

**PRECINCT MEETING OF PRECINCT 2
SEPTEMBER 19, 2023
GRAND VIEW CONFERENCE CENTER
59 CENTER ST & VIRTUAL**

At 6:02 PM the meeting was called to order by the Town Clerk. Present were the Town Clerk – Amy Warfield and the Moderator Bill Beyer. Precinct Members present: Laura Vittum, Cindy Phillips and Sarah Cawley – on line

Order of business was the fill the open seat, they will serve until April 2024, this is for an open three (3) year seat. There was one nomination Jeremy Harrington of 36 Peach Orchard RD. He was unanimously voted in. The meeting was adjourned at 6:08 PM

**PRECINCT MEETING OF PRECINCT 7
SEPTEMBER 27, 2023
BURLINGTON HIGH SCHOOL PREFORMING
ARTS CENTER**

At 6:00 PM the meeting was called to order by the Town Clerk. Present were the Town Clerk – Amy Warfield Members present: Shomeri Abramson, Sarah Caley, Jack Kelly, Scott Martin, Ryan McSheffrey, Keri Ryan, David Van Camp, David Webb, and Mark Woods.

Order of business was the fill two open seats, they will serve until April 2024, this is for two open three (3) year seats. There was one nomination Ronald Riley of 7 Oxbow Lane. He was unanimously vote in. There being no other nominations the meeting was closed at 6:05.

At 7:06 PM a second meeting was called to order by the Town Clerk. Present were the Town Clerk – Amy Warfield Members present: Shomeri Abramson, Sarah Caley, Julie Cullen, Betsy Hughes, Cynthis Kazanjian, Jack Kelly, Scott Martin, Ryan McSheffrey, Keri Ryan, Ron Ryan, Jonathan Sachs, Anthony Salamone, Paul Shvartsman, David Van Camp, David Webb, and Mark Woods.

Order of business was the fill one open seats they will serve until April 2024, this is for the remaining open three (3) year seat. There was one nomination EunJoo of 13 Cormier Rd. She was unanimously vote in, the meeting was closed at 7:10 PM.

**ADJOURNED TOWN MEETING
MONDAY, SEPTEMBER 27, 2023
FOGELBURG PERFORMING
ARTS CENTER
BURLINGTON HIGH SCHOOL**

**IN ACCORDANCE TO ADA TITLE II
COMPLIANCE THERE WERE 2 MEMBERS
REQUESTING REMOTE ACCESS. A
RESONABLE ACCOMIDATION WAS MADE
FOR THEM AND THEY VOTED WITH SIGNS
VISIABLE BY ALL THE MEMBERS PRESENT.**

A quorum being present, the meeting was called to order at 7:12 PM. The Moderator, Bill Beyer, called the meeting to order and lead the body in the Pledge of allegiance to the flag. The Moderator had four motions at the beginning of the meeting. The first motion was accept the Remote Attendance of two

members needing ADA Title II, they would be voting with a sign showing their vote and ask questions via the Chat on Webex; the second motion was to appoint Bruce Morey as Deputy Moderator if one is needed; the third was continue until Monday October 2, 2023 if the business of the Town was not completed tonight, and the fourth was to accept voting by the body with a show of hands, it was moved and seconded; passed with a standing vote majority.

The Moderator also recognized our Audio/Video staff for tonight’s meeting and reminded that members on the proper use of the microphones.

Now to the first Article:

GENERAL ARTICLES

ARTICLE #1 RE: Reports of Town Officers & Committees

MAIN MOTION: To hear and act on the reports of the Town Officers and Committees, or to act in any other manner in relation thereto.

A report was made by Paul Sagarino, Town Administrator, regarding the recent implementation of the PFAs filter system and the MWRA connection being completed. He remarked that Burlington on of the first communities to design and implement this system for making sure that our water is safe from toxic chemicals. He thanked the DPW under the direction of retired Superintendent John Sanchez and current Superintendent Brian White. Melisa Tintocalis, EcoDev regarding the EcoDev projects and their progress. She spoke on the Burlington Mall Road and the Community Design Workshops coming up on May 24th. The Fox Hill School Building Committee chair, Melissa Massardo, introduced a video presentation and encouraged all Town Meeting members to log on to a Thought Exchange Survey, that the committee was running to get further feedback from the community regarding the project. The final report was from Nancy Bonasserra, from the newly reformed Human Services Committee. This is a committee of Town Meeting Members that report back to the Town Meeting on resources, services and work to connect citizens to the town groups and organizations.

ACTION: No vote required

There was a point of order requested by Jack Kelly, then 8 members stood to make a motion to reconsideration of a resolution presented by the Land Use Committee. A motion was made and seconded for Reconsideration .

ACTION: Failed by Majority Vote

ARTICLE #2 RE: Annual Town Election Date

To see if the Town will vote to set the Annual Town Election for April 6, 2024; or to act in any other manner in relation thereto.

MAIN MOTION: AS PRINTED IN WARRANT

ACTION: Passed by Majority Vote

ARTICLE #3 RE: Will of Marshall Simonds

To see if the Town will vote to accept from the Trustees under the will of Marshall Simonds in an amount **\$74,907.15**, for the improvement of Simonds Park, same to be expended under the direction of the Recreation Commissioners; or to act in any other manner in relation thereto

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATIONS:
Recreation Commission: Unanimous

ACTION: Passed by Majority Vote

The Moderator then requested a Motion to take the Zoning Articles #14-16 out of order. It was moved, seconded and Passed by a Majority.

ARTICLE #14 RE: Amend the Town of Burlington Zoning Bylaws, Article IV Use Regulations, Section 4.2.0 Principal Use Regulation Schedule by adding a new Section 4.2.5.11, as follows:

MAIN MOTION: AS PRINTED IN WARRANT

Proponent wished to Take no Action at this time. A motion was made on the floor to Postponed to a future meeting. The motion was seconded and a passed.

RECOMMENDATIONS:
Planning Board: 5-1-0

ACTION: Postponed

ARTICLE #15 RE: Amend Zoning Bylaw Article IV Section 4.2.7 Principal Use Regulation Schedule

To see if the Town will vote to amend Section 4.2.7 of the Principal Use Regulation Schedule as follows:

| 4.2.0 PRINCIPAL USE REGULATION SCHEUDLE | | | | | | | | | | | | | | | | |
|---|---|----------|----|----|----|----|----|----|----|----|----|----|-------------------|----|-----|-----|
| 4.2.7 | USE DESIGNATION | DISTRICT | | | | | | | | | | | OVERLAY DISTRICTS | | | |
| | | RO | RG | RC | BN | BL | BG | BT | IG | I | IR | OS | A | WR | CC | CBD |
| 4.2.7.11 | Solar (See Section 10.9.0) | | | | | | | | | | | | | | | |
| 4.2.7.1 1 2 | Generation or storage of hazardous waste, limited to the volumes classified as a very small quantity generator (VSQG) | NO | NO | -- | NO | NO | NO | NO | SP | SP | SP | NO | SP | SP | YES | YES |
| 4.2.7.1 2 3 | Generation or storage of hazardous waste, in excess of the volumes classified as a very small quantity generator (VSQG) | NO | NO | -- | NO | NO | NO | NO | SP | SP | SP | NO | NO | SP | YES | YES |

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATIONS:
Planning Board: 5-0-0

MAIN MOTION: As Printed in the Warrant

ACTION: Passed by Called 2/3rds

ARTICLE #16 RE: General Traffic Parking Requirements and Shared Parking

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article II “Definitions” and Article VII “General Regulations” Section 7.2.0 “General Traffic and Parking Requirements” to add the following new language:

Article Section A: Definitions

Section 2.13 “M”

Mixed Use Development
 A development containing a mix of residential uses and non-residential uses, including, without limitation: commercial, institutional, industrial or other uses on

one lot or a group of contiguous lots owned or controlled by the same entity or unrelated entities that have developed a common development scheme. It also refers to a land use pattern that seeks to increase concentrations of population and employment in well-defined areas with a mix of diverse and compatible land uses all conceived, planned and integrated to create vibrant, workable, livable and attractive neighborhoods.

Section 2.20 “T”

Transportation Demand Management (TDM) Strategies aimed at guiding, distributing and reducing travel demand with a focus on shifting travel away from single occupancy vehicles toward mass transit, walking, biking, and ridesharing.

Article Section B: Purpose

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article VII “General Regulations” to add the following new language to Section 7.2.0 “General Traffic and Parking Requirements

7.2.1 Purpose

- a) To promote traffic safety by assuring the adequate storage of motor vehicles off the public street and for their orderly access and egress to and from the public street;
- b) To prevent the creation of surplus amounts of parking spaces which contribute to additional Single Occupancy Vehicle (SOV) trips, traffic congestion and traffic service level deterioration on roadways;15
- c) To advance the efficiency of vehicular traffic on Burlington streets to reduce excessive delay and/or congestion;
- d) To consider and allow for safe and convenient routes for pedestrians and bicyclists;
- e) To permit emergency vehicles to reach homes and businesses with a minimum of delay and to reduce motor vehicle and pedestrian accidents on Town streets;
- f) To prevent, reduce, and mitigate the impacts of development on parking demands, transportation system, neighborhood livability, public safety and the environment through the use of Transportation Demand Management (TDM) measures;
- g) To promote shared parking as a means to reduce the need for an excess pavement in an effort to curtail the heat island effect.

Article Section C: Shared Parking

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article VII “General Regulations” to add the following new language to Section 7.2.0 “General Traffic and Parking Requirements”:

7.2.8 Shared Parking

7.2.8.1 On-Site Shared Parking

To implement shared on-site parking, the applicant shall provide analyses as part of a Site Plan or Special Permit demonstrating that proposed uses are either competing or non-competing.

- a) Non-competing Uses: In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demands for non-competing uses. Up to [75%] of the requirements for the predominant use may be waived by the Planning Board if the applicant

can demonstrate that the peak demands for two (2) or more uses do not overlap. An applicant may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Planning Board.

- b) Competing Uses: In mixed-use developments, applicants may propose a reduction in parking requirements where peak demands do overlap. In these cases, the Planning Board may reduce the parking requirements of the predominant use by up to 15%.

7.2.8.2 Off-Site Parking

Separate from, or in conjunction with Shared Parking provisions, an applicant may use off-site parking to satisfy their parking requirements. As part of Site Plan or Special Permit Review, the applicant shall provide the Planning Board with the necessary information to comply with the following standards:

- a) Off-site parking shall be within five hundred (500) feet of the property for which it is being requested.
- b) Off-site parking may only be provided if the off-site lot has an excess number of spaces or if the applicant can demonstrate that the on-site and off-site uses have non-competing peak demands.
- c) The amount of required parking spaces being reduced on-site shall be equal to the amount being provided off-site and can account for up to 100% of the minimum required on-site parking.
- d) Off-site parking spaces provided by a separate private property owner shall be subject to a legally binding agreement securing the necessary spaces and which shall be presented to the Planning Board during the Site Plan Review process or as a condition of approval. The Planning Board may condition their approval on the continued existence of the written and binding shared parking agreement, the failure of which may render the permit null and void and subject to enforcement by the Building Inspector.
- e) On-street parking spaces that intersect or are completely contained within the frontage of the property may be counted toward the minimum parking requirements.
- f) Uses sharing a parking facility shall provide for safe, convenient walking between uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting.

or to act in any other manner in relation thereto.

Motion to Amend on the floor was made, seconded and passed

MAIN MOTION: AS AMENDED

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article II “Definitions” and Article VII “General Regulations” Section 7.2.0 “General Traffic and Parking Requirements” to add the following new language:

Article Section A: Definitions

Section 2.13 “M”

Mixed Use Development

A development containing a mix of residential uses and non-residential uses, including, without limitation: commercial, institutional, industrial or other uses on one lot or a group of contiguous lots owned or

controlled by the same entity or unrelated entities that have developed a common development scheme. It also refers to a land use pattern that seeks to increase concentrations of population and employment in well-defined areas with a mix of diverse and compatible land uses all conceived, planned and integrated to create vibrant, workable, livable and attractive neighborhoods.

Section 2.20 “T”

Transportation Demand Management (TDM) Strategies aimed at guiding, distributing and reducing travel demand with a focus on shifting travel away from Single Occupancy Vehicles toward mass transit, walking, biking, and ridesharing.

Article Section B: Purpose

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article VII “General Regulations” to add the following new language to Section 7.2.0 “General Traffic and Parking Requirements” by replacing 7.2.1 (inclusive of 7.2.1.1 through 7.2.1.5) with the following language:

7.2.1 Purpose

- a) To promote traffic safety by assuring the adequate storage of motor vehicles off the public street and for their orderly access and egress to and from the public street;
- b) To prevent the creation of surplus amounts of parking spaces which contribute to additional Single Occupancy Vehicle (SOV) trips, traffic congestion and traffic service level deterioration on roadways;
- c) To advance the efficiency of vehicular traffic on Burlington streets to reduce excessive delay and/or congestion;
- d) To consider and allow for safe and convenient routes for pedestrians and bicyclists;
- e) To permit emergency vehicles to reach homes and businesses with a minimum of delay and to reduce motor vehicle and pedestrian accidents on Town streets;
- f) To prevent, reduce, and mitigate the impacts of development on parking demands, transportation system, neighborhood livability, public safety and the environment through the use of Transportation Demand Management (TDM) measures;
- g) To promote shared parking as a means to reduce the need for an excess pavement in an effort to curtail the heat island effect.

Article Section C: Shared Parking

To see if the Town will vote to amend the Burlington Zoning Bylaws, Article VII “General Regulations” to add the following new language to Section 7.2.0 “General Traffic and Parking Requirements”:

7.2.8 Shared Parking

7.2.8.1 On-Site Shared Parking

To implement shared on-site parking, the applicant shall provide analyses as part of a Site Plan or Special Permit demonstrating that proposed uses are either competing or non-competing.

- a) Non-competing Uses: In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demands for non-competing uses. Up to

[75%] of the requirements for the predominant use may be waived by the Planning Board if the applicant can demonstrate that the peak demands for two (2) or more uses do not overlap. An applicant may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Planning Board.

- b) Competing Uses: In mixed-use developments, applicants may propose a reduction in parking requirements where peak demands do overlap. In these cases, the Planning Board may reduce the parking requirements of the predominant use by up to 15%.

7.2.8.2 Off-Site Parking

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- a) Off-site parking shall be within five hundred (500) feet of the property for which it is being requested.
- b) Off-site parking may only be provided if the off-site lot has an excess number of spaces or if the applicant can demonstrate that the on-site and off-site uses have non-competing peak demands.
- c) The amount of required parking spaces being reduced on-site shall be equal to the amount being provided off-site and can account for up to 100% of the minimum required on-site parking.
- d) Off-site parking spaces provided by a separate private property owner shall be subject to a legally binding agreement securing the necessary spaces and which shall be presented to the Planning Board during the Site Plan Review process or as a condition of approval. The Planning Board may condition their approval on the continued existence of the written and binding shared parking agreement, the failure of which may render the permit null and void and subject to enforcement by the Building Inspector.
- e) On-street parking spaces that intersect or are completely contained within the frontage of the property may be counted toward the minimum parking requirements.
- f) Uses sharing a parking facility shall provide for safe, convenient walking between uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting.

or to act in any other manner in relation thereto.

RECOMMENDATIONS:

PLANNING BOARD 6-0-0

ACTION: Passed by a Called 2/3rds

Now returning to the original order-

ARTICLE #4 RE: Rescind Article XIV, Section 2.14

To see if the Town will vote to rescind Article XIV, Environment, Section 2.14 Control of Toxic and Hazardous Material in its entirety; or to act any other manner thereto.

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATION:

Board of Health 5-0-0

General Bylaw Review: 6-0-0

ACTION: Passed

ARTICLE #5 RE: Amend General Bylaw Article XIV, Section 1.0, Burlington Wetlands Bylaw

To see if the Town will vote to amend the General Bylaws Article XIV, Section 1.0, by deleting sections 1.1,1.2 and 1.5 and replacing them with the following **(underline and bold new)**:

1.1. Purpose

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

- public or private water supply
- groundwater supply
- flood control
- erosion and sedimentation control
- storm damage prevention including water quality
- prevention and control of pollution
- fisheries
- wildlife habitat
- rare species habitat including rare plant and animal species
- recreational and educational values
- **carbon/greenhouse gas storage and sequestration (i.e. carbon/greenhouse gas mitigation),**
- **prevention and reduction of heat islands**
- **protection of biodiversity**
- **mitigation of impacts from climate change**

This bylaw is intended to utilize the Home Rule authority of Burlington so as to protect the resource areas under the Wetlands Protection Act (M.G.L. Ch.131 §40; the Act) to a greater degree, to protect additional resource areas beyond the Act recognized by the Town as significant, to protect all resource areas for their additional values beyond those recognized in the Act, and to impose in local regulations and permits additional standards and procedures stricter than those of the Act and regulations thereunder (310 CMR 10.00), subject,

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

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

1.5. Notice and Hearings Any person filing any application permit other than an RDA, shall at the same time give written notice thereof, by certified mail (return receipt requested), **certificate of mailing** or hand delivered, to all abutters at their mailing addresses; or to act in any other manner thereto.

A motion and seconded, was made to Move the Question. It passed by a called 2/3 rds.

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATIONS:

Land Use : 4-1-2

General Bylaw Review: 6-0-0

Conservation: Unanimous

ACTION: Passed by Majority vote: 58 FOR – 41 Against

ARTICLE #6 RE: Renumber Burlington Housing Partnership Committee – Article V – Section 2.0 Moderator Appointments – Paragraph 2.9

To see if the Town will vote to move the Burlington Housing Partnership Committee from Article V – Section 2.0 Moderator Appointments – Paragraph 2.9 to Article V – Section 1.0 Town Administrator Appointments – Paragraph 1.6. The moved article would appear renumbered as follows:

1.6 Burlington Housing Partnership Committee

The Burlington Housing Partnership Committee (hereinafter referred to as BHPC) shall consider all matters relating to the housing needs in Burlington with particular attention to housing opportunities that are affordable to residents of all income levels and abilities. The Committee shall seek to expand the inventory of decent, safe, and affordable housing and housing related programs.

1.6.1 Committee Purpose The BHPC will make recommendations to the Select Board on steps the Town may take to support the creation of new housing options to address those needs as described in Section 1.6, and to maintain existing affordable housing in Burlington. The Committee will promote the creation and preservation of housing and housing programs that:

- Enable people with incomes below the area median to access an affordable place to live.
- Create and maintain adequate affordable housing in Burlington to exceed the state’s benchmark for 10 percent of the town’s total housing units to be affordable to those with incomes at or below 80 percent of the area median income.
- Promote a diverse, economically vibrant, and welcoming community with housing choices and opportunities free from housing discrimination.

1.6.2 Committee Composition Committee

Members shall consist of seven (7) voting members total, to include one (1) representative from the Select Board, one representative appointed by the Planning Department, and five (5) resident members appointed by the Town Administrator who have experience or interest in housing, real estate, law, finance, or other relevant areas and who live in a diverse mix of housing types (homeowners and renters).

In the absence of an active committee, members shall be appointed as follows: three (3) members will be appointed for three (3) years, three (3) members will be appointed for two (2) years and one (1) member will be appointed for one (1) year. Thereafter, all appointments shall be three (3) years. The Committee

shall elect a chairperson, vice-chairperson and recording clerk every two (2) years; or to act in any other manner in relation thereto.

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATIONS:

General Bylaw Review: 5-0-1

ACTION: PASSED

ARTICLE #7 RE: Home Rule Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Amend Section 9 – Town Meeting Vacancy

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the Great and General Court amending Chapter 686 of the Acts of 1970, as amended by replacing Section 9 in its entirety as follows:

SECTION 9. (a) The office of a Town Meeting Member shall become vacant upon their death, resignation or removal from office in any manner authorized by law. (b) A vacancy in the town meeting membership shall be filled for the remainder of the unexpired term, if any, at the next regular town election if resignation or removal from office in any manner authorized by law. (b) A vacancy in the town meeting membership shall be filled for the remainder of the unexpired term, if any, at the next regular town election. When a vacancy in the Town Meeting membership shall occur and no Town election is to be held within sixty (60) days, the Moderator shall direct the Town Clerk to post notice of any such vacancy and a request for candidates. Said notice shall be published by the Town Clerk not less than fourteen (14) days prior to the next scheduled Town Meeting:

- (i) In a newspaper;
- (ii) on the bulletin board outside the Town Clerk’s office; and
- (iii) on the Town’s website

All candidate information received by the Clerk shall be forwarded to the remaining members prior to the vote; said vote to take place at the next scheduled Town Meeting. The vacancy shall be filled by a majority vote of the remaining precinct members in attendance at the next scheduled Town Meeting; or to act in any other manner in relation thereto.

MAIN MOTION: AS PRINTED IN WARRANT

ACTION: WITHDRAWN

ARTICLE #8 RE: Amend Burlington General Bylaws Article II – Representative Town Meeting – Section 2.1 Town Meeting Member Vacancy

To see if the Town will vote to amend Article II – Representative Town Meeting – Section 2.1 by replacing Section 2.1 in its entirety as follows: (underline and bold new):

Article II Representative Town Meeting

Section 2.1

When a vacancy in the Town Meeting membership shall occur and no Town election is to be held within sixty (60) days, the Moderator shall direct the Town Clerk to post notice of any such vacancy and a request for candidates. Said notice shall be published by the Town Clerk not less than fourteen (14) days prior to the next scheduled Town Meeting:

(i) In a newspaper;

(ii) on the bulletin board outside the Town Clerk's office; and

(iii) on the Town's website

All candidate information received by the Clerk shall be forwarded to the remaining members prior to the vote; said vote to take place at the next scheduled Town Meeting. The vacancy shall be filled by a majority vote of the remaining precinct members in attendance at the next scheduled Town Meeting; or to act in any other manner in relation thereto.

MAIN MOTION: AS PRINTED IN WARRANT

ACTION: WITHDRAWN

ARTICLE #9 RE: Amend Article I – General Provisions, Section 3.0

To see if the Town will vote to amend Article I, General Provisions, Section 3.0 by adding the following definitions:

3.19 Remote Access – the word “remote access” shall mean the ability for an authorized person to access public meetings or any and all sessions of Town Meeting via a computer or network from a geographical distance through a network connection using a software application like Zoom, Team Meet, or WebEx.

3.20 Hybrid Meeting(s) – the word “hybrid meeting(s)” shall mean public meetings or any and all sessions of Town Meeting that feature at least one group of in-person/face-to-face attendees connecting virtually with other meeting attendees using remote access.

3.21 Virtual Meeting(s) – the word “virtual meeting(s)” shall mean public meetings or any and all sessions of Town Meeting that feature all attendees connected using remote access.

3.22 Newspaper(s) – the word “newspaper(s)” shall include, but not be limited to, printed newspaper(s) as well as electronic media publication(s), as recognized by the Town Clerk and may, depending on the context in which it is used, only mean the printed newspaper(s) depending on the requirement of a specific General Law.

3.23 Notice(s) – the word “notice(s)” shall mean information that is legally required to be disseminated to the public; or to act in any other manner in relation thereto.

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATIONS:

General Bylaw Review: 6-0-0

ACTION: PASSED WITH MAJORITY VOTE

ARTICLE #10 RE: Amend Article II, Representative Town Meeting, Section 1.2 – Warrants

To see if the Town will vote to amend Article II, Representative Town Meeting, by amending Section 1.2 – Warrants, Paragraph 1.2.1 with the following:

1.2.1 Warrants for Town Meeting sessions shall be issued by the Select Board to the Town Meeting Members, Moderator and Town Clerk, and a copy shall be posted on the Town Bulletin Board at least fourteen (14) days before the meeting is to convene. The Select Board shall include in the warrant all subjects which are requested of them in writing by any elected Town Meeting Member, the Moderator, the School Committee, or any other person authorized by State 9 Statute or Town Bylaw. **Any Town Meeting Member that prefers an electronic copy of the warrant and associated backup materials, must notify the Select Board, Moderator and Town Clerk at least thirty (30) days before the meeting is to convene. Included with the notification shall be the Town Meeting Member's full name, street address, Precinct and email address;** or to act in any other manner in relation thereto.

The Article was amended prior to the meeting removing the word “Moderator” by Phyllis Neufield, Vice-Chair of Bylaw Review. This amendment was moved and seconded, and passed by a Majority. Then a second amendment was

made by Scott Martin, Chair of the Bylaw Review Committee, it was moved and seconded and passed.

MAIN MOTION: AS AMENDED

To see if the Town will vote to amend Article II, Representative Town Meeting, by amending Section 1.2 – Warrants, Paragraph 1.2.1 with the following:

1.2.1 Warrants for Town Meeting sessions shall be issued by the Select Board to the Town Meeting Members, Moderator and Town Clerk, and a copy shall be posted on the Town Bulletin Board at least fourteen (14) days before the meeting is to convene. The Select Board shall include in the warrant all subjects which are requested of them in writing by any elected Town Meeting Member, the Moderator, the School Committee, or any other person authorized by State 9 Statute or Town Bylaw. Any Town Meeting Member that prefers an electronic copy of the warrant and associated backup materials, must notify the Select Board, and Town Clerk at least thirty (30) days before a meeting is to convene. Send request to remain on file for the duration of the requesting Town Meeting Members time in office. Included with the notification shall be the Town Meeting Member’s full name, street address, Precinct and email address;

RECOMMENDATIONS:

General Bylaw Review: 6-0-0 as amended

ACTION: PASSED BY MAJORITY VOTE

ARTICLE #11 RE: Home Rule Petition to Amend Chapter 686 of the Act of 1970, as Amended – An Act to Add a New Section – Exempting the Town of Burlington from In-Person Quorums

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the Great and General Court amending Chapter 686 of the Acts of 1970, by adding a new Section 15A, as set forth below:

AN ACT EXEMPTING THE TOWN OF BURLINGTON FROM IN-PERSON QUORUMS.

Provided that, the General Court may reasonably vary the form and substance of this requested legislation which shall be within the scope of the general public objectives of this petition, be it enacted by the Senate and House of

Representatives, in General Court assembled, and by the authority of the same as follows:

1. The Town of Burlington Town Meeting, Boards, Committees, Commissions, Departments or any duly appointed subcommittee(s) thereof, shall be exempt from the provision of the M.G.L. c. 30A Sections 18-25 as they apply to remote participation and 940 CMR 29.10 which requires that a quorum of the body, including the chair, be present at an in-person meeting location (specifically, from “and provided further, that a quorum of the body, including the chair, are present at the meeting location”).
2. This Act shall take effect upon its passage; or to act in any other manner in relation thereto.

MAIN MOTION: AS PRINTED IN WARRANT

RECOMMENDATIONS:

General Bylaw Review: 6-0-0
Rules Committee – All Against

ACTION: FAILED BY A CALLED MAJORITY

ARTICLE #12 RE: Home Rule Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Add a New Paragraph, Section 12 (h) – Town Meeting Accessibility

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the Great and General Court amending Chapter 686 of the Acts of 1970, as amended by adding a new paragraph, Section 12 (h). This new paragraph would read as follows:

(h) The Town Meeting or any public meeting by any Board, Committee or Department shall be accessible by all who wish to attend, either in person or via an electronic communications platform. This communications platform will allow users to connect via video, audio, phone, and chat, using an internet connection and a supported device. Members of these meetings shall be able to be recognized by the Moderator or Chair, and their vote, where applicable, be recorded via the electronic communications platform; or to act in any other manner in relation thereto.

A Motion was made, seconded and passed by Scott Martin to Amend the Article by striking the words “or any public meeting by any Board, Committee or Department”

MAIN MOTION: As Amended

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the Great and General Court amending Chapter 686 of the Acts of 1970, as amended by adding a new paragraph, Section 12 (h). This new paragraph would read as follows:

(h) The Town Meeting ~~or any public meeting by any Board, Committee or Department~~ shall be accessible by all who wish to attend, either in person or via an electronic communications platform. This communications platform will allow users to connect via video, audio, phone, and chat, using an internet connection and a supported device. Members of these meetings shall be able to be recognized by the Moderator or Chair, and their vote, where applicable, be recorded via the electronic communications platform; or to act in any other manner in relation thereto.

RECOMMENDATIONS:

General Bylaw Review: 6-0-0

ACTION: FAILED by a COUNTED VOTE 38-FOR and 48 AGAINST

ARTICLE #13 RE: Amend Article II – Representative Town Meeting – Section 1.0 by Adding Paragraph 1.4 – Town Meeting Accessibility

To see if the Town will vote to amend Article II – Representative Town Meeting – Section 1.0 by adding a new paragraph, 1.4 that would read as follows:

SECTION 1.4 – Town Meeting Accessibility: Notwithstanding any general or special law, charter provision, ordinance or by-law to the contrary, the Town of Burlington may hold Town Meetings at which participants may attend either in person or remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

1.4.1 The Town Meeting shall be a hybrid meeting, and the warrant shall contain such provisions as shall be deemed by the Moderator and Town Counsel to be necessary to properly notify participants in such meeting of the requirements set forth in this Section.

1.4.2 Except as otherwise set forth in this Section, Town Meeting Members and other participants in a hybrid meeting may elect to attend such meeting either in person, 11 at the location designated in the warrant for such meeting, or remote access via of a video conferencing platform.

1.4.3 All Town Meeting Members attending a hybrid meeting, whether in person or via remote

access, shall be counted for purposes of determining the presence of a quorum at the meeting.

1.4.4 The video conferencing platform shall afford all participants in a hybrid meeting the ability to identify and hear the Moderator and each Town Meeting Member who attends the meeting, as well as any other persons who participate in the meeting. All remote participants in a hybrid meeting shall have substantially the same access as in-person participants to the content of handouts, presentations and other material distributed or displayed, prior to or during the meeting.

1.4.5 All participants in a hybrid meeting, whether attending in person or via remote access, shall have a substantially equal opportunity to request recognition by the Moderator, make a motion or raise a point of order or question of privilege.

1.4.6 All Town Meeting Members participating in a hybrid meeting, whether attending in person or via remote access, shall have the opportunity to vote on all matters put to a vote of Town Meeting Members; such votes shall to the extent feasible be taken substantially contemporaneously; and such votes shall in the case of recorded votes be published as soon as practicable subject to the abilities of the respective voting systems used for in-person and remote access votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall be determined by the Moderator to accurately and securely record the votes of those entitled to vote at the meeting.

1.4.7 All actions taken during a hybrid meeting held pursuant to sub-sections 1.4.1 through 1.4.6 are hereby ratified, validated and confirmed to the same extent as if the hybrid meeting had been conducted entirely in person, and such actions shall be deemed to comply in all respect with all other applicable laws, charter provisions, ordinances and bylaws; or to act in any other manner in relation thereto.

There was an Amendment made by the General Bylaw Review Committee, it was moved and seconded. Then the Amended article was presented.

MAIN MOTION: To see if the Town will vote to amend Article II – Representative Town Meeting – Section 1.0 by adding a new paragraph, 1.4 that would read as follows:

SECTION 1.4 – Town Meeting Accessibility: Notwithstanding any general or special law, charter provision, ordinance or by-law to the contrary, the Town of Burlington may hold Town Meetings at which participants ~~may~~ **shall** attend either in person or remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

1.4.1 The Town Meeting shall be a hybrid meeting, and the warrant shall contain such provisions as shall be deemed by the Moderator and Town Counsel to be necessary to properly notify participants in such meeting of the requirements set forth in this Section.

1.4.2 Except as otherwise set forth in this Section, Town Meeting Members and other participants in a hybrid meeting may elect to attend such meeting either in person, 11 at the location designated in the warrant for such meeting, or remote access via of a video conferencing platform.

1.4.3 All Town Meeting Members attending a hybrid meeting, whether in person or via remote access, shall be counted for purposes of determining the presence of a quorum at the meeting.

1.4.4 The video conferencing platform shall afford all participants in a hybrid meeting the ability to identify and hear the Moderator and each Town Meeting Member who attends the meeting, as well as any other persons who participate in the meeting. All remote participants in a hybrid meeting shall have substantially the same access as in-person participants to the content of handouts, presentations and other material distributed or displayed, prior to or during the meeting.

1.4.5 All participants in a hybrid meeting, whether attending in person or via remote access, shall have a substantially equal opportunity to request recognition by the Moderator, make a motion or raise a point of order or question of privilege.

1.4.6 All Town Meeting Members participating in a hybrid meeting, whether attending in person or via remote access, shall have the opportunity to vote on all matters put to a vote of Town Meeting Members; such votes shall to the extent feasible be taken substantially contemporaneously; and such votes shall in the case of recorded votes be published as soon as practicable subject to the abilities of the respective voting systems used for in-person and remote access votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall be determined by the Moderator to accurately and securely record the votes of those entitled to vote at the meeting.

~~1.4.7 All actions taken during a hybrid meeting held pursuant to sub-sections 1.4.1 through 1.4.6 are hereby ratified, validated and confirmed to the same extent as if the hybrid meeting had been conducted entirely in person, and such actions shall be deemed to comply in all respect with all other applicable laws, charter provisions, ordinances and bylaws; or to act in any other manner in relation thereto.~~

RECOMMENDATIONS:

General Bylaw Review: 6-0-0

ACTION: FAILED BY A CALLED MAJORITY

The business of the Town being concluded, a motion was made to adjourn, seconded and voted Unanimously. Meeting was adjourned at 11:43 PM.

Respectfully Submitted

Amy E. Warfield
Town Clerk