

**WARRANT FOR
ANNUAL TOWN MEETING
May 3, 2010
THE COMMONWEALTH OF MASSACHUSETTS**

Worcester, ss.

To any Constable of the Town of Lancaster in the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lancaster qualified to vote in the elections and Town affairs, to meet at **Mary Rowlandson Elementary School Auditorium, 103 Hollywood Drive, in said Lancaster on Monday, the third day of May, at 7:00 o'clock in the evening**, then and there to act on the following Articles:

**ARTICLE 1
Finance Committee
Board of Selectmen**

To see if the Town will raise and appropriate or transfer from available funds the following sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described; or act in any manner relating thereto.

a. Police Vehicle Purchases

Amount:	\$62,750
Funds to be expended by:	Police Department
Purpose:	To purchase two (2) police vehicles
Funding Source:	Sale of Town Owned Land Special Revenue Account

b. Neck Road Phase 1 Water Main Replacement

Amount:	\$357,900
Funds to be expended by:	Board of Public Works
Purpose:	To replace the existing water main on Neck Road from Main Street & Center Bridge Road to Packard Street
Funding Source:	Langen Road Water Project Account

c. Eastwood Cemetery Paving

Amount:	\$15,000
Funds to be expended by:	Board of Public Works
Purpose:	To repave various areas within Eastwood Cemetery
Funding Source:	Cemetery Expendable Interest

d.	Community Center Rehabilitation Project
Amount:	\$65,000
Funds to be expended by:	Town Green Buildings Advisory Committee
Purpose:	Community Center Rehabilitation
Funding Source:	Raise and Appropriate

e.	Pick up Truck Purchase
Amount:	\$25,000
Funds to be expended by:	Board of Public Works
Purpose:	Replace Pick-up truck in the Highway Division
Funding Source:	Raise and Appropriate

f.	Utility Truck Purchase
Amount:	\$25,000
Funds to be expended by:	Board of Public Works
Purpose:	Replace Utility Truck in the Water Division
Funding Source:	Water Revenue

g.	Ambulance Building Sewer Connection
Amount:	\$10,000
Funds to be expended by:	Board of Selectmen
Purpose:	Sewer Connection for the Ambulance Building
Funding Source:	Raise and Appropriate

h.	Cemetery Building Waste Oil Burner Installation
Amount:	\$10,000
Funds to be expended by:	Board of Selectmen
Purpose:	Purchase and Install a Waste Oil Burner in the Cemetery Building
Funding Source:	Raise and Appropriate

Recommendation to be made from the floor.

<p style="text-align: center;">ARTICLE 2 Water Enterprise Fund Board of Public Works</p>

To see if the Town will vote to appropriate \$715,248 (Seven Hundred and Fifteen Thousand and Two Hundred and Forty Eight dollars) from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2010 (*detail below*), or act in any manner relating thereto. The operating expenses for the Water Enterprise are entirely funded by water revenue. ***The Finance Committee recommends passage of this article.***

I. Water Enterprise Revenues	
User Charges	706,698
Connection Fees	8,550
Water Enterprise Available Funds	0
Investment Income	0
Total Revenues	715,248
II. Costs Appropriated in the Enterprise Fund	
Salaries and Wages	200,510
Expenses	130,705
Capital Outlay – Meters	25,000
Capital Outlay – Truck	25,000
Reserve Fund	30,000
Debt Principal and Interest	183,705
Cross Connection	8,550
Budgeted Surplus	11,898
Indirect Costs to General Fund	99,880
Total Costs Appropriated in E. F.	715,248

ARTICLE 3
Finance Committee
Board of Selectmen

To see if the Town will vote to raise and appropriate \$15,820,219 (Fifteen Million, Eight Hundred and Twenty Thousand Two Hundred and Nineteen Dollars) by taxation, by transfer from available funds, from the Water Enterprise Fund, by borrowing, by transfer from Overlay Surplus, by transfer from fund balance reserved for school debt, or any combination thereof; to defray the expenses of the Town for the Fiscal Year beginning July 1, 2010, or act in any manner relating thereto. ***Finance Committee recommends passage of this article.***

The Budget for Fiscal Year 2011 will be available at Town Meeting

ARTICLE 4
Finance Committee
Board of Selectmen

To see if the Town will vote to request the Board of Assessors to commit \$20,000 (Twenty Thousand Dollars) from the FY2011 Overlay Account for Abatements to fund the Senior Citizen Tax Work-off Abatement Program, or act in any manner relating thereto. ***The Finance Committee recommends passage of this article.***

ARTICLE 5
Finance Committee
Board of Selectmen

To see if the Town will vote to authorize the following FY-2011 Revolving Funds, in accordance with G.L. c. 44, §53E½, or act in any manner relating thereto: ***The Finance Committee recommends passage of this article.***

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	SPENDING LIMIT	DISPOSITION OF FY09 FUND BALANCE
Council on Aging Stormwater Management	Council on Aging Community Development and Planning	Senior Newsletter Advertising	Newsletter printing/mailling; other activities	\$ 2,000	Balance Available for Expenditures
Library Book Fines	Library Trustees	Fees	Engineering fees	\$ 50,000	Balance Available For Expenditures
Library Photocopy	Library Trustees	Late Book & Materials Fines	Books - Materials	\$ 5,125	Balance Available for Expenditures
Library Lost Items	Library Trustees	Patron photocopy fee	Photocopy equipment and supplies	\$ 875	Balance Available for Expenditures
M.A.R.T. Conservation Consultants	Council on Aging	Lost Books/Item replacement charge	Books – Materials	\$ 750	Balance Available for Expenditures
Planning Board	Panning Board	Reimbursement – M.A.R.T. – Bus fees	Wages and Expenses for Senior Van operation	\$ 45,000	Balance Available for Expenditures
Community Development Legal Ads	Community Development	Fees from Applicants	Conservation Consulting Services	\$ 20,000	Balance Available for Expenditures
Publications Reprinting	Town Clerk	Fees	Planning-related Expenses	\$ 50,000	Balance Available for Expenditures
Recycling	Recycling Committee	Reimbursement for advertising	Legal Ad publications	\$ 2,500	Balance Available for Expenditure
Recreation Committee	Selectmen	Publications Fees	Publications reprinting expenses	\$ 2,500	Balance Available for expenditures
Library Lost/Replacement Cards	Library Trustees	Donations-Fees- Sale of products	Operating Expenses	\$ 15,000	Balance Available for Expenditures
Duval Road Sewer	Board of Selectmen	Fees	Recreation programs	\$25,000	Balance Available for Expenditures
		Fees/charges	Replacement of materials/supplies	\$ 250	Balance available for Expenditures
		Fees/charges	Sewer Use Charges	\$ 4,000	Balance available for Expenditures

Article 6 Board of Selectmen

To see if the Town will vote to accept any public funds for repairs to roadways, culverts, bridges, water systems, tree planting, and snow removal, and to authorize the Collector-Treasurer to take from available funds or to borrow in anticipation of authorized reimbursements, or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

ARTICLE 7 Board of Selectmen

To see if the Town will vote to transfer from available funds or authorize the Treasurer-Collector to borrow in anticipation of reimbursements, a sum of \$241,640.00 (Two-Hundred and Forty One Thousand Six Hundred and Forty) for authorized road improvements and other projects provided for under Chapter 90 Local Transportation Aid. The Board of Public Works is authorized to expend funds authorized by this article subject to pre-approval of a plan by the Board of Selectmen and Finance Committee, or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

ARTICLE 8
Board of Selectmen

To see if the Town will vote to authorize the Treasurer to enter into a Compensating Balance Agreement(s) for FY2011, pursuant to M.G.L. c.44, §53F, or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

ARTICLE 9
Board of Selectmen

To see if the Town will vote to transfer One Hundred and Ninety-Five Dollars (\$195.00) from available funds to pay an unpaid bill from Fiscal Year 2010 (detail below), or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

Department	Vendor	Amount	Date	Purpose
Board of Selectmen	Lancaster Septic &Excavation	\$195.00	5/13/09	Septic Pumping

ARTICLE 10
Board of Selectmen

To see if the Town will vote establish pursuant to the provisions of G.L. Chapter 44 Section 53E ½ a revolving fund for the Lancaster Police Department into which will be paid all receipts from Cruiser Fees associated with private details, from which costs not to exceed fifty thousand dollars (\$50,000) for the purchase of police vehicles, associated equipment, or any incurred police cruiser related expense, not to include salaries, may be expended without further appropriation by the Lancaster Board of Selectmen, or to act in any manner relating thereto.

ARTICLE 11
Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to enter into employment agreements with the Town Clerk and Planning Director, or act in any manner relating thereto

ARTICLE 12
Energy Commission
Board of Selectmen

To see if the Town will vote to enact a General Bylaw, entitled “Stretch Energy Code, for the purpose of regulating the design and construction of buildings for the effective use of energy, as set forth in Appendix 120 AA of the Massachusetts State Building Code, 780 CMR 120.AA , the “Stretch Energy Code”, as may be amended from time to time, a copy of which is on file with the Town Clerk, or act in any manner relating thereto.

STRETCH ENERGY CODE BYLAW

§ -1 Definitions

§ -2 Purpose

§ -3 Applicability

§ -4 Authority

§ -5 Stretch Code

§ -1 Definitions

International Energy Conservation Code (IECC) 2009 – The international Energy Conservation Code (IECC) is a building code created by the international Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing July 1, 2010, the baseline energy conservation requirements of the MA State Building Code will default to IECC 2009 and MA amendments.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained herein.

§ -2 Purpose

The purpose of 780 CMR 120.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

§ -3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 61, or 93, as applicable.

§ -4 Authority

A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR may mandate adherence to this appendix.

780 CMR 120 AA may be adopted or rescinded by any municipality in the commonwealth in the manner prescribed by law.

§ -5 Stretch Code

The stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, including any amendments or modifications, is herein incorporated by reference into the Town of Lancaster General Bylaws

The Stretch Code is enforceable by the building inspector/municipal code official.

ARTICLE 13 Board of Selectmen
--

To see if the Town will have its elected Board of Public Works become an appointed Board of Public Works, or act in a manner relating thereto.

ARTICLE 14
Board of Selectmen

To see if the Town will vote to transfer the sum of Forty Six Thousand Nine Hundred and Sixty Eight Dollars and Seventy Cents (\$46,968.70) from Overlay Surplus to fund an accounting software conversion for the Finance Department, or act in any manner relating thereto.

ARTICLE 15
Board of Selectmen

To see if the Town will vote to acquire by eminent domain, gift, donation, or otherwise, certain temporary easements necessary for the construction of traffic and safety improvements on Route 70 and Old Union Turnpike, as shown more specifically on plan entitled "Preliminary Right-of-Way Property Plan, Lunenburg Road (Rt. 70) at Old Union Turnpike, Lancaster, MA, Project File No. 605216", dated January 13, 2008, as prepared by Vanasse & Associates, Inc.

ARTICLE 16
Board of Selectmen

To see if the Town will vote to amend the Personnel Bylaw, Chapter 140, Article II, Classification Plan, section 140-9, entitled "Hiring and reclassification" by deleting therefrom existing subsections A(6) and A(7) in their entirety and inserting in place thereof new subsections A(6) and A(7) as follows:

- (6) A Payroll Hiring Authorization must be submitted to the Personnel Board along with copies of the employment application, resume, and proposed letter of employment offer prior to offering the position to the employee. Upon approval from the Personnel Board the letter of employment offer will be given to the applicant.
- (7) All persons selected for employment shall be notified in writing that the offer is conditional pending a physical certification by the Town's physician. The applicant shall undergo a medical examination and drug test prior to setting a start date or a date can be set but start date can not be prior to the results of the physical. The examination shall be at the expense of the Town and by a physician or medical institution selected by the Personnel Board. The examining physician shall advise as to whether or not, in the opinion of the physician, the applicant can perform the essential functions of the job. If deemed unfit to perform the duties of the position for which application has been made the appointing authority shall withdraw the offer of employment;

and further, by renumbering existing subsection A(8) as A(9) and inserting new subsection A(8) as follows:

- (8) A Payroll Hiring Authorization with the required approvals will be submitted to the Town Accountant by the Personnel Board prior to his/her issuance of a voucher for a

new employee. Copies of the approval will also be placed in the employee's personnel file by the Personnel Board.

or act in any manner relating thereto.

ARTICLE 17
Planning Board
Board of Selectmen

To see if the Town will vote to amend the Zoning Bylaw by expanding the Integrated Planning Overlay District 1 (IPOD 1) to include the following land area, and revise the Integrated Planning Overlay District Map (220 Attachment 4) in accordance therewith:

Beginning at a point on the easterly side of Lunenburg Road (Route 70) at the westerly boundary of land shown as Fort Devens on Assessors' Map 19 at the intersection of Lunenburg Road and an unnamed road running in a northeasterly direction from Lunenburg Road to Shirley Road; thence running

Northerly along the easterly side of Lunenburg Road to the most southerly point of Assessors' Map 9, Lot 17; thence continuing

Northerly along the easterly side of Lunenburg Road a distance of approximately 3,423 feet to the most northwesterly point of Assessors' Map 9, Lot 15; thence running

Easterly and southerly along the northern and eastern boundaries of Map 9, Lot 15 a total distance of approximately 3,226 feet to the most southern point of Assessors' Map 9, Lot 15; thence running

Southerly along the eastern boundaries of Assessors' Map 9, Lots 16, 16A and 17 to the most southeasterly point of Assessors' Map 9, Lot 17, thence running

Southerly on land of Fort Devens along a line parallel to Lunenburg Road to a point on the northerly side of the above-mentioned unnamed road running, thence running

Westerly along the northerly side of said unnamed road to the point of beginning;

and further that non-substantive changes to the numbering of this bylaw amendment be permitted in order that it be in compliance with the numbering format of the Code of Lancaster, or act otherwise in relation thereto.

ARTICLE 18
Conservation Commission
Board of Selectmen

To see if the Town will vote to amend the General Bylaws by adding a new Section, which shall prohibit the withdrawal of water for private commercial use by means of pumping from lakes, ponds, rivers, streams, and other surface water bodies, but which shall not apply to agricultural

uses as defined and protected by laws and regulations of the Commonwealth, nor to use by the owners of land abutting said surface water bodies, the purpose of the new Bylaw being to protect the surface water bodies of the Town from alteration of water levels and from degradation of water quality, the text of such new bylaw being on file in the Office of the Town Clerk; or act in any manner relating thereto.

<p style="text-align: center;">ARTICLE 19 Planning Board Board of Selectmen</p>
--

To see if the Town will vote to amend the Lancaster Zoning Bylaw by eliminating from the Water Resource District the following described premises situated south of the Lancaster and Shirley town line, north of Route 2, east of Fort Pond Inn Road and west of Shirley Road:

Beginning at the most northeasterly corner thereof at a point along the Lancaster and Shirley town line and at the centerline of the New England Power Company easement;

Thence southerly along said easement centerline to the centerline of Route 2;

Thence westerly along said Route 2 centerline to a point, said point being the projection of the line separating Assessor's Map 5, Lot 15A and Assessor's Map 5, Lot 26 from said line's intersection with Fort Pond Road to the centerline of Route 2;

Thence northerly along said projection to said intersection with Fort Pond Road;

Thence northerly along the lines separating Assessor's Map 5, Lot 15A from Assessor's Map 5, Lot 26 to a point, said point being the northeasterly corner of Assessor's Map 5, Lot 15A and the southeasterly corner of Assessor's Map 5, Lot 13A;

Thence northeasterly along a straight line to the point of beginning,

and to amend Section 220, Attachment 3, Town of Lancaster Zoning Overlay Map in accordance therewith, and further to amend Section 220-39 (D) by replacing it with the following:

Establishment and delineation of Water Resource District. For the purpose of this district, there is hereby established within the Town of Lancaster a Water Resource District, consisting of aquifers or recharge areas which together constitute the Water Resource District as delineated on Section 220, Attachment 3, as may be amended from time to time by Town Meeting vote under the recommendation of a registered professional engineer (civil or sanitary), hydrologist, geologist, or soil scientist. This map is hereby made a part of the Town of Lancaster Zoning Bylaw and is on file in the office of the Town Clerk.

or act otherwise in relation thereto.

ARTICLE 20
Board of Selectmen

To see if the Town will vote to approve the \$725,000 (Seven Hundred and Twenty Five Thousand) borrowing authorized by the Minuteman Regional Vocational Technical School District on March 30, 2010, for the purpose of paying the costs of a feasibility study to consider options for making improvements to the District's high school building located at 758 Marrett Road, Lexington, Massachusetts, which options shall include, but not limited to renovating, reconstructing, expanding, remodeling, and adding to the district's high school, or any combination of the foregoing, said sum to be expended at the direction of the School Building Committee. Said vote provides as follows:

That the Minuteman Regional Vocational Technical School District (the "District") hereby appropriates the sum of \$725,000 (Seven Hundred and Twenty Five Thousand Dollars) to pay costs of the feasibility study to consider options for making improvements to the District's high school building located at 758 Marrett Road, Lexington, Massachusetts, which options shall include, but not be limited to renovating, reconstructing, expanding, remodeling, and adding to the District's high school, or any combination of the foregoing, said sum to be expended at the direction of the School Building Committee, and to meet this appropriation there is hereby authorized, under and pursuant to Chapter 71 Section 16(d) and Chapter 70B of the General Laws and the District Agreement, as amended, and any other enabling authority, the incurring debt on the full faith and credit of the District in the amount of \$725,000 (Seven Hundred and Twenty Five Thousand Dollars); that the District acknowledges that the Massachusetts School Building Authority's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs of the Project that the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District, and the total amount of the borrowing authorized by this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA; provided, however, that no sums shall be borrowed or expended hereunder unless and until each member town of the District shall have expressed its approval of debt authorized by June 30, 2010

Or act in any manner relating thereto.

ARTICLE 21
Board of Selectmen

To see if the Town will vote to revise the Town By-Law Chapter 17-10 by deleting therefrom the words "one for three years" and inserting in place thereof the words "three for three years", to provide for the staggered terms of two additional members on the Lancaster Recreation Committee, or to act in any manner relating thereto.

And you are directed to serve this Warrant by posting up attested copies thereof at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House and the Town Hall, in said Town seven days at least before the time for holding said meeting. Hereof fail not and

make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

SELECTMEN OF LANCASTER

Jennifer B. Leone, *Chairman*

John P. Sonia, *Clerk*

Christopher J. Williams, *Member*

Date of Execution

CONSTABLE'S CERTIFICATION

I hereby certify under the pains and penalties of perjury that I posted an attested a copy of this Warrant at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Town Hall on the date attested. I further certify that this Warrant was posted in accordance with the By-laws of the Town of Lancaster and the provisions of M.G.L. c.39, §10.

Attest: _____
Constable

Date: _____

**The full text of the Warrant is available in the Town Hall and Thayer Memorial Library.
The Warrant will also be available at Town Meeting.**