



TOWN OF LEE

32 Main Street, Lee, MA 01238
www.lee.ma.us

R. Christopher Brittain,
Town Administrator

DATE: April 5, 2023

TO: All Registered Voters of the Town of Lee

FROM: Chris Brittain, Town Administrator

RE: Summary of Warrant Articles for the 2023 (FY24) Annual Town Meeting

ATTACHMENTS: Town Meeting Warrant

The Annual Town Meeting will be held on **May 11, 2023 at 7pm** in the Lee High/Middle School Auditorium. Below is a summary of each article that will be considered at the meeting. A “baby” town meeting will be held on **April 13, 2023** in the high school auditorium. At **6pm** there will be an **information session** on open town meeting followed by an informal **discussion of the warrant** with the select board beginning at **7pm**.

*NOTE: Articles 1-6 have been placed in a consent agenda which allows them to be approved with a single vote. These articles are generally considered “housekeeping” matters that are continuously approved by unanimous vote each year.

***Article 1** - Town Reports: This article accepts the town reports (provided in print and online at lee.ma.us) covering the fiscal year ending June 30, 2022.

***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 (\$2,200 for FY 23) in to the perpetual care account. This requires a majority vote of town meeting.

***Article 4** – Blanket Grant Authorization. This article replaces the need to hold a town meeting before any grant application is submitted.

***Article 5** – Chapter 90: This article allows the town to accept money from the commonwealth for road paving. This year’s appropriation is estimated to be \$285,553.

***Article 6** – General Bylaw (Capital Outlay). This article simply changes the members of capital outlay committee to “residents” vs. “town representatives” since town representatives cease to exist after the change to Open Town Meeting.

Article 7 - Omnibus FY 24 General Fund Operating Budget: The budget contains a total increase of **0.3%**. Below is an explanation of some of the larger increases that have been offset by a decrease in debt service.

Information Technologies: The majority of this 29% increase is to cover the cost of new/updated software used in all town offices as well as additional cyber security costs.

Conservation: Funding has been increased by 27% to accommodate for an increase in permit applications requiring additional staff time as well as the cost of legal postings.

Animal Control: The majority of this 12% increase is to fund the replacement of a heating unit in animal control kennel facility.

Fire/EMS: This 7% increase accounts for an additional full-time firefighter/paramedic staff member in the department.

School: The 4.75% increase to the total school budget fully funds the requested appropriation from the superintendent and school committee.

Highway Construction and Maintenance: This 51% increase includes \$200,000 in additional road paving separate from the free cash and Chapter 90 appropriations. This will bring the town’s total combined paving budget to just over \$800,000 for FY24.

Forestry: An 11% increase is directly related to the continued loss of ash trees due to the Emerald Ash Borer (insect).

Other DPW Increases: Other departmental increases are directly related to increased costs of energy (fuel, electricity and natural gas).

Board of Health: This budget has been increased by \$2500 (326%) to cover the costs of potential litigation related to the PCB adjudicatory hearing.

Library: The library has been operating for the past two years with an interim director. This 8% increase covers a salary increase to provide competitive wages to a new director.

Insurances: While most insurances and benefits showed a very modest increase, the town’s life insurance and Medicare costs had increases of 12% and 4 % respectively.

Article 8 - This article includes several capital purchases to be made from the town's free cash. Free cash is a revenue source that includes a community's remaining, unrestricted funds from its operations of the previous fiscal year. Use of these funds does NOT affect the tax rate. Included below are summaries of certain projects proposed for FY24.

Airolti Roof: This money funds replacement of the section of flat roof on the building has significant leaking during storms.

Paving Plan: FY 24 will include a total of \$829,153 in paving and is funded by multiple sources including available cash, Chapter 90 monies and the operating budget. Streets currently include (subject to bidding): sections of Abby Ct, East Center, Parkview, Mountainview, Sturgis, Stringer, Richmond, Bradley Ct, Fuller, Orchard, Church and St. Mary's.

School Network Switches: This additional school capital expenditure is required to replace the current internet system that has already outlived its life expectancy. This contribution is being matched with school choice funds as well as grant money to meet the total replacement cost.

Plow Truck Accessories: Due to the diligent efforts of the public works department and board, the town was able to purchase 2 trucks with the FY23 capital budget instead of 1. These purchases allowed us to remove a complete truck purchase from the FY24 budget, however \$30,000 is still needed to equip the truck with the necessary snow plowing components.

Police Capital: These funds will be used to replace police ballistic vests, purchase police body cameras, radios, and replace the current fingerprint machine.

Fire Capital: These funds will be used to make necessary repairs to the department's ambulance.

Memorial Hall: This appropriation is to finish the replacement of office carpeting that is approximately 30 years old. This is the third and final phase of an overall flooring project that also included hallways and common areas funded through grant money. It also covers the cost for repainting the dormers on the exterior of town hall.

Library: This appropriation is to cover anticipated repair costs of the building's cupola.

Article 9 and 10 – Water and Sewer Enterprise. The water and wastewater departments appropriations (debt, operating and capital) are fully funded through separate enterprise accounts.

Article 11 – Omnibus Non-Departmental Budgets include several annual expenditures. There are also a number of new and/or increased appropriations that are summarized below:

Bonds – This appropriation provides debt service payments for the 2 bonds approved at the 2021 town meeting which included a fire truck, ambulance, and road paving.

Chamber of Commerce – Each year the town provides 10% of the meals/hotel taxes to the Chamber for ongoing advertising and gateway beautification projects.

BCAC Energy Projects – This appropriation provides money to BCAC which in turn provides funding to low-income residents of Lee for energy efficiency projects through the Mass Save program.

Greenagers – This funding will be paid to the “Greenagers” program to complete improvements of Longcope Park. This is similar to the FY23 project at Golden Hill.

Special Education Reserve: This will be the second appropriation to the special education reserve fund. This fund provides additional money for unanticipated special education cost that are incurred during the fiscal year. These costs are typically incurred when a new special education student enters the district mid-year. With out these funds a special town meeting may be required to approve additional mandated costs.

Article 12 – Meadow Street Bridge Land Acquisition. This article allows the select board to acquire a small portion of land needed for the replacement of the Meadow Street bridge (currently a temporary bridge). The bridge replacement itself is fully funded through state monies. The total acquisition cost should not exceed \$75,000.

Article 13 and 14 – The town recently became part of the Community Preservation Act through a town wide vote. Each year a 1.5% surcharge is assessed on Real Estate Taxes. These funds must be used for projects related to housing, historic preservation and open space/recreation. State law requires that at least 10% of yearly funds be reserved for each of these 3 categories. These articles allow 2 years of money to be saved in their respective accounts. In FY25 the Community Preservation Committee will begin to accept applications for CPA funding and being appropriating the money to projects.

Article 15 – LED Street Lighting. This article approves the financing to replace 401 “cobra head” street lights with new energy efficient “smart” LED fixtures. The yearly energy savings will more than offset cost of financing the replacement fixtures. The project will be funded through the street light operating budget.

Article 16 – Fire Truck Stabilization. These funds will be added to the existing \$305,895 in the stabilization account. The money will eventually be used to replace fire trucks rather than financing the purchase.

Article 17 – WSI appropriation. In previous fiscal years the town charged a property tax surcharge for water and sewer infrastructure projects. The account currently has \$495,625. This appropriation will be used to replace water lines on Railroad and Robert Street in conjunction with ARPA federal funding.

Article 18 – School Truck. This article authorizes financing to replace the school's plow truck which was rendered unfixable during the second half of FY23. The payments of this loan are fully funded in the school's operating budget.

Article 19– Laurel Lake Dam. The lake's dam is currently privately owned and the current owner has agreed to donate the property to the town. Along with the dam property itself, the Town would also take over control of the top 12.5 feet of water which is currently under private control. This acquisition will include approximately a \$10,000 per year budget for maintenance and inspection of the dam. Lee will seek a portion of these costs with the town of Lenox who shares part of the shoreline. This will not provide full access to Sandy Beach; however, it will include partial access toward the beach.

Article 20 – BPW Legislation. The Lee Board of Public works was established under a special act of the legislature in 1970. In 1990, the town established a town administrator form of government. This article seeks to eliminate redundancies and conflicts in language between the two acts. The changes were made collectively between members of the Select Board, Board of Public Works, and Town Administrator.

Article 21 – Electricity Aggregation. This article will adopt legislation that will allow the town to competitively bid electric supply rates for Lee residents. Upon adoption, residents will have the option to continue with Eversource's current supply charges or lock into a more competitive rate through the town. Currently all Town's that have adopted this legislation enjoy lower electricity costs.

Article 22 – Stretch Energy Code. The Stretch Code emphasizes energy performance and is designed to result in cost-effective construction that is more energy efficient. The adoption of this code is a requirement to become a "Green Community" which provides the town with additional state funding opportunities. 82% of Massachusetts communities are currently part of this program including nearby towns such as Lenox, Stockbridge, Great Barrington, West Stockbridge, Becket, Washington, Hinsdale, Dalton and Lanesboro.

Article 23 – Zoning Change: For many years the Planning Board, when reviewing site plans in the downtown zoning areas, has required businesses to enclose all dumpsters with a fence. This bylaw change would extend that rule uniformly for all waste storage areas in the DCBC, CBC, and RB zones, but excluding residential properties. The rule would require enclosure of all waste containers, including dumpsters, wheeled storage

canisters, and residential-sized garbage cans. It would take effect in the future, on January 1, 2025, thereby giving commercial owners about 18 months to comply.

Article 24 – Zoning Change: Lots in Two or More Zones. Occasionally a single land parcel extends across two zoning districts. This bylaw change would allow owners of such lots, with Planning Board permission, to use the "frontage" zoning (which is usually more lenient) for some or all of the back lot.

Article 25 – This article was proposed by the Town's Greener Gateway Committee as a resolution to become a pollinator friendly town and promote methods to help sustain native populations of bees and other native pollinators. Resolutions are not binding but instead are expressions or the "sentiments" of the Town.

Article 26 – This article was added from a citizen's signature petition for a resolution to change the state seal. Resolutions are not binding but instead are expressions or the "sentiments" of the Town.