

PROPOSED MOTIONS
For the
ANNUAL TOWN MEETING
Saturday, March 29, 2008 - 9:30 a.m.

Note: Motions under articles 4, 5, 6, 9, 10, 11, 13, 24, 25, 26 and 46 are to be found on the green Consent Calendar.

Motion under ARTICLE 2 Selectmen

Moved: That Ephraim Flint be elected Fence Viewer and John D. Robinson and Paul Giese be elected Measurers of Wood and Bark for the ensuing year

Motion under ARTICLE 3 Selectmen

Moved: That the reports of the Town Officers, Committees, Commissioners and Trustees, as printed in the Town Report, be accepted.

Motion under ARTICLE 7 Finance Committee

Moved: That the Town adopt as the FY09 budget appropriations the recommendations listed in the report of the Finance Committee, printed on pages 31 through 35 inclusive, of the Financial Section and Warrant for the 2008 Annual Town Meeting, **with the following exception:**

Please see attached final page to Table 1 (originally omitted in printing) with remainder of financial information pertaining to the Unclassified appropriations, Water Enterprise Fund appropriations and Total appropriation summaries.

And that all items be raised by taxation except to the following extent and to the extent provided in any motion to be made under Articles 23 and 36 (And Water Surplus articles 29 - 32) of the 2008 Warrant:

- | | |
|--------------|--|
| Dept. 1491 | Cemetery Department – Expenses - \$6,700.00 to be taken from Cemetery Perpetual Care Trust Fund Income – Expendable Trust. |
| Dept. 1171 | Conservation Commission – Personnel Services - \$3,000.00 to be taken from Wetlands Protection Fees Receipts Reserved for Appropriation. |
| Dept. 1290 | Town Offices – Personnel Services - \$71,000.00 to be taken from the Hanscom Fund. |
| Dept. 1290 | Town Offices – Personnel Services - \$60,000.00 to be taken from Water Revenue. |
| Dept. 61451 | Water Department <ul style="list-style-type: none">▪ Personnel Services - \$370,287.00 to be taken from Water Revenue;▪ Expenses - \$387,160.00 to be taken from Water Revenue;▪ Debt Service - \$179,000.00 to be taken from Water Revenue. |
| Dept. 614513 | Water Department - Reserve Fund – \$45,000.00 to be taken from Water Surplus. |

Motion under ARTICLE 8 Selectmen

Moved: That the Town provide the Lincoln Sudbury Regional High School supplemental funding in excess of the assessment Lincoln is obligated to pay under the provisions of the Lincoln-Sudbury Regional School District Agreement, in support of the FY 09 operating budget for the Lincoln-Sudbury Regional High School; to the extent that the regional assessment is less than the amount of the appropriation voted in Article 7, line 1331, and that the difference be paid as a grant; provided however, that the Town's appropriation of said supplemental funding shall not be construed to: set a precedent for the Town's level of contribution to the Regional School District budget in future years; nor shall it affect the calculation of the Town's financial obligation to the District under the Regional School District Agreement; or otherwise affect the obligations of the parties to the Regional School District Agreement.

Motion under ARTICLE 12 Selectmen

Moved: That the Town raise and appropriate the sum of \$220,000 by taxation, to purchase necessary emergency dispatch system renovations for the Town Public Safety Dispatch Center including radios, necessary console, video recording, and related equipment including installation, and other related costs.

Motion under ARTICLE 14 School Committee

Moved: That the Town raise and appropriate the sum of \$125,000 by taxation to fund year two of a lease for computer technology for the Lincoln schools.

Motion under ARTICLE 15 Selectmen

Moved: That the Town authorize the Board of Selectmen to acquire by gift an easement on land located at 38 Sandy Pond Road, Lincoln, Massachusetts, for the purposes of establishing an emergency access to the Lincoln School campus.

Motion under ARTICLE 16 School Committee

Moved: That the Town raise and appropriate the sum of \$25,000 by taxation to cover costs of design and/or construction of an emergency access road for the Lincoln School campus.

Motion under ARTICLE 17 School Committee

Moved: That the Town will vote to raise and appropriate the sum of \$20,000 by taxation, to fund temporary repairs to, and an engineering study regarding future repair or replacement of, the Lincoln School Reed Field House.

Motion under ARTICLE 18 Selectmen

Moved: That the Town raise and appropriate the sum of \$58,500 by taxation, to purchase and equip a new light dump truck with plow for the Public Works Department; including all costs incidental and related thereto.

Motion under ARTICLE 19 Selectmen

Moved: That the Town raise and appropriate the sum of \$39,000 by taxation, to purchase and equip a new pickup truck with plow for the Public Works Department; including all costs incidental and related thereto.

Motion under ARTICLE 20 Selectmen

Moved: That the Town raise and appropriate the sum of \$48,000 by taxation to purchase and equip a new pickup truck with dump body and plow for the Conservation Department; including all costs incidental and related thereto.

Motion under ARTICLE 21 Selectmen

Moved: That the Town raise and appropriate by borrowing the sum of \$5,500,000 for the costs of completing road rehabilitation for several main town roadways; including any necessary design, drainage, site work, pavement grinding and paving by the Public Works department, including all costs incidental and related thereto; and that the Treasurer, with the approval of the Selectmen, borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law, issue bonds or notes of the Town in connection therewith; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bonds or notes from the provisions of Proposition 2-1/2, so-called.

Motion under ARTICLE 22 Selectmen

Moved: That the Town raise and appropriate by borrowing the sum of \$200,000 for the costs of purchasing and equipping a new pumper tanker fire truck and any related equipment, including all costs incidental and related thereto; and that the Treasurer, with the approval of the Selectmen, borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law, and to issue bonds or notes of the Town in connection therewith; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bonds or notes from the provisions of Proposition 2-1/2, so-called.

Motion under ARTICLE 23 School Committee

Moved: That the Town transfer from free cash the sum of \$45,919, which is equal to the state reimbursement amounts for Special Education Medicaid expenses to supplement the FY09 Lincoln School operating budget.

Motion under ARTICLE 27 School Committee

Moved: That the Town raise and appropriate the sum of \$125,000 by taxation, with \$75,000 to be used for the repair and rehabilitation of classrooms at the Lincoln School campus, and \$50,000 to be used for exterior painting and general repairs at the Lincoln School campus; or take any other action relative thereto.

Motion under ARTICLE 28 Planning Board and Assessors

Moved: That the Town raise and appropriate the sum of \$6000.00 by taxation to fund the initial set-up and first year maintenance of an on-line mapping service for the Town website.

Motion under ARTICLE 29 Water Commissioners

Moved: That the Town authorize the establishment of a Water Conservation Stabilization Fund pursuant to M.G.L. C40 s5B for the study and implementation of water conservation measures, and transfer the sum of \$100,000.00 from Water Surplus funds to this Stabilization Fund to support programs designed to promote water conservation.

Motion under ARTICLE 30 Water Commissioners

Moved: That the Town transfer from Water Surplus funds, the sum of \$500,000 to purchase the replacement of the filters at the filtration plant, and any related expenses.

Motion under ARTICLE 31 Water Commissioners

Moved: That the Town transfer from Water Surplus funds the sum of \$38,000 to fund an engineering study and design for the location of water pipes in Lincoln related to the reconstruction of Route 2 at Crosby's Corner.

Motion under ARTICLE 32 Water Commissioners

Moved: That the Town transfer from Water Surplus funds the sum of \$40,000 to purchase a new truck or other appropriate vehicle for regular use by the Water Department.

Motion under ARTICLE 33 Selectmen

Moved: That the Town act on a recommendation from the Board of Selectmen and Finance Committee and present the annual Bright Light Award to John Snell, member of the Planning Board and Chair of the Green Energy Committee, and appropriate the \$500 to support the award.

Motion under ARTICLE 34 Citizen Petition

Moved: That the Town establish a temporary task force to assess the needs for and to determine the desirability and feasibility of instituting a Town Nurse position; and, depending on the findings, to propose the establishment, responsibilities and funding of that position at the 2009 Meeting. The task force should consist of three-to-five volunteers approved by the Selectmen, plus a representative from each of the following agencies: Board of Health, Fire Department, Council on Aging, Lincoln School Health Unit and Commission on Disabilities. The task force should complete a preliminary report, including any relevant costs, in October, 2008.

Motion under ARTICLE 35 Finance Committee

Moved: That the Town will vote to transfer from free cash or any other source of funds the sum of _____ 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.

Motion under ARTICLE 36 Community Preservation Committee

Moved: That the town hear a report from the Community Preservation Committee and that the following amounts (items A – M) be appropriated or reserved from Fiscal Year 2009 Community Preservation Fund Revenues, or transferred from prior year’s revenues for Community Preservation purposes:

	Project	Total Appropriation	Source of Appropriation
	Appropriations:		
A	To fund for historic resources purposes the construction of an archival-caliber vault in the Library, such expenditures to be made within three years of Town Meeting in order to be eligible for this funding.	\$465,097	\$359,517 from CPA FY 09 Projected Revenues, \$105,580 from CPA Historic Reserves
B	To appropriate funds for open space purposes to the town’s Conservation Fund through which the Conservation Commission is permitted to acquire land for conservation purposes.	\$25,585	\$25,585 from General CPA Fund Balance
C	To fund for open space purposes a pilot program of the Conservation Commission to manage invasive plants and species on town conservation land.	\$31,000	\$31,000 from General CPA Fund Balance
D	To fund for community housing purposes the expenses of a consultant to assist in updating the town’s Consolidated Housing Plan.	\$12,000	\$12,000 from General CPA Fund Balance
E	To appropriate funds for community housing purposes to the town’s Affordable Housing Trust fund to be used for affordable housing pursuant to a grant agreement between the Community Preservation Committee and the trustees of the Affordable Housing Trust Fund.	\$900,000	\$678,804.05 General CPA Fund Balance \$221,195.95 from CPA Housing Reserves
F	To fund for historic resources purposes various components of the Library fire suppression system installation, such expenditures to be made within two years of Town Meeting in order to be eligible for this funding.	\$63,288	\$63,288 from General CPA Fund Balance
G	To fund CPC administrative expenses.	\$6,000	\$6,000 From General CPA Fund Balance
H	To fund debt service payments due on temporary borrowing, payable in June FY08 for previously voted CPA projects.	\$58,976	\$58,976 From General CPA Fund Balance
I	To fund FY09 debt service payments due on first year permanent borrowing for previously voted CPA projects.	\$136,567	\$136,567 From CPA FY 09 Projected Revenues
	Project Appropriation Subtotal	\$1,698,513	
J	Housing Reserve	\$87,300	\$87,300 from CPA FY09 projected revenues
K	Open Space/Land Acquisition Reserve	\$87,300	\$87,300 from CPA FY09 projected revenues
L	Historic Preservation Reserve	0.00	
M	Recreation Reserve	0.00	
	Reserves Subtotal	\$172,000	
	Total	\$1,870,513	

Article 36 Explanation:

This article proposes projects recommended by the Community Preservation Committee under Lincoln's Community Preservation Act (CPA) passed at the March, 2002 Annual Town Meeting and the November, 2002 Election. The descriptions of the proposed projects/actions are contained below:

- A. **Town Archives Stabilization and Expansion Project** - The Library and the Town Clerk have requested funds to renovate the library vault so that it meets the State's standards for safes and vaults so as to minimize deterioration of materials in the Town Archives. The project is intended to address the lack of capacity and lack of climate control in the current library vault, which is the primary repository for historical and other materials documenting Lincoln's heritage, and will also reconfigure the four rooms adjacent to the vault.
- B. **Conservation Land Acquisition Fund** – The Conservation Commission has requested transfer of \$25,585 to the town's Conservation Fund for expenditures consistent with the Community Preservation Act, the Conservation Fund and the town's Open Space Plan. This will bring up the balance of the Conservation Fund to \$100,000. Monies in the Conservation Fund allow the Conservation Commission to respond quickly when lands of conservation interest become available for purchase, to provide a purchase option deposit, or to fund expenses such as surveyors or for soil testing. CPA funds previously transferred to the town's Conservation Fund have been used to purchase the Heck property, the Booth property and the Flint property (north of Route 2).
- C. **Management of Invasives** - The Conservation Commission has requested funds to conduct a pilot project to remove non-native invasive plant species from town-owned conservation land, primarily Mount Misery, Flint's Pond and Tanner's Brook, and to treat the Codman Hemlock Grove against infestation by the woolly adelgid.
- D. **Updated Consolidated Housing Plan** - The Housing Commission has requested funds to engage a consultant to assist in updating the town's Consolidated Housing Plan, which was last updated in 2003. In addition to identifying short and long range goals, the consultant would also help evaluate the feasibility of projects and determine appropriate action plans to help the town meet its affordable housing needs through 2011. With the commencement of construction on the Deaconess project, the town currently meets the 10% affordable housing goal. However, this 10% figure is calculated based on Lincoln's housing stock as of 2000. When the 2010 census is completed, reflecting the town's increased housing stock, it is anticipated that Lincoln will fall about 15 units short of the 10% goal. It is the intent that this updated plan will help the town meet that shortfall in advance.
- E. **Affordable Housing Trust Fund** – The town authorized the creation of an Affordable Housing Trust at Town Meeting in 2006, and also authorized the appropriation of \$900,000 in seed money to enable that Trust to create and preserve affordable housing for the benefit of low and moderate income households. Those funds were subject to a "claw back" right, whereby any funds not expended prior to January 1, 2008 were to be returned to the Community Preservation Fund. The authorization requested under this item will reauthorize the \$900,000 funding until January 1, 2009. The CPC will enter into a new grant agreement with the Trust to establish conditions for the use of this appropriation, which agreement shall provide, among other things, that none of those funds shall be expended without the approval of the Community Preservation Committee, and that the unexpended balance of the appropriation authorized hereunder, as of January 1, 2009, shall be returned to the Community Preservation Fund, and to authorize the appropriate town Officials to take such action as is necessary to carry out this vote.
- F. **Library Suppression System** - Pursuant to the January 2004 Condition Survey Report, and the September 2006 Library Sprinkler System Upgrade Report (the latter of which was funded by CPA funds at TM 2006), the Lincoln Library seeks funds to upgrade its fire protection system in phases. At Town Meeting in 2007, the town authorized an appropriation of \$33,424 from the Community Preservation Fund to fund the first phase of that project, namely: (i) enhance sub-basement sprinkler coverage and attic detection system coverage, (ii) upgrade the Library fire-control panel and masterbox, and (iii) install sprinklers in the basement level stacks and reading room. That amount was based on the figures provided in the prior reports. In response to the Library's RFP, it received bids well in excess of that amount. The Library hired a cost estimator to provide a better estimate of the true cost of this project, resulting in the appropriation in this item. In order to make sure CPA funds are not tied up indefinitely, the CPC recommends that funding under this Article be made available for only two years from the date of Town Meeting.
- G. **Administrative Expenses** - These funds will be used primarily to pay membership dues in the Community Preservation Coalition, a statewide organization that represents the interests of CPA communities. In addition, these funds will be available for costs associated with public information, mailings, hearings, and legal support.
- H. **FY08 Debt Service payments** - Debt payment costs associated with the third year temporary borrowing (Bond Anticipation Note) for previously voted CPA projects, pursuant to Article 8 of the April 2, 2005 Town Meeting; Harrington Row Land Acquisition, Affordable Housing-Sunnyside Lane Construction and Rehabilitation, and Library Gund Roof Replacement. Includes a statutory principal payment and interest expense.

- I. **FY09 Debt Service payments** - Debt payment costs associated with first year permanent financing for previously voted CPA projects pursuant to Article 8 of the April 2, 2005 Town Meeting; Harrington Row Land Acquisition, Affordable Housing-Sunnyside Lane Construction and Rehabilitation, and Library Gund Roof Replacement.
- J. **Housing Reserve Fund** - The CPA requires that a minimum of 10% of annual revenues be spent or set aside for affordable housing.
- K. **Open Space/Land Acquisition Reserve Fund** – The CPA requires that a minimum of 10% of annual revenues be spent or set aside for Open Space/Land Conservation.
- L. **Historic Preservation** – The CPA requires that a minimum of 10% of annual revenues be spent or set aside for historic preservation.
- M. **Recreation** – The CPA permits, but does not require, the town to spend or set aside funds for recreational purposes. No funds are reserved for recreational purposes at this time.

Motion under ARTICLE 37 Selectmen

Moved: That the Town authorize the Board of Selectmen to petition the General Court for special legislation, as set forth below, establishing an “Other Post Employment Benefits (“OPEB”) Trust Fund” for purposes of complying with Statements 43 and 45 of the Governmental Accounting Standards Board (“GASB 43 and 45”); said trust fund to be credited with all amounts appropriated or otherwise made available by the Town for the purposes of meeting the current and future OPEB costs payable by the Town, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court; and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF LINCOLN TO ESTABLISH A POST-EMPLOYMENT HEALTH INSURANCE TRUST FUND.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, there is hereby established in the town of Lincoln a trust fund to be known as the Group Insurance Liability Fund, as set out in sections 2 to 4, inclusive, for the purpose of funding the municipality’s future liabilities for contributions to retired employees’ health insurance premiums.

SECTION 2. As used in this act, the following words shall have the following meanings:-

“Normal cost of post-retirement benefits”, that portion of the actuarial present value of future premium costs or claim costs payable by the town on behalf of or direct payments payable by the town to retired employees, including school teachers, of the town and the eligible surviving spouses or dependents of deceased employees, including school teachers, of the town, under this act which is allocable to a particular fiscal year, as determined by an actuary under section 4.

“Post-retirement benefit liability”, the present value of the town’s obligation for future premium payments and claim costs on behalf of or direct payments to retired and prospectively retired employees of the town and the eligible surviving spouses or dependents of deceased and prospectively deceased employees of the town attributed by the terms of the plan to employee’s service rendered to the date of the measurement under this act, as determined by the actuary, under section 4.

“Unfunded post-retirement benefit liability”, the difference between the post-retirement benefit liability on the measurement date and the actuarial value of the assets of the Group Insurance Liability Fund on the same date, as determined by the actuary.

“Unfunded post-retirement benefit liability amortization payments”, the amount which, when paid into the Group Insurance Liability Fund annually over a period of years together with the normal cost of post-retirement benefits for each year of that period of years, will reduce to zero at the end of that period the unfunded post-retirement benefit liability in existence as of the beginning of the period as determined by the actuary.

SECTION 3. The town treasurer shall manage the Group Insurance Liability Fund in consultation with the board of selectmen and town administrator. The fund shall be credited with all amounts appropriated or otherwise made available by the town for the purposes of meeting the current and future cost of premiums payable by the town on behalf of or direct payments payable by the town to retired employees of the town and the eligible surviving spouses or dependents of deceased employees of the town under this act, and the town is expressly authorized to appropriate or otherwise make available funds for such purposes. Amounts in the fund, including any earnings or interest accruing from the investment of these amounts, shall be expended only for the payment of these premiums or direct payments, except as otherwise provided in this act, and only in accordance with a schedule of payments developed by the actuary in consultation with the board of selectmen. Subject in each instance to the approval of the town administrator, the town treasurer shall invest and reinvest the amounts in the fund not needed for current disbursement consistent with the prudent person rule. The treasurer may employ any qualified bank, trust company, corporation, firm or person to advise it on the investment of the fund and may pay for this advice and other services as determined by the board of selectmen.

SECTION 4. An actuary shall determine, as of January 1, 2009 and no less frequently than every second year after that date, the normal cost of post-retirement benefits, the post-retirement benefit liability, and the unfunded post-retirement benefit liability. All these determinations shall be made in accordance with generally accepted actuarial standards, and the actuary shall make a report of these determinations. The report shall, without limitation, detail the demographic and economic actuarial assumptions used in making these determinations, and each report after the first report shall also include an explanation of the changes, if any, in the demographic and economic actuarial assumptions employed and the reasons for any changes, and shall also include a comparison of the actual expenses by the town for premium or direct payments constituting the post-retirement benefit liability during the period since the last determination, and the amount of these expenditures which were predicted under the previous report for that period.

The actuary, in consultation with the board of selectmen, shall establish a schedule of annual payments to be made to the Group Insurance Liability Fund designed to reduce to zero the unfunded post-retirement benefit liability. This schedule shall reduce the initial unfunded post-retirement benefit liability over a period of years not to exceed 30. Any additional unfunded liability created after the last such determination by the provision of any new benefit or by any increase in the premium share payable by the town shall be separately amortized over the 15 years following the date of the determination in which the additional liability is first recognized. Each annual payment shall be equal to the sum of the unfunded post-retirement benefit amortization payment required for that year and the payments required to meet the normal cost of post-retirement benefits for the fiscal year.

All payments for the purposes of meeting the town's share of premium costs for direct payments to retired employees of the town and the surviving spouses or dependents of deceased employees of the town under this act shall be made from the Group Insurance Liability Fund in accordance with a schedule of disbursements established by the actuary.

SECTION 5. This act shall take effect upon its passage.

Motion under ARTICLE 38 Planning Board

Moved: That the Town hear the reports of the Comprehensive Long Range Planning Committee regarding the current status of the planning project.

Motion under ARTICLE 39 Selectmen

Moved: That the Town hear the reports of the Green Energy Committee regarding the current status of their projects.

Motion under ARTICLE 40 Selectmen

Moved: That the Town establish a Town Facilities Energy Performance Standard, as follows:

Clause I: Any town-owned buildings to be constructed or town-owned buildings undergoing major renovations shall be designed, to the extent practicable, as set forth below in Section II, so that the fossil fuel-generated energy consumption of the buildings is reduced, as compared with such energy consumption by a similar building with no fossil fuel-generated energy consumption reduction measures in fiscal year 2003 (as

measured by Commercial Buildings Energy Consumption Survey or Residential Energy Consumption Survey data from the Energy Information Agency), by the percentage specified in the following table:

<u>Year</u>	<u>% reduction</u>
2008	50
2010	55
2015	65
2020	80
2025	90
2030	100

Clause II. Any Town entity acting as the project proponent for construction of a new building or renovating an existing building subject to the performance standard set forth herein, or the Town entity responsible for coordinating the design and construction or renovation of such a building, if such entity is different, may petition the Selectmen to adjust downward the applicable percentage reduction requirement by certifying in writing that meeting such requirement would be technically impracticable in light of the entity's specified functional needs for that building. Upon receipt of such a petition, the Selectmen may, in its sole discretion, adjust downward the applicable percentage reduction requirement. If the Selectmen is the project proponent, as described above, prior to taking any action to adjust downward the applicable percentage requirement, the Selectmen shall hold a public hearing for which at least one week's notice is published in a newspaper of general circulation in the Town.

Clause III. This standard shall take effect 180 days following enactment.

Motion under ARTICLE 41 Town Clerk

Moved: That the Town authorize the Board of Selectmen to petition the General Court for special legislation, as set forth below, requiring that any write-in candidate at a municipal election notify the Town Clerk's office of such intention at least two weeks prior to the date of the election and further that such candidate receive a minimum of ten votes to be elected; provided however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to bill before enactment by the General Court; and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to Elections in the Town of Lincoln

Section 1. Notwithstanding the provisions of section 2 of chapter 50 of the general laws, or of any other general or special law to the contrary, in elections for municipal officers in the town of Lincoln, a person whose name is not printed on the ballot but who wishes to be a candidate for election shall file a letter with the Town Clerk by hand, mail, or electronic means at least two weeks prior to the date of the election announcing that she or he will be a write-in candidate for election and setting forth a statement as to the candidate's qualifications and objectives; such statement shall be a public record subject to mandatory disclosure upon request in accordance with the provisions of section 7, clause twenty-sixth of chapter 4 of the general laws.

Section 2. A write-in candidate at a municipal election must receive at least ten (10) votes in order to be elected to office.

Section 3. A write-in candidate who receives the highest number of votes cast for the office at the election but who fails to comply with Sections 1 or 2, above, shall not be deemed to have been elected to office; provided, however, that notwithstanding any other provision of this act if such write-in candidate receives at least the same number of votes as the number required, under M.G.L. ch.53, section 6, to place his or her name in nomination such candidate will be deemed to have been elected. If a write-in candidate does not comply with Sections 1 or 2 of this act, and does not otherwise meet the requirements for election as set forth in Section 3 of this act, the office shall be declared vacant and filled in accordance with the general laws.

Section 4. This act shall take effect upon passage.

Motion under ARTICLE 42 Finance Committee

Moved: That the Town amend Section 1 of the Lincoln General Bylaws Article IV (Finance Committee) by inserting the word “elective” prior to the words, “Town office,” and by deleting the words, “either elected or appointive” appearing after the words “committee membership,” so that Section 1 shall read as follows:

“There shall be a permanent committee known as the Finance Committee, comprised of seven registered voters of the Town who shall serve without pay and shall not, while serving on said Committee, hold any other elective Town office or committee membership, nor be in the employ of the Town, except as otherwise provided in these By-laws or as expressly authorized by vote of the Town.”

Motion under ARTICLE 43 Lincoln Historical Commission

Moved: That the Town authorize the Board of Selectmen to file a petition with the General Court as follows for special legislation authorizing the appointment to the Historical Commission of two or more alternate members, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court; and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Historical Commission of the Town of Lincoln

Section 1. Notwithstanding the provisions of section 8D of chapter 40 of the general laws or of any other general or special law to the contrary, the board of selectmen of the town of Lincoln is hereby authorized to appoint annually two or more alternate members to the historical commission, which alternate members shall serve for a term of one year; such members may be designated by the chairman of the historical commission to sit on the commission in the case of absence, inability to act or conflict of interest on the part of any member or in the event of a vacancy until such time as the vacancy is filled in accordance with the general laws; any alternate member of the commission may be removed by the board of selectmen, after a public hearing, if requested.

Section 2. This act shall take effect upon passage.

Motion under ARTICLE 44 Planning Board

Moved: That the Town amend the Zoning Bylaw Section 16.5 to change the language for sign permits as follows:
Note: Proposed **Additions** to the bylaw language are shown in bolded italicized text and **Deletions** being shown in crossed-out bolded text as follows:

16.5 Signs Requiring a **Special Sign** Permit from the Planning Board and a Permit from the Building Inspector

(a) All signs not described in Sections 16.2, 16.3, or 16.4 require a **special sign** permit from the Planning Board and a permit from the Building Inspector

(b) In granting a **special** permit for a sign, the Planning Board may impose such conditions, safeguards, limitations and restrictions as it deems appropriate and which are not inconsistent with any of the provisions of the Zoning Bylaw. The design (colors, font, size and style, method of lighting and form of sign) is subject to approval by the Planning Board. The Board may grant a **special sign** permit if in its sole judgment the sign will not be detrimental to the public safety and welfare and will be in harmony with the general purpose and intent of the Zoning Bylaw. **Special Sign** permits shall only be issued following public hearing in accordance with Chapter 40A of the General Laws. ~~Special permits for signs shall be granted for a period not to exceed three (3) years and shall only be renewable upon application to the Planning Board.~~

(c) For **special sign** permits in the B-1, B-2, or B-3 districts, only one wall-mounted or parapet mounted accessory sign will be permitted for each separate and distinct place of business located on the ground level of a building. The area of such sign shall not exceed one (1) square foot for every linear foot of ground level storefront, such linear footage to be measured on the longest wall of storefront and not to exceed 30 square feet in any event.

Motion under ARTICLE 45 Planning Board

Moved: That the Town amend the Zoning Bylaw Section 17.7.3 to require, in certain situations, preliminary meetings for site plan review as follows: Note: Proposed **Additions** to the bylaw language are shown in bolded italicized text and **Deletions** being shown in crossed-out bolded text as follows:

17.7.3 Procedures. The Planning Board encourages a preliminary meeting with prospective site plan applicants prior to commencement of any design ~~development~~ activities, including but not limited to: siting and design of all proposed buildings, structures, septic systems, or proposed renovations to existing buildings. At ~~such a~~ ***the preliminary*** meeting a mutually agreeable ~~submission and process~~ ***may be agreed upon will be established*** that will ~~both simplify and~~ expedite the ***permitting*** process for the applicant and facilitate ~~the~~ fulfillment of the Planning Board's responsibilities under Section 17.7. ~~Such an agreement shall be documented in writing.~~ ***For additions, new construction, or reconstruction exceeding 4000 square feet of Calculated Gross Floor Area, modifications to septic systems, removal of vegetation from areas exceeding 2000 square feet, or grade changes in excess of four feet, a preliminary meeting is mandatory.***

Except as **otherwise** provided in Section 17, the procedure applicable to the issuance of a special permit pursuant to Section 21 (notice, hearing, etc.) shall be applicable in all respects to the review of a site plan under Section 17.7. Within ten (10) business days of its receipt of application for site plan approval, the Planning Board or its agent shall determine whether or not the application is complete in accordance with Section 17.7 or otherwise agreed to by the applicant and the Planning Board. If the Planning Board finds that the submission is incomplete because all requisite information has not been included, it shall promptly notify the applicant in writing and the site plan shall not be considered filed until the Planning Board determines that the site plan application is complete. The Planning Board shall hold a public hearing in accordance with the procedures set forth in Section 9 of M. G. L. 40A which pertain to special permits except that the Planning Board shall hold a hearing on the site plan within 45 days of receipt of a completed submission and shall make a decision within 30 days of the closing of the public hearing.