

# **BACK UP**

**Town Meeting January 26, 2026**

**7:00 pm**

# **ARTICLE 1**

## **REPORTS OF TOWN OFFICERS**

(No backup)

**ARTICLE 2**

**AMEND ZONING ARTICLES TO ADD A**

**DEFINITION FOR SETBACK**

The Zoning Bylaw Review Committee (ZBRC) respectfully submits the attached Zoning Article for your consideration and approval. As a reminder, the Charter for ZBRC is to:

*“Monitor, review and make recommendations to Town Meeting regarding any changes to the Burlington Zoning Bylaws due to, but not limited to, changes to governing law or regulations; changes in building and planning regulations and best practices; or proposed changes submitted by the committee, developers or other proponents.”*

ZBRC's mission is to *“ensure the Town's Zoning Bylaws are current, clear, and conform to the Burlington Master Plan and Massachusetts General Law”*. With that in mind ZBRC submits the “Setback” Clarification Article. This is a simple “housekeeping” Article which:

- Adds a definition for “setback” that has not existed although the word is used frequently in the Zoning Bylaws.
- Updates *Article V: Dimensional Requirements* which currently uses the phrase “minimum front(side, rear) yard” when referring to a setback requirement. The omission of the word “setback” has caused confusion which has been identified by both the Building Department and residents.
- Updates existing Zoning Bylaws by adding the word “setback” and modifying sentences to include the term where it would be appropriate. These updates are:
  - Article V and its Use Table in Section 5.2 ( Density Regulations Schedule) to include the word setback
  - Section 6.1.2 Non-Confirming Structures and Premises
  - Section 10.1.0 Additional Regulations For Home Occupations
  - Section 11.6.0 Open Space Residential Development

Thank you for your consideration.

Respectfully submitted,

Betsey Hughes, Chair  
Zoning Bylaw Review Committee

# **ARTICLE 3**

## **TRANSFER FROM FREE CASH TO WATER STABILIZATION FUND**



# TOWN OF BURLINGTON

## *Office of the Town Administrator*

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Town Meeting Members

From: Finance Team

Date: December 19, 2025

Re: Article 3 – Transfer from Free Cash to Water Stabilization Fund

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In May of 2018, Town Meeting voted to establish a Water Stabilization Fund as a mechanism for capturing water revenue from the general fund and applying it to the costs associated with admission fees, debt service and water supply expenses related to the Town's connection to the MWRA. Since water revenue comes into the general fund as a local receipt, it must be closed out to free cash and then transferred to the stabilization fund in order to for it to become accessible for this purpose.

Each January since 2019, we have requested a transfer from Free Cash to the Water Stabilization Fund. Then, at the Annual Town Meeting in the spring, we request that the body authorize spending from the Water Stabilization Fund to offset the operating expenses of the coming fiscal year's budget. This year, that amount is \$2,375,035.

The purpose of this article is to make a transfer from Free Cash to Water Stabilization Fund, so that those funds may be available to offset expenses in the FY27 operating budget.

Transfers from Free Cash require a majority vote.

## **ARTICLE 4**

### **TRANSFER FROM FREE CASH TO WAYS AND MEANS RESERVE FUND**



# TOWN OF BURLINGTON

## *Office of the Town Administrator*

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Town Meeting Members

From: Finance Team

Date: December 19, 2025

Re: Article 4 – Transfer from Free Cash to Ways and Means Reserve Fund

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The purpose of this article is to fully fund the FY26 Reserve Fund. Traditionally, the Reserve Fund is budgeted at \$200,000 at the start of the fiscal year. Once Free Cash is certified, additional funds are transferred in order to bring the balance up to \$300,000. As of January Town Meeting no funds have been transferred out for FY26, the amount of the requested transfer will be \$100,000.

Transfers from Free Cash require a majority vote.

**ARTICLE 5**

**AUTHORIZE TRANSPORTATION**

**INFRASTRUCTURE FUNDS**



# TOWN OF BURLINGTON

## *Office of the Town Administrator*

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Town Meeting Members

From: Finance Team

Date: December 19, 2025

Re: Article 5 – Authorize Transportation Infrastructure Fund

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Chapter 187 of the Acts of 2016 created the ‘Commonwealth Transportation Infrastructure Fund’. Pursuant to this legislation, certain transportation network companies (‘TNC’) i.e. ride sharing services, are required to submit yearly reports of all rides initiating in each municipality, and pay a per ride assessment of 20 cents. Every year, half of the amount credited to the fund is distributed to each municipality based proportionally on the number of rides initiating in it.

Appropriations from the fund must be used, “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”.

In accordance with this law, the Town has established a ‘Receipts Reserved for Appropriation’ account. Though the state has generally earmarked the funds for this general purpose, each specific appropriation from that account must be voted by Town Meeting.

The Town has received \$43,148.40 from this fund for rides originating in Burlington for the calendar year 2024. The purpose of this article is to appropriate the funds to be used to offset the costs of the Town’s subsidized rideshare transportation program.

This authorization requires a majority vote.

**ARTICLE 6**

**FUND BURLINGTON INTERNATIONAL  
FIREFIGHTERS' ASSOCIATION CONTRACT**



# TOWN OF BURLINGTON

## *Office of the Town Administrator*

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Town Meeting Members  
From: Town Administration  
Date: December 19, 2025  
Re: Article 6 – Fund Burlington International Firefighters’ Association Contract

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As of this writing, the Administration and the Union have not yet reached agreement on the terms of a successor contract. Both the Administration and the Union remain in productive and active negotiations. If the parties do not reach an agreement prior to Town Meeting on January 26, 2026, this article will be withdrawn and will be presented at the May 2026 Town Meeting.

**ARTICLE 7**

**GOVERNMENT REVIEW COMMITTEE**

**SURVEY EXPENSES**

Date: January 5, 2026  
To: Town Meeting  
From: Betsey Hughes  
Chair, Burlington Government Review Committee  
  
Re: Article 7: Government Review Committee Survey Expenses

Since we last provided an update on the Burlington Government Review Committee (BGRC) at the Town Meeting in September, the Committee has continued to meet twice a month and has made good progress...details of which you will see in the update at the January Town meeting.

The BGRC Article before January's Town Meeting is a request to approve \$20,000 to conduct a survey of Town residents.

### **Why?**

We have learned from other Towns that have undertaken a Government Review that a critical component of that process is soliciting input from residents. Survey results typically inform the review process and help communities make more informed decisions by ensuring resident voices are heard before major policy or structural changes are implemented.

- The purpose of the survey is to gather input from residents on how decisions are made, who should make them and how authority should be distributed.
- It is our intent to engage the expertise of an independent third party.
- We hope to learn resident perceptions about:
  - The roles of Town Meeting, Town Administration and Boards/Committees
  - The effectiveness, perceived accessibility, and accountability of Town Government
  - Expectations for the government review process and further public input

### **How Much?**

We obtained two proposals from vendors experienced in conducting such surveys. We provided an overview of our project and identified both the general timeframes and our expectations for the final product. Each organization provided a proposal and an estimated cost for their services. The requested amount would cover:

- Creating the survey (both online and offline) in collaboration with BGRC
- Developing a communications plan and materials
- Promoting the survey to residents
- Managing data collection
- Analyzing and presenting the findings.

When comparing the total project costs for each vendor, the cost ranged from \$19,454 to \$20,205. Therefore, we believe that our request for \$20,000 for this project is right on target.

### **When?**

If our funding request is approved by Town Meeting, BGRC will establish a subcommittee to work with the selected consultant and Town Departments with a target project kick-off in March.

# **ARTICLE 8**

## **REPURPOSE PREVIOUSLY APPROVED FUNDS TO THE OVERLOOK PARK PROJECT**



# TOWN OF BURLINGTON

## Office of the Town Administrator

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Select Board, Town Meeting Members  
CC: Recreation Commission  
From: Patrick Lawlor, Assistant Town Administrator  
Date: December 19, 2025  
Re: Article 8 – Repurpose Previously Authorized Funds for Overlook Park

Article 8 of the January 26, 2026 Town Meeting seeks to repurpose funds (\$250,000) that were previously authorized by Town Meeting in 2025 for improvements to the Town Common and instead use those funds for the Overlook Park project.

### Background on Existing Funds

At the May 12, 2025 Town Meeting, Town Meeting approved Article 4-19, which authorized \$303,401 for the Town Common Walkways Renovation. Specifically, the article provided funds for the removal and replacement of the existing asphalt walkways with new accessible concrete walkways to match existing concrete walkways on the Town Common.

### Funding in the State Budget

The Massachusetts state budget for Fiscal Year 2026 included \$200,000 that “*shall be expended to the town of Burlington to replace the aging asphalt walkways on the town common with updated ADA-compliant concrete walkways*”<sup>1</sup>. Because it was unknown at the time of the May Town Meeting whether these funds would be approved as part of the state budget, the article remained before Town Meeting for its approval. Since the enactment of the state budget, the project has been approved.

In addition to the funds provided in the Fiscal Year 2026 state budget, the town also received \$50,000 from the Massachusetts Department of Transportation in Fiscal Year 2025 Supplemental Budget for “*pedestrian safety improvements*”<sup>2</sup>.

### Overlook Park Budget and Grant Funding

The Overlook Park construction and renovation project has an anticipated cost of \$2,550,000, inclusive of a project contingency fund. This project received Town Meeting’s approval for \$1,300,000 with the expectation of grant funds being awarded to support the balance of the project costs. The Recreation Department was successfully awarded a grant from the Land and Water Conservation Fund in the amount of \$1,000,000 for this project. Unfortunately, a grant award was not approved for the state’s Municipal ADA Improvement Grant Program, leaving required funds in the amount of approximately \$250,000.

### Request of Town Meeting

Due to the supplemental state funding for the Town Common walkway improvements totaling \$250,000, a portion of previously authorized funds for walkway improvements is no longer needed, and upon Town Meeting’s approval, can instead be used to cover the remaining project costs at Overlook Park. Under this action, both the Overlook Park project and the Town Common Walkways Renovation project will both be fully funded with no additional taxpayer impact.

<sup>1</sup> Massachusetts FY2026 Budget, line item 7008-1116

<sup>2</sup> Massachusetts FY2025 Supplemental Budget, H4227, line item 1596-2507

# **ARTICLE 9**

## **RECREATION SENSORY TRAILER**

## Burlington Parks and Recreation January Town Meeting Backup

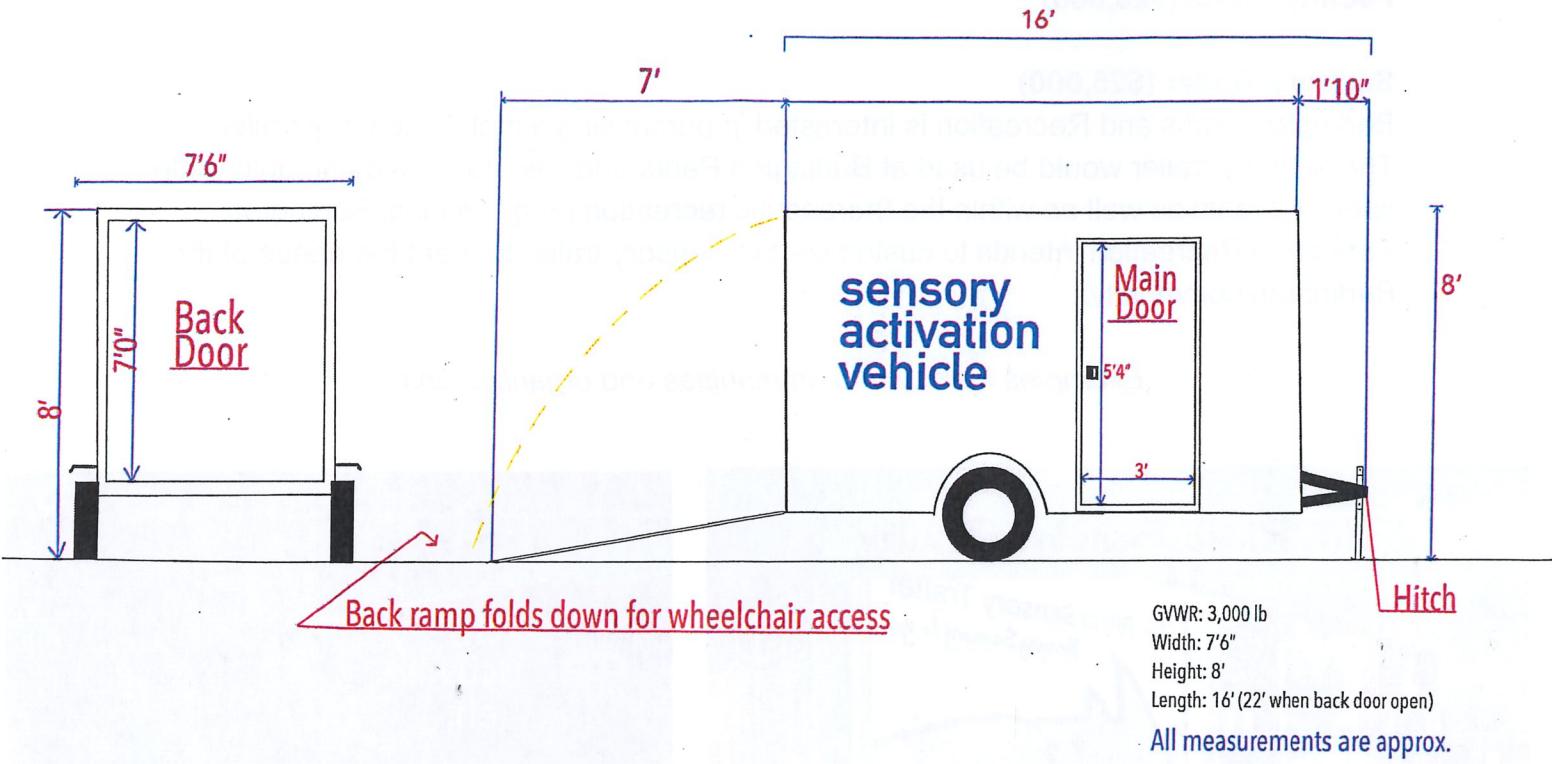
### Sensory Trailer (\$25,000)

Burlington Parks and Recreation is interested in purchasing a mobile sensory trailer. The sensory trailer would be used at Burlington Parks and Recreation's community wide special events as well as within the therapeutic recreation programming. Burlington Parks and Recreation intends to customize this sensory trailer to meet the needs of the Burlington community.

The total cost for a fully customized sensory trailer is \$50,000. We have received a donation in the amount of \$25,000 from the Burlington Disability Access Commission and are seeking the remaining \$25,000 from Town Meeting. We are requesting the additional funding now so that we can have the trailer completed before the start of summer programming and events.

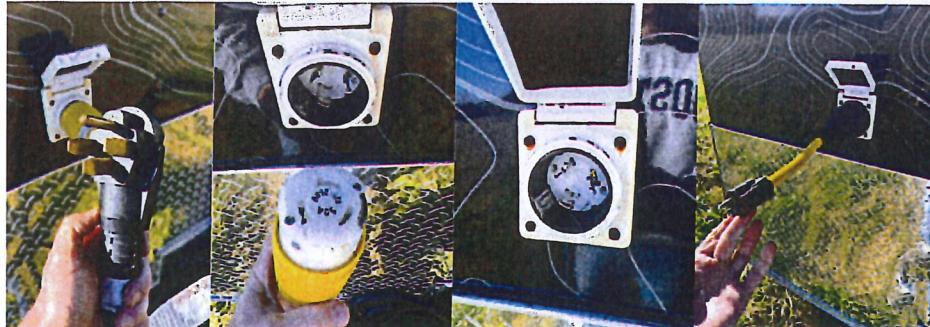
*Examples from other communities and organizations*





### SAV Event Requirements:

- Voltage: 120 v 15 or 20 amp
- Power Source: Within 50 feet
- Edison Outlet (12")
- The 50 amp is 24'
- The Edison Jumper is 15 amp
- Inside Dimensions: 12' Long, 6'6" Wide, 7'2" Tall
- Min. Requirements for Load In: Around 40' Long by 12' Wide
- Min. Requirements for Activation Space: 20' by 10'
- Good Generator Option:  
<https://www.northerntool.com/products/powerhorse-inverter-generator-4500-surge-watts-3500-rated-watts-electric-start-epa-and-carb-compliant-model-lc4500i-96387>
- **Hauling:** need at least a 1/2 ton truck



## **ARTICLE 10**

### **SEWER EASEMENT RELEASE**



# TOWN OF BURLINGTON

## *Office of the Town Administrator*

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Town Meeting Members  
From: Town Administration  
Date: December 31, 2025  
Re: Article 10 – Sewer Easement Release

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### **Background and Purpose**

This article requests authorization from Town Meeting to release a sewer easement affecting a property located on Elm Street. The easement originated through a land taking in 1967.

The Town's sewer system has since been constructed throughout this neighborhood, and the easement was not needed for that purpose. The Department of Public Works has confirmed that there are no current or future plans to install sewer infrastructure within this easement area.

Because the easement constitutes an interest in land held by the Town, its release requires approval by Town Meeting and is subject to a two-thirds vote.

# **ARTICLE 11**

## **DISPOSITION/SALE OF SURPLUS TOWN PROPERTY**



# TOWN OF BURLINGTON

## *Office of the Town Administrator*

John Danizio, Town Administrator

Patrick J. Lawlor, Assistant Town Administrator

To: Select Board, Town Meeting Members  
From: Patrick Lawlor, Assistant Town Administrator  
Date: December 23, 2025  
Re: Article 11 – Disposition/Sale of Surplus Town Property

Article 11 of the January 26, 2026 Town Meeting seeks Town Meeting's approval to sell a town owned parcel, known as 0 Polk Street. The parcel is comprised of 2,615 +/- square feet with 25 feet of frontage and is located in the One Family Dwelling (RO) Zoning District. This parcel been in the possession of the Town since 1978, and the Town does not have a use or a need for it. By selling the parcel, it will become taxable property. It is plausible, depending on who purchases the parcel, that it could become part of, or adjoined to another parcel, which could then provide greater opportunities for the taxable use of the property.

It is not often that the Town seeks to sell its property. Most frequently, Town owned parcels serve an important purpose, or provide the town flexibility for future use for easements or for Town owned-purposes. In its current form, the parcel does not have the required frontage or setback for a viable municipal purpose, or for a conforming residential structure. Combined with another parcel however, the land may be able to be improved upon, and provide greater flexibility for a potential owner. Should a direct abutter choose to incorporate the lot into an adjoining parcel through changes to the existing lot lines, Planning Board review will be required.

The Town obtained 0 Polk Street, known as parcel 34-31-0 in our Assessor's Tax Maps, in 1978 through a tax taking. This occurs when taxes on a property are not collected, and as a result, the Town takes ownership. Properties that the Town acquires through a tax taking are permitted to be auctioned through a foreclosure sale process, and do not require Town Meeting approval. In this case, an auction that was held on September 17, 1981 received no bids, and at that time, became Town property.

*"0 Polk Street" is located off of Humboldt Ave and is approximately 2,500 square feet.*



Upon Town Meeting's approval, the Select Board, through their designee, will advertise the property and negotiate terms of a sale acceptable to the Select Board, and in the best interest of the Town. There has been interest in the parcel from abutters looking to expand their current property. The current assessed value of the property is \$14,400.

# **ARTICLE 12**

## **AMEND GENERAL BYLAW ARTICLE XIII, PUBLIC SAFETY, PROHIBITION OF CRYPTOCURRENCY AUTOMATIC TELLER MACHINES**

**MEMORANDUM**  
**BURLINGTON POLICE DEPARTMENT**



TO: Chief Browne

FROM: Lieutenant Detective Matthew Leary

DATE: 12/1/2025

RE: BitCoin ATM Bylaw

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Chief, as you are aware, we recently submitted a by-law proposal to remove the so-called "Bitcoin" ATMs from various grocery stores, gas stations, and convenience stores in town. These machines, and the companies that profit from them, are currently unregulated by the federal or state government. Over the past 4 years, we have seen a huge increase in the use of these machines in furtherance of criminal activity. Essentially, scam artists will call victims and claim to be from some sort of federal agency OR attempt to discuss a suspicious charge on an Apple account, etc. As the scam progresses, the victim is convinced the only remedy to the problem is to settle up using Bitcoin. Victims are directed to use speaker phone or Bluetooth headphones and are instructed to go to their local bank and withdraw funds. The speaker phone/Bluetooth is so that the scammer can listen in on the transaction to ensure compliance. Once the victim has the funds, they are directed to a particular address where a Bitcoin ATM is. They are instructed to deposit the cash into a predetermined "wallet" and they are given a fake confirmation number from the scammer, and the scam is complete. Previously, we have been seizing cash and also machines as instruments of criminal activity; however, recently, Middlesex County has barred us from proceeding with this. Once the funds hit the initial wallet, it is broken down and sent all over the virtual world, making it virtually untraceable unless we get notified seconds after the transaction. Due to this, most victims have no chance of recouping their funds. We have been proactive in our education of these scams using social media announcements and various trainings; however, this only hits a small number of our local population and does not reach those residents of other communities who are directed to Burlington to send their money. We determined that the best method to ensure this issue is no longer a financial threat to residents is to remove the primary vehicle to distribute these funds to

the criminal entities. In talking to my counterparts in other communities, there is a big push to counter the criminal activity in this manner. Recently, Gloucester and Waltham passed similar city ordinances to ban these machines. As such, we drafted a proposal with the help of town counsel, and it was reviewed by the Attorney General's Office and approved for submission. If you have any further questions about these scams or this initiative, please do not hesitate to let me know. Thank you

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## **ARTICLE 13**

### **AMEND BYLAW ARTICLE ONE TO LIMIT REPEAT ARTICLES**

Amend bylaw Article One to Limit Repeat Articles:

This proposed amendment is intended to improve the efficiency and effectiveness of Town Meeting while preserving the ability to revisit important bylaw issues when appropriate.

Burlington Town Meeting meets three times per year and is already a lengthy and demanding process for Town Meeting Members, boards, staff, and residents. Repeatedly presenting the same or substantially similar bylaws within a short time period can be burdensome and doesn't always result in a different outcome.

Since January 2023, articles related to Town Meeting accessibility have been presented four times. More recently, a proposed amendment to the Town's stormwater bylaw failed at the May Town Meeting and was presented again in September where it did not pass. These examples highlight the need for a reasonable pause between votes on similar bylaw proposals.

The purpose of this amendment is to establish a one year cooling off period following an unfavorable vote. This allows proponents time to gather feedback, make substantive or material changes, and determine whether resubmission is warranted. The bylaw also provides flexibility by allowing a proposal to return within one year if it contains meaningful changes and is recommended by a majority of both the General Bylaw Review Committee and the Select Board.

A similar concept already exists in state law, which prohibits zoning bylaw amendments from being brought back to Town Meeting more than once within a 2 year period after an unfavorable vote. This proposal applies that same principle, in a more limited and flexible form, to general bylaws. The amendment is intended to respect the time of Town Meeting Members and encourage more thoughtful proposals.