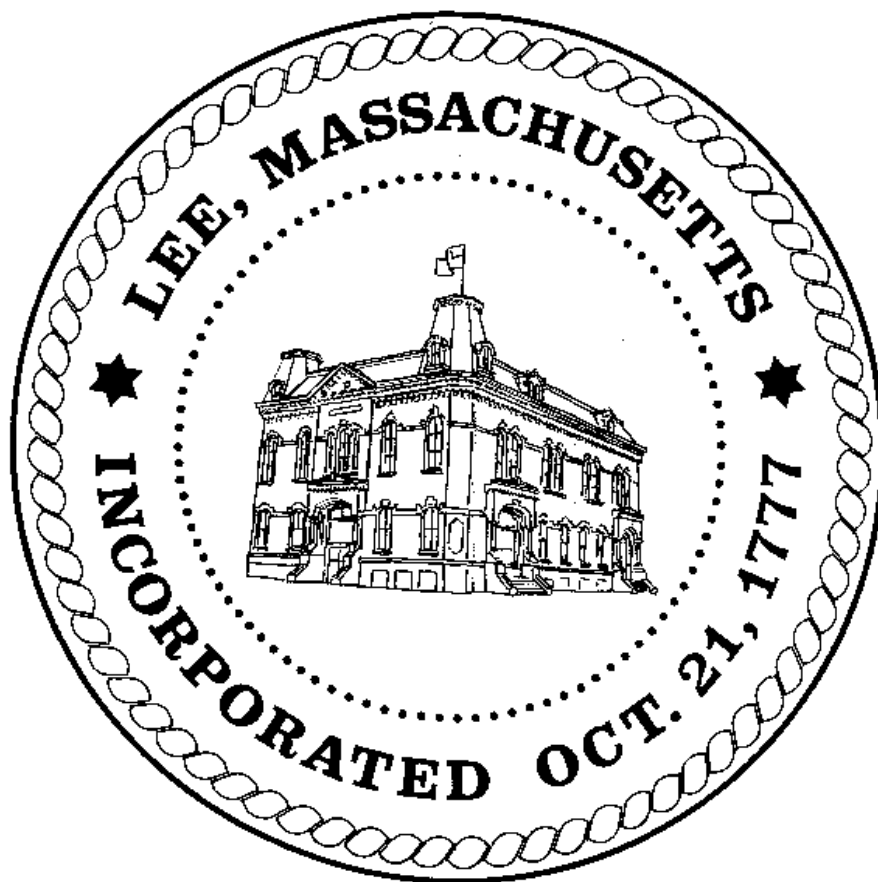


TOWN OF LEE

FY2010 ANNUAL TOWN MEETING



MAY 14, 2009 AT 7:30 PM

LEE MIDDLE & HIGH SCHOOL

WARRANT

COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE, S.S.

To any of the Constables of the Town of Lee, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify all of the inhabitants of the Town of Lee, qualified to vote in Town Affairs, to met at the **Lee Middle/High School Auditorium on Thursday, May 14, 2009 at the hour of 7:30 p.m.** in the evening, for the purposes then and there, to take action upon the following Articles, namely:

ANNUAL TOWN MEETING WARRANT ARTICLES

Article 1. Town Reports

To receive the reports of the Selectmen, Town Accountant and the other officers, boards, commissions and committees of the Town.

Article 2. FY10 Operating Budgets

To see if the Town will vote to raise and appropriate or transfer from available funds any sum or sums of money for the maintenance of the several departments of the Town and for any other necessary changes, or pass any vote or votes in relation thereto.

GENERAL GOVERNMENT				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
114 MODERATOR				
Personnel	150.00	150.00	150.00	150.00
Expenses	0.00	0.00	0.00	0.00
TOTAL 114	150.00	150.00	150.00	150.00
122 SELECTMEN				
Personnel	39,085.00	40,562.00	42,147.00	42,147.00
Expenses	3,665.93	3,170.00	3,170.00	3,170.00
TOTAL 122	42,750.93	43,732.00	45,317.00	45,317.00
123 TOWN ADMINISTRATOR				
Personnel	79,729.00	81,722.00	81,722.00	81,722.00
Expenses	3,288.97	3,370.00	3,370.00	3,370.00
TOTAL 123	83,017.97	85,092.00	85,092.00	85,092.00
131 FINANCE COMMITTEE				
Personnel	0.00	0.00	0.00	0.00
Expenses	0.00	500.00	500.00	500.00
TOTAL 131	0.00	500.00	500.00	500.00

GENERAL GOVERNMENT				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
135 TOWN ACCOUNTANT				
Personnel	45,715.00	48,097.00	50,204.00	50,204.00
Expenses	24,276.23	29,808.00	29,953.00	29,953.00
TOTAL 135	69,991.23	77,905.00	80,157.00	80,157.00
141 ASSESSORS				
Personnel	38,475.41	38,435.00	39,926.00	39,926.00
Expenses	28,549.95	33,050.00	33,050.00	33,050.00
TOTAL 141	67,025.36	71,485.00	72,976.00	72,976.00
145 TREASURER				
Personnel	55,327.13	65,096.00	67,913.00	67,913.00
Expenses	23,417.40	11,423.00	11,593.00	11,593.00
TOTAL 145	78,744.53	76,519.00	79,506.00	79,506.00
146 COLLECTOR				
Personnel	62,786.72	65,668.00	67,092.00	67,092.00
Expenses	14,857.85	15,450.00	15,850.00	15,850.00
TOTAL 146	77,644.57	81,118.00	82,942.00	82,942.00
151 TOWN COUNSEL				
Personnel	23,816.00	24,411.00	24,960.00	24,960.00
Expenses	532.66	4,000.00	4,000.00	4,000.00
TOTAL 151	24,348.66	28,411.00	28,960.00	28,960.00
155 INFORMATION TECHNOLOGIES				
Personnel	12,756.57	10,594.00	10,831.00	10,831.00
Expenses	12,346.82	36,240.00	36,240.00	36,240.00
TOTAL 155	25,103.39	46,834.00	47,071.00	47,071.00
156 LAND USE ASSISTANT				
Personnel	20,909.32	22,457.00	23,719.00	23,719.00
Expenses	0.00	0.00	0.00	0.00
TOTAL 156	20,909.32	22,457.00	23,719.00	23,719.00
161 TOWN CLERK				
Personnel	48,018.33	50,118.00	51,806.00	51,806.00
Expenses	1,847.72	1,885.00	1,835.00	1,835.00
TOTAL 161	49,866.05	52,003.00	53,641.00	53,641.00

GENERAL GOVERNMENT				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
163 ELECTIONS/REGISTRATIONS				
Personnel	3,187.00	4,800.00	2,525.00	2,525.00
Expenses	6,054.35	6,925.00	4,651.00	4,651.00
TOTAL 163	9,241.35	11,725.00	7,176.00	7,176.00
171 CONSERVATION COMMISSION				
Personnel	0.00	0.00	0.00	0.00
Expenses	154.66	700.00	700.00	700.00
TOTAL 171	154.66	700.00	700.00	700.00
175 PLANNING BOARD				
Personnel	0.00	0.00	0.00	0.00
Expenses	2,159.55	8,558.00	8,558.00	8,558.00
TOTAL 175	2,159.55	8,558.00	8,558.00	8,558.00
176 ZONING BOARD				
Personnel	0.00	0.00	0.00	0.00
Expenses	2,214.04	2,575.00	2,575.00	2,575.00
TOTAL 176	2,214.04	2,575.00	2,575.00	2,575.00
188 LEE C.D.C.				
Personnel	0.00	0.00	0.00	0.00
Expenses	500.00	500.00	500.00	500.00
TOTAL 188	500.00	500.00	500.00	500.00
195 TOWN REPORTS				
Personnel	0.00	0.00	0.00	0.00
Expenses	4,000.00	4,000.00	4,000.00	4,000.00
TOTAL 195	4,000.00	4,000.00	4,000.00	4,000.00
196 OFFICE EQUIP. MAINTENANCE				
Personnel	0.00	0.00	0.00	0.00
Expenses	10,409.81	13,500.00	13,500.00	13,500.00
TOTAL 196	10,409.81	13,500.00	13,500.00	13,500.00
197 STAFF DEVELOPMENT				
Expenses	0.00	1,500.00	1,500.00	1,500.00
TOTAL 197	0.00	1,500.00	1,500.00	1,500.00
TOTAL GENERAL GOVERNMENT	568,231.42	629,264.00	638,540.00	638,540.00

PUBLIC SAFETY				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
210 POLICE				
Personnel	873,002.64	855,399.00	868,525.00	868,525.00
Expenses	64,111.15	72,600.00	74,674.00	74,674.00
TOTAL 210	937,113.79	927,999.00	943,199.00	943,199.00
241 BUILDING INSPECTOR				
Personnel	67,379.04	74,257.00	77,982.00	77,982.00
Total Expenses	5,090.53	5,675.00	5,675.00	5,675.00
TOTAL 241	72,469.57	79,932.00	83,657.00	83,657.00
242 GAS INSPECTOR				
Personnel	4,369.00	4,478.00	4,578.00	4,578.00
Total Expenses	604.92	825.00	825.00	825.00
TOTAL 242	4,973.92	5,303.00	5,403.00	5,403.00
244 SEALER/WEIGHTS MEAS.				
Personnel	4,770.00	4,770.00	4,877.00	4,877.00
Total Expenses	437.26	450.00	350.00	350.00
TOTAL 244	5,207.26	5,220.00	5,227.00	5,227.00
245 WIRING INSPECTOR				
Personnel	6,078.00	5,886.00	6,018.00	6,018.00
Total Expenses	381.20	800.00	700.00	700.00
TOTAL 245	6,459.20	6,686.00	6,718.00	6,718.00
246 PLUMBING INSPECTOR				
Personnel	5,616.00	5,756.00	5,885.00	5,885.00
Total Expenses	886.78	985.00	935.00	935.00
TOTAL 246	6,502.78	6,741.00	6,820.00	6,820.00
291 EMERGENCY MANAGEMENT				
Personnel	1500.00	1500.00	1500.00	1500.00
Expenses	0.00	0.00	0.00	0.00
TOTAL 291	1,500.00	1,500.00	1,500.00	1,500.00
299 COMMUNICATIONS				
Personnel	149,481.23	161,238.00	168,234.00	168,234.00
Expenses	20,555.00	21,000.00	19,520.00	19,520.00
TOTAL 299	170,036.23	182,238.00	187,754.00	187,754.00
TOTAL PUBLIC SAFETY	1,204,262.75	1,215,619.00	1,240,278.00	1,240,278.00

EDUCATION				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
300 EDUCATION				
Fixed Charges		10,000.00	15,000.00	15,000.00
School Committee		6,800.00	6,300.00	6,300.00
Superintendent's Office		255,303.00	249,228.00	249,228.00
Principals' Offices		389,896.00	400,985.00	400,985.00
Principal Technology		162,731.00	167,955.00	167,955.00
Regular Education		4,179,266.00	4,120,333.00	4,120,333.00
Contracted Transportation		200,850.00	212,901.00	212,901.00
Special Education		1,905,874.00	1,948,745.00	1,948,745.00
Vocational Ed		128,036.00	40,965.00	40,965.00
Health		126,396.00	142,243.00	142,243.00
Athletics		80,000.00	97,725.00	97,725.00
Other Student Activities		38,619.00	34,694.00	34,694.00
Maintenance & Operations		890,387.00	888,084.00	888,084.00
SUBTOTAL	0.00	8,374,158.00	8,325,158.00	8,325,158.00
Less School Choice		-725,000.00	-725,000.00	-725,000.00
SUBTOTAL		7,649,158.00	7,600,158.00	7,600,158.00
Less Circuit Breaker		0.00	-61,000.00	-61,000.00
TOTAL EDUCATION	0.00	7,649,158.00	7,539,158.00	7,539,158.00

PUBLIC WORKS				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
421 B.P.W. ADMINISTRATION				
Personnel	32,949.23	34,714.00	35,665.00	35,665.00
Expenses	3,049.07	3,700.00	3,700.00	3,700.00
TOTAL 421	35,998.30	38,414.00	39,365.00	39,365.00
422 HIGHWAY CONST. & MAINT.				
Personnel	141,489.55	141,906.00	145,345.00	145,345.00
Expenses	114,866.56	133,040.00	138,040.00	138,040.00
TOTAL 422	256,356.11	274,946.00	283,385.00	283,385.00
423 SNOW AND ICE				
Personnel	181,308.32	180,487.00	184,998.00	184,998.00
Expenses	212,665.88	149,450.00	170,450.00	170,450.00
TOTAL 423	393,974.20	329,937.00	355,448.00	355,448.00
424 STREET LIGHTING				
Personnel	0.00	0.00	0.00	0.00
Expenses	69,677.29	86,650.00	81,650.00	81,650.00
TOTAL 424	69,677.29	86,650.00	81,650.00	81,650.00
425 FORESTRY				
Personnel	0.00	0.00	0.00	0.00
Expenses	6,660.00	15,400.00	15,400.00	15,400.00
TOTAL 425	6,660.00	15,400.00	15,400.00	15,400.00
433 SANITARY LANDFILL				
Personnel	0.00	0.00	0.00	0.00
Expenses	12,142.34	13,300.00	13,300.00	13,300.00
TOTAL 433	12,142.34	13,300.00	13,300.00	13,300.00
654 PARKS & PLAYGROUNDS				
Personnel	4,080.24	6,695.00	6,695.00	6,695.00
Expenses	22,471.27	13,542.00	13,542.00	13,542.00
TOTAL 654	26,551.51	20,237.00	20,237.00	20,237.00
192 PUBLIC BLDGS AIROLDI BLDG				
Personnel	15,729.04	19,586.00	19,586.00	19,586.00
Expenses	17,637.31	25,050.00	23,600.00	23,600.00
TOTAL 192/193	33,366.35	44,636.00	43,186.00	43,186.00
193 PUBLIC BLDGS MEMORIAL HALL				
Personnel	12,340.28	14,329.00	14,329.00	14,329.00
Expenses	42,621.35	43,575.00	44,775.00	44,775.00
TOTAL 192/193	54,961.63	57,904.00	59,104.00	59,104.00
TOTAL PUBLIC WORKS	834,726.10	823,520.00	911,075.00	911,075.00

HUMAN SERVICES				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
511 BOARD OF HEALTH				
Personnel	0.00	510.00	510.00	510.00
Expenses	0.00	255.00	255.00	255.00
TOTAL 511	0.00	765.00	765.00	765.00
522 LEE REGIONAL V.N.A.				
TOTAL 522	21,850.00	21,850.00	21,850.00	21,850.00
523 BRIEN CENTER FOR MENTAL HEALTH				
TOTAL 523	2,184.00	2,184.00	2,184.00	2,184.00
540 CABLE ADVISORY COMM				
Expenses	30.00	150.00	150.00	150.00
TOTAL 540	30.00	150.00	150.00	150.00
541 COUNCIL ON AGING				
Personnel	41,880.84	43,270.00	49,776.00	49,776.00
Expenses	16,817.21	17,188.00	16,750.00	16,750.00
TOTAL 541	58,698.05	60,458.00	66,526.00	66,526.00
542 LEE YOUTH COMMISSION				
TOTAL 542	47,537.00	47,537.00	47,537.00	47,537.00
543 VETERAN'S SERVICES				
Personnel	4,627.00	4,743.00	4,850.00	4,850.00
Expenses	14,692.07	25,500.00	25,500.00	25,500.00
TOTAL 543	19,319.07	30,243.00	30,350.00	30,350.00
TOTAL HUMAN SERVICES	149,588.12	163,187.00	169,362.00	169,362.00
RECREATION & CULTURE				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
610 LEE LIBRARY				
Personnel	148,057.99	163,240.00	167,762.00	167,762.00
Expenses	83,664.01	89,636.00	89,636.00	89,636.00
LIG/MEG GRANT	0.00	-7,891.00	-7,240.00	-7,240.00
TOTAL 610	231,722.00	244,985.00	250,158.00	250,158.00
620 SANDY BEACH				
Personnel	22,934.54	26,482.00	28,072.00	28,072.00
Expenses	12,747.01	13,676.00	13,376.00	13,376.00
TOTAL 620	35,681.55	40,158.00	41,448.00	41,448.00
691 HISTORICAL COMM.				
Expenses				
TOTAL 691	25.00	485.00	485.00	485.00
693 WAR MEMORIALS				
Expenses				
TOTAL 693	2,355.54	2,600.00	2,600.00	2,600.00
TOTAL RECREATION & CULTURE	269,784.09	288,228.00	294,691.00	294,691.00

DEBT SERVICE				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
700 DEBT SERVICE				
Retirement of Debt	730,000.00	690,000.00	720,000.00	720,000.00
Long Term Interest	554,607.50	534,122.00	512,752.51	512,752.51
Short Term Interest	1,775.00	2,575.00	2,575.00	2,575.00
TOTAL 700	1,286,382.50	1,226,697.00	1,235,327.51	1,235,327.51

INTERGOVERNMENTAL				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
830 INTERGOVERNMENTAL				
Berk. Regional Planning Comm.	3,713.00	3,806.00	3,806.00	3,806.00
TOTAL 810	3,713.00	3,806.00	3,806.00	3,806.00

MISCELLANEOUS - (FIXED COSTS)				
CODE NUMBER	EXPENDED FY2008	BUDGET FY2009	REQUESTED FY2010	FINANCE COMMITTEE RECOMMENDS
910 EMPLOYEE BENEFITS				
911 Medicare (5173)	95,972.35	105,055.00	107,000.00	107,000.00
911 Berk County Retirement (5177)	507,931.85	519,193.00	563,210.00	563,210.00
912 Health Insurance (5171)	1,934,329.54	2,108,080.00	2,172,180.00	2,172,180.00
912 Life Insurance (5175)	14,812.26	15,600.00	13,640.00	13,640.00
912 Worker's Comp. (5176)	40,189.74	46,000.00	46,000.00	46,000.00
912 Police Medical (5177)	986.88	1,400.00	1,500.00	1,500.00
912 Medicare Part B Penalty (5179)	0.00	1,500.00	3,008.00	3,008.00
TOTAL 910	2,594,222.62	2,795,328.00	2,906,538.00	2,906,538.00
945 LIABILITY INSURANCE				
Liability/Property/Vehicle (5742)				
TOTAL 945	117,073.00	130,000.00	130,000.00	130,000.00
946 OTHER INSURANCES				
Police Accident (5745)				
TOTAL 946	35,466.00	40,000.00	40,000.00	40,000.00
TOTAL MISCELLANEOUS	2,746,761.62	2,965,328.00	3,076,538.00	3,076,538.00

Article 3. Fire Department Budget

To see if the Town will vote to appropriate the sum of \$161,845, or any other amount, for the maintenance of the Fire Department (Account 221) in fiscal year 2010 and to meet that appropriation, raise \$116,845, or any other amount, and to transfer from available funds \$45,000, or any other amount, or to take any other action relative thereto.

221 FIRE DEPARTMENT	Expended FY08	Budget FY09	Request FY10
Total	95,988.13	161,845.00	161,845.00

Finance Committee recommends approval.

Article 4. Reserve Fund

To see if the Town will vote to appropriate the sum of \$70,000, or any other amount, to the Reserve Fund (Account 132) for unanticipated expenses in fiscal year 2010, and to meet said appropriation, raise \$20,000, or any other amount, and to transfer from available funds \$50,000, or any other amount, or to take any other action relative thereto.

132 RESERVE FUND	Expended FY08	Budget FY09	Request FY10
Total	52,302.93	50,000.00	70,000.00

Finance Committee recommends approval.

Article 5. Ambulance Service Budget

To see if the Town will vote to appropriate \$432,946, or any other amount, for the maintenance of the Ambulance Department (Account 231) in fiscal year 2010 and to meet that appropriation transfer from the ambulance receipts reserved for appropriation the amount of \$432,946, or any other amount, or to take any other action relative thereto.

231 AMBULANCE	Expended FY08	Budget FY09	Request FY10
Personnel	116,050.44	181,405.00	212,052.00
Expenses	159,358.48	148,966.00	220,894.00
Total	275,408.92	330,371.00	432,946.00

Article 6. Animal Control Budget

To see if the Town will vote to appropriate the sum of \$20,586, or any other amount, for the maintenance of Animal Control (Account 292) in fiscal year 2010 and to meet that appropriation raise \$20,586, or any other amount, such amount to be offset by receipts of \$10,293, or any other amount, from the Town of Lenox, or take any other action relative thereto.

292 ANIMAL CONTROL	Expended FY08	Budget FY09	Request FY10
Personnel	14,655.51	14,955.00	15,016.00
Expenses	5,071.57	6,051.00	5,570.00
Sub Total	19,727.08	21,006.00	20,586.00
Less Other Town	-9,765.00	-10,503.00	-10,293.00
Total	9,962.08	10,503.00	10,293.00

Finance Committee recommends approval.

Article 7. Sewer Department Budgets

To see if the Town will vote to appropriate the sum of \$2,138,922, or any other amount, for the maintenance of the Sewer Department (Accounts 440, 442 & 443) in fiscal year 2010, and to meet that appropriation transfer from the Sewer Available Surplus Account the sum of \$421,030 and raise \$1,717,892, or any other amount, such amount to be offset by the receipts of the Sewer Department, or to take any other action relative thereto.

440, 442, 443 SEWER DEPT.	Expended FY08	Budget FY09	Request FY10
Personnel	257,742.00	289,864.00	301,798.00
Expenses	1,844,192.00	1,794,508.00	1,837,124.00
Total	2,101,934.00	2,084,372.00	2,138,922.00

Finance Committee recommends approval.

Article 8. Adoption of Water Enterprise Fund

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F ½ of the Massachusetts General Laws establishing the Water Department as an enterprise account effective fiscal year 2010, or take any other action relative thereto.

Article 9. Water Department Budget

To see if the Town will vote to appropriate the sum of \$995,406, or any other amount, for the maintenance of the Water Department (Account 452) in fiscal year 2010, and to meet that appropriation transfer from Water Available Surplus Account the sum of \$20,862, and raise \$974,544, or any other amount, such amount to be offset by the receipts of the Water Department, or to take any other action relative thereto.

452 WATER DIST.	Expended FY08	Budget FY09	Request FY10
Personnel	342,750.41	367,512.00	376,195.00
Expenses	503,083.71	618,501.00	619,211.00
Total	845,834.12	986,013.00	995,406.00

Finance Committee recommends approval.

Article 10. Cemetery Budget

To see if the Town will vote to appropriate the sum of \$76,624, or any other amount, for the maintenance of the Cemetery Department (Account 491) in fiscal year 2010 and to meet said appropriation raise \$69,237, or any other amount, and transfer from the Perpetual Care Interest Account \$7,387, or any other amount, or to take any other action relative thereto.

491 CEMETERY	Expended FY08	Budget FY09	Request FY10
Personnel	53,815.67	53,847.00	55,118.00
Expenses	19,450.30	21,506.00	21,506.00
Subtotal	73,265.97	75,353.00	76,624.00
Perpetual Care Interest	-8,898.00	-8,898.00	-7,387.00
Total	64,367.97	66,455.00	69,237.00

Finance Committee recommends approval.

Article 11. Health Department Budget

To see if the Town will vote to appropriate the sum of \$214,123, or any other amount, for the maintenance of the Health Department (Account 519) in fiscal year 2010 and to meet that appropriation raise \$214,123, or any other amount, such amount to be offset by receipts totaling \$126,521 or any other amount, from the Towns of Lenox and Stockbridge, or to take any other action relative thereto.

519 TRI-TOWN HEALTH DEPT.	Expended FY08	Budget FY09	Request FY10
Personnel	192,936.95	195,709.00	189,176.00
Expenses	25,764.69	26,774.00	28,964.00
Subtotal	218,701.64	222,483.00	218,140.00
In-kind	3,966.06	-4,017.00	-4,017.00
Subtotal	214,735.58	218,466.00	214,123.00
Less Other Towns	-127,074.00	-129,040.00	-126,521.00
Total	87,661.58	89,426.00	87,602.00

Finance Committee recommends approval.

Article 12. Beach Access Agreement Authorization

To see if the Town will authorize the Board of Selectmen to negotiate a lease of land or right of access, including but not limited to a license agreement, for access to High Lawn Farm Property (Sandy Beach), for a period not to exceed two years, or to take any other action relative thereto.

Article 13. Beach Access Agreement Fee

To see if the Town will raise and appropriate or to transfer from available funds the sum of \$10,000 or any other amount, to purchase a lease of land or right of access, including but not limited to a license agreement, for a period not to exceed two years, or to take any other action relative thereto.

Article 14. Salaries of Elected Officials

To see if the Town will vote to fix the salaries of all elected officials as required by law for the fiscal year beginning July 1, 2009 or to take any other action thereto.

Article 15. Revolving Fund Accounts

To see if the Town will authorize the following revolving funds for the following programs and purposes:

D.P.W. Home Composting Bins	4,000
Lee Trolley	10,000
Fire Prevention Inspection	10,000

which revolving funds together shall not exceed the sum of Twenty-four thousand (\$24,000.00) dollars, which shall be under the control of the Town Treasurer, which shall be accounted for separately and to which shall be credited only the departmental receipts received in connection with the programs supported by each revolving fund; further to authorize the Town Treasurer to expend from such funds in accordance with Chapter 44, Section 53E ½ of the General Laws, provided however, that said expenditures for all revolving funds shall not exceed the receipts for such funds, or to take any other action relative thereto. **(Pending formal Finance Committee consideration)**

Article 16. Tobacco Retailer Training Certification Revolving Account

To see if the Town will vote to authorize the Tri-Town Health Department to establish under the provisions of Chapter 44, Section 53E ½ a revolving fund for Tobacco Retailer Certification and Training in the amount of \$10,000, and to designate to this revolving account the fees generated by the certification and training program, or to take any other action relative thereto. **(Pending formal Finance Committee consideration)**

Article 17. Blanket Federal Grant Application Authorization

To see if the Town will vote to authorize the Board of Selectmen, or other Town Departments with the knowledge of the Board of Selectmen, to apply for and accept grants from the Federal Government, Commonwealth of Massachusetts or any other source, and to expend the same for purposes received without further appropriation, or to take any other action relative thereto.

Article 18. School Medicaid Reimbursement Agent Fee

To see if the Town will raise and appropriate or to transfer from available funds the sum of \$5,000, or any other amount, to pay an agent to process requests for reimbursement from Medicaid for services provided students at Lee Public Schools, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 19. Elementary School Classroom Soundfield Systems

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$12,543, or any other amount, to purchase six wireless learning systems designed to clarify the teacher's voice for all students, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 20. Classroom Desktop Computers for Public Schools

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$24,040, or any other amount, to purchase for Lee Public Schools 40 desktop computers to replace computers that are eight years old, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 21. Police Cruiser Mobile Data Terminal

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$5,300, or any other amount, to purchase a mobile data computer terminal for a third police cruiser, or to take an other action relative thereto. **Finance Committee recommends approval.**

Article 22. Replacement Fire Truck Funding Installment

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$100,000 to a Fire Engine Special Stabilization Fund, or take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval**

Article 23. Ambulance Building Principal and Interest Payment

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$34,107, or any other amount, for the thirteenth of fifteen payments due on the ambulance building, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 24. Ambulance Building Repair

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,000, or any other amount, to repair the ambulance building, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 25. Ambulance Mobile Data Terminals and Software

To see if the Town will vote to transfer from ambulance receipts reserved for appropriation the sum of \$13,000, or any other amount, to equip each of the two ambulances with a mobile data terminal, and to purchase software for emergency medical dispatch and patient care reporting, or to take any other action relative thereto.

Article 26 Airoidi Building Roof Repairs

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000, or any other amount, for the repair of the Airoidi building roof, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 27 Road Repair and Paving

To see if the Town will vote to expend the sum of \$225,191, or any other amount, from fiscal year 2010 “Chapter 90” funds as provided by the Commonwealth; and, to raise and appropriate or transfer from available funds the sum of \$250,000, or any other amount, for a total expenditure of \$475,191, or any other amount, to repair and pave the Town’s roads, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 28. Public Works Backhoe Repairs

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,000, or any other amount, to repair the Department of Public Works’ backhoe, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 29 Tyringham Road Partial Reconstruction Design

To see if the town will vote to raise and appropriate or transfer from available funds the sum of \$40,100, or any other amount, to complete the Tyringham Road partial reconstruction design, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 30. Water Plant and Distribution System Extraordinary Repairs

To see if the Town will vote to transfer from the Water Available Surplus Account the sum of \$50,000, or any other amount, to make unforeseen repairs and improvements to the water treatment plant and distribution system, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 31. Water Distribution System Improvements Borrowing Authorization

To see if the Town will vote to authorize the borrowing of \$300,000, or any other amount, to make improvements to the water distribution system, and to authorize the treasurer, with the approval of the Board of Selectmen, to borrow \$300,000 and issue bonds notes thereof under Chapter 44, Section 8 of the General Laws, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 32. Water Distribution System Improvements Debt Service

To see if the town will vote to transfer from the Water Available Surplus Account the sum of \$60,000, or any other amount, for the first repayment installment when it is due on the water distribution system improvements borrowing, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 33. Bike Path Conceptual Design and Engineering

To see if the town will vote to raise and appropriate or transfer from available funds the sum of \$50,000, or any other amount, to retain a consultant to provide conceptual design and engineering services for an alternative to be selected by the Bike Path Committee, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 34. Chamber of Commerce Advertising and Marketing Campaign

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$18,500, or any other amount, to the Lee Chamber of Commerce, for the purpose of advertising and marketing the Town of Lee, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 35. Other Post-Employment Benefits Liability Trust Fund

To see if the Town will vote to establish a special trust fund, the Other Post Employment Benefits (OPEB) Liability Trust Fund, for appropriations made to cover the Town's unfunded actuarial liability of health care and other post-employment benefits for its retirees, and to transfer to the trust fund the reimbursements received by the Town from the federal Medicare program for covering retiree drug costs (Medicare Part D), or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 36. Industrial to Rural Business Zoning Changes

To see if the Town will vote to revise 199-6 Location of districts, Zoning Map to read as follows:

Paragraph 199-6.

The location and boundaries of these districts are hereby established as shown on a map entitled "Zoning Map of Lee, Massachusetts" dated April 16, 1974, and revised February

28, 1984, and revised May 27, 1992, and revised July 14, 1994, and revised February 9, 1995, and revised May 11, 1995, and revised November 22, 2004 and revised May 12, 2005, and revised May 8, 2006, and revised May 14, 2009 bearing the signature of the members of the Planning [Board](#) and on file in the office of the Town Clerk, which map, with all explanatory matter thereon, is hereby made a part of this chapter.

A. Where a [street](#) constitutes a zone boundary, the centerline of that [street](#) is the boundary.

B. The floodplain shall be considered as overlying other districts.

Planning Board recommends approval.

Article 37. Storage or Processing of Waste Materials

To see if the Town will vote to amend its Zoning Bylaw paragraph “199-7 Permitted and Special Permit uses; radioactive waste.” To read as follows:

§ 199-7. Permitted and special permit uses; storage or processing of hazardous materials.

A. No building or structure or land or part thereof shall be used for any purpose or in any manner other than for one or more of the uses hereinafter set forth as permitted in the district in which such building, structure or land is located or set forth as permissible by special permit in said district and so authorized.

B. No land within any use district in the Town of Lee may be used for the collection, treatment, storage, burial, incineration or disposal or used as fill of radioactive or hazardous waste, including but not limited to wastes classified as low-level radioactive or hazardous waste.

C. Article XII - Environmental and Performance Standards will apply.

Planning Board recommends approval.

Article 38. Additional By Right Uses in the Industrial Zone

To see if the Town will vote to amend its Zoning Bylaw paragraph “199-16 “(I) Industrial District.” To read as follows:

B. Uses permitted by right with site plan approval business offices, excluding retail, but including the following:

12. Motor vehicle repairs

13. Leasing of building space for commercial purposes inside an existing commercial facility.

Planning Board recommends approval.

Article 39. Route 102 Corridor Economic Opportunity Area

To see if the Town will approve the establishment of an Economic Opportunity Area (EOA) in the area shown as

Assessor’s Map 24 Parcels 24-44 (Lee Corporate Center)

Assessor’s Map 25, Parcels 25-8; 25-32; 25-89;25-100;25-96

Assessor’s Map 29 Parcels 29-49; 29-59; 29-68;29-90;29-91;29-92;
29-30 (res)

Assessor’s Map 30, Parcels 30-46; 30-47; 30-47A;30-49;30-52;30-54;30-56;30-57;30-58;30-65;30-68; **30-71 (Laurel Mill 43D site) ;**30-72 (Laurel CR);30-75;30-76;30-78; 30-80A; 30-83; 30-84; 30-84A;30-84B;30-84C; 30-85; 30-85A;30-85B; 30-86; 30-87; 30-87A; 30-88; 30-88A
30-89; 30-143; 30-144

30-61; 30-62;30-63 (res)
30-60; 30-59 (res)

Assessor’s Map 31 Parcels 31-5; 31-14; 31-15; 31-15A; 31-16; 31-17; 31-18

for a term of not more than twenty (20) years for the purposes of allowing eligible certified projects within the EOA to participate in the Massachusetts Economic Development Incentive Program pursuant to M.G.L. 23A, Sections 3A-3H.

or take any action relative thereto or to pass any vote or votes relative thereto.

You are hereby directed to notify and warn the Inhabitants of the Town of Lee qualified to vote in town affairs, to meet at the Crossway Village gymnasium, 21 Crossway Street, in Lee, on **Monday, May 18, 2009** at 7:00 a.m. to 8:00 p.m. to cast their votes for the following officers:

- | | |
|--------------------------|---|
| Moderator | One for the term of one year |
| Selectman | One for the term of three years |
| School Committee Members | Two for the term of three years |
| Planning Board Member | One for the term of five years
One for the term of two years
One for the term of one year |
| Constables | Four for the term of three years |

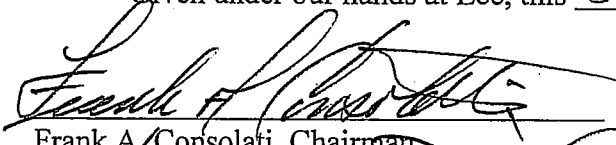
To vote for Town Meeting Representatives as follows:

District I	Three for the term of three years
District II	Three for the term of three years
District III	Three for the term of three years One for the term of one years
District IV	Three for the term of three years
District V	Three for the term of three years Two for the term of 2 years One for the term of one year
District VI	Three for the term of three years

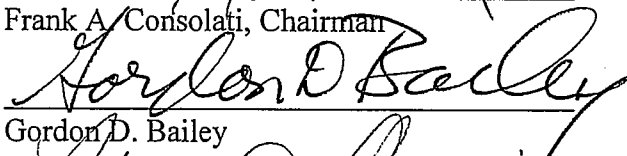
And you are hereby directed to serve this Warrant by posting true and attested copies thereof, in three public places within the Town of Lee, seven (7) days at least, before the day and hour of holding said meeting.

Therefore, Fail Not and make due return of said Warrant with your doing thereon to the Town Clerk of the Town of Lee, at or before the day and hour of holding said meeting.

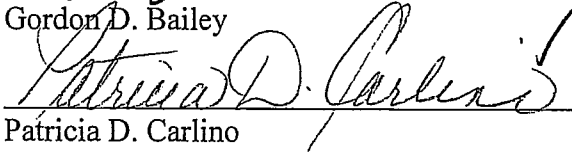
Given under our hands at Lee, this 28th day of April, 2009.



Frank A. Consolati, Chairman



Gordon D. Bailey



Patricia D. Carlino

As per instruction in this Warrant, I have posted same, this 29th day of April, 2009 in three public places.



Constable