents this year. The Parent Access Manager allows parents to view up to date information on their children in the areas of attendance, grades, schedules and discipline information.

**Computer Network:** In early spring the Shawsheen iPASS database server and iPASS front-end web server were both upgraded with new hardware to improve performance on the network. During May, the old external email server was replaced with a new external email server that also acted as a SPAM filter for all incoming email. During the summer major computer and network upgrades took place in the updated Computer Aided Design & Drafting area and updated Commercial Art & Design area. In addition, a new network switch was installed in the library to allow more computers to be added to the school network. The school's telephone system was reviewed, and an outdated voice mail server and fax server were replaced. A new "Point of Sale" (POS) system with a server and four POS registers was installed in the cafeteria along with the network equipment to tie the system into the school network. Finally during the summer, a Business Information Services computer lab and an academic computer lab were upgraded with new Dell computers and LCD displays. In the fall, the Microsoft Exchange server failed and had to be replaced, and the four-year computer technology replacement plan was reviewed and updated for new technology needs and approved by the SVTHS Technology Committee. During the Christmas vacation shutdown period, the Business Information Services lab was re-imaged for new software updates and the Commercial Art & Design department's server was upgraded with an additional hard drive.

**Applications:** The computer staff continued to maintain the Kurzweil text-to-speech software system as well as the Plato Math and English software for student use in the Math and Support Services departments. The Master Cam software system was upgraded for the Machine Technology department as well as the computers in its shop to enhance student training. The computer staff continued to service the teaching staff in the use of Grade Machine software to allow teachers to track quizzes, homework, tests, class grades, etc and then automatically calculate a student's final grade for the marking period. The computer staff installed the Mitchell software training system and server for use by the Diesel Mechanics department. In addition the Computer Services

staff provided data for the Classes of 2000 through 2006 for compilation of an alumni database. Finally, the Computer Services department started the implementation of phase one the new AlertNow Rapid Notification Service to provide automatic telephone calling to parents and guardians of students for school related activities.

## Guidance

**Admissions:** The popularity of Shawsheen Valley Tech among district eighth graders continues to rise. Each year Shawsheen Tech accepts 325 freshman students from an applicant pool of more than 600.

**College and Career Planning Night:** The College and Career Planning Night again attracted in excess of 500 people. In addition to SVTHS students and their parents, students and parents from the district towns availed themselves of the opportunity to meet with college representatives as well as members from business and industry. More than forty colleges and career schools were represented at the event, as were all branches of the armed forces. In addition to acquiring information on a variety of traditional trade and technical careers, students had the opportunity to further investigate Tech Prep options and explore financial aid opportunities.

**Financial Aid Night:** In January, the Guidance department was able to partner again with the Massachusetts Educational Financing Authority (MEFA) in presenting comprehensive workshops to assist students and parents in understanding the financial aid process. In addition to a presentation on the completion of the Free Application for Federal Student Aid (FAFSA) form, SVTHS students and their parents received information about scholarship sources both locally and nationally.

**Scholarships and Awards:** One hundred forty-seven (147) graduates received scholarships at the annual scholarship and awards night. Local community organizations and SVTHS affiliates contributed approximately \$70,000 in scholarship assistance. In addition, Shawsheen graduates received prestigious awards and scholarships from college/career schools and the state-sponsored scholarship program designed to recognize academic excellence. Through the generous support of the industrial community, many graduates received tool and equipment awards.

**Cooperative Education Program:** The SVTHS Cooperative Education Program enjoyed continued success in 2006.

More than fifty-two percent of the Class of 2006 (including representatives from all 19 vocational-technical programs) participated in the "training through work experience" opportunity. With the assistance of local industry, seniors have the opportunity to work in their field of study during senior year. Many of these positions lead to permanent job placement upon graduation. Participating employers have been helpful in assisting Shawsheen in the implementation of a state initiative to expand the evaluation process of students enrolled in the Cooperative Education Program.

### School Council

The SVTHS School Council consists of three parents, two community members, two students (one voting, one non-voting), and two Shawsheen teachers. It should be noted that several individual members of the school council have served in this capacity for a number of years contributing their time and energies to this important agency of school governance. Assistant Superintendent-Director/Principal Dr. Robert Cunningham and community member Ms. Nancy Higgins are the Council co-chairs. Student Ms. Amanda Barme of Wilmington is the secretary. Other members are: Ms. Donna Young (academic teacher), Ms. Margaret Costello (vocational teacher), Mr. Bob Lazott (community member from Billerica), Ms. Susan Peschel (parent from Billerica), Mr. Cosmo Ciccariello (parent from Burlington), Ms. Jean Perry (parent from Billerica) and Ms. Erin Walsh (student from Wilmington).

During the 2005-2006 school year, the Council discussed agenda items including the school budget and changes to the SVTHS Student Handbook. The Council approved two major changes to the Student Handbook: first, the inclusion of both Shawsheen's non discrimination policy and its Mission, Vision, and Values statements; second, a policy requiring all students to carry student Identification during school and at school functions. The Council also constructed a School Improvement Plan specifically addressing recommendations of a self-study prepared in anticipation of the decennial visit by the New England Association of Schools and Colleges, the accrediting agency for secondary schools in this area.

### Technical Programs

**Automotive Technology:** The Automotive Technology program continues to meet all NATEF required standards with regard to curriculum, equipment, tools and teacher

certifications. As a result of meeting these standards, the program received its recertification this year. All instructors in the program are ASE certified expert technicians and are committed to keeping their knowledge and skills current. This commitment means that students are being prepared to meet the standards of a constantly changing industry.

With the retirement of Mr. John Shellhorn in June of 2006, the Automotive Technology program was fortunate to obtain the services of Mr. John Morrison, a graduate of SVTHS. His responsibility will include the delivery of the ninth and tenth grade curriculum. As one of the program's shop teachers, he has made adaptations to the curriculum, which reflects his recent experience as a master technician and experienced teacher.

In touring the related classroom, one finds many engine mock-ups, parts displays, posters and even a full size break away car, all utilized during formal related instruction. The teacher's opportunity to make visual connections during instruction has kept students interested and improved their understanding of automotive theory.

The Automotive Technology program continues to meet vehicle repair requests from our sending towns and many elderly citizens. The students also maintain all the school owned vehicles, which are used for many of our outside construction programs and nursing externships. These experiences provide the students with live work that would otherwise not be possible.

For the third consecutive year, Automotive Technology seniors received ten hours of OSHA general-industry safety training and received 10-hour cards to document their participation enhancing the seniors' employment and earning potential.

A new service desk and office area is being installed in the shop this year to better train students in customer service and record keeping.

**Auto Body:** The Auto Body program has also received its NATEF recertification this year. The program has met all the required standards for equipment, curriculum and teachers' certifications. Meeting the NATEF's strenuous standards regarding equipment and instruction is an important goal for first-year instructor, Mr. David Lelievre, and veteran teacher, Mr. Floyd Newbegin. NATEF's primary mission is to improve the quality of automotive service and repair. Having many years of experience and knowledge working with NATEF as an industry technician, Mr. Lelievre has

found his transition into teaching a comfortable and rewarding one.

Mr. Lelievre will be completing the development and implement of a new respirator safety program, as required by the Massachusetts Department of Education. The new program will include guidelines that ensure students: are properly fitted with a respirator; understand its proper use; and correct cleaning techniques for a respirator.

The students in Auto Body utilize the transportation computer lab to access the NATEF curriculum on the Internet, which provides for a wide range of curriculum activities. This curriculum keeps students up-to-date with the latest automotive technology. In addition, the computer lab allows all students to access an online safety program, which provides them with a safety certificate. This safety credential is recognized throughout the industry. The Auto Body seniors have also participated in the OSHA 10-hour general industry program again this year and received their 10-hour safety card.

As is the case with the Automotive Technology program, Auto Body students continue to respond to vehicle-repair requests from District towns, including many requests from elderly citizens, and they maintain school-owned vehicles.

**Business Information Services:** For the third consecutive year, all sophomore students at the completion of the IC3 Basic course will receive an Internet and computing core certification, which recognizes their understanding of a computer functions as well as their ability to make minor PC repairs. Students are also receiving certifications in Microsoft applications, which include Word, Excel, Access and Power Point—fundamental and important skills possessed by competent workers in the current business environment.

Last spring, the Business Information Services students competed in their second Business Professionals of America State competition held at the Sheraton Framingham Hotel. The students won medals in the following hands-on contests: Management, Marketing, Human Resources, and Financial Services. The Business Professionals of America organization exists to promote business opportunities and competitions for business students in high school.

The Business Information Services students, again this year, had the opportunity to hear and attend seminars from guest speakers, many businesses and colleges. The semi-

nars included a presentation from Valerie Derby, a 1989 Shawsheen graduate currently working as an executive legal secretary for a prominent law firm in Boston. These seminars are funded through a grant from the Wilmington Cultural Council.

The marketing curriculum will be expanding again this year with the completion of its new store. As a result of the expanded curriculum and new store, students will be developing more retail knowledge and skills. In addition, to the new store, the Business Information Services program upgraded its technology room with the acquisition of twenty-two new Dell computers and twenty-two sets of Microsoft Office 2003 software.

**Carpentry:** The Carpentry department completed the renovation of the Bedford Bathhouse at Spring Book Park in June of 2006. The project provided students with the opportunity to develop skills in framing, exterior finish, and interior finish. This outside project not only afforded students with valuable live work in which to develop knowledge and skills, but also helped instill strong work ethics and a commitment to one of the schools sending communities. The Carpentry department continues to support District projects such as the Billerica Housing Authority Storage Garage, the Wilmington Fire Departments fitness room, the Burlington High School day care project, the Billerica VFW handicap ramp, and the Burlington house renovation project.

The Carpentry students were also responsible for the completion of many projects around the school building, which included the new Computer Aided Drafting and Design shop, school store and new Nurse's office. These projects provide a tremendous savings to the school district, towns and community organizations, as well as work experiences for the students.

As has been the case the last six years, all the senior Carpentry students again completed a 10-hour OSHA safety program and received their 10-hour OSHA card.

**Commercial Art and Design:** This past September, the Commercial Art and Design program moved into a new shop area. The new space will allow the instructors to update curriculum to include more freehand and creative projects, as recommended by the SVTHS Advisory Committee. In addition, the purchase of new computers and two pieces of software - Dreamweaver and Flash, the curriculum has been updated to include competencies in

web and game design, as well as animation. These changes in the curriculum will allow the students to develop more comprehensive portfolios to present at job and college interviews.

Meeting the requests and needs of the sending towns and school involves the students in live work— tasks usually accompanied by demanding time-lines and rigorous quality standards. Commercial Art and Design students participated in the design and layout of the SVTHS mission statement poster and banner, the design and layout of a poster for the library, the design and layout of school and golf tournament signage, and the design of the Safety First Program course book cover.

**Computer Aided Design and Drafting:** The drafting program is only one of a few schools in the Commonwealth to have its program certified by the American Drafting and Design Association. Shawsheen Tech's commitment to the students in the Computer Aided Design and Drafting program and meeting the rigorous standards of the American Drafting and Design Association has lead to the construction of a new shop and the purchase of state-of-the-art technological computers and equipment. The new space and equipment has also allowed the instructors to develop a new scope and sequence and curriculum to meet the standards found in the state frameworks. The new location of the shop allows for better collaboration with programs that use its services and equipment.

Drafting instructor Mr. Andy Botticelli chairs the Massachusetts curriculum committee for the American Drafting and Design Association and provides support to other vocational schools in the Commonwealth who have applied for certification with the association. Many of the 2006 graduates received a certification from the ADDA last year.

With the retirement of long-time instructor Mr. Ray Callahan and instructional aid Mr. Bob Souza, Mr. Robert Guelli and Mrs. Stacey Gerace were hired. Mr. Guelli was an engineer at Foster-Miller, a highly respected engineering firm, and he served on the drafting advisory committee for many years. Mrs. Gerace is a graduate of a vocational technical high school and has been working in the field for the last eighteen years.

Some of the software programs drafting students are developing skills on are: Auto-CAD, Solid Modeling, Pro -E, and G.I.S Terrain Modeling. A new program introduced to

the students for the first time this year is Chief Architect - a powerful architectural program used by many companies in industry.

Although the students adhere to a strict and vigorous curriculum, they still have the chance to gain real project experience by completing community requests and school drawing needs such as providing drawings for the Billerica Housing Authority's storage garage, the Billerica VFW ramp construction, Shawsheen Tech's school store renovation, and Shawsheen Tech's automotive office and customer service area construction.

The efforts of the Computer Aided Design and Drafting instructors have resulted in the most technologically advanced drafting curriculum and instruction in the state, but, more importantly, outstanding employment and post-secondary opportunities for their students upon graduation.

**Computer Science and Internet Technology:** The Internet program received a state grant to pilot the Certificate of Occupational Proficiency assessment exam. The Internet students also took the NOCTI pretest in November and took the post written and performance exam in June. The instructors in the program have also developed a new scope and sequence and curriculum to align with the Vocational Technical Educational Curriculum Frameworks.

At the start of the year, Computer Science and Internet Technology students were busy installing the network wiring for the new Computer Aided Design and Drafting lab, the library, the cafeteria and the new Commercial Art & Design classroom and shop. Other projects students were involved in included the updating the Billerica Chamber of Commerce web site and the updating of a thirteen-minute promotional video for the SVTHS recruitment team. This team goes out to the various middle schools in the district to inform prospective students about Shawsheen Tech. The students and instructors in the Computer Science and Internet Technology program also developed the opening film for the NEASC visiting team dinner, which highlighted the sending communities and Shawsheen Tech.

The Computer Science and Internet Technology program received another donation of computers from industry this year to use in its computer repair aspect of the program. These computers provide the students with the materials needed to develop the skills and knowledge required on the A+ exam. As a result, for the second year in a row many of the students have passed the software and



hardware portion of the A+ exam and received their certification. In addition, the entire Class of 2007 has passed the IC3 exam and received their certification.

In order to strengthen the hands on work experience for the students, the Computer Science and Internet Technology program has started a computer repair service for the staff and school programs.

In the computer programming and web design aspect of the Computer Science and Internet Technology program, students maintain the schools web site, <<http://www.shaw-sheen.tec.ma.us>>.

**Cosmetology:** The Cosmetology program continued its highly successful community service program in which teachers accompany sophomore and senior students to District nursing homes, senior centers and assisted-living facilities. Cosmetology students have visited and provided services at senior centers in Tewksbury, Bedford, Wilmington, Billerica and Burlington. In addition, students continue to service the elderly on Elderly Citizens Day by providing beauty makeovers and a lunch in the dining room. These types of programs provide students with real live work and, at the same time, instill compassion for the elderly. Many local citizens also take advantage of cosmetology services at the school on a regular basis.

The students in the Cosmetology program will miss retired teacher, Ms. Phyllis Mario, but are fortunate to have Mrs. Cathy Nee as her replacement. Mrs. Nee has worked as a hairdresser for the last twenty-three years and is excited to be teaching young people her skills.

Instructors Ms. Camille Lloyd and Ms. Theresa Cawley completed and implemented a new scope and sequence this year. The scope and sequence was developed to align the existing curriculum with the state frameworks that was approved by the Board of Education in June of 2006. New activities and instructional materials were developed to address specific standards in the new frameworks. The safety portion of the curriculum, which requires all students to pass a written and performance exam before using any equipment or working on clients, was also updated. The junior students also completed an online ten-hour OSHA safety program and received a ten-hour safety credential.

In order to help students learn more about work opportunities and employer expectations, guest speakers were invited to the shop to give presentations. They included

Paul Mammola Hair Salon, Julianne Nelson of New Image Salon, Debbie's Touch of Elegance, Norman Richard of Anthony's Hair Salon and Tony DeFria of Sukesha Hair Products.

The instructors' constant commitment to curriculum updates and daily instructional preparation has resulted in all 2006 graduates receiving their state cosmetology licenses.

**Culinary Arts:** The SVTHS Culinary Arts program is a certified American Culinary Federation program as a result of meeting the federation's high standards for instruction, curriculum, equipment and facility. The certification affords Culinary Arts students the opportunity to take the AFC exam and receive their AFC credentials.

The Culinary curriculum is divided into three-career paths: hospitality, baking and cooking. The students develop knowledge and skills in all three areas which provides them with many educational and employment opportunities upon graduation. In order to provide real opportunities in all three areas, the Culinary Arts staff has developed a new scope and sequence and curriculum this year. Addressing this need also provided the staff the opportunity to review and align the program's existing curriculum with the state frameworks.

The operation of the guest dining room continues to be a valuable component of the Culinary Arts program. The dining room allows the public to have an enchanting Culinary experience four days a week for a very reasonable cost. With a vast experience in the field, Mr. Bob Roach has taken responsibility for the dining room and hospitality curriculum this year. Mr. Roach immediately updated the hospitality curriculum and made changes to improve the dining experience for customers and the learning experience for students. The guest dining room hosted two impressive events in 2006: first, the annual General Advisory Dinner where advisory members, school committee members, administrators and lead teachers review, discuss and vote on the capital budget for the following fiscal year; second, the annual Thanksgiving Dinner for the staff and public.

The Culinary Arts program also prepared and served events in the cafeteria this year including the annual Advisory Dinner (a 250-person event) as well as four Citizenship Awards banquets honoring students of high character.

With the implementation of a safety curriculum this year, many of the Culinary Arts students have taken the ServeSafe certification exam and received the safety credential. Food establishments require this credential as a condition of employment today.

Another key aspect of the Culinary Arts program is the bakery. In the bakery program, the students learn to bake creative breads and pastry, and they operate an on-site retail bakery, which is open to the public four days a week. The bakery also supplies many items to the Culinary Arts program for the students' break service.

**Diesel Mechanics:** The Diesel Mechanics program is certified by the National Automotive Technical Education Foundation (NATEF), with the instructors' meeting Automotive Service Excellence (ASE) certifications in all areas of instruction. John Havens, a SVTHS Diesel Mechanics instructor, is also an evaluation-team leader for the organization, which allows him to stay current with all regulation changes each year. In addition to NATEF, the program maintains national certifications in Mechanical Repair Pollution Prevention and an online safety program called SP2.

For the third year in a row, the senior Diesel Mechanics students received 10 hours of training in OSHA General Industry Safety last September and received a 10-hour card.

Some of the work projects students have accomplished this year include a complete overhaul of a pick-up donated to SVTHS, the design and conversion of a diesel engine to an alternative energy source, the complete overhaul of a grader and loader, and track repairs of an excavator.

**Electrical:** The Electrical program continues to be a high demand shop accepting 25 students out of 50 that requested the program.

The students in the Electrical program adhere to a strict sophomore curriculum that prepares them for outside projects as upper classmen. Through the outside program, they gain a wide range of competencies in residential and industrial wiring as well as developing strong work ethics. They obtained skills and knowledge in the industrial aspect of the field this past year by completing the wiring for the new Computer Aided Design and Drafting shop. Other school projects included the rewiring of the new school store, Metal Fabrication and Welding program's new CNC shear, and the wiring of numerous "In-focus" projectors throughout the school. The students are developing skills in main-

tenance and trouble shooting with an on-going commitment by the department to support the maintenance staff with repair requests. The outside community projects in which the Electrical students have been involved include Bedford bathhouse renovation and the Wilmington Fire Department weight room. The experience the students obtain doing the rough and finish wiring at the house-building project prepares them for residential employment upon graduation.

As has been the case the last five years, all seniors received a 10-hour OSHA card in safety.

With the retirement of Mr. Richard Leonard, SVTHS was very fortunate to obtain the services of Mr. Mike Furey. A graduate of a vocational technical school, Mr. Furey has many years of industry and business experience as an owner of an electrical company.

In order to prepare for the decennial visit by the New England Association of Schools and Colleges in October and meet the standards of the new state frameworks, the instructors have developed a scope and sequence that aligns the existing curriculum with the frameworks. The staff's efforts ensure that students will be prepared to pass the Certificate of Occupational Proficiency exam in 2010.

**Electronics:** The Electronics program opened the school year with two new faces due to the unexpected resignation of Mr. John Lang and transfer of Mr. Richard Galante to the Computer Science and Internet Technology department. The program was fortunate to obtain the services of two outstanding individuals to replace them, Mr. Paul Blanchette and Ms. Lisa Roy. Mr. Blanchette has sixteen years of experience as a biomedical engineer and eight years of teaching experience. Mr. Blanchette is an inventor as well, holding two patents of his own. Ms. Roy is a 1987 graduate of the Electronics program at Shawsheen Tech. Prior to her return to SVTHS, Ms. Roy worked in a variety of areas in the electronics industry.

Through capital budget funding, the program was able to complete the final phase of its Lab-Volt and NIDA computer-based instructional equipment purchases. In order to utilize this equipment to its fullest capacity, the staff members developed a new curriculum, which exposes the students to a much wider and more challenging range of projects. In addition to the new curriculum, the staff developed a new scope and sequence to align with the state frameworks and prepare for the NEASC visiting team.

For a second time, Electronics students competed in the Boston University design competition.

**Graphic Arts:** The Graphic Arts program is accredited by the Graphic Arts Education and Research Foundation. The on-site evaluation that took place a year ago verified that the program was meeting high standards of instruction in all areas of printing and prepress. In order to meet these rigorous standards, instructors in the program spent the last two years working with their advisory members to update curriculum and evaluate and purchase state-of-the-art equipment.

In order to keep up with a constantly changing industry and align their curriculum with the new state frameworks and Print Ed standards, the entire Graphic Arts staff worked together to develop a new scope and sequence. This rigorous curriculum ensures post-secondary and employment opportunities for students.

As a result of the higher educational standards, new equipment and revised curriculum, the Graphic Arts program has increased its Cooperative Education placement rate as well as salaries students are receiving upon job placement.

The students in the Graphic Arts program continue to develop valuable competencies by completing various printing projects for the school and district towns. The students also oversee the copying center, where teachers and administrators can have materials copied such as student handouts, exams and instructional worksheets.

**Health Services and Technology:** The senior externship program continues to remain strong with all seniors placed at a medical facility or nursing home the first week of school. This program allows students to gain experience working under real conditions, which is not possible in a school setting. Many of this year's seniors have been placed in the Cooperative Education program as Certified Nursing Assistants, Medical Assistants, and Child Care Aides. The current placement rates of seniors in both the externship and Cooperative Education programs strongly suggest that the Health Services and Technology curriculum effectively targets competencies required in the current employment market.

Two years ago, the Health Services and Technology program was granted the endorsement of the National Health Association. Certifications granted by the National Health Association include both clinical and administration.

Because of curriculum changes and staff increased certifications, students in the program are now earning a certificate in CPR and first aid from the American Heart Association.

In order to maintain the National Health Association endorsement, prepare for the decennial visit by the New England Association of Schools and Colleges, and align their curriculum with the new state frameworks, the instructors in the program developed a new scope and sequence.

In November, the instructors and students organized and ran a blood drive to benefit Saints Memorial Medical Center. The drive was very successful with 75 units of blood collected.

Due to a successful application of a state educational grant, the Health Services and Technology program was one of two programs at SVTHS that piloted the Certificate of Occupational Proficiency assessment exam. The students took the NOCTI pretest in November and took the post written and performance exam in June. In addition to assessment exams, the grant provided funds for curriculum development, performance analyzes and the development of the new scope and sequence.

The Licensed Practical Nursing (LPN) program currently has 30 full-time evening students working at Tewksbury Hospital, Lowell General Hospital, and New England Pediatrics. The LPN students begin their studies in August each year and graduate the following June. Of the 35 members of last year's graduating class, 34 passed their state board examination and received their LPN certification.

**Heating Ventilation, Air Conditioning and Refrigeration (HVAC-R):** Through the hard work of Heating, Ventilation, Air-conditioning and Refrigeration instructors, and Construction Cluster Department Head, David Norkiewicz, the HVAC-R program is the first HVAC-R program in the state to receive a national certification from the Partnership for Air-conditioning, Heating and Refrigeration Accreditation (PAHRA). The staff's three-year effort will pay big benefits for the students as any student who completes the course work can now take an exam to receive an individual PAHRA certification. This certification is highly regarded in the industry, and it affords students with the certification greater employment opportunities upon graduation.

The HVAC-R program trains its students on real live work through community work requests and major school projects. Projects that students completed in 2006 or are in the

process of completing include the installation of ductwork to redirect heat and ventilation for a new weight room at the Wilmington Fire Department and the installation of a heating and ventilation system in the new Computer Aided Design and Drafting shop at SVTHS. Projects of this nature not only provide necessary training to the students, but also provides cost savings to the towns and school district.

The HVAC-R department is able to keep its program outfitted with the latest equipment through capital budget purchases and donations. Training students on the latest equipment is critical if students are going to meet the expectation of future employers. Many of these donations were obtained from local businesses and advisory members, who have supported the program for years. Items donated this year include a high efficiency boiler, an air conditioning condensing unit, and several roof top units.

**Machine Technology:** The Machine Technology program is a National Institute for Metalworking Skills (NIMS) certified program. The program is in the process of preparing for re-certification to continue to meet all NIMS standards for curriculum, equipment, and staff credentialing. Maintaining this certification is contingent upon students' earning credentials—which requires a minimum of 25% of them to pass the Level I exam, and 50% to pass the Level II exam. Because of the quality of the Machine Technology program and the qualifications of the program's faculty, NIMS has recruited Shawsheen instructors to become part of their evaluation team for other schools throughout the state. For the second time last June, graduates qualified to take the NIMS certification exam. Eighty percent of the graduates took the exam and received the desired credentials.

As a result of the Machine Technology's signing of a Tech Prep articulation agreement with Central Maine Community College, SVTHS students may receive college credit for work completed in the Machine Technology program. A 2006 Machine Technology graduate took advantage of the agreement and will be able to complete a two-year program at CMCC in one-and-a-half years.

The Machine Technology shop's CNC software has been installed in the schools computer labs and shop lab, which is facilitating instruction and development of higher skills and knowledge. The program's computers have also been upgraded to allow the latest version of software allowing student to develop an ever-higher skill level in the area of CNC technology.

Machine Technology students have completed several projects to gain work experience on facility-based tasks and to support the needs of other programs throughout the school. Toward these ends, Machine Technology students have made carpentry table saw parts, Business Information Services chair parts, Diesel valve stem adapters and other manufactured parts, golf Tournament gifts and Graphic Arts staple machine parts.

**Masonry:** The Masonry students have recently completed the block work on a new storage garage for the Billerica Housing Authority. In the spring, students will brick the garage to match the architectural design of the existing buildings on the site. They will use similar brick, quoin corners and workmanship that match any professional in the trade. In addition, the instructors are in the process of obtaining all the materials necessary to renovate the existing HVAC-R related room into an upper classman shop. The addition will allow the program to include larger and more complicated curriculum projects for the juniors and seniors.

Masonry students have also been involved in community and in-house projects such as constructing a stone wall for the Billerica Fire Department, the Tewksbury telescope building, the Shawsheen Tech school store construction, and the Shawsheen Tech Automotive Technology office renovations.

As part of their curriculum requirement this year, senior Masonry students completed a ten-hour OSHA safety course, enhancing their employment opportunities upon graduation.

**Metal Fabrication and Welding:** The Metal Fabrication and Welding program is a National Institute for Metalworking Skills (NIMS) certified program. Like the Machine Technology program, it is in the process of preparing for recertification. The team from NIMS will be visiting the school in January to do the final evaluation of the shop equipment and curriculum. In preparation for the visiting team's arrival the Metal Fabrication instructors have developed a new scope and sequence to align their curriculum with the NIMS standards and the new state frameworks that took effect June 2006. Based on the new scope and sequence, updated curriculum and recent equipment purchases, the instructors are confident that they will meet all of NIMS standards for recertification.

Once the program is re-certified, the students will continue to have the opportunity to take the NIMS certification

exam. This certification is the most widely accepted in the industry. Students who obtain NIMS certification earn skill recognition, boost self-confidence, build creditability in the work place and improve job opportunities and placement.

Also granted a national certification by the American Welding Society, the welding aspect of the program qualifies students to earn a trade certification recognized throughout the industry.

For a third year, the senior Metal Fabrication and Welding students received 10 hours of training in OSHA General Industry Safety and obtained a 10-hour card.

And like students in other programs, Metal Fabrication and Welding students have gained work experience and supported the community and school with projects that include SVTHS's Building and Grounds repairs, Parent Council gifts, and golf tournament gifts.

With the retirement of Mr. Dennis Solomon in November, SVTHS was very fortunate to obtain the services of Mr. Steve Lahey. Mr. Lahey brings thirty years of trade experience in all aspects of the field. His responsibilities will include taking over the related program for all grade levels.

**Plumbing and Heating:** Mr. Ronald Masse has taken over the curriculum for the junior and senior students. With experience as a company owner, engineer manager, plumbing supervisor, and mechanical consultant along with many licenses and certifications attached to his resume, Mr. Masse brings enormous knowledge and experience to the position. As part of his responsibilities, he will take over the community and school projects, which are a vital part of the Plumbing program's curriculum. These projects give the students the opportunities to improve basic competencies learned at the lower grade level and add new skills.

Outside community projects such as the Bedford bathhouse, and the Burlington housing project, also provide students with opportunities to develop industrial skills. The installation of a new boiler at the Burlington house project will provide the students with opportunities to gain skills and knowledge in residential construction. The development of troubleshooting skills is an important program component accomplished through the program's maintenance curriculum, which benefits the school's plumbing system and saves the District operational money. An important maintenance project this year has been the third and final phase of the repairing and installation of eyewash

stations throughout the school. Other school projects include the installation of a sink in the new Support Service's science lab, school store demolition, and the Automotive Technology floor drain project.

The senior Plumbing and Heating students received 10 hours of training in OSHA General Industry Safety and obtained a 10-hour card in Construction safety.

**SkillsUSA:** SkillsUSA is a national organization allowing vocational/technical students the opportunity to enter specific skill competition and participate in numerous leadership events. For the second-consecutive year, SVTHS will be a 100% participation school, which means every student in the school will be a member of the organization. As a total participation school, SVTHS is required to use SkillsUSA Professional Development Curriculum with all students. The Professional Development Program guides students through more than 70 employability skill lessons that are covered in seven levels of the program.

At the North District Conference last spring, 110 Shawsheen Tech students competed and won 34 medals. Seventy-two students participated at the state-level competition with 27 capturing medals including seven gold, six silver and fourteen bronze. Five of the seven gold medal winners went on to compete at the national level and did an outstanding job representing Shawsheen Valley Technical High School by winning gold medals in two areas: Electrical and Tech Prep Showcase. Carrie McConnell of Wilmington became the first female to ever win a gold medal in residential wiring at the national level. Commercial Art and Design students Stephen Bennett of Billerica, Ashley Long of Tewksbury, and Christopher Versackas of Tewksbury won their gold medal for an outstanding Tech Prep display.

**Certificate of Occupational Proficiency (COP):** The COP is the Commonwealth's assessment program for technical education. It is being designed to measure the attainment of industry-base skill standards of students enrolled in technical education.

This past spring, the work of developing a framework for all Vocational/Technical programs throughout the state was completed and approved by the Board of Education on June 23, 2006. The approved Vocational Technical Educational Curriculum Frameworks have become the basis for the development of all the written and performance assessment exams completed this year. Students will

have to pass the assessment exams starting 2010 to attain a Certificate of Occupational Proficiency.

With final approval of the Vocational Technical Educational Curriculum Frameworks by the Board of Education all the vocational/technical staff at SVTHS has initiated the development of a new scope and sequence and curriculum to align with them.

Shawsheen Tech continues to take a leadership roll in the COP process, with many of our instructors and administrators providing their expertise as a committee chairperson for the development of the new assessment exams for the COPs.

**Safety:** The school is in the final year of a five-year process of developing and implementing a school-wide safety and health plan under the direction of Mr. Roger Bourgeois, Assistant Superintendent-Director of Community Services, and Mr. John Lavoie, Director of Vocational / Technical Programs. The development of this plan includes work practices, equipment, tools, environmental issues and educational curriculums in all programs. The committee overseeing the development and implementation includes administrators, teachers, students and safety experts from industry.

The implementation of the plan began four years ago with a vocational staff member in each program developing a safety plan, which included updated safety curriculum for each piece of equipment and work practices. A student record safety plan consistent throughout each program has been put into place three years ago as well. A safety audit is conducted in each program to evaluate shop equipment and environment at the start of each school year. As a result of the audits, new safety equipment needs are identified and purchased, signage is being improved, storage practices have changed and environmental issues are being addressed. Funding for all new safety equipment is provided through the capital budget each year. This year's safety funds have been used to fund safety items and initiatives such as lathe safety shields in the machine shop, eye wash station installations and upgrades, safety glasses for all grade levels, Automotive Technology floor drains, and the Safety First Program – which requires students who are habitual safety violators to participate in a six-hour safety course and pass a final exam.

Through the efforts of Mr. Bourgeois and the instructors in the Construction and General Industry programs, all the

seniors in these programs have obtained an OSHA certification card. The students attended a ten-hour seminar at the onset of the school year where they learned all aspects of construction and general industry safety. This certification provides our students with more job opportunities, as many companies require this certification as part of a hiring policy. Students in shops that have participated in the career safe online program the past two years can now obtain an OSHA ten-hour card if they complete the online course this year.

## Conclusion and Acknowledgement

The SVTHS District School Committee, staff, and students gratefully appreciate the support that they receive from the residents of the 5-member District. The SVTHS family especially acknowledges the continued financial support of the local Town Managers, Finance Committees, and Town Meeting Members, who collectively ensure and perpetuate the highest quality in vocational technical training opportunities for area youth.

The District is grateful for the significant contributions provided by Shawsheen Tech staff and employees and acknowledges the many contributions of the SVTHS staff who retired during 2006. Those retirees are:

- Ray Callahan, Adult Education Coordinator and Drafting Instructor
- Shirneen Callahan, Physical Education Instructor
- Joseph Guarino, Internet Technology Instructor
- William Gordon, Science Instructor/Hockey Coach
- William Jansen, English Instructor
- Richard Leonard, Electrical Instructor
- Phyllis Mario, Cosmetology Instructor
- Thomas Murphy, Social Studies Instructor
- Mary Osgood, English Instructor
- Thomas O'Sullivan, Director of Support Services
- Bruce Perkins, Director of Guidance
- John Schellhorn, Automotive Instructor
- Dennis Solomon, Metal Fabrication and Welding
- Kerry Sullivan, Director of Academic Programs
- Roland Tremblay, Auto Body Instructor

Respectfully submitted,

Charles Lyons  
Superintendent Director

## BCAT

BCAT experienced some new and interesting projects and equipment upgrades in 2006. The first major change BCAT experienced was our first Awards Night and Red Carpet Preshow that incorporated into our Annual Meeting and Open House in April. The night was a huge success and a good time was had by all. Joe Boffa, a resident volunteer for several months at BCAT won the Volunteer of the Year award, and student intern Phillip Poillucci was awarded the BCAT student grant.



*Mary Clancey receives award for Producer Dedication from Vice President Arlene DiRocco at BCAT's Appreciation Award Ceremony. (Photo Credit: Dick Linder)*

BCAT joined the herd and participated in the BBRT's (now the Burlington Area Chamber of Commerce) Calf Stampede thanks to a generous donation from the Burlington Marriott. BCAT volunteers joined together to create and decorate B-Calf. This media calf has film strips with Burlington themed frames wrapped around him. B-Calf made his rounds through Burlington in 2006. After a brief stay at BCAT, B-Calf went to Lahey Clinic, to the common for special events, the Cambridge Savings Bank, The Francis Wyman House, and to the Fish House, among other places. Thanks to volunteer Jonnell Kanagy for the transport of B-Calf.



*B-Calf decorated and on display. Photograph by Karwanphotos.com*

BCAT purchased some new equipment in 2006. Along with our regular replacement and upkeep of our current equipment, we were fortunate to purchase some cutting edge equipment that is fairly new to the marketplace. The first piece was a Firestore. The Firestore is a mini hard drive that connects directly to the camcorders and enables direct file recording without a tape. So now volunteers and producers are able to record on the Firestore in the field and transfer those files to our Final Cut Pro editing systems without the use of tape. The second major equipment upgrade we purchased was a Video Playback Server. We currently provide all of our programming through electronic switching of multiple DVD and tape players to our three channels. Our new Video Server enables us to store all of the shows as files and play them as programmed. This will enable us to diversify our playback because we will no longer be limited to the number of DVD decks and will provide an overall more polished and professional look for the station.

### **Other BCAT highlights in 2006**

BCAT had a great year for the rise of some new and interesting programs. New series to emerge at BCAT include Healthy Hypnosis, Housing Matters, In Session, and Hit the Road with Jack.

The Red Devil Football team reached historic success winning the Middlesex League Championship as an undefeated team. They went on to win in the state playoffs and earned a seat in the state Superbowl. BCAT had the pleasure of producing the coverage for the entire historic season, including the post season.

BCAT produced coverage of a lot of community events including Pride Day, Memorial Day, Veteran's Day as well as coverage of the first annual Arts on the Common sponsored by the Burlington Cultural Council.

2006 proved to be a year for highly contested races for town government. BCAT produced election specials including debates for the contested races, a "Meet Your Town Meeting Candidates" forum, and live election coverage.

In 2006, the BCAT Board of Directors appointed Micheal Runyan to the alternate seat on the Board.

Respectfully submitted,

Jennifer Dodge, Executive Director  
Burlington Cable Access Television

Rick Karwan, President  
Burlington Cable Access Television

Board of Directors:

Arlene DiRocco, Vice President  
Sally Wiillard, Treasurer  
Herbert Clancey  
John Hofferty  
Jason Lord  
Virginia Mooney  
Mike Runyan  
Robert Zahora

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### **BURLINGTON COMMUNITY SCHOLARSHIP FOUNDATION**

The Burlington Community Scholarship Foundation continues to grow and prosper just as Joan Miles had envisioned when she and others planned this wonderful venture. The year 2006 marked another year of success and growth for the foundation. Our Annual Telethon raised almost \$50,000.00. Scholarships in the amount of \$85,220.00 were awarded to 25 seniors and six adults.

We thank the following contributors for their generosity: The Wayne Johnson Scholarship Committee for \$13,000.00, Riemer and Braunstein for \$10,000.00, The Brendan Curtin Memorial Scholarship for \$6,000.00, The Murray Charitable Foundation for \$6,000.00, Facility Management for \$5,000.00, The Charles Curtin Memorial Scholarship for \$2,000.00, The Burlington Ice Palace for \$2,000.00 and Gibson and Behman for \$1,500.00.

We thank the following contributors of \$1,000.00: The Gutierrez Company, Century Bank, Burlington Police Patrolman's Association, Eastern Bank, Gedick Brothers, A & F Bus Company, BankNorth, Northern Bank and Trust, Burlington Firefighters and The Mary Gibson Memorial Scholarship.

We thank Nordblom Management for a \$750.00 contribution. Contributions of \$600.00 were made by Stoneham Savings, The Burlington Municipal employees Federal Credit Union and the Brendan Curtin Memorial.

Donations of \$500.00 were made by the following: Gulde Insurance, BLW Engineers, National Development, Vanasse Hangen Brustlin, Inc., Lahey Clinic, Mistral, Lane Funeral Service, Century 21 - Tabaldi and Long's Jewelers.

Other significant contributions were given by: KBA Architects, Atty. Robert E Factor, Burlington Marriott, SEA Consultants, Kopelman and Paige, Coen Realty, Not Your Average Joe's, Burlington School Administrators, David Shimmel Electric, RA Joyall Construction, Shea and Dangora, Sullivan Funeral Home and Citizens Bank.

The Telethon was successful again this year thanks to the following: B-CAT, Phil Gallagher, Dr. Jim Picone, Lucy Damiani, Debbie Keene, Robin Miliano, Sonia Rollins, Juliette Mott, Janet Modesto, Joan Corrao, Rosemarie Tieri, Tom Killilea, Peter Halvorson, Jack Ferrin, Brian Curtin, Bob



Buckley, Melissa Cushing, Jane Hyde, Al Fay, Charlie Murphy, Craig Robinson, Arthur Fallon and Ray Harbor. Thanks to all of the Burlington High School Students who made telephone solicitations. Thanks to all of the residents who made pledges. Also, thanks to all of the residents who made contributions via their tax bills.

The following businesses aided the telethon: Bugaboo Creek, Outback Steak House, Not Your Average Joe's, Borders, Coldwater Creek, New Balance, Legal Sea Foods, Fresh City, Roche Brothers, Long's Jewelers, White Hen Pantry, Pizza Works, Rebecca's and Chris Vassey's Corner Deli.

The Burlington Community Scholarship Foundation has awarded over a half-million dollars in scholarships since its inception. Two committees help us to raise additional funds and to award the scholarships. Our Adopt-A-Class Committee, comprised of Debbie Keene, Robyn Miliano, Janet Modesto, Tom Killilea and Rosemarie Tieri, work with class sponsors to raise additional funds to award to each graduating class. The class of 2006, which was sponsored by Eastern Bank, awarded \$22,000.00 to deserving students. Our Awards Committee, co-chaired by Debbie Keene and Pat Dotson, insure that every applicant gets careful consideration and a fair and honest process. Other members of the Awards Committee are as follows: Dr. Gary Feldman, Jack Heidbrink, Steve Preston, Judy Spano Davis, Nancy Todd, Carol Lynch and Vanessa Ovan.

Our Financial Advisory Committee, comprised of Brian Curtin, Chairman, Dr. Jim Picone, Phil Gallagher and Juliette Mott meet regularly to insure that our investments are earning the best rates possible. 2006 was a very good year for our holdings. We earned over \$116,000.00.

In closing, I would like to thank my Board of Directors for their hard work and support. I thank Dr. Jim Picone for his loyal support over the years and wish him a happy, healthy retirement. The B-CAT staff, Linda Hayes and Craig Robinson are always very helpful and supportive. Bob Buckley and Melissa Cushing from Riemer and Braunstein go out of their way to help us make the Telethon the success that it has always been. Special thanks to Mrs. Joan Corrao, our Secretary for many years, who has retired.

Respectfully submitted,

Stephen E. Preston, Jr.  
President, Burlington Community  
Scholarship Foundation

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## BURLINGTON HOUSING AUTHORITY

For the past seventeen years, state and private auditors have reported that Burlington Housing Authority has managed their properties in full compliance with state and federal regulations and guidelines. The Authority is currently in excellent standing.

### 2006 UPDATE:

Since 2004 until the end of 2006 the Authority has completed two large State Modernization projects in conjunction with the Department of Housing and Community Development.

In the fall of 2005, a window replacement project began; Towerhill and Birchcrest Arms residents all received new windows. The replacements are more energy efficient and easier to operate. 2006 brought an electrical, fire alarm and ventilation upgrade. This project included changing the Towerhill building from gas to electric. All Tenants received new electric stoves. They also installed a new fire alarm system, with new smoke and carbon monoxide detectors throughout the building.



*Towerhill Apartments, Photo by M. Lynch*

Burlington Housing Authority management inventory includes; one hundred and five senior and young disabled units; two local initiative units; two state 705 units; in addition ten studio apartments are set aside for low and moderate income at Atria Longmeadow Place. As of December 2006 the Authority has restored the Section 8 Program, and will be administering it in our office. Taking the Program back to Burlington has been a large undertaking, but the

Authority will be able to service the Tenants much more easily and effectively within our own Town. We feel as though this should better assist the family housing needs of our Community.

The Board of Commissioners continues to make Burlington residents a priority and voted to join the Massachusetts Nahro Section 8 Centralized wait list, this list will remain open. Applications may be obtained at the Authority, Library, Council on Aging offices or on line @ [www.massnahro.org](http://www.massnahro.org).

The Board of Commissioners consists of Joseph Arena, Bernice Ferguson, James Langley and Michael Austin.

The Board wishes to thank 2006 Tenant Presidents, Jack Miller and Jim Willis for their time and efforts on behalf of our Residents.

As always, as Director of the Burlington Housing Authority I welcome any and all questions and concerns. I will continue to serve our senior population with compassion and respect.

Respectfully submitted,

Maureen Lynch  
Executive Director

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## METROPOLITAN AREA PLANNING COUNCIL

Created in 1963, the Metropolitan Area Planning Council (MAPC) promotes inter-local cooperation and advocates for smart growth by working closely with cities and towns, state and federal agencies, non-profit institutions, and community-based organizations in the 101 cities and towns of Metropolitan Boston. MAPC strives to provide leadership on emerging issues of regional significance by conducting research, building coalitions, and acting as a regional forum for action.

MAPC provides technical assistance and specialized services in land use planning, water resources management, transportation, housing, environmental protection, economic development, public safety, geographic information systems (GIS), collective purchasing, data analysis and research, legislative and regulatory policy, and the facilitation and support of inter-local partnerships. More informa-

tion about MAPC's services and ongoing activities is available at [www.mapc.org](http://www.mapc.org).

MAPC is governed by 101 municipal government appointees, 21 gubernatorial appointees, and 13 appointees of state and City of Boston agencies. An Executive Committee comprising 25 elected members oversees agency operations. The agency employs approximately 40 professional staff under the leadership of an executive director. Funding for MAPC activities is derived from governmental contracts and foundation grants, and a per-capita assessment on member municipalities.

To better serve the people who live and work in Metro Boston, MAPC has divided the region into eight subregions. Each subregion is overseen by a council of local leaders and stakeholders, and a staff coordinator provides organizational and technical staff support.

### Smart Growth Across Municipal Boundaries

MAPC's **MetroFuture: Making a Greater Boston Region** initiative is planning for Metro Boston's growth and development through 2030. In 2006, the project involved nearly **2000 people**. At more than 50 briefings, participants analyzed "Scenario 1: Current Trends to 2030," MetroFuture's "base case" of what the region might look like if current trends continue. We also hosted two working sessions in June 2006, where participants designed alternatives to the "base case," and two in December 2006, where participants chose the scenario they liked the best. In 2007, after additional public input and a May 1, 2007 Boston College Citizens Seminar, the project will complete a regional strategy to achieve the preferred scenario.

MAPC assisted cities and towns in a variety of ways throughout 2006. The agency helped over 70 cities and towns to rewrite zoning by-laws, evaluate smart growth uses for key parcels, keep traffic under control and expand transit, deal with crime, and prepare for natural disasters.

As a member of the **Massachusetts Smart Growth Alliance**, MAPC worked with six allied organizations to advocate for sustainable development throughout the Commonwealth. MAPC participated in a successful Alliance campaign to recapitalize and reform the state's Brownfields Tax Credit; researched, analyzed, and reacted to significant state land use and transportation policy proposals, including Governor Romney's 20-year transportation plan; and advanced research about the impact of sprawling development in Massachusetts.

In partnership with the 495/MetroWest Corridor Partnership, MAPC produced the **Massachusetts Low Impact Development Tool Kit**, which presents state-of-the-art practices for managing stormwater and increasing the recharge of water to aquifers. MAPC also produced **Once is Not Enough: A Guide to Water Reuse in Massachusetts**, a manual that describes techniques for non-potable reuse of treated wastewater and provides case studies of several successful water reuse projects in Massachusetts. In partnership with the U.S. Geological Survey, MAPC began work on a **hydrologic modeling project** that simulates the impacts of future development on the water resources of the Charles River and Assabet River watersheds.

### Getting Around the Region

In March 2006, MAPC sponsored a conference on the impact of transportation emissions on public health. The workshop began a process to build connections, raise awareness, and stimulate action around the issue of air pollution adjacent to major roadways and rail corridors. The content and results of this workshop are available at [www.mapc.org/air\\_quality](http://www.mapc.org/air_quality).

MAPC developed a **Regional Bicycle Plan** in 2006 to assess current conditions and to guide future improvements to bicycle transportation in the region. The plan reviews goals set in previous plans, and proposes six general goals and strategies for the region, including encouraging more trips by bicycle in each community, working with state and federal agencies to simplify and coordinate funding programs, and increasing regional knowledge about bicycling. The plan can be accessed at [www.mapc.org/transportation/transportation\\_alternatives.html](http://www.mapc.org/transportation/transportation_alternatives.html).

A consistent complaint of bicyclists is the lack of parking. To address this need, MAPC worked with the MPO and EOT to develop the **Regional Bike Parking Program**. Under this program, MAPC negotiated **discount group purchasing contracts** with three leading vendors of bicycle parking equipment, funded through federal transportation funds. More information about MAPC's bicycle and pedestrian planning activities, and the bike parking program, is available at [www.mapc.org/transportation/transportation\\_alternatives.html](http://www.mapc.org/transportation/transportation_alternatives.html).

### Collaboration to Address Shared Municipal Challenges

MAPC, through its Metro Mayors Coalition, played a leading role in developing legislation to create a statewide

anti-gang initiative known as the **Senator Charles E. Shannon Jr. Community Safety Initiative**, which supports regional and multi-disciplinary gang and youth violence prevention and law enforcement efforts. MAPC coordinated Shannon grants totaling \$1.2 million for 10 Metro Boston communities and 7 Essex County communities. These communities used the funds to enhance public safety through targeted workforce development, after-school mentoring, re-entry initiatives, gang-prevention education, and collaborative community policing.

MAPC facilitated the work of the **Municipal Health Insurance Working Group**, which drafted and proposed landmark legislation to let cities and towns purchase their health insurance through the Group Insurance Commission.

### Collaboration for Safety

MAPC carries out fiduciary, planning, and project management duties for the **Northeast Homeland Security Regional Advisory Council** (NERAC), a network of 85 cities and towns north and west of Boston. In 2006, NERAC distributed more than \$1.5 million in emergency equipment and supplies to member communities, and trained hundreds of first responders in various roles in the United States Department of Homeland Security incident command system.

In 2006, MAPC advanced **Pre-Disaster Mitigation (PDM) plans** for cities and towns throughout the region. These plans are designed to help communities reduce their vulnerability to damages due to natural hazards. The plans include an inventory of critical facilities and infrastructure in each community, a vulnerability analysis, and a mitigation strategy with specific recommended actions and projects that will protect the communities from future damages.

### Collaboration for Savings

MAPC's **Consortiums Project** administered 37 procurement contracts for 42 municipal clients in 2006, saving cities and towns up to 20% on the purchases. As the administrator of the more than 300-member **Greater Boston Police Council** (GBPC), MAPC concluded 7 procurement contracts for public safety, public works and general use vehicles. In all, 142 municipalities purchased 180 vehicles. MAPC staff also collaborated on procurements that advanced MAPC's environmental and transportation objectives, helping communities to buy bicycle racks, hybrid vehicles, and water leak detection services at a favorable cost.

## Charting a Course to Regionwide Prosperity

MAPC developed its annual **Comprehensive Economic Development Strategy** (CEDS), an assessment of current regional economic trends and conditions. The report includes background about trends and conditions in the regional economy, including a discussion about the relationship between the economy and factors such as geography, population, labor force, resources, and the environment. MAPC's 2006 CEDS report can be downloaded at [www.mapc.org/economic\\_development/comprehensive\\_economic.html](http://www.mapc.org/economic_development/comprehensive_economic.html).

## Tools to Improve Planning and Decision-Making

MAPC's **Metro Data Center** partnered with The Boston Foundation to develop the **MetroBoston DataCommon**, a new online data and mapping tool for residents and leaders in the region. The resource, which helps individuals to create customized maps and charts, is available at [www.MetroBostonDataCommon.org](http://www.MetroBostonDataCommon.org). The Data Center partnered with MAPC's Legislative Committee to advocate for the establishment of a **statewide population estimates program** at the University of Massachusetts Donahue Institute. The program, funded at \$100,000 in the FY2007 budget, lays the foundation for the Commonwealth to analyze Census estimates in a more robust way.

MAPC's **Geographic Information Systems** (GIS) Lab provides professional services and products and technical assistance in support of local and regional planning projects. In 2006, MAPC's GIS team completed extensive projects for the Northeast Homeland Security Regional Advisory Council (NERAC) region, and maps associated with the Pre-Disaster Mitigation Program, both of which are described above. The GIS Lab also made major contributions to the MetroBoston DataCommon and the MetroFuture planning project. The Lab also began mapping areas suitable for economic development throughout the region, in accordance with smart growth principles.

In 2006, MAPC transitioned from a paper to an electronic newsletter, the **Regional Record**, which is distributed quarterly, and provides updates on the latest regional projects and thinking, and provides opportunities for residents and communities to get involved in various events. People interested in receiving the e-newsletter can send their e-mail addresses to [contactinfo@mapc.org](mailto:contactinfo@mapc.org).

## On Beacon Hill: 2005 – 2006 Legislative Session

- **Brownfields Redevelopment:**

The Legislature recapitalized the Brownfields Redevelopment Fund with \$30 million, and extended and enhanced the Brownfields Tax Credit so that non-profit development projects can raise equity by selling the credit to taxable entities.

- **Expedited Permitting:**

The Legislature passed a law to expedite permitting of commercial/industrial developments in "priority development sites" designated by cities and towns. In part as a result of MAPC's advocacy, the new law includes funding for technical assistance to municipalities, development of a statewide expedited permitting model, and criteria to steer priority development sites toward smart growth locations.

- **GIS Data Layer:**

MAPC successfully advocated for \$400,000 in the FY2007 budget to update and improve the quality of Mass GIS data linking aerial photographs to land uses on the ground.

- **Statewide Population Estimates Program:**

MAPC led the advocacy effort to establish a statewide population estimates program at the University of Massachusetts Donahue Institute. The program was funded at \$100,000 in the FY2007 budget.

- **Shannon Community Safety Initiative:**

The Legislature created a new \$11 million grant program to encourage the creation of regional, multi-disciplinary initiatives to combat gang violence, youth violence, and substance abuse.

- **Sewer Rate Relief:**

The Legislature included \$25 million in the FY2007 budget for water and sewer rate relief, which will help lower costs for residential consumers and businesses served by sewer districts, including the MWRA.

- **Surplus Land:**

Both the House and Senate passed legislation to reform the state's surplus land disposition policy. Both bills included an assignable municipal right of first refusal to purchase the parcel at a discount; a professional smart growth review for larger parcels; a Surplus Land Coordinating Council to oversee disposition; and a municipal share of 10%-25% of proceeds in instances where the municipal right of first refusal is not exercised. Unfortunately, the Conference

Committee did not advance the bill to final passage, but significant progress was made setting the foundation for the 2007-08 legislative session.

### North Suburban Planning Council (Burlington, Lynnfield, North Reading, Reading, Stoneham, Wakefield, Wilmington, Winchester, Woburn)

The North Suburban Planning Council began 2006 with a briefing on MetroFuture Scenario 1. This presentation gave the members an opportunity to react to the current trends scenario and to become more knowledgeable about the MetroFuture project. During the course of the year, NSPC received regular briefings on the progress of the project and members helped to publicize the working sessions that were held in December. NSPC communities were represented at the Danvers working session as well.

The major areas of concern in transportation planning were the annual review of the TIP and the UPWP as well as NSPC representation on the MPO. Members also had an opportunity to hear about MAPCs work on creating a parking tool kit.

NSPC was the "host" subregion for the May Council Meeting which was held in Burlington. Over the course of several months NSPC developed a slideshow and two presentations for the Council meeting. The slideshow illustrated many of the development issues that the subregion faces and the presentations by Burlington and Wilmington focused on creative solutions to these challenges with a Smart Growth approach.

Two major development issues were also highlighted this year; mixed-use zoning and Chapter 40R. MAPC presented an overview of the mixed-use zoning toolkit that is available on the website. Based on member interest, the November meeting was a panel discussion of Chapter 40R that brought together consultants and communities to share their experiences with 40R.

The two key environmental issues that were addressed were peak season water demand management and the natural hazard mitigation planning grant. Seven NSPC communities chose to participate in the regional grant to develop natural hazard mitigation plans. This planning effort got underway in July.

MAPC Annual Report prepared and submitted by Marc D. Draisen, Executive Director, Metropolitan Area Planning Council.

## TOWN MEETING MEMBERS

### PRECINCT 1

Donald D. Barrucci, Jr.	11 Mallard Way	2007
<i>Appt. 9/06 (Term 2007)</i>		
Bradford D. Bond	8 Mullberry Ln.	2007
<i>Appt. 9/06 (Term 2007)</i>		
Linda K. Collins	18 Town Line Rd.	2007
Nolan H. Glantz	9 Redcoat Ln.	2008
Donna D. Gregorio	11 Donald Rd.	2009
John S. Ivas	9 Boulder Dr.	2008
<i>Res 2/07</i>		
John G. Lamb	38 Chandler Rd.	2009
<i>Elected 4/06</i>		
Michael Marchese, Jr.	11 Michael Dr.	2008
Bruce A. Morey	5 Ellery Ln.	2008
John E. O'Keeffe	69 Mill St.	2009
<i>Elected 4/06</i>		
Juliet M. Perdichizzi	239 Fox Hill Rd.	2008
Cynthia J. Phillips	4 Michael Dr.	2008
Gregory F. Ryan	3 Donald Rd.	2007
Maureen Monaco Ryan	3 Donald Rd.	2007
Mark S. Saia	8 Sumner St.	2009
Edward J. Walsh	2 Carol Ave.	2007
David J. Woodilla	3 Barnum Rd.	2009
Walter T. Zenkin	2 Toomey Cir.	2009

### PRECINCT 2

William C. Beyer	67 Peach Orchard Rd.	2007
Kathleen M. Coluci	15 Colburn St.	2007
Ann Marie Comer	13 Lowell St.	2008
Kerry Anne Conley	24 Lowell St.	2008
Todd M. Duggan	14 Hampden Ave.	2009
Mary E. Fitzgerald	7 Hampden Ave.	2008
Marjorie J. Foster	10 Kenmere Ave.	2009
<i>Write-in 2000</i>		
Angela J. Hanafin	4 Maple St.	2007
<i>Write-in 2001</i>		
Daniel J. Hanafin	4 Maple St.	2007
Judith E. Hanafin	9 Maple St.	2008
<i>Appt. 4/04 Elected 4/05</i>		
Jerome J. Lynch, III	6 Winn St.	2009
<i>Write-in 2005</i>		
Jerome J. Lynch, Jr.	6 Winn St.	2008
Margaret Merlesena	2 Burton Rd.	2007
<i>TMM 12/75-4/76</i>		

Karen Morgan	6 Wildmere Ave.	2007
<i>Write-in 2004</i>		
Eleanor N. O'Connell	33 Peach Orchard Rd.	2009
Andrew H. Olney	21 Julia Connors Dr.	2008
<i>Write-In 2002</i>		
John J. Ryan	7 Grandview Ave.	2009
<i>Write-in 1999</i>		
Richard C. Wilde	1 McNamara Way #30	2007
<i>Appt. 5/06 (Term 2009)</i>		

**PRECINCT 3**

Kathleen A. Brine	23 Lexington St.	2009
<i>Elected 4/06</i>		
Anne P. Coady	8 Woodside Ln.	2009
William Collins, Jr.	8 Theodore Cir.	2008
Sean P. Connors	14 Sears St.	2007
Lucy M. Damiani	7 Hearthstone Dr.	2009
<i>Elected 4/06 TMM 5/86-4/97</i>		
Shari Lynn Ellis	3 Hickory Ln.	2007
Daniel J. Grattan	9 Fieldstone Dr.	2007
<i>Write-in 2004</i>		
Frances M. Heartquist	10 Briarwood Ln.	2008
<i>TMM 5/76-4/88, Appt 9/88 E 4/89</i>		
John D. Kelly	14 Oxbow Ln.	2008
<i>TMM 3/72-4/79</i>		
Stephen G. Marchese	4 Sears St.	2009
Mildred J. Nash	39 Sunset Dr.	2009
Paul Gerard Noonan	5 Ward St.	2009
<i>Elected 4/06</i>		
Carol L. Powers	80 Lexington St	2007
<i>Appt. 9/04 Elected 4/05</i>		
Daniel J. Raske	3 Mildred Rd.	2008
Roger S. Riggs	4 Briarwood Ln.	2008
<i>Write-in 2001</i>		
Louis P. Rubino	4 Fred St.	2008
Paul A. Valleli	14 Marrett Rd.	2007
<i>TMM 4/93-1/94</i>		
Judith G. Wasserman	3 Indian Hill Rd.	2007
<b>PRECINCT 4</b>		
Timothy J. Brown	8 Luther Rd.	2009
<i>Elected 4/06</i>		
Betty M. Bullock	11 Crowley Rd.	2008
Thomas D. Conley, Jr.	20 Corcoran Rd.	2007
<i>Appt 9/96 Elected 4/97</i>		
Karen Cooper	69 Francis Wyman Rd.	2008
Michael C. Dellemonico	48 Washington Ave.	2007
Wendi J. Dellemonico	48 Washington Ave.	2009

Andrew Groh	132 Bedford St.	2008
Joan B. Hastings	14 College Rd.	2009
<i>Elected 4/72</i>		
Joanne M. Horgan	12 Eastern Ave.	2008
Lori Kashgegian	114 Francis Wyman Rd.	2008
Mark E. Kashgegian	114 Francis Wyman Rd.	2009
Constance K. McElwain	64 Francis Wyman Rd.	2007
Roberta E. Mills	19 Corcoran Rd.	2009
Frank P. Monaco	18 Corcoran Rd.	2009
James Patterson	5 Hancock St.	2007
William G. Poehler	7 Algonquin Dr.	2007
<i>TMM 4/82-10/84</i>		
Michael A. Proulx	76 Francis Wyman Rd.	2008
<i>TMM 4/88 - 4/89</i>		
Sally Willard	13 Foster Rd.	2007

**PRECINCT 5**

Patricia J. Angelo	2 Austin St.	2009
Susan MacDonald Boari	14 Raymond Rd.	2008
Elaine Lee Carpenter	5 Dearborn Rd.	2007
<i>Appt. 4/03 Elected 4/04</i>		
Mark W. DeCost	38 Manhattan Dr.	2007
Adrienne C. Gerbrands	1 Maureen Dr.	2007
Paul Andrew Gilpin	4 Pinevale Ave.	2009
<i>Elected 4/06</i>		
John J. Hanley	1 Violet Rd.	2007
Christopher E. Hartling	1 Colleen Circle	2009
<i>Elected 4/06</i>		
Nancy J. Hofferty	10 Purity Springs Rd.	2009
Virginia M. Igo	1 Arthur Woods Ave.	2009
<i>Elected 4/72</i>		
Joanne L. Kinchla	8 Arnold Ter.	2007
<i>Appt. 9/06 (Term 2007)</i>		
Joseph E. Morandi	7 Winona Rd.	2008
Christopher P. Murphy	22 Bedford St.	2009
<i>Appt. 4/02 Elected 4/03</i>		
Phyllis D. Roussell	75 Macon Rd.	2008
Deborah J. Squeri	5 Hillcrest Rd.	2008
David S. Tait	9 Meadowvale Rd.	2008
Janine S. Towle	57 Macon Rd.	2007
<i>Appt. 9/04 Elected 4/05</i>		
Richard M. Wing	4 Wing Ter.	2008
<i>Appt. 9/04 Elected 4/05)</i>		
<b>PRECINCT 6</b>		
Marie A. Ardito	2 Edsel Dr.	2008
<i>Appt. 9/93 Elected 4/94</i>		

Roger A. Bell	18 Lisa St.	2009
<i>Appt. 1/00 elected 4/00</i>		
Catharine M. Boucher	9 Jackson Rd.	2008
Brenda Lee Cahoon	3 Lucy Rd.	2008
Florence L. Carow	1 Jonathan Rd.	2007
Ellen M. Cormier	8 Chester Ave.	2009
John G. Cormier	8 Chester Ave.	2008
Diane Kendrigan Creedon	12 Gibson St.	2009
<i>Elected 4/06</i>		
Daniel R. DiTucci	8 Lisa St.	2009
David J. Ghio	5 Holly St.	2009
<i>TMM 4/89-4/97</i>		
April L. Healey	23 Davida Rd.	2007
Richard H. Howard	158 Wilmington Rd.	2007
Thomas C. Killilea	15 Wheatland St.	2007
Florence Dolly Mountain	5 Eisenhower Dr.	2008
Joanna Schlansky	4 Gibson St.	2008
Joseph Silva	5 Alma Rd.	2009
<i>Elected 4/06</i>		
Stephen Spinosa	20 Gibson St.	2007
James Tigges	2 Maryvale Rd.	2007
<i>Write-in 2000</i>		

## APPOINTED OFFICIALS

American Disabilities Act Coordinator	Robert C. Hogan
Animal Control Officer	Gerald Mills
Appraiser/Assistant Assessor	Russell H. Washburn
Archivist/Records Manager	Daniel C. McCormack
Assistant Town Administrator	Anthony Troiano
Assistant Town Clerk	Eleanor M. Gelas
Building Inspector	John Clancy
Community Life Center Director	Wesley Simons
Conservation Administrator	John Keeley
Council on Aging Coordinator	Margery McDonald
Director of Public Health	Sharon Mastenbrook
Director of Veteran Services	Robert C. Hogan
Emergency Services Director	Stephen Duke
Environmental Engineer	Heidi Porter
Fire Chief	Lee Callahan
Health Agent/Sanitarian	Marlene Johnson
Housing Authority Executive Director	Maureen Lynch
Human Resources Director	Anne Marie Tucciarone-Mahan

Labor Counsel	Collins, Loughran & Peloquin
Library Director	Laura Hodgson
MAPC - TIP Coordinator	Thomas F. Hayes
MBTA Advisory Board	Eleanor N. O'Connell
Metropolitan Area Planning Council (MAPC)	Anthony Fields
MWRA Designee	Syamal Chaudhuri
Planning Director	Anthony Fields
Police Chief	Francis J. Hart, III
Recreation Director	Donald Roberts
Recreation Maintenance Director	Douglas Gillingham
Sealer of Weights & Measures	Richard H. Howard
Superintendent of Public Works	Syamal Chaudhuri
Town Accountant	Paul F. Sagarino, Jr.
Town Administrator	Robert A. Mercier
Town Clerk	Jane L. Chew
Town Counsel	Kopelman and Paige, P.C.
Town Engineer	Thomas F. Hayes
Treasurer/Tax Collector	Brian P. Curtin

## APPOINTED BOARDS AND COMMITTEES

### Appointments made by: Town Administrator

#### Beautification Committee(5) 1 year Standing

Carolyn R. Engel	9 Park Dr.	2007
Andrew A. Giordano	3 Belmont Rd.	2007
George M. Major	29 Lantern Ln.	2007
Joan McSweeney	1 Doris St.	2007
Elaine Zuccaro	6 Pearson Cir.	2007

#### Bike Committee 1 year Ad Hoc

Kristine Brown	61 Center St.	2007
<i>Recreation Rep</i>		
Jack Donaldson	62 Winn St.	2007
Albert Fay, Jr.	11 Raymond Rd.	2007

#### Selectmen Rep

Mildred Nash	39 Sunset Dr.	2007
James L. Nevins	26 Sunset Dr.	2007

#### B-Line Advisory Committee 1 year Ad Hoc

Ruthann Covino	4 Donna Ln.	2007
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#### COA Rep

Ann Cummings	20 Tinkham Ave.	2007
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#### Planning Rep





**Disabilities Access Committee(9) 1 year Standing**

Robert J. Emmert	21 Crystal Cir.	2007
Bernice Ferguson	19 Bedford St.	2007
Mary Jane Fietze	42 Bedford St.	2007
Maura F. Mazzocca	5 Black Horse Ln.	2007
Christine Monaco	18 Corcoran Rd.	2007
David P. Murphy	51 Bedford St.	2007
Ralph C. Patuto	29 Center St.	2007

*Selectmen Rep*

Kenneth Tigges	4 Ellen Rd.	2007
Bernadette B. Whittington	1 Ganley Dr.	2007

**Grandview Farm Use Committee 1 year Ad Hoc**

Norman B. Biggart	4 Baron Park Ln. #1	2007
Brenda L. Cahoon	3 Lucy Rd.	2007
Binnie Factor	6 Briarwood Ln.	2007
Toni Faria	6 Butters Ln.	2007
Kathleen A Horton	85A Center St.	2007
Mary Ippolito	8 Erin Ln.	2007
John S. Ivas	9 Boulder Dr.	2007
William T. McDonough	18 Maud Graham Cir.	2007
Kevin B. McKelvey	4 Allison Dr.	2007

*Selectmen Rep*

Roger Morrison	5 Hope St.	2007
Hope M. Paulsen	618 Farms Dr.	2007
Sonia Rollins	8 Paula St.	2007

*Selectmen Rep*

Nicholas G. Rubino	16 Phyllis Ave.	2007
Auralie Slowey	13 Paulson Dr.	2007
June Tabaldi	101 Cambridge St. #280	2007
Beverlee Vidoli	17 Thornton Dr.	2007

**Historical Commission(7) 3 years Standing**

Norman B. Biggart	4 Baron Pk. Ln. Apt.1	2007
Sandra J. Covenio	5 Forest Rd.	2008
Joao T. Demelo	50 Skelton Rd.	2009

*Advisory (Res. F/T 5/05)*

Eldrine F. Emerson	39 Arborwood Dr.	2009
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*Alternate 1 yr.*

Antoinette Faria	6 Butters Ln.	2009
Joyce Fay	11 Raymond Rd.	2008
Kathleen Horton	85A Center St.	2007
Norma C. Robichaud	5 Highland Way	2009

*Advisory*

Gene Rossi	174 Winn St.	2009
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*Advisory*

Michael Tredeau	12 Myrna St.	2008
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**Housing Partnership 1 year Ad Hoc**

Ernest E. Covino, Jr.	4 Donna Ln.	2007
John DeFrancesco	50 Westwood St.	2007
Phyllis Etsell	3 Eisenhower Dr.	2007
Albert L. Fay, Jr.	11 Raymond Rd.	2007

*Selectmen Rep*

Wayne Harding	16 Chadwick Rd.	2007
Jayne L. Hyde	17 Meadowvale Rd.	2007
Virginia E. Mooney	28 Mohawk Rd.	2007
Michael S. Runyan	7A Mountain Rd.	2007

**Information Systems Advisory (7) 1 year Ad Hoc**

Laurence J. Conway	18 Wildwood St.	2006
Daniel Dunn	29 Stony Brook Rd.	2006
David Fionda	46 Freeport Dr.	2006
Peter O'Keeffe	47 Skelton Rd.	2006

**Rink Oversight Committee(5) 1 year Ad Hoc**

Brian Curtin	29 Center St.	2006
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*Treasurer/Collector*

Kevin B. McKelvey	4 Allison Dr.	2006
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*Selectmen Rep*

Don Roberts	61 Center St.	2006
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*Recreation*

Craig Robinson	123 Cambridge St.	2006
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*School Dept.*

**Rt. 3A Subcommittee 1 year Ad Hoc**

John Clancy	29 Center St.	2007
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*Building*

Ernest Covino, Jr.	29 Center St.	2007
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*Planning*

Ann Cummings	20 Tinkham Ave.	2007
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*Planning Rep*

Phyllis Etsell	3 Eisenhower Dr.	2007
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Tony Fields	29 Center St.	2007
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*Planning*

Tom Hayes	29 Center St.	2007
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*Engineering*

Kristln Hoffman	29 Center St.	2007
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*Planning*

Michael O'Neil	3 Kinney Ave.	2007
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Sonia Rollins	8 Paula St.	2007
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*Selectmen Rep*

Elaine Zuccaro	6 Pearson Cir.	2007
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*Beautification Rep*

<b>Sign Bylaw Committee</b>	<b>1 year</b>	<b>Ad Hoc</b>
Robert Factor	6 Briarwood Ln.	2006
<i>Rotary</i>		
Richard H. Howard	158 Wilmington Rd.	2006
<i>Bylaw Review</i>		
Jayne L. Hyde	17 Meadowvale Rd.	2006
<i>Planning Rep</i>		
Mary Liz MacNeil	10 Van de Graaff Dr.	2006
<i>BBRT</i>		
Kevin B. McKelvey	4 Allison Dr.	2006
<i>Selectmen Rep</i>		
Joan McSweeney	1 Doris St.	2006
<i>Beautification</i>		
Robert M. Meaney	15 Sears St.	2006
<i>Bd of Appeals</i>		
George Murray	184 Mill St.	2006
<i>Bd of Appeals</i>		
<b>Sr. Housing Options Committee</b>	<b>1 year</b>	<b>Ad Hoc</b>
Arlene A. DiRocco	10 Old Colony Rd.	2007
Albert L. Fay, Jr.	11 Raymond Rd.	2006
<i>Selectmen Rep</i>		
Garry Feldman	19 Freeport Dr.	2007
Robert Hogan	61 Center St.	2007
Sheila Howard	2 Hallmark Garden #4	2007
Jayne L. Hyde	17 Meadowvale Rd.	2007
<b>Stormwater Management Advisory Committee</b>	<b>1 year</b>	<b>Ad Hoc</b>
Syamal Chaudhuri	29 Center St.	2006
<i>DPW Superintendent</i>		
James J. Dion	29 Center St.	2006
<i>Board of Health</i>		
Marylee Everett	29 Center St.	2006
<i>Conservation Commission</i>		
Tony Fields	29 Center St.	2006
<i>Planning Director</i>		
Charles E. Fuller	3 Rolling Ln.	2006
<i>Consulting Engr</i>		
Gary Gianino	29 Center St.	2006
<i>Selectmen</i>		
Tom Hayes	29 Center St.	2006
<i>Town Engineer</i>		
Jayne L. Hyde	17 Meadowvale Rd.	2006
John Keeley	29 Center St.	2006
<i>Conservation Commission</i>		
Terry McSweeney	29 Center St.	2006
<i>Board of Health</i>		

<b>Town Common Oversight</b>	<b>1 year</b>	<b>Ad Hoc</b>
Carolyn R. Engel	9 Park Dr.	2007
Albert L. Fay, Jr.	11 Raymond Rd.	2007
<i>Selectmen Rep</i>		
Douglas Gillingham	61 Center St.	2007
<i>Rec. Maint. Rep</i>		
Kevin B. McKelvey	4 Allison Dr.	2007
<i>Selectmen Rep</i>		
Joan McSweeney	1 Doris St.	2006
Elaine Zuccaro	6 Pearson Cir.	2007
<i>Beautification Rep</i>		

**Appointments made by: Moderator**

<b>Bylaw Review Committee(5)</b>	<b>1 year</b>	<b>Standing</b>
Richard H. Howard	158 Wilmington Rd.	2007
Evelyn M Mottolo	3 Dover Dr.	2007
Carol L. Powers	80 Lexington St.	2007
Richard M. Wing	4 Wing Ter.	2007
David J. Woodilla	3 Barnum Rd.	2007

<b>Capital Budget Committee(7)</b>	<b>3 years</b>	<b>Standing</b>
Thomas D. Conley, Jr.	20 Corcoran Rd.	2007
Daniel J. Grattan	9 Fieldstone Dr.	2008
Frank P. Monaco	18 Corcoran Rd.	2007
Daniel J. Raske	3 Mildred Rd.	2009
John J. Ryan	7 Grandview Ave.	2009
Janine S. Towle	57 Macon Rd.	2008
Walter T. Zenkin	2 Toomey Cir.	2007

<b>Facilities Committee (7)</b>	<b>2 years</b>	<b>Standing</b>
William F. Callahan	6 Carter Rd.	2006
Sean P. Connors	14 Sears St.	2007
John G. Cormier, Sr.	8 Chester St.	2007
Paul V. Gedick	5 County Rd.	2006
Daniel J. Hanafin	4 Maple St.	2006
Bruce A. Morey	5 Ellery Ln.	2007
Wayne S. Saltsman	24 Wheatland St.	2006

<b>Human Services Committee(7)</b>	<b>3 years</b>	<b>Standing</b>
Anne P. Coady	8 Woodside Ln.	2007
Joanne M. Horgan	12 Eastern Ave.	2008
Virginia M. Igo	1 Arthur Woods Ave.	2008
Mabel Nevins	26 Sunset Dr.	2009
Cynthia J. Phillips	4 Michael Dr.	2007
Jean M. Squires	12 Evelyn St.	2009
Judith G. Wasserman	3 Indian Hill Rd.	2008

**Land Use Committee(9) 3 years Standing**

Shari Lynn Ellis	3 Hickory Ln.	2009
Nancy J. Hofferty	10 Purity Springs Rd.	2009
Robert P. Knudsen	3 Bates St.	2009
Karen A. Moyer	7 Kingsdale St.	2008
Andrew H. Olney	21 Julia Connors Dr.	2007
James Patterson	5 Hancock St.	2008
Phyllis D. Rousell	75 Macon Rd.	2007
Paul A. Valleli	14 Marrett Rd.	2007
Sally Willard	13 Foster Rd.	2008

**Northwest Park Committee(5) Ad Hoc**

Kiane Kendrigan Creedon	12 Gibson St.
Lucy M. Damiani	7 Hearthstone Dr.
David J. Ghio	5 Holly St.
Frank P. Monaco	18 Corcoran Rd.
David S. Tait	9 Meadowvale Rd.

**Rules Committee(13) 1 year Standing**

Patricia J. Angelo	2 Austin St.	2006
Marie A. Ardito	2 Edsel Dr.	2006
Catharine M. Boucher	9 Jackson Rd.	2006
Linda K. Collins	18 Townline Rd.	2006
Channing L. Entwistle	62 Beaverbrook Rd.	2006
Joan B. Hasings	14 College Rd.	2006
Virginia M. Igo	1 Arthur Woods Ave.	2006
Ann Louise McNamara	79 Mountain Rd.	2006
Roberta E. Mills	19 Corcoran Rd.	2006
Mildred J. Nash	39 Sunset Dr.	2006
Mabel A. Nevins	26 Sunset Dr.	2006
Eleanor N. O'Connell	33 Peach Orchard Rd.	2006
James Tigges	2 Maryvale Rd.	2006

**Ways & Means Committee(15) 3 years Standing**

William C. Beyer	67 Peach Orchard Rd.	2007
Brad D. Bond	8 Mullberry Ln.	2009
<i>Appt. 11/06 (Melchionna)</i>		
Catharine M. Boucher	9 Jackson Rd.	2007
<i>Reappt. 6/29/06 (Ardito)</i>		
Timothy M. Cummings	20 Tinkham Ave.	2008
<i>Appt. 9/06(Lamb)</i>		
Nolan H. Glantz	9 Redcoat Ln.	2008
Michael J. Hardy	7 Thornton Dr.	2009
Susan R. Harrigan	6 Julia Connors Dr.	2007
John D. Kelly	14 Oxbow Ln.	2009
Thomas C. Killilea	15 Wheatland St.	2008
Jerome J. Lynch, Jr.	6 Winn St.	2008
Gary F. Romagna	4 Benson Way	2009
Phyllis D. Rousell	75 Macon Rd.	2007
Wayne S. Saltsman, MD	24 Wheatland St.	2008
<i>Appt. 6/06 (Boucher)</i>		
Robert G. Schlansky	4 Gibson St.	2009
Maureen F. Wall	4 Waite Ave.	2007

**ADJOURNED (THIRD) TOWN MEETING  
MONDAY, JANUARY 23, 2006  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:40 P.M. with a salute to the flag. A motion to adjourn to Wednesday, January 25, 2006 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

**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.

Two new employees, Paul Sagarino, Town Accountant, and Marlene Johnson, Health Inspector, were introduced to the members.

The School Facilities Study Committee gave a progress update to the members.

The Town's financial team made a presentation on the process for setting the tax rate including valuation and classification of real estate then addressed questions of the membership.

The Moderator announced that further committee reports would be heard when respective articles were discussed.

**ARTICLE 2 RE: Simonds Trust**

To see if the Town will vote to accept from the Trustees under the will of Marshall Simonds the amount of \$25,000 or any other sum, for the maintenance and improvement of Simonds Park, same to be spent under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 3 RE: Improvements at Mill Pond**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of 1,000,000 or any other sum for the purpose of paying additional costs of making improvements to the Mill Pond Treatment Plant, and for paying any and all other costs incidental, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

**MAIN MOTION:** That the sum of \$1,242,000 be and hereby is appropriated for the purpose of paying additional costs of making improvements to the Mill Pond Treatment Plant, and for paying any and all other costs incidental and related thereto, and to that to meet this appropriation the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or

pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.

Recommendations: Ways & Means voted 12-0-0 in favor.  
Capital Budget voted 7-0-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 4 RE: Rescind Authorization**

To see if the Town will vote to rescind various authorized but unissued borrowing amounts in the amount of \$2,379,870.00, or to act in any other manner in relation thereto.

**MAIN MOTION:** That the following authorized, but unissued borrowing amounts be and hereby are rescinded and are no longer of any force or effect:

<u>Amount</u>	<u>Purpose</u>	<u>Date Authorized</u>	<u>Article</u>
\$1,600,000	Water	5/18/87	9
245,000	Schools	6/16/98	20A
534,870	Sewer	1/31/05	7

TOTAL: \$2,379,870

Recommendations: Ways & Means voted 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 5 RE: Amend Part Time Salary Plan**

To see if the Town will vote to amend the Part Time Salary Plan by removing the current compensation schedule under Category F "Sealer of Weights and Measures" and replacing with the following new schedule:

<u>1<sup>st</sup> year</u>	<u>2<sup>nd</sup> and 3<sup>rd</sup> year</u>	<u>4<sup>th</sup> and 5<sup>th</sup> year</u>
\$8,000	\$8,400	\$8,800

and furthermore to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$4,000 to pay for said adjustment, or to act in any other manner in relation thereto.

**MAIN MOTION:** Withdrawn

**ARTICLE 6 RE: Emergency Utility Cost**

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 sum as a grant to appropriate non-profit entities for the purpose of providing a service to residents of the Town of Burlington in the form of emergency utility assistance, said funds to be expended under the direction of the Director of the Council on Aging and the Veterans' Agent; provided that any funds provided to non-profit organizations for this purpose shall be pursuant to a written grant agreement specifying that the funds may only be used for emergency utility assistance to residents of the Town of Burlington who would otherwise qualify for federal and/or state emergency utility assistance, and provided further that any funds not expended in fiscal Year 2006 shall be returned to the General Fund, or to act in any manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from the NESWC Account the sum of \$25,000 for the public purpose of promoting public health and safety to fund an emergency utility assistance program for the benefit of residents of the Town who meet the “needs test” standards under similar federal and state programs, said funds to be expended under the direction of the Director of the Council on Aging and the Veterans’ Agent.

Recommendations: Ways & Means voted 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 7 RE: Reserve Fund**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$100,000 or any other sum to add to the FY2006 Ways and Means line item budget (line# 99), or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from the NESWC Account the sum of \$100,000 to fund the Ways & means FY2006 Reserve Fund.

Recommendations: Ways & Means voted 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 8 RE: Stabilization Account**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$700,000 or any other amount to add to the Town FY2006 Stabilization Account, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from the NESWC Account the sum of \$700,000 to fund the Town’s Stabilization Account.

Recommendations: Ways & Means voted 12-0-0 in favor.

**ACTION: UNANIMOUSLY APPROVED THE MAIN MOTION**

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**ARTICLE 9 RE: Town Center District Article and Zoning Bylaw Amendments**

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

**2.6.0.1 Bed & Breakfast**

An owner-occupied one family dwelling offering temporary lodging accommodations for travelers, operated under an Innkeeper’s license from the Board of Selectmen, and subject to any requirements of the Massachusetts Department of Public Health and the Burlington Board of Health. No Bed and Breakfast shall have more than 4 rooms to rent, nor shall any one room be rented by more than 3 unrelated people. Guest rooms shall not be provided with separate cooking facilities. Meals may be prepared and served from a central kitchen facility.

**2.24.1 Farmers Market**

A market, usually held out-of-doors, where farmers can sell their produce, other edible farm products, flowers, fireplace wood, preserves and similar products to the public. Products at such markets should be locally and/or regionally grown. Farmers Markets are subject to regulation by the Board of Health.

**2.27.1 Fitness Center**

An establishment, providing space or facilities for physical exercise, fitness and health, occupying not more than 5,000 square feet.

**2.38.2 In-Law Apartment**

A second dwelling unit located within a structure constructed as a detached one family dwelling, not exceeding 30% of the net floor area of the structure, and not internally separated from the main dwelling unit, in a manner that maintains the appearance of the structure as a one family unit. The owner of the dwelling shall occupy either of the dwelling units. There shall be no more than one in-law apartment within a one family dwelling.

**2.38.3 Inn**

A building designed and used to provide temporary accommodations for travelers, including sleeping quarters and bathroom facilities, but not cooking facilities, operated under an Innkeeper’s license from the Board of Selectmen. Meals may be prepared and served from a central kitchen/dining facility.

**2.52.1 Multi-Family Dwelling**

A building designed and used as living quarters and habitation by four (4) or more families, containing separate cooking, bathroom and sleeping facilities in each of the living quarters.

**2.63.2 Performance Theater**

An enclosed space suitable for a variety of cultural arts performances, permanently available for the primary principal use of public performing arts presentations such as plays, dance, and concerts, although incidental use for private meetings, exhibits and presentations shall be permitted. Such space may also include studios, classrooms, and galleries.

**2.78.0.1 Three-Family Dwelling**

A building used as living quarters and habitation by three families, containing separate cooking, bathroom and sleeping facilities in each of the three living quarters.

**2.80.1 Two-Family Dwelling**

A building used as living quarters and habitation by two families, containing separate cooking, bathroom and sleeping facilities in each of the living quarters.

**AND** Further to amend Article III “Establishment of Districts”, Section 3.1.1 Special Districts, by inserting the following new overlay districts:

CC – Civic Center District  
CBD – Central Business District

**AND** Further to amend Article III, “Establishment of Districts”, Section 3.2.0 Location of Districts, by adding the following new paragraph:

Town Center Districts: As shown on the map entitled, "Town of Burlington Town Center Districts" prepared by the Town of Burlington, and dated December 2005.

**AND** Further to amend Article IV, "Use Regulations" Section 4.1.1 Symbols in Use Regulations Schedules, by adding the following symbols and text:

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

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

**AND** Further to amend Article IV, "Use Regulations", by adding two new columns to the use regulations schedules of Section 4.2.0 Principal Use Regulations Schedule, Section 4.3.0 "Accessory Use Regulations Schedule" and Section 4.4.0 "Permitted Uses in the Wetlands District", as attached as Exhibit "A".

**AND** Further to amend Article IV, "Use Regulations", by adding the following new uses:

4.2.1.1.A "2-Family Dwelling", and to provide a "YES" in the A and WR Districts, a "YES1" in the CC and CBD Districts, and to provide a "NO" in all other districts.

4.2.1.1.B "3-Family Dwelling", and to provide a "YES" in the A and WR Districts, a "YES1" in the CC and CBD Districts, and to provide a "NO" in all other districts.

4.2.1.17 "Multi-Family Dwelling other than 4.2.1.2", and to provide a "YES" in the A and WR Districts, a "YES1" in the CC and CBD Districts, and to provide a "NO" in all other districts.

4.2.1.18 "Inn, Bed and Breakfast", and to provide a "YES" in the A and WR Districts, a "YES1" in the CC and CBD Districts, and a "NO" in all other districts.

4.2.2.28 "Fitness Center", and to provide a "YES" in the BN, BL, BG, BT, IR, A, and WR Districts, a YES1 in the CC and CBD Districts, and a "NO" in all other districts.

4.2.2.29 "Performance Theater", and to provide a "YES" in the A and WR Districts, an "SP" in the BG, BT, IG, IH, and IR Districts, a "SP1" in the CC and CBD Districts, and a "NO" in all other districts.

4.2.6.3.A "Retail stores other than above and showrooms, each less than 20,000 square feet", and to provide a "YES" in the BL, BG, BT, IR, A and WR Districts, a YES1 in the CC and CBD Districts, and a "NO" in all other districts.

4.2.6.3.B "Retail stores other than above and showrooms, any individual tenant greater than 20,000 square feet", and to provide a "Yes" in the BG, IR, A, and WR Districts, an "SP1" in the CC and CBD Districts, and a "NO" in all other districts.

4.3.1.19 "Garage space for parking more than three automobiles", and to provide a "YES" in the A and WR Districts, an "SP1" in the CC and CBD Districts, and a "NO" in all other districts.

**AND** Further to amend Article V, "Density Regulations", Section 5.2.0, to add a footnote #3, to reference Section 8.5.5 for additional criteria applicable to the CC and CBD Districts.

**AND** Further to amend Article VIII, "Special Districts", to add a new Section 8.5.0 "Town Center" as follows:

#### **8.5.0 Town Center Overlay District**

##### **8.5.1 The Town Center (TC) District is hereby adopted to achieve the following purposes and objectives:**

The fulfillment of goals and strategies enumerated in the Master Plan and the Community Development Plan involving aesthetic and functional improvements to the Town Center;

The enhancement and improvement of existing historic structures and properties around the Town Common;

The enhancement and improvement of existing properties and/or structures relative to pedestrian access, vehicular circulation, and signage;

The implementation of design and development standards to guide future development and re-use proposals which reflect the historic and governmental features of the neighborhood;

The implementation of design and development standards that encourage parking areas to be subordinated in relation to buildings, landscaping, and pedestrian access;

The encouragement of communication and shared redevelopment efforts among adjoining property owners to help achieve their long term goals and objectives; and,

The promotion of increased density where utility and transportation infrastructure already exist to better accommodate future growth;

The promotion of a mixture of uses to reduce vehicle trips, such that residents and area employees can walk to needed services and amenities, and to conversely provide a built-in demand for the local commercial and retail uses;

The encouragement of in-fill development;

The reutilization of properties that have reached their market or physical obsolescence;

The clustering of buildings and mixing of uses in exchange for some portion of land to be set aside as public area or green space;

The application of "Smart Growth Principles" as enumerated by the Commonwealth of Massachusetts to the future redevelopment of the Town Center;

The provision of incentives to accomplish the above objectives.

#### **8.5.2 District Boundaries**

The Town Center (TC) District is herein incorporated as an overlay district, superimposed over other districts established by this Bylaw. The TC District is divided into two (2) sub-districts: the "Civic Center" (CC) and the "Central Business District" (CBD). The TC District shall include all areas as reflected on a map titled "Town Center Overlay District: Civic Center and Central Business Districts", prepared by Town of Burlington

Planning Department, dated December 2005. This map as may be amended from time to time is hereby made a part of this Bylaw.

### **8.5.3 General Requirements and Applicability**

All land located within the Town Center Districts, (CC) & (CBD) shall be subject to the use restrictions or prohibitions as identified in Sections 4.2.0, 4.3.0 and 4.4.0 of this Zoning Bylaw. Uses not specifically permitted in these schedules shall be prohibited. Where land falls within the 100-Year Flood Plain District, Wetlands Districts, Aquifer or Water Resource Districts, such land shall be governed by the additional requirements or prohibitions of such districts.

### **8.5.4 Permitted Uses**

#### **8.5.4.1 Uses permitted by Site Plan and Special Permit**

A Site Plan for all uses and activities proposed in the Town Center, except for single family dwellings, shall be required to be submitted in accordance with Section 9.3.0 of this Bylaw and the Site Plan Rules and Regulations of the Planning Board.

In the use regulations schedules of Sections 4.2.0, 4.3.0 and 4.4.0 of this Zoning Bylaw:

Where a use is designated as "YES" in the CC and CBD Districts, such use shall be permitted only if said use is permitted in the underlying zoning district, and any requirement for a special permit in the underlying zoning district shall govern.

Where a use is designated as "YES1" in the CC or CBD Districts, such use shall be permitted by right, even where the underlying zoning district may prohibit such use or require a special permit for such use.

Where a use is designated as "SP" in the CC or CBD Districts, such use shall require a Special Permit in accordance with the procedures specified in Section 9.2.0 of this Bylaw, regardless of the provisions of the underlying zoning district.

Where a use is designated as "SP1" in the CC or CBD Districts, such use may be permitted by a Special Permit, even where the underlying zoning district may prohibit such use.

Where a use is designated as "NO" in the CC or CBD Districts, such use shall be prohibited regardless of the provisions of the underlying zoning district.

#### **8.5.4.2 Housing Production and Residential Uses in the Town Center**

##### **8.5.4.2.1 Annual Occupancy Permit Cap:**

Not more than 30 dwelling units can be issued certificates of occupancy per year within the Town Center.

Exemptions:

a) Demolition of an existing one family dwelling and reconstruction as a one family dwelling, and additions to one family dwellings that remain one family dwellings, shall be exempt from the annual cap. For conversion or demolition and reconstruction of existing one family dwellings to 2-family or 3-family dwellings, one dwelling unit shall be considered exempt.

b) Dwellings units approved as part of a transfer of development rights, but only those units gained from the transfer, not the entire project, shall be exempt from the annual cap.

c) Dwelling units created through the reuse of structures built prior to 1900 shall be exempt from the annual cap.

##### **8.5.4.2.2 Maximum Residential Component:**

Not more than 35% of the total gross square footage of all buildings and structures in the Town Center can be in residential use. This includes single family dwellings, two family dwellings, three family dwellings, multifamily housing, senior housing, and any housing created as part of a mixed use building.

### **8.5.5 Dimensional Requirements**

#### **8.5.5.1 Minimum Lot area**

Lot area requirements shall be as required in the underlying zoning district pursuant to Section 5.2.0 of this Bylaw.

#### **8.5.5.2 Minimum Lot Frontage**

Frontage requirements shall be as required in the underlying zoning district pursuant to Section 5.2.0 of this Bylaw.

#### **8.5.5.3 Minimum Front Yard**

Front yard setback may be zero, subject to inclusion of minimum 10 feet wide pedestrian area along the front face of any structure, where such area may include walkways and other pedestrian amenities including seating areas, benches, landscaping, lighting, awnings, trash receptacles, and similar features as may be approved by the Planning

#### **8.5.5.4 Minimum Side Yard and Rear Yard**

Side yard setback may be zero, except where abutting use is a single family dwelling, in which case a minimum 15' landscaped buffer is required.

#### **8.5.5.5 Minimum Buffer to Adjoining RO Districts**

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

#### **8.5.5.6 Maximum Aggregate Building-to-Ground Area Percentage**

33 1/3 %, except that the Planning Board pursuant to a Site Plan or Special Permit may permit the Maximum Aggregate Building to Ground Area Percentage to increase to 40% where such application is consistent with the purposes of the Town Center and meets one or more of the following criteria:

- a) Pedestrian and bicycle amenities are provided that are distinctly separated from drive aisles and parking, that provide active public spaces to foster social interaction, that encourage walking between businesses, that offer ease of access to public transit systems, and that enhance safety and access to adjoining properties and streets;
- b) Landscaping is provided of a density, diversity, and maturity that fosters the creation of public spaces, and that promotes connections to landscaped spaces on adjoining properties;
- c) Any housing component where at least 15% of the units are set aside as permanently affordable housing units.
- d) Offsite mitigation is implemented within the Town Center that substantially advances the purposes and objectives of the Town Center.

Pursuant to a special permit granted under Section 8.5.9 Transfer Of Development Rights, the Planning Board may permit a Maximum Aggregate Building to Ground Area Percentage to increase to 50% where such application is consistent with the purposes of the Town Center and meets the criteria of any design review guidelines established by the Planning Board.

#### **8.5.5.7 Maximum Building & Structure Height**

For multifamily structures within 100' of abutting residential district = 30'.

For multifamily structures >100' from abutting residential district = 40'.

For single family dwellings = 30'.

#### **8.5.5.8 Minimum Feet between Buildings**

None, but not less than required by the State Building Code.

#### **8.5.5.9 Maximum Floor Area Ratio**

For properties whose underlying zoning designation is General Industrial, the Floor Area Ratio may be increased to 0.50 pursuant to a special permit granted by the Planning Board in accordance with the provisions of Section 8.5.5.6. Floor Area Ratio shall not apply to other properties in the TC District.

#### **8.5.6 Nonconforming Uses, buildings, structures and premises**

In addition to the criteria of Sections 6.1.1 and 6.1.2 of this Bylaw, proposed alteration, expansion, and/or change of nonconforming uses, buildings, structures or premises shall be subject to site plan review and aesthetic criteria of any design review regulations adopted by the Planning Board.

#### **8.5.7 Parking Requirements**

Parking requirements shall be as specified in Article VII of this Bylaw.

#### **8.5.8 Design Requirements**

The Planning Board shall adopt and maintain design review regulations to govern the future construction and reuse of properties in the Town Center. Adoption and amendment to such

regulations shall require a public hearing. Such regulations shall address:

1. Facade and exterior building treatment, including the style and sizes of all signage affixed to buildings;
2. A minimum percentage of landscaped surface area;. All open space, landscaped and usable, shall be designed to add to the visual amenities of the area by maximizing, in so far as practical, its visibility for persons passing the site or overlooking it from nearby properties.
3. A reduction in the number of existing curb openings that exist on the premises;
4. The placement of utilities and wiring underground to the extent possible;
5. The placement of HVAC equipment, fans, generators, and other site related structures and items so that they are not visible from roofs or building frontage areas, or that such features are suitably screened from view;
6. The required number of parking and loading spaces;
7. Other design standards and conditions deemed appropriate by the Planning Board; and,
8. Pedestrian amenities - sidewalks to provide access between parking areas and uses, and between properties.
9. Preservation and enhancement of landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil remove and any grade changes shall be in keeping with the general appearance or neighboring developed area.
10. Relation of buildings to environment. The proposed development shall be related harmoniously to the terrain and to the design, scale, and architecture of existing buildings in the surrounding area that have visual relationship to the proposed buildings, in so far as practical. Proposed buildings shall be related to their surroundings with respect to:
  - (a.) Street facade and exterior walls visible from public ways.
  - (b.) Variations and breaks in wall and/or roof planes.
  - (c.) materials, textures and color
  - (d.) roof slopes and materials
  - (e.) Domestic scale should be produced through massing devices such as breaks in wall and roof planes and through design of architectural features.
  - (f.) The building should not be made, in effect, a sign, through painting with bold patterns, checks, logos or other graphic devices, use of lighting or use of unconventional building form.
  - (g.) external lighting
  - (h.) external windows
11. Heritage. Proposals to remove or disrupt historic or traditional structures, or architectural elements shall be minimized.
12. Cost. The Design Review Board shall be obligated to be sensitive to potential financial burden to the applicant.

#### **8.5.9 Transfer of Development Rights**



The Planning Board may, by Special Permit, consider requests to transfer development capacity between parcels of land in the Town Center. The Planning Board shall base its decision on the purposes and objectives criteria of Section 8.5.1. A major purpose of this provision is to provide a buffer between the adjoining established neighborhoods and the Town Center where no such buffer currently exists. Transferred development rights may be used for residential or nonresidential uses.

Development rights may not be transferred from land which may not be otherwise developed because of deed restrictions, easements, prior transfer of development rights, or other reasons that render the land not developable, including land with conservation restrictions, land owned by a government agency or a nonprofit corporation or other entity for park, open space, agricultural, historical, or conservation purposes.

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

Development rights may be transferred from a sending parcel with the accompanying deed restriction and held indefinitely by the owner of the parcel before being transferred to a receiving parcel. Development rights may be transferred by sale or other means and may subsequently be transferred to any owner of receiving parcels in the Town Center allowed pursuant to this bylaw.

#### **8.5.10 Criteria for approval**

The Planning Board shall not approve any application for approval of a site plan or special permit in the Town Center District unless it finds that all the following conditions are met:

1. The use or uses as proposed to be developed, and as reflected on the Site Plan and/or Special Permit application, will further the goals enumerated in the Master Plan and Community Development Plan for the Town Center, and the objectives listed in this section;
2. The use or uses proposed to be developed will enhance and improve pedestrian access, vehicular circulation, and the aesthetic appearance and function of the property and the area; and,
3. All criteria for approval listed in Sections 9.2.4 and 9.3.4 of this Bylaw.

**MAIN MOTION:** TO see if the Town will vote to amend Article II "Definitions" of the Zoning Bylaw, by adding the following new definitions:

##### **2.6.0.1 Bed & Breakfast**

An owner-occupied one family dwelling offering temporary lodging accommodations for travelers, operated under an Innkeeper's license from the Board of Selectmen, and subject to any requirements of the Massachusetts Department of Public Health and the Burlington Board of Health. No Bed and Breakfast shall have more than 4 rooms to rent, nor shall any one room be rented by more than 3 unrelated people. Guest rooms shall not be provided with separate cooking facilities. Meals may be prepared and served from a central kitchen facility.

##### **2.24.1 Farmers Market**

A market, usually held out-of-doors, where farmers can sell their produce, other edible farm products, flowers, fireplace wood, preserves and similar products to the public. Products at such markets should be locally and/or regionally grown. Farmers Markets are subject to regulation by the Board of Health.

##### **2.27.1 Fitness Center**

An establishment, providing space or facilities for physical exercise, fitness and health, occupying not more than 5,000 square feet.

##### **2.38.1.1 In-Law Apartment**

A second dwelling unit located within a structure constructed as a detached one family dwelling, not exceeding 30% of the net floor area of the structure, and not internally separated from the main dwelling unit, in a manner that maintains the appearance of the structure as a one family unit. The owner of the dwelling shall occupy either of the dwelling units. There shall be no more than one in-law apartment within a one family dwelling.

##### **2.38.1.2 Inn**

A building designed and used to provide temporary (not to exceed 30 days) accommodations for travelers, including sleeping quarters and bathroom facilities, but not cooking facilities, operated under an Innkeeper's license from the Board of Selectmen. Meals may be prepared and served from a central kitchen/dining facility.

##### **2.52.1 Multi-Family Dwelling**

A building designed and used as living quarters and habitation by four (4) or more families, containing separate cooking, bathroom and sleeping facilities in each of the living quarters.

##### **2.63.1 Performance Theater**

An enclosed space suitable for a variety of cultural arts performances, permanently available for the primary principal use of public performing arts presentations such as plays, dance, and concerts, although incidental use for private meetings, exhibits and presentations shall be permitted. Such space may also include studios, classrooms, and galleries.

##### **2.78.0.1 Three-Family Dwelling**

A building used as living quarters and habitation by three families, containing separate cooking, bathroom and sleeping facilities in each of the three living quarters. The configuration of units must be in a side-by-side layout, not vertically above one another.

##### **2.80.1 Two-Family Dwelling**

A building used as living quarters and habitation by two families, containing separate cooking, bathroom and sleeping facilities in each of the living quarters.

**AND** Further to amend Article III "Establishment of Districts", Section 3.1.1 Special Districts, by inserting the following new overlay districts:

CC – Civic Center District  
CBD – Central Business District

**AND** Further to amend Article III, "Establishment of Districts", Section 3.2.0 Location of Districts, by adding the following new paragraph:

Town Center Districts: As shown on the map entitled, "Town of Burlington Town Center Districts" prepared by the Town of Burlington, and dated December 2005.

**AND** Further to amend Article IV, "Use Regulations" Section 4.1.1 Symbols in Use Regulations Schedules, by adding the following symbols and text:

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

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

**AND** Further to amend Article IV, "Use Regulations", by adding two new columns to the use regulations schedules of Section 4.2.0 Principal Use Regulations Schedule, Section 4.3.0 "Accessory Use Regulations Schedule" and Section 4.4.0 "Permitted Uses in the Wetlands District", as attached as Exhibit "A".

**AND** Further to amend Article IV, "Use Regulations", by adding the following new uses:

4.2.1.1.A "2-Family Dwelling", and to provide a "YES" in the A and WR Districts, a "YES<sub>1</sub>" in the CC and CBD Districts, and to provide a "NO" in all other districts.

4.2.1.1.B "3-Family Dwelling", and to provide a "YES" in the A and WR Districts, a "YES<sub>1</sub>" in the CC and CBD Districts, and to provide a "NO" in all other districts.

4.2.1.17 "Multi-Family Dwelling other than 4.2.1.2", and to provide a "YES" in the A and WR Districts, a "YES<sub>1</sub>" in the CC and CBD Districts, and to provide a "NO" in all other districts.

4.2.1.18 "Inn, Bed and Breakfast", and to provide a "YES" in the A and WR Districts, a "YES<sub>1</sub>" in the CC and CBD Districts, and a "NO" in all other districts.

4.2.2.28 "Fitness Center", and to provide a "YES" in the BN, BL, BG, BT, IR, A, and WR Districts, a YES<sub>1</sub> in the CC and CBD Districts, and a "NO" in all other districts.

4.2.2.29 "Performance Theater", and to provide a "YES" in the A and WR Districts, an "SP" in the BG, BT, IG, IH, and IR Districts, a "SP<sub>1</sub>" in the CC and CBD Districts, and a "NO" in all other districts.

4.2.6.3.A "Retail stores other than above and showrooms, each less than 20,000 square feet", and to provide a "YES" in the BL, BG, BT, IR, A and WR Districts, a YES<sub>1</sub> in the CC and CBD Districts, and a "NO" in all other districts.

4.2.6.3.B "Retail stores other than above and showrooms, any individual tenant greater than 20,000 square feet", and to provide a "Yes" in the BG, IR, A, and WR Districts, an "SP<sub>1</sub>" in the CC and CBD Districts, and a "NO" in all other districts.

4.3.1.19 "Garage space for parking more than three automobiles", and to provide a "YES" in the A and WR Districts, an "SP<sub>1</sub>" in the CC and CBD Districts, and a "NO" in all other districts.

**AND** Further to amend Article V, "Density Regulations", Section 5.2.0, to add a footnote #3, to reference Section 8.5.5 for additional criteria applicable to the CC and CBD Districts.

**AND** Further to amend Article VIII, "Special Districts", to add a new Section 8.5.0 "Town Center" as follows:

#### **8.5.0 Town Center Overlay District**

##### **8.5.1 The Town Center (TC) District is hereby adopted to achieve the following purposes and objectives:**

The fulfillment of goals and strategies enumerated in the Master Plan and the Community Development Plan involving aesthetic and functional improvements to the Town Center;

The enhancement and improvement of existing historic structures and properties around the Town Common;

The enhancement and improvement of existing properties and/or structures relative to pedestrian access, vehicular circulation, and signage;

The implementation of design and development standards to guide future development and re-use proposals which reflect the historic and governmental features of the neighborhood;

The implementation of design and development standards that encourage parking areas to be subordinated in relation to buildings, landscaping, and pedestrian access;

The encouragement of communication and shared redevelopment efforts among adjoining property owners to help achieve their long term goals and objectives; and,

The promotion of increased density where utility and transportation infrastructure already exist to better accommodate future growth;

The promotion of a mixture of uses to reduce vehicle trips, such that residents and area employees can walk to needed services and amenities, and to conversely provide a built-in demand for the local commercial and retail uses;

The encouragement of in-fill development;

The reutilization of properties that have reached their market or physical obsolescence;

The clustering of buildings and mixing of uses in exchange for some portion of land to be set aside as public area or green space;

The application of "Smart Growth Principles" as enumerated by the Commonwealth of Massachusetts to the future redevelopment of the Town Center;

The provision of incentives to accomplish the above objectives.

#### **8.5.2 District Boundaries**

The Town Center (TC) District is herein incorporated as an overlay district, superimposed over other districts established by this Bylaw. The TC District is divided into two (2) sub-districts: the "Civic Center" (CC) and the "Central Business District" (CBD). The TC District shall include all areas as reflected on a map titled "Town Center Overlay District: Civic Center and Central Business Districts", prepared by Town of Burlington

Planning Department, dated December 2005. This map as may be amended from time to time is hereby made a part of this Bylaw.

### **8.5.3 General Requirements and Applicability**

All land located within the Town Center Districts, (CC) & (CBD) shall be subject to the use restrictions or prohibitions as identified in Sections 4.2.0, 4.3.0 and 4.4.0 of this Zoning Bylaw. Uses not specifically permitted in these schedules shall be prohibited. Where land falls within the 100-Year Flood Plain District, Wetlands Districts, Aquifer or Water Resource Districts, such land shall be governed by the additional requirements or prohibitions of such districts.

### **8.5.4 Permitted Uses**

#### **8.5.4.1 Uses permitted by Site Plan and Special Permit**

A Site Plan for all uses and activities proposed in the Town Center, except for single family dwellings, shall be required to be submitted in accordance with Section 9.3.0 of this Bylaw and the Site Plan Rules and Regulations of the Planning Board.

In the use regulations schedules of Sections 4.2.0, 4.3.0 and 4.4.0 of this Zoning Bylaw:

Where a use is designated as "YES" in the CC and CBD Districts, such use shall be permitted only if said use is permitted in the underlying zoning district, and any requirement for a special permit in the underlying zoning district shall govern.

Where a use is designated as "YES1" in the CC or CBD Districts, such use shall be permitted by right, even where the underlying zoning district may prohibit such use or require a special permit for such use.

Where a use is designated as "SP" in the CC or CBD Districts, such use shall require a Special Permit in accordance with the procedures specified in Section 9.2.0 of this Bylaw, even where the underlying zoning district may permit such use by right. Such designation shall not supersede a prohibition of an underlying zoning district.

Where a use is designated as "SP1" in the CC or CBD Districts, such use may be permitted by a Special Permit, even where the underlying zoning district may prohibit such use.

Where a use is designated as "NO" in the CC or CBD Districts, such use shall be prohibited regardless of the provisions of the underlying zoning district.

#### **8.5.4.2 Housing Production and Residential Uses in the Town Center**

##### **8.5.4.2.1 Annual Permit Cap:**

Not more than (40) dwelling units can be issued building permits per year within the Town Center.

Exemptions:

a) Demolition of an existing one family dwelling and reconstruction as a one family dwelling, and additions to one family dwellings that remain one family dwellings, shall be exempt from the annual cap. For conversion or demolition and reconstruction of existing one family dwellings to 2-family or 3-family dwellings, all dwelling units shall be considered exempt.

b) Dwellings units approved as part of a transfer of development rights, but only those units gained from the transfer, not the entire project, shall be exempt from the annual cap.

c) Dwelling units created through the reuse of structures built prior to 1900 shall be exempt from the annual cap.

d) Dwelling units created for Senior (over 55 years of age) Housing, not to exceed (50) units, shall be exempt from the annual cap.

##### **8.5.4.2.2 Maximum Residential Component:**

Not more than 25% of the total gross square footage of all buildings and structures in the Town Center can be in residential use. This includes single family dwellings, two family dwellings, three family dwellings, multifamily housing, senior housing, and any housing created as part of a mixed use building.

### **8.5.5 Dimensional Requirements**

#### **8.5.5.1 Minimum Lot area**

Lot area requirements shall be as required in the underlying zoning district pursuant to Section 5.2.0 of this Bylaw.

#### **8.5.5.2 Minimum Lot Frontage**

Frontage requirements shall be as required in the underlying zoning district pursuant to Section 5.2.0 of this Bylaw.

#### **8.5.5.3 Minimum Front Yard**

Front yard setback may be zero, subject to inclusion of minimum 10 feet wide pedestrian area along the front face of any structure, where such area may include walkways and other pedestrian amenities including seating areas, benches, landscaping, lighting, awnings, trash receptacles, and similar features as may be approved by the Planning Board pursuant to a Site Plan.

#### **8.5.5.4 Minimum Side Yard and Rear Yard**

Side yard setback may be zero, except where abutting use is a single family dwelling, in which case a minimum 15' landscaped buffer is required.

#### **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 of 50'. Abutting residentially zoned property shall include lots that are adjacent to a private or public way connecting said residential property and the Town Center Districts. A landscaped buffer of at least 20' in depth shall be constructed to mitigate the impact of any commercial use 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.

#### **8.5.5.6 Maximum Aggregate Building-to-Ground Area Percentage**

33 1/3 %, except that the Planning Board pursuant to a Site Plan or Special Permit may permit the Maximum Aggregate Building to Ground Area Percentage to increase to 40% where such application is consistent with the purposes of the Town Center and meets one or more of the following criteria:

- a) Pedestrian and bicycle amenities are provided that are distinctly separated from drive aisles and parking, that provide active public spaces to foster social interaction, that encourage walking between businesses, that offer ease of access to public transit systems, and that enhance safety and access to adjoining properties and streets;
- b) Landscaping is provided of a density, diversity, and maturity that fosters the creation of public spaces, and that promotes connections to landscaped spaces on adjoining properties;
- c) Any housing component where at least 15% of the units are set aside as permanently affordable housing units.
- d) Offsite mitigation is implemented within the Town Center that substantially advances the purposes and objectives of the Town Center.

Pursuant to a special permit granted under Section 8.5.9 Transfer of Development Rights, the Planning Board may permit a Maximum Aggregate Building to Ground Area Percentage to increase to 50% where such application is consistent with the purposes of the Town Center and meets the criteria of any design review guidelines established by the Planning Board.

#### **8.5.5.7 Maximum Building & Structure Height**

For nonresidential structures within 100' of abutting residential district, including measurement across public or private ways = 30'.

For nonresidential structures greater than 100' but less than 200' from abutting residential district, including measurement across public or private ways = 35'.

For nonresidential structures greater than 200' from abutting residential districts, including measurement across public ways = 40'.

For multifamily structures within 100' of abutting residential district = 30'

For multifamily structures greater than 100' from abutting residential district = 40'.

For single family dwellings = 30'.

#### **8.5.5.8 Minimum Feet between Buildings**

None, but not less than required by the State Building Code.

#### **8.5.5.9 Maximum Floor Area Ratio**

For properties whose underlying zoning designation is General Industrial, the Floor Area Ratio may be increased to 0.50 pursuant to a special permit granted by the Planning Board in accordance with the provisions of Section 8.5.5.6. Floor Area Ratio shall not apply to other properties in the TC District.

#### **8.5.6 Nonconforming Uses, buildings, structures and premises**

In addition to the criteria of Sections 6.1.1 and 6.1.2 of this Bylaw, proposed alteration, expansion, and/or change of nonconforming uses, buildings, structures or premises shall be subject to site plan review and aesthetic criteria of any design review regulations adopted by the Planning Board.

#### **8.5.7 Parking Requirements**

Parking requirements shall be as specified in Article VII of this Bylaw.

#### **8.5.8 Design Requirements**

The Planning Board shall adopt and maintain design review regulations to govern the future construction and reuse of properties in the Town Center. Adoption and amendment to such regulations shall require a public hearing. Such regulations shall address:

1. Facade and exterior building treatment, including the style and sizes of all signage affixed to buildings;
2. A minimum percentage of landscaped surface area; All open space, landscaped and usable, shall be designed to add to the visual amenities of the area by maximizing, in so far as practical, its visibility for persons passing the site or overlooking it from nearby properties.
3. A reduction in the number of existing curb openings that exist on the premises;
4. The placement of utilities and wiring underground to the extent possible;
5. The placement of HVAC equipment, fans, generators, and other site related structures and items so that they are not visible on roofs or building frontage areas, or that such features are suitably screened from view;
6. The layout & design of parking and loading spaces;
7. Other design standards and conditions deemed appropriate by the Planning Board; and,
8. Pedestrian amenities - sidewalks to provide access between parking areas and uses, and between properties.
9. Preservation and enhancement of landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil remove and any grade changes shall be in keeping with the general appearance or neighboring developed area.
10. Relation of buildings to environment. The proposed development shall be related harmoniously to the terrain and to the design, scale, and architecture of existing buildings in the surrounding area that have visual relationship to the proposed buildings, in so far as practical. Proposed buildings shall be related to their surroundings with respect to:
  - (a.) Street facade and exterior walls visible from public ways.
  - (b.) Variations and breaks in wall and/or roof planes.
  - (c.) materials, textures and color
  - (d.) roof slopes and materials

(e.) Domestic scale should be produced through massing devices such as breaks in wall and roof planes and through design of architectural features.

(f.) The building should not be made, in effect, a sign, through painting with bold patterns, checks, logos or other graphic devices, use of lighting or use of unconventional building form.

(g.) external lighting

(h.) external windows

11. Heritage. Proposals to remove or disrupt historic or traditional structures, or architectural elements shall be minimized.

12. Cost. The Planning Board shall be obligated to be sensitive to potential financial burden to the applicant, where the applicant is only making improvements to comply with the Americans with Disabilities Act requirements.

#### **8.5.9 Transfer of Development Rights**

The Planning Board may, by Special Permit, consider requests to transfer development capacity between parcels of land in the Town Center. The Planning Board shall base its decision on the purposes and objectives criteria of Section 8.5.1. A major purpose of this provision is to provide a buffer between the adjoining established neighborhoods and the Town Center where no such buffer currently exists. Transferred development rights may be used for residential or nonresidential uses.

Development rights may not be transferred from land which may not be otherwise developed because of deed restrictions, easements, prior transfer of development rights, or other reasons that render the land not developable, including land with conservation restrictions, land owned by a government agency or a nonprofit corporation or other entity for park, open space, agricultural, historical, or conservation purposes.

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

Development rights may be transferred from a sending parcel with the accompanying deed restriction and held indefinitely by the owner of the parcel before being transferred to a receiving parcel. Development rights may be transferred by sale or other means and may subsequently be transferred to any owner of receiving parcels in the Town Center allowed pursuant to this bylaw.

#### **8.5.10 Criteria for approval**

The Planning Board shall not approve any application for approval of a site plan or special permit in the Town Center District unless it finds that all the following conditions are met:

1. The use or uses as proposed to be developed, and as reflected on the Site Plan and/or Special Permit application, will further the goals enumerated in the Master Plan and Community Development Plan for the Town Center, and the objectives listed in this section;

2. The use or uses proposed to be developed will enhance and improve pedestrian access, vehicular circulation, and the aesthetic appearance and function of the property and the area; and,

3. All criteria for approval listed in Sections 9.2.4 and 9.3.4 of this Bylaw.

Recommendations: Planning Board voted 7-0-0 in favor. Land Use Committee voted 6-0-2 in favor. Board of Selectmen voted 5-0-0 in favor. The Historical Commission voted 7-0-0 in favor.

A motion to postpone to May 2006 was moved, seconded and failed.

A motion to end debate was moved, seconded and failed.

A motion to amend by deleting sections 2.38.1.1, 2.52.1, 2.78.0.1, and 2.80.1 and removing all references to residential dwellings from Article 9 was moved and seconded.

Upon advise of Town Counsel, the Moderator requested the amendment be withdrawn because it was not specific and could result in unintended consequences. The member advancing the amendment declined. The Moderator ruled the amendment out of order and called for a vote of Town Meeting to uphold the ruling. Majority voted to uphold the Moderator's ruling.

After considerable discussion, a motion to end debate was moved, seconded and so voted.

There was a division of the house and tellers were appointed. BY A VOTE OF 54 IN FAVOR AND 27 OPPOSED, the main motion carried. The Moderator then called for a roll call vote.

**BY A VOTE OF 56 IN FAVOR AND 28 OPPOSED, THE MAIN MOTION CARRIED.**

App'd. A.G. . Adv. Daily Times .

At 11:15 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:  
Jane L. Chew  
Town Clerk

#### **REFERENDUM PETITION – ARTICLE 9**

On February 6, 2006, a petition for a referendum question on Article 9 of the January 23, 2006 Town Meeting was submitted to the Selectmen. The Board of Registrars certified 1220 out of 1297 signatures submitted qualifying the question to appear before the voters.

TOWN OF BURLINGTON, MA

MAY 2006 TOWN MEETING MINUTES

**MONDAY, MAY 8, 2006  
FOGELBERG AUDITORIUM – BHS**

At 7:20 P.M., the Town Meeting Members of Precinct 2 assembled to fill the vacancy created by the resignation of Anne McNamara. Present and voting were: W. Beyer, M. Foster, J. Lynch, III, J. Lynch, Jr., M. Merlesena, E. O'Connell.

Nominations were as follows: Richard Wilde, 1 McNamara Way #30.

Unanimously voted to appoint Richard Wilde until the annual town election in 2007.

**ADJOURNED (FIRST) TOWN MEETING  
MONDAY, MAY 8, 2006  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:40 P.M. with a salute to the flag lead by the two remaining Charter Members Joan Hastings and Virginia Igo. A motion to adjourn to Wednesday, May 10, 2006 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

All newly elected Town Meeting Members were sworn in. The Moderator welcomed the new members and acknowledged the years of service and contributions of the members who were not re-elected.

A motion to move Article 30 to the first item on the agenda for May 10 was moved, seconded and so voted. The Moderator appointed Mr. Kelly and Mr. Monaco as deputies.

**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.

The Moderator announced that further committee reports would be heard when respective articles were discussed.

**ARTICLE 2 RE: Redevelopment of Northwest Park  
Appointment of Town Meeting Committee**

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

**MAIN MOTION:** As printed in the Warrant

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 3 RE: Elected Officials/Petition General Court**

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

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

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

Section Two: After approval by the General Court, this Act shall be presented to the voters at the next following annual town election. The ballot question shall take the following form: Shall the Town of Burlington accept an Act passed by the General Court entitled, "An Act relative to Limitations on Office Holding for Elected Officials in the Town of Burlington"? If a majority of voters voting on the question vote yes, this Act shall take effect immediately; provided however, that any person already holding office at the time the Act is accepted, shall be exempt from the operation of Sections One of the Act until the expiration of the person's current elected term.

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

**MAIN MOTION:** As printed in the Warrant

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 4 RE: Acceptance Group Insurance/M.G.L. C32B, §18**

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

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted 10-0-2 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 5 RE: Raymond Road Parcel**

To see if the Town will vote to transfer from the custody of the Board of Selectmen a parcel of land identified on Map 29, Parcel 74 of the Burlington Assessors' maps containing 0.189 acres of land, more or less and located on Raymond Road to the Conservation Commission for conservation purposes, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Land Use Committee voted 6-0-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 6 RE: Fairfax Street Parcel**

To see if the Town will vote to transfer from the custody of the Board of Selectmen a parcel of land identified on Map 22, Parcel 289-1 of the Burlington Assessors' maps containing 0.704 acres of land, more or less and located on Fairfax Street to the Conservation Commission for conservation purposes, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant.

Recommendations: Land Use Committee voted 6-0-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 7 RE: Cook Road Parcel**

To see if the Town will vote to transfer from the custody of the Board of Selectmen a parcel of land identified on Map 2, Parcel 13 of the Burlington Assessors' maps containing 2.329 acres of land, more or less and located on Cook Road to the Conservation Commission for conservation purposes, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant.

Recommendations: Land Use Committee voted 6-0-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 8 RE: Zoning Bylaw Amendment  
Inclusionary Zoning**

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

**2.1.7 Affordable Housing Unit**

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

**2.65.2 Qualified Affordable Housing Unit Purchaser**

An individual or family with a household income that does not exceed 80% of the area median income, with adjustments for

household size, as reported by the most recent information from the United States Department of Housing and Urban Development and/or DHCD.

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

**5.1.9 Inclusion of Affordable Housing**

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

**5.1.9.2 Applicability**

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

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

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

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

**5.1.9.2.2** DWELLING UNITS shall be considered as part of a single development if located either on a single parcel or contiguous parcels of land which have been in the same ownership



at any time subsequent to the date of adoption of this Section,  
5.1.9, Inclusion of Affordable Housing.

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

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

- A. Constructed on the parcel or parcels subject to the Special Permit;
- B. Constructed on a parcel or parcels different than the one subject to the Special Permit;
- C. An applicant may offer, and the Planning Board, in concert with the Board of Selectmen may accept, donations of land in fee simple, on or off the parcel or parcels, that the Planning Board determines are suitable for the construction of an equivalent number of AFFORDABLE DWELLING UNITS. The Planning Board may require, prior to acceptance of land by the Town, satisfaction of the requirements of this Section 5.1.9, that the applicant submit appraisals of the land in question, as well as other data relevant to the determination of value;
- D. For fractional AFFORDABLE DWELLING UNITS, the applicant may round up to the next whole number of units or choose to pay equivalent fees-in-lieu of units (see Section 5.1.9.7) proportionate to the percentage of the units required;
- E. Preservation of existing DWELLING UNITS as AFFORDABLE DWELLING UNITS through the purchase of deed restrictions.

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

5.1.9.5.1. Allowed types of AFFORDABLE DWELLING UNITS:

- A. Single-family DWELLINGS;
- B. Single-family DWELLINGS with ACCESSORY APARTMENTS;
- C. MULTI-FAMILY DWELLINGS, which are designed to be consistent in character with the single-family DWELLINGS in the same development. Such MULTI-FAMILY DWELLINGS may be allowed provided:
  - i. in terms of exterior appearance, the BUILDING is compatible in design and, to the extent practicable, indistinguishable from the single-family DWELLINGS in the same development; and
  - ii. there shall be no more than four (4) DWELLING UNITS in any residential BUILDING; and
  - iii. the total number of MULTI-FAMILY DWELLINGS shall not exceed 10% of the units in the development; and
  - iv. the overall length of any residential BUILDING shall not exceed 100 feet.

D. Accessory uses and structures incidental to principal uses indicated above and approved by the Planning Board.

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

Plan shall identify those lots selected for AFFORDABLE DWELLING UNITS.

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

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

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

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

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 7-0-0 to table. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

## ARTICLE 9

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



## TOWN OF BURLINGTON, MA

## MAY 2006 TOWN MEETING MINUTES

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

**4.1.1 Symbols in Use Regulations Schedules**

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

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

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

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

**8.5.5.5 Minimum Buffer to Adjoining RO Districts**

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

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

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

**8.5.5.8 Minimum Feet between Buildings**

Not less than required by the State Building Code.

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

Transfer of development rights is contingent upon placing a permanent deed restriction and recording such at the South Middlesex Registry of Deeds, the form of which is subject to approval by Town Counsel, on the land from which the

development rights are being transferred and restricting the use of the land to agriculture, forestry, open space, passive or active recreation, or deeding the land to the Town of Burlington as permanent open space or parkland.

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

or to act in any other manner in relation thereto.

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 7-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 10 RE: Rezone Tinkham Avenue**

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

**MAIN MOTION:** As printed in the Warrant

Recommendations: Planning Board voted in favor 7-0-0 in favor. Land Use Committee voted 6-0-0 to take no action.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 11 RE: Zoning Bylaw Amendment Section 3.1.1/Special Districts**

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

*By adding (note: the below term is used in section 8.5.1)*  
TC – Town Center District

The section to now read:

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

or to act in any other manner in relation thereto.

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 6-0-0 to table. Planning Board had no recommendation at this time.

A motion to end debate was moved, seconded and so voted.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 12 RE: Zoning Bylaw Amendment**

**Section 8.5.1.1/Intent of Town Meeting**

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

8.5.1.1 Intent of Town Meeting

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

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

or to act in any other manner in relation thereto.

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 6-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 13 RE: Zoning Bylaw Amendment Section 8.5.2/District Boundaries**

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

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

The amended section 8.5.2 to now read:

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

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 7-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 14 RE: Zoning Bylaw Amendment Section 8.5.5.5/Minimum Buffer**

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

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

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

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

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

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

The amended Section 8.5.5.5 to then read:

The minimum buffer to adjoining residentially zoned property shall be 20% of the average depth and/or width of the lot as applicable, with a minimum of 25' and a maximum *requirement* of 50'. Abutting residentially zoned property shall include lots that are adjacent to a private or public way connecting said

## TOWN OF BURLINGTON, MA

## MAY 2006 TOWN MEETING MINUTES

residential property and the Town Center Districts. A landscaped buffer of at least 25' in depth shall be constructed *within the Town Center District property* to mitigate the impact of any commercial use *affecting* the abutting residential district. The buffer shall be designed and constructed to minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights, or signs, and shall be kept free of encroachment by all buildings, structures, storage areas, and parking, except that bicycle paths and fences may be sited within such buffer area if approved pursuant to a site plan review by the Planning Board.

or to act in any other manner in relation thereto.

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 6-0-0 to table. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 15 RE: Zoning Bylaw Amendment Section 8.5.8/Design Requirements**

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

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

The amended section 8.5.8 Design Requirements to then read:

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

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

or to act in any other manner in relation thereto.

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 7-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 16 RE: Zoning Bylaw Amendment Article VI/Use Regulations, Section 4.1.1**

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

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

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

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

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 6-0-0 to table. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 17 RE: Zoning Bylaw Amendment Article VI/General Regulations, Section 6.1.1**

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

The amended Section 6.1.1 to then read:

**6.1.1 Nonconforming Uses**

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

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 0-6-0 in opposition. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 18 RE: Zoning Bylaw Amendment Article VI/General Regulations, Section 6.1.1**

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

The amended Section 6.1.1 to then read:

**6.1.1 Nonconforming Uses**

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

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 6-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 19 RE: Zoning Bylaw Amendment Article III/Establishments of Districts**

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

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

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 7-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 20 RE: Zoning Map Amendment Open Space Districts**

To see if the Town will vote to rezone the following parcels from RO (One Family Dwelling) District to OS (Open Space) District,

and amend the Town of Burlington Zoning Map accordingly, as follows:

Property known as the Town Common, shown on Assessors' Map 29, Parcel 109 (6.7 acres)  
Property known as Olympian Way, shown on Assessors' Map 29, Parcel 162 (0.31 acres)  
Property known as Simonds Park, shown on Assessors' Map 23, Parcel 255 (20.4 acres)  
Property known as Rahanis Park, shown on Assessors' Map 18, Parcel 7 (12.7 acres)  
Property known as Regan Park, shown on Assessors' Map 16, Parcel 71 (5.4 acres)  
Property known as TRW Park, shown on Assessors' Map 41, Parcel 128 (7.0 acres)  
Property known as Veteran's Park, shown on Assessors' Map 5, Parcel 88 (3.6 acres)  
Property known as Pathwoods Tot Lot, shown on Assessors' Map 22, Parcel 125 (0.36 acres)  
Property known as Overlook Park, shown on Assessors' Map 43, Parcel 22 (7.6 acres)  
Property known as Marvin Field, shown on Assessors' Map 54, Parcel 12 (4.5 acres)  
Property known as Rotary Field, shown on Assessors' Map 54, Parcel 14 (1.7 acres)  
Property known as Saw Mill Conservation Area, shown on Assessors' Map 9, Parcel 64 (7.0 acres), Parcel 65 (10.8 acres), Parcel 66 (1.2 acres); and on Assessors' Map 13, Parcel 87 (2.7 acres), Parcel 95 (3.4 acres), Parcel 96 (3.8 acres) and Parcel 97 (18,225 square feet).  
Property known as Little Brook Conservation Area, shown on Assessors' Map 48, Parcel 6-1 (7.6 acres) and on Assessors' Map 49, Parcel 84 (29.1 acres).  
Property known as the City of Boston land and/or the Cummings Estate, comprised of lands shown on Assessors' Map 54, Parcel 16 (148.0 acres), Parcel 13 (7.6 acres) and Parcel 18 (4.4 acres), or to act in any other manner in relation thereto.

**MAIN MOTION:** Postpone Indefinitely

Recommendations: Land Use Committee voted 7-0-0 in favor. Planning Board had no recommendation at this time.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 21 RE: Amend General Bylaws Article III "Procedure of Town Meeting", Section 13 "Referendum Petition" and Petition Legislature to Amend Chapter 686, Section 12(g) – Referendum Petitions**

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

Article III, Section 13 Referendum Petition (General Bylaws) and Section 12(g) Chapter 686 of the Acts of 1970

No final vote of any representative town meeting session passing or rejecting a measure under any article in the warrant, except a vote to adjourn, or an authorization to borrow money in anticipation of taxes, an authorization to pay debts and obligations of the town, an appropriation of funds necessary to implement a written agreement executed under section one



hundred and seventy-eight I of chapter one hundred and forty-nine of the General Laws, or the budget of the town as a whole, or a vote declared by preamble to be an emergency measure necessary for the immediate preservation of peace, health, safety or convenience of the town, and which is passed by a two thirds vote of the membership, shall be operative until fourteen days after the adoption of such vote.

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

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

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

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

If a petition is not filed within fourteen days of a final vote of the representative town meeting, it shall then become effective.

or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the town will vote to amend the General Bylaws, Article III, Section 13 by striking the existing section and substituting therefore the following section as printed in the warrant and further to petition the General Court to amend Chapter 686 of the Acts of 1970, Section 12 (g) to reflect the changes:

Article III, Section 13 Referendum Petition (General Bylaws) and Section 12(g) Chapter 686 of the Acts of 1970

No final vote of any representative town meeting session passing or rejecting a measure under any article in the warrant, except a vote to adjourn, or an authorization to borrow money in anticipation of taxes, an authorization to pay debts and

obligations of the town, an appropriation of funds necessary to implement a written agreement executed under section one hundred and seventy-eight I of chapter one hundred and forty-nine of the General Laws, or the budget of the town as a whole, or a vote declared by preamble to be an emergency measure necessary for the immediate preservation of peace, health, safety or convenience of the town, and which is passed by a two thirds vote of the membership, shall be operative until fourteen days after the adoption of such vote.

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

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

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

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

If a petition is not filed within fourteen days of a final vote of the representative town meeting, it shall then become effective.

or to act in any other manner in relation thereto.

Recommendations: Bylaw Review Committee voted in 0-5 in opposition.

A motion to end debate was moved, seconded and so voted.

**ACTION: MAJORITY APPROVED MAIN MOTION**

App'd. A.G.

Adv. Daily Times

**ARTICLE 22 RE: Transfer of Funds FY 2006 Various Accounts**

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

**MAIN MOTION:** To see if the Town will vote to transfer from –

Sources of Funds

Town Accountant - Full time salaries	\$ 5,000
Central Administration - 32B Insurance	\$ 100,000
Central Administration - Town insurance	\$ 40,000
Middlesex Retirement	\$ 36,000
Sewer - Retained Earnings	\$ 350,000
School - Local Ed	\$ 26,702
May 2005 TM Article 4 - School Security	\$ 18,000
DPW Expenses	\$ 60,000
May 2004 TM Article 05-3-Water Tower Rehab	\$ 25,028
Sept 2004 TM Article 9-Wildwood Security	\$ 20,000
Reserve Fund	\$ 54,270
<b>TOTAL:</b>	<b>\$ 735,000</b>

to –

Uses of Funds

SPED - Tuition & Transportation	\$ 167,000
Central Administration - FICA	\$ 70,000
Central Administration - Unemployment	\$ 10,000
Building Dept. Overtime	\$ 10,000
DPW - Overtime	\$ 60,000
DPW - Rubbish & Garbage	\$ 68,000
Sewer Revenue Deficit	\$ 350,000
<b>TOTAL:</b>	<b>\$ 735,000</b>

Recommendations: Ways & Means voted 10-01 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

The Town Administrator and Accountant presented the Financial Overview of the Town.

**ARTICLE 23 RE: Fund FY 2007 Operating Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of money sufficient to cover the requests of the various departments for Fiscal Year 2007, or to act in any other manner in relation thereto.

**MAIN MOTION:** To raise and appropriate the sum of \$80,919,967 and to fund said budget by transferring:

from Health Insurance Trust account the sum of \$300,000  
 from Sewer I & I Receipts Reserved account the sum of \$130,746  
 from Overlay Surplus account the sum of \$428,801  
 from Stabilization account which requires a 2/3 vote of Town Meeting the sum of \$300,000  
 and raising the sum of \$79,760,420 for a total FY07 Operating Budget of \$80,919,967.

**Town Meeting & Reports - Line 1-2**

Salaries	2,481
Expenses	17,500
<b>Total</b>	<b>19,981</b>

**Moderator - Line 3-4**

Salaries	150
Expenses	75
<b>Total</b>	<b>225</b>

**Ways & Means - Line 5-6**

Salaries	2,056
Expenses	300
<b>Total</b>	<b>2,356</b>

**Capital Budget - Line 7-8**

Salaries	600
Expenses	0
<b>Total</b>	<b>600</b>

**Town Admin./Selectmen - Line 9-11**

Salaries	372,041
Expenses	7,352
Special Accounts *	10,600
<b>Total</b>	<b>389,993</b>

\*the main motion was -\$174,000 less than what was printed in the budget for B-Line which will be taken up under Art. 30

**Accounting - Line 12-13**

Salaries	183,034
Expenses	2,700
<b>Total</b>	<b>185,734</b>

**Assessors - Line 14-15**

Salaries	206,415
Expenses	101,800
<b>Total</b>	<b>308,215</b>

**Treasurer/Collector - Line 16-18**

Salaries	460,030
Expenses	11,306
Special Accounts	200
<b>Total</b>	<b>471,536</b>

**Central Administration - Line 19-28**

Central Supply	105,000
Central Machines	25,000
Chapter 32B – Health Ins. (AA)	8,470,000
Unemployment Comp. (AA)	40,000
Pension Reimburse (AA)	3,000
Town Insurance (AA)	750,000
Financial Audit (AA)	42,000
Medicare Tax (AA)	450,000
Charles George Settlement (AA)	0
4th of July/Town Event	0
<b>Total</b>	<b>9,885,000</b>

**Legal - Line 29-32**

Legal Fees	100,000
Collective Bargaining	50,000
Tax Title	2,000
Cable TV Negotiations	2,000
<b>Total</b>	<b>154,000</b>

TOWN OF BURLINGTON, MA

MAY 2006 TOWN MEETING MINUTES

**Human Resources – Line 33-35**

Salaries	45,340
Expenses	7,588
Special Accounts	8,750
Total	61,678

**Management Info Systems - Line 36-37**

Salaries	150,384
Expenses	90,680
Total	241,064

**Town Clerk - Line 38-40**

Salaries	228,978
Expenses	11,425
Special Accounts	38,224
Total	278,627

**Registrar of Voters - Line 41-42**

Salaries	1,000
Expenses	5,350
Total	6,350

**Conservation Commission - Line 43-45**

Salaries	152,363
Expenses	2,500
Special Accounts	11,500
Total	166,363

**Planning Board - Line 46-47**

Salaries	175,090
Expenses	10,691
Total	185,781

**Board Of Appeals - Line 48-50**

Salaries	11,902
Expenses	350
Special Accounts	5,000
Total	17,252

**Building Inspector - Line 59-61**

Salaries	373,287
Expenses	26,934
Special Accounts	10
Total	400,231

**Sealer of Weights - Line 62-63**

Salaries	5,956
Expenses	700
Total	6,656

**Board of Health - Line 75-77**

Salaries	362,989
Expenses	41,405
Special Accounts	99,429
Total	503,823

**Council on Aging - Line 78-80**

Salaries	153,274
Expenses	11,491
Special Accounts	4,080
Total	168,845

**Veteran's Services - Line 81-83**

Salaries	101,694
Expenses	5,130

Special Accounts	52,500
Total	159,324

**Community Life Center - Line 84-85**

Salaries	357,543
Expenses	18,975
Total	376,518

**Disability Access - Line 86-87**

Salaries	1,831
Expenses	500
Total	2,331

**Recreation Director - Line 91-93**

Salaries	455,368
Expenses	36,410
Special Accounts	9,900
Total	501,678

**Recreation Maintenance - Line 94-95**

Salaries	631,873
Expenses	152,258
Total	784,131

**Historical Commission - Line 96**

Expenses	1,920
Total	1,920

**Reserve Fund - Line 99**

200,000

**Negotiated Settlements - Line 101**

75,000

**Stabilization (AA)- Line 102**

0

**53<sup>rd</sup> Week Payroll (AA) – Line 103**

0

At 11:00 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:

Jane L. Chew  
Town Clerk

**ADJOURNED (FIRST) TOWN MEETING  
WEDNESDAY, MAY 10, 2006  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:40 P.M. with a salute to the flag. A motion to adjourn to Monday, May 15, 2006 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

A motion to suspend the rules to discuss the banners on major roadways was moved and seconded. The Moderator ruled the motion out of order and advised the membership to offer a Resolution in writing to discuss any subject not printed on the Warrant.

**ARTICLE 30 RE: Memorial School Replacement Project Cost**

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

**MAIN MOTION:** To see if the Town will vote to appropriate the sum of \$26,110,000 to be expended at the direction of the School Committee, to pay the cost of constructing, originally equipping and furnishing a new Memorial School, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7(3) and Chapter 70B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore, and that although the total amount of the cost of this project has been authorized to be borrowed and expended by this vote, the Selectmen are requested not to borrow or expend the amounts appropriated by this vote beyond those needed to pay costs of design, engineering and project management, until the Selectmen have determined to their satisfaction that the Town has been approved for financial assistance on account of this project by the School Building Authority of The Commonwealth of Massachusetts.

Recommendations: The Ways & Means voted 11-0-0 in favor. Capital Budget voted 5-0-0 in favor. Board of Selectmen voted 5-0 in favor.

A motion to end debate was moved, seconded and so voted.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 23 RE: Fund FY 2007 Operating Budget – Continued**

Education line items were taken out of order.

**Shawsheen Valley School - Line 67 (AA)\*** 1,559,810  
\* the main motion was -24,594 less than what was printed in the budget.

**Local Education - Line 68\*** 35,131,248

\*A motion to set the Local Education Budget line 68 of "The Town of Burlington Proposed FY 2007 Operating Budget" be amended to increase the proposed school operating budget by the amount \$130,312 from \$30,768,284 to \$30,898,596, i.e. to increase line 68 "Total Local Education" from \$35,131,248 to \$35,261,560. The intention is that this amount be expended to reinstate the two elementary computer teacher positions that have otherwise been eliminated and that the source of funding is to raise and appropriate was moved and seconded.

A motion to end debate was moved, seconded and so voted. There was a division of the house and tellers were appointed. By a vote of 52 in favor and 38 opposed, the amendment carried. Main motion under Line 68 as amended carried.

**Town Facilities - Line 51-52**

Salaries	356,104
Expenses	371,358
Total	727,462

**Police Department - Line 53-55**

Salaries	5,162,238
Expenses	280,893
Special Accounts	233,440
Total	5,676,571

The Moderator announced the passing of longtime Town Meeting Member and DPW employee Guy DeFilippo.

At 11:00 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:  
Jane L. Chew  
Town Clerk

**ADJOURNED (FIRST) TOWN MEETING  
MONDAY, MAY 15, 2006  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:35 P.M. with a salute to the flag. A motion to adjourn to Wednesday, May 17, 2006 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

**ARTICLE 23 RE: Fund FY 2007 Operating Budget – Continued**

**Fire Department - Line 56-58**

Salaries	4,671,588
Expenses	298,008
Special Accounts	94,410
Total	5,064,006

**Emergency Management Service - Line 64-66**

Salaries	5,000
Expenses	19,040
Special Accounts	220
Total	24,260

**Department of Public Works - Line 69-74**

Salaries	3,216,813
Expenses	1,556,575
Special Accounts	577,500
Rubbish & Garbage (AA)	1,650,991
Street Lights (AA)	262,300
Swift Law (AA)	20,000
Total	7,284,179

**Library - Line 88-90**

Salaries	796,849
Expenses	137,280



## TOWN OF BURLINGTON, MA

## MAY 2006 TOWN MEETING MINUTES

Special Accounts	130,000
Total	1,064,129

**Debt Service - Line 97-98**

Principal (AA)	2,790,852
Interest (AA)	1,172,238
Total	3,963,090

**County Retirement - Line 100 (AA)** 4,870,000

Recommendations: Ways & Means voted in favor.

**MAIN MOTION AS AMENDED NOW READS:**

To raise and appropriate the sum of \$81,050,279 and to fund said budget by transferring:  
 from Health Insurance Trust account the sum of \$300,000  
 from Sewer I & I Receipts Reserved account the sum of \$130,746  
 from Overlay Surplus account the sum of \$428,801  
 from Stabilization account the sum of \$300,000

and raising the sum of \$79,890,732 for a total FY07 operating budget of \$81,050,279.

The moderator split the question to vote on the stabilization account separately.

**MAJORITY VOTED TO APPROVE all items except the Stabilization account transfer.**

There was a division of the house and tellers were appointed.

**BY A VOTE OF 76 IN FAVOR AND 8 OPPOSED, THE TRANSFER FROM THE STABILIZATION ACCOUNT WAS APPROVED.**

A motion to take Article 39 out of order was moved, seconded and so voted.

**ARTICLE 39 RE: Fund B-Line**

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

**MAIN MOTION:** To see if the Town will vote to raise and appropriate the sum of \$217,000 to pay for the Town's share of running the B-Line bus service in Burlington.

Recommendations: Ways & Means voted 6-4 in favor. Board of Selectmen voted 5-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

The Moderator recognized B-line riders and former town employees Phyllis Rogers and Mary Whalen.

**ARTICLE 24 RE: Blanchard Road Telecommunications Lease**

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

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted 10-0-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 25 RE: Fund FY 2007 Capital Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money or any other amount, for the items contained within the following proposed Fiscal Year 2007 Capital Budget, same to be spent under the appropriate authorities as indicated:

PROJECT NUMBER	DEPT	PROJECT NAME/DESCRIPTION	SPENDING AUTHORITY	APPROP. REQUEST
FROM CEMTERY SALE OF LOTS 07-1				
07-1	DPW	Cemetery/Purchase Mower	Selectmen	11,000
FROM WETLAND FEES FUND 07-2				
07-2	Cons	Pickup Truck	ConComm	25,000
FROM FREE CASH 07-3 thru 07-7				
07-3	DPW	Vinebrook Treatment Plant Dehumidification	Selectmen	65,000
07-4	DPW	Vinebrook Treatment Plant Filter Media Replacement	Selectmen	26,000
07-5	DPW	Central Maintenance Garage Ventilation System	Selectmen	13,000
07-6	Town Facility	Human Services Parking&Drainage	Selectmen	75,000
07-7	MIS	Wiring Improve Main Fire Station & Human Services	Selectmen	26,000

or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted in favor. Capital Budget voted in favor 5-0-0.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 26 RE: Odor Control**

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

**MAIN MOTION:** To see if the Town will vote to transfer from the Sewer Enterprise Fund the sum of \$20,000 for the purpose of controlling odor in Francis Wyman Sewer Pump station.

Recommendations: Ways & Means voted 12-0-0 in favor. Capital Budget voted in favor 5-0-0.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 27 RE: Portable Classroom Installation and Renovations**

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

**MAIN MOTION:** To see if the Town will vote to transfer from Free Cash the sum of \$150,000 to be expended at the direction of the School Committee, to fund the installation and renovations required for the portable classrooms at Fox Hill and Memorial Elementary Schools including the payment of all costs incidental and related thereto.

Recommendations: Ways & Means voted 9-2-0 in favor. Capital Budget voted in favor 5-0-0.

**ACTION: MAJORITY APPROVED MAIN MOTION**

A motion to take Article 36 out of order was moved, seconded and so voted.

**ARTICLE 36 RE: Capital Items: General Obligation Bond**

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

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

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

**MAIN MOTION:** That the sum of \$3,600,000 be and is hereby appropriated, to be expended at the direction of the Selectmen, to pay for the following costs, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore:

On the advice of Town Counsel, the Moderator decided to split the question to vote each item separately.

1. Renovation to Terrace Hall Station/Fire Department \$ 900,000  
**UNANIMOUSLY APPROVED**

A motion to add the Town Common Improvements/Sprinklers and Walkways as printed in the warrant in the amount of \$200,000 was moved and seconded. Amendment failed.

A motion to add the Town Common Improvements for sidewalks and electrical work in the amount of \$120,000 was moved and seconded. A motion to end debate was moved, seconded and so voted. The amendment failed.

2. Building Improvements/Museum, Police Station Vinyl \$ 150,000  
**UNANIMOUSLY APPROVED**

3. Road Construction/Department of Public Works \$ 750,000  
**UNANIMOUSLY APPROVED**

4. Roof Repairs/High School \$ 1,300,000  
**UNANIMOUSLY APPROVED**

5. Various Field Upgrades (lights, etc.) Recreation \$ 500,000  
**UNANIMOUSLY APPROVED**

Recommendations: Ways & Means voted in favor. Capital Budget voted in favor 5-0-0.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 28 RE: Burlington High School Doors and Windows**

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

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted 9-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 29 RE: Burlington High School HVAC System**

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

**MAIN MOTION:** To see if the Town will vote to transfer from Free Cash the sum of \$46,000 to be expended under the direction of the Burlington School Committee, to fund the inspection, calibration and balancing of the HVAC equipment at the Burlington High School, including the payment of all costs incidental and related thereto.

## TOWN OF BURLINGTON, MA

## MAY 2006 TOWN MEETING MINUTES

Recommendations: Ways & Means voted 10-0-0 in favor. Capital Budget voted 5-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION****ARTICLE 31 RE: School Community Custodial Services**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$27,810 or any other amount, to be expended under the direction of the Burlington School Committee for the purpose of Community Custodial Fees for the events to be covered for Burlington Scout Organizations, PTO Meetings, Boosters, Citations, Youth Basketball, Youth Volleyball, Youth Baseball Association, Pop Warner, Hockey, Soccer and Skating Associations and other non-profit Burlington Civic Organizations, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Free Cash the amount of \$27,810 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.

Recommendations Ways & Means voted 11-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION****ARTICLE 32 RE: Police Vehicles**

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

**MAIN MOTION:** To see if the Town will vote to transfer from Free Cash the sum of \$90,000 for the purpose of purchasing three (3) police vehicles, same to be expended under the direction of the Chief of Police.

Recommendations: Ways & Means voted 3-7-0 in opposition. Capital Budget voted 4-1-0 in favor.

A motion to end debate was moved, seconded and so voted.

**ACTION: MAJORITY APPROVED MAIN MOTION**

The Moderator announced a number of resolutions to be brought before the members Wednesday.

At 11:10 p.m., a motion to adjourn was moved, seconded and so voted.

Attest:

Jane L. Chew  
Town Clerk

**ADJOURNED (FIRST) TOWN MEETING  
WEDNESDAY, MAY 17, 2006  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:45 P.M. with a salute to the flag. A motion to adjourn to Monday, May 22, 2006 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

**ARTICLE 33 RE: Fire Tower Ladder Truck**

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

**MAIN MOTION:** Withdrawn

**ARTICLE 34 RE: Pine Haven Expansion**

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

**MAIN MOTION:** To see if the Town will vote to transfer from the Cemetery/Sale of Lots Fund the sum of \$151,238, same to be expended under the direction of the Superintendent of Public Works, to expand Section IV of the Pine Haven Cemetery to create approximately 250 new gravesites.

Recommendations: Ways & Means voted 12-0-0 in favor. Capital Budget voted 5-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION****ARTICLE 35 RE: Health Actuarial Study**

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

**MAIN MOTION:** To see if the Town will vote to transfer from Free Cash the sum of \$20,000 to conduct an analysis of the Town's liability for future health care cost to comply with the requirements of the new GASB 45 accounting standards.

Recommendations: Ways & Means voted 10-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 37 RE: Fund the Administrative & Professional Compensation Plan**

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

**MAIN MOTION:** Transfer from FY2007 Negotiated Salary Account the sum of \$50,000 to pay for salary adjustments to the Town's Administrative & Professional Compensation Plan.

Recommendations: Ways & Means voted 9-0-1 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 38 RE: Fund the Part-time Compensation Plan**

To see if the Town will vote to transfer from the Negotiated Settlement a sum of money, for the purpose of funding the Part-time Salary Plan (under 20 hours) for Fiscal Year 2007, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

**MAIN MOTION:** Transfer from FY2007 Negotiated Salary Account the sum of \$10,000 to pay for salary adjustments to the Town's Part Time Compensation Plan.

Recommendations: Ways & Means voted 10-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 40 RE: Fund Revolving Account**

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

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
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 & screening services and government or private reimbursements; i.e. Flu/Pneumonia vaccination	Medical equipment and supplies, immunizations, educational materials	\$10,000	Available for expenditure next year
Plan Imaging	Building Department	2% of Building Department Fees Not to exceed \$10,000 annually	Archival imaging of building permit drawings and specifications	\$20,000	Available for expenditure next year

Sale of Recyclable Materials	Board of Selectmen	Receipts from the Sale of Recyclable Material	May be used to offset the cost of curbside collection and disposal of solid waste	\$35,000	Available for expenditure next year
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**MAIN MOTION:** To see if the Town will vote to authorize revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2007 and to authorize the total amount of \$90,000.

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
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 & screening services and government or private reimbursements; i.e. Flu/Pneumonia vaccination	Medical equipment and supplies, immunizations, educational materials	\$10,000	Available for expenditure next year
Plan Imaging	Building Department	2% of Building Department Fees Not to exceed \$10,000 annually	Archival imaging of building permit drawings and specifications	\$10,000	Available for expenditure next year
Sale of Recyclable Materials	Board of Selectmen	Receipts from the Sale of Recyclable Material	May be used to offset the cost of curbside collection and disposal of solid waste	\$35,000	Available for expenditure next year

Recommendations: Ways & Means voted 10-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 41 RE: Drug and Alcohol Task Force**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$2,500 or any other amount, to fund the expenses of the Burlington Drug and Alcohol Task Force, same to be spent under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from free cash the sum of \$2,500 to fund the expenses of the Burlington Drug and Alcohol Task Force.

Recommendations: Ways & Means voted 11-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 42 RE: Will of Marshall Simonds**

To see if the Town will vote to accept from the Trustees under the will of Marshall Simonds the sum of \$25,000 or any other amount, for the maintenance and improvements of Simonds Park, same to

## TOWN OF BURLINGTON, MA

## MAY 2006 TOWN MEETING MINUTES

be spent under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 43 RE: Sewer Services Enterprise Fund**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of money sufficient to cover the Fiscal Year 2007 Sewer Services Enterprise Operating Budget, or to act in any other manner in relation thereto.

**MAIN MOTION:** To raise and appropriate the sum of \$3,900,000 to operate the Sewer Services Enterprise of which \$3,900,000 will come from the Sewer Services Enterprise Estimated Revenue Account.

Recommendations: Ways & Means voted 8-0-2 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 44 RE: Ice Palace Enterprise Fund**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$744,880.56 or any other amount, to operate the Burlington Ice Palace, of which the \$744,880.56 will come from the Burlington Ice Palace Estimated Revenue Account, same to be spent under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to raise and appropriate the sum of \$744,880.56 to operate the Burlington Ice Palace, of which \$744,880.56 will come from FY07 Ice Palace Estimated Revenue Account.

Recommendations: Ways & Means voted 11-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 45 RE: Chapter 90**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$543,892 or any other amount, to pay for the purpose of funding roadway improvements, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to accept the Chapter 90 allocation of \$543,892 and appropriate the sum of \$543,892 for the purpose of funding roadway improvements, same to be expended under the direction of the Town Administrator.

Recommendations: Ways & Means voted 9-0-0 in favor. Capital Budget voted 5-0-0 in favor.

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**ACTION: MAJORITY APPROVED MAIN MOTION**

At the request of member L. Rubino, the selectmen projected an estimated tax rate increase of 7% based on the budget and warrant articles passed at the annual town meeting.

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**Resolution #1 submitted by Pat Angelo**

Resolution regarding the passed amendment to the school budget. Said resolution requests that if four more retirements occur in the school department between the close of this Town Meeting and the opening of the September Town Meeting that the amount that the school budget was increased will be returned to the town.

**ACTION: Resolution Failed**

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**Resolution #2 submitted by Pat Angelo**

Resolution regarding information on the banners that appear on the utility poles.

Request information on who authorized said banners to be printed and put on telephone poles. Who decided business names would appear on the banners? Request information regarding any revenue that was generated by said banners and who is getting that revenue?

Request information on whether or not the Telephone Company, or electric company was contacted to authorize said banners to be installed on their poles? Request information as to if said banners are in violation of the sign bylaws?

**ACTION: Selectmen Gianino responded to the inquiries to the extent possible indicating the banners were coming down and that the town has not received any revenue.**

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**Resolution #3 submitted by Frank Monaco**

Burlington has experienced during high water table conditions the need to emergency discharge effluent from the Terrace Hall pumping station directly into the Vinebrook to avoid sewer backups on our upstream homes and sewer lines. The need for emergency discharges should have been eliminated by the recently completed Cummings sewer project as well as the extensive INI work completed by the Town of Burlington and developers within the town.

I hereby resolve that:

DPW, Selectmen, and /or Town Administrator provide Town Meeting current status of:

- 1) Current operations at the Terrace Hall pumping station;
- 2) The operational capacity of the down stream Cummings facility;
- 3) Future expectations

**ACTION: Selectmen Fay responded by saying the recent historic rainfall resulted in far less damage than would have otherwise occurred without the recent improvements to the system. There were no incidents of residential surcharges. He thanked the town departments for how well they handled the emergency.**

**Resolution #4 submitted by Dan Ditucci**

- 1) The B-Line be put back into the Selectmen's budget
- 2) The Board of Selectmen raise the fare to \$1.00 per ride for all users effective 7/1/06
- 3) The Board of Selectmen move into discussion with the Burlington Business Roundtable to fund all or part of the B-Line budget.

**ACTION: Resolution failed.**

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At 9:10 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:

Jane L. Chew  
Town Clerk



TOWN OF BURLINGTON, MA

SEPTEMBER 2006 TOWN MEETING MINUTES

**MONDAY, SEPTEMBER 25, 2006  
FOGELBERG AUDITORIUM – BHS**

At 7:15 P.M., the members of Precincts 1 and 5 assembled to fill the vacancies created by the recent resignations of E. Murphy, C. Entwistle, and R. Burkhart.

Present and voting Precinct 1 (2 seats): N. Glantz, D. Gregorio, J. Ivas, B. Morey, J. O'Keefe, J. Perdicizzi, C. Phillips, M. Ryan

Nominations for the 1<sup>st</sup> seat were:  
Gene Rossi, 174 Winn St.  
Brad Bond, 8 Mulberry Ln.  
Fred Halterman, 15 Wildwood St.  
Nicholas Rosato, 88 Mill St.  
Don Barrucci, 11 Mallard Way

By a vote of Bond seven votes and Rossi one vote. Mr. Bond was elected to fill the 1<sup>st</sup> position until the next town election.

Nominations for the 2<sup>nd</sup> seat were:  
Same as above minus the winner of the 1<sup>st</sup> seat.

By a vote of Barrucci five, Rosato one, Halterman one, and Rossi one. Mr. Barrucci was elected to fill the 2<sup>nd</sup> position until the next town election.

Present and voting Precinct 5 (1 seat): P. Angelo, E. Carpenter, M. DeCost, A. Gerbrands, C. Hartling, N. Hofferty, V. Igo, C. Murphy, P. Roussell, D. Squeri, D. Tait, J. Towle, R. Wing.

Nominations were: Joanne Kinchla, 8 Arnold Terrace.  
Unanimously voted to fill the position until the next town election.

**ADJOURNED (THIRD) TOWN MEETING  
MONDAY, SEPTEMBER 25, 2006  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:40 P.M. with a salute to the flag. A motion to adjourn to Wednesday, September 27, 2006 to complete the warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

**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.

The Moderator announced that he received a Resolution regarding the Lahey Clinic parking garage which will be taken up after all other articles have been acted upon.

The Ways & Means addressed the membership regarding the town's financial situation. The N.E. Executive Park Committee provided an update.

The Moderator announced that further committee reports would be heard when respective articles were discussed.

**ARTICLE 2 RE: Additional Professional Staff and Supplies at Memorial School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$72,900 or any other sum, for the purpose of funding an additional Kindergarten Classroom Teacher, Kindergarten Instructional Assistant and required supplies including the payment of all costs incidental and related, same to be spent under the direction of the School Committee, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to raise and appropriate the sum of \$72,900 for the purpose of funding an additional Kindergarten Classroom Teacher, Kindergarten Instructional Assistant and required supplies including the payment of all costs incidental and related, same to be spent under the direction of the School Committee.

Recommendations: Ways & Means voted 6-3-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 3 RE: Tower Ladder Truck**

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

**MAIN MOTION:** To see if the Town will transfer the sum of \$265,500 from the Stabilization Account fund for the purchase of the Fire Department Ladder Truck; or to act in any other manner in relation thereto.

Recommendations: Ways & Means voted 9-0 in favor. Capital Budget voted 5-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 4 RE: Plan Imaging/Building Department Revolving Account**

To see if the Town will vote to reauthorize revolving funds for certain Town departments under Massachusetts General Laws Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2007, or to act in any other manner in relation thereto.

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Plan Imaging	Building Dept	2% of Building Dept Fees Not to exceed \$15,000 annually	Archival imaging of building permit drawings & specs	\$15,000	Available for expenditure next year

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted 7-2 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 5 RE: MWRA Decrease in Assessment**

To see if the Town will vote to reduce the amount previously voted under article 43 of the May 2006 annual Town Meeting to fund the MWRA Fiscal Year 2007 sewer assessment from \$3,900,000 to \$3,700,000 and to act in any other manner in relation thereto

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means voted 9-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 6 RE: Purchase of Conservation Land on Sawmill Road**

To see if the Town will vote to:

- a) raise, appropriate, transfer from available funds, accept gifts and grants or borrow the sum of \$343,500 for the purpose of acquiring, for conservation and passive recreation purposes, the fee ownership interest in properties, or in a portion of properties, located on Sawmill Road, Burlington, Middlesex County, shown as Assessor's Parcels 98, 99 & 100 on Map 13, and consisting of approximately 3.2 acres, said property now or formerly owned by the Sawmill Farm Realty Trust, William Galvin, trustee; and Assessor's Parcel 93 on Map 13, and consisting of approximately 2.0 acres, said property now or formerly owned by the Forbes Living Trust, Pauline St. Aubin, trustee
- b) authorize the Conservation Commission to acquire the fee ownership interest in said property, or in a portion of said property, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments of the Massachusetts Constitution, upon such terms and conditions as the Conservation Commission, with the approval of the Board of Selectmen, shall determine to be appropriate, and that said interests in said property be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, section 8C, as it may hereafter be amended, and other Massachusetts statutes relating to conservation, to be managed and controlled by the Conservation Commission; and
- c) authorize the Conservation Commission to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Executive Office of Environmental Affairs and under any state and/or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursement for this purpose, and/or any others in any way connected with the scope of this Article, and that the Board of Selectmen and/or the Conservation Commission be authorized to enter into all agreements and execute any and all instruments, as may be necessary on behalf of the Town to effect said purchase or obtain such grant; and
- d) authorize the Conservation Commission, the Board of Selectmen, and Town officers to take all related actions necessary or appropriate to carry out this acquisition or act or transact anything in relation thereto.

**MAIN MOTION:** To fund the purchase of the Sawmill Road property through transfer from the Conservation Account Fund,

transfer from the Stabilization Account Fund and raise and appropriate as follows:

- \$343,400 (cost of land)
- \$ 22,500 (transfer from Conservation Account)
- \$128,596 (transfer from Stabilization Account Funds)
- \$192,304 (raise and appropriate)

The purchase will take place contingent upon the awarding of the self-help grant in the amount of \$192,304; that "raise and appropriate" amount will be returned to the General Funds -- leaving final amount of \$128,596 taken from the Stabilization Account;

and to authorize the Conservation Commission to acquire the fee ownership interest in said property, or in a portion of said property, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments of the Massachusetts Constitution, upon such terms and conditions as the Conservation Commission, with the approval of the Board of Selectmen, shall determine to be appropriate, and that said interests in said property be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, section 8C, as it may hereafter be amended, and other Massachusetts statutes relating to conservation, to be managed and controlled by the Conservation Commission;

and to authorize the Conservation Commission to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Executive Office of Environmental Affairs and under any state and/or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursement for this purpose, and/or any others in any way connected with the scope of this Article, and that the Board of Selectmen and/or the Conservation Commission be authorized to enter into all agreements and execute any and all instruments, as may be necessary on behalf of the Town to effect said purchase or obtain such grant;

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

Recommendations: Ways & Means voted 9-0 in favor. Land Use Committee voted 8-0 in favor. Capital Budget voted 5-0 in favor.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

**ARTICLE 7 RE: Acceptance of Erosion and Sedimentation Control Bylaw**

To see if the Town will enact the following proposed bylaw:

**BURLINGTON STORM WATER MANAGEMENT BYLAW GOVERNING EROSION AND SEDIMENTATION CONTROL FOR NEW AND REDEVELOPMENT PROJECTS DURING CONSTRUCTION AND POST-CONSTRUCTION PERIODS.**

**SECTION 1. PURPOSE**

Regulation of discharges to the municipal separate storm sewer system (MS4) is necessary for the protection of Burlington's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment. Increased and contaminated storm water runoff associated with developed land uses and the



## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

accompanying increase in impervious surface are major causes of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater.

A. The harmful impacts of soil erosion and sedimentation are:

1. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and
2. contamination of drinking water supplies;
3. alteration or destruction of aquatic and wildlife habitat;
4. flooding;
5. erosion of stream channels; and
6. overloading or clogging of municipal catch basins and storm drainage systems.

Therefore, this bylaw establishes storm water management standards for the temporary and final conditions that result from development and redevelopment projects to minimize adverse impacts offsite and downstream which would be born by abutters, townspeople and the general public.

B. The objectives of this bylaw are to:

1. Protect ground water and surface water to prevent degradation of drinking water supply
2. Require practices that eliminate soil erosion and sedimentation and control the volume and rate of storm water runoff resulting from land disturbing activities;
3. Promote infiltration and the recharge of groundwater;
4. Ensure that soil erosion and sedimentation control measures and storm water runoff control practices are incorporated into the site planning and design process and are implemented and maintained;
5. Require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at a construction site that may cause adverse impacts to water quality;
6. To prevent pollutants from entering the Burlington municipal separate storm sewer system (MS4) and to minimize discharge of pollutants from the MS4;
7. To ensure adequate long-term operation and maintenance of structural storm water best management practices so that storm water structures work as designed;
8. Comply with state and federal statutes and regulations relating to storm water discharges; and
9. Establish Burlington's legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

## SECTION 2. DEFINITIONS

**ABUTTER:** The owner(s) of land abutting the activity.

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff from a pre-activity condition. Such changes from a pre-activity condition may include: change from distributed runoff to confined discrete point discharges, change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a soil

erosion and sedimentation control permit for proposed land-disturbance activity.

**AUTHORIZED ENFORCEMENT AGENCY:** The Conservation Commission, its employees or agents, and the Planning Board, its employees or agents are designated to enforce this bylaw.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of storm water runoff. It also includes schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems.

**THE BOARD – Town of Burlington Planning Board**

**THE COMMISSION – Town of Burlington Conservation Commission**

**CONSTRUCTION AND WASTE MATERIALS:** Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

**CLEARING:** Any activity that removes the vegetative surface cover.

**DEVELOPMENT:** The modification of land to accommodate a new use, revised use, or expansion of use, usually involving construction.

**DISTURBANCE OF LAND:** Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel or similar earth material.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE), a Certified Professional in Erosion and Sedimentation Control (CPESC) or other qualified professional, which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

**EROSION AND SEDIMENTATION CONTROL PERMIT:** A permit with conditions upon a proposed land disturbing activity issued by either the Conservation Commission or Planning Board under this bylaw.

**EROSION AND SEDIMENTATION CONTROL APPLICATION PACKAGE.** The application materials consisting of a Storm Water Management Plan, an Erosion and Sedimentation Control Plan, and an Operation and Maintenance Plan submitted to either the Conservation Commission or Planning Board (as stipulated within this bylaw) requesting an Erosion and Sedimentation Control Permit.

**GRADING:** Changing the level or shape of the ground surface contour by means of excavation, fill, in-place ground

modification, or any combination thereof, including the establishment of a grade following demolition of a structure.

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**LAND-DISTURBING ACTIVITY:** Any activity that causes a change in the existing soil cover which includes the position or location of soil, sand, rock, gravel, or similar earth material. Land-disturbing activities include, but are not limited to clearing, grading, filling and excavation. Landscaping activities which involve greater than or equal to 500 ft<sup>2</sup> are considered a land disturbing activity and may be the subject of enforcement action under this bylaw. Routine landscaping activities which involve less than 500 ft<sup>2</sup> are not considered a land-disturbing activity for the purposes of this bylaw.

**LAND IN AGRICULTURAL USE:** Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Wetlands Protection Act regulation 310 CMR 10.4, are exempt from this bylaw.

**MASSACHUSETTS STORM WATER MANAGEMENT POLICY:** The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Policy addresses storm water impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or municipal storm drain system:** The system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Burlington.

**OPERATION AND MAINTENANCE PLAN:** A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a storm water management system to insure that it continues to function as designed.

**OWNER:** A person with a legal or equitable interest in property.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**REDEVELOPMENT:** Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

**RUNOFF:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL:** Any earth, sand, rock, gravel, clay or similar material.

**STABILIZATION:** The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

**STANDARD EROSION AND SEDIMENTATION CONTROL PERMIT:** An permit issued under this bylaw containing a standard set of conditions requiring that best management practices be implemented to prevent erosion and sedimentation from the site. This permit applies to sites proposing a land disturbing activity of greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>.

**STORM WATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.

**STORM WATER MANAGEMENT PLAN:** A plan showing existing and proposed features on a site. This is required as part of the application for a Erosion and Sedimentation Control Permit. See Section 8.

**STRIP:** Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**TSS:** Total Suspended Solids.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream (both intermittent and continuous).

**WETLAND RESOURCE AREA:** Areas specified in either the Massachusetts Wetlands Protection Act G.L. c. 131, § 40 or in Burlington's Wetland Bylaw (Article XIV).

**WETLANDS:** Areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water-based) environments, including freshwater marshes around ponds and channels (rivers and streams), common names include marshes, swamps and bogs.

### SECTION 3. AUTHORITY

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34

### SECTION 4. APPLICABILITY

A. No person may undertake a construction activity which includes clearing, grading and/or excavation that results in a land disturbing activity that will disturb equal to or greater than 10,000 ft<sup>2</sup> of land (or will disturb less than 10,000 ft<sup>2</sup> of land but is part of a larger common plan of development or sale that will ultimately

## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

disturb equal to or greater than 10,000 ft<sup>2</sup> of land) that drains to the Burlington municipal separate storm sewer system, onto an adjacent property, into a municipal / private street, or into a wetland / stream, without an Erosion and Sedimentation Control Permit from either the Conservation Commission or Planning Board.

B. Exemptions From Requirement to Obtain Permit (under this bylaw)

Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;

Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling disturbing less than 10000 ft<sup>2</sup>;

The construction of fencing that will not substantially alter existing terrain or drainage patterns;

Construction of utilities other than drainage (gas, water, electric, cable, telephone, etc.) which will not alter terrain or drainage patterns;

As authorized in the Phase II Small MS4 General Permit for Massachusetts, storm water discharges resulting from the activities identified in Section 4 that are wholly subject to jurisdiction under either the Wetlands Protection Act or activities which are subject to Burlington Bylaw Article XIV and demonstrate compliance with the Massachusetts Storm Water Management Policy as reflected in an Order of Conditions issued by the Conservation Commission are exempt from compliance with this bylaw.

## SECTION 5. RESPONSIBILITY FOR ADMINISTRATION

A. Responsibility. The Burlington Conservation Commission and the Burlington Planning Board shall have joint responsibilities to administer and implement this bylaw. Any powers granted to or duties imposed upon either the Conservation Commission or the Planning Board may be delegated to their respective employees and/or their agents, and with mutual concurrence these duties may be delegated to each other's respective employees and/or their agents.

B. Waiver. The Conservation Commission will be the lead agency to grant a waiver to compliance with this bylaw. The Commission with input from the Planning Board, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where:

1. such action is allowed by federal, state and local statutes and/or regulations, and
2. is in the public interest, and
3. is not inconsistent with the purpose and intent of this bylaw.

C. Rules and Regulations. The Conservation Commission will be the lead agency to initiate a change to this bylaw. The Conservation Commission working with input from the Planning Board may adopt, and periodically amend rules and regulations to effectuate the purposes of this bylaw, by majority vote of the Conservation Commission, after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised in a newspaper of general local circulation, at least seven (7) days prior to the hearing date.

Failure by The Conservation Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

## SECTION 6. PERMITS and PROCEDURES

A. Application. Where a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume is proposed, the site owner or his/her agent shall file with the Conservation Commission, eleven(11) copies of a completed application package with a cover sheet specified by the Commission (available from the Commission office or the Commission's web site) (one for each Commissioner, 2 office copies, and 2 for distribution to other Boards (Board of Health and Planning Board) for an Erosion and Sedimentation Control Permit. Permit issuance is required prior to any site altering activity. While the applicant can be a representative of the site owner, the permittee must be the owner of the site.

The Conservation Commission (through its agent, the Conservation Commission Administrator) may, at its discretion, elect to delegate its authority to the Planning Board to issue an Erosion and Sedimentation Control Permit, in order to expedite the permitting process for an applicant who must appear before the Planning Board for other matters in connection with the proposed work.

Within 7 days of the filing date, the Conservation Commission (through its agent) will make a determination on whether to schedule a formal hearing before the Commission or delegate its authority under this bylaw to the Planning Board. This determination will be made based on an assessment of the potential for sedimentation and erosion from the proposed land disturbing activity (including grubbing, clearing and/or grading). The Commission's agent will give consideration to the original and proposed grading of the site, existing slopes, the presence of intermittent streams or channels, the size of the site, and/or other factors which may contribute to runoff and erosion potential. Proposed projects where routine erosion and sedimentation controls are needed, will be referred to the Planning Board for a simultaneous hearing for this permit with other matters in connection with this project.

If the Conservation Commission or its agent delegates its authority under this bylaw to the Planning Board, the staff of the Conservation Commission will transfer the original application package (and associated copies) to the Planning Board office and notify the applicant in writing of the Commission's decision to refer this application to the Planning Board and that the hearing under this bylaw will be scheduled before the Planning Board within twenty-one (21) days of the receipt of a complete application or at a time to coincide with other regulatory matters which are being heard by the Board on the same project.

For sites where a land disturbing activity of greater than or equal to 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup> is proposed, the site owner or his/her agent shall file (at their option) with either the Conservation Commission or the Planning Board, two (2) copies of a completed application package for a Standard Erosion and Sedimentation Control Permit. Permit issuance is required prior to any site altering activity. While the applicant can be a representative of the site owner, the permittee must be the owner of the site.

Within 7 days of the filing date, the agent of either the Conservation Commission or Planning Board will issue a Standard Erosion and Sedimentation Control Permit under this bylaw. No

public meeting or hearing will be required for sites in this category. For sites in this size category that are not adequately covered by the Standard Erosion and Sedimentation Control Permit, additional special conditions may be appended by the issuing Board or Commission. The issuing Board or Commission may extend the 7 day turnaround time for issuing the Standard Erosion and Sedimentation Control Permit for reasons of insufficient information of which the applicant has been notified in writing.

The Erosion and Sedimentation Control Application package (for sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater) shall include:

1. a completed Application Form with original signatures of all owners;
2. a list of abutters, certified by the Assessors Office;
3. eleven (11) copies of the Storm Water Management Plan and project description referenced in Section 7. of this bylaw;
4. eleven (11) copies of the Erosion and Sediment Control Plan as referenced in Section 8 of this bylaw;
5. eleven (11) copies of the Operation and Maintenance Plan as referenced by Section 9 of this bylaw;
6. payment of the application and review fees.

The Standard Erosion and Sedimentation Control Application package (for sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>) is an application package consisting of an abbreviated Storm Water Management Plan, abbreviated Erosion and Sediment Control Plan, and an abbreviated Operations and Maintenance plan as referenced in Section 10 of this bylaw.

B. Entry. Filing an application for a permit grants the issuing Board or Commission and its agents permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.

C. Coordination between Planning Board and Conservation Commission. For sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>, the Conservation Commission shall give one copy of the application package to the Planning Board for their records. If the Planning Board is the issuing agency, then the Planning Board shall give one copy of the application package to the Conservation Commission for their records.

D. Fee Structure. For sites which propose a land disturbing activity equal to or greater than 20,000 ft<sup>2</sup>, the issuing Board / Commission shall obtain with each submission an Application Fee established by the Conservation Commission with input from the Planning Board to cover expenses connected with the public hearing and application review for the Erosion and Sedimentation Control Permit and a technical Review Fee (if requested by the Commission/Board) sufficient to cover professional technical review, if needed. The Commission / Board is authorized to retain a Registered Professional Engineer or other professional consultant to advise the issuing Commission/Board on any or all aspects of these plans as provided by G.L.c. 44, Section 53G. Applicants must pay all review fees due before a permit will be issued. The Commission/Board will not be subject to final action deadlines if the appropriate fees have not been paid.

For sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>, a reduced fee schedule will be established by the Commission.

E. Public Hearing. For sites which propose a land disturbing activity equal to or greater than 20,000 ft<sup>2</sup>, the issuing Commission/Board shall hold a public hearing within twenty-one (21) days of the receipt of a complete application (or as mutually agreed upon) and shall take final action within either within twenty-one (21) days from the time of the close of the hearing or within such time period mutually agreed to by both the Commission / Board and the applicant to coincide with other regulatory decisions on the same project. Notice of the public hearing shall be given by publication and posting and by first-class mailings to abutters (owners of land within three hundred feet from the boundary of the site) at least seven (7) days prior to the hearing. The issuing Commission/Board shall make the application available for inspection by the public during business hours at the issuing Commission/Board office.

F. Information requests. The applicant shall submit all additional information requested by issuing Commission/Board to issue a decision on the application.

G. Action by the Issuing Commission/Board.

For sites which propose a land disturbing activity equal to or greater than 20,000 ft<sup>2</sup>, the issuing Commission/Board may:

1. Issue an Erosion and Sedimentation Control Permit based upon determination that the proposed plan meets the Standards in or referenced by Section 7 and will adequately protect the water resources of the community and is in compliance with the requirements set forth in this bylaw;
2. Issue an Erosion and Sedimentation Control Permit subject to any conditions, modifications or restrictions required by the issuing Commission/Board which will ensure that the project meets the Standards in or referenced by Section 7 and adequately protect water resources, set forth in this bylaw;
3. Disapprove the issuance of an Erosion and Sedimentation Control Permit based upon a determination that the proposed plan, as submitted, does not meet the Standards in referenced by Section 7 or adequately protect surface and/or ground water resources, as set forth in this bylaw.

H. Failure of the issuing Commission/Board to take final action. Failure of the Issuing Commission/Board to take final action upon an Application for a land disturbing activity equal to or greater than 20,000 square feet within either within twenty-one (21) days from the time of the close of the hearing or within such time period mutually agreed to by both the Commission / Board and the applicant to coincide with other regulatory decisions on the same project after the hearing is closed, shall be deemed to be approval of said Application.

I. Project Changes. The permittee must notify the issuing Commission/Board in writing of any drainage change or alteration in the system authorized in a Erosion and Sedimentation Control Permit before any change or alteration is made. If the issuing Commission/Board determines that the change or alteration is significant, based on the Storm Water Management Standards in Section 7.C of this bylaw and accepted construction practices, the issuing Commission/Board may require that an amended application be filed and a public hearing held. The issuing Commission/Board may also require the installation of interim erosion and sedimentation control measures before approving the change or alteration.



J. Project Completion. At completion of the project, the permittee shall submit as-built record drawings of all structural storm water controls and best management practices implemented for the site. The as-built drawing shall show deviations from the approved plans, if any, and be certified by a Registered Professional Engineer.

#### SECTION 7. STORM WATER MANAGEMENT PLAN

A. For sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume, the application for a Erosion and Sedimentation Control Permit shall consist of submittal of a Storm Water Management Plan initially to the Conservation Commission. This Storm Water Management Plan shall contain sufficient information for the issuing Commission/Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from storm water. The Plan shall be designed to meet the Massachusetts Storm Water Management Standards (or as revised), the DEP Storm Water Management Handbook Volumes I and II (or as revised), and any specific regulations promulgated under this bylaw.

B. Plan Content. The Storm Water Management Plan (for sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater) shall fully describe the project in drawings, and narrative. The Storm Water Management Plan shall conform to any detail provided in either regulations or policies promulgated under this bylaw. The Conservation Administrator may (at his/her discretion) waive some detail requirements described below as long as in his/her opinion, the goals and objectives of this bylaw are not compromised.

C. Standards. Projects shall meet the current Standards of the Massachusetts Storm Water Management Policy. When one or more of the Standards cannot be met, an applicant may demonstrate that an equivalent level of environmental protection will be provided.

#### SECTION 8. EROSION AND SEDIMENTATION CONTROL PLAN

A. Application. For sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater or a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume, the Erosion and Sedimentation Control Plan contained within the Storm Water Management Plan shall contain sufficient information to describe the proposed erosion and sedimentation controls. The applicant shall submit such material as is necessary to show that the proposed development will comply with the design requirements referenced in Section 8B. below. The Conservation Administrator may (at his/her discretion) waive some detail requirements described below as long as in his/her opinion, the goals and objectives of this bylaw are not compromised.

B. Design. The design requirements of the Erosion and Sedimentation Control Plan must conform to any regulations and policies promulgated under this bylaw.

C. Erosion and Sedimentation Control Plan Content. The Plan shall at a minimum contain the following information:

1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
2. Title, date, north arrow, names of abutters, scale, legend, and locus map;

3. Location and description of natural features The Erosion and Sedimentation Control Plan must conform to the details of any regulations and policies promulgated under this bylaw.

#### SECTION 9. OPERATION AND MAINTENANCE PLANS

For sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume, an Operation and Maintenance plan (O&M Plan) is required as part of the Storm Water Management Plan at the time of application for all projects. Upon request by the applicant, the issuing Commission/Board may delay the completion date of the O&M plan, but in all cases, the O&M Plan must be submitted and approved prior to the completion of the project and before any occupancy takes place.

The maintenance plan shall be designed to ensure compliance with the Permit, this Bylaw and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The issuing Commission/Board shall make the final decision of what maintenance option is appropriate in a given situation. The issuing Commission/Board will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of storm water management structures, and potential need for ongoing maintenance activities when making this decision.

The Operation and Maintenance Plan shall remain on file with the issuing Commission/Board and shall be an ongoing requirement in perpetuity.

The O&M Plan shall, at a minimum, include:

- A. The name(s) of the owner(s) for all components of the system
- B. Detail of maintenance agreements
- C. Detail on storm water management easement(s)

The details of the Operation and Maintenance Plan shall conform to the requirements of any regulations and policies promulgated under this bylaw.

#### D. Changes to Operation and Maintenance Plans

1. The owner(s) of the storm water management system must notify the issuing Commission/Board of changes in ownership or assignment of financial responsibility.
2. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this bylaw by mutual agreement of the issuing Commission/Board and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.

#### SECTION 10. STANDARD EROSION AND SEDIMENTATION CONTROL PERMIT

The Standard Erosion and Sedimentation Control Application package (for sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>) is an application package consisting of an abbreviated Storm Water Management Plan, abbreviated Erosion and Sediment Control Plan, and an abbreviated Operations and Maintenance plan as referenced in Section 10 of this bylaw.

The abbreviated Storm Water Management Plan shall at a minimum contain sufficient information to describe the existing and proposed features of the land (including structures, vegetation, and drainage), and anticipated maintenance requirements of structures. The abbreviated Storm Water Management Plan shall conform to any detail provided in either regulations or policies promulgated under this bylaw.

The Board / Commission and/or its agents may waive any portion of these submission requirements if in their opinion, sufficient information exists on which to base the issuance of a Standard Erosion and Sediment Control Permit.

#### SECTION 11. INSPECTION AND SITE SUPERVISION

A. Pre-construction Meeting. Prior to starting clearing, excavation, construction, or land disturbing activity, the applicant, the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, shall meet, if requested, with the issuing Commission/Board, to review the permitted plans and their implementation.

B. Commission/Board Inspections. The issuing Commission/Board or its designated agents shall make inspections as needed and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the Erosion and Sedimentation Control Permit as approved. If the work conducted to date is approved, an inspection report issued during the inspection will bear the signature of approval of the issuing Commission/Board or its agents that the work may continue. This site inspection report shall be maintained at the site during the progress of the work.

In order to obtain inspections, the permittee shall notify the issuing Commission/Board at least two (2) working days before each of the following events if required by the Commission/Board:

1. Erosion and sediment control measures are in place and stabilized;
2. Site Clearing has been substantially completed;
3. Rough Grading has been substantially completed;
4. Final Grading has been substantially completed;
5. Close of the Construction Season; and
6. Final Landscaping (permanent stabilization) and project final completion.

C. Permittee self-inspections. The permittee or his/her agent shall conduct and document inspections of all control measures no less than weekly or as specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the control plan, and the need for maintenance or additional control measures. The permittee or his/her agent shall submit monthly reports to the issuing Commission/Board or designated agent in a format approved by the issuing Commission/Board, which may include the signature of the Professional Engineer if required by the issuing Commission/Board.

D. Access Permission. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, The issuing Commission/Board, its agents, officers, and employees may enter upon privately owned property 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 issuing Commission/Board deems reasonably necessary to determine compliance with the permit.

#### SECTION 12. SURETY

As part of any Erosion and Sedimentation Control Permit, the issuing Commission/Board may require the permittee to post before the start of land disturbing activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the issuing Commission/Board to ensure that the work will be completed in accordance with the permit. If the project is phased, the issuing Commission/Board may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the issuing Commission/Board has received the final report as required by Section 12 and issued a certificate of completion.

#### SECTION 13. FINAL REPORTS

Upon completion of the work and if required by the issuing Commission/Board, the permittee shall submit a report (including certified as-built construction plans) from a Professional Engineer (P.E.), surveyor, certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter.

#### SECTION 14. ENFORCEMENT

A. The Planning Board and Conservation Commission and their employees and agents shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations. Persons subject to enforcement under this bylaw include:

- all permittees who have been issued an Erosion and Sedimentation Control Permit (for project sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume)
- all permittees who have been issued a Standard Erosion and Sedimentation Control Permit (for project sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>)
- all other persons who have engaged in a Land Disturbing Activity (as defined in this bylaw as greater than 500 ft<sup>2</sup>), who have caused substantial erosion and sedimentation due to Alteration of Drainage Characteristics, Grading, Grubbing, Clearing, and/or Stripping of soil.

#### B. Orders

1. The issuing Commission/Board or an authorized agent of the issuing Commission/Board may issue a written order to enforce the provisions of this bylaw or the regulations thereunder, which may include:

- (a) a requirement to cease and desist from the land-disturbing activity until there is compliance with this bylaw and its provisions of any permit issued.
- (b) maintenance, installation or performance of additional erosion and sediment control measures;
- (c) monitoring, analyses, and reporting
- (d) remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.

2. If the enforcing Board / Commission or its agents determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to

abate or perform remediation within the specified deadline, the Board / Commission may, under this bylaw and subsequent regulation promulgated hereunder, may impose a fine on a daily basis until such time as the abatement or remediation of erosion and sedimentation has been completed. The Town of Burlington, at its option, may seek a court order requiring the property owner to perform the work.

C. Criminal Penalty. Any person who violates any provision of this bylaw, regulation, order or permit issued there under, shall be punished by a fine of not more than \$500. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, Burlington may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, in which case the Conservation Administrator of Burlington shall be the enforcing person. The penalty for the 1st violation shall be \$100, each day or part thereof that such violation occurs. The penalty for the 2nd violation shall be \$300, each day or part thereof that such violation occurs. The penalty for the 3rd and subsequent violations shall be \$300, each day or part thereof for every day that such violation occurs. For the purposes of issuing a non-criminal disposition penalty, both the Planning Board Director and Conservation Commission Administrator are named as the specific enforcing agents.

E. Appeals. The decisions or orders of issuing Commission/Board shall be final. Further relief shall be to a court of competent jurisdiction.

F. Remedies Not Exclusive. The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

#### SECTION 15. FILING WITH REGISTRY OF DEEDS

The applicant must file the issued Erosion and Sedimentation Control Permit with the Middlesex Registry of Deeds within 21 days from issuance.

#### SECTION 16. CERTIFICATE OF COMPLETION

The issuing authority will issue a letter certifying completion upon receipt and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this bylaw, noting any exceptions and to which permit condition these exceptions apply. This Certificate of Completion will be filed by the applicant at the Middlesex Registry of Deeds within 21 days.

#### SECTION 17. SEVERABILITY

If any provision, paragraph, sentence, or clause of this bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect, or to act in any other manner in relation thereto.

**MAIN MOTION:** BURLINGTON STORM WATER MANAGEMENT BYLAW GOVERNING EROSION AND SEDIMENTATION CONTROL FOR NEW AND REDEVELOPMENT PROJECTS DURING CONSTRUCTION AND POST-CONSTRUCTION PERIODS.

#### 6.0 Erosion and Sedimentation Control

#### 6.1 PURPOSE AND OBJECTIVE

Regulation of discharges to the municipal separate storm sewer system (MS4) is necessary for the protection of Burlington's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment. Increased and contaminated storm water runoff associated with developed land uses and the accompanying increase in impervious surface are major causes of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater.

A. The harmful impacts of soil erosion and sedimentation are:

1. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
2. contamination of drinking water supplies;
3. alteration or destruction of aquatic and wildlife habitat;
4. flooding;
5. erosion of stream channels; and
6. overloading or clogging of municipal catch basins and storm drainage systems.

This bylaw establishes storm water management standards for the temporary and final conditions that result from development and redevelopment projects to minimize adverse impacts offsite and downstream which would be born by abutters, townspeople and the general public. This bylaw complies with EPA regulations National Pollutant Discharge Elimination System (NPDES) Phase II final rule (Dec 8, 1999) requiring regulated municipalities reduce the discharge of pollutants in stormwater to the maximum extent practicable and adopt bylaws to address the control of sources of pollutants entering the municipal storm drain system.

B. The objectives of this bylaw are to:

1. Protect ground water and surface water to prevent degradation of drinking water supply
2. Require practices that eliminate soil erosion and sedimentation and control the volume and rate of storm water runoff resulting from land disturbing activities;
3. Promote infiltration and the recharge of groundwater;
4. Ensure that soil erosion and sedimentation control measures and storm water runoff control practices are incorporated into the site planning and design process and are implemented and maintained;
5. Require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at a construction site that may cause adverse impacts to water quality;
6. To prevent pollutants from entering the Burlington municipal separate storm sewer system (MS4) and to minimize discharge of pollutants from the MS4;
7. To ensure adequate long-term operation and maintenance of structural storm water best management practices so that storm water structures work as designed;
8. Comply with state and federal statutes and regulations relating to storm water discharges; and
9. Establish Burlington's legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

#### 6.2 DEFINITIONS

**ABUTTER:** The owner(s) of land abutting the activity.

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, force,

direction, timing or location of runoff from a pre-activity condition. Such changes from a pre-activity condition may include: change from distributed runoff to confined discrete point discharges, change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a soil erosion and sedimentation control permit for proposed land-disturbance activity.

**AUTHORIZED ENFORCEMENT AGENCIES:** The Conservation Commission is the lead agency with authority given by this bylaw to promulgate regulations and policies that support the goals and objectives of this bylaw. The Conservation Commission, its employees or agents, and the Planning Board, its employees or agents will share the administration and enforcement of this by-law as detailed herein.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of storm water runoff. It also includes schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems.

**THE BOARD – Town of Burlington Planning Board**

**THE COMMISSION – Town of Burlington Conservation Commission**

**CONSTRUCTION AND WASTE MATERIALS:** Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

**CLEARING:** Any activity that removes the vegetative surface cover.

**DEVELOPMENT:** The modification of land to accommodate a new use, revised use, or expansion of use, usually involving construction.

**DISTURBANCE OF LAND:** Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel or similar earth material.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE), a Certified Professional in Erosion and Sedimentation Control (CPESC) or other qualified professional, which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

**EROSION AND SEDIMENTATION CONTROL PERMIT:** A permit with conditions upon a proposed land disturbing activity issued by either the Conservation Commission or Planning Board under this bylaw.

**EROSION AND SEDIMENTATION CONTROL APPLICATION PACKAGE.** The application materials consisting of a Storm Water Management Plan, an Erosion and Sedimentation Control Plan, and an Operation and Maintenance Plan submitted to either the Conservation Commission or Planning Board (as stipulated within this bylaw) requesting an Erosion and Sedimentation Control Permit.

**GRADING:** Changing the level or shape of the ground surface contour by means of excavation, fill, in-place ground modification, or any combination thereof, including the establishment of a grade following demolition of a structure

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**LAND-DISTURBING ACTIVITY:** Any activity that causes a change in the existing soil cover which includes the position or location of soil, sand, rock, gravel, or similar earth material. Land-disturbing activities include, but are not limited to clearing, grading, filling and excavation. Landscaping activities which involve greater than or equal to 500 ft<sup>2</sup> are considered a land disturbing activity and may be the subject of enforcement action under this bylaw. Routine landscaping activities which involve less than 500 ft<sup>2</sup> are not considered a land-disturbing activity for the purposes of this bylaw.

**LAND IN AGRICULTURAL USE:** Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Wetlands Protection Act regulation 310 CMR 10.4, are exempt from this bylaw.

**MASSACHUSETTS STORM WATER MANAGEMENT POLICY:** The Policy issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Policy addresses storm water impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** The municipal storm drain system is the system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Burlington.

**OPERATION AND MAINTENANCE PLAN:** A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a storm water management system to insure that it continues to function as designed.

**OWNER:** A person with a legal or equitable interest in property.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political



## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**REDEVELOPMENT:** Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

**RUNOFF:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL:** Any earth, sand, rock, gravel, clay or similar material.

**STABILIZATION:** The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

**STANDARD EROSION AND SEDIMENTATION CONTROL PERMIT:** An permit issued under this bylaw containing a standard set of conditions requiring that best management practices be implemented to prevent erosion and sedimentation from the site. This permit applies to sites proposing a land disturbing activity of greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>.

**STORM WATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.

**STORM WATER MANAGEMENT PLAN:** A plan showing existing and proposed features on a site. This is required as part of the application for a Erosion and Sedimentation Control Permit .See Section 6.8

**STRIP:** Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**TOTAL SUSPENDED SOLIDS (TSS):** Total Suspended Solids is a water quality measurement that includes particles suspended in water that will not pass through a filter.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

**WETLAND RESOURCE AREA:** Areas specified in either the Massachusetts Wetlands Protection Act G.L. c. 131, § 40 or in Burlington's Wetland Bylaw (Article XIV).

**WETLANDS:** Areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water-based) environments, including

freshwater marshes around ponds and channels (rivers and streams), common names include marshes, swamps and bogs.

### 6.3 AUTHORITY

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

### 6.4 APPLICABILITY

A. No person may undertake a construction activity that results in a land disturbing activity that will disturb equal to or greater than 10,000 ft<sup>2</sup> of land (or will disturb less than 10,000 ft<sup>2</sup> of land but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than 10,000 ft<sup>2</sup> of land) that drains to the Burlington municipal separate storm sewer system, onto an adjacent property, into a municipal / private street, or into a wetland / stream, without an Erosion and Sedimentation Control Permit from either the Conservation Commission or the Planning Board.

B. Exemptions From Requirement to Obtain Permit (under this bylaw)

Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;

Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling disturbing less than 10000 ft<sup>2</sup>;

The construction of fencing that will not substantially alter existing terrain or drainage patterns;

Construction of utilities other than drainage (gas, water, electric, cable, telephone, etc.) which will not alter terrain or drainage patterns;

As authorized in Burlington's Phase II Small MS4 General Permit, storm water discharges resulting from the activities identified in Section 6.4 that are wholly subject to jurisdiction under either the Wetlands Protection Act or activities which are subject to Burlington's Bylaw Article XIV and demonstrate compliance with the Massachusetts Storm Water Management Policy as reflected in an Order of Conditions issued by the Conservation Commission, are exempt from compliance with this bylaw.

### 6.5 RESPONSIBILITY FOR ADMINISTRATION

A. Responsibility. The Burlington Conservation Commission shall be the lead agency that may grant waivers and promulgate regulations to support this bylaw as specified in Sections 5B and 5C below. The Conservation Commission and the Burlington Planning Board shall have shared responsibilities to administer and implement this bylaw. Any powers granted to or duties imposed upon either the Conservation Commission or the Planning Board may be delegated to their respective employees and/or their agents, and with mutual concurrence these duties may be delegated to each other's respective employees and/or their agents.

B. Waiver. The Conservation Commission will be the lead agency to grant a waiver to compliance with this bylaw. The Commission

with input from the Planning Board, may waive strict compliance with any requirement of this by-law or the rules and regulations promulgated hereunder, where:

- (1) such action is allowed by federal, state and local statutes and/or regulations, and
- (2) is in the public interest, and
- (3) is not inconsistent with the purpose and intent of this by-law.

C. Rules and Regulations. The Conservation Commission will be the lead agency to initiate a change to this bylaw. The Conservation Commission working with input from the Planning Board may adopt, and periodically amend rules and regulations to effectuate the purposes of this by-law, by majority vote of the Conservation Commission, after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised in a newspaper of general local circulation, at least seven (7) days prior to the hearing date.

Failure by The Conservation Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

#### 6.6 PERMITS and PROCEDURES

A. Application. Where a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume is proposed, the site owner or his/her agent shall file with the Conservation Commission, eleven(11) copies of a completed application package with a cover sheet specified by the Commission (available from the Commission office or the Commission's web site) (one for each Commissioner, 2 office copies, and 2 for distribution to other Boards (Board of Health and Planning Board) for an Erosion and Sedimentation Control Permit. Permit issuance is required prior to any site altering activity. While the applicant can be a representative of the site owner, the permittee must be the owner of the site.

The Conservation Commission (through its agent, the Conservation Commission Administrator) may, at its discretion, elect to delegate its authority to the Planning Board to issue an Erosion and Sedimentation Control Permit, in order to expedite the permitting process for an applicant who must appear before the Planning Board for other matters in connection with the proposed work.

Within 7 days of the filing date, the Conservation Commission (through its agent) will make a determination on whether to schedule a formal hearing before the Commission or delegate its authority under this bylaw to the Planning Board. This determination will be made based on an assessment of the potential for sedimentation and erosion from the proposed land disturbing activity (including grubbing, clearing and/or grading). The Commission's agent will give consideration to the original and proposed grading of the site, existing slopes, the presence of intermittent streams or channels, the size of the site, and/or other factors which may contribute to runoff and erosion potential. Proposed projects where routine erosion and sedimentation controls are needed, will be referred to the Planning Board for a simultaneous hearing for this permit with other matters in connection with this project.

If the Conservation Commission or its agent delegates its authority under this bylaw to the Planning Board, the staff of the

Conservation Commission will transfer the original application package (and associated copies) to the Planning Board office and notify the applicant in writing of the Commission's decision to refer this application to the Planning Board and that the hearing under this bylaw will be scheduled before the Planning Board within twenty-one (21) days of the receipt of a complete application or at a time to coincide with other regulatory matters which are being heard by the Board on the same project..

For sites where a land disturbing activity of greater than or equal to 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup> is proposed, the site owner or his/her agent shall file (at their option) with either the Conservation Commission or the Planning Board, two (2) copies of a completed application package for a Standard Erosion and Sedimentation Control Permit. Permit issuance is required prior to any site altering activity. While the applicant can be a representative of the site owner, the permittee must be the owner of the site.

Within 7 days of the filing date, the agent of either the Conservation Commission or Planning Board will issue a Standard Erosion and Sedimentation Control Permit under this bylaw. No public meeting or hearing will be required for sites in this category. For sites in this size category that are not adequately covered by the Standard Erosion and Sedimentation Control Permit, additional special conditions may be appended by the issuing Board or Commission. The issuing Board or Commission may extend the 7 day turnaround time for issuing the Standard Erosion and Sedimentation Control Permit for reasons of insufficient information of which the applicant has been notified in writing.

The Erosion and Sedimentation Control Application package (for sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater) shall include:

1. a completed Application Form with original signatures of all owners;
2. a list of abutters, certified by the Assessors Office;
3. eleven (11) copies of the Storm Water Management Plan and project description referenced in Section 6.7. of this bylaw.;
4. eleven (11) copies of the Erosion and Sediment Control Plan as referenced in Section 6.8 of this bylaw;
5. eleven (11) copies of the Operation and Maintenance Plan as referenced by Section 6.9 of this bylaw;
6. payment of the application and review fees.

The Standard Erosion and Sedimentation Control Application package (for sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>) is an application package consisting of an abbreviated Storm Water Management Plan, abbreviated Erosion and Sediment Control Plan, and an abbreviated Operations and Maintenance plan as referenced in Section 6.10 of this bylaw.

B. Entry. Filing an application for a permit grants the issuing Board or Commission and its agents permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.

C. Coordination Between Planning Board and Conservation Commission. For sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>, the Conservation Commission shall give one copy of the application package to the Planning Board for their records. If the Planning Board is the issuing agency, then the Planning Board shall give

## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

one copy of the application package to the Conservation Commission for their records.

D. Fee Structure. For sites which propose a land disturbing activity equal to or greater than 20,000 ft<sup>2</sup>, the issuing Board / Commission shall obtain with each submission an Application Fee established by the Conservation Commission with input from the Planning Board to cover expenses connected with the public hearing and application review for the Erosion and Sedimentation Control Permit and a technical Review Fee (if requested by the Commission/Board) sufficient to cover professional technical review, if needed. The Commission / Board is authorized to retain a Registered Professional Engineer or other professional consultant to advise the issuing Commission/Board on any or all aspects of these plans as provided by G.L.c. 44, Section 53G. Applicants must pay all review fees due before a permit will be issued. The Commission/Board will not be subject to final action deadlines if the appropriate fees have not been paid.

For sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>, a reduced fee schedule will be established by the Commission.

E. Public Hearing. For sites which propose a land disturbing activity equal to or greater than 20,000 ft<sup>2</sup>, the issuing Commission/Board shall hold a public hearing within twenty-one (21) days of the receipt of a complete application (or a greater timeframe as mutually agreed upon) and shall take final action within either twenty-one (21) days from the time of the close of the hearing or within such longer time period mutually agreed to by both the Commission / Board and the applicant to coincide with other regulatory decisions on the same project. Notice of the public hearing shall be given by publication and posting, and by first-class mailings to abutters (owners of land within three hundred feet from the boundary of the site) at least seven (7) days prior to the hearing. The issuing Commission/Board shall make the application available for inspection by the public during business hours at the issuing Commission/Board office.

F. Information requests. The applicant shall submit all additional information requested by issuing Commission/Board to issue a decision on the application.

G. Action by the Issuing Commission/Board.

For sites which propose a land disturbing activity equal to or greater than 20,000 ft<sup>2</sup>, the issuing Commission/Board may:

1. Issue an Erosion and Sedimentation Control Permit based upon determination that the proposed plan meets the Standards in or referenced by Section 6.7 and will adequately protect the water resources of the community and is in compliance with the requirements set forth in this by-law;
2. Issue an Erosion and Sedimentation Control Permit subject to any conditions, modifications or restrictions required by the issuing Commission/Board which will ensure that the project meets the Standards in or referenced by Section 6.7 and adequately protect water resources, set forth in this by-law;
3. Disapprove the issuance of an Erosion and Sedimentation Control Permit based upon a determination that the proposed plan, as submitted, does not meet the Standards in referenced by Section 6.7 or adequately protect surface and/or ground water resources, as set forth in this by-law.

H. Failure of the issuing Commission/Board to take final action. Failure of the Issuing Commission/Board to take final action upon an Application for a land disturbing activity equal to or greater than 20,000 square feet within either within twenty-one (21) days from the time of the close of the hearing or within such longer time period mutually agreed to by both the Commission / Board and the applicant to coincide with other regulatory decisions on the same project, shall be deemed to be approval of said Application.

I. Project Changes. The permittee must notify the issuing Commission/Board in writing of any drainage change or alteration in the system authorized in a Erosion and Sedimentation Control Permit before any change or alteration is made. If the issuing Commission/Board determines that the change or alteration is significant, based on the Storm Water Management Standards in Section 6.7 C of this bylaw and accepted construction practices, the issuing Commission/Board may require that an amended application be filed and a public hearing held. The issuing Commission/Board may also require the installation of interim erosion and sedimentation control measures before approving the change or alteration.

J. Project Completion. At completion of the project, the permittee shall submit as-built record drawings of all structural storm water controls and best management practices implemented for the site. The as-built drawing shall show deviations from the approved plans, if any, and be certified by a Registered Professional Engineer.

#### 6.7 STORM WATER MANAGEMENT PLAN

A. For sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume, the application for a Erosion and Sedimentation Control Permit shall consist of submittal of a Storm Water Management Plan initially to the Conservation Commission. This Storm Water Management Plan shall contain sufficient information for the issuing Commission/Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from storm water. The Plan shall be designed to meet the Massachusetts Storm Water Management Standards (or as revised), the DEP Storm Water Management Handbook Volumes I and II (or as revised), and any specific regulations promulgated under this bylaw.

B. Plan Content. The Storm Water Management Plan (for sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater) shall fully describe the project in drawings, and narrative. The Storm Water Management Plan shall conform to any detail provided in either regulations or policies promulgated under this bylaw. The Conservation Administrator may (at his/her discretion) waive some detail requirements described below as long as in his/her opinion, the goals and objectives of this bylaw are not compromised.

C. Standards. As stated in Section 6.7A, the Storm Water Management Plan shall meet the current Standards of the Massachusetts Storm Water Management Policy. When one or more of the Standards cannot be met, an applicant may demonstrate that an equivalent level of environmental protection will be provided.

#### 6.8 EROSION AND SEDIMENTATION CONTROL PLAN

A. Application. For sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater or a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume, the Erosion and Sedimentation Control Plan contained within the Storm Water Management Plan shall contain sufficient information to describe the proposed erosion and sedimentation controls. The applicant shall submit such material as is necessary to show that the proposed development will comply with the design requirements referenced in Section 6.8 B. below. The Conservation Administrator may (at his/her discretion) waive some detail requirements described below as long as in his/her opinion, the goals and objectives of this bylaw are not compromised.

B. Design. The design requirements of the Erosion and Sedimentation Control Plan must conform to any regulations and policies promulgated under this bylaw.

C. Erosion and Sedimentation Control Plan Content. The Plan shall at a minimum contain the following information:

1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
2. Title, date, north arrow, names of abutters, scale, legend, and locus map;
3. Location and description of natural features The Erosion and Sedimentation Control Plan must conform to the details of any regulations and policies promulgated under this bylaw.

#### 6.9 OPERATION AND MAINTENANCE PLANS

For sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume, an Operation and Maintenance plan (O&M Plan) is required as part of the Storm Water Management Plan at the time of application for all projects. Upon request by the applicant, the issuing Commission/Board may delay the completion date of the O&M plan, but in all cases, the O&M Plan must be submitted and approved prior to the completion of the project and before any occupancy takes place.

The O&M plan shall be designed to ensure compliance with the Permit, this Bylaw and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The issuing Commission/Board shall make the final decision of what maintenance option is appropriate in a given situation. The issuing Commission/Board will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of storm water management structures, and potential need for ongoing maintenance activities when making this decision.

The O&M Plan shall remain on file with the issuing Commission/Board and shall be an ongoing requirement in perpetuity.

The O&M Plan shall, at a minimum, include:

- A. The name(s) of the owner(s) for all components of the system
- B. Detail of maintenance agreements
- C. Detail on storm water management easement(s). The details of the Operation and Maintenance Plan shall conform to the requirements of any regulations and policies promulgated under this bylaw.

#### D. Changes to Operation and Maintenance Plans

1. The owner(s) of the storm water management system must notify the issuing Commission/Board of changes in ownership or assignment of financial responsibility.
2. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this by-law by mutual agreement of the issuing Commission/Board and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.

#### 6.10 STANDARD EROSION AND SEDIMENTATION CONTROL PERMIT

The Standard Erosion and Sedimentation Control Application package (for sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>) is an application package consisting of an abbreviated Storm Water Management Plan, abbreviated Erosion and Sediment Control Plan, and an abbreviated Operations and Maintenance plan as referenced in Section 6.10 of this bylaw.

The abbreviated Storm Water Management Plan shall at a minimum contain sufficient information to describe the existing and proposed features of the land (including structures, vegetation, and drainage), and anticipated maintenance requirements of structures. The abbreviated Storm Water Management Plan shall conform to any detail provided in either regulations or policies promulgated under this bylaw.

The Board / Commission and/or its agents may waive any portion of these submission requirements if in their opinion, sufficient information exists on which to base the issuance of a Standard Erosion and Sediment Control Permit.

#### 6.11 INSPECTION AND SITE SUPERVISION

A. Pre-construction Meeting. When requested, prior to starting clearing, excavation, construction, or land disturbing activity, the applicant, the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, shall meet with the issuing Commission/Board, to review the permitted plans and their implementation.

B. Commission/Board Inspections. The issuing Commission/Board or its designated agents shall make inspections as needed and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the Erosion and Sedimentation Control Permit as approved. If the work conducted to date is approved, an inspection report issued during the inspection will bear the signature of approval of the issuing Commission/Board or its agents that the work may continue. This site inspection report shall be maintained at the site during the progress of the work.

In order to obtain inspections, the permittee shall notify the issuing Commission/Board at least two (2) working days before each of the following events if required by the Commission/Board:

1. Erosion and sediment control measures are in place and stabilized;
2. Site Clearing has been substantially completed;
3. Rough Grading has been substantially completed;



4. Final Grading has been substantially completed;
5. Close of the Construction Season; and
6. Final Landscaping (permanent stabilization) and project final completion.

C. Permittee self-inspections. The permittee or his/her agent shall conduct and document inspections of all control measures) no less than weekly or as specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the control plan, and the need for maintenance or additional control measures. The permittee or his/her agent shall submit monthly reports to the issuing Commission/Board or designated agent in a format approved by the issuing Commission/Board, which may include the signature of the Professional Engineer if required by the issuing Commission/Board.

D. Access Permission. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, The issuing Commission/Board, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this by-law and may make or cause to be made such examinations, surveys or sampling as the issuing Commission/Board deems reasonably necessary to determine compliance with the permit.

#### 6.12 SURETY

As part of any Erosion and Sedimentation Control Permit, the issuing Commission/Board may require the permittee to post before the start of land disturbing activity activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the issuing Commission/Board to ensure that the work will be completed in accordance with the permit. If the project is phased, the issuing Commission/Board may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the issuing Commission/Board has received the final report as required by Section 6.12 and issued a certificate of completion.

#### 6.13 FINAL REPORTS

Upon completion of the work and if required by the issuing Commission/Board, the permittee shall submit a report (including certified as-built construction plans) from a Professional Engineer (P.E.), surveyor, certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter.

#### 6.14 ENFORCEMENT

A. The Planning Board and Conservation Commission and their employees and agents shall enforce this by-law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations. Persons subject to enforcement under this bylaw include:

- all permittees who have been issued an Erosion and Sedimentation Control Permit (for project sites which propose a land disturbing activity of 20,000 ft<sup>2</sup> or greater OR a land disturbing activity of 500 yd<sup>3</sup> or greater of earth volume)
- all permittees who have been issued a Standard Erosion and Sedimentation Control Permit (for project sites which propose a land disturbing activity equal to or greater than 10,000 ft<sup>2</sup> but less than 20,000 ft<sup>2</sup>)

- all other persons who have engaged in a Land Disturbing Activity (as defined in this bylaw as greater than 500 ft<sup>2</sup>), who have caused substantial erosion and sedimentation due to Alteration of Drainage Characteristics, Grading, Grubbing, Clearing, and/or Stripping of soil.

#### B. Orders

1. The issuing Commission/Board or an authorized agent of the issuing Commission/Board may issue a written order to enforce the provisions of this by-law or the regulations thereunder, which may include:
  - (a) a requirement to cease and desist from the land-disturbing activity until there is compliance with this bylaw and its provisions of any permit issued.
  - (b) maintenance, installation or performance of additional erosion and sediment control measures;
  - (c) monitoring, analyses, and reporting
  - (d) remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.

2. If the enforcing Board / Commission or its agents determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Board / Commission may, under this bylaw and subsequent regulation promulgated hereunder, may impose a fine on a daily basis until such time as the abatement or remediation of erosion and sedimentation has been completed. The Town of Burlington, at its option, may seek a court order requiring the property owner to perform the work.

C. Criminal Penalty. Any person who violates any provision of this by-law, regulation, order or permit issued there under, shall be punished by a fine of not more than \$500. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, Burlington may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40A, in which case the Conservation Administrator of Burlington shall be the enforcing person. The penalty for the 1st violation shall be \$100. each day or part thereof that such violation occurs. The penalty for the 2nd violation shall be \$300. each day or part thereof that such violation occurs. The penalty for the 3rd and subsequent violations shall be \$300. each day or part thereof for every day that such violation occurs. For the purposes of issuing a non-criminal disposition penalty, both the Planning Board Director and Conservation Commission Administrator are named as the specific enforcing agents.

E. Appeals. The decisions or orders of issuing Commission/Board shall be final. Further relief shall be to a court of competent jurisdiction.

F. Remedies Not Exclusive. The remedies listed in this by-law are not exclusive of any other remedies available under any applicable federal, state or local law.

#### 6.15 FILING WITH REGISTRY OF DEEDS

The applicant must file the issued Erosion and Sedimentation Control Permit with the Middlesex Registry of Deeds within 21 days from issuance.

#### 6.16 CERTIFICATE OF COMPLETION

The issuing authority will issue a letter certifying completion upon receipt (with appropriate continuing requirements) and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this bylaw, noting any exceptions and to which permit condition these exceptions apply. The Certificate of Compliance will stipulate that the permit holder is to remove required erosion controls (unless changed or waived by the Conservation Administrator) within 60 days of the date on the Certificate. This Certificate of Completion will be filed by the applicant at the Middlesex Registry of Deeds within 21 days.

#### 6.17 SEVERABILITY

If any provision, paragraph, sentence, or clause of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Recommendations: Bylaw Review Committee voted 5-0 in favor. Planning Board voted unanimously in favor.

#### ACTION: MAJORITY APPROVED MAIN MOTION

App'd. A.G. 10/31/06. Posted 11/20/06.

#### ARTICLE 8 RE: Acceptance of Illicit Discharges and Detection Bylaw

To see if the Town will enact the following proposed bylaw:

#### BYLAW GOVERNING ILLICIT DISCHARGES AND DETECTION WITHIN THE MUNICIPAL STORM DRAIN SYSTEM -

##### SECTION 1 PURPOSE/INTENT

The purpose of this bylaw is to protect Burlington's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. Increased and contaminated storm water runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.

This bylaw establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) general permit. The objectives of this bylaw are:

1. To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by storm water discharges by any user;
2. To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system;
3. To require the removal of all such illicit connections;

4. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this bylaw; and
5. To establish the legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

##### SECTION 2 DEFINITIONS

For the purposes of this bylaw, the following shall mean:

**AUTHORIZED ENFORCEMENT AGENCY:** The Board of Health and its Agents are designated to enforce this bylaw. Solely for the purposes of enforcing this bylaw, Agents of this Board includes the Director of Public Health, Health Agent, Environmental Engineer, Town Engineer, the Superintendent of Public Works, and the Inspector of Buildings.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of storm water runoff. It also includes schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems.

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

**GROUNDWATER:** Water beneath the surface of the ground.

**HAZARDOUS MATERIALS AND WASTES:** Any liquid, gaseous, solid or radioactive, material, including any substance, waste, or combination thereof, which because of its quantity and/or concentration of the material and/or of its constituents, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous materials and wastes shall include without limitation:

1. paints, varnishes, and solvents;
2. oil and other automotive fluids;
3. solid wastes and yard wastes;
4. refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
5. pesticides, herbicides, and fertilizers;
6. hazardous materials and wastes;
7. dissolved and particulate metals;
8. animal wastes;
9. rock, sand, salt, soils;
10. construction wastes and residues;
11. industrial or commercial waste,
12. runoff, leachate, heated effluent; and
13. noxious or offensive matter of any kind.

**ILLICIT CONNECTION:** A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor

## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw. An illicit connection is any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency.

**ILLICIT DISCHARGE:** Direct or indirect discharge to the municipal storm drain system that is not composed entirely of storm water, except as exempted in Section 6.8. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 6.8 of this bylaw.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**INDUSTRIAL ACTIVITY:** Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM:** The system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Burlington.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT:** A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

**NON-STORM WATER DISCHARGE:** Discharge to the municipal storm drain system not composed entirely of storm water.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POLLUTANT:** Any element or property of hazardous materials, hazardous wastes or sewage from residential, agricultural, industrial or commercial sources whether originating at point or non-point sources, that is or may be introduced into the storm water system of the Town of Burlington. Pollutants, for the purposes of this bylaw, include (but not limited to) dredged soil, solid waste, incinerator residue, garbage, wastewater, wastewater sludge, chemical waste, biological materials, radioactive materials, rock, sand, dust, industrial waste, sediment, nutrients, toxic substance, pesticide, herbicide, trace metal, automotive fluid, petroleum-based substance, and oxygen-demanding material.

**PREMISES:** Any building, lot, parcel of land, or portion of land whether improved or unimproved.

**PROCESS WASTEWATER:** Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

**RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

**SEWAGE:** The waste and wastewater produced by residential and commercial sources and discharged into sewers. A substance that contains the waste products or excrement or other discharge from the bodies of human beings or animals. Sewage contains pathogens and fecal coliform that is harmful to the public health, to animal or aquatic life or to the use of water for domestic water supply or for recreation.

**STORM DRAINAGE SYSTEM:** Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

**STORM WATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.

**SURFACE WATER DISCHARGE PERMIT.** A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

**STORM WATER POLLUTION PREVENTION PLAN:** A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm water, Storm water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

**TOXIC OR HAZARDOUS MATERIAL or WASTE:** Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

**WASTEWATER:** Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

TOWN OF BURLINGTON, MA

SEPTEMBER 2006 TOWN MEETING MINUTES

SECTION 3 APPLICABILITY

This bylaw shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

SECTION 4 AUTHORITY

This bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act and G.L. c. 83, Sect. 1 and Sect. 10, as amended by St. 2004, c. 149, sections 135 - 140, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

SECTION 5 RESPONSIBILITY FOR ADMINISTRATION

The Board of Health and its Agents shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon these Boards may be delegated in writing by these Boards to persons or entities acting in the beneficial interest of or in the employ of these agencies.

SECTION 6 REGULATIONS

The Board of Health is authorized to promulgate rules and regulations to effectuate the purposes of this bylaw. Failure by the Board of Health to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

SECTION 7 PROHIBITED ACTIVITIES

A. Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants or non-storm water discharge that cause or contribute to a violation of applicable water quality standards, other than storm water into the municipal separate storm sewer system (MS4), into a watercourse, or into the waters of the Commonwealth.

B. Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

C. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of storm water into or out of the municipal storm drain system without prior written approval from the Board of Health.

SECTION 8 EXEMPTIONS

Discharges from fire-fighting activities are exempt from the provisions of this bylaw, except when fire water has accumulated and is contaminated with hazardous materials. If such determination has been made, then disposition of such water shall be made by the Board of Health or its Agents.

The following non-storm water discharges or flows are exempt from the prohibition of non-storm waters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:

1. Waterline flushing;
2. Flow from potable water sources;

3. Springs;
4. Natural flow from riparian habitats and wetlands;
5. Diverted stream flow;
6. Rising groundwater;
7. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
8. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
9. Discharge from landscape irrigation or lawn watering;
10. Water from individual residential car washing;
11. Discharge from dechlorinated swimming pool water (less than one ppm chlorine) and the pool is drained in such a way as not to cause a nuisance;
12. Dye testing, provided verbal notification is given to the Board of Health prior to the time of the test;
13. Non-storm water discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
14. Discharge for which advanced written approval is received from the Board of Health as necessary to protect public health, safety, welfare or the environment.

SECTION 9 EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

A. Suspension due to Illicit Discharges in Emergency Situations. The Board of Health and its Agents designated to enforce this bylaw may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

B. Suspension due to the Detection of Illicit Discharge. Any person discharging to the MS4 in violation of this bylaw may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the Board of Health for a reconsideration and hearing.

A person commits an offense of this bylaw if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

SECTION 10 INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Board of Health and its Agents designated to enforce this bylaw prior to the allowing of discharges to the MS4.

SECTION 11 NOTIFICATION OF SPILLS



## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release (as defined in 310 CMR 40.0352 and 310 CMR 40.1600) of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release.

In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments and Board of Health. In the event of a release of non-hazardous material, the reporting person shall notify the Board of Health no later than the next business day. The reporting person shall provide to the Board of Health written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

## SECTION 12 ENFORCEMENT

The Board of Health and its Agents shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations as noted below:

A. Civil Relief. If a person violates the provisions of this bylaw, regulations, permit, notice, or order issued thereunder, this Board may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

B. Orders. The Board of Health and its Agents designated to enforce this bylaw may issue a written order to enforce the provisions of this bylaw or the regulations thereunder.

Orders of this Board may include:

- (a) elimination of illicit connections or discharges to the MS4;
- (b) performance of monitoring, analyses, and reporting;
- (c) that unlawful discharges, practices, or operations shall cease and desist; and
- (d) remediation of contamination in connection therewith.

The issuance of an enforcement order by a Board of Health Agent without a prior vote of the Board of Health to address conditions that require immediate attention, is subject to ratification by the Board of Health at its next regularly scheduled meeting.

The party responsible for completing monitoring, abatement or remediation must contract a person licensed to conduct such work, as necessary. During and upon completion of the work, the professional opinion of this licensed person and a final report will be required to be submitted to the Board of Health in summary and certification of said work being accomplished.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified

deadline, the Town of Burlington may, at its option, seek a court order requiring the property owner to perform the work.

C. Criminal Penalty. Any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$ 500. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town of Burlington may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, S21D in which case the Environmental Engineer is authorized to be the enforcing person designated to issues non-criminal disposition penalties. The penalty for the 1st violation shall be \$100. The penalty for the 2nd violation shall be \$300. The penalty for the 3rd and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. Appeals. The enforcement decisions or orders of the Board of Health and its Agents shall be final unless modified or reversed in a public meeting of the Board of Health. Persons aggrieved by an enforcement action by the Board of Health and/or its Agents designated to enforce this bylaw may request a public meeting with the Board of Health within 7 days of written enforcement action to review the circumstances and decisions related to the enforcement action. At this hearing, any affected party has the right to appear, and have the right to inspect and obtain copies of all relevant inspection and investigation reports, orders, notices, and other documentary evidence. If further relief by aggrieved persons is desired, such relief shall be to a court of competent jurisdiction.

F. Remedies Not Exclusive. The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local bylaw.

## SECTION 13 MONITORING OF DISCHARGES

A. Applicability. This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

B. Access to Facilities. Access to facilities shall be governed by the following:

1. To the extent permitted by state law and if probable cause exists, or if authorized by the owner or other party in control of property which is not permitted with an NPDES Permit, the Board of Health and its Agents may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Board of Health deems reasonably necessary. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

2. Under the conditions for access stated in Part (a) above, facility operators shall allow the Board of Health and its Agents designated to enforce this bylaw, ready access to all parts of the premises for a facility not already regulated with a NPDES Permit for the purposes of inspection, sampling, examination and copying of records relating to the discharge of storm water that may contain sewage, hazardous materials or wastes, or other pollutants,

and the performance of any additional duties as defined by state and federal law. For NPDES permit holders, the Town of Burlington will contact the appropriate U.S. Environmental Protection Agency enforcing agents to inform them of suspected violations of an NPDES permit for discharges from that facility.

3. The Board of Health and its Agents designated to enforce this bylaw shall have the right to set up on any non-NPDES facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.

4. The Board of Health and its Agents designated to enforce this bylaw has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Board of Health and its Agents designated to enforce this bylaw and shall not be replaced. The costs of clearing such access shall be borne by the operator.

6. If the Board of Health and its Agents designated to enforce this bylaw has been refused access to any part of the premises from which storm water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this bylaw, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this bylaw or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

#### SECTION 14 REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The Board of Health designated to enforce this bylaw may adopt requirements identifying Best Management Practices for any activity, operation, or non-NPDES permitted facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S.

Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system.

For NPDES permitted facilities, compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. In the event that the Board of Health determines that additional BMPs may be required for NPDES permitted facilities, the Board of Health may at its option, ask for EPA to review the terms of the facility's NPDES permit to determine if additional best management practices may be required.

In the event that said person responsible for a non-NPDES property or premise, believes that said compliance with additional

BMPs is not required, the Board of Health may issue an enforcement order requiring such compliance. If said person refuses to comply with such order for implementing additional BMPs, then the Town of Burlington may seek a court order requiring such implementation.

Compliance with this bylaw, its regulations or BMPs, or policies promulgated under this bylaw does not imply that there will be no contamination, pollution, nor unauthorized discharge of pollutants. Compliance with this bylaw, its regulations or BMPs, or policies promulgated under this bylaw also does not relieve a person from being subject to such enforcement actions as may be required to correct contamination, pollution, and/or unauthorized discharge of pollutants.

#### SECTION 15 COMPENSATORY ACTION

In lieu of enforcement proceedings, penalties, and remedies authorized by this Bylaw, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

#### SECTION 16 SEVERABILITY

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

#### SECTION 17 TRANSITIONAL PROVISIONS

Residential property owners shall have 60 days from the effective date of the bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period.

#### SECTION 18 REMEDIES NOT EXCLUSIVE

The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

#### MAIN MOTION:

##### 7.0 Illicit Discharges and Detection

##### 7.1 PURPOSE/INTENT

The purpose of this bylaw is to protect Burlington's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. Increased and contaminated storm water runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.

This bylaw establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) general permit. The objectives of this bylaw are:

1. To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by storm water discharges by any user;
2. To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system;
3. To require the removal of all such illicit connections;
4. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this bylaw; and
5. To establish the legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

## 7.2 DEFINITIONS

For the purposes of this bylaw, the following shall mean:

**AUTHORIZED ENFORCEMENT AGENCY:** The Board of Health and its Agents are designated to enforce this bylaw. Solely for the purposes of enforcing this bylaw, Agents of this Board includes the Director of Public Health, Health Agent, Environmental Engineer, Town Engineer, the Superintendent of Public Works, and the Inspector of Buildings.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of storm water runoff. It also includes schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems.

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

**GROUNDWATER:** Water beneath the surface of the ground.

**HAZARDOUS MATERIALS AND WASTES:** Any liquid, gaseous, solid or radioactive, material, including any substance, waste, or combination thereof, which because of its quantity and/or concentration of the material and/or of its constituents, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous materials and wastes shall include without limitation:

1. paints, varnishes, and solvents;
2. oil and other automotive fluids;
3. solid wastes and yard wastes;
4. refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
5. pesticides, herbicides, and fertilizers;
6. hazardous materials and wastes;
7. dissolved and particulate metals;
8. animal wastes;
9. rock, sand, salt, soils;
10. construction wastes and residues;
11. industrial or commercial waste,

12. runoff, leachate, heated effluent; and
13. noxious or offensive matter of any kind.

**ILLICIT CONNECTION:** A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw. An illicit connection is any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency.

**ILICIT DISCHARGE:** Direct or indirect discharge to the municipal storm drain system that is not composed entirely of storm water, except as exempted in Section 7.8. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 7.8 of this bylaw.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**INDUSTRIAL ACTIVITY:** Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM:** The system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Burlington.

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**POLLUTANT:** Any element or property of hazardous materials, hazardous wastes or sewage from residential, agricultural, industrial or commercial sources whether originating at point or non-point sources, that is or may be introduced into the storm water system of the Town of Burlington. Pollutants, for the purposes of this bylaw, include (but not limited to) dredged soil, solid waste, incinerator residue, garbage, wastewater, wastewater sludge, chemical waste, biological materials, radioactive materials,

rock, sand, dust, industrial waste, sediment, nutrients, toxic substance, pesticide, herbicide, trace metal, automotive fluid, petroleum-based substance, and oxygen-demanding material.

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B. Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

C. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of storm water into or out of the municipal storm drain system without prior written approval from the Board of Health.

### 7.8 EXEMPTIONS

Discharges from fire-fighting activities are exempt from the provisions of this bylaw, except when fire water has accumulated and is contaminated with hazardous materials. If such determination has been made, then disposition of such water shall be made by the Board of Health or its Agents.



## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

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1. Waterline flushing;
2. Flow from potable water sources;
3. Springs;
4. Natural flow from riparian habitats and wetlands;
5. Diverted stream flow;
6. Rising groundwater;
7. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
8. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
9. Discharge from landscape irrigation or lawn watering;
10. Water from individual residential car washing;
11. Discharge from dechlorinated swimming pool water (less than one ppm chlorine) and the pool is drained in such a way as not to cause a nuisance;
12. Dye testing, provided verbal notification is given to the Board of Health prior to the time of the test;
13. Non-storm water discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
14. Discharge for which advanced written approval is received from the Board of Health as necessary to protect public health, safety, welfare or the environment.

#### 7.9 EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

A. Suspension due to Illicit Discharges in Emergency Situations. The Board of Health and its Agents designated to enforce this bylaw may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

B. Suspension due to the Detection of Illicit Discharge. Any person discharging to the MS4 in violation of this bylaw may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the Board of Health for a reconsideration and hearing.

A person commits an offense of this bylaw if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

#### 7.10 INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all

provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Board of Health and its Agents designated to enforce this bylaw prior to the allowing of discharges to the MS4.

#### 7.11 NOTIFICATION OF SPILLS

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release (as defined in 310 CMR 40.0352 and 310 CMR 40.1600) of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release.

In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments and Board of Health. In the event of a release of non-hazardous material, the reporting person shall notify the Board of Health no later than the next business day. The reporting person shall provide to the Board of Health written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

#### 7.12 ENFORCEMENT

The Board of Health and its Agents shall enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations as noted below:

A. Civil Relief. If a person violates the provisions of this bylaw, regulations, permit, notice, or order issued thereunder, this Board may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

B. Orders. The Board of Health and its Agents designated to enforce this bylaw may issue a written order to enforce the provisions of this bylaw or the regulations thereunder.

Orders of this Board may include:

- (a) elimination of illicit connections or discharges to the MS4;
- (b) performance of monitoring, analyses, and reporting;
- (c) that unlawful discharges, practices, or operations shall cease and desist; and
- (d) remediation of contamination in connection therewith.

The issuance of an enforcement order by a Board of Health Agent without a prior vote of the Board of Health to address conditions that require immediate attention, is subject to ratification by the Board of Health at its next regularly scheduled meeting.

The party responsible for completing monitoring, abatement or remediation must contract a person licensed to conduct such work, as necessary. During and upon completion of the work, the professional opinion of this licensed person and a final report will be required to be submitted to the Board of Health in summary and certification of said work being accomplished.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Burlington may, at its option, seek a court order requiring the property owner to perform the work.

C. Criminal Penalty. Any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$ 500. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town of Burlington may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, S21D in which case the Environmental Engineer is authorized to be the enforcing person designated to issues non-criminal disposition penalties. The penalty for the 1st violation shall be \$100. The penalty for the 2nd violation shall be \$300. The penalty for the 3rd and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. Appeals. The enforcement decisions or orders of the Board of Health and its Agents shall be final unless modified or reversed in a public meeting of the Board of Health. Persons aggrieved by an enforcement action by the Board of Health and/or its Agents designated to enforce this bylaw may request a public meeting with the Board of Health within 7 days of written enforcement action to review the circumstances and decisions related to the enforcement action. At this hearing, any affected party has the right to appear, and have the right to inspect and obtain copies of all relevant inspection and investigation reports, orders, notices, and other documentary evidence. If further relief by aggrieved persons is desired, such relief shall be to a court of competent jurisdiction.

F. Remedies Not Exclusive. The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local bylaw.

### 7.13 MONITORING OF DISCHARGES

A. Applicability. This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

B. Access to Facilities. Access to facilities shall be governed by the following:

1. To the extent permitted by state law and if probable cause exists, or if authorized by the owner or other party in control of property which is not permitted with an NPDES Permit, the Board of Health and its Agents may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Board of Health deems reasonably necessary. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

2. Under the conditions for access stated in Part (a) above, facility operators shall allow the Board of Health and its Agents designated to enforce this bylaw, ready access to all parts of the premises for a facility not already regulated with a NPDES Permit for the purposes of inspection, sampling, examination and copying of records relating to the discharge of storm water that may contain sewage, hazardous materials or wastes, or other pollutants, and the performance of any additional duties as defined by state and federal law. For NPDES permit holders, the Town of Burlington will contact the appropriate U.S. Environmental Protection Agency enforcing agents to inform them of suspected violations of an NPDES permit for discharges from that facility.

3. The Board of Health and its Agents designated to enforce this bylaw shall have the right to set up on any non-NPDES facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.

4. The Board of Health and its Agents designated to enforce this bylaw has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Board of Health and its Agents designated to enforce this bylaw and shall not be replaced. The costs of clearing such access shall be borne by the operator.

6. If the Board of Health and its Agents designated to enforce this bylaw has been refused access to any part of the premises from which storm water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this bylaw, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this bylaw or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

### 7.14 REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The Board of Health designated to enforce this bylaw may adopt requirements identifying Best Management Practices for any activity, operation, or non-NPDES permitted facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S.

Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system.

For NPDES permitted facilities, compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. In the event that the Board of Health determines that

## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

additional BMPs may be required for NPDES permitted facilities, the Board of Health may at its option, ask for EPA to review the terms of the facility's NPDES permit to determine if additional best management practices may be required.

In the event that said person responsible for a non-NPDES property or premise, believes that said compliance with additional BMPs is not required, the Board of Health may issue an enforcement order requiring such compliance. If said person refuses to comply with such order for implementing additional BMPs, then the Town of Burlington may seek a court order requiring such implementation.

Compliance with this bylaw, its regulations or BMPs, or policies promulgated under this bylaw does not imply that there will be no contamination, pollution, nor unauthorized discharge of pollutants. Compliance with this bylaw, its regulations or BMPs, or policies promulgated under this bylaw also does not relieve a person from being subject to such enforcement actions as may be required to correct contamination, pollution, and/or unauthorized discharge of pollutants.

#### 7.15 COMPENSATORY ACTION

In lieu of enforcement proceedings, penalties, and remedies authorized by this Bylaw, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

#### 7.16 SEVERABILITY

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

#### 7.17 TRANSITIONAL PROVISIONS

Residential property owners shall have 60 days from the effective date of the bylaw to comply with its provisions provided good cause is shown for the failure to comply with the bylaw during that period.

#### 7.18 REMEDIES NOT EXCLUSIVE

The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

Recommendations: Bylaw Review Committee voted 5-0 in favor. Planning Board voted unanimously in favor.

#### **ACTION: MAJORITY APPROVED THE MAIN MOTION**

App'd. A.G. 10/31/06. Posted 11/20/06.

#### **ARTICLE 9 RE: Amend General Bylaw, Article I/General Provisions, Section 4.0 Penalties – Non-Criminal Disposition**

TO see if Town Meeting will vote to amend Articles I of the General Bylaw, as follows:

TO amend Section 4.0 "Penalties – Non-Criminal Disposition", in the first paragraph, by adding "Planning Director, Town Engineer & Director of Public Health" such that the resulting lines read as follows

#### **4.0 Penalties - Non-Criminal Disposition**

Any Bylaw of the Town of Burlington, or rule or regulation of its boards and commissions, the violation of which is subject to a specific penalty, may, in the discretion of the Town Official who is the appropriate enforcing person, be enforced by the method provided in Section 21D of Chapter 40 of the General Laws. "Enforcing Person" as used in this section shall mean the Animal Control Officer, Conservation Administrator, Health Agent, Environmental Engineer, Building Inspector, **Planning Director, Town Engineer & Director of Public Health**, Plumbing and Gas Inspector, Wiring Inspector, any police officer, Fire Chief and/or Fire Inspector, Superintendent of Public Works, and such other officials as the Board of Selectmen may from time to time designate, each with respect to violation of Bylaws and rules and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be an enforcing person with respect thereto. A police officer may enforce any and all of these Bylaws and rules and regulations.

Without intending to limit the generality of the foregoing, it is the intention of this provision that the following Bylaws and sections of Bylaws or rules or regulations are to be included within the scope of this subsection and that the specific penalties as listed here shall apply in such cases. Each day on which any violation exists shall be deemed a separate offense:

**AND** further to amend Section 4.0 schedule of fines to include in the list of penalties the Stormwater, Sedimentation and Erosion Control and Illicit Discharge and Detection Bylaw proposed fines, by adding the following line items "Article XIV, Section 14.5 Stormwater, Sedimentation and Erosion Control, First offense \$100, Second Offense \$300", "Article XIV, Section 14.6 Illicit Discharge and Detection I, First offense \$100, Second Offense \$300". And to further to amend Section 4.0 penalty schedule in the line item "Article XIV, Section 1.9 Wetlands" by replacing \$100 with \$300 to be consistent with Article XIV, Section 1.9 of the Wetlands Bylaw, such that the resulting lines read as follows:

Article XIII, Section 2.0; Control of Dogs:	
First offense, within preceding twelve-month period	\$ 15.00
Second offense, within preceding twelve-month period	\$ 25.00
Third offense, within preceding twelve-month period	\$ 35.00
Fourth or subsequent offense within the preceding twelve months	\$ 50.00
For an unlicensed dog as of July 1st of any year	\$ 50.00
Article XIII, Section 1.23.4 Littering	\$100.00
Article XIV, Section 14.2.8 Earth Removal, Earth Moving, and Addition of Fill	
First Offense	\$ 50.00
Second Offense	\$100.00
Subsequent Offense	\$200.00
Article IX, Section 1.1 Retail Sales	\$ 50.00
Article XIII, Section 1.36 Alcoholic Beverages	\$ 50.00
Article XIII, Section 1.37 Nuisance to Health and Safety	\$ 50.00
Article XIII, Section 1.37.4 Trash	\$ 50.00
Article XIII, Section 1.37.6 Conservation Land	\$ 50.00

Article XIV, Section 2.12 Control of Toxic and Hazardous Materials	\$200.00
<b>Article XIV, Section 14.6 Illicit Discharge and Detection</b>	
<b>First offense</b>	<b>\$ 100.00</b>
<b>Second offense</b>	<b>\$ 300.00</b>
Article XIV, Section 3.2.3 Signs	\$100.00
Article XIV, Section 2.0 Litter Control	\$ 50.00
Article XIV, Section 2.14 Recycling	\$ 25.00
<b>Article XIV, Section 1.9 Wetlands</b>	<b>\$300.00</b>
Burlington Zoning Bylaws	\$ 50.00
Massachusetts State Building Codes	\$ 50.00
Board of Health Rules and Regulations	\$ 50.00
Conservation Commission Bylaws and Rules and Regulations	\$ 50.00
<b>Article XIV, Section 14.5 Stormwater, Sedimentation and Erosion Control</b>	
<b>First offense</b>	<b>\$ 100.00</b>
<b>Second offense</b>	<b>\$ 300.00</b>
Board of Fire Prevention Rules and Regulations, MGL c. 148 and CMR 527, State Fire Laws:	
First offense	\$ 25.00
Second offense	\$ 50.00
Subsequent offenses	\$100.00
Park and Recreation Rules and Regulations	\$ 50.00
Adult Entertainment	
First offense	\$100.00
Second offense	\$200.00
Subsequent offenses	\$300.00

This Bylaw is to be enforced as set forth in a detailed statement of said Bylaw on file at the office of the Selectmen of the Town and said statement to be available for inspection there, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if Town Meeting will vote to amend Articles I of the General Bylaw, as follows:

To amend Section 4.0 "Penalties – Non-Criminal Disposition", in the first paragraph, by adding "Planning Director, Town Engineer & Director of Public Health" such that the resulting lines read as follows

#### 4.0 Penalties - Non-Criminal Disposition

Any Bylaw of the Town of Burlington, or rule or regulation of its boards and commissions, the violation of which is subject to a specific penalty, may, in the discretion of the Town Official who is the appropriate enforcing person, be enforced by the method provided in Section 21D of Chapter 40 of the General Laws.

"Enforcing Person" as used in this section shall mean the Animal Control Officer, Conservation Administrator, Health Agent, Environmental Engineer, Building Inspector, **Planning Director, Town Engineer & Director of Public Health**, Plumbing and Gas Inspector, Wiring Inspector, any police officer, Fire Chief and/or Fire Inspector, Superintendent of Public Works, and such other officials as the Board of Selectmen may from time to time designate, each with respect to violation of Bylaws and rules and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be an enforcing person with respect thereto. A police officer may enforce any and all of these Bylaws and rules and regulations.

Without intending to limit the generality of the foregoing, it is the intention of this provision that the following Bylaws and sections of Bylaws or rules or regulations are to be included within the scope of this subsection and that the specific penalties as listed here shall apply in such cases. Each day on which any violation exists shall be deemed a separate offense:

**AND** further to amend Section 4.0 schedule of fines to include in the list of penalties the Stormwater, Sedimentation and Erosion Control and Illicit Discharge and Detection Bylaw proposed fines, by adding the following line items "Article XIV, Section 6.14 Stormwater, Sedimentation and Erosion Control, First offense \$100, Second Offense \$300", "Article XIV, Section 7.12 Illicit Discharge and Detection I, First offense \$100, Second Offense \$300". And to further to amend Section 4.0 penalty schedule in the line item "Article XIV, Section 1.9 Wetlands" by replacing \$100 with \$300 to be consistent with Article XIV, Section 1.9 of the Wetlands Bylaw, such that the resulting lines read as follows:

Article XIII, Section 2.0; Control of Dogs:	
First offense, within preceding twelve-month period	\$ 15.00
Second offense, within preceding twelve-month period	\$ 25.00
Third offense, within preceding twelve-month period	\$ 35.00
Fourth or subsequent offense within the preceding twelve months	\$ 50.00
For an unlicensed dog as of July 1st of any year	\$ 50.00
Article XIII, Section 1.23.4 Littering	\$100.00
Article XIV, Section 4.2.8 Earth Removal, Earth Moving, and Addition of Fill	
First Offense	\$ 50.00
Second Offense	\$100.00
Subsequent Offense	\$200.00
Article IX, Section 1.1 Retail Sales	\$ 50.00
Article XIII, Section 1.35 Alcoholic Beverages	\$ 50.00
Article XIII, Section 1.36 Nuisance to Health and Safety	\$ 50.00
Article XIII, Section 1.36.4 Trash	\$ 50.00
Article XIII, Section 1.36.6 Conservation Land	\$ 50.00
Article XIV, Section 2.14 Control of Toxic and Hazardous Materials	\$200.00
<b>Article XIV, Section 7.12 Illicit Discharge and Detection</b>	
<b>First offense</b>	<b>\$ 100.00</b>
<b>Second offense</b>	<b>\$ 300.00</b>
Article XIV, Section 3.2.3 Signs	\$100.00
Article XIV, Section 2.0 Litter Control	\$ 50.00
Article XIV, Section 2.11 Recycling	\$ 25.00
<b>Article XIV, Section 1.9 Wetlands</b>	<b>\$300.00</b>
Burlington Zoning Bylaws	\$ 50.00
Massachusetts State Building Codes	\$ 50.00
Board of Health Rules and Regulations	\$ 50.00
Conservation Commission Bylaws and Rules and Regulations	\$ 50.00
<b>Article XIV, Section 6.14 Stormwater, Sedimentation and Erosion Control</b>	
<b>First offense</b>	<b>\$ 100.00</b>
<b>Second offense</b>	<b>\$ 300.00</b>
Board of Fire Prevention Rules and Regulations, MGL c. 148 and CMR 527, State Fire Laws:	
First offense	\$ 25.00
Second offense	\$ 50.00



## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

Subsequent offenses	\$100.00
Park and Recreation Rules and Regulations	\$ 50.00
Adult Entertainment	
First offense	\$100.00
Second offense	\$200.00
Subsequent offenses	\$300.00

This Bylaw is to be enforced as set forth in a detailed statement of said Bylaw on file at the office of the Selectmen of the Town and said statement to be available for inspection there, or to act in any other manner in relation thereto.

Recommendations: Bylaw Review Committee voted 4-0-0 in favor. Planning Board voted in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

App'd. A.G. 10/31/06. Posted 11/20/06.

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**ARTICLE 10 RE: Acceptance of Reduction in Interest for Senior Property Taxes/Chapter 136, Acts of 2005**

To see if the Town will vote to accept Chapter 136 Section 1 of the Acts of 2005 G.L. Chapter 59, Section 5 (41A) to allow the Town to reduce the interest rate that accrues on property taxes deferred by seniors. Current rate 8% to be reduced to 4%, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

**ACTION: MAJORITY APPROVED MAIN MOTION**


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**ARTICLE 11 RE: Acceptance of Real Estate Exemption Provisions/Chapter 73, Acts of 1986**

To see if the Town will vote, pursuant to Chapter 73 of the Acts of 1986, as amended, to grant an additional exemption to taxpayers who otherwise qualify for an exemption under G.L. Chapter 59, Section 5, Clauses 17D, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41C, 42 or 43, of 100% of said exemptions, provided however, that in no instance shall the taxable valuation of such property, after all applicable exemptions, be reduced below ten percent of its full and fair cash valuation or result in any taxpayer paying less than taxes paid in the preceding fiscal year, except through the application of G.L. Chapter 58, Section 8A, or G.L. Chapter 59, Section 5, Clause 18, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

**ACTION: MAJORITY APPROVED MAIN MOTION**


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**ARTICLE 12 RE: Acceptance of Massachusetts General Laws, Chapter 39, Section 23D as Amended by Chapter 79 of the Acts of 2006/Regulating Meetings of Municipal Boards**

To see if the Town will vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town, the provisions of G.L. c.39, §23D, which provides that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the

member's absence from one session of such hearing, provided that certain conditions are met, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Planning Board voted 7-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**


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**ARTICLE 13 RE: Set 2007 Annual Town Election Date**

To see if the Town will vote to set the 2007 Annual Town Election for Saturday, April 21, 2007 or to act in any manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

**ACTION: MAJORITY APPROVED MAIN MOTION**


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**ARTICLE 14 RE: Housekeeping Amendments/Town Center Overlay**

To see if Town Meeting will vote to amend Articles IV and VIII of the Zoning Bylaw, as follows:

To amend Section 4.1.1 "Symbols in Use Regulations Schedules", in the fourth and fifth lines, by deleting the words "Town Center" and substituting therefore the words "CC or CBD" in each instance.

AND further to amend Section 8.5.0 "Town Center Overlay District", by adding an "s" to the word "District", such that the title will read "Town Center Overlay Districts".

AND further to amend Section 8.5.1 to strike the words "(TC) District" from the title;

AND further to amend Section 8.5.1 to add the words "1993 Land Use Element of the" before the words "Master Plan", and the year "2004" before the words "Community Development Plan".

AND further to amend Section 8.5.2 "District Boundaries", in the first sentence by striking the words "(TC) District", and further by striking the word "an" and substituting therefore the words "two (2)", and further by striking the words "The TC District is divided into two (2) sub-districts" and substituting therefore the words "said districts to be known as", and in the second sentence by deleting the word "TC", and further by adding the letter "s" to the end of the first use of the word "District", and further by deleting the second use of the word "District" and substituting therefore the word "Map".

AND further to amend Section 8.5.3 "General Requirements and Applicability", by striking the words "Town Center" and substituting therefore the words "Civic Center and Central Business", and striking the words "(CC & CBD)".

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

AND further to amend Section 8.5.5.5 "Minimum Buffer to Adjoining RO Districts", in the first sentence to insert the word

"requirement" after the word "maximum", and in the second sentence to strike the words "Town Center" and substitute therefore the words "CC or CBD", and in the third sentence to strike the words "A landscaped buffer of at least 20' in depth shall be" and to substitute therefore the words "The buffer shall consist of natural vegetation and/or landscaping designed and", and further in the third sentence to insert words "within the CC or CBD Districts" after the word "use", and in the fourth sentence to add the words ", but subject to a minimum 20' setback for bicycle paths." to the end of the sentence:

AND further to amend Section 8.5.5.7 "Maximum Building & Structure Height", in the first, second and third sentences by adding the words "and mixed use" after the word "nonresidential", and in the last sentence, by deleting the word "single" and substituting therefore the word "one".

AND further to amend Section 8.5.5.8 "Maximum feet between buildings", by deleting the words "None, but".

AND further to amend Section 8.5.5.9 "Maximum Floor Area Ratio", in the second sentence by striking the words "TC District" and substituting therefore the words "CC or CBD".

AND further to amend Section 8.5.8 "Design requirements", in the second sentence by adding the words "in accordance with Section 9.6.0 of this Bylaw, and with notice to Town Meeting Members" after the words "public hearing".

AND further to amend Section 8.5.9 "Transfer of Development Rights", in the 3<sup>rd</sup> paragraph, by inserting the following words "and recording such restriction at the South Middlesex registry of Deeds" after the word "restriction".

AND further to amend Section 8.5.10 "Criteria for Approval", in subsection 1, by inserting the words "1993 Land Use Element of the" before the words "Master Plan" and the year "2004" before the words "Community Development Plan", or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Planning Board voted 6-0.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

App'd. A.G. 10/31/06. Posted 11/20/06.

**ARTICLE 15 RE: Amend Article III/Establishment of Districts and Article IV, Sections 4.2.0, 4.3.0 and 4.4.0**

To see if the Town will vote to amend the Zoning Bylaw to establish an Open Space District, as follows:

To amend Article III Establishment of Districts, Section 3.1.0, to add "OS – Open Space Districts" to the list of districts.

AND further to amend Article IV, Section 4.2.0, and 4.3.0. and 4.4.0 to amend the use regulations schedule to add a new column for the Open Space District, as reflected on Exhibit "A" (start of next page), or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Planning Board voted 6-0 in favor.

A motion to end debate was moved, seconded and so voted.

**ACTION: UNANIMOUSLY APPROVED MAIN MOTION**

App'd. A.G. 10/31/06. Posted 11/20/06.

**ARTICLE 16 RE: Rezone Parcels from RO (One Family Dwelling District) to OS (Open Space) and Amend Town of Burlington Zoning Map**

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 Marvin Field, shown on Assessor's Map 54 as Parcel 12 (4.5 Ac)

Property on Olympian Way, shown on Assessor's Map 29 as Parcel 162 (0.31 Ac)

Property known as Overlook Park, shown on Assessor's Map 43 as Parcel 22 (7.6 Ac)

Property known as Pathwoods Tot lot, shown on Assessor's Map 22 as Parcel 125 (0.36 Ac)

Property known as Rahanis Park, shown on Assessor's Map 18 as Parcel 7 (12.7 Ac)

Property known as Regan Park, shown on Assessor's Map 16 as Parcel 71 (5.4 Ac)

Property known as Rotary Field, shown on Assessor's Map 54 as Parcel 14 (1.7 Ac)

Property known as Simonds Park, shown on Assessor's Map 23 as Parcel 255 (20.4 Ac)

Property known as the Town Common, shown on Assessor's Map 29 as Parcel 109 (6.7 Ac)

Property known as TRW Park, shown on Assessor's Map 41 as Parcel 128 (7.0 Ac)

Property known as Veteran's Park, shown on Assessor's Map 5 as Parcel 88 (3.6 Ac)

Property known as Wildmere Park, shown on Assessor's Map 43 as Parcel 216 (1.5 Ac) and Parcel 217 (7,500 sq. ft.)

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)

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)

## TOWN OF BURLINGTON, MA

## SEPTEMBER 2006 TOWN MEETING MINUTES

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 Little's Brook Conservation Area, shown on Assessor's Map 48 as Parcel 6-1 (7.6 Ac) and on Assessor's Map 49 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 6 (14.1 Ac owned by NSTAR), 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 Ac), Parcel 110 (33,600 sq. ft.), Parcel 111 (20,200 sq. ft.), Parcel 119 (8.44 Ac), Parcel 121 (8.4 Ac owned by NSTAR), 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)

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 (20,365 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), 96 (3.8 Ac) and 97 (18,225 sq. ft.)

Property known as Vine Brook Conservation Area, shown on Assessor's Map 33 as Parcel 70-2 (7.48 Ac), Parcel 70-1 (12.1 Ac), and on Assessor's Map 34 as Parcel 3 (1.9 Ac), Parcel 24 (36.7 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 (31,560 sq. ft.)

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

Property known as the City of Boston land and/or the Cummings Estate, comprised of lands shown on Assessor's Map 54 as Parcels

16 (148.0 Ac), 13 (7.6 Ac) and 18 (4.4 Ac), or to act in any other manner in relation thereto.

**MAIN MOTION:** To Postpone Indefinitely

Recommendations: Planning Board hearing is still in process.

**ACTION: MAJORITY APPROVED MAIN MOTION**

#### ARTICLE 17 RE: Acceptance of Section 8.5.1.1/Intent of Town Meeting

To see if Town Meeting will vote to amend 8.5.1.1 Intent of town Meeting. In adopting the 8.5.0 Town Center Overlay section of the Burlington Zoning Bylaw, it is the intent of the Burlington Town Meeting to allow within the Civic Center District (CC) and the Central Business District (CBD) reasonable flexibility of certain specified permitted uses and certain specified dimensional requirements detailed in this Section 8.5.0; but otherwise limited by the underlying zones which shall be controlling in the absence of a discretionary Site Plan or a discretionary Special Permit approved by the Planning Board pursuant to the required Criteria of Approval set forth in Section 8.5.10 of this Bylaw. The Burlington Town Meeting considers the specific exceptions to the underlying zoning detailed in this Section 8.5.0 to be carefully balanced with respect to: the purposes and objectives set forth in Section 8.5.1; the Design Requirements addressed in Section 8.5.8; and the required Design Review Regulations adopted by the Planning Board. Nothing contained in this Section 8.5.1.1 is intended to alter in any way the applicability of Section 10.2.0; or the authority of Section 9.5.0 of this Bylaw as it applies to the underlying zones within the Civic Center District (CC) and the Central Business District (CBD), or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Planning Board voted 1-5 in opposition.

A motion to end debated was moved, seconded and so voted. There was a division of the house and tellers were appointed.

**ACTION: BY A VOTE OF 40 IN FAVOR AND 25 OPPOSED, MAIN MOTION WAS DEFEATED.**

Seven members stood for a roll call.

**BY A ROLL CALL VOTE OF 43 IN FAVOR AND 25 OPPOSED, THE MAIN MOTION FAILED TO RECEIVE THE REQUIRED 2/3 VOTE.**

#### ARTICLE 18 RE: Amend Wireless Communications Overlay District and/or Zoning Bylaw (off Ray Avenue)

To see if the Town will vote to amend the existing Zoning Map of the Town Burlington including the map entitled "Town of Burlington – Wireless Communications Overlay Districts" to add the property now or formerly of Boston Edison Company and Burlington Self Storage, Inc., off Ray Avenue, Right-of-Way #5, Assessor's Map 54, Block 3, Lot 11 and establish the same as part of the Wireless Communications Overlay Districts, or to act in any other manner in relation thereto.

**MAIN MOTION:** To Postpone Indefinitely

Recommendations: Planning Board hearing is still in process.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 19 RE: Amend Wireless Communications  
Overlay District (off Carol Avenue)**

To see if the Town will vote to amend the existing Zoning Map of the Town Burlington including the map entitled "Town of Burlington – Wireless Communications Overlay Districts" to add the property now or formerly of Boston Edison Company, off Carol Avenue, Right-of-Way #5, Assessor's Map 18, Lot 1, and establish the same as part of the Wireless Communications Overlay Districts, or to act in any other manner in relation thereto.

**MAIN MOTION:** To Postpone Indefinitely

Recommendations: Planning Board hearing is still in process.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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Resolution #1: P. Angelo, Pct. 5

That the Board of Selectmen enter into vigorous discussions with Lahey Clinic regarding the parking fee schedule, specifically a reduction in rates for the residents of the Town of Burlington, especially senior and handicapped citizens.

Resolution carried.

At 11:05 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:

Jane L. Chew  
Town Clerk

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## TOWN ACCOUNTANT

The Town of Burlington Accounting Office is responsible for all of the financial record keeping pertaining to the receipts and expenditures of the Town of Burlington. The Accounting office uses Massachusetts General Laws, the Town of Burlington by-laws, the Massachusetts Department of Revenue Uniform Municipal Accounting System, and the Governmental Accounting Standards Board regulations to ensure that all of its accounting entries to the financial records of the Town are made in accordance with generally accepted accounting principles.

As required, the Town Accountant shall examine the books and accounts of all officers and committees entrusted with the receipt, custody or expenditure of funds, and all original bills and vouchers on which funds have been or may be paid from the Town Treasury.

The following pages are a copy of the Town's audited financial statements for the fiscal year ended June 30, 2006 as prepared by our independent auditors.

Respectfully submitted,

Paul F. Sagarino Jr.  
Town Accountant

***TOWN OF BURLINGTON, MASSACHUSETTS***

***REPORT ON EXAMINATION OF  
BASIC FINANCIAL STATEMENTS***

***FISCAL YEAR ENDED JUNE 30, 2006***

REPORT ON EXAMINATION OF BASIC FINANCIAL STATEMENTS

JUNE 30, 2006

**TABLE OF CONTENTS**

Independent Auditors' Report.....	1
Management's Discussion and Analysis .....	2
Basic Financial Statements .....	10
Statement of net assets .....	11
Statement of activities .....	12
Governmental funds – balance sheet .....	14
Reconciliation of the governmental balance sheet total fund balances to statement of net assets .....	15
Governmental funds – statement of revenues, expenditures, and changes in fund balances .....	16
Reconciliation of the statement of revenues, expenditures, and changes in fund balances of governmental funds to the statement of activities.....	17
Proprietary funds – statement of net assets .....	18
Proprietary funds – statement of revenues, expenses and changes in fund net assets .....	19
Proprietary funds – statement of cash flows .....	20
Fiduciary funds – statement of fiduciary net assets .....	21
Fiduciary funds – statement of changes in fiduciary net assets .....	22
Notes to basic financial statements .....	23
Required Supplementary Information.....	43
Schedule of revenues, expenditures and changes in fund balance – general fund – budget and actual .....	44
Notes to required supplementary information .....	46

**Powers & Sullivan**

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**Independent Auditors' Report**

To the Honorable Board of Selectmen  
Town of Burlington, Massachusetts

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Burlington, Massachusetts, as of and for the fiscal year ended June 30, 2006, which collectively comprise the Town's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Town of Burlington, Massachusetts' management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Burlington, Massachusetts, as of June 30, 2006, and the respective changes in financial position and cash flows, where applicable, thereof for the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated November 9, 2006, on our consideration of the Town of Burlington, Massachusetts' internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

Management's discussion and analysis, located on the following pages, and schedule of revenues, expenditures and changes in fund balance – general fund – budgetary basis, located after the notes to the basic financial statements, are not a required part of the basic financial statements but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

November 9, 2006



## ***Management's Discussion and Analysis***

## **Management's Discussion and Analysis**

As management of the Town of Burlington, we offer readers of these financial statements this narrative overview and analysis of the financial activities for the fiscal year ended June 30, 2006. We encourage readers to consider the information presented in this report in conjunction with the Town's financial statements. All amounts unless otherwise noted, are presented in whole dollars.

### **Overview of the Financial Statements**

This discussion and analysis is intended to serve as an introduction to the Town of Burlington's basic financial statements. These basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. The government-wide financial statements provide both long-term and short-term information about the Town as a whole. The fund financial statements focus on the individual components of the Town government, reporting the Town's operations in more detail than the government-wide statements. Both presentations (government-wide and fund) allow the user to address relevant questions, broaden the basis of comparison and enhance the Town's accountability. An additional part of the basic financial statements are the notes to the financial statements. This report also contains other required supplementary information in addition to the basic financial statements themselves.

**Government-wide financial statements.** The government-wide financial statements are designed to provide readers with a broad overview of finances in a manner similar to private sector business.

The statement of net assets presents information on all assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position is improving or deteriorating.

The statement of activities presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of the related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (i.e. uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions that are primarily supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities include general government, public safety, education, public works, water and sewer, human services, culture and recreation, and interest.

**Fund financial statements.** A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Fund accounting is used to ensure and demonstrate compliance with finance-related legal requirements. All of the funds can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

**Governmental funds.** Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund statements focus on near-term inflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar info presented for governmental activities in the government-wide financial statements. By doing so readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Town of Burlington adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with this budget. The budgetary comparison statement is presented as Required Supplementary Information after the notes to the financial statements.

**Proprietary funds.** The Town of Burlington maintains two types of proprietary funds.

Internal service funds are an accounting device used to accumulate and allocate costs internally among various functions. The Town uses internal service funds to account for health insurance activities and worker's compensation benefits. Because these services primarily benefit governmental rather than business-type activities, they have been included within governmental activities in the government-wide financial statements.

Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The Town uses enterprise funds to account for its ice skating rink operations.

**Fiduciary funds.** Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statement because the resources of those funds are not available to support the Town's own programs. The accounting used for fiduciary funds is much like that used for proprietary funds.

**Notes to the basic financial statements.** The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

**Financial Highlights.** The following pages provide financial highlights of the government-wide financial statements for Fiscal Year 2006 in comparison to Fiscal Year 2005.

### ***Government-wide Financial Analysis***

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. The Town of Burlington's assets exceeded liabilities by \$85.4 million at the close of Fiscal 2006, an increase of \$343,000 from the prior year.

Net assets of \$67.1 million (78%) reflects its investment in capital assets (e.g., land, buildings, infrastructure, machinery, and equipment), less any related debt used to acquire those assets that are still outstanding. The Town uses these capital assets to provide services to citizens; consequently, these assets are *not* available for future spending. Although the investment in its capital assets is reported net of its related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the Town's net assets totaling \$2.1 million (2%) represents resources that are subject to external restrictions on how they may be used. The remaining balance of *unrestricted net assets*, \$16.1 million (20%), may be used to meet the government's ongoing obligations to citizens and creditors.

At the end of the current fiscal year the Town of Burlington is able to report positive balances in all three categories of net assets, both for the Town as a whole, as well as for its separate governmental and business-type activities. The same situation held true in the prior year.

The financial analysis of the Town's governmental and business-type activities is presented on the following pages.

### **Governmental Activities**

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. For governmental activities, assets exceeded liabilities by \$84.6 million at the close of FY2006.

	Governmental Activities	
	2006	2005
<b>Assets:</b>		
Current assets.....	\$ 27,822,830	\$ 27,106,239
Noncurrent assets (excluding capital).....	2,517,000	2,698,000
Capital assets.....	<u>86,461,038</u>	<u>88,110,147</u>
<b>Total assets.....</b>	<b><u>116,800,868</u></b>	<b><u>117,914,386</u></b>
<b>Liabilities:</b>		
Current liabilities (excluding debt).....	7,320,103	7,018,535
Noncurrent liabilities (excluding debt).....	1,709,000	1,280,000
Current debt.....	3,438,711	2,796,000
Noncurrent debt.....	<u>19,669,184</u>	<u>22,357,894</u>
<b>Total liabilities.....</b>	<b><u>32,136,998</u></b>	<b><u>33,452,429</u></b>
<b>Net Assets:</b>		
Capital assets net of related debt.....	66,576,038	66,442,102
Restricted.....	2,172,556	1,948,520
Unrestricted.....	<u>15,915,276</u>	<u>16,071,335</u>
<b>Total net assets.....</b>	<b><u>\$ 84,663,870</u></b>	<b><u>\$ 84,461,957</u></b>

A significant portion of the Town's net assets, \$66.6 million (79%), reflects its investment in capital assets (i.e. land, buildings, building improvements, equipment, infrastructure, land improvements, library books and vehicles) less any related debt used to acquire those assets that is still outstanding. The Town uses these capital assets to provide services to citizens: consequently these assets are not available for future spending. Although the Town's investment in its capital assets is reported net of its related debt, it should be noted that the resources needed to pay this debt must be provided from other sources, since capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the Town's net assets, \$2.2 million (2%), represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net assets \$15.9 million (19%) may be used to meet the government's ongoing obligations to citizens and creditors.

The governmental activities net assets increased by \$202,000 during the current fiscal year. The Town reported building permit revenues and ambulance and water/sewer charges for services higher than anticipated by \$1.5 million; and the acquisition of capital assets using current resources. These additional income sources were offset by the recording of depreciation on capital assets.

	Governmental Activities	
	2006	2005
<b>Program revenues:</b>		
Charges for services.....	\$ 13,646,853	\$ 12,345,535
Operating grants and contributions.....	12,621,138	12,632,817
Capital grants and contributions.....	1,001,550	1,074,839
<b>General Revenues:</b>		
Real estate and personal property taxes.....	61,403,810	58,393,239
Motor vehicle excise taxes.....	2,990,842	3,020,720
Nonrestricted grants.....	2,982,155	3,499,676
Unrestricted investment income.....	665,784	310,603
Other revenues.....	2,160,195	1,191,768
<b>Total revenues.....</b>	<b>97,472,327</b>	<b>92,469,197</b>
<b>Expenses:</b>		
General government.....	5,446,957	5,035,336
Public safety.....	15,206,915	16,750,981
Education.....	55,467,444	48,731,586
Public works.....	9,196,334	9,540,623
Water and sewer.....	5,502,142	6,296,851
Human services.....	1,564,442	1,509,636
Culture and recreation.....	3,957,192	4,057,333
Interest.....	928,988	872,643
<b>Total expenses.....</b>	<b>97,270,414</b>	<b>92,794,989</b>
<b>Transfers.....</b>	<b>-</b>	<b>(20,760)</b>
<b>Change in net assets.....</b>	<b>\$ 201,913</b>	<b>\$ (346,552)</b>

Governmental expenses totaled \$97.3 million of which \$27.2 million was directly supported by program revenues consisting of charges for services, operating and capital grants and contributions. General revenues totaled \$70.2 million, primarily coming from property taxes, excise taxes, and grants not restricted to specific programs.

Charges for services represent about 50% of governmental program revenues. The Town can exercise more control over this category of revenue than any other. Fees charged for services rendered that are set by Town Meeting, the Board of Selectmen, Town boards and commissions and the Town Administrator are included in this category.

Operating and capital grants and contributions account for 50% of the governmental program revenues. Most of these resources apply to education operations. These resources offset costs of the school department over and above the general fund operating budget.

Property taxes are the most significant revenue source for the Town's governmental activities. They comprise 63% of all resources.

Other taxes comprise 4% of the governmental activity's resources.

Education is by far the largest governmental activity of the Town. A total of \$55.3 million was expended for education, of which \$14.9 million was funded by program revenues. The remaining \$40.4 was funded by taxes and other revenue.

Public safety and public works are the second and third largest activities of the Town. Approximately \$15.2 million and \$9.3 million were needed, from program and other revenue sources, to cover their FY06 operating expenses, respectively.

### Business-type Activities

For the Town's business-type activities, assets exceeded liabilities by \$802,000 at the close of FY2006.

	Business-type Activities	
	2006	2005
<b>Assets:</b>		
Current assets.....	\$ 259,098	\$ 236,140
Capital assets.....	1,388,548	1,449,335
<b>Total assets.....</b>	<b>1,647,646</b>	<b>1,685,475</b>
<b>Liabilities:</b>		
Current liabilities (excluding debt).....	12,035	21,369
Current debt.....	171,894	169,572
Noncurrent debt.....	660,923	832,817
<b>Total liabilities.....</b>	<b>844,852</b>	<b>1,023,758</b>
<b>Net Assets:</b>		
Capital assets net of related debt.....	555,731	446,946
Unrestricted.....	247,063	214,771
<b>Total net assets.....</b>	<b>\$ 802,794</b>	<b>\$ 661,717</b>

Business-type net assets of \$556,000 (70%) represent investments in capital assets net of related debt. The remaining \$247,000 (30%) is available to be used for the ongoing operation of the Town's Ice Palace Skating Rink activities.

At the end of the current fiscal year, the Town is able to report positive balances in all categories of net assets, both for the government as a whole, as well as for its separate governmental and business-type activities.

There was an increase of \$141,000 in net assets reported in connection with the Ice Palace Skating Rink business-type activities attributable to budgeting revenues sufficient to cover current operational costs and to acquire capital assets.

	Business-type Activities	
	2006	2005
<b>Program revenues:</b>		
Charges for services.....	\$ 696,563	\$ 697,751
<b>General revenues:</b>		
Unrestricted investment income.....	1,391	1,193
<b>Total revenues.....</b>	<b>697,954</b>	<b>698,944</b>
<b>Expenses:</b>		
Cost of services and administration.....	556,877	621,700
<b>Total expenses.....</b>	<b>556,877</b>	<b>621,700</b>
<b>Transfers.....</b>	<b>-</b>	<b>20,760</b>
<b>Change in net assets.....</b>	<b>\$ 141,077</b>	<b>\$ 98,004</b>

### Financial Analysis of the Government's Funds

As noted earlier, the Town uses fund accounting to ensure and demonstrate compliance with finance related legal requirements.

**Governmental funds.** The focus of governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

At the end of the current fiscal year, the Town's governmental funds reported combined ending fund balances of \$14.6 million, of which \$8.1 million is related to the general fund and \$4 million is related to the Stabilization Fund and \$2.5 million is related to nonmajor governmental funds. Within the nonmajor funds, a deficit of \$(225,000) is attributed to capital projects, \$2.3 million is attributed to the Town's special revenue accounts, and \$425,000 is attributed to the permanent trust funds.

The general fund is the chief operating fund of the Town of Burlington. At the end of the current fiscal year, undesignated fund balance of the general fund was \$6.2 million while total fund balance was \$8.1 million. As a measure of the general fund's liquidity, it may be useful to compare both undesignated fund balance and the total fund balance to total fund expenditures. Undesignated fund balance represents 7% of the total general fund expenditures, while total fund balance represents 9% of that same amount. Reservations of fund balance for encumbrances and continuing appropriations totaled \$905,000. Additionally, \$970,000 was designated for amounts voted to be used in fiscal 2007.

The Town's general fund balance decreased \$1 million during fiscal year 2006. This was due to a voted transfer of \$2,000,000 to the stabilization fund offset by better than anticipated revenues from licenses and permits, which exceeded budget by \$942,000.

The stabilization fund is a special revenue fund used to account for the accumulation of resources to provide general and/or capital reserves, and planning and development's ongoing and future operations. The fund increased \$2 million in fiscal 2006 due to a budgeted transfer from the general fund.



The Chapter 90 highway fund is a special revenue fund used to accumulate resources primarily for road and sidewalk repair and reconstruction projects. This fund qualifies as a major fund because intergovernmental receivable total \$1.3 million at year end.

### **General Fund Budgetary Highlights**

The \$1.6 million increase from the original budget of \$82.2 million and the final budget of \$83.8 million consists of \$500,000 of additional budget authorization for administrative costs and special education costs in the education department. The balance of the increase budget relates to additional transfers from the General Fund to other funds. The majority of the additional budgeted transfers was due to a \$1 million transfer to the Stabilization Fund.

Building permit fees exceeded expectations by \$942,000 due to new development in the Town. Charges for services exceeded expectations by \$453,000 due to increased collections on water and sewer billings. The Town over-expended its budget for snow and ice removal.

### **Capital Asset and Debt Administration**

In conjunction with the annual operating budget the Town of Burlington annually prepares a capital budget for the upcoming fiscal year and a five year Capital Improvement Plan (CIP) that is used as a guide for future capital expenditures.

The Town has an "AA+" bond rating from Moody's Investors Service. The Town continues to maintain strong market access for both note and bond sales. At the end of the fiscal year the Town had total bonded debt outstanding of \$23.2 of which \$9.7 is related to school projects, \$4.4 is related to the water treatment facility, \$1.2 is related to the construction of the Town library, \$1.1 million relates to public safety projects, \$2.4 million relates to the Town Hall remodeling, \$1.7 million relates to land acquisition, and \$832 thousand relates to the Ice Palace, leaving a balance of \$1.9 million for other CIP related projects. The entire amount is classified as general obligation debt and is backed by the full faith and credit of the Town. The Town has no revenue bonds outstanding, which are bonds secured solely by specific revenue sources.

The Commonwealth of Massachusetts is obligated to provide school construction assistance for approved school projects. The assistance is paid annually to support the debt service payments over time. At June 30, 2006 the Town is scheduled to receive approximately \$2.7 million of future reimbursements for approved construction costs.

Please refer to the notes to the financial statements for further discussion of the major capital and debt activity.

### **Requests for Information**

This financial report is designed to provide a general overview of the Town of Burlington's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Town Accountant, 29 Center Street, Burlington, MA 01803.



## ***Basic Financial Statements***

# Town of Burlington

## STATEMENT OF NET ASSETS

JUNE 30, 2006

	<i>Primary Government</i>		
	Governmental Activities	Business-type Activities	Total
<b>ASSETS</b>			
<b>CURRENT:</b>			
Cash and cash equivalents.....	\$ 19,428,223	\$ 160,489	\$ 19,588,712
Investments.....	2,532,685	98,609	2,631,294
Receivables, net of allowance for uncollectibles:			
Real estate and personal property taxes.....	908,624	-	908,624
Real estate tax deferrals.....	68,317	-	68,317
Tax liens.....	539,078	-	539,078
Motor vehicle excise taxes.....	201,266	-	201,266
Water and sewer fees.....	1,707,743	-	1,707,743
Departmental and other.....	189,777	-	189,777
Intergovernmental.....	2,013,665	-	2,013,665
Other assets.....	147,593	-	147,593
Tax foreclosures.....	85,859	-	85,859
<b>NONCURRENT:</b>			
Intergovernmental.....	2,517,000	-	2,517,000
Capital assets:			
Nondepreciable.....	18,631,315	505,000	19,136,315
Depreciable (net of accumulated depreciation).....	67,829,723	883,548	68,713,271
<b>TOTAL ASSETS.....</b>	<b>116,800,868</b>	<b>1,647,646</b>	<b>118,448,514</b>
<b>LIABILITIES</b>			
<b>CURRENT:</b>			
Warrants payable.....	1,106,503	-	1,106,503
Accrued payroll.....	1,747,067	-	1,747,067
Health claims payable.....	127,000	-	127,000
Tax refunds payable.....	815,530	-	815,530
Accrued interest.....	540,349	12,035	552,384
Other liabilities.....	831,298	-	831,298
Deferred revenue.....	20,356	-	20,356
Compensated absences.....	2,020,000	-	2,020,000
Workers' compensation.....	112,000	-	112,000
Bonds and notes payable.....	3,438,711	171,894	3,610,605
<b>NONCURRENT:</b>			
Compensated absences.....	1,709,000	-	1,709,000
Bonds and notes payable.....	19,669,184	660,923	20,330,107
<b>TOTAL LIABILITIES.....</b>	<b>32,136,998</b>	<b>844,852</b>	<b>32,981,850</b>
<b>NET ASSETS</b>			
Invested in capital assets, net of related debt.....	66,576,038	555,731	67,131,769
Restricted for:			
Permanent funds:			
Expendable.....	69,258	-	69,258
Nonexpendable.....	356,476	-	356,476
Other purposes.....	1,746,822	-	1,746,822
Unrestricted.....	15,915,276	247,063	16,162,339
<b>TOTAL NET ASSETS.....</b>	<b>\$ 84,663,870</b>	<b>\$ 802,794</b>	<b>\$ 85,466,664</b>

See notes to basic financial statements.

## STATEMENT OF ACTIVITIES

FISCAL YEAR ENDED JUNE 30, 2006

		Program Revenues				
Functions/Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Net (Expense) Revenue	
<b>Primary Government:</b>						
<i>Governmental Activities:</i>						
General government.....	\$ 5,446,957	\$ 1,122,925	\$ 10,000	\$ -	\$ (4,314,032)	
Public safety.....	15,206,915	2,245,813	522,277	-	(12,438,825)	
Education.....	55,467,444	2,974,715	11,945,141	-	(40,547,588)	
Public works.....	9,196,334	852,127	22,171	1,001,550	(7,320,486)	
Water and sewer.....	5,502,142	5,463,771	-	-	(38,371)	
Human services.....	1,564,442	82,734	76,013	-	(1,405,695)	
Culture and recreation.....	3,957,192	904,768	45,536	-	(3,006,888)	
Interest.....	928,988	-	-	-	(928,988)	
Total Governmental Activities.....	97,270,414	13,646,853	12,621,138	1,001,550	(70,000,873)	
<i>Business-Type Activities:</i>						
Ice Palace.....	556,877	696,563	-	-	139,686	
Total Primary Government.....	\$ 97,827,291	\$ 14,343,416	\$ 12,621,138	\$ 1,001,550	\$ (69,861,187)	

See notes to basic financial statements.

(Continued)

**STATEMENT OF ACTIVITIES (Continued)**

FISCAL YEAR ENDED JUNE 30, 2006

	Primary Government		
	Governmental Activities	Business-Type Activities	Total
<b>Changes in net assets:</b>			
Net (expense) revenue from previous page.....	\$ <b>(70,000,873)</b>	\$ <b>139,686</b>	\$ <b>(69,861,187)</b>
<i>General revenues:</i>			
Real estate and personal property taxes, net of tax refunds payable.....	61,403,810	-	61,403,810
Tax liens.....	37,027	-	37,027
Motor vehicle excise taxes.....	2,990,842	-	2,990,842
Hotel/motel tax.....	1,049,991	-	1,049,991
Penalties and interest on taxes.....	518,505	-	518,505
Payments in lieu of taxes.....	554,672	-	554,672
Grants and contributions not restricted to specific programs.....	2,982,155	-	2,982,155
Unrestricted investment income.....	665,784	1,391	667,175
Total general revenues and transfers.....	70,202,786	1,391	70,204,177
Change in net assets.....	201,913	141,077	342,990
<i>Net Assets:</i>			
Beginning of year.....	84,461,957	661,717	85,123,674
End of year.....	\$ <u>84,663,870</u>	\$ <u>802,794</u>	\$ <u>85,466,664</u>

(Concluded)

# 2006 Annual Report

## GOVERNMENTAL FUNDS BALANCE SHEET

JUNE 30, 2006

	General	Stabilization Fund	Chapter 90 Highway Fund	Nonmajor Governmental Funds	Total Governmental Funds
<b>ASSETS</b>					
Cash and cash equivalents.....	\$ 12,140,474	\$ 1,414,313	\$ 1	\$ 3,109,132	\$ 16,663,920
Investments.....	-	2,115,685	-	417,000	2,532,685
Receivables, net of uncollectibles:					
Real estate and personal property taxes.....	908,624	-	-	-	908,624
Real estate tax deferrals.....	68,317	-	-	-	68,317
Tax liens.....	539,078	-	-	-	539,078
Motor vehicle excise taxes.....	201,266	-	-	-	201,266
Water fees.....	567,370	-	-	-	567,370
Sewer fees.....	1,140,373	-	-	-	1,140,373
Departmental and other.....	189,777	-	-	-	189,777
Intergovernmental.....	2,698,000	-	1,832,665	-	4,530,665
Due from other funds.....	-	496,494	-	-	496,494
Other assets.....	147,593	-	-	-	147,593
Tax foreclosures.....	85,859	-	-	-	85,859
<b>TOTAL ASSETS.....</b>	<b>\$ 18,686,731</b>	<b>\$ 4,026,492</b>	<b>\$ 1,832,666</b>	<b>\$ 3,526,132</b>	<b>\$ 28,072,021</b>
<b>LIABILITIES AND FUND BALANCES</b>					
<b>LIABILITIES:</b>					
Warrants payable.....	\$ 835,243	\$ -	\$ -	\$ 271,260	\$ 1,106,503
Accrued payroll.....	1,747,067	-	-	-	1,747,067
Tax refunds payable.....	815,530	-	-	-	815,530
Accrued interest on short-term debt.....	26,250	-	-	-	26,250
Other liabilities.....	831,298	-	-	-	831,298
Deferred revenues.....	6,316,625	-	1,336,172	-	7,652,797
Due to other funds.....	-	-	496,494	-	496,494
Notes payable.....	-	-	-	750,000	750,000
<b>TOTAL LIABILITIES.....</b>	<b>10,572,013</b>	<b>-</b>	<b>1,832,666</b>	<b>1,021,260</b>	<b>13,425,939</b>
<b>FUND BALANCES:</b>					
Reserved for:					
Encumbrances and continuing appropriations.....	905,756	-	-	-	905,756
Stabilization.....	-	4,026,492	-	-	4,026,492
Perpetual permanent funds.....	-	-	-	356,476	356,476
Unreserved:					
Designated for subsequent year's expenditures.....	970,112	-	-	-	970,112
Undesignated, reported in:					
General fund.....	6,238,850	-	-	-	6,238,850
Special revenue funds.....	-	-	-	2,304,243	2,304,243
Capital projects funds.....	-	-	-	(225,105)	(225,105)
Permanent funds.....	-	-	-	69,258	69,258
<b>TOTAL FUND BALANCES.....</b>	<b>8,114,718</b>	<b>4,026,492</b>	<b>-</b>	<b>2,504,872</b>	<b>14,646,082</b>
<b>TOTAL LIABILITIES AND FUND BALANCES.....</b>	<b>\$ 18,686,731</b>	<b>\$ 4,026,492</b>	<b>\$ 1,832,666</b>	<b>\$ 3,526,132</b>	<b>\$ 28,072,021</b>

See notes to basic financial statements.

**RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET  
TOTAL FUND BALANCES TO THE STATEMENT OF NET ASSETS**

JUNE 30, 2006

Total governmental fund balances.....	\$ 14,646,082
Capital assets (net) used in governmental activities are not financial resources and, therefore, are not reported in the funds.....	86,461,038
Accounts receivable are not available to pay for current-period expenditures and, therefore, are deferred in the funds.....	7,632,441
Internal service funds are used by management to account for retirees' health insurance and workers' compensation activities.	
The assets and liabilities of the internal service funds are included in the governmental activities in the statement of net assets.....	2,637,303
In the statement of activities, interest is accrued on outstanding long-term debt, whereas in governmental funds interest is not reported until due.....	(514,099)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds	
Bonds and notes payable.....	(22,357,895)
Workers compensation.....	(112,000)
Compensated absences.....	(3,729,000)
Net effect of reporting long-term liabilities.....	(26,198,895)
Net assets of governmental activities.....	<u>\$ 84,663,870</u>

See notes to basic financial statements.

# 2006 Annual Report

## GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES

FISCAL YEAR ENDED JUNE 30, 2006

	General	Stabilization Fund	Chapter 90 Highway Fund	Nonmajor Governmental Funds	Total Governmental Funds
<b>REVENUES:</b>					
Real estate and personal property taxes, net of tax refunds.....	\$ 61,454,026	\$ -	\$ -	\$ -	\$ 61,454,026
Tax liens.....	52,306	-	-	-	52,306
Motor vehicle excise taxes.....	3,127,822	-	-	-	3,127,822
Hotel/motel tax.....	1,049,991	-	-	-	1,049,991
Charges for services.....	1,030,984	-	-	-	1,030,984
Water and sewer charges.....	5,271,526	-	-	-	5,271,526
Penalties and interest on taxes.....	518,505	-	-	-	518,505
Fees and rentals.....	261,720	-	-	-	261,720
Payments in lieu of taxes.....	554,672	-	-	-	554,672
Licenses and permits.....	1,842,060	-	-	-	1,842,060
Intergovernmental.....	13,829,097	-	405,732	1,926,179	16,161,008
Departmental and other.....	901,781	-	-	2,961,919	3,863,700
Contributions.....	-	-	-	4,675	4,675
Investment income.....	509,853	29,322	-	32,934	572,109
Miscellaneous.....	9,670	-	-	37,603	47,273
<b>TOTAL REVENUES.....</b>	<b>90,414,013</b>	<b>29,322</b>	<b>405,732</b>	<b>4,963,310</b>	<b>95,812,377</b>
<b>EXPENDITURES:</b>					
Current:					
General government.....	4,123,180	-	-	467,546	4,590,726
Public safety.....	11,120,700	-	-	353,140	11,473,840
Education.....	42,566,769	-	-	3,927,163	46,493,932
Public works.....	5,412,429	-	405,732	699,144	6,517,305
Water and sewer.....	2,691,948	-	-	-	2,691,948
MWRA assessment.....	3,440,952	-	-	-	3,440,952
Human services.....	1,148,775	-	-	76,375	1,225,150
Culture and recreation.....	2,499,750	-	-	971,307	3,471,057
Pension benefits.....	4,325,931	-	-	-	4,325,931
Employee benefits and insurance.....	8,225,761	-	-	-	8,225,761
State and county charges.....	514,253	-	-	-	514,253
Debt service:					
Principal.....	2,477,100	-	-	18,934	2,496,034
Interest.....	893,220	-	-	-	893,220
<b>TOTAL EXPENDITURES.....</b>	<b>89,440,768</b>	<b>-</b>	<b>405,732</b>	<b>6,513,609</b>	<b>96,360,109</b>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES.....</b>	<b>973,245</b>	<b>29,322</b>	<b>-</b>	<b>(1,550,299)</b>	<b>(547,732)</b>
<b>OTHER FINANCING SOURCES (USES):</b>					
Premium from issuance of bonds.....	102,176	-	-	-	102,176
Transfers in.....	201,000	2,000,000	-	340,022	2,541,022
Transfers out.....	(2,340,022)	-	-	(201,000)	(2,541,022)
<b>TOTAL OTHER FINANCING SOURCES (USES).....</b>	<b>(2,036,846)</b>	<b>2,000,000</b>	<b>-</b>	<b>139,022</b>	<b>102,176</b>
<b>NET CHANGE IN FUND BALANCES.....</b>	<b>(1,063,601)</b>	<b>2,029,322</b>	<b>-</b>	<b>(1,411,277)</b>	<b>(445,556)</b>
<b>FUND BALANCES AT BEGINNING OF YEAR.....</b>	<b>9,178,319</b>	<b>1,997,170</b>	<b>-</b>	<b>3,916,149</b>	<b>15,091,638</b>
<b>FUND BALANCES AT END OF YEAR.....</b>	<b>\$ 8,114,718</b>	<b>\$ 4,026,492</b>	<b>\$ -</b>	<b>\$ 2,504,872</b>	<b>\$ 14,646,082</b>

See notes to basic financial statements.

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS  
TO THE STATEMENT OF ACTIVITIES**

FISCAL YEAR ENDED JUNE 30, 2006

Net change in fund balances - total governmental funds.....	\$ (445,556)
<p>Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.</p>	
Capital outlay.....	2,699,181
Depreciation expense.....	<u>(4,348,290)</u>
Net effect of reporting capital assets.....	(1,649,109)
<p>Revenues in the Statement of Activities that do not provide current financial resources are fully deferred in the Statement of Revenues, Expenditures and Changes in Fund Balances. Therefore, the recognition of revenue for various types of accounts receivable (i.e., real estate and personal property, motor vehicle excise, etc.) differ between the two statements. This amount represents the net change in deferred revenue.....</p>	
	377,661
<p>The issuance of long-term debt (e.g., bonds and leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the financial resources of governmental funds. Neither transaction, however, has any effect on net assets. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the Statement of Activities.</p>	
Debt service principal payments.....	<u>2,496,034</u>
Net effect of reporting long-term debt.....	2,496,034
<p>Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds.</p>	
Net change in compensated absences accrual.....	(629,000)
Net change in accrued interest on long-term debt.....	(137,944)
Net change in workers compensation.....	(31,000)
Net change in capital lease obligations.....	<u>150,514</u>
Net effect of recording long-term liabilities and amortizing deferred losses.....	(647,430)
<p>Internal service funds are used by management to account for health insurance and workers' compensation activities.</p>	
The net activity of internal service funds is reported with Governmental Activities.....	<u>70,313</u>
Change in net assets of governmental activities.....	<u>\$ 201,913</u>

See notes to basic financial statements.



**PROPRIETARY FUNDS**  
STATEMENT OF NET ASSETS

JUNE 30, 2006

	Business-type Activities - Ice Palace Enterprise	Governmental Activities - Internal Service Funds
<b>ASSETS</b>		
<b>CURRENT:</b>		
Cash and cash equivalents.....	\$ 160,489	\$ 2,764,303
Investments.....	98,609	-
Total current assets.....	259,098	2,764,303
<b>NONCURRENT:</b>		
Capital assets, net of accumulated depreciation:		
Depreciable.....	883,548	-
Nondepreciable.....	505,000	-
Total noncurrent assets.....	1,388,548	-
<b>TOTAL ASSETS.....</b>	<b>1,647,646</b>	<b>2,764,303</b>
<b>LIABILITIES</b>		
<b>CURRENT:</b>		
Health claims payable.....	-	127,000
Accrued interest.....	12,035	-
Bonds and notes payable.....	171,894	-
Total current liabilities.....	183,929	127,000
<b>NONCURRENT:</b>		
Bonds and notes payable.....	660,923	-
<b>TOTAL LIABILITIES.....</b>	<b>844,852</b>	<b>127,000</b>
<b>NET ASSETS</b>		
Invested in capital assets, net of related debt.....	555,731	-
Unrestricted.....	247,063	2,637,303
<b>TOTAL NET ASSETS.....</b>	<b>\$ 802,794</b>	<b>\$ 2,637,303</b>

See notes to basic financial statements.

**PROPRIETARY FUNDS**  
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS

FISCAL YEAR ENDED JUNE 30, 2006

	Business-type Activities - Ice Palace Enterprise	Governmental Activities - Internal Service Funds
<b>OPERATING REVENUES:</b>		
Employee contributions .....	\$ -	\$ 298,057
Employer contributions .....	-	890,556
Charges for services .....	696,563	-
<b>TOTAL OPERATING REVENUES .....</b>	<b>696,563</b>	<b>1,188,613</b>
<b>OPERATING EXPENSES:</b>		
Cost of services and administration .....	465,439	-
Depreciation.....	60,789	-
Employee benefits .....	-	1,211,975
<b>TOTAL OPERATING EXPENSES .....</b>	<b>526,228</b>	<b>1,211,975</b>
<b>OPERATING INCOME (LOSS).....</b>	<b>170,335</b>	<b>(23,362)</b>
<b>NONOPERATING REVENUES (EXPENSES):</b>		
Investment income.....	1,391	93,675
Interest expense.....	(30,649)	-
<b>TOTAL NONOPERATING REVENUES (EXPENSES), NET.....</b>	<b>(29,258)</b>	<b>93,675</b>
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS.....</b>	<b>141,077</b>	<b>70,313</b>
<b>TRANSFERS:</b>		
Transfers in.....	-	-
<b>TOTAL TRANSFERS.....</b>	<b>-</b>	<b>-</b>
<b>CHANGE IN NET ASSETS.....</b>	<b>141,077</b>	<b>70,313</b>
<b>NET ASSETS AT BEGINNING OF YEAR.....</b>	<b>661,717</b>	<b>2,566,990</b>
<b>NET ASSETS AT END OF YEAR.....</b>	<b>\$ 802,794</b>	<b>\$ 2,637,303</b>

See notes to basic financial statements.

PROPRIETARY FUNDS  
STATEMENT OF CASH FLOWS

FISCAL YEAR ENDED JUNE 30, 2006

	Business-type Activities - Ice Palace Enterprise	Governmental Activities - Internal Service Funds
<u>CASH FLOWS FROM OPERATING ACTIVITIES:</u>		
Receipts from customers and users.....	\$ 696,563	\$ -
Receipts from interfund services provided.....	-	1,188,613
Payments to vendors.....	(308,965)	-
Payments to employees.....	(156,474)	-
Payments for interfund services used.....	-	(1,084,975)
NET CASH FROM OPERATING ACTIVITIES.....	231,124	103,638
<u>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</u>		
Principal payments on bonds and notes.....	(169,572)	-
Interest expense.....	(39,983)	-
NET CASH FROM CAPITAL AND RELATED FINANCING ACTIVITIES.....	(209,555)	-
<u>CASH FLOWS FROM INVESTING ACTIVITIES:</u>		
Purchase of investments.....	(49,283)	-
Investment income.....	1,391	93,675
NET CASH FROM INVESTING ACTIVITIES.....	(47,892)	93,675
NET CHANGE IN CASH AND SHORT-TERM INVESTMENTS.....	(26,323)	197,313
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR.....	186,812	2,566,990
CASH AND CASH EQUIVALENTS AT END OF YEAR.....	\$ 160,489	\$ 2,764,303
<u>RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH FROM OPERATING ACTIVITIES:</u>		
Operating income (loss).....	\$ 170,335	\$ (23,362)
Adjustments to reconcile operating income (loss) to net cash from operating activities:		
Depreciation.....	60,789	-
Changes in assets and liabilities:		
Health claims payable.....	-	127,000
Total adjustments.....	60,789	127,000
NET CASH FROM OPERATING ACTIVITIES.....	\$ 231,124	\$ 103,638

See notes to basic financial statements.

**FIDUCIARY FUNDS**  
STATEMENT OF FIDUCIARY NET ASSETS

JUNE 30, 2006

	Private Purpose Trust Funds	Agency Funds
<b>ASSETS</b>		
<b>CURRENT:</b>		
Cash and cash equivalents.....	\$ 584,346	\$ 199,310
Investments.....	717,910	-
Receivables, net of allowance for uncollectibles:		
Departmental and other.....	-	178,339
<b>TOTAL ASSETS.....</b>	<b>1,302,256</b>	<b>377,649</b>
<b>LIABILITIES</b>		
Warrants payable.....	-	4,749
Liabilities due depositors.....	-	194,561
Deferred revenue.....	-	178,339
<b>TOTAL LIABILITIES.....</b>	<b>-</b>	<b>377,649</b>
<b>NET ASSETS</b>		
Held in trust for other purposes.....	\$ 1,302,256	\$ -

See notes to basic financial statements.

**FIDUCIARY FUNDS**  
STATEMENT OF CHANGES IN FIDUCIARY NET ASSETS

FISCAL YEAR ENDED JUNE 30, 2006

	Private Purpose Trust Funds
<b>ADDITIONS:</b>	
Contributions.....	\$ 255,932
Net investment income (loss):	
Interest.....	47,357
TOTAL ADDITIONS.....	303,289
<b>DEDUCTIONS:</b>	
Educational scholarships.....	223,825
TOTAL DEDUCTIONS.....	223,825
CHANGE IN NET ASSETS.....	79,464
NET ASSETS AT BEGINNING OF YEAR.....	1,222,792
NET ASSETS AT END OF YEAR.....	\$ 1,302,256

See notes to basic financial statements.

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The accompanying basic financial statements of the Town of Burlington, Massachusetts (Town) have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the recognized standard-setting body for establishing governmental accounting and financial reporting principles. The significant Town accounting policies are described herein.

A. Reporting Entity

The Town of Burlington, Massachusetts is a municipal corporation that is governed by an elected Board of Selectmen. As required by GAAP, these basic financial statements present the government and its component units, entities for which the Town is considered to be financially accountable.

For financial reporting purposes, the Town has included all funds, organizations, account groups, agencies, boards, commissions and institutions. The Town has also considered all potential component units for which it is financially accountable as well as other organizations for which the nature and significance of their relationship with the Town are such that exclusion would cause the basic financial statements to be misleading or incomplete. As required by GAAP, these basic financial statements present the Town (the primary government) and its component units. The Town has no Component Units that require inclusion in these basic financial statements.

B. Government-Wide and Fund Financial Statements

*Government-Wide Financial Statements*

The government-wide financial statements (i.e., statement of net assets and the statement of changes in net assets) report information on all of the non-fiduciary activities of the primary government and its component units. *Governmental activities*, which are primarily supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which are supported primarily by user fees and charges.

*Fund Financial Statements*

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though fiduciary funds are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. Nonmajor funds are aggregated and displayed in a single column.

*Major Fund Criteria*

Major funds must be reported if the following criteria are met:

- If the total assets, liabilities, revenues, or expenditures/expenses of an individual governmental or enterprise fund are at least 10 percent of the corresponding element (assets, liabilities, etc.) for all funds of that category or type (total governmental or total enterprise funds), *and*
- If the total assets, liabilities, revenues, or expenditures/expenses of the individual governmental fund or enterprise fund are at least 5 percent of the corresponding element for all governmental and enterprise funds combined.

Additionally, any other governmental or enterprise fund that management believes is particularly significant to the basic financial statements may be reported as a major fund.

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

Internal service funds and fiduciary funds are reported by fund type.

C. Measurement Focus, Basis of Accounting and Financial Statement Presentation*Government-Wide Financial Statements*

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded when the liabilities are incurred. Real estate and personal property taxes are recognized as revenues in the fiscal year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The statement of activities demonstrates the degree to which the direct expenses of a particular function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include the following:

- Charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment.
- Grants and contributions that are restricted to meeting the operational requirements of a particular function or segment.
- Grants and contributions that are restricted to meeting the capital requirements of a particular function or segment.

Taxes and other items not identifiable as program revenues are reported as general revenues. For the most part, the effect of interfund activity has been removed from the government-wide financial statements. Exceptions are charges between the general fund and Ice Palace Enterprise Fund. Elimination of these charges would distort the direct costs and program revenues reported for the functions affected.

*Fund Financial Statements*

**Governmental** fund financial statements are reported using the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., measurable and available). Measurable means the amount of the transaction can be determined and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures are recorded when the related fund liability is incurred, except for unmatured interest on general long-term debt which is recognized when due, and certain compensated absences, claims and judgments which are recognized when the obligations are expected to be liquidated with current expendable available resources.

Real estate and personal property tax revenues are considered available if they are collected within 60 days after fiscal year-end. Investment income is susceptible to accrual. Other receipts and tax revenues become measurable and available when the cash is received and are recognized as revenue at that time.

Entitlements and shared revenues are recorded at the time of receipt or earlier if the susceptible to accrual criteria is met. Expenditure driven grants recognize revenue when the qualifying expenditures are incurred and all other grant requirements are met.

The following major governmental fund is reported:

The *general fund* is the primary operating fund. It is used to account for all financial resources, except those that are required to be accounted for in another fund.

The *stabilization fund* is a special revenue fund used to account for the accumulation of resources to provide general and/or capital reserves, and planning and development's ongoing and future operations.

The *chapter 90 highway fund* is a special revenue fund used to accumulate resources primarily for road and sidewalk repair and reconstruction projects.

The nonmajor governmental funds consist of other special revenue, capital projects and permanent funds that are aggregated and presented in the *nonmajor governmental funds* column on the governmental funds financial statements. The following describes the general use of these fund types:

The *special revenue fund* is used to account for the proceeds of specific revenue sources (other than permanent funds or capital projects funds) that are restricted by law or administrative action to expenditures for specified purposes.

The *capital projects fund* is used to account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by Enterprise and Trust Funds).

The *permanent fund* and *perpetual permanent fund* are used to account for financial resources that are legally restricted to the extent that only earnings, not principal, may be used for purposes that support the governmental programs.

**Proprietary** fund financial statements are reported using the flow of economic resources measurement focus and use the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded when the liabilities are incurred.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the proprietary funds principal ongoing operations. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

The *Ice Palace enterprise fund*, which is used to account for the Town's skating rink activities, is reported as a major proprietary fund.

Additionally, the following proprietary fund type is reported:

The *internal service fund* is used to account for the financing of services provided by one department to other departments or governmental units. The Town accounts for its risk financing activities related to health insurance in the internal service fund.

**Fiduciary** fund financial statements are reported using the flow of economic resources measurement focus and use the accrual basis of accounting. Fiduciary funds are used to account for assets held in a trustee capacity for others that cannot be used to support the governmental programs.



Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

The following fiduciary fund types are reported:

The *private-purpose trust fund* is used to account for trust arrangements that exclusively benefit individuals, private organizations, or other governments. Some of these trusts have donor restrictions and trustee policies that do not allow the endowment portion and any unrealized appreciation to be spent. The donor restrictions and trustee policies only allows the trustees to authorize spending of the realized investment earnings. The Town's educational scholarship trusts are accounted for in this fund.

The *agency fund* is used to account for assets held in a purely custodial capacity.

*Government-Wide and Fund Financial Statements*

For enterprise fund accounting, all applicable Financial Accounting Standards Board (FASB) pronouncements issued on or prior to November 30, 1989, are applied, unless those pronouncements conflict with or contradict GASB pronouncements.

D. Cash and Investments*Government-Wide and Fund Financial Statements*

Cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with an original maturity of three months or less from the date of acquisition. Investments are carried at fair value.

E. Accounts Receivable*Government-Wide and Fund Financial Statements*

The recognition of revenue related to accounts receivable reported in the government-wide financial statements and the proprietary funds and fiduciary funds financial statements are reported under the accrual basis of accounting. The recognition of revenue related to accounts receivable reported in the governmental funds financial statements are reported under the modified accrual basis of accounting.

**Real Estate, Real Estate Tax Deferrals, Personal Property Taxes and Tax Liens**

Real estate and personal property taxes are levied and based on values assessed on January 1<sup>st</sup> of every year. Assessed values are established by the Board of Assessor's for 100% of the estimated fair market value. Taxes are due on August 1<sup>st</sup>, November 1<sup>st</sup>, February 1<sup>st</sup> and May 1<sup>st</sup> and are subject to penalties and interest if they are not paid by the respective due date. Real estate tax liens are processed by the last day in September following the last billing cycle on delinquent properties. Real estate and personal property taxes levied are recorded as receivables in the fiscal year of the levy.

Real estate tax liens are processed six months after the close of the valuation year on delinquent properties and are recorded as receivables in the fiscal year they are processed. Real estate receivables are secured via the tax lien process and are considered 100% collectible. Accordingly, an allowance for uncollectibles is not reported.

Personal property taxes cannot be secured through the lien process. The allowance of uncollectibles is estimated based on historical trends and specific account analysis.

**Motor Vehicle Excise Taxes**

Motor vehicle excise taxes are assessed annually for each vehicle registered in the Town and are recorded as receivables in the fiscal year of the levy. The Commonwealth is responsible for reporting the number of vehicles registered and the fair values of those vehicles. The tax calculation is the fair value of the vehicle multiplied by \$25 per \$1,000 of value.

The allowance for uncollectibles is estimated based on historical trends and specific account analysis.

**Water and Sewer Fees**

User fees are levied monthly based on individual meter readings and are subject to penalties and interest if they are not paid by the respective due date. Water and Sewer liens are processed in December of every year and included as a lien on the property owner's tax bill. Water and Sewer charges and liens are recorded as receivables in the fiscal year of the levy.

Since the receivables are secured via the lien process, these accounts are considered 100% collectible and therefore do not report an allowance for uncollectibles.

**Departmental and Other**

Departmental and other receivables consist primarily of police and fire details and are recorded as receivables in the fiscal year accrued. The allowance of uncollectibles is estimated based on historical trends and specific account analysis.

**Intergovernmental**

Various federal and state grants for operating and capital purposes are applied for and received annually. For non-expenditure driven grants, receivables are recorded as soon as all eligibility requirements imposed by the provider have been met. For expenditure driven grants, receivables are recorded when the qualifying expenditures are incurred and all other grant requirements are met.

These receivables are considered 100% collectible and therefore do not report an allowance for uncollectibles.

F. Inventories

*Government-Wide and Fund Financial Statements*

Inventories are recorded as expenditures at the time of purchase. Such inventories are not material in total to the government-wide and fund financial statements, and therefore are not reported.

G. Capital Assets

*Government-Wide and Proprietary Fund Financial Statements*

Capital assets, which include land, land improvements, buildings, machinery and equipment, and infrastructure (e.g., roads, water mains, sewer mains, and similar items), are reported in the applicable governmental or business-type activity column of the government-wide financial statements, and the proprietary fund financial statements. Capital assets are recorded at historical cost, or at estimated historical cost, if actual historical cost is not available. Donated capital assets are recorded at the estimated fair market value at the date of donation.

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

Except for the capital assets of the governmental activities column in the government-wide financial statements, construction period interest is capitalized on constructed capital assets.

All purchases and construction costs in excess of \$10,000 are capitalized at the date of acquisition or construction, respectively, with expected useful lives of greater than one year.

Capital assets (excluding land and construction in progress) are depreciated on a straight-line basis. The estimated useful lives of capital assets are as follows:

Capital Asset Type	Estimated Useful Life (in years)
Land improvements.....	20
Buildings.....	40
Building improvements.....	20-40
Equipment.....	5-10
Vehicles.....	5-20
Infrastructure.....	20-50

The cost of normal maintenance and repairs that do not add to the value of the assets or materially extend asset lives are not capitalized and are treated as expenses when incurred. Improvements are capitalized.

*Governmental Fund Financial Statements*

Capital asset costs are recorded as expenditures in the acquiring fund in the fiscal year of the purchase.

H. Interfund Receivables and Payables

During the course of its operations, transactions occur between and within individual funds that may result in amounts owed between funds.

*Government-Wide Financial Statements*

Transactions of a buyer/seller nature between and within governmental funds and internal service funds are eliminated from the governmental activities in the statement of net assets. Any residual balances outstanding between the governmental activities and business-type activities are reported in the statement of net assets as "internal balances."

*Fund Financial Statements*

Transactions of a buyer/seller nature between and within funds are *not* eliminated from the individual fund statements. Receivables and payables resulting from these transactions are classified as "Due from other funds" or "Due to other funds" on the balance sheet.

I. Interfund Transfers

During the course of its operations, resources are permanently reallocated between and within funds. These transactions are reported as transfers in and transfers out.

*Government-Wide Financial Statements*

Transfers between and within governmental funds and internal service funds are eliminated from the governmental activities in the statement of net assets. Any residual balances outstanding between the governmental activities and business-type activities are reported in the statement of activities as "Transfers, net."

*Fund Financial Statements*

Transfers between and within funds are not eliminated from the individual fund statements and are reported as transfers in and transfers out.

J. Deferred Revenue

Deferred revenue at the governmental fund financial statement level represents billed receivables that do not meet the available criterion in accordance with the current financial resources measurement focus and the modified accrual basis of accounting. Deferred revenue is recognized as revenue in the conversion to the government-wide (full accrual) financial statements.

K. Net Assets and Fund Equity

*Government-Wide Financial Statements (Net Assets)*

Net assets are reported as restricted when amounts that are not available for appropriation or are legally restricted by outside parties for a specific future use.

Net assets have been "restricted for" the following:

"Permanent funds – nonexpendable" represents the endowment portion of donor restricted trusts that support governmental programs.

"Permanent funds – expendable" represents the amount of realized and unrealized investment earnings of donor restricted trusts. The donor restrictions and trustee policies only allows the trustees to approve spending of the realized investment earnings that support governmental programs.

"Other purposes" represents restrictions placed on assets from outside parties such as state and federal grants.

*Fund Financial Statements (Fund Balances)*

Fund balances are reserved for amounts that are not available for appropriation or are legally restricted by outside parties for a specific future use. Designations of fund balance represent tentative management plans that are subject to change.

Fund balances have been "reserved for" the following:

"Encumbrances and continuing appropriations" represents amounts obligated under purchase orders, contracts and other commitments for expenditures that are being carried over to the ensuing fiscal year.

"Stabilization" represents amounts internally set aside in a stabilization fund.

"Perpetual permanent funds" represents amounts held in trust for which only investment earnings may be expended.

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

Fund balances have been “designated for” the following:

“Subsequent year’s expenditures” represents amounts appropriated for the fiscal year 2007 operating budget.

L. Long-term debt*Government-Wide and Proprietary Fund Financial Statements*

Long-term debt is reported as liabilities in the government-wide and proprietary fund statement of net assets. Material bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount.

*Governmental Fund Financial Statements*

The face amount of governmental funds long-term debt is reported as other financing sources. Bond premiums and discounts, as well as issuance costs, are recognized in the current period. Bond premiums are reported as other financing sources and bond discounts are reported as other financing uses. Issuance costs, whether or not withheld from the actual bond proceeds received, are reported as general government expenditures.

M. Investment Income

Excluding the permanent funds, investment income derived from major and nonmajor governmental funds is legally assigned to the general fund unless otherwise directed by Massachusetts General Law (MGL).

Investment income from proprietary funds is voluntarily assigned and transferred to the general fund.

N. Compensated Absences

Employees are granted vacation and sick leave in varying amounts based on collective bargaining agreements, state laws and executive policies.

*Government-Wide and Proprietary Fund Financial Statements*

Vested or accumulated vacation and sick leave are reported as liabilities and expensed as incurred.

*Governmental Fund Financial Statements*

Vested or accumulated vacation and sick leave, which will be liquidated with expendable available financial resources, are reported as expenditures and fund liabilities upon maturity of the liability,

O. Post Retirement Benefits*Government-Wide and Fund Financial Statements*

In addition to providing pension benefits, health insurance coverage is provided for retired employees and their survivors in accordance with MGL, Chapter 32, on a pay-as-you-go basis. The cost of providing health insurance is recognized by recording the employer’s share of insurance premiums in the general fund in the fiscal year paid. For the fiscal year ended June 30, 2006, this expense/expenditure totaled approximately \$2,616,101. There were approximately 572 participants eligible to receive benefits at June 30, 2006.

P. Use of Estimates

*Government-Wide and Fund Financial Statements*

The preparation of basic financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure for contingent assets and liabilities at the date of the basic financial statements and the reported amounts of the revenues and expenditures/expenses during the fiscal year. Actual results could vary from estimates that were used.

Q. Total Column

*Government-Wide Financial Statements*

The total column presented on the government-wide financial statements represents consolidated financial information.

*Fund Financial Statements*

The total column on the fund financial statements is presented only to facilitate financial analysis. Data in this column is not the equivalent of consolidated financial information.

**NOTE 2 - CASH AND INVESTMENTS**

A cash and investment pool is maintained that is available for use by all funds. Each fund type's portion of this pool is displayed on the combined balance sheet as "Cash and cash equivalents". The deposits and investments of the trust funds are held separately from those of other funds.

Statutes authorize the investment in obligations of the U.S. Treasury, agencies, and instrumentalities, certificates of deposit, repurchase agreements, money market accounts, bank deposits and the State Treasurer's Investment Pool (the Pool). The Treasurer may also invest trust funds in securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the Commonwealth.

The Pool meets the criteria of an external investment pool. The Pool is administered by the Massachusetts Municipal Depository Trust (MMDT), which was established by the Treasurer of the Commonwealth who serves as Trustee. The fair value of the position in the Pool is the same as the value of the Pool shares.

Custodial Credit Risk – Deposits

In the case of deposits, this is the risk that in the event of a bank failure, the Town's deposits may not be returned to it. At fiscal year-end, the carrying amount of deposits totaled \$18,109,900 and the bank balance totaled \$19,201,124. Of the bank balance, \$741,907 was covered by Federal Depository Insurance, \$323,201 was covered by the Depositors Insurance Fund, and \$18,136,016 was exposed to custodial credit risk because it was uninsured and uncollateralized. The Town has not adopted a formal investment policy related to custodial credit risk of deposits.

Investments

As of June 30, 2006, the Town of Burlington had the following investments:



Investment Type	Maturity				Rating
	<u>Fair Value</u>	<u>Under 1 Year</u>	<u>1-5 Years</u>	<u>6-10 Years</u>	
<u>Debt Securities</u>					
Government Sponsored Entities.....	\$ 1,999,754	\$ -	\$ 1,832,462	\$ 167,292	AAA
Corporate Bonds.....	49,063	-	30,522	18,541	A3
Corporate Bonds.....	60,663	29,179	31,484	-	Ba2
Corporate Bonds.....	41,447	-	41,447	-	Ba1
U.S Treasury Notes.....	<u>5,016</u>	<u>5,016</u>	<u>-</u>	<u>-</u>	AAA
Total Debt Securities.....	2,155,943	<u>\$ 34,195</u>	<u>\$ 1,935,915</u>	<u>\$ 185,833</u>	
<u>Other Investments</u>					
Equity Securities.....	493,857				
Equity Mutual Funds.....	699,404				
MMDT.....	<u>2,262,468</u>				Not Rated
Total Investments.....	<u>\$ 5,611,672</u>				

Custodial Credit Risk – Investments

For an investment, this is the risk that, in the event of a failure by the counterparty, the Town will not be able to recover the value of its investments or collateral security that are in the possession of an outside party. The Town's total custodial credit risk exposure for investments totals \$1,320,029, which consists of investments of \$151,172 in corporate bonds and \$1,168,857 in equity securities, because the related securities are uninsured, unregistered and held by the counterparty.

The Town has not adopted a formal investment policy related to custodial credit risk for investments.

Interest Rate Risk

The Town does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates for most investment types.

The Town's investment policy regarding repurchase agreements is as follows; utilize repurchase agreements only on a limited basis and then only with major Massachusetts financial institutions when no other more favorable action is possible and then only of a duration of no more than three days.

Credit Risk

The Town's formal investment policy regarding credit risk states the Treasurer shall subscribe to information reports from a recognized bank rating company. Direct investment in an institution shall be restricted to those ranked in the upper half of rating categories utilized by said company unless the Treasurer obtains additional adequate security for the investment or otherwise determines and documents in writing that the rating provided does not properly reflect the strength of the institution. Maintenance of disbursement or other types of accounts at institutions below a mid-range rating shall be limited, to the maximum extend possible, to a balance below

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

\$100,000. When the rating falls to a “warning stage” or when more than one-half of an institution’s capital and surplus has been lost in a 12-month period, any accounts shall be closed forthwith.

Concentration of Credit Risk

The Town has adopted a policy on the amount the government may invest in any one issuer. The policy is as follows; investment in a single institution may not exceed 10% of the institution’s capital and surplus position as of the most recent quarterly data available to the Treasurer, nor may any investment in a single institution (other than MMDT) exceed 25% of the Treasurer’s cash balance at any time. Up to 100% of available cash may be invested in the State’s Treasurer’s pooled fund. As of June 30, 2006, the Town did not have more than 5 percent of its investment in any one security.

**NOTE 3 - RECEIVABLES**

At June 30, 2006, receivables for the individual major governmental funds and nonmajor, internal service, and fiduciary funds in the aggregate, including the applicable allowances for uncollectible accounts, are as follows:

	Gross Amount	Allowance for Uncollectibles	Net Amount
<u>Receivables and other asset types:</u>			
Real estate and personal property taxes.....	\$ 1,152,691	\$ (244,067)	\$ 908,624
Real estate tax deferrals.....	68,317	-	68,317
Tax liens.....	539,078	-	539,078
Motor vehicle excise taxes.....	378,266	(177,000)	201,266
Water and sewer fees.....	1,707,743	-	1,707,743
Departmental and other.....	404,777	(215,000)	189,777
Intergovernmental.....	4,530,665	-	4,530,665
Tax foreclosures.....	85,859	-	85,859
Total.....	<u>\$ 8,867,396</u>	<u>\$ (636,067)</u>	<u>\$ 8,231,329</u>

Governmental funds report *deferred revenue* in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period. At the end of the current fiscal year, the various components of *deferred revenue* reported in the governmental funds were as follows:

	General Fund	Other Governmental Funds	Total
<u>Receivables and other asset types:</u>			
Real estate and personal property taxes.....	\$ 826,585	\$ -	\$ 826,585
Real estate tax deferrals.....	68,317	-	68,317
Tax liens.....	539,078	-	539,078
Motor vehicle excise taxes.....	201,266	-	201,266
Water and sewer fees.....	1,707,743	-	1,707,743
Departmental and other.....	189,777	-	189,777
Intergovernmental.....	2,698,000	1,336,172	4,034,172
Tax foreclosures.....	85,859	-	85,859
Total.....	<u>\$ 6,316,625</u>	<u>\$ 1,336,172</u>	<u>\$ 7,652,797</u>



Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

**NOTE 4 - CAPITAL ASSETS**

Capital asset activity for the fiscal year ended June 30, 2006, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
<b>Governmental Activities:</b>				
<u>Capital assets not being depreciated:</u>				
Land.....	\$ 17,700,813	\$ -	\$ -	\$ 17,700,813
Construction in progress.....	653,647	874,566	(597,711)	930,502
Total capital assets not being depreciated.....	18,354,460	874,566	(597,711)	18,631,315
<u>Capital assets being depreciated:</u>				
Land improvements.....	2,175,487	108,446	-	2,283,933
Buildings.....	30,663,577	-	-	30,663,577
Building improvements.....	25,553,421	400,000	-	25,953,421
Equipment.....	3,863,784	664,950	(208,746)	4,319,988
Vehicles.....	4,953,782	247,057	(504,632)	4,696,207
Infrastructure.....	84,356,557	1,001,873	-	85,358,430
Total capital assets being depreciated.....	151,566,608	2,422,326	(713,378)	153,275,556
<u>Less accumulated depreciation for:</u>				
Land improvements.....	(1,114,241)	(80,887)		(1,195,128)
Buildings.....	(25,439,929)	(579,827)		(26,019,756)
Building improvements.....	(5,122,323)	(826,054)		(5,948,377)
Equipment.....	(2,132,840)	(446,008)	208,746	(2,370,102)
Vehicles.....	(3,074,143)	(339,528)	504,632	(2,909,039)
Infrastructure.....	(44,927,445)	(2,075,986)		(47,003,431)
Total accumulated depreciation.....	(81,810,921)	(4,348,290)	713,378	(85,445,833)
Total capital assets being depreciated, net.....	69,755,687	(1,925,964)	-	67,829,723
Total governmental activities capital assets, net.....	\$ 88,110,147	\$ (1,051,398)	\$ (597,711)	\$ 86,461,038

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

**Business-Type Activities**

	Beginning Balance	Increases	Decreases	Ending Balance
<b>Ice Palace Activities:</b>				
<u>Capital assets not being depreciated:</u>				
Land.....	\$ 505,000	\$ -	\$ -	\$ 505,000
<u>Capital assets being depreciated:</u>				
Buildings.....	745,000	-	-	745,000
Building improvements.....	941,571	-	-	941,571
Total capital assets being depreciated.....	1,686,571	-	-	1,686,571
<u>Less accumulated depreciation for:</u>				
Buildings.....	(540,125)	(37,250)	-	(577,375)
Building improvements.....	(202,111)	(23,537)	-	(225,648)
Total accumulated depreciation.....	(742,236)	(60,787)	-	(803,023)
Total capital assets being depreciated, net.....	944,335	(60,787)	-	883,548
Total capital assets, net.....	\$ 1,449,335	\$ (60,787)	\$ -	\$ 1,388,548

Depreciation expense was charged to functions/programs of the primary government as follows:

**Governmental Activities:**

General government.....	\$ 282,009
Public safety.....	391,798
Education.....	1,406,062
Public works.....	2,084,907
Human services.....	10,900
Culture and recreation.....	172,614
Total depreciation expense - governmental activities.....	\$ 4,348,290

**Business-Type Activities:**

Ice Palace.....	\$ 60,787
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**NOTE 5 - INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS**

Interfund transfers for the fiscal year ended June 30, 2006, are summarized as follows:

Transfers Out:	Transfers In:			
	General Fund	Nonmajor Governmental Funds	Stabilization Fund	Total
General Fund.....	\$ -	\$ 340,022	\$ 2,000,000	\$ 2,340,022 (1)
Nonmajor Governmental Fun	201,000	-	-	201,000 (2)
Total.....	\$ 201,000	\$ 340,022	\$ 2,000,000	\$ 2,541,022

- (1) Represents budgeted transfers to the Stabilization Fund and various capital project and special revenue accounts.  
 (2) Represents budgeted transfers to the General Fund from Wetlands Protection and Pension Reserve Trust to fund current operations.

**NOTE 6 – CAPITAL LEASES**

The Town has entered into a lease agreement to finance the acquisition of school equipment. The lease agreements qualify as a capital leases for accounting purposes and, therefore, have been recorded at the present value of their future minimum lease payments as of the inception date. The following identifies the assets, reported in the governmental activities, acquired through capital lease agreements:

<u>Asset:</u>	
Machinery and equipment.....	\$ 446,489
Less: accumulated depreciation.....	(178,596)
Total.....	\$ 267,893

**NOTE 7 - SHORT-TERM FINANCING**

Short-term debt may be authorized and issued to fund the following:

- Current operating costs prior to the collection of revenues through issuance of revenue or tax anticipation notes (RANS or TANS).
- Capital project costs and other approved expenditures incurred prior to obtaining permanent financing through issuance of bond anticipation notes (BANS) or grant anticipation notes (GANS).

Short-term loans are general obligations and carry maturity dates that are limited by statute. Interest expenditures and expenses for short-term borrowings are accounted for in the general fund respectively.

Details related to the short-term debt activity for the fiscal year ended June 30, 2006, are as follows:

**Notes to Basic Financial Statements**

**Fiscal Year Ended June 30, 2006**

Type	Purpose	Interest Rate (%)	Due Date	Balance at June 30, 2005	Renewed/ Issued	Retired/ Redeemed	Balance at June 30, 2006
BAN	Street lighting.....	2.75	08/04/05	\$ 300,000	\$ -	\$ 300,000	\$ -
BAN	Street lighting.....	3.5	08/04/06	-	150,000	-	150,000
BAN	Water.....	3.5	08/04/06	-	600,000	-	600,000
Total.....				<u>\$ 300,000</u>	<u>\$ 750,000</u>	<u>\$ 300,000</u>	<u>\$ 750,000</u>

Subsequent to year end, the Town paid down the remaining \$150,000 of the street lighting BAN with available funds.

**NOTE 8 - LONG-TERM DEBT**

Under the provisions of Chapter 44, Section 10, Municipal Law authorizes indebtedness up to a limit of 5% of the equalized valuation. Debt issued in accordance with this section of the law is designated as being "inside the debt limit." In addition, however, debt may be authorized in excess of that limit for specific purposes. Such debt, when issued, is designated as being "outside the debt limit."

Details related to the outstanding indebtedness at June 30, 2006, and the debt service requirements are as follows:

**Bonds and Notes Payable Schedule – Governmental Funds**

Project	Interest Rate (%)	Outstanding at June 30, 2005	Issued	Redeemed	Outstanding at June 30, 2006
Water Treatment Facility.....	4.70	3,900,000	-	300,000	3,600,000
Town Hall Remodeling.....	4.70	2,600,000	-	200,000	2,400,000
School Remodeling.....	4.70	525,000	-	175,000	350,000
Wyman School.....	5.90	3,085,000	-	290,000	2,795,000
School Remodeling.....	5.43	1,570,000	-	115,000	1,455,000
Water Project.....	5.43	150,000	-	30,000	120,000
Boiler Bonds.....	5.43	50,000	-	10,000	40,000
Police/Fire Equipment.....	2.35	200,000	-	50,000	150,000
Water Tank.....	3.19	540,000	-	60,000	480,000
Police Station Repairs.....	3.19	315,000	-	35,000	280,000
School.....	3.19	360,000	-	40,000	320,000
Roads.....	3.19	630,000	-	70,000	560,000
Water Mains.....	3.19	270,000	-	30,000	240,000
Remodeling.....	3.18	505,000	-	60,000	445,000
Landlocked Refunding.....	2.53	2,178,167	-	469,903	1,708,264
Police Station Refunding.....	2.69	892,390	-	168,475	723,915
Library Refunding.....	2.94	1,387,053	-	172,050	1,215,003
School Remodeling.....	4.23	4,867,000	-	-	4,867,000
MWRA Inflow/Infiltration.....	0.00	42,000	-	42,000	-
MWRA Inflow/Infiltration.....	0.00	57,852	-	28,926	28,926
MWRA Inflow/Infiltration.....	0.00	75,737	-	18,934	56,803
MWRA Inflow/Infiltration.....	0.00	653,730	-	130,746	522,984
Total.....		<u>\$ 24,853,929</u>	<u>\$ -</u>	<u>\$ 2,496,034</u>	<u>\$ 22,357,895</u>

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

Debt service requirements for principal and interest for Governmental bonds payable in future fiscal years are as follows:

Fiscal Year	Principal	Interest	Total
2007.....	\$ 2,688,711	\$ 1,044,987	\$ 3,733,698
2008.....	2,628,520	841,970	3,470,490
2009.....	2,425,841	742,883	3,168,724
2010.....	2,336,244	650,799	2,987,043
2011.....	1,708,579	557,813	2,266,392
2012.....	1,570,000	480,995	2,050,995
2013.....	1,570,000	407,428	1,977,428
2014.....	1,555,000	333,044	1,888,044
2015.....	1,140,000	259,577	1,399,577
2016.....	1,125,000	201,803	1,326,803
2017.....	860,000	153,605	1,013,605
2018.....	860,000	113,163	973,163
2019.....	360,000	72,411	432,411
2020.....	255,000	56,482	311,482
2021.....	255,000	46,410	301,410
2022.....	255,000	36,210	291,210
2023.....	255,000	26,010	281,010
2024.....	255,000	15,682	270,682
2025.....	255,000	5,235	260,235
Total.....	\$ 22,357,895	\$ 6,046,507	\$ 28,404,402

Bonds and Notes Payable Schedule – Ice Palace Enterprise Fund

Project	Interest Rate (%)	Outstanding at June 30, 2005	Issued	Redeemed	Outstanding at June 30, 2006
Skating Rink.....	5.43	\$ 250,000	\$ -	\$ 50,000	\$ 200,000
Ice Palace Refunding.....	2.77	752,389	-	119,572	632,817
Total.....		\$ 1,002,389	\$ -	\$ 169,572	\$ 832,817

Debt service requirements for principal and interest for the Ice Palace enterprise fund bonds and notes payable in future fiscal years are as follows:

Fiscal Year	Principal	Interest	Total
2007.....	\$ 171,894	\$ 27,166	\$ 199,060
2008.....	171,160	22,228	193,388
2009.....	178,840	16,700	195,540
2010.....	179,502	10,656	190,158
2011.....	131,421	4,272	135,693
Total.....	\$ 832,817	\$ 81,022	\$ 913,839

Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

The Massachusetts Water Resource Authority (MWRA) operates an Infiltration/Inflow Financial Assistance Program for community owned collection systems. For each community approved for the project, financial assistance received from the MWRA consists of a grant and non-interest bearing loan. The loan portion is payable in five equal annual installments. At June 30, 2006, the outstanding principal amount of these loans totaled \$608,713.

The Commonwealth has approved school construction assistance to the Town. The assistance program, which is administered by the Massachusetts School Building Authority, provides resources for future debt service of general obligation school bonds outstanding. During fiscal year 2006, approximately \$259,000 of such assistance was received. Approximately \$3,105,000 will be received in future fiscal years. Of this amount, \$407,000 represents reimbursement of long-term interest costs, and \$2,698,000 represents reimbursement of approved construction costs. Accordingly, a \$2,698,000 intergovernmental receivable and corresponding deferred revenue have been reported in governmental fund financial statements. The annual change in revenue has been recognized as revenue in the conversion to the government-wide financial statements.

The Town is subject to various debt limits by statute and may issue additional general obligation debt under the normal debt limit. At June 30, 2006, the Town had the following authorized and unissued debt:

Purpose	Amount
MWPAT Water.....	\$ 7,842,000
Memorial School.....	26,110,000
Fire Department Station.....	900,000
Museum, Police Station Remodeling.....	150,000
DPW Road Construction.....	750,000
High School Roof Repair.....	1,300,000
Outdoor Recreational Facilities.....	500,000
Total.....	<u>\$ 37,552,000</u>

Changes in Long-term Liabilities

During the fiscal year ended June 30, 2006, the following changes occurred in long-term liabilities:

	Balance at June 30, 2005	Bonds and Notes Issued	Bonds and Notes Redeemed	Other Net Increase (Decrease)	Balance at June 30, 2006	Current Portion
<b>Governmental Activities:</b>						
Capital lease obligations.....	\$ 150,514	\$ -	\$ -	\$ (150,514)	\$ -	\$ -
Compensated absences.....	3,100,000	-	-	629,000	3,729,000	2,020,000
Workers' compensation.....	81,000	-	-	31,000	112,000	112,000
Long-term bonds and notes.....	24,853,929	-	(2,496,034)	-	22,357,895	2,688,711
Total.....	<u>\$ 28,185,443</u>	<u>\$ -</u>	<u>\$ (2,496,034)</u>	<u>\$ 509,486</u>	<u>\$ 26,198,895</u>	<u>\$ 4,820,711</u>
<b>Business-Type Activities:</b>						
Long-term bonds and notes.....	<u>\$ 1,002,389</u>	<u>\$ -</u>	<u>\$ (169,572)</u>	<u>\$ -</u>	<u>\$ 832,817</u>	<u>\$ 171,894</u>

**NOTE 9 - PENSION PLAN**

*Plan Description* - The Town contributes to the Middlesex Retirement System (the System), a cost-sharing multiple-employer defined benefit pension plan administered by the Middlesex Retirement Board. Substantially all employees are members of the System, except for public school teachers and certain administrators who are members of the Massachusetts Teachers Retirement System, to which the Town does not contribute. Pension benefits and administrative expenses paid by the Teachers Retirement Board are the legal responsibility of the Commonwealth. The amount of these on-behalf payments totaled approximately \$6,584,000 for the fiscal year ended June 30, 2006, and, accordingly, are reported in the general fund as intergovernmental revenues and pension expenditures.

The System provides retirement, disability and death benefits to plan members and beneficiaries. Chapter 32 of the MGL assigns authority to establish and amend benefit provisions of the plan. Cost-of-living adjustments granted between 1981 and 1997 and any increase in other benefits imposed by the Commonwealth's state law during those years are borne by the Commonwealth and are deposited into the pension fund. Cost-of-living adjustments granted after 1997 must be approved by the Middlesex Retirement Board and are borne by the System. The System issues a publicly available unaudited financial report in accordance with guidelines established by the Commonwealth's PERAC. That report may be obtained by contacting the System located at 25 Linnell Circle, Billerica, Massachusetts, 01821.

*Funding Policy* - Plan members are required to contribute to the System at rates ranging from 5% to 11% of annual covered compensation. The Town is required to pay into the System its share of the system-wide actuarial determined contribution that is apportioned among the employers based on active current payroll. The Town's contributions to the System for the fiscal years ended June 30, 2006, 2005, and 2004 were \$4,361,931, \$3,616,102, and \$2,750,499, respectively, which equaled its required contribution for each fiscal year.

**NOTE 10 - RISK FINANCING**

The Town is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the Town carries commercial insurance. The amount of claim settlements has not exceeded insurance coverage in any of the previous three fiscal years.

The Town is self-insured for approximately 10% of its health insurance and 100% of its workers' compensation activities. The self-insured health insurance activities are accounted for in the Internal Service Fund. Workers' compensation activities are accounted for in the General Fund where revenues are recorded when earned and expenses are recorded when the liability is incurred. The approximate 90% of health insurance coverage that is premium based is accounted for in the General Fund. Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported (IBNR). The result of the process to estimate the claims liability is not an exact amount as it depends on many factors. Accordingly, claims are reevaluated periodically to consider the effects of inflation, recent claims settlement trends, and other economic and social factors.

*(a) Health Insurance*

During fiscal 2003, the Town converted to premium based plan for approximately 90% of the town employees. For the remaining 10% of employees, health insurance claims are administered by a third party administrator and were funded from the Town's Internal Service Fund. The Town purchases individual stop loss insurance for claims in excess of the \$75,000 coverage. The estimate of IBNR claims is based on a historical trend analysis and recent trends.



(b) *Workers' Compensation*

Workers' compensation claims are administered by a third party administrator and are funded on a pay-as-you-go basis from annual appropriations. The Town estimates its IBNR claims based on history and injury type. At June 30, 2006, the amount of the liability for workers' compensation claims totaled \$112,000. Changes in the reported liability since July 1, 2004, are as follows:

	Balance at Beginning of Fiscal Year		Current Year Claims and Changes in Estimate		Claims Payments		Balance at Fiscal Year-End
Fiscal Year 2005.....	\$ 95,000		\$ 86,654		\$ (100,654)		\$ 81,000
Fiscal Year 2006.....	81,000		120,680		(89,680)		112,000

**NOTE 11 - COMMITMENTS**

The Town has entered into, or is planning to enter into, contracts totaling approximately \$27,410,000 for renovations to the school, \$1,550,000 for improvements to public safety and recreation facilities, \$7,842,000 for water infrastructure projects, and \$750,000 for roadway upgrades.

**NOTE 12 - CONTINGENCIES**

The Town participates in a number of federal award programs. Although the grant programs have been audited in accordance with the provisions of the Single Audit Act Amendments of 1996 through June 30, 2006, these programs are still subject to financial and compliance audits. The amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although it is expected such amounts, if any, to be immaterial.

Various legal actions and claims are pending. Litigation is subject to many uncertainties, and the outcome of individual litigated matters is not always predictable. Although the amount of liability, if any, at June 30, 2006, cannot be ascertained, management believes any resulting liability should not materially affect the financial position at June 30, 2006.

**NOTE 13 – IMPLEMENTATION OF NEW GASB PRONOUNCEMENTS**

During fiscal year 2006, the following GASB pronouncements were implemented:

GASB Statement #42, *Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries*. This pronouncement has not impacted the basic financial statements.

GASB Statement # 46, *Net Assets Restricted by Legislation an amendment of GASB Statement No. 34*. This pronouncement has not effected the basic financial statements.

GASB Statement # 47, *Accounting for Termination Benefits*. This statement has not effected the basic financial statements.



Notes to Basic Financial Statements

Fiscal Year Ended June 30, 2006

GASB Statement #48, *Sales and Pledges of Receivables and Future Revenues and Intra-Entity Transfers of Assets and Future Revenues*, which is required to be implemented in fiscal year 2008. Management has elected to implement this GASB early. This statement has not effected the basic financial statements.

*Other Future GASB Pronouncements:*

The GASB issued Statement #43, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*, which is required to be implemented in fiscal year 2009. Since the Town has established a separate trust for the funding of postemployment benefits management does not believe that this pronouncement will significantly impact the basic financial statements.

The GASB issued Statement #45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, which is required to be implemented in fiscal year 2009. Management believes this pronouncement will require additional disclosure and impact the basic financial statements.

## ***Required Supplementary Information***

# 2006 Annual Report

## GENERAL FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL

FISCAL YEAR ENDED JUNE 30, 2006

	Budgeted Amounts			
	Amounts Carried forward From Prior Year	Current Year Initial Budget	Original Budget	Final Budget
<b>REVENUES:</b>				
Real estate and personal property taxes, net of tax refunds.....	\$ -	\$ 61,200,734	\$ 61,200,734	\$ 61,200,734
Tax liens.....	-	-	-	-
Motor vehicle excise taxes.....	-	2,950,000	2,950,000	2,950,000
Hotel/motel tax.....	-	1,000,000	1,000,000	1,000,000
Charges for services.....	-	2,065,000	2,065,000	2,065,000
Penalties and interest on taxes.....	-	310,000	310,000	310,000
Fees and rentals.....	-	300,000	300,000	300,000
Payments in lieu of taxes.....	-	570,000	570,000	570,000
Licenses and permits.....	-	900,000	900,000	900,000
Intergovernmental.....	-	10,151,033	10,151,033	10,976,033
Departmental and other.....	-	420,000	420,000	420,000
Investment income.....	-	200,000	200,000	200,000
<b>TOTAL REVENUES.....</b>	<b>-</b>	<b>80,066,767</b>	<b>80,066,767</b>	<b>80,891,767</b>
<b>EXPENDITURES:</b>				
Current:				
General government.....	740,132	4,654,979	5,395,111	4,797,219
Public safety.....	61,551	10,901,074	10,962,625	11,260,510
Education.....	1,580,770	35,504,933	37,085,703	37,597,716
Public works.....	66,893	4,828,544	4,895,437	5,182,779
Water and sewer.....	235,645	2,302,192	2,537,837	2,592,324
Human services.....	19,872	1,175,747	1,195,619	1,226,034
Culture and recreation.....	3,004	2,450,363	2,453,367	2,499,920
Pension benefits.....	-	4,361,931	4,361,931	4,325,931
Employee benefits.....	59,500	8,279,962	8,339,462	8,307,182
State and county charges.....	-	496,981	496,981	496,981
Debt service:				
Principal.....	-	2,496,354	2,496,354	2,346,354
Interest.....	-	947,000	947,000	947,000
<b>TOTAL EXPENDITURES.....</b>	<b>2,767,367</b>	<b>78,400,060</b>	<b>81,167,427</b>	<b>81,579,950</b>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES.....</b>	<b>(2,767,367)</b>	<b>1,666,707</b>	<b>(1,100,660)</b>	<b>(688,183)</b>
<b>OTHER FINANCING SOURCES (USES):</b>				
Premium from issuance of bonds.....	-	-	-	-
Transfers in.....	-	294,623	294,623	294,623
Transfers out.....	-	(1,174,000)	(1,174,000)	(2,340,022)
<b>TOTAL OTHER FINANCING SOURCES (USES).....</b>	<b>-</b>	<b>(879,377)</b>	<b>(879,377)</b>	<b>(2,045,399)</b>
<b>NET CHANGE IN FUND BALANCE.....</b>	<b>(2,767,367)</b>	<b>787,330</b>	<b>(1,980,037)</b>	<b>(2,733,582)</b>
<b>BUDGETARY FUND BALANCE, Beginning of year.....</b>	<b>7,807,975</b>	<b>7,807,975</b>	<b>7,807,975</b>	<b>6,504,291</b>
<b>BUDGETARY FUND BALANCE, End of year.....</b>	<b>\$ 5,040,608</b>	<b>\$ 8,595,305</b>	<b>\$ 5,827,938</b>	<b>\$ 3,770,709</b>

See notes to required supplementary information.

Actual Budgetary Amounts	Amounts Carried Forward To Next Year	Variance to Final Budget
\$ 61,259,380	\$ -	\$ 58,646
52,306	-	52,306
3,127,822	-	177,822
1,049,991	-	49,991
2,168,568	-	103,568
387,759	-	77,759
261,720	-	(38,280)
554,672	-	(15,328)
1,842,060	-	942,060
10,748,368	-	(227,665)
901,781	-	481,781
481,618	-	281,618
82,836,045	-	1,944,278
4,111,812	626,204	59,203
11,197,064	35,101	28,345
36,100,546	1,496,437	733
5,368,838	16,724	(202,783)
2,518,400	41,125	32,799
1,144,317	15,133	66,584
2,467,419	21,886	10,615
4,325,931	-	-
8,235,761	63,725	7,696
514,253	-	(17,272)
2,346,354	-	-
875,220	-	71,780
79,205,915	2,316,335	57,700
3,630,130	(2,316,335)	2,001,978
102,176	-	102,176
294,623	-	-
(2,340,022)	-	-
(1,943,223)	-	102,176
1,686,907	(2,316,335)	2,104,154
6,954,038	-	449,747
\$ 8,640,945	\$ (2,316,335)	\$ 2,553,901

**NOTE A - BUDGETARY BASIS OF ACCOUNTING****1. Budgetary Information**

Municipal Law requires the adoption of a balanced budget that is approved by Town Meeting. The Finance and Advisory Board presents an annual budget to Town Meeting, which includes estimates of revenues and other financing sources and recommendations of expenditures and other financing uses. The Town Meeting, which has full authority to amend and/or reject the budget or any line item, adopts the expenditure budget by majority vote.

Increases or transfers between and within departments subsequent to the approval of the annual budget, requires majority Town Meeting approval via a supplemental appropriation or Council order.

The majority of appropriations are non-continuing which lapse at the end of each fiscal year. Others are continuing appropriations for which the governing body has authorized that an unspent balance from a prior fiscal year be carried forward and made available for spending in the current fiscal year. These carry forwards are included as part of the subsequent fiscal year's original budget.

Generally, expenditures may not exceed the legal level of spending (salaries, expenses and capital) authorized for an appropriation account. However, the Town is statutorily required to pay debt service, regardless of whether such amounts are appropriated. Additionally, expenditures for disasters, natural or otherwise, and final judgments may exceed the level of spending authorized by majority vote of Town Meeting.

An annual budget is adopted for the general fund in conformity with the guidelines described above. The original fiscal year 2006 approved budget authorized approximately \$82,283,000 in appropriations and other amounts to be raised. During fiscal year 2006, Town Meeting also approved supplemental appropriations totaling approximately \$1,578,000.

The Town Accountant's office has the responsibility to ensure that budgetary control is maintained. Budgetary control is exercised through the accounting system.

**2. Budgetary - GAAP Reconciliation**

For budgetary financial reporting purposes, the Uniform Municipal Accounting System basis of accounting (established by the Commonwealth) is followed, which differs from the GAAP basis of accounting. A reconciliation of budgetary-basis to GAAP-basis results for the general fund for the fiscal year ended June 30, 2006, is presented below:

Notes to Required Supplementary Information

Fiscal Year Ended June 30, 2006

Net change in fund balance - budgetary basis.....	\$ 1,686,907
<u>Basis of accounting differences:</u>	
Net change in recording 60 day receipts.....	79,646
Increase in revenue due to on-behalf payments.....	6,584,018
Net change in tax refunds payable.....	115,000
Perspective differences in reporting of sewer fund activities.....	(120,273)
Increase in expenditures due to on-behalf payments.....	(6,584,018)
Net change in accruals.....	<u>(2,824,881)</u>
Net change in fund balance - GAAP basis.....	<u>\$ (1,063,601)</u>

3. Excess of Expenditures over Appropriations

For the fiscal year ended June 30, 2006, actual expenditures exceeded appropriations for snow and ice (public works) and state and county charges. These over-expenditures will be raised and funded through available funds during fiscal year 2007.

