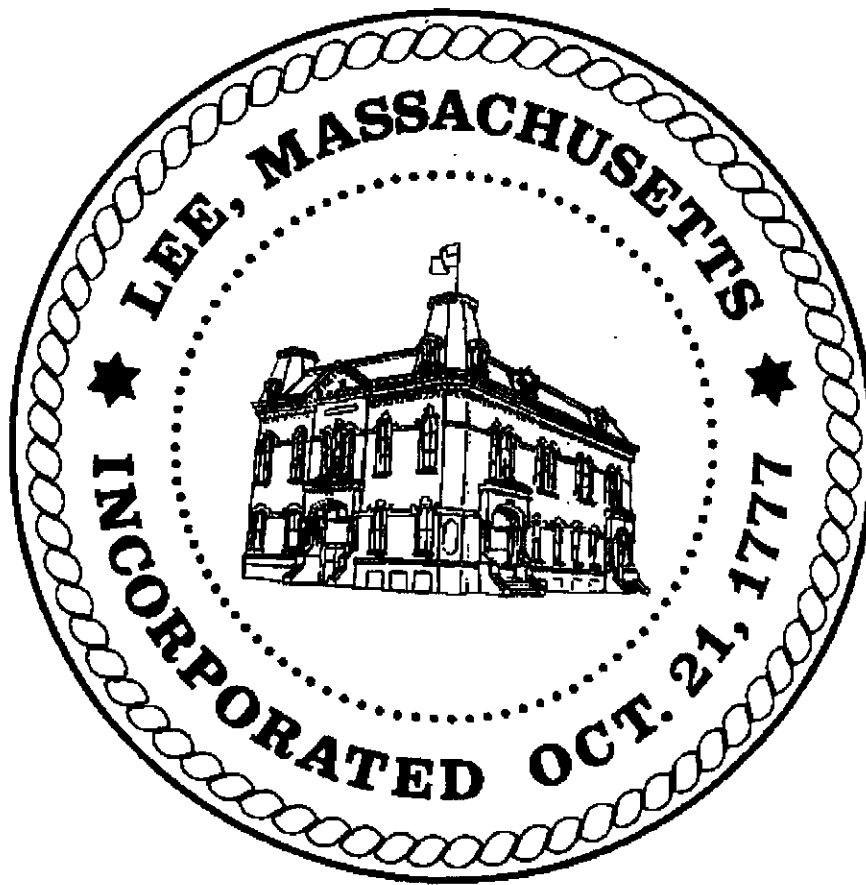


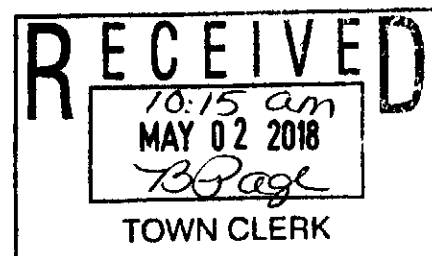
TOWN OF LEE

ANNUAL TOWN MEETING



MAY 10, 2018 AT 7:00 PM
Printed May 1, 2018

LEE MIDDLE & HIGH SCHOOL



WARRANT

COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE, S.S.

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 Middle/High School Auditorium on Thursday, May 10, 2018 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, 2018, or to take any other action thereto.

Article 3. **Current Fiscal Year (2018) Supplemental Appropriation**

To see if the Town will vote to amend Articles 9 of the Annual Town Meeting held on May 11, 2017, or take any other action relative thereto.

Article 4. **Transfer of Proceeds from the Sale of Cemetery Lots to the Perpetual Care Account**

To see if the Town will vote to authorize the transfer of the sum of \$1,200, or any other amount, from the Sale of Cemetery Lots receipts to the Fairmont Perpetual Care Trust Account, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 5. **Omnibus Fiscal Year 2019 General Fund Operating Budgets**

To see if the Town will vote to raise and appropriate or transfer from available funds any sum or sums of money for the maintenance of the several departments of the Town and for any other necessary changes, or pass any vote or votes relative thereto.

	APPROPRIATION FISCAL 2018	RECOMMENDED FISCAL 2019
GENERAL GOVERNMENT		
114 MODERATOR	150	150
122 SELECTMEN	53,510	53,510
123 TOWN ADMINISTRATOR	94,647	94,647
131 FINANCE COMMITTEE	500	500
132 RESERVE FUND	70,000	70,000
133 NEW APPROPRIATION - COMPENSATION RESERVE	-	150,000
135 TOWN ACCOUNTANT	100,141	101,288
141 ASSESSORS	110,480	105,030
145 TREASURER/COLLECTOR	153,853	154,787
151 TOWN COUNSEL	32,477	32,477
155 INFORMATION TECHNOLOGIES	43,273	43,273
156 LAND USE ASSISTANT	27,640	27,640
161 TOWN CLERK	49,394	49,394
163 ELECTIONS/REGISTRATIONS	12,230	12,230
171 CONSERVATION COMMISSION	3,135	3,135
175 PLANNING BOARD	7,581	7,581
176 ZONING BOARD	2,575	2,575
188 LEE CDC	15,000	10,000
195 TOWN REPORTS	3,600	3,600
196 OFFICE EQUIPMENT MAINTENANCE	13,000	13,000
197 STAFF DEVELOPMENT	1,500	4,000
TOTAL GENERAL GOVERNMENT	794,686	938,817
PUBLIC SAFETY		
210 POLICE	1,001,461	1,180,159
221 FIRE	190,648	215,470
231 AMBULANCE	660,390	740,192
241 BUILDING DEPARTMENT	96,147	102,472
242 GAS INSPECTOR	5,605	5,605
244 SEALER/WEIGHTS & MEASURES	5,710	5,710
245 WIRING INSPECTOR	7,902	7,902
246 PLUMBING INSPECTOR	7,152	7,152
292 ANIMAL CONTROL	9,960	9,819

	APPROPRIATION FISCAL 2018	RECOMMENDED FISCAL 2019
299 COMMUNICATIONS	206,240	-
291 EMERGENCY MANAGEMENT	1,500	1,500
TOTAL PUBLIC SAFETY	2,192,715	2,275,981
EDUCATION		
300 LEE PUBLIC SCHOOLS	8,719,718	8,981,310
TOTAL EDUCATION	8,719,718	8,981,310
PUBLIC WORKS		
421 ADMINISTRATION	42,920	42,920
422 HIGHWAY CONSTRUCTION & MAINTENANCE	364,036	366,827
423 SNOW AND ICE	451,841	451,841
424 STREET LIGHTING	86,518	86,518
425 FORESTRY	17,400	17,400
433 SANITARY LANDFILL	14,400	14,400
654 PARKS & PLAYGROUNDS	19,544	19,544
192 PUBLIC BUILDING - AIROLDI BUILDING	39,102	47,803
193 PUBLIC BUILDING - MEMORIAL (TOWN) HALL	60,277	68,978
491 CEMETERY	81,992	82,989
TOTAL PUBLIC WORKS	1,178,030	1,199,221
HEALTH & HUMAN SERVICES		
511 BOARD OF HEALTH	765	765
519 TRI-TOWN HEALTH	261,837	365,809
522 PORCHLIGHT VNA	22,943	22,943
523.1 BRIEN CENTER FOR MENTAL HEALTH	2,867	2,867
523.2 COMMUNITY HEALTH PROGRAM	1,250	1,250
540 CABLE ADVISORY COMMITTEE	150	150
541 COUNCIL ON AGING	66,333	66,333
542 LEE YOUTH ASSOCIATION	50,447	51,456
543 VETERANS SERVICES	75,677	75,677
TOTAL HEALTH & HUMAN SERVICES	482,269	587,250
RECREATION AND CULTURE		
610 LEE LIBRARY	276,807	280,985
620 SANDY BEACH	43,328	43,328
691 HISTORICAL COMMISSION	485	485
693 WAR MEMORIALS	2,600	2,600
TOTAL RECREATION & CULTURE	323,220	327,398
DEBT SERVICE		
710 RETIREMENT OF DEBT	985,000	1,010,000
721 LONG TERM INTEREST	155,850	131,000

	APPROPRIATION FISCAL 2018	RECOMMENDED FISCAL 2019
722 SHORT TERM INTEREST	2,500	2,500
TOTAL DEBT SERVICE	1,143,350	1,143,500
INTERGOVERNMENTAL		
800 BERKSHIRE REG PLANNING COMMISSION	4,508	4,621
TOTAL INTERGOVERNMENTAL	4,508	4,621
MISCELLANEOUS - (FIXED COSTS)		
911-912 EMPLOYEE BENEFITS	4,011,998	4,098,449
945 LIABILITY INSURANCE	100,000	107,000
946 OTHER INSURANCE	57,000	60,990
TOTAL FIXED COSTS	4,168,998	4,266,439
GRAND TOTAL	19,007,494	19,724,536

Finance Committee recommends approval.

Article 6. Omnibus Fiscal Year 2019 General Fund Capital Budgets

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 CLERK	5,200.00
TOWN ADMINISTRATOR	6,750.00
YOUTH COMMISSION	63,543.00
FIRE/AMBULANCE	179,500.00
LEE PUBLIC SCHOOLS	100,000.00
PUBLIC WORKS	150,000.00
TOTAL CAPITAL	504,993.00

And further, to provide for said appropriations, transfer the sum of \$325,493 from available funds and \$179,500 from ambulance receipts reserved for appropriation, or take other action relative thereto.

Capital Outlay and Finance Committees recommend approval.

Article 7. Water Enterprise Fund Operating/Capital Budget

To see if the Town will vote to make the following appropriations, or any other sum, to fund the Fiscal Year 2019 budget for the Water Department;

Water Operations	\$1,082,577
Debt Service	\$42,000
Capital Expenditures	<u>\$195,980</u>
	\$1,320,557

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

User Charges	\$1,124,577
Retained Earnings	<u>\$ 195,980</u>
TOTAL	\$1,320,577

Finance Committee recommends approval. Capital Outlay Committee recommends approval of Capital Expenditures

Article 8. Wastewater Enterprise Fund Operating/Capital Budget

To see if the Town will vote to make the following appropriations, or any other sum, to fund the Fiscal Year 2019 budget for the Wastewater Department;

Wastewater Operations	\$2,130,613
Capital Expenditures	<u>\$60,000</u>
	\$2,190,613

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

User Charges	\$2,130,613
Retained Earnings	<u>\$ 60,000</u>
TOTAL	\$2,190,613

Finance Committee recommends approval. Capital Outlay Committee recommends approval of Capital Expenditures

Article 9. 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 10. Road Repair and Paving (Chapter 90)

To see if the Town will vote to expend the sum of \$288,250, or any other amount, from fiscal year 2019 "Chapter 90" funds as provided by the Commonwealth; or to take any other action relative thereto.

Capital Outlay and Finance Committees recommend approval.

Article 11. Borrowing – Road Repair and Paving (2/3 Vote Required)

To see if the Town will appropriate the sum of \$561,750, or any other sum, to pay the costs to design, repair and pave the Town's roads, including the payment of all costs incidental and related thereto; to determine whether this amount should be raised by borrowing or otherwise; or take any other action in relation thereto.

Capital Outlay and Finance Committees recommend approval.

Article 12. Middle and High School Boiler Replacement Debt Service

To see if the Town will vote to appropriate the sum of \$25,200, or any other amount, for the second of five payments on the Middle & High School boiler replacement loan, and to meet that appropriation transfer the sum of \$25,200, or any other amount, from available funds, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 13. Large Dump Truck with Sander and Plow Debt Service

To see if the Town will vote to appropriate the sum of \$35,000, or any other amount, for the second of five payments on the 2017 International dump truck with sander and plow loan, and to meet that appropriation transfer the sum of \$35,000, or any other amount, from available funds, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 14. Bridge Repairs/Replacement

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$150,000, or any other amount, to repair and/or replace the Town's failing bridges, or to take any other action relative thereto.

Capital Outlay and Finance Committees recommend approval.

Article 15. Reconstruction Design Funding (2/3 Vote)

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$500,000, or any other sum, to design the reconstruction of Main, Center, Columbia and Mill streets, and to meet said appropriation transfer from the Main Street Reconstruction Design Special Stabilization Fund the sum of \$400,000 and transfer from available funds the sum of \$100,000; or to take any other action relative thereto.

Capital Outlay and Finance Committees recommend approval.

Article 16. Chamber of Commerce Advertising and Marketing Campaign

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$29,121, or any other amount, for the Lee Chamber of Commerce to advertise and market the Town of Lee, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 17. Chamber of Commerce Gateway and Downtown Beautification

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$10,000, or any other amount, for the Chamber of Commerce to maintain plantings and otherwise uphold the appearance of the public way from the Massachusetts Turnpike to the Laurel Street Bridge and of the East Side parking lot, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 18. "Rest of River" Cleanup Economic Damages Defense Fund

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$10,000, or any other amount, for the Town of Lee's share of the cost to retain, together with the other communities along the Housatonic River from Lenox to Sheffield, an agent to obtain financial assistance from General Electric Company to mitigate the effects of its anticipated cleanup of the river, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 19. Laurel Lake Preservation Association's Ongoing Lake Studies

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

Finance Committee recommends approval.

Article 20. Berkshire Brownfields Program

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$4,000, or any other amount, for the Berkshire Regional Planning Commission to continue its Berkshire Brownfields Program, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 21. Fireworks for Founders' Day

To see if the Town will vote to raise and appropriate or to transfer from available funds the sum of \$1,000, or any other amount, to offset the Chamber of Commerce's estimated \$6,000 expense to offer a fireworks show during Founders Day weekend, or to take any other action relative thereto.

Finance Committee recommends approval.

Article 22. Charter/Special Act Commission

To see if the Town will vote to establish a Charter Review Committee for the purpose of reviewing the Town's Special Act Charter, created under Chapter 471 of the Acts of 1990. Said committee shall consist of five members appointed by the Board of Selectmen. The committee shall prepare a report of their review, to include recommendations for any proposed amendments to said Special Act Charter, to be completed on or before January 15, 2020. Upon receipt of the report, the Board of Selectmen shall, within 30 days, hold a public hearing to receive community input on the report; or take any other action relative thereto.

Article 23. Town Bylaw Amendment – Classification Plan

To see if the Town will vote to remove the approval of the classification plan of non-school, non-union employees from Town Meeting, and further to grant approval of said classification plan to the Select Board in consultation with the Chief Administrative Officer/Town Administrator and Personnel Board, and specifically to Amend Article VI Personnel Board, Section 7-23 (Statutory authority; establishment; classification and compensation plan), Line 7 by striking "Town Meeting" and replacing with "Board of Selectmen, and, Line 9-10 by striking "and which plan shall provide for the attainment of such maximum salaries by periodical step rate increases based upon length of service and/or merit raises" and striking section 7-24 (Establishment of working hours, holiday, vacation, and sick leave) and section 7-25 (Personnel Relations Review Board), or to take any other action relative thereto.

Article 24. Authorization to Lease Landfill – Power Storage

To see if the Town will vote to authorize the Selectmen to enter a lease of landfill property owned by the Town to a power storage company, and consistent therewith, to negotiate and execute a lease exceeding three years and to take any other action necessary to enter the lease, or to take any other action relative thereto.

Article 25. Zoning Bylaw Amendment – Marijuana Establishments

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 199-9.11. "Marijuana Establishments" A.-I., a copy of said bylaw is on file for review with the Town Clerk, or take any other action relative thereto.

Article 26. Repeal of Temporary Moratorium on Recreational Marijuana Establishments

To see if the Town will vote to repeal the temporary moratorium adopted at the May 11, 2017, Annual Town Meeting (Article 50), currently in effect through September 1, 2018.

Article 27. Recreational Marijuana Excise Tax

To see if the Town will vote to create a new Section X within the Town's General Bylaws as follows:

In accordance with Mass Acts of 2017, Chapter 55, Section 13, and pursuant to G.L. c. 64N, Section 3, the Town of Lee hereby adopts a 3% gross sales tax applicable to marijuana retailers. The marijuana retailer shall pay the local sales tax imposed under this bylaw to the Commissioner at the same time and in the same manner as the sales tax due to the commonwealth.

Article 28. Citizen Petition – Ferncliff Reservation Signage

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1000, or any other amount, for the purchase of signage at the 4 main entrances of Ferncliff Reservation, and inside the Reservation.

You are hereby directed to notify and warn the Inhabitants of the Town of Lee qualified to vote in town affairs to meet at the Crossway Village gymnasium, 21 Crossway Street in Lee on **Monday, May 14, 2018** at 7:00 a.m. to 8:00 p.m. to cast their votes for the following offices:

Moderator	One for the term of one year
Selectman	One for the term of three years
Lee School Committee	Two for the terms of three years
	One for the term of one year
Planning Board	One for the term of five years
	One for the term of one year
Constables	Four for the term of three years

May 10, 2018 (FY 2019) Annual Town Meeting Warrant

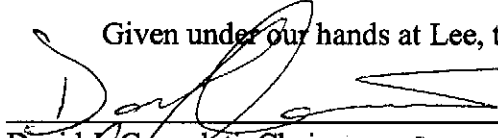
Representatives

District 1	Three for terms of three years
District 2	Three for terms of three years
District 3	Three for terms of three years
District 4	Three for terms of three years
District 4	One for term of two years
District 5	Three for terms of three years
District 6	Three for terms of three years

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 1st, day of May, 2018


David J. Consolati, Chairman


Patricia D. Carlino


Thomas P. Wickham

As per instruction in this Warrant, I have posted same, this 2 day of May, 2018 in five public places.


Constable