

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

From: Bob Nason, Town Administrator

Date: April 25, 2014

Re: May 8, 2014 (FY 2015) Annual Town Meeting Warrant

While much of the Annual Town Meeting warrant is self-explanatory, this memorandum and the below-mentioned spreadsheets provide additional information about the spending plan's estimated impact on the property tax for the average single family home and the town's levy limit, the operating budget increases from this fiscal year (FY 2014), as well as the special articles and their recommended funding sources. This memorandum and the annual town meeting warrant is posted on the municipal web site, [www.lee.ma.us](http://www.lee.ma.us).

We have enclosed a copy of the April 23, 2014 *Preliminary Estimate of Anticipated Tax Rate Impact and Levy Limit Calculations*. We have based our tax impact calculations on the House Ways and Means proposed \$25,025 net decrease (\$5,355 aid increase less a \$30,380 assessment increase) in state aid. As with state aid, we expect local receipts to be essentially unchanged from this fiscal year (FY 2014). We have also enclosed a copy of the April 23, 2014 *Comparison of Program Spending* which compares the FY 2015 budget requests to the amounts expended in FY 2013 and the amounts budgeted in FY 2014. The Finance Committee recommended operating budget for FY 2015 increases FY 2014 appropriations by \$375,332 or 2.2%. Including the Water, Sewer and Ambulance budgets, which are funded by fees for those services, the budget increase is \$416,365 or 2.0 %. The Board of Assessors' consultant estimates there will be \$10,500,000 of new property growth to absorb \$148,575 of the increased appropriation. Accordingly, we estimate that the tax rate will increase \$0.28 (2%) from \$14.15 to \$14.43 per \$1,000 of valuation. Using the current \$245,219 average single family home valuation, we anticipate the average single family home tax bill will increase by \$69.00. That compares to a \$5.00 (0.1%) increase in FY 2014 and a \$95.00 (2.7%) increase in FY 2013. We estimate the levy will be \$981,169 below the limit set by Proposition 2 ½.

FY 2013 revenue that was greater than our estimate together with expenses for operations and special projects that was less than appropriated, and the Lee Elementary School refinancing proceeds contributed \$511, 444 to the undesignated general fund balance. The resulting certified, available fund balance is \$1,256,387. Excluding the planned \$166,361 transfer of school refinancing proceeds, the net available fund balance is \$1,090,026, which is \$526,000 or 33% less than this time last year. In addition the Board of Assessors' released \$30,000 from the FY 2008 overlay balance, which increased the total available general fund balance to \$1,286,387. The Finance Committee's recommended transfers from these available funds amount to \$702,561 which is \$168,522 or 19% less than the amount of available funds committed at the May 9, 2013 (FY 2014) Annual Town Meeting.

With estimated interest earnings and without appropriations to or from the funds, on June 30, 2014 the General Stabilization Fund balance will be \$955,097, the Fire Truck Stabilization Fund balance will be \$256,138, and the Main Street Reconstruction Design Stabilization Fund balance

will be \$100,367. If the proposed appropriation of \$200,000 from the General Stabilization Fund is approved, that fund's balance will be \$755,097. In light of the available funds reduction, this year there is no planned installment transfer to Fire Truck Stabilization Fund, and the scheduled purchase of the next fire truck replacement is postponed from 2016 to 2017. If the proposed \$100,000 installment to the Main Street Reconstruction Design Stabilization Fund is approved, that fund balance will be \$200,367. Accordingly, together the fund balances will amount to \$1,211,602 or 7% of the total operating budget excluding the enterprise and reserve revenue accounts. That is \$510,432 short of the Finance Committee's 10% target.

Various school and municipal employees contributed to this supplemental information memorandum. School Technology Administrator Charles Flynn wrote the Article 17 explanation, Police Chief Jeffrey Roosa wrote the Article 20 explanation, Ambulance Service Director Lisa Michaud wrote the Article 21 explanation, Building Commissioner Donald Torrico wrote the Article 42 explanation and Superintendent of Public Works Christopher Pompei, P.E., supplied information for Articles 22 to 29, 32 and 33.

#### **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 2013 (ended June 30, 2013). The report is posted on the municipal website ([www.lee.me.us](http://www.lee.me.us)), and paper copies are available at the Library, the Post Offices and Town Hall.

#### **Article 2. FY15 Operating Budgets**

This article presents the FY 2015 Operating Budgets for all departments, except those presented by separate articles due to funding by multiple sources (Building Inspector, Reserve Fund, Animal Control, Cemetery, Health Department and Debt Service – Articles 3, 4, 6, 9, 10 and 11), solely by receipts reserved for appropriation (Ambulance Service - Article 5) or by enterprise funds (Sewer and Water - Articles 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, which is incorporated in this article as well as Articles 3, 5, 6, 7, 8, 9 and 10, includes a 1.5% increase to steps and a 1.5% increase for those who are not scheduled for a step increase.

The Town has entered into collective bargaining agreements for FY 2014 - FY2016 with the municipal bargaining units: Police Officers, Dispatchers and Highway/Cemetery & Water Distribution workers. Each agreement provides for an annual 1.5% increase to steps and a 1.5% increase for those who do not receive step increases. The Fiscal Year 2015 Compensation Plan recommended by the members of the Personnel Board and incorporated in the Fiscal Year 2015 budget requests increases each of the 12, non-union compensation steps by 1.5%, and provides a 1.5% increase for those who are not scheduled to receive a step increase.

As planned, the Treasurer and Collector positions were consolidated, and the Assistant Treasurer/Collector position was created. There are no other additional full or part-time positions. In addition to the modest increases in employee compensation, there are other factors driving the operating budget increases. They include more (from 1 to 3) elections, less wetland fee receipts to offset Conservation Commission personnel expense, as well as increased training

and roadway maintenance expenses. While the cost of employee benefits declined \$158,000 this current year, due primarily to health insurance plan changes, the cost of is once again rising. Driven by a \$103,109 increase in the Town's share (75% for active employees and 60% for retirees) of health insurance premiums and a \$41,736 increase in the Town's retirement contribution, the cost of employee benefits has increased \$148,000. Conversely, the budget for veterans' benefits expenses, which increased by \$28,000 this fiscal, decreased by \$28,700 due to a reduction in the number of veterans or their survivors requiring assistance.

### **Article 3. Building Inspector Budget**

This operating budget is broken out from Article 2, because it is funded in part by receipts reserved for appropriation. Fines from civil citations, which by state statute (M.G.L. C 148A S. 5) must be earmarked for enforcement, training, education and the hearings officer, are allocated to this budget.

### **Article 4. Reserve Fund**

This operating budget is broken out from Article 2, because it is funded in part from available funds.

### **Article 5. Ambulance Service Budget**

This article presents the Ambulance Service operating budget that is funded by fees for services reserved for appropriation. We have sufficient receipts on hand to fund the recommended operating budget.

### **Article 6. Animal Control Budgets**

This operating budget has been broken out from Article 2 to record the Animal Control budget total and the Town of Lenox's half of the funding.

### **Article 7. Sewer Department Budgets**

This article presents the Sewer Department budgets that are funded by sewer receipts and the Sewer Enterprise Fund balance which is \$2,115,676. We anticipate that the FY 2015 fees will amount to \$1,823,371, thereby necessitating a \$330,306 transfer from the fund balance to meet operating expenses. After that transfer, transfers of \$20,000 to overhaul a pump (Article 32) and \$21,000 to replenish the extraordinary repairs account (Article 33), there will be an enterprise fund balance of about \$1,744,370. Allowing for a \$200,000 reserve, at the FY 2015 rate of subsidy the fund balance will be depleted in about five years or by 2019, rather than 2028 as was initially planned.

### **Article 8. Water Department Budget**

This article presents the Water Department budget that is funded by water receipts. The Water Enterprise Account balance is \$199,863. After transferring \$12,000 to replace electronic control panels at the drinking water treatment plant (Article 28), \$23,000 to replenish the extraordinary repairs account (Article 29), \$65,250 to service the debt (2<sup>nd</sup> of 5) for the water tank coating project (Article 30), and \$42,000 to service the debt (1<sup>st</sup> of 5) for the Tyringham Road water main replacement (Article 31) there will be a balance of about \$57,613 in reserve.

**Article 9. Cemetery Budget**

This article 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 \$400 to support the maintenance of the cemetery. That amount is \$700 or 63% less than the amount contributed this current fiscal year.

**Article 10. 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 (\$89,873) and Stockbridge (\$40,443).

**Article 11. Debt Service**

This operating budget has been broken out from Article 2, because this year it is funded in part from available funds which resulted from the June 2013 (FY 2013) refinancing of the Lee Elementary School (LES). In accordance with the refinancing plan, the \$166,361 available funds transfer will offset both a onetime \$106,366 LES debt service increase and the \$59,995 School Building Authority LES reimbursement reduction. In FY 2016 the LES refinancing will save approximately \$32,000 and it will save \$390,000 over the remaining eight years of the borrowing.

**Article 12. 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 13. Revolving Fund Accounts**

The routine reauthorization of two 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 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. In fiscal year 2013 we received a \$750 Sustainable Materials Recovery Program grant to buy 40 additional bins. We sell those bins for \$20.00 and place the proceeds in this revolving account for the purchase of additional bins when the current supply is exhausted. There was \$1,367 in this account on July 1, 2012 and during the fiscal year ended June 30, 2013 (FY 2013) receipts (including the \$750 grant mentioned above) amounted to \$1,120. Expenditures amounted to \$1,700. Accordingly, there was an opening balance of \$787 on July 1, 2013, 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 \$14,823 in this

account on July 1, 2012 and during the fiscal year ended June 30, 2013 (FY 2013) receipts amounted to \$5,500 and compensation for the fire prevention inspector amounted to \$4,076. Therefore, there was an opening balance of \$16,247 on July 1, 2013, the beginning of the current fiscal year. At the end of FY2014, and annually going forward, the account balance in excess of \$10,000 will revert to the general fund.

**Article 14. Tobacco Retailer Training Certification Revolving Account**

The Tobacco Retailer Training Certification Revolving Account is used to collect fees for the training program and to pay the costs of offering it. There was \$11,463 in this account on July 1, 2012 and during the fiscal year ended June 30, 2013 (FY 2013) receipts amounted to \$3,130. There were no expenses. Therefore, there was an opening balance of \$14,593 on July 1, 2013, the beginning of the current fiscal year.

**Article 15. Blanket Grant Application Authorization**

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

**Article 16. School Medicaid Reimbursement Agent Fee**

This article funds the fee (5% of the amount generated) we will pay the Lower Pioneer Valley Educational Collaborative to process claims for Medicaid reimbursement for services provided at Lee public schools. For the three most recent, complete fiscal years (FY 2011 to FY 2013) the Town received an average of \$83,933, exclusive of extraordinary American Recovery and Reinvestment Act reimbursements amounting to \$20,003. Funding (\$5,000) for these fees was last appropriated at the May 9, 2013 (FY 2014) Annual Town Meeting.

**Article 17. Replacement School Surveillance/Security Camera Digital Video Recorder System**

At the request of the School Committee this article provides funds to purchase a surveillance/security camera digital video recording system to monitor and record events within and immediately outside of school buildings. The current system only supports 16 channels, is software limited as to who may monitor the cameras and only stores 36 hours of recordings. The new system will support expansion up to 32 cameras or coverage in the elementary school and the middle and high school. Further, it will allow police monitoring and viewing as needed in real time in both the cruisers and at the police station as the needs arise.

**Article 18. Elementary School Curb Repair**

At the request of the School Committee this article provides funds to replace 105 linear feet of concrete curbing at the Lee Elementary School that was the cause of an automobile mishap this past fall.

**Article 19. Library Heating Conversion from Oil to Gas (2/3 Vote)**

At the request of the Lee Library Association, this article provides funding to replace the failing oil fired heating system with a more efficient gas-fired system. The work includes installing the required pumps, fittings, valves and air separator and related piping near the new boilers (2).

## **Article 20. Police Cruiser**

At the request of the Police Department, this article provides funding to purchase and equip a new cruiser.

### **CURRENT ACTIVE POLICE CRUISER INVENTORY**

Marked Patrol Vehicles	Model Year Vehicle #	Mileage April 8, 2014
Ford Utility Interceptor	2013 (902)	38,544
Ford Explorer	2007 (923)	83,451
Ford Crown Victoria	2011 (904)	66,701
Ford Crown Victoria	2011 (903)	63,157

Police Chief Roosa does not intend to trade in an existing cruiser nor does he plan to request funding for a new cruiser next year. Rather, he plans to use the additional vehicle to reduce the overall mileage per cruiser thereby keeping cruisers under warrantee longer and reducing maintenance cost. What follows is Chief Roosa's explanation of his plan and the expected savings:

I have prepared a proposal for the Finance Committee, Board of Selectmen and the Town of Lee Representatives, outlining what I see as the benefits of an additional cruiser and the associated cost/savings. The following is a list of those cost savings measured I have explored.

- Switch from V8 engine to V6 engine in cruiser
- Current V8 figured at approx 43,800 miles a year 16mpg gas price \$3.39 per gallon Cost \$9,300.
- 2014 V6 approx 43,800 miles a year 19mpg gas price \$3.39 per gallon Cost \$7,800.
- Total Savings \$1500
- Add additional cruiser and assign 3 Officers per cruiser.
- By assigning 3 Officers per car this will reduce the overall mileage per cruiser to approx 28,800 miles per year keeping cruisers under warrantee longer and reducing maintenance cost.
- Currently 3 year 36,000 miles bumper to bumper and 5 year 100,000 miles on the power train.
- On Officers two days off the cruiser assigned to their line would remain off the road.
- Departments that have switch to assigning one car to a specific line of Officers have noted significant changes in the interior and exterior cleanliness of cruisers when fewer patrolmen drive them.
- With the current primary cruiser mileages of 38,544, 63,157, and 66,701 we would be able to keep these mileages down to 67,344, 91,957 and 95,501 as compared to 82,344, 106, 957 and 110,501 extending the cruiser life span by a year or more.
- The department has also undergone a generational transformation from a senior reactive department to a youthful proactive department.
- For the first time in a number of years we will be fully staffed and the 3-11 shifts will be operating with three Officers on the road at most times increasing cruiser usage.

- We have seven Officers in a ten man department with less than five years experience. Historically younger less experienced Officers put greater mileage on vehicles and are somewhat more aggressive with them.
- Further savings can be found in changing the graphic package on the cruisers going away from the multicolor graphics package to a single color scheme. This package is \$200 dollars savings over our current package and requires the cruiser to be ordered all one color saving an additional \$675 dollars while raising the resale/ trade in value on the back end. Our current SUV model cruiser is one color with vinyl door covering that could be removed for a nominal fee and be replaced with the new graphics.
- Last, the current cruisers have roof mounted light bars and this requires a hole to be drilled in the roof for wiring to be installed further affecting resale/trade in value. Within the current cruiser specs the emergency light package is fitted to the inside of the windshield allowing the same visual warning and saving the hole in the roof. The interior lights are at a cost savings of approximately \$300 to \$500 hundred dollars over the current lights and would be spared the abuse of the exterior elements such as rain, snow and the temperature extremes of the roof mounted systems keeping their maintenance to a minimum.

Initial Bid for a new 2014 Cruiser:	\$32,128.00
Amount requested after cost saving measured listed above applies:	<u>\$30,400.00</u>
Car and Equipment Savings:	\$1,728.00
Estimated Fuel Savings V6 Vs. V8 per Year	\$1,500.00
Savings purchasing cruiser Radio off State 911 Grant	<u>\$2,757.85</u>
Overall estimated/real savings:	\$5,985.85

An additional cost associated with new cruiser would be to outfit it with a radio. The estimated cost of this would be \$2,757.85. This cost however may be covered by the 2014 State 911 grant. It was submitted for approval on January 31, 2014.

Finally other costs associated with this proposal would include 2 graphics packages for the existing cruisers to make them match. This cost would be \$595 per package for a total of \$1,190.00. This cost could be paid out of other equipment or cruiser maintenance.

Just to recap maintenance cost should be lower due to the fact we are spreading out usage over three cruisers. Within this plan I also have the ability to monitor line usage. Inevitably one line of Officers will not put on as many miles as another and the cruisers can be moved within this plan to even out mileage discrepancies. This plan also adds much needed flexibility to our Department when it comes to fulfilling grants requiring traffic enforcement, by allowing the extra car to be used while still manning a full shift of three Officers. Again thank you for your time, and your questions and comments are welcome.

#### **Article 21. Ambulance Replacement (2/3 Vote)**

At the request of the Ambulance Service, this article provides funding to replace Ambulance Unit 1, which was purchased in 2006 along with our second ambulance. Unit 1 currently has 85,445 miles and Unit 2 has 81,868 miles. Both vehicles are Ford E-450 diesels and they were unfortunately manufactured with engines that were later found to have multiple mechanical

issues. There was a class action suit against Ford and they were ordered to extend the warranty on these vehicles for an additional 3 years. During the warranty period Unit 1 was out of service multiple times for maintenance sometimes resulting in our inability to respond to medical calls. Since the extended warranty period ended we have spent in excess of \$9,000.00 on repairs (not including routine maintenance) and towing fees for both vehicles, Unit 1 having more serious problems than Unit 2. Due to the nature of our service it is imperative we have at least one reliable vehicle. We should replace Unit 1 as soon as possible, leaving Unit 2 as a back-up ambulance until we can replace it at a later date. The cost of a replacement ambulance, also a Ford E-450 PL Custom, is approximately \$145,000.00. Unit 1 will be declared surplus property and sold to the highest bidder. Proceed from that sale will be returned to the general fund.

## **Article 22. Road Repair and Paving**

At the request of the Department of Public Works (DPW) this article provides funding to repair and pave roadways. In addition to the proposed appropriation, that is \$55,000 greater than the current fiscal year, this article authorizes the Select Board to use \$121,572 of the forthcoming (FY 2015) allocation of state transportation funds designated for local use ("Chapter 90" funding) for these repairs and paving. The estimated FY 2015 Chapter 90 apportionment is \$296,572, \$1,733 less than current year. Although the legislature is expected to increase the statewide FY 2015, Chapter 90 authorization by \$100 Million (from \$200 Million to \$300 Million) the administration is unlikely to increase the municipal allocations. Consequently there will be \$376,572 available for road repair and paving in FY 2015, if, as proposed, \$175,000 of the FY 2015 Chapter 90 apportionment is authorized to replace a large truck with plow and sander (Article 24). There is \$482,518 available for the 2013 paving plan that was postponed until this spring due to the late release of the FY 2014 Chapter 90 apportionment.

Roads are paved in accordance with the Berkshire Regional Planning Commission's road conditions assessment and the Board of Public Works' evaluation of traffic load and economic impacts. The postponed 2013 plan includes repaving Prospect Street and the portion of West Park Street. Approximately \$50,000 of the FY 2015 funding allocation will be used for chip sealing Beartown Mountain Road, West Pine Street and Fernside Road which was postponed from 2012; and, approximately \$25,000 will be spent to crack seal various roadways.

Chapter 90 apportionments from FY 2004 through FY 2007, amounting to 782,700, were reserved for bridge repairs and a FY 2004 appropriation of \$152,000 raised the available bridge repairs funding to \$934,700. Since then we have expended \$136,000 to design and install a temporary bridge on Meadow Street over Powder Mill Brook. The bridge is on loan from the Massachusetts Department of Transportation (MassDOT) which committed to provide funding for the permanent replacement bridge, provided that we pay for the associated design work for which we have committed \$134,755 to date. We have also expended \$58,500 for the design of repairs to the Willow Street Bridge. It is now estimated that \$442,000 of the remaining \$605,000 of uncommitted bridge repair funding will be needed for the Willow Street bridge construction. Unless significant state funding is forthcoming, we may have to consider once again reserving future Chapter 90 funding for bridge repairs.

Subject to the passage of a multi-year state transportation bond bill, this spring Baltazar Contractors, Inc. of Ludlow is scheduled to begin a \$4,365,003 reconstruction of Tyringham



Road. Utilizing appropriations and Chapter 90 apportionments, the Town spent \$200,430 on the roadway reconstruction design and it has committed up to \$38,700 for construction engineering services that Mass DOT may require to inform its administration of the construction contract. In preparation for this work, last fall the Town replaced the water main that runs for about 1,000 feet from Route 102 toward Tyringham.

#### **Article 23. Road Repair and Paving Borrowing Referendum**

In response to the Board of Public Works request for \$5,000,000 to repair and pave various Town roads, this article asks Town Meeting to advise the Select Board members whether or not they should place a non-binding referendum on the next available municipal election to determine the townspeople's appetite for this borrowing. Inasmuch as it is not feasible to place the question on the May 12, 2014 ballot, the next scheduled municipal election is May 18, 2015. State law prevents us from placing it on the November 4, 2014 federal and state election ballot. At this time the Department of Public Works plans to use the borrowed funds to reclaim and pave Forest Street, East Street, Parkview Terrace, Mountain View Terrace and High Street as well as portions of Summer Street, Marble Street, West Road and Devon Road. The estimated debt service expense is \$547,500 each year for 15 years. Using the latest (FY 2014) marginal tax rate increase of \$0.10 per \$89,196 levied, and the most recent average single family house valuation of \$245,219, if the borrowing is approved the tax rate would increase by \$0.61 per \$1,000 of valuation and the real property tax on the average single family home would increase by \$150.52 each year for 15 years.

#### **Article 24. Large Dump Truck with Sander and Plow**

At the request of the Department of Public Works this article provides funding to purchase for the Highway/Cemetery Division a new, large dump truck with sander and plow to replace a comparably equipped 1997 International dump truck driven 58,335 miles. The 17 year old truck has outlived its 15 year life expectancy for regular plowing/sanding route use.

#### **Article 25. Over the Rail Mower Head Replacement**

At the request of the Department of Public Works, this article provides funding to purchase a new over the rail mower head which is needed for the spring mowing season.

#### **Article 26. Main Street Reconstruction Design Borrowing Authorization**

The May 9 2013 Annual Town Meeting transferred \$100,000 from available funds to establish a Main Street Reconstruction Design Special Stabilization Fund. At the request of the Board of Public Works, this article authorizes the borrowing \$700,000 to fully fund the estimated \$800,000 design fee. When the project design is funded, we will seek state and/or federal funds for the road reconstruction, and other grants for the associated below grade utility line replacements. The estimated debt service expense is \$148,000 each year for 5 years. Using the latest (FY 2014) marginal tax rate increase of \$0.10 per \$89,196 levied, and the most recent average single family house valuation of \$245,219, if the borrowing is approved the tax rate would increase by \$0.17 per \$1,000 of valuation and the real property tax on the average single family home would increase by \$40.69 each year for 5 years.

**Article 27. Main Street Reconstruction Design Funding Installment**

In the event that the prior article authorizing borrowing \$700,000 to fully fund the estimated design fee does not pass, this article provides a second \$100,000 installment to Main Street Reconstruction Design Special Stabilization Fund.

**Article 28. Water Plant Operator Panel Replacement**

At the request of the Department of Public Works, this article provides funding from the Water Enterprise Fund to replace control panels at the drinking water treatment plant.

**Article 29. Water Plant and Distribution System Extraordinary Repairs**

At the request of the Department of Public Works, this article provides funding from the Water Enterprise Fund to make major, unanticipated repairs and improvements to the water treatment plant and distribution system. Together with prior appropriations there will be about \$50,000 to cover future unforeseen expenditures.

**Article 30. South Lee Water Tank Coating Project Debt Service**

At the request of the Department of Public Works this article provides funding from the Water Enterprise Fund to pay the second of five installments on a \$300,000 loan that was borrowed to seal the inside and coat the outside of the South Lee water storage tank.

**Article 31. Tyringham Road Water Main Replacement Project Debt Service**

At the request of the Department of Public Works this article provides funding from the Water Enterprise Fund to pay the first of five installments on a \$300,000 loan that was borrowed to replace the water main that runs for about 1,000 feet from Route 102 toward Tyringham.

**Article 32. Sewer Pump Station Pump**

At the request of the Department of Public Works this article provides funding from the Sewer Enterprise Fund to purchase a custom made replacement impeller and casing; and to completely overhaul the second of two Laurel station pumps when it fails.

**Article 33. Sewer Plant and Collection System Extraordinary Repairs**

At the request of the Department of Public Works, this article provides funding from the Sewer Enterprise Fund to make major, unanticipated repairs and improvements to the wastewater treatment plant and collection system. Together with prior appropriations there will be about \$50,000 to cover future unforeseen expenditures.

**Article 34. Chamber of Commerce Advertising and Marketing Campaign**

At the request of the Chamber of Commerce, this article provides the Chamber funds to advertise and market the Town of Lee. The amount requested is the same as the current fiscal year and it is equal to 10.7% of the \$172,352 room tax receipts for FY 2013, the most recent, complete fiscal year. For the first three quarters of the current fiscal year we have received \$179,950.

**Article 35. Chamber of Commerce Gateway and Downtown Beautification**

At the request of the Chamber of Commerce and with the approval of the Department of Public Works (DPW), this article continues the transfer of responsibility and funding for the maintenance of plantings and the appearance along the public way from the turnpike to the

Laurel Street Bridge from the DPW to the Chamber. The transfer was initiated in FY 2012, and by all reports it has been a success.

**Article 36. “Rest of River” Cleanup Economic Damages Defense Fund**

At the request of the Select Board, this article provides our second \$10,000 share of the anticipated fee for Special Counsel, Pawa Law Group, to assist the six “Rest of River” communities along the Housatonic River to obtain financial assistance from General Electric Company to mitigate the effects of its anticipated cleanup of the river. To date we have spent \$4,077.96 of the initial \$10,000 appropriated at the May 9, 2013 Annual Town Meeting. According to the *Cleanup of the Housatonic “Rest of River” Socioeconomic Impact Study*, a report commissioned by the U S Environmental Protection Agency, the socio economic impacts to the region due to cleanup activities could be substantial. Based on the report the impacts could exceed \$500 Million, if a moderate cleanup occurs over a span of fourteen years.

**Article 37. Open Space & Recreation Plan Update**

Requested by the Conservation Commission this article is self-explanatory.

**Article 38. Laurel Lake Preservation Association’s Ongoing Lake Studies**

As it has done for the past three years, the Laurel Lake Preservation Association request funds for ongoing studies of the lake required to annually drawdown the lake to combat zebra mussels and milfoil. The Town of Lenox has committed a matching amount.

**Article 39. Berkshire Brownfields Program**

At the request Berkshire Regional Planning Commission (BRPC), this article provides funds to offset the commission’s unreimbursed costs to administer its Brownfields Program which is otherwise funded by the U.S. Environmental Protection Agency. BRPC is seeking equal amounts of assistance from five other communities (Adams, Dalton, Great Barrington, North Adams and Pittsfield) that have benefited from and may continue to benefit from the program. Three sites in the Town of Lee have benefited from the program: a Phase I Assessment at the Eagle Mill, a Hazardous Building Materials Survey of the former Bull’s Eye Pub and Phase I & II Assessments of 25 School Street. The 25 School Street assessments led to our receipt of an EPA cleanup grant and a contingency fund commitment from BRPC. We anticipate ongoing efforts to reuse the closed paper mills will benefit from the program.

**Article 40. Streetlight LED Retrofit Demonstration**

At the request of the Town Administrator, this article provides funds to measure the cost effectiveness of light-emitting diode (LED) streetlight luminaries, by replacing the eight existing streetlight luminaries whose energy use is measured by a single meter with LED fixtures. Western Massachusetts Electric Company has agreed to rebate \$2,780 of the \$5,900 cost to purchase and install the new fixtures.

**Article 41. Personal Property Tax Agreement for Gas Turbine Power Plant**

At the request of the Board of Assessors this article fulfills the Massachusetts Department of Revenue requirement that Town Meeting approve the FY 2015 to FY 2017 agreement between the Town, acting through the Board of Assessors, and Essential Power of Massachusetts, LLC

(EPM) regarding the assessed valuation of EPM's 20MW Jet Type Gas Turbine located on Woodland Road.

**Article 42. Numbering of Buildings Bylaw**

The Town of Lee currently does not have requirements for numbering of buildings used for residential, commercial and industrial uses. Police Chief Roosa, Fire Chief Sparks, Ambulance Service Director Michaud and Building Commissioner Torrico support standardize requirements to identify structures in Lee with town assigned 911 addresses. All of the departments have had incidents where we could not immediately locate a specific property due to an address not being visible or present.

The town voted on May 9, 1991 to accept the provisions of Chapter 291 of the Acts of 1990; Enhanced 911 services. The town will receive the benefits of enhanced 911 network features and components and any other Enhanced 911 network features that may be made available by the Statewide Emergency Telecommunications Board. The Enhanced 911 features provide selective routing, automatic number identification and automatic location identification.

Surrounding communities have adopted Enhanced 911 services and Lenox, Egremont, Great Barrington and Monterey have adopted a numbering system bylaw. Those towns' bylaws were used to draft the proposed language for our proposed Numbering of Buildings bylaw.

**Article 43. Sign Bylaw Revisions**

At the recommendation of an *ad hoc* Sign Bylaw Committee and at the request of the Planning Board, these revisions make changes which are summarized in the article and recorded in the draft bylaw attached to the warrant, on file at the Town Clerk's office and on the Municipal website, [www.lee.ma.us](http://www.lee.ma.us).

**Article 44. Acceptance of Mountain View Terrace as a Public Way**

Offered by the Board of Selectmen, this article proposes the acceptance of the paved and traveled portion of Mountain View Terrace in light of the Town's longstanding efforts to maintain public safety vehicle passage over the roadway which had been abandoned by the subdivision's developer before a homeowners' association was formed; and, in order to qualify the roadway for state transportation funds designated for local use ("Chapter 90" funding).

**Article 45. Building Safety Easement for 19 Franklin Street**

At the request of the Owners of 19 Franklin Street who seek to build a second means of egress from their building, this article would authorize the Board of Selectmen to negotiate an easement on town-owned land

**Article 46. Tax Increment Finance Agreement with Berkshire Sterile Manufacturing, LLC**

At the request of the Lee Community Development Corporation (CDC) and at the recommendation of the Board of Assessors, this article would qualify Berkshire Sterile Manufacturing for tax incentives offered under the Massachusetts Economic Development Incentive Program and provide local property tax increment financing for the construction of a "clean room", the installation of sterile manufacturing equipment, and other planned

improvements to the building at 480 Pleasant Street. Berkshire Sterile Manufacturing has agreed to purchase from the Lee CDC the property now known as the Lee Corporate Center, provided that they are authorized to receive the benefits of the state and local tax incentive programs.

Copy with attachment:

Kathy Arment, Conservation Commission Chair  
Lynn Browne, Town Accountant  
Doug Mann, Veterans Agent  
Jaimy Messana, Land Use Assistant  
Lisa Michaud, Ambulance Director  
Sarah Navin, Board of Assessors' Clerk  
Dan Paquette, Library Director  
David Parker, Technology Trainer  
Chris Pompi, P.E., Superintendent of Public Works  
Jeffery Roosa, Police Chief  
Gail Rothwell, Council on Aging Director  
Sue Scarpa, Town Clerk  
Alan Sparks, Fire Chief  
Donna Toomey, Treasurer/Collector  
Don Torrico, Building Commissioner  
Jim Wilusz, Tri-Town Health Department Director  
Jeremia Pollard, Esq., Town Counsel  
School Committee and Superintendent Jason McCandless  
Finance Committee  
Personnel Board  
Planning Board  
Board of Public Works