

**WARRANT FOR
ANNUAL TOWN MEETING
May 5, 2008
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 in the **Machlan Auditorium, Atlantic Union College at 338 Main Street in said Lancaster on Monday, the fifth day of May, at 7:00 o'clock in the evening**, then and there to act on the following Articles:

**ARTICLE 1
Board of Selectmen**

To hear the annual report of the Board of Selectmen and to act thereon.

**ARTICLE 2
Board of Selectmen**

To see if the Town will vote to authorize the Treasurer to enter into a Compensating Balance Agreement(s) for FY2009, pursuant to M.G.L. c.44, §53F, or act in any manner relating thereto. ***The Finance Committee recommends passage of this article***

**ARTICLE 3
Board of Selectmen**

To see if the Town will vote to request the Board of Assessors to commit \$15,000 (Fifteen Thousand) from the FY2009 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 4
Board of Selectmen**

To see if the Town will vote to authorize the following FY09 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 FY06 FUND BALANCE
Council on Aging	Council on Aging	Senior Newsletter Advertising	Newsletter printing/ mailing; other activities	\$ 2,000	Balance Available for Expenditure
Stormwater Management	Community Development and Planning	fees	Engineering fees	\$ 50,000	Balance Available For Expenditure

Disability Commission	Disability Commission	Activities and Donations	Activities and Programs for Disabled persons	\$ 2,000	Balance Available for Expenditure
Historical Commission	Historical Commission	Research fees & other charges	Research-related wages and expenses	\$ 2,000	Balance Available for Expenditure
Library Book Fines	Library Trustees	Late Book & Materials Fines	Books - Materials	\$ 6,000	Balance Available for Expenditure
Library Photocopy	Library Trustees	Patron photocopy fees	Photocopy equipment and supplies	\$ 675	Balance Available for Expenditure
Library Lost Items	Library Trustees	Lost Book/Item replacement charge	Books - Materials	\$ 500	Balance Available for Expenditure
M.A.R.T.	Council on Aging	Reimbursement - M.A.R.T/Bus fees	Wages and Expenses for Senior Van operation	\$ 45,000	Balance Available for Expenditure
Conservation Consultants	Conservation Commission	Fees from Applicants	Conservation Consulting services	\$ 20,000	Balance Available for Expenditure
Planning Board	Planning Board	Fees	Planning-related Expenses	\$ 50,000	Balance Available for Expenditure
Community Development Legal Ads	Community Development	Reimbursement for advertising	Legal Ad publications	\$ 2,500	Balance Available for Expenditure
Publications Reprinting	Town Clerk	Publications Fees	Publications reprinting expenses	\$ 2,500	Balance Available for Expenditure
Recycling	Recycling Committee	Donations - Fees - Sale of products	Operating Expenses	\$ 15,000	Balance Available for Expenditure
Recreation Committee	Selectmen	fees	Recreation programs	\$ 25,000	Balance Available for Expenditure
Library Lost/Replacement Cards	Library Trustees	Fees/charges	Replacement materials/supplies	\$ 500	Balance available For expenditure

ARTICLE 5 Board of Selectmen

To see if the Town will vote to amend the *Personnel Compensation Wage and Salary Schedule* by increasing all amounts by 2% effective July 1, 2008 (*detail below*), or act in any manner relating thereto.
The Finance Committee recommends passage of this article.

FY2009 Proposed Wage Scale

<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 10px;">GRADE</div> <div style="border: 1px solid black; padding: 2px; margin-right: 10px;">STEP 1</div> </div>							
		STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
1 hourly	8.94	9.31	9.71	10.11	10.53	10.98	11.42
annual	18,656.70	19,444.71	20,275.32	21,105.92	21,979.12	22,916.22	23,853.31
2 hourly	10.40	10.83	11.29	11.78	12.26	12.77	13.30
annual	21,723.55	22,618.05	23,576.44	24,598.73	25,599.72	26,664.60	27,772.07
3 hourly	11.41	11.89	12.38	12.90	13.45	14.01	14.60
annual	23,832.01	24,833.00	25,855.29	26,941.46	28,091.53	29,262.90	30,476.87

4 hourly	12.35	12.87	13.41	13.98	14.57	15.18	15.80
annual	25,791.39	26,877.57	28,006.34	29,199.01	30,412.97	31,690.83	32,989.98
5 hourly	13.27	13.81	14.39	15.00	15.63	16.28	16.95
annual	27,708.18	28,836.95	30,050.91	31,328.77	32,627.92	33,990.97	35,396.61
6 hourly	13.71	14.29	14.89	15.52	16.16	16.83	17.53
annual	28,623.97	29,837.94	31,094.50	32,414.95	33,735.40	35,141.04	36,610.57
7 hourly	14.83	15.44	16.10	16.76	17.46	18.19	18.93
annual	30,966.71	32,244.57	33,607.61	34,991.96	36,461.49	37,973.62	39,528.35
8 hourly	15.45	16.11	16.77	17.47	18.21	18.96	19.75
annual	32,265.86	33,628.91	35,013.25	36,482.79	38,016.22	39,592.24	41,232.15
9 hourly	16.14	16.81	17.51	18.26	19.02	19.79	20.62
annual	33,692.80	35,098.44	36,567.98	38,122.70	39,720.02	41,317.34	43,063.75
10 hourly	17.62	18.35	19.13	19.93	20.78	21.65	22.54
annual	36,780.96	38,314.38	39,933.00	41,615.51	43,383.21	45,214.80	47,067.70
11 hourly	20.03	20.86	21.74	22.64	23.57	24.57	25.59
annual	41,828.49	43,553.59	45,385.19	47,280.67	49,218.75	51,305.92	53,435.68
12 hourly	20.51	21.37	22.28	23.21	24.16	25.16	26.23
annual	42,829.47	44,618.47	46,513.96	48,452.04	50,454.01	52,541.18	54,777.43
13 hourly	22.41	23.35	24.33	25.35	26.41	27.52	28.66
annual	46,790.83	48,750.21	50,794.78	52,924.54	55,139.49	57,460.92	59,846.26
14 hourly	25.05	26.11	27.19	28.33	29.51	30.75	32.04
annual	52,306.91	54,521.86	56,779.40	59,143.44	61,613.96	64,212.26	66,895.76
15 hourly	26.42	27.53	28.67	29.88	31.12	32.43	33.78
annual	55,160.78	57,482.22	59,867.55	62,380.67	64,978.98	67,705.07	70,537.65
16 hourly	27.47	28.61	29.81	31.06	32.36	33.71	35.12
annual	57,354.44	59,739.77	62,252.88	64,851.19	67,577.28	70,388.57	73,327.64

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 and 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 \$236,158.00 (Two-Hundred and Thirty-Six Thousand One Hundred and Fifty-Eight) 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 Capital Expenditure 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 approve the following Capital Improvement Program for Fiscal Year 2009 and the ensuing two fiscal years as set forth below, or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

Town of Lancaster
3 Year Capital Plan - Procurement Schedule

Department	Item	FY09	FY10	FY11
Police	Police Cruiser 4X4	34,035	34,035	35,736
	Police Station Carpet/Paint	5,000	25,000	
	Radar Trailer			
Fire	SCBA Life Safety Upgrades	0	35,000	
	Utility Pickup			34,000
	Hovercraft			400,000
	Replace Ladder Truck			
	South Station Structural Repairs	0		
	Replace 1971 Tanker		325,000	
Communications	Public Safety Communication Base	50,000		
School	MR and LB – Kitchen Replacement Project	0	15,000	15,000
	MR and LB – Security Systems	0		
	MR Addition Design Services	0	250,000	
Highway	Cemetery Hot Topping	35,000		
	40,000GVW truck/snowplow/sander		40,000	
	Water Meter Replacements	25,000		
	New Water Source	0		
	2.5 Yd Diesel Wheel Loader w/attachments			150,000
	DPW Office Building Expansion		200,000	
	New 54" 20HP commercial mower with accessories	0		
Town Buildings	4 x 4 Tractor Loader Backhoe – Water Division		80,000	
	Veterans War Memorial	0	15,000	15,000
	Town Green Buildings Re-Hab	0		
	Fiber Optic Library to Town Hall	10,000		
Computer Tech Recreation	Computer purchases/replacements	0	11,025	11,576
	Tennis Court Rehabilitation/Reconstruction	10,000.		
Annual Total		169,035	1,064,060	627,312

ARTICLE 9
Board of Selectmen

To see if the Town will appropriate the sum of \$169,035 (One Hundred and Sixty Nine Thousand Thirty Five Dollars) by taxation, by transfer from available funds, by borrowing, or any combination thereof, to provide the following capital requests to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described; ***The Finance Committee recommends passage of this article.***

a. Police 4x4 Vehicle Replacement

Amount: \$34,035

Funds to be expended by: Police Department

Purpose: To purchase a new marked police 4x4 cruiser as a replacement for a 2003 model. The 2003 model will then be transferred to the Town Hall for use by Inspectional Services, Board of Assessors and/or Public Buildings Department.

Funding Source:

b. Police Station Carpet/Paint

Amount: \$5,000

Funds to be expended by: Police Department

Purpose: To paint & carpet.

Funding Source:

c. Communication Public Safety Base

Amount: \$50,000

Funds to be expended by: Communications

Purpose: Completion of Public Safety Base.

Funding Source:

d. Cemetery Hot Top

Amount: \$35,000

Funds to be expended by: DPW – Cemetery Division

Purpose: To hot top cemetery.

Funding Source:

e. Water Meter Replacements

Amount: \$25,000

Funds to be expended by: DPW – Water Division

Purpose: To purchase and install new water meters as replacements for old meters.

Funding Source: Water Reserve Fund

f. Public Buildings Fiber Optic from Library to Town Hall

Amount: \$10,000

Funds to be expended by: Board of Selectmen

Purpose:	Connect Town Hall, Library with fiber optic
Funding Source:	

g. Recreation	
Amount:	\$10,000
Funds to be expended by:	Recreation
Purpose:	Reconstruction/Rehabilitation of Tennis Courts at Thayer Field
Funding Source:	

<p align="center">ARTICLE 10 Water Enterprise Fund Board of Public Works</p>

To see if the Town will vote to appropriate \$700,000 (Seven Hundred Thousand) from the Water Enterprise Fund, and to transfer \$61,029 (Sixty-One Thousand and Twenty-Nine) from the Water Retained Earnings to finance the operation of the Water Department for the fiscal year beginning July 1, 2008 (*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	682,500
Connection Fees	9,500
Water Enterprise Available Funds	61,029
Investment Income	8,000
Total Revenues	761,029
II. Costs Appropriated in the Enterprise Fund	
Salaries and Wages	202,989
Expenses	223,660
Capital Outlay – Equipment	0
Capital Outlay – Improvements	0
Reserve Fund	
Debt Principal and Interest	225,000
Cross Connection	9,500
Budgeted Surplus	
Indirect Costs	24,331
Benefits	53,363
Pension Costs	22,186
Total Indirect Costs	99,880
Total Costs Appropriated in E. F.	761,029

<p align="center">ARTICLE 11 Board of Selectmen</p>
--

To see if the Town will vote to raise and appropriate the sum of \$15,849,123 (Fifteen Million Eight Hundred Four-Nine Thousand One Hundred Twenty Three Dollars) by taxation, by transfer from available funds, from Water Enterprise, by borrowing, or any combination thereof; to defray the expenses of the

Town for the Fiscal Year beginning July 1, 2008, or act in any manner relating thereto. *Finance Committee recommends passage of this article*

Budget Attachment is at the end of the Warrant

<p style="text-align: center;">ARTICLE 12 Board of Selectmen</p>
--

To see if the Town will vote to create an Agricultural Commission as follows, or act otherwise in relation thereto.

Purpose: The mission of the Agricultural Commission (“the Commission”) is to preserve, revitalize and sustain the Lancaster agricultural industry and to promote agricultural-based economic opportunities. The Commission shall develop a work plan to guide its activities. Such activities include, but are not limited to, the following: shall serve as facilitators for encouraging the pursuit of agriculture in Lancaster; shall promote agricultural-based economic opportunities in the Town; shall act as advocates and educators on farming issues; shall work for preservation of prime agricultural lands; and shall pursue all initiatives appropriate to creating a sustainable agricultural community.

Membership: The Commission shall consist of five members, at least four of whom shall be Lancaster residents, appointed by the Board of Selectmen. The Commission shall consist of a minimum of three members whose primary or secondary source of income is derived from farming of agricultural-based enterprises in Lancaster, and another two who are interested in farming. The Board of Selectman shall appoint two alternates, one of which whose primary or secondary source of income is derived from farming, and one who is interested in farming. The members shall serve overlapping terms of three years, with the first two members for a term of three years, two members for a term of two years, and one member for a term of one year. Thereafter, appointments shall be for three year terms. The Board of Selectmen shall fill a vacancy based on the un-expired term of the vacancy in order to maintain the cycle of appointments. The Board of Selectmen shall appoint the alternates for three-year terms. The Commission may recommend appointees to fill vacancies.

<p style="text-align: center;">ARTICLE 13 Board of Selectmen</p>
--

To see if the Town will vote to amend the General Bylaws by making ministerial, clerical amendments and grammatical corrections thereto, including a recodification and recaptioning of the complete General Bylaws, and further, to amend the General Bylaws to make certain substantive amendments, all as set forth in the Final Draft of the Code of the Town of Lancaster, dated April 1, 2008; provided, however, that all bylaws currently in force and not included in the Code shall be repealed, but such repeal shall not apply to or affect any personnel bylaw, or take any other action relative thereto.

ARTICLE 14
Board of Selectmen

To see if the Town will vote to amend the Zoning Bylaw by making ministerial, clerical amendments and grammatical corrections thereto, including a recodification and recaptioning of the complete Zoning Bylaw, and further, to amend the Zoning Bylaw to make certain substantive amendments, all as set forth in Chapter 220 of the Final Draft of the Code of the Town of Lancaster, dated April 1, 2008; provided, however, that all zoning bylaws currently in force and not included in the Code shall be repealed, or take any other action relative thereto.

ARTICLE 15
Board of Selectmen

To see if the Town will vote to accept Oetman Way as a public way as heretofor laid out by the Board of Selectmen and shown on plan entitled "Residential Subdivision Definitive Plan Plan of Lots Sunset Ridge, Goss Lane, Lancaster, MA" dated May 16, 2005 made by Goldsmith, Priest & Ringwall, Inc. and recorded with Worcester District Registry of Deeds in Plan Book 827, Page 28, and filed with the Town Clerk, together with all related drainage, utility and other easements; said Oetman Way being more particularly described in the plan on file with the Town Clerk, and in furtherance thereof to authorize the Board of Selectmen to acquire the fee interest in said way, together with all related drainage, utility and other easements, by gift from the record owner or owners thereof, or take any action relating thereto.

ARTICLE 16
Historical Commission

To see if the Town will vote for a bylaw that would prohibit any permanent structures from being constructed above ground on the Town Green, defined by Thayer Memorial Drive and Main Street. The restriction would exempt the present stone and bronze markers already erected on the green. Also, it would exempt the four tress planted representing the four Thayer brothers on the south and north corners, which would be replanted when needed by appropriate trees, and the evergreen which presently stands in the middle of the green, or act in a manner relating thereto.

ARTICLE 17
Board of Selectmen
Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw as follows, or act in relation thereto.

1. Amend Article 11 Definitions by inserting the following definition at its appropriate alphabetical location:

"ACCESSORY APARTMENT – A second dwelling unit subordinate in size to a pre-existing single-family dwelling unit on the lot and having separate cooking, sleeping and bathroom facilities, located either in the principal building or in an existing accessory structure."

2. Amend Section 3.21 Residential Uses under “Accessory Uses” as follows:

- by inserting a new row, immediately below “AA,” to be headed “AB. Accessory apartment in a single-family dwelling, with no change in the principal use of the premises,” with “SP” entries for each district, and with a note in the last column reading “See Section 3.37.”

3. Amend Section 3.30 SUPPLEMENTARY USE REGULATIONS by adding new subsection 3.37, to read as follows:

“3.37 Accessory Apartments

- (a) The principal single-family detached dwelling shall have been lawfully in existence for at least five years prior to the date of application for the special permit under this Section.
- (b) Either the primary single-family detached dwelling or the proposed accessory apartment must be and remain owner-occupied, except for temporary absences of no more than twelve consecutive months.
- (c) The habitable floor area of the accessory apartment, whether located in a detached accessory structure or in the principal single-family dwelling structure, shall not exceed 1/3 of the combined habitable floor area of the apartment and the single-family dwelling, or 1200 square feet, whichever is less.
- (d) The accessory apartment shall have its own separate entrance from the outside. There shall be no more than one entrance door to the single-family detached dwelling on any single façade. All stairways to upper floors shall be enclosed within the exterior walls of the dwelling.
- (e) The accessory apartment unit shall be designed to be occupied by no more than three persons, and shall conform to the Massachusetts Department of Public Health Minimum Standards for Human Habitation and all other applicable State codes for such occupancy.
- (f) If the dwelling is not to be served by both Town water and Town sewerage, then the applicant must document that the Board of Health has determined that provisions for water and sewage disposal will upon occupancy be adequate for the anticipated number of inhabitants.
- (g) At least three parking spaces must be provided to service the primary dwelling plus the accessory apartment. Not more than one parking space may be located within a required yard. If more than two outdoor parking spaces are to be provided on the premises, their visibility must be reduced through use of landscaping materials per Zoning Section 13.42.
- (h) The special permit shall be approved provided that the proposal satisfies paragraphs (a) through (g) above, and that the Planning Board determines that there will be net benefits to the community through the proposed housing provision and the design of the proposal, after consideration of the following.
 - (i) The importance of the benefit resulting from serving either a community housing need or a special need of potential occupants.
 - (ii) How compatible the design of any exterior construction or alterations, if any, is with the design of existing structures on the site and in the neighborhood.

- (iii) How well any site alterations to accommodate parking or building expansion avoid damage to natural resources, to privacy and sunlight on abutting premises, to the character of the neighborhood, and to safety.
- (i) Applicants must submit plans and calculations to demonstrate compliance with the above requirements, including the floor area limitations of §3.37 (c), the access requirements of §3.37 (d), and the parking requirements of §3.37 (g)."

ARTICLE 18 Board of Selectmen

To see if the Town will vote pursuant to Massachusetts General Laws (M.G.L.) Chapter 71, Section 16B, or any other authority, to disapprove the bond authorization voted on April 3, 2008 by the Nahsoba Regional School District for the field and track replacement project at the Nashoba Regional High School; or do or act relating thereto.

ARTICLE 19 Board of Selectmen

To see if the Town will vote to make the following amendments to the Lancaster Personnel By-law or act in any manner relating thereto:

Sections 4 – Definitions

ADD:

c-1. Reduced hours Part Time Employee – Any employee who is employed less than 19 hours for each of the 52 weeks per year for the department or position in which that person is employed..

CHANGE:

*e. **Special**, Temporary or Seasonal*

Section 5 – Classification Plan

B. Employee Categories

ADD:

C. Reduced hours Part Time

CHANGE:

C: to **D**:

D: to **E**:

H. Work Week

Amend to:

The normal week for a regular full time employee shall be at least thirty-five (35), but not more than forty (40) hours. *The normal work week for a regular part time employee shall be at least 20 hours but less than 35 hours. **A** Reduced hours part time employee shall be regularly scheduled hours that are less than 19 hours per week.* The Department Head, with the approval of the Board, Committee or commission responsible for the Department will establish and post permanently on the Department bulletin board the regular working hours for all employees of that department. The normal lunch period will not be a paid period.

A. Application

ADD:

Reduced hours Part Time Employees – Eligible for vacation and sick time benefits, in proportion to the ratio that their average weekly hours of work in the preceding twelve (12) months bears to the normal work week for their job. Not eligible for Health Insurance or other benefits.

ARTICLE 20
Board of Selectmen

To see if the Town will vote to transfer a sum of money from free cash to the stabilization fund, or act in a manner relating thereto.

ARTICLE 21
Board of Selectmen

To see if the Town will vote to transfer \$231,382.15 (Two Hundred and Thirty One Thousand Three Hundred and Eighty Two Dollars and Fifteen Cents) plus any interest accrued through June 30, 2008 from the Water Capital Fund to Water Retained Earnings, or act in a manner relating thereto.

ARTICLE 22
Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen in enter into a Preservation Restriction Agreement with the Commonwealth of Massachusetts regarding the preservation of the Prescott Building, as on file in the office of the Town Clerk, and to file and record said Preservation Restriction Agreement at the Worcester Registry of Deeds, or act in a 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 fourteen 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

Christopher Williams, *Chairman*

Shawn Winsor, *Clerk*

Jennifer Leone, *Member*

Date of Execution

CONSTABLE'S CERTIFICATION

I hereby certify under the pains and penalties of perjury that I posted an attested 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.**