

SELECT BOARD MEETING

Monday, March 11, 2024

Select Board Meeting Room, 1625 Massachusetts Avenue, Lexington, MA 02420 - Hybrid Participation*
6:00 PM

AGENDA

EXECUTIVE SESSION

1. Exemption 6: To Consider the Purchase of Real Property 6:00pm

PUBLIC COMMENTS

Public comments are allowed for up to 10 minutes at the beginning of each meeting. Each speaker is limited to 2 minutes for comment. Members of the Board will neither comment nor respond, other than to ask questions of clarification. Speakers are encouraged to notify the Select Board's Office at 781-698-4580 if they wish to speak during public comment to assist the Chair in managing meeting times.

SELECT BOARD MEMBER CONCERNS AND LIAISON REPORTS

1. Select Board Member Announcements and Liaison Reports

TOWN MANAGER REPORT

1. Town Manager Weekly Update

CONSENT AGENDA

1. Approve and Sign Water and Sewer Commitments
2. Approve and Sign Proclamations
 - Autism Awareness and Acceptance Month
 - National Public Health Week
 - National Library Week
 - National Public Safety Telecommunicators Week
 - Arbor Day
3. Approve Select Board Appointment of Town Counsel
 - Anderson & Kreiger LLP
4. Approve Select Board Committee Reappointment
 - Board of Registrars - Mark Vitunic
5. Approve Select Board Meeting Minutes
 - February 12, 2024 Select Board
6. Application: One-Day Liquor License - Lexington Friends of the Arts d/b/a Munroe Center for the Arts, 1403 Massachusetts Avenue
 - Artist Meet Up

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Discuss Request for Proposal (RFP) Conditions for 2024 Annual Town Meeting 6:45pm

Article 33: Authorize the Select Board to Seek Affordable Housing

2. Application: Common Victualler License - Tatte Holdings LLC d/b/a Tatte Bakery & Café, 1777 Massachusetts Avenue 7:05pm
3. Presentation - Cary Memorial Library Project Construction Documents to Bidding Phase - The Children's Room Renovation 7:10pm
4. Review and Approve Transportation Safety Group Recommendation for Amendment to §192 Traffic Rules and Orders 7:30pm
 - §192-10 Schedule 7 Traffic Signs and Signals
 - Stop Sign on Anthony Road at Lillian Road
5. 2024 Annual Town Meeting 7:40pm
 - Select Board Article Discussion and Positions
6. Request to Approve Plaque on Base of Tree on Buckman Tavern Grounds in Commemoration of the Semiquincentennial 7:55pm
7. Update on Participatory Budget Projects 8:05pm
8. Approve Expenditure of Funds for Gift of Cash Received for Sewer Line Repairs 8:20pm

ADJOURN

1. Anticipated Adjournment 8:25pm

Meeting Packet: <https://lexington.novusagenda.com/agendapublic/>

****Members of the public can attend the meeting from their computer or tablet by clicking on the following link at the time of the meeting:***

<https://zoom.us/j/99739813810?pwd=bEZZNE9HK3MyY1AvcWc5d0NsQ0JlQT09>

iPhone one-tap:

+13092053325,,99739813810#,,,,*153496# US

+13126266799,,99739813810#,,,,*153496# US (Chicago)

Telephone:

- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 205 6099 US (New York)

Meeting ID: 997 3981 3810

Passcode: 153496

An Act Relative to Extending Certain State of Emergency

Accommodations: <https://www.mass.gov/the-open-meeting-law>

The next regularly scheduled meeting of the Select Board will be held prior to 2024 Annual Town Meeting on Monday, March 18, 2024 at 6:00pm via hybrid participation.

Hearing Assistance Devices Available on Request

All agenda time and the order of items are approximate and subject to change.



AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Select Board Member Announcements and Liaison Reports

PRESENTER:

Select Board Members

ITEM NUMBER:

LR.1

SUMMARY:

Under this item, Select Board Members can provide verbal updates, make announcements, as well as comment on any additional points or concerns. There are currently no written updates or announcements for the March 11, 2024 meeting.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Town Manager Weekly Update

PRESENTER:

Jim Malloy, Town Manager

ITEM NUMBER:

TM.1

SUMMARY:

Attached please find the Town Manager's Weekly Update for the weeks ending on:

- March 1, 2024
- March 8, 2024

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

ATTACHMENTS:

Description	Type
☐ Weekly Update 3-1-24	Cover Memo
☐ Weekly Update 3-8-24	Cover Memo



Town of Lexington
Town Manager's Office

James J. Malloy, Town Manager
Kelly E. Axtell, Deputy Town Manager

Tel: (781) 698-4540
Fax: (781) 861-2921

MEMORANDUM

TO: Select Board
FROM: Kelly Axtell, Deputy Town Manager
DATE: March 1, 2024
RE: Weekly Update ending March 1, 2024

Town Manager's Office

The 250th IMA Team has been meeting weekly. An RFP for an Event Planner went out in January 2024. Three responses were received and the group interviewed and raked all three. At the meeting on February 27, 2024, the team voted unanimously to move forward with Anthem group for \$84,600 of the \$200,000 IMA budget. For reference there was a wide range of pricing: \$450,000; \$180,000; \$84,600. Concord is now moving forward with the next steps to present this to Kerry LaFleur, the Town Manager in Concord for her to sign off on and move to a contract.

Land Use, Housing and Development

Housing:

13 units at 186 Bedford St have been added to the Lexington Subsidized Housing inventory (SHI). Lexington's SHI now is at 11.05%, [lexington_shi_2-26-2024.pdf \(rhsousing.org\)](#).

Economic Development:

Lexington welcomed Novo Nordisk to 65 Hayden on Wednesday, February 28th. Many state and local officials were present at the event, including, State Representative Michelle Cicollo and Mark Sandeen, Select Board.



28 Meriam St. & 32 Edgewood – A public hearing with the Planning Board is scheduled for **Wednesday, March 13 at 6:00 pm on Zoom** for a special residential development to convert the existing house into a two-family and construct 8 new dwelling units.

Zoning Amendments Articles 47-52 – On February 28, the Planning Board closed all public hearings and voted to recommend Town Meeting approve articles 47-52. Final zoning motions, recommendation reports, and videos will be posted on the Town Meeting webpage when ready.

Police

The Lexington Police Department has become the first police department in Massachusetts selected from a highly competitive application pool to receive the International Association of Chiefs of Police's Family Support Training and Technical Assistance Program. This program assists in equipping officers, departments and their families with the tools needed to establish and enhance officer and family wellness and support programs. The department is looking forward to working with the grant coordinators to build upon officer wellness initiatives.

The Lexington Police Department was selected to participate in an alternative to arrest pilot program through Communities for Restorative Justice (C4RJ), our advocate partners. This will entail having all eligible Lexington misdemeanor cases being reviewed by C4RJ prior to submission to the District Court System. These cases must meet established criteria and would include crimes against property, theft, fraud and minor assaults. If the crime is eligible, the offender needs to be willing to admit to wrongdoing and agree to participate. The victim would be educated to the restorative justice process and be willing to have the matter referred and the circumstances suggest a safe situation. The hopes are this process will alleviate the heavy case load at the District Court, help matters get settled quickly and offer a meaningful process to both the offender and the victim. This process would also keep relatively minor cases off of an offender's record if they complete the process.



Town of Lexington
Town Manager's Office

James J. Malloy, Town Manager
Kelly E. Axtell, Deputy Town Manager

Tel: (781) 698-4540
Fax: (781) 861-2921

MEMORANDUM

TO: Select Board
FROM: Jim Malloy, Town Manager
DATE: March 8, 2024
RE: Weekly Update

The following is an update of activities for the week ending March 8, 2024:

Town Manager Updates:

- Attached please find an article (and cover!) from the current March edition of PM (Public Management) magazine that I wrote entitled "Knowing When to Leave".
- Attached please find the notice of our Chapter 90 allocation for the fiscal year.
- Attached please find the final redline draft of the easement agreement between the Town of Lexington and the Fiske Common Condominium Trust which will allow a pathway through their property to the Fiske School. These final changes are very minor, the Condominium Board voted to approve the easement agreement subject to these changes on a 4-1 vote and it is on the 3/18/24 agenda for the Select Board to authorize the Town Manager to execute the easement agreement.
- Attached please find the agenda tracker for upcoming Select Board meetings.

Land Use Housing and Development:

Planning:

- 28 Meriam St. & 32 Edgewood – A public hearing with the Planning Board is scheduled for Wednesday, March 13 at 6:00 pm on Zoom for a special residential development to convert the existing historic house into a two-family and construct 8 new dwelling units in three new buildings.
- Zoning Amendments Articles 47-52 – On February 28, the Planning Board closed all public hearings and voted to recommend Town Meeting approve articles 47-52. Final zoning motions, recommendation reports, and videos will be posted on the Town Meeting webpage when ready.

PM

PUBLIC MANAGEMENT

105 YEARS



The Ethics of
Keeping Your
Governing Body
Informed **12**

Defending
Democracy at the
Local Level **20**

Ethical Red Flags
on the Job **24**

Jim Malloy, ICMA-CM
Town Manager
Lexington, Massachusetts
Read more on page 16.

ETHICAL LEADERSHIP AND POLITICAL NEUTRALITY

ICMA CODE OF ETHICS * 100 YEARS * ESTABLISHED 1924

MARCH 2024
ICMA.ORG/PM



KNOWING **WHEN** TO *LEAVE*

**10 indications that it may be time to resign from
your local government position**

BY JAMES MALLOY, ICMA-CM



As city, town, and county managers, we work hard to earn positions in communities where we can successfully obtain better, more challenging positions as our careers progress. It can be disappointing and frustrating when we start a new position in what we believe is an ideal community only to discover underlying issues that weren't apparent when we accepted the position.

The length of service guideline under Tenet 3 of the ICMA Code of Ethics establishes that a minimum of two years of service is necessary in order to render professional service to the local government. But after that, when is the right time to consider leaving a position? When is resignation the best course of action? What should we do when elected officials create a hostile work environment? How do we address personal attacks disguised as political arguments?

I considered these questions after reading a *Boston Globe* article in January of this year with the headline, "Littleton NH Town Manager Resigns over Select Board's Anti-LGBTQ+ Comments," and reflected on my own decisions over the course of my career.

Jim Gleason, the town manager in Littleton, New Hampshire, resigned due to a toxic work environment created by one of his elected officials, as well as some local activists, over public art that had pro-LGBTQ+ messages. The article indicated that Gleason's son, who was gay, died from cancer several years earlier and that

months of controversy took a personal and professional toll on him that had become so painful that he made the decision to move on.

Resigning is a significant decision, and there is no one-size-fits-all approach to figuring out when to do so. However, there are some key indicators that may signal that it is time to consider leaving your position and/or community:

1. Lack of Career Growth

If you are either an assistant or a manager and there are limited opportunities for career advancement or skill development, it may be time to consider seeking another position to advance your career. This can also be true for long-term managers in communities where transitional changes have occurred. The manager may feel as though they have accomplished all that they can in that community and that someone else with a new vision should have the opportunity to continue to move the community forward. If you're an assistant, this can be an ideal opportunity to move up to a manager's position, or for managers to move to larger, more complex communities with larger organizations and new challenges.

2. Unhealthy Work Environment

A toxic workplace culture where you may have serious conflicts with colleagues or your elected officials, similar to that experienced by the Littleton town manager, can raise stress levels beyond the

normal, day-to-day stress that local government managers face. Other times there may be persistent stress points in the community that are outside the manager's control that negatively impact your career or well-being, creating an unhealthy work environment. In Littleton, hateful comments from people in the community, including one of his elected officials, combined with his own family situation, created a toxic workplace in which the manager was better off leaving that position in a professional manner and seeking opportunities elsewhere.

3. Mismatch of Values

Misalignment with your elected officials' values, or ethical concerns you may have with actions they take, can lead to both dissatisfaction and discomfort. Tenet 6 of the ICMA Code of Ethics establishes that we need to recognize that our elected officials are accountable to the community for the decisions they make, and our role is to be responsible for implementing those decisions. At times, these decisions may not align with our own values, beliefs, or professional opinions, but we must implement those decisions just the same. However, a sustained period of misaligned values creates additional stress, and potentially ethical issues, for us as managers. It can indicate that it's time to begin seeking a position in a community with values more closely aligned with our own.

4. Burnout

Many communities have the pedal to the metal when it comes to taking on too many challenges all at once. If you consistently feel overwhelmed, exhausted, and unable to maintain a healthy work-life balance, it might be a sign of burnout. This can ultimately begin affecting your work performance, professionalism, health, and ability to juggle the multiple priorities that need your attention. Unfortunately, this is sometimes an issue recognized by our colleagues or families before we even recognize it ourselves. There is value in a regular check-in with yourself. Take a minute to determine whether you need to make changes at work. Add staff (if possible) to spread the workload, or work with your elected officials to establish more realistic goals that are within the organization's capacity to attain. If this isn't possible, it may be appropriate to seek a different position in another community that provides greater support to the staff and/or establishes realistic goals for the organization.

5. Inadequate Compensation

The time to establish your salary is when you are negotiating your initial contract--before the hard work even begins. After that initial contract, you can use established salary surveys conducted by your state association (if they do an annual survey) or undertake your own survey of comparable communities when you are renegotiating your contract.

This should be done regularly to ensure you continue to be paid fairly based on the comparable communities in your area.

At some point, you may find that you're no longer being compensated fairly compared to other similar communities within your area or statewide standards for managers. This can be due to changes in market conditions, rapid turnover in your area, or other factors. You should meet with your elected officials and review the information you've developed to discuss your salary. While never an easy discussion to have, in the long run, it's better for the community and for you. If your elected officials are unwilling to increase your compensation to an equitable, competitive wage based on the size, budget, and complexity of the community (or if the

community does not have the capacity to do so), it may be time to seek a position with another community that will consider your professional experience and will compensate you for that value.

6. Lack of Recognition

Sometimes it's not compensation, stress, unhealthy work environments, community values, or any other reason other than the effort you and your team put forth is simply not appreciated. Our elected officials sometimes fail to recognize the motivational power of acknowledging the efforts that we and our staffs make every day, year after year. Feeling unappreciated or undervalued for your hard work and achievements can be demotivating, and it may

be a sign for you to consider a change in position in favor of a community that recognizes, encourages, and values staff for continuously providing high-quality services to the community.

7. No Personal or Professional Development Support

A lack of training, mentorship, or support for your personal and professional development can limit your career growth. This is particularly true for assistants in our field, but is also true for managers. We work in a dynamic profession where we constantly need to evolve our skills and knowledge of best practices. If the community that you are working for has high expectations, but does not support continued professional development, then it may be time to consider a

career change to a community that will provide the level of support for professional development opportunities to ensure that you can continue to develop your skills in all areas of municipal management.

8. Dissatisfaction with Job Responsibilities or Authority

If your day-to-day tasks don't align with your interests and skills, it can lead to boredom or frustration. This can be an issue related to the legal authority under which each of us works. That authority may be granted by a state law, local charter, or special act. In some cases, the only legal authority may be granted through a job description, which may be changed at any time by the elected officials in the community. Often,



the manager is given tasks to undertake and staff to supervise, but the manager may not be granted the authority to effectively manage tasks, have decision-making authority, or the ability to reorganize the organization to provide services more effectively. In other cases, the manager may not be the appointing authority or have supervisory authority over staff, which can create a situation where there are expectations that cannot be fulfilled because the manager is burdened with staff that may have been hired on a political basis rather than for the skills necessary for the position. This can be frustrating professionally, and if the community is not willing or interested in addressing this type of issue through establishing adequate legal authority for the manager, then it's likely a good time to begin seeking a new position.

9. Financial Instability

If the community is facing financial difficulties, it can create a multitude of issues, but also opportunities. This is not necessarily a reason to seek a new position. However, it can create a stressful situation, particularly if it requires service cuts, staff layoffs, operational changes, or a need to realign budgets. Depending on how a community reacts, this can be good because it gives you the opportunity to re-establish realistic operational levels and reimagine services. Alternatively, it can turn out bad, as the manager may be blamed for taking the necessary steps and recommending solutions that the elected officials



It's essential to carefully evaluate these factors and consider whether they are temporary challenges or persistent issues.

do not support. There are also situations where the manager may be making recommendations to correct the financial situation, and the elected officials do not follow through to approve the changes, so the manager is left with a budgetary situation that may not be balanced and could eventually result in negative long-term financial consequences, such as bond rating downgrades, audit issues, and potentially even legal issues. Depending on how the elected officials, staff, and community react, this may be a time when a manager needs to consider leaving a position to protect their mental health, reputation, and career.

10. Health Issues

Let's face it, being a local government manager can be a demanding lifestyle. You will have long days, multiple deadlines to meet, multiple elected officials that

you need to satisfy, multiple changing priorities, staff issues, legal issues, labor issues, community demands, and financial management challenges. All of this in addition to unplanned crises that can occur and can derail your well-planned, well-organized schedule. This can lead to massive amounts of stress, and if you don't have a healthy way to offset that stress, it can lead to physical or mental health conditions. Other times, a manager may have a health condition that prevents them from fulfilling their obligations. If your position is negatively impacting your physical or mental health, or if you have a health condition that requires more of your time than is allowed, this may be a time to consider a change.

My Own Experiences

Looking back at my own career, some of these same factors led to my career-changing decisions. My first position was as a county manager, and I was already considering making the move into municipal government. When one of the county commissioners I worked for became difficult, I decided to let the board know that my current contract would be my last, and this encouraged me to get serious about making the change.

My second position was as a village manager in a community where the majority of the elected officials were removed from office for corruption. This included the mayor, who was then subsequently re-elected in a special election. His first day back in office, he dropped by to let me know as soon as he

had three votes I would be fired for not supporting him during his trial. Supporting him would have equated to me perjuring myself. Instead, I upheld ICMA's ethical standards for managers, and as a result I was terminated. I was in my third position for the next 15 years, and toward the end I simply felt that I had accomplished all I could in a community of that size. I decided to move on and took the opportunity to serve a larger community as their first-ever town manager. Nearly a decade later, I left that position because again I had a single board member that became too difficult to work with, and an opportunity opened in the community where I currently work. In this community, I am planning to stay until the ultimate career change—retirement.

It's essential to carefully evaluate these factors and consider whether they are temporary challenges or persistent issues. Sometimes addressing concerns with your elected officials can be difficult conversations to have, but can lead to long-term improvements in job satisfaction, which in turn can lead to positive improvements for the community. But, if changes cannot be made to address concerns and specific situations, then ultimately, the decision to leave a job should align with your long-term career goals and personal well-being. **RM**

JAMES MALLOY, ICMA-CM, is town manager of Lexington, Massachusetts and served as the 2020–2021 ICMA president.





OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

February 27, 2024

James Malloy
Town Manager
Town of Lexington
1625 Massachusetts Ave.
Lexington, MA 02420

RECEIVED

MAR 07 2024

Dear James Malloy,

TOWN MANAGERS OFFICE

We are pleased to announce that under the administration of Governor Maura Healey and Lieutenant Governor Kim Driscoll, a total of \$400 million for Fiscal Year 2024 and Fiscal Year 2025 was filed for the MassDOT Chapter 90 Program to support local infrastructure across the Commonwealth's 351 cities and towns over the next two years.

This funding demonstrates the Administration's continued support in strengthening municipal partnerships and providing financial resources that support transportation improvements at the local level.

This letter certifies that, contingent upon legislative approval of the \$200 million annual bond authorization, Lexington's Chapter 90 apportionment for Fiscal Year 2025 is \$964,592.24.

This apportionment will automatically be incorporated into your existing Chapter 90 contract with MassDOT with no further action needed by the municipality. Apportionments for all communities are available online at www.mass.gov/chapter-90-program. Please note that while the bill enacting these funds has been filed, the funds are not available for municipal use until final legislative approval is obtained.

The Chapter 90 Program is an integral part of maintaining and enhancing your community's infrastructure and is an essential component of our state-local partnership. We look forward to working with you in the coming year to continue the success of this program.

Sincerely,

Maura Healey
Governor

Kim Driscoll
Lieutenant Governor

~~Revised June 1, 2022~~

March 7, 2024

EASEMENT

This Easement is executed as of this ____ day of _____, 2022 by the Trustees of the Fiske Common Condominium Trust (“Grantor”), under a Declaration of Trust dated December 14, 1977 and recorded in the Middlesex South District Registry of Deeds (the “Registry”) in Book 13356, Page 242.

WHEREAS, Grantor are the trustees of the organization of unit owners of the Fiske Common Condominium (the “Condominium”) located at and having an address of [Seaborn Place and Muster Court], Lexington, Massachusetts, 02420, created by a Master Deed recorded in the Registry in Book 13356, Page 227 (as amended to date, the “Master Deed”);

WHEREAS, the Town of Lexington (“Grantee”), a municipal corporation with an address of Town Office Building, 1625 Massachusetts Avenue, Lexington, Massachusetts 02420, is the owner of that certain parcel of land located at 55 Adams Street, Lexington, Massachusetts, by a deed recorded in the Registry in Book 7230, Page 341, which land is currently used as the Fiske Elementary School (the “Town Property”);

WHEREAS, pursuant to Paragraph 8 of Exhibit A to the Master Deed, the Declarant under the Master Deed reserved the right to grant to the Grantee hereunder a “pedestrian easement” from East Street to the Town Property.

WHEREAS, the Declarant under the Master Deed did not previously convey a “pedestrian easement” to Grantee; and

WHEREAS, Grantor has agreed to grant, and Grantee has agreed to accept, a pedestrian easement over a portion of the Condominium’s common area and facilities shown as “Proposed 10’ Wide Easement” on the plan entitled “Plan of Land in Lexington, Massachusetts prepared for the Town of Lexington Public Facilities Department,” dated March 27, 2009 by Merrimack Engineering Services and attached hereto as Exhibit A (the “Plan”) and also recorded in the Registry simultaneously herewith, for pedestrian only access to the Town Property as more particularly described herein.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grantor hereby grants to Grantee, for so long as the Town Property is used as a public school, the limited right and easement for the students of the public school, their parents and guardians to use, by foot only, except for anybody requiring the use of a wheelchair or other accessible means of transport that portion of land labeled “Proposed 10’ Wide Easement” on the Plan (the “Easement Area”), which is a common area of the Condominium, as a passage way for the sole purpose of access to the Town Property. [Any ramp used for wheelchair access to the](#)

Easement Area shall be located on Town property and not on Grantor's property. -Except as provided in this paragraph, this easement shall be limited to passage by foot only and in no event shall the easement be used for passage by the public by bicycle, scooter, skateboard, rollerblades, golf cart, cross country skiing, or any other mode of transportation and such modes of transportation are expressly prohibited by the scope of this easement. In addition, dogs or other pets shall not be permitted in or on the Easement Area. Passage over the Easement Area shall be limited to the hours of 7:00 AM to dusk. The "Easement Area" contains approximately 4,042 square feet as per the Plan and is conveyed subject to the right hereby expressly reserved by Grantor to continue to enjoy the use of said Easement Area for all purposes.

2. Under the terms of this Easement, Grantee shall be entitled to construct, install, improve, maintain or repair the proposed Easement Area, in its existing location only as shown on the Plan, which shall include the right to install pavement, or other surface with similar surface materials as approved by the Grantor, which approval shall not be unreasonably withheld. In no event shall the improved area, by the pavement or otherwise, exceed five (5') feet in width at any point along the Easement Area. Notwithstanding the foregoing, in no event shall the Grantee be permitted by the terms of this Easement to install lighting of any kind in or on the Easement Area or illuminate it in any other way. In connection with the initial construction of said paving, Grantee and its agents, employees, contractors and representatives shall have the right to enter upon and occupy the Temporary Construction Easement on foot and with motorized and/or mechanical construction vehicles and equipment to perform any work deemed necessary by Grantee.

3. Grantee may make other improvements or alterations to the Easement Area not shown on the Plan only with Grantor's prior written consent, which shall not be unreasonably withheld, conditioned or delayed.

4. Grantee shall be solely responsible to maintain the Easement Area. Notwithstanding the foregoing, Grantee shall not be permitted to remove or treat snow, ice or plow the Easement Area and not withstanding any town ordinance or future bylaw to the contrary. Such maintenance work shall be subject to the requirements of Paragraph 5 hereunder. In connection with maintenance of the Easement Area after the making of initial improvements described in Paragraph 2, the Grantee shall not be permitted access to the Temporary Construction Easement without the Grantor's prior written consent, which shall not be unreasonably withheld, conditioned, or delayed, except, however, that in the case of emergency repairs to the Easement Area, the Grantee shall be permitted to enter the Temporary Construction Easement as necessary to conduct such repairs.

5. The Grantee shall perform all work, if any, in connection with the paving, cementing, maintenance, and repair of the Easement Area at the Grantee's sole cost and expense using similar surface materials as approved by the Grantor, which approval shall not be unreasonably withheld. All of said work shall be performed in a good workmanlike manner in compliance with all applicable laws, regulations, codes, bylaws and ordinances. In exercising its rights to construct, install, alter, maintain, improve, replace, repair, reconstruct, or remove improvements to the Easement Area, the Grantee shall use reasonable efforts to minimize any

interference with the Grantors' use of the Condominium and the Easement Area, and shall promptly repair any damage to the Condominium or the Easement Area caused by the Grantee's improvement or maintenance of the Easement Area. Furthermore, Grantee shall be solely liable for any claim or liability arising out of the use of the Easement Area by any member of the public and, to that end, to the extent permissible by law, the Grantee shall add the Grantor as an "additional insured" to the Grantee's general liability insurance policy on a non-contributory basis for all such claims or liability. To the fullest extent permitted by law, the Town and/or its insurance carrier shall defend, indemnify, and hold the Grantor and its agents harmless from any and all such claims and/or liability.

6. With the prior written approval of the Grantor, which shall not be unreasonably withheld, delayed or conditioned, Grantee shall erect and maintain no more than ~~signage~~ two signs at the locations shown in the Plan notifying members of the public that (i) the Grantor's property abutting the Easement Area is private property and not open to public use, (ii) that the Easement Area shall be used solely as a foot only passage way to the Town Property, as articulated in paragraph #1; (iii) that no dogs or other animals shall be permitted on the Easement Area; (iv) that the Easement Area is only available for use between the hours of 7:00 AM and dusk; and (v) that smoking and vaping in the Easement Area are expressly prohibited. The Town shall not be responsible for damage caused to the Easement Area or the Grantor's property by the public's use or misuse of the Easement Area (other than promptly repairing any damage to the signage), but shall take reasonable steps to address any use or misuse of the Easement Area by members of the public that is contrary to the terms of this Easement. Notwithstanding the foregoing, the Grantee shall not advertise the presence of this easement of the access granted thereunder on any official map of the Grantee describing Town trails or walking paths.

7. In the event Grantee sells the Town Property or the Town Property is no longer used as a public school, then this Easement shall cease, terminate and be extinguished and shall be of no force or effect, without the need of the Grantor to perform any other act in confirmation of same.

8. The Grantor hereby represents and warrants that it has complied with the requirements of Section 5(b)(2) of Chapter 183A of the Massachusetts General Laws with respect to the granting of this Easement and that (i) it has obtained the consent of at least fifty one percent (51%) of the number of all mortgagees holding first mortgages on units within the Condominium who have requested to be notified thereof, as provided in subsection (5) of section 4 of Chapter 183A of the Massachusetts General Laws and (ii) that due to the conditions and limitations above, this Easement is not inconsistent with the peaceful and lawful use and enjoyment of the common Condominium property by the owners thereof.

9. It is the intention of the parties that, to the fullest extent permitted by law, this Easement constitutes an "interest in land" under Massachusetts General Laws c. 21, § 17C, and that the parties hereto shall be afforded all of the rights, protections, privileges and benefits granted thereunder.

10. The terms of this Easement, including but not limited to the rights, privileges, obligations and conditions set forth or referenced herein, shall run with the land upon which the

Condominium is located and shall bind Grantor, the unit owners of the Condominium and any other person having an interest in the Condominium or in any unit therein and their respective successors and assigns. This Easement is appurtenant to and shall run to the benefit of the Town Property.

[Remainder of page intentionally left blank]

Witness the execution hereof under seal as of the date first set above.

**FISKE COMMON CONDOMINIUM
TRUST**

Name:
Trustee

**INSERT ADDITIONAL SIGNATURE
BLOCKS IF MORE THAN THREE
TRUSTEES**

ACCEPTANCE

The foregoing Easement is hereby accepted by the Select Board of the Town of Lexington this ____ day of _____, 2022.

TOWN OF LEXINGTON
By and through its Select Board

By: _____
Name: James J. Malloy
Title: Town Manager, duly authorized

COMMONWEALTH OF MASSACHUSETTS)

) ss:

COUNTY OF MIDDLESEX)

On the ____ day of _____, 2022, before me, the undersigned notary public, personally appeared each of the foregoing named Town Manager of the Town of Lexington, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name assigned on the preceding document and acknowledged to me that he signed it voluntarily for its stated purpose as the foregoing named Town Manager of the Town of Lexington, a municipal corporation.

Notary Public:

My Commission Expires:

EXHIBIT A

Easement Plan

(see attached)

AGENDA TRACKER

ITEM NAME	PROPOSED DATE	MINUTES	Item #	Description
Exemption 6: To Consider the Purchase of Real Property	11-Mar-24	0	0	Request from LexHAB on 3/7
Approve and Sign Water and Sewer Commitments	11-Mar-24	0	0	Email request from Robin on 2/7
Approve and Sign Proclamations - Autism Awareness and Acceptance Month; National Public Safety Telecommunicators Week; National Public Health Week; National Library Week; Arbor Day	11-Mar-24	0	0	April is Autism Awareness and Acceptance Month; National Public Safety Telecommunicators Week 4/14-4/20 (annual proclamations); National Public Health Week 4/1-4/7; National Library Week 4/7-4/13; Arbor Day 4/26
Approve Select Board Appointment of Town Counsel	11-Mar-24	0	0	The Select Board shall appoint each year, within thirty days after the Annual Election of Town Officers, some attorney-at-law as Town Counsel, who shall serve for the term of one year. Mina Makarious/Anderson & Krieger LLP's term expires on 3/31
Approve Select Board Committee Reappointment	11-Mar-24	0	0	Mark Vitunic to be reappointed to the Board of Registrars (his term expires on 3/31) pending any other nominations
Approve Select Board Meeting Minutes	11-Mar-24	0	0	2/12/2024 SB;
Approve One-Day Liquor License - Lexington Friends of the Arts d/b/a Munroe Center for the Arts	11-Mar-24	0	0	Munroe Center for the Arts' Artist Meet Up 4/25 (Fire; TMO; Police - all OK)
Discuss ATM Article 33 RFP Conditions	11-Mar-24	20	1	One specific topic related to Article 33 is whether to include a claw back provision in the contract whereby the property would revert to the Town should the successful bidder not execute the building of affordable housing as per their bid.
Common Victualler License Application - Tatte Holdings LLC d/b/a Tatte Bakery & Café, 1777 Massachusetts Avenue	11-Mar-24	5	2	New CV application (Zoning; Building; Health - all OK)
Architect Presentation to Select Board on Library Renovation	11-Mar-24	20	3	The Architect on this project is complete with Construction Documents and ready to move on to the bidding phase and will present the project to the Select Board.

Stop Sign Placement Request - Anthony Road at Lillian Road	11-Mar-24	10	4	Sheila Page has requested that TSG by on the Agenda to present a stop sign request at the intersection of Anthony Road and Lillian Road.
2024 Annual Town Meeting - Select Board Article Discussion and Positions	11-Mar-24	15	5	
Request for Select Board approval of Plaque to be placed on the Lex250 Commemoration Tree planted by MDAR	11-Mar-24	10	6	Formal request from MDAR received 2/20/2023 to present the their proposal for a plaque to mount at base of the tree which was planted in April 2023 behind buckman tavern in honor of the semiquincentennial anniversary of the Battle of Lexington, monuments and memorials committee sent a report on 2/9/2024. Cindy Woolworth confirmed attendance
Update on Participatory Budget Projects	11-Mar-24	15	7	This will be an update on Participatory Budget Projects including the RRFB crossings
Approve Expenditure of Funds for Gift of Cash - Takeda Donation	11-Mar-24	5	8	Takeda has offered to pay up to \$300,000 for the repairs of the sewer line that exits their property, the Town has had two major breaks in this line in the past two months and the line needs to be repaired on an emergency basis. The best way to manage the financial aspect of this is for Takeda to donate the funds and for the Select Board to approve the use of the funds under MGL Ch. 44, Sec. 53A.
2024 Annual Town Meeting - Approve Select Board Report to ATM - Select Board Article Discussion and Positions	18-Mar-24	5	1	
Discuss/Approve establishing a gift account for the Lowell Street Paving Project	18-Mar-24	5	2	In discussing the IMA with the Town of Burlington, internally, our staff is recommending that the Select Board approve the use of funds from the Town of Burlington for the purpose of repaving Lowell Street. This will allow DPW to expedite this repaving and have it completed this summer.

Discuss/Approve Easement Document between the Town and Fiske Common Condominium Trust	18-Mar-24	10	3	The Town has been working on this easement agreement to provide access to the Fiske School for students walking to school through the Fiske Common Condominium property and the easement agreement is now in a form that has been approved by the condominium association board (4-1 vote to approve).
Liquor License Amendment Alteration of Premise Applicaiton and Request to Update Liquor License Conditions Regarding New Outdoor Rear Dining Area - Inn at Hastings Park	20-Mar-24	15	1	Needs to be advertised - Hearing - Inn at Hastings submitted an alteration of premise application for their liquor license to formalize the outdoor area to include the new patio area they built. Their liquor license is currently covered at the present by the state extension for outdoor dining areas to serve alcohol in this area along with their local application for outdoor dining under the Town Manager. The whole property is already licensed, the conditions require updating to allow alcohol in this new outdoor area
2024 Annual Town Meeting - Select Board Article Discussion and Positions	20-Mar-24		2	
PLACEHOLDER - Review and Approve Committee Meeting Conduct Norm Policy	20-Mar-24	15	4	Follow up from 12/18/2023 meeting
PLACEHOLDER - Dissolve Ad Hoc Transportation Committee	27-Mar-24	0	0	Recommendations made at 10/2 meeting (outstanding minutes need to be turned into the TCO)
Police Station Project Update	27-Mar-24	10	1	Update on the Police Station project and budget for solar - potential request for ARPA funding for solar canopy.

Update on Facilitation Session -	27-Mar-24		2	M. Sandeen to report to the Select Board the options for a facilitated community listening session to understand current community experience regarding inclusivity; hear the opportunities and challenges surrounding Human Rights concerns topic as community members perceive them, discuss the potential of possibly scheduling the listening session to be held before the end of May
Present timeline for amending LHRC Charge	27-Mar-24		3	J. Hai to present the plan of action and timeline for updating the LHRC charge
2024 Annual Town Meeting - Select Board Article Discussion and Positions	27-Mar-24		4	
Approve and Sign Awards for Patriots' Day 2024	1-Apr-24	0	0	Minuteman Cane Award; Pat Flynn Youth Award/Outstanding Youth of Lexington Award (to be signed prior to awarding at Patriots' Day)
Follow Up Discussion on Concerns from 9 Hancock Resident	1-Apr-24	30	1	This is a follow up discussion on the concerns raised by the abutter to the Battle Green Streetscape Project
Appoint Select Board Member to Nominating Committee for the Executive Board of the Cary Memorial Library Board of Trustees	1-Apr-24	5	2	The Select Board is being asked to identify one of its members to serve on the nominating committee for the Executive Board of the Cary Memorial Library Board of Trustees, and respond to the Library Trustees with said appointment by April 12th
2024 Annual Town Meeting - Select Board Article Discussion and Positions	1-Apr-24		3	
PLACEHOLDER - Review TAC Response to AHTC Report	3-Apr-24	20	1	Follow up from 10/2/2023 meeting Recommendations from ad hoc committee for how to address changes to transportation services
2024 Annual Town Meeting - Select Board Article Discussion and Positions	3-Apr-24		2	
Placeholder - Approve Select Board Committee Appointment - Fund for Lexington -	8-Apr-24	0	0	_____ as a member to the Fund for Lexington Board representing the Trustees of the Public Trusts

Request from Susan Barrett to seek approval to add a parking restriction on Depot Square for the Rev Shuttle.	8-Apr-24	15	1	The Rev Shuttle currently stops in front of the Depot and the Historical Society has requested that this change. Susan has worked with the Rev on an alternate location and is seeking the Select Board's approval to allow a restriction in front of Brookline Bank Monday - Friday 7 AM to 9 AM.
2024 Annual Town Meeting - Select Board Article Discussion and Positions	8-Apr-24		2	
2024 Annual Town Meeting - Select Board Article Discussion and Positions	10-Apr-24		1	

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve and Sign Water and Sewer Commitments

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.1

SUMMARY:

Category: Decision-Making

The Water and Sewer Division is requesting that the Select Board approve and sign the following Water and Sewer Commitments:

Cycle 9 Billing December 2023 \$ 302,399.47

SUGGESTED MOTION:

To approve and sign the following attached Water and Sewer Commitments:

Cycle 9 Billing December 2023 \$ 302,399.47

Move to approve the consent.

FOLLOW-UP:

Treasurer/Collector

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

ATTACHMENTS:

Description

Type



DEPARTMENT OF PUBLIC WORKS TOWN OF LEXINGTON

WATER AND SEWER ENTERPRISE FUNDS

CYCLE 9 BILLING

Dec-23

WATER:	\$	296,146.94
BURLINGTON FEE		
BEDFORD FEE:	\$	6,252.53
TOTAL:	\$	302,399.47

To the Collector of Revenue for the Town of Lexington:

You are hereby authorized and required to levy and collect of the persons named in the list of water/sewer charged herewith committed to you and each one of his/her respective portion herein set down to the sum total of such list. Said sum being:

Three hundred two thousand three hundred ninety nine 47/100

And pay the same into the treasury of the Town of Lexington and to exercise the powers conferred by law in regard thereto.

 2-8-24

DIRECTOR OF PUBLIC WORKS

Treasurer/Collector, Director of Public Works, Water/Sewer Billing

SELECT BOARD

March 11, 2024

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve and Sign Proclamations

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.2

SUMMARY:

Category: Decision-Making

The Select Board is being asked to approve and sign proclamations recognizing the following:

- The Lexington Human Rights Committee had previously requested that the Select Board approve and sign a proclamation recognizing the month of April annually as **Autism Awareness and Acceptance Month**. This proclamation pledges support and encouragement for all those affected by autism within the community.
- **National Public Health Week** to be celebrated from April 1, 2024 to April 7, 2024. This proclamation recognizes the efforts of public health professionals in Lexington and the role of public health in improving the overall health of Lexington residents and the community.
- **National Library Week** to be celebrated from April 7, 2024 to April 13, 2024. This proclamation encourages all citizens to recognize the staff of the Cary Memorial Library and to visit the Library to take advantage of the wonderful resources available.
- **National Public Safety Telecommunicators Week** to be celebrated from April 14, 2024 to April 20, 2024. This proclamation encourages citizens to recognize and support the Public Safety Telecommunicators of Lexington.
- **Arbor Day** to be recognized nationally on Friday, April 26, 2024. This proclamation urges all citizens to support efforts to protect trees and woodlands and to support our town's urban forestry program and also to urge all citizens to plant and protect trees to promote the well-being of present and future generations.

SUGGESTED MOTION:

To approve and sign proclamations to annually recognize the month of April as Autism Awareness and Acceptance Month and to commemorate National Public Health Week from April 1, 2024 to April 7, 2024; National Library Week from April 7, 2024 to April 13, 2024; National Public Safety Telecommunicators

Week from April 14, 2024 to April 20, 2024 and Arbor Day on Friday, April 26, 2024.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

ATTACHMENTS:

Description	Type
☐ 2024 Autism Awareness and Acceptance Month Proclamation	Backup Material
☐ 2024 National Public Health Week Proclamation	Backup Material
☐ 2024 National Library Week Proclamation	Backup Material
☐ 2024 National Public Safety Telecommunicators Week Proclamation	Backup Material
☐ 2024 Arbor Day Proclamation	Backup Material



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** autism spectrum disorder (ASD) (“autism”) is a developmental disability that can cause significant social, communication and behavioral challenges; and
- Whereas:** autism can cause challenges with verbal and nonverbal communication, social interaction, and repetitive behaviors, and can affect anyone, regardless of age, race, ethnicity, gender, or socioeconomic background; and
- Whereas:** autism is often accompanied by medical conditions that impact quality of life; and
- Whereas:** people with ASD may communicate, interact, behave, and learn in ways that are different from neurotypical people. The learning, thinking, and problem-solving abilities of people with ASD can range from gifted to severely challenged with varying needs for support; and
- Whereas:** the prevalence of autism in the United States is 1 in 54 children according to estimates from CDC’s Autism and Developmental Disabilities Monitoring (ADDM) Network; and
- Whereas:** children and adults with autism are our family members, friends, neighbors, and co-workers; and
- Whereas:** each individual with autism is unique, with their own talents and qualities; and
- Whereas:** individuals with autism benefit from specialized services and community support to ensure their health and safety and full participation in community life; and
- Whereas:** individuals with autism, families, professionals, and community members are supported through connections with others and the sharing of resources; and
- Whereas:** the resilience of families and individuals with autism is strengthened through support; and
- Whereas:** we value what is important to people with autism and their families, who are striving to live everyday lives; and
- Whereas:** positive outcomes increase for individuals with autism when training is provided to professionals across all systems, including those in justice, healthcare, and emergency response settings; and
- Whereas:** the aims for Autism Awareness and Acceptance Month are to inform our community about both the potential and needs of people with autism and to stress the importance of early diagnosis and early intervention, as well as the importance of providing appropriate supports that continue through adulthood; and
- Whereas:** Autism Awareness and Acceptance Month is an opportunity to acknowledge educators specializing in effective teaching strategies, and to celebrate the many achievements of adolescents, students, and adults with autism.

NOW, THEREFORE, WE, THE SELECT BOARD of the Town of Lexington, Massachusetts, do hereby proclaim the month of April to be recognized annually as

Autism Awareness and Acceptance Month

in the Town of Lexington and pledge our support and encouragement to all those affected by autism.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 11th of March 2024.

JOSEPH N. PATO, CHAIR

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

JILL I. HAI

MARK D. SANDEEN



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** the goal of National Public Health Week is to recognize the contributions of Public Health Officials, and the public health system, in improving the health and wellbeing of ALL people, on a national, state and local level; and
- Whereas:** the United States and the global community are responding to the COVID-19 pandemic, which requires support for a robust public health infrastructure and workforce and collaboration among the Federal Government, State and local governments, schools, businesses, and employers to support public health measures to decrease community spread of COVID-19; and
- Whereas:** many of the leading causes of death for individuals result from chronic conditions, which are among the most common, costly, and preventable of all health challenges; and
- Whereas:** there were an estimated 107,622 drug overdose deaths in the United States in 2021, an increase of nearly 15 percent from 2020; and
- Whereas:** cigarette smoking is the leading cause of preventable disease and death in the United States, accounting for more than 480,000 deaths every year, including more than 41,000 deaths resulting from secondhand smoke; and
- Whereas:** e-cigarettes have been the most commonly used tobacco product among youth since 2014, with 10.0 percent of high school students reporting e-cigarette use in 2023; and
- Whereas:** heat-related mortality for people over 65 is estimated to have increased by approximately 74 percent from 2000-2004 to 2017-2021; and
- Whereas:** studies show that small strategic investments in disease prevention can result in significant savings in health care costs; and
- Whereas:** vaccination is one of the most significant public health achievements in history and has resulted in substantial decreases in the number of cases, hospitalizations, and deaths associated with vaccine-preventable diseases; and health care costs associated with vaccine-preventable diseases; and
- Whereas:** public health professionals help communities prevent, prepare for, mitigate, and recover from the impact of a full range of health threats, including disease outbreaks, such as the COVID-19 pandemic; natural disasters, and other disasters, including disasters caused by human activity and public health emergencies; and
- Whereas:** public health professionals collaborate with partners outside of the health sector, including planners, transportation officials, education officials, and private sector businesses, recognizing that other sectors can influence health outcomes; and

Whereas: in communities across the United States, due to public health interventions, individuals are changing the way they care for their health by avoiding tobacco use, eating healthier, increasing physical activity, and preventing unintentional injuries at home and in the workplace; and

Whereas: efforts to adequately support public health and the prevention of disease and injury can continue to transform a health system focused on treating illness into a health system focused on preventing disease and injury and promoting wellness.

NOW, THEREFORE, WE, THE SELECT BOARD of the Town of Lexington, Massachusetts do hereby proclaim the week of April 1 to 7, 2024 as

National Public Health Week

in the Town of Lexington recognizing the efforts of the Public Health professionals in Lexington and recognize the role of public health in improving the overall health of residents and the Lexington community.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 11th of March 2024.

JOSEPH N. PATO, CHAIR

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

JILL I. HAI

MARK D. SANDEEN



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** libraries create potential and possibilities within their communities, campuses and schools; and
- Whereas:** libraries level the playing field for all who seek information and access to technologies; and
- Whereas:** libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and
- Whereas:** libraries and librarians open up a world of possibilities through innovative programing, access to technology and the power of reading; and
- Whereas:** librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and
- Whereas:** libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and
- Whereas:** libraries, librarians, library workers and supporters across America are celebrating National Library Week; and
- Whereas:** Tuesday, April 9, 2024 has been designated as National Library Workers Day in appreciation of their work; and
- Whereas:** Cary Memorial Library in Lexington, Massachusetts is located in the heart of the Town center and the library and library workers provide an invaluable service to the citizens of Lexington with compassion, understanding and professionalism.

NOW, THEREFORE, WE, THE SELECT BOARD of the Town of Lexington, Massachusetts do hereby proclaim the week of April 7 to 13, 2024 as

National Library Week

in the Town of Lexington and encourage all citizens to join us in recognizing the staff of the Cary Memorial Library and further encourage all citizens to take advantage of the wonderful library resources available.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 11th of March 2024.

JOSEPH N. PATO, CHAIR

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

JILL I. HAI

MARK D. SANDEEN



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** emergencies can occur at any time requiring police, fire or emergency medical services; and
- Whereas:** when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and
- Whereas:** the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who contact the Town of Lexington, Massachusetts Public Safety Dispatch Center; and
- Whereas:** Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and
- Whereas:** Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and
- Whereas:** the Public Safety Dispatchers of the Town of Lexington have contributed substantially to the apprehension of criminals, suppression of fires, treatment of patients and comfort to resident callers; and
- Whereas:** each Public Safety Dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, WE, THE SELECT BOARD of the Town of Lexington, Massachusetts do hereby proclaim the week of April 14 to 20, 2024 as:

National Public Safety Telecommunicators Week

in the Town of Lexington and call upon all citizens to join us in recognizing the Town of Lexington Public Safety Dispatchers whose diligence and professionalism keep our town and citizens safe.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 11th of March 2024.

JOSEPH N. PATO, CHAIR

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

JILL I. HAI

MARK D. SANDEEN



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and
- Whereas:** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and
- Whereas:** Arbor Day is now observed throughout the nation and the world; and
- Whereas:** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and
- Whereas:** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and
- Whereas:** trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community; and
- Whereas:** this year the Town of Lexington has once again been recognized as a Tree City USA, the 35th year for this designation.

NOW, THEREFORE, WE THE SELECT BOARD of the Town of Lexington, Massachusetts, do hereby proclaim Friday, April 26, 2024 as

Arbor Day

in the Town of Lexington and we urge all citizens to support efforts to protect our trees and woodlands and to support our town's urban forestry program; and further, urge all citizens to plant and protect trees to promote the well being of present and future generations.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 11th of March 2024.

JOSEPH N. PATO, CHAIR

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

JILL I. HAI

MARK D. SANDEEN

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Select Board Appointment of Town Counsel

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.3

SUMMARY:

Category: Decision-Making

Appointment:

Town Counsel

The Select Board shall appoint each year, within thirty days after the Annual Election of Town Officers, some attorney-at-law as Town Counsel, who shall serve for the term of one year. The Select Board is being asked to appoint Anderson & Kreiger LLP as Town Counsel for the Town of Lexington for a one-year term to expire on March 31, 2025.

SUGGESTED MOTION:

To appoint Anderson & Kreiger LLP as Town Counsel for the Town of Lexington, with Mina S. Makarious serving as Town Counsel, for a one-year term to expire March 31, 2025.
Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Select Board Committee Reappointment

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.4

SUMMARY:

Category: Decision-Making

Reappointment:

Board of Registrars

The Select Board is being asked to reappoint Mark Vitunic to the Board of Registrars for a three-year term set to expire on March 31, 2027. The membership on the Board of Registrars currently consists of one Republican, two Democrats and the Town Clerk. The Lexington Republican Town Committee has nominated Mr. Vitunic for reappointment as the Republican representative. State Conflict of Interest Law Online Training is complete and up to date.

SUGGESTED MOTION:

To reappoint Mark Vitunic to the Board of Registrars for a three-year term set to expire on March 31, 2027.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

ATTACHMENTS:

	Description	Type
📎	2024 Board of Registrars Reappointment Nomination - Lexington Republican Town Committee	Backup Material

Stacey Prizio

From: Alan Seferian [REDACTED]
Sent: Friday, February 2, 2024 11:17 AM
To: Kim Katzenback
Cc: Mary de Alderete; Stacey Prizio
Subject: Re: Request for Nominations for Registrar of Voters

USE CAUTION: This email came from outside the Town of Lexington. **Do not** click links, open attachments or respond to the email **unless** you recognize the sender, you are expecting the communication and you know the content is safe.

Hello Kim:

We renominate Mark Vitunic to be our representative on the Board.

Thank you,

Alan V. Seferian, Chair
Lexington Republican Town Committee

On Thu, Jan 4, 2024 at 9:44 AM Kim Katzenback <kkatzenback@lexingtonma.gov> wrote:

Mr. Seferian,

Please see attached letter requesting nominations to fill a March 2024 term expiration on the Registrar of Voters. A copy of this letter has also been mailed to you.

Kindly respond as soon as possible but by February 23, 2024.

Regards,

Kim

Kim Katzenback

Office Manager/Executive Clerk

Select Board

Town of Lexington

1625 Massachusetts Avenue

Lexington, MA 02420

[781-698-4580](tel:781-698-4580)

SelectBoard@lexingtonma.gov

Kkatzenback@lexingtonma.gov

Please note – Town Office Building, 1625 Massachusetts Ave, Hours of Operation are: Mon, Wed, Thurs 8:30am - 4:30pm; Tues 8:30am – 7:00 pm and Fri 8:30 am – 1:00 pm.

When writing or responding, please be aware that the Massachusetts Secretary of State has determined that most email is a public record and, therefore, may not be kept confidential.

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Select Board Meeting Minutes

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.5

SUMMARY:

Category: Decision-Making

The Select Board is being asked to approve the February 12, 2024 meeting minutes.

SUGGESTED MOTION:

To approve and release the February 12, 2024 Select Board meeting minutes.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> DRAFT 02122024 Select Board Minutes	Backup Material

SELECT BOARD MEETING
February 12, 2024

A meeting of the Lexington Select Board was called to order at 6:30p.m. on Monday, February 12, 2024, via a hybrid meeting platform. Mr. Pato, Chair; Ms. Barry, Mr. Lucente, Mr. Sandeen, and Ms. Hai were present, as well as Mr. Malloy, Town Manager; Ms. Katzenback, Executive Clerk; and Ms. Axtell, Deputy Town Manager.

The meeting was called to order at 6:31pm.

CONSENT AGENDA

The Board agreed to address Consent Agenda item #2 separately.

1. Application: One-Day Liquor License – Rotary Club of Lexington, 1605 Massachusetts Avenue
 - Lexington High School Scholarship Fundraiser

To approve a One-Day Liquor License for the Rotary Club of Lexington to serve beer and wine in the lobby outside of, and the hallway to the left side of, Battin Hall on the main level of Cary Memorial Building, 1605 Massachusetts Avenue, for the purpose of the Lexington High School Scholarship Fundraiser on Friday, March 1, 2024 from 6:30pm to 10:30pm, and to further allow for guests of this event to be able to consume alcohol inside of Battin Hall.

3. Accept Select Board Committee Resignation
 - Town Celebrations Committee - B. Gresh Lattimore Jr.

To accept the resignation of B. Gresh Lattimore Jr. from the Town Celebrations Committee effective immediately.

DOCUMENTS: Resignation Letter - B.G. Lattimore Jr.

4. Application: Battle Green Permit – Lexington Historical Society, Battle Green, 0 Massachusetts Avenue
 - Annual Children's Reenactment of the Battle of Lexington

To approve the request of the Lexington Historical Society to use the Battle Green on Wednesday, April 17, 2024 from 10:00am to 2:00pm for the purpose of their annual Children's Reenactment of the Battle of Lexington with a rain date of Thursday, April 18, 2024 with the same times and locations.

DOCUMENTS: Diagram of Event - Children's Reenactment of the Battle of Lexington

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve Consent Agenda items #1, 3, and 4.

2. Approve Collective Bargaining Agreement – Cary Memorial Library Staff Association (Local 4928, MLSA, AFT-Mass, AFL-CIO)

Ms. Barry recused herself from this item.

To approve the agreement between the Town of Lexington and the Cary Memorial Library Association, Local 4928, MLSA, AFT-Mass, AFL-CIO as negotiated.

DOCUMENTS: Library Union Memo

VOTE: Upon a motion duly made and seconded, the Select Board voted 4-0 to approve Consent Agenda item #2.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Award Sale of General Obligation Bonds

Ms. Kosnoff, Assistant Town Manager for Finance, explained that on Wednesday, February 7, 2024, the Town sold \$9,530,000 of general obligation bonds. Moody’s conducted a review of the sale and rated the Bond Aaa which is the highest rating that can be obtained by a municipality. The 10-year bond was issued to finance the ongoing construction of several large projects including the Battle Green Streetscape, water and sewer infrastructure, and building improvements to schools and public facilities. Thirteen very competitive bids were submitted for the bonds. The bids, based on a calculation of the true interest cost (TIC), which takes into consideration the amount of the issue, coupon rate, underwriting discount and offering premium, ranged from a high of 2.32% to a low of 2.25%. The low bidder was Bancroft Capital, LLC, whose TIC of 2.25% included a premium of \$1.214M. This premium was applied to reduce the par value of the issuance on the day of the sale, which resulted in a net resized issuance of \$8,510,000.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0: We hereby determine, in accordance with G.L. c.70B, that the cost of each of the following school projects, each being financed with proceeds of a portion of the Bonds, together with all other bonds and notes of the Town previously issued to pay costs of each project, does not exceed the portion of the total cost of each project that is not being paid by each project’s respective school facilities grant, and we hereby approve the issuance of notes and bonds to finance each project under G.L. c.70B.

<u>Project</u>	<u>Authorization Date</u>
Hastings School construction	October 16, 2017 (Article 2)
Lexington High School feasibility	April 11, 2022 (Article 2)

And Further: that the sale of the \$8,510,000 General Obligation Municipal Purpose Loan of 2024 Bonds of the Town dated February 22, 2024 (the “Bonds”), to Bancroft Capital, LLC at the price of \$9,624,557.81 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on February 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2025	\$965,000	5.00%	2030	\$765,000	5.00%
2026	\$940,000	5.00%	2031	\$760,000	5.00%
2027	\$940,000	5.00%	2032	\$760,000	5.00%
2028	\$940,000	5.00%	2033	\$760,000	5.00%
2029	\$925,000	5.00%	2034	\$755,000	5.00%

And Further: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 31, 2024, and a final Official Statement dated February 7, 2024 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved, and adopted.

And Further: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a Continuing Disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

And Further: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

And Further: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

And Further: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

DOCUMENTS: Moody's Credit Opinion_2.7.2024, Lexington Bids_2.7.2024, Lexington Final Bond Results, Lexington Bonds_2.22.24, No Litigation Statement, Continuing Disclosure Statement, Tax Certificate

2. 2024 Annual Town Meeting
 - Presentation - ATM 2024 Article 31: Prohibit Single-Serve Plastic Water Bottles (Citizen Petition)

Thomas Wanderer, Citizen Petitioner, updated the Board on Article 31: Prohibit Single-Serve Plastic Water Bottles. The proposal is to ban the sale of single use water bottles less than 1 liter within the town of Lexington. The purpose of this proposal is to prevent waste, degradation of the environment, etc. There are 24 other Massachusetts communities with similar bylaws in effect.

Ms. Barry suggested that additional outreach to businesses be conducted prior to Annual Town Meeting.

Mr. Lucente asked for clarification as to if the ban includes the sale of bottles and/or also the distribution of bottles. Mr. Wanderer stated that the proposals specifies the sale only.

Ms. Hai suggested that the proposal be clear that there are multiple bottle filling stations within the Town.

Mr. Sandeen expressed appreciation for this idea. He asked about enforcement on behalf of the Town. Mr. Malloy stated that this would likely be carried out by the Health Department during inspections.

- Presentation - ATM 2024 Article 40: Integrated Pest Management Resolution (Citizen Petition)

Marci Cemenska, Citizen Petitioner, updated the Board on Article 40: Integrated Pest Management Resolution.

The Board discussed possible forms of resources to include with this petition.

- Presentation - ATM 2024 Article 41: Massachusetts Bay Transportation Authority

It was noted that this item will be presented to the Board on March 4th.

- Presentation - ATM 2024 Article 42: Digital Publication of Legal Notices (Citizen Petition)

Diane Pursley, Citizen Petitioner, updates the Board on Article 42: Digital Publication of Legal Notices.

- Presentation - ATM 2024 Article 43: Voting Rights 16 and Older (Citizen Petition)

Kunal Botla, Citizen Petitioner, updated the Board on Article 43: Voting Rights 16 and Older.

Mr. Lucente and Ms. Hai expressed support for this petition.

Ms. Barry asked that the Office of the Town Clerk be consulted regarding the additional amount of work this petition may create, if any. Mr. Botla explained that some municipalities use a system run by the Secretary of the Commonwealth to obtain the necessary information.

- Presentation - ATM 2024 Article 45: Indigenous Peoples Day (Citizen Petition)

Fran Ludwig, Citizen Petitioner, updated the Board on Article 45: Indigenous Peoples Day.

- Select Board Article Discussion and Positions

The Select Board took initial positions on the 2024 Annual Town Meeting articles. This list is a dynamic tracking list and Select Board positions may change as they receive additional details regarding the articles. Each Select Board meeting leading up to Town Meeting, the Board will review and update their positions as needed.

#	Article Name	JP	SB	DL	JH	MS
3	Cary Lecture Series	Y	Y	Y	Y	W
4	Appropriate FY2025 Operating Budget	W	W	W	W	W
5	Appropriate FY2025 Enterprise Funds Budgets	W	Y	W	W	W
6	Appropriate for Senior Services Program	Y	Y	W	W	W
7	Sustainable Capital Projects	W	Y	W	Y	W
8	Accept Tucker Ave. (Westernmost portion)	Y	Y	Y	Y	W
9	Establish and Continue Departmental Revolving Funds.	Y	Y	W	W	W
10	Appropriate the FY2025 Community Preservation Committee Operating Budget and CPA projects.	Y	Y	Y	Y	Y
	a. Cary Memorial Library Renovation - \$4M	Y	Y	Y	Y	Y
	b. Archives and Record Management - \$20,000	Y	Y	Y	Y	Y
	c. Park Improvements – Athletic fields – Bowman School - \$545,000	Y	Y	Y	Y	Y
	d. Lincoln Park fitness stations equipment-\$160,000	Y	Y	Y	Y	Y
	e. Park Improvements – Hardcourt Services – Valley Rd. - \$492,000	Y	Y	Y	Y	Y

	f. Lincoln Park Field Improvements -\$1,145,000	Y	Y	Y	Y	N
	g. LexHAB Support, Restoration, Preservation, and Decarbonization	Y	Y	Y	Y	Y
	h. Lexington Housing Authority Exterior Preservation - \$100,000	Y	Y	Y	Y	Y
	i. Affordable Housing Trust Funding - \$3,200,000	Y	Y	Y	Y	Y
	j. Projected debt service - \$681,200	Y	Y	Y	Y	Y
	k. Administrative budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for recreation capital projects	W	Y	W	W	W
12	Appropriate for municipal capital projects and equipment					
	a. Transportation mitigation	Y	Y	W	W	W
	b. Heavy vehicle extrication equipment	Y	Y	W	W	W
	c. Ambulance replacement	Y	Y	W	W	W
	d. Equipment replacement	Y	Y	W	W	W
	e. Sidewalk improvements	Y	Y	W	W	W
	f. Hydrant replacement	Y	Y	W	W	W
	g. Town wide signalization improvements	Y	W	W	W	W
	h. Stormwater Management program	Y	Y	W	W	W
	i. Cemetery Columbarium – design	Y	Y	W	W	W
	j. Public Parking lot improvement program	Y	W	W	W	W
	k. Network core equipment replacement	Y	Y	W	W	W
	l. Municipal Technology Improvement Program	Y	Y	W	W	W
	m. Network redundancy and improvement plan	Y	Y	W	W	W
	n. Network technology improvements	Y	Y	W	W	W
	o. Scanning – Electronic Document Management	Y	Y	W	W	W
	p. Election equipment upgrade	Y	Y	W	W	W
	q. Street Improvements	Y	Y	W	W	W
13	Appropriate for water system improvements	Y	Y	Y	Y	W
14	Appropriate for wastewater system improvements	Y	Y	Y	Y	W
15	Appropriate for school capital projects and equipment	W	Y	W	W	W
16	Appropriate for public facilities, capital projects					
	a. Public facilities bid documents	Y	Y	W	Y	W
	b. Public facilities interior finishes	Y	Y	W	Y	W
	c. School paving and sidewalks	Y	Y	W	Y	W
	d. Public facilities mechanical/electrical/plumbing replacement	Y	Y	W	Y	W
17	Appropriate to post Employment Insurance Liability Fund	W	R	W	W	W
18	Resend prior borrowing authorizations	Y	Y	W	W	W
19	Establish, amend, dissolve, and appropriate to and from specified	W	W	W	W	W
20	Appropriate for prior years unpaid bills	W	W	W	W	W
21	Amend FY2024, operating, enterprise, and CPA budgets	W	W	W	W	W
22	Appropriate for authorized capital improvements	W	W	W	W	W
23	Appropriate opioid settlement	Y	Y	Y	Y	Y
24	Appropriate funding for SemiQuincentennial Commission	Y	Y	Y	Y	Y
25	Pine Meadows Clubhouse renovation	W	Y	W	W	W
26	Appropriate for design funds for Lexington High School construction project	Y	Y	Y	Y	Y
27	Appropriate for renovation of 173 Bedford St.	Y	W	W	W	W
28	Select Board to accept easements	Y	Y	W	W	W
29	Amend the general bylaw – noise control					
	a. Construction noise	Y	W	W	W	W
	b. Commercial gas leaf blower prohibition delay	W	W	Y	W	W
30	Prohibit single use food containers. (Citizens petition) – IP	IP	IP	IP	IP	IP

31	Prohibit single serve plastic water bottles (Citizens petition)	W	W	W	W	W
32	Old Spring Street name change	Y	Y	Y	Y	Y
33	Authorize Affordable Housing Trust to seek affordable housing	Y	Y	Y	Y	Y
34	Amend General Bylaws – Tree Bylaw -Tree Protection Plan.	Y	W	Y	Y	Y
35	Amend General Bylaws – Tree Bylaw – require mitigation plantings.	Y	W	W	Y	Y
36	Amend General Bylaws -Tree Bylaw – Exemptions.	Y	W	Y	Y	Y
37	Importance of trees Resolution (Citizen Petition)	Y	W	W	W	Y
38	Amend regulation of fossil fuel infrastructure bylaw – meet department	Y	W	W	Y	Y
39	Home rule petition to adjust the number of on-premise wine and malt	Y	Y	Y	Y	W
40	Integrated Pest Management Resolution (Citizen Petition)	Y	Y	Y	Y	Y
41	Massachusetts Bay Transportation Authority	W	W	W	Y	W
42	Digital publication of Legal Notices (Citizen Petition)	Y	Y	Y	Y	Y
43	Voting Rights 16 and Older (Citizen Petition)	Y	Y	Y	Y	Y
44	Amend General Bylaws – Chapter 100, Public Ways, and Places (Citizen Petition)	IP	IP	IP	IP	IP
45	Indigenous Peoples Day (Citizen petition)	Y	Y	W	Y	Y
46	Royal family invitation to 250 th Celebration	W	Y	Y	W	Y
47	Amended zoning bylaw -signs	W	W	W	W	W
48	Amend zoning bylaw – Short Term Rentals.	W	W	W	W	W
49	Amend zoning bylaw – permitted uses and development standards.	W	W	W	W	W
50	Amended zoning bylaw – inclusionary housing for Village and multifamily.	W	W	W	W	W
51	Amend zoning bylaw – maximum height for a Village Overlay District.	W	W	W	W	W
52	Amend Zoning bylaw and map – Technical corrections.	W	W	W	W	W
53	Amend zoning map – 507 Bedford St. (owner petition)	W	W	W	W	W
54	Amended zoning map – 509 Bedford St. (Owner petition)	W	W	W	W	W

Positions as of 2/12/2024

DOCUMENTS: Art 31 Prohibit single-serve bottles motion, Art 40 integrated pest management motion, Art 40 integrated pest management slides, Art 42 digital publications motion, Art 42 digital publications slides, Art 43 voting rights motion, Art 43 voting rights slides, Art 45 Indigenous peoples day motion, Art 45 Indigenous peoples day slides, Select Board Working Document - Positions 2024ATM

3. Update and Review of Roundabout and Lighting Installation on the Battle Green Streetscape Project

Ms. Barry recused herself from this item.

John Livsey, Town Engineer, updated the Board on the Battle Green Streetscape Project. He reviewed the work that was accomplished during the 2023 construction season and the planned completion of this project during the 2024 construction season. He also addressed selected concerns raised by the abutter at 9 Hancock Street, such as those regarding lighting and a fence.

Ms. Hai expressed concern regarding the design of the bike ramp access areas. These have the same tactile pads as the actual crosswalk entrances and exits. For someone with any visual impairment, if they encounter that tactile pad, they may be led to believe that this is a crosswalk area, but it is instead putting them directly into traffic. Mr. Livsey stated that, by the same token, the tactile pad is needed to notify visually impaired people that there is a roadway access point at these bike ramps. This design adheres to the standards for roundabout implementation per MUTCD. Ms. Hai requested that the Commission on Disability review the design.

Mr. Lucente stated that he believes there should be a grass strip installed on the Bedford Street side of the Battle Green, to keep consistency with other grass strips around the sidewalks at the Battle Green. He also expressed concern regarding the brightness of the lighting proposed along the roundabout. Mr. Livsey stated that some dimming of the lights is being explored. This needs to be balanced with safety in the area. Blocking of the lights could be considered.

Steve McKenna, 9 Hancock Street, expressed his objection toward the rotary. The rotary is loud, bright, faster traffic-wise, and has an urban feel.

Dawn McKenna, 9 Hancock Street, explained that there are three sections in their lease with the Town. One is that each party agrees to maintain the areas in a neat and orderly manner, in recognition of the public and private purposes for which the respective areas of Buckman Park are and shall be held and used. She does not feel the Town is doing that. Section 12.2 guarantees a right of quiet enjoyment, and it reads that the tenant shall lawfully, peaceably, and quietly have, hold, occupy, and enjoy the leased premises during the term here rendered, without hindrance, or rejection by the landlord. This is also not occurring. All of the changes at this intersection have negatively impacted their right to quiet enjoyment. The Secretary of the Interior standards for treatment of historic properties with guidelines for preserving, rehabilitating, restoring, and reconstructing historic buildings states that the following is not recommended: altering the relationship between the building and landscape features in the setting by widening existing streets, changing landscape materials, or locating new streets or parking areas where they may negatively impact the historic character of the setting; removing or relocating historic buildings or landscape features, thereby destroying the historic relationship between buildings and the landscape in the setting. The Town did this when it removed the island in front of the house. The lease also has a requirement to preserve every rock dug up without permission from the HDC, which did not happen during construction. The big rock at the head of the island was removed and nobody knows what happened to it.

One of the most sensitive items for the Battle Green Master Plan was the lighting. The design recommended careful selection of a dark sky friendly features with a full cut off light source to enhance the nighttime experience of the Battle Green and not compete with the special lighting dedicated to illuminating the Minuteman Statue and the flagpole. What was selected completely ignores that. There are now 46 lights in the Battle Green Master Plan area, replacing the original 13 lights. There are noise issues due to trucks hitting the apron and blaring their horns. There are eight vehicle entry and exits, plus the multiple pedestrian and bicycle entries. The increased length of the driveway has made the access into their home more difficult. Traffic backups still occur; instead of coming from Hancock Street, traffic now runs on both ends of Bedford Street. It is now difficult and unsafe for them to come in and out of the driveway. The new design directs people to ride their bike on the Battle Green, which is prohibited. It also directs people to ride on the sidewalk, which is also prohibited.

No one ever contacted them about the lease, and there needs to be lease modifications, as the language of the lease defines responsibilities based on the location of the driveway, The Town changed that location. The Town also did all kinds of work on their property without getting HDC approval. The recommendation from Staff to make no changes is not surprising. However, it does not mean that it is the right thing for the Town, or for this National Historic Landmark, or them, the lease holders. It was

impossible for anyone to understand the dramatic impacts the work would have on the Battle Green Master Plan area. It was never anticipated that the Battle Green streetscape work would change the Battle Green Master Plan work that had already been completed or was in progress. Nor could it be expected that decisions made since the public hearings or in the field would result in the changes that are inconsistent with the Battle Green Master Plan and are unacceptable. The Battle Green Master Plan explicitly envisioned returning extraneous areas to grass, to greatly improve the appearance. It also states that paths should only be located in areas where they are most needed and eliminated from areas where they are not useful. Instead, there are now signs and poles that sit in the middle of the pathway, which is a walking hazard. Some of the work completed does not meet the goals of the approved Master Plan. Some changes must be reconsidered, particularly changing the landscaping, and placing lights and electric boxes in a way that does allow for an unobstructed view of the historic assets. The project led to expanding the width of the sidewalks and removing grass when the goal was to reduce the size of the sidewalks and add more grass. The project used stone dust, which tracks into the historic buildings. Also, building the wall at the base of the belfry that matches Cary Library is not what was supposed to happen. This should have been the same coloring as the Minuteman Statue. Adding plantings to the roundabout will detract from the Battle Green itself, which was never the intent.

Mr. Lucente asked for the McKenna's top concerns they would like to see addressed. Mr. McKenna stated that the most major item would be to have the rotary removed. Ms. McKenna stated that the number one item for her is the safety concern of using the new sidewalk. Second is the lighting. In the long run, the only way to resolve these issues may be to remove the rotary. She would like the Board to allow DPW to work with them on certain issues as best as possible.

In answer to a question from Mr. Sandeen, the McKennas confirmed that the primary safety concern about the crosswalk was falling down due to the sidewalk ramping up and down at the crosswalk. Mr. Sandeen stated that he would hope that the Town would support the McKennas through any HDC approval process regarding the proposed fence work. The Town Manager indicated that the Town would do that.

The Board thanked the McKenna's for their presence and agreed to continue discussion on this topic at a later date.

DOCUMENTS: Presentation

The Board took a brief recess from 9:22pm – 9:27pm.

Ms. Barry rejoined the meeting.

Mr. Pato amended the order of the agenda to take up item 5 followed by item 4.

5. Approve FY2025 Recommended Budget and Financing Plan – *The Board took up this item at this time.*

Ms. Kosnoff explained that this item seeks the Board's approval of the FY2025 Recommended Budget and Financing Plan as proposed by the Town Manager (the Brown Book). The Preliminary Budget (White Book) was released on January 19th and was presented to the Board at Budget Summit III on January 25th. Since that time, Staff have incorporated changes based on comments from the Board, other stakeholder feedback, and new financial information including the following:

Revenue:

- Updated Free Cash from \$16,500,000 to \$17,032,132, as certified by the Department of Revenue

- Revised State Aid based on the Governor's proposed budget/ preliminary Cherry Sheet (decrease in Chapter 70 from \$60/student to \$30/student, plus adjustments to other categories)

Expenses:

- Final Minuteman Regional High School Assessment for FY2025 as voted by the Minuteman School Committee
- Revised Debt Service for General Fund, Water and Sewer Funds based on the February 7th bond sale
- A reduction in the capital request to renovate 173 Bedford Street from \$6.0 million to \$4.2 million (remove all-electric heating system)
- Adjustments to the capital financing plan based on the items above
- Adjustments to recommended municipal Program Improvements based on Board feedback - remove Tyler Cashiering module and add consultant for General Liability Insurance.
- A reduction in 'Unallocated' Free Cash set-aside from \$1,000,000 to \$955,166 to re-balance the budget.

Ms. Kosnoff stated that the overall budget is still balanced and incorporates many of the Board's goals and priorities, along with a few Program Improvement Requests.

Regarding 173 Bedford Street, Mr. Sandeen stated that he believes the Town should be complying with the Board's goals to transition to 100% renewable energy and to be electrifying its buildings in moving forward. He is concerned about the proposal to change the capital request from \$6M to \$4.2M by removing an all-electric heating system. He prefers leasing if the swing space needs are expected to be less than 10 years.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve the FY2025 Recommended Budget and Financing Plan as shown in Column D of the Program Summary and authorize staff to make non-substantive changes in preparing and finalizing the full Brown Book.

DOCUMENTS: FY2025 Recommended Budget - Program Summary, FY2025 Recommended Budget_Blackline from WB_2.9.24

4. Confirm FY2024-FY2025 Select Board Goals

Mr. Pato explained that, at its February 5, 2024, meeting, the Board initially reviewed the collected Select Board's FY24-FY25 goals and proposed actions. The Board is now being asked to review and confirm the updated collected goal sets and proposed actions document. This document will be published to the Select Board webpage once confirmed.

DOCUMENTS: Draft FY24 - FY25 Select Board goal sets and proposed actions, Draft FY24 - FY25 Select Board goal sets and proposed actions – redlined, Draft FY24-FY25 Select Board Goals to post to SB Webpage

ADJOURN

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to adjourn the meeting at 9:55 p.m.

A true record; Attest:
Kristan Patenaude
Recording Secretary

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Application: One-Day Liquor License - Lexington Friends of the Arts d/b/a Munroe Center for the Arts, 1403 Massachusetts Avenue

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.6

SUMMARY:

Category: Decision-Making

Lexington Friends of the Arts d/b/a Munroe Center for the Arts:

The Lexington Friends of the Arts d/b/a Munroe Center for the Arts has requested a One-Day Liquor License for the purpose of serving wine in the Art Room on the middle floor of the Munroe Center for the Arts Building, 1403 Massachusetts Avenue for the purpose of an Artist Meet Up on Thursday, April 25, 2024 from 6:30pm to 8:30pm.

The request has been reviewed by the Police Department, Fire Department and Town Manager's Office with no concerns. The Town Manager has granted permission for the applicant to have the event per the terms of their lease.

SUGGESTED MOTION:

To approve a One-Day Liquor License for the Lexington Friends of the Arts d/b/a Munroe Center for the Arts for the purpose of serving wine in the Art Room on the middle floor of the Munroe Center for the Arts Building, 1403 Massachusetts Avenue for the purpose of an Artist Meet Up on Thursday, April 25, 2024 from 6:30pm to 8:30pm.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

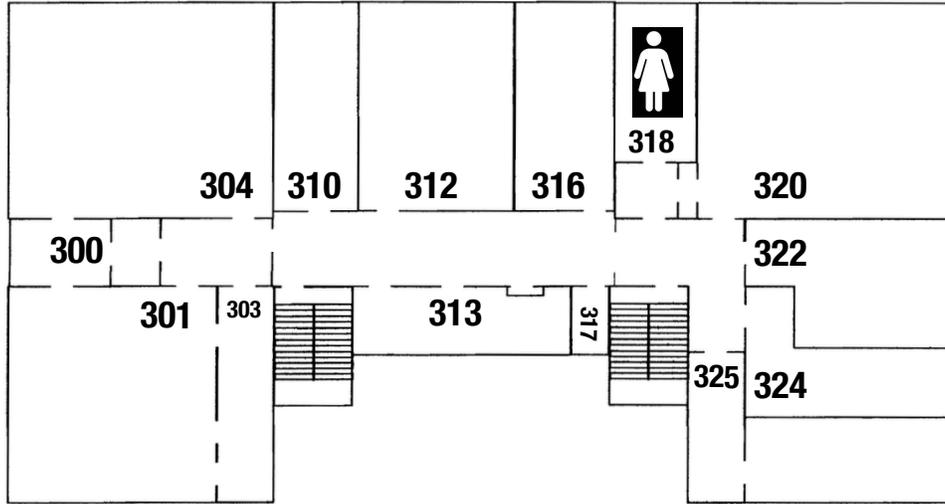
ATTACHMENTS:

Description	Type
📎 Munroe Center for the Arts Event Location Map	Backup Material

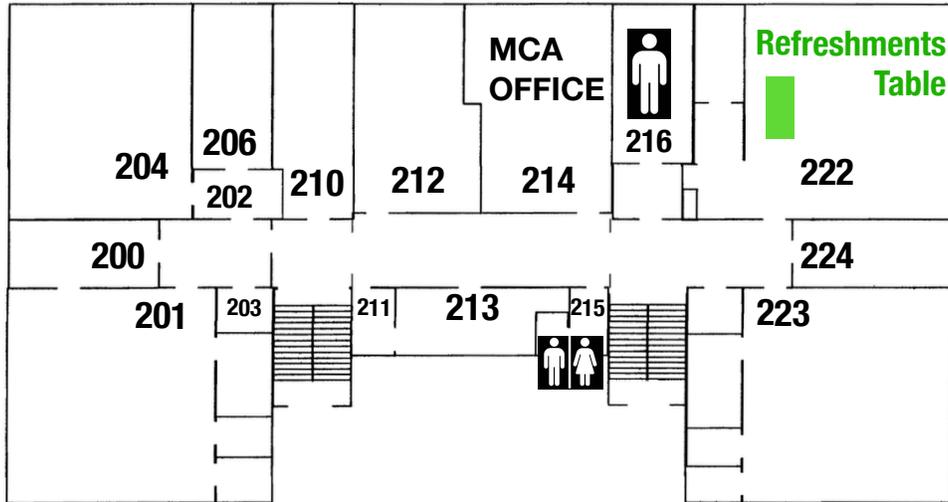
MUNROE CENTER for the ARTS

1403 Massachusetts Avenue
781.862.6040

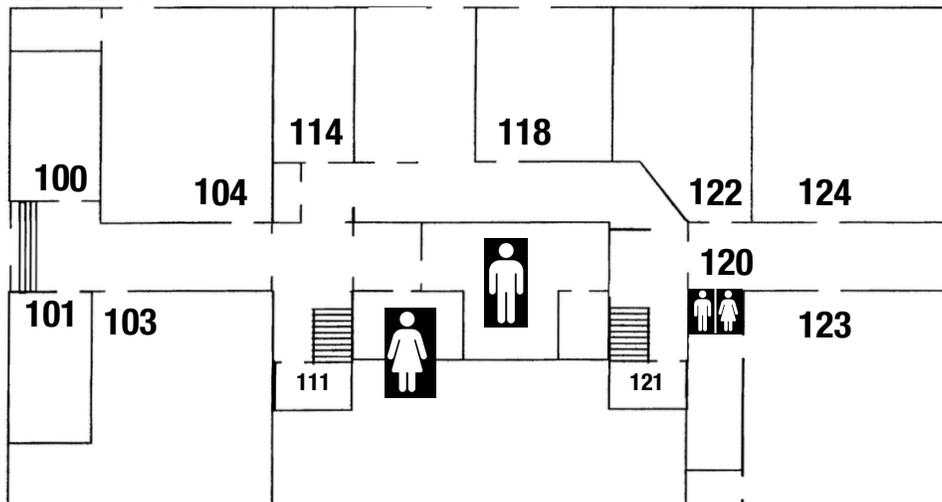
TOP FLOOR



MIDDLE FLOOR



GROUND FLOOR



AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Discuss Request for Proposal (RFP) Conditions for 2024 Annual Town Meeting Article 33:
Authorize the Select Board to Seek Affordable Housing

PRESENTER:

Board Discussion

ITEM NUMBER:

I.1

SUMMARY:

Category: Brainstorming

The Select Board will discuss Request for Proposal (RFP) conditions for ATM 2024 Article 33: Authorize the Select Board to Seek Affordable Housing.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

6:45pm

ATTACHMENTS:

Description	Type
☐ AHT Email to Appropriation Committee - Article 33	Backup Material

Stacey Prizio

From: Select Board
Sent: Wednesday, March 6, 2024 4:13 PM
To: Stacey Prizio
Subject: FW: Article 33

From: Elaine Tung [REDACTED]
Sent: Wednesday, March 6, 2024 1:52 PM
To: Glenn Parker [REDACTED]; Sanjay P [REDACTED]
Cc: Select Board <selectboard@lexingtonma.gov>; Carol Kowalski [REDACTED]; Elizabeth Rust [REDACTED]
Subject: Article 33

USE CAUTION: This email came from outside the Town of Lexington. **Do not** click links, open attachments or respond to the email unless you recognize the sender, you are expecting the communication and you know the content is safe.

To the Appropriation Committee:

Glenn, you asked if a nonprofit affordable housing developer building an all affordable housing development such as that envisioned for Parcel 68-44 would be subject to paying real estate taxes.

Tara Mizrahi who is on the LexHAB board and also is Executive Vice President of Affirmative Investments, an affordable housing developer sent me an email explaining the following:

"In a Low Income Housing Tax credit project, even if it is sponsored by a Non-profit, the structure requires the "ownership entity" be a for-profit- as that is how you get the benefits of the tax-credits. The non-profit is what is called the Managing Member of the for-profit entity.

Even if the land is leased, if it is a long enough lease like 75 or 99 years it is treated as an effective sale so you can still be taxed on the land and buildings. While you certainly can do a PILOT, most do not. The taxes are based on the value of the property assuming all of the deed restrictions in place which reduces the value of the property. Obviously depends on the town and the tax rate but affordable units might pay about \$1,000 to \$1300/unit per year in RE Taxes. If Lexington would rather do a PILOT they can."

PILOT= Payment In Lieu Of Taxes

I also spoke with another nonprofit affordable housing developer yesterday who has been around since 1987. She confirmed that they pay real estate taxes on their developments and these are built into their applications for financing and noted as a line item.

Finally, Elizabeth Rust from Regional Housing Services Organization (RHSO) also confirms that "[t]he developer pays property taxes, based on the value of the property."

The Tax Assessor office and the Board of Assessors should be contacted for further information.

Please let me know if you should have any further questions. Thank you.

Elaine Tung
Chair, Affordable Housing Trust

When writing or responding, please be aware that the Massachusetts Secretary of State has determined that most email is a public record and, therefore, may not be kept confidential.

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Application: Common Victualler License - Tatte Holdings LLC d/b/a Tatte Bakery & Café,
1777 Massachusetts Avenue

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

I.2

SUMMARY:

Category: Decision-Making

Tatte Holdings LLC d/b/a Tatte Bakery & Café:

The Select Board is being asked to approve a request for a Common Victualler License for Tatte Holdings LLC d/b/a Tatte Bakery & Café, 1777 Massachusetts Avenue, for the hours of 7:00am to 8:00pm Sunday through Saturday for seating in a new, café-style eating establishment. The applicant has worked with the Department of Public Health, Building Department and Zoning Department for their respective required permits and inspections.

The applicant, Mr. Daniel Brennan, and the on-site manager, Ms. Asma Lazzouni, have been invited to attend the Select Board meeting to answer any questions.

SUGGESTED MOTION:

Move to (approve/not approve) a Common Victualler License for Tatte Holdings LLC d/b/a Tatte Bakery & Café, 1777 Massachusetts Avenue, for the hours of 7:00am to 8:00pm Sunday through Saturday.

FOLLOW-UP:

Select Board Office

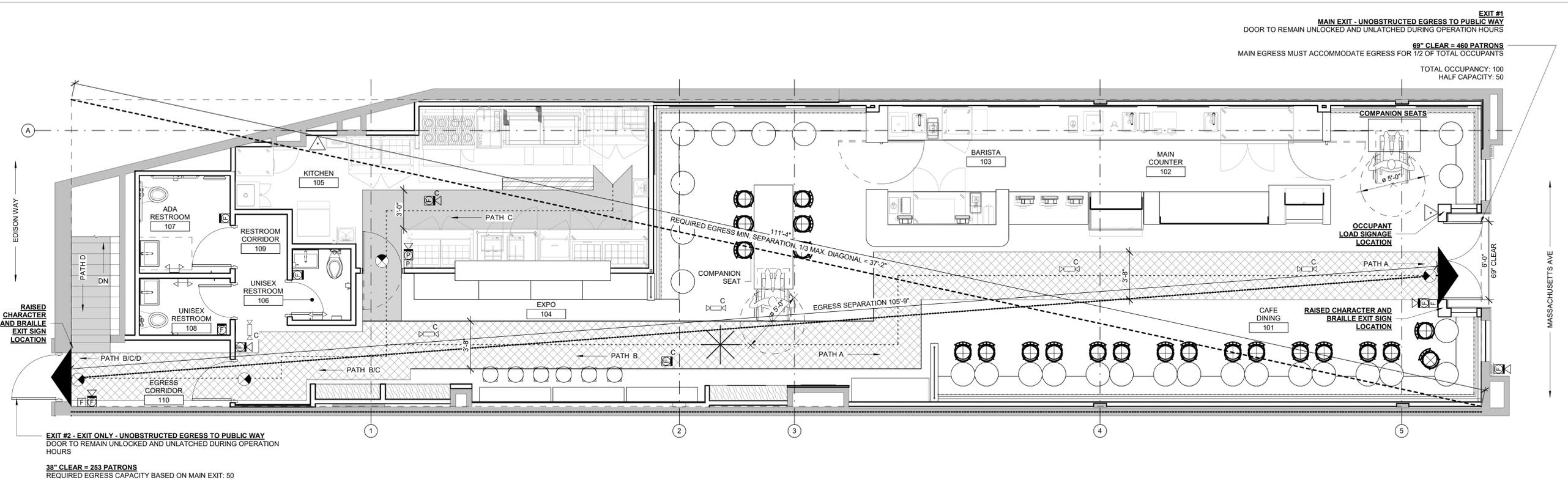
DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

7:05pm

ATTACHMENTS:

Description	Type
📎 Tatte Bakery & Café Site Plan with Seating	Backup Material



EXIT #2 - EXIT ONLY - UNOBSTRUCTED EGRESS TO PUBLIC WAY
DOOR TO REMAIN UNLOCKED AND UNLATCHED DURING OPERATION HOURS
38" CLEAR = 253 PATRONS
REQUIRED EGRESS CAPACITY BASED ON MAIN EXIT: 50

EXIT #1
MAIN EXIT - UNOBSTRUCTED EGRESS TO PUBLIC WAY
DOOR TO REMAIN UNLOCKED AND UNLATCHED DURING OPERATION HOURS
69" CLEAR = 460 PATRONS
MAIN EGRESS MUST ACCOMMODATE EGRESS FOR 1/2 OF TOTAL OCCUPANTS
TOTAL OCCUPANCY: 100
HALF CAPACITY: 50

1 EGRESS PLAN - FIRST FLOOR
SCALE: 1/4" = 1'-0"



EGRESS LEGEND		
	44" EGRESS PATH-PRIMARY FRONT OF HOUSE	LONGEST PATH OF EGRESS TRAVEL
	36" EGRESS PATH-SECONDARY FRONT OF HOUSE	EXIT DOORWAY/EXIT
	36" EGRESS PATH BACK OF HOUSE	PROPOSED FIRE EXTINGUISHER LOCATIONS: EVERY 75'
	5% TABLES TO BE ACCESSIBLE **NOT INCLUDING EMPLOYEES	EXIT SIGN
	PULL STATION	EXIT SIGN WITH DIRECTIONAL
	STROBE	EMERGENCY LIGHTING
	HORN STROBE	EMERGENCY LIGHTING-CEILING MOUNTED
	MAXIMUM LENGTH OF TRAVEL	

TOTAL EGRESS PATH LENGTHS	
PATH	LENGTH OF TRAVEL
PATH A	58'-0"
PATH B	54'-6"
PATH C - BOH	56'-7"
PATH D - BOH (BASEMENT)	97'-6"
PATH P1 - PATIO	20'-7"
PATH P2 - PATIO	23'-9"

INTERIOR SEAT CHART	
AREA & QUANTITY	TOTAL
UNCONCENTRATED	24
FIXED SEATING	38
COUNTER SEATING	06
MAXIMUM INTERIOR SEATING CAPACITY	68
EMPLOYEES (FIRST FLOOR)	08
TOTAL INTERIOR OCCUPANCY:	76

APPLICABLE CODES

STATE BUILDING CODE: 780 CMR MA STATE BUILDING CODE, 9TH EDITION - W/ AMENDMENTS TO THE 2015 IBC

FIRE / LIFE SAFETY CODE: 527 CMR 1.00 MA FIRE PROTECTION CODE & ELECTRICAL REGULATIONS - W/ AMENDMENTS TO 2015 IBC

ACCESSIBILITY CODE: 521 CMR MA ARCHITECTURAL ACCESS BOARD, 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

PLUMBING CODE: 248 CMR 10.00 MA STATE PLUMBING CODE

MECHANICAL CODE: 2015 IMC

ELECTRICAL CODE: 527 CMR 12.00 MA STATE ELECTRICAL CODE, NFPA 70, NATIONAL ELECTRICAL CODE 2023

ENERGY CODE: 2021 IECC, & STRETCH CODE 2023 UPDATE

BUILDING INFO

TOTAL BUILDING AREA - FIRST FLR 13,713 SF
TENANT SPACE PROJECT AREA - FIRST FLR 2,688 SF
TENANT SPACE PROJECT AREA - BASEMENT 2,400 SF
TOTAL PROJECT AREA 5,088 SF
FLOORS IN THE PROJECT AREA 1 FLOOR + BASEMENT
OVERALL BLDG HEIGHT +/- 18'-0"
TOTAL NUMBER OF FLOORS FOR BLDG 1

DESCRIPTION	CODE REF.	REQUIREMENT	PROPOSED
CONSTRUCTION TYPE	TABLE 601	IIB	
USE GROUP	IBC 303.3	ASSEMBLY A-2 - RESTAURANT & BUSINESS B	
SPRINKLERED	IBC 903.2.1.3	REQUIRED IF OVER 5,000 SF OR 100 OCCUPANTS	YES
FIRE ALARM	IBC 907.2.1	REQUIRED IF ASSEMBLY OCCUPANCY OVER 300	YES

DESCRIPTION	CODE REF.	AREA	FACTOR (SF PER PERSON)	OCCUPANTS
ASSEMBLY (FIRST FLOOR)	TABLE 1004.1.2	2,450 SF	SEAT COUNT	
TOTAL INTERIOR SEATS				68 OCCUPANTS
TOTAL EXTERIOR PATIO OCCUPANTS				24 OCCUPANTS
EMPLOYEES ON DUTY				8 OCCUPANTS
PLUMBING FIXTURE COUNTS ARE DESIGNED FOR A TOTAL OCCUPANT LOAD				100 OCCUPANTS
KITCHEN, COMMERCIAL (BASEMENT) TABLE 1004.1.2	2,400 SF	200 GROSS		12 OCCUPANTS

DESCRIPTION	CODE REF.	REQUIREMENT	PROPOSED
REQUIRED NUMBER OF EXITS	TABLE 1006.3.1	1 FOR 49 OR FEWER OCCUPANTS, 2 FOR 50-500 OCC.	2
STORIES W/ ONE EXIT	TABLE 1006.3.2 (2)	100' B OCC W/ SPRINKLER SYSTEM	97'-6"
MAXIMUM TRAVEL DISTANCE	TABLE 1017.2	250' W/ SPRINKLER SYSTEM	SEE "EGRESS PATH LENGTHS" CHART
EXIT ACCESS DOORWAY DIST	1007.1.1	1/3 OF MAXIMUM DIAGONAL DISTANCE	111'-4" DIAG 105'-9" EXIT SEPARATION
MINIMUM AISLE WIDTH	1029.9.1	36" WHEN AN AISLE SERVES LESS THAN 50	36"
CORRIDOR WIDTH	TABLE 1018.2	44" MIN; 36" MIN IF OCCUPANCY IS LESS THAN 50	44"
DOOR WIDTH	1008.1.1	32" MIN. CLR OPENING (OR 36" DOOR)	MAIN ENTRY 72" OTHER 41"

DESCRIPTION	CODE REF.	REQUIREMENT	PROPOSED
BUILDING ELEMENTS	TABLE 601/602	PRIMARY STRUCTURAL FRAME	0 HR
		BEARING WALLS - EXTERIOR	0 HR
		BEARING WALLS - INTERIOR	0 HR
		NON BEARING WALLS & PARTITIONS - EXT 5<x<10	1 HR
		NON BEARING WALLS & PARTITIONS - INTERIOR	0 HR
		FLOOR CONSTRUCTION	0 HR
		ROOF CONSTRUCTION	0 HR

DESCRIPTION	CODE REF.	REQUIREMENT	PROPOSED
WATER CLOSETS	10.10 TABLE 1	FEMALE: 1 PER 25; MALE: 1 PER 50	FEMALE = 2 MALE = 2"
LAVATORIES	10.10 TABLE 1	1 PER 200	4
OTHER	10.10 TABLE 1	1 SERVICE SINK	1

* EMPLOYEE BATHROOM PROVIDED IN BASEMENT KITCHEN

ISSUES

DATE	#	DESCRIPTION
2024-02-01	1	ISSUED FOR PERMIT



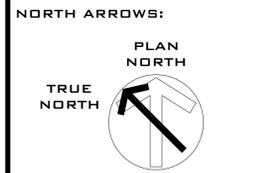
PROJECT NAME
TATTE BAKERY & CAFE

PROJECT ADDRESS
1777 MASSACHUSETTS AVE | LEXINGTON, MA 02420

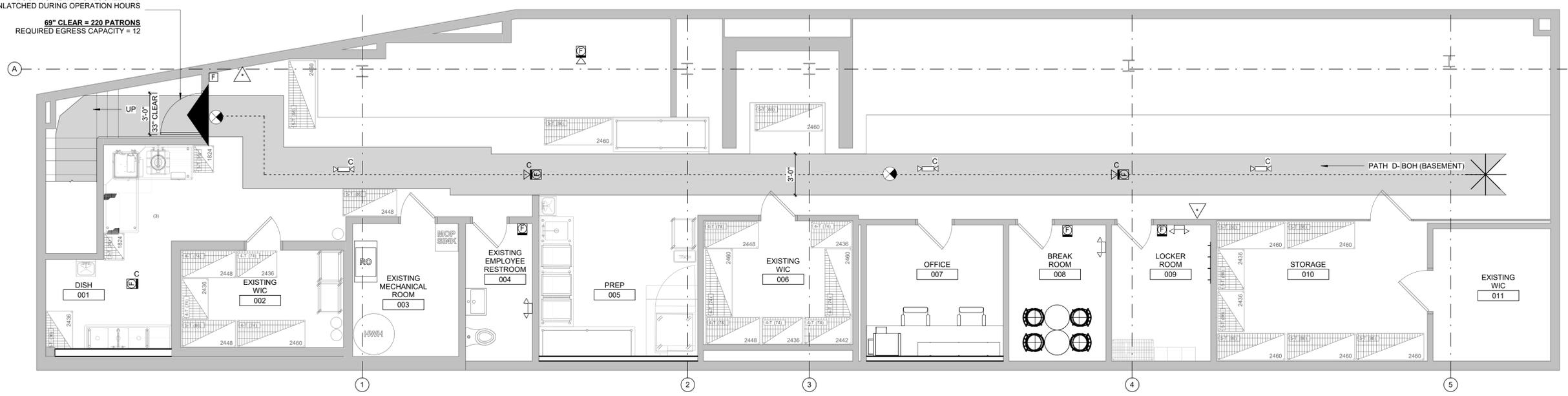
DRAWING TITLE
EGRESS PLAN & CODE ANALYSIS - FIRST FLOOR

SCALE
As indicated

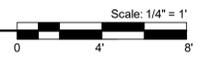
SHEET NUMBER
A041



EXIT ACCESS
DOOR TO REMAIN UNLOCKED AND UNLATCHED DURING OPERATION HOURS
69" CLEAR = 220 PATRONS
REQUIRED EGRESS CAPACITY = 12



1 EGRESS PLAN - BASEMENT
SCALE: 1/4" = 1'-0"



EGRESS LEGEND		
	44" EGRESS PATH-PRIMARY FRONT OF HOUSE	LONGEST PATH OF EGRESS TRAVEL
	36" EGRESS PATH-SECONDARY FRONT OF HOUSE	EXIT DOORWAY/EXIT
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	PULL STATION	EXIT SIGN WITH DIRECTIONAL
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	MAXIMUM LENGTH OF TRAVEL	

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* EMPLOYEE BATHROOM PROVIDED IN BASEMENT KITCHEN

ISSUES

DATE	#	DESCRIPTION
2024-02-01	1	ISSUED FOR PERMIT



PROJECT NAME
TATTE BAKERY & CAFE

PROJECT ADDRESS
1777 MASSACHUSETTS AVE I
LEXINGTON, MA 02420

DRAWING TITLE
EGRESS PLAN & CODE
ANALYSIS - BASEMENT

SCALE
As indicated

SHEET NUMBER

A040

NORTH ARROWS:



ISSUES

DATE	#	DESCRIPTION
2024-02-01	1	ISSUED FOR PERMIT



PROJECT NAME
TATTE BAKERY & CAFE

PROJECT ADDRESS
1777 MASSACHUSETTS AVE | LEXINGTON, MA 02420

DRAWING TITLE
PATIO PLAN

SCALE
As indicated

SHEET NUMBER

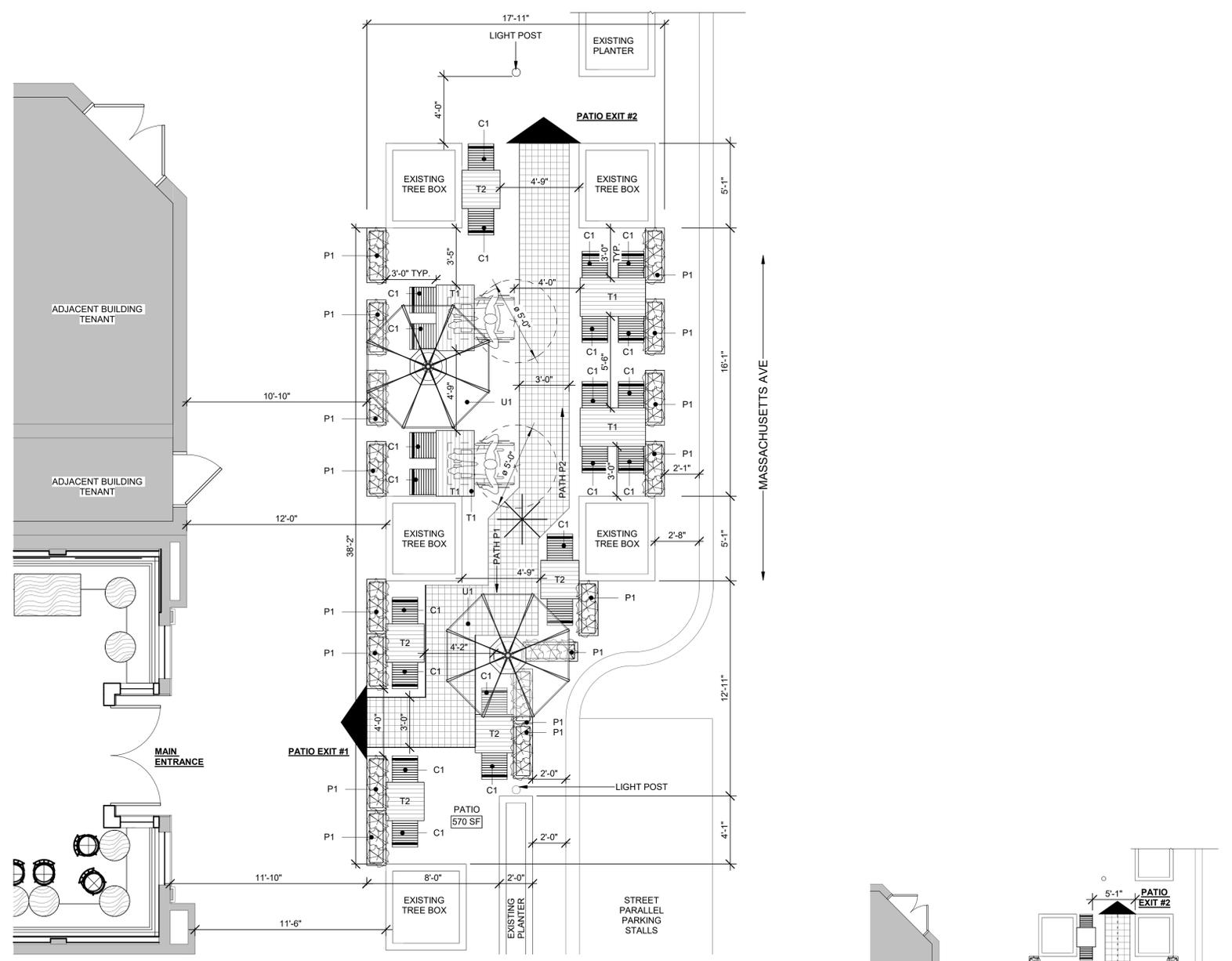
A501a

FURNITURE SCHEDULE								
CODE	MANUFACTURER	MODEL	FINISH	DESCRIPTION	SIZE	COMMENTS	COUNT	Image
C1	BEER GARDEN FURNITURE	BEER GARDEN BISTRO CHAIRS WITH 3 BACKREST SLATS	NUT BROWN WITH BLACK FRAMES	WOOD SLAT WITH POWDERCOATED METAL BASE	APPROX 18" W X 20" D X 33" H		22	
P1	VASE SOURCE	VERTICAL LINE MATTE BLACK RECTANGULAR	MATTE BLACK	ECOFRIENDLY COMPOSITE	39.4"W X 13.8"D X 29.5"H	PLANTING BY OTHERS	16	
T1	BEER GARDEN FURNITURE	RECTANGLE BEER GARDEN BISTRO TABLE	NUT BROWN WITH BLACK FRAMES	WOOD SLAT WITH POWDERCOATED METAL BASE	47.5"W X 27.6"D	ADA TABLE TO HAVE ADA CRONER MOUNT LEGS FOR PROPER CLEARANCE	4	
T2	BEER GARDEN FURNITURE	SQUARE BEER GARDEN BISTRO TABLE	NUT BROWN WITH BLACK FRAMES	WOOD SLAT WITH POWDERCOATED METAL BASE	27.6"W X 27.6"D	ADA TABLE TO HAVE ADA CRONER MOUNT LEGS FOR PROPER CLEARANCE	5	
U1	IPATIO UMBRELLA	COMMERCIAL WOOD MARKET UMBRELLA SUNCRYLIC	A-SUNCRYLIC SC24 WHITE	9'-0" DIAMETER WHITE SUNBRELLA FABRIC.	9'-0" DIAMETER	*NOTE: IMAGE FOR REFERENCE ONLY. NOT TO DEPICT FINISH COLOR. MINIMUM 6'-8" CLEARANCE UNDER UMBRELLA	2	

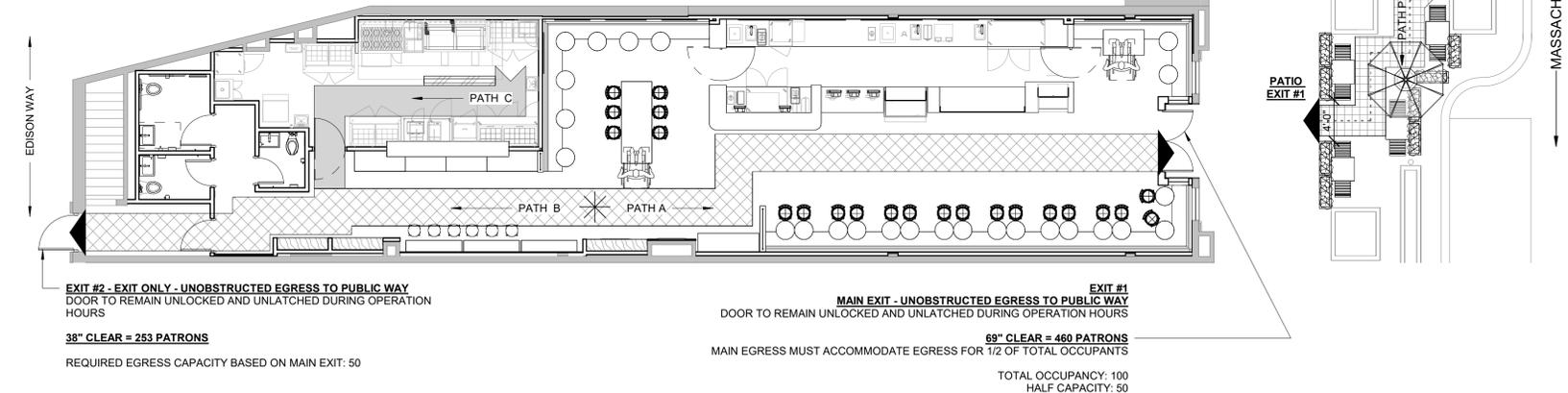
EGRESS LEGEND			
	44" EGRESS PATH-PRIMARY FRONT OF HOUSE		MAXIMUM LENGTH OF TRAVEL
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	36" EGRESS PATH BACK OF HOUSE		EXIT DOORWAY/EXIT
			PROPERTY LINE
	5% TABLES TO BE ACCESSIBLE **NOT INCLUDING EMPLOYEES		

TOTAL EGRESS PATH LENGTHS	
PATH	LENGTH OF TRAVEL
PATH A	58'-0"
PATH B	54'-6"
PATH C - BOH	56'-7"
PATH D - BOH (BASEMENT)	97'-6"
PATH P1 - PATIO	20'-7"
PATH P2 - PATIO	23'-9"

FIRST FLOOR SEAT CHART	
AREA & QUANTITY	TOTAL
MAXIMUM INDOOR SEATING CAPACITY	68
PATIO SEATING (1 ADA SEATS INCLUDED)	24
• SQUARE FOOTAGE: 570 SF	
• 25 X 0.05 = 1.25	
• 2 ACCESSIBLE DINING SURFACES REQUIRED - 2 PROVIDED	
MAXIMUM TOTAL SEATING CAPACITY	92
EMPLOYEES (FIRST FLOOR)	08
TOTAL FIRST FLOOR OCCUPANCY:	100



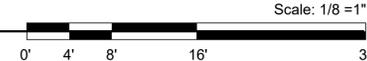
1 PATIO PLAN
SCALE: 1/4" = 1'-0"



2 PATIO EGRESS PLAN
SCALE: 1/8" = 1'-0"

EXIT #2 - EXIT ONLY - UNOBSTRUCTED EGRESS TO PUBLIC WAY
DOOR TO REMAIN UNLOCKED AND UNLATCHED DURING OPERATION HOURS
38" CLEAR = 253 PATRONS
REQUIRED EGRESS CAPACITY BASED ON MAIN EXIT: 50

MAIN EXIT - UNOBSTRUCTED EGRESS TO PUBLIC WAY
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69" CLEAR = 460 PATRONS
MAIN EGRESS MUST ACCOMMODATE EGRESS FOR 1/2 OF TOTAL OCCUPANTS
TOTAL OCCUPANCY: 100
HALF CAPACITY: 50



AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Presentation - Cary Memorial Library Project Construction Documents to Bidding Phase - The Children's Room Renovation

PRESENTER:

Mike Cronin, Director of Public Facilities; J. Stewart Roberts, Johnson Roberts Associates, Inc.

ITEM NUMBER:

I.3

SUMMARY:

Category: Decision Making

Attached please find the information on the library project (children's room and meeting room). The architect will be at the Select Board meeting to present the plans and respond to any questions the Board may have.

The Department of Public Facilities is seeking approval from the Select Board to continue the design work to put this project out to bid.

SUGGESTED MOTION:

Move to approve the design plans for the library renovation as attached and dated March 2024.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

7:10pm

ATTACHMENTS:

Description	Type
☐ Presentation	Cover Memo

**JOHNSON
ROBERTS
ASSOCIATES INC.**

ARCHITECTS

Cary Memorial Library

Construction Document Phase

March 2024

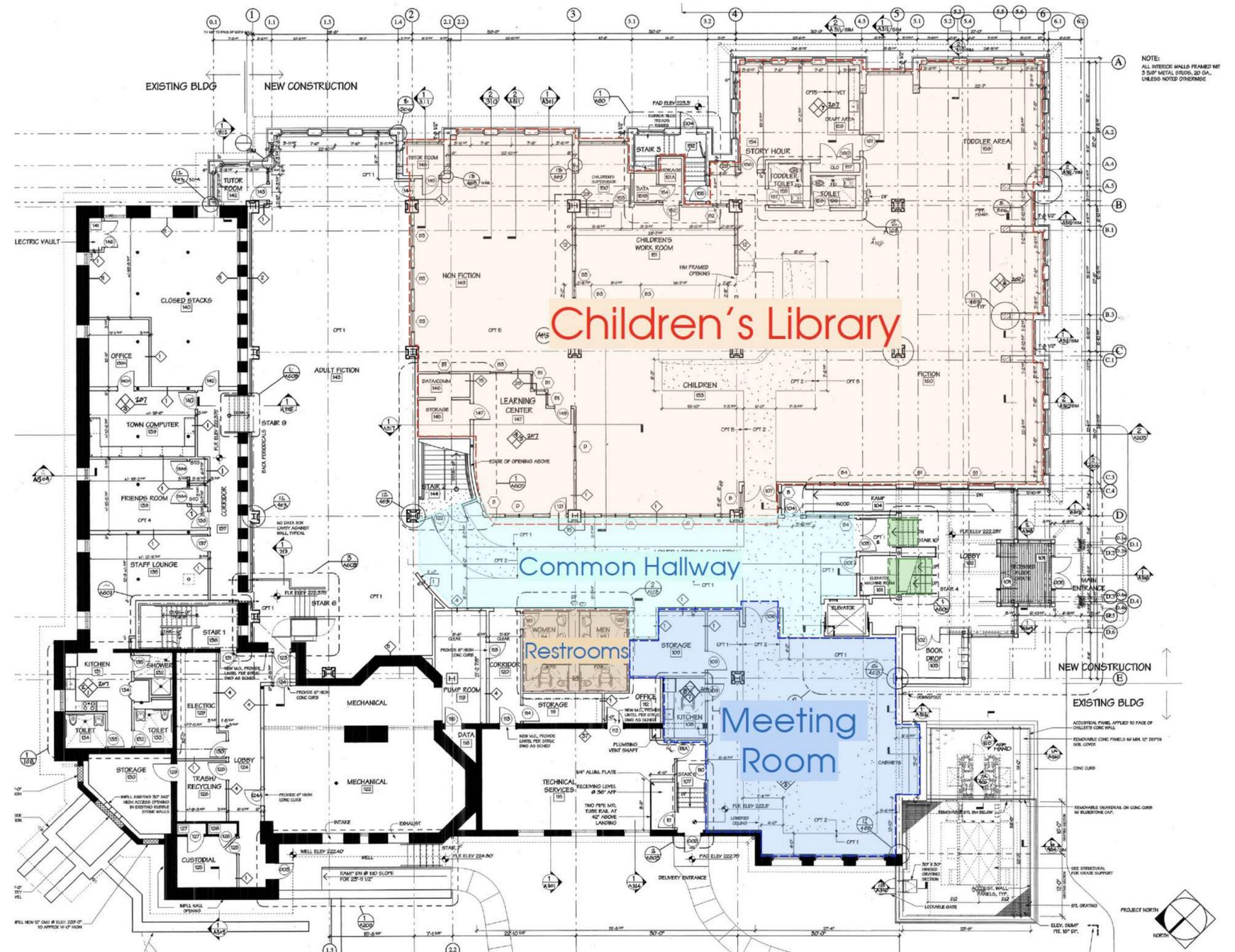
Cary Memorial Library

Lower Level - Existing

Ignite curiosity • Engage Minds • Connect Community
March 2024

PROJECT GOALS:

- Improve safety and oversight throughout the Children’s Room space.
- Space to be designed using inclusive, people-centered design principles.
- Space that’s is culturally and linguistically representative of our community.
- Service desk and workroom space re-designed to better accommodate library work.
- Focus on analog, tactile, natural materials, and activities in the Children’s Room.
- Reimagine Children’ space, make it colorful, creative, and fun for patrons.
- Create a joyous and welcoming space for children and families.
- The Large Meeting Room project to feature technology, making, cooking, innovation capabilities and built-in flexibility.
- HVAC system replacement for the whole floor.
- Design with Sustainability Goals in mind.

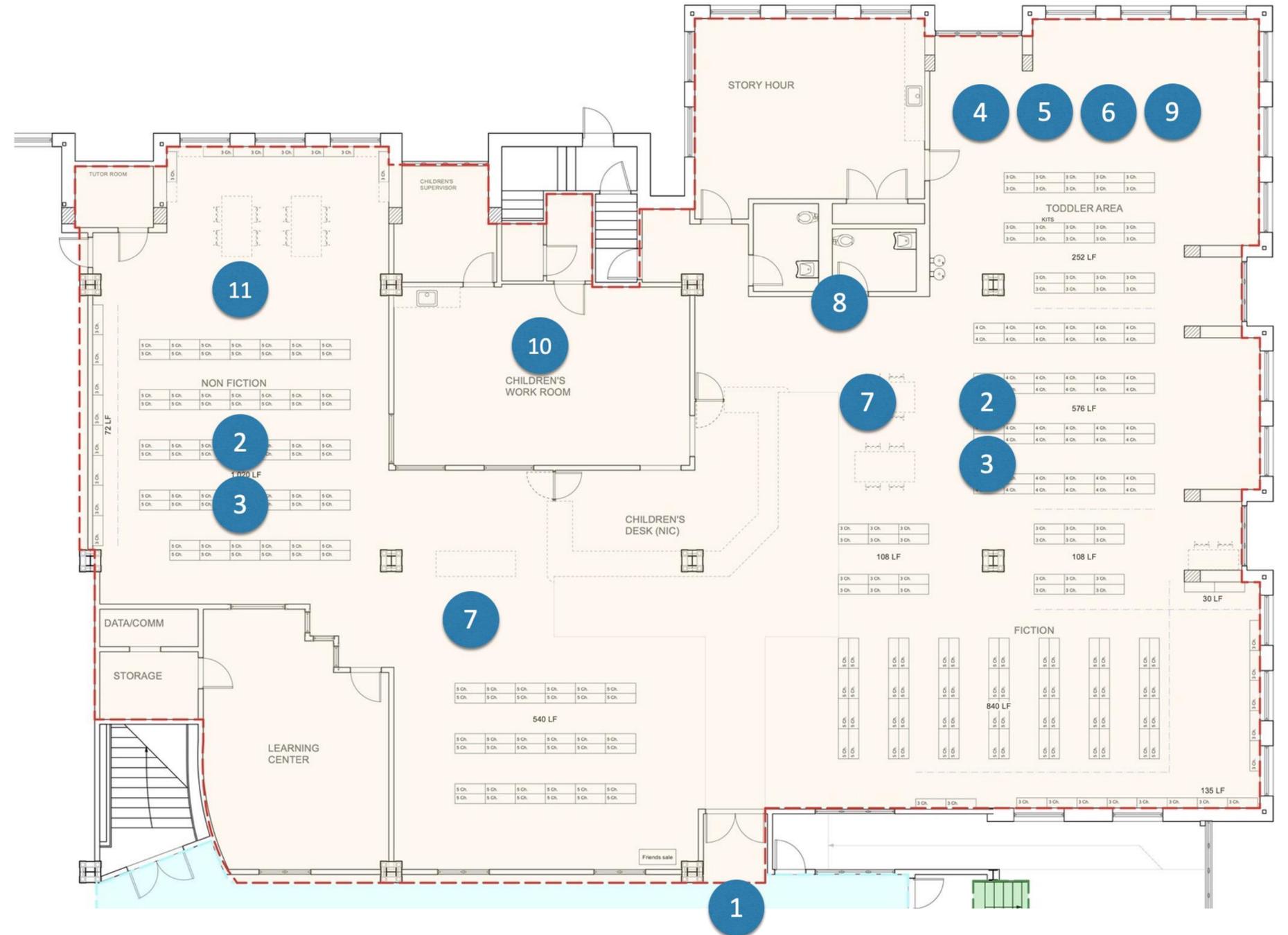


Cary Memorial Library

Children's Library - Existing

Ignite curiosity • Engage Minds • Connect Community
March 2024

1. Reconfigure entrance to Children's Library to provide more visibility and more efficient use of space.
2. Reconfigure stacks to allow for better accessibility and visibility, add patron-friendly book solutions for younger readers.
3. Use colors to identify different book collections.
4. Identify locations for hands-on learning areas.
5. Reconfigure Story and Craft area to improve efficiency and provide adequate craft space.
6. Provide accessible sinks in Craft area suited for different ages.
7. Add soft seating and study seating.
8. Relocate and improve restrooms.
9. Avoid creating permanent barriers within the space.
10. Reconfigure existing service desk and workroom space to better accommodate library work
11. Improve functionality of the workroom for growing Children's Library Staff and provide connection to adjoining Teen Room.



Cary Memorial Library

Children's Library Floor Plan

Ignite curiosity • Engage Minds • Connect Community
March 2024

- Improved safety and accessibility throughout.
- Service desk with sightlines to entry and play areas.
- Larger Story/Craft Room.
- Lower shelving for early readers and picture book collections.
- Better reading and study space for older children.
- Improved restroom accessibility.
- Reconfigured staff work/storage space.
- Added display space.



Cary Memorial Library

Children's Library - Entry View

Lexington, MA
March 2024



Cary Memorial Library

Children's Library - Story/Play Area

Lexington, MA
March 2024



Cary Memorial Library

Children's Library - Early Readers / Reference

Lexington, MA
March 2024



Cary Memorial Library

Meeting Room - Existing

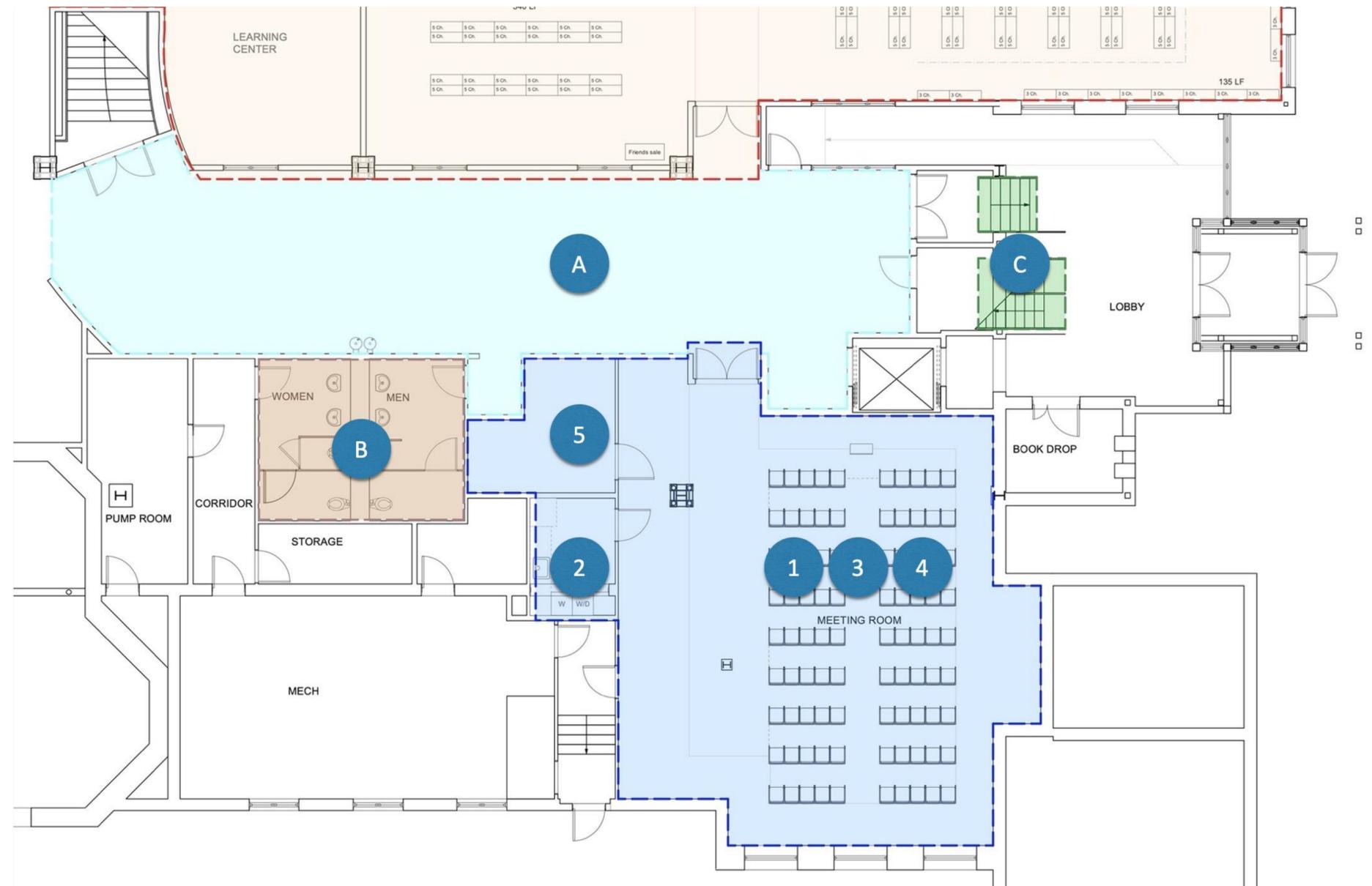
Lexington, MA
March 2024

Meeting Room:

1. Reconfigure existing room to provide flexibility for a variety of uses
2. Increase kitchen space and open to the meeting room to allow for cooking and crafting demonstrations.
3. Provide opportunities for various room orientations and configurations.
4. Improve technology, including adaptive technology, within the space.
5. Improve storage space.

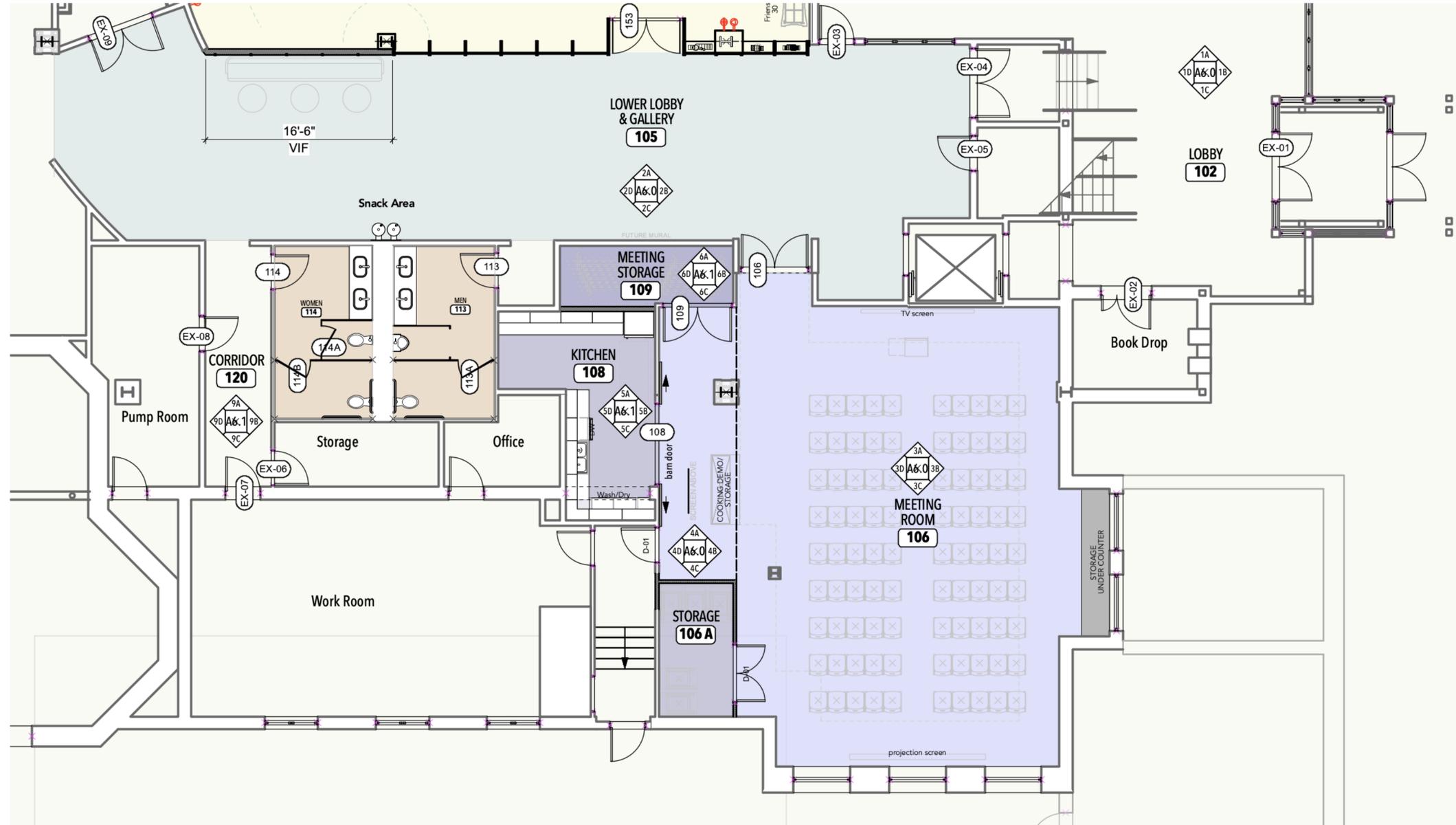
Other:

- A. Update Common Lobby.
- B. Renovate existing restrooms.
- C. Replace worn out wood stair treads.
- D. Replace entire lower level HVAC.



Cary Memorial Library

Meeting Room Floor Plan



Cary Memorial Library

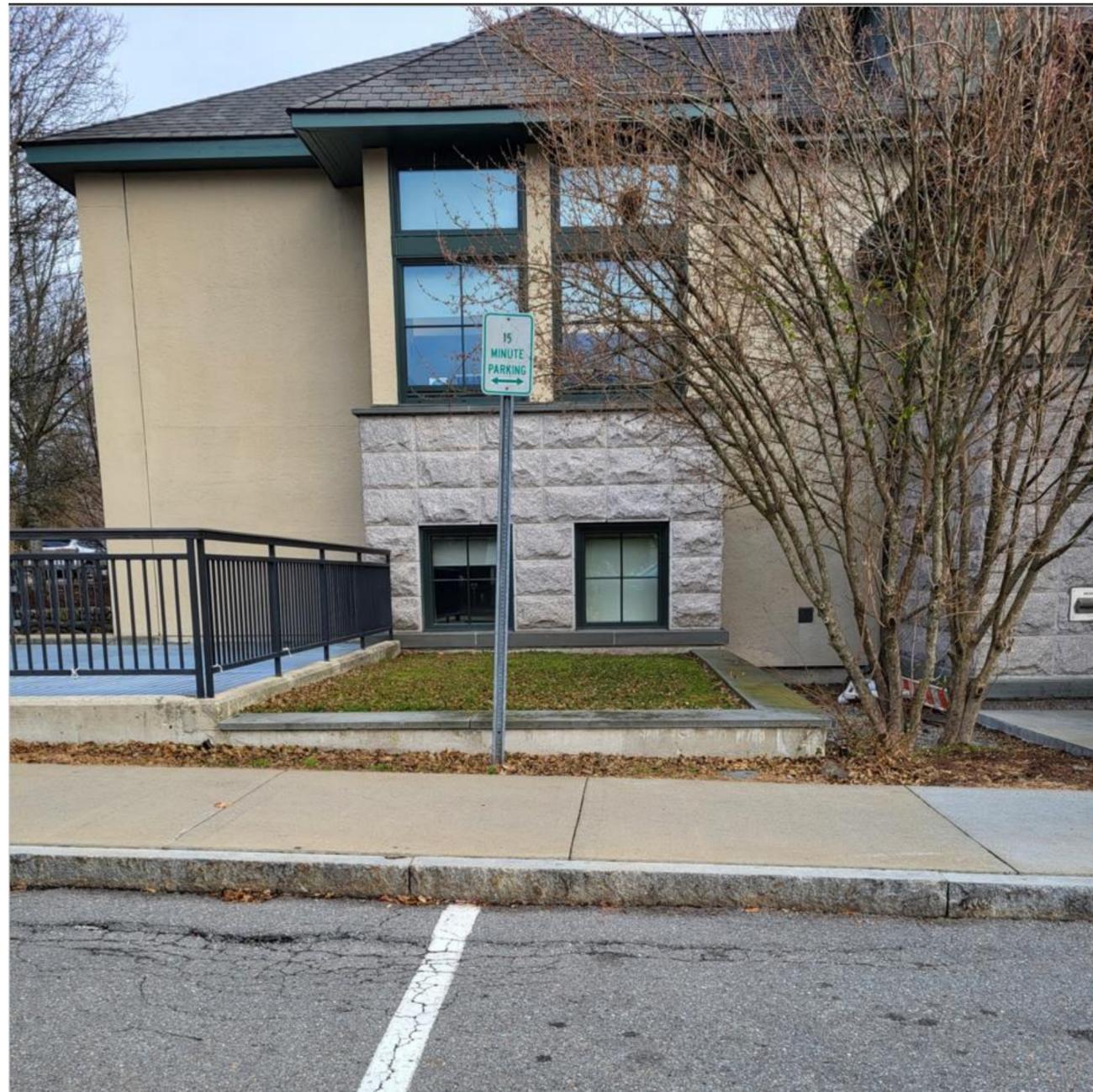
Meeting Room - Cooking Demo

Lexington, MA
March 2024



Cary Memorial Library

Lexington, MA
March 2024



Existing View from Parking Lot



Proposed View from Parking Lot

Cary Memorial Library

Lexington, MA
March 2024



Existing View from Street



Proposed View from Street

Cary Memorial Library

Sustainability Goals

Lexington, MA
March 2024

This is a partial interior renovation project and not pursuing LEED certification.

Integrated Building Design and Construction Goals Checklist																																																																																																																																																																																																																				
Consult Lexington's Integrated Building Design and Construction Policy for other requirements for New Construction and Major Renovation -Town Buildings																																																																																																																																																																																																																				
This document is based on scope features defined in LEED 4.0 with additions / modifications driven by Town of Lexington requirements:																																																																																																																																																																																																																				
11) - Lifecycle costing shall be conducted using the Town of Lexington's costing tool.																																																																																																																																																																																																																				
Project Name:	Cary Memorial Library - Children's Library and Meeting Room renovations (Lower level)																																																																																																																																																																																																																			
Project Address:	1874 Massachusetts Avenue, Lexington, MA																																																																																																																																																																																																																			
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Report Date:	8/8/23																																																																																																																																																																																																																			
Resilience Level (Circle appropriate level per the Town's Emergency Preparedness and Response Plan maintained by the Town's Fire Chief.																																																																																																																																																																																																																				
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Level 1: Public Safety (Police, Fire, Public Services) – No interruption of essential services.																																																																																																																																																																																																																				
Level 2: Town Shelter – Full electrical and thermal power necessary for life safety, food prep / refrigeration, lighting, internet connectivity and charging stations. Operational 24/7. Isolated operation maximizing use of on-site solar and storage.																																																																																																																																																																																																																				
Level 3: Continued Operation – Full electrical and thermal power necessary for providing healthy conditions during extreme heat/cold conditions, providing lighting, internet connectivity, and plug load charging. Operational during normal occupied hours. Smart load reduction in emergencies, mobile or on-site backup generation to carry load for continued operation.																																																																																																																																																																																																																				
Level 4: Asset Preservation – Provide power to hold building temperature, provide light and manage building systems																																																																																																																																																																																																																				
<table border="1"> <thead> <tr> <th>Source</th> <th>Explanation</th> </tr> </thead> <tbody> <tr> <td>1 LEED 4.0 (I)</td> <td>Standard LEED items with standard LEED requirements and definitions (LEED Ref#)</td> </tr> <tr> <td>2 LEED 4.0 (I)</td> <td>Standard LEED items with specific Lexington definitions (LEED Ref #).</td> </tr> <tr> <td>3 LEX (I)</td> <td>Specific Lexington requirements (Lex1 through Lex7)</td> </tr> </tbody> </table>								Source	Explanation	1 LEED 4.0 (I)	Standard LEED items with standard LEED requirements and definitions (LEED Ref#)	2 LEED 4.0 (I)	Standard LEED items with specific Lexington definitions (LEED Ref #).	3 LEX (I)	Specific Lexington requirements (Lex1 through Lex7)																																																																																																																																																																																																					
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- **Integrative Process:** Currently LEED Certification is not planned for, but the project is proceeding with collaboration, coordination, efficiency, and sustainability in mind. The consultants are brought on in a timely manner to best meet the project requirements.
- **Resilience:** This is an interior renovation project, durable materials and adaptable design strategy contribute to resiliency of the existing Library building.
- **Location and Transportation:** This is interior renovation only, but the building is already in the Town Center, contributing to neighborhood development, with public transportation options available.
- **Sustainable Sites:** N/A – partial interior renovation only.
- **Water Efficiency:** The water efficient plumbing fixtures and fittings will be used as necessary to meet the needs of the occupants, within project boundary.
- **Energy and Atmosphere:** Any new systems and equipment will be energy efficient and should be commissioned and verified.
- **Materials and Resources:**
 - Storage and collection of recyclables will be implemented within project boundary.
 - Waste management will be implemented within project boundary.
 - All new interior finishes and fixtures to be environmentally friendly, with a goal of reducing raw material usage – BPDs and EPDs to be required.
- **Indoor Environmental Quality:**
 - LEED + LEX requirements will be implemented within project boundary.
 - Low-emitting and non-toxic materials to be used within project boundary.
 - Air Quality Management plan will be required during construction.
 - Interior lighting to be designed to account for daylight and to reduce energy consumption while meeting project requirements within project boundary.
 - Acoustic improvements to be implemented within project boundary.
- **LEED accredited professional** – available, but not applicable as this is a partial interior renovation.
- **Regional Credits:** N/A – partial interior renovation only.



Cary Memorial Library

Lexington, MA
March, 2024

Estimate of Probable Project Cost	Design Development			75% Construction Documents			
	Oct-23		12,192 SF	Jan-24		12,192 SF	
Construction							
Construction			\$3,594,859			\$3,630,304	
Expanded HVAC scope		<i>included in construction</i>		<i>included in construction</i>			
General Conditions		10.0%	\$359,486	10.0%		\$363,030	
Overhead & Profit		10.0%	\$395,434	10.0%		\$399,333	
Bonds & Insurance		1.5%	\$65,247	1.5%		\$65,890	
Estimating Contingency		10.0%	\$441,503				
Total Construction (Rounded)			\$4,856,529			\$4,458,558	
Escalation		5.0%/Year	12 mos	\$242,826	5.0%/Year	10 mos	\$185,773
Total Construction			\$5,099,355			\$4,644,331	
Furnishings and Equipment							
Furniture & Bookstacks		Allow	\$420,000	Allow		\$342,000	
Computers		Allow	\$20,000	Allow		\$20,000	
AV Equipment		Allow	\$8,000	Allow		\$8,000	
Signage		Allow	\$20,000	Allow		\$20,000	
			\$468,000			\$390,000	
Fees							
Architecture			\$461,970			\$461,970	
Furnishings			\$45,000			\$45,000	
			\$506,970			\$506,970	
Project Expenses							
Distribution Bid Docs		Allow	\$10,000	Allow		\$10,000	
Commissioning		Allow	\$25,000	Allow		\$25,000	
Legal		Allow	\$10,000	Allow		\$10,000	
Testing		Allow	\$35,000	Allow		\$35,000	
Unsuitable Materials		Allow	\$50,000	Allow		\$50,000	
Moving & Storage		Allow	\$60,000	Allow		\$60,000	
Misc		Allow	\$15,000	Allow		\$15,000	
			\$205,000			\$205,000	
Contingencies							
Construction Contingency		10%	\$509,936	10%		\$464,433	
Project Contingency		5%	\$58,999	5%		\$61,099	
			\$568,934			\$525,532	
Total Budget Estimate of Probable Project Cost (Rounded)			\$6,848,000			\$6,271,800	

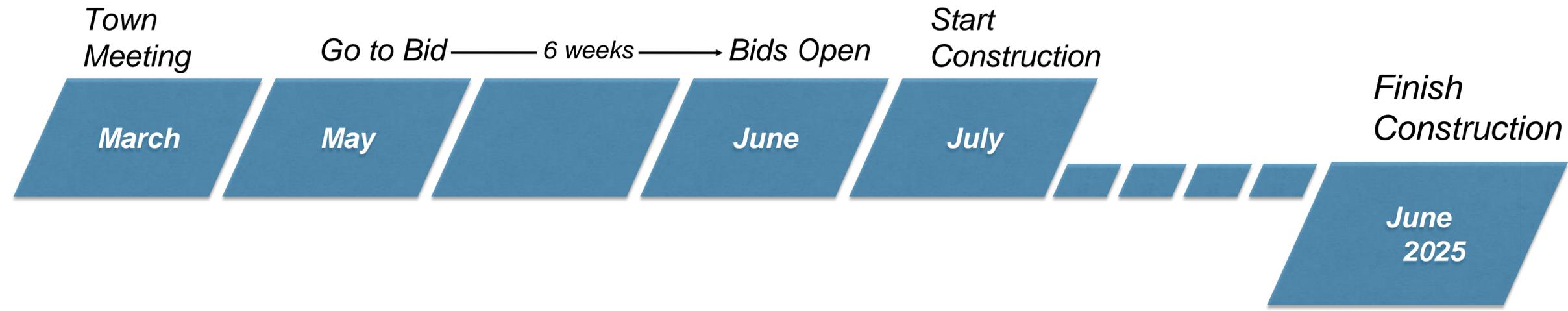
Total Estimated Project Cost	\$6,271,800
Anticipated Gift	\$1,500,000
Concept / Study Funding	\$100,000
DPF Mech Funds	\$671,800
Balance of Funding Needed	\$4,000,000



Cary Memorial Library

Project Schedule

Lexington, MA
March 2024



Cary Memorial Library

Lexington, MA
March 2024

- **Questions**

Cary Memorial Library

Integrated Design • Sustainability Measures

Lexington, MA
March 2024

- With potential up to 79 points, this renovation could achieve LEED Gold in LEED ID+C: Commercial Interiors (if LEED certification is pursued)
- Installing an energy recovery unit to minimize energy used to condition outside air.
- Utilizing new demand control ventilation (DCV) strategy to reduce outdoor air and energy as much as possible.
- Installing high-efficiency air-source heat pumps with energy recovery capabilities to reduce energy use.
- No changes to existing solar, will remain operational during construction.
- New energy efficient dimmable LED lighting will be installed to reduce the building's lighting energy use.
- The lighting is designed using dimming lighting control stations, which control each room's fixtures in multiple independently dimmable lighting control zones to maximize controllability.
- All rooms are designed with occupancy/vacancy sensors to automatically conserve energy for both lighting and receptacles when the space is unoccupied.
- All rooms with exterior windows are designed with daylighting system photocell light sensors to automatically conserve energy by compensating for natural light with lower lighting levels whenever possible.
- Red List Compliance, targeting materials from:
 - Division 3: Concrete
 - Division 7: Thermal
 - Division 9: Interior Finishes
 - Division 12: Furnishings



AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Review and Approve Transportation Safety Group Recommendation for Amendment to §192 Traffic Rules and Orders

PRESENTER:

Sheila Page, Assistant Planning
Director

ITEM NUMBER:

I.4

SUMMARY:

Category: Decision-Making

Attached please find the presentation, memorandum and recommended action from the Transportation Safety Group (TSG) on this request to add a stop sign at Anthony Road & Lillian Road. Sheila Page, Assistant Planning Director will present this request.

SUGGESTED MOTION:

In accordance with the provisions of Chapter 689 of 1986 of the General Laws, the Traffic Rules and Orders of Lexington, Adopted by the Board of Selectmen on November 13, 1967, Now Chapter 192 of the Code of Lexington, are hereby amended by adding the following to:

§ 192-10 SCHEDULE 7: STOP SIGNS AND YIELD SIGNS

Street	Location	Regulation
Anthony Road	at Lillian Road	Stop

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

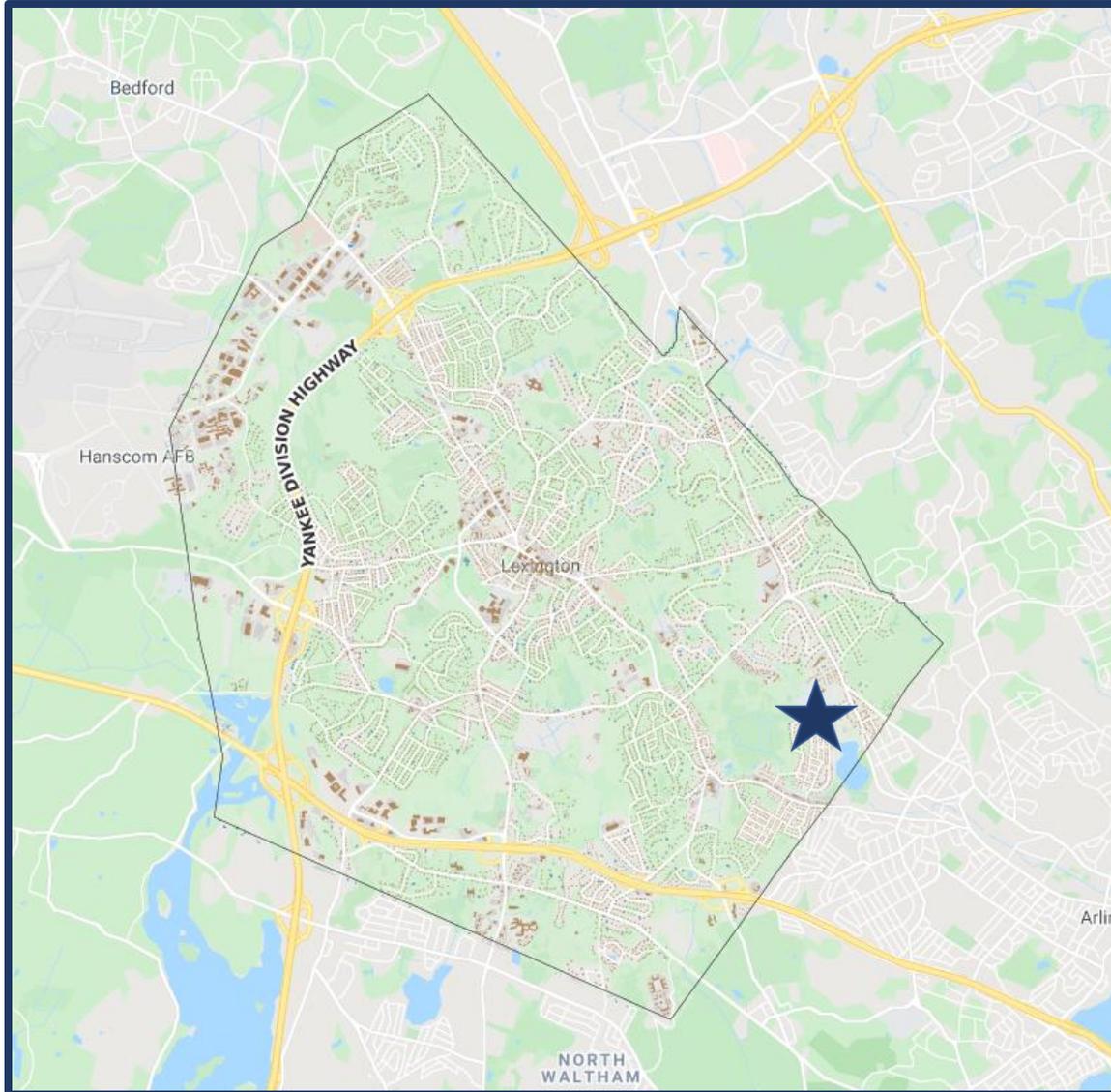
7:30pm

ATTACHMENTS:

	Description	Type
▣	Presentation	Cover Memo
▣	Memorandum	Cover Memo
▣	Vote	Cover Memo

Transportation Safety Group - Recommended Traffic Regulation Amendment

March 8, 2024 Select Board Meeting



Stop on Anthony at Lillian



Lillian Road

Anthony Road

STOP





TOWN OF LEXINGTON
TRANSPORTATION SAFETY GROUP

1625 Massachusetts Avenue
Lexington, Massachusetts 02420
781-698-4560

<https://www.lexingtonma.gov/transportation-safety-group>

Contact: Sheila Page
Assistant Planning Director
spage@lexingtonma.gov

Date: March 6, 2024

To: Jim Malloy; Town Manager
Cc: Kim Katzenback, Executive Clerk Select Board
John Livsey, Town Engineer
Ross Morrow, Assistant Town Engineer
Carol Kowalski, Assistant Town Manager for Land Use, Health and Development
Chief Mike McLean, Police
Captain Chris Barry, Police
Fr: Transportation Safety Group - Sheila Page, Assistant Planning Director

**RE: Recommended Traffic Regulation Amendment
Stop on Anthony Road at Lillian Road**

Requested Action:

Vote to amend *Traffic Rules and Orders: Chapter 192-10 Schedule 7 Stop Signs and Yield Signs* to add a stop sign on Anthony Road at Lillian Road.

Background:

In response to a safety request TSG recommends that the Select Board amend the *Traffic Rules and Orders Chapter 192-10 Schedule 7 Stop Signs and Yield Signs* to add a stop sign on Anthony Road at Lillian Road.

Anthony Road

The idea of the stop sign originated by a resident request. The resident noted and TSG observed drivers travelling south on Lillian then making a left turn onto Anthony Road were cutting corner. At the same time, drivers travelling west on Anthony Road do not stop and roll through the corner. Because this is a "T" intersection there is an implied stop. Drivers are instead treating this intersection of Anthony and Lillian Roads as a single roadway. This situation makes it difficult for drivers to safely stop when trying to make a left turn off Anthony Road onto Lillian. TSG recommends a stop sign at this location. In addition, TSG is proposing a short double yellow center line along Anthony Road with a tear drop at the intersection

VOTED

IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 689 OF 1986 OF THE GENERAL LAWS, THE TRAFFIC RULES AND ORDERS OF LEXINGTON, ADOPTED BY THE BOARD OF SELECTMEN ON NOVEMBER 13, 1967, NOW CHAPTER 192 OF THE CODE OF LEXINGTON, ARE HEREBY AMENDED BY ADDING THE FOLLOWING TO

§ 192-10 SCHEDULE 7: STOP SIGNS AND YIELD SIGNS

STREET	LOCATION	REGULATION
Anthony Road	at Lillian Road	Stop

DATE OF PASSAGE

SELECT

BOARD

ATTEST TOWN CLERK

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

2024 Annual Town Meeting

PRESENTER:

Board Discussion

ITEM NUMBER:

I.5

SUMMARY:

Category: Informing

2024 Annual Town Meeting

The Select Board will discuss articles and take positions for 2024 Annual Town Meeting.

- Article 45 – Indigenous Peoples Day.
Consider if the Board intends to remove any reference to anything other than indigenous people; to retain Columbus Day as associated with that same day, or to move to do something like recognizing that day also as Italian Heritage Day in Lexington.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

7:40pm

ATTACHMENTS:

Description	Type
☐ 2024 Consent Agenda	Backup Material

**Town of Lexington
PROPOSED CONSENT AGENDA
2024 Annual Town Meeting**

ARTICLE 6	Appropriate for Senior Services Program
ARTICLE 10	APPROPRIATE THE FY2024 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET AND CPA PROJECTS
b)	Archives and Record Management-\$20,000
j)	Projected Debt Service-\$1,788,900
k)	Administrative Budget-\$150,000
ARTICLE 11	APPROPRIATE FOR RECREATION CAPITAL
ARTICLE 12	APPROPRIATE FOR MUNICIPAL CAPITAL
a)	Transportation Mitigation
c)	Ambulance Replacement;
d)	Equipment Replacement;
e)	Sidewalk Improvements;
f)	Hydrant Replacement;
g)	Townwide signalization
h)	Stormwater Management Program;
j)	Public Parking Lot Improvements;
k)	Network Core Equipment Replacement;
l)	Municipal Technology Improvement Program
m)	Network Redundancy & Improvement Plan;
n)	Network Technology Improvements
o)	Scanning - Electronic Document Management;
q)	Street Improvements
ARTICLE 13	APPROPRIATE FOR WATER SYSTEM IMPROVEMENTS
ARTICLE 14	APPROPRIATE FOR WASTEWATER SYSTEM IMPROVEMENTS
ARTICLE 15	APPROPRIATE FOR SCHOOL CAPITAL PROJECTS AND EQUIPMENT
ARTICLE 16	APPROPRIATE FOR PUBLIC FACILITIES CAPITAL PROJECTS
a)	Public Facilities Bid Documents;
b)	Public Facilities Interior Finishes;
c)	School Paving and Sidewalks;
d)	Public Facilities Mechanical/Electrical/Plumbing Replacements;
ARTICLE 17	APPROPRIATE TO POST EMPLOYMENT INSURANCE LIABILITY FUND
ARTICLE 20	APPROPRIATE FOR PRIOR YEARS' UNPAID BILLS (IP)
ARTICLE 22	APPROPRIATE FOR AUTHORIZED CAPITAL IMPROVEMENTS (IP)
ARTICLE 28	SELECT BOARD TO ACCEPT EASEMENTS
ARTICLE 30	PROHIBITION OF SINGLE USE FOOD CONTAINERS (Citizen Petition) (IP)
ARTICLE 44	AMEND GENERAL BYLAWS – CHAPTER 100 PUBLIC WAYS AND PLACES (Citizen Petition) (IP)
ARTICLE 53	AMEND ZONING MAP - 507 BEDFORD STREET (Owner Petition) (Refer to PB)
ARTICLE 54	AMEND ZONING MAP - 509 BEDFORD STREET (Owner Petition) (Refer to PB)

Select Board Positions
Working Document

#	Article Name	ARTICLE UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	CONSENT	IP	JP	SB	DL	JH	MS
1	Notice of Election		-							
2	Election of Deputy Moderator and Reports of Town Boards, Officers and Committees		-							
3	Appointments To Cary Lecture Series.		-			Y	Y	Y	Y	Y
Financial Articles										
4	Appropriate Fy2025 Operating Budget		JP			Y	Y	Y	Y	Y
5	Appropriate Fy2025 Enterprise Funds Budgets		DL			Y	Y	Y	Y	Y
6	Appropriate For Senior Services Program		SB	C		Y	Y	Y	Y	Y
7	Sustainable Capital Projects		MS			Y	Y	Y	Y	Y
8	Accept Tucker Ave (Westernmost Portion)		DL			Y	Y	Y	Y	Y
9	Establish And Continue Departmental Revolving Funds		DL			Y	Y	Y	Y	Y
10	Appropriate The Fy2025 Community Preservation Committee Operating Budget And CPA Projects	1/22/2024	MS	C						
	a. Cary Memorial Library Renovation – \$4,000,000				Y	Y	Y	Y	Y	
	b. Archives and Records Management – \$20,000				Y	Y	Y	Y	Y	
	c. Park Improvements – Athletic Fields – Bowman School – \$545,000				Y	Y	Y	Y	Y	
	d. Lincoln Park Fitness Stations Equipment – \$160,000				Y	Y	Y	Y	Y	
	e. Park Improvements – Hard Court Surfaces – Valley Rd – \$492,000				Y	Y	Y	Y	Y	
	f. Lincoln Park Field Improvements – \$1,145,000				Y	Y	Y	Y	N	
	g. LexHAB Support, Restoration, Preservation, and Decarbonization – \$482,365				Y	Y	Y	Y	Y	
	h. Lexington Housing Authority Exterior Preservation – \$100,000				Y	Y	Y	Y	Y	
	i. Affordable Housing Trust Funding – \$3,200,000				Y	Y	Y	Y	Y	
	j. Projected Debt Service – \$681,200				Y	Y	Y	Y	Y	
k. Administrative Budget – \$150,000	Y	Y	Y	Y	Y					
11	Appropriate For Recreation Capital Projects		SB	C		Y	Y	Y	Y	Y

Select Board Positions
Working Document

#	Article Name	ARTICLE UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	CONSENT	IP	JP	SB	DL	JH	MS
12	Appropriate For Municipal Capital Projects And Equipment		MS							
	a) Transportation Mitigation			C		Y	Y	Y	Y	Y
	b) Heavy Vehicle Extrication Equipment					Y	Y	Y	Y	Y
	c) Ambulance ReplacemenT			C		Y	Y	Y	Y	Y
	d) Equipment Replacement			C		Y	Y	Y	Y	Y
	e) Sidewalk Improvements			C		Y	Y	Y	Y	Y
	f) Hydrant Replacement			C		Y	Y	Y	Y	Y
	g) Townwide Signalization Improvements			C		Y	Y	Y	Y	Y
	h) Stormwater Management Program			C		Y	Y	Y	Y	Y
	i) Cemetery Columbarium - Design					Y	Y	Y	Y	Y
	j) Public Parking Lot Improvement Program					Y	Y	Y	Y	Y
	k) Network Core Equipment Replacement			C		Y	Y	Y	Y	Y
	l) Municipal Technology Improvement Program			C		Y	Y	Y	Y	Y
	m) Network Redundancy & Improvement Plan			C		Y	Y	Y	Y	Y
	n) Network Technology Improvements			C		Y	Y	Y	Y	Y
	o) Scanning - Electronic Document Management			C		Y	Y	Y	Y	Y
	p) Election Equipment Upgrade					Y	Y	Y	Y	Y
q) Street Improvements		C		Y	Y	Y	Y	Y		
13	Appropriate For Water System Improvements		MS	C		Y	Y	Y	Y	Y
14	Appropriate For Wastewater System Improvements		MS	C		Y	Y	Y	Y	Y
15	Appropriate For School Capital Projects And Equipment		DL	C		Y	Y	Y	Y	Y

Select Board Positions
Working Document

#	Article Name	ARTICLE UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	CONSENT	IP	JP	SB	DL	JH	MS
16	Appropriate For Public Facilities Capital Projects		MS							
	a) Public Facilities Bid Documents			C		Y	Y	Y	Y	Y
	b) Public Facilities Interior Finishes			C		Y	Y	Y	Y	Y
	c) School Paving and Sidewalks			C		Y	Y	Y	Y	Y
	d) Public Facilities Mechanical/Electrical/Plumbing Repl			C		Y	Y	Y	Y	Y
17	Appropriate To Post Employment Insurance Liability Fund		DL	C		Y	R	Y	Y	Y
18	Rescind Prior Borrowing Authorizations		JH			Y	Y	Y	Y	Y
19	Establish, Amend, Dissolve And Appropriate To And From Specified Stabilization Funds		SB			Y	Y	Y	Y	Y
20	Appropriate For Prior Years' Unpaid Bills		SB	C		Y	Y	Y	Y	Y
21	Amend Fy2024 Operating, Enterprise And CPA Budgets		JH			Y	Y	Y	Y	Y
22	Appropriate For Authorized Capital Improvements.		DL	C		Y	Y	Y	Y	Y
23	Appropriate Opiod Settlement		MS			Y	Y	Y	Y	Y
24	Appropriate Funding For Semiquincentennial Commission	2/5/2024	SB			Y	Y	Y	Y	Y
25	Pine Meadows Clubhouse Renovation		SB			W	Y	W	W	W
26	Appropriate for Design Funds for Lexington High School Construction Project		JP			Y	Y	Y	y	Y
27	Appropriate for Renovation of 173 Bedford Street		JP			Y	Y	Y	Y	Y
General Articles										
28	Select Board To Accept Easements		DL	C		Y	Y	Y	Y	Y
29	Amend the General Bylaw- Noise Control		JP							
	a) Construction Noise				Y	W	W	W	W	
	b) Commercial Gas Leaf Blower Prohibition Delay				W	Y	Y	W	N	
30	Prohibit Single-Use Food Containers (Citizen's Petition)- IP		JH	C	IP	IP	IP	IP	IP	IP

Select Board Positions
Working Document

#	Article Name	ARTICLE UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	CONSENT	IP	JP	SB	DL	JH	MS
31	Prohibit Single-Serve Plastic Water Bottles (Citizen's Petition)	2/12/2024	JH			W	W	W	W	W
32	Old Spring Street Name Change		SB			Y	Y	Y	Y	Y
33	Authorize Affordable Housing Trust To Seek Affordable Housing	2/5/2024	MS			Y	Y	Y	Y	Y
34	Amend General Bylaws - Tree Bylaw - Tree Protection Plan	1/22/2024	JP			Y	Y	Y	Y	Y
35	Amend General Bylaws - Tree Bylaw - Require Mitigation Planting In Certain Instances	1/22/2024	JP			Y	Y	W	Y	Y
36	Amend General Bylaws - Tree Bylaw - Exemptions	1/22/2024	JP			Y	Y	Y	Y	Y
37	Importance Of Trees Resolution (Citizen Petition)	1/22/2024	JP			Y	Y	W	W	Y
38	Amend Regulation Of Fossil Fuel Infrastructure Bylaw - Meet Department Of Energy Resources (Doer) Requested Changes		JH			Y	Y	Y	Y	Y
39	Home Rule Petition To Adjust The Number Of On-Premise Wine And Malt Alcohol Licenses		DL			Y	Y	Y	Y	Y
40	Integrated Pest Management Resolution (Citizen Petition)	2/12/2024	MS			Y	Y	Y	Y	Y
41	Massachusetts Bay Transportation Authority	3/4/2024	JH			Y	Y	Y	Y	Y
42	Digital Publication Of Legal Notices (Citizen Petition)	2/12/2024	JP			Y	Y	Y	Y	Y
43	Voting Rights 16 And Older (Citizen Petition)	2/12/2024	DL			Y	W	Y	W	Y
44	Amend General Bylaws – Chapter 100 Public Ways And Places (Citizen Petition) IP		SB	C	IP	IP	IP	IP	IP	IP
45	Indigenous Peoples Day (Citizen Petition)	2/12/2024	JH			Y	Y	W	Y	Y
46	Royal Family Invitation To 250th Celebration		DL			W	Y	Y	W	Y
Zoning Articles										
47	Amend Zoning Bylaw - Signs	2/26/2024	JP			Y	W	W	Y	W
48	Amend Zoning Bylaw - Short Term Rentals	2/26/2024	DL			W	Y	Y	Y	W
49	Amend Zoning Bylaw - Permitted Uses and Development Standards	2/26/2024	MS			W	Y	W	Y	W
50	Amend Zoning Bylaw - Inclusionary Housing For Village And Multi-Family Overlay Districts	2/26/2024	JH			Y	Y	W	Y	W

Select Board Positions
Working Document

#	Article Name	ARTICLE UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	CONSENT	IP	JP	SB	DL	JH	MS
51	Amend Zoning Bylaw – Maximum Height For Village Overlay District	2/26/2024	JH			Y	W	Y	Y	W
52	Amend Zoning Bylaw And Map - Technical Corrections	2/26/2024	SB			Y	Y	Y	Y	Y
53	Amend Zoning Map - 507 Bedford Street (Owner Petition) - Refer Back to PB		JH	C		RB	RB	RB	RB	RB
54	Amend Zoning Map- 509 Bedford Street (Owner Petition) - Refer Back to PB		JH	C		RB	RB	RB	RB	RB

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Request to Approve Plaque on Base of Tree on Buckman Tavern Grounds in Commemoration of the Semiquincentennial

PRESENTER:

Cindy Woolworth, Treasurer of
Lexington Chapter of Daughters of the
American Revolution

ITEM NUMBER:

I.6

SUMMARY:

Category: Decision-Making

The Lexington Chapter of the Daughters of the American Revolution planted a tree at the rear of Buckman Tavern on Arbor Day, April 28, 2023, for the commemoration of the upcoming Semiquincentennial celebration (Lex250). They now seek approval to install a bronze plaque at the base of the tree on a beveled slab of granite, approximately 8"x14" .

From June 1, 2023 to January 17, 2024, Lexington DAR met in person and by email, usually more than once, with the Department of Public Works, the Historic Districts Commission, the Commission on Disability, the Tourism

Committee, the Lexington Historical Society, and the Monuments and Memorials Committee and obtained necessary approvals and/or favorable responses.

SUGGESTED MOTION:

Move to (approve / not approve) the request from the Lexington Daughters of the American Revolution to place a plaque, as proposed, at the base of the Lex250 commemorative tree located at the rear of Buckman Tavern.

FOLLOW-UP:

Lexington Chapter of Daughters of the American Revolution

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

7:55pm

ATTACHMENTS:

Description	Type
📎 Monuments and Memorials Committee Recommendation Report	Backup Material



Town of Lexington Monuments and Memorials Committee

TO: Members of the Select Board, Town of Lexington
FROM: Linda J. Dixon, Chair, Monuments & Memorials Committee
DATE: February 1, 2024
SUBJECT: **Recommendation for Approval of Lexington DAR Proposed Plaque**

Executive Summary

The Lexington Chapter, Daughters of the American Revolution, planted a tree at the rear of Buckman Tavern on Arbor Day, April 28, 2023, as part of the upcoming Semiquincentennial celebration (Lex250). They now seek approval to install a bronze plaque at the base of the tree on a beveled slab of granite, approximately 8"x14" and modeled after the memorial plaque for Marjorie Milne Battin, in front of the Town Office Building (See Attachment 1, Photo #1). Funding is in place to create this new bronze plaque. From June 1, 2023 to January 17, 2024, Lexington DAR met in person and by email, usually more than once, with the Department of Public Works, the Historic Districts Commission, the Commission on Disability, the Tourism Committee, the Lexington Historical Society, and the Monuments and Memorials Committee and obtained necessary approvals and/or favorable responses.

What is Being Proposed

A bronze plaque, approximately 8"x14", mounted on a rectangular granite base with bevel slant, inscribed as follows:

THIS AMERICAN ELM
PLANTED BY
LEXINGTON CHAPTER
NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION
COMMEMORATING THE SEMIQUINCENTENNIAL
OF THE BATTLE OF LEXINGTON
1775 - 2025

Location

The plaque will be installed at the base of the American Elm tree previously planted at the rear of Buckman Tavern (See Attachment 1, Photo #2). It will be accessed from the existing footpath by a short cinder path.

Cost

Lexington DAR has planned for this expense, and has adequate funds on hand to pay the full monument cost from its unrestricted funds. The fabricator, Newton Memorial Arts, cannot provide a final cost until a few final details of font size and letter spacing have been resolved, but the cost for both the bronze plaque and granite base will not exceed \$2,590. As an extra security measure, a Chapter member has pledged to make up any shortfall in funds in the unlikely event that this will occur.

Per Lexington DPW, the Town will install the plaque at no cost.

Maintenance

DPW anticipates no additional maintenance costs or difficulties if the marker were to be installed. There is an underground watering system on the Buckman Tavern grounds.

Approval from Other Agencies

Monuments and Memorials first met with Lexington DAR on June 1, 2023. Noting that their proposed site lies within the Battle Green Historic District and is therefore within the jurisdiction of the Historic Districts Commission, the Committee recommended that Lexington DAR meet with the HDC to obtain any necessary approvals. We also recommended meetings with three other organizations:

- 1) The Commission on Disability, to receive feedback and ensure that the proposed memorial will be accessible to all
- 2) The Tourism Committee, because of the Battle Green location, to inform, discuss, and request a non-binding “sense of the committee” vote
- 3) The Lexington Historical Society, for feedback and comment since the proposed location is adjacent to one of the historic houses that LHS partially owns or controls.

Lexington DAR (LexDAR) received administrative approval from the Historic Districts Commission on July 13, 2023, along with the suggestion that they replace the abbreviation “NSDAR” on the plaque with the complete words “National Society Daughters of the American Revolution”. LexDAR implemented this suggestion. In the summer of 2023, LexDAR received verbal approval from the former Executive Director of the Lexington Historical Society; in January 2024, they received written approval from the Society President. In the fall of 2023, the

LexDAR consulted in detail with Christopher Filadoro, Public Grounds Superintendent at the DPW and received DPW approval of the proposed monument's design and location. They received a unanimous vote of approval from the Tourism Committee on December 5, 2023, and an acceptance letter from the Commission on Disability on December 29, 2003. See Attachment 3 for details.

Final Meeting and Committee Decision

After the initial meeting on June 1, 2023, the Committee kept in touch with Lexington DAR, monitoring their progress and answering questions. Lexington DAR was ready to seek final approval by year's end, and met with the Monuments and Memorials Committee for a final vote on January 4, 2024. After a thorough discussion, in a unanimous roll call vote of those members present, the Committee took the following vote:

The Monuments and Memorials Committee approves, and recommends for approval to the Select Board, the installation of a plaque and granite base to commemorate Lexington's Semiquincentennial anniversary of the first battle of the American Revolution near the recently planted American Elm tree in the rear of Buckman Tavern, as proposed by the Lexington Chapter, Daughters of the American Revolution.

After reviewing the Chair's summary report of this action, on February 1, 2024, the Committee voted unanimously by roll call vote to approve the report and to forward it to the Select Board.

Respectfully submitted,
The Monuments and Memorials Committee

Linda J. Dixon, Chair

Avram Baskin

Glen Bassett

Bebe Fallick

Charles French

George Gamota

Leslie Masson

Attachments

	Page
Attachment 1 – Photos	4
Photo #1 -Margery Battin Plaque, in front of Town Office Building	
Photo #2 -American Elm tree, planted April 2024, site of proposed plaque	
Attachment 2 – Monument Submission Form	5
Attachment 3 -Approvals from Town Organizations	8

Attachment 1

Photos

Photo #1

Plaque honoring Margery Milne Battin, located in front of Town Office Building, intended to serve as the model for the proposed DAR plaque.

Plaque measures
Granite base measures
10.5" x 18"

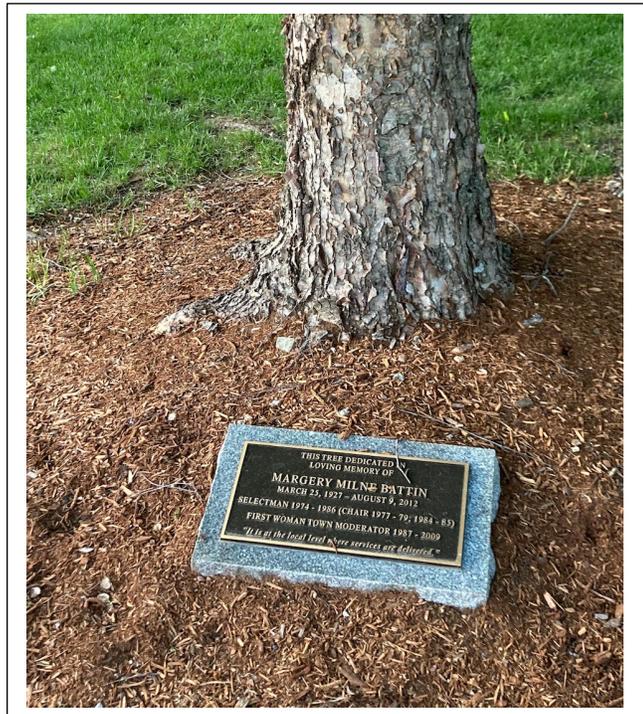


Photo #2

American Elm Tree planted April 28, 2023 in rear of Buckman Tavern by Lexington DAR.

Proposed plaque to be installed at base of tree, exact location to be determined by DPW.



Attachment 2
Monument Submission Form
 Resubmission May 24, 2023

Name of Organization Lexington Chapter NSDAR	Date May 24, 2023
Individual Submitting this Proposal Cindy Woolworth	Title Tree Cmte Chair, Treasurer
Email cindress@gmail.com	Cell Phone 781 244 2129
DESCRIPTION	
<p>What are you proposing to build or install? Please describe your design and materials to be used. Renderings or Images of similar monuments or memorials in other communities are helpful and may be attached</p> <p>Please note this is a 5/24/23 resubmission (V2) of the original submission on 3/13/23.</p> <p>Lexington Chapter NSDAR has collaborated with Lexington DPW to plant, on Arbor Day April 28, 2023, an American Elm tree “Princeton” on the grounds of the Buckman Tavern in Lexington, Massachusetts to commemorate the semiquincentennial anniversary of the first battle of the American Revolution. The Buckman Tavern was the location where the Lexington militia awaited the British regulars in the predawn hours of April 19, 1775. The reason for this M & M application is that we hope to include a commemorative bronze plaque at the base of the tree, and if that is approved, we plan to conduct a dedication ceremony in concert with Lex250 events.</p> <p>A picture of a plaque that is currently near the Visitor Center is attached; we are planning for the new plaque to be very similar, but without the granite base. The text is:</p> <p style="text-align: center;">THIS AMERICAN ELM PLANTED BY LEXINGTON CHAPTER NSDAR COMMEMORATING THE SEMIQUINCENTENNIAL OF THE BATTLE OF LEXINGTON 1775 - 2025</p>	
BACKGROUND AND RELEVANCE	
<p>Give the background and history of the individual(s), group, or event you wish to commemorate and show the relevance of this monument or memorial for Lexington. Why do you seek permanent recognition?</p> <p>This anniversary celebrates our Patriot Ancestors and their courageous actions in the first battle of the American Revolution in 1775. The gift of an American Elm to the Town could be widely appreciated for many years. This project will be our Chapter’s contribution to the calendar of events of the Town’s Semiquincentennial Commission (Lex250).</p> <p>The Lexington Chapter NSDAR has a history of planting trees on Buckman Tavern grounds – if approved, this will be the fifth one. The previous trees were planted in 1929, 1932, 1936, and 1975. The tree planted in 1975 was to commemorate the bicentennial, and it is still there today near the Visitor Center. Please let me know if you would like to see the Lexington Minuteman articles about the previous plantings.</p>	

LOCATION

What is the preferred location for your monument or memorial? Is this land owned by the Town of Lexington or other publicly owned land? Have you discussed your plan with the owner of the land? Have you obtained concurrence to erect a monument or memorial on the desired site? How will it affect traffic and pedestrians? Is the location accessible for everyone? Attach photo/drawing of the site and conceptual placement of the monument or memorial.

We wanted to plant the tree on Buckman Tavern grounds, which is owned by the Town of Lexington. We worked with Chris Filadoro, Lexington Public Grounds Superintendent, and Jim Wood, Lexington Tree Committee member, and I went before the Lexington Select Board to obtain permission for the planting. The Lexington Tree Committee voted in favor of our proposal. We presented to the Lexington Tourism Committee on March 23 2023 but there was not enough information or voting members present to make a decision at that time, so we plan to go before them again to obtain agreement for this plaque. The tree has now been planted and therefore we are making this application to the Monuments and Memorials Committee for the new plaque.

A map is attached that shows the site. It is in an open spot next to the path that runs behind Buckman Tavern. Therefore, the tree and plaque will be visible from the accessible path, yet not blocking any foot traffic.

COST

Have you obtained a cost estimate to create your proposed work? What are your estimated expenses for a) the cost of materials and fabrication of the monument or memorial itself; b) installation of the work including any repairing or disruption of the site, and c) annual maintenance and repairs, as needed, over time?

We paid \$675 for the 3-4" DBH American Elm tree "Princeton" to Village Green Nurseries. They delivered it to Lexington DPW for no charge. Lexington Department of Public Works agreed to plant the tree free of charge. From Newton Memorial Arts, we have an unofficial cost estimate for \$777 for the proposed bronze plaque.

FUNDING & MAINTENANCE

Who will provide the funds to build, install, and maintain the proposed work? Identify specific funds available for the proposed project. If any private funds will be used, how much of the funding is in hand? Is any fundraising planned? What is your maintenance plan? How will those costs be paid in perpetuity?

We received a \$500 "America 250! Celebration Grant" from National Society DAR to assist with the cost of the tree purchase. The Lexington Chapter NSDAR has money saved for this project, but the exact amount of the chapter's contribution for the bronze plaque has not yet been decided, beyond the \$175 for the tree itself which is already covered. A chapter member has promised to make up any difference, if necessary.

Chris Filadoro and his team have informed us that watering is taken care of, thanks to the underground watering system on Buckman Tavern grounds.

A bronze plaque will be very durable; Lexington Chapter will consult with Newton Memorial Arts and record any necessary long-term maintenance in the Standing Rules of Lexington Chapter NSDAR.

COMPLETION DATE

What is your target date for the installation and/or dedication of the monument or memorial?

The tree was planted on Arbor Day, Apr 28 2023. We would like to have a celebration and dedication in 2024 or 2025 and add that event into the Lexington 250 calendar of events. That date is not yet final and depends on when the plaque becomes available and when our State DAR organization can attend.

ADDITIONAL INFORMATION

Please add anything else, including images and documents, that you think would be helpful to the M&M Committee. Feel free to use additional pages.

I've attached the map with the location of the new tree, and a picture of the plaque at the previous DAR-planted tree, which is still in place.

Send completed form to: monumentscmte@lexingtonma.gov

02/2023

Attachment 3 Approvals From Town Organizations

Historic Districts Commission 07/13/2003

From: **Siqing Pan** <span@lexingtonma.gov>
Date: Wed, Aug 2, 2023 at 3:14 PM
Subject: RE: Online Form Submittal: Contact Us - Historic Districts Commission
To: Cindy Woolworth <cindress@gmail.com>

Hi,

I am not sure have you ever received any feedback from us.

HDC reviewed your plans on July 13th HDC meeting, and administratively approved your plans. HDC suggested to fit the entire word without using the abbreviation that would be nice. Thank you.

Best Regards,
Siqing

From: Cindy Woolworth <cindress@gmail.com>
Sent: Wednesday, July 12, 2023 1:01 PM
To: Siqing Pan <span@lexingtonma.gov>
Cc: Historic Districts Commission (HDC) <historicdistrictscmsn@lexingtonma.gov>
Subject: Re: Online Form Submittal: Contact Us - Historic Districts Commission

Hello all,

I am happy to give you more information. I have included the plaque text below, and attached 3 files which should summarize the proposal.

"battin-plaque.jpg" is how we would like it to look, if that is acceptable to the DPW. This Margery Battin commemorative tree is in front of the Lexington Town Offices.

"existingDARplaque.png" is a currently existing DAR-sponsored plaque next to a maple tree between the Visitor's Center and the corner of Meriam and Mass. Ave - this is our inspiration. This plaque is 6"x14". We do not wish to replicate the tall granite block.

"2023_Amer_Elm_DAR.jpg" is the new tree in place. We hope to place the plaque near the tree on the path side.

The text for the new plaque:

THIS AMERICAN ELM
PLANTED BY
LEXINGTON CHAPTER NSDAR
COMMEMORATING
THE SEMIQUINCENTENNIAL
OF THE BATTLE OF LEXINGTON
1775 - 2025

Please let me know if you have further questions. We do have an application in with Monuments & Memorials; the plaque was discussed but not yet voted on by the Tourism Committee; and we intend to check in with the Disability Commission as well.

We previously worked with the DPW and the Tree Committee in preparation for going before the Select Board to get the tree planting approved - the tree was planted on Arbor Day this year.

Thank you for your time,
Cindy Woolworth
781-244-2129 240 Lincoln St Lexington

Tourism Committee 12/05/2023

Margaret Coppe

From: mecoppe@gmail.com

To: Linda Dixon

Tue, Dec. 19 at 5:31 PM

Linda,

Here are the minutes from the December 5, 2023 Tourism Committee meeting. They are still in draft form and will be approved at the January 2024 meeting. Is this what you are looking for? If you need anything more please let me know.

- 1) DAR Plaque for Tree on Buckman Tavern grounds.

Cindy Woolworth and Marjunette de Magistris representing the DAR, asked for a vote of approval for a proposed plaque on the ground for the tree planted by the DAR. The Historic District Commission has given administrative approval and the monument subcommittee is waiting for the DPW to weigh in. The Disability Committee will need to review the plan. The Select Board will have the final say.

Marsha Baker moved, and Kerry Brandin seconded, approval. The vote was unanimous.

Baker Aye; Brandin Aye; Coppe Aye; Desrouleaux, Aye; Fallik Aye, Xu, Aye

Happy Holidays,

Margaret Coppe

Chair, Tourism Committee

On Tue, Dec 19, 2023 at 11:31 AM Linda Dixon <lindadixon70@verizon.net> wrote:

Hello Margaret,

I understand you are now Chair of the Tourism Committee, congratulations. This is just a quick clerical matter involving the Lexington DAR who met with Tourism on December 5, and I believe received a favorable vote for their proposal to place a plaque on a boulder beneath their newly planted tree behind Buckman Tavern.

I'm Chair of Monuments and Memorials, and LexDAR will meet with us for a final favorable vote on January 4. Could I ask you to send me a brief statement summarizing the action the Tourism Committee took re LexDAR on December 5? I need this for my committee's records.

Many thanks, and have a great holiday season.

Best,

Linda

Commission on Disability 12/29/2023

To: Linda Dixon, Chair, Monuments & Memorials Committee
CC: Cindy Woolworth, Lexington DAR
RE: Proposed Tree Plaque Behind Buckman Tavern
Date: December 29, 2023

On August 15, 2023, the Commission on Disability met with Cindy Woolworth of the Lexington Chapter of the DRA to discuss the placement of a plaque near their newly planted tree that commemorates the semi-quincentennial of the battle of Lexington. This tree is located on the path behind the Buckman Tavern.

The Commission voiced several concerns about visibility and accessibility; including the size and contrast of the lettering, whether the plaque could be mounted on a boulder, and whether a pathway could be installed to be able to get close enough to read the plaque. These considerations were brought to the attention of DPW.

DPW recommended to follow the design of the Battin Plaque with similar in-ground placement since anything taller like a pedestal or boulder would cause root compaction. The granite base will be beveled and the plaque will have bright metal lettering on a contrasted background to increase readability. A small extension of the cinder path will be created to bring individuals closer to the plaque to read it to address accessibility.

The Commission accepts all of the proposed changes that DPW suggested. Thank you for requesting the review by the Commission on Disability.

Sincerely,

Victoria Buckley
Chair, Commission on Disability

Lexington Historical Society, 01/18/2024

Anne Lee

From: anjamlee@aol.com

To: Linda Dixon

Cc: president@lexingtonhistory.org

Thu, Jan 18 at 8:26 AM

Hi Linda:

Thanks for reaching out, and for filling in the background about the plaque.

Carol is correct that the land around Buckman does not belong to the Historical Society - which is why I especially appreciate being consulted! I think the plaque would be most appropriate and the Society is fully in support.

All my best,

Anne

Anne W. Lee

617.962.3135

On Wednesday, January 17, 2024 at 12:34:02 PM EST, **Linda Dixon** <lindadixon70@verizon.net> wrote:

Dear Anne,

Hi, it's Linda from Monuments and Memorials. We are working with Cindy Woolworth of the Lexington DAR (not to be confused with the Massachusetts DAR, with whom you have already been in contact).

Lexington DAR planted a tree in the rear of Buckman Tavern back in April. They want to install a plaque similar to the plaque for Marjorie Battin at the Town Office Building (see attached photo) under their new tree.

They have received favorable votes or comments from HDC, Tourism, Disability, and M&M. The Historical Society, having a major interest in Buckman Tavern, should have an opportunity to comment on the installation of this plaque. If you wish to comment on this proposed marker, I'd be pleased to receive your information.

Many thanks and Happy New Year. Best of luck on your upcoming renovations; this will be an exciting year!

Linda

Linda Dixon, Chair

Monuments and Memorials Committee

Cindy Woolworth

From: cindress@gmail.com

To: Linda Dixon

Wed, Jan 17 at 2:57 PM

Yes, early in the process, when I was working with Jim Wood, I spoke with the director Carol Ward on the phone. As far as I recall, she said that the Lex Hist Soc did not (want to? need to?) have any say over the grounds. She was also heading the Tourism Committee when I went before them the first time, so she knew all about our proposal.

-cindy

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Update on Participatory Budget Projects

PRESENTER:

John Livsey, Town Engineer

ITEM NUMBER:

I.7

SUMMARY:

Category: Informing

The Select Board approved four projects as part of the Participatory Budgeting Program, which included:

RRFB's at Crosswalks on the Bike Path - \$250,000

Conservation Land Improvements - \$100,000

Benches - \$70,000

Dog Park - \$85,000

Total - \$505,000

The following are the updates to each of the items above:

RRFB's at Crosswalks on the Bike Path - \$250,000 was allocated for designing and installing Rectangular Rapid Flashing Beacons (RRFBs) along the unsignalized intersections of the Minuteman Commuter Bikeway (MMCB). This includes 8 roadway and 2 major driveway crossings. To date, Engineering has:

- Contracted TEC, Inc. to design the RRFBs
- Created base mapping/existing conditions to locate the RRFB equipment
- TEC is currently working on ranking the intersections based on need for the RRFB. It is anticipated the allocated funding will not cover all 10 crossings. The ranking will be used to prioritize the installation locations. TEC will provide the ranking by 3/14, and the LBAC will review at their 3/14 meeting.
- TEC is concurrently working on the design of the RRFB installation locations.
- We anticipate bidding the project this spring, however the construction schedule will be driven by the manufacture and delivery time of the RRFB equipment.

Conservation Land Improvements - \$100,000 was awarded to Conservation for conservation land management activities across Lexington. In turn, Conservation contracted with Parterre for the full amount to conduct meadow preservation and management activities, including invasive species management and native plant restoration, on approximately 20 acres including areas at Parker Meadow, Idylwilde, Dunback Meadow, Poor Farm, and Chiesa Conservation Areas. Parterre, met with staff and Conservation Stewards in the fall of 2023 and are preparing a necessary Notice of Intent Wetlands Protection permit application to be reviewed by the Conservation Commission Spring 2024. On the ground field management activities are expected to begin at the appropriate time in summer 2024.

Benches - DPW is getting quotes for the bike racks and benches and will purchase and install in the next few months. Additional picnic tables were ordered and have been delivered.

Dog Park - Withdrawn and closed out due to lack of adequate town property to support a dog park.

SUGGESTED MOTION:

This is an update, no motion required.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

8:05pm

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Expenditure of Funds for Gift of Cash Received for Sewer Line Repairs

PRESENTER:

Jim Malloy, Town Manager

ITEM NUMBER:

I.8

SUMMARY:

Category: Decision-Making

As the Select Board is aware, there has been two sewer line breaks on Takeda's property and the Town has been working with Takeda on undertaking emergency repairs since we have the expertise and emergency contracts. Since this is on private property, Takeda has agreed to pay the cost for the repairs, the most expeditious manner to manage this transaction is for Takeda to gift the funds to the Town. DPW's estimate for the full repair is approximately \$300,000. Staff's recommendation to the Select Board is that the Board approve the use of the gift funds for the purpose of repairing the sewer line on Takeda's property.

I have attached MGL Ch. 44, Sec. 53A which authorizes any town department to accept funds, but requires the Select Board to approve the use or purpose of the funds.

SUGGESTED MOTION:

Move to approve the use of the Takeda Gift Funds for the purpose of repairing the sewer line on Takeda's property.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/11/2024

8:20pm

ATTACHMENTS:

Description

📄 MGL 44, Sec. 53A

Type

Cover Memo

Part I ADMINISTRATION OF THE GOVERNMENT

Title VII CITIES, TOWNS AND DISTRICTS

Chapter 44 MUNICIPAL FINANCE

Section 53A GRANTS AND GIFTS; ACCEPTANCE AND EXPENDITURE

Section 53A. An officer or department of any city or town, or of any regional school or other district, may accept grants or gifts of funds from the federal government and from a charitable foundation, a private corporation, or an individual, or from the commonwealth, a county or municipality or an agency thereof, and in the case of any grant or gift given for educational purposes may expend said funds for the purposes of such grant or gift with the approval of the school committee, and in the case of any other grant or gift may expend such funds for the purposes of such grant or gift in cities having a Plan D or Plan E form of government with the approval of the city manager and city council, in all other cities with the approval of the mayor and city council, in towns with the approval of the board of selectmen, and in districts with the approval of the prudential committee, if any, otherwise the commissioners. In the case of grants from the federal government or from the commonwealth, a county or municipality or agency or instrumentality thereof, upon receipt of an agreement from the grantor to provide advance payment or reimbursement to the city, town or district, the officer or department may

spend the amount of the advance payment, or the amount to be reimbursed, for the purposes of the grant, subject to the approvals required by this section. Any advance payment or reimbursement shall be applied to finance the grant expenditures; provided, however, that any expenditures outstanding at the close of the fiscal year after the fiscal year in which the grantor approved the agreement shall be reported by the auditor or accountant of the city, town or district, or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor. Notwithstanding the provisions of section fifty-three, any amounts so received by an officer or department of a city, town or district shall be deposited with the treasurer of such city, town or district and held as a separate account and may be expended as aforesaid by such officer or department receiving the grant or gift without further appropriation. If the express written terms or conditions of the grant agreement so stipulate, interest on the grant funds may remain with and become a part of the grant account and may be expended as part of the grant by such officer or department receiving the grant or gift without further appropriation. Any grant, subvention or subsidy for educational purposes received by an officer or department of a city, town or school district from the federal government may be expended by the school committee of such city, town or district without including the purpose of such expenditure in, or applying such amount to, the annual or any supplemental budget or appropriation request of such committee; provided, however, that this sentence shall not apply to amounts so received to which section twenty-six C of chapter seventy-one of the General Laws, and chapter six hundred and twenty-one of the acts of

nineteen hundred and fifty-three, as amended, and chapter six hundred and sixty-four of the acts of nineteen hundred and fifty-eight, as amended, apply; and, provided further, that notwithstanding the foregoing provision, this sentence shall apply to amounts so received as grants under the Elementary and Secondary Education Act of 1965, (Public Law 89–10). After receipt of a written commitment from the federal government approving a grant for educational purposes and in anticipation of receipt of such funds from the federal government, the treasurer, upon the request of the school committee, shall pay from the General Fund of such municipality compensation for services rendered and goods supplied to such federal grant programs, such payments to be made no later than ten days after the rendition of such services or the supplying of such goods; provided, however, that the provisions of such federal grant would allow the treasurer to reimburse the General Fund for the amounts so advanced.