

BACK UP

WARRANT

Burlington Town Meeting



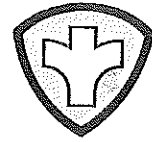
**September 27, 2023
7:00 P.M.**

Burlington, MA
Burlington High School
Fogelberg Auditorium

Warrant Article 4
Rescind Article XIV, Section 2.14



TOWN OF BURLINGTON
Board of Health



Public Health
Prevent. Promote. Protect.

**BURLINGTON BOARD OF HEALTH
REGULATIONS FOR THE STORAGE & DISPOSAL OF HAZARDOUS
MATERIALS**

SECTION 1: AUTHORITY

This regulation is adopted pursuant to the authority granted to local boards of health under Massachusetts General Laws, Chapter 111, Section 31 and Massachusetts General Laws Chapter 111, Section 31.

SECTION 2: PURPOSE

To protect public health, safety, and the environment through the establishment of emergency plans and procedures for the safe management, handling, and disposal of Hazardous Materials (as defined herein).

SECTION 3: APPLICABILITY

These regulations shall be applicable to the following:

- A. Any Institution storing, processing, generating or using Hazardous Materials in a cumulative quantity of 100 kilograms or 220 pounds or more and/or storing, processing, generating or using any Extremely Hazardous Substance above its threshold planning quantity listed in the Environmental Protection Agency Title 40, Chapter I, Subchapter J, Part 355, Appendix A and B (List of Extremely Hazardous Substances and Their Threshold Planning Quantities) If materials are stored in liquid form (liters or gallons), then the Institution must determine if the 100 kilograms or 220 pounds is met through appropriate conversions of either a specific material and/or compressed gas; and/or,
- B. Any property Property Owner where an Institution is storing, processing, generating or using toxic or Hazardous Materials as described in Section 3(A) of these regulations; and/or,
- C. Any Institution who is planning the demolition of a commercial or residential building or the renovation of a commercial building.

SECTION 4: DEFINITIONS

Board: The Burlington Board of Health

Container: Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous material.

Chemical: Any element, chemical compound or mixture of elements and/or compounds.

Clinical Laboratory: Healthcare facilities providing a range of laboratory procedures which aid

Effective March 6, 2023

physicians in carrying out the diagnosis, treatment, and management of patients.

Extremely Hazardous Substance: A substance listed in Appendices A and B the Environmental Protection Agency Title 40, Chapter I, Subchapter J, Part 355, Appendix A and B.

Fuel oil: Oil of grades 1, 2, 4, 5 and 6 in accordance with M.G.L. C.94, S.249H and 202 CMR.

Hazardous Materials: Any substance, including but not limited to, any material, in whatever form, which because of its quantity, concentration, chemical, corrosive, fire, reactive, toxic, infectious, and radioactive characteristics either separately or in combination with any substance or substances, constitutes a potential threat to human health, safety, welfare or to the environment, when improperly stored, handled, treated, transported, disposed of, used or otherwise managed. This definition includes any substance which is designated by its manufacturer, distributor or importer as possessing any health or physical hazard(s) pursuant to 29 CFR 1910.1200 as well as any substance which is determined to be a hazardous waste according to 310 CMR 30.100.

Hospital: An establishment that provides a range of different services for patients of various age groups and with varying disease conditions.

Incompatible Materials: Those substances which, if mixed, will create hazards greater than those posed by the individual substances alone, such as fire, explosion, or generation of toxic fumes.

Institution: An individual person or a group of persons, and/or a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization and any other group acting as a unit responsible for compliance with the requirements set forth in this regulation.

Primary health-care center: An office or establishment that provides services which are usually the first point of contact with a health professional. They include services provided by general practitioners, dentists, community nurses, pharmacists and midwives, among others.

Property Owner: Every person or Institution who alone or severally with others: (1) has legal title to any property or building in the Town of Burlington; or (2) has care, charge or control of any property or building in the Town of Burlington including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or (3) is a mortgagee in possession of any such property; or (4) is an agent, trustee or other person appointed by the courts and vested with possession or control of any such property. Each such person and/or Institution is bound to comply with Section 5B of these regulations.

Release: Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of any toxic or hazardous material into the environment.

Retail Establishment: Establishment that sells goods to the public in relatively small quantities for end-use or consumption rather than for resale.

Safety Data Sheet (SDS): A document required by the Occupational Safety and Health Communication (OSHA) Hazard Communication Standard (HCS) used to communicate the hazards of hazardous chemical products. The document must be in a uniform format and include section numbers, headings, and associated information specified by OSHA.

Spill Control Plan: Document setting an organized, planned, and coordinated course of action to be followed in case of a fire, explosion, or release of hazardous materials which could threaten public health, safety, welfare, or the environment.

Underground Storage Tank: A tank and any underground piping connected to the tank that has at least 10 percent of its combined volume underground.

SECTION 5: GENERAL REQUIREMENTS

- A. The Board of Health, by a majority vote, may require the collection of soil and/or groundwater samples at any location where Hazardous Materials or Hazardous Waste have been or are stored and used, or at any property where environmental contamination may exist. Soil and/or groundwater samples shall be collected and analyzed at the expense of the property owner.
- B. Any Property Owner whose property will be the location of an Institution that is proposing to store, process, generate or use Hazardous Materials as described in Section 3(A) of these regulations must notify the Board of Health in writing no less than 30 days prior to occupancy that an Institution located or planning to locate at their property may be required to adhere to these regulations. Written notification shall be submitted on a form provided by the Board of Health.

SECTION 6: PERMIT REQUIREMENTS

- A. All Institutions undertaking the demolition of a commercial or residential building, or the renovation of a commercial building must first obtain a permit from the Board of Health prior to demolition or renovation.
- B. All Institutions proposing to store, process, generate or use hazardous materials in amounts greater as described in Section 3(A) of these regulations must obtain a permit from the Board of Health. Permits shall be issued and renewed by an Agent of the Board of Health for a period of one year. The Director of Public Health and/or the Board of Health, or its Chair, may require, for any reason, an Institution appear before the Board of Health for permit renewal. Permit renewal applications must be submitted by April 15 each year. Permits are valid for one year from May 1 to April 30.
 - a. Transition Rules: Any Institution subject to these Regulations hereunder at the time of passage of these Regulations, shall be required to apply for and receive a permit on or before 6 months from the passage hereof and then annually in

accordance with the permit procedures set forth herein.

- C. The applicant must demonstrate that the issuance of a permit shall not be detrimental in any way to the public welfare and would not endanger the health or safety of the municipality, and that all applicable requirements of this regulation have been satisfied. The Board of Health or its Agent may impose conditions, safeguards and other limitations on a permit consistent with the public health, safety and welfare.
- D. The Board of Health may impose conditions on a permit which it may find necessary or prudent for the protection of public health, safety, and general welfare. If, under its discretion, the Board of Health determines that a permit cannot be conditioned in a manner which will protect public health, safety and general welfare then the Board of Health shall deny a permit.
- E. All Institutions which are subject to these Regulations must submit a completed application form obtained from the Board of Health accompanied by a nonrefundable, non-prorated, permit application fee as indicated on the current Board of Health schedule of fees and any required documentation as outlined in the application form.
- F. Releases reportable under the Massachusetts Contingency Plan (310 CMR 40.0000) must also be reported to the Board of Health within the same time frame.
- G. Institutions as defined in Section 3A of these regulations must provide easily accessible information on workplace hazards and safety controls to all employees, and to the Board of Health and/or its Agent upon request, including, but not limited to:
 - a. A Spill Control Plan that is readily available for inspection by the Board of Health and posted in an area accessible to all employees that includes the name and telephone number of the Emergency Coordinator and a Cleanup Contractor; telephone numbers of the Burlington Fire Department, MA Department of Environmental Protection Emergency Response, and the Burlington Board of Health; and a floor plan showing locations of fire extinguishers, spill control kits, fire alarms, and evacuation routes.
 - b. Safety Data Sheets that are readily available for inspection by the Board of Health and provided to all employees.
- H. It shall be a condition of any permit issued under this regulation that the permit holder shall comply with all applicable federal, state and local laws, regulations and other requirements.

SECTION 7: EXEMPTIONS

- A. Retail Establishments including, but not limited to, pharmacies, hardware stores, department stores, and restaurants.
- B. Fuel oil, propane, and liquefied petroleum gas (LPG) tanks installed solely for the purpose of heating a building and/or providing hot water.
- C. Fuel oil, propane, and liquefied petroleum gas (LPG) tanks and batteries installed solely for the purpose of the operation of equipment, such as generators, torches, and consumptive use boilers.
- D. Use of domestic cleaners for residential and business maintenance when kept in original manufacturer's containers and used as directed/intended by such manufacturer.
- E. Primary healthcare centers and clinical laboratories.
- F. Refrigerants other than ammonia or LPG.
- G. Biological waste regulated by the MA Department of Public Health.
- H. Swimming pools regulated under the MA Department of Public Health under 105 CMR 435.000.

SECTION 8: STORAGE REQUIREMENTS

- A. All Hazardous Materials including, but not limited to, compressed gases shall be stored according to practices and procedures which prevent the contamination of air, groundwater, and surface water and which will minimize the possibility of accidental release and harm to human health and safety.
- B. Hazardous Materials will be stored in product tight containers on an impervious, chemical resistant surface compatible with the material being stored.
- C. Outdoor storage areas shall be enclosed with a permanent dike of impermeable construction and roofed, or other equally secure secondary containment.
- D. Any enclosed area containing free liquids shall have the capacity to contain either 10% of the total possible contained volume of the containers or 110% of the volume of the largest container of free liquid, whichever is greater. Drainage shall be separately collected for safe disposal.
- E. Secondary containment for inside storage areas of free liquids shall be provided when a release could follow a potential pathway and enter the environment (i.e. doorway, drain).
- F. Incompatible materials shall be separated.

- G. Containers holding Hazardous Materials must be labeled in a legible and prominent manner and be in accordance with all local, state and federal regulations.
- H. Underground storage tanks must be in compliance with M.G.L. 310 CMR 80.00.

SECTION 9: CONFIDENTIALITY OF INFORMATION

- A. Information submitted to the Burlington Board of Health is subject to public records laws, G.L. c. 66, sec. 10. Upon receipt of any request for public records under these laws, the Burlington Records Access Officer may consult with the Board of Health and will make a determination as to whether the requested information is exempt from disclosure for safety and security or other enumerated purposes under G. L. c. 4, § 7(26) and whether to withhold any documents, or portions thereof, that are covered by an exemption.

Any institution seeking to qualify any particular document or submission as confidential shall:

- a. Submit said information as "Confidential Information"; and
 - b. Provide the applicable statutory citation warranting the exclusion of such information from disclosure under the Commonwealth of Massachusetts' Public Records Law (MGL Chapter 66).
- B. Notwithstanding this designation by the institution, any documents that are referred to during a public meeting may be subject to public review. The exchange of information pertaining to compliance with the permit may take place in an executive session, if the information shared in a public meeting would pose a security threat or compromise proprietary information.

SECTION 10: ENFORCEMENT

This regulation shall be enforced by the Board or its agent.

SECTION 11: PENALTIES

Whoever violates any provision of this regulation may be subject to penalties as follows:

- A. If a designated agent of the Board determines that a party has violated this regulation, such agent may issue a written order ("Order") to the permit holder and its designated agent to correct the offending deficiencies within a reasonable specified time; and/or,
- B. Violation of any provision of this regulation may subject the violator to a fine of \$50.00 per day in accordance with G.L. c. 40, § 21D and Article I (4) of the Town's General Bylaws. Each day of violation shall constitute a separate and distinct offense.
- C. The Board of Health shall be empowered to enforce this regulation, through a civil or criminal action, in any court of competent jurisdiction pursuant to the authority granted in G.L. c. 111 §31. Each day or portion thereof shall constitute a separate offense; and/or

- D. In addition to or in lieu of a fine, an Institution or property Property Owner which violates any provisions of this regulation or for which any activity covered under this regulation poses an immediate threat to the public health or environment may be closed by the Board of Health, subject to any applicable requirements of G.L. c. 111 and/or Section 12 below. and/or,
- E. The Board of Health may suspend or revoke a permit if it determines that the institution has failed to comply with this regulation, or other applicable permit conditions. Suspension or revocation shall follow written notice and a hearing in accordance with the time frame set forth in Section 12.
- F. In the event the Board of Health or its agent determines there is an imminent threat to public health and safety it may suspend a permit immediately without prior notice. Any Institution thereafter may invoke the hearing process in Section 12 to appeal said suspension.

SECTION 12: HEARING

Any Institution or Person that has received an Order issued pursuant to Section 11 of this regulation may request a hearing before the Board of Health. Such request shall be in writing and shall be submitted to the office of the Board of Health in writing so as to be received by the Board of Health within ten (10) business days after issuance of the Order. After said hearing, the Board may affirm, modify or rescind said Order or take any other action it deems warranted and appropriate.

SECTION 13: VARIANCES

Upon written application and public hearing, the Board of Health may in its sole, uncontestable discretion vary the application of any provision of this regulation with respect to any particular case when it determines that the enforcement thereof would do manifest injustice; provided that the decision of the Board of Health shall not conflict with the spirit of this regulation or any minimum standards required by Federal or State law; and provided that the applicant demonstrates to the reasonable satisfaction of the Board that a sufficiently equivalent level of protection can be achieved. Any variance granted by the Board of Health shall be in writing and shall be subject to such conditions as the Board deems appropriate.

SECTION 14: SEVERABILITY

Each provision of this regulation shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

SECTION 15: CONFLICT

This regulation is intended to be interpreted and applied in the broadest manner allowed by law in accordance with the Board of Health's authority under G.L. c. 111, § 31 to protect the health, safety and welfare of the community. To the extent, any provision herein is also the subject of and/or regulated by a similar or overlapping Federal or State requirement, the more restrictive applicable provision shall apply.

SECTION 16: EFFECTIVE DATE

This regulation shall become effective upon publication pursuant to G.L. c. 111, §31.

By the Board of Health
Edward Weiner Ph.D, Chairman
David McSweeney, Vice Chairman
Gayle Damore
Andrea Sheehan
Maribeth Welch

Warrant Article 6

**Renumber Burlington Housing
Partnership Committee-Article V-
Section 2.0 Moderator Appointments-
Paragraph 2.9**

September Burlington Town Meeting
Warrant Article Backup
Renumber Burlington Housing Partnership Committee
Moving from Moderator Appointments to Town Administrator Appointments
Article V – Section 2.0, paragraph 2.0 to Article V – Section 1.0, paragraph 1.6

This is a housekeeping article. The Burlington Housing Partnership Committee is currently shown in Article V – Section 2.0 – Moderator Appointments. This Committee should be listed under Article V – Section 1.0 – Town Administrator Appointments.

The current Article V, Section 2.9 – Moderator Appointments of the General Bylaw is as follows:

2.9 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.

2.9.1 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 2.9 , 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.

2.9.2 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, vicechairperson and recording clerk every two (2) years.

The moved/renumbered Article V, Section 1.0 – Town Administrator Appointments of the General Bylaw will be as follows if approved.

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.

Warrant Article 9
Amend Article I – General Provisions,
Section 3.0

September Burlington Town Meeting
Warrant Article Backup
Amend Article I – General Provisions, Section 3.0
Definitions:

This article is adding five (5) new definitions: Remote Access, Hybrid Meetings Virtual Meetings, Newspapers and Notices. These definitions are being added to simplify existing and future articles in various parts of the General Bylaws.

Warrant Article 10

**Amend Article II – Representative Town
Meeting, Section 1.2 - Warrants**

September Burlington Town Meeting
Warrant Article Backup
Amend Article II, Representative Town Meeting, Section 1.2 - Warrants
Receiving Warrant and Backup Information Electronically

This article would allow the Town Clerk to send Town Meeting Members the warrant and backup information electronically. The Town Meeting Member would notify the Town Clerk thirty (30) days prior the meeting convening. This would save the Town paper and postage, a “green” option.

The current Article II, Section 1.2 – Warrants, Paragraph 1.21 currently reads as follows:

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 Statute or Town Bylaw.

Two sentences at the end of the paragraph would allow the Town Meeting Member to “Opt In”. The revised paragraph would read as follows if approved:

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 Statute or Town Bylaw. Any Town Meeting Member that prefers an electronic copy of the warrant and associated backup materials, must notify the 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.

Warrant Articles 11-13

Supplementary Information for Articles # 11,12 & 13

Amend Article II – Representative Town Meeting – Section 1.0 by adding Sub-Section 1.2 – Town Meeting Accessibility

Home Rule Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Add a New Section – Town Meeting Accessibility

Home Rule Petition to Amend Chapter 686 of the Act of 1970, as Amended – An Act to Add New Section – Exemption the Town of Burlington from In-Person Quorums

Supplementary Information:

In March, 2020 a pandemic was declared, caused by the SARS COVID-19 virus. The state authorized under legislation that a Town would be allowed to have town open meetings using none of the traditional means. Instead, we would be using electronic communications platforms. The current Open Meeting Laws that allow for the continued use of the hybrid or virtual meetings expires in March, 2025. The Town Clerk, Moderator and many others developed the method by which Burlington convenes our Town Meetings. Not only did this contribute to more access and transparency, but it also removed long standing barriers to political participation for people with disabilities, adults with young children, seniors, people who travel for work, people who cannot drive (or cannot drive at night) or afford transportation, as well as many other groups too numerous to list.

Many things were learned during this period of the pandemic and most notably is that the Town of Burlington can continue to operate and do business efficiently and effectively by using the current electronic communications platforms that are generally available. Representative Garlick and Senator Lewis filed "An Act to Modernize Participation in Public Meetings" (HD3040 | SD2024 check #'s), an act to improve equitable access to open meetings by guaranteeing that members of the public can participate in person or remotely. The bill would also establish a trust fund to help municipalities finance this goal. As the legislators said, "Guaranteeing multiple methods of attending a meeting maximizes equity and democratic participation. By contrast, meetings conducted exclusively in person or exclusively online inevitably exclude people who want to get involved. Over the course of the pandemic, many people were able to participate in their local democratic institutions for the first time, thanks to software like Zoom. People with disabilities, people with limited transportation, and people with family caregiving responsibilities depend on remote and hybrid access. We can't shut the door on them and turn our backs on equity. Guaranteeing multiple methods of attending a meeting maximizes equity and democratic participation. By contrast, meetings conducted exclusively in person or exclusively online inevitably exclude people who want to get involved." It only makes sense to include all those who wish to participate in this manner to do so, so as to ensure that Burlington is represented by ALL who wish to work for the betterment of our town.

As of March 2022, primary immunodeficiency or other immunocompromising conditions may qualify someone as a person with a disability under the Americans with Disabilities Act (ADA) and its successor, the Americans with Disabilities Act Amendments Act (ADAAA). With this understanding, any person in town that wants to attend a Town Meeting, or public meeting of a Board, Committee or Department has a legal right to attend that meeting and the Town has a legal obligation to provide a reasonable accommodation allowing them to do so . Some examples of accommodations that the Town has already undertaken include altering cuts to sidewalks, installing ramps to enter buildings and adding elevators to make the town buildings ADAAA compliant. While two town meeting members were able to participate in our last Town Meeting remotely due to our obligations under the ADA, their participation was greatly impaired by their inability to speak. Adopting the hybrid articles would provide a better solution to accommodate those residents covered by the ADA and the ADAAA, as well as those residents with the desire to serve whose circumstances require them to be at home.

Hybrid access afforded all Town Meeting Members the ability to participate in TMs remotely, which did not cause a decline in attendance, and may have actually increased member attendance overall. In fact, **TMM attendance for the hybrid May 2022 Town Meeting was the highest it had ever been.** Remote attendance has been especially beneficial for those TMMs who have child-care responsibilities and for those who, because of disabilities or other reasons, find it difficult to attend town meetings in person. There is considerable interest among TMMs to have the ability to choose to attend future town meetings either in-person or remotely. Hybrid meetings will not be permitted once the current emergency legislation expires. We have prepared these articles to include a home rule petition, which is a state legal requirement to enact an article such as this.

Three articles are required to enact the changes necessary to ensure accessibility to hybrid Town Meetings: (1) Home Rule Petition; (2) By-Law revision; and (3) Quorum requirement. The first article is to authorize the Selectboard to petition the Legislature (Great and General Court) to file a Home Rule Petition to amend Chapter 686 of the Acts of 1970, as amended, adding a paragraph, 12 (h). The second article requests the Town Meeting body to consider and approve the addition of a paragraph to Section 1.0 of Article II of the Towns General Bylaws to allow hybrid Town Meetings. The third article would exempt the town of Burlington from the in-person quorum requirement. Maintaining a requirement for an in-person quorum diminishes the role of those members who may be attending remotely. Since when does one person's desire for efficiency outweigh another person's ability to participate and have a voice in our government?

The proposed legislation would permit hybrid Town Meetings to be held at any time. All TMMs, whether present remotely or in-person, will be counted towards a quorum, and only the Moderator, Town Clerk and certain members of the IT staff will be required to be physically present at the meeting. Others may attend either in-person or, after providing at least 48 hours' written or electronic notice (for security and accountability purposes), via the video conferencing system employed for the meeting. All participants

will be required to have substantially the same ability to identify and hear speakers, to have access to the content of materials used or presented at the meeting, to request recognition by the moderator or make motions and, for TMMs, to vote on all matters put to a vote.

We have recently held meetings with town administrators, BCAT, school administrator and our vendor to nail down the cost of equipping the Burlington High School Auditorium to be hybrid ready and we are happy to report the cost is diminimus. It will cost between \$4000 – \$5000 to equip the auditorium. Quotes from the voting system vendors range from \$4501.35 to \$9,985 including support at first Town Meeting (and cheaper if we rent). This is a small cost to ensure our Town has quality representation by those who wish to serve.

Hybrid meetings will become widely used in Massachusetts and, once again, Burlington would have a leadership role in this development as it has had in innovations such as the representative town meeting format and electronic voting.