



**TOWN OF LEE**  
32 Main Street, Lee, MA 01238  
www.lee.ma.us

R. Christopher Brittain,  
Town Administrator

DATE: April 20, 2022

TO: Town Representatives

FROM: Chris Brittain, Town Administrator

RE: Summary of Warrant Articles for the 2022 Annual Town Meeting

The Annual Town Meeting will be held on May 12, 2022 at 7pm in the Lee High/Middle School Auditorium. Similar to the recent special town meeting we will observe current CDC guidelines related to COVID-19 (see enclosure) which includes optional masking. Below is a summary of each article that will be considered at the meeting.

Attached please find: Warrant  
Budget/Comparison Spending  
Levy Dashboard  
Capital Plan  
Financial Projections  
Letter from Youth Commission – Community Center  
CDC Guidelines

**Article 1 - Town Reports:** This article accepts the town reports (provided in print and online at lee.ma.us) covering the fiscal year ending in June 30, 2021

**Article 2 - Salary of Elected Officials:** Fix salaries of elected officials as required by law. This applies to the wages for the select board and moderator in Article 4 (budget).

**Article 3 -** Each fiscal year we transfer 50% of the sale of cemetery lots (\$4,100 for FY 23) in to the perpetual care account. This requires a majority vote of town meeting.

**Article 4 - Omnibus FY 23 General Fund Operating Budget:** The budget contains a total increase of 3.2%. Below is an explanation of specific increases.

Information Technologies: The majority of this increase is to cover the cost of new/updated software used for employee payroll, time and attendance for both the school and all other town departments. It will replace our current outdated and obsolete paper-based tracking system.

Elections: FY 23 funding is increased to cover 3 elections compared to only 1 election for FY 22.

Police: The majority of this increase is to fund communications and broadband upgrades in town hall. The speed of the current service is no longer adequate for processing certain police and town hall functions.

Fire: In 2021 the career firefighters formed a collective bargaining unit (union). The increases account for additional compensation per contract related to overtime, wages and training.

Building Department: This department is shared with the town of Lenox and was recently restructured with a new commissioner and a full-time inspector (inspector was formally part time).

School: The 3.9% increase fully funds the requested appropriation from the superintendent and school committee. It also takes into consideration the potential use of special education reserve funds to offset the overall increase.

Snow/Ice/Highway: These increases are driven directly from fuel and supply costs that have continued to increase over the past few months.

Sandy Beach: This increase funds additional gate staffing during all days of operation. The gate was formally only staffed during peak times. This additional staffing will ensure that only individuals that have obtained a pass will be provided access and that the requests of the landowners have been fulfilled.

**Article 5 Capital**: This article includes several capital purchases to be made from the town's free cash. Included below are summaries of certain projects proposed for FY23.

Security Cameras: Replaces the existing system that covers the interior and exterior of town hall.

Youth Commission: This capital appropriation was increased for this year to cover the cost of replacing the ice-skating rink at the athletic field.

Paving Plan: FY 23 will include a total of \$1,000,000 in paving and is funded by multiple sources including available cash, Chapter 90 monies and the remainder of the bond approved at the 2021 Annual Town Meeting. Streets currently include (subject to bidding): sections of East St, West Rd and Summer St.

High School Bleachers: This additional school capital expenditure is required to replace the current bleachers which no longer meet minimum safety standards. Failure

to replace the bleachers would prohibit any use for the 2022-2023 school year and beyond.

Memorial Hall: This appropriation is to replace office carpeting that is approximately 30 years old. This is the second phase of an overall flooring project that also included hallways and common areas funded through grant money.

Library: This new appropriation has been added to cover anticipated repair costs of the building's front steps.

**Article 6 and 7** – Water and Sewer Enterprise. The water and wastewater departments appropriations (debt, operating and capital) are fully funded through separate enterprise accounts.

**Article 8** – Blanket Grant Authorization. This article replaces the need to hold a town meeting before any grant application is submitted.

**Article 9** – Chapter 90: This article allows the town to accept money from the commonwealth for road paving. This year's appropriation is estimated to be \$278,340

Article 10 – Omnibus Non-Departmental Budgets include several annual expenditures. There are also a number of new and one-time appropriations that are summarized below:

Bonds – This appropriation provides debt service payments for the 2 bonds approved at last year's town meeting which included a fire truck, ambulance and road paving.

MEMA Study – The town contribution of these funds covers 30% of the MEMA study will in turn allow the town to receive additional state funding for emergency related equipment identified by said study.

Historical – This is the second and final contribution to the historical inventory. This year's amount will be fully reimbursed by state upon completion of the inventory.

Bike path legal work for land acquisition. - While the state is funding much of the design and construction of a bike path all land acquisition is the responsibility of the town. This article funds title work necessary for future acquisition of the land needed for the path.

VFW – The VFW in Lee will be celebrating 100 years in 2023. This appropriation is towards a memorial for the Veteran's Park near the Library.

**Article 11 – Community Center.** This article is to approve a borrowing of 12.5 million dollars for the construction and design of a community center. If town meeting approves this by a 2/3 majority a question will be placed on the next election ballot to approve the borrowing as a debt exclusion from proposition 2 ½. The project will need to receive an affirmative vote at town meeting AND at a town wide election to proceed.

Please see additional information from the youth commission and a summary of tax impacts included in this packet. The full feasibility study is also available online at [lee.ma.us](http://lee.ma.us).

**Article 12 – Political Sign Bylaw.** The planning board proposed this amendment to our political sign bylaw as a result of recent issues related to freedom of speech through political signage. This bylaw seeks to amend the current bylaw by relaxing regulations that could interfere with first amendment rights.

**Article 13 and 14 – Are Citizen’s Petitions** that are required to appear on the warrant. Any town meeting members may make one or more of these motions or defer action relative thereto.

COMMONWEALTH OF MASSACHUSETTS  
BERKSHIRE, SS.

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 meet at the **Lee High School Auditorium on Thursday, May 12, 2022 at the hour of 7:00 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. Salary 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, 2022, or to take any other action relative thereto.

**Article 3. Transfer of Proceeds from the Sale of Cemetery Lots to Perpetual Care Account - Finance Committee Recommends Approval**

To see if the Town will vote to authorize the transfer of the sum of \$4100.00, or any other amount, from the Sale of Cemetery Lots receipts to the Fairmont Perpetual Care Trust Account, or to take other action relative thereto.

**Article 4. Omnibus Fiscal Year 2023 General Fund Operating Budgets – Finance Committee Recommends Approval**

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 relative thereto.

		<b>FY2022</b>	<b>FY2023</b>
		<b>BUDGET</b>	<b>FINANCE COM RECOMMENDED</b>
<b>CODE</b>	<b>CATEGORY</b>		
<b>100</b>	<b>GENERAL GOVT.</b>		
114	MODERATOR	150.00	150.00
122	SELECTMEN	59,475.12	60,440.60
123	TOWN ADMIN.	108,364.00	102,085.00
131	FINANCE COMMITTEE	500.00	500.00
132	RESERVE FUND	70,000.00	70,000.00
133	COMPENSATION RES	75,000.00	75,000.00
135	TOWN ACCT.	117,447.00	115,209.00
141	ASSESSORS	109,955.00	110,955.00
145	TREASURER/COLLECTOR	196,250.89	199,407.97
151	TOWN COUNSEL	36,660.00	37,333.20
155	INFORMATION TECH.	64,440.00	84,318.00
156	LAND USE ASSISTANT	48,000.00	48,960.00
161	TOWN CLERK	61,593.00	62,667.36
163	ELECTIONS/REG.	13,200.00	15,100.00
171	CONSERVATION COM.	3,615.17	4,200.00
175	PLANNING BD.	7,581.00	8,081.00
176	ZONING BOARD	2,575.00	2,575.00
188	HR	0.00	44,423.68
195	TOWN REPORTS	3,600.00	3,600.00
196	OFFICE EQUIP MAINT	13,260.00	13,260.00
197	STAFF DEVELOPMENT	4,000.00	4,000.00
	<b>TOTAL GEN. GOVT.</b>	<b>995,666.18</b>	<b>1,062,265.81</b>
<b>200</b>	<b>PUBLIC SAFETY</b>		
210	POLICE	1,274,809.23	1,319,617.75
221	FIRE DEPT (OLD CHART)	0.00	0.00
231	FIRE/EMS	953,468.42	1,025,785.23
241	BUILDING DEPT.	103,199.00	116,214.82
242	GAS INSPECTOR	5,808.21	5,912.87
244	SEALER/WEIGHTS MEAS	5,817.20	7,350.00
245	WIRING INSPECTOR	8,306.77	8,447.13
246	PLUMBING INSPECTOR	7,547.84	7,685.10
291	EMERGENCY MGMT	2,250.00	2,250.00
292	ANIMAL CONTROL	10,210.94	13,149.00
299	COMMUNICATIONS	0.00	0.00
	<b>TOTAL PUB.SAFETY</b>	<b>2,371,417.61</b>	<b>2,506,411.90</b>

<b>300</b>	<b>EDUCATION</b>		
300	SCHOOL DEPT.	9,781,424.00	10,164,902.00
		<b>9,781,424.00</b>	<b>10,164,902.00</b>
<b>400</b>	<b>PUBLIC WORKS</b>		
421	D.P.W. ADMINISTRATOR	45,023.14	46,625.00
422	HIGHWAY CONST.&MAINT	383,410.49	427,808.70
423	SNOW & ICE	451,841.00	511,867.00
424	STREET LIGHTING	76,500.00	76,500.00
425	FORESTRY	37,400.00	42,400.00
433	SANITARY LANDFILL	24,150.00	21,730.00
654	PARKS & PLAYGROUNDS	20,151.74	23,241.13
192	PUB.BLDG.-AIROLDI BLDG	29,890.52	30,046.33
193	PUB BLDG-MEMORIAL HL	50,565.52	50,721.33
491	CEMETERY	87,019.72	90,259.99
	<b>TOT. PUBLIC WORKS</b>	<b>1,205,952.13</b>	<b>1,321,199.49</b>
<b>500</b>	<b>HEALTH AND HUMAN SERVICES</b>		
511	BD. OF HEALTH	765.00	765.00
519	TRI-TOWN HEALTH	139,496.93	146,344.11 ( <i>Lee Only</i> )
		403,616 Total	450,301 Total
522	PORCHLIGHT VNA	0.00	0.00
523	BRIEN CENTER	2,867.00	2,867.00
523	COMMUNITY HEALTH PG	1,250.00	1,250.00
540	CABLE ADVISORY COMM	150.00	150.00
541	COUNCIL ON AGING	68,252.04	70,431.00
542	LEE YOUTH ASSOC.	54,873.13	58,459.80
543	VETERAN'S SERVICES	76,248.00	76,397.96
	<b>TOTAL H&amp;H.S.</b>	<b>343,902.10</b>	<b>356,664.87 (<i>Lee Only</i>)</b>
		<b>608,021.17</b>	<b>660,621.76 Total</b>

<b>600</b>	<b>REC. AND CULTURE</b>		
610	LEE LIBRARY	294,054.03	298,464.84
620	SANDY BEACH	50,603.56	61,103.00
630	CULTURAL COUNCIL	4,800.00	4,800.00
691	HISTORIC COMM.	485.00	485.00
693	WAR MEMORIALS	2,900.00	2,900.00
	<b>TOTAL REC &amp; CULT.</b>	<b>352,842.59</b>	<b>367,752.84</b>
<b>700</b>	<b>DEBT SERVICE</b>		
710	LONG TERM DEBT (P)	825,000.00	850,000.00
721	LONG TERM DEBT (I)	37,875.00	12,750.00
722	SHORT TERM DEBT (I)	3,100.00	3,100.00
	<b>TOTAL DEBT SVC.</b>	<b>865,975.00</b>	<b>865,850.00</b>
<b>800</b>	<b>INTERGOV</b>		
	BERK REG PLANNING	4,736.00	4,807.34
	<b>TOTAL INTERGOVT</b>	<b>4,736.00</b>	<b>4,807.34</b>
<b>900</b>	<b>FIXED COSTS</b>		
<b>911-912</b>	<b>EMPL. BENEFITS</b>		
911	MEDICARE	166,290.77	171,279.49
911	BERK. CTY RETIRMENT	1,000,376.00	1,045,392.00
912	HEALTH INS.	3,133,786.00	3,133,786.00
912	LIFE INS.	15,000.00	16,045.42
912	WORKERS COMP	120,565.00	126,593.00
912	POLICE MED.	2,033.00	2,033.00
912	MEDICARE B PENALTY	0.00	0.00
	<b>TOTAL EMPL. BEN.</b>	<b>4,438,050.77</b>	<b>4,495,128.91</b>
<b>940</b>	<b>INSURANCES</b>		
945	LIABILITY INS.		
	GEN/PROP/LIAB	112,066.00	117,669.00
	SCHOOL BOARD		

946	OTHER INSUR.		
	POLICE AND		
	FIRE ACCIDENT	60,990.00	60,990.00
	SUB. TOTAL INSUR	173,056.00	178,659.00
	<b>TOTAL FIXED COST</b>	<b>4,611,106.77</b>	<b>4,673,787.91</b>
	<b>TOTAL BUDGET</b>	<b>20,797,141.45</b>	<b>21,627,599.05</b>

**Article 5. Omnibus Fiscal Year 2023 General Fund Capital Budgets**

**Capital Outlay Committee and Finance Committee Recommends Approval**

To see if the Town will vote to raise and appropriate or transfer from available funds any sum or sums of money for capital expenditures of the several departments of the Town as follows:

TOWN HALL SECURITY CAMERAS	\$30,000
YOUTH COMMISSION	\$10,000
FIRE/EMS PAVING	\$78,000
SANDY BEACH	\$2000
DPW – PAVING PLAN	\$74,910
DPW – MECHANIC EQUIPMENT	\$30,000
DPW – PLOW TRUCKS	\$220,000
DPW – PICKUP TRUCK	\$40,000
DPW – CEMETARY MOWER	\$23,000
DPW – EXTRAORDINARY REPAIR	\$12,500
TOWN BUILDINGS-CONTIGENCY	\$12,500
TOWN BUILDINGS – MEM HALL	\$20,000
TOWN BUILDINGS – LIBRARY	\$7,500
LEE HIGH SCHOOL BLEACHERS	\$175,000
LEE PUBLIC SCHOOLS	\$100,000
<b>TOTAL CAPITAL</b>	<b>\$835,410</b>

And further, to provide for said appropriation, transfer the sum of \$835,410 from available funds, or take any other action relative thereto.

**Article 6. Water Enterprise Fund Operating/Capital Budget – Capital Outlay and Finance Committee Recommends Approval**

To see if the Town will vote to make the following appropriations, or any other sum, to fund the Fiscal Year 2023 budget for the Water Department:

Water Operations	\$1,049,203.91
<u>Capital Expenditures</u>	<u>\$ 27,500.00</u>
TOTAL	\$1,076,703.91

And further, to provide for said appropriations from the following sources of revenue and available funds, or take any other action relative thereto.

User Charges	\$1,049,203.91
<u>Retained Earnings</u>	<u>\$ 27,500.00</u>
TOTAL	\$1,076,703.91

**Article 7. Wastewater Enterprise Fund Operating/Capital Budget - Capital Outlay and Finance Committee Recommends Approval**

To see if the Town will vote to make the following appropriations, or any other sum, to fund the Fiscal Year 2023 budget for the Wastewater Department:

Wastewater Operations	\$2,236,625.37
<u>Capital Expenditures</u>	<u>\$ 112,500.00</u>
TOTAL	\$2,349,125.37

And further, to provide for said appropriations from the following sources of revenue and available funds; or take any other action relative thereto.

User Charges	\$2,236,625.37
<u>Retained Earnings</u>	<u>\$ 112,500.00</u>
TOTAL	\$2,349,125.37

**Article 8. 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, to execute any documents in connection with said applications and to expend grant funds for purposes received without further appropriation, or to take any other action relative thereto.

**Article 9. Road Repair and Paving (Chapter 90)**

To see if the Town will vote to expend those sums from fiscal year 2023 “Chapter 90” funds as provided by the Commonwealth, or to take any other action relative thereto.

**Article 10. Omnibus Fiscal Year 2023 General Fund Operating Budgets – Finance Committee Recommends Approval**

To see if the Town will vote to raise and appropriate or transfer from available funds any sum or sums of money for the following purposes:

Bond Payment - Paving	171,270
Bond Payment - Fire/EMS	145,099
Chamber of Commerce Advertising	46,500
Chamber of Commerce Gateway/Downtown	10,000
Historical Commission Matching Funds	
- Historic Inventory*	16,000
MEMA Mitigation Plan	7,500
Laurel Lake Preservation Association	2,500
Berkshire Brownfields	2,000
Fireworks - Founders Day	1,000
Bike Path – Land Title Work	3,000
VFW 100th Anniversary	11,000

And to meet that appropriation transfer the sum of \$415,869.00, or any other amount, from available funds, or take any other action relative thereto.

**Article 11. Community Center (2/3 VOTE) – Finance Committee Does NOT Recommend Approval.**

To See if the Town will vote to appropriate \$12,500,000 or any other amount for the purpose of designing, engineering and constructing a community center including all incidental and related costs by borrowing said sum. And further to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued in order to pay costs for the design, engineering, construction, equipping, and furnishing of a new community center, or take any other action relative thereto.

**Article 12. Political Sign Bylaw Revisions (2/3 VOTE)**

To see if the town will amend Zoning Bylaw § 199.7.1 (Purpose and Findings) by adopting the version below with strike-outs removed and underlined text added, or take any other action relative thereto

### § 7.1 Purpose

(a) Under the authority conferred by the Massachusetts General Laws, as amended, and every other power and authority thereto pertaining, the Town of Lee adopts this section subchapter for the regulation and restriction of billboards, signs and other advertising devices within the town on public ways, or any private way used by the public, or on private property within public view of any public way, public park or reservation in order to protect and enhance the visual environment of this town (its public and private investments in buildings and open spaces) and the safety, convenience and welfare of its residents.

(b) To accommodate the constitutionally protected interests of the public in speech and expression, this subchapter allows political signs wherever a business sign is allowed. In addition, it allows modestly sized political signs to be placed on any person's private property so long as they do not interfere with traffic or otherwise create a hazard. These rules require the balancing of several interests, including the support of free expression, the protection of orderly and safe traffic flow, and the protection of Lee's historic and desirable visual appeal. The rules are based on the following legislative findings:

(1) The town controls the placement of signs on town property, through decisions of the Select Board and on occasion by popular vote at town meeting. However, consistent with public safety, private parties may be allowed to place political signs on town roadway property that is adjacent to their own private property or in areas specially designated free speech signage.

(2) For traffic safety, the Lee bylaw generally requires that business signs maintain a setback of ten feet from the traveled way or lot boundary. Since political signs may now be placed (without a permit) close to the traveled way, they should be of a limited size and placed so that they are unlikely to obstruct the view of motorists entering the roadway or to be unduly distracting to passing motorists.

Amend § 199-7.3 (18) (Definition)

### § 7.3 Definitions

(A) As used in this section, the following terms shall have the meanings indicated:

\*\*\*\*

**(18) Political Sign - ~~A sign designed to influence the action of voters for the passage or defeat of a measure or the election of a candidate to a public office at a national, state or local election~~ A sign placed on private property and designed to influence voters, or to influence any official action by one or more public officials or expressing an opinion on a matter of cultural, societal, religious, or political topic.**

\*\*\*\*

Amend § 199-10.??2(23) (Definition in SGOD Subchapter)

### § ?? .2(23) DEFINITIONS

For purposes of this Section, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Enabling Laws, or, as applicable, as otherwise set forth in the Zoning Bylaw, or as set forth in the Plan Approval Authority (PAA) Regulations. To the extent that there is any conflict between the definitions set forth in this Section or the PAA Regulations and the Enabling Laws, the terms of the Enabling Laws shall govern.

\*\*\*\*

#### (23) Political Sign

~~A political sign is a sign designed to influence the action of voters for the passage or defeat or the election of a candidate to a public office at a national, state or local election.~~ A sign placed on private property and designed to influence voters, or to influence any official action by one or more public officials or expressing an opinion on a matter of cultural, societal, religious, or political topic.

\*\*\*\*

Amend General Standards § 199-7.7(J) (General Rule for Political Signs)

~~J. Political. Two political signs are permitted per lot without a permit.~~

~~(1) Political signs are permitted if they are stationary, unlighted and temporary. Such signs shall be displayed no earlier than 20 days prior to a voting day and shall be removed within five days after a voting day.~~

~~(2) Political signs may not exceed four square feet.~~

(J) Political Signs. Political signs are allowed as follows.

(1) The owner of any lot may place political signs on that lot (with a sign permit) on the same terms as a permanent business or home occupation sign in that zone, and without regard to whether a business or home occupation is present.

(2) In addition to signs authorized above, political signs are also allowed (without a sign permit) on private land of the sign owner. Such signs shall not exceed six square feet and may also be placed on the owner's side of any roadway edge, curb or sidewalk, provided that they do not create a traffic hazard, and also on any land with permission of the owner.

(3) In addition to signs authorized above, political signs are also allowed (without a sign permit) in building windows, but they shall not be separately illuminated from the exterior or flashing.

(4) Except as provided above, political signs are subject to the restrictions and limitations generally applicable to other signs in the same zone, including lighting and location. Where both a permitted political sign and a permitted commercial sign are present, the combined area shall not exceed the size allowed in that zone.

Amend § 7.8(A) (Signs in Residential Zones)

**7.8 District Regulations.**

A) R20, R30, RA-40, CR and RM District requirements.

(1) Allowed Signs. The following signs are allowed

(a) Any signs listed as by right. [See Section 7.4 (A).]

(b) Sign on Premises. One sign is allowed, with a permit, to advertise an approved professional, artisan or home occupation. The sign shall be a wall sign or freestanding sign on the lot of the building containing the business, shall not exceed ~~six~~ 12 square feet, and shall be located at least 10 feet from the public right-of-way line or attached to the building.

Amend § 7.7(E) (Construction Project Signs)

E) Construction. ~~A~~ A single on-premises construction project sign is allowed ~~without~~ with a permit. ~~The sign~~ shall identify the contractor, architect, landscape architect and/or engineer's name, address and other pertinent information.

(1) Construction project signs shall not exceed 12-square feet and shall be set back at least 10 feet from the ~~street~~ lot line or 1/2 the building setback distance, whichever is less.

(2) Construction project signs may be maintained on the building or property for the interim of construction and not more than 30 days following the completion of said construction.

(3) Any contractor may place a sign (without a permit) not exceeding six square feet on a property at which he or she is currently working.

Amend § 199-7.6 (Administration and Enforcement)

**§ 7.6 Administration and Enforcement**

A. Permits, Applications. No sign requiring a permit shall be erected, displayed, altered or enlarged until an application has been filed and a permit for such action has been issued. Applications shall be on forms prescribed by the Building Commissioner. At a minimum, all applications shall include the applicant's signature, a scale drawing specifying the sign's dimensions, materials, illumination, letter sizes, colors, and support systems as well as its location on the land or in relation to buildings, with all relevant measurements.

\*\*\*\* Paragraphs B and C not affected \*\*\*\*

~~D. Enforcement.~~

~~\_\_\_\_\_ (1) The Board of Selectmen shall designate a Building Commissioner, and that Building Commissioner is hereby authorized to enforce this Subchapter 7. The Building Commissioner is authorized to order the repair or removal of any sign and supporting structure which is erected or maintained contrary to these regulations. Whenever a Building Commissioner is designated, that person or board should notify the State Outdoor Advertising Board.~~

~~\_\_\_\_\_ (2) Interpretation, implementation and enforcement of this subchapter will lay with the Building Commissioner serving as agent for the Board of Selectmen.~~

E.D. Maintenance, Repair and Removal by Owner. Every sign shall be maintained in good structural and electrical condition at all times. The Building Commissioner shall inspect and shall have the authority to order (in accordance with the notice procedures in the following subdivision) the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence. Any sign which has been ordered removed by the Building Commissioner or is abandoned or discontinued shall be removed by the person, firm or corporation responsible for his, her or its sign within 20-30 days of receiving the written notice to remove.

F.E. Emergency Removal of Signs by the Building Commissioner. The Building Commissioner shall cause to be removed, without notice, any sign that:

(1) Endangers the public safety, such as an abandoned, dangerous or materially, electrically or structurally defective sign, or a sign for which no permit has been issued due to material electrical or structural defects;

(2) Impedes vehicular or pedestrian traffic or vehicle sight lines or otherwise creates a traffic hazard;

(3) Is attached to a government-owned pole, pylon or fence or a utility pole; or

(4) Is on town-owned land (including roadway, parks and conservation lands), but excluding any political sign placed adjacent to the sign owner's real property and, in accordance with this subchapter, on the owner's side of any curb or sidewalk edge maintained by the town.

F. Non-Emergency Removal and Repair. In all cases where emergency action is not authorized above, the Building Commissioner shall enforce this chapter in either of two ways, as he or she may elect:

\_\_\_\_\_ (1) prepare Issue a notice of violation which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected or appealed within 20-30 days, the Building Commissioner may cause the sign shall to be removed in accordance with the provisions of this section.; or

\_\_\_\_\_ (2) Initiate noncriminal disposition under MGL c. 40, § 21D by giving the offender a written notice to appear before the clerk of the district court with jurisdiction in Lee.

(3G) Notices. All notices of violation mailed to sign owners or property owners by the Building Commissioner shall be sent by certified mail to the sign owner, if known, or otherwise to the

property owner. Any time periods provided in this section shall ~~be deemed to~~ commence on the date of the receipt of the certified mail.

(4H) Appeals. Any person having ~~ana~~ property interest in ~~the~~ a sign or the real property on which a sign is located may appeal ~~the determination of an emergency removal of a sign or a notice of violation from~~ the Building Commissioner ~~ordering removal or compliance~~ by filing a written notice of appeal with the Lee Zoning Board of Appeals within 30 days. ~~The Zoning Board of Appeals shall hold a hearing in order to determine if the Building Commissioner's order of removal or compliance should be enforced (See § 199-13.2.)~~

#### GI. Penalties.

(1) Whoever violates any of the provisions of this subchapter shall pay a fine not to exceed \$300 for each offense.

(2) Each day that such violation continues shall constitute a separate offense.

~~—— (3) The Building Commissioner acting as agent for the Board of Selectmen shall be imposed to enforce this section.~~

~~—— (4) This chapter may be enforced by noncriminal disposition as provided for by MGL c. 40, § 21D.~~

### **Article 13. (Citizens Petition) – Fair Share Amendment Resolution**

WHEREAS, Massachusetts needed new investments in our transportation and public education systems even before the COVID pandemic, and those investments are needed more than ever to lift our economy into an equitable and long-lasting recovery;

WHEREAS, the best way to help working families and rebuild a strong economy for us all is to make that we have quality public schools for our children, affordable public higher education and a reliable transportation system; and

WHEREAS, for Massachusetts to compete against other regions around the nation and the globe, we need modern, reliable transportation; safer roads and bridges, public transportation that works, and safe ways to walk and bike around town; and

WHEREAS, students need a well-rounded education, founded on a rich and varied curriculum that includes science, technology, engineering, and math (STEM), music, art, and athletics; and

WHEREAS, major investments in public education are needed to help students recover academically, socially and emotionally from the COVIC-19 pandemic; and

WHEREAS, tuitions and fees at our public colleges are among the highest in the country, forcing students to take on enormous debt just to receive a degree; and

WHEREAS, new state revenue is necessary to rebuilt crumbling roads and bridges, improve our public schools from Pre-K through college, expand access to vocational and technical training, invest in fast and reliable public transportation, make public higher education affordable again, and expand opportunities for healthy walking and bicycling; and

WHEREAS, wealthy Massachusetts residents saw their investments grow during the pandemic while working families struggled, and Massachusetts' wealthiest residents should pay their fair share to support our communities and grow our economy.

THEREFORE , let it be resolved that the Town of Lee, Massachusetts supports the proposed Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and for the **repair and maintenance** of roads, bridges, and public transportation.

**Article 14. (Citizens Petition) –Act Providing for a Recall of an Elected Official.** To see if the town will vote to accept an act providing for recall of elections in the town of Lee

Be it enacted by the Senate and House of Representatives in General Court assemblies by the authority of the same as follows

#### Recall of Elected Official

SECTION 1. Any holder of an elective town office in the town of Lee may be recalled from office for any reason by the registered voters of the town as provided in this act.

SECTION 2. An initial recall affidavit signed by at least 50 registered voters of the town containing the voters' names and addresses may be filed with the town clerk. The initial recall affidavit shall contain the name of the officer sought to be recalled, the office sought to be recalled and a statement of the grounds for recall. The town clerk shall immediately forward the recall affidavit to the board of registrars of voters for verification of signatures.

SECTION 3. The board of registrars of voters shall verify the signatures on the initial recall affidavit within 14 calendar days of receipt of the initial recall affidavit. If the initial recall affidavit is found to contain a sufficient number of verified signatures, the town clerk shall deliver to the first 10 registered voters who signed the affidavit a formal numbered and printed recall petition sheet with the town clerk's official seal and addressed to the board of selectmen demanding the recall and the election of a successor to the office. Prior to the delivery of the recall petition sheet, the town clerk shall fill out the top portion of each recall petition sheet naming the elected official sought to be recalled, the grounds for recall stated in the initial recall affidavit, the names of the first 10 registered voters that signed the affidavit and shall demand the election of a successor to the office. A copy of the recall petition shall be entered in a record book to be kept in the office of the town clerk.

The 10 registered voters of the town to whom the town clerk delivered recall petition sheets shall have 30 days from the date of delivery of the recall petition sheets in which to file their signed recall petition sheets with the town clerk.

To proceed with the recall election, the town clerk shall receive within 30 days from the date of delivery of the recall petition sheets, the required number of signed recall petition sheets containing the signatures, names and street addresses of at least 1 percent of the registered voters of the town as of the date the signed recall petition sheets are delivered to the town clerk.

Within 5 working days of receipt of the recall petition sheets, the town clerk shall submit the recall petition sheets to the board of registrars of voters and the board of registrars of voters shall verify the number of signatures which are names of registered voters of the town.

SECTION 4. If the total recall petition sheets shall be found and certified by the board of registrars of voters to be sufficient, the certified petitions shall be submitted with the certificate of the town clerk to the board of selectmen without delay. The board of selectmen shall give written notice of the receipt of the certified petition to the officer sought to be recalled. If the officer does not resign within 5 calendar days of the date notice is given by the board of selectmen, then the board of selectmen shall promptly order an election to be held on a date fixed by them not less than 64 nor more than 90 days after receipt of the certified petition; provided, however, that if any other town election is scheduled to occur within 100 days after the date of receipt of the certified petition, the board of selectmen may postpone the holding of the recall election to the date of the other election and may include the question of recall on the ballot for that other election. If a vacancy occurs in the office after recall election has been ordered, the election shall nevertheless proceed as provided in this act.

SECTION 5. An officer sought to be recalled may be a candidate to succeed the officer in an election to be held to fill the vacancy. Unless the officer requests otherwise in writing, the town clerk shall place the officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the nomination and publication, shall all be in accordance with the law relating to elections, unless otherwise provided in this act.

SECTION 6. The incumbent shall continue to perform the duties of the office until the recall election. If the incumbent is not recalled the incumbent shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided in this act. If not re-elected in the recall election, the incumbent shall be considered removed from office immediately and the office vacant.

SECTION 7. Ballots used in a recall election shall contain the following propositions:

FOR THE RECALL OF THE  
[NAME OF OFFICER] ( )  
AGAINST THE RECALL OF THE  
[NAME OF OFFICER] ( )

Adjacent to each proposition, there shall be a place to mark a vote. Following the propositions shall appear the word "Candidates" with directions to voters as required by section 42 of chapter 54 of the General Laws. Beneath the word "Candidates" shall appear the names of candidates nominated as provided in this act. Adjacent to the name of each candidate shall be a place to mark a vote.

If a majority of the votes cast upon the question of recall are in favor of recall, the officer shall be recalled and the votes for the candidates shall be counted. In that instance, the candidate receiving the highest number of votes shall be declared elected for the open office. If less than a majority of the votes cast are in favor of recall, the votes for candidates shall not be counted.

SECTION 8. An initial recall affidavit shall not be filed against an officer within 3 months after the officer takes office or within the last 3 months of the term. In the case of an officer subject

to recall election and not recalled, a new recall affidavit shall not be filed against that officer until as least 3 months have elapsed after the election at which the previous recall was submitted to the voters of the town.

SECTION 9. A person who has been recalled from an office or who has resigned from office while a recall petition was pending against them shall not be appointed to any town office within 2 years after the recall or resignation.

**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 16, 2019 at 7:00 a.m. to 8:00 p.m. to cast their votes for the following offices and questions:**

<b>Moderator</b>	<b>One for the term of one year</b>
<b>Selectman</b>	<b>One for the term of three years</b>
<b>Lee School Committee</b>	<b>Two for the terms of three years</b>
	<b>One for the term of two years</b>
	<b>One for the term of one year</b>
<b>Planning Board</b>	<b>One for the term of five years</b>
<b>Representatives</b>	
<b>District 1</b>	<b>Three for terms of three years</b>
<b>District 2</b>	<b>Three for terms of three years</b>
	<b>One for the term of two years</b>
<b>District 3</b>	<b>Three for terms of three years</b>
	<b>One for the term of two years</b>
<b>District 4</b>	<b>Three for terms of three years</b>
<b>District 5</b>	<b>Three for terms of three years</b>
	<b>One for the term of one year</b>
<b>District 6</b>	<b>Three for terms of three years</b>

**QUESTION 1 – NON-BINDING - Shall the town require the Select Board to rescind the town of Lee’s approval of the Rest of River Agreement?**

**QUESTION 2 – BINDING - Shall an act passed by the General Court entitled ‘An Act establishing an open town meeting in the town of Lee’ be accepted by the town?**

**SUMMARY**

**The special act is the result of a citizens' petition at the 2021 Annual Town Meeting to repeal existing legislation governing the Town of Lee's town meeting format and replace it with open town meetings. Currently, the Town of Lee operates as a Representative Town Meeting form of government, with membership consisting of nine (9) members from six (6)**

**districts, for a total of fifty-four (54) potential district representatives, depending on vacancies. Additionally, there are currently at large members of the town meeting, namely, the moderator, town clerk, the board of selectmen, chairperson of the finance committee and any member of the Massachusetts state legislature who is a registered voter of the town. Under the current town meeting form of government, only representatives and at large members can act on and vote on articles before the town meeting. The Special Act would change the Town of Lee's representative form of government to open town meetings. In an open town meeting, any registered voter is a legislator at annual and special town meetings. In an open town meeting, any registered voter may act on articles before the town meeting and vote at annual and special town meetings.**

**Question 3 – BINDING – Shall the town permanently revoke its prior acceptance of Massachusetts General Law Chapter 40 Section 39M, which created a Water Infrastructure Surcharge on real property taxes; the revocation was approved unanimously by town meeting on October 1, 2020?**

You Are hereby directed to serve this Warrant by posting true and attested copies thereof, in five 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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
Patricia D. Carlino, Chair

\_\_\_\_\_  
Sean J. Regnier

\_\_\_\_\_  
Bob Jones

As per instruction in this Warrant, I have posted same, this \_\_\_\_\_ day of \_\_\_\_\_, 2022 in five public places.

\_\_\_\_\_  
Constable



		<b>FY2022</b>	<b>FY2023</b>	<b>COMPARE</b>	<b>COMPARE</b>
		<b>BUDGET</b>	<b>REQUEST</b>	<b>\$ CHANGE</b>	<b>PERCENT</b>
<b>CODE</b>	<b>CATEGORY</b>				
<b>100</b>	<b>GENERAL GOVT.</b>				
114	MODERATOR	150.00	150.00	0.00	0.0%
122	SELECTMEN	59,475.12	60,440.60	965.48	1.6%
123	TOWN ADMIN.	108,364.00	102,085.00	-6,279.00	-5.8%
131	FINANCE COMMITTEE	500.00	500.00	0.00	0.0%
132	RESERVE FUND	70,000.00	70,000.00	0.00	0.0%
133	COMPENSATION RES	75,000.00	75,000.00	0.00	0.0%
135	TOWN ACCT.	117,447.00	115,209.00	-2,238.00	-1.9%
141	ASSESSORS	109,955.00	110,955.00	1,000.00	0.9%
145	TREASURER/COLLECTOR	196,250.89	199,407.97	3,157.08	1.6%
151	TOWN COUNSEL	36,660.00	37,333.20	673.20	1.8%
155	INFORMATION TECH.	64,440.00	84,318.00	19,878.00	30.8%
156	LAND USE ASSISTANT	48,000.00	48,960.00	960.00	2.0%
161	TOWN CLERK	61,593.00	62,667.36	1,074.36	1.7%
163	ELECTIONS/REG.	13,200.00	15,100.00	1,900.00	14.4%
171	CONSERVATION COM.	3,615.17	4,200.00	584.83	16.2%
175	PLANNING BD.	7,581.00	8,081.00	500.00	6.6%
176	ZONING BOARD	2,575.00	2,575.00	0.00	0.0%
188	HR	0.00	44,423.68	44,423.68	
195	TOWN REPORTS	3,600.00	3,600.00	0.00	0.0%
196	OFFICE EQUIP MAINT	13,260.00	13,260.00	0.00	0.0%
197	STAFF DEVELOPMENT	4,000.00	4,000.00	0.00	0.0%
	<b>TOTAL GEN. GOVT.</b>	<b>995,666.18</b>	<b>1,062,265.81</b>	<b>66,599.63</b>	<b>6.7%</b>
<b>200</b>	<b>PUBLIC SAFETY</b>				
210	POLICE	1,274,809.23	1,319,617.75	44,808.52	3.5%
221	FIRE DEPT (OLD CHART)	0.00	0.00	0.00	0.00
231	FIRE/EMS	953,468.42	1,025,785.23	72,316.81	7.6%
241	BUILDING DEPT.	103,199.00	116,214.82	13,015.82	12.6%
242	GAS INSPECTOR	5,808.21	5,912.87	104.66	1.8%
244	SEALER/WEIGHTS MEAS	5,817.20	7,350.00	1,532.80	26.3%
245	WIRING INSPECTOR	8,306.77	8,447.13	140.36	1.7%
246	PLUMBING INSPECTOR	7,547.84	7,685.10	137.26	1.8%
291	EMERGENCY MGMT	2,250.00	2,250.00	0.00	0.0%
292	ANIMAL CONTROL	10,210.94	13,149.00	2,938.06	28.8%
299	COMMUNICATIONS	0.00	0.00	0.00	
	<b>TOTAL PUB.SAFETY</b>	<b>2,371,417.61</b>	<b>2,506,411.90</b>	<b>134,994.29</b>	<b>5.7%</b>

<b>300</b>	<b>EDUCATION</b>				
300	SCHOOL DEPT.	9,781,424.00	10,164,902.00	383,478.00	3.9%
		<b>9,781,424.00</b>	<b>10,164,902.00</b>	<b>383,478.00</b>	<b>3.9%</b>
<b>400</b>	<b>PUBLIC WORKS</b>				
421	D.P.W. ADMINISTRATOR	45,023.14	46,625.00	1,601.86	3.6%
422	HIGHWAY CONST.&MAINT	383,410.49	427,808.70	44,398.21	11.6%
423	SNOW & ICE	451,841.00	511,867.00	60,026.00	13.3%
424	STREET LIGHTING	76,500.00	76,500.00	0.00	0.0%
425	FORESTRY	37,400.00	42,400.00	5,000.00	13.4%
433	SANITARY LANDFILL	24,150.00	21,730.00	-2,420.00	-10.0%
654	PARKS & PLAYGROUNDS	20,151.74	23,241.13	3,089.39	15.3%
192	PUB.BLDG.-AIROLDI BLDG	29,890.52	30,046.33	155.81	0.5%
193	PUB BLDG-MEMORIAL HL	50,565.52	50,721.33	155.81	0.3%
491	CEMETERY	87,019.72	90,259.99	3,240.27	3.7%
	<b>TOT. PUBLIC WORKS</b>	<b>1,205,952.13</b>	<b>1,321,199.49</b>	<b>115,247.36</b>	<b>9.6%</b>
<b>500</b>	<b>HEALTH AND HUMAN SERVICES</b>				
511	BD. OF HEALTH	765.00	765.00	0.00	0.0%
519	TRI TOWN HEALTH	139,496.93	146,344.11 (Lee Only)	6,847.18	4.9%
			450,301 Total		
522	PORCHLIGHT VNA	0.00	0.00	0.00	0.0
523	BRIEN CENTER	2,867.00	2,867.00	0.00	0.0%
523	COMMUNITY HEALTH PG	1,250.00	1,250.00	0.00	0.0%
540	CABLE ADVISORY COMM	150.00	150.00	0.00	0.0%
541	COUNCIL ON AGING	68,252.04	70,431.00	2,178.96	3.2%
542	LEE YOUTH ASSOC.	54,873.13	58,459.80	3,586.67	6.5%
543	VETERAN'S SERVICES	76,248.00	76,397.96	149.96	0.2%
	<b>TOTAL H&amp;H.S.</b>	<b>343,902.10</b>	<b>356,664.87 (Lee Only) 660,621.76 Total</b>	<b>12,762.77</b>	<b>3.7%</b>

<b>600</b>	<b>REC. AND CULTURE</b>				
610	LEE LIBRARY	294,054.03	298,464.84	4,410.81	1.5%
620	SANDY BEACH	50,603.56	61,103.00	10,499.44	20.7%
630	CULTURAL COUNCIL	4,800.00	4,800.00	0.00	0.0%
691	HISTORIC COMM.	485.00	485.00	0.00	0.0%
693	WAR MEMORIALS	2,900.00	2,900.00	0.00	0.0%
	<b>TOTAL REC &amp; CULT.</b>	<b>352,842.59</b>	<b>367,752.84</b>	<b>14,910.25</b>	<b>4.2%</b>
<b>700</b>	<b>DEBT SERVICE</b>				
710	LONG TERM DEBT (P)	825,000.00	850,000.00	25,000.00	3.0%
721	LONG TERM DEBT (I)	37,875.00	12,750.00	-25,125.00	-66.3%
722	SHORT TERM DEBT (I)	3,100.00	3,100.00	0.00	0.0%
	<b>TOTAL DEBT SVC.</b>	<b>865,975.00</b>	<b>865,850.00</b>	<b>-125.00</b>	<b>0.0%</b>
<b>800</b>	<b>INTERGOV</b>				
	BERK REG PLANNING	4,736.00	4,807.34	71.34	1.5%
	<b>TOTAL INTERGOVT</b>	<b>4,736.00</b>	<b>4,807.34</b>	<b>71.34</b>	<b>1.5%</b>
<b>900</b>	<b>FIXED COSTS</b>				
<b>911-912</b>	<b>EMPL. BENEFITS</b>				
911	MEDICARE	166,290.77	171,279.49	4,988.72	3.0%
911	BERK. CTY RETIRMENT	1,000,376.00	1,045,392.00	45,016.00	4.5%
912	HEALTH INS.	3,133,786.00	3,133,786.00	0.00	0.0%
912	LIFE INS.	15,000.00	16,045.42	1,045.42	7.0%
912	WORKERS COMP	120,565.00	126,593.00	6,028.00	5.0%
912	POLICE MED.	2,033.00	2,033.00	0.00	0.0%
912	MEDICARE B PENALTY	0.00	0.00	0.00	#DIV/0!
	<b>TOTAL EMPL. BEN.</b>	<b>4,438,050.77</b>	<b>4,495,128.91</b>	<b>57,078.14</b>	<b>1.3%</b>
<b>940</b>	<b>INSURANCES</b>				
945	LIABILITY INS. GEN/PROP/LIAB SCHOOL BOARD	112,066.00	117,669.00	5,603.00	5.0%

946	OTHER INSUR.				
	POLICE AND				
	FIRE ACCIDENT	60,990.00	60,990.00	0.00	0.0%
	SUB. TOTAL INSUR	173,056.00	178,659.00	5,603.00	3.2%
	<b>TOTAL FIXED COST</b>	<b>4,611,106.77</b>	<b>4,673,787.91</b>	<b>62,681.14</b>	<b>1.4%</b>
	<b>TOTAL BUDGET</b>	<b>20,533,022.38</b>	<b>21,323,642.16</b>	<b>790,619.78</b>	<b>3.9%</b>
	<b>TOTAL W/O Accounts</b>	<b>20,123,095.79</b>	<b>20,887,674.24</b>	<b>764,578.45</b>	<b>3.8%</b>
	<b>132, 133, 241, 292, 491 &amp; 519</b>				
	<b>RESERVE REVENUE &amp; ENTERPRISE (RR&amp;E) ACCOUNTS</b>				
440	WPCF	2,171,905.80	2,211,138.61	39,232.81	1.8%
442	SEWAGE C&M	16,433.21	16,486.55	53.34	0.3%
443	PUMP STATION	25,800.00	25,800.00	0.00	0.0%
	SUB. TOTAL SEWER	2,214,139.01	2,253,425.16	39,286.15	1.8%
452	WATER DIST	1,123,751.30	1,050,003.60	-73,747.70	-6.6%
	<b>TOTAL RR&amp;E ACCOUNTS</b>	<b>3,337,890.31</b>	<b>3,303,428.76</b>	<b>-34,461.55</b>	<b>-1.0%</b>
	<b>GRAND TOTAL</b>	<b>23,870,912.69</b>	<b>24,627,070.92</b>	<b>756,158.23</b>	<b>3.2%</b>

TOWN OF LEE, MASSACHUSETTS		FISCAL 2020	FISCAL 2021	FISCAL 2022	FISCAL 2023	FISCAL 2024
TAX LEVY DASHBOARD		TAX RATE	TAX RATE	PROJECTED	PROJECTED	PROJECTED
<b>MAXIMUM ALLOWABLE TAX LEVY CALCULATION:</b>						
Base		15,955,775	16,504,670	17,209,878	18,031,401	18,632,186
Maximum allowable tax levy increase (2 1/2%)		398,894	412,617	430,247	450,785	465,805
New Growth		150,000	153,392	391,276	150,000	150,000
Overrides						
Capital Outlay Exclusions		-	-	-	-	-
Debt Exclusions Current		601,187	430,134	431,562	432,990	432,990
Debt Exclusions Authorized/Unissued		-	-	-	-	-
<b>MAXIMUM ALLOWABLE TAX LEVY</b>		<b>17,105,857</b>	<b>17,500,812</b>	<b>18,462,963</b>	<b>19,065,176</b>	<b>19,680,981</b>
<b>ACTUAL LEVY</b>		<b>13,908,470</b>	<b>14,130,995</b>	<b>14,614,258</b>	<b>14,784,655</b>	<b>15,443,497</b>
<b>EXCESS LEVY CAPACITY</b>		<b>3,197,387</b>	<b>3,369,817</b>	<b>3,848,705</b>	<b>4,280,521</b>	<b>4,237,484</b>
<b>Tax Levy % Increase</b>		<b>0.29%</b>	<b>1.60%</b>	<b>3.42%</b>	<b>1.17%</b>	<b>4.46%</b>
<b>Tax Levy(net of new growth)</b>		<b>13,758,470</b>	<b>13,977,603</b>	<b>14,222,982</b>	<b>14,634,655</b>	<b>15,293,497</b>
<b>Tax Impact (net of new growth)</b>		<b>-0.75%</b>	<b>0.60%</b>	<b>0.65%</b>	<b>0.14%</b>	<b>3.44%</b>

3/10/2022

LEE MASSACHUSETTS FISCAL YEARS 2023-2027 DEPARTMENTAL CAPITAL SPENDING PLAN

DEPARTMENT	PROJECT DESCRIPTION	FUNDING SOURCE	FY2023	FY2024	FY2025	FY2026	FY2027	5 YEAR TOTAL
TOWN BUILDINGS	Improvement Contingency	General Fund Cash	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$62,500.00
TOWN CLERK	Archive/Historic Records Preservation	General Fund Cash		\$5,000.00				\$5,000.00
TOWN CLERK	Replace Voting Machines	General Fund Cash			\$11,000.00			\$11,000.00
TOWN BUILDINGS	Security Camera System Replacement	General Fund Cash	\$30,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$70,000.00
YOUTH COMMISSION	Playground Improvements/Equip	General Fund Cash	\$10,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$30,000.00
POLICE	Mobile Data Terminals	General Fund Cash		\$32,000.00				\$32,000.00
POLICE	Radios/ Ballistic Vests	General Fund Cash			\$45,000.00	\$16,500.00		\$61,500.00
FIRE/EMS	Paving Parking Lot	General Fund Cash	\$78,000.00					\$78,000.00
FIRE/EMS	Communications Equipment	General Fund Cash		\$10,000.00				\$10,000.00
SCHOOL	General Fund Contribution	General Fund Cash	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$500,000.00
SANDY BEACH	Safety/Maintenance Equipment	General Fund Cash	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$10,000.00
DPW HIGHWAY	Paving Plan	GF CASH/Carryover/CHAP 90	\$1,000,000.00	\$600,000.00	\$500,000.00	\$500,000.00	\$500,000.00	\$3,100,000.00
DPW HIGHWAY	Backhoe	General Fund Cash		\$250,000.00				\$250,000.00
DPW HIGHWAY	Mechanic/Shop Equipment	General Fund Cash	\$30,000.00					\$30,000.00
DPW HIGHWAY	Extraordinary Infrastructure Contingency	General Fund Cash	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$62,500.00
DPW HIGHWAY	Plow Trucks	General Fund Cash	\$220,000.00		\$200,000.00	\$200,000.00		\$620,000.00
DPW HIGHWAY	Sidewalk Plows/Equipment	General Fund Cash		\$150,000.00				\$150,000.00
DPW HIGHWAY	Pickup Replacement (Ranger)	General Fund Cash	\$40,000.00					\$40,000.00
DPW HIGHWAY	Cemetery Heater	General Fund Cash						\$0.00
DPW HIGHWAY	Cemetery Mower	General Fund Cash	\$23,000.00					\$23,000.00
SEWER	Extraordinary Infrastructure Contingency	Sewer Enterprise	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$62,500.00
SEWER	Radio Replacement (meters)	Sewer Enterprise	\$15,000.00	\$15,000.00				\$30,000.00
SEWER	Truck Replacement	Sewer Enterprise	\$50,000.00					\$50,000.00
WATER	Extraordinary Infrastructure Contingency	Water Enterprise	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$62,500.00
WATER	Radio Replacement (meters)	Water Enterprise	\$15,000.00	\$15,000.00				\$30,000.00
WATER	Truck Replacement	Water Enterprise		\$55,000.00				\$55,000.00
SEWER	SCADA System Update	Sewer Enterprise	\$35,000.00					\$35,000.00
SCHOOL	Gym Bleachers	General Fund Cash	\$175,000.00					\$175,000.00
TOWN BUILDINGS	Memorial Hall Flooring	General Fund Cash	\$20,000.00					\$20,000.00
TOWN BUILDINGS	Library - Extraordinary	General Fund Cash	\$7,500.00					\$7,500.00
<b>TOTAL YEARLY REQUESTS</b>			<b>\$1,900,500.00</b>	<b>\$1,299,000.00</b>	<b>\$923,000.00</b>	<b>\$883,500.00</b>	<b>\$667,000.00</b>	<b>\$5,673,000.00</b>
	General Fund Cash		\$835,410.01	\$606,000.00	\$609,750.00	\$570,250.00	\$353,750.00	\$2,975,160.01
	Sewer Enterprise		\$112,500.00	\$27,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$177,500.00
	Water Enterprise		\$27,500.00	\$82,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$147,500.00
	Chapter 90		\$278,340.00	\$288,250.00	\$288,250.00	\$288,250.00	\$288,250.00	\$1,431,340.00
	Short Term Borrowing		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Chapter 90 Carryover		\$316,148.99					\$316,148.99
	FY 22 Paving Bond Carryover		\$330,601.00					\$330,601.00

**TOWN OF LEE, MASSACHUSETTS  
FINANCIAL PROJECTION (FY2021-FY2026)**

**OPERATING BUDGET SUMMARY:**

	TAX RATE	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED
	FISCAL 2021	FISCAL 2022	FISCAL 2023	FISCAL 2024	FISCAL 2025	FISCAL 2026
GENERAL GOVERNMENT	941,576	991,385	1,062,266	1,083,511	1,105,182	1,127,285
PUBLIC SAFETY	2,208,775	2,371,417	2,506,412	2,556,540	2,607,671	2,659,824
EDUCATION	9,497,015	9,781,925	10,164,902	10,469,849	10,783,945	11,107,463
PUBLIC WORKS	1,198,190	1,205,553	1,321,199	1,347,623	1,374,575	1,402,067
HUMAN SERVICES	387,374	343,610	356,664	363,797	371,073	378,495
RECREATION AND CULTURE	356,467	352,843	367,753	375,108	382,610	390,262
DEBT SERVICE	984,350	865,975	865,850	883,167	900,830	918,847
INTERGOVERNMENTAL	4,854	4,736	4,807	4,903	5,001	5,101
MISCELLANEOUS - FIXED COSTS	4,528,879	4,611,107	4,673,788	4,767,264	4,862,609	4,959,861
CPA	-	100,000	-	-	-	-
SEWER DEPARTMENT	2,203,674	2,236,639	2,365,925	2,413,244	2,461,508	2,510,739
WATER DEPARTMENT	1,151,545	1,166,251	1,077,504	1,099,054	1,121,035	1,143,456
<b>Total Operating Budget</b>	<b>23,462,697</b>	<b>24,031,442</b>	<b>24,767,070</b>	<b>25,364,060</b>	<b>25,976,040</b>	<b>26,603,400</b>
<i>Capital Outlay and Capital Plan</i>	85,000	525,500	835,410	873,750	648,950	660,250
<i>Miscellaneous Articles</i>	282,343	713,549	415,869	415,869	415,869	415,869
<i>Appropriations at Special Town Meeting(s)</i>	-	-	-	-	-	-
<i>Transfers</i>	(490,914)	(510,943)	(563,649)	(574,922)	(586,420)	(598,149)
<i>Enterprise Articles from Free Cash</i>	-	-	-	-	-	-
<b>OTHER AMOUNTS TO BE RAISED:</b>						
Amounts Certified Tax Title Purposes						
Unprovided Debt & Interest Charges						
Allow Abate & Exemp Deficits-Pr Yr						
Cherry Sheet Offsets-Res Dir Exp						
Revenue Deficit-Prior Year	855,109	979,037	974,283	974,283	913,489	913,489
Authorized deferral of teachers' pay						
Snow & Ice Deficit-Prior Year						
Other, Severe Storm Deficit						
Other Deficits and/or Revenues in Excess of Offsets (Recap Line 10)						
Total Other Amounts to be Raised	855,109	979,037	974,283	974,283	913,489	913,489
State & County Charges (incl Tuition Assessments)	740,743	698,790	745,839	745,839	698,456	698,456
Supplemental Appropriation to Prior Year (to Recap Page 4)						
Allowance Abatements & Exemptions (Overlay)	305,835	452,658	250,000	200,000	200,000	200,000
<b>TOTAL AMOUNT TO BE RAISED</b>	<b>25,240,813</b>	<b>26,990,033</b>	<b>27,424,822</b>	<b>27,998,879</b>	<b>28,266,384</b>	<b>28,893,316</b>

TOWN OF LEE, MASSACHUSETTS						
FINANCIAL PROJECTION (FY2021-FY2026)						
	TAX RATE	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED
	FISCAL 2021	FISCAL 2022	FISCAL 2023	FISCAL 2024	FISCAL 2025	FISCAL 2026
<b>TOTAL AMOUNT TO BE RAISED</b>	25,240,813	26,890,033	27,424,822	27,998,879	28,266,384	28,993,316
<b>LESS REVENUE/AVAILABLE FUNDS:</b>						
Local Revenue	4,419,650	3,365,621	3,450,348	3,258,355	3,317,522	3,377,872
State Aid	3,745,187	3,901,547	3,944,823	3,944,823	3,827,512	3,827,512
MSBA School Construction Reimbursement	550,288	550,288	550,288	550,288	550,288	550,288
Free Cash-Appropriations from	367,343	1,239,049	1,251,279	1,289,619	1,064,819	1,076,119
Free Cash-Offset Tax Rate	-	-	-	-	-	-
Available Funds (e.g. Stabilization, Unencumbered Funds, Receipts Reserved etc.)	-	-	-	-	-	-
CPA	-	-	-	-	-	-
Enterprise Revenue/Enterprise Free Cash	3,355,219	3,402,890	3,443,429	3,512,298	3,582,544	3,654,194
<b>TOTAL REVENUE/AVAILABLE FUNDS</b>	12,437,687	12,559,395	12,640,167	12,555,382	12,342,684	12,485,986
<b>TAX LEVY (I.E. AMOUNT TO BE RAISED LESS REVENUE/AVAILABLE FUNDS)</b>	12,803,126	14,330,638	14,784,655	15,443,497	15,923,699	16,407,330

Lee Youth Commission  
32 Main Street  
Lee, MA 01238  
April 14, 2022  
Re: Community Center

Dear Lee Town Representative,

With the appropriation of \$30,000.00 at the 2019 annual town meeting, the Lee Youth Commission in conjunction with Kerry Bartini from Berkshire Design and Matt Puntin from S-K Design worked with Philip Arnold from Berkshire Regional Planning Commission to assess the feasibility of a community center in Lee. Based on deliberations and the recommendation of Matt Puntin, the Lee Youth Commission determined that 300 Stockbridge Road was the site best suited with its 171 acres of town-owned land. With that decision made, Berkshire Design did a conceptual rendering of a facility. A survey, "Town of Lee Proposed Community Center Questionnaire," was developed and was made available via the town website and the Lee Library, and the results were posted on the town website.

Based on the results of the survey, the Berkshire Regional Planning Commission issued a development plan. With that, the LYC then procured a business plan with the help of Randy Kinnas, Director of Member Advancement for the Alliance of Massachusetts YMCAs, and at the same time, S-K Design performed a site plan for Stockbridge Road. Once this was done, the Lee Youth Commission went to the Lee Finance Committee to ask for funding. The finance committee asked the Lee Youth Commission to have a Marketing Analysis and a Financial Feasibility Study done and recommended to the town an appropriation of \$20,000.00 to that endeavor. The town voted for that appropriation.

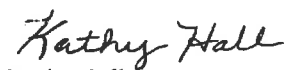
BerryDunn was commissioned to do this work which was presented to the Lee Select Board on March 15, 2022. With the Board's unanimous consent, the proposal for 2 Court Option A was passed to be placed on the warrant. At this point, the LYC is asking the town to appropriate the sum of \$12,500,000 to build a community center that would include construction costs, design/engineering, and utilities. The design would include: two regulation-sized multipurpose basketball courts with one set of bleachers, two community rooms, a wellness center, and administration and locker room space. See attached for the breakdown of the \$12,500,000. In addition, all the studies can be viewed on the Town of Lee Website, [www.lee.ma.us](http://www.lee.ma.us).

The Lee Youth Commission acknowledges that \$12,500,000 is a huge request, but a regional, multi-generational community center for all would have an immediate, positive impact on quality of life and wellness goals for our town and surrounding areas. We are one of the few towns in this area that does not have a community center where the whole community can come together for activities and socializing.

We need a 2/3 vote for the warrant to pass. If the vote is approved, then we will look into all available funding sources to defray the cost to the taxpayers.

We appreciate your thoughtfulness and consideration for this vote.

Thank you,



Kathy Hall  
Lee Youth Commission Chairwoman



**TOWN OF LEE**  
32 Main Street, Lee, MA 01238  
www.lee.ma.us

R. Christopher Brittain,  
Town Administrator

Below is the summary of expenses for the proposed Lee Community Center. The 2021 annual town meeting appropriated funds to conduct a feasibility study. Berry Dunn Associates and the Pike Corporation performed these studies and concluded that the most practicable center would include 2 multi-use basketball courts (one with bleachers), 2 community rooms, wellness center and office/restroom/locker room space. The costs for such a facility are as follows:

Cost of Building        \$9,915,145

Design/Engineering    \$1,983,029

Utilities                \$500,000

**TOTAL BUILDING COST: \$12,398,174**

**Estimated Annual Debt Service: \$880,517.70**

**OPERATING COSTS (by year 5)**

Total Operating        \$907,520

Potential Revenue      -\$482,967

Town of Lee Subsidy    \$424,553

**Estimated Total yearly tax impact (Debt and Operational Costs) \$ 353.88 per average single-family household**

**Approval Process:**

1. Town meeting must approve the bond with debt exclusion by a 2/3 vote.
2. If the town meeting article passes, then voters must approve a referendum vote at next town wide election by majority vote.



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

MARYLOU SUDDERS  
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Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

### ADVISORY REGARDING FACE COVERINGS

#### This Advisory has been updated as of March 1

The Department of Public Health urges all eligible residents to get vaccinated and stay up to date on COVID vaccinations including when eligible for booster doses. Vaccination remains the most effective protection against serious illness, hospitalization, and death.

Recognizing that Massachusetts is a national leader in vaccine acceptance, and in light of recent positive progress on COVID-19 indicators, the Department of Public Health now advises that a fully vaccinated person should wear a mask or face covering when indoors (and not in your own home) if you have a weakened immune system, or if you are at increased risk for severe disease because of your age or an underlying medical condition, or if someone in your household has a weakened immune system, is at increased risk for severe disease or is unvaccinated.

As a reminder, there are multiple conditions that may put someone at higher risk for severe disease; information on those conditions can be found on the Centers for Disease Control and Preventions website <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>. Your primary care physician can advise you whether you are at increased risk.

For individuals who are not fully vaccinated, it is important that you continue to wear a face covering or mask to help prevent you from spreading COVID-19 to other people.

Individuals who are considered close contacts or who have tested positive must follow the isolation and quarantine guidance which includes wearing a mask in public for 5 more days after they leave isolation or quarantine on day 5, regardless of vaccination status.

All people in Massachusetts (regardless of vaccination status) are **required to continue wearing face coverings in certain settings**, including some transportation and health care facilities. As of February 25<sup>th</sup>, the CDC is no longer requiring that masks be worn on school buses or vans for K-12 students and children in childcare programs. The Departments of Elementary and Secondary Education (DESE) and Early Education and Care (EEC) have since updated their guidance. Please see [www.mass.gov/maskrules](http://www.mass.gov/maskrules) for a complete list of venues where face coverings have remained mandatory since May 29, 2021.

When you wear a face covering or cloth mask, it should:

- Be the highest quality mask that is comfortable and that you will wear consistently,
- Fit snugly but comfortably against the side of the face,
- Be secured with ties or ear loops,
- Include multiple layers of fabric,
- Allow for breathing without restriction, and
- Be able to be laundered and machine dried without damage or change to shape.

For more information, please refer to the CDC at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html> This advisory may change based on public health data and further guidance from the CDC.