

TOWN OF LENOX
ANNUAL TOWN MEETING
May 7, 2015

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. 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 Seater 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 2015 pursuant to Chapter 44, Section 53F of the General Laws.

ARTICLE 3. It was moved, seconded and approved unanimously to authorize the Town to appropriate \$92,708.93 for snow and ice removal costs, said sum to be transferred from Free Cash as certified on July 1, 2014 and added to the amount appropriated to the Snow and Ice line item under Article 3 of the Warrant for the 2014 Annual Town Meeting.

ARTICLE 4. It was moved, seconded and overwhelming approved that the Town raise and appropriate or transfer from available funds in the treasury, money for the operating expenses of the Town for Fiscal Year 2016 as follows. After considerable discussion regarding the school budget line, and other line items which had increased substantially, it was overwhelmingly approved.

DEPARTMENT ACCOUNT

FY 16
JULY 1, 2015 - JUNE 30, 2016

1. Admin. & Finance	251,815
2. Town Treasurer/Clerk	131,850
3. Town Collector	99,093
4. Compensation Reserve	120,000
5. Operations Support	85,900

6. Elections Et Registration	8,368
7. Economic Development	65,000
8. Town Debt a Interest	910,759
9. Audit, Reserve Account	539,618
10. Insurance a Bonds, OPEB	910,934
11. Land Use Department	299,207
12. Town Buildings	114,709
General Government Subtotal	3,537,253
13. Police Department	1,059,248
14. Fire Department	400,107
15. Emergency Management	27,619
Public Safety Subtotal	1,486,974
16. Lenox Public Schools	11,815,093
17. Vocational Education	79,310
Education Subtotal	11,894,403
18. Highway Department	566,344
19. Snow Et Ice	257,005
20. Other Storm Emergencies	7,000
21. Cemetery	77,071
Public Works Subtotal	907,420
22. Board of Health	121,506
23. Veterans Services	70,113
Human Services Subtotal	191,619
24. Community Center	310,342
25. Academy Building	7,824
26. Historical Commission	10,950
27. Celebrations	2,200
28. Historic District Commission	100
Cultural Et Recreation Subtotal	331,416
Totals	\$18,349,085

ARTICLE 5. It was moved, seconded, and unanimously approved to make the following appropriations, to the Fiscal Year 2016 budget for the Water Department.

1. Water Operations	\$601,450
2. Debt Service	\$560,485
3. Capital Expenditures	<u>\$535,000</u>
	\$1,696,935

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

User Charges	\$1,397,486
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Retained Earnings	<u>\$299,449</u>
TOTAL	\$1,696,935

ARTICLE 6. It was moved, seconded and unanimously approved to make the following appropriations, to the Fiscal Year 2016 budget for the Sewer Department.

1. Sewer Operations	\$787,718
2. Debt Service	\$589,406
3. Capital Expenditures	<u>\$ 70,000</u>
	\$1,447,124

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

User Charges	\$1,423,937
Retained Earnings	<u>\$ 23,187</u>
TOTAL	\$1,447,124

ARTICLE 7. It was moved, seconded and unanimously approved that the Town make the following appropriations to the Fiscal Year 2016 budget for the Ambulance Squad.

Ambulance Operations	\$408,083
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And further, to provide for said appropriations from the following sources of revenue and available funds:

User Charges	\$314,025
Retained Earnings	<u>\$ 94,058</u>
TOTAL	\$408,083

ARTICLE 8. It was moved, seconded and unanimously approved to authorize the Town to raise and appropriate the sum of \$258,383 for library services to be provided by the Lenox Library Association in Fiscal Year 2016.

ARTICLE 9. It was moved, seconded and unanimously approved for the Town

1. Highway Department Expenditures	\$1,157,000
2. School Department Expenditures	\$ 364,200
3. Fire Department Expenditures	\$
4. Police Department Expenditures	41,60
5. Town Buildings/Equipment Expenditures	0
6. Academy Building Expenditures	\$ 15,000
7. Community Center Expenditures	\$ 20,000
8. Tri-Town Health Expenditures	\$ 58,400

And further, to provide for said appropriations, to raise and appropriate the sum of \$687,738, to transfer from Free Cash as certified on July 1, 2014, the sum of \$1,140,000.

ARTICLE 10. It was moved, seconded and unanimously approved for the Town to appropriate the sum of \$650,000 to the Board of Selectmen for the purchase of fire apparatus and related equipment.

And further, to provide for said appropriations, to raise and appropriate the sum of \$200,000 and to transfer from the Fire Engine Stabilization Fund the sum of \$450,000. [2/3 vote required]

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 that the Town vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for project debt service in fiscal year 2016, with each item to be considered a separate appropriation.

Library Debt Service	\$134,765	(General Unreserved)
Sawmill Brook Debt Service	\$124,200	(Community Housing Reserve)

ARTICLE 13. It was moved, seconded and unanimously approved that the Town vote 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 2016, with each item to be considered a separate appropriation.

Appropriations:

FY 2016 estimated revenues for Administrative Expense	\$ 18,750
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Reserves:

FY 2016 estimated revenues for Historic Resources Reserve	\$ 37,500
FY 2016 estimated revenues for Community Housing Reserve	\$ 37,500
FY 2016 estimated revenues for Open Space Reserve	\$ 37,500
FY 2016 estimated revenues for General Unreserved	<u>\$243,750</u>
	Total \$375,000

Estimated new surcharge collections for FY 2016	\$300,000
Estimated State Match for FY 2016	<u>\$75,000</u>
Total	\$375,000

ARTICLE 14. It was moved, seconded and passed by majority vote for the Town to appropriate or reserve from the Community Preservation Fund annual revenues **in** the amounts recommended by the Community Preservation Committee for committee administrative expenses and community preservation projects and other expenses in fiscal year 2016, with each item to be considered a separate appropriation.

Old Court House Cupola	\$27,750 (Historic Preservation)
Ventfort Hall Master Plan	\$23,490 (General Unreserved)
St. Martin's Hall Restoration, Phase 1	\$20,000 (General Unreserved)
Library Step Repair	\$20,000 (Historic Preservation)
Kennedy Park Improvements	\$9,965 (Recreation)
Historical Commission—Church on the Hill Cemetery	\$25,000 (Historic Preservation)
Open Space Reserve	\$100,000 (General Unreserved)

ARTICLE 15. It was moved, seconded and unanimously voted that the Town authorize the use of a revolving fund for the Community Center for all departmental programs which shall not exceed the sum of Thirty Thousand Dollars (\$30,000) which shall be under the control of the Town Treasurer, which shall be accounted for separately, and to which shall be credited only the receipts received in connection with the programs supported by the revolving fund; further to authorize the Community Center Director to expend from such funds in accordance with Chapter 44, Section 53 E' of the General Laws, provided however that said expenditures for the revolving fund shall not exceed the receipts for said fund.

ARTICLE 16. It was moved, seconded and unanimously voted that the Town appropriate the sum of \$360,000 to pay costs of designing a sewage pump station to be located **on** Henry Avenue, including to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(22) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. [2/3 vote required]

ARTICLE 17. It was moved, seconded and unanimously voted to appropriate the sum of \$850,000 to pay costs of replacing the Yokun Avenue sewer line, 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 said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. [2/3 vote required]

ARTICLE 18. It was moved, seconded and after considerable discussion, the article failed to pass. The article asked that the town authorize the Board of Selectmen to enter into an agreement or agreements for parking easements or leases with any or all of the owners of property **on** Ore Bed Road between Tucker Street and Housatonic Street or their successors, heirs or assigns for parking of vehicles, on such terms and conditions as the Board determines to be in the best interest of the Town.

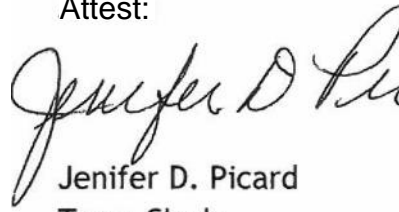
- ARTICLE 19. It was moved, seconded, and unanimously voted to modify existing language in the Lenox Historic District Commission Bylaw to simplify the appointment process and maintain explicit conformity with M.G.L. Chapter 40C by inserting "When possible" at the beginning of Section 3.1a.
- ARTICLE 20. It was moved, seconded and carried by over a 2/3 vote to amend the Lenox Zoning By-laws by adding a new section entitled Section 11. Large-Scale Ground-Mounted Solar Photovoltaic Installations. All attendees were provided with a copy of the proposed bylaw. [2/3 vote required]
- ARTICLE 21. It was moved, seconded and the motion failed to pass by a vote of 70 in favor and 75 opposed (2/3 vote required) for the Town to amend the Lenox Zoning By-laws by adding a new section under Section 5 General Regulations, Section 5.1 Off-street Parking and Loading Requirements, entitled Village Center Parking Overlay District, 5.1.20 Parking and Loading in Downtown Lenox. All attendees received copies of the proposed bylaw.
- ARTICLE 22. It was moved, seconded and unanimously voted to have the Town grant an easement to Massachusetts Electric Company for overhead and underground systems which are located in, through, under, over, across and upon a certain parcel of land situated on the northwesterly side of Pumping Station Road, being more particularly described in a deed dated January 18, 1878 recorded with the Middle Berkshire District Registry of Deeds in Book 237, Page 211.
- ARTICLE 23. It was moved, seconded and unanimously voted to authorize the Town to negotiate terms and execute, on such terms and conditions as the Town Manager and Board of Selectmen deem in the best interest of the Town, one or more renewable energy purchase and/or net metering power purchase agreements for a term of more than three years, for the purchase of net metering credits to be generated from one or more solar energy project(s) now or hereafter located in the Commonwealth of Massachusetts, and to take all actions necessary to implement and administer such agreement.

ARTICLE 24. Citizen Petition - Plastic Bag Ban. After discussion which included a member of the Lenox Environmental Committee, the article was passed over.

ARTICLE 25. Citizen Petition - Styrofoam Ban. After discussion which included a member of the Lenox Environmental committee, the article was passed over.

After a reminder from the Moderator to vote in the Town Election on Monday, May 7, 2015 the meeting was adjourned at 9:38 P.M.

Attest:

A handwritten signature in cursive script, appearing to read "Jenifer D. Picard".

Jenifer D. Picard
Town Clerk