

TOWN OF LENOX
ANNUAL TOWN MEETING
May 1, 2014

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 154 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 2/3^{rds} vote on voice votes if he deems it so. After he answered a question from the floor, the Moderator moved on with the meeting.

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

ARTICLE 3. A motion was made to amend Article 3 to increase the amount appearing on line #14. Insurance & Bonds, by \$150,000 for the purposes of increasing the Town's contribution to the Other Post Employment Benefits trust, said sum to be taken from Free Cash certified as of July 1, 2013. The amendment and the motion were seconded and approved unanimously to raise and appropriate money for the operating expenses of the Town for Fiscal Year 2015 as follows: It was moved seconded and approved unanimously to authorize the operating expenses of the Town for Fiscal year 2015 as follows:

DEPARTMENT ACCOUNT***

	FY 14 <u>JULY 1, 2013 - JUNE 30, 2014</u>	FY 15 <u>JULY 1, 2014 - JUNE 30, 2015</u>
1. Admin. & Finance	283,827	286,836
2. Assessors	88,046	90,735
3. Town Treasurer/Clerk	122,955	128,556
4. Town Collector	117,219	117,514

5. Operations Support	86,505	85,850
6. Elections & Registration	8,111	8,369
7. Conservation Commission	8,908	9,794
8. Planning Board	77,583	58,890
9. Zoning Board	20,489	21,282
10. Economic Development	55,000	10,000
11. Town Buildings	156,641	164,620
12. Audit, Reserve Account	92,500	107,600
13. Debt Services	1,934,964**	1,285,612**
14. Insurance & Bonds	298,800***	737,800***
General Government Subtotal	3,351,548	3,113,458
15. Police Department	1,185,698	1,207,099
16. Fire Department	343,064	352,490
17. Emergency Management	26,800	26,800
18. Inspection Department	91,570	95,348
Public Safety Subtotal	1,647,132	1,681,737
19. Highway Department	576,676	603,722
20. Snow & Ice	257,005	257,005
21. Cemetery	91,233	93,244
Public Works Subtotal	924,914	953,971
22. Board of Health	112,129	113,205
23. Veterans Services	70,114	70,134
Human Services Subtotal	182,243	183,339
24. Community Center	304,262	313,351
25. Academy Building	8,475	8,575
26. Historical Commission	600	600
27. Celebrations	2,200	2,200
28. Historic District Commission	3,328	3,350
Cultural & Recreation Subtotal	318,865	328,076
Totals	\$6,424,702	\$6,260,581

**Contains \$939,750 for debt service and \$78,976 for insurance & bonds attributable to the School Department as well as \$345,861 for debt service attributable to the Highway Dept. and \$75,380 for Town Hall debt service. New bond payments for the Brunell Pump Station of \$185,000 are also included.

***Employee and Retiree benefit costs are incorporated into Department totals.

ARTICLE 4. It was moved, seconded and approved unanimously to raise and appropriate the sum of \$11,417,503 (anticipated \$9,060,050 net operating expenses plus estimated \$2,357,453 in benefit costs) for the school department's operating budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015 (gross operating budget of \$12,701,503 less \$1,284,000 in anticipated tuition and other receipts).

NOTE: In addition, Article 3 contains the town's obligation of \$939,750 for school debt service and the allocation of \$78,976 for school insurance & bonds while Article 5 contains \$77,000 for vocational education.

ARTICLE 5. It was moved, seconded and approved unanimously to raise and appropriate the sum of \$77,000 for vocational education outplacements and to authorize the school department to pay vocational outplacement invoices.

ARTICLE 6. It was moved, seconded and approved unanimously to appropriate from the Fiscal Year 2015 receipts of the Water Department, the sum of \$1,550,867, for the operation, debt service and capital expenses of the Water Department for Fiscal Year 2015

1. Water Operations	\$547,235
2. Debt Service	\$563,632
3. Capital Expenditures	\$440,000

ARTICLE 7. It was moved, seconded and unanimously approved to appropriate from the Fiscal Year 2015 receipts of the Sewer Department, the sum of \$1,971,929, or any other sum, for the operation, debt service and capital expenses of the Sewer Department for Fiscal Year 2015.

1. Sewer Operations	\$801,079
2. Debt Service	\$588,450
3. Capital Expenditures	\$582,400

ARTICLE 8. It was moved, seconded and approved unanimously to appropriate from the Fiscal Year 2015 receipts of the Ambulance Squad and from the Ambulance Undesignated Fund Balance, the sum of \$385,134 for the operation of the Ambulance Squad and Fire Department for Fiscal Year 2015.

ARTICLE 9. It was moved, seconded and unanimously approved to raise and appropriate the sum of \$253,317 for library services to be provided by the Lenox Library Association in Fiscal Year 2015.

ARTICLE 10. It was moved, seconded and unanimously approved to raise and appropriate \$1,755,200 and transfer \$250,000 from Free Cash certified as of July 1, 2013 for a total sum of \$2,005,200 for the following capital expenditures:

1. Highway Department Expenditures	\$1,443,000
2. School Department Expenditures	\$ 364,200
3. Fire Department Expenditures	\$ 20,000
4. Police Department Expenditures	\$ 18,000
5. Town Buildings/Equipment Expenditures	\$ 20,000
6. Academy Building Expenditures	\$ 6,000
7. Community Center Expenditures	\$ 134,000

ARTICLE 11. It was moved, seconded and approved unanimously to 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 appropriate and reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee debt service in Fiscal Year 2015, with each item to be considered a separate appropriation.

Library Debt Service \$135,000(General Unreserved)

Sawmill Brook Debt Serv. \$131,000(Community Housing Reserve)

ARTICLE 13. It was moved, seconded and approved unanimously to appropriate 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 2015, with each item to be considered a separate appropriation

Appropriations:

From FY15 estimated revenues for Committee Administrative Expenses	\$18,750
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Reserves:

From FY15 estimated revenues for Historic Resources Reserve	\$37,500
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From FY15 estimated revenues for Community Housing Reserve	\$37,500
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From FY15 estimated revenues for Open Space Reserve	\$37,500
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From FY15 estimated revenues for General Unreserved	<u>\$131,250</u>
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Total	\$262,500
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Estimated new surcharge collections For FY15	\$300,000
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Estimated State Match for FY15	<u>75,000</u>
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Total	\$375,000
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ARTICLE 14. It was moved, seconded and unanimously approved to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for community administrative expenses and community preservation projects and other expenses in Fiscal Year 2015, with each item to be considered a separate appropriation

Committee Administrative Expenses	\$18,750
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Open Space Reserve (Land Acquisition)	\$50,000 (General Unreserved)
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Historical Commission-Church on the Hill	\$66,000 (General Unreserved)
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Cemetery Restoration Phase 2

Lenox Fire Company	\$50,000 (Historic Resources Reserve)
Community Center Backyard Basketball Court Restoration (\$10,650 for engineer study & not to exceed \$64,350 for construction costs.)	\$75,000 (Open Space Reserve)
Community Center - Town Beach Architectural Study	\$ 8,000 (Open Space Reserve)
Roche Reading Park Improvements	\$10,000 (General Unreserved)

ARTICLE 15. A motion was made to amend Article 15 to appropriate \$300,000 to the Town's General Stabilization Account--\$150,000 of which will go to the Fire Engine Special Stabilization Account and the remaining \$150,000 to be placed into the General Stabilization Account. The sums would be taken from Free Cash certified as of July 1, 2013. The amendment was seconded and passed unanimously as amended. The article needed a two-thirds vote and was seconded, and passed by a unanimous vote.

ARTICLE 16. It was moved, seconded and unanimously approved to transfer from the Overlay Surplus Account the sum of \$179,548.63 to the Sewer Department for improvements to the Brunell Avenue Sewer Pump Station Project.

ARTICLE 17. It was moved, seconded and unanimously approved to appropriate the sum of \$400,000 to pay additional costs of improvements and upgrades to the Brunell Avenue Sewage Pump Station. Said sum to be transferred from Free Cash certified as of July 1, 2013.

ARTICLE 18. It was moved, seconded and unanimously approved to authorize the use of a revolving fund for the Community Center for all departmental programs 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 ½ of the General Laws provided however that said expenditures for the revolving fund shall not exceed the receipts for said fund.

It was also moved, seconded and unanimously approved to authorize the use of a detail revolving fund for the Police Department for the receipt of payment of expenses associated with traffic enforcement which shall not exceed the sum of Ten Thousand Dollars (\$10,000) 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 traffic enforcement supported by the revolving fund; further to authorize the Police Chief to expend from such funds in accordance with Chapter 44, Section 53C of the General Laws, provided however that said expenditures for the revolving fund shall not exceed the receipts for said fund; and further, to appropriate to the fund the amount of \$10,000, said sum to be taken from Free cash certified as of July 1, 2013.

ARTICLE 19.

It was moved, seconded and unanimously voted to authorize the Board of Selectmen to grant to the owners of property at 57 Bramble Lane (Town of Lenox Assessors Map 1, Parcel 43), which property abuts property owned by the Town of Lenox located on Bramble Lane (Town of Lenox Assessors Map 1, Parcel 42, listed as 0 Lee Road, Lenox, MA) an easement over a portion of said Town of Lenox property for the purposes of (a) ingress and egress from Bramble Lane to property known as 57 Bramble Lane along the existing driveway and use of adjacent areas in connection with customary incidental uses including maintenance, (b) utility access adjacent to the existing driveway, and (c) access to, and maintenance of, the existing shed. Said easement is shown on a plan, a copy of which is on file with the Town Clerk. It was asked if this would set a precedent for future property owners and explained that each would be treated on an individual basis.

- ARTICLE 20. It was moved, seconded and unanimously approved to amend the Lenox Zoning By-laws by amending Section 5.2.4, Signs in All Districts, by adding the following:
7. All Historic Building Markers approved by the Historical Commission. Markers for public buildings must also be approved by the Board of Selectmen and Markers within the Historic District must also be approved by the Historic District Commission.
- ARTICLE 21. It was moved, seconded and by an excess of 100 voters approved to amend the Lenox Zoning By-laws by amending Section 3.3.5, Nonconforming Single and Two Family Residential Structures, by deleting the term “habitable floor area” and replacing it with “gross floor area”.
- ARTICLE 22. The Planning Board placed Article 22 on the agenda to amend Section 5.1.8, Parking Design Standard, however at their request a motion was made to table the article. It was seconded and the article was tabled by unanimous vote.
- ARTICLE 23. It was moved, seconded and unanimously voted to amend the Lenox Zoning By-laws by amending the Zoning Map to show that the property located on Pittsfield Road, identified as Lenox Assessors Map 27 - Lot 51, is zoned C1A.
- ARTICLE 24. It was moved and seconded to approve the RESOLUTION TO BAN “FRACKED GAS” PIPELINES AND TO CHAMPION SUSTAINABLE ENERGY Petition.
- Whereas a proposed High-Pressure Pipeline carrying natural gas obtained through hydraulic fracturing may come through Lenox, which is a Green Community that supports the transition to new energy technologies; so be it
- resolved* that we, the people of Lenox, Massachusetts:

1. Hereby call on our Selectboard to stand in opposition to Tennessee Gas Company LLC's high pressure pipeline, and not allow it with in our town borders;
2. Oppose said pipeline, and any pipeline carrying natural gas obtained through hydraulic fracturing, within our borders; and
3. Hereby instruct our state and federal legislators and executive branch officials to enact legislation and take such other actions as are necessary to disallow such projects that go against our commitments to life, the environment, our economic well-being and our bodily safety, and, instead, to legislate more stringent energy efficiency, carbon and methane emissions restrictions, and further exploration of and subsidies for renewable energy sources.(Petition–Non-binding)

The article passed with a vote of 132 in favor and 53 opposed.

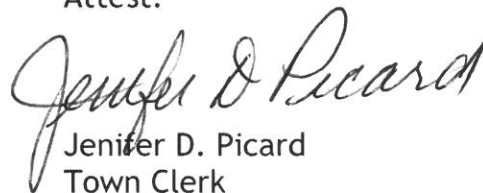
You are also directed to notify and warn the inhabitants of the Town of Lenox qualified to vote on Town affairs to meet in the Town Hall in said Lenox on Monday, May 5, 2014 at 7:00 A.M. to bring their votes for the following Town officers:

- 1 Moderator for one year
- 2 Selectmen for three years
- 1 Board of health member for three years
- 1 Assessor for three years
- 2 School Committee Members for three years
- 1 Planning Board member for a 1 year unexpired term
- 1 Planning Board member for a 4 year term
- 1 Planning Board Member for a 5 year term
- 1 Housing Authority member for five years

The polls will be open from 7:00 A.M., and may be closed by 7:00 PM

It was voted unanimously to adjourn the meeting at 8:29 PM and reconvene on Monday May 5, 2014 at the Lenox Town Hall for the purpose of voting for Town Officers.

Attest:


Jennifer D. Picard
Town Clerk