

INDEX OF ARTICLES
Burlington Town Meeting
Monday
January 23, 2023

ARTICLE NUMBER	SUBJECT	PAGE NUMBER
<u>GENERAL ARTICLES</u> (green paper)		1
1.	Reports of Town Officers & Committees	
<u>ZONING BYLAW ARTICLES</u> (yellow paper)		
2.	Article XIII Burlington Signage Districts	2
<u>FINANCIAL ARTICLES</u> (golden paper)		
3.	Replenish Reserve Fund	4
4.	Transfer from Free Cash to Stabilization Fund	4
5.	Transfer from Free Cash to Water Stabilization Fund	4
6.	Fund the Burlington Municipal Employees' Association Contract	5
7.	Fund the Department of Public Works Contract	5
8.	Fund the Administrative & Professional Compensation Plan	6
9.	Cyber Security Assessment	6
10.	Five-Year Municipal Solid Waste Collection/Disposal Contract	6
11.	Transportation Infrastructure Fund	7
<u>GENERAL ARTICLES - Continued</u> (green paper)		
12.	Acquisition of Land by donation (Peach Orchard Rd)	8
13.	Acquisition of Land by donation (Skilton Lane)	8
<u>GENERAL BYLAW ARTICLES</u> (blue paper)		
14.	Amend Article II – Representative Town Meeting – Section 1.0 by Adding Paragraph 1.3 – Open Meeting Accessibility	9
15.	Home Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Add a New Section – Open Meeting Accessibility	10
16.	Home Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Add a New Section – Exempting the Town of Burlington from In-Person Quorums	12
17.	Amend Article II – Representative Town Meeting – Section 1.0 by Adding Paragraph 1.2 – Town Meeting Accessibility	12
18.	Home Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Add a New Section – Town Meeting Accessibility	14
19.	Amend to General Bylaw Article XIV, Section 5.9	15
CONSTABLE'S REPORT		16
TOWN COUNSEL'S LETTER		
Town Meeting Warrant January 23, 2023		

**WARRANT
BURLINGTON TOWN MEETING
Monday, January 23, 2023**

In accordance with the provisions of Chapter 686 of the Acts of 1970 of the Commonwealth of Massachusetts, you are hereby notified that the Town Meeting Representatives of the Town of Burlington will meet in general assembly at the Burlington High School, Fogelberg Auditorium in said Town, the 23th of January 2023 at seven o'clock in the evening then and there to act on the following articles of the warrant.

GENERAL ARTICLES

ARTICLE #1

RE: Reports of Town Officers & Committees

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

Submitted by the Rules Committee

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

ZONING BYLAW ARTICLES

ARTICLE 2

RE: Article XIII Signage Regulations

To see if the Town will vote to amend Article XIII, "Sign Regulations", 13.1.5 Municipal Uses, as follows (**underline and bold** new, ~~cross-out~~ removed):

A. Subsection 13.1.5.1, by revising subsection 13.1.5.3.1 as follows:

~~13.1.5.1.1~~ 13.1.5.3.1 One (1) free standing sign shall be permitted on each Town owned property. **Notwithstanding any General Bylaw or Zoning Bylaw to the contrary the Town Common shall be permitted to have two (2) free standing signs.**

B. Subsection 13.1.5.3., by revising the following:

13.1.5.3 ~~Freestanding~~ Free Standing Ground Signs

13.1.5.3.2 The free standing sign shall be at least ten (10) ft. or more from any property line.

Notwithstanding any General Bylaw or Zoning Bylaw to the contrary, any free standing sign located on the Town Common may be located within any of the setbacks for the zoning district.

C. Subsection 13.1.5.3, by adding a new subsection 13.1.5.3.5 as follows:

13.1.5.3.5

Notwithstanding any General Bylaw or Zoning Bylaw to the contrary, any free standing sign located on the Town Common may include an "Illuminated Sign" or "Electronic Sign". Only one (1) free standing sign shall be Electronic.

Illuminated Signs, for the purpose of this article, are regulated as one of the two (2) following types:

Externally Illuminated: A sign, any part of which is illuminated from an exterior artificial light source.

Internally Illuminated: A sign illuminated by an artificial light source that is within the sign.

Electronic Sign shall mean: A sign whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments. For the purposes of this Article, electronic signs within ground or wall signs are regulated as one of the two (2) following types:

Electronic Display Sign: A sign, or portion of a sign, that displays an electronic image which may or may not include text. This definition includes but is not limited to plasma screens, digital screens, flat screens, LED screens, video boards and holographic displays.

Electronic Message Sign: A sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

D. Subsection 13.1.5.4 Freestanding Message Monument Sign by revising 13.1.4 as follows:

13.1.5.4.1 The Town of Burlington shall be permitted to install two (2) manually changeable letter freestanding signs. The location of said signs shall be determined by the ~~Board of Selectmen~~ **Select Board**.

13.1.5.4.2 The freestanding sign(s) shall be subject to the provisions of sections 13.1.5.3.2 through ~~13.1.5.3.4~~ **13.1.5.3.5** for size and landscaping requirements,

or to act in any other manner in relation thereto.

Submitted by the Select Board

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

FINANCIAL ARTICLES

ARTICLE 3

RE: Replenish Reserve Fund

To see if the Town will vote to transfer from Free Cash to the budget line item 87 - Reserve Fund, the sum of \$100,000, or to act in any other manner in relation thereto.

Amount: \$100,000

Submitted by the Select Board the request of
the Town Administrator

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

ARTICLE 4

RE: Transfer from Free Cash to Stabilization Fund

To see if the Town will vote to transfer from Free Cash the sum of \$230,000 to the Stabilization Fund, or to act in any other manner in relation thereto.

Amount: \$230,000

Submitted by the Select Board at the request of
the Town Administrator.

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

ARTICLE 5

RE: Transfer from Free Cash to Water Stabilization Fund

To see if the Town will vote to transfer from Free Cash the sum of \$980,678 to the Water Stabilization Fund, or to act in any other manner in relation thereto.

Amount: \$980,678

Submitted by the Select Board at the request of
the Town Administrator.

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

FINANCIAL ARTICLES - Continued

ARTICLE 6

RE: Fund the Burlington Municipal Employees' Association Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account the sum of \$204,568 for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Burlington Municipal Employees' Association for FY2023, same to be spent under the appropriate authority; or to act in any other manner in relation thereto.

Amount: \$204,568

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

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

ARTICLE 7

RE: Fund the Department of Public Works

To see if the Town will vote to transfer from the Negotiated Settlement Account the sum of \$94,821 for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Burlington Public Works Union for FY2023, same to be spent under the appropriate authority; or to act in any other manner in relation thereto.

Amount: \$94,821

Submitted by Select Board at the request of the Town Administrator

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER

FINANCIAL ARTICLES - Continued

ARTICLE 8

RE: Fund the Administrative & Professional Compensation Plan

To see if the Town will vote to adopt the Administrative & Professional Compensation Plan for FY2023, and transfer from the Negotiated Settlement Account the sum of \$134,934 or any other amount for the purpose of funding the plan under the direction of the appropriate authorities; or to act in any other manner in relation thereto.

Amount: \$134,934

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

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

ARTICLE 9

RE: Cyber Security Assessment

To see if the Town will vote to transfer from free cash the sum of \$25,000 or any other sum for the purpose of contracting with consultants to assist the Town with cyber security planning, testing, and/or implementation services, or to act in any other manner in relation thereto.

Amount: \$25,000

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

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

ARTICLE 10

RE: Five-Year Municipal Solid Waste Collection/ Disposal Contract

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

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

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

FINANCIAL ARTICLES - Continued

ARTICLE 11

RE: Transportation Infrastructure Fund

To see if the Town will transfer the sum of \$14,830.40 from Receipts Reserved for Appropriation-Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program established in section 1 of chapter 90I of the General Laws and other programs that support alternative modes of transportation or to act in any other manner in relation thereto.

Amount: \$14,830.40

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

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

GENERAL ARTICLES - Continued

ARTICLE 12

RE: Acquisition of Land by Donation (Peach Orchard Rd)

To see if the Town will vote to purchase, take, accept as a gift or otherwise acquire, the land located at 0 Old Peach Orchard Road, Burlington, Massachusetts and as shown on the Town of Burlington Assessor's Map as parcel 31-126-1, containing .23 acres, more or less, for general municipal purposes to be under the care, custody and control of the Select Board, and to authorize the Select Board to negotiate and execute any and all documents necessary to effectuate same, or pass any vote or take any action relative thereto.

Submitted by the Select Board

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

ARTICLE 13

RE: Acquisition of Land by Donation (0 Skilton Lane)

To see if the Town will vote to purchase, take, accept as a gift or otherwise acquire, the land located at Skilton Lane, Burlington, Massachusetts and as shown on the Town of Burlington Assessor's Map as parcel 18-9-0, containing .135 acres, more or less, for general municipal purposes to be under the care, custody and control of the Select Board, and to authorize the Select Board to negotiate and execute any and all documents necessary to effectuate same, or pass any vote or take any action relative thereto.

Submitted by the Select Board

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

GENERAL BYLAW ARTICLES

ARTICLE 14

RE: Amend Article II – Representative Town Meeting – Section 1.0 by Adding Paragraph 1.3 – Open Meeting Accessibility

To see if the Town will vote to amend Article II – Representative Town Meeting – Section 1.0 by adding a new paragraph, 1.3 that would read as follows:

SECTION 1.3 – Open Meeting Accessibility:

Notwithstanding any general or special law, charter provision, ordinance or bylaw to the contrary, the Town of Burlington may hold open meetings held by Boards, Committees, Commissions, Departments or duly appointed subcommittees, at which participants attend both in person and remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

- 1.3.1 The open meeting shall be a hybrid meeting, and the agenda shall contain such provisions as shall be deemed by the Chair to be necessary to properly notify participants in such meeting of the requirements set forth in this Section.
- 1.3.2 Except as otherwise set forth in this section, members of the Board, Committee, Commission, Department or duly appointed subcommittee (hereinafter sometimes called “members”) and other participants in a hybrid meeting may elect to attend such meeting either in person, at the location designated in the agenda for such meeting, or remotely by means of a video conferencing platform.
- 1.3.3 All members attending a hybrid meeting, whether in person or remotely, shall be counted for purposes of determining the presence of a quorum at the meeting.
- 1.3.4 The Chair or their member designee and other persons required to operate the voting and other technical systems necessary for the proper function of a hybrid meeting in accordance with this Section shall attend each session of a hybrid meeting in person. All other participants in a hybrid meeting, including members and other residents and non-residents of the Town, may attend and participate in each session of a hybrid meeting either in person or remotely. In order to participate in a session of a hybrid meeting remotely, a participant shall be required to provide written or electronic notice of such participation to the Chair, which notice shall be required to be received no later than two (2) business days before such session. Such notices may cover such person’s remote attendance and participation at one or more sessions of a hybrid meeting. Such notice requirement may, in general or in specific instances, be by written or electronic notice to the Chair.
- 1.3.5 The video conferencing platform shall afford all remote participants in a hybrid meeting the ability to identify and hear each 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, to in-person participants in the meeting.
- 1.3.6 All members in a hybrid meeting, whether attending in person or remotely, shall have a substantially equal opportunity to request recognition by the Chair, make a motion or raise a point of order or question of privilege. Other persons who participate in the hybrid meeting, whether attending in person or remotely, shall have a substantially equal opportunity to request recognition by the Chair to express an opinion or concern.

- 1.3.7 All members participating in a hybrid meeting, whether attending in person or remotely, shall have the opportunity to vote on all matters put to a vote of 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 votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall be determined by the Chair to record accurately and securely the votes of those entitled to vote at the meeting.
- 1.3.8 All actions taken during a hybrid meeting held pursuant to sub-sections 1.3.1 through 1.3.7 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.

Submitted by the Select Board at the request of
General Bylaw Review Committee

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

ARTICLE 15

RE: Home Rule Petition to Amend Chapter 686 of the Acts of 1970, as Amended – An Act to Add a New Section – Open 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 Section. The new section would read as follows:

Notwithstanding any general or special law, charter provision, ordinance or bylaw to the contrary, the Town of Burlington may hold open meetings held by Boards, Committees, Commissions, Departments or duly appointed subcommittees, at which participants attend both in person and remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

1. The open meeting shall be a hybrid meeting, and the agenda shall contain such provisions as shall be deemed by the Chair to be necessary to properly notify participants in such meeting of the requirements set forth in this Section.
2. Except as otherwise set forth in this Section, members of the Board, Committee, Commission, Department or duly appointed subcommittee (hereinafter sometimes called “members”) and other participants in a hybrid meeting may elect to attend such meeting either in person, at the location designated in the agenda for such meeting, or remotely by means of a video conferencing platform.

3. All members attending a hybrid meeting, whether in person or remotely, shall be counted for purposes of determining the presence of a quorum at the meeting.
4. The Chair or their member designee and other persons required to operate the voting and other technical systems necessary for the proper function of a hybrid meeting in accordance with this Section shall attend each session of a hybrid meeting in person. All other participants in a hybrid meeting, including members and other residents and non-residents of the Town, may attend and participate in each session of a hybrid meeting either in person or remotely. In order to participate in a session of a hybrid meeting remotely, a participant shall be required to provide written or electronic notice of such participation to the Chair, which notice shall be required to be received no later than two (2) business days before such session. Such notices may cover such person's remote attendance and participation at one or more sessions of a hybrid meeting. Such notice requirement may, in general or in specific instances, be waived by written or electronic notice to the Chair.
5. The video conferencing platform shall afford all remote participants in a hybrid meeting the ability to identify and hear each 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, to in-person participants in the meeting.
6. All members in a hybrid meeting, whether attending in person or remotely, shall have a substantially equal opportunity to request recognition by the Chair, make a motion or raise a point of order or question of privilege. Other persons who participate in the hybrid meeting, whether attending in person or remotely, shall have a substantially equal opportunity to request recognition by the Chair to express an opinion or concern.
7. All members participating in a hybrid meeting, whether attending in person or remotely, shall have the opportunity to vote on all matters put to a vote of 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 votes. All votes at a hybrid meeting shall be taken by such means and in such a manner as shall be determined by the Chair to record accurately and securely the votes of those entitled to vote at the meeting.
8. All actions taken during a hybrid meeting held pursuant to sub-sections 1 through 7 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.
9. This act shall take effect upon its passage.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
General Bylaw Review Committee

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

GENERAL BYLAWS - Continued

ARTICLE 16

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.

Submitted by the Select Board at the request of
General Bylaw Review Committee

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

ARTICLE 17

RE: Amend Article II – Representative Town Meeting – Section 1.0 by Adding Paragraph 1.2 – 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, 1.2 that would read as follows:

SECTION 1.2 – Town Meeting Accessibility:

Town Meeting Warrant
January 23, 2023

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:

- i. 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.
- ii. 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, at the location designated in the warrant for such meeting, or remotely by means of a video conferencing platform.
- iii. All Town Meeting Members attending a hybrid meeting, whether in person or remotely, shall be counted for purposes of determining the presence of a quorum at the meeting.
- iv. The Moderator, the Town Clerk, members of the Town’s information technology staff and other persons required to operate the voting and other technical systems necessary for the proper function of a hybrid meeting in accordance with this Section shall attend each session of a hybrid meeting in person. All other participants in a hybrid meeting, including Town Meeting Members and other residents and non-residents of the Town, may attend and participate in each session of a hybrid meeting either in person or remotely. In order to participate in a session of a hybrid meeting remotely, a participant shall be required to provide written or electronic notice of such participation to the Town Clerk, which notice shall be required to be received no later than two (2) business days before such session. Such notices may cover such person’s remote attendance and participation at one or more sessions of a hybrid meeting. Such notice requirement may, in general or in specific instances, be waived by written notice to the Town Clerk.
- v. The video conferencing platform shall afford all remote 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, to in-person participants in the meeting.
- vi. All participants in a hybrid meeting, whether attending in person or remotely, 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.
- vii. All Town Meeting Members participating in a hybrid meeting, whether attending in person or remotely, 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 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.
- viii. All actions taken during a hybrid meeting held pursuant to sub-sections 1.2.1 through 1.2.7 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.

Submitted by the Select Board at the request of
General Bylaw Review Committee

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

ARTICLE 18

**RE: Home Rule Petition to Amend Chapter 686 of
the Acts of 1970, as Amended – An Act to Add a New
Section – 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 Section. The new section would read as follows:

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 both in person or remotely (hereinafter sometimes called a “hybrid meeting”), subject to the following:

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.
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, at the location designated in the warrant for such meeting, or remotely by means of a video conferencing platform.
3. All Town Meeting Members attending a hybrid meeting, whether in person or remotely, shall be counted for purposes of determining the presence of a quorum at the meeting.
4. The Moderator, the Town Clerk and all members of the Town’s information technology staff and other persons required to operate the voting and other technical systems necessary for the proper function of a hybrid meeting in accordance with this Section shall attend each session of a hybrid meeting in person. All other participants in a hybrid meeting, including Town Meeting Members and other residents and non-residents of the Town, may attend and participate in each session of a hybrid meeting either in person or remotely. In order to participate in a session of a hybrid meeting remotely, a participant shall be required to provide written or electronic notice of such participation to the Town Clerk, which notice shall be required to be received no later than two (2) business days before such session. Such notices may cover such person’s remote attendance and participation at one or more sessions of a hybrid meeting. Such notice requirement may, in general or in specific instances, be waived by written notice to the Town Clerk.
5. The video conferencing platform shall afford all remote 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, to in-person participants in the meeting.

6. All participants in a hybrid meeting, whether attending in person or remotely, 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.
7. All Town Meeting Members participating in a hybrid meeting, whether attending in person or remotely, 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 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 record accurately and securely the votes of those entitled to vote at the meeting.
8. All actions taken during a hybrid meeting held pursuant to sub-sections 1 through 7 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 by-laws.
9. This act shall take effect upon its passage.

or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
General Bylaw Review Committee

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

ARTICLE 19

RE: Amendment to General Bylaw Article XIV, Section 5.9

To see if the Town will vote to amend Article XIV, Section 5.9 of the General Bylaws of the Town of Burlington to change the penalties associated with violating the outdoor watering restrictions set forth in the Town.

Section 5.9 Penalties

Any person violating this bylaw shall be issued a warning for the first violation, and shall be liable to the Town in the amount of \$~~1~~500.00 for the second violation, and \$~~3~~400.00 for each subsequent violation which shall go to the General Fund. Fines shall be recovered by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Each day of violation shall constitute a separate offense.

or to act any other manner thereto.

Submitted by the Select Board at the request of
The General Bylaw Review Committee

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

THE COMMONWEALTH OF MASSACHUSETTS

To either of the Constables of the Town of Burlington in the County of Middlesex Greeting. You are hereby directed to serve this warrant by posting up attested copies thereof at the billboard at the Town Hall, in said Town, at least fourteen days before the Town Meeting of January 23, 2023 at Burlington High School, Fogelberg Auditorium.

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

Given under our hands this 12th day of December in the year of our Lord 2022.

Nicholas C. Priest, Chairman

Michael S. Runyan, Vice-Chairman

James M. Tigges, Board Member

Joseph E. Morandi, Board Member

Michael W. Espejo, Board Member

SELECT BOARD OF BURLINGTON, MASSACHUSETTS

A true copy attest: _____ Constable _____

Dated _____

Middlesex ss

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Burlington by posting up an attested copy of the same at the designated location at Burlington Town Hall, and Burlington High School and Town of Burlington website page <http://www.burlington.org/>, at least fourteen days before Town Meeting date of Monday, January 23, 2023.

s/s _____
Constable of Burlington

A copy of the warrant was mailed to each Town Meeting Member, the Town Moderator and the Town Clerk on Friday, the 6th day of January, 2023.

Attest: Amy E. Warfield, Town Clerk