

To: Town Representatives and Town Meeting Members *ex officio*

From: Bob Nason, Town Administrator

Date: April 29, 2009

Re: May 14, 2009 Annual Town Meeting Warrant

While much of the Annual Town Meeting warrant is self-explanatory, this memorandum, together with the below-mentioned spreadsheets and enclosures, provides additional information about the spending plan's estimated impact on the average single family home and the levy limit, the operating budget increases from last fiscal year (FY), as well as the special articles and their recommended funding sources. This memorandum and the annual town meeting warrant are posted on the municipal web site, lee.ma.us.

We have enclosed a copy of the April 28, 2009 *Preliminary Estimate of Anticipated Tax Rate Impact and Levy Limit Calculations*. We have based our tax rate impact calculation on the House Ways and Means Committee's proposed \$250,422 or 32.3 % decrease in unrestricted state aid and proposed \$67,066 or 14.5% increase in assessments. We estimate local receipts will decline by \$55,000. Accordingly, based on the FY09 average assessment of \$251,179, we calculate that the average single-family tax burden would rise from \$3,057 to \$3,132 or by \$75. With respect to the levy limit imposed by Proposition 2 ½, we estimate that this revenue and spending plan will be about \$851,789 below the limit.

FY 2008 revenue in excess of our estimate and expenses, for operations and special projects, less than we budgeted contributed \$822,582 to the \$1,871,002 undesignated general fund balance that is \$220,062 or 10.5% less than last year. Of those available funds, the proposed transfers at the Special and Annual Town Meetings amount to \$782,253 which is \$250,391 or 25% less than the available funds that were committed to the current fiscal year. Looking ahead to next year, we do not expect to generate the same amount of savings. Since we are annually tightening our non-personnel budgets, the amount of under spending will continue to decline. With estimated interest earnings, we expect the Stabilization fund balance to be \$1,565,118 on June 30, 2009. Since that amounts to approximately ten percent (10%) of the total operating budget excluding the enterprise and reserve revenue accounts, this year we have not recommended increasing that fund.

Tri-Town Health Department Director Peter Kolodziej authored the explanation for Article 16, and School District Technology Administrator Charles Flynn wrote the explanations for Articles 19 and 20. Chief Ronald Glidden provided the explanation for Article 21 and Superintendent of Public Works Christopher Pompei, P.E., supplied information to explain Articles 26-30. The Planning Board authored the explanations for Articles 36-38, and Richard H. Vinette, Jr., Lee Community Development Corporation Executive Director, wrote the explanation for Article 39. The Berkshire Regional Planning Commission provided the enclosed maps and information regarding Articles 33 and 38. Land Use Assistant Jaimy Messana and Information Technology Trainer David Parker collaborated on the enclosed map illustrating Article 36.

Article 1. Town Reports

This article appears annually, and it provides for the acceptance of the Annual Report. This edition of the Annual Report covers fiscal year 2008 (ended June 30, 2008). On May 5, 2009 the report will be posted on the municipal website, and shortly hereafter hard copies will be available at the Library, the Post Offices and Town Hall.

Article 2. FY10 Operating Budgets

This article presents the FY 2010 Operating Budgets for all departments, except those presented by separate articles due to extraordinary funding sources (Fire Department, Reserve Fund, Animal Control, Cemetery and Health Department – Articles 3, 4, 6, 10 and 11) or their reserved receipts (Ambulance, Sewer and Water - Articles 5, 7 and 8).

The proposed appropriations reflect consensus among those who manage the respective accounts and the members of the Finance Committee. The Compensation Plan recommended by the members of the Personnel Board, which is incorporated in this article as well as Articles 3, 5, 6, 7, 8, 10 and 11, provides a 2.25% base salary/wage increase for non-union, municipal employees who constitute less than ten percent of the Town's workforce. Most town employees work for the school department and/or a collective bargaining agent represents them. When an effort to reach consensus on a town-wide wage freeze failed, the teachers' contracted, 2.25% cost of living adjustment became the basis for the proposed municipal wage increases. The three municipal collective bargaining agreements (highway/cemetery/water distribution, dispatch and police) expire at the end of the current fiscal year. The budgets that fund those agreements have also been increased by 2.25%. There are no new positions; and, one position the Building Inspector's Assistant Clerk, which was not filled this year, is not funded in FY 2010.

The enclosed copy of the April 28, 2009 *Comparison of Program Spending* compares the FY 2010 budget requests to the amounts expended in FY 2008 and the amounts budgeted in FY 2009. The recommended operating budget for FY 2010 increases FY 2009 appropriations by \$102,186 or 0.7%. Including the Water, Sewer and Ambulance budgets which are funded by receipts reserved for those expenditures, the budget increase is \$268,704 or 1.4%.

In addition to increased personnel expense, other factors driving the operating budget increases include software licensing and maintenance fees, the rising cost materials such as salt and asphalt and employee retirement and health insurance costs. Slower growth in the number of new participants in our health insurance plan mitigated the impact of a 6% premium increase, and the advance purchase of electricity supply and heating oil will help stabilize energy costs in FY 2010. The School Department's budget request was lowered in part by the use of state funds returned to the Town to offset prior years extraordinary spending on special needs students. To meet this challenge, for the eleventh consecutive year the Board of Selectmen have directed that municipal, non-personnel operating expenses be level funded or reduced unless increased by necessity. Those necessities include the following:

Account 135, Accountant
Software license and support fee increase

Account 145, Treasurer
Software license and support fee increase

Account 146, Collector
Software license and support fee increase

Account 193, Memorial (Town) Hall
Building equipment repairs and maintenance

Account 210, Police
Software license and support fee increase

Account 422, Highway
Road maintenance material cost increases

Account 423, Snow and Ice
Salt and sand cost increases. The FY10 budget request has been increased to slightly more than the new five year average expense of \$348,000.

Accounts 710 & 721, Debt Service
Net increase

Account 911, Medicare and Retirement Contributions
Town's allocation, excluding costs distributed to
Water, Sewer, Ambulance and Health Departments

Account 912, Employee Benefits
Health insurance (excluding costs distributed to Water, Sewer,
Ambulance and Health Departments), police medical and
Medicare Part B penalty

Article 3. Fire Department Budget

This operating budget has been broken out from Article 2, because it is now funded in part from available funds. While the Department budget is level funded, an amount equal to the regularly unused portion of the stipend line item is now funded from available cash to avoid raising funds for unlikely expenses.

Article 4. Reserve Fund

This operating budget has been broken out from Article 2, because it is funded in part from available funds. A \$20,000 increase from available funds is proposed, because operating budgets can no longer absorb even modest unforeseen expenses.

Article 5. Ambulance Service Budget

This article presents the Ambulance Service operating budget that is funded by fees for services reserved for appropriation. By the May 14, 2009 Special and Annual Town Meetings, we expect that there will be receipts of \$487,244 available to fund the \$40,000 requested at the Special Town Meeting for increased paramedic expense, the \$432,946 requested for the FY 2010 budget (Article 5), and the \$13,000 requested for the mobile data terminals and software (Article 25), all of which amounts to \$485,946. Accordingly, we are requesting that the \$34,107 debt service (Article 23) and the \$2,000 for ambulance building repair (Article 24) be funded from the general undesignated fund balance. Since April 6, 2009 paid weekday staffing has increased from 80 to 120 hours each week to insure timely coverage. The afore-mentioned increase in paramedic expense as well as increased spending on medical supplies has also contributed to the significant budget increase.

Article 6. Animal Control Budgets

This operating budget has been broken out from Article 2 to record the total cost of the department and the funding from the Town of Lenox.

Article 7. Sewer Department Budgets

This article presents the Sewer Department budgets that are funded by sewer receipts reserved for appropriation and from the Sewer Available Surplus fund. We anticipate that there will be a Sewer Available Surplus fund balance of approximately \$3.5 million after the transfer of \$86,269 at the May 14, 2009 Special Town meeting to support the operating budget for the current year. The wastewater treatment plant budget has been increased to the actual, first-year cost of operating the new plant. Increased energy (\$44,000), sludge removal/disposal (\$30,000), post warranty equipment repair and maintenance (\$10,000) and chemical (\$4,000) cost increases are partially offset by a \$33,370 reduction in borrowing costs. In addition to the cost to operate the new plant exceeding our expectations, we expect receipts to fall short of our expenses due to increased conservation and mill closings. Consequently, the sewer surplus contribution to the FY 2010 sewer operating budget will increase from \$266,269 in the current year to \$421,030 in FY 2010. At this rate of subsidizing the operating budget, the sewer available surplus will be spent in about seven years or by 2017, rather than 2027 as was initially planned.

Article 8. Adoption of Water Enterprise Fund

At the request of the Town Administrator and the Board of Public Works, this article establishes a separate fund that will allow us to keep the interest earned on surplus receipts in the water fund rather than the general fund. We currently reserve all water receipts for water expenditures, but we are not permitted to reserve the interest earned unless we establish an Enterprise Account.

Article 9. Water Department Budget

This article presents the Water Department budget that is funded by water receipts reserved for appropriation and from the Water Available Surplus fund. We anticipate that there will be a Water Available Surplus fund balance of approximately \$346,877 after the transfer of \$4,200 at the May 14, 2009 Special Town meeting to support the operating budget for the current year. We expect receipts to fall short of our expenses due to increased conservation and mill closings. Consequently, the water surplus contribution to the FY 2010 water operating budget will increase to \$20,862 in FY 2010. The balance of the surplus is available to fund \$50,000 for extraordinary repairs to the water treatment plant and distribution system (Article 30) and the first \$60,000 installment on the proposed \$300,000 borrowing to make improvements in the water distribution system, starting with the failed Washington Mountain Road water main (Articles 31 & 32).

Article 10. Cemetery Budget

This article, which is recommended by the Cemetery Committee, presents the Cemetery Department budget and its funding sources. By the end of the current fiscal year, the Perpetual Care Interest Account will have a balance of \$7,943. Accordingly, there are sufficient funds to support the \$7,387 contribution, which is \$1,511 or 17% less than the amount contributed this current fiscal year.

Article 11. Health Department Budget

This operating budget has been broken out from Article 2 to record the total cost of the department and the funding from the Towns of Lenox (\$87,256) and Stockbridge (\$39,265).

Article 12. Beach Access Agreement Authorization

This article authorizes the Board of Selectmen to enter into an access agreement with Laurel Lake Power, L.L.C. which recently purchased the land through which the access road to Sandy Beach runs from Laurel Street (Route 20) over the dam to High Lawn Farm land. The farm owns the rest of the access road and the beach, which without charge it allows the Town to use and maintain. Laurel Lake Power, L.L.C. purchased the beach access land from Schweitzer-Mauduit International, Inc., which by informal agreement and without charge had permitted the Town to use to gain access to the beach road. The new owner wishes to formalize the access agreement and to charge the town a fee to offset expenses.

Article 13. Beach Access Agreement Fee

At the request of the members of the Select Board, this article provides funding to secure access to Sandy Beach over land recently purchased by Laurel Lake Power, L.L.C. The new owner requires the Town to pay a fee to offset the costs of maintaining the access and obtaining liability insurance. The requested amount is for the summers of 2009 and 2010.

Article 14. Salaries of Elected Officials

Required by state statute, this article reaffirms the amounts appropriated in Article 2 for the Moderator and the Select Board.

Article 15. Revolving Fund Accounts

The routine reauthorization of three revolving accounts is consolidated into one article. Those accounts are the following:

Home Composting Bins Revolving Account

The Composting Bin Revolving Account is used to buy bins for resale, at a thirty-three percent (33%) discount, to residents. In 2002 the Massachusetts Department of Environmental Protection awarded the Town a \$3,800 Municipal Recycling Grant that provided 100 bins valued \$38 each. The Town sells those bins for \$25 and places the proceeds in this revolving account for the purchase of additional bins when the current supply is exhausted.

There was \$1,487 in this account on July 1, 2007 and during the fiscal year ended June 30, 2008 (FY 2008) receipts amounted to \$325. There were no expenditures. Therefore, there was opening balance of \$1,812 on July 1, 2008, the beginning of the current fiscal year.

Trolley Revolving Account

The Trolley Revolving Account is used to collect funds to pay for the operation of the Trolley from Memorial Day weekend through Labor Day and for the Founders Day weekend. There was \$26,946 in this account on July 1, 2007. During the fiscal year ended June 30, 2008 (FY 2008) receipts amounted to \$12,531 and expenditures amounted to \$5,146, resulting in an opening balance of \$34,331 on July 1, 2008, the beginning of the current fiscal year.

Fire Prevention Inspection Revolving Account

The Fire Prevention Inspection Revolving Account is used to collect fees for fire prevention inspections and to compensate the Inspectors. There was \$5,109 in this account on July 1, 2007 and during the fiscal year ended June 30, 2008 (FY 2008) receipts amounted to \$7,515. In FY 2008 compensation for the fire prevention inspections amounted to \$4,805 resulting in an opening balance of \$7,819 on July 1, 2008, the beginning of the current fiscal year.

Article 16. Tobacco Retailer Training Certification Revolving Account

At the request of the Tri-Town Health Department this article establishes a new revolving fund for receipts from and expenses for its tobacco retailer certification program for which there will

be a user fee effective July 1, 2009. The Tri-Town Health Department Tobacco Awareness Program covers 12 communities in Berkshire County and has been funded by the Massachusetts Department of Public Health since 1993. The main deliverables for the current budget cycle involves enforcement at retail stores via compliance checks and education of retailers to reduce/eliminate sales of tobacco products to minors. In 2007, partnering with Tobacco Retailers, we created a new program requiring the training and certification of every tobacco sales clerk including a testing and certification component.

Since the inception of the program, nearly 1,000 clerks have completed the program. Illegal compliance sales rates have dropped from a high of 75 in fiscal year 2007 down to 2 sales during fiscal year 2009. The program is currently being evaluated by Market Research Inc. of Northampton, for this office and the State Public Health Department.

To date, we have been able to offer the training at no charge through our existing funding. However, we have been informed by State Public Health to expect a 10 to 15 % decrease in funding for fiscal year 2010. By instituting a minimum fee for the training program and creating a revolving account, we believe this program can be sustainable. All funds will be dedicated to this program and cannot exceed the ten thousand (\$10,000) dollars specified without Town meeting approval. Any fees collected for this training program in excess of ten thousand dollars in any given fiscal year would be submitted to the general funds of Lee, Lenox and Stockbridge based on current percentage rates of Lee 42%, Lenox 40% and Stockbridge 18%.

This proposal has received the endorsement of the Tri-Town Boards of Health and the Tobacco Retailer's Subcommittee

Article 17. Blanket Federal Grant Application Authorization

This article appears annually and eliminates the need to conduct a Town Meeting before a grant application is submitted.

Article 18. School Medicaid Reimbursement Agent Fee

This article funds the fee which the Town pays the University of Massachusetts Medical School to process claims for Medicaid reimbursement for services provided at Lee public schools. Starting this current fiscal year the fee is 4.25% of the reimbursement. For the three most recent fiscal years (FY 2006 to FY 2008) the town received an average of \$62,352 per year, and paid UMASS a fee of 4.75% or an average of \$2,962 per year. Funds for these fees were last appropriated at the May 2000 Annual Town Meeting.

Article 19. Elementary School Classroom Soundfield Systems

At the request of School Committee, this article provides funding to equip six more Lee Elementary School classrooms with the Soundfield system. This purchase will complete a three year program to outfit all elementary homerooms with the sound amplification and clarification devices which foster a successful learning environment; increases student attentiveness, participation, comprehension and test scores.

Article 20. Classroom Desktop Computers for Public Schools

At the request of School Committee, this article provides funding to purchase 40 desktop computers to replace desktops that are eight years old. It will allow for the deployment of some desktops to teachers currently using laptops but desiring desktops. There may be enough laptops generated to support a laptop cart in either the Middle and High School or the Elementary School.

Article 21. Police Cruiser Mobile Data Terminal

At the request of the Police Department this article provides funding to purchase and install one mobile data computer terminal with IMC police software. Terminals are currently installed in two police cruisers. This third terminal will provide all patrol officers working a shift to have wireless data capability that will link them to the department's database, the dispatch center, and the other cruisers on patrol.

The two existing mobile data terminals have been very successful at providing officers in the field with timely registry of motor vehicle and criminal history information. They have been in continuous use in the field since they were installed two years ago. The use of the mobile data terminals, which have the capability of bringing up driver history information including a photograph, have resulted in numerous arrests and has greatly enhanced officer safety.

Article 22. Replacement Fire Truck Funding Installment

At the request of the Fire Department, this article provides the second of four annual appropriations for the purchase of a new fire truck to replace a 1988 pumper which will reach the end of its expected twenty-five year useful life in 2013.

Article 23. Ambulance Building Principal and Interest Payment

At the request of the Ambulance Service, this article provides funds to make the thirteenth (of fifteen) principal and interest payments on the Ambulance Building. There are insufficient ambulance funds available to make this payment.

Article 24. Ambulance Building Repair

At the request of the Ambulance Service, this article provides funds to repair various windows and doors of the ambulance building. There are insufficient ambulance funds available to pay for these repairs.

Article 25. Ambulance Mobile Data Terminals and Software

At the request of the Ambulance Service, this article provides funds to purchase and install ambulance service dispatch software and to train our dispatchers to use it. This Information Management Corporation (IMC) software component complements the IMC software that

services the police department. Additionally, this article provides funds to purchase patient information software and a durable laptop for each of the two ambulances.

Article 26 Airoidi Building Roof Repairs

At the request of the Department of Public Works this article provides funding to re-roof the flat part of the roof and to perform miscellaneous roof repairs as needed.

Article 27. Road Repair and Paving

At the request of the Department of Public Works this article provides the same amount of funding as last year to repair and pave roadways. Roads will be paved in accordance with a Berkshire Regional Planning Commission road conditions assessment that ranked Church Street and Golden Hill Extension as priorities. To the extent that funding permits, Saint James Avenue, Park View Terrace, and Mountain View Terrace as well as a portion of the cemetery may be repaved. Beartown Mountain Road, Fernside Road and West Pine Street are scheduled for chip seal, and approximately \$25,000 will be spent to crack seal various roadways. In addition to the \$250,000 appropriation, this article again authorizes the Select Board to use the forthcoming (FY 2010) allocation of state transportation funds designated for local use ("Chapter 90" funding) for these repairs and paving. The FY 2010 apportionment is \$1,725 less than the current fiscal year. For fiscal year 2004 to 2007, Chapter 90 funding was reserved to fund repairs to the towns 15 1/2 bridges. Since December 2006 when the slope along the road to the water treatment plant failed, the town has held these funds in reserve to fund emergency repairs, if needed to preserve that vital plant access road along which runs the water main that services the town. In June of 2007 the Massachusetts Highway Department (MHD) surveyed the slope to establish a baseline for measuring movement. MHD completed a fourth and final survey in October 2008 and reported in December 2008 that ... *there appears to have been only negligible movement between June 2007 and October 2008.* Accordingly, during FY2010 the town will engage a consulting engineer to identify and provide specifications for the most critical bridge repairs. Meanwhile, with a designated balance of nearly \$1 million for bridge repairs, there is an opportunity to take a third break from the incremental funding for the bridge project and to direct the Chapter 90 funding to road work.

Article 28. Public Works Backhoe Repairs

At the request of the Department of Public Works, this article provides funding to repair the 1996 JCB backhoe that has over 7,659 hours of operation.

Article 29. Tyringham Road Partial Reconstruction Design

At the request of the Department of Public Works, this article provides funding to complete the plans for the partial reconstruction and re-paving of Tyringham Road. The roadway construction will be paid for with state or federal funding administered by the Massachusetts Highway Department, which has required that the road be widened to provide additional space beyond the guard rails. Consequently, the Project Engineer, Fuss & O'Niell, must perform additional

services for environmental reviews, borings and geotechnical analysis, retaining structure design and final right of way documentation.

Article 30. Water Plant and Distribution System Extraordinary Repairs

At the request of the Department of Public Works, this article provides funding to make major, unanticipated repairs and improvements to the water treatment plant and distribution system. Together with prior appropriations there will be about \$73,000 to cover future unforeseen expenditures. There are sufficient undesignated receipts for this purpose.

Article 31. Water Distribution System Improvements Borrowing Authorization

At the request of the Department of Public Works, this article authorizes the Town Treasurer, with the approval of the members of the Select Board, to borrow \$300,000 to make improvements to the water distribution system, starting with the replacement of the failed Washington Mountain Road water main. The construction plans for this project are complete and we hope to award the construction contract before the end of the current fiscal year. Unless there is a dramatic increase in water use, it is estimated that water rates will be increased about five percent to generate receipts to pay for this borrowing. A 2/3s vote is required to authorize this borrowing.

Article 32. Water Distribution System Improvements Debt Service

At the request of the Department of Public Work this article provides funding from available water funds to pay in FY2010 the first installment on the \$300,000 borrowing.

Article 33. Bike Path Conceptual Design and Engineering

Included with this informational mailing is a Fact Sheet and Map prepared on behalf of the Lee Bicycle Committee by Berkshire Regional Planning Commission.

Article 34. Chamber of Commerce Advertising and Marketing Campaign

At the request of the Chamber of Commerce, this article transfers from available funds \$18,500 to provide the Chamber funds to advertise and market the Town of Lee. The amount requested is \$1,500 or 8.8% more than the current fiscal year and it is equal to 10.8% of the \$171,654 room tax received in FY2008. The FY2008 room tax receipts were up \$3,476 from the \$168,178 collected in FY2007.

Article 35. Other Post-Employment Benefits Liability Trust Fund

The Government Accounting Standards Board (GASB) determined that Other Post Employment Benefits (OPEB) are a part of the compensation that employees earn each year, and as such, should be accounted for as a liability on a municipality's year-end financial statements. To identify OPEB liability an actuarial valuation was required. With funding authorized at the May 10, 2007 (FY 2008) Annual Town meeting, we hired, through the Berkshire Region Group

Purchasing Program, The Segal Group, Inc., which determined that as of July 1, 2008 our actuarial accrued liability for current retirees and their beneficiaries and dependents and current active employees amounted to \$16,532,766. Since we have been funding OPED costs as we go and it is unlikely that we will go out of business, this liability is principally a bond rating concern. Since bond rating agencies weigh a community's acknowledgement of this liability and its effort, no matter how small, to address it, this article authorizes the creation of an Other Post-Employment Benefits Liability Trust Fund, a special trust fund authorized as a local option by the state legislature in 2008, for appropriations made to cover its unfunded benefits for retirees. Moreover, the article authorizes the transfer of funds received from the federal Medicare program covering retiree drug costs (Medicare Part D) to the trust. For FY 2007, the first full year of the program, we received reimbursements totaling \$42,050.95, and we estimate that the FY 2008 reimbursement will be about \$40,000.

Article 36. Industrial to Rural Business Zoning Changes

At the request of the Planning Board, this article changes the zoning of certain parcels along Pleasant Street from Industrial to Residential-Agricultural or Rural Business. The lots affected are:

Map 29 – Lots to become RA-40 (Residential-Agricultural) in total: 38A, 43, 44, 45, 47

Map 29 – Lot to become RB (Rural Business) in total: 41, 42, 49, 53, 54, 55, 58, 59, 85, 86, 87, 88, 89 90

Map 30 - Lots to become RB (Rural Business) in total: 12, 13, 14, 15, 46, 47, 47A, 49, 50, 51, 52, 54, 56, 57, 58, 59, 60, 61, 62, 63, 65, 69, 70

A 2/3s vote is required to adopt this change in the zoning bylaws.

Included with this informational mailing is a map prepared by the Technology Trainer and Land Use Assistant to illustrate the changes.

Article 37. Storage or Processing of Waste Materials

At the request of the Planning Board the purpose of this article is to clarify what waste materials should not be allowed in the Town's various zoning districts. A 2/3s vote is required to adopt this change in the zoning bylaws.

Article 38. Additional By Right Uses in the Industrial Zone

At the request of the Planning Board the purpose of this article is to allow motor vehicle repairs in the (I) Industrial District with site plan approval and secondly to allow large facilities the latitude to lease space within their facility for commercial uses. A 2/3s vote is required to adopt this change in the zoning bylaws.

Article 39. Route 102 Corridor Economic Opportunity Area

The Town of Lee is part of the Berkshire Economic Target Area (ETA) designated on October 24, 1994, by the Economic Assistance Coordinating Council. This allows the town to offer tax incentives to businesses to encourage investment and job creation. This proposed Economic Opportunity Area, or EOA, would designate certain parcels of land as eligible to receive tax incentives in exchange for undertaking business expansion, job creation and new investment. These tax benefits would be negotiated on a case by case basis by companies expanding or relocating on these designated parcels. The actual tax incentives agreements would have to be approved individually by the Town at a subsequent Annual or Special Town Meeting. The Board of Assessors and the Lee Community Development Corporation (CDC) believe that designating these parcels now would be helpful in promoting business expansion and investment in Lee in general and in this commercial/industrial corridor specifically. There are a number of these EOA's already in place in Lee, and there are hundreds across the Commonwealth. The EOA and the economic development programs associated with designation are one of the tools used to encourage economic growth across the state. The proposed length of the EOA designation for the Route 102 Corridor EOA is 20 years.

There is no requirement that the owner of the parcel to be designated must agree to the designation. The real significance of the designation is that the town will be obligated to offer tax incentives to the owner or developer of the parcel if (and only if) an application for such benefits is filed and it is finally determined to meet the program requirements. If the owners of the designated parcel do not want to make application for the tax incentives, they are not required to do so. Any tax incentives or other benefits of the program will have to be applied for by owners/developers of the designated properties. These "certified project" applications require that a significant business investment be made and jobs be created. So the designation merely sets the stage for a possible project application by the parcel owner at a future date.

For more information about EOA's and the Economic Development Incentives Program go to the Mass.gov website and follow the links to the EDIP (Economic Development Incentives Program) or easier still, just google EDIP MA

The state agency that administers the program is the Massachusetts Office of Business Development. (MOBD) The Western Mass Regional Director, Pam Malumphy can be reached at (413) 499-0037.

The Lee Board of Assessors can be reached at (413) 243-5512. The Lee Community Development Corporation can be reached at (413) 243-5528.

Included with this informational mailing is a map prepared by the Berkshire Regional Planning Commission on behalf of the Lee CDC to illustrate the proposed area.