

**TOWN OF LENOX  
SPECIAL TOWN MEETING  
September 21, 2015**

At 7:02 a Special Town Meeting held at the Lenox Town Hall was called to order. A quorum for the meeting was met with over 21 present at the opening. It was announced that former Town Manager, John Musante passed away suddenly on Sunday, September 20th. Board Chair Ed Lane thanked him for his service to the citizens of Lenox and to the Commonwealth of Massachusetts and announced to honor him, the Town Hall flag would fly at half-staff today and he asked for a moment of silence be observed to remember John and his family. After the moment of silence, it was voted unanimously to waive the reading of the warrant and return of service thereof and to authorize the moderator to declare a 2/3rd vote on voice votes if he deems it so.

**ARTICLE 1:** It was moved, seconded and approved unanimously to establish a revolving fund, pursuant to 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 \$15,000.

**ARTICLE 2:** It was moved, seconded and approved unanimously to appropriate the sum of \$313,500 for design, engineering, permitting, construction and related site work at the Lenox Town Beach, identified as Tax Map 1, Lot 42, said sum to be spent under the direction of the Lenox Community Center.

And further, that said appropriation be funded from the following sources:

- \$100,000 from the Community Center Expenditures line item appropriated under Article 9 of the Warrant for the 2015 Annual Town Meeting
- \$44,210 from Free Cash certified as of July 1, 2015
- \$169,290 from Free Cash certified as of July 1, 2015 to be reimbursed by a Parkland Acquisitions and Renovations for Communities (PARC) grant

And further, to dedicate the Lenox Town Beach to the care, custody, management and control of the Lenox Community Center for recreational purposes pursuant to Chapter 45, Section 3.

Provided, however, that no funds may be expended under this appropriation unless and until the Town has received a PARC grant and to authorize the Board of Selectmen to take such other actions as are necessary to apply for and accept said PARC grant, and to carry out the terms, purposes, and conditions of said grant.

**ARTICLE 3:** It was moved, seconded and approved to take no action on Article 3.

**ARTICLE 4:** It was moved, seconded and approved unanimously that the Town acquire, for general municipal purposes, by purchase, eminent domain, gift or otherwise, or combination thereof, all or a portion of certain real properties located on Willow Creek Road described generally as follows:

Land now or formerly owned by Leonard H. Peters Trust, Middle District Registry of Deeds Book 1612, Page 319, identified as Map 14, Lot 1 in the records of the Town of Lenox Tax Assessor.

Land now or formerly owned by Leonard H. Peters Trust, Middle District Registry of Deeds Book 2472, Page 282, identified as Map 8, Lot 96 in the records of the Town of Lenox Tax Assessor.

Land now or formerly owned by Peter F. Bourgnis, Middle District Registry of Deeds Book 1041, Page 647, identified as Map 9, Lot 5 in the records of the Town of Lenox Tax Assessor.

And, further, to raise and appropriate \$10,000 in the aggregate to fund the foregoing acquisitions and costs related thereto, by transfer from Free Cash certified as of July 1, 2015; and, further, to authorize the Board of Selectmen and/or the Conservation Commission to enter into all agreements and execute any and all instruments to effectuate the foregoing acquisitions on such terms and conditions as the Board of Selectmen deems appropriate.

**ARTICLE 5:** It was moved, seconded and approved unanimously that the Town acquire, for general municipal purposes, for no monetary consideration, the fee simple interest, easement or other interest in all or a portion of certain real property located on Willow Creek Road described generally as follows:

Land now or formerly owned by the Housatonic Railroad Company.

And, further, to authorize the Board of Selectmen and/or the Conservation Commission to enter into all agreements and execute any and all instruments to effectuate the foregoing acquisition on such terms and conditions as the Board of Selectmen deems appropriate.

It was voted unanimously to dissolve the meeting at 7:24 PM.

**Attest:**

**Kerry L. Sullivan  
Town Clerk**