

TOWN OF LENOX
ANNUAL TOWN MEETING
May 5, 2016

At 7:00 p.m. the Annual Town Meeting held at the Lenox Memorial Middle High School was called to order. A quorum for the meeting was met with over 103 present at the opening. Brian Cogswell, Assistant Principal, presented the artwork of the 5 student finalists who created the logo for the Lenox 250th celebration. Katie Mitts produced the winning entry.

After the presentation, it was voted unanimously to waive the reading of the warrant and return of service thereof and to authorize the moderator to declare a 2/3rds vote on voice votes if he deems it so.

ARTICLE 1. It was moved, seconded and approved unanimously to authorize the Selectmen to choose all Minor Town Officers to wit: Field Drivers, Pound Keepers, Fence Viewers, Surveyors of Lumber, Wood and Bark, Sextons and Sealer of Weights and Measures.

ARTICLE 2. It was moved, seconded and approved unanimously to authorize the Treasurer to enter into a compensating balance agreement or agreements for Fiscal Year 2017 pursuant to Chapter 44, Section 53F of the General Laws.

ARTICLE 3. It was moved, seconded and overwhelming approved that the Town raise and appropriate from available funds for the operating expenses of the Town for Fiscal Year 2017 as follows:

DEPARTMENT ACCOUNT	FY 17 <u>JULY 1, 2016 - JUNE 30,</u> <u>2017</u>
1. Admin. & Finance	265,351
2. Town Treasurer/Clerk	116,699
3. Town Collector	96,061
4. Compensation Reserve	120,000
5. Operations Support	85,900
6. Elections & Registration	11,833
7. Economic Development	85,000
8. Town Debt & Interest	863,043

9. Audit, Reserve Account	536,845
10. Insurance & Bonds, OPEB	989,851
11. Land Use Department	381,075
12. Town Buildings	104,309
General Government Subtotal	3,655,967
13. Police Department	1,068,187
14. Fire Department	412,632
15. Emergency Management	28,299
Public Safety Subtotal	1,509,118
16. Lenox Public Schools	12,246,621
17. Vocational Education	82,086
Education Subtotal	12,328,707
18. Highway Department	573,473
19. Snow & Ice	257,005
20. Other Storm Emergencies	7,000
21. Cemetery	116,828
Public Works Subtotal	954,306
22. Board of Health	126,663
23. Veterans Services	70,113
Human Services Subtotal	196,776
24. Community Center	343,940
25. Academy Building	7,824
26. Historical Commission	10,950
27. Celebrations	2,200
28. Historic District Commission	100
Cultural & Recreation Subtotal	365,014
Totals	19,009,888

ARTICLE 4. It was moved, seconded, and unanimously approved to make the following appropriations, to the Fiscal Year 2017 budget for the Water Department.

1. Water Operations	\$588,130
2. Debt Service	\$214,710
3. Capital Expenditures	<u>\$200,000</u>
	\$1,002,840

And further, to provide for said appropriations from the following sources of revenue and available funds:

User Charges	\$1,002,840
Retained Earnings	<u>\$ 0</u>
TOTAL	\$1,002,840

ARTICLE 5. It was moved, seconded and unanimously approved to make the following appropriations to the Fiscal Year 2017 budget for the Sewer Department.

1. Sewer Operations	\$786,547
2. Debt Service	\$584,897
3. Capital Expenditures	<u>\$ 208,000</u>
	\$1,579,444

And further, to provide for said appropriations from the following sources of revenue and available funds:

User Charges	\$1,423,937
Retained Earnings	<u>\$155,507</u>
TOTAL	\$1,579,444

ARTICLE 6. It was moved, seconded and unanimously approved to authorize the Town to raise and appropriate the sum of \$416,043 for the operation of the Ambulance Squad and Fire Department for Fiscal Year 2017.

ARTICLE 7. It was moved, seconded and unanimously approved to authorize the Town to raise and appropriate the sum of \$263,551 for library services to be provided by the Lenox Library Association in Fiscal Year 2017.

ARTICLE 8. It was moved, seconded and unanimously approved to authorize the Town to move the unencumbered balance of \$35,000 for Snow & Ice appropriated under Article 4 of the 2015 Annual Town Meeting warrant be transferred to the Board of Selectmen for the Town's

250th Anniversary Celebration.

ARTICLE 9. It was moved, seconded and unanimously approved to authorize the Town to raise and appropriate the sum of \$1,512,360 for the following capital expenditures:

1. Highway Department Expenditures	\$	840,000
2. School Department Expenditures	\$	370,200
3. Fire Department Expenditures	\$	20,000
4. Police Department Expenditures	\$	10,000
5. Town Buildings/Equipment Expenditures	\$	100,000
6. Community Center Expenditures	\$	88,160
7. Land Use Expenditures	\$	84,000

And further, to provide for said appropriations, to raise and appropriate the sum of \$712,360 and to transfer from Free Cash as certified on July 1, 2015, the sum of \$800,000.

ARTICLE 10. It was moved, seconded and unanimously approved to appropriate \$100,000 to fund the emergency replacement of the boiler and design for the heating system at the Community Center.

And further, to provide for said appropriation by transferring said sum from Free Cash as certified on July 1, 2015.

ARTICLE 11. It was moved, seconded and unanimously approved that the Town accept funds being provided by the Commonwealth of Massachusetts under the provisions of Chapter 90 of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges.

ARTICLE 12. It was moved, seconded and unanimously approved to authorize the Town to raise and appropriate from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for

project debt service in fiscal year 2017, with each item to be considered a separate appropriation.

Library Debt Service	\$134,890	(General Unreserved)
Sawmill Brook Debt Service	\$122,100	\$100,000 (General Unreserved)
		\$22,100 (Community Housing)

- ARTICLE 13. It was moved, seconded and unanimously approved to authorize the Town to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2017, with each item to be considered a separate appropriation.

Appropriations:

FY 2017 estimated revenues for Administrative Expense	\$ 18,750
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Reserves:

FY 2017 estimated revenues for Historic Resources Reserve	\$ 37,500
FY 2017 estimated revenues for Community Housing Reserve	\$ 37,500
FY 2017 estimated revenues for Open Space Reserve	\$ 37,500
FY 2017 estimated revenues for General Unreserved	<u>\$243,750</u>
Total	\$375,000

- ARTICLE 14. It was moved, seconded and unanimously approved to authorize the Town to raise and appropriate from the Community Preservation Fund annual revenues in the amount of \$169,290 from Open Space/Recreation, as recommended by the Community Preservation Committee, for the Town Beach Project.

- ARTICLE 15. It was moved, seconded and unanimously approved to authorize the Town the use of a revolving fund under Section 53E½ of Chapter 44 of the General Laws, for the purpose of funding Community Center programs, said funds to be expended under the direction of the Lenox Community Center, annual expenditures not to exceed \$30,000.
And further, to authorize the use of a revolving fund under Section 53E½ of Chapter 44 of the General Laws, for the purpose of funding supplemental inspectional services, said funds to be expended under

the direction of the Land Use Department, annual expenditures not to exceed \$25,000.

ARTICLE 16.

It was moved, seconded and unanimously approved to authorize the Town to appropriate \$3,860,000 to pay the costs of designing and constructing a sewage pump station located at Henry Avenue, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$3,825,450.34 under and pursuant to M.G.L. c. 44, s. 7(1) and s. 8(15), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

And further, that in accordance with M.G.L. c. 44, s. 20, the unencumbered balance of \$34,549.66 for sewer system improvements appropriated and borrowed under Article 21 of the May 1, 2008 Annual Town Meeting warrant, which balance is no longer needed to complete the project for which it was initially borrowed, be transferred to meet the remaining portion of the \$3,860,000 appropriation.

ARTICLE 17.

It was moved, seconded and unanimously approved after the Selectmen read the Article a second time for clarification, to authorize the Town to appropriate \$3,801,713 to pay the costs of designing and constructing a new water main running from the Root Reservoir Water Treatment Plant and along Richmond Mountain Road, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$3,787,970.58 under and pursuant to M.G.L. c. 44, s. 8(5), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

And further, that in accordance with M.G.L. c. 44, s. 20, the unencumbered balance of \$13,742.42 for water system improvements appropriated and borrowed under Article 20 of the May 1, 2008 Annual Town Meeting warrant, which balance is no longer needed to complete the project for which it was initially borrowed, be transferred to meet the remaining portion of the \$3,801,713 appropriation.

ARTICLE 18. It was moved, seconded and approved after a short discussion to authorize the Town to amend the By-laws of the Town of Lenox, Massachusetts by deleting in its entirety Chapter XIX CAPITAL IMPROVEMENT PROGRAM, and replacing it with new language exactly as it appears in Article 18 of the warrant for this Town Meeting.

ARTICLE 19. It was moved, seconded and unanimously approved to amend items 1, 2, 6, 7, 9 as written in the warrant and to amend items 3, 4, 5, to eliminate animal daycare as a definition and proposed use; remove regulatory language from the seasonal renting of rooms definition and instead place it in the Bylaw Section; delete item 8 to keep Site Plan Approval (existing Section 9.5, proposed Section 3.5) the same in terms of language.

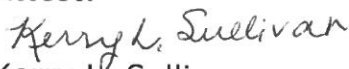
ARTICLE 20. It was moved, seconded and unanimously approved to amend the By-laws of the Town of Lenox, Massachusetts by amending the following language under Chapter XVII, Dogs, Section 3 (c).

Section 3. (c) The pound fee shall be Forty Dollars (\$40.00) per day for each day or fraction thereof a dog is impounded.

ARTICLE 21. It was moved, seconded and unanimously approved to take no action on this article.

It was voted unanimously to adjourn the meeting at 8:58.

Attest:


Kerry L. Sullivan