

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

From: Bob Nason, Town Administrator

Date: April 26, 2017

Re: May 11, 2017 (FY 2016/ FY 2017/ FY 2018) Annual Town Meeting Warrant

While much of the Annual Town Meeting warrant is self-explanatory, this memorandum and the enclosures provide additional information about the fiscal year (FY) 2018 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, as well as the special articles and their recommended funding sources. The Annual Town Meeting warrant, this memorandum and the herein referenced enclosures are posted on the municipal web site, www.lee.ma.us.

We have enclosed a copy of the April 25, 2017 *Preliminary Estimate of Anticipated Tax Rate Impact and Levy Limit Calculations*. We have based our tax impact calculations on the House Ways & Means' proposed \$29,900 net state aid increase in FY 2018. In light of the Willow Hill Solar Facility Payment in Lieu of Taxes agreement, we expect local receipts to increase by \$40,700.

We have also enclosed a copy of the April 25, 2017 *Comparison of Program Spending* which compares the FY 2018 budget requests to the amounts expended in FY 2016 and the amounts budgeted in FY 2017. The proposed operating budget for FY 2018 increases FY 2017 appropriations by \$300,819 or 1.7%. Including the Water, Sewer and Ambulance budgets, which are funded in whole or in part by fees for those services, the budget increase is \$411,046 or 1.9%. The Board of Assessors' consultant estimates there will be \$9,800,000 of new property growth to absorb \$144,256 of the increased appropriation. Accordingly, we estimate the tax rate will increase \$0.27 (1.8%) from \$14.72 to \$14.99 per \$1,000 of valuation. Using the current \$254,703 average single family home valuation, we anticipate the average single family home tax bill will increase by \$68.00. That compares to the \$73.00 (2.0%) increase in FY 2017, the \$134.00 (3.8%) increase in FY 2016 and the \$72.00 (2.1%) increase in FY15. We estimate the levy will be \$1,543,430 below the limit set by Proposition 2 ½.

As approved by the May16, 2016 Town Meeting and by sixty-one percent (61%) of the voters at the November 8, 2016 election, a one percent (1.0 %) surcharge on real property tax will be assessed to support a Municipal Water Infrastructure Investment Fund. Accordingly, we estimate the FY 2018 surcharge for the average single family home valued at \$254,703 will be \$38.00. The Fund is exclusively for the maintenance, improvements and investments to municipal drinking water, wastewater and storm water infrastructure assets and spending from the Fund must be approved by Town Meeting.

FY 2016 revenue that was greater than our estimate, together with expenses for operations and special projects that was less than appropriated, contributed \$908,485 to the undesignated general fund balance. The resulting certified, available fund balance is \$1,434,125 which is \$397,042 or 38% more than this time last year. In addition the Board of Assessors' released

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\$58,100 from the FY 2019 - 2011 and 2016 overlay balances, which increased the total available general fund balance to \$1,492,225. The Finance Committee's recommended transfers from these available funds amount to \$729,546 which is \$93,451 or 14% more than the amount of available funds committed at the May 12, 2016 Town Meeting

With estimated interest earnings and without appropriations to or from the funds, on June 30, 2017 the General Stabilization Fund balance will be \$689,150 and the Main Street Reconstruction Design Stabilization Fund balance will be \$303,666. The Fire Truck Stabilization Fund balance will be \$602,841; however, the early FY 2018 payment for the Pumper Tanker currently in production will reduce that balance to \$132,334. Based on this most recent fire truck purchase price, we estimate \$140,000 a year will be required to sustain the vehicle replacement schedule. For FY 2018 no funding is required in light of the post purchase balance of nearly \$140,000. If the proposed \$100,000 transfer to the Main Street Reconstruction Design Stabilization Fund is approved, that fund balance will be \$403,666. The \$689,150 General Stabilization Fund balance is 3% of the \$18,171,294 to be raised for the operating budget. That is 2 % or \$219,415 less than the Massachusetts Municipal Association's recommended best practice of 5%.

Article 1. Town Reports

This article appears annually, and it provides for the acceptance of the Annual Report. This edition covers fiscal year 2016 (ended June 30, 2016). Paper editions will be available at the May 11, 2017 Annual Town Meeting and at the Library, the Post Offices and Town Hall. The report will also be posted on the municipal website (www.lee.me.us),

Article 2. Prior Fiscal Year (2016) Appropriations (9/10 Vote)

This article provides funding to pay late filed invoices for services provided in the prior fiscal year.

Article 3. Current Fiscal Year (2017) Supplemental Snow and Ice Appropriation

This article provides a supplemental appropriation for the Department of Public Works Snow and Ice Account (423), because we estimate our expenses this past winter will exceed our appropriation by \$99,244. This deficit is principally due to overtime, equipment repair and salt expenditures driving costs in excess of the budgeted five year rolling average. The FY 2018 budget request has been increased by \$42,894 or 10.5% to \$451,841, the new five year rolling average.

Article 4. Current Fiscal Year (2017) Sewer Receipts Shortfall

This article provides supplemental funding from the Sewer Enterprise Account, because the current fiscal year gap between sewer receipts and the budget will exceed our \$205,898 estimate by \$30,630.

Article 5. Transfer of Proceeds from the Sale of Cemetery Lots to the Perpetual Care Account

This article transfers half of the receipts from the sale of cemetery lots in the current fiscal year to the Fairmont Cemetery Perpetual Care Account. State law, Ch.114, S. 25, requires a Town Meeting vote to approve the transfer.

Article 6. Shared Administrative Services with the Town of Lenox

This article seeks Town Meeting approval to share a Chief Administrative Officer (CAO) and an Assistant Chief Administrative Officer (ACAO) with the Town of Lenox in lieu of a Lee Town Administrator when the incumbent retires. An Intermunicipal Agreement for each position and the Assistant Chief Administrative Officer's job description are attached to this memorandum and posted on the Town's website, www.lee.ma.us. The Select Boards may annually renew the CAO agreement for up to three years. The ACAO agreement is similar to the current shared Building Safety Department agreement and will provide both Towns professional Human Resources capacity.

Article 7. Fiscal Year 2018 (July 1, 2017 to June 30, 2018) Classification Plan

Subject to Town Meeting approval, the Classification Plan succeeds the plan approved at the May 12, 2016 Town Meeting. The plan applies only to non-union, municipal employees, who constitute less than 10% of the Town's employees. The plan provides for salary/wage ranges for positions clustered by classification, and it is used for hiring new employees. The ranges have been increased by 1.5%. Enclosed is a copy of the April 20, 2017 Classification and Compensation Plan for FY 2018. Developed by the Personnel Board, this consolidated plan provides you with a comprehensive look at the proposed non-union, municipal employee compensation. On the backside of the plan is a detailed explanation of how the spreadsheet is organized.

Article 8. FY17 Operating Budgets

This article presents the FY 2017 Operating Budgets for all departments, except those presented by separate articles due to their funding from multiple sources (Building Safety, Reserve Fund, Ambulance, Animal Control, Cemetery and Health Department - Articles 9, 10, 11, 12, 15 and 16), or by Enterprise Accounts (Sewer and Water - Articles 13 and 14). 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 11-16, includes a 1.5% increase to each of the non-union steps and a 1.5% increase for those who are not scheduled for a step increase. The Town and the Union representing the Highway/Cemetery & Water Distribution workers have agreed to the same 1.5% wage increase. Although the Town and the Union representing the Police Officers have still not reached an agreement, the Police Department's budget includes a 1.5% personnel expense increase. While that adjustment exceeds the 0.03% cost-of-living adjustment experienced by social security beneficiaries on January 1, 2017, active employees' health insurance contributions are increasing by 4.36%.

We have increased the budgeted compensation for the Town Administrator's position to the mid-point of the current range. That may not be sufficient to recruit a qualified candidate; however, it should be adequate to fund the proposed shared administrative services with the Town of Lenox. Whether or not the Town shares administrative services, the Selectmen's/Town Administrator's Secretary and the Town Accountant's workweek will be extended by 2½ hours. The Secretary's workweek will increase from 35 to 37½ hours to reflect actual hours worked; and, the Accountant's workweek will increase from 37½ to 40 hours to implement the Department of Revenue's December 2013 recommended delegation of chief procurement officer

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responsibilities. We have increased a Paramedic's workweek from 36 to 40 hours to assist the Fire Chief/Ambulance Director's management of the Ambulance Service. The FY 2018 operating budgets contain no other additional hours or positions.

We have decreased the Dispatcher budget, because we are no longer funding the personnel expense from both an appropriation and an annual State 911 grant. On average the grant has funded half of the \$180,000 personnel expense. Nevertheless, we appropriated the full amount in the event that we did not receive the grant. Now, due to the uncertainty of the dispatch center's continued operation, the State 911 program has reconsidered investing \$250,000 to \$300,000 to upgrade the center's equipment by this fall when a new statewide system is activated. We expect to receive another State 911 Support and Incentive Grant this year. If we do not, we no longer need to double up with an appropriation. That grant, a State 911 training grant and the reduced appropriation should be sufficient to transition to the County Dispatch Center and to assist the four full-time Dispatchers to train for future employment.

In addition to the modest increases in employee compensation, there are other factors driving the operating budget increases. The above noted (Article 3) Snow and Ice budget increase, a \$18,000 rise in Veterans' benefits (75% of which will be reimbursed by the state) and a \$91,112 increase in employee benefits (principally retirement and health insurance contributions).

Article 9. Building Department Budget

This operating budget is broken out from Article 8, 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. By means of an intermunicipal agreement, the Towns of Lee and Lenox operate a shared Building Safety Department from offices in Memorial (Town) Hall.

Article 10. Reserve Fund

This operating budget is broken out from Article 8, because it is funded in part from available funds.

Article 11. Ambulance Service Budget

This operating budget is broken out from Article 8 because it is funded by fees for services reserved for appropriation and appropriations from the Towns of Stockbridge, Tyringham and Lee. By Town Meeting we expect to have in hand \$406,830 in receipts reserved for appropriation. Based on the percentage of responses to each community in 2016, Stockbridge (14.9%) has been assessed \$98,398 and Tyringham (2.5%) has been assessed \$16,510 of the FY 2018 budget.

Article 12. Animal Control Budget

This operating budget has been broken out from Article 8 to record the Town of Lenox's funding half of the expense.

Article 13. Sewer Department Budgets

This article presents the Sewer Department budgets that are funded by sewer receipts and the Sewer Enterprise Account Fund which has an available balance of \$1,550,390. We anticipate

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that the FY 2018 fees will amount to \$1,913,070, thereby necessitating a \$216,701 transfer from the Fund to meet operating expenses. After that transfer, transfers of \$1,910 (Article 2) and \$30,630 (Article 3) for prior and current fiscal year expenses, \$25,000 (Article 39) to replenish the extraordinary repairs account and \$125,000 (Article 40) to line a failing East Center Street sewer main, there will be an enterprise fund balance of about \$1,367,850. Allowing for a \$200,000 reserve, at the FY 2018 rate of subsidy the Fund will be depleted in about 5 ½ years or 2023, resulting in an estimated \$996,825 shortfall over the final 4 ½ years of the loan.

Article 14. Water Department Budget

This article presents the Water Department budget that is funded by water receipts. The Water Enterprise Account Fund balance is 276,388. After transferring \$65,250 (Article 35) to service the debt (5th and final) for the water tank coating project, \$42,000 (Article 36) to service the debt (4th of 5) for the Tyringham Road water main replacement, \$31,000 (Article 37) to replenish the extraordinary repairs account, and \$35,000 (Article 38) to replace the water treatment plant's process controls there will be a balance of about \$103,138 in reserve.

Article 15. 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 an interest balance of \$597 of which \$400 is earmarked to support the maintenance of the cemetery in FY 2018. That amount is the same as this current fiscal year.

Article 16. Health Department Budget

This operating budget has been broken out from Article 8 to record the total cost of the department and the funding from the Towns of Lenox (\$106,341) and Stockbridge (\$47,854).

Article 17. Salaries of Elected Officials

Required by state statute, this article reaffirms the amounts appropriated in Article 8 for the Moderator and the Select Board.

Article 18. 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 \$1,095.87 in this account on July 1, 2015 and during the fiscal year ended June 30, 2016 (FY 2016) receipts amounted to \$20. There were no expenditures. Accordingly, there was an opening balance of \$1,115.87 on July 1, 2016, the beginning of the current fiscal year.

Article 19. Health Department Training Certification Revolving Account

This Revolving Account, previously named the Tobacco Retailer Training Certification Revolving Account, is used to collect fees for the tobacco training program and to pay the costs of offering it. There was \$9,328 in this account on July 1, 2015 and during the fiscal year ended June 30, 2016 (FY 2016) receipts amounted to \$12,442. Expenses amounted to \$5,999.

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Therefore, there was an opening balance of \$15,771 on July 1, 2016, the beginning of the current fiscal year. The \$5,771 FY 2016 account balance in excess of \$10,000 reverted to the general fund, leaving an opening balance of \$10,000 on July 1, 2016.

Going forward the Tri-town Health Department requests that the account be repurposed to include other trainings. Director Jim Wilusz wrote “Recently, we have also identified critical needs within the health community to offer similar trainings that include specific training, certification and continuing education for food service establishment staff, septic installer trainings, choke savers and others. Allowing for the expansion of the existing account to be used for trainings in addition to tobacco, we will be able to utilize the existing account to cover any costs associated to support these various trainings to include IT support, web software licensure and other ancillary needs”.

Article 20. Blanket Grant Application Authorization

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

Article 21. 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 2014 to FY 2016) the Town received an average of \$60,132. Funding (\$2,000) for these fees was last appropriated at the May 12, 2016 (FY 2017) Annual Town Meeting.

Article 22. Middle and High School Boiler Replacement Debt Service

At the request of the Town Administrator, this article provides funding to pay the first of five installments on a \$126,000 loan authorized by the May 12, 2016 Town Meeting to replace a failed, cast iron boiler with two smaller and more efficient condensing boilers.

Article 23. Firefighter Turnout Gear

At the request of the Fire Chief/Ambulance Director this article provides funding to purchase firefighter gear for fulltime Ambulance Service Paramedics and Emergency Medical Technicians who will be crossed trained to support the our Volunteer Firefighters.

Article 24. Carbon Air Cylinders for Firefighters

At the request of the Fire Chief/Ambulance Director, this article funds the replacement of cylinders that have outlived their useful life.

Article 25. Drug Pumps

At the request of the Fire Chief/Ambulance Director, this article provides funding to purchase two infusion pumps for delivering pre-hospital treatment to patients. Based on the percentage of responses to each community in 2016, Stockbridge (14.9%) has been assessed \$1,490 and Tyringham (2.5%) has been assessed \$250 for these purchases totaling \$10,000.

Article 26. Heart Monitor

At the request of the Fire Chief/Ambulance Director, this article funds the replacement of the primary ambulance's heart monitor which is approaching the end of its useful life. Based on the percentage of responses to each community in 2016, Stockbridge (14.9%) has been assessed \$5,215 and Tyringham (2.5%) has been assessed \$875 for this \$35,000 purchase.

Article 27. Ambulance Building Exterior Doors

At the request of the Fire Chief/Ambulance Director, this article provides funds to replace the ambulance building entry doors. There are two sets of double doors and one single entry door. The existing double doors were not designed for exterior use.

Article 28. Ambulance Building Carpet

At the request of the Fire Chief/Ambulance Director, this article funds the replacement of the twenty year old ambulance building carpets which are torn beyond repair and soiled beyond cleaning.

Article 29. Large Dump Truck with Sander and Plow Borrowing Authorization (2/3 Vote)

At the recommendation of the Town Administrator, this article authorizes a borrowing to fund the Department of Public Works' requested replacement of a 1997 International Harvester dump truck with plow and sander which, after 20 seasons plowing and traveling over 58,356 miles, has reached the end of its useful life.

Article 30. Large Dump Truck with Sander and Plow Debt Service

At the request of the Town Administrator, this article provides funding to pay the first of five installments on a \$175,000 loan authorized by the May 12, 2016 Town Meeting to replace a another 1997 International Harvester dump truck with plow and sander which, after traveling over 63,244 miles, had reached the end of its useful life.

Article 31. Road Repair and Paving

At the request of the Department of Public Works this article provides funding to repair and pave roadways. The proposed \$100,000 appropriation is the same as the current fiscal year, because we again propose to set aside \$150,000 for bridge repair (Article 33) In addition to the proposed appropriation, this article authorizes the Select Board to use the forthcoming (FY 2017) allocation of state transportation funds designated for local use ("Chapter 90" funding) for road repairs and paving. The FY 2018 Chapter 90 apportionment is \$290,265, \$2,748 less than the current fiscal year.

\$59,125 of the \$275,825 currently available is encumbered to honor commitments. \$50,000 was set-aside to secure a \$317,000 federal grant for Bike Way design and construction engineering services. An allocation of \$3,619,000 of federal funds for the Bike Way construction is included in the Berkshire Regional Transportation Improvement Plan. \$9,125 has been set aside to cover the environmental engineering services contract balance for the Forest Street Reconstruction project. The Superintendent of Public works is designing the project and we have received a \$1,000,000 MassWorks grant for the construction. Accordingly, with the proposed appropriation, the FY 2018 Chapter 90 apportionment, the uncommitted funds currently available and the

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MassWorks grant, we will have \$1,606,965 available this construction season. 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. Portions of Maple Street, Navin Heights, Pease Terrace and Circular Avenue are under consideration for the 2017 Road Paving and Repair plan.

Article 32. Road Repair and Paving Borrowing Authorization (2/3)

In response to the Board of Public Works request for \$5,000,000 to reclaim and pave failing Town roads, the May 8, 2014 Town Meeting voted to place a non-binding referendum before the voters which occurred at the May 16, 2016 Town election. While only 240 (6%) of the Town's 3,872 registered voters replied to the question *Are you in favor of borrowing \$5,000,000 for road repair and paving in the Town of Lee*, 152 (63.3%) voted affirmatively. To determine the cost of the borrowing we obtained the attached debt schedules for borrowing \$5,000,000 or \$3,000,000 General Obligation Street Construction Bonds. We estimate that the property tax impact on the average single family home would average \$120 each year for the fifteen year term of the \$5,000,000 loan and \$72 for the \$3,000,000 loan. We estimated the tax rate impact to be \$0.47 and \$0.28 respectively. To determine if there was an alternative strategy to spread out the impact, we met with the Town's Financial Adviser Clark Rowell of UniBank Fiscal Advisory Services, Inc. To limit the annual tax rate impact to \$0.15 he offered the attached short-term borrowing proposal which includes borrowing for the above mentioned \$180,000 Truck. The plan offers a great deal of flexibility, low issuance costs and significantly lower initial interest rates. However, there is the risk that the interest rates on the one-year notes could rise above a construction bond fixed interest rate.

Article 33. Bridge Repairs/Replacement

At the request of the Department of Public Works, this article provides funding for bridge repair or replacement; and, it is a modest third, \$150,000 installment toward replenishing our bridge repair funding set aside. At this time there is \$291,321 available. We have estimated that it would cost \$11,500,000 to replace four of our 14 ½ bridges that are 75 years old or older, the expected useful life of a bridge. Additionally, repairs to a 63 year old bridge are estimated to cost \$650,000. The Massachusetts Department of Transportation (MassDOT) is funding and managing the design and construction of the Valley Street and Chapel Street Bridges. MassDOT has also committed to fund the construction of a permanent bridge to replace the temporary bridge that it provided on Meadow Street over Powder Mill Brook. Unless significant, additional state funding is forthcoming, we may have to consider once again reserving future Chapter 90 funding for bridge repairs.

Article 34. Main Street Reconstruction Design Funding Installment (2/3 Vote)

At the request of the Department of Public Works this article provides the 5th installment toward an estimated \$800,000 fee to design the reconstruction of Main Street. If this \$100,000 installment is approved, the Main Street Reconstruction Design Special Stabilization Fund balance will be \$403,666, which should be sufficient to engage an Engineer to survey and record the existing infrastructure and prepare a preliminary plan.

Article 35. 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 fifth and final payment on the \$300,000 loan that was borrowed to seal the inside and coat the outside of the South Lee water storage tank.

Article 36. 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 fourth of five payments on a \$193,000 loan that was borrowed to replace the water main that runs for about 1,000 feet from Route 102 toward Tyringham.

Article 37. 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 a prior appropriation there will be about \$50,000 to cover future unforeseen expenditures.

Article 38. Water Plant Process Control Software

At the request of the Department of Public Works, this article provides funding from the Water Enterprise Fund to replace the obsolete process controls and alarm auto dialer at the water treatment plant.

Article 39. 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 40. Sewer Main Lining – East Center Street

At the request the Department of Public Works, this article provides funding from the Sewer Enterprise Fund to repair up to 1,200 feet of an 8 inch clay sewer mainline pipe. By robotic camera it was determined that the pipe has several sags, offset joints, some cracks and several protruding service lines, which appear to be related to the accumulation of mineral deposits where the laterals discharge to the mainline pipe. The pipe is buried at a depth of approximately 15 feet and the replacement estimate is \$500,000.

Article 41. 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 \$4,373 more than the current fiscal year and it is equal to 8.75% of the \$261,400 room tax receipts for FY 2016, the most recent, complete fiscal year. For the first two quarters of the current fiscal year we received \$213,346.

Article 42. 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. In FY 2018 the East Side (of downtown

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Main Street) Municipal Parking area has been added to the Chamber's work and the funding has increased by \$3,305.

Article 43. "Rest of River" Cleanup Economic Damages Defense Fund

At the request of the Select Board, this article provides our fifth \$10,000 share of the anticipated fee for Special Counsel, Pawa Law Group, to assist the five "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. We have spent \$17,359 of the \$40,000 appropriated to date and we have committed an additional \$6,290 to complete the Environmental Appeals Board appeal. 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. Impacts could exceed \$500 Million, if a moderate cleanup occurs over a span of fourteen years.

Article 44. Bradley Street Playground Equipment

Initiated by the Lee Youth Commission and requested by the Department of Public Works, this article provides funding to update the playground equipment.

Article 45. Laurel Lake Preservation Association's Ongoing Lake Studies

As it has done for the past six 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 46. Berkshire Brownfields Program

At the request of 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: 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 Phase I Assessment at the Eagle Mill led to EPA grants for a Phase II Assessment, a \$175,000 Brownfields Area-Wide Planning Grant, and a recent \$300,000 Brownfields Assessment Grant. The 25 School Street assessments led to our receipt of a \$100,000 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 47. Fireworks for Founders

At the request of the Select Board Chairman, Thomas P. Wickham, this article provides funding to offset 17% of the Chamber of Commerce's estimated expense for Founders Day weekend fireworks to highlight downtown.

Article 48. Lee Community Tennis Association

At the request of Clare "Bunnie" Lahey, Founder and Executive Director of the Lee Community Tennis Association (Lee CTA), this article provides Lee CTA one-time funding to facilitate the transition when Bunnie retires.

Article 49. Chapel Street Layout and Easements

This article provides an approval and authorization necessary to secure funding for the replacement of the Chapel Street Bridge which MassDOT has determined is structurally deficient, functionally obsolete and lacking standard pedestrian accommodation. Mass DOT has determined that the Town needs to layout and obtain permanent easements over a portion of land where the bridge ends. While Mass DOT will use state and federal funding for the design and construction of the bridge, the Town must acquire the easements.

Article 50. Temporary Moratorium on Recreational Marijuana Establishments

On May 1, 2018 the Planning Board is holding a public hearing to determine whether the board will recommend this proposed zoning by-law amendment to enact a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments and Marijuana Retailers through September 1, 2018.

Copy with attachment:

Kathy Arment, Conservation Commission Chair
Ryan Brown, Fire Chief/Ambulance Director
Lynn Browne, Town Accountant
B.J. Church, Building Commissioner
Patricia DiGrigoli, Council on Aging Director
Doug Mann, Veterans Agent
Jaimy Messana, Land Use Assistant
Sarah Navin, Board of Assessors' Clerk
Brandi Page, Town Clerk
David Parker, Technology Trainer
Chris Pompei, P.E., Superintendent of Public Works
Jeffrey Roosa, Police Chief
Donna Toomey, Treasurer/Collector
Damon Vorce, Library Director
Jim Wilusz, Tri-Town Health Department Director
Jeremia Pollard, Esq., Town Counsel
School Committee and Superintendent Al Skrocki
Finance Committee
Personnel Board
Planning Board
Board of Public Works