

SELECT BOARD MEETING

Wednesday, April 3, 2024

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

AGENDA

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 Select Board Meeting Minutes
 - February 12, 2024 Select Board
2. Approve Town Manager Committee Reappointments
 - Commission on Disability - Leonard Morse-Fortier
 - Recreation Committee - Claire Sheth
3. Approve Select Board Committee Reappointment
 - Historic Districts Commission - Paul O'Shaughnessy
4. Approve Request for Quotation/Proposal Document Regarding Executive Search Consultants for Town Manager Search

ITEMS FOR INDIVIDUAL CONSIDERATION

1. 2024 Annual Town Meeting 6:15pm
 - Select Board Article Discussion and Positions
2. Update on Police Station Project and Budget for Solar Canopy 6:25pm
3. Discuss Semiquincentennial Commission (Lex250) Invitations to 250th Anniversary of the Battle of Lexington Celebration 6:40pm

ADJOURN

1. Anticipated Adjournment 6:50pm

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, April 8, 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 April 3, 2024 meeting.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

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 weekly update for the week ending:

- 3-29-24

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

ATTACHMENTS:

| Description | Type |
|-------------------------|------------|
| □ Weekly Update 3-29-24 | 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: Jim Malloy, Town Manager
DATE: March 29, 2024
RE: Weekly Update

The following is an update of activities for the week ending March 29, 2024:

Town Manager Updates:

- The Green Communities program is expanding to include a “Climate Leader Community” designation. Applications open this summer and Maggie Peard is working to make sure we have all the pieces together to be able to apply. Designation will mean we would have access to larger grants that we could use on municipal building decarbonization projects, among other things. Maggie ran our Fleet Electrification Policy by DOER to see if it meets their requirements and there are a couple very minor edits they suggested to be extra careful that it will meet their requirements. Attached please find the redlined edits. This policy will be on the agenda for the May 6, 2024 Select Board meeting.
- Future of Waste Collection Survey – A group of 4 graduate students from Tufts University’s Department of Urban and Environmental Policy and Planning are doing a semester-long project for the Town culminating in recommendations on how to best adjust our current waste collection system to result in significant waste reduction. The team has created a survey to gather feedback from the community, which will influence their final recommendations. The survey is available here: https://tufts.qualtrics.com/jfe/form/SV_bJck6VOVUgse41U.
- Attached please find the agenda tracker for upcoming Select Board meetings.

Library:

- The Cary Library Foundation is hosting a “Take Flight” Gala to benefit the library’s Children’s Room Renovation Project (ChiRP!) on Saturday, April 6th from 7:00 – 10:00 p.m. [Tickets may be purchased on their website.](#)
- The annual Fairy Tale Ball will be held on Friday, April 12. There is a Sensory Friendly Fairy Tale Ball ([registration required](#)) from 5:00 – 6:00 p.m. The Fairy Tale Ball begins at 6:00 p.m. and is open to everyone (no registration needed).

- Spring is a great time to check out our two [Story Walks](#), one at Parker Meadow and one at Lincoln Park.
- There are some great programs for adults coming up in the next couple of weeks:
 - *Stranger in the Desert* with Author Jordan Salama. Tuesday, April 2 at 7:00 p.m. ([Virtual – register here](#)). Inspired by family lore, Jordan Salama's book. Jordan Salama is a writer covering culture and the environment in the Americas. He is the author of *Every Day the River Changes, a journey down Colombia's Río Magdalena*, which was named a Kirkus Reviews Best Book of 2021. His essays and stories have appeared in National Geographic, The New York Times, Smithsonian, Scientific American, NPR's All Things Considered and other publications. Most recently, his story, *The Candy Seller*, an investigation into the lives of migrant families selling candy on the New York City subway, was on the cover of New York magazine. He lives in New York.
 - Solar Eclipses: Drama of the Skies. Thursday, April 4 at 7:00 p.m. in the Large Meeting Room ([Hybrid - register here to attend virtually](#)). Attendees will receive eclipse glasses, 1 per family. Jana Grcevich received her PhD in astronomy from Columbia University, where she studied how small galaxies evolve over time. She worked as the Columbia Astronomy's outreach coordinator for many years and as a presenter at the American Museum of Natural History's Hayden Planetarium, introducing the public to the cosmos under the bright skies of New York City. She co-authored the book *Vacation Guide to the Solar System: Science for the Savvy Space Traveler* and resides with her family in Somerville, Massachusetts.
 - Music in the Library: The Moonbellies (Folk Concert). Thursday, April 11 at 7:00 p.m. in the Large Meeting Room. Join us for the Moonbellies formed in early 2023 and have been performing an entertaining mix of originals, Americana, old Tyme, Quebecois, Irish and Cajun music throughout the New England area. All band members have years of experience performing in multiple successful bands. Band members reside in the Boston area, Southeastern Mass and Rhode Island (no registration needed).

Land Use Housing and Development:

Conservation

- Seasonal Field Crew Recruitment – Conservation Office is currently recruiting for two summer conservation field crew positions. Please pass the opportunity along to anyone over the age of 18 who may be interested.
- 4th Annual Pollinator Planting Kits for sale – Since 2021, Conservation and Lexington Living Landscapes, along with support from DPW and Recreation, have collaborated in offering the planting kits. The sale includes a Sun Kit with plants that thrive in sun to partial sun and a Shade Kit with plants that prefer filtered light to shade, as well as six species of a la carte plants. Visit the [Lexington Recreation](#) website to login and purchase plants. Kits and a la carte plants will be available for pick up at 201 Bedford Street (DPW) on Saturday, May 11th.
- Dose of Nature Walk – As part of National Public Health Week, enjoy the beauty of the outdoors on Lexington's Parker Meadow universally accessible trail with a half mile Guided Nature Walk. This event on April 2, 2024 at 4:30 pm is free and all are invited! Please register with acarr@lexingtonma.gov. Walk-ins are welcome!

- City Nature Challenge – Lexington is officially participating in the 2024 City Nature Challenge (CNC). This is a WORLDWIDE event where we will document as many wild organisms as possible between April 26 – April 29. Just take photos via the [iNaturalist app](#)! All observations during the timeframe within Lexington will be counted!
- Lead a Walk for the City Nature Challenge – We are looking for volunteers to lead or co-lead walks during CNC weekend across Lexington. Interests in bugs, birds, fungus, plants, etc is a plus, but not necessary. Dates-times-locations for the different walks will be made available on the Town website and via the Conservation newsletter as part of the CNC communications.
- Willard's Woods Update – As of March 22nd, 2024, stakes were set throughout Willard's Woods marking the areas for proposed soil boring locations, which are scheduled to be conducted on April 1st & 2nd, 2024 as part of an anticipated Conservation Commission Notice of Intent Application submittal for review and approval in the spring of 2024 to construct the Universally Accessible trail and improvements.

Recreation & Community Programs:

Programs & Services

- The Spring & Summer Program Guide is now live and registration is open - https://issuu.com/lexrecreation/docs/lex_spring-summer_2024-final?fr=sMGYwOTYzNDEzMjI
- Pine Meadows Golf Course opened for the season on Friday, March 22nd for the 2024 season. <https://www.pinemeadowsgolfclub.com/>

Staffing

- The Community Center Administrative Assistant position has been filled effective April 2, 2024. Please join us in welcoming Wai Yin Hazewindus to our Lexington team.

Celebrations

- The Center Recreation Complex Hard Court Reconstruction (tennis & basketball) and renovated restroom/maintenance building Ribbon Cutting is scheduled for April 2nd at 5:30pm. Here are the details: <https://www.lexingtonma.gov/CivicAlerts.aspx?AID=480>
- The Massachusetts Recreation and Parks Association Annual Conference was held last week where [Lexington Recreation and Community Programs](#) received two special citations that we are very proud to share. First - recognizing [Kate DeAngelis, CTRS, CPRP](#) for her recent 30Under30 recognition by [National Recreation and Park Association](#) and Second - recognizing [Lexington Recreation and Community Programs](#) CPRP Staff Recognition (Laura Perry, Peter Coleman, Kate DeAngelis, Melissa Battite, Thomas Romano and Christine Dean). The Town of Lexington has a proven history of supporting trainings and workshops for staff throughout the organization. Pursuing and maintaining National Certification through NRPA requires a commitment of ongoing professional growth in the Park and Recreation Industry. Active participation in local, regional, and national efforts support all of us to be our best. Congratulations to the Lexington Recreation and Community Programs full time team

who through their leadership have all earned their Certified Park and Recreation Professional certification.





TOWN OF LEXINGTON

FLEET ELECTRIFICATION POLICY

August 23, 2021 (amended 9/13/21)

POLICY STATEMENT

To support the Town of Lexington's ~~Sustainable Action Plan~~ [Climate Action & Resilience Plan](#) objectives, the Select Board hereby adopts this fleet electrification policy to transition its vehicle fleet to zero emission vehicles.

PURPOSE

The Town shall establish and maintain a comprehensive inventory of all classes of vehicles owned, operated, or leased by the Town of Lexington and or on behalf of the Town of Lexington. The Town shall establish objectives for emission reductions from those vehicles and an integrated plan and timeline with objectives for transitioning each class of vehicles to zero emission vehicles, prioritizing zero emissions vehicles, monitoring progress against those objectives, and reporting the progress against those objectives on an annual basis.

The objectives of this policy are to:

- Reduce air pollution and greenhouse gas emissions from the Town's vehicles
- Increase the use of electric vehicles in the Town fleet
- Increase the average fuel economy of each vehicle
- Optimize the fleet size and minimize vehicle size, weight, and other factors affecting fuel use when appropriate
- Minimize vehicle miles traveled (VMT)
- Reduce total cost of ownership over the lifetime of the vehicle
- Reduce vehicle noise
- Maximize the use of grant funding and incentives to convert and purchase electric and emissions-reduction technology for the Town fleet and EV infrastructure.

APPLICABILITY

This Fleet Electrification Policy applies to all divisions and departments of the Town of Lexington.

GUIDELINES

The Town will establish a Vehicle Electrification Transition Plan with the following elements:

1. Fleet Inventory:

The Town will maintain and annually update a comprehensive vehicle inventory for ALL vehicles owned, leased, operated by the Town or on behalf of the Town and a plan for transitioning those vehicles to battery-electric vehicles (BEV) or plug-in electric vehicles (PHEV) vehicles.

As required by the DOER Green Communities Program, the Town will maintain an inventory of all Town (Municipal and School Department) owned vehicles.

This inventory will include the following information: model, make, model year, month and year purchased, VIN, drive system, weight class, miles per gallon, annual miles driven, total fuel consumption, department, vehicle function.

2. Electric-first procurement

Vehicle procurement should be prioritized as follows:

1. BEV
2. PHEV
3. Hybrid-electric vehicle or other alternative fuel vehicle
4. Standard vehicle ([most fuel-efficient vehicle for that class, drivetrain, and purpose](#))

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The fleet policy is electric-first, meaning that electric vehicles (EVs) shall be prioritized when the Town purchases or leases motor vehicles for its municipal operations. Beginning in FY22, all light-duty passenger vehicles purchased or leased are required to be BEVs.

Departments may request an exemption from the BEV replacement. [Departments requesting an exemption must explain why a BEV is not feasible for their intended use, and must still follow the above priority order for vehicle procurement.](#) All exemptions shall require approval by the Town Manager after a recommendation is made by the Sustainability & Resilience Officer ~~Director~~.

3. Classification and Transition Objectives:

For each vehicle class defined by the Commonwealth's MOR-EV program, the Town shall establish targets for the transition of vehicles in that class to a zero emissions option every three-years.

The classifications may include: passenger vehicles, passenger vans, cargo vans, police cruisers, ambulances, fire trucks, public works vehicles, school buses and other categories of vehicles that are appropriate to effectively capture all the vehicles in the inventory.

Staff shall assess the suitability of electric vehicle options for each vehicle class, with respect to availability, range and load requirements and, any emergency response requirements, to determine practicability. When developing the transition plan, Staff shall evaluate emissions reductions, Total Life Cycle Cost as defined in the Sustainable Action Plan, including

acquisition, operations, maintenance, emission fees, electric vehicle charging infrastructure, available grants, etc. The Town will develop a standardized calculation for determining life cycle costs for different classes of vehicles.

The transition plan will prioritize replacing vehicles at the end of their expected useful life.

Where the Town contracts vehicle services, the Town will provide a preference for contracts and seek out companies for competitive bidding that offer the use of electric and/or fuel-efficient vehicles.

4. Purchase, lease or contracting of standard vehicles

If the transition plan identifies that an EV is not commercially available or not suitable for a particular class of vehicles when replacement of a vehicle in that classification is required, a standard vehicle may be purchased.

If purchasing a standard vehicle, the purchase should prioritize the most fuel-efficient [vehicle available for that class, drivetrain, and purpose](#) ~~model available~~ and consider fuel-reduction and emissions-reduction technology, such as diesel particle filters, selective catalytic reduction systems, exhaust gas recirculation, NOx absorbers, oxidation catalysts, anti-idling devices, etc.

Where opportunities exist, particularly if grants and new technologies are or become available, the Town should pilot electric options for heavy-duty vehicles.

5. Evaluation of fleet and vehicle size

The Town will procure vehicles and equipment of minimum size according to assessed needs. Specifically, the Town will ensure that purchase plans require vehicle class and model of the smallest size and weight appropriate for each vehicle's tasks. All positions requiring vehicle use shall be evaluated as to the required vehicle class size necessary to conduct the job.

The Town will evaluate ways to reduce its fleet size.

Departments will also investigate whether vehicles can be shared between departments. When retiring a vehicle from the fleet, the Town will evaluate whether replacement is necessary.

6. Electric vehicle charging

Where possible, efforts will be made to install charging equipment at locations convenient for vehicle users to minimize operational inefficiencies. However, flexibility may be required of vehicle operators and Town staff to adjust procedures to accommodate charging locations.

7. Funding

The initial purchase price of policy-compliant vehicles and equipment may be more expensive than standard vehicles in the initial years, while operating costs over the life of the vehicle will be lower. Departments should estimate upfront investment required for vehicle

purchases and budget accordingly in capital budget requests. The Town shall evaluate existing capital requests for vehicles and evaluate opportunities to fund additional upfront costs. The Town shall take advantage of grant funding to offset the upfront costs of electric vehicles and charging apparatus.

8. Monitoring and Reporting:

Progress against the transition objectives for each vehicle class will be monitored and reported to the Select Board on an annual basis. As part of this report, staff will identify the best date commercially available technology options for each vehicle class and provide recommendations for adjustments to the objectives for each vehicle class.

9. Vehicle operation and maintenance

Where applicable, the Town will use available resources to build awareness and educate its employees regarding responsible vehicle operation as detailed below.

- Anti-Idling
 - Vehicle idling produces both excessive waste of fuel and air pollution. As a part of this policy the Town hereby recognizes the importance of enforcing the existing Anti-Idling Law, as allowed by M.G.L. Chapter 90 Section 16A. Additionally, Town staff should reduce idling as much as possible in vehicle operations. The Town will also incorporate anti-idling education into other public health and sustainability forums.
- Reinforce operator awareness
 - The Town and its employees will encourage energy-saving driving habits (i.e. awareness of sudden acceleration or sudden stopping), and paying attention to the need for regular preventative maintenance of vehicles.
- Reduce Vehicle Miles Travelled (VMTs)
 - The Town will reinforce employee awareness of vehicle miles travelled during work hours as well as for commuting, and will encourage alternate travel practices such as carpools, vanpools, bicycling, public transit and walking.
- Vehicle maintenance
 - A well-maintained vehicle will optimize fuel use and reduce air pollution. Preventative maintenance that ensures optimal vehicle operation shall be performed regularly for each vehicle.
 - Vehicles will be inspected regularly and prior to extended use to ensure correct tire pressure, oil and coolant levels, and to identify possible signs of other fluid leaks.
 - The Town will dispose of hazardous materials such as waste oil, lubricants, antifreeze, and batteries safely through environmentally-responsible practices and in accordance with all applicable state and federal regulations.

Questions/ Enforcement

| The Sustainability ~~Director~~ & Resilience Officer shall be responsible for administering this Policy. This Policy shall be enforced by the Town Manager and or their designee.

AGENDA SETTING

| ITEM NAME | PROPOSED DATE | MINUTES | Item # | Description |
|---|---------------|---------|--------|---|
| Approve One-Day Liquor License - First Parish in Lexington | 1-Apr-24 | 0 | 0 | First Parish in Lexington's Voices on the Green Storytelling and Live Music Event on 4/12 |
| Request to Place Signage on the Minuteman Bikeway - Estabrook School PTO | 1-Apr-24 | 0 | 0 | Request to put two signs on the Bikeway for Run of the Mill 5k & Jim Banks Kids Fun Run registration on either side of the Center - 5k Run/Walk is on 5/19 at 9:30am & 10am (LBAC - supports placement of signs following the general guidelines) |
| Vote to Approve Purchase of 50 Valleyfield by LexHAB | 1-Apr-24 | 0 | 0 | The Select Board already voted in favor of Lexhab purchasing 50 Valleyfield in executive session, Town Counsel has advised a public vote is also necessary. |
| 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 1-Apr-24 | 10 | 1 | |
| Follow Up Discussion on Concerns from 9 Hancock Resident | 1-Apr-24 | 20 | 2 | This is a follow up discussion on the concerns raised at the 2/12/24 Select Board meeting by the abutter to the Battle Green Streetscape Project |
| Present timeline for amending LHRC Charge | 1-Apr-24 | 5 | 3 | Joe present the plan of action and timeline for updating the LHRC charge |
| Review Request for Quotation/Proposal Document Regarding Executive Search Consultants for Town Manager Search | 1-Apr-24 | 10 | 4 | Board to review document |
| PLACEHOLDER - Approve Select Board Meeting Minutes | 3-Apr-24 | 0 | 0 | 2/12/2024 minutes that were pulled off of 3/11 Consent Agenda |
| Approve Town Manager Committee Reappointments | 3-Apr-24 | 0 | 0 | Reappointments of Leonard Morse-Fortier to the Commission on Disability and Claire Sheth to the Recreation Committee |
| Approve Select Board Committee Reappointment | 3-Apr-24 | 0 | 0 | Paul O'Shaughnessy to be reappointed to HDC as a full member -- nominating authority for this seat is the Lexington Chamber of Commerce (needs to complete ethics) |
| Approve Request for Quotation (RFQ) Document for an Executive Search Consultant for Town Manager Search | 3-Apr-24 | 0 | 0 | Board to vote to approve search firm RFQ |

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|---|-----------|----|---|--|
| 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 3-Apr-24 | 10 | 1 | |
| Police Station Project Update | 3-Apr-24 | 15 | 2 | Update on the Police Station project and budget for solar - potential request for ARPA funding for solar canopy. |
| Discuss Lex250 invitations to the 250th Celebration | 3-Apr-24 | 10 | 3 | At the 3/20/2024 SB meeting Suzie requested to put this topic on the agenda |
| PLACEHOLDER - Approve Select Board Committee Appointment - Fund for Lexington - Trustees of Public Trusts Member | 8-Apr-24 | 0 | 0 | _____ as a member to the Fund for Lexington Board representing the Trustees of the Public Trusts |
| 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 8-Apr-24 | 10 | 1 | |
| Rectangle Rapid Flashing Beacon Discussion | 8-Apr-24 | 15 | 2 | The Town Engineering Department has been working with TEC on prioritizing the crossings on the Minuteman Bikeway as part of the participatory budgeting approval. |
| Request from Susan Barrett to seek approval to add a parking restriction on Depot Square for the Rev Shuttle. | 8-Apr-24 | 5 | 3 | 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. |
| Executive Session - Town Condomium Unit - Muzzey (former Senior Center) | 8-Apr-24 | 15 | 4 | With code violation corrections, the Town has been negotiating with the Muzzey Condo Board regarding the deed restriction on the Town's Condo Unit. |
| Approve and Sign Awards for Patriots' Day 2024 | 10-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) |
| Approve and Sign Water and Sewer Final | 10-Apr-24 | 0 | 0 | Email request from Robin on 3/25 |
| Approve One-Day Liquor Licenses - LABBB Collaborative x2 | 10-Apr-24 | 0 | 0 | LABBB Collaborative is hosting the annual Lexington Battle Green BBQ Festival in the Depot Lot 6/8-6/9 |
| Approve (Special Event) Entertainment License - LABBB Collaborative | 10-Apr-24 | 0 | 0 | Live band at the annual Lexington Battle Green BBQ Festival on 6/8 only |

| | | | | |
|---|-----------|----|---|---|
| Approve License for Public Entertainment on Sunday - LABBB Collaborative | 10-Apr-24 | 0 | 0 | Live band at the annual Lexington Battle Green BBQ Festival on 6/9 only |
| Eversource Grant of Location Petition - East Street | 10-Apr-24 | 10 | 1 | install 25 feet of conduit to upgrade electrical for Seaborn Place |
| Grant of Location Petitions - Pelham Road - Verizon/Eversource Joint-Owned Pole Petition - Eversource Petition | 10-Apr-24 | 15 | 2 | Verizon/Eversource request to move JO Pole P9; Eversource request to install 9 feet of conduit from moved pole o provide electric to a new development on Beech Tree Lane |
| 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 10-Apr-24 | | 3 | |
| Trees at Emery Park Discussion | 10-Apr-24 | 10 | 4 | The Town removed two trees from Emery Park. The discussion on the Center Charrette discussed highlighted Emery Park as a community gathering spot, staff has discussed whether it would be advisable to not replant the trees at this time and instead plant two trees elsewhere in Town. |
| Approve and Sign Proclamations - National Public Works Week; National Police Week/Peace Officers Memorial Day; AAPI Heritage Month; Mental Health Month | 24-Apr-24 | 0 | 0 | Annual proclamations: National Public Works Week 5/19-5/25; National Police Week/Peace Officers Memorial Day 5/12-5/18 & 5/15; AAPI Heritage Month (May); Mental Health Month (May) |
| Annual Limousine License Renewals | 24-Apr-24 | 0 | 0 | Expiration 5/1 (D&O Limo - all set; Boyadjian Limousine -) |
| 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 24-Apr-24 | | 1 | |
| PLACEHOLDER - Dissolve Ad Hoc Transportation Committee | 29-Apr-24 | 0 | 0 | Recommendations made at 10/2 meeting (outstanding minutes need to be turned into the TCO) |
| 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 29-Apr-24 | | 1 | |
| Charrette report discussion | 29-Apr-24 | 30 | 2 | Follow up from 3/6/2024 |
| Placeholder if needed - 2024 Annual Town Meeting - Select Board Article Discussion and Positions | 1-May-24 | | 1 | |

| | | | | |
|---|----------|----|---|---|
| Discussion on the Liberty Ride | 6-May-24 | 20 | 2 | Sandhya Iyer is seeking direction on the future of the Liberty Ride. She is recommending that the Town seek one additional year from Joseph's Transportation (2025-26) and then seekign to purchase a trolley and put out an RFP for driver/storage. |
| Power Options Presentation | 6-May-24 | 20 | 3 | Power Options completed the Fleet Electrification Roadmap, this is a presentation to the Board on the roadmap to electrify the Town's fleet. Contractor has been informed of May 6 as the day to attend |
| Discuss/Approve Modifications to the Fleet Electrification Policy | 6-May-24 | 10 | 4 | The Green Communities program is expanding to include a "Climate Leader Community" designation. Applications open this summer and Maggie is working to make sure we have all the pieces to be able to apply. Designation will mean we would have access to larger grants that we could use on municipal building decarbonization projects, among other things. Maggie Peard ran our Fleet Electrification Policy by DOER to see if it meets their requirements and there are a couple very minor edits they suggested to be extra careful that it will meet their requirements. |
| Zero Waste Survey Result | 6-May-24 | 20 | 5 | Tufts research team will present results of town-wide survey. Maggie Peard- lead |
| Bike and Ped Plan Update/Approval? | 6-May-24 | 15 | 6 | Next step in adopting the Bike/Ped Plan |
| PLACEHOLDER - Review and Approve Committee Meeting Conduct Norm Policy | 6-May-24 | 15 | 7 | Follow up from 12/18/2023 meeting |

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Select Board Meeting Minutes

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.1

SUMMARY:

Category: Decision-Making

At the March 11, 2024 meeting, Ms. McKenna asked that the Select Board not approve the 2/12/2024 minutes as written and requested that specific comments she and her husband made at the 2/12/2024 meeting for Item 3 - Update and Review of Roundabout and Lighting Installation on the Battle Green Streetscape Project be incorporated into the 2/12/2024 Select Board minutes.

Minutes are an official record of "actions" taken by a board or committee at a meeting and are not a transcript of the meeting. The minutes follow the order of the agenda, provide a topline summary for each item on the agenda and include any actions of a board or committee taken for any of the agenda items.

Upon review, It was determined the originally written 2/12/2024 draft meeting minutes did provide a topline summary for that item. It was noted, however, that the action of the Select Board to send comments to staff was missing from the original draft minutes and now has been added to the updated draft 2/12/2024 meeting minutes.

Attached redlined version of the updated draft 2/12/2024 meeting minutes shows edits made to the write up under Item 3 - Update and Review of Roundabout and Lighting Installation on the Battle Green Streetscape Project.

The Board is being asked to approve the updated draft 2/12/2024 meeting minutes as proposed and included in this meeting packet.

SUGGESTED MOTION:

to approve and release the February 12, 2024 Select Board Meeting minutes as proposed.

Move to approve the consent

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

ATTACHMENTS:

| Description | | Type |
|-------------|---|-----------------|
| 📎 | UPDATED DRAFT 02122024 Select Board | Backup Material |
| 📎 | UPDATED DRAFT 02122024 Select Board 4.1 - edits shown | 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, noted that each member had visited the site with her and that she would keep her remarks focused. She 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.

Mr. Pato requested that Board members send their reflections on how to proceed to Mr. Malloy. Noting that while Mr. Malloy cannot take direction from individual members, Mr. Pato explained that this would help staff understand Board members' individual concerns and structure future discussions. Ms McKenna expressed her concern that this communication may be in conflict with the Open Meeting Law and that she would like to see these messages. Mr. Pato replied that sharing of messages was at the discretion of each member.

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

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.

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| 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, noted that each member had visited the site with her and that she would keep her remarks focused. She 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.

Mr. Pato requested that Board members send their reflections on how to proceed to Mr. Malloy. Noting that while Mr. Malloy cannot take direction from individual members, Mr. Pato explained that this would help staff understand Board members' individual concerns and structure future discussions. Ms McKenna expressed her concern that this communication may be in conflict with the Open Meeting Law and that she would like to see these messages. Mr. Pato replied that sharing of messages was at the discretion of each member.

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:

Approve Town Manager Committee Reappointments

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.2

SUMMARY:

Category: Decision-Making

The Town Manager is requesting that the Select Board approve the reappointments of the following:

Commission on Disability

- Leonard Morse-Fortier. Mr. Morse-Fortier's term will be effective immediately with a term set to expire on October 30, 2026. State Conflict of Interest Law training is up-to-date.

Recreation Committee

- Claire Sheth. Ms. Sheth's term will be effective June 1, 2024 with a term set to expire on May 31, 2027. State Conflict of Interest Law training is up-to-date.

SUGGESTED MOTION:

To confirm the Town Manager's reappointments of Leonard Morse-Fortier to the Commission on Disability with a term set to expire on October 30, 2026 and Claire Sheth to the Recreation Committee with a term set to expire on May 31, 2027.

Move to approve the consent.

FOLLOW-UP:

Town Manager's Office

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

ATTACHMENTS:

| Description | | Type |
|---|---------------|-----------------|
|  | Morse-Fortier | Backup Material |
|  | Sheth | Backup Material |

Application Form

Profile

Attendance to a regularly scheduled meeting of the board or committee of interest is strongly encouraged when considering applying for membership. All committee meetings are open to the public and are posted at least 48 hours in advance of the meeting in our www.lexingtonma.gov/calendar.

If you are appointed to the board or committee for which you have applied, information from this application will be used to contact you regarding your appointment from the appointing authority as well as the Town Clerk's Office. Please do not offer information on this application you would prefer we not use.

Applications will be kept on file and considered as vacancies occur for up to one year unless otherwise noted.

If you have any questions or need more information regarding the completion of the application, please contact either the Select Board Office at 781-698-4580 or the Town Manager's Office at 781-698-4540.

Leonard

First Name

J

Middle
Initial

Morse-Fortier

Last Name

Nickname

Preferred Title (i.e. Mr., Ms., Mx., Dr., Rev)

[Redacted]

Email Address

Alternate Email Address (Optional)

[Redacted]

Home Address

Suite or Apt

[Redacted]

City

[Redacted]

State

[Redacted]

Postal Code

Length of Residence in Lexington (Note: ZBA requirement is a minimum of 8 years)

What Precinct do you live in?

☒ Precinct 7

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Employer

Job Title

Work Address

Which Boards would you like to apply for?

Commission on Disability: Appointed

Interests & Experiences

Please tell us about yourself and why you want to serve.

Special Training and/or Qualifications

Upload a Resume

Why are you interested in serving on a board or commission?

How did you hear about the board or commission for which you are applying?

Have you recently attended any meetings of the board or committee for which you are applying?

☒ Yes ☐ No

Have you confirmed your availability to attend the board or committee's meetings? (i.e. can attend at the time the committee regularly meets)

☒ Yes ☐ No

Do you currently serve on another board or committee?

☐ Yes ☒ No

If yes, please list date of most recent Conflict of Interest Law Training.

03/26/2024

Conflict of Interest Law Training Certificate

Application Form

Profile

Attendance to a regularly scheduled meeting of the board or committee of interest is strongly encouraged when considering applying for membership. All committee meetings are open to the public and are posted at least 48 hours in advance of the meeting in our www.lexingtonma.gov/calendar.

If you are appointed to the board or committee for which you have applied, information from this application will be used to contact you regarding your appointment from the appointing authority as well as the Town Clerk’s Office. Please do not offer information on this application you would prefer we not use.

Applications will be kept on file and considered as vacancies occur for up to one year unless otherwise noted.

If you have any questions or need more information regarding the completion of the application, please contact either the Select Board Office at 781-698-4580 or the Town Manager’s Office at 781-698-4540.

Claire Sheth
First Name Middle Initial Last Name

Nickname

Preferred Title (i.e. Mr., Ms., Mx., Dr., Rev)

[Redacted]
Email Address

Alternate Email Address (Optional)

[Redacted] Suite or Apt
Home Address
[Redacted] [Redacted]
City State Postal Code

Length of Residence in Lexington (Note: ZBA requirement is a minimum of 8 years)

16 yrs

What Precinct do you live in?

☒ Precinct 4

Home: [Redacted]
Primary Phone Alternate Phone

Bournewood Hospital Clinician
Employer Job Title

Work Address

[REDACTED]

Which Boards would you like to apply for?

Recreation Committee: Appointed

Interests & Experiences

Please tell us about yourself and why you want to serve.

Special Training and/or Qualifications

Upload a Resume

Why are you interested in serving on a board or commission?

I have completed one term and learned so much that I now feel even better able to boost my impact on the committee moving forward.

How did you hear about the board or commission for which you are applying?

Town Meeting attendance and membership.

Have you recently attended any meetings of the board or committee for which you are applying?

☒ Yes ☐ No

Have you confirmed your availability to attend the board or committee's meetings? (i.e. can attend at the time the committee regularly meets)

☒ Yes ☐ No

Do you currently serve on another board or committee?

☐ Yes ☒ No

If yes, please list date of most recent Conflict of Interest Law Training.

08/17/2021

Conflict of Interest Law Training Certificate

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Select Board Committee Reappointment

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.3

SUMMARY:

Category: Decision-Making

Reappointment:

Historic Districts Commission

- The Select Board is being asked to reappoint Paul O'Shaughnessy as a full member on the Historic Districts Commission (HDC) representing the Lexington Chamber of Commerce. Mr. O'Shaughnessy's term expired at the end of December 2023 (as *defined in Chapter 447, Acts of 1956, members continue to serve until an appointment is made*). The Lexington Chamber of Commerce supports his reappointment. The expiration date would be set for December 31, 2028. State Conflict of Interest Law Online Training is up to date.

SUGGESTED MOTION:

To reappoint Paul O'Shaughnessy as a full member of the Historic Districts Commission representing the Lexington Chamber of Commerce for a five-year term set to expire on December 31, 2028.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Request for Quotation/Proposal Document Regarding Executive Search Consultants for Town Manager Search

PRESENTER:

Joe Pato, Select Board Chair

ITEM NUMBER:

C.4

SUMMARY:

Category: Decision-Making

The Select Board is being asked to approve a draft request for Quotation/Proposal for an Executive Search Consultant for Town Manager Search.

Board to review proposed schedule:

Proposed Dates

| | | |
|-----------|-----------------------|---|
| Friday | April 5, 2024 | Issue RFQ |
| Thursday | April 18, 2024 4:00pm | RFQ Responses due |
| Wednesday | April 24, 2024 | Select Board reviews submissions and vote interview consultant candidates at regular meeting |
| Monday | April 29, 2024 9am | Tentative date to Interview Consultants |
| | May 6-7, 2024 | Consultant meets individually with Select Board Members and Executive Clerk |
| | May 8-17 | Consultant respectively meets with: Screening Committee to discuss roles and meeting timeline; Senior Management Team; boards/committees; employees; interested community members |
| Monday | May 20 | At regular Select Board meeting, Consultants meets with Select Board to review profile of ideal candidate |

SUGGESTED MOTION:

To approve Request for Quotation/Proposal allowing for any non- substantive corrections/edits as deemed necessary and as advised by Purchasing Director and to authorize the Town Manager to release the Request

for Quotation/Proposal for an Executive Search Consultant for Town Manager Search.

Move to approve the consent.

FOLLOW-UP:

Town Manager

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

ATTACHMENTS:

| Description | Type |
|---------------------------------------|-----------------|
| ☐ Recruitment RFQ 2024 draft | Backup Material |
| ☐ Recruitment RFQ 2024 draft redlined | Backup Material |

REQUEST FOR QUOTATIONS #24-61

EXECUTIVE RECRUITING CONSULTANT

For the Town of Lexington

Town Manager

April 5, 2024

Response Due Date: Thursday, April 18, 2024 at 4:00 p.m.

Consultant Interviews Tentatively Scheduled for Monday, April 29, 2024 beginning at 9 a.m.

EXECUTIVE RECRUITING CONSULTANT – TOWN OF LEXINGTON

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| SELECTMEN-TOWN MANAGER ACT | Attachment 1 |

INTRODUCTION & PROJECT DESCRIPTION

The Town of Lexington Select Board is seeking quotes from qualified executive search consultants to work with the Board and the Town in the recruitment and selection of an exceptional candidate for the position of Town Manager for the Town of Lexington.

ABOUT THE TOWN OF LEXINGTON

Current statistics about Lexington:

- Lexington's land area is 16.6 square miles.
- Approximately 63% of the land in town is in private ownership;
- Approximately 12% of the land is publicly held conservation land.
- A population of 34,074.
- Lexington has 12,385 households.
- Lexington has 6,805 public school children
- Lexington has 7,155 senior citizens.
- Per Capital Income \$102,776
- Equalized Valuation per capita: \$441,222
- Bond Rating: Aaa
- Business Tax Base: BioPharm Cluster of 31 companies and a visitor-based retail-based Center
- Commercial property taxes make up 23.2% of property tax base
- FY25 budget-all funds: \$290,052,759
- Commitment to an aggressive capital plan – recently completed state of the art Fire Headquarters, two net-zero schools, new virtually net-zero police station nearing completion, in process with MSBA for new or renovated high school as well as two major streetscape plans in the town center.
- Semiquincentennial Celebration- local, regional and state planning underway for April 19, 2025 for the 250th anniversary of the Battle of Lexington, the first battle of the American Revolution.

Lexington provides a multitude of public resources for its residents:

- Cary Memorial Library, providing resources and programming for residents of all ages
- A variety of public transportation options, including a local bus system and MBTA bus service
- Lexington public schools have a reputation for excellence and consistently rank among the top public schools in Massachusetts.
- Cary Memorial Building, featuring Battin Hall, is home to the Lexington Symphony and many other shows and events
- Lexington Community Center, with its dining room, fitness center, game rooms and meeting rooms for community groups
- Town Human Services Department, providing Senior, Veteran, and Youth and Family resources and services
- Town Recreation and Community Programs Department, managing the Town pool and beach, and providing sports and leisure programming for children, teens and adults

A Snapshot of Lexington

Lexington was first settled in 1642 as a farming community that was part of Cambridge. It became the parish of Cambridge Farms in 1691, and was incorporated as a separate town in 1713. The town experienced rapid housing development after World War II with the growth of the Boston urban area and the decline of agriculture.

While the town is primarily residential, a number of industries and commercial establishments employ more than 16,000 people in Lexington. Services and manufacturing are the two largest employment sectors. The major shopping area is the central business district. Lexington Center is a well-maintained area with retail stores, professional offices, banks, and restaurants.

Lexington is a diverse/welcoming community with a growing and engaged multicultural populations. The Town has always been blessed with active individuals, and participation of new as well as long-term residents is always welcome. Town government provides a variety of opportunities for public involvement.

We are committed to fostering a diverse, inclusive, and equitable community that thrives on the principles of respect, dignity, and fairness. We recognize that diversity enriches our community, brings together unique perspectives, and strengthens our ability to effectively serve our residents.

We aim for full inclusion by: increasing and broadening diverse participation in our professional ranks and civic activities; welcoming all people in Lexington; considering health in all decisions; and providing recreation facilities for all. We honor our rich historic traditions and take pride in Lex250th celebration events. We strive to diversify the commercial tax base to reduce financial burdens on residents allowing more to remain and lower the barriers for new residents to call Lexington home.

We are committed to being a sustainable and resilient community for all, where we strive to reduce greenhouse gas emissions, create cleaner indoor and outdoor environments, and ensure all members of our community have access to the tools they need to be resilient in a changing climate.

ABOUT THE POSITION:

See Attachment 1 – Board of Selectmen-Town Manager Act.

SCHEDULE AND TIME LINE

The Select Board will vote to award the executive search consultant contract by Monday April 29 and prefer to select a new Town Manager 16 weeks after the Executive Recruiting Consultant is engaged by the Town.

SUBMISSION DEADLINE AND INSTRUCTIONS

Responses are due no later than **4:00 on Thursday, April 18, 2024** to:

Select Board Office
Lexington Town Office Building
1625 Massachusetts Avenue
Lexington, MA 02420

Or via email: Selectboard@lexingtonma.gov

The following information is specifically required:

1. Name and address of applicant, telephone/fax numbers and e-mail address.
2. Brief résumé of principals and of the staff to be assigned to the Project.
3. List of completed projects that would best illustrate qualifications for the Project including full project timeline from inception to completion.
4. Three references for projects of a similar or larger scope, size and complexity, with contact name, title and telephone number of the person who can speak to the quality of services provided for similar Town Manager /Town Administrator recruitment processes.
5. Names and qualifications of any outside vendors that may be used for the Project.
6. Statement of the scope and type of services proposed for the Project. Based on the guidelines and information in this RFQ, the applicant should describe the process and methodology to be used in the completion of services with specific reference to examples of similar projects in which this methodology has been used and diversity of applicant pool recruited.
7. Statement of any legal or administrative proceedings, pending or concluded adversely, to the applicant within the past five (5) years which relate to the applicant's performance of this type of work.
8. Appropriate certifications of insurance.
9. Provide samples of work, such as reports, a sample position profile, evaluation forms and other decision-making tools
10. Summary of expected costs, including estimated consulting fees, advertisement costs, travel expenses (including expected number of trips) and other miscellaneous costs
11. A current firm brochure may be submitted with the proposal.
12. Completion of the forms located at the end of this RFQ package.

Note: For other governmental entities that may be responding to this RFQ:

- Tax Compliance Certification: Indicate on this document that as a governmental entity, this does not apply.
- Certificate of Corporate Authority: Indicate on this document that as a governmental entity, this does not apply.
- Non Collusion: Head of governmental office responding to the RFQ can sign this form.

13. Fee Proposal: The Select Board expects that while the final fee will be negotiated (largely based on the number of stakeholder meetings it requests) proposals should include a separate fee proposal based on the scope of work outlined.

INSURANCE AND IDEMNIFICATION

The selected firm shall obtain and maintain at its own expense, general liability/property and motor vehicle liability insurance policies protecting the Town of Lexington in connection with any operations included in this contract, and shall have the Town of Lexington listed as additionally insured on the policies. General liability coverage shall be in the amount of \$1,000,000 per occurrence and \$2,000,000 aggregate for general liability and property damage. Workers' compensation insurance and motor vehicle liability insurance shall be in the amounts that are in accordance with the requirements of Massachusetts law, unless otherwise waived by the Town.

Indemnification: The successful applicant shall agree to indemnify and hold harmless the Town of Lexington and its officers, boards and employees, and the Select Board, from and against all claims, causes of action, suits, damages and liability of any kind which arise out of the negligence or willful misconduct of the successful applicant or its officers, employees, agents and representatives regarding the project manager services performed.

Proposals must be signed as follows:

1. If the proposer is an individual, by her/him personally.
2. If the proposer is a partnership, by the name of the partnership, followed by the signature of each general partner.
3. If the proposer is a corporation, by the authorized officer, whose signature must be attested to by the Clerk/Secretary of the corporation and corporate seal affixed.

The Lexington Select Board, as the awarding authority, reserves the right to accept any proposal in whole, and to reject any and all proposals if it shall be deemed in the best interests of the Town of Lexington to do so.

QUESTIONS, ADDENDUM, OR PROPOSAL MODIFICATION

Questions concerning this request must be submitted via email to Kim Katzenback kkatzenback@lexingtonma.gov. Inquiries must be received no later than 1:00 PM on Friday, April 12, 2024 in order to be considered. Responses to inquiries that affect all bidders or modifications to the RFQ will be issued as an addendum via email to all applicants on record as having received the RFQ.

All proposals submitted in response to this RFQ shall remain firm for ninety (90) days following the response deadline. It is the Town's intent to award the contract within 30 days after the response deadline. The time for award may be extended for up to 45 additional days by mutual agreement between the Select Board and the highest ranked applicant, on the basis of the responses to the Scope of Work stated below.

After the response deadline, an applicant may not change any provision of the proposal in a manner prejudicial to the interests of the Town of Lexington or fair competition. Minor informalities may be waived or the applicant may be allowed to correct them.

SCOPE OF WORK

The consultant shall:

1. Meet with the Select Board and Screening Committee as frequently and for such time as may be necessary to carry out their work;
2. Prepare, in consultation with and approval by the Select Board, a plan for the search, recruitment and selection of a qualified candidate for the position of Town Manager;
3. Assist in establishing a profile of the desired candidate, reflecting the qualities and attributes the Select Board believes the Town Manager should possess. The Select Board believes that the successful candidate will comply with the Code of Ethics of the ICMA or Massachusetts Municipal Management Association;
4. Create a profile for the Town of Lexington that encompasses the uniqueness of the community, demographics, economic stability, strong sense of volunteerism, and form of government;
5. Review the Board of Selectmen-Town Manager Act (Attachment 1);
6. Develop and conduct a plan to advertise the position, including preparation of advertisements for publication and listing of professional recruiting avenues.
7. Oversee and guide the screening committee in soliciting community input through listening and discussion sessions with Town Boards and Committees, Town employees, citizens and other community stakeholders, as outlined in the timeline, to help inform the Select Board and Screening Committee on the qualities, strengths and management style desired in a new Town Manager. This shall include assistance in developing the process for soliciting opinions, creating vehicles for eliciting stakeholder feedback, compiling results and reporting conclusions. Consultant(s) to present findings and recommendations from stakeholders and information gathering process to Select Board.
8. Assist the Select board in establishing selection criteria for evaluating Town Manager candidates
9. Utilize the consultant's network of local government professionals and other search activities to recruit a diverse pool of qualified applicants that match the established candidate profile of this position;

10. Identify potential candidates suitable for position and motivate them to apply;
11. Directly receive all applications/resumes. Prepare a recruitment report of all candidates meeting the requirements of the position profile from the submitted applications with recommendations of possible candidates for review; Specify disqualifying reason for any candidates not recommended;
12. Provide appropriate training and guidance to Screening Committee and Select Board;
13. Assist the Screening Committee in reviewing applications, including provision of preliminary background screening for any candidates to be interviewed;
14. Assist the Screening Committee in vetting and interviewing of candidates, including development of questions, essays, and scenarios, and handling of all scheduling and logistics. Interviews may include initial virtual screenings, but strong preference for semi-final interviews to be in person;
15. Assist the Select Board, collectively and individually, as well as any resident or staff panel, in preparing for interviews in executive session and in open session under the Massachusetts Open Meeting law as appropriate;
16. Conduct a full reference and background check (including social media) of the finalists prior to any interview by the Select Board;
17. Organize and moderate a public “meet and greet” session for the finalists;
18. Assist in negotiating and drafting of employment agreement and terms and conditions with the finalist, generally assist in hiring process up to and including acceptance of an Employment Agreement by the selected candidate as requested by Select Board and/or Town’s Human Resources department;
19. Make every effort to successfully complete the requirements of this Contract within 16 weeks from the date of the signed contract;
20. Conduct other related tasks as may be requested by the Select Board.

TIMELINE:

Interviews of consultants for this project are tentatively scheduled for Monday, April 29, 2024 at 9 a.m.

Proposed dates to develop ideal candidate profile (tentative). The Select Board understands that this is an aggressive schedule and may need to be flexible in meeting dates.

- May 6-7: Consultant meets individually with Select Board Members and Executive Clerk
- May 8-17: Consultant meets with:
 - Screening Committee to discuss roles and meeting timeline
 - Senior Management Team
 - boards/committees
 - employees
 - interested community members
- May 20: Consultants meets with Select Board to review profile of ideal candidate

The Town desires that the consultant make every effort to bring this process to completion within 16 weeks from the signed contract for services but recognizes that scheduling of various meetings may extend this timeline.

MINIMUM REQUIREMENTS/QUALIFICATIONS

Consultants shall have been in the business of providing recruitment services for a minimum of (3) three years. The Lead consultant shall have successfully completed a similar process presenting a diverse pool of candidate applicants in a similar timeframe for the selection of at least (3) three similar positions such as Town Manager or Town Administrator for comparable communities within the past thirty-six months. Consultant shall provide diversity profile of applicants for each such position and timeline of completed process

FEE

The proposed fee for this project should be included as part of the quote response and will be negotiated **upon selection and agreed upon workplan**. The fee will include all expenses, direct and indirect, for this project. All proposals shall belong to the Town of Lexington. The successful applicant shall agree to comply with all applicable federal, state and local laws in its performance of its contract with the Town of Lexington.

TOWN OF LEXINGTON

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c.62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, the below named business is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

(Date) (Signature of individual submitting bid or proposal)

(Printed name of person signing bid or proposal)

(Name of business)

(Business address)

(Business phone number)

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

TOWN OF LEXINGTON

CERTIFICATE OF CORPORATE AUTHORITY

The principal, officer or person to sign below pledges under penalties of perjury, that he or she has been designated by the owner(s) or the Board of Directors of the below named firm as an authorized representative.

(Date) (Signature of individual submitting bid or proposal)

(Printed name and title of person signing bid or proposal)

(Name of business)

(Business address)

(Business phone number)

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

TOWN OF LEXINGTON

NON-COLLUSION STATEMENT

CONTRACTOR'S CERTIFICATION IN BID/PROPOSAL TO BE ATTACHED TO CONTRACT

Any person submitting a Bid or Proposal for the procurement or disposal of supplies and services to any governmental body shall certify in writing, on the Bid or Proposal, as follows:

“The undersigned certifies under penalties of perjury that this Bid or Proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity or group of individuals.”

(Date) (Signature of person signing bid or proposal)

(Printed name of person signing bid or proposal)

(Title)

(Name of Business)

(Business address)

(Business Phone Number)

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

SIGNATURE PAGE

The applicant hereby certifies that:

1. The applicant has not given, offered, or agreed to give any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of contract for these services.
2. No consultant to, or subcontractor for the applicant has given, offered, or agreed to give any gift, contribution or offer of employment to the applicant, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the applicant.
3. That no person, corporation, or, other entity other than a bona fide full-time employee of the applicant has been retained or hired to solicit for, or in any way assist the applicant in obtaining the contract for services upon an agreement or understanding that such person, corporation, or entity be paid a fee or other compensation contingent upon the award of the contract to the applicant.

I hereby attest with full knowledge of the penalties for perjury, as in accordance with Massachusetts G.L. C.7, S.38E that all information provided in this application for services is correct.

Firm

Signee (written)

Signee (typed/printed)

Title

Date

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

ATTACHMENT 1

BOARD OF SELECTMEN-TOWN MANAGER ACT

REQUEST FOR QUOTATIONS #24-61

EXECUTIVE RECRUITING CONSULTANT

For the Town of Lexington

Town Manager

April ~~10~~5, 2024

Response Due Date: Thursday, April ~~25~~18, 2024 at ~~4~~4:00 ~~pa~~.m.

Consultant Interviews Tentatively Scheduled for Monday, ~~May 6~~April 29, 2024 beginning at 9 a.m.

EXECUTIVE RECRUITING CONSULTANT – TOWN OF LEXINGTON

DRAFT

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- Town Human Services Department, providing Senior, Veteran, and Youth and Family resources and services
- Town Recreation and Community Programs Department, managing the Town pool and beach, and providing sports and leisure programming for children, teens and adults

Commented [KK1]: CIP taxes are 23.1% of levy; CIP assessed value is 13.2%

A Snapshot of Lexington

Lexington was first settled in 1642 as a farming community that was part of Cambridge. It became the parish of Cambridge Farms in 1691, and was incorporated as a separate town in 1713. The town experienced rapid housing development after World War II with the growth of the Boston urban area and the decline of agriculture.

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We are committed to being a sustainable and resilient community for all, where we strive to reduce greenhouse gas emissions, create cleaner indoor and outdoor environments, and ensure all members of our community have access to the tools they need to be resilient in a changing climate.

ABOUT THE POSITION:

See Attachment 1 – Board of Selectmen-Town Manager Act.

SCHEDULE AND TIME LINE

The Select Board will vote to award the executive search consultant contract by Monday ~~May 6~~ April 29 and prefer to select a new Town Manager 16 weeks after the Executive Recruiting Consultant is engaged by the Town.

Commented [KK2]: Question was raised is the accurate?

SUBMISSION DEADLINE AND INSTRUCTIONS

Responses are due no later than **4:30-00 on Thursday, April 25¹⁸, 2024** to:

Select Board Office
Lexington Town Office Building
1625 Massachusetts Avenue
Lexington, MA 02420

Or via email: Selectboard@lexingtonma.gov

The following information is specifically required:

1. Name and address of applicant, telephone/fax numbers and e-mail address.
2. Brief résumé of principals and of the staff to be assigned to the Project.
3. List of completed projects that would best illustrate qualifications for the Project including full project timeline from inception to completion.
4. Three references for projects of a similar or larger scope, size and complexity, with contact name, title and telephone number of the person who can speak to the quality of services provided for similar Town Manager /Town Administrator recruitment processes.
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Indemnification: The successful applicant shall agree to indemnify and hold harmless the Town of Lexington and its officers, boards and employees, and the Select Board, from and against all claims, causes of action, suits, damages and liability of any kind which arise out of the negligence or willful misconduct of the successful applicant or its officers, employees, agents and representatives regarding the project manager services performed.

Proposals must be signed as follows:

1. If the proposer is an individual, by her/him personally.
2. If the proposer is a partnership, by the name of the partnership, followed by the signature of each general partner.
3. If the proposer is a corporation, by the authorized officer, whose signature must be attested to by the Clerk/Secretary of the corporation and corporate seal affixed.

The Lexington Select Board, as the awarding authority, reserves the right to accept any proposal in whole, and to reject any and all proposals if it shall be deemed in the best interests of the Town of Lexington to do so.

QUESTIONS, ADDENDUM, OR PROPOSAL MODIFICATION

Questions concerning this request must be submitted via email to Kim Katzenback kkatzenback@lexingtonma.gov. Inquiries must be received no later than 1:00 PM on Friday, April ~~19~~¹², 2024 in order to be considered. Responses to inquiries that affect all bidders or modifications to the RFQ will be issued as an addendum via email to all applicants on record as having received the RFQ.

All proposals submitted in response to this RFQ shall remain firm for ninety (90) days following the response deadline. It is the Town's intent to award the contract within 30 days after the response deadline. The time for award may be extended for up to 45 additional days by mutual agreement between the Select Board and the highest ranked applicant, on the basis of the responses to the Scope of Work stated below.

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The consultant shall:

1. Meet with the Select Board and Screening Committee as frequently and for such time as may be necessary to carry out their work;
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3. Assist in establishing a profile of the desired candidate, reflecting the qualities and attributes the Select Board believes the Town Manager should possess. The Select Board believes that the successful candidate will comply with the Code of Ethics of the ICMA or Massachusetts Municipal Management Association;
4. Create a profile for the Town of Lexington that encompasses the uniqueness of the community, demographics, economic stability, strong sense of volunteerism, and form of government;
5. Review the Board of Selectmen-Town Manager Act (Attachment 1);
6. Develop and conduct a plan to advertise the position, including preparation of advertisements for publication and listing of professional recruiting avenues.
7. Oversee and guide the screening committee in soliciting community input through listening and discussion sessions with Town Boards and Committees, Town employees, citizens and other community stakeholders, as outlined in the timeline, to help inform the Select Board and Screening Committee on the qualities, strengths and management style desired in a new Town Manager. This shall include assistance in developing the process for soliciting opinions, creating vehicles for eliciting stakeholder feedback, compiling results and reporting conclusions. Consultant(s) to present findings and recommendations from stakeholders and information gathering process to Select Board.
8. Assist the Select board in establishing selection criteria for evaluating Town Manager candidates
9. Utilize the consultant's network of local government professionals and other search activities to recruit a diverse pool of qualified applicants that match the established candidate profile of this position;
10. Identify potential candidates suitable for position and motivate them to apply;

11. Directly receive all applications/resumes. Prepare a recruitment report of all candidates meeting the requirements of the position profile from the submitted applications with recommendations of possible candidates for review; Specify disqualifying reason for any candidates not recommended;
12. Provide appropriate training and guidance to Screening Committee and Select Board;
13. Assist the Screening Committee in reviewing applications, including provision of preliminary background screening for any candidates to be interviewed;
14. Assist the Screening Committee in vetting and interviewing of candidates, including development of questions, essays, and scenarios, and handling of all scheduling and logistics. Interviews may include initial virtual screenings, but strong preference for semi-final interviews to be in person;
15. Assist the Select Board, collectively and individually, as well as any resident or staff panel, in preparing for interviews in executive session and in open session under the Massachusetts Open Meeting law as appropriate;
16. Conduct a full reference and background check (including social media) of the finalists prior to any interview by the Select Board;
17. Organize and moderate a public “meet and greet” session for the finalists;
18. Assist in negotiating and drafting of employment agreement and terms and conditions with the finalist, generally assist in hiring process up to and including acceptance of an Employment Agreement by the selected candidate as requested by Select Board and/or Town’s Human Resources department;
19. Make every effort to successfully complete the requirements of this Contract within 16 weeks from the date of the signed contract;
20. Conduct other related tasks as may be requested by the Select Board.

TIMELINE:

Interviews of consultants for this project are tentatively scheduled for Monday, ~~May 6~~April 29, 2024 at 9 a.m.

Proposed dates to develop ideal candidate profile (tentative). The Select Board understands that this is an aggressive schedule and may need to be flexible in meeting dates.

- May ~~8-10~~⁶⁻⁷: Consultant meets individually with Select Board Members and Executive Clerk
- May ~~13~~⁸⁻¹⁷: Consultant meets with
 - Screening Committee to discuss roles and meeting timeline
 - Senior Management Team
 - boards/committees
 - employees
 - interested community members
- May 20: Consultants meets with Select Board to review profile of ideal candidate

The Town desires that the consultant make every effort to bring this process to completion within 16 weeks from the signed contract for services but recognizes that scheduling of various meetings may extend this timeline.

MINIMUM REQUIREMENTS/QUALIFICATIONS

Consultants shall have been in the business of providing recruitment services for a minimum of (3) three years. The Lead consultant shall have successfully completed a similar process presenting a diverse pool of candidate applicants in a similar timeframe for the selection of at least (3) three similar positions such as Town Manager or Town Administrator for comparable communities within the past thirty-six months. Consultant shall provide diversity profile of applicants for each such position and timeline of completed process

FEE

The proposed fee for this project should be included as part of the quote response and will be negotiated **upon selection and agreed upon workplan**. The fee will include all expenses, direct and indirect, for this project. All proposals shall belong to the Town of Lexington. The successful applicant shall agree to comply with all applicable federal, state and local laws in its performance of its contract with the Town of Lexington.

TOWN OF LEXINGTON

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c.62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, the below named business is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

(Date) (Signature of individual submitting bid or proposal)

(Printed name of person signing bid or proposal)

(Name of business)

(Business address)

(Business phone number)

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

TOWN OF LEXINGTON

CERTIFICATE OF CORPORATE AUTHORITY

The principal, officer or person to sign below pledges under penalties of perjury, that he or she has been designated by the owner(s) or the Board of Directors of the below named firm as an authorized representative.

(Date) (Signature of individual submitting bid or proposal)

(Printed name and title of person signing bid or proposal)

(Name of business)

(Business address)

(Business phone number)

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

TOWN OF LEXINGTON

NON-COLLUSION STATEMENT

CONTRACTOR'S CERTIFICATION IN BID/PROPOSAL TO BE ATTACHED TO CONTRACT

Any person submitting a Bid or Proposal for the procurement or disposal of supplies and services to any governmental body shall certify in writing, on the Bid or Proposal, as follows:

"The undersigned certifies under penalties of perjury that this Bid or Proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity or group of individuals."

(Date) (Signature of person signing bid or proposal)

(Printed name of person signing bid or proposal)

(Title)

(Name of Business)

(Business address)

(Business Phone Number)

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

SIGNATURE PAGE

The applicant hereby certifies that:

1. The applicant has not given, offered, or agreed to give any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of contract for these services.
2. No consultant to, or subcontractor for the applicant has given, offered, or agreed to give any gift, contribution or offer of employment to the applicant, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the applicant.
3. That no person, corporation, or, other entity other than a bona fide full-time employee of the applicant has been retained or hired to solicit for, or in any way assist the applicant in obtaining the contract for services upon an agreement or understanding that such person, corporation, or entity be paid a fee or other compensation contingent upon the award of the contract to the applicant.

I hereby attest with full knowledge of the penalties for perjury, as in accordance with Massachusetts G.L. C.7, S.38E that all information provided in this application for services is correct.

Firm

Signee (written)

Signee (typed/printed)

Title

Date

MUST BE COMPLETED AND INCLUDED WITH SUBMISSION

ATTACHMENT 1

BOARD OF SELECTMEN-TOWN MANAGER ACT

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

2024 Annual Town Meeting

PRESENTER:

Board Discussion

ITEM NUMBER:

I.1

SUMMARY:

Category: Informing

2024 Annual Town Meeting

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

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

6:15pm

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| <input type="checkbox"/> Select Board Working Document - Positions 2024 ATM | Backup Material |
| <input type="checkbox"/> Atr 48 motion | Backup Material |
| <input type="checkbox"/> Art 48 S. Kaufman amendment 1 | Backup Material |
| <input type="checkbox"/> Art 48 S. Kaufman amendment 2 | Backup Material |
| <input type="checkbox"/> Atr 48 T. Shiple Amendment | Backup Material |

**Select Board Positions
Working Document**

as of April 2, 2024

| # | Article Name | ARTICLE UPDATE AT SELECT BOARD MTG | SELECT BOARD PRSNTR | CONSENT | IP | JP | SB | DL | JH | MS |
|---------------------------|---|---|---------------------------|---------|----|----|----|----|----|----|
| - | | | - | | | | | | | |
| - | | | - | | | | | | | |
| - | | | | | | | | | | |
| 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 |
| - | | | SB | C | | | | | | |
| 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 | | | | | | |
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| | | | | | | | | | | |
| | | | | | | | | | | |
| | i. Affordable Housing Trust Funding – \$3,200,000 | | | | | Y | Y | Y | Y | Y |
| | | | | C | | | | | | |
| | | | | C | | | | | | |
| 11 | Appropriate For Recreation Capital Projects | | SB | C | | Y | Y | Y | Y | Y |

Note: As Articles are voted on at Town Meeting they are removed from the working document list

**Select Board Positions
Working Document**

as of April 2, 2024

| # | Article Name | ARTICLE UPDATE AT SELECT BOARD MTG | SELECT BOARD PRSNTR | CONSENT | IP | JP | SB | DL | JH | MS |
|---|--------------|---|---------------------------|---------|----|----|----|----|----|----|
| - | | | MS | | | | | | | |
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| - | | | MS | C | | | | | | |
| - | | | DL | C | | | | | | |

Note: As Articles are voted on at Town Meeting they are removed from the working document list

**Select Board Positions
Working Document**

as of April 2, 2024

| # | Article Name | ARTICLE UPDATE AT SELECT BOARD MTG | SELECT BOARD PRSNTR | CONSENT | IP | JP | SB | DL | JH | MS |
|------------------|---|---|---------------------------|---------|----|----|----|----|----|----|
| - | | | MS | | | | | | | |
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| - | | | DL | C | | | | | | |
| - | | | JH | | | | | | | |
| - | | | SB | | | | | | | |
| - | | | SB | C | | | | | | |
| 21 | Amend Fy2024 Operating, Enterprise And CPA Budgets | | JH | | | Y | Y | Y | Y | Y |
| - | | | DL | C | | | | | | |
| - | | | MS | | | | | | | |
| 24 | Appropriate Funding For Semiquincentennial Commission | 2/5/2024 | SB | | | | | | | |
| - | | | SB | | | Y | Y | Y | Y | Y |
| - | | | JP | | | | | | | |
| - | | | JP | | | | | | | |
| General Articles | | | | | | | | | | |
| - | | | DL | C | | | | | | |
| - | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| - | | | JH | C | | | | | | |

Note: As Articles are voted on at Town Meeting they are removed from the working document list

**Select Board Positions
Working Document**

as of April 2, 2024

| # | 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 |
| - | | | | | | | | | | |
| 33 | Authorize Affordable Housing Trust To Seek Affordable Housing | 2/5/2024 | MS | | | Y | Y | Y | Y | Y |
| | -Galaisis Amendment 1 | | | | | N | N | N | N | N |
| | -Galaisis Amendment 2 | | | | | N | N | N | N | N |
| 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 | N | Y | Y |
| - | | | DL | | | | | | | |
| 40 | Integrated Pest Management Resolution (Citizen Petition) | 2/12/2024 | MS | | | Y | Y | Y | Y | Y |
| - | | 3/4/2024 | JH | | | | | | | |
| - | | | | | | | | | | |
| 43 | Voting Rights 16 And Older (Citizen Petition) | 2/12/2024 | DL | | | Y | W | Y | W | Y |
| - | | | SB | C | | | | | | |
| 45 | Indigenous Peoples Day (Citizen Petition) | 2/12/2024 | JH | | | Y | Y | W | Y | Y |
| 46 | Royal Family Invitation To 250th Celebration - IP | | DL | | IP | IP | IP | IP | IP | IP |
| Zoning Articles | | | | | | | | | | |
| 47 | Amend Zoning Bylaw - Signs | 2/26/2024 | JP | | | Y | W | W | Y | W |

Note: As Articles are voted on at Town Meeting they are removed from the working document list

**Select Board Positions
Working Document**

as of April 2, 2024

| # | Article Name | ARTICLE UPDATE AT SELECT BOARD MTG | SELECT BOARD PRSNTR | CONSENT | IP | JP | SB | DL | JH | MS |
|----|--|---|---------------------------|---------|----|----|----|----|----|----|
| 48 | Amend Zoning Bylaw - Short Term Rentals | 2/26/2024 | DL | | | W | Y | Y | Y | W |
| | - Kaufman Amendment 1 | | | | | | | | | |
| | - Kaufman Amendment 2 | | | | | | | | | |
| | - Shi;ple Amendment | | | | | | | | | |
| 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 |
| 51 | Amend Zoning Bylaw – Maximum Height For Village Overlay District | 2/26/2024 | JH | | | Y | Y | Y | Y | W |
| 52 | Amend Zoning Bylaw And Map - Technical Corrections | 2/26/2024 | SB | | | Y | Y | Y | Y | Y |
| - | | | JH | C | | | | | | |
| - | | | JH | C | | | | | | |

Note: As Articles are voted on at Town Meeting they are removed from the working document list

Town of Lexington
Motion
2024 Annual Town Meeting

ARTICLE 48

AMEND ZONING BYLAW – SHORT TERM RENTALS

MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck through~~ text is to be removed and underlined text is to be added:

1. Amend § 135-6.10 as follows:

6.10 SHORT TERM RENTALS.

6.10.1 PURPOSE.

The purposes of this section are to:

1. Provide a process through which certain ~~residential~~ dwelling units and bedrooms within dwelling units may be registered with the Town of Lexington for use as “short-term rentals”;
2. Provide health and safety standards for short-term rentals; and
3. Provide for the orderly operation of short-term rentals within the Town’s residential neighborhoods.

6.10.2 DEFINITIONS.

Operator-adjacent short-term rental: The short-term rental of a dwelling unit, that is not the primary residence of the operator's primary residence, but is located within a dwelling with on a lot containing a total of four or fewer two dwelling units where one of the dwelling units in the building is the primary residence of the operator.

Operator-occupied short-term rental: The short-term rental of a dwelling unit, or of individual bedrooms within a dwelling unit, that is the primary residence of its operator.

Short-term rental: Any rental of a ~~residential~~ dwelling unit, or of a bedroom within a dwelling unit, in exchange for payment, as residential accommodations for a duration of less than thirty (30) consecutive days, but not a bed-and-breakfast home, hotel, or motel.

Short-term renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as for a short-term rental.

Short-term rental operator: The person or persons offering a dwelling unit or bedroom within a dwelling unit, for short-term rental, with the written permission of the owner,

Town of Lexington
Motion
2024 Annual Town Meeting

condominium association, and homeowners association where applicable.

6.10.3 REQUIREMENTS. Operator-occupied, and operator-adjacent short-term rentals are permitted as an accessory use to a permitted principal residential use, subject to the following requirements:

1. No dwelling unit, or bedroom within a dwelling unit, may be used as a short-term rental except in compliance with this bylaw.
2. The following kinds of dwelling units, and bedrooms within the following kinds of dwelling units, may not be used as short-term rentals:
 - i. Dwelling units designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law;
 - ii. Accessory Apartments as defined in Section 6.7; ~~and~~
 - iii. Dwelling units on lots containing three (3) or more dwelling units.
 - iv. Any dwelling unit in violation of the State Sanitary Code, 105 CMR 410.3.
3. All short-term rental operators shall register with the Building and Zoning Office prior to short-term rental use and occupancy in conformance with Section 6.10.5 below.
4. ~~A short-term rental operator may make available no more than one (1) dwelling unit for operator-occupied short-term rentals, which may include the separate short-term rental of no more than three (3) individual bedrooms, and one (1) dwelling unit for operator-adjacent short-term rentals, which may be rented only as a whole unit to one (1) party of short-term renters at any one (1) time and may not be rented as separate bedrooms to separate parties.~~

A short-term rental operator may make no more than one (1) dwelling unit or two (2) bedrooms available for rent by one (1) party at a time for operator occupied short-term rentals.

A short-term rental operator may make no more than one (1) dwelling unit available for operator-adjacent short term rentals, which dwelling unit may be rented only as a whole unit to one (1) party at a time. Separate bedrooms may not be rented to separate parties in operator-adjacent short term rentals.

No more than two (2) adult guests per bedroom or ten (10) per dwelling, whichever is less, are permitted in a short-term rental.

Town of Lexington
Motion
2024 Annual Town Meeting

5. A short-term rental shall be limited to parking of one (1) vehicle per lawful bedroom in the short-term rental and no more than 4 vehicles on a lot.
6. ~~The short-term rental operator or their agent shall maintain an up-to-date log of all occupants that occupy the short-term rental, which shall contain the occupants' names, ages, and dates of commencement and expiration of each short-term rental period. The log shall be available for inspection by the Town's Board of Health and Department of Public Safety in case of emergency. The purpose of this requirement is to ensure that the Town shall have basic identifying information of all occupants of the short-term rental at all times.~~
7. 6. The short-term rental operator must ensure that the property is be current with all town taxes, water, and sewage charges.
8. 7. All short-term rental operators shall maintain liability insurance appropriate to cover the short-term rental use.
9. 8. During any period of seven (7) or more consecutive days ~~when~~ during which the short-term rental operator is not sleeping overnight at ~~away from~~ the dwelling unit, an operator-occupied short-term rental may be rented only as a whole unit ~~and not rented as separate bedrooms to separate parties.~~
10. 9. The number of bedrooms made available for operator-occupied short-term rentals within a dwelling unit shall not be greater than one less than the number of lawful bedrooms in the dwelling unit.
11. 10. Renting for an hourly rate, or for rental durations of less than ten (10) consecutive hours, shall not be permitted.
12. 11. Short-term rentals shall not exceed in the aggregate, one-hundred-twenty (120) consecutive or nonconsecutive ~~calendar~~ days per calendar year when the short-term rental operator is not occupying the dwelling unit during the entire term of the short-term rental.
12. Short-term rentals may not be located in the same dwelling unit as rooming units.

6.10.4 REGULATIONS. The Building Commissioner shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section 6.10 "Short-Term Rentals."

6.10.5 REGISTRATION, INSPECTION AND FEES.

1. The short-term rental operator or the short-term rental operator's agent shall register with the Town. ~~All dwelling units, or bedrooms within a dwelling unit, offered for~~

Town of Lexington

Motion

2024 Annual Town Meeting

~~short-term rentals shall register with the Town,~~ secure a Certificate of Registration according to standards set forth by the Building Commissioner, and pay all associated fees for all dwelling units, or bedrooms within a dwelling unit, offered for short-term rental. The Certificate of Registration shall require the short-term rental operator to agree to abide by the requirements of this Section 6.10.

2. ~~It is the responsibility of t~~ The short-term rental operator must ~~to~~ renew its Certificate of Registration on an annual basis and ~~or~~ upon change of operator or owner.

3. Prior to issuing or renewing a ~~e~~Certificate of r~~Registration~~, the Building and Zoning Office shall conduct an inspection to verify that each dwelling unit, or bedroom within a dwelling unit, to be rented to short-term renters meets the requirements of this Section 6.10.

4. Units shall be annually recorded in the Short-Term Rental Registry for a fee set by the Select Board.

(03/01/2024)

LEXINGTON TOWN MEETING AMENDMENT FORM

ARTICLE NUMBER: 48

DATE: 03/28/2024

I, Steven Kaufman, TMM Precinct 5,

move to Amend the Motion

Move to amend the motion under Article 48 by adding the following Section 6.10.3.13:

13. A short-term rental shall not be used for large indoor or outdoor group events such as luncheons, banquets, parties, weddings, meetings, or seminars. The number of individuals permitted in or at a short-term rental at any time for gatherings shall not exceed the 10 person dwelling limit of the STR.

Examples of text for amendments may include statements such as:

By striking the words...

By adding the
Following...

By striking in its entirety Section () Paragraph () ...

And by substituting the words...

And by substituting in its place the following Section () Paragraph () ...

Action Taken:

Pass

☐

Fail

☐

Unanimous

☐

Majority

☐

Other

LEXINGTON TOWN MEETING AMENDMENT FORM

ARTICLE NUMBER: 48

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Examples of text for amendments may include statements such as:

By striking the words...

By adding the
Following...

By striking in its entirety Section () Paragraph () ...

And by substituting the words...

And by substituting in its place the following Section () Paragraph () ...

Action Taken:

Pass

☐

Fail

☐

Unanimous

☐

Majority

☐

Other

LEXINGTON TOWN MEETING AMENDMENT FORM

| | |
|-----------------|-------|
| ARTICLE NUMBER: | DATE: |
|-----------------|-------|

I, _____

move to Amend the Motion

Examples of text for amendments may include statements such as:

| | | |
|----------------------------------|----------------------------|--|
| By striking the words... | By adding the Following... | By striking in its entirety Section () Paragraph () ... |
| And by substituting the words... | | And by substituting in its place the following Section () Paragraph () ... |

| | | | | | |
|---------------|------|------|-----------|----------|-------|
| Action Taken: | Pass | Fail | Unanimous | Majority | Other |
|---------------|------|------|-----------|----------|-------|

Updated schedule for ATM 2024 - published April 2, 2024

Wed. April 3, 2024 *(Deadline has passed for amendments/division requests)*

- Town Meeting member memorial
- TMMA 30-year pins
- Article 10i - Affordable Housing Trust Funding
- Article 33 - Authorize the Select Board to Seek Affordable Housing **(DATE CERTAIN)**
- ***Time permitting, begin Zoning Articles:***
 - ***Article 52 - Technical Corrections***
 -
 - ***Article 50 - Inclusionary Housing for Village and Multi-Family Overlay Districts***
 - ***Article 51 - Maximum Height for Village Overlay District***

Monday, April 8, 2024 *(Deadline has passed for amendments/division requests)*

- Continue Zoning Articles; Amend Zoning Bylaw re:
 - Article 47 - Signs
 - Article 48 - Short Term Rentals
 - Article 49 - Permitted Uses and Development Standards
 - Any unfinished zoning articles from 4/3/2024

Wednesday, April 10, 2024 *(Deadline has passed for amendments/division requests)*

- Article 46 - Royal Family Invitation to 250th Celebration **(IP)**
- ***Article 34 - Amend General Bylaws - Tree Bylaw - Tree Protection Plan***
- ***Article 35 - Amend General Bylaws - Tree Bylaw - Mitigation Planning***
- ***Article 36 - Amend General Bylaws - Tree Bylaw - Exemptions***
- ***Article 37 - Importance of Trees Resolution (Citizen Petition)***
- ***Article 38 - Amend Regulation of Fossil Fuel Infrastructure Bylaw***
- Time permitting, continue unfinished business from previous sessions

NO SESSIONS school vacation week: Monday April 15 and Wednesday April 17

Monday, April 22, 2024 - NO SESSION (1st night Passover)

Wed. April 24, 2024 *(Proposed amendments/division requests due: 5pm Wed. 4/10)*

- Article 31 - Prohibit Single-Serve Plastic Water Bottles (Citizen Petition)
- ***Article 40 - Integrated Pest Management Resolution (Citizen Petition)***
- ***Article 43 - Voting Rights 16 and Older (Citizen Petition)***
- ***Article 45 - Indigenous Peoples Day (Citizen Petition)***
- ***Article 21 - Amend FY2024 Operating, Enterprise and CPA Budgets***
- ***Article 24 - Appropriate Funding for Semiquincentennial Commission***
- Time permitting: Unfinished business from previous sessions

Monday April 29, 2024 *Hold for unfinished business*

Hold for schedule slippage:

- Monday, May 6th
- Wednesday, May 8th

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Update on Police Station Project and Budget for Solar Canopy

PRESENTER:

Mike Cronin, Director of Public
Facilities

ITEM NUMBER:

I.2

SUMMARY:

Category: Informing

Attached please find the update presentation for the Police Station Project, with a specific focus on the solar canopy and battery aspects of the project. Mike Cronin, Director of Public Facilities will present and be prepared to respond to questions.

There is a concern that due to design considerations, that there is not sufficient funds to build the solar canopy and install batteries.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

6:25pm

ATTACHMENTS:

| Description | Type |
|--|------------|
|  Presentation | Cover Memo |

Lexington Police Station Budget Review

Select Board meeting April 3, 2024

Lexington Police Project Budget update

Budget Summary

| 5905 Fund | | | | | |
|---------------------------------------|---------------|---------------|---------------|---------------|---------------|
| 4 accounts Temp PD thru HQ | Budget | Paid | Encumbered | Committed | Un-Encumbered |
| Total Project Budget | \$ 35,181,430 | \$ 25,936,116 | \$ 7,429,344 | \$ 33,365,460 | \$ 1,815,970 |
| Construction Budget | \$ 27,563,421 | \$ 21,806,180 | \$ 5,740,435 | \$ 27,563,097 | \$ 323 |
| Professional Costs Budget | \$ 3,268,698 | \$ 3,077,628 | \$ 191,070 | \$ 3,268,698 | \$ (0) |
| Owner FF&E and Technology Budget | \$ 1,586,849 | \$ 409,545 | \$ 1,173,319 | \$ 1,586,849 | \$ - |
| Interior Furnishings and Loose Equip. | \$ 363,002 | \$ 9,881 | \$ 351,771 | \$ 363,002 | \$ - |
| Communications Equipment Allowance | \$ 822,668 | \$ 155,899 | \$ 664,135 | \$ 822,668 | \$ - |
| Building Technology | \$ 401,178 | \$ 243,765.45 | \$ 157,413.00 | \$ 401,178 | \$ - |
| Owner Project Cost Budget | \$ 986,877 | \$ 618,005 | \$ 324,520 | \$ 946,816 | \$ 40,061 |
| Communications Equipment Consultant | \$ - | \$ - | \$ - | \$ - | \$ - |
| OPM Fees | \$ 622,600.00 | \$ 403,683.78 | \$ 218,887.22 | \$ 622,571 | \$ 29 |
| Building Commissioning | \$ 75,000.00 | \$ 27,040.00 | \$ 44,362.50 | \$ 71,403 | \$ 3,598 |
| Envelope Commissioning | \$ 43,777.00 | \$ 26,442.50 | \$ 17,057.50 | \$ 43,500 | \$ 277 |
| Kuhla Enegry BMS Cx | \$ 13,000.00 | \$ - | \$ 12,750.00 | \$ 12,750 | \$ 250 |
| Materials Testing | \$ 137,000.00 | \$ 120,875.34 | \$ 9,124.66 | \$ 130,000 | \$ 7,000 |
| Relocation Costs (by owner) | \$ 75,000.00 | \$ 31,258.63 | \$ 13,343.00 | \$ 46,007 | \$ 28,993 |
| Bidding Expenses | \$ 10,500.00 | \$ 8,202.44 | \$ 1,997.40 | \$ 10,200 | \$ 300 |
| Legal Fees (by owner) | \$ 10,000.00 | \$ 502.60 | \$ 6,997.40 | \$ 10,386 | \$ (386) |
| Project Development Contingency | \$ - | \$ - | \$ - | \$ - | \$ - |
| Contingency Budget | \$ 1,775,586 | \$ - | \$ - | \$ - | \$ 1,775,586 |

\$1,815,970 Un-Encumbered including Contingency below.

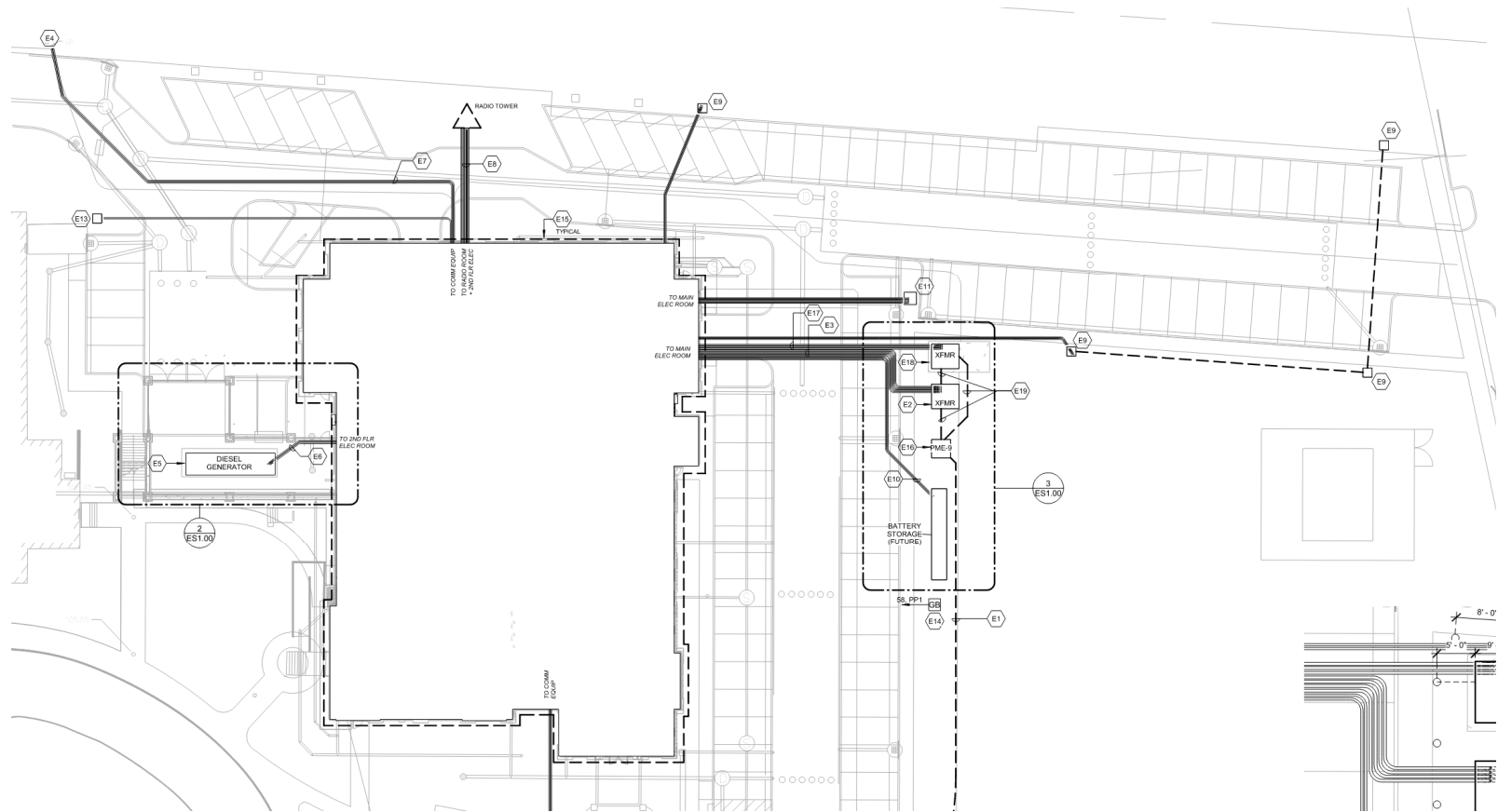
\$1,775,586 Remaining in Contingency

Lexington Police Project Budget update

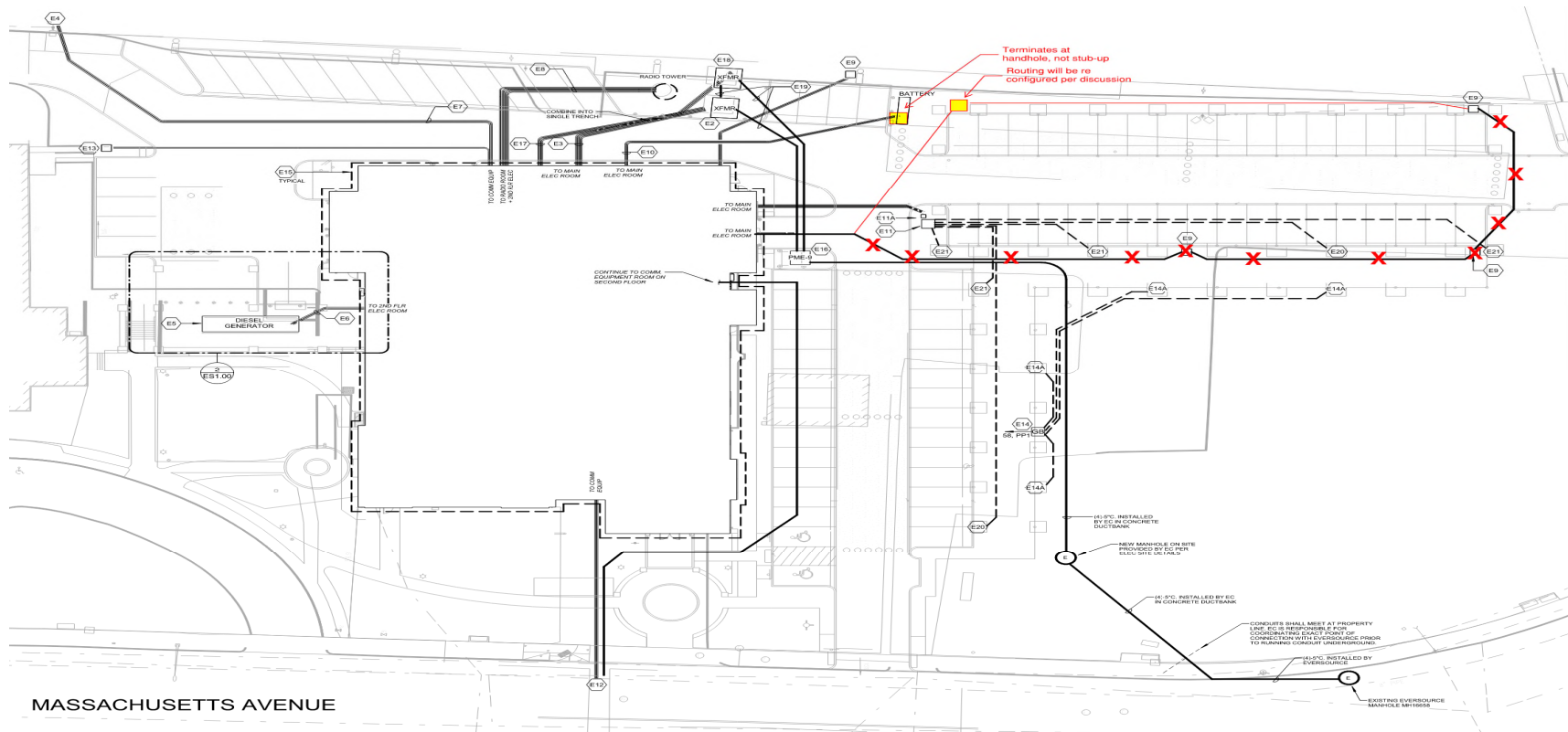
General Summary of contingency expenditures to date

| | | | | |
|---|----------------|-------------------|---|----------------|
| 5905 Fund Budget (4 accounts Temp PD thru PD HQ) | | | | |
| | Budget | Changes to Budget | Updated Budget | Available |
| Contingency Budget | \$2,827,000.00 | (\$1,051,414.40) | \$1,775,585.60 | \$1,775,585.60 |
| Transfer for CO #1 | | -\$9,385.49 | Hosmer foundations | |
| Change order #2 | | -\$15,541.56 | (Lead sand) transfer to Construction | |
| Change Order #3 | | -\$118,682.88 | Haz Mat Dampproofing at Foundation walls & ACM reconciliation | |
| transfer to Construction (temp) | | -\$18,209.21 | Temp Police Construction | |
| Transfer for materials testing | | -\$20,000.00 | Added funding to Owner Construction Testing Line | |
| Transfer for materials testing | | -\$20,000.00 | Added funding to Owner Construction Testing Line | |
| Transferfor materials testing | | -\$25,000.00 | Added funding to Owner Construction Testing Line | |
| Transfer for Change Orders 4, 5 and 6 | | -\$78,633.65 | Misc. Construction Changes, site utilites, Footing drop, etc. | |
| Transfer to constr for CO 7 | | -\$102,663.85 | Misc Construction, street utility unforeseens, costs due to delayed elec equipment, etc. | |
| Transfer to constr for CO 8 | | -\$257,475.01 | Site Electric Utility revisions, add High Density shelving, added Fiber pathway to street, etc. | |
| Transfer to FFE for Furniture | | -\$58,002.29 | Transfer for Furniture bid over budgeted line | |
| Transfet to Building Technology for expenses | | -\$101,193.64 | Building Tech costs, largely new AV package to align with Townwide improvements | |
| Transfer to professional costs | | -\$5,445.00 | Add Service scope to A/E team | |
| Transfer to professional costs storm water revision | | -\$5,000.00 | Add Serv scope to A/E team | |
| Transfer for CO 9 and 10 | | -\$100,913.82 | Misc Construction changes, solar canopy site utility mods, Fire alarm changes after inspection and soil unit price quantitiy reconciliation, etc. | |
| Transfer for OPM added time feb mar apr | | -\$7,600.00 | transfer to supplement extension of contract term | |
| Transfer to Communications equipment Line | | -\$107,668.00 | Transfer for Dispatch costs | |

What we owned in the bid documents



Changes made due to Solar and Battery storage



Lexington Police Project Budget update

General Summary of estimated costs to completion

| | | | | | |
|--|---|--|--|--|--------------|
| Un-Encumbered dollars as of | 3/29/2024 | | | | \$ 1,815,970 |
| Anticipated Minimum Expenses to Close Police Project | | | | | |
| Construction Budget | | | | | \$1,270,630 |
| Change Order 11 | Pending Change Order | | | | \$44,100 |
| Known pco's pending | Identified costs in negotiation | | | | \$526,530 |
| GC's & GR's | Expected Added costs due to Delays | | | | \$200,000 |
| Forecasted to Completion | Budget for potential unknown change order cc | | | | \$400,000 |
| Projected close out costs | Anticipated final cost | | | | \$100,000 |
| Professional Costs Budget | | | | | \$25,000 |
| Tecton add service for CA | Anticipated additional fee not negotiated yet | | | | \$25,000 |
| Owners FF&E and Technology Budget | | | | | \$180,000 |
| Interior Furnishings and Loose Equip. | | | | | |
| Misc Metal Shelving | Anticipated Cost-Quote not in | | | | \$25,000 |
| Vehicle Lift | Anticipated Cost-Quote not in | | | | \$40,000 |
| Gym Equipment | Anticipated Cost-Quote not in | | | | \$75,000 |
| fingerprint machine | Anticipated Cost-Quote not in | | | | \$10,000 |
| appliances | Anticipated Cost-Quote not in | | | | \$25,000 |
| Building Technology | | | | | |
| IT Installs | Anticipated cost for unknowns | | | | \$5,000 |
| Owner Project Cost Budget | | | | | \$195,000 |
| OPM Fees | | | | | \$60,000 |
| Envelope Commissioning | Envelope testing not under agreement yet | | | | \$20,000 |
| Kuhla Enegry BMS Cx | Anticipated additional costs | | | | \$25,000 |
| Materials Testing | Anticipated cost | | | | \$35,000 |
| misc expenses | Budget for unanticipated costs | | | | \$30,000 |
| moving | Moving costs anticipated | | | | \$25,000 |
| Total Planned but not yet encumbered expenses | | | | | \$1,670,630 |
| Remaining Balance Available | | | | | \$ 145,340 |

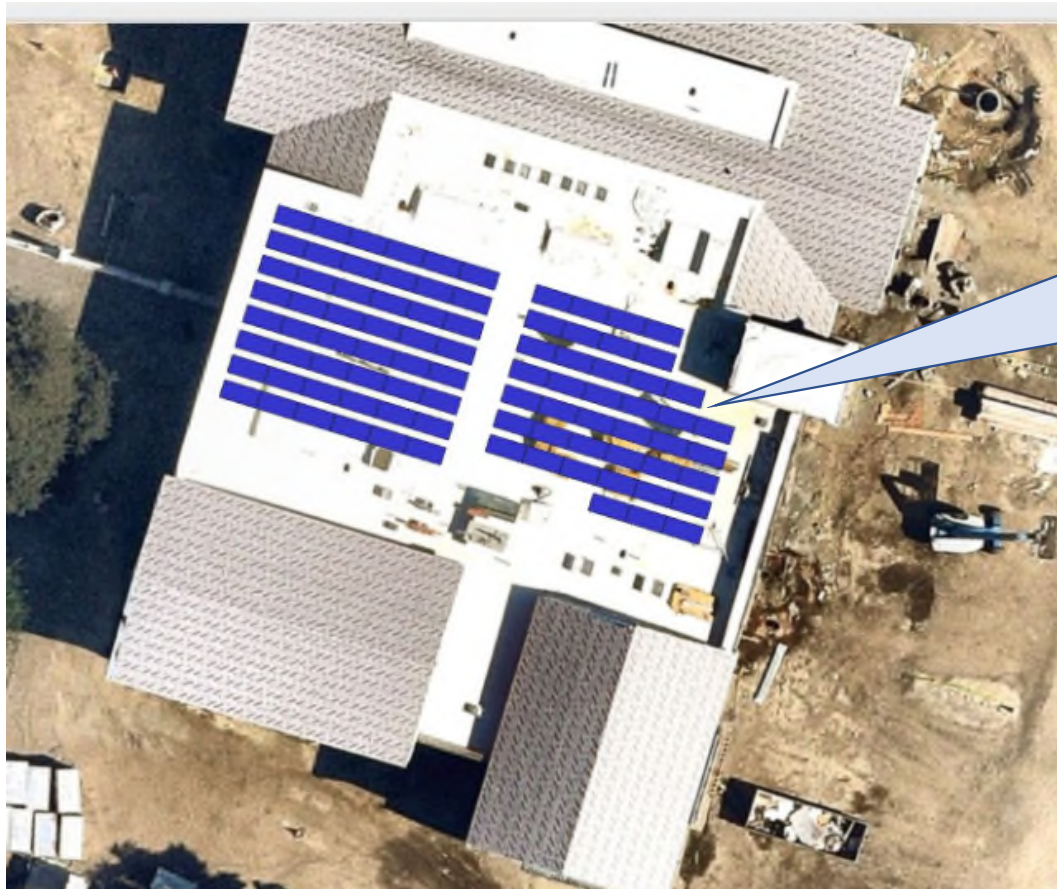
Total Un-Encumbered dollars from page 1

Total projected expenses to complete building

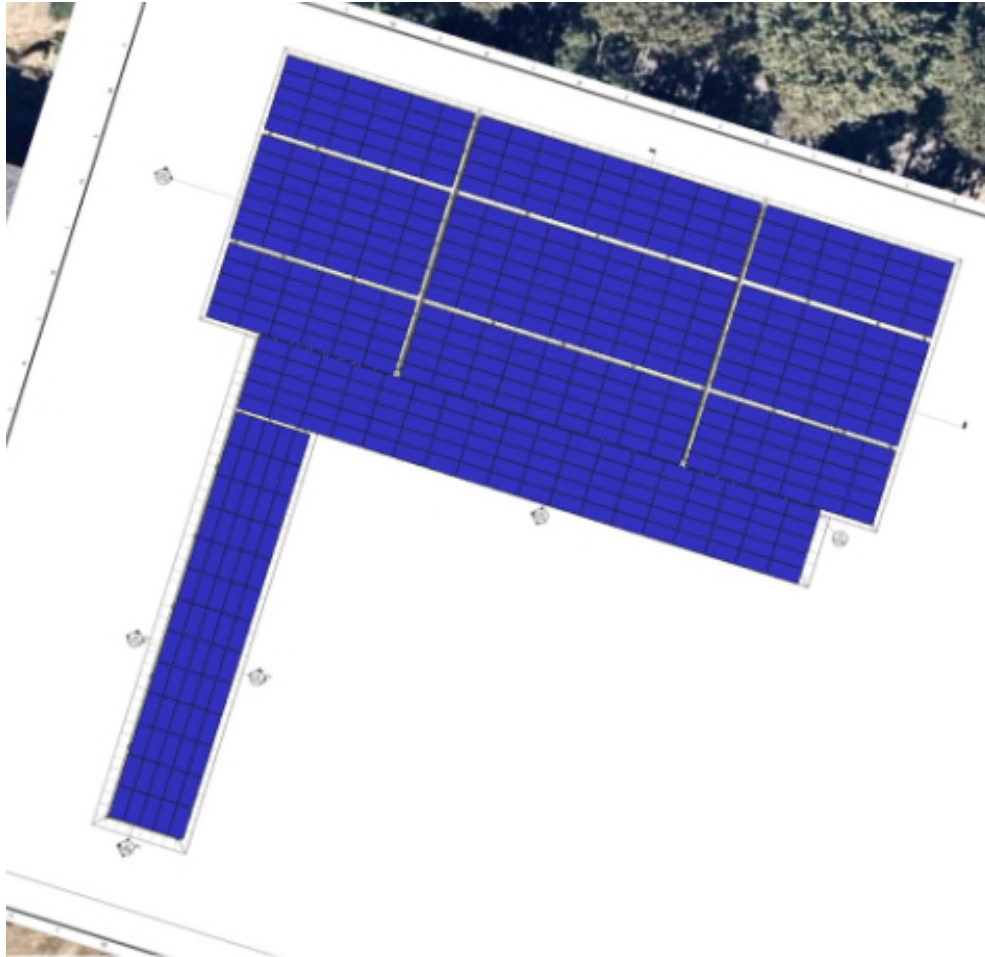
Expected fund balance at close

Solar Canopy Budget update

| | | | | | |
|--|--|--|--|--|--------------------------|
| Solar Funding | | | | | \$ 3,400,000 |
| | | | | | |
| | | | | | |
| Solar Canopy Foundations (CCD 6R1) - Sitework ONLY (T&M) | | | | | \$ 125,000.00 |
| Solar Canopy Foundations (CCD 6R1) | | | | | \$ 201,356.09 |
| Solar Canopy Steel R1 no ACM | | | | | \$ 2,079,106.27 |
| Solar Canopy Lighting | | | | | \$ 55,567.54 |
| Solar Canopy Sidewalk expansion | | | | | \$ 85,000.00 |
| Solar Canopy GC's & GR's (Estimated) | | | | | \$ 175,000.00 |
| Architect CA Costs | | | | | \$ 60,000.00 |
| Construction Testing | | | | | \$ 40,000.00 |
| | | | | | |
| | | | | | |
| | | | | | |
| Battery (2Hr.quoted here-(4hr is \$1,225,000)) | | | | | \$ 889,000.00 |
| Solar Canopy | 297.0 kW DC | | | | \$ 752,500.00 |
| estimated | Main Canopy (259.31 kW DC (estimated)) | | | | |
| estimated | Mass Ave leg (37.69 kW DC (estimated)) | | | | |
| | | | | | |
| Solar Roof | 42.2 kW DC | | | | \$ 164,000.00 |
| | | | | | |
| | | | | | |
| | | | | | \$ 4,626,529.90 |
| | | | | | |
| Budget Shortfall | | | | | \$ (1,226,529.90) |



Rooftop Canopy
42.2 kW DC



Main Canopy (estimated) 259.31 kW DC
Mass Ave Leg (estimated) 37.69 kW DC
Total all Canopy 297.0 kW DC

Total Projected Canopy & Roof
339.2 kW DC

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Discuss Semiquincentennial Commission (Lex250) Invitations to 250th Anniversary of the Battle of Lexington Celebration

PRESENTER:

Suzie Barry, Chair of
Semiquincentennial Commission
(Lex250)

ITEM NUMBER:

I.3

SUMMARY:

Category: Brainstorming

The Board will review the scope of invitations to issue for the 250th celebration.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024

6:40pm

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Meeting Information

PRESENTER:

ITEM NUMBER:

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

4/3/2024