

TOWN OF LINCOLN, MASSACHUSETTS

ANNUAL TOWN MEETING: Saturday, March 28, 2009: 9:30 a.m.
ANNUAL ELECTION: Monday, March 30, 2009: 7:30 a.m. – 8:00 p.m.

2009 WARRANT



TOWN OF LINCOLN

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

To either of the Constables of the Town of Lincoln in said County:

GREETINGS:

In the name of the Commonwealth you are hereby required to notify the legal voters of said Town of Lincoln qualified to vote at Town Meeting for the transaction of Town Affairs to meet for the annual election at the Smith School Gymnasium on Monday, the thirtieth day of March, 2009 next, starting at 7:30 a.m., then and there to act on the following Article 1, **and also to meet for the annual town meeting in the Donaldson Auditorium in said Lincoln on Saturday, the twenty eighth day of March, 2009 at 9:30 a.m., then and there to act on the following articles, except Article 1**, by posting a copy of this Warrant, by you attested, in said Town, seven days at least before the 28th day of March next."

The polls for voting the ballot on Monday, March 30th will be opened at 7:30 a.m. and will be closed at 8:00 p.m.

Any person requiring this warrant in a larger print format, or anyone requiring handicap related assistance at the town meeting, please contact the Selectmen's Office at 781-259-2600 prior to Friday, March 20, 2009. Every reasonable attempt will be made to provide the necessary assistance.

Note: Town meeting shall be continued to Tuesday, March 31st, 2009 at 7:30 p.m. if needed.

ARTICLE 1

To bring in their votes for one or more members for each of the following offices;

- Town Clerk for one year
- Board of Assessors for three years
- Trustee of Bemis Fund for three years
- Trustee of Bemis Fund for two years
- Cemetery Commission for three years
- DeCordova & Dana Museum and Park Trustee for four years
- Board of Health for three years
- Housing Commission for three years
- Planning Board for five years
- Recreation Committee for three years
- Lincoln Sudbury Regional District School Committee (2) for three years
- School Committee for three years
- Board of Selectman for three years
- Commissioner of Trust Funds for three years
- Commissioner of Trust Funds for two years
- Water Commissioner for three years

Question 1. Shall the Town of Lincoln be allowed to assess an additional \$230,000.00 in real estate and personal property taxes for the purposes of replacing the Reed Field House Roof at the Lincoln School campus, including all costs incidental and related thereto, for the fiscal year beginning July 1, 2009?

YES

NO

ARTICLE 2

To bring in their votes for any Committees, Commissioners, Trustees, and other officers required by law to be elected by ballot or otherwise.

Selectmen

ARTICLE 3

To hear and act upon the reports of the Town Officers, Committees, Commissioners and Trustees.

Selectmen

ARTICLE 4

To see if the Town will vote to fix the salaries and compensation of the several elective officers of the Town and to determine whether any Department, Board or Committee shall be authorized to employ for additional compensation any of its members and to fix additional compensation of such members; or take any other action relative thereto.

Selectmen

ARTICLE 5

To see if the Town will vote to accept Chapter 73, Section 4 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988, for the purpose of increasing the real estate tax exemptions by 100 percent to all persons who qualify for property tax exemptions under Clauses 17, 17C, 17C1/2, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B and 41C under Chapter 59, Section 5 of the Massachusetts General Laws; or take any other action relative thereto.

Assessors

ARTICLE 6

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to fund the Town's Senior Tax Work-off Program, established pursuant to Massachusetts General Laws, Chapter 59, Section 5K, and by vote of the Town under Article 6 of the 2003 Annual Town Meeting; or take any other action relative thereto.

Selectmen

ARTICLE 7

To see if the Town will vote to raise and appropriate money for the necessary and expedient purposes of the Town; or take any other action relative thereto.

Finance Committee

ARTICLE 8

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase a wood chipper for the Highway Department; or take any other action relative thereto.

Selectmen

ARTICLE 9

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase firefighter bunker gear for the Fire Department; or take any other action relative thereto.

Selectmen

ARTICLE 10

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase two replacement cruisers and related equipment for the Lincoln Police Department, and to see if the Town will authorize the disposal by sale or otherwise of excess vehicles and equipment; or take any other action relative thereto.

Selectmen

ARTICLE 11

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase information technology strategic planning services for the IT Department; or take any other action relative thereto.

Selectmen

ARTICLE 12

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase and install computer "Scan-to-PC" software, or similar scanning software, for Town departments including any related software, licenses, training, maintenance and all costs incidental and related thereto; or take any other action relative thereto.

Selectmen

ARTICLE 13

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase and install new computer equipment for various Town departments, including hardware, software, licenses, training, maintenance and all costs incidental and related thereto; or take any other action relative thereto.

Selectmen

ARTICLE 14

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to fund year three of a three year lease for computer technology for the Lincoln schools; or take any other action relative thereto.

School Committee

ARTICLE 15

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase and install a replacement AC compressor for the Lincoln School campus, including all costs incidental and related thereto; or take any other action relative thereto.

School Committee

ARTICLE 16

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof to fund necessary asbestos abatement at the Brooks School, including all costs incidental and related thereto; or take any other action relative thereto.

School Committee

ARTICLE 17

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase architectural and or engineering services to design necessary curtain wall replacements at the Hartwell building on the Lincoln School campus; including all costs incidental and related thereto; or take any other action relative thereto.

School Committee

ARTICLE 18

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing, or any combination thereof, for the purposes of the replacement of the Reed Field House Roof at the Lincoln School campus, including all costs incidental and related thereto; provided, however, that the vote taken hereunder shall be made contingent upon approval by the voters of the Town at an election of a "capital outlay exclusion" in accordance with the provisions of Massachusetts General Laws, Chapter 59, Section 21C(i½), otherwise known as Proposition 2 ½, so-called, or take any other action relative thereto.

School Committee

ARTICLE 19

To hear a report from the Board of Selectmen regarding the proposed renovation and expansion project for the Town Offices building.

Selectmen

ARTICLE 20

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to fund the Group Insurance Liability Fund established by Chapter 474 of the Acts of 2008, which Fund will allow the Town to meet the so-called other post employment benefits funding obligations established by the Statements 43 and 45 of the General Accounting Standards Board; or take any other action relative thereto.

Selectmen

ARTICLE 21

To see if the Town will vote to transfer from free cash a sum of money equal to the state reimbursement amounts for Special Education Medicaid expenses to supplement the FY10 Lincoln School operating budget; or take any other action relative thereto.

School Committee

ARTICLE 22

To see if the Town will vote to accept and expend such sum or sums of money that may be available under the provisions of Massachusetts General Laws, Chapter 90, Section 34, Clause 2(a) or other state roadway reimbursement programs and to authorize the Board of Selectmen to enter into a contract with the Commonwealth of Massachusetts, Massachusetts Highway Department and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow in anticipation of 100% reimbursement of said amounts; or take any other action relative thereto.

Selectmen

ARTICLE 23

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of certain Town buildings; or take any other action relative thereto.

Selectmen

ARTICLE 24

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, to be used for the repair and maintenance of the Lincoln Library; or to take any other action relative thereto.

Library Trustees

ARTICLE 25

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, for door repairs at the Hartwell School and for the repair and rehabilitation of classrooms at the Lincoln School campus; or take any other action relative thereto.

School Committee

ARTICLE 26

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, by borrowing or any combination thereof, for the repair and maintenance of various secondary town roads; or take any other action relative thereto.

Selectmen

ARTICLE 27

To receive and act on a recommendation from the Board of Selectmen and Finance Committee with regard to the presentation of the annual Bright Light Award, and to raise and appropriate the necessary funds to support this award; or take any other action relative thereto.

Selectmen

ARTICLE 28

To see if the Town will vote to establish a special purpose stabilization fund in accordance with Massachusetts General Laws, Chapter 40, Section 5B for the purpose of supporting the Lincoln Sudbury Regional High School budget and any other lawful purpose associated therewith including but not limited to operations, capital expenses, assessments, evaluation of the regional agreement and other related uses; and, as funding therefor to raise and appropriate a sum of money by taxation, by transfer from available funds (including any amount appropriated under Article 7 that is over and above the final assessment voted by the Lincoln Sudbury Regional High School Committee), by borrowing or any combination thereof; or take any other action relative thereto.

Finance Committee

ARTICLE 29

To see if the Town will vote to transfer from free cash or any other source of funds a sum of money to reduce the total amount to be raised by taxation pursuant to the votes previously taken under Article 7 of this Warrant; or any other article of this Warrant authorizing the appropriation of funds; or take any other action relative thereto.

Finance Committee

ARTICLE 30

To see if the Town will vote to transfer from Water Enterprise Retained Earnings a sum of money to make necessary water plant improvements; or take any other action relative thereto.

Water Commissioners

ARTICLE 31

To hear an interim report from the Comprehensive Long Range Planning Committee.

Planning Board

ARTICLE 32

To see if the Town will vote to agree that: The Selectmen shall appoint an *ad hoc* committee to study town-supported group homes in Lincoln. This seven-person committee of residents shall be comprised of representatives of multiple neighborhoods, committees, trusts or boards. The committee will report to Town Meeting in 2010 and 2011 on: 1) the comparative impact on the Town and its neighborhoods of group homes (as compared to other town-supported affordable housing alternatives), 2) the appropriate fit for group housing within the Town's long-term housing plan, and 3) ways to involve potentially impacted neighborhoods in the decision-making process before Town funds are committed for group homes. The *ad hoc* committee shall be charged with ensuring an open and visible public dialogue focused on this set of issues. There will be a moratorium in effect on Town spending (i.e. financial or other support) for group homes until after Town Meeting 2011, unless a specific spending proposal on a group home (including location, deal structure, and town investment) is approved at the town meeting or by town ballot prior to such time.

Citizen Petition

ARTICLE 33

To see if the Town will vote to agree that: Town funds, including funds controlled by the Affordable Housing Trust or other similar public entities, whether from Community preservation Act revenues or from any other source, will only be used to establish or maintain a group home in Lincoln, where the Town will own the property. To ensure protection of Town interests, there shall be a planning and consultation process during which period the Town shall determine the most appropriate means to proceed with any public funding of a group home. This process shall include identification of the requirements for legal protection, insurance, due diligence, and public communications. Before any committing public funds or making other financial obligations relating to any group home, the Town will hold appropriate open meetings for review and presentation of the results of the planning and consultation process. The planning, consultation and review process will not take less than sixty days.

Citizen Petition

ARTICLE 34

To hear a report from the Community Preservation Committee on the Fiscal Year 2010 Community Preservation Budget, and to appropriate or reserve for later appropriation monies for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation projects and all other necessary and proper expenses for the year, and to determine whether such sums shall be raised from the Community Preservation Fund, transferred from available funds, borrowed, or any combination of these methods; or take any other action relative thereto.

Community Preservation Committee

ARTICLE 35

To see if the Town will vote to expand the size of the Lincoln Board of Selectmen from three members to five members, adding two members to be elected by vote during the regular town election in 2010; implement this intent in the following manner unless it be counter to statute: in the March 2010 election, three Selectmen positions to be filled, one for a term of one (1) year and thereafter for a term of three years, one for a term of two (2) years and thereafter for a term of three (3) years, one for a term of three (3) years; adopt the pertinent section or sections of Massachusetts General Law and carry out any other appropriate enabling actions to achieve this intent.

Citizen Petition

ARTICLE 36

To see if the Town will vote to authorize the Board of Selectman to file a petition with the Great and General Court in order to allow the Town, through its Board of Selectman, to issue a retail license for the sale of beer, wine and spirits ("full liquor") with said license to be subject to the provisions of G.L. Ch. 138, and that, upon passage of said special act by the Great and General Court, the authority to issue said license shall not be effective until the question of allowing the Town to issue a full liquor license, as described above, is passed by a majority of the votes cast on a ballot question at the Town election succeeding passage of the special act.

Citizen Petition

ARTICLE 37

To hear a report from the Public Health Nurse Study Committee, authorized by vote of the March 29, 2008 Annual Town Meeting.

Selectmen

ARTICLE 38

To hear a report of the Green Energy Technology Committee.

Selectmen

ARTICLE 39

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 32B, Section 18, which, if accepted, will require all retirees, their spouses and dependants who are enrolled or eligible to enroll in Medicare Part A at no cost to a retiree, their spouse or dependants, to enroll in a Medicare health benefits supplement plan offered by the Town, or take any other action relative thereto.

Selectmen

ARTICLE 40

To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws, Chapter 41, Section 2, to increase the term of office of the elected Town Clerk from one to three years, with such change to be implemented at the 2010 Annual Town Election, or take any other action relative thereto.

Selectmen

ARTICLE 41

To see if the Town will vote in accordance with Massachusetts General Laws, Chapter 60, Section 77C to accept a deed in lieu of foreclosure from Snow Development Co., Inc. of a parcel of land identified as Map 108, Block 5, Lot 0 (0 Old Conant Road) for outstanding taxes, municipal charges and liens in the amount of approximately \$15,065.00, and to authorize the Board of Selectmen to record the deed, provided that the Board of Selectmen determines that the deed and acceptance thereof have complied with the provisions of said Section 77C, and further, to transfer said property from the Board of Selectmen for tax title purposes to the Conservation Commission for conservation purposes, or take any other action relative thereto.

Selectmen

ARTICLE 42

To see if the Town will vote in accordance with the provisions of Massachusetts General Laws, Chapter 71, Section 16G ½ to approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, or take any other action relative thereto.

Minuteman School Committee

ARTICLE 43

To see if the Town will vote to reauthorize revolving accounts previously established by vote of the Town under Massachusetts General Laws, Chapter 44, Section 53E ½, for the following purposes: school bus fees, pre-school tuitions, fire alarm maintenance fees, firearms licenses fees and housing rental income; with amendment to the housing rental income fund amount and purposes; said fees of the revolving accounts to be expended by the authorized entity without further appropriation; or take any other action relative thereto.

Selectmen

ARTICLE 44

To see if the Town will vote to amend Section 16.6 (d) of the Zoning Bylaws by deleting the strikethrough text and inserting the italicized text, as follows, "Except as authorized by (~~Special~~) *Sign* Permit pursuant to Section 16.5." ; or take any other action relative thereto.

Planning Board

Hereof fail not and make return of this Warrant with your doings, thereon to the Town Clerk, at or before the time for the meeting aforesaid. Given under our hands this the 23rd day of February in the year of our Lord two thousand and nine.



Sara A. Mattes, Chair



Gary A. Taylor



Sarah Cannon Holden

SELECTMEN OF LINCOLN