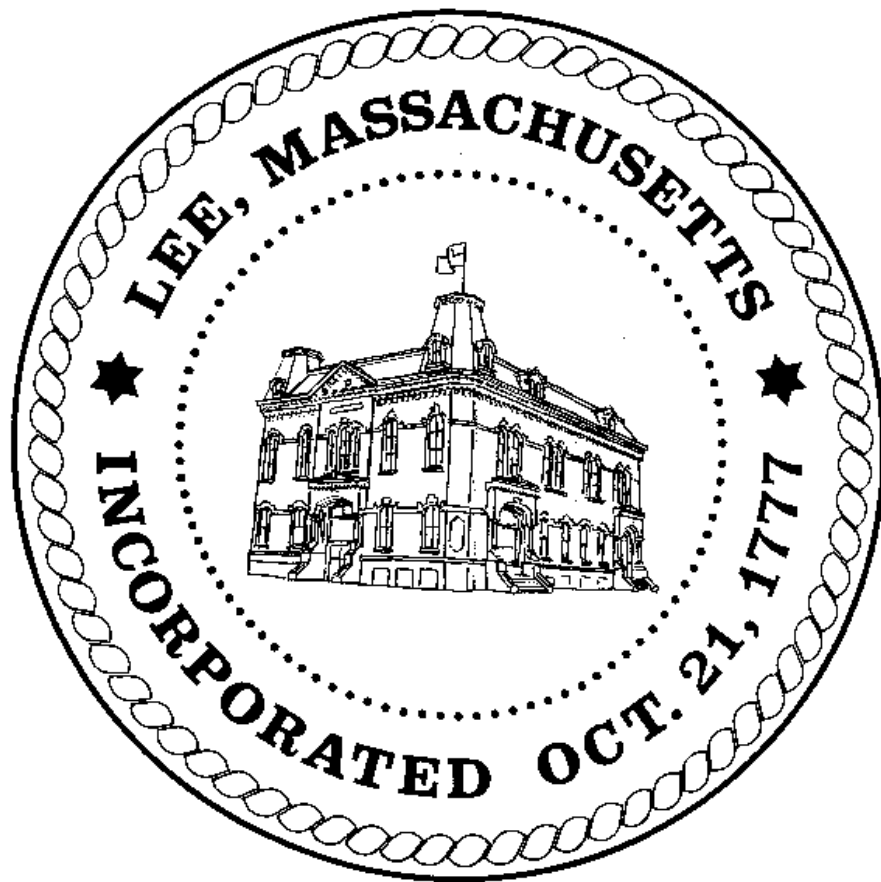


TOWN OF LEE

FY2013 ANNUAL TOWN MEETING



MAY 10, 2012 AT 7:30 PM

LEE MIDDLE & HIGH SCHOOL

COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE, S.S.

WARRANT

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 10, 2012 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. FY13 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 FY2011	BUDGET FY2012	REQUESTED FY2013	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	42,147.00	43,711.00	38,891.00	38,891.00
Expenses	3,456.22	3,170.00	3,875.00	3,875.00
TOTAL 122	45,603.22	46,881.00	42,766.00	42,766.00
123 TOWN ADMINISTRATOR				
Personnel	81,722.00	81,722.00	83,357.00	83,357.00
Expenses	1,891.82	3,370.00	3,370.00	3,370.00
TOTAL 123	83,613.82	85,092.00	86,727.00	86,727.00
131 FINANCE COMMITTEE				
Personnel	0.00	0.00	0.00	0.00
Expenses	173.00	500.00	500.00	500.00
TOTAL 131	173.00	500.00	500.00	500.00

GENERAL GOVERNMENT				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
135 TOWN ACCOUNTANT				
Personnel	50,204.00	52,002.00	53,007.00	53,007.00
Expenses	31,474.38	31,371.00	34,145.00	34,145.00
TOTAL 135	81,678.38	83,373.00	87,152.00	87,152.00
141 ASSESSORS				
Personnel	39,526.00	41,502.00	42,290.00	42,290.00
Expenses	76,853.53	48,150.00	48,150.00	48,150.00
TOTAL 141	116,379.53	89,652.00	90,440.00	90,440.00
145 TREASURER				
Personnel	59,856.60	56,278.00	58,172.00	58,172.00
Expenses	13,752.10	12,181.00	14,995.00	14,995.00
TOTAL 145	73,608.70	68,459.00	73,167.00	73,167.00
146 COLLECTOR				
Personnel	66,369.84	67,127.00	60,203.00	60,203.00
Expenses	15,033.69	17,003.00	17,065.00	17,065.00
TOTAL 146	81,403.53	84,130.00	77,268.00	77,268.00
151 TOWN COUNSEL				
Personnel	24,960.00	24,960.00	25,459.00	25,459.00
Expenses	455.54	4,000.00	4,000.00	4,000.00
TOTAL 151	25,415.54	28,960.00	29,459.00	29,459.00
155 INFORMATION TECHNOLOGIES				
Personnel	9,430.08	13,407.00	8,986.00	8,986.00
Expenses	31,959.69	44,850.00	38,980.00	38,980.00
TOTAL 155	41,389.77	58,257.00	47,966.00	47,966.00
156 LAND USE ASSISTANT				
Personnel	22,645.11	24,677.00	25,431.00	25,431.00
Expenses	0.00	0.00	0.00	0.00
TOTAL 156	22,645.11	24,677.00	25,431.00	25,431.00
161 TOWN CLERK				
Personnel	52,378.50	53,449.00	55,813.00	55,813.00
Expenses	1,395.32	3,005.00	2,005.00	2,005.00
TOTAL 161	53,773.82	56,454.00	57,818.00	57,818.00

GENERAL GOVERNMENT				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
163 ELECTIONS/REGISTRATIONS				
Personnel	4,506.00	3,915.00	5,300.00	5,300.00
Expenses	6,296.89	6,990.00	9,931.00	9,931.00
TOTAL 163	10,802.89	10,905.00	15,231.00	15,231.00
171 CONSERVATION COMMISSION				
Personnel	0.00	0.00	0.00	0.00
Expenses	394.00	700.00	700.00	700.00
TOTAL 171	394.00	700.00	700.00	700.00
175 PLANNING BOARD				
Personnel	0.00	0.00	0.00	0.00
Expenses	2,538.10	8,558.00	8,558.00	8,558.00
TOTAL 175	2,538.10	8,558.00	8,558.00	8,558.00
176 ZONING BOARD				
Personnel	0.00	0.00	0.00	0.00
Expenses	853.84	2,575.00	2,575.00	2,575.00
TOTAL 176	853.84	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	15,000.00	15,000.00
TOTAL 188	500.00	500.00	15,000.00	15,000.00
195 TOWN REPORTS				
Personnel	0.00	0.00	0.00	0.00
Expenses	4,000.00	4,000.00	4,500.00	4,500.00
TOTAL 195	4,000.00	4,000.00	4,500.00	4,500.00
196 OFFICE EQUIP. MAINTENANCE				
Personnel	0.00	0.00	0.00	0.00
Expenses	9,018.67	13,500.00	13,000.00	13,000.00
TOTAL 196	9,018.67	13,500.00	13,000.00	13,000.00
197 STAFF DEVELOPMENT				
Expenses	1,500.00	1,500.00	1,500.00	1,500.00
TOTAL 197	1,500.00	1,500.00	1,500.00	1,500.00
TOTAL GENERAL GOVERNMENT	655,441.92	668,823.00	677,908.00	679,908.00

PUBLIC SAFETY				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
210 POLICE				
Personnel	857,116.60	870,101.00	870,610.00	870,610.00
Expenses	69,154.99	97,805.00	83,505.00	83,505.00
TOTAL 210	926,271.59	967,906.00	954,115.00	954,115.00
242 GAS INSPECTOR				
Personnel	4,578.00	4,578.00	4,670.00	4,670.00
Total Expenses	363.12	825.00	575.00	575.00
TOTAL 242	4,941.12	5,403.00	5,245.00	5,245.00
244 SEALER/WEIGHTS MEAS.				
Personnel	4,877.00	4,877.00	4,975.00	4,975.00
Total Expenses	345.50	350.00	350.00	350.00
TOTAL 244	5,222.50	5,227.00	5,325.00	5,325.00
245 WIRING INSPECTOR				
Personnel	6,360.25	6,018.00	6,138.00	6,138.00
Total Expenses	303.68	700.00	632.00	632.00
TOTAL 245	6,663.93	6,718.00	6,770.00	6,770.00
246 PLUMBING INSPECTOR				
Personnel	5,885.00	5,885.00	6,003.00	6,003.00
Total Expenses	467.17	935.00	685.00	685.00
TOTAL 246	6,352.17	6,820.00	6,688.00	6,688.00
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	108,223.50	166,753.00	170,083.00	170,083.00
Expenses	19,965.91	21,000.00	21,000.00	21,000.00
TOTAL 299	128,189.41	187,753.00	191,083.00	191,083.00
TOTAL PUBLIC SAFETY	1,079,140.72	1,181,327.00	1,170,726.00	1,170,726.00

EDUCATION				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
300 EDUCATION				
Fixed Charges	29,369.00	24,500.00	15,900.00	15,900.00
School Committee	4,444.00	5,570.00	4,500.00	4,500.00
Superintendent's Office	240,709.00	247,221.00	259,179.00	259,179.00
Principals' Offices	400,247.00	397,122.00	411,579.00	411,579.00
Principal Technology	268,727.00	253,948.00	297,024.00	297,024.00
Regular Education & Transportation	4,411,951.00	4,221,686.00	4,356,409.00	4,356,409.00
Special Education	1,799,330.00	2,025,494.00	1,906,526.00	1,906,526.00
Vocational Ed	43,314.00	57,465.00	64,500.00	64,500.00
Health	134,152.00	140,703.00	150,656.00	150,656.00
Athletics	104,807.00	87,725.00	113,002.00	113,002.00
Other Student Activities	35,386.00	34,325.00	34,325.00	34,325.00
Maintenance & Operations	823,139.00	843,196.00	835,571.00	835,571.00
SUBTOTAL	8,295,575.00	8,338,955.00	8,449,171.00	8,449,171.00
Less School Choice	-695,616.00	-625,000.00	-500,000.00	-500,000.00
SUBTOTAL	7,599,959.00	7,713,955.00	7,949,171.00	7,949,171.00
Less Circuit Breaker	-61,000.00	-61,000.00	-61,000.00	-61,000.00
TOTAL EDUCATION	7,538,959.00	7,652,955.00	7,888,171.00	7,888,171.00

PUBLIC WORKS CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
421 B.P.W. ADMINISTRATION				
Personnel	36,232.15	37,099.00	36,324.00	36,324.00
Expenses	3,395.56	3,700.00	4,100.00	4,100.00
TOTAL 421	39,627.71	40,799.00	40,424.00	40,424.00
422 HIGHWAY CONST. & MAINT.				
Personnel	180,908.26	138,650.00	147,496.00	147,496.00
Expenses	130,330.72	146,442.00	167,040.00	167,040.00
TOTAL 422	311,238.98	285,092.00	314,536.00	314,536.00
423 SNOW AND ICE				
Personnel	198,993.60	184,998.00	191,892.00	191,892.00
Expenses	260,635.50	208,139.00	215,519.00	215,519.00
TOTAL 423	459,629.10	393,137.00	407,411.00	407,411.00
424 STREET LIGHTING				
Personnel	0.00	0.00	0.00	0.00
Expenses	72,102.19	73,400.00	73,400.00	73,400.00
TOTAL 424	72,102.19	73,400.00	73,400.00	73,400.00
425 FORESTRY				
Personnel	0.00	0.00	0.00	0.00
Expenses	7,447.80	15,400.00	15,400.00	15,400.00
TOTAL 425	7,447.80	15,400.00	15,400.00	15,400.00
433 SANITARY LANDFILL				
Personnel	0.00	0.00	0.00	0.00
Expenses	11,657.34	13,300.00	14,400.00	14,400.00
TOTAL 433	11,657.34	13,300.00	14,400.00	14,400.00
654 PARKS & PLAYGROUNDS				
Personnel	6,849.92	6,695.00	3,584.00	3,584.00
Expenses	17,107.11	15,682.00	15,682.00	15,682.00
TOTAL 654	23,957.03	22,377.00	19,266.00	19,266.00
192 PUBLIC BLDGS AIROLDI BLDG				
Personnel	18,388.41	20,030.00	19,831.00	19,831.00
Expenses	14,128.90	21,600.00	21,600.00	21,600.00
TOTAL 192/193	32,517.31	41,630.00	41,431.00	41,431.00
193 PUBLIC BLDGS MEMORIAL HALL				
Personnel	14,371.78	15,137.00	15,146.00	15,146.00
Expenses	31,166.30	42,775.00	42,775.00	42,775.00
TOTAL 192/193	45,538.08	57,912.00	57,921.00	57,921.00
TOTAL PUBLIC WORKS	958,177.46	885,135.00	984,189.00	984,189.00

HUMAN SERVICES				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013+D256	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	22,943.00	22,943.00
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	150.00	150.00	150.00	150.00
TOTAL 540	150.00	150.00	150.00	150.00
541 COUNCIL ON AGING				
Personnel	48,539.86	50,370.00	51,539.00	51,539.00
Expenses	13,779.19	16,750.00	16,750.00	16,750.00
TOTAL 541	62,319.05	67,120.00	68,289.00	68,289.00
542 LEE YOUTH COMMISSION				
TOTAL 542	47,537.00	47,537.00	47,537.00	47,537.00
543 VETERAN'S SERVICES				
Personnel	4,850.00	4,850.00	4,947.00	4,947.00
Expenses	26,659.82	25,500.00	28,500.00	28,500.00
TOTAL 543	31,509.82	30,350.00	33,447.00	33,447.00
TOTAL HUMAN SERVICES	165,399.87	169,956.00	175,315.00	175,315.00

RECREATION & CULTURE				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
610 LEE LIBRARY				
Personnel	167,759.50	166,736.00	168,988.00	168,988.00
Expenses	89,887.86	89,636.00	89,638.00	89,638.00
LIG/MEG GRANT	-7,240.00	-6,214.00	-5,614.00	-5,614.00
TOTAL 610	250,407.36	250,158.00	253,012.00	253,012.00
620 SANDY BEACH				
Personnel	29,927.02	29,838.00	31,389.76	31,390.00
Expenses	9,894.96	10,976.00	13,976.00	10,976.00
TOTAL 620	39,821.98	40,814.00	45,365.76	42,366.00

691 HISTORICAL COMM.				
Expenses	0.00	485.00	485.00	485.00
TOTAL 691	0.00	485.00	485.00	485.00
693 WAR MEMORIALS				
Expenses	843.69	2,600.00	2,600.00	2,600.00
TOTAL 693	843.69	2,600.00	2,600.00	2,600.00
TOTAL RECREATION & CULTURE	291,073.03	294,057.00	301,462.76	298,463.00

DEBT SERVICE				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
700 DEBT SERVICE				
Retirement of Debt	750,000.00	770,000.00	805,000.00	805,000.00
Long Term Interest	488,683.75	461,559.00	433,634.00	433,634.00
Short Term Interest	1,750.00	2,500.00	2,500.00	2,500.00
TOTAL 700	1,240,433.75	1,234,059.00	1,241,134.00	1,241,134.00

INTERGOVERNMENTAL				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
830 INTERGOVERNMENTAL				
Berk. Regional Planning Comm.	3,805.58	3,806.00	3,984.00	3,984.00
TOTAL 810	3,805.58	3,806.00	3,984.00	3,984.00

MISCELLANEOUS - (FIXED COSTS)				
CODE NUMBER	EXPENDED FY2011	BUDGET FY2012	REQUESTED FY2013	FINANCE COMMITTEE RECOMMENDS
910 - 912 EMPLOYEE BENEFITS				
911 Medicare (5173)	115,115.61	115,600.00	118,500.00	118,500.00
911 Berk County Retirement (5177)	600,096.95	629,708.00	645,441.00	645,441.00
912 Health Insurance (5171)	2,304,697.73	2,655,486.00	2,782,235.00	2,782,235.00
912 Life Insurance (5175)	13,592.94	13,879.00	14,239.00	14,239.00
912 Worker's Comp. (5176)	56,797.02	66,300.00	72,100.00	72,100.00
912 Police Medical (5177)	672.66	1,900.00	1,900.00	1,900.00
912 Medicare Part B Penalty (5179)	1,723.80	3,660.00	2,329.00	2,329.00
TOTAL 910	3,092,696.71	3,486,533.00	3,636,744.00	3,636,744.00

945 LIABILITY INSURANCE				
Liability/Property/Vehicle (5742)				
TOTAL 945	79,986.00	101,070.00	68,200.00	68,200.00
946 OTHER INSURANCES				
Police Accident (5745)				
TOTAL 946	39,908.00	42,500.00	48,500.00	48,500.00
TOTAL MISCELLANEOUS	3,212,590.71	3,630,103.00	3,753,444.00	3,753,444.00

Article 3. Building Department Budget

To see if the Town will vote to appropriate the sum of \$92,584, or any other amount, for the maintenance of the Building Department (Account 241) in fiscal year 2013 and to meet that appropriation, raise \$90,284, or any other amount, and transfer from the building department receipts reserved for appropriation the amount of \$2,300, or any other amount, or to take any other action relative thereto.

241 BUILDING DEPT.	Expended FY11	Budget FY12	Request FY13
Personal	75,077.59	78,292.00	80,639.00
Expenses	4,898.12	6,525.00	11,945.00
Total	79,975.71	84,817.00	92,584.00

Finance Committee recommends approval.

Article 4. Fire Department Budget

To see if the Town will vote to appropriate the sum of \$162,705, or any other amount, for the maintenance of the Fire Department (Account 221) in fiscal year 2013 and to meet that appropriation, raise \$117,705, or any other amount, and transfer from available funds \$45,000, or any other amount, or to take any other action relative thereto.

221 FIRE DEPARTMENT	Expended FY11	Budget FY12	Request FY13
Personal	43,719.16	94,090.00	94,459.00
Expenses	65,247.23	67,661.00	68,246.00
Total	108,966.39	161,751.00	162,705.00

Finance Committee recommends approval.

Article 5. 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 2013, and to meet said appropriation, raise \$20,000, or any other amount, and transfer from available funds \$50,000, or any other amount, or to take any other action relative thereto.

132 RESERVE FUND	Expended FY11	Budget FY12	Request FY13
Total	37,714.00	70,000.00	70,000.00

Finance Committee recommends approval.

Article 6. Ambulance Service Budget

To see if the Town will vote to appropriate the sum of \$421,069, or any other amount, for the maintenance of the Ambulance Department (Account 231) in fiscal year 2013 and to meet that appropriation transfer from the ambulance receipts reserved for appropriation the sum of \$421,069, or any other amount, or to take any other action relative thereto.

231 AMBULANCE	Expended FY11	Budget FY12	Request FY13
Personnel	193,771.63	217,701.00	285,521.00
Expenses	194,030.71	172,276.00	135,548.00
Total	387,802.34	389,977.00	421,069.00

Finance Committee recommends approval.

Control Budget

To see if the Town will vote to appropriate the sum of \$18,837, or any other amount, for the maintenance of Animal Control (Account 292) in fiscal year 2013 and to meet that appropriation raise \$18,837, or any other amount, such amount to be offset by receipts of \$9,419, or any other amount, from the Town of Lenox, or take any other action relative thereto.

292 ANIMAL CONTROL	Expended FY11	Budget FY12	Request FY13
Personnel	12,441.78	13,271.00	13,536.00
Expenses	3,409.31	5,301.00	5,301.00
Sub Total	15,851.09	18,572.00	18,837.00
Less Other Town	-7,925.55	-9,286.00	-9,418.50
Total	7,925.54	9,286.00	9,418.50

Finance Committee recommends approval.

Article 8. Sewer Department Budgets

To see if the Town will vote to appropriate the sum of \$2,138,983, or any other amount, for the maintenance of the Sewer Department (Accounts 440, 442 & 443) in fiscal year 2013 and to meet that appropriation raise \$1,919,722, or any other amount, such amount to be offset by the receipts of the Sewer Department, and transfer from the Sewer Enterprise Account the sum of \$219,211, or any other amount, or to take any other action relative thereto.

440, 442, 443 SEWER DEPT.	Expended FY11	Budget FY12	Request FY13
Personnel	287,256.00	317,129.00	313,459.00
Expenses	1,761,061.00	1,823,401.00	1,825,524.00
Total	2,048,317.00	2,140,530.00	2,138,983.00

Finance Committee recommends approval.

Article 9. Water Department Budget

To see if the Town will vote to appropriate the sum of \$985,080, or any other amount, for the maintenance of the Water Department (Account 452) in fiscal year 2013, and to meet that appropriation raise

\$985,080, 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.	Expensed FY11	Budget FY12	Request FY13
Personnel	360,411.10	384,805.00	380,650.00
Expenses	470,613.61	604,124.00	604,430.00
Total	831,024.71	988,929.00	985,080.00

Finance Committee recommends approval.

**Article 10.
Cemetery
Budget**

To see if the Town will vote to appropriate the sum of \$77,981, or any other amount, for the maintenance of the Cemetery Department (Account 491) in fiscal year 2013 and to meet said appropriation raise \$76,231, or any other amount, and transfer from the Perpetual Care Interest Account \$1,750, or any other amount, or to take any other action relative thereto.

491 CEMETERY	Expended FY11	Budget FY12	Request FY13
Personnel	57,250.04	55,118.00	52,975.00
Expenses	19,889.14	25,006.00	25,006.00
Subtotal	77,139.48	80,124.00	77,981.00
Perpetual Care Interest	-7,387.00	-2,080.00	-1,750.00
Total	69,752.48	78,044.00	76,231.00

Finance Committee recommends approval.

Article 11. Health Department Budget

To see if the Town will vote to appropriate the sum of \$214,606, or any other amount, for the maintenance of the Health Department (Account 519) in fiscal year 2013 and to meet that appropriation raise \$214,606, or any other amount, such amount to be offset by receipts totaling \$126,801 or any other amount, from the Towns of Lenox and Stockbridge, or to take any other action relative thereto.

519 TRI-TOWN HEALTH	Expended FY11	Budget FY12	Request FY13
Personnel	189,680.64	179,445.00	187,959.00
Expenses	18,879.09	31,213.27	30,664.00
Subtotal	208,559.73	210,658.27	218,623.00
In-kind		-4,017.00	-4,017.00
Subtotal	208,559.73	206,641.27	214,606.00
Less Other Towns	-120,964.64	-122,181.80	-126,801.00
Total	87,595.09	84,459.47	87,805.00

Finance Committee recommends approval.

Article 12. 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, 2012, or to take any other action thereto.

Article 13. Revolving Fund Accounts

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

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

which revolving funds shall not exceed the sum of Four thousand dollars (\$4,000) for Composting Bins and the sum of Ten thousand dollars (\$10,000) for Fire Prevention Inspections, 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.

Article 14. 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.

Article 15. Blanket 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 16. Town-Owned Land to Generate Solar Power

To see if the Town will vote to appropriate the sum of \$1.00 consistent with the Town of Lee Zoning Bylaw Section 199-9(5), or any other amount, for the municipal use of town-owned land to generate solar power at the Stockbridge Road property purchased for a municipal golf course or other recreational use, or to take any other action relative thereto.

Article 17. State Approval to Use Stockbridge Road Site to Generate Solar Power

To see if the Town will vote to approve and to authorize the Board of Selectmen to take any and all steps necessary to request state approval of the use of approximately four acres of the Stockbridge Road property purchased for a municipal golf course or other recreational use for solar power generation, or to take any other action relative thereto.

Article 18. Land to Offset Open Space Proposed for Solar Power Generation

To see if the Town will vote to designate approximately four acres of land held by the Town under a deed dated August 30, 2002 and held by the Town as a gift, to satisfy any requirement by the State that the Town designate open space for the approximately three acres that the Town uses for solar power generation.

Article 19. Energy Management Services Contract and Solar Lease

To see if the Town will vote to authorize the Board of Selectmen to lease all or any portion of the following three properties: (i) the closed landfill on Woodland Road, (ii) the wastewater treatment plant at 379 Pleasant Street and (iii) the Stockbridge Road property purchased for a municipal golf course or other recreational use, from time to time by one or more leases for such term of years up to 20 years and for such consideration as the Board of Selectmen shall determine, for the purpose of installing and operating thereon solar panels for electric power and distribution, and to authorize the Board of Selectmen to grant such easements in, on, under and across over said land for utility and access purposes, as reasonably necessary to install and operate such a solar array, and further to authorize the Board of Selectmen to enter a power purchase agreement with lessee of such property to purchase all or a portion of the electricity production for the solar array; or take any other action in relation thereto.

Article 20. Local Contribution for \$100,000 Wind Power Feasibility Study

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$4,250, or any other amount, to provide the required local contribution for a \$ 95,750 Massachusetts Clean Energy Grant to retain a consultant to provide a wind power feasibility study of town-owned sites in the vicinity of the upper reservoir, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 21. Network and Elementary School Switch Replacements

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$36,750, or any other amount, for the third of three installments to purchase under a lease purchase agreement a core network switch and Elementary School switches, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 22. Repairs to the Middle and High School Hot Water Heater (2/3 Vote)

To see if the Town will vote to appropriate the sum of \$57,250, or any other amount, for the repair of the Lee Middle and High School Hot Water Heater; and, to meet this appropriation by transferring \$57,500, or any other amount, from the Stabilization Fund, by borrowing or otherwise, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 23. Police Cruiser Replacement

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$34,268, or any other amount, to purchase and equip a new, replacement police cruiser, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 24. Replacement Fire Truck Funding Installment

To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of \$150,000, or any other amount, to a Fire Engine Special Stabilization Fund, or take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 25. Carbon Air Cylinders for Firefighters

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$8,600, or any other amount, to purchase ten carbon air cylinders for firefighters, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 26. Ambulance Building Window Replacement

To see if the Town will vote to transfer from available ambulance receipts reserved for appropriation the sum of \$37,000, or any other amount, to replace ambulance building windows, 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 \$298,869, or any other amount, from fiscal year 2013 "Chapter 90" funds as provided by the Commonwealth; and, to raise and appropriate or transfer from available funds the sum of \$200,000, or any other amount, for a total expenditure of \$498,869, 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. Replacement Loader (2/3 Vote)

To see if the Town will vote to appropriate the sum of \$150,000, or any other amount, for the purchase of a new Loader; and, to meet this appropriation by transferring \$150,000, or any other amount, from the Stabilization Fund, by borrowing or otherwise, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 29. Pick-up Truck with Dump Body (2/3 Vote)

To see if the Town will vote to appropriate the sum of \$40,000, or any other amount, for the purchase of a new pickup truck with dump body; and, to meet this appropriation by transferring \$40,000, or any other amount, from the Stabilization Fund, by borrowing or otherwise, 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 appropriate the sum of \$50,000, or any other amount, to make unforeseen repairs and improvements to the water treatment plant and distribution system, and to meet that appropriation transfer from the Water Enterprise Account \$50,000, or any other amount, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 31. Water Distribution System Improvements Debt Service

To see if the Town will vote to appropriate the sum of \$65,250, or any other amount, for the fourth of five payments on a water distribution system improvements loan, and to meet that appropriation transfer \$65,250, or any other amount, from the Water Enterprise Account, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 32. Water Tank Cleaning and Painting Project Borrowing Authorization (2/3 Vote)

To see if the Town will vote to authorize the borrowing the sum of \$317,000, or any other amount, to clean and paint the South Lee water storage tank; and, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$317,000 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 33. Sewer Plant and Collection System Extraordinary Repairs

To see if the Town will vote to appropriate the sum of \$26,000, or any other amount, to make unforeseen repairs and improvements to the wastewater treatment plant and collection system, and to meet that appropriation transfer from the Sewer Enterprise Account the sum of \$26,000, or any other amount, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 34. Sewer Manhole Repairs

To see if the Town will vote to appropriate the sum of \$8,000, or any other amount, to repair sewer manholes, and to meet that appropriation transfer from the Sewer Enterprise Account the sum of \$8,000, or any other amount, or to take any other action relative thereto. **Finance Committees recommend approval.**

Article 35. Library Central Air Conditioning Replacement (2/3 Vote)

To see if the Town will vote to appropriate the sum of \$50,000, or any other amount, to replace the Lee Library central air conditioning; and, to meet this appropriation by transferring \$50,000, or any other amount, from the Stabilization Fund, by borrowing or otherwise, or to take any other action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 36. Memorial (Town) Hall Former Courtroom Refurbishment

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000, or any other amount, to refurbish the former courtroom within Memorial (Town) Hall, or to take any other action relative thereto. **Capital Outlay and Finance Committees do not recommend approval.**

Article 37. Contribution for \$100,000 EPA Clean-up Grant for 25 School Street

To see if the Town will vote to appropriate the sum of \$20,000, or any other amount, to provide the required local contribution for a \$100,000 U.S. Environmental Protection Agency grant to demolish the Town-owned structure at 25 School Street and to clean up the site, including the heating oil spill, or to take another action relative thereto. **Capital Outlay and Finance Committees recommend approval.**

Article 38. 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. **Capital Outlay and Finance Committees recommend approval.**

Article 39. Chamber of Commerce Gateway and Downtown Beautification

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$6,695, or any other amount, to the Chamber of Commerce to maintain plantings and otherwise uphold the appearance of the public way from the Massachusetts Turnpike to the Laurel Street Bridge, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 40. Cultural Council Originated Events Project

To see if the Town will vote to raise and appropriate or to transfer from available funds \$9,000, or any other amount, for the purpose of continuing to present cultural events and programs for the Town of Lee for fiscal year 2013, including but not limited to administrative expenses, planning of events, promotion, insurance, licensing, and other fees and for other endeavors of the council such as contributions to the local cultural council grant process and other programs to support art and culture in the Town of Lee; provided that said appropriation shall be expended as follows: for each \$1,000 the Lee Cultural Council raises from other sources, the Town will match with \$3,000 up to the maximum appropriation of \$9,000, or to take any other action relative thereto.

Finance Committees does not recommend approval.

Article 41. Laurel Lake Preservation Association's Ongoing Lake Studies

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$2,500, or any other amount, to the Laurel Lake Association for ongoing studies of the lake, or to take any other action relative thereto. **Finance Committee recommends approval.**

Article 42. Special Counsel for Cable Franchise Renewal Negotiations

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$5,000, or any other amount, for the Town of Lee's share of the cost to retain Special Counsel to assist the Five Town Cable Advisory Committee to negotiate a franchise renewal agreement with Time Warner Cable, or to take any other action relative thereto.

Article 43. License of Town-owned Land Abutting the Spectrum Playhouse

To see if the Town will vote to authorize the Board of Selectmen to license to jedko LLC (The College Internship Program), at their discretion and terminable at will, a portion of the property purchased from St. George's Episcopal Church on February 11, 2011 for the purpose of constructing a public parking lot. The license will allow The College Internship Program to occasionally erect a tent on a portion of the Town's property indicated on plans available for review at the Town Clerk's office, 32 Main Street, Lee, MA. In consideration of the use of said property, so long as the license is in place, The College Internship will mow and maintain the additional lawn and gardens in the area, and indemnify the Town from any and all liability associated with the use and name the Town as an additional insured... Or take any other relative thereto.

Article 44. Zoning Bylaw Re-Write (2/3 Vote)

To see if the Town will vote to adopt the recodification of the Zoning Bylaw of the Town of Lee, Chapter 199, as proposed by the Planning Board, with such recodification to include, but not be limited to, (a) reorganizing the existing text of the Bylaw, (b) renumbering sections of the Bylaw as necessary; (c) inserting section and subsection titles as necessary; (d) updating internal references to reflect any new numbering of sections and subsections; (e) amendments to the text as necessary; (f) deleting obsolete and expired sections, and (g) re-adoption in its entirety, all as set forth in the document on file in the Office of the Town Clerk named "Town of Lee Zoning Bylaw Revised –February 2012"; and, further, that upon the effective date of such adoption of the recodification, any existing provisions of the Lee Zoning Bylaw, not incorporated into the recodification, shall be deemed to have been repealed pursuant to this article; or take any other action relating thereto.

See February 2012 Revision, available for review at the Town Clerk's office, 32 Main Street, Lee, MA, and on the Town's website.

or to take any other action relative thereto.

Article 45. Roll-off Container Zoning Bylaw Amendment (2/3 Vote)

To see if the Town will vote to amend its Zoning Bylaw paragraph "199-71 Waste material and refuse" to add a new section "C Roll-off containers"

See April 23, 2012 draft provisions governing roll-off containers, available for review at the Town Clerk's office, 32 Main Street, Lee, MA and on the Town's website.

or to take any other action relative thereto.

Article 46. Office Park and Light Industrial District Zoning Bylaw Amendment-Signs (2/3 Vote)

To see if the Town will vote to amend its Zoning Bylaw paragraph "199-5 Office Park and Light Industrial District" to include a new section "E. Signs and Sign illumination:

See "OPIL Signs" Draft available for review at the Town Clerk's office, 32 Main Street, Lee, MA and on the Town's website.

or to take any other action relative thereto.

Article 47. Planned Commercial Village Center District Bylaw Amendment (2/3 Vote)

To see if the Town will vote to amend its Zoning Bylaw paragraph "199-18. Planned Commercial Village Center District"

See March 26, 2012 draft changes available for review at the Town Clerk's office, 32 Main Street, Lee, MA and on the Town's website.

or to take any other action relative thereto.

Article 48. Disposition of 135 Laurel Lake Crossroad

To see if the Town will vote to authorize the Board of Selectmen to take all necessary action to dispose of the house and lot at 135 Laurel Lake Cross Road as designated on a plan prepared by Taconic Land Services and dated April 10, 2012; and, to request state approval to dispose of the property which was jointly purchased on May 15, 1972 by the Towns of Lee and Lenox through their respective Conservation Commissions for recreational and conservation use pursuant to Article 1 of the April 28, 1972 Special Town Meeting, or to take any other action relative thereto.

Article 49. Land to Offset Proposed Sale of 135 Laurel Lake Crossroad

To see if the Town will vote to designate approximately one (1) acre of land held by the Town under a deed dated August 30, 2002 and held by the Town as a gift, to satisfy any requirement by the State that the Town designate open space in consideration of the approximately one acre that the Town disposes of by sale or otherwise in connection with the 135 Laurel Lade Crossroad.

Article 50. Beach Road Easement Committee Initiative - Submitted by Petition

To see if the Town will appoint a Beach Road Committee as described below for the purposes of purchasing an easement for a right of way to the High Lawn Property, said monies to be obtained from the sale of a house jointly owned by the Towns of Lee and Lenox located at 135 Laurel Lake Road in the event that the property be deemed saleable with respect to existing restrictions on the deed to Edith Wharton Park, where the house is located, or to take any other action relative thereto.

Said committee shall consist of eight persons and shall be instructed to oversee the proposed sale of the house and property, and, when the sale is completed, utilize such funds to complete the purchase of an easement in perpetuity to the beach. The Committee will be chosen as follows: The Conservation Commission shall designate two members; The Beach Committee shall designate two members; The School Committee shall designate two members; The Board of Selectmen shall designate two persons, one of which shall be a Select Board member and the other shall be a member of the community. Committee designations will be made within 30 days and the Committee shall organize within 30 days of that date. Such Committee would remain in place should the sale of the house not occur in the future, with the express purpose as stated above.

Article 51. Form of Government Review Committee Initiative - Submitted by Petition

To see if the Town will vote to establish a Review Committee as described below for the purpose of reviewing the Town's Special Act created under Article III, Chapter 471 of the Acts of 1990, or to take any other action relative thereto:

Said committee shall consist of nine members who will be chosen as follows: The Lee Democratic Committee shall designate one person; The Lee Republican Town Committee shall designate one person; The Lee Green-Rainbow Town Committee shall designate one person; The Finance Committee shall designate one person; The School Committee shall designate one person; The Board of Public Works shall designate one person; The Board of Selectmen shall designate two interested members of the Lee community. Committee designations shall be completed within 30 days and the Committee shall meet to organize within 30 days of that date. No Committee member shall be a full-time employee of the Town of Lee. The Committee shall prepare a report of their review, to include recommendations for any proposed amendments to said Special Act, to be submitted to the Board of Selectmen on or before January 30, 2013. Upon receipt of said report, the Board of Selectmen shall hold a public hearing within 30 days to receive community input upon the report.

Article 52. On-line Meeting Posting By-law Initiative – Submitted by Petition

To see if the Town will vote to adopt a bylaw that all notices be posted on the town website in addition to being posted in Memorial Hall. The online posting shall be listed in accordance with the same legal time frame as required for other public postings.

Should this additional posting method be adopted, the Town Clerk shall file written notice of the adoption with the Attorney General. This alternative posting method, together with the Memorial Hall posting, will provide more effective notice to the public.

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 14, 2012** 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
Lee Housing Authority	One for the term of five years
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
District IV	Three for the term of three years
District V	Three for the term of three 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 _____ day of April, 2012.

David J. Consolati, Chairman

Patricia D. Carlino

Gordon D. Bailey

As per instruction in this Warrant, I have posted same,

this _____ day of April, 2012 in four public places.

Constable