

SELECT BOARD MEETING

Friday, February 14, 2025

Select Board Meeting Room, 1625 Massachusetts Avenue, Lexington, MA 02420 - Hybrid Participation\*  
9:00 AM

**AGENDA**

**CONSENT AGENDA**

1. Approve and Sign Eagle Scout Commendation Letters - Sam Beebee & Joshua Liu

**ITEMS FOR INDIVIDUAL CONSIDERATION**

1. SELECT BOARD WORK SESSION - Senior Tax Relief Program Discussion 9:05am
2. Waste Reduction Task Force Update 9:25am
3. Vote on the FY2026 Budget Recommendation 9:45am
4. Presentation - 2025 ATM Warrant Article - Local Voting Rights for Lawful Permanent Residents (Citizen Petition) 10:00am
5. Discussion - 2025 ATM Select Board Article Presenters, Discussion and Positions 10:10am
6. Approve Conservation Restriction - Busa Farm Lowell Street 10:20am
7. Vote of Approval for Draft Bill HD4384 - An Act authorizing the Town of Lexington Ten Additional Licenses for the Sale of Wine and Malt Beverages 10:30am
8. Discuss Means of Publication 10:40am
9. Discussion - Special Town Meeting 2025-1 - Select Board Article Discussion and Positions 10:50am

**ADJOURN**

1. Anticipated Adjournment 10:55am

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://lexingtonma.zoom.us/j/82013535294?pwd=mGvKYC9PHOT8ByUHHa0a18jNRhRXpf.1>

iPhone one-tap: +13017158592,,82013535294#,,,,\*848540#

Phone +1 646 876 9923

Meeting ID: 820 1353 5294

Passcode: 848540

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 on Monday, February 24, 2025 at 6:30pm 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:**

Approve and Sign Eagle Scout Commendation Letters - Sam Beebee & Joshua Liu

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.1

### **SUMMARY:**

#### **Category: Decision-Making**

The Select Board is being asked to sign letters of commendation congratulating Sam Beebee and Joshua Liu of Boy Scout Troop 160 for attaining the highest rank of Eagle in Scouting.

### **SUGGESTED MOTION:**

To approve and sign a letters of commendation congratulating Sam Beebee and Joshua Liu of Boy Scout Troop 160 for attaining the highest rank of Eagle in scouting.

Move to approve the consent.

### **FOLLOW-UP:**

Select Board Department.

### **DATE AND APPROXIMATE TIME ON AGENDA:**

2/14/2025

### **ATTACHMENTS:**

Description	Type
☐ Eagle Letter - Sam Beebee	Backup Material





## Town of Lexington, Massachusetts

SELECT BOARD OFFICE

DOUGLAS M. LUCENTE, CHAIR  
SUZANNE E. BARRY  
JOSEPH N. PATO  
JILL I. HAI  
MARK D. SANDEEN

TEL: (781) 698-4580  
FAX: (781) 863-9468

February 14, 2025

Sam Beebee

Lexington, MA 02420

Dear Sam,

Congratulations on attaining the highest rank in Scouting. We know the trail to Eagle Scout has not always been an easy one and we recognize that you have had to work hard to get this far. Your time in positions of leadership within Troop 160, and the successful completion of your Eagle project, speaks to your dedication.

Being an Eagle is so much more than just another rank. It is a recognition of what you have achieved so far, but of more importance is the implied promise you have made to maintain the ideals of Scouting into your adult life.

We know that your family and fellow Scouts are proud of you and will look to you to be a leader as you continue your journey beyond Eagle.

Again, congratulations and good luck in all your future endeavors.

Sincerely,

Douglas M. Lucente, Chair

Suzanne E. Barry

Joseph N. Pato

Jill I. Hai

Mark D. Sandeen



## Town of Lexington, Massachusetts

SELECT BOARD OFFICE

DOUGLAS M. LUCENTE, CHAIR  
SUZANNE E. BARRY  
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TEL: (781) 698-4580  
FAX: (781) 863-9468

February 14, 2025

Joshua Liu

Lexington, MA 02420

Dear Joshua,

Congratulations on attaining the highest rank in Scouting. We know the trail to Eagle Scout has not always been an easy one and we recognize that you have had to work hard to get this far. Your time in positions of leadership within Troop 160, and the successful completion of your Eagle project, speaks to your dedication.

Being an Eagle is so much more than just another rank. It is a recognition of what you have achieved so far, but of more importance is the implied promise you have made to maintain the ideals of Scouting into your adult life.

We know that your family and fellow Scouts are proud of you and will look to you to be a leader as you continue your journey beyond Eagle.

Again, congratulations and good luck in all your future endeavors.

Sincerely,

Douglas M. Lucente, Chair

Suzanne E. Barry

Joseph N. Pato

Jill I. Hai

Mark D. Sandeen

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

SELECT BOARD WORK SESSION - Senior Tax Relief Program Discussion

### **PRESENTER:**

Dana Bickelman, Human Services  
Director

### **ITEM NUMBER:**

I.1

### **SUMMARY:**

#### **Informing**

Ms. Bickelman will present an overview of current Senior Tax Relief programs.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

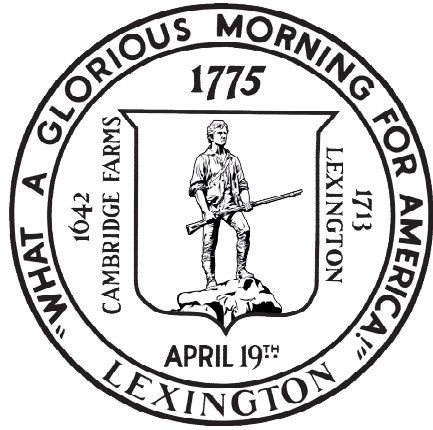
### **DATE AND APPROXIMATE TIME ON AGENDA:**

2/14/2025

9:05am

### **ATTACHMENTS:**

Description	Type
☐ Senior Tax Relief programs	Backup Material



# Senior Tax Relief Discussion



# Maximize Outreach

To maximize the impact of the current senior tax relief program, the Human Services department has identified some strategies:

- **Targeted Communication:** Adding information into the SAGE, Link to Lexington and other social media platforms to inform eligible seniors about available tax relief programs.
- **Hosting Workshops:** These sessions will be structured to [include a presentation on eligibility criteria, a Q&A session, and a step-by-step guide to the application process]. We will host in-person and virtual sessions to accommodate different preferences and ensure maximum participation.
- **Strengthen Collaboration with the Assessor's Office:** More training for Human Services staff about senior tax relief programs and assisting people applying through the senior services department or the assessor's office.

# Maximize Current Programs

- **Cross-Department Collaboration:** Schedule regular meetings with department heads across all town offices to identify roles and tasks suitable for seniors. Assess current and upcoming needs in various departments, focusing on flexible, part-time, or seasonal roles.
- **Expand Placement Opportunities:** Build on Human Services' success in placing seniors at the Community Center, Fix-It Shop, and Town Clerk's office.
- **Creative Assignments:** Implement innovative roles like Concord's minute-takers for boards and committees, or create positions for event support, community outreach, or administrative assistance.
- **Establish a Senior Job Bank:** Create and maintain a job bank to match seniors' skills and availability with open positions in the community. Keep the job bank current by updating listings and roles frequently, and remove outdated opportunities.

Implementing these steps can ensure that more seniors are informed, engaged, and able to benefit fully from tax relief programs.

# Current Programs

## Administered by the Assessor's Office

Type of Exemption	Minimum Age	Income Limits	Residency Restrictions	Benefit
Senior Exemption (Clause 41C)	65	<i>Single:</i> \$34,016 income/ \$68,037 assets <i>Married:</i> \$51,027 income/ \$93,549 estate	MA: 10 years Owned (in MA): 5 years	\$2,000 reduction
Senior, Minor Child w/ Deceased Parent & Surviving Spouse Exemption (Clause 17D)	70	Assets only, not including primary Residence, must not exceed \$40,000	Owned and Occupied property as domicile past 5 years	\$350 reduction
Property Tax Deferral (Clause 41A)	65	\$103,000 income/ No asset maximum	MA: 10 years Owned (in MA): 5 years	Up to full amount of property taxes annually, in cumulative up to 50% of home value
The Community Preservation Act Surcharge Exemption	60 and older (also available for under 60)	Income based on occupancy (\$104,250 to \$196,550)/ No asset maximum	Owner occupied from January 1, 2024	100% of Community Preservation Act Surcharge

# Current Programs

Administered by Human Services

Type of Exemption	Minimum Age	Income Limits	Residency Restrictions	Benefit
Senior Property Work Off	60 and older	\$90,000 per household	Own and occupy property for which Lexington taxes are paid; Lexington is their principal place of residence.	Up to \$1,755

- Lexington’s Human Services Department provides trained tax advisors during the tax filing season to help with Seniors to receive the Circuit Breaker Tax Credit on their Massachusetts income tax form.
- Lexington Senior Services administers the Water/Sewer Discount program. This program is available to those residents who qualify and are approved for the LIHEAP/Fuel Assistance Program.

# FY 24 data

Below is data for FY2024:

# Applicants    Total Tax Relief

Property Tax Deferral	Clause 41A	50	\$613,946.36
Senior 65+	Clause 41C	13	\$26,000.00
Senior 70+ and/ or Widow no age (Assets only)	Clause 17D	3	\$1,050.00
Community Preservation Act Surcharge	Clause CPA	156	\$53,414.75
Senior Tax Work-Off Program 60+		4	\$7,020.00

# Action steps to consider

- **Increase the Maximum Earnings for the Property Work-Off Program:** Consider raising the maximum earnings for the property work-off program, which was recently increased to \$2,000 in other municipalities. Currently, Lexington's cap is set at \$1,755. Adjusting the cap to match or exceed this new limit would provide participants with greater tax relief. While this change would require participants to work additional hours, it offers a meaningful opportunity for increased financial support.
- **\*Update the Income Eligibility Limits:** Propose revisiting and raising the income eligibility limits for the property work-off program to better align with the Massachusetts Circuit Breaker thresholds for the 2024 tax year. The updated limits would be: \$72,000 for single filers who are not heads of households, \$91,000 for heads of households, and \$109,000 for married couples filing jointly.

# Consider other programs

- **Section 3D: City or Town Aid to Elderly and Disabled Taxation Fund**
- Under Massachusetts General Law, Chapter 60, Section 3D, municipalities have the option to establish a taxation aid fund to assist elderly and disabled residents with low incomes in covering their real estate taxes. This initiative helps ease the financial burden on vulnerable populations by utilizing community contributions.
- Several municipalities already utilize this program, including Natick, Hingham, Eastham, Danvers, Framingham, and Belmont, where the fund was recently approved during their November Town Meeting.

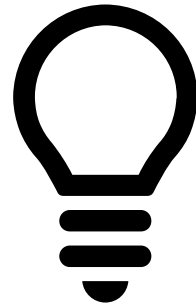
# Raise awareness of Accessory Dwelling Units

- Educate the community on options for accessory dwelling units (ADUs) under the Affordable Homes Act (Ch. 150, s. 8, Acts of 2024) .
- ADUs can provide additional housing opportunities for residents.
- Provide long-term options for seniors-either as an opportunity for caregivers to live close by or to downsize while remaining in their community.
- Information on ADUs in Lexington can be found on the website: [lexingtonma.gov](http://lexingtonma.gov)





Questions, Comments, Ideas?



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Waste Reduction Task Force Update

### **PRESENTER:**

Dave Pinonnault, Director of Public Works, Maggie Peard, Sustainability and Resilience Officer

### **ITEM NUMBER:**

I.2

### **SUMMARY:**

#### **Category: Informing**

Following the completion of a Zero Waste Plan and a graduate student research project that made recommendations on the future of Lexington's waste collection system, the Waste Reduction Task Force has been meeting regularly to discuss changes to the waste collection system that would protect the Town from rising waste costs and protect the environment through waste reduction.

The Task Force is ready to propose a series of steps the Town could take to reduce waste and save money, along with an implementation timeline. The Task Force is seeking feedback from the Board on the proposal and for direction on how to proceed. The attached document includes information that will help inform that discussion.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

### **DATE AND APPROXIMATE TIME ON AGENDA:**

2/14/2025

9:25am

### **ATTACHMENTS:**

## Description

📄 Waste Reduction Strategy Memo

## Type

Backup Material

# Waste Reduction Strategy Memo

## Introduction

Following the completion of a Zero Waste Plan and a graduate student research project that made recommendations on the future of Lexington's waste collection system, the Waste Reduction Task Force has been meeting regularly to discuss changes to the waste collection system that would protect the Town from rising waste costs and protect the environment through waste reduction.

The Task Force is ready to propose a series of steps the Town could take to reduce waste and save money, along with an implementation timeline. The Task Force is seeking feedback from the Board on the proposal and for direction on how to proceed. This document includes information that will help inform that discussion.

Please find additional information on this topic that has been made available to the public online and through community meetings.

- [Informational One-pager - Cutting the Waste Out of Waste Collection](#)
- [Presentation Slides - Waste Reduction in Lexington: What, Why, and How?](#)
- [Event Recording - Waste Reduction in Lexington: What, Why, and How?](#)

## Current State of Waste Collection in Lexington

- In 2023, Lexington produced 8,014 tons of trash and 3,450 tons of recycling through the curbside programs
  - Of the trash, 1,843 tons could have been recycled and 3,045 tons could have been composted
- In FY2025, Lexington's budget for trash and recycling collection and disposal was \$4,060,000
  - Lexington's costs have increased 30% in the last 4 years, as Massachusetts runs out of landfill space
- Massachusetts has expanded its waste disposal bans to include mattresses and box springs, textiles, and institutional/commercial food waste
- 4% of Lexington's greenhouse gas emissions come from the waste we generate

## Task Force Recommendations to Reduce Waste and Protect the Budget

1. Continue to grow the curbside compost program to be town wide
2. Move to automated collection and a hybrid "pay as you throw" model
3. Establish fees for bulky items

## Continue to Grow the Curbside Compost Program to be Town Wide

- Organic waste makes up 38% of Lexington's waste stream
- 3,500 households are currently participating in the curbside program
- In 2024, Lexington diverted 1,018 tons of organics through its curbside program, drop off program, and school cafeteria program
  - With a tip fee of \$85.85/ton, that's an avoided cost of \$87,395
  - Tipping fees are rising, increasing the projected avoided costs from composting
- Lexington currently pays \$99/household for curbside composting
  - Per household costs are likely to drop as density of participants increases
- MassDEP would award an additional RDP point if Lexington moved to a full town composting program (\$1,800 per year)
- In a 2024 Town survey with 1,500 respondents, 81% of respondents indicated that they supported town wide compost collection

## Move to Automated Collection and a Hybrid "Pay as You Throw" Model

- 155 out of 351 MA municipalities currently use PAYT models, including neighbors Concord, Acton, Weston, Wayland, Malden, and Sudbury
- On average, households generate 29% less trash in municipalities with PAYT
- Under a hybrid PAYT model, each household would be given a 35-gallon cart for trash with no charge for collection unless trash exceeds cart size, in which case they could purchase program-approved bags for overflow trash
  - There could be a hardship program to subsidize costs for low-income households or households with a large amount of medical waste
  - The program could be designed to allow households to purchase a second bin for a set annual fee
  - All implementation details would be ironed out through robust community engagement and support from MassDEP
- Through their taxes, an average household in Lexington currently contributes around \$330/year towards the trash and recycling budget
- MassDEP would award an additional 4 RDP points if Lexington adopted a hybrid PAYT system (\$7,200 per year)
- Automated collection is more efficient, results in less idling, can increase the number of households served per truck per hour by up to 300%, and results in significantly fewer injuries/fatalities for waste hauler employees
- In a 2024 Town survey with 1,500 respondents, 74% of respondents indicated that they supported automated collection and 54% supported hybrid PAYT (before any education on the topic)

## Establish Fees for Bulky Items

- White goods (large appliances)

- White goods are banned from landfills and incinerators in Massachusetts, requiring special collection and disposal
- Capitol currently picks up approximately 750 white goods per year
- Town has budgeted \$68,000 for white good collection in FY2025 (\$71,000 in FY2026, \$74,000 in FY2027, \$77,000 in FY2028)
- A resident fee for white good collection could offset these costs
  - 85% of MA municipalities currently charge a fee for bulky item pick up
- Mattresses and Box Springs
  - Mattresses and box springs are banned from landfills and incinerators in Massachusetts, requiring special collection and disposal
  - Town has budgeted \$90,000 for mattress and box spring collection in FY2025, estimating 1000 of each will need to be collected every year
    - A fee of \$45/mattress and box spring would offset those costs entirely
  - 90% of MA municipalities charge a resident fee for mattress and box spring collection
- Other Bulky Items
  - Other bulky items, such as upholstered or wood furniture and carpets, are not banned from landfills or incinerators, but municipalities often charge a resident fee for collection
    - 85% of MA municipalities currently charge a fee for bulky item pick up
  - MassDEP awards an additional RDP point if there is a minimum of a \$5 fee for collection of 3 or more of these items: upholstered or wood furniture, toilets, sinks, carpet (\$1,800 per year)
  - A \$10/item fee for other bulky goods could bring in \$12,000/year to further offset disposal costs
    - This is based off a conservative estimate that each household disposes of 1 bulky item/year

## Proposed Timeline and Approach

- The Task Force has conducted and are continuing to plan a series of community forums to educate the public about waste collection, and potential adjustments including automated collection and Pay-As-You-Throw
  - November 1 at the Community Center (League of Women Voter's First Friday Event)
  - December 11 at the Police Station Community Room
  - February 4 (Virtual)
  - February 11<sup>th</sup> at the Community Center (targeting seniors as primary audience)
- Proposed next steps

- Partner with community groups to continue educational meetings with the goal of reaching as diverse a set of Lexington residents as possible (2025)
- Bring forward a proposal to the Select Board for establishing a fee schedule for bulky items and adjusting the bin limit in the waste regulations (2025)
- Bring a motion to Town Meeting to amend our waste bylaw to eliminate the provision that waste must be “free” (2026)
- Leverage a MassDEP Technical Assistance Grant for PAYT Implementation to get support on figuring out the specifics of a Lexington PAYT model and conducting outreach (2026)
  - Our MassDEP Municipal Assistance Coordinator, Julia Greene has been actively participating in the Waste Reduction Task Force Meetings
  - This process would include continued robust community engagement
- Move to standard waste bins and automated collection (2026)

## PLANNING AND EDUCATION

2025: Continue socialization of waste reduction strategies

2026: MassDEP technical assistance grant for Pay-As-You-Throw outreach and implementation

Jan 2025
Jul 2025
Jan 2026
Jul 2026
Jan 2027

2025: Explore bulky item fees and trash bin limit

2026: Bring “free” waste amendment to Town Meeting

2026: Move to standard waste bins & automated collection

←
Continue to grow compost program
→

## IMPLEMENTATION

# AGENDA ITEM SUMMARY

## LEXINGTON SELECT BOARD MEETING

### AGENDA ITEM TITLE:

Vote on the FY2026 Budget Recommendation

### PRESENTER:

Carolyn Kosnoff, Assistant Town  
Manager for Finance; Rosalyn Impink,  
Budget Officer

### ITEM NUMBER:

I.3

### SUMMARY:

#### **Category: Decision Making**

This item seeks the Select Board's approval of the FY2026 Recommended Budget and Financing Plan as proposed by the Town Manager (the Brown Book). The Preliminary Budget (White Book) was released on January 24th and presented to the Board at Budget Summit III on January 30th.

This proposed budget maintains the same Revenue estimates and Operating Expenses presented at the White Book Summit, and staff have incorporated just one change to the Capital budget. As discussed during Summit III, we will defer the appropriation of \$2,000,000 from the General Fund for the Harrington Field project until after the Debt Exclusion vote for the High School in the Fall of 2025. This amount is shown as a set-aside in the "Other" section of the Program Summary, and is not incorporated into the list of Capital Projects as it will likely be deferred until the 2026 Annual Town Meeting. This budget still proposes to appropriate \$1,197,904 in CPA funds for the Harrington Field project at the upcoming Annual Town Meeting.

It should be noted that when presented at Town Meeting, the Public Works budget will include the Shared Expense of \$112,128 for Municipal and School Refuse and Recycling costs and the one-time expense of \$200,000 for removal of hazard trees (this amount will not carry forward to future budgets).

Lastly, the Town's final free cash estimate has not been certified by the Department of Revenue as of publication. We expect the final certified number will be available within the week and before the budget is voted by Town Meeting. Management expects to add any additional free cash to the "Unallocated" line item in the budget which will not change any of the expense appropriations proposed here tonight. Surplus free cash will carry forward into the next fiscal year.

### SUGGESTED MOTION:

Move to approve the FY2026 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.

This packet includes an overview of the proposed budget in the form of the Program Summary, along with the



details of the Enterprise and Capital budgets.

**FOLLOW-UP:**

Staff will prepare the full FY2026 Recommended Budget and Financing Plan (Brown Book), for electronic distribution to Town Meeting members, the Board, and the financial committees on or before February 26, 2025. This will allow Town Meeting to take up financial articles by March 26, 2025 the second night of Town Meeting.

**DATE AND APPROXIMATE TIME ON AGENDA:**

2/14/2025                      9:45am

**ATTACHMENTS:**

Description	Type
☐ FY2026 Recommended Budget & Financing Plan	Backup Material

# Section I Budget Overview

Town of Lexington, MA

Program Summary		A	B	C	X	Y	D	E (D-C)	F (E/C)
Element	Description	FY2023 Actual	FY2024 Actual	FY2025 Restated	FY2026 Request	FY2026 Add/Delete	FY2026 Recommended	Change \$	Change %
<b>Operating Budget - General Fund Expenses</b>									
<u>Program 1000: Education</u>									
	1100 Lexington Public Schools	\$ 125,168,059	\$ 134,202,347	\$ 140,508,367	\$ 146,033,333	\$ —	\$ 146,033,333	\$ 5,524,966	3.93 %
	1200 Regional High School	\$ 3,223,898	\$ 3,501,977	\$ 3,406,395	\$ 3,606,312	\$ —	\$ 3,606,312	\$ 199,917	5.87 %
	<b>Total Education</b>	<b>\$ 128,391,957</b>	<b>\$ 137,704,324</b>	<b>\$ 143,914,762</b>	<b>\$ 149,639,645</b>	<b>\$ —</b>	<b>\$ 149,639,645</b>	<b>\$ 5,724,883</b>	<b>3.98 %</b>
<u>Program 2000: Shared Expenses</u>									
	2110 Contributory Retirement	\$ 9,219,250	\$ 9,984,800	\$ 10,743,076	\$ 11,521,504	\$ —	\$ 11,521,504	\$ 778,428	7.25 %
	2130 Employee Benefits (Health/Dental/Life/Medicare)	\$ 30,864,222	\$ 32,345,834	\$ 37,478,895	\$ 41,147,189	\$ —	\$ 41,147,189	\$ 3,668,294	9.79 %
	2140 Unemployment	\$ 118,848	\$ 49,236	\$ 200,000	\$ 200,000	\$ —	\$ 200,000	\$ —	— %
	2150 Workers' Comp.* (MGL Ch.40:13A&13C, Ch.41:111F)	\$ 625,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ —	\$ 500,000	\$ —	— %
	<i>Subtotal 2100 Benefits</i>	<i>\$ 40,827,320</i>	<i>\$ 42,879,870</i>	<i>\$ 48,921,971</i>	<i>\$ 53,368,693</i>	<i>\$ —</i>	<i>\$ 53,368,693</i>	<i>\$ 4,446,722</i>	<i>9.09 %</i>
	2210 Property & Liability Insurance	\$ 932,619	\$ 1,016,845	\$ 1,140,800	\$ 1,277,696	\$ —	\$ 1,277,696	\$ 136,896	12.00 %
	2220 Uninsured Losses* (MGL Ch. 40, Sec. 13)	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ —	\$ 200,000	\$ —	— %
	<i>Subtotal 2200 Property &amp; Liability Insurance</i>	<i>\$ 1,132,619</i>	<i>\$ 1,216,845</i>	<i>\$ 1,340,800</i>	<i>\$ 1,477,696</i>	<i>\$ —</i>	<i>\$ 1,477,696</i>	<i>\$ 136,896</i>	<i>10.21 %</i>
	2310 Solar Producer Payments	\$ 340,537	\$ 351,503	\$ 390,000	\$ 390,000	\$ —	\$ 390,000	\$ —	— %
	<i>Subtotal 2300 Solar Producer Payments</i>	<i>\$ 340,537</i>	<i>\$ 351,503</i>	<i>\$ 390,000</i>	<i>\$ 390,000</i>	<i>\$ —</i>	<i>\$ 390,000</i>	<i>\$ —</i>	<i>— %</i>
	2410 Principal on Long Term Debt	\$ 5,274,000	\$ 4,806,800	\$ 4,290,400	\$ 3,895,500	\$ —	\$ 3,895,500	\$ (394,900)	(9.20) %
	2420 Interest on Long Term Debt	\$ 1,217,534	\$ 1,160,782	\$ 1,202,976	\$ 1,288,057	\$ —	\$ 1,288,057	\$ 85,081	7.07 %
	2430 Principal & Interest on Temporary Debt	\$ 676,945	\$ 590,135	\$ 629,976	\$ 799,511	\$ —	\$ 799,511	\$ 169,535	26.91 %
	<i>Subtotal 2400 Debt Services</i>	<i>\$ 7,168,480</i>	<i>\$ 6,557,717</i>	<i>\$ 6,123,352</i>	<i>\$ 5,983,068</i>	<i>\$ —</i>	<i>\$ 5,983,068</i>	<i>\$ (140,284)</i>	<i>(2.29) %</i>
	2510 Reserve Fund	\$ —	\$ —	\$ 850,000	\$ 850,000	\$ —	\$ 850,000	\$ —	— %
	<i>Subtotal 2500 Reserve Fund</i>	<i>\$ —</i>	<i>\$ —</i>	<i>\$ 850,000</i>	<i>\$ 850,000</i>	<i>\$ —</i>	<i>\$ 850,000</i>	<i>\$ —</i>	<i>— %</i>
	2600 Facilities	\$ 11,955,374	\$ 14,219,513	\$ 14,565,854	\$ 15,169,172	\$ 20,000	\$ 15,189,172	\$ 623,318	4.28 %
	3450 Refuse & Recycle Collection for Municipal & School Buildings	\$ —	\$ —	\$ 104,839	\$ 112,128	\$ —	\$ 112,128	\$ 7,290	6.95 %
	<b>Total Shared Expenses</b>	<b>\$ 61,424,329</b>	<b>\$ 65,225,447</b>	<b>\$ 72,296,815</b>	<b>\$ 77,350,757</b>	<b>\$ 20,000</b>	<b>\$ 77,370,757</b>	<b>\$ 5,073,942</b>	<b>7.02 %</b>

# Section I Budget Overview

Town of Lexington, MA

Program Summary		A	B	C	X	Y	D	E (D-C)	F (E/C)
Element	Description	FY2023 Actual	FY2024 Actual	FY2025 Restated	FY2026 Request	FY2026 Add/Delete	FY2026 Recommended	Change \$	Change %
<b>Program 3000: Public Works</b>									
	3100-3500 DPW Personal Services	\$ 4,649,707	\$ 4,883,018	\$ 5,235,820	\$ 5,428,165	\$ —	\$ 5,428,165	\$ 192,345	3.67 %
	3100-3500 DPW Expenses	\$ 6,420,103	\$ 6,677,403	\$ 7,849,286	\$ 8,543,635	\$ —	\$ 8,543,635	\$ 694,348	8.85 %
<b>Total Public Works</b>		<b>\$ 11,069,810</b>	<b>\$ 11,560,421</b>	<b>\$ 13,085,106</b>	<b>\$ 13,971,800</b>	<b>\$ —</b>	<b>\$ 13,971,800</b>	<b>\$ 886,693</b>	<b>6.78 %</b>
<b>Program 4000: Public Safety</b>									
	4100 Law Enforcement Personal Services	\$ 7,486,343	\$ 7,878,682	\$ 8,333,126	\$ 8,464,958	\$ —	\$ 8,464,958	\$ 131,832	1.58 %
	4100 Law Enforcement Expenses	\$ 1,096,264	\$ 1,110,086	\$ 1,203,197	\$ 1,281,020	\$ —	\$ 1,281,020	\$ 77,823	6.47 %
<i>Subtotal 4100 Law Enforcement</i>		<i>\$ 8,582,607</i>	<i>\$ 8,988,768</i>	<i>\$ 9,536,323</i>	<i>\$ 9,745,978</i>	<i>\$ —</i>	<i>\$ 9,745,978</i>	<i>\$ 209,655</i>	<i>2.20 %</i>
	4200 Fire Personal Services	\$ 7,278,612	\$ 8,313,040	\$ 8,402,956	\$ 8,480,645	\$ —	\$ 8,480,645	\$ 77,689	0.92 %
	4200 Fire Expenses	\$ 829,373	\$ 655,984	\$ 886,944	\$ 978,343	\$ —	\$ 978,343	\$ 91,399	10.30 %
<i>Subtotal 4200 EMS/Fire</i>		<i>\$ 8,107,985</i>	<i>\$ 8,969,024</i>	<i>\$ 9,289,900</i>	<i>\$ 9,458,988</i>	<i>\$ —</i>	<i>\$ 9,458,988</i>	<i>\$ 169,088</i>	<i>1.82 %</i>
<b>Total Public Safety</b>		<b>\$ 16,690,592</b>	<b>\$ 17,957,792</b>	<b>\$ 18,826,223</b>	<b>\$ 19,204,966</b>	<b>\$ —</b>	<b>\$ 19,204,966</b>	<b>\$ 378,743</b>	<b>2.01 %</b>
<b>Program 5000: Culture &amp; Recreation</b>									
	5100 Library Personal Services	\$ 2,650,088	\$ 2,720,515	\$ 2,748,471	\$ 2,950,596	\$ —	\$ 2,950,596	\$ 202,125	7.35 %
	5100 Library Expenses	\$ 679,883	\$ 660,036	\$ 712,094	\$ 740,865	\$ —	\$ 740,865	\$ 28,771	4.04 %
<b>Total Culture &amp; Recreation</b>		<b>\$ 3,329,971</b>	<b>\$ 3,380,551</b>	<b>\$ 3,460,565</b>	<b>\$ 3,691,461</b>	<b>\$ —</b>	<b>\$ 3,691,461</b>	<b>\$ 230,896</b>	<b>6.67 %</b>
<b>Program 6000: Human Services and Health</b>									
	6100-6200 Human Services Personal Services	\$ 682,484	\$ 688,752	\$ 750,616	\$ 753,284	\$ —	\$ 753,284	\$ 2,668	0.36 %
	6100-6200 Human Services Expenses	\$ 794,765	\$ 850,437	\$ 763,323	\$ 950,313	\$ —	\$ 950,313	\$ 186,990	24.50 %
<i>Subtotal 6100-6200 Human Services</i>		<i>\$ 1,477,249</i>	<i>\$ 1,539,190</i>	<i>\$ 1,513,939</i>	<i>\$ 1,703,597</i>	<i>\$ —</i>	<i>\$ 1,703,597</i>	<i>\$ 189,658</i>	<i>12.53 %</i>
	6500 Health Personal Services	\$ 355,674	\$ 435,477	\$ 458,098	\$ 473,524	\$ —	\$ 473,524	\$ 15,426	3.37 %
	6500 Health Expenses	\$ 49,004	\$ 46,988	\$ 87,050	\$ 87,500	\$ —	\$ 87,500	\$ 450	0.52 %
<i>Subtotal 6500 Health</i>		<i>\$ 404,679</i>	<i>\$ 482,465</i>	<i>\$ 545,148</i>	<i>\$ 561,024</i>	<i>\$ —</i>	<i>\$ 561,024</i>	<i>\$ 15,876</i>	<i>2.91 %</i>
<b>Total Human Services and Health</b>		<b>\$ 1,881,927</b>	<b>\$ 2,021,655</b>	<b>\$ 2,059,087</b>	<b>\$ 2,264,621</b>	<b>\$ —</b>	<b>\$ 2,264,621</b>	<b>\$ 205,534</b>	<b>9.98 %</b>

# Section I Budget Overview

Town of Lexington, MA

Program Summary		A	B	C	X	Y	D	E (D-C)	F (E/C)
Element	Description	FY2023 Actual	FY2024 Actual	FY2025 Restated	FY2026 Request	FY2026 Add/Delete	FY2026 Recommended	Change \$	Change %
<b>Program 7000: Land Use, Housing and Development (LUHD) Department</b>									
	7100-7400 LUHD Dept. Personal Services	\$ 1,863,837	\$ 1,872,366	\$ 2,055,655	\$ 2,034,845	\$ —	\$ 2,034,845	\$ (20,810)	(1.01) %
	7100-7400 LUHD Dept. Expenses	\$ 303,629	\$ 311,235	\$ 386,951	\$ 430,391	\$ —	\$ 430,391	\$ 43,440	11.23 %
	<b>Total Land Use, Housing &amp; Development Dept.</b>	<b>\$ 2,167,466</b>	<b>\$ 2,183,601</b>	<b>\$ 2,442,606</b>	<b>\$ 2,465,236</b>	<b>\$ —</b>	<b>\$ 2,465,236</b>	<b>\$ 22,630</b>	<b>0.93 %</b>
<b>Program 8000: General Government</b>									
	8110 Select Board Personal Services	\$ 144,276	\$ 150,237	\$ 156,709	\$ 155,071	\$ —	\$ 155,071	\$ (1,638)	(1.05) %
	8110 Select Board Expenses	\$ 82,676	\$ 78,450	\$ 128,013	\$ 131,013	\$ —	\$ 131,013	\$ 3,000	2.34 %
	8120 Legal	\$ 331,829	\$ 473,669	\$ 375,000	\$ 375,000	\$ —	\$ 375,000	\$ —	— %
	8130 Town Report	\$ 12,766	\$ 12,562	\$ 13,688	\$ 13,688	\$ —	\$ 13,688	\$ —	— %
	8140 PEG Access	\$ 655,680	\$ 626,292	\$ 715,224	\$ 764,757	\$ —	\$ 764,757	\$ 49,533	6.93 %
	<i>Subtotal 8100 Select Board</i>	<i>\$ 1,227,227</i>	<i>\$ 1,341,210</i>	<i>\$ 1,388,634</i>	<i>\$ 1,439,529</i>	<i>\$ —</i>	<i>\$ 1,439,529</i>	<i>\$ 50,895</i>	<i>3.67 %</i>
	8210-8220 Town Manager Personal Services	\$ 968,492	\$ 1,038,807	\$ 1,129,878	\$ 1,262,525	\$ (47,613)	\$ 1,214,912	\$ 85,034	7.53 %
	8210-8220 Town Manager Expenses	\$ 170,167	\$ 264,969	\$ 534,962	\$ 394,810	\$ —	\$ 394,810	\$ (140,152)	(26.20) %
	8230 Salary Transfer Account* (MGL Ch.40, Sec 13D)	\$ 826,422	\$ 725,300	\$ 294,179	\$ —	\$ —	\$ —	\$ (294,179)	(100.00) %
	<i>Subtotal 8200 Town Manager</i>	<i>\$ 1,965,081</i>	<i>\$ 2,029,076</i>	<i>\$ 1,959,019</i>	<i>\$ 1,657,335</i>	<i>\$ (47,613)</i>	<i>\$ 1,609,722</i>	<i>\$ (349,298)</i>	<i>(17.83) %</i>
	8310 Financial Committees	\$ 451	\$ 363	\$ 8,676	\$ 8,820	\$ —	\$ 8,820	\$ 144	1.66 %
	8320 Misc. Boards and Committees	\$ 5,996	\$ 5,999	\$ 10,500	\$ 10,500	\$ —	\$ 10,500	\$ —	— %
	8330 Town Celebrations Committee	\$ 50,998	\$ 45,423	\$ 53,734	\$ 53,800	\$ —	\$ 53,800	\$ 66	0.1 %
	<i>Subtotal 8300 Town Committees</i>	<i>\$ 57,446</i>	<i>\$ 51,785</i>	<i>\$ 72,910</i>	<i>\$ 73,120</i>	<i>\$ —</i>	<i>\$ 73,120</i>	<i>\$ 210</i>	<i>0.3 %</i>
	8400 Finance Personal Services	\$ 1,486,805	\$ 1,585,167	\$ 1,636,918	\$ 1,685,728	\$ —	\$ 1,685,728	\$ 48,810	2.98 %
	8400 Finance Expenses	\$ 449,047	\$ 366,468	\$ 535,260	\$ 520,490	\$ —	\$ 520,490	\$ (14,770)	(2.76) %
	<i>Subtotal 8400 Finance</i>	<i>\$ 1,935,851</i>	<i>\$ 1,951,635</i>	<i>\$ 2,172,178</i>	<i>\$ 2,206,218</i>	<i>\$ —</i>	<i>\$ 2,206,218</i>	<i>\$ 34,040</i>	<i>1.57 %</i>
	8500 Town Clerk Personal Services	\$ 433,848	\$ 427,108	\$ 554,770	\$ 562,029	\$ —	\$ 562,029	\$ 7,259	1.31 %
	8500 Town Clerk Expenses	\$ 137,732	\$ 119,349	\$ 126,049	\$ 130,450	\$ —	\$ 130,450	\$ 4,401	3.49 %
	<i>Subtotal 8500 Town Clerk</i>	<i>\$ 571,581</i>	<i>\$ 546,457</i>	<i>\$ 680,819</i>	<i>\$ 692,479</i>	<i>\$ —</i>	<i>\$ 692,479</i>	<i>\$ 11,660</i>	<i>1.71 %</i>
	8600 IT Personal Services	\$ 849,519	\$ 814,311	\$ 851,591	\$ 867,726	\$ —	\$ 867,726	\$ 16,135	1.89 %
	8600 IT Expenses	\$ 1,640,064	\$ 1,602,931	\$ 2,272,584	\$ 2,508,398	\$ —	\$ 2,508,398	\$ 235,814	10.38 %
	<i>Subtotal 8600 Innovation &amp; Technology</i>	<i>\$ 2,489,583</i>	<i>\$ 2,417,243</i>	<i>\$ 3,124,175</i>	<i>\$ 3,376,124</i>	<i>\$ —</i>	<i>\$ 3,376,124</i>	<i>\$ 251,949</i>	<i>8.06 %</i>
	<b>Total General Government</b>	<b>\$ 8,246,768</b>	<b>\$ 8,337,406</b>	<b>\$ 9,397,735</b>	<b>\$ 9,444,805</b>	<b>\$ (47,613)</b>	<b>\$ 9,397,192</b>	<b>\$ (543)</b>	<b>(0.01) %</b>
	<b>Total Municipal</b>	<b>\$ 43,386,534</b>	<b>\$ 45,441,426</b>	<b>\$ 49,271,323</b>	<b>\$ 51,042,889</b>	<b>\$ (47,613)</b>	<b>\$ 50,995,275</b>	<b>\$ 1,723,953</b>	<b>3.50 %</b>

# Section I Budget Overview

Town of Lexington, MA

## Program Summary

Element Description	A	B	C	X	Y	D	E	F
	FY2023 Actual	FY2024 Actual	FY2025 Restated	FY2026 Request	FY2026 Add/Delete	FY2026 Recommended	(D-C) Change \$	(E/C) Change %
<b>Operating Department Summary</b>								
Education Operating	\$ 128,391,957	\$ 137,704,324	\$ 143,914,762	\$ 149,639,645	\$ —	\$ 149,639,645	\$ 5,724,883	3.98 %
Shared Expenses	\$ 61,424,329	\$ 65,225,447	\$ 72,296,815	\$ 77,350,757	\$ 20,000	\$ 77,370,757	\$ 5,073,942	7.02 %
Municipal Operating	\$ 43,386,534	\$ 45,441,426	\$ 49,271,323	\$ 51,042,889	\$ (47,613)	\$ 50,995,275	\$ 1,723,953	3.50 %
	\$ 233,202,820	\$ 248,371,197	\$ 265,482,900	\$ 278,033,291	\$ (27,613)	\$ 278,005,678	\$ 12,522,778	4.72 %
<b>Capital</b>								
Capital Requests (Cash-GF, Prior Bond Auth., BAN Premiums)	\$ 11,049,906	\$ 13,299,438	\$ 13,769,689	\$ 16,542,946	\$ —	\$ 16,542,946	\$ 2,773,257	20.14 %
Non-General Fund Capital Requests	\$ 311,824	\$ 129,685	\$ 168,234	\$ 18,043	\$ —	\$ 18,043	\$ (150,191)	(89.28) %
Building Envelope & Systems Set-Aside	\$ 219,540	\$ 225,029	\$ 230,655	\$ 236,421	\$ —	\$ 236,421	\$ 5,766	2.50 %
Streets Set-Aside	\$ 2,669,767	\$ 2,688,312	\$ 2,707,321	\$ 2,726,806	\$ —	\$ 2,726,806	\$ 19,485	0.72 %
<b>Total Capital</b>	<b>\$ 14,251,037</b>	<b>\$ 16,342,464</b>	<b>\$ 16,875,899</b>	<b>\$ 19,524,216</b>	<b>\$ —</b>	<b>\$ 19,524,216</b>	<b>\$ 2,648,317</b>	<b>15.69 %</b>
<b>Other</b>								
Unallocated	\$ —	\$ —	\$ —	\$ 1,603,333	\$ —	\$ 1,603,333	\$ 1,603,333	— %
Set-Aside for Unanticipated Current FY Needs	\$ —	\$ —	\$ —	\$ 200,000	\$ —	\$ 200,000	\$ 200,000	— %
Special Education Stabilization Fund	\$ —	\$ 500,000	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Special Education Reserve Fund	\$ —	\$ 750,000	\$ —	\$ 700,000	\$ —	\$ 700,000	\$ 700,000	— %
General Fund Support for Recreation & Community Programs (Transfer to Article 5, ATM)	\$ 242,790	\$ 256,675	\$ 272,708	\$ 254,213	\$ —	\$ 254,213	\$ (18,495)	(6.78) %
Tax Levy Dedicated to Capital Stabilization Fund	\$ 1,733,137	\$ 4,036,373	\$ 6,563,050	\$ 6,563,050	\$ —	\$ 6,563,050	\$ —	— %
Allocated to Capital Stabilization Fund	\$ 3,784,689	\$ 396,145	\$ 1,836,112	\$ —	\$ —	\$ —	\$ (1,836,112)	(100.0) %
Transfer to the Transportation Demand Management (TDM) Stab. Fund from Tax Levy	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Senior Service Program	\$ 15,000	\$ —	\$ 15,000	\$ —	\$ —	\$ —	\$ (15,000)	(100.0) %
Climate Action Plan	\$ 50,570	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Capital for Lexington Parks Project (General Capital)	\$ —	\$ —	\$ —	\$ 2,000,000	\$ —	\$ 2,000,000	\$ 2,000,000	— %
Municipal Tree Maintenance	\$ —	\$ —	\$ —	\$ 200,000	\$ —	\$ 200,000	\$ 200,000	— %
OPEB Trust Fund***	\$ 1,929,721	\$ 1,979,721	\$ 2,029,721	\$ 2,079,721	\$ —	\$ 2,079,721	\$ 50,000	2.46 %
Warrant Articles	\$ 526,364	\$ 187,927	\$ 500,000	\$ 24,000	\$ —	\$ 24,000	\$ (476,000)	(95.2) %
<b>Total Other Articles</b>	<b>\$ 8,282,271</b>	<b>\$ 8,106,841</b>	<b>\$ 11,216,591</b>	<b>\$ 13,624,317</b>	<b>\$ —</b>	<b>\$ 13,624,317</b>	<b>\$ 2,407,726</b>	<b>21.47 %</b>
<b>General Fund Total</b>	<b>\$ 255,736,127</b>	<b>\$ 272,820,502</b>	<b>\$ 293,575,390</b>	<b>\$ 311,181,824</b>	<b>\$ (27,613)</b>	<b>\$ 311,154,210</b>	<b>\$ 17,578,820</b>	<b>5.99 %</b>

\*Line-Items marked with an asterisk (\*) will be presented at Town Meeting as Continuing Balance accounts.

\*\*The FY2023 Actual and FY2024 Appropriations for Minuteman Regional High School have been adjusted to reflect the actual assessments for those years, rather than the timing of actual payments.

\*\*\*Reflects the OPEB funding from General Fund sources; additional amounts will be appropriated from the Water and Wastewater Enterprise funds, as detailed in those budget sections.

# Section I Budget Overview

Town of Lexington, MA

Program Summary		A	B	C	X	Y	D	E (D-C)	F (E/C)
Element	Description	FY2023 Actual	FY2024 Actual	FY2025 Restated	FY2026 Request	FY2026 Add/Delete	FY2026 Recommended	Change \$	Change %
<b>Enterprise Funds</b>									
3600	Water Enterprise	\$ 11,817,793	\$ 13,587,220	\$ 12,375,525	\$ 12,819,207	\$ —	\$ 12,819,207	\$ 443,682	3.59 %
3700	Sewer Enterprise	\$ 11,205,906	\$ 11,554,855	\$ 12,344,602	\$ 12,736,028	\$ —	\$ 12,736,028	\$ 391,426	3.17 %
5200	Recreation Enterprise	\$ 3,117,546	\$ 3,183,992	\$ 3,713,658	\$ 3,784,450	\$ —	\$ 3,784,450	\$ 70,792	1.91 %
	Cash Capital - Enterprise	\$ 900,000	\$ 1,200,000	\$ 1,500,000	\$ 1,800,000	\$ —	\$ 1,800,000	\$ 300,000	20.00 %
<b>Total Enterprise Funds (Oper. Exp. ONLY)</b>		<b>\$ 27,041,245</b>	<b>\$ 29,526,067</b>	<b>\$ 29,933,785</b>	<b>\$ 31,139,685</b>	<b>\$ —</b>	<b>\$ 31,139,685</b>	<b>\$ 1,205,900</b>	<b>4.03 %</b>
<b>Revolving Funds</b>									
1100	School Bus Transportation	\$ 987,576	\$ 1,149,961	\$ 1,150,000	\$ 1,300,000	\$ —	\$ 1,300,000	\$ 150,000	13.04 %
2600	Building Rental Revolving Fund	\$ 600,824	\$ 541,047	\$ 631,318	\$ 647,043	\$ —	\$ 647,043	\$ 15,725	2.49 %
3100	Regional Cache - Hartwell Avenue	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
3320	Tree (DPW-Forestry)	\$ 115,457	\$ 70,336	\$ 120,000	\$ 150,000	\$ —	\$ 150,000	\$ 30,000	25.00 %
3330	Burial Container (DPW-Cemetery)	\$ 33,460	\$ 26,690	\$ 60,000	\$ 60,000	\$ —	\$ 60,000	\$ —	— %
3420	Compost Operations (DPW-Recycling)	\$ 929,350	\$ 940,273	\$ 858,368	\$ 953,383	\$ —	\$ 953,383	\$ 95,015	11.07 %
3420	MHHP Operations	\$ 155,685	\$ 190,685	\$ 250,000	\$ 250,000	\$ —	\$ 250,000	\$ —	— %
3420	Refuse & Recycling Collection Rev. Fund (3420)	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
6120	Senior Services	\$ 56,182	\$ 44,602	\$ 75,000	\$ 75,000	\$ —	\$ 75,000	\$ —	— %
6510	Health Programs	\$ 50,690	\$ 36,404	\$ 110,000	\$ 110,000	\$ —	\$ 110,000	\$ —	— %
6510	Lab Inspections	\$ —	\$ —	\$ 80,000	\$ 80,000	\$ —	\$ 80,000	\$ —	— %
7110	Residential Engineering Review	\$ —	\$ —	\$ 57,600	\$ 57,600	\$ —	\$ 57,600	\$ —	— %
7320	Tourism/Liberty Ride	\$ 99,230	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
7340	Visitors Center	\$ 162,962	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
7350	Tourism Revolving Fund	\$ —	\$ 340,230	\$ 513,753	\$ 561,191	\$ —	\$ 561,191	\$ 47,438	9.23 %
<b>Total Revolving Funds</b>		<b>\$ 3,191,414</b>	<b>\$ 3,340,228</b>	<b>\$ 3,906,039</b>	<b>\$ 4,244,216</b>	<b>\$ —</b>	<b>\$ 4,244,216</b>	<b>\$ 338,177</b>	<b>8.66 %</b>
<b>Community Preservation Act (CPA)</b>									
	CPA Cash Capital	\$ 6,022,556	\$ 11,962,010	\$ 8,444,365	\$ 7,495,844	\$ —	\$ 7,495,844	\$ (948,521)	(11) %
	CPA Debt Service	\$ 1,935,635	\$ 1,788,900	\$ 681,200	\$ —	\$ —	\$ —	\$ (681,200)	(100.00) %
	CPA Other (Projects & Admin.)	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ —	\$ 150,000	\$ —	— %

# Section I Budget Overview

Town of Lexington, MA

Program Summary		A	B	C	X	Y	D	E (D-C)	F (E/C)
Element	Description	FY2023 Actual	FY2024 Actual	FY2025 Restated	FY2026 Request	FY2026 Add/Delete	FY2026 Recommended	Change \$	Change %
<b>Total CPA</b>		\$ 8,108,191	\$ 13,900,910	\$ 9,275,565	\$ 7,645,844	\$ —	\$ 7,645,844	\$ (1,629,721)	(17.57)%
<b>Grants</b>									
	Grants & Subsidies (MBTA & Elder Affairs)	\$ 150,300	\$ 177,909	\$ 408,045	\$ 300,913	\$ —	\$ 300,913	\$ (107,132)	(26.25)%
<b>Total Grants</b>		\$ 150,300	\$ 177,909	\$ 408,045	\$ 300,913	\$ —	\$ 300,913	\$ (107,132)	(26.25)%
<b>Exempt Debt</b>									
	Municipal	\$ 2,268,827	\$ 2,228,673	\$ 2,129,334	\$ 4,615,160	\$ —	\$ 4,615,160	\$ 2,485,826	116.74 %
	School	\$ 13,739,558	\$ 14,582,976	\$ 14,754,835	\$ 11,675,281	\$ —	\$ 11,675,281	\$ (3,079,554)	(20.87)%
	Less Capital Stabilization Fund Mitigation	\$ (800,000)	\$ (500,000)	\$ —	\$ —	\$ —	\$ —	\$ —	— %
<b>Total Exempt Debt</b>		\$ 15,208,385	\$ 16,311,649	\$ 16,884,169	\$ 16,290,441	\$ —	\$ 16,290,441	\$ (593,728)	(3.52)%
<b>Non-General Fund Total</b>		\$ 53,699,535	\$ 63,256,763	\$ 60,407,603	\$ 59,621,099	\$ —	\$ 59,621,099	\$ (786,504)	(1.30)%
<b>Combined Budget Total</b>		\$ 309,435,662	\$ 336,077,264	\$ 353,982,993	\$ 370,802,923	\$ (27,613)	\$ 370,775,309	\$ 16,792,317	4.74 %
<b>Reconciliation</b>									
	Education	\$ 128,391,957	\$ 137,704,324	\$ 143,914,762	\$ 149,639,645	\$ —	\$ 149,639,645	\$ 5,724,883	3.98 %
	Shared Expenses	\$ 61,424,329	\$ 65,225,447	\$ 72,296,815	\$ 77,350,757	\$ 20,000	\$ 77,370,757	\$ 5,073,942	7.02 %
	Municipal	\$ 43,386,534	\$ 45,441,426	\$ 49,271,323	\$ 51,042,889	\$ (47,613)	\$ 50,995,275	\$ 1,723,953	3.50 %
	Capital	\$ 14,251,037	\$ 16,342,464	\$ 16,875,899	\$ 19,524,216	\$ —	\$ 19,524,216	\$ 2,648,317	15.69 %
	Other	\$ 8,282,271	\$ 8,106,841	\$ 11,216,591	\$ 13,624,317	\$ —	\$ 13,624,317	\$ 2,407,726	21.47 %
	Enterprise	\$ 27,041,245	\$ 29,526,067	\$ 29,933,785	\$ 31,139,685	\$ —	\$ 31,139,685	\$ 1,205,900	4.03 %
	Revolving Funds & Grants	\$ 3,341,714	\$ 3,518,137	\$ 4,314,084	\$ 4,545,129	\$ —	\$ 4,545,129	\$ 231,045	5.36 %
	CPA	\$ 8,108,191	\$ 13,900,910	\$ 9,275,565	\$ 7,645,844	\$ —	\$ 7,645,844	\$ (1,629,721)	(17.57)%
	Exempt Debt	\$ 15,208,385	\$ 16,311,649	\$ 16,884,169	\$ 16,290,441	\$ —	\$ 16,290,441	\$ (593,728)	(3.52)%
<b>Totals</b>		\$ 309,435,662	\$ 336,077,264	\$ 353,982,993	\$ 370,802,923	\$ (27,613)	\$ 370,775,309	\$ 16,792,317	4.74 %

# 3600 Water Enterprise

Program: Public Works  
Town of Lexington, MA

## Budget Summary:

Funding Sources	FY2023 Actual	FY2024 Actual	FY2025 Estimate	FY2026 Projected	Manager's Add/Del	FY2026 Projected	Dollar Increase	Percent Increase
Tax Levy	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Enterprise Funds								
Retained Earnings	\$ —	\$ 500,000	\$ —	\$ —	\$ —	\$ —	\$ —	— %
User Charges	\$ 14,786,042	\$ 12,983,236	\$ 12,352,798	\$ 12,996,480	\$ —	\$ 12,996,480	\$ 643,682	5.21 %
Meter Charges	\$ 69,806	\$ 53,980	\$ 53,980	\$ 53,980	\$ —	\$ 53,980	\$ —	— %
Investment Income	\$ 328,490	\$ 619,717	\$ 619,717	\$ 619,717	\$ —	\$ 619,717	\$ —	— %
Fees & Charges	\$ 293,494	\$ 349,030	\$ 349,030	\$ 349,030	\$ —	\$ 349,030	\$ —	— %
<b>Total 3600 Water Enterprise</b>	<b>\$ 15,477,833</b>	<b>\$ 14,505,963</b>	<b>\$ 13,375,525</b>	<b>\$ 14,019,207</b>	<b>\$ —</b>	<b>\$ 14,019,207</b>	<b>\$ 643,682</b>	<b>4.81 %</b>

Appropriation Summary	FY2023 Actual	FY2024 Actual	FY2025 Revised	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Compensation	\$ 769,073	\$ 820,510	\$ 971,418	\$ 1,074,990	\$ —	\$ 1,074,990	\$ 103,572	10.66 %
Expenses	\$ 380,220	\$ 544,206	\$ 614,400	\$ 650,100	\$ —	\$ 650,100	\$ 35,700	5.81 %
Cash Capital	\$ 600,000	\$ 800,000	\$ 1,000,000	\$ 1,200,000	\$ —	\$ 1,200,000	\$ 200,000	20.00 %
Debt	\$ 1,195,179	\$ 2,375,660	\$ 1,386,157	\$ 1,438,006	\$ —	\$ 1,438,006	\$ 51,849	3.74 %
MWRA	\$ 8,493,467	\$ 8,832,742	\$ 8,432,204	\$ 8,650,822	\$ —	\$ 8,650,822	\$ 218,618	2.59 %
OPEB	\$ 2,761	\$ 2,761	\$ 3,045	\$ 3,045	\$ —	\$ 3,045	\$ —	— %
Indirects	\$ 977,093	\$ 1,011,340	\$ 968,301	\$ 1,002,244	\$ —	\$ 1,002,244	\$ 33,943	3.51 %
<b>Total 3600 Water Enterprise</b>	<b>\$ 12,417,793</b>	<b>\$ 14,387,220</b>	<b>\$ 13,375,525</b>	<b>\$ 14,019,207</b>	<b>\$ —</b>	<b>\$ 14,019,207</b>	<b>\$ 643,682</b>	<b>4.81 %</b>

Program Summary	FY2023 Actual	FY2024 Actual	FY2025 Revised	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
3610 Water Operations	\$ 2,344,472	\$ 3,740,377	\$ 2,971,975	\$ 3,163,096	\$ —	\$ 3,163,096	\$ 191,121	6.43 %
3620 MWRA	\$ 8,493,467	\$ 8,832,742	\$ 8,432,204	\$ 8,650,822	\$ —	\$ 8,650,822	\$ 218,618	2.59 %
Cash Capital	\$ 600,000	\$ 800,000	\$ 1,000,000	\$ 1,200,000	\$ —	\$ 1,200,000	\$ 200,000	20.00 %
OPEB	\$ 2,761	\$ 2,761	\$ 3,045	\$ 3,045	\$ —	\$ 3,045	\$ —	— %
Indirects	\$ 977,093	\$ 1,011,340	\$ 968,301	\$ 1,002,244	\$ —	\$ 1,002,244	\$ 33,943	3.51 %
<b>Total 3600 Water Enterprise</b>	<b>\$ 12,417,793</b>	<b>\$ 14,387,220</b>	<b>\$ 13,375,525</b>	<b>\$ 14,019,207</b>	<b>\$ —</b>	<b>\$ 14,019,207</b>	<b>\$ 643,682</b>	<b>4.81 %</b>

Object Code Summary	FY2023 Actual	FY2024 Actual	FY2025 Revised	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Salaries & Wages	\$ 609,678	\$ 667,122	\$ 780,362	\$ 881,451	\$ —	\$ 881,451	\$ 101,089	12.95 %
Overtime	\$ 159,395	\$ 153,389	\$ 191,056	\$ 193,539	\$ —	\$ 193,539	\$ 2,483	1.30 %
<i>Personal Services</i>	\$ 769,073	\$ 820,510	\$ 971,418	\$ 1,074,990	\$ —	\$ 1,074,990	\$ 103,572	10.66 %
Contractual Services	\$ 261,544	\$ 276,843	\$ 392,200	\$ 403,200	\$ —	\$ 403,200	\$ 11,000	2.80 %
Utilities	\$ 17,712	\$ 16,864	\$ 18,000	\$ 20,500	\$ —	\$ 20,500	\$ 2,500	13.89 %
Supplies	\$ 100,165	\$ 195,363	\$ 174,200	\$ 191,400	\$ —	\$ 191,400	\$ 17,200	9.87 %
Small Capital	\$ 800	\$ 55,137	\$ 30,000	\$ 35,000	\$ —	\$ 35,000	\$ 5,000	16.67 %
<i>Expenses</i>	\$ 380,220	\$ 544,206	\$ 614,400	\$ 650,100	\$ —	\$ 650,100	\$ 35,700	5.81 %
Cash Capital	\$ 600,000	\$ 800,000	\$ 1,000,000	\$ 1,200,000	\$ —	\$ 1,200,000	\$ 200,000	20.00 %
Debt	\$ 1,195,179	\$ 2,375,660	\$ 1,386,157	\$ 1,438,006	\$ —	\$ 1,438,006	\$ 51,849	3.74 %
MWRA	\$ 8,493,467	\$ 8,832,742	\$ 8,432,204	\$ 8,650,822	\$ —	\$ 8,650,822	\$ 218,618	2.59 %
OPEB	\$ 2,761	\$ 2,761	\$ 3,045	\$ 3,045	\$ —	\$ 3,045	\$ —	— %
Indirects	\$ 977,093	\$ 1,011,340	\$ 968,301	\$ 1,002,244	\$ —	\$ 1,002,244	\$ 33,943	3.51 %
<b>Total 3600 Water Enterprise</b>	<b>\$ 12,417,793</b>	<b>\$ 14,387,220</b>	<b>\$ 13,375,525</b>	<b>\$ 14,019,207</b>	<b>\$ —</b>	<b>\$ 14,019,207</b>	<b>\$ 643,682</b>	<b>4.81 %</b>



# 3700 Sewer Enterprise

## Budget Summary:

Funding Sources	FY2023 Actual	FY2024 Actual	FY2025 Estimate	FY2026 Projected	Manager's Add/Del	FY2026 Projected	Dollar Increase	Percent Increase
Tax Levy	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Enterprise Funds								
Retained Earnings	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
User Charges	\$11,711,865	\$11,876,188	\$ 12,462,602	\$12,954,028	\$ —	\$ 12,954,028	\$ 491,426	3.94 %
Connection Fees	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Investment Income	\$ 111,770	\$ 61,612	\$ 20,000	\$ 20,000	\$ —	\$ 20,000	\$ —	— %
Fees & Charges	\$ 241,624	\$ 625,248	\$ 362,000	\$ 362,000	\$ —	\$ 362,000	\$ —	— %
<b>Total 3700 Sewer Enterprise</b>	<b>\$12,065,259</b>	<b>\$12,563,047</b>	<b>\$ 12,844,602</b>	<b>\$13,336,028</b>	<b>\$ —</b>	<b>\$ 13,336,028</b>	<b>\$ 491,426</b>	<b>3.83 %</b>

Appropriation Summary	FY2023 Actual	FY2024 Actual	FY2025 Revised	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Compensation	\$ 348,279	\$ 356,647	\$ 464,858	\$ 497,353	\$ —	\$ 497,353	\$ 32,495	6.99 %
Expenses	\$ 317,951	\$ 338,893	\$ 536,400	\$ 592,100	\$ —	\$ 592,100	\$ 55,700	10.38 %
Cash Capital	\$ 300,000	\$ 400,000	\$ 500,000	\$ 600,000	\$ —	\$ 600,000	\$ 100,000	20.00 %
Debt	\$ 1,561,467	\$ 1,406,381	\$ 1,592,858	\$ 1,672,086	\$ —	\$ 1,672,086	\$ 79,228	4.97 %
MWRA	\$ 8,432,789	\$ 8,861,891	\$ 9,153,352	\$ 9,359,196	\$ —	\$ 9,359,196	\$ 205,844	2.25 %
OPEB	\$ 3,004	\$ 3,004	\$ 609	\$ 609	\$ —	\$ 609	\$ —	— %
Indirects	\$ 542,416	\$ 588,040	\$ 596,525	\$ 614,684	\$ —	\$ 614,684	\$ 18,159	3.04 %
<b>Total 3700 Sewer Enterprise</b>	<b>\$11,505,906</b>	<b>\$11,954,855</b>	<b>\$ 12,844,602</b>	<b>\$13,336,028</b>	<b>\$ —</b>	<b>\$ 13,336,028</b>	<b>\$ 491,426</b>	<b>3.83 %</b>

Program Summary	FY2023 Actual	FY2024 Actual	FY2025 Revised	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
3710 Sewer Enterprise	\$ 2,227,697	\$ 2,101,920	\$ 2,594,116	\$ 2,761,539	\$ —	\$ 2,761,539	\$ 167,423	6.45 %
3720 - MWRA	\$ 8,432,789	\$ 8,861,891	\$ 9,153,352	\$ 9,359,196	\$ —	\$ 9,359,196	\$ 205,844	2.25 %
Cash Capital	\$ 300,000	\$ 400,000	\$ 500,000	\$ 600,000	\$ —	\$ 600,000	\$ 100,000	20.00 %
OPEB	\$ 3,004	\$ 3,004	\$ 609	\$ 609	\$ —	\$ 609	\$ —	— %
Indirects	\$ 542,416	\$ 588,040	\$ 596,525	\$ 614,684	\$ —	\$ 614,684	\$ 18,159	3.04 %
<b>Total 3700 Sewer Enterprise</b>	<b>\$11,505,906</b>	<b>\$11,954,855</b>	<b>\$ 12,844,602</b>	<b>\$13,336,028</b>	<b>\$ —</b>	<b>\$ 13,336,028</b>	<b>\$ 491,426</b>	<b>3.83 %</b>

Object Code Summary	FY2023 Actual	FY2024 Actual	FY2025 Revised	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Salaries & Wages	\$ 291,096	\$ 290,451	\$ 376,795	\$ 408,145	\$ —	\$ 408,145	\$ 31,350	8.32 %
Overtime	\$ 57,183	\$ 66,196	\$ 88,063	\$ 89,208	\$ —	\$ 89,208	\$ 1,145	1.30 %
<i>Personal Services</i>	\$ 348,279	\$ 356,647	\$ 464,858	\$ 497,353	\$ —	\$ 497,353	\$ 32,495	6.99 %
Contractual Services	\$ 190,563	\$ 115,945	\$ 308,400	\$ 341,400	\$ —	\$ 341,400	\$ 33,000	10.70 %
Utilities	\$ 112,136	\$ 166,976	\$ 132,500	\$ 142,500	\$ —	\$ 142,500	\$ 10,000	7.55 %
Supplies	\$ 14,892	\$ 43,007	\$ 79,500	\$ 87,200	\$ —	\$ 87,200	\$ 7,700	9.69 %
Small Capital	\$ 360	\$ 12,964	\$ 16,000	\$ 21,000	\$ —	\$ 21,000	\$ 5,000	31.25 %
<i>Expenses</i>	\$ 317,951	\$ 338,893	\$ 536,400	\$ 592,100	\$ —	\$ 592,100	\$ 55,700	10.38 %
Cash Capital	\$ 300,000	\$ 400,000	\$ 500,000	\$ 600,000	\$ —	\$ 600,000	\$ 100,000	20.00 %
Debt	\$ 1,561,467	\$ 1,406,381	\$ 1,592,858	\$ 1,672,086	\$ —	\$ 1,672,086	\$ 79,228	4.97 %
MWRA	\$ 8,432,789	\$ 8,861,891	\$ 9,153,352	\$ 9,359,196	\$ —	\$ 9,359,196	\$ 205,844	2.25 %
OPEB	\$ 3,004	\$ 3,004	\$ 609	\$ 609	\$ —	\$ 609	\$ —	— %
Indirects	\$ 542,416	\$ 588,040	\$ 596,525	\$ 614,684	\$ —	\$ 614,684	\$ 18,159	3.04 %
<b>Total 3700 Sewer Enterprise</b>	<b>\$11,505,906</b>	<b>\$11,954,855</b>	<b>\$ 12,844,602</b>	<b>\$13,336,028</b>	<b>\$ —</b>	<b>\$ 13,336,028</b>	<b>\$ 491,426</b>	<b>3.83 %</b>

## 5200 Recreation & Community Programs

### Budget Summary

Funding Sources	FY2023 Actual	FY2024 Actual	FY2025 Estimate	FY2026 Projected	Manager's Add/Del	FY2026 Projected	Dollar Increase	Percent Increase
Tax Levy	\$ 242,790	\$ 256,675	\$ 272,708	\$ 254,213	\$ —	\$ 254,213	\$ (18,495)	(6.78)%
Enterprise Funds								
Retained Earnings	\$ 375,000	\$ 375,000	\$ 375,000	\$ 375,000	\$ —	\$ 375,000	\$ —	— %
Recreation User Charges	\$ 1,508,486	\$ 1,525,297	\$ 1,730,340	\$ 1,663,737	\$ —	\$ 1,663,737	\$ (66,603)	(3.85)%
Therapeutic Recreation Charges	\$ —	\$ —	\$ —	\$ 22,500	\$ —	\$ 22,500	\$ 22,500	— %
Community Center User Charges	\$ 331,076	\$ 352,045	\$ 330,000	\$ 369,000	\$ —	\$ 369,000	\$ 39,000	11.82 %
Golf User Charges	\$ 1,255,914	\$ 1,270,066	\$ 1,005,610	\$ 1,100,000	\$ —	\$ 1,100,000	\$ 94,390	9.39 %
Investment Income	\$ 73,207	\$ 110,888	\$ —	\$ —	\$ —	\$ —	\$ —	— %
<b>Total 5200 Recreation</b>	<b>\$ 3,786,473</b>	<b>\$ 3,889,971</b>	<b>\$ 3,713,658</b>	<b>\$ 3,784,450</b>	<b>\$ —</b>	<b>\$ 3,784,450</b>	<b>\$ 70,792</b>	<b>1.91 %</b>

### Appropriation Summary

	FY2023 Actual	FY2024 Actual	FY2025 Appropriation	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Compensation	\$ 1,451,308	\$ 1,530,004	\$ 1,824,916	\$ 1,875,354	\$ —	\$ 1,875,354	\$ 50,438	2.76 %
Expenses	\$ 1,380,134	\$ 1,359,301	\$ 1,579,751	\$ 1,590,835	\$ —	\$ 1,590,835	\$ 11,084	0.70 %
Debt Service	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Indirect Costs (Trans. to Gen. Fund)	\$ 286,104	\$ 294,687	\$ 308,991	\$ 318,261	\$ —	\$ 318,261	\$ 9,270	3.00 %
<b>Total 5200 Recreation</b>	<b>\$ 3,117,546</b>	<b>\$ 3,183,992</b>	<b>\$ 3,713,658</b>	<b>\$ 3,784,450</b>	<b>\$ —</b>	<b>\$ 3,784,450</b>	<b>\$ 70,792</b>	<b>1.91 %</b>

### Program Summary

	FY2023 Actual	FY2024 Actual	FY2025 Appropriation	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Total 5210 Administration	\$ 459,540	\$ 528,188	\$ 593,961	\$ 582,106	\$ —	\$ 582,106	\$ (11,855)	(2.00)%
Total 5220 Recreation	\$ 1,044,822	\$ 1,064,301	\$ 1,369,125	\$ 1,417,362	\$ —	\$ 1,417,362	\$ 48,237	3.52 %
Total 5230 Pine Meadows	\$ 641,349	\$ 595,761	\$ 618,000	\$ 639,100	\$ —	\$ 639,100	\$ 21,100	3.41 %
Total 5240 Community Center	\$ 560,058	\$ 574,292	\$ 694,997	\$ 683,156	\$ —	\$ 683,156	\$ (11,841)	(1.70)%
Total 5250 Therapeutic Recreation	\$ 125,674	\$ 126,763	\$ 128,584	\$ 144,465	\$ —	\$ 144,465	\$ 15,881	12.35 %
Indirect Costs	\$ 286,104	\$ 294,687	\$ 308,991	\$ 318,261	\$ —	\$ 318,261	\$ 9,270	3.00 %
<b>Total 5200 Recreation</b>	<b>\$ 3,117,546</b>	<b>\$ 3,183,992</b>	<b>\$ 3,713,658</b>	<b>\$ 3,784,450</b>	<b>\$ —</b>	<b>\$ 3,784,450</b>	<b>\$ 70,792</b>	<b>1.91 %</b>

### Object Code Summary

	FY2023 Actual	FY2024 Actual	FY2025 Appropriation	FY2026 Request	Manager's Add/Del	FY2026 Recommended	Dollar Increase	Percent Increase
Salaries & Wages	\$ 1,449,607	\$ 1,526,913	\$ 1,824,916	\$ 1,869,354	\$ —	\$ 1,869,354	\$ 44,438	2.44 %
Overtime	\$ 1,702	\$ 3,091	\$ —	\$ 6,000	\$ —	\$ 6,000	\$ 6,000	— %
<i>Personal Services</i>	<i>\$ 1,451,308</i>	<i>\$ 1,530,004</i>	<i>\$ 1,824,916</i>	<i>\$ 1,875,354</i>	<i>\$ —</i>	<i>\$ 1,875,354</i>	<i>\$ 50,438</i>	<i>2.76 %</i>
Contractual Services	\$ 1,148,981	\$ 1,148,020	\$ 1,349,816	\$ 1,348,500	\$ —	\$ 1,348,500	\$ (1,316)	(0.10)%
Utilities	\$ 47,172	\$ 36,869	\$ 77,350	\$ 59,250	\$ —	\$ 59,250	\$ (18,100)	(23.40)%
Supplies	\$ 178,858	\$ 120,636	\$ 135,585	\$ 165,585	\$ —	\$ 165,585	\$ 30,000	22.13 %
Small Capital	\$ 5,123	\$ 53,777	\$ 17,000	\$ 17,500	\$ —	\$ 17,500	\$ 500	2.94 %
<i>Expenses</i>	<i>\$ 1,380,134</i>	<i>\$ 1,359,301</i>	<i>\$ 1,579,751</i>	<i>\$ 1,590,835</i>	<i>\$ —</i>	<i>\$ 1,590,835</i>	<i>\$ 11,084</i>	<i>0.70 %</i>
Debt	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	\$ —	— %
Indirect	\$ 286,104	\$ 294,687	\$ 308,991	\$ 318,261	\$ —	\$ 318,261	\$ 9,270	3.00 %
<b>Total 5200 Recreation</b>	<b>\$ 3,117,546</b>	<b>\$ 3,183,992</b>	<b>\$ 3,713,658</b>	<b>\$ 3,784,450</b>	<b>\$ —</b>	<b>\$ 3,784,450</b>	<b>\$ 70,792</b>	<b>1.91 %</b>

## FY2026 Recommended Capital Budget

Department	Project Description	Recommendation	Requested Funding Source(s)	ATM Article
Conservation	Cotton Farm/Community Center Connector	\$ 300,000	CPA	10
Conservation	Simond's Brook Conservation Area Trail Design & Engineering	\$ 75,000	CPA	10
Planning/Engineering	Transportation Mitigation	\$ 80,000	TNC Funds /Free Cash	12
<b>Total Land Use, Housing and Development</b>		<b>\$ 455,000</b>		
Fire	Replacement Pumper Truck	\$ 1,100,000	Free Cash	12
<b>Total Public Safety</b>		<b>\$ 1,100,000</b>		
Recreation & Comm. Pgms.	Pine Meadows Equipment	\$ 70,000	Recreation RE	11
Recreation & Comm. Pgms.	Lincoln Park Parking Lot - Design	\$ 375,000	Free Cash	12
Recreation & Comm. Pgms.	Park and Playground Improvements	\$ 1,490,000	CPA	10
Recreation & Comm. Pgms.	Park Improvements - Athletic Fields	\$ 1,197,904	CPA	10
Recreation & Comm. Pgms.	Lincoln Park Field Improvements	\$ 1,950,000	CPA/ Free Cash	10
<b>Total Culture and Recreation</b>		<b>\$ 5,082,904</b>		
Public Facilities	Public Facilities Bid Documents	\$ 125,000	Free Cash	16
Public Facilities	Public Facilities Interior Finishes	\$ 468,000	Free Cash	16
Public Facilities	School Paving and Sidewalks	\$ 200,000	Free Cash	16
Public Facilities	Municipal Building Envelopes and Associated Systems	\$ 1,100,000	Free Cash	16
Public Facilities	Lexington High School Construction Project - Design Funding	\$ 654,000,000	Exempt Debt	TBD
Public Facilities	Central Administration Building Demolition	\$ 3,550,000	Free Cash	16
Public Facilities	Estabrook Elementary School Nurse Bathroom Renovation	\$ 300,000	Free Cash	16
<b>Total Public Facilities Department</b>		<b>\$659,743,000</b>		
Public Works	Equipment Replacement	\$ 2,168,000	Free Cash/ Water & Sewer RE	12
Public Works	Sidewalk Improvements	\$ 870,000	Free Cash	12
Public Works	Street Improvements	\$ 2,726,806	Tax Levy	12
Public Works	Hydrant Replacement Program	\$ 150,000	Free Cash/ Water RE	12
Public Works	Stormwater Management Program	\$ 2,642,500	Free Cash	12
Public Works	Sanitary Sewer System Investigation and Improvements	\$ 1,082,431	Sewer User Fees/ Sewer RE	14
Public Works	Water Distribution System Improvements	\$ 2,334,940	Water User Fees/ Water RE	13
Public Works	Pump Station Building Improvements	\$ 200,000	Sewer RE	14
Public Works	New Sidewalk Installations	\$ 150,000	Free Cash	12
Public Works	Adams Street Intersections Improvements - Design (@East; @Hancock)	\$ 325,000	Free Cash	12
Public Works	DPW Building Improvements	\$ 120,000	Free Cash	12
<b>Total Public Works Department</b>		<b>\$ 12,769,677</b>		
Lexington Public Schools	LPS Technology Program	\$ 1,500,910	Free Cash	15
<b>Total Lexington Public Schools</b>		<b>\$ 1,500,910</b>		
Innovation & Technology	Municipal Technology Improvement Program	\$ 150,000	Free Cash	12
Innovation & Technology	Network Redundancy & Improvement Plan	\$ 760,000	Free Cash	12
Town Clerk	Document Conservation	\$ 21,000	CPA	10
<b>Total General Government</b>		<b>\$ 931,000</b>		
Affordable Housing Trust	Affordable Housing Trust (AHT) Funding	\$ 3,000,000	CPA	10
Lexington Historical Society	Hancock-Clarke House Roof Replacement	\$ 57,800	CPA	10
LexHAB	LexHAB Support - Restoration, Preservation, Decarbonization	\$ 494,140	CPA	10
<b>Total Non-Governmental Projects</b>		<b>\$ 3,551,940</b>		
<b>Total FY2026 Recommendations - All Funds</b>		<b>\$685,134,431</b>		

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Presentation - 2025 ATM Warrant Article - Local Voting Rights for Lawful Permanent Residents (Citizen Petition)

### **PRESENTER:**

Nathalie Huitema, Citizen Petitioner

### **ITEM NUMBER:**

I.4

### **SUMMARY:**

**Category: Informing**

**Nathalie Huitema will present an overview about the article that is being brought to Annual Town Meeting and answer any questions.**

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

### **DATE AND APPROXIMATE TIME ON AGENDA:**

2/14/2025

10:00am

### **ATTACHMENTS:**

	Description	Type
☐	Art 26 LOCAL VOTING RIGHTS FOR LAWFUL PERMANENT RESIDENTS (Citizen Petition)	Backup Material
☐	Art 26 Presentation	Backup Material

**Town of Lexington**  
**Motion**  
**2025 Annual Town Meeting**

**ARTICLE 26 LOCAL VOTING RIGHTS FOR LAWFUL PERMANENT RESIDENTS (Citizen Petition)**

**MOTION:** That the Select Board be authorized to petition the General Court of the Commonwealth of Massachusetts to enact legislation in substantially the form below to grant the Town of Lexington the authority to endow legal voting rights in municipal elections for Town of Lexington legal residents regardless of United States citizenship and further that the Select Board be authorized to approve amendments to said act by the General Court before its enactment that are within the scope of the general objectives of this motion:

SECTION 1. Notwithstanding section one of chapter fifty-one of the General Laws, or any other general or special law, rule of regulation to the contrary, any lawful permanent resident - otherwise known as a green card holder - of the Town of Lexington, Massachusetts, that is otherwise eligible under all provisions for voters in section one of said chapter fifty one, other than citizenship under the laws of the United States of America, shall be considered a qualified local voter (henceforth, "local voter") of the town for the purposes of voting in all town municipal elections, and shall be eligible to stand for and participate as a member in Town Meetings, and sign all nominating, warrant, and other petitions authorized by Town bylaws, including school committee referendum or other municipal elections.

SECTION 2. Said office of the Town Clerk shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon becoming a U.S. citizen, each local voter shall be taken off said list and notified that they must register as a regular voter in accordance with state law, regulations, and guidelines, in order to be eligible to vote. Said office shall create and print, at the Town of Lexington's expense, the special registration form needed for the purpose of registering local voters.

SECTION 3. Said Select Board is hereby authorized to promulgate regulations, guidelines, and forms to implement the purpose of this act.

SECTION 4. If a local ballot question appears on a state election ballot, the office of the Town Clerk shall print a separate ballot for the local ballot question at the expense of the Town of Lexington to ensure that local voters are able to vote on the local question and not partake in statewide elections.

SECTION 5. The Town of Lexington is hereby authorized to enact bylaws or regulations to implement the purpose of this act subject to all the provisions of Chapter 215, Acts of 1929 and Chapter 753, Acts of 1968, as amended.

SECTION 6. Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office or any state or federal ballot questions.

(01/28/2025)

**AN ACT TO EXTEND LOCAL VOTING RIGHTS TO  
ALL ADULT LAWFUL PERMANENT RESIDENTS  
– also known as green card holders -  
OF THE TOWN OF LEXINGTON,  
MASSACHUSETTS**

# THE HISTORY OF VOTING

**1776:** Voting for white male property owners over 21, mostly protestants

**1800s:**Property ownership and religious requirements were gradually eliminated, allowing all white men to vote.

**1866:**The Civil Rights Act granted citizenship to all native-born Americans but did not extend voting rights.

**1870:** The 15th Amendment prohibited denying voting rights based on race, color, or previous servitude, aiming to enfranchise African American men.

**1879** women were allowed to vote for local school committees

# HISTORY OF VOTING

**1920** women gained voting rights equal to men

**1924:** The Indian Citizenship Act granted citizenship to Native Americans, but many states continued to bar them from voting.

**1789-1926:** over 30 states/territories permitted immigrants to vote local/state office.

**1971:** The 26th Amendment lowered the voting age from 21 to 18, expanding the electorate to include younger citizens.



# HISTORY of ALLOWING VOTING for GREEN CARD HOLDERS

**California:** San Francisco approved parents of children in the school system to vote in school board elections. Since 2016

**District of Columbia:** Washington DC; voting in local elections, since 2023.

**Maryland:** Barnesville, since 1918; Garrett Park, since 1999; Hyattsville, since 2016; Mount Rainier, since 2017; Riverdale Park, since 2018, Somerset, since 1976; Takoma Park, since 1993.

**Vermont:** Montpelier, since 2018; Winooski, since 2020.

**New York:** New York city, since 2021

*This overview highlights the evolving nature of voting rights in the U.S., reflecting the nation's ongoing efforts to create a more inclusive democracy.*

# Lexington is birthplace of the independence.

Lexington attracts newcomers for its closeness to Boston, the small-town feel, the public school system. Lawful residents come to Lexington as a diverse group, working in all kinds of fields, own houses, pay taxes, have kids in public school system, volunteer, employ.



# Percentages diversity/costs

	USA in general	Lexington, MA
Residents foreign born	14.3 %	33.7%
Asian	6.1%	33%
Holding college degree	35%	>75%
Property tax	\$ 3,719	\$ 14,170



**NO TAXATION  
WITHOUT  
REPRESENTATION**

# Understanding the Importance of Green Card Holders

- **They pay taxes**
- They are involved in community
- They volunteer
- They work in Lexington
- They buy in Lexington
- They own businesses in Lexington,
- They have children in the public school system

# Lawful permanent resident contribution

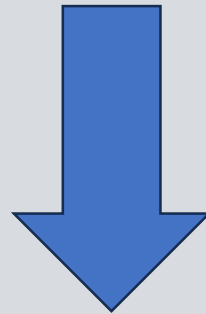
- Contribute to economy
- Contribute to tax base
- Contribute to vibrance in our community



Deserve a say in who  
represents them and where the taxes go

# Data

- > 30% foreign born (national average 13%)
- 10.5% of Lexington residents are not US citizens
- 10% voting age population are foreign nationals (**NOT** including dual US citizens) and are not registered to vote:



**2500 residents**



# J's personal story

My family and I have lived in Lexington for decades. Our kids grew up here and went to school here. This is their home, and it is mine to.

I'm not a US citizen, yet I married an American citizen. I moved here for love. The country I have citizenship from does not allow dual citizenship unfortunately, so I've been here on a green card for decades.

I'm very involved in town, politically, and otherwise. I would bring me great joy if I would be able to vote locally.

# K's personal story

My family and I have been living in Lexington for more than 10 years and have seen how the town evolved over the years. Many local matters are close to our hearts, affect our daily lives and I feel that we should have a voice. However, since moving here, we have not been able to vote on town matters because we are permanent residents and hence are not registered voters.

Lexington is a very diverse community, but a significant number of the minority population are non-voting residents. I feel that including all residents in local matters decision making would better represent the needs of the community.

# N's personal story

In 2014, my family arrived in the U.S., starting our new life in California. A few years later, a job opportunity brought us to Lexington—a place we chose not just for work but for its excellent schools and the charm of New England. That was five years ago.

Since then, Lexington has truly become home. My kids attend the public schools, I volunteer with my dog at a local elementary school, and I actively participate in the community. Like all Lexington residents, I pay (a lot of) taxes. And yet, when it comes to decisions that directly affect my family—like the school committee or major projects that will raise my taxes—I have no vote.

Applying for U.S. citizenship would mean losing my birth citizenship and with that the inability to support my aging parents.

# Benefits for Lexington for extending voting rights

- Show Massachusetts that Lexington is the birthplace of the revolution by upholding “no taxation without representation”
- Enriching our local democracy
- Increased turnout for local elections
- Improved example for our youth
- Fostering social cohesion
- Strengthening our local economy

# FAQ: why don't they just become a US citizen?

Many immigrants would like to become U.S. citizens, but the process is often difficult, expensive, and time-consuming. Here are some common reasons why they may not be able to naturalize:

- Costs
- Time & Bureaucracy
- Legal barriers
- Loss of foreign citizenship: Many countries don't allow dual citizenship, such as China, Japan, India, Germany, Denmark, Norway, South Korea, The Netherlands.

# FAQ: Won't allowing green card holders to vote be too expensive for Lexington?

- The estimated cost of allowing green card holders to vote in Lexington is around **\$3,000**—a negligible amount compared to the town's overall budget and upcoming expenditures.
- Beyond the cost, this initiative strengthens our community by giving long-term residents—many of whom pay taxes, send their kids to school, and are deeply invested in Lexington—a voice in local decisions.

# FAQ: Which MA towns have tried to let non-citizens vote?

- Boston
- Cambridge
- Amherst
- Newton

These efforts reflect a growing interest among Massachusetts municipalities in expanding local voting rights to non-citizens, though such changes require state-level approval to be enacted.

# Main reasoning to allow voting rights for lawful permanent residents

- **10% of Lexington's taxes come from non-U.S. citizens**  
These residents contribute to schools, infrastructure, and public services.
- **What if we honored Lexington's founding principle?**
  - ◆ *Lexington has always stood for fair representation.*
  - ◆ *If we truly embraced "No Taxation Without Representation," shouldn't these lawful permanent residents as taxpayers have a say in local decisions?*
- **Allowing green card holders to vote in local elections would align with the town's history and values.**



# 1775 - 2025

## 250<sup>th</sup> anniversary of the independence in Lexington



# AGENDA ITEM SUMMARY

## LEXINGTON SELECT BOARD MEETING

### AGENDA ITEM TITLE:

Discussion - 2025 ATM Select Board Article Presenters, Discussion and Positions

### PRESENTER:

Board Discussion

### ITEM NUMBER:

I.5

### SUMMARY:

#### **Category: Informing**

The Board may take up discussion on the 2025 Annual Town Meeting Articles and/or Select Board article positions.

Town Website - Annual Town Meeting 2025.

<https://lexingtonma.gov/2266/2025-Annual-Town-Meeting>

### SUGGESTED MOTION:

n/a

### FOLLOW-UP:

n/a

### DATE AND APPROXIMATE TIME ON AGENDA:

2/14/2025

10:10am

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Art 28 revised motion 2.5 2pm	Backup Material
<input type="checkbox"/> Art 23 Vine St motion	Backup Material

- ▣ Art 23 Vine St memo presentation Backup Material
- ▣ Art 27 16 yo voting motion. 2.13.25 Backup Material
- ▣ Select Board Working Document - Positions 2025 ATM Backup Material

Town of Lexington

Motion

2025 Annual Town Meeting

**Article 28 Accurate Reporting on the Negative Aspects of Lithium-Ion Batteries (Citizens Petition)**

**MOTION:** That the Town adopts the following resolution:

**WHEREAS**, the Democratic Republic of the Congo is the source of 70% of the cobalt currently used worldwide and the mining of cobalt in that country is associated with negative environmental impacts as well as social justice and environmental justice issues for the indigenous population;

**WHEREAS**, South America’s lithium “golden triangle”, which spans the borders of Argentina, Bolivia, and Chile, is the source of 60% of the lithium currently used worldwide and the mining of lithium in that region is associated with negative environmental impacts as well as social justice and environmental justice issues for the indigenous population;

**WHEREAS**, Thacker Pass, Nevada, is estimated to hold the largest deposits of lithium in the United States and that a proposed 6,000 acre open pit lithium mine will result in negative environmental impacts as well as social justice and environmental justice issues for the Native Americans who believe Thacker Pass is sacred ground and that the proposed mine will ultimately lead to the cultural genocide to the Paiute and Shoshone people.

**WHEREAS**, the mining of the ocean floor will contribute to climate change and global warming, negatively impact global fisheries, and have cultural, social justice and environmental justice issues for the indigenous population that depends on fishing as a way of life;

**WHEREAS**, energy infrastructure has historically been inequitably located in environmental justice communities across the country and around the world and that this will likely continue as more and more green energy sources are brought into use;

**WHEREAS**, most lithium-ion batteries are not recycled and end up in landfills inequitably located near environmental justice communities, and these batteries are subjected to conditions that can cause them to combust and release toxic fluoride gas, carbon monoxide, and other toxic substances;

**WHEREAS**, Lexington is as committed to social justice and environmental justice as it is to fighting climate changes and global warming;

**NOW, THEREFORE, BE IT RESOLVED** that the town of Lexington acknowledges that there are community concerns that there are negative environmental impacts, social justice issues, and environmental justice issues associated with lithium-ion batteries, and that these impact environmental justice and marginalized communities in the United States and around the world;

**BE IT FURTHER RESOLVED** that it is critical that the town continue to transition from fossil fuels to lithium-ion batteries and other green technologies;

**BE IT FURTHER RESOLVED** that the town of Lexington acknowledges that describing lithium-ion batteries as “green and clean and healthy” or similar descriptions are not accurate;

**BE IT FURTHER RESOLVED** that passage of Article 28 is a recommendation to the Select Board that the Select Board appoint a committee of stakeholders charged with creating suitable wording that acknowledges these negative environmental impacts, social justice issues, and environmental justice issues, that can be used as part of future advocacy for transitioning from fossil fuels to lithium-ion batteries.

(Revised 02/05/2025)

**Town of Lexington**  
**Motion**  
**2025 Annual Town Meeting**

**ARTICLE 23**

**DISPOSE OF 116 VINE STREET**

**MOTION:** That the Select Board be authorized to sell, lease, or otherwise dispose of Town-owned land described as parcel 47-45B, located on Vine Street, for the purposes of developing affordable housing thereon on conditions acceptable to the Select Board, and to authorize the Select Board or its designee to enter into such agreements as are necessary for such purposes including a land disposition agreement or a lease not to exceed 99 years in length.

(02/04/2025)

## Article 23 Dispose of 116 Vine Street

The 2009 Annual Town Meeting authorized \$2,763,100 in Community Preservation Act funds under Article 12 to purchase “the Leary Farm”, a 14.2 acre parcel for conservation and affordable housing. The housing parcel consists of a 30,000 square foot lot (0.7 acres) with frontage on Vine Street. The Leary Property Community Housing Task Force, appointed by the Select Board in 2010, was charged with recommending a plan for developing community housing on the property. A report issued in May 2011, entitled “The Final Report of the Leary Property Community Housing Task Force”, recommended that five or six units of affordable housing be built in one or two structures.

The 2020 Annual Town Meeting approved \$75,000 in Community Preservation Act funds to construct affordable housing at 116 Vine Street per Article 10 (m)(1). The Community Preservation Committee’s report to 2022 Annual Town Meeting noted that this request was to select a design team, meet with neighbors and stakeholders and develop the project scope, budget and schedule. The report includes a status update noting that LexHAB met with the Vine Street neighbors in December 2020, the Select Board on January 11, 2021 and with the neighbors for a second time on January 27, 2021 to present a proposal for six units of affordable housing. No further action has been taken on this.

Town Meeting members may recall that 2022 Special Town Meeting 3 on November 2 approved an article authorizing the Town to petition the state legislature to reorganize LexHAB as a nonprofit affordable housing development corporation. This legislative action took effect September 4, 2024.

Article 23 would now authorize the Town to issue a Request for Proposals from qualified affordable housing developers, including LexHAB, as the next step for the Town to pursue the development of affordable housing at Vine Street.

An affirmative vote on Article 23 would allow the Select Board, or its designee, to work with the Town’s Procurement Officer to prepare a Request for Proposals for affordable housing development at Vine Street. The RFP would include the recommendations of the 2011 Task Force and the FY21 CPA funding appropriation for design development, as well as noting meetings with neighbors in 2020 and 2021. The Select Board would then choose a responsive developer through the proposal process, and would negotiate and execute a Land Disposition Agreement for conveyance of the property by sale or long-term lease, recording the terms and conditions laid out in the RFP. Actual development would follow after the developer secures financing and completes final designs and permitting.

**Town of Lexington**

**Motion**

**2025 Annual Town Meeting**

**ARTICLE 27            ALLOW 16 YEAR OLDS VOTING RIGHTS IN MUNICIPAL ELECTIONS  
(Citizen Petition)**

**MOTION:**

That the Select Board be authorized to petition the General Court of the Commonwealth of Massachusetts to enact legislation in substantially the form below to grant the Town of Lexington the authority to endow legal voting rights in municipal elections for Town of Lexington residents aged 16 and 17 years old, and further that the Select Board be authorized to approve amendments to said act by the General Court before its enactment that are within the scope of the general objectives of this motion.

**“An Act granting the Town of Lexington the authority to endow legal voting rights in municipal elections for Town of Lexington residents aged 16 and 17 years old.”**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding the provisions of Section 1 of Chapter 51 of the General Laws or any other general or special law, rule, or regulation to the contrary, any individual aged 16 or 17 years old residing in the Town of Lexington, who is ineligible to vote under state law due to age, but who is otherwise eligible to vote under state law, may upon application have their names entered on a list of voters established by the office of the town clerk for the Town of Lexington. Such individuals on the list of voters may vote in any election for local offices and local ballot questions in accordance with this Act. For the purposes of this Act, "local voters" are anyone who is eligible to vote pursuant to this Act in a local election or upon a local ballot question in the Town of Lexington.

SECTION 2. Said office of the town clerk shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon turning eighteen, each local voter shall be taken off said list and notified that he or she must register as a regular voter in accordance with state law, regulations, and guidelines, in order to be eligible to vote. Said office shall create and print, at the Town of Lexington's expense, the special registration form needed for the purpose of registering local voters.

SECTION 3. Said board is hereby authorized to promulgate regulations, guidelines and forms to implement the purpose of this act.

SECTION 4. If a local ballot question appears on a state election ballot, the office of the Town Clerk shall print a separate ballot for the local ballot question at the expense of the Town of Lexington.

SECTION 5. The Town of Lexington is hereby authorized to pass ordinances to implement the purpose of this act subject to all the provisions of Chapter 215, Acts of 1929 and Chapter 753, Acts of 1968, as amended.

SECTION 6. Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office or any state or federal ballot questions.

(02/13/2025)



Select Board Positions  
Working Document

#	Article Name	PLACEHOLDER FOR AN UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	JH	MS	
1	Notice of Election									
2	Election of Deputy Moderator and Reports of Town Boards, Officers and Committees									
3	Appointments To Cary Lecture Series.									
<b>Financial Articles</b>										
4	Appropriate FY2026 Operating Budget		DL							
5	Appropriate FY2026 Enterprise Funds Budgets		TBD							
6	Amend Fy2025 Operating, Enterprise And CPA Budgets		MS							
7	Sustainable Projects		JP							
8	Appropriate Funding To Construct a Playground In Fletcher Park (Citizen Petition)	2/24/2025								
9	Establish and Continue Departmental Revolving Funds		JH							
10	Appropriate The FY2026 Community Preservation Committee Operating Budget And CPA Projects a. Cotton Farm/Community Center Connector – \$300,000 b. Simond’s Brook Conservation Area Trail Design & Engineering – \$75,000 c. Document Conservation – \$21,000 d. Hancock-Clarke House Roof Replacement – \$57,800 e. Affordable Housing Trust Funding– \$3,000,000 f. LexHAB Affordable Housing Support, Restoration, Preservation, and Decarbonization – \$494,140 g. Park and Playground Improvements – Center Playground – \$1,490,000 h. Park Improvements – Athletic Fields - Harrington – \$3,197,904* i. Lincoln Park Field Improvements #3 – \$1,950,000* j. Administrative Budget – \$150,000	1/27/2025	MS			W	Y	Y	Y	
11	Appropriate For Recreation Capital Projects		JH							
12	Appropriate For Municipal Capital Projects And Equipment a) Transportation Mitigation b) Fire Pumper Truck c) Equipment Replacement									

Select Board Positions  
Working Document

#	Article Name	PLACEHOLDER FOR AN UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	JH	MS	
12 (cont.)	d) Sidewalk Improvements		JP							
	e) Hydrant Replacement									
	f) Street Improvements									
	g) Stormwater Management Program									
	h) New Sidewalk Installations - Study and Design									
	i) Intersection Improvements - Adams St. at East St. & Hancock St.									
	j) DPW Building Improvements									
	k) Lincoln Park Parking Lot - Design									
	l) Municipal Technology Improvement Program									
	m) Network Redundancy & Improvement Plan									
	13			Appropriate For Water System Improvements.						
14	Appropriate For Wastewater System Improvements									
15	Appropriate For School Capital Projects And Equipment									
16	Appropriate For Public Facilities Capital Projects		JP							
	a) Public Facilities Bid Documents									
	b) Public Facilities Interior Finishes									
	c) School Paving and Sidewalks									
	d) Municipal Building Envelopes and Associated Systems									
	e) Central Administration Building Demolition									
	f) Estabrook Elementary School Nurse Bathroom Renovation									
17	Appropriate To Post Employment Insurance Liability Fund		JP							
18	Rescind Prior Borrowing Authorizations									
19	Establish, Amend, Dissolve And Appropriate To And From Specified Stabilization Funds		TBD							
20	Appropriate For Prior Years' Unpaid Bills									
21	Appropriate For Authorized Capital Improvements.									
<b>General Articles</b>										

Select Board Positions  
Working Document

#	Article Name	PLACEHOLDER FOR AN UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	JH	MS	
22	Select Board To Accept Easements					Y	Y	Y	Y	
23	Dispose Of 116 Vine Street	3/10/2025	MS			W	Y	Y	Y	
24	Authorize The Town Of Lexington To Prohibit Or Restrict The Application Of Second Generation Anticoagulant Rodenticides (Citizen Petition)	2/3/2025	JH			Y	Y	Y	Y	
25	Amendment To Town Meeting Management Provisions In Town Bylaws (Citizen Petition)		DL							
26	Local Voting Rights For Lawful Permanent Residents (Citizen Petition)	2/14/2025	JH							
27	Allow 16 Year Olds Voting Rights In Municipal Elections (Citizen Petition)	2/24/2025	DL							
28	Accurate Reporting On The Negative Aspects Of Lithium-Ion Batteries (Citizen Petition)	1/27/2025	MS			Y	W	W	W	
<b>Zoning Articles</b>										
29	Amend Zoning Bylaw - Bicycle Parking	3/10/2025	MS							
30	Amend Zoning Bylaw - Inclusionary Housing For Special Residential Developments	3/10/2025	JH							
31	Amend Zoning Bylaw - National Flood Insurance (NFI) District	3/10/2025	DL							
32	Amend Zoning Bylaw And Map - Technical Corrections	3/10/2025	TBD							
33	Amend Zoning Bylaw - Accessory Uses	3/10/2025	JP							
34	Amend Section 7.5 Of The Zoning Bylaw To Reduce Multi-Family Dwelling Unit Capacity (Citizen Petition)									

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve Conservation Restriction - Busa Farm Lowell Street

### **PRESENTER:**

Carol Kowlaski, Assistant Town  
Manager for Development

### **ITEM NUMBER:**

I.6

### **SUMMARY:**

#### **Category: Decision Making**

The Busa Farm Conservation Restriction has been in process since 2014. As per the attached memo, the Conservation Restriction is updated with the following:

- change “Board of Selectmen” to “Select Board” throughout,
- add to section III. B. 14, Allowable New Structures, an allowance for up to 9,000 square feet of growing
- structures that are not buildings, in addition to the 1,500 square feet allowed for additional buildings,
- add to Active Outdoor Recreation, section III. B.18 a. ii the Board’s requested phrase “which shall not be
- unreasonably withheld”,
- change a signatory for the grantee to the grantee’s new Treasurer’s name.

The Board is being asked to approve the updated Busa Farm Conservation Restriction for execution

### **SUGGESTED MOTION:**

Move to approve the updated Conservation Restriction for Busa Farm Lowell Street for execution

### **FOLLOW-UP:**

Land Use Department

### **DATE AND APPROXIMATE TIME ON AGENDA:**

2/14/2025

10:20am

**ATTACHMENTS:**

Description	Type
☐ Memo to Select Board revised Busa Conservation Restriction	Cover Memo
☐ Conservation Restriction - Busa Farm	Backup Material



# Town of Lexington

Land Use, Housing, and Development



**Carol Kowalski, Assistant Town Manager for Development**

*Tel: (781) 698-4500 / Fax: (781) 861-2780*

## Memorandum

TO: Select Board, Steve Bartha, Kelly Axtell, Jennifer Platt  
FROM: Carol Kowalski  
DATE: January 31, 2025  
RE: Vote to approve and execute Busa Farm Conservation Restriction

Agenda item: **Vote to execute/sign Busa Farm Conservation Restriction**

**Vote required:** yes:

Move that the Board approve and execute the Conservation Restriction for Busa Farm.

Following the Select Board's vote to approve the Conservation Restriction (CR), staff must follow specific instructions from the Executive Office for Environmental Affairs. I will coordinate with the Select Board's staff on these signatures. Note that the signature page is on page 18 of the CR.

**Update of previous item?** Yes, the September 2024 Conservation Restriction was revised as follows:

- 1) change "Board of Selectmen" to "Select Board" throughout,
- 2) add to section III. B. 14, Allowable New Structures, an allowance for up to 9,000 square feet of growing structures that are not buildings, in addition to the 1,500 square feet allowed for additional buildings,
- 3) add to Active Outdoor Recreation, section III. B.18 a. ii the Board's requested phrase "which shall not be unreasonably withheld",
- 4) change a signatory for the grantee to the grantee's new Treasurer's name.

**Cost and funding source:** The grantee, Citizens for Lexington Conservation, has agreed to hold the easement, and \$5,000 remains in the CPA appropriation for CLC to cover its ongoing monitoring expenses. This is consistent with other Town of Lexington CR's for which Citizens for Lexington Conservation is the grantee.

An additional round of review of the revised CR was completed by Town Counsel, the Grantee, the Town's tenant (LexFarm) through its Board President, by the Town's consultant, Pete Westover of Conservation Works LLC, by EEA's review staff, and EEA's legal staff.

**Implications if action note taken:** The Busa Farm CR has been in process since 2014. Further delay will risk losing our place in line with the state for review/approval, extending the period that Busa Farm does not have the protection of the CR, as required as a condition of the CPA funding of 2009 to acquire the Busa Farm. Past delays have meant starting over with new state reviewers due to multiple staff turnovers, and the loss of a prior grantee, and starting over with a new grantee.

Thank you for the Board's consideration.

**GRANTOR:** Town of Lexington

**GRANTEE:** Citizens for Lexington Conservation,  
Inc.

**ADDRESS OF PREMISES:** Busa Farm, Lowell Street, Lexington, MA

**FOR GRANTOR'S TITLE SEE:** Middlesex South Registry District of the Land Court as Document No. 1519938

## **CONSERVATION RESTRICTION**

### **I. Statement of Grant:**

The Town of Lexington, having an address at 1625 Massachusetts Avenue, Lexington, Massachusetts 02420, being the sole owner of the Premises as defined herein, and for its successors and assigns ("Grantor"), acting pursuant to Sections 31, 32 and 33 of Chapter 184 of the General Laws, hereby grants, with QUITCLAIM COVENANTS, to CITIZENS FOR LEXINGTON CONSERVATION, INC., a Massachusetts non-profit association having an address of PO BOX 292, Lexington, Massachusetts 02420-0003, and its permitted successors and assigns (the "Grantee"), in perpetuity and exclusively for conservation purposes, for nominal consideration, the receipt and sufficiency of which is hereby acknowledged, the following described Conservation Restriction on those certain parcels of land located on Lowell Street, Lexington, Massachusetts, constituting of approximately 7.47 acres, said parcels being shown as "2B", "3", "4" and "7" on a plan entitled "Lowell Street, Lexington, Massachusetts, Assessor's Map 20/Parcel 38, Subdivision Plan of Land, Approval Not Required" prepared by GCG Associates, Inc., dated February 5, 2014, filed with the Middlesex South Registry of Deeds as Plan 108 of 2015 (the "Premises"), a reduced copy of which plan is attached as Exhibit A. For Grantor's title, see that certain deed filed with the Middlesex South Registry District of the Land Court as Document No. 1519938. See also Order of the Land Court to Withdraw from Registration dated July 17, 2014, and filed with the Middlesex South Registry District of the Land Court as Document No. 1676321 and noted on Certificate of Title No. 245506 and recorded with said Registry of Deeds at Book 63955, Page 12.

The fee interest in the Premises was acquired utilizing, in part, Community Preservation Act funds pursuant to Chapter 44B of the Massachusetts General Laws, which funds were authorized for such purposes by a vote of the Lexington Town Meeting held on May 6, 2009, an attested copy of which vote is attached hereto as Exhibit D

## **II. Purposes:**

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The Premises was acquired with Community Preservation Act funding (Chapter 44B of the General Laws of Massachusetts, as amended) by the Town of Lexington for open space purposes, which include agricultural and recreational purposes pursuant to said Community Preservation Act, and shall be maintained in perpetuity for the purposes stated in Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts and shall be fully protected by all provisions of Article 97. The purposes of this Conservation Restriction (“Purposes”) are (a) to assure that the Premises will be maintained in perpetuity in a natural, scenic, and open condition, and available for agricultural, horticultural, and recreation uses consistent with the Conservation Values and (b) to prevent any use or change that would materially impair or interfere with the Conservation Values (as defined below).

### **The Conservation Values protected by this Conservation Restriction include the following:**

- Open Space. The Premises contributes to the protection of the scenic and natural character of Lexington, and the protection of the Premises will enhance the open-space value of these and nearby lands. The Premises abuts or is close to land already conserved, including the Town of Arlington’s Arlington Reservoir, the Town of Lexington’s Jerry Cataldo Reservation, and the Town of Lexington’s Whipple Hill Conservation Area.
- Historic and Archaeological Resources. Conservation and appropriate management of the Premises has an important public benefit by preserving historic, cultural and archeological resources within the Premises.
- Water Resources. The preservation of the Premises, would contribute to the protection of water resources including the Mystic River Watershed, the Munroe Brook and the Arlington Reservoir.
- Prime Agricultural Soils. The entire property (100 percent of the 7.47-acre total area) is identified by USDA/NRCS as Farmland of Statewide Importance. The protection of the Premises will promote healthy soils and healthy soils practices as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws.



- Public Access. The preservation of the Premises will provide access to the Premises by the general public for outdoor recreation. The Premises connects to the ACROSS Lexington trail network via Trail C, and connects to the public walking trail around the Arlington Reservoir.
- Indigenous Cultural Landscape. The Premises is identified by members of the Massachusetts Tribe as an Indigenous cultural landscape with attributes relevant to the intrinsic values of contemporary Indigenous communities within the Commonwealth of Massachusetts.
- Working Farmland. The protection of the Premises will ensure that the open fields and forests contained on the Premises will be permanently available for agriculture, horticulture and farming uses that are consistent with the Purposes, including community farming and other educational uses.
- Climate Change Resiliency. A portion of the Premises is identified as an area of average Terrestrial Resilience according to The Nature Conservancy’s Resilient Land Mapping Tool. TNC’s Resilient Land Mapping Tool was developed in order to map ‘climate-resilient’ sites that are ‘more likely to sustain native plants, animals, and natural processes into the future.’ The protection of these climate resilient sites is an important step in reducing human and ecosystem vulnerability to climate change and adapting to changing conditions.
- Consistency with the 2022 Lexington Open Space and Recreation Plan (OSRP). The Busa Farm is identified as a Unique Feature on page 48 of the Lexington OSRP. According to the plan, “the Town acquisition of Busa Farm in 2009 allowed for the preservation of an important agricultural resource in Lexington. Currently the site of Lexington Community Farm (“Community Farm”), this is one of two Community Supported Agriculture (CSA) programs in Lexington.” As the OSRP further states, “After lengthy public deliberation the Town has elected to lease the property to Lexington Community Farm, a local non-profit organization that has established a community based farm offering locally grown produce through CSA shares and an onsite farm stand, along with various educational programs for the community. LexFarm opened in 2014 and is currently connected to over 400 member households in Town.” The Community Farm is also identified on page 36 of the OSRP as an important element of the Mystic River Watershed, and on page 61 as situated immediately adjacent to an Environmental Justice Population. The protection of the Premises is also consistent with OSRP Goal 5: “Enhance connectivity between open space and recreation areas”, and Goal 9: “Expand upon and create new opportunities for bicycling and walking throughout Lexington”, as well as action items “To increase collaboration with bordering communities that share or abut open space parcels” and “to utilize connections with volunteer organizations/groups to increase programming opportunities”.

### **III. Prohibited Acts and Uses, Exceptions Thereto, and Permitted Uses:**

#### **A. Prohibited Acts and Uses**

Subject to the reserved rights and exceptions set forth in Paragraph III.B, the Grantor will not perform or permit the following acts and uses which are prohibited on, above, and below the Premises:

1. Buildings, Structures, Facilities and Improvements. Constructing, placing or allowing to remain any permanent or temporary building, tennis court, landing strip, swimming pool, asphalt or concrete pavement, sign, fence, billboard or other advertising display, antenna/tower, utility pole/conduit, or other permanent structure or facility;
2. Excavating Soil, Mineral Resources, etc. Mining, excavating, dredging or removing soil, loam, peat, gravel, sand, rock or other mineral resources or natural deposits or other processes such as hydraulic fracturing that might allow mining to or from adjacent properties, or otherwise making topographical changes;
3. Dumping of Refuse and Other Materials. Placing, filling, storing or dumping soil, grass clippings, compost, yard debris or other substances on the ground or dumping or placing of refuse, trash, vehicle bodies or parts, rubbish, debris, junk, trash, solid or chemical waste or other substance or material whatsoever or the installation of underground storage tanks;
4. Cutting of Vegetation. Cutting, removing or otherwise destroying trees, grasses or other vegetation;
5. Adverse Impacts to Water, Soil, and Other Features. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, wildlife habitat, or archaeological conservation;
6. Motorized Vehicles. Use, parking or storage of motorized vehicles of any kind, including but not limited to automobiles, motorcycles, mopeds, all-terrain vehicles, snowmobiles or any other motorized vehicles;
7. Historical or Archaeological Resources. The disruption, removal, or destruction of any historical or archaeological resource, including but not limited to stone walls and granite fence posts;
8. Subdivision. Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel;
9. Commercial Recreational, Business, Residential or Industrial Uses. The use of the Premises for commercial recreation, business, residential or industrial use;

10. Other uses. Any other use of the Premises or activity which is inconsistent with the Purposes of this Conservation Restriction or which would impair its Conservation Values.

**B. Reserved Rights and Exceptions**

The Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not materially impair the conservation values or purposes of this Conservation Restriction:

1. Existing Structures. Maintenance, repair, removal or replacement of any permanent or temporary structures or other improvements on the Premises as currently shown on the sketch plan attached hereto as Exhibit B (the “Structures and Fields Plan”), including without limitation use of the office trailer currently on the Premises as offices for Community Farm operations and administration, provided, however that any replacement of said permanent or temporary structures or other improvements shall be constructed on the Premises in areas outside of the “Growing Fields” shown on the Structures and Fields Plan. Said structures or improvements shall be set back at least five (5) feet from the legal boundaries of the Premises if permitted by current Town zoning;

2. Passive Recreational Activities. Biking, walking, hiking, horseback riding, equestrian uses, cross-country skiing and other non-motorized outdoor recreational activities that do not materially alter the landscape and do not degrade environmental quality;

3. Educational Activities. Organized walks, educational programs, school field trips, farm tours, and other similar activities designed to promote an understanding of nature, conservation, agriculture and/or history;

4. Vegetation Management. In accordance with generally accepted land conservation management practices, removing of brush, selective minimal pruning and cutting to prevent, control or remove hazards, disease, insect or fire damage, and regular mowing at least once a year to prevent reforestation, and the planting of native trees and shrubs and the mowing of grass;

5. Water Infrastructure. The digging or drilling and the maintenance, repair and replacement of water supply wells, together with the installation, construction, and placement of permanent underground and temporary aboveground pumps, conduits, hoses, and other equipment all as exclusively associated with irrigation for allowed uses on the Premises. Prior to commencing any new well, plans for the same shall be developed by the Grantor, after consultation with the Grantee, and with the Grantee’s approval as provided in Paragraph III.E, whose approval shall not be unreasonably withheld.

6. Agricultural Management. The following ‘Agricultural Management’ activities:

(a) Clearing, mowing, and prescribed burning of vegetation;

- (b) The planting, maintenance, cultivation, and harvesting of crops or fruit- or nut-bearing trees, together with soil preparation, conservation, and management activities commonly associated with such agricultural uses, including the plowing of agricultural fields and the addition of soil amendments, such as lime or compost (generated on or off the Premises);
- (c) The raising and pasturing of livestock;
- (d) The use of fertilizers;
- (e) The use of pesticides, herbicides, and fungicides, provided, however, that such agricultural chemicals are registered under Commonwealth of Massachusetts regulations or otherwise permitted by the MA Department of Agricultural Resources, and are used and stored in accordance and consistent with all pertinent federal, state, and local instructions, limitations, laws, zoning, rules, and regulations;
- (f) The maintenance of piles of limbs, brush, manure, leaves, compost, and similar biodegradable material generated on the Premises, but not stumps, provided such piles are not placed in any wetlands and do not otherwise interfere with the conservation values (manure may not be stockpiled within any Protected Wetland Resource Areas, including Riverfront and wetland buffer zones);
- (g) The installation, maintenance, and removal of fences, including but not limited to electric fences consistent with permitted Agricultural Management activities described in this Paragraph III.B.6, provided that said fences do not interfere with access to any public trails and paths on the Premises;
- (h) The use of the 'Farmstore' as shown on Exhibit B to market and sell agricultural products and related supplies and tools, and conduct educational programs and products;
- (i) Use of vehicles and other motorized equipment as necessary and convenient for the operation of the Community Farm and for other Agricultural Management activities as described in this Paragraph III.B.6, including but not limited to tractors, trucks, balers, spreaders and planters, and similar types of vehicles, and vehicles permitted in Paragraph III.B.12;
- (j) Construction of, or addition to, stone walls and/or piles incidental to the removal of rocks from plowed areas;
- (k) Horse and other livestock use carried on in accordance with sound management practices (including without limitation, generally accepted water quality management standards) and uses accessory thereto, including without limitation run-in sheds, riding areas, bridle paths and sight pervious and non chain-link fencing. This right shall

include, without limitation, the right to use equipment and vehicles as reasonably necessary for such purposes; and

- (1) **Requirement to Follow Best Agricultural Practices.** Agricultural Activities shall be conducted in a manner consistent with generally accepted best management practices for sustainable farming as those practices may be identified from time to time by appropriate governmental or educational institutions such as the USDA Natural Resources Conservation Service (NRCS), UMass Extension, Northeast Organic Farming Association (NOFA), Massachusetts Department of Agricultural Resources, and the like (collectively, “Best Agricultural Practices”) and in a manner that promotes healthy soils and healthy soil practices, as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws (“Healthy Soils and Practices”), and in a manner that does not hinder the ability of future generations to engage in Agricultural Activities on the Premises.

7. **Non-Native, Nuisance or Invasive Species.** The removal of non-native, nuisance or invasive species, the interplanting of native species, including but not limited to beaver management, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality and scenic vistas;

8. **Soil Management.** Excavation and removal from the Premises of soil, gravel or other mineral resources or natural deposits (a) as may be reasonably necessary for Agricultural Management, (b) as may be incidental to the maintenance of trails or creation of trail connections, bikeways, and access roads or (c) to maintain good drainage and hydrologic functioning of the Premises, provided that (i) such activities follow generally accepted soil conservation practices, (ii) such activities do not occur within protected wetland resource areas, or if they do, the activities receive required authorizations, and (iii) disturbed areas are re-vegetated with native plant materials, and (iv) only after Grantor consultation with Grantee and with the Grantee’s approval as provided in Paragraph III.E, whose approval shall not be unreasonably withheld;

9. **Wildlife Habitat Improvement.** Measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including but not limited to continued selective planting of native trees, shrubs and plant species, and avian nesting structures;

10. **Archaeological Investigations.** Archaeological activities, including but not limited to surveys, following submission of a Project Notification Form and other materials that may be required and its approval by the State Archaeologist/State Historic Preservation Office of the Massachusetts Historical Commission (or appropriate successor official); and only after Grantor consultation with Grantee and with the Grantee’s approval as provided in Paragraph III.E, whose approval shall not be unreasonably withheld;

11. **Signs.** The erection, maintenance and replacement of signs and kiosks by the Grantor, at Grantor’s expense. Permanent signs may identify the Grantee as the holder of the Conservation

Restriction and the Grantor as the owner of the Premises, spell out the ongoing activities and Reserved Rights, and educate the public about trail access, the protected conservation values, and any rules pertaining to uses of the Premises;

12. Permitted Vehicles. Use of vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) in carrying out their lawful duties and trucks and other vehicles reasonably necessary for activities permitted by this Conservation Restriction, including in the operation of the Community Farm, and motorized and non-motorized vehicles to assist the mobility of handicapped persons;

13. Utilities. The construction, use, maintenance and replacement of utilities, including the installation and maintenance of town-supplied water and sewer lines, to serve all allowed uses on the Premises, including without limitation a public bathroom facility; provided that the repair or replacement of existing utilities in their current locations shall require prior notice to (but not approval of) Grantee, and new construction, expansion or relocation of utilities shall require Grantor consultation with Grantee and Grantee's prior approval as provided in Paragraph III.E, whose approval shall not be unreasonably withheld;

14. Allowable New Structures. The installation, maintenance, repair, removal or replacement of (i) up to 9,000 square feet of temporary plant-protecting structures such as hoop houses (meaning structures having no footing or foundation, or do not substantially alter or otherwise affect the soil profile and are used to help grow agricultural plants, e.g., vegetables, fruits, flowers, seedlings or herbs) and (ii) only after Grantor consultation with the Grantee and with the Grantee's approval as provided in Paragraph III.E, up to 1,500 square feet of permanent structures. No structures shall be located on the access trails as shown on the Baseline Documentation Report Monitoring Map dated August 14, 2023, attached hereto as Exhibit C (the "Monitoring Map"). The allowable new structures are in addition to the existing structures described above in Paragraph III.B.1.

15. Parking. The construction, use, maintenance, repair, replacement, expansion, and removal of driveways and parking areas of the Premises consistent with community farming use, provided that prior to any construction for new driveways or parking areas, Grantor shall provide plans for the same for approval by Grantee as provided in Paragraph III.E, and provided that future parking expansion be restricted to 1,000 square feet or five spaces more than the size of the parking areas described in the Baseline Documentation Report, whichever is less;

16. Trails and Bikeways. The routine maintenance of public access trails and possible future unpaved bikeways and the relocation of existing trails and bikeways or the construction of new trails and bikeways. Maintenance may include widening unpaved walking trails up to 36 inches in width and bikeways up to 14 feet total, including 2 foot treadways. Construction of new trails shall occur only after Grantor consultation with Grantee and with the Grantee's approval as provided in Paragraph III.E, whose approval shall not be unreasonably withheld;

17. Green Energy. With prior written approval of the Grantee, constructing energy producing structures and associated transmission lines that produce negligible or no pollution or carbon emissions ("Green Energy Structures") to supply power for any Reserved Rights and Exceptions

on the Premises. In addition to the terms of Paragraph III.E., when considering whether to grant approval, the Grantee will take into consideration the energy needs related to the relevant Reserved Rights and Exceptions. While it is agreed that some power may be fed back into the public power grid during high production periods, such Green Energy Structures shall be limited to a capacity not higher than that necessary to meet, or exceed by up to 20% at the time of installation, the power requirements of the Reserved Rights and Exceptions, and shall not be located on growing fields;

18. Active Outdoor Recreation.

- a. The uses set forth in subparagraph (b) below shall be permissible, only upon satisfaction of all the following conditions:
  - i. Either the Grantor has not renewed the lease with the Community Farm operator, or the Community Farm operator has (a) notified the Grantor of its intent to discontinue Agricultural Management operations, (b) abandoned such use by failing to cultivate at least twenty percent (20%) of the arable land on the Premises (shown on the Structure Plan as “Growing Fields”) for three (3) successive years, or (c) not renewed its lease to conduct Agricultural Management activities;
  - ii. Following such discontinuance, abandonment, or non-renewal of lease, the Grantor has made reasonable efforts, as determined by the Grantee, which shall not be unreasonably withheld, to re-lease or otherwise lease the Premises for Agricultural Management activities, and such efforts have been unsuccessful;
  - iii. Not sooner than one (1) year following the discontinuance, abandonment, or non-renewal of the lease, a majority vote is taken at a duly called Special or Annual Town Meeting approving the use of the Premises for active recreation on in accordance with subparagraph (b) below; and
  - iv. Following the completion of the steps enumerated in Paragraph II.B.18i.-iii., the Grantor shall notify the Grantee of its intent to use the Premises for Active Recreation.
- b. Provided the above enumerated conditions have been met, the Premises may be used for Active Outdoor Recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground, hard courts and athletic fields, including outdoor restrooms and athletic lighting. Active Outdoor Recreational use shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure. The Grantor may enlarge the existing parking area in the northwest corner of the Premises along Lowell Street to accommodate up to 60 parking spaces for recreational use provided that the total area does not exceed 20,000 square feet.

**D. Governmental Permits, Regulations, Laws**

The exercise of any right reserved by Grantor under Paragraph III.B shall be in compliance with the following: (a) then current building, zoning, land use, planning and conservation bylaws, ordinances and regulations applicable to the Premises; (b) any variances or special permits

applicable to the Premises; (c) the Wetlands Protection Act (Chapter 131, Section 40 of the General Laws of Massachusetts, as amended) and (d) all other applicable federal, state and local laws, rules, regulations, and permits, and with the Constitution of the Commonwealth of Massachusetts. The inclusion of any reserved right requiring a permit, license, or other approval from a public agency means only that the Grantor may have a right or privilege to request a permit, license, or other approval; it does not mean or imply that the Grantee or the Commonwealth of Massachusetts takes any position on whether such permit, license, or other approval should be issued.

#### **E. Notice and Approval**

Whenever notice to or approval by Grantee is required, Grantor shall notify Grantee in writing not less than thirty (30) days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, the Grantee shall grant or withhold approval in writing within thirty (30) days of receipt of Grantor's request. Grantee's approval shall not be unreasonably withheld, but shall be granted only upon a showing that the proposed activity will not materially impair the purposes of this Conservation Restriction. Grantee's failure to respond within 30 days of receipt shall not constitute approval by Grantee of the request. Grantor may subsequently submit the same or a similar request for approval. In cases of emergency, the 30-day approval period may be waived by the Grantee to avoid harm to the Purposes or Conservation Values.

### **IV. LEGAL REMEDIES OF THE GRANTEE**

#### **A. Legal and Injunctive Relief**

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law in case of an injunction). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the Conservation Values of the Conservation Restriction.

To the extent permitted by law, Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in good faith enforcement of this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof; provided, however, that Grantor shall not be obligated to reimburse Grantee for costs and expenses related to any such enforcement that Grantor successfully challenges as evidenced by a final, unappealed determination of a court of competent jurisdiction.



**B. Non-Waiver**

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

**C. Disclaimer of Liability**

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

**D. Acts Beyond the Grantor's Control**

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes.

**V. ACCESS**

**A. Access by the Grantee**

The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be reasonably necessary or appropriate to remedy or abate any violation hereof.

**B. Access by the Public**

Subject to the provisions of this Conservation Restriction, the Grantor hereby grants access to the Premises to the general public and agrees to take no action to prohibit or discourage access to and use of the Premises by the general public, but only for daytime use and only as described in Paragraph III.B.2 provided that such agreement by Grantor is subject to the Grantor's reserved right to establish reasonable rules, regulations, and restrictions on such permitted recreational use by the general public for the protection of the Purposes and Conservation Values. To the extent permitted by law, the Grantee hereby expressly disclaims any duty to maintain the Premises or warn persons

who may enter upon the same. Pursuant to Chapter 21, Section 17C of the General Laws of Massachusetts, as amended, neither the Grantor nor the Grantee is liable to any member of the public for injuries to person or property sustained by such person while on the Premises in the absence of willful, wanton, or reckless conduct.

## **VI. EXTINGUISHMENT**

### **A. Consistent with state law**

If circumstances arise in the future that render the Purposes impossible to accomplish, this Conservation Restriction can only be terminated, released, or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, or successor official (“Secretary”), and any other approvals as may be required by Section 32 of Chapter 184 of the Massachusetts General Laws.

### **B. The Grantee’s Property Right in the Conservation Restriction; Value**

Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, for the purpose of enforcing this Conservation Restriction, but does not entitle Grantee, upon extinguishment, release, or termination, to any proceeds received by the Grantor from the subsequent sale, exchange or involuntary conversion of the Premises. Any proceeds that result from any such extinguishment, release, or termination will be distributed to Grantor only after complying with the terms of any gift, grant, or other funding requirements.

### **C. Grantee’s Right to Recover Value of its Property Right**

If any change in conditions ever gives rise to termination, release, or extinguishment of the Conservation Restriction under applicable law, then all reasonable and directly-related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in such proportionate value, subject, however, to the requirements of any gift, grant, or funding program or applicable law, including the Community Preservation Act, which expressly provides for a different disposition of the proceeds.

### **D. Cooperation Regarding Public Action**

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee, at no cost to the Grantee, shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in shares equal to the proportionate value set forth in Paragraph VI.B, provided that all related expenses incurred by the Grantor and the Grantee shall first be paid

out of any recovered proceeds, and subject to the requirements of any gift, grant, or funding program or applicable law, including the Community Preservation Act, which expressly provides for a different disposition of the proceeds.

## **VII. DURATION AND ASSIGNABILITY**

### **A. Running of the Burden**

The burdens of this Conservation Restriction shall run with the Premises in perpetuity and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

### **B. Running of the Benefit**

The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except in the following instances: As a condition of any assignment, the Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; that the Assignee is not an owner of the fee in the Premises; and the Assignee, at the time of the assignment, is a “Qualified Organization” as defined in Section 170(h)(3) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

## **VIII. SUBSEQUENT TRANSFERS**

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Premises, including a leasehold interest, and to notify the Grantee within twenty (20) days of such transfer. Failure to do so shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable. The Grantor shall not be liable for violations occurring after its ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

## **IX. ESTOPPEL CERTIFICATES**

Upon a reasonable request by the Grantor, the Grantee shall, within thirty (30) days, execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor’s compliance with any obligation of the Grantor contained in this Conservation Restriction or otherwise evidences the status of this Conservation Restriction.

**X. AMENDMENT**

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General Laws of Massachusetts. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and, if applicable, shall comply with the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Middlesex South District Registry of Deeds.

**XI. NON-MERGER**

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title to, any part of the Premises without having first assigned this Conservation Restriction following the terms of Paragraph VII.B. in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

**XII. EFFECTIVE DATE**

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the Massachusetts General Laws have been obtained, and it has been recorded in the Middlesex South District Registry of Deeds. The Grantee shall record this instrument in a timely manner in said Registry of Deeds.

**XIII. NOTICES**

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor:                   Town of Lexington  
                                      1625 Massachusetts Avenue  
                                      Lexington, MA 02420  
                                      Attention: Town Manager

To Grantee: Citizens for Lexington Conservation  
PO Box 292  
Lexington MA 02420-0003

or to such other address as any of the above parties shall designate from time to time by written notice to the other or that is reasonably ascertainable by the parties.

#### **XIV. GENERAL PROVISIONS**

##### **A. Controlling Law**

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

##### **B. Liberal Construction**

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Sections 31-33 of Chapter 184 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

##### **C. Severability**

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

##### **D. Entire Agreement**

This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

##### **E. Pre-existing Public Rights**

Approval of this Conservation Restriction pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

**G. Execution of Instruments**

The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction. Without limiting the foregoing, the Grantor and the Grantor's successors and assigns agree to execute any such instruments upon request.

**H. No Surety Interest**

The Grantor attests that there is no mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

**I. Baseline Documentation**

In order to establish the present condition of the Premises and the conservation values thereon that are protected by this Conservation Restriction, and to serve as an objective information baseline to enable the Grantee to monitor future uses of the Premises and to assure compliance with the terms hereof, Grantee has prepared an inventory of the relevant features and conditions of the Premises (the "Baseline Documentation Report" or "BDR"), and Grantor and Grantee agree that the same is a complete and accurate representation of the condition and values of the Premises as of the date of the execution of this Conservation Restriction. The BDR also includes an aerial photograph showing conditions of the property in 2012, the year the Town acquired the property. Verified originals of the Baseline Documentation Report will be deposited with the Grantor and in the permanent records of the Grantee. If the originals of said Baseline Documentation Report are subsequently destroyed by casualty or other circumstance, other evidence may be offered by the parties to establish the condition of the Premises as of the date of this Conservation Restriction.

**J.** No documentary stamps are required hereon because the Grantor is a municipality.

**K.** Included herein are the following:

Signature pages:

Grantor (includes Select Board approval)  
Grantee Acceptance  
Approval of the Secretary of Energy and Environmental Affairs.

**L.** Attached hereto and incorporated herein by reference are the following:

Exhibits:

Exhibit A: Reduced Copy of Plan of the Premises  
Exhibit B: Structures and Fields Plan

Exhibit C: Monitoring Map

Exhibit D: Town Vote Authorizing Use of CPA Funds





ACCEPTANCE OF GRANT BY  
CITIZENS FOR LEXINGTON CONSERVATION

The above Conservation Restriction from the Town of Lexington acting by and through its Select Board is accepted by the CITIZENS FOR LEXINGTON CONSERVATION, INC. as of this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

By: \_\_\_\_\_  
Name: Eileen Entin  
President  
Hereunto duly authorized

By: \_\_\_\_\_  
Name: Anne MacDonald-Broun  
Treasurer  
Hereunto duly authorized

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, the undersigned notary public, personally appeared Eileen Entin, President of Citizens for Lexington Conservation, Inc. proved to me through satisfactory evidence of identification which was  government-issued document bearing the signer's photographic image and signature  my personal knowledge of the principal's identity, to be the person whose name is signed on the preceding document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me, the undersigned notary public, personally appeared Anne MacDonald-Broun, Treasurer of Citizens for Lexington Conservation, Inc. proved to me through satisfactory evidence of identification which was  government-issued document bearing the signer's photographic image and signature  my personal knowledge of the principal's identity, to be the person whose name is signed on the preceding document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
COMMONWEALTH OF MASSACHUSETTS

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from the Town of Lexington acting by and through its Select Board to Citizens for Lexington Conservation, Inc. has been approved in the public interest pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Dated: \_\_\_\_\_, 2025

\_\_\_\_\_  
Rebecca L. Tepper  
Secretary of Energy and Environmental Affairs

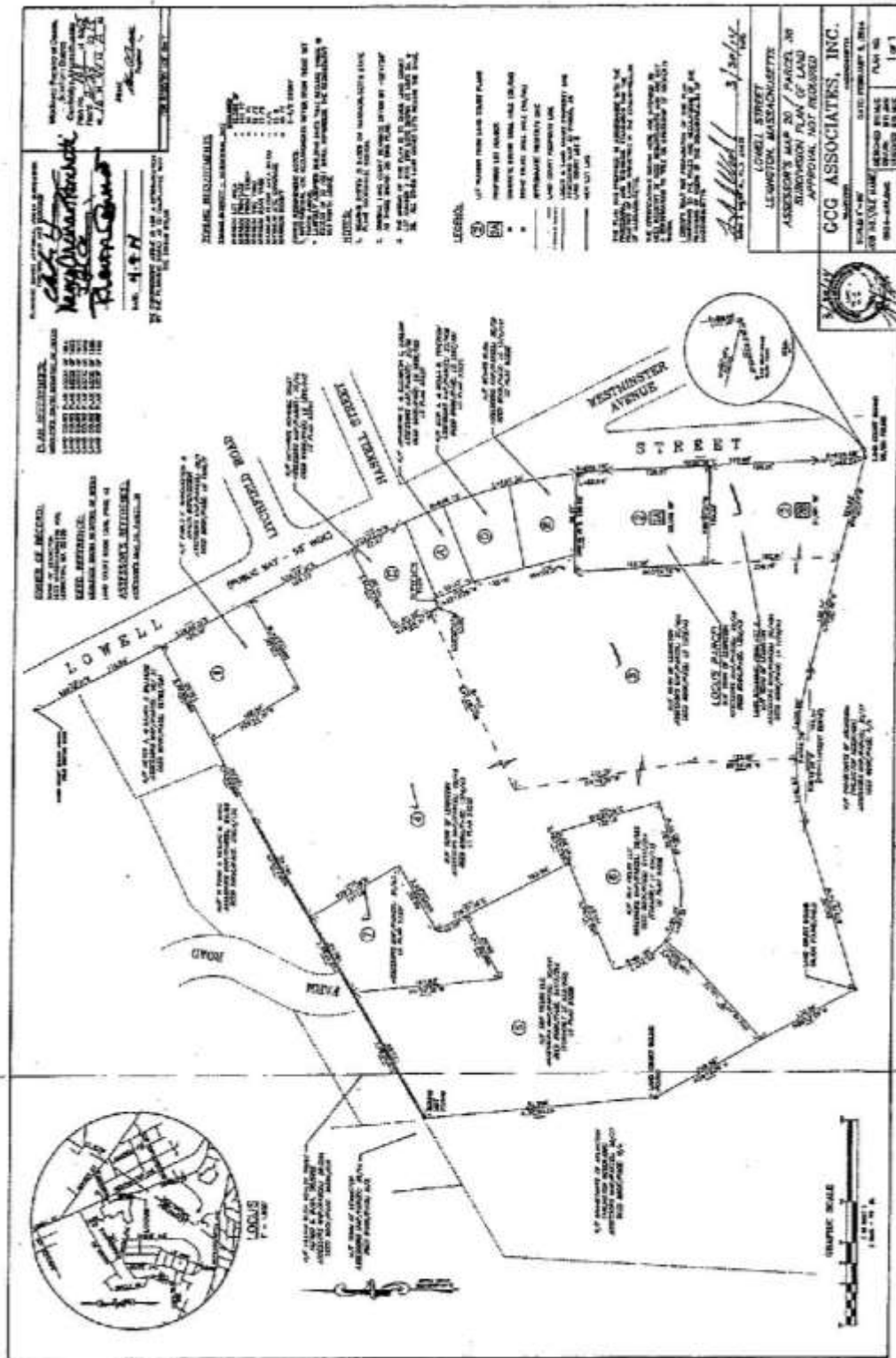
COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

On this \_\_\_\_ day of \_\_\_\_\_, 2025, before me, the undersigned notary public, personally appeared Rebecca L. Tepper, and proved to me through satisfactory evidence of identification which was \_\_\_\_\_ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**Exhibit A  
Plan of Premises**



108 OF 2015

**Exhibit B**  
**Plan of Existing Structures on Premises**



Aerial Photo from  
MassGIS 2021

**LexFarm Buildings and Fields As Of 2023**

0 25 50 100 150 200  
Feet

This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.  
Conservation Works - August 2023





## Exhibit C Monitoring Map



Farm Road  
 Trails

### Busa Farm CR Monitoring Map



This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.  
 Conservation Works - August 2023

Aerial Photo from MassGIS 2021

**Exhibit D  
Town Meeting Approval Vote**

MOGX. SO. DIST. DEEDS  
DOCUMENT: 1519937  
DATE: 12-4-09  
TIME: 8:49 AM

**TOWN CLERK'S CERTIFICATE**

I, Donna M. Hooper, Clerk of the Town of Lexington, Massachusetts, hereby certify that at the adjourned sessions of the 2009 Special Town Meeting held on May 6, 2009, the following motion was adopted under Article 6.

**ARTICLE 6: LAND PURCHASE – OFF LOWELL STREET**

**MOTION:** That (a) the Selectmen be authorized to purchase or otherwise acquire, or to take by eminent domain, for recreation, and/or affordable housing, and/or open space purposes any fee, easement or other interest in all or any part of land shown as lots 38, 40A and 43 on Assessor's Property Map 20 on such terms and conditions as the Selectmen may determine; that the sum of \$4,197,000 be appropriated for such land acquisition, and that to raise such amount, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$4,197,000 under M.G.L. Chapter 44, Section 7 (3), as amended, or under M.G.L. Chapter 44B, as amended, or any other enabling authority; (b) \$98,000 be appropriated from the Undesignated Fund Balance of the Community Preservation Fund for debt service and related borrowing costs of the Community Preservation Fund for fiscal year 2010; and (c) the Board of Selectmen be authorized to lease to the seller all or any part of such land for farming purposes for a period not to exceed three years on such terms as the Board of Selectmen shall determine, as part of the consideration for the acquisition.

Declared adopted by more than the necessary two-thirds vote.

A true copy.

Attest:

  
Donna M. Hooper, Town Clerk

May 14, 2009

# AGENDA ITEM SUMMARY

## LEXINGTON SELECT BOARD MEETING

### AGENDA ITEM TITLE:

Vote of Approval for Draft Bill HD4384 - An Act authorizing the Town of Lexington Ten Additional Licenses for the Sale of Wine and Malt Beverages

### PRESENTER:

Steve Bartha, Town Manager

### ITEM NUMBER:

I.7

### SUMMARY:

#### **Category: Decision-making**

The Board is asked to take a formal vote in support of House Bill HD.4384, An Act Authorizing the Town of Lexington Ten Additional Licenses for the Sale of Wine and Malt Beverages, as written and to provide said vote as a supportive document to our Legislative Petitioner, Representative Michelle Ciccolo, as she takes this Bill through the 2025 Legislative processes.

### SUGGESTED MOTION:

Move to vote in support of draft Bill HD.4384, An Act authorizing the Town of Lexington Ten Additional Licenses for the Sale of Wine and Malt Beverages, written and filed in the House on February 7, 2025.

### FOLLOW-UP:

Select Board Office to prepare a certified vote to be given to Representatvie Michelle Ciccolo.

### DATE AND APPROXIMATE TIME ON AGENDA:

2/14/2025

10:30am

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Bill HD4384	Backup Material

**HOUSE . . . . . No.**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michelle L. Ciccolo***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Lexington to grant ten additional licenses for the sale of wine and malt beverages to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/7/2025</i>



**HOUSE . . . . . No.**

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act authorizing the town of Lexington to grant ten additional licenses for the sale of wine and malt beverages to be drunk on the premises.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the  
2   licensing authority of the town of Lexington may grant 10 additional licenses for the sale of wine  
3   and malt beverages to be drunk on the premises pursuant to section 12 of said chapter 138 as  
4   follows: (i) 1 license to Pinot's Palette, located at 7A Meriam Street in Lexington; (ii) 1 license to  
5   Galaray House Art Gallery, located at 1720 Massachusetts Avenue in Lexington; (iii) 1 license  
6   to Lexington Venue Theater, located at 1794 Massachusetts Avenue in Lexington; (iv) 1 license  
7   to Fable Brewing, located at 94 Hartwell Ave Lexington; and (v) 6 licenses to establishments  
8   located within the three economic development zones described in subsection (b). A license  
9   granted under said subsection (b) shall be clearly marked on its face either “Village Overlay  
10   District”, “Multifamily Overlay District”, or “Village High-Rise Overlay District” as applicable.  
11   Licenses granted under this act shall be subject to all of said chapter 138 except said section 17.

12           (b) The licensing authority shall restrict the 6 licenses granted under clause (v) of  
13   subsection (a) to establishments located within either the “Village Overlay District”,

14 “Multifamily Overlay District”, or “Village High-Rise Overlay District” as those areas are  
15 defined on a map entitled “Article 34 Overlay Districts Map” dated March 24, 2023, a copy of  
16 which is on file in the office of the town clerk.

17 (c) A license granted under this act shall only be exercised in the dining room of a  
18 common victualler and in such other public rooms or areas as may be deemed reasonable and  
19 appropriate by the licensing authority as certified in writing.

20 (d)(1) The licensing authority shall not approve of the transfer of a license granted  
21 pursuant to clauses (i), (ii), (iii), or (iv) of subsection (a) to any other location, but it may grant a  
22 license to a new applicant at the same location if the applicant files with the licensing authority a  
23 letter from the department of revenue and a letter from the department of unemployment  
24 assistance indicating the license is in good standing with those departments and that all  
25 applicable taxes, fees, and contributions have been paid.

26 (2) The licensing authority shall not approve of the transfer of a license granted pursuant  
27 to clause (v) of subsection (a) to a location outside of the initial zoned area as described in  
28 subsection (b), but it may grant a license to a new applicant within such initial zoned area if the  
29 applicant files with the licensing authority a letter from the department of revenue and a letter  
30 from the department of unemployment assistance indicating the license is in good standing with  
31 those departments and that all applicable taxes, fees, and contributions have been paid.

32 (e)(1) If a licensee fails to renew a license granted under clauses (i), (ii), (iii), or (iv) of  
33 subsection (a) or any such license granted under those clauses is cancelled, revoked, or no longer  
34 in use, it shall be returned physically, with all the legal rights, privileges, and restrictions  
35 pertaining thereto, to the licensing authority and the licensing authority may, within 3 years of

36 such return, then grant the license to a new applicant under the same conditions as specified in  
37 this act, otherwise such license shall dissolve.

38 (2) If a licensee fails to renew a license granted under clause (v) of subsection (a) or any  
39 such license granted is cancelled, revoked, or no longer in use, it shall be returned physically,  
40 with all the legal rights, privileges, and restrictions pertaining thereto, to the licensing authority  
41 and the licensing authority may then grant the license to a new applicant under the same  
42 conditions as specified in this act.

43 (f) All licenses granted under this act shall be issued within 3 years after the effective  
44 date of this act, provided however, that a license originally granted within that time period may  
45 be granted to a new applicant under subsections (d) or (e) thereafter.

46 SECTION 2. This act shall take effect upon its passage.

# AGENDA ITEM SUMMARY

## LEXINGTON SELECT BOARD MEETING

### AGENDA ITEM TITLE:

Discuss Means of Publication

### PRESENTER:

Jonas Miller, Director of  
Communications and Mary De  
Alderete, Town Clerk

### ITEM NUMBER:

I.8

### SUMMARY:

#### **Category: Informing**

With the passage of House Bill 4560 (Print-Free Digital Legal Notices in Lexington) in January 2025, staff began reviewing various new options available the Town as a result of the law and is looking for feedback and guidance from the Board as options become recommendations.

### SUGGESTED MOTION:

### FOLLOW-UP:

### DATE AND APPROXIMATE TIME ON AGENDA:

2/14/2025

10:40am

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Print-Free Digital Legal Notices (Lexington)	Cover Memo

## Acts (2024)

### Chapter 352

#### AN ACT ALLOWING PRINT-FREE DIGITAL LEGAL NOTICES FOR THE TOWN OF LEXINGTON

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding subsection (c) of section 13 of chapter 4 of the General Laws or any other general or special law to the contrary, wherever the town of Lexington, or any committee, department, board, commission, or officer thereof, is required to publish a legal notice in a newspaper or newspaper of general circulation, such requirement may be satisfied by 1 or more of the following means, as authorized by local vote in section 3:

(i) a newspaper of local or general circulation's print publication;

(ii) a newspaper of local or general circulation's website;

(iii) websites reporting local news and opinion which satisfy all criteria for digital publication established in said subsection (c) of said section 13 of said chapter 4;

(iv) a statewide website that may be maintained as a repository

for such notices; or

(v) a town wide website that may be maintained as a repository for such notices.

SECTION 2. (a) For all legal notices to be issued by a town of Lexington committee, department, board, commission or officer, other than the school committee, Lexington public schools or a department or officer of the school committee or Lexington public schools, the select board by majority vote shall determine at least 2 of the means of legal notice publication set forth in section 2 to satisfy publication requirements.

(b) For all legal notices to be issued by the school committee, Lexington public schools or a department or officer of the school committee or Lexington public schools or a department or officer of the school committee or Lexington public schools, the school committee by majority vote shall determine at least 2 of the means of legal notice publication set forth in section 2 to satisfy publication requirements.

(c) The select board and school committee may reconsider their means of publication votes at their discretion and elect different means of publication for the options established under section 2 by majority vote.

SECTION 3. This act shall take effect upon its passage.

Approved, January 8, 2025.

# AGENDA ITEM SUMMARY

## LEXINGTON SELECT BOARD MEETING

### AGENDA ITEM TITLE:

Discussion - Special Town Meeting 2025-1 - Select Board Article Discussion and Positions

### PRESENTER:

Board Discussion

### ITEM NUMBER:

I.9

### SUMMARY:

#### **Category: Informing**

The Board may take up discussion on the Special Town Meeting 2025-1 Articles and/or Select Board article positions.

### SUGGESTED MOTION:

N/A

### FOLLOW-UP:

N/A

### DATE AND APPROXIMATE TIME ON AGENDA:

2/14/2025

10:50am

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Art 2 STM Reduce MBTA motion 1.22.25	Backup Material

Town of Lexington  
Motion  
Special Town Meeting 2025-1

**ARTICLE 2**

**AMEND ZONING BYLAW AND MAP  
MULTI-FAMILY HOUSING FOR MBTA  
COMMUNITIES (Citizen Petition)**

**MOTION**

a) That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, and Zoning Map be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1) Amend the Zoning Map to delete the following areas shown on maps on file with the Town Clerk from the VO District:

a. Bedford Street/Worthen Road except for the following properties:

Map 64 Lot 161 located at 89 Bedford St.

Map 57 Lot 135 located at 3 Militia Dr.

Map 57 Lot 133A located at 4 Militia Dr.

Map 57 Lot 134 located at 5 Militia Dr.

b. Bedford Street/Reed Street except for the following properties:

Map 64 Lot 73A located at 185 Bedford St.

Map 64 Lot 72 located at 187 Bedford St.

c. Bedford Street/Bike Path except for the following property:

Map 71 Lot 33 located at 231 Bedford St.

d. Marrett Road/Waltham Street

e. Marrett Road/Spring Street

2) Amend the Zoning Map to delete the following areas shown on maps on file with the Town Clerk from the MFO District:

f. Lexington Center

g. Bedford Street North

3) Amend the Zoning Map to delete the following areas shown on maps on file with the Town Clerk from the VHO District:

i. Hartwell Avenue/Westview Street except for the following properties:

Map 84 Lot 81 located at 7 Hartwell Avenue

Map 84 Lot 80A located at 17 Hartwell Avenue



- j. Maguire Road
- k. Hartwell Avenue/Wood Street

4) Add a new subsection § 135-7.5.15 as follows:

“7.5.15 Number of dwelling units. The maximum number of dwelling units in any development under this section shall be fifteen (15) times the area of the development in acres, rounded to the nearest whole number, except that this provision shall not apply to the following properties:

- Map 13 Lot 375 located at 217 Massachusetts Ave.
- Map 13 Lot 374 located at 229 Massachusetts Ave.
- Map 13 Lot 373 located at 233 Massachusetts Ave.
- Map 13 Lot 372 located at 241 Massachusetts Ave.
- Map 64 Lot 161 located at 89 Bedford St.
- Map 57 Lot 135 located at 3 Militia Dr.
- Map 57 Lot 133A located at 4 Militia Dr.
- Map 57 Lot 134 located at 5 Militia Dr.
- Map 64 Lot 73A located at 185 Bedford St.
- Map 64 Lot 72 located at 187 Bedford St.
- Map 71 Lot 33 located at 231 Bedford St.
- Map 10 Lot 58A located at 5 Piper Rd.
- Map 10 Lot 59A located at 7 Piper Rd.
- Map 10 Lot 31A located at Concord Ave.
- Map 10 Lot 31B located at 331 Concord Ave.
- Map 10 Lot 31C located at Concord Ave.
- Map 9 Lot 11B located at Concord Ave.
- Map 84 Lot 80A located at 17 Hartwell Ave.
- Map 84 Lot 81 located at 7 Hartwell Ave.”

b) That the Town adopt the following resolution:

**WHEREAS** the Town of Lexington has been a leader in the implementation of the MBTA Communities Act, M.G.L. c. 40A, § 3A (the “MBTA Act”), and is committed to doing its part to alleviate the housing shortage in the greater Boston area; and

**WHEREAS** in 2023, the Executive Office of Housing and Livable Communities (EOHLC) specified a target capacity for Lexington’s required zoning under the MBTA Act of 1,231 multifamily dwelling units, representing 10% of the Town’s existing dwelling units, and set a deadline for compliance of December 31, 2024; and

**WHEREAS** Town Meeting voted at the 2023 Annual Town Meeting to adopt Article 34, which added to the Lexington Zoning Bylaw a new Section 7.5 creating twelve overlay districts in which multifamily housing can be built as of right, and establishing dimensional and other standards that allow development densities significantly higher than required by the MBTA Act; and

**WHEREAS** EOHLC subsequently determined that the capacity created by Section 7.5, calculated in accordance with a model which all MBTA communities are required to follow, is 12,546 dwelling units, ten times the minimum requirement and a number which, if fully built out, would double the number of dwelling units in Lexington; and

**WHEREAS** the rate at which new developments have been proposed and the number of dwelling units proposed for inclusion in such developments have substantially exceeded the rate and number originally projected at the time that Section 7.5 was adopted; and

**WHEREAS** responsible planning for Lexington's future growth requires careful consideration of the consequences of an increase of greater than 10% in housing units within the next three to five years and continuing thereafter; and

**WHEREAS** it would be prudent for the Town to limit the capacity for the creation of as-of-right multifamily housing under Section 7.5 at a level closer to the MBTA Act's requirement of 1,231 units for a sufficient time to permit the Town to evaluate the impacts of developments already approved, in the permitting pipeline, or that may be proposed in the future under Section 7.5.

**NOW, THEREFORE, BE IT RESOLVED**, that Town Meeting requests the Select Board to create a broadly representative process, engaging the whole community, to evaluate and study the financial and other impacts of Section 7.5 on Town services, infrastructure, residents, and businesses; and

**BE IT FURTHER RESOLVED**, that Town Meeting requests the Planning Board, in conjunction with the Select Board, to consider appropriate means to manage prudent and responsible growth in housing going forward, informed by the process described above, including, but not limited to, a reexamination of the appropriate number and size of overlay districts, setbacks, height limits, density limits, and parking requirements under Section 7.5.