

Commonwealth of Massachusetts

BERKSHIRE, SS.

To One of the Constables of the Town of Lenox:

GREETING:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Lenox qualified to vote in town affairs, to meet in the

**Lenox Town Hall, located at 6 Walker Street, in said Lenox, on
Monday, September 21, 2015
at 7:00 o'clock p.m., then and there to act upon the following:**

ARTICLE 1: To see if the Town will vote to authorize a revolving fund account pursuant to Chapter 44, Section 53E½ of the General Laws; or take any other action in relation thereto.

APPROVED BY BOARD OF SELECTMEN

ARTICLE 2. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$313,500 for the purpose of design, engineering, permitting, construction and related site work at the Lenox Town Beach, located on Lee Road, identified as Tax Map I , Lot 42, including the payment of costs incidental and related thereto, said monies to be spent under the direction of the Lenox Community Center, provided, however that no funds may be expended under this appropriation unless and until the Town has received a grant through the Parkland Acquisitions and Renovations for Communities grant program (301 CMR 5.00) from the Executive Office of Energy and Environmental Affairs (PARC grant) for a portion of the project cost; and to authorize the Board of Selectmen to apply for and accept a PARC grant to support the preservation and restoration of the project; and to dedicate the Lenox Town Beach to the care, custody, management and control of the Lenox Community Center for recreational purposes pursuant to General Laws Chapter 45, Section 3, as it may be amended, and other Massachusetts statutes related to recreation; and to further authorize the Board of Selectmen to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Lenox Community Center; or take any other action in relation thereto.

**APPROVED BY BOARD OF SELECTMEN
APPROVED BY FINANCE COMMITTEE**

ARTICLE 3: To see if the Town will vote to acquire, by purchase, gift or otherwise, certain real property located at 390 Undermountain Road, for conservation, open space and recreational purposes, being a fee interest and two easements in property described in a deed dated February 27, 1974, recorded with the Berkshire Middle Registry of Deeds in Book 947, Page 1020, said property interests being: (1) a tract of land shown as the "Sprague Marsh Parcel Fee Acquisition (Proposed) (+/- 63 ac)" as shown on a sketch plan entitled "Undermountain Farm/Parsons Marsh Prj.," on file with the Town Clerk, and (2) two easements, to pass and repass, for recreational purposes, including, but not limited to pedestrian and bicycle use, said easements shown on the sketch plan as the Marsh Trail Easement and the Undermountain Trail Easement, running from the afore-described tract of land, across land northerly thereof; and, further, to raise and appropriate the sum of \$250,000 to fund the foregoing acquisition and costs related thereto, by taxation, borrowing and/or by transfer from available funds, including, but not limited to, the Community Preservation Fund; 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, and, further, to grant a perpetual conservation restriction on the parcel to Berkshire Natural Resources Council, Inc., on such terms and conditions as the Board of Selectmen deems in the best interests of the Town; or take any other action in relation thereto.

Two-Thirds Vote Required for Appropriation, OR
Majority Vote if Sole Source of Funds is Community Preservation Funds

APPROVED BY BOARD OF SELECTMEN
APPROVED BY COMMUNITY
PRESERVATION COMMITTEE

ARTICLE 4: To see if the Town will vote to 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 a sum of money to fund the foregoing acquisition and costs related thereto, by taxation, borrowing and/or by transfer from available funds; 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; or take any other action in relation thereto.

APPROVED BY BOARD OF SELECTMEN

ARTICLE 5: To see if the Town will vote to acquire, for general municipal purposes, by purchase, eminent domain, gift or otherwise, 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 raise and appropriate a sum of money to fund the foregoing acquisition and costs related thereto, by taxation, borrowing and/or by transfer from available funds; 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; or take any other action in relation thereto.

APPROVED BY BOARD OF SELECTMEN

And you are directed to serve this warrant by posting an attested copy of the warrant therefore in three public places in the Town not less than fourteen days before the meeting.


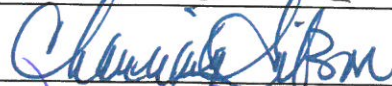

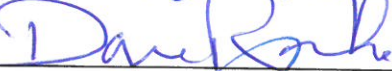
Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk or the Selectmen, at the time and place of said meeting.

Given under our hand the 2nd day of September in the year of Our Lord Two Thousand and Fifteen.

A true copy, ATTEST:

Constable of Lenox.

Signed

Selectmen of Lenox