

## **SELECT BOARD MEETING**

Monday, June 9, 2025

Select Board Meeting Room, 1625 Massachusetts Avenue, Lexington, MA 02420 - Hybrid Participation\*  
6:30 PM

### **AGENDA**

#### **PUBLIC COMMENTS**

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

#### **SELECT BOARD MEMBER CONCERNS AND LIAISON REPORTS**

1. Select Board Member Announcements and Liaison Reports

#### **TOWN MANAGER REPORT**

1. Town Manager Weekly Update

#### **CONSENT AGENDA**

1. Accept: Select Board Committee Resignation
  - Lexington Bicycle Advisory Committee - Ramprasad V. Reddy
2. Approve: Dissolution of Town Manager Search Screening Committee
3. Approve: Select Board Minutes
  - May 12, 2025 Select Board
  - May 19, 2025 Select Board
  - May 29, 2025 Select Board
4. Approve: Fiscal Year 2026 Cost-Of-Living Adjustment (COLA) for Non-Represented Employees
5. Approve: Request for Water and Sewer Deferral
6. Approve: Water and Sewer Commitments
7. Approve: Chamber of Commerce Request to Place Sign at Emery Park Announcing the Free Community Summer Concert Series
8. Approve: One-Day Liquor License - Wilson Farm, 10 Pleasant Street
  - Dinner in the Field - Thursday, June 26, 2025
9. Approve: License for Public Entertainment on Sunday - Fiesta Shows, Hastings Park
  - 69th Annual Fourth of July Carnival

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

1. HEARING: Noise Bylaw Permit - Mural Project at 135 Massachusetts Avenue 6:45pm
2. Discussion: Diversity Equity & Inclusion Staffing Update 6:55pm
3. Approve: Parklet Location on Massachusetts Avenue 7:25pm
4. Discussion: Battle Green Use Policy 7:35pm
5. Approve: Conduct and Decorum for Public Meetings Policy 7:50pm
6. Approve: List of Legal Holidays during which Construction Noise is Limited as it Relates to Noise Control Bylaw Chapter 80 7:55pm
7. Discussion: Proposed Compost Pilot Partnership with Black Earth at Hartwell Avenue Site 8:00pm
8. Discussion: Condo Conversion Board 8:20pm
9. Discussion: Board and Committee Member Service Policy 8:30pm
10. Discussion: Potential Creation of Committee Academy 8:45pm

## **EXECUTIVE SESSION**

1. Exemption 3: Collective Bargaining - To discuss strategy with respect to collective bargaining (LMEA, LMMA, Fire, Police Superior) 8:55pm

## **ADJOURN**

1. Anticipated Adjournment 9:10pm

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>

A Summit meeting the Select Board, Appropriation Committee, Capital Expenditures Committee and School Committee will be held on Monday, June 16, 2025 at 6:30pm via hybrid person participation.

The next regularly scheduled meeting of the Select Board will be held on Monday, June 23, 2025 at 6:30pm via hybrid person participation.

*Hearing Assistance Devices Available on Request*

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



## **AGENDA ITEM SUMMARY**

### **LEXINGTON SELECT BOARD MEETING**

**AGENDA ITEM TITLE:**

Select Board Member Announcements and Liaison Reports

**PRESENTER:**

Doug Lucente, Chair

**ITEM  
NUMBER:**

LR.1

**SUMMARY:**

Under this item, Select Board Members can provide verbal updates, make announcements, as well as comment on any additional points or concerns.

**SUGGESTED MOTION:**

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

6/9/2025



## **AGENDA ITEM SUMMARY**

### **LEXINGTON SELECT BOARD MEETING**

**AGENDA ITEM TITLE:**

Town Manager Weekly Update

**PRESENTER:**

Steve Bartha, Town Manager

**ITEM  
NUMBER:**

TM.1

**SUMMARY:**

Under this item, the Town Manager can provide verbal updates, make announcements, as well as comment on any additional points or concerns.

**SUGGESTED MOTION:**

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

6/9/2025

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Accept: Select Board Committee Resignation

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.3

### **SUMMARY:**

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

#### **Resignation:**

*Lexington Bicycle Advisory Committee*

The Select Board is being asked to accept the resignation of Ramprasad V Reddy from the Lexington Bicycle Advisory Committee effective June 09, 2025.

### **SUGGESTED MOTION:**

To accept the resignation of Ramprasad V Reddy from the Lexington Bicycle Advisory Committee effective June 09, 2025.

Move to approve consent.

### **FOLLOW-UP:**

Select Board Office.

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

6/9/2025

### **ATTACHMENTS:**

Description	Type
<input type="checkbox"/> 2025.05.20 Ram Reddy - Lexington Bicycle Advisory Committee_Redacted	Backup Material



## Samantha Lino

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**From:** Ram Reddy <r >  
**Sent:** Tuesday, May 20, 2025 6:12 AM  
**To:** Select Board  
**Cc:** Betty Gau  
**Subject:** Ram Reddy - Resignation from Lexington Bicycle Advisory Committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello -

This is to inform you that I would like to resign from the Lexington Bicycle Advisory Committee.

My professional work commitments have increased so I am no longer able to do justice to the LBAC.

Regards  
Ram

\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

Ram Reddy

Mobile/SMS: +1-781-  
Lexington, Massachusetts, USA

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\*\*\*\*\*  
\*\*\*\*\*  
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# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Dissolution of Town Manager Search Screening Committee

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.4

### **SUMMARY:**

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

The Select Board is being asked to dissolve the Town Manager Search Screening Committee. Formed in April 2024 to assist with the recruitment of Lexington's next Town Manager, the committee has completed its core responsibilities. Remaining administrative tasks, such as submission of meeting minutes, will be handled by the Select Board Office.

All materials related to the work of the Town Manager Search Screening Committee will be provided to the Town Clerk's Office to be archived.

### **SUGGESTED MOTION:**

To dissolve the Town Manager Search Screening Committee.

Move to approve the consent.

### **FOLLOW-UP:**

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

6/9/2025

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Select Board Minutes

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.5

### **SUMMARY:**

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

The Select Board is being asked to approve the following minutes:

- May 12, 2025 Select Board
- May 19, 2025 Select Board
- May 29, 2025 Select Board

### **SUGGESTED MOTION:**

To approve and release the following minutes:

- May 12, 2025 Select Board
- May 19, 2025 Select Board
- May 29, 2025 Select Board

Move to approve the consent agenda




### **FOLLOW-UP:**

Select Board Office.

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

6/9/2025

### **ATTACHMENTS:**

Description		Type
	DRAFT 05122025 Select Board minutes	Backup Material
	DRAFT 05192025 Select Board minutes	Backup Material
	DRAFT 05292025 Select Board minutes	Backup Material

SELECT BOARD MEETING  
Monday, May 12, 2025

A meeting of the Lexington Select Board was called to order at 6:30p.m. on Monday, May 12, 2025, via a hybrid meeting platform. Mr. Lucente, Chair; Mr. Pato, Ms. Hai, Mr. Sandeen, and Ms. Kumar, were present, as well as Mr. Bartha, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Katzenback, Executive Clerk.

**PUBLIC COMMENTS**

Mark Lang, 2 Opi Circle, stated he feels the Lowell Street affordable housing project has veered away from 2024 Town Meeting vote. He expressed concern the current design includes buildings that are three stories and 42' high, exceeding limits. He stated is clear that this site cannot support 40 units without violating wetland buffers, exceeding promised height limits, compromising emergency access, and worsening already dangerous traffic. He feels the Board must act now to rescale the project before it is too late.

Rob Green, President of Lexington Firefighters Local 1491, expressed concern regarding the payroll realignment process

Dawn McKenna, 9 Hancock Street, stated that she was very disappointed to learn about the concerns of the Fire Department. The Town has always worked hard for its personnel, and she is unhappy to see that there is an issue with a procedural realignment and the impact it is having on employee paychecks. A solution to this needs to be sought.

**SELECT BOARD MEMBER CONCERNS AND LIAISON REPORTS**

1. Select Board Member Announcements and Liaison Reports

Ms. Hai stated that the Cary Library Board of Trustees will meet on May 21st and to vote on the Historic District Commission nominees that are required from the Library to this Board. The children's room project is continuing and is still on budget. The goal is for a late summer or early fall reopening. Also, the Cary Library Foundation has hired a new executive director, Mary Ann Sorel. Finally, the Senate in its supplemental budget allocations, included \$50M to address the inflationary costs impacts for currently pending MSBA projects, such as the high school project.

Mr. Pato stated that **every** resident should have received a postcard regarding the next High School Open House Project Information Session, on May 21st at 6:30pm at Battin Hall. There will be subsequent meetings in June and August, and abutters meetings along the way as well.

Mr. Lucente stated that the VO250 Arch arch/pillar project was approved by the Historic District Commission last week and will be installed tomorrow. This arch will track community service hours toward a goal of 250,000 hours. There will be a ribbon cutting at a future date.

**TOWN MANAGER REPORT**

1. Town Manager Weekly Update

Mr. Bartha spoke about the issue raised regarding the payroll realignment. The timing of the payroll realignment has been known since last year. Realignment was a necessary step to modernize the existing



systems to utilize the financial systems and modules and to improve financial control. The payroll realignment was bargained in good faith with all of the collective bargaining units in Lexington.

Next, Mr. Bartha stated that the Town had two employees apply for and be accepted into the MMA Suffolk program, which is a joint program run for many years by the Mass Municipal Association at Suffolk University.

## CONSENT AGENDA

Mr. Lucente noted that Item #4 has been withdrawn by the proponents and that he would recuse himself from item #7.

1. Approve: Select Board Committee Appointments
  - Design Advisory Committee - Zhu Liu
  - Lexington Center Committee - Danit Netzer
  - Tree Committee - Benjamin Fein-Cole
  - Vision for Lexington - Tom Lin

To appoint the committee members with terms as indicated in the attached list titled "Select Board Committee Appointments - February Recruitment, 2025".

**DOCUMENTS:** Design Advisory Committee - Zhu Liu 02.20.25\_Redacted, Lexington Center Committee - Danit Netzer\_Redacted, Tree Committee - Benjamin Fein-Cole 02.28.25\_Redacted Backup Material, Vision for Lexington - Tom Lin\_Redacted Backup Material, Select Board Committee\_Appointments\_February\_Recruitment\_2025 Backup Material

2. Accept: Select Board Committee Resignations
  - Economic Development Advisory Committee - Bridger McGaw
  - Housing Partnership Board - Robert Pressman
  - Transportation Advisory Committee - Mark Anderson

To accept the resignation of Bridger McGaw from the Economic Development Advisory Committee, effective May 12, 2025; and to accept the resignations of Robert Pressman from the Housing Partnership Board and Mark Anderson from the Transportation Advisory Committee, both effective immediately.

**DOCUMENTS:** 2025.04.30 Bridger E. McGaw - Economic Development Advisory Committee, 2025.04.28 Robert Pressman - Housing Partnership Board\_Redacted

3. Approve: Water and Sewer Commitments and Adjustments

To approve the Water & Sewer commitments adjustments as recommended by the Water Sewer Abatement Board:

Water & Sewer Commitments Section 1 2025	\$ 2,808,112.78
Water & Sewer Commitments Section 2 2025	\$ 2,501,053.71
Water & Sewer Commitments Cycle 9 2025	\$ 311,971.17
Water & Sewer Commitments March Finals	\$ 7,069.48
Water & Sewer Commitments February Finals	\$ 5,855.83
Water & Sewer Commitments January Finals	\$ 4,524.77
Water & Sewer Adjustments per WSAB 3/7/25	(\$ 3,357.04)

**DOCUMENTS:** SB Meeting 5-5-25 WS items

4. APPLICATION WITHDRAWN - Approve: Battle Green Use Request - Lexington Minute Men
  - 18th Century Military Drill - Saturday, May 31, 2025

*This application was withdrawn by the applicant after the agenda was posted as the event was no longer scheduled to take place.*

5. Approve: (Special Event) Entertainment License - Lexington Farmers' Market 2025 Lexington Farmers' Market

To approve an Entertainment License for Lexington Local Food Collaborative d/b/a Lexington Farmers' Market for the purpose of providing recorded music and live performances for patrons of the 2025 Lexington Farmers' Market to take place every Tuesday from May 27, 2025 through October 28, 2025 at the Worthen Road Practice Field from 2:00pm to 6:30pm.

**DOCUMENTS:** 2025 Farmers Market Entertainment License Request Letter, Farmers Market MAP

6. Approve & Sign: Proclamation
  - Pride Month - June

To approve and sign a proclamation recognizing the month of June annually as Pride Month.

**DOCUMENTS:** 2025 Pride Month Proclamation

**VOTE:** Upon a motion duly made and seconded, the Select Board voted 5-0 to approve Consent Agenda items 1, 2, 3, 5, and 6.

7. Approve: Lexington Lions Club Request for 69th Annual Fourth of July Carnival

*Mr. Lucente recused himself from this item.*

To approve the following requests of the Lexington Lions Club for the 69th Annual Fourth of July Carnival, outlined in the Lexington Lions Club letter dated May 2, 2025,

To approve the request of the Lexington Lions Club to use lighting as necessary until 11:30pm from Monday, June 30, 2025 through Sunday, July 6, 2025.

To approve a fireworks display on Wednesday, July 2, 2025 at approximately 9:30pm subject to approval of the fireworks vendor, Pyrotechnico, and necessary safety precautions as required by the Fire Department.

**DOCUMENTS:** Lexington Lions Club Carnival Request letter

**VOTE:** Upon a motion duly made and seconded, the Select Board voted 4-0 to approve Consent Agenda item 7.

## ITEMS FOR INDIVIDUAL CONSIDERATION

### 1. Update: Quarter 3 Budget

Rosalyn Impink, Budget Officer, explained that the Q3 report covers the period for fiscal year 2025 starting July 1-March 31. A general rule when three quarters through the year, is to use 75% as a benchmark for the revenue anticipated to be collected and what expenses we'll have expended by this time. All of the items seem to be tracking well at this time and Staff expects a strong Q4 report.

**DOCUMENTS:** Memo - FY 2025 Qtr 3 Budget Monitoring, Presentation - FY 2025 Qtr 3 Budget Monitoring

### 2. Discussion: Review of 2024 and Preview of 2025 Farmers' Market

Leslie Wilcott-Henrie and Drew Maggiore, Lexington Farmers' Market, explained that the market is opening in two weeks, on May 27th. Last year the Market hosted 18 community groups, including a number of Town offices, and 33 different farmers and vendors, seven of which were Lexington residents. Last year the Market also introduced a new program, the POP Club, which stands for Power of Produce Club. The purpose of this program is to encourage young children, aged 5-12, to try new fruits and vegetables. Almost 150 children signed up for this pilot program and the Market reimbursed \$720 to its farmers as another boost in their income. Regarding SNAP and HIP, the food assistance programs at the Farmers' Market, the overall amount of food assistance spent at the market was calculated to be over \$61,000 last year. The Market is concerned about federal cuts that may be coming to the SNAP program. The SNAP Match program is privately funded. The Market is going into its third year with Food Link, an Arlington-based organization. This past year, almost 1,800 pounds of produce was rescued from the Farmers' Market and brought to Food Link which then distributes it to hundreds of organizations around the Commonwealth. It was noted that Select Board members could consider holding hours during the Farmers' Market. An average of 650 people visit the Market each day.

Mr. Lucente asked if the Town can do anything to better support the potential food assistance program cuts. Ms. Wilcott-Henrie stated that any opportunities to help with the match portion would be important. Mr. Lucente suggested that the Fund for Lexington could be considered for this item.

Ms. Hai asked about concerns regarding parking at the Market this year. Ms. Wilcott-Henrie stated that the Market will work closely with Town Staff on this item.

Dawn McKenna, 9 Hancock Street, added her support for the Market and expressed how important it is for the Market to be located in the Center.

**DOCUMENTS:** Farmers Market Update

### 3. Update: Lexington High School Project & Costs

Mr. Bartha explained that there was a School Building Committee meeting today. The drawings will soon be submitted in order to get cost estimates moving into the summer. The process will likely culminate in the fall, when the MSBA is asked to accept a project budget.

Mike Cronin, Public Facilities Director, explained that the group is in the process of finalizing the schematic design process. The schematic design will be submitted to the estimators on June 4th. They will then work for 4-6 to give their best understanding of what the market currently looks like. There are a series of community meetings, including one this month, one next month, and one in August. In August, there will be a schematic design vote with the School Building Committee, and this will then be

submitted to the MSBA. At the same time, design development will begin. In November, there will be a Town Special Town Meeting to discuss the project, and Article 97. In December, there will be a debt exclusion vote to confirm the project.

Ms. Kosnoff addressed the potential rebates for this project and how they will be used. Bond Anticipation Notes will be used as part of this project, but these are only used as short-term financing which can be more expensive overall.

Mr. Pato stated that he has been projecting an idea of cost containment for this project. He would like to be able to have this conversation with the Board in order to accurately represent the view to the School Building Committee.

Mr. Lucente stated that he and Mr. Bartha would discuss what steps there are next for the proposed schedule. The Board will have additional discussions on this topic at future meetings.

**DOCUMENTS:** LHS slides (May 2025)

4. Discussion: Worthen Road School Safety Zone

Ross Morrow explained that the proposal is to implement a School Safety Zone at the High School on Worthen Road. The Town has School Safety Zones at all its other schools. Until recently, high schools were not included in the State regulations for safety zones but that since has been changed. The current speed limit going past the High School is 35mph and the School Safety Zone would bring this down to 20mph during certain hours. The goal would be to have this in place before the start of the fall school year.

Ms. Hai stated that, if the School Committee plans to keep an open campus, she would suggest this zone be in effect during all the school hours.

Mr. Pato suggested that the hours could potentially be expanded due to afterschool activities.

Mr. Sandeen asked about enforcement. Mr. Bartha stated that he will work with the Chief regarding selective enforcement during the change in policy.

Dawn McKenna, 9 Hancock Street, suggested that the zone should be extended from Lincoln Street to the school.

**DOCUMENTS:** Code Amend School Zone-High School, HS Worthen School Zone, Memo

5. Discussion: Town Meeting Article Submission Timeline Policy

Mr. Lucente explained that the Board is being asked to review and discuss a proposed Town Meeting Warrant Article Submission Timeline Policy. The intended purposes of such policy are the following

- Establish a standardized timeline and procedures for developing and submitting warrant articles for Town Meeting.
- Ensure clarity, consistency, and accountability among boards, committees, and Town departments for Annual Town Meeting (ATM) and Special Town Meetings (STM).

The problem this is trying to solve is avoiding late surprises for the Board and giving more structure to the Staff, boards, and committees to be prepared for items they may want to bring forward. This should also create a process for the public to follow for better transparency. The policy, as drafted, states that the

Board would like for boards and committees to identify potential articles and notify the Board in late August. Draft concepts should then be submitted by mid-September to the Board for initial feedback. In late November, the Board would expect final article drafts submitted from Town boards, committees, and departments. In early December, the Board would review those warrant articles and make a determination as to whether to include them on the warrant.

Ms. Kumar asked about urgent exceptions that arise during the process. Mr. Lucente explained that Special Town Meetings are generally used to address these items. These items can also be handled at the Board's discretion.

Ms. Hai expressed thanks for the clarification regarding legal review being at the discretion of the Town Manager's Office.

Mr. Sandeen suggested that the key contact information include only the name of the Town Office instead of the names of specific individuals, who may change over time.

Dawn McKenna, 9 Hancock Street, stated that she believes the policy should include wording that motions are not final until moved at Town Meeting. She would like to see a statement at the beginning of the policy, under the Purpose and Scope, that, under the bylaws, the Select Board is responsible for the Town Warrant and Town Meeting. She stated that some flexibility is important for changes that need to be made during the timeline.

#### **DOCUMENTS: Proposed Policy-Town Meeting Warrant Articles Timeline**

##### **6. Reorganization of the Select Board**

**VOTE:** Upon a motion duly made and seconded, the Select Board voted 5-0 to elect Ms. Hai as Chair of the Select Board, to be effective on July 1, 2025.

**VOTE:** Upon a motion duly made and seconded, the Select Board voted 5-0 to elect Mr. Pato as Vice-Chair of the Select Board, to be effective on July 1, 2025.

##### **7. Discussion: Select Board Committee Liaison Assignments**

The Board discussed its Committee liaison assignments. The Board agreed to record the Select Board Members committee liaison assignments as amended, to be effective on July 1, 2025.

#### **DOCUMENTS: Proposed 2025 Select Board Committee Liaison Assignments**

#### **ADJOURN**

**VOTE:** Upon a motion duly made and seconded, the Select Board voted 5-0 to adjourn at 8:55pm.

A true record; Attest:  
Kristan Patenaude  
Recording Secretary

**SELECT BOARD MEETING**  
**Monday, May 19, 2025**

A meeting of the Lexington Select Board was called to order at 6:30p.m. on Monday, May 19, 2025, via a remote meeting platform. Mr. Lucente, Chair; Mr. Pato, Ms. Hai, Mr. Sandeen, and Ms. Kumar, were present, as well as Mr. Bartha, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Katzenback, Executive Clerk.

**PUBLIC COMMENTS**

None at this time.

**SELECT BOARD MEMBER CONCERNS AND LIAISON REPORTS**

1. Select Board Member Announcements and Liaison Reports

No additional reports at this time.

**TOWN MANAGER REPORT**

1. Town Manager Weekly Update

No additional updates at this time.

**CONSENT AGENDA**

1. Approve: Select Board Committee Appointments
  - Economic Development Advisory Committee –
    - Justin Fleming
    - Steven Kaufman
    - Jingshi Hu
  - Lexington Center Committee - Jonathan Wheeler Wakelin
  - Vision for Lexington - Michael Schanbacher, Planning Board Representative

To appoint Justin Fleming and Steven Kaufman to the Economic Development Advisory Committee for a term set to expire on September 30, 2027 and appoint Jingshi Hu for a term set to expire on September 30, 2026.

To appoint Jonathan Wheeler Wakelin to the Lexington Center Committee for a term set to expire on September 30, 2025.

To appoint Michael Schanbacher as the Planning Board representative to the Vision for Lexington Committee for a term set to expire on September 30, 2027.

**DOCUMENTS:** Economic Development Advisory Committee - Justin Fleming 03.10.25 Redacted, Economic Development Advisory Committee - Steven Kaufman 03.01.25 Redacted, Economic Development Advisory Committee - Jingshi Hu 02.24.25 Redacted, Lexington Center Committee - Jonathan Wheeler Wakelin 02.28.25 Reacted

2. Accept: Select Board Committee Resignation
  - Economic Development Advisory Committee - Lisa R. Murray

To accept the resignation of Lisa R. Murray from the Economic Development Advisory Committee, effective May 30, 2025.

**DOCUMENTS:** 2025.05.05 Lisa R. Murray - Economic Development Advisory, Committee Redacted

3. Approve: Town Manager Committee Reappointments

- Recreation Committee:
  - Frederick J. DeAngelis
  - Renen Bassik
- Council on Aging:
  - Sudhir Kumar Jain
  - Susan Rockwell
  - Julie-Ann Shapiro

To confirm the Town Manager's reappointments of Renen Bassik and Frederick DeAngelis of the Recreation Committee as well as Sudhir Kumar Jain, Susan Rockwell and Julie-Ann Shapiro of the Council on Aging. All with terms set to expire May 31, 2028.

4. Approve: Select Board Minutes

To approve and release the following minutes:

- April 9, 2025 Select Board
- April 14, 2025 Select Board
- April 28, 2025 Select Board

**DOCUMENTS:** DRAFT 04092025 Select Board minutes, DRAFT 04142025 Select Board minutes, DRAFT 04282025 Select Board minutes

5. Review and Approve: Response to Liquor License Compliance Check Violation

To approve and authorize the Select Board Chair to sign the letters to be sent to Love at First Bite, informing them of the actions to be taken regarding the liquor license violations found during April 29, 2025 compliance checks conducted by the Lexington Police Department.

**DOCUMENTS:** 1st offense letter - love at first bite, Alcohol Regulations - Enforcement

6. Approve: One-Day Liquor License - Dana Home Foundation, Lexington Community Center, 39 Marrett Road

- 2025 Dana Home Foundation Awards Reception
  - June 4, 2025

To approve a One-Day Liquor License for the Dana Home Foundation for the purpose of the 2025 Dana Home Foundation Awards Reception to be held in the Dining Room of the Lexington Community Center, 39 Marrett Road, on Wednesday, June 4, 2025 from 6:00pm to 8:00pm.

**DOCUMENTS:** Dana Foundation Event Diagram

7. Approve: One-Day Liquor License - Spectacle Management, Inc., 1605 Massachusetts Avenue

- Concert Series at Cary Memorial Building:

To approve a One-Day Liquor License for Spectacle Management, Inc. to serve beer and wine in the lobby of Cary Memorial Building, 1605 Massachusetts Avenue, for the purpose of their concert series on the following date from 6:00 pm - 9:00 pm:

- June 22, 2025 - Todd Rundgren

8. Approve: Battle Green Use Request - Town Celebrations Committee

- Placement of Flags at Battle Green Plaques & Wreath Laying at Obelisk for Memorial Day
- Road Closure for Memorial Day Walk on Massachusetts Avenue
- Road Closure for Memorial Day Ceremonies in Depot Square

To approve the request of the Town Celebrations Committee to place small flags at the memorial plaques around the Battle Green on the morning of Friday, May 23, 2025, to be removed on the morning of Tuesday, May 27, 2025.

To approve the request of the Town Celebrations Committee to use the Battle Green for the purpose of a wreath laying ceremony at the obelisk on Monday, May 26, 2025 at approximately 8:15am.

To approve the Town Celebrations Committee request for road closures on Massachusetts Avenue and Depot Square as described in the event details, to all but emergency traffic, for the Memorial Walk and the Memorial Day Ceremony taking place at Emery Park on Monday, May 26, 2025 from 9:30am to 12:00pm, subject to coordination with the Lexington Police Department, Fire Department, Department of Public Works, and Town Manager's Office.

**DOCUMENTS:** Memorial Day Event Details

9. Amend: Battle Green Use Request - Air Force Retirement Ceremony

- Amend Air Force Retirement Ceremony Battle Green Request to include a rehearsal date - Monday, June 16, 2025.

To amend the previously approved Battle Green Use Request for the Air Force Retirement Ceremony to include use of the Battle Green on Monday, June 16, 2025, from 10:00am to 12:00pm for the purpose of conducting a rehearsal.

10. Approve: Town Meeting Article Submission Timeline Policy

To approve the Town Meeting Article Submission Timeline Policy as presented.

**DOCUMENTS:** Town Meeting Article Submission Timeline Policy, Town Meeting Article Submission Timeline Policy - redlined

**VOTE:** Upon a motion duly made and seconded, the Select Board voted by roll call 5-0 to approve the Consent Agenda.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

1. Update: Lexington Center Mural Projects

Jay Abdella, Senior Economic Development Coordinator, provided an update regarding the progress of the Lexington Center Mural and Area Activation Project. The presentation included information on costs, public outreach, process, and alignment with the Center Retail Strategy Report.



There was discussion regarding site management during the installation process. Plastic barriers will be placed and the traffic lane closest to the pillars will be closed during the painting.

There was no public comment at this time.

**DOCUMENTS:** Lexington Center Mural Project Select Board Update, Lexington History Museum Letter of Support

2. Discussion and Vote: Completion of the Transition for LEXHAB from a Town Committee to an Independent, Nonprofit Housing Corporation

Mr. Lucente explained that LexHAB was originally established in 1983 as a Town-affiliated housing board under a special act of the Legislature. For nearly four decades, the Board appointed its members and maintained general oversight. In 2022, Town Meeting voted to support LexHAB's reorganization as an independent nonprofit to improve operational flexibility, especially regarding procurement and development processes. This transition was codified by the Massachusetts Legislature in Chapter 192 of the Acts of 2024, signed into law in September 2024.

Under the new legislation:

- LexHAB now operates independently from the Town.
- The Select Board no longer appoints its members, but confirms appointments made by the LexHAB board.
- Oversight is limited to confirming directors, reviewing annual reports, approving any PILOT agreements, and monitoring the use of any Town-appropriated funds.

LexHAB's transformation is now complete, and it no longer functions as a committee within the Town's organizational structure. The Board discussed formally dissolving the original Town-appointed LexHAB committee from the Town of Lexington's list of standing boards and committees, in recognition of its legal reconstitution as an independent nonprofit entity.

Bob Pressman, 22 Locust Ave, asked about a Memorandum of Understanding (MOU) regarding this transition, which could be used to address what happens to the properties. Mr. Bartha stated that he would seek additional details on this item.

**VOTE:** Upon a motion duly made and seconded, the Select Board voted by roll call 5-0 to dissolve the town-appointed Lexington Housing Assistance Board (LexHAB) as a committee of the Town of Lexington, effective immediately, consistent with Chapter 192 of the Acts of 2024.

3. Discussion: Select Board Report for FY2025 Annual Town Report

Mr. Lucente stated that, as the Town's fiscal year FY2025 is drawing to a close, the Board is being asked to begin preparations for the Select Board submission for the FY25 (July 1, 2024 - June 30, 2025) Annual Town Report. The final report will be due for submission to the Town Report Coordinator by September 15, 2025.

The Board suggested other topics to consider such as the Town Manager transition; the closing out of ARPA and status of projects in process; municipal infrastructure projects to include topics like 173 Bedford St, ChiRP at the Library, bike/ped plans, sidewalks and Hartwell; traffic safety in general; High School building project, economic development and community vitality, housing initiatives, zero waste reduction and management; and the 250th celebration.

**DOCUMENTS:** FY 2024 Annual Town Report - Select Board report, Select Board Report to 2025 ATM

**ADJOURN**

**VOTE:** Upon a motion duly made and seconded, the Select Board voted by roll call 5-0 to adjourn at 7:19pm.

A true record; Attest:  
Kristan Patenaude  
Recording Secretary

DRAFT

SELECT BOARD MEETING  
Thursday, May 29, 2025

A meeting of the Lexington Select Board was called to order at 9:00a.m. on Thursday, May 29, 2025, via a remote meeting platform. Mr. Lucente, Chair; Mr. Pato, Mr. Sandeen, and Ms. Kumar, were present, as well as Mr. Bartha, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Lino, Department Assistant.

Chair Lucente called the meeting to order at 9:00 a.m.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

1. Discuss a Letter of Support for Inclusion in the HousingWorks Infrastructure Program Application Regarding Several Affordable Housing Units at 3, 4, 5 Militia Drive

*Mr. Lucente recused himself from this item.*

Elaine Tung, Affordable Housing Trust Chair, explained that the Affordable Housing Trust (AHT) respectfully requests approval of a letter of support from the Select Board for the Town's submission of a grant application to the State's HousingWorks Infrastructure Program (HWIP). The HousingWorks Infrastructure Program (HWIP) aims to support efforts to increase housing production in the Commonwealth. Grant funds may be used for a variety of activities related to infrastructure projects associated with housing development. The AHT is partnering with 3-5 Militia Redevelopment MM LLC, the developer of 3, 4, 5 Militia Drive (the "Developer") who is supportive of the AHT's goals, to submit the grant application. The grant application deadline is June 4, 2025, but the Town would like to submit the application no later than midday on May 30, 2025. While the grant application does not require support letters other than from the Developer, the AHT feels that a support letter from the Select Board will demonstrate the Town's commitment to the creation of additional affordable housing and deeper affordability and will enhance the grant application.

There was no public comment at this time.

**VOTE:** Upon a motion duly made and seconded, the Select Board voted by roll call 3-0 to approve the letter of support from the Select Board for inclusion with the Town's grant application to the State's HousingWorks Infrastructure Program (HWIP).

**DOCUMENTS:** AHT memo to Select Board, Draft letter of Support

**ADJOURN**

**VOTE:** Upon a motion duly made and seconded, the Select Board voted by roll call 4-0 to adjourn at 9:07 am.

A true record; Attest:  
Kristan Patenaude  
Recording Secretary

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Fiscal Year 2026 Cost-Of-Living Adjustment (COLA) for Non-Represented Employees

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.6

### **SUMMARY:**

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

Attached please find the non-represented (TNON) Cost of Living Adjustment (COLA) list of employees. Past practice has been to average the union contract COLAs to develop the COLA for TNON staff. The settled FY2026 union contract COLA increase has been 2.5% and the recommendation for TNONs for FY26 is 2.5%.

### **SUGGESTED MOTION:**

To approve the Fiscal Year 2026 Cost-Of-Living Adjustment (COLA) for Non-Represented Employees as presented.

Move to approve the consent.

### **FOLLOW-UP:**

Human Resources

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

6/9/2025

### **ATTACHMENTS:**

Description	Type
<input type="checkbox"/> FY2026 COLA for Non-Represented Employees	Backup Material



July 1, 2025 COLA List	
NON-UNION Positions	Department
Office Manager	Assessing
Office Manager	Select Board
Department Assistant	Select Board
Administrative Assistant	Finance
Assistant Town Manager for Finance/Comptroller	Finance
Budget Officer	Finance
Director of Purchasing	Finance
Town Accountant	Finance
CEC/AC Recording Secretary	Finance
Fire Chief	Fire
Office Manager - Fire Department	Fire
Human Services Director	Human Services
Office Manager - Human Services	Human Services
Veterans Services Officer	Human Services
Veterans Services District Director	Human Services
Director of Innovation and Technology	Information Technology
Alternate Inspectors	Land Use, Housing and Development
Director of Public Health	Public Health
Officer Manager	Public Health
Assistant Town Manager for Land Use, Housing & Development	Land Use, Housing and Development
Office Manager - Land Use	Land Use, Housing and Development
Visitor's Center Manager	Land Use, Housing and Development
Visitor's Center Assistant Manager	Land Use, Housing and Development
Tour Services Coordinator	Land Use, Housing and Development
Visitor's Center Tourism Advisors	Land Use, Health and Development
Substitute Temporary Library Employees	Library
Library Director	Library
Deputy Library Director	Library
Office Manager - Library	Library
Part-time less than 8 hrs/biweekly Library Employees	Library
Cadets	Police
Office Manager - Police Department	Police
Per-Diem Public Safety Dispatchers	Police
Police Chief	Police
Noise Bylaw Enforcement Officer	Police
Administrative Assistants	Public Facilities
Office Manager	Public Facilities
Assistant Director of Public Facilities	Public Facilities
Audiovisual Technician	Public Facilities
Director of Public Facilities	Public Facilities
Facilities Engineer	Public Facilities
Facilities Superintendent	Public Facilities
LHS Facility Manager	Public Facilities
Project Manager	Public Facilities
Superintendent of Custodial Services	Public Facilities
Data Analyst	Public Facilities
DPW Sidewalk Cleaning Attendants	Public Works
Office Manager - Public Works	Public Works
Per Diem Engineering Assistant	Public Works

Public Works Director	Public Works
Manager of Operations	Public Works
Recreation and Community Programs Director	Recreation and Community Programs
Administrative Manager	Recreation and Community Programs
Certified Recreation Specialist	Recreation and Community Programs
Human Resources Assistant	Human Resources Office
Human Resources Director	Human Resources Office
Administrative Assistant - Human Resources	Human Resources Office
Benefits Coordinator	Human Resources Office
Benefits Assistant	Human Resources Office
Deputy Town Manager	Town Manager's Office
Office Manager - Special Events Coordinator	Town Manager's Office
Parking Hearing Officer	Town Manager's Office
Director of Communications	Town Manager's Office
Sustainability Director	Town Manager's Office
Web and Digital Engagement Specialist	Town Manager's Office

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Request for Water and Sewer Deferral

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.7

### **SUMMARY:**

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

The resident of 136 Maple Street has submitted an application for deferral of the FY2025 water and sewer payments.

Real Estate deferral was granted by the Board of Assessors on May 13, 2025 for FY2025.

### **SUGGESTED MOTION:**

To approve deferral of the FY2025 water and sewer payments for 136 Maple Street.

Move to approve the consent agenda.

### **FOLLOW-UP:**

Select Board Office.

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

6/9/2025

### **ATTACHMENTS:**

Description	Type
 Deferral -136 Maple Street	Backup Material



# TOWN OF LEXINGTON

## APPLICATION FOR DEFERRAL OF WATER and/or SEWER PAYMENT

(M.G.L. CHAPTER 83; SECT. 16G & CHAPTER 40; SECT. 42J)

*Only those individuals deferring some or all of their real estate taxes for the current fiscal year are eligible for this deferral.*

Deferral type requested: Water ☐ Sewer ☐ Both ☒

Name(s) of Record Owner..... Carolyn Henderson

Name of Applicant..... Carolyn Henderson

Location of Real Estate upon which Water / Sewer Deferral is claimed.....  
136 Maple St

Has a Real Estate Tax Deferral application been filed for this property for the current fiscal year?

Yes ☒ No ☐

Date filed March 25, 2025

SUBSCRIBED THIS 22 day of May, 2025 UNDER PENALTIES OF PERJURY

SIGNATURE (APPLICANT)..... Carolyn M. Henderson

MAILING ADDRESS..... 136 Maple Street Lexington, MA 02420

### THIS SPACE FOR ASSESSORS' RECORD ONLY

Property Location..... 136 Maple St Parcel ID..... 38/18

Date Real Estate Deferral Granted..... May 13, 2025 for Fiscal Year 25

Pursuant to M.G.L. Ch. 83 Sect. 16G and Chapter 40 Sect. 42J this application for deferral of water and/or sewer charges is GRANTED \_\_\_\_\_ DENIED \_\_\_\_\_

.....  
.....  
.....  
.....  
.....

SELECT BOARD

Date....., 20.....

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Water and Sewer Commitments

### **PRESENTER:**

Doug Lucente, Select Board Chair

### **ITEM NUMBER:**

C.8

### **SUMMARY:**

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

Water & Sewer Commitment Section 3                      \$ 4,251,492.62

Water & Sewer Commitment Cycle 9 March 2025    \$    320,007.37

### **SUGGESTED MOTION:**

approve:

Water & Sewer Commitment Section 3                      \$ 4,251,492.62

Water & Sewer Commitment Cycle 9 March 2025    \$    320,007.37

Move to approve the Consent

### **FOLLOW-UP:**

Treasurer / Collector

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

6/9/2025

### **ATTACHMENTS:**

Description	Type
☐ SB Meeting Commitments Water-Sewer	Cover Memo





Department of Public Works  
Town of Lexington  
Water and Sewer Enterprise Funds  
FISCAL YEAR 2025

COMMITMENT SP0325

SECTION 3

GRAND TOTALS

WATER	\$1,449,492.56	\$1,449,492.56
SEWER	\$2,802,000.06	\$2,802,000.06
TOTAL:	<u>\$4,251,492.62</u>	<u>\$4,251,492.62</u>

To the Collector of Revenue for the Town of Lexington:

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

*Four million two hundred fifty one thousand four hundred ninety two 62/100*

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

 6-2-25

DIRECTOR OF PUBLIC WORKS

SELECT BOARD

06/09/25

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



# DEPARTMENT OF PUBLIC WORKS TOWN OF LEXINGTON

## WATER AND SEWER ENTERPRISE FUNDS

CYCLE 9 BILLING

Mar-25

CYCLE 9	GRAND TOTAL
WATER: \$	313,522.92
BEDFORD FEE: \$	6,484.45
TOTAL: \$	320,007.37

To the Collector of Revenue for the Town of Lexington:

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

*Three hundred twenty thousand seven 37/100*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6-2-25

DIRECTOR OF PUBLIC WORKS

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

SELECT BOARD

6/9/25

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Chamber of Commerce Request to Place Sign at Emery Park Announcing the Free Community Summer Concert Series

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

C.7

### **SUMMARY:**

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

Lexington Chamber of Commerce respectfully requested permission to place a 36-inch by 72-inch wooden sandwich board sign on the lawn at Emery Park, Depot Square from June 13 through August 23, 2025.

The sign is intended to promote the Lexington Chamber of Commerce's 2025 Summer Concert Series, a free and family-friendly community event held across 7 Friday evenings in July and August. The concert series has been a beloved Lexington tradition for over 30 years, drawing hundreds of residents and visitors to Depot Square each week to enjoy live music, local business engagement, and a shared sense of community.

The sign will display the full schedule of concerts, including dates and performance times, and serve as a helpful reminder for pedestrians and drivers passing through the town center. It will be positioned in a way that does not impede pedestrian traffic or access to any sidewalks or park pathways.

Police, DPW and Town Manager's Office have reviewed and have no objections or concerns.

### **SUGGESTED MOTION:**

to approve the Lexington Chamber of Commerce request to place a 36-inch by 72-inch wooden sandwich board sign on the lawn at Emery Park, Depot Square from June 13 through August 23, 2025, as proposed.

Move to approve the consent

### **FOLLOW-UP:**

Requestor to work with TMO and DPW for placement of sign

**DATE AND APPROXIMATE TIME ON AGENDA:**

6/9/2025

**ATTACHMENTS:**

Description	Type
☐ Chamber of Commerce request to place sign	Backup Material
☐ 2025 Summer Concert Series Sandwich Board	Backup Material

**From:** Olivia Kelley <director@lexingtonchamber.org>  
**Sent:** Sunday, June 1, 2025 3:02 PM  
**To:** Kim Katzenback <kkatzenback@lexingtonma.gov>  
**Cc:** Cathy Severance <cseverance@lexingtonma.gov>; jim@lexingtontimesmagazine.com  
**Subject:** Request for Permission to Place Sandwich Board Sign at Emery Park

Dear Members of the Select Board and Town Manager,

On behalf of the Lexington Chamber of Commerce, I am writing to respectfully request permission to place a **36-inch by 72-inch wooden sandwich board sign** on the lawn at **Emery Park, Depot Square** from **June 13 through August 23, 2025**.

The sign is intended to promote the **Lexington Chamber of Commerce's 2025 Summer Concert Series**, a **free and family-friendly community event** held across 7 Friday evenings in July and August. The concert series has been a beloved Lexington tradition for over 30 years, drawing hundreds of residents and visitors to Depot Square each week to enjoy live music, local business engagement, and a shared sense of community.

The sign will display the full schedule of concerts, including dates and performance times, and serve as a helpful reminder for pedestrians and drivers passing through the town center. It will be **positioned in a way that does not impede pedestrian traffic** or access to any sidewalks or park pathways.

We appreciate the Town's ongoing support of initiatives that foster community spirit and promote local events. This signage will play an important role in raising awareness and encouraging attendance for one of Lexington's most cherished summer traditions.

Please don't hesitate to reach out if any additional information or documentation is needed. Thank you for your consideration and partnership.

Warm regards,

Olivia Kelley

Olivia Kelley  
Executive Director  
Lexington Chamber of Commerce  
Office: 781-862-2480





information about the Summer Concert Series Sandwich Board:

- **Material:**

The sign is made of sturdy painted wood, designed to be both durable and weather-resistant.

- **Weather Durability**

It is a freestanding A-frame structure, which historically has held up well in wind and rain. If particularly severe weather is forecasted, we can plan to temporarily remove it for protection. The Signage on the A-frame is tyvex, which is rainproof and is stapled to the wooden structure with a good number of staples.

- **Schedule:**

The sign will remain in place 24/7 from June 13 through August 23, unless temporarily brought in due to weather concerns.

**Display**

to be located in Depot Sq. denoted on map with the blue triangle indicating our proposed placement within Emery Park. It would be on the Depot Square side of the park, just inside the green space near the sidewalk but set back enough to avoid obstructing pedestrian pathways.



# 2025 Summer Concert Series



**EMERY PARK, DEPOT SQ  
LEXINGTON, MA  
EVERY FRIDAY, JULY 11-AUG 22  
6:30PM-8:30PM**

**Friday, July 11<sup>th</sup>: 215<sup>th</sup> Army Band**

**Friday, July 18<sup>th</sup>: Soft Touch Band**

**Friday, July 25<sup>th</sup>: Black Sea Salsa**

**Friday, August 1<sup>st</sup>: Honey Steelers**

**Friday, August 8<sup>th</sup>: Classic Groove**

**Friday, August 15<sup>th</sup>: Kadak Chai**

**Friday, August 22<sup>nd</sup>: Gypsy Six**

**Sponsored by**



## **AGENDA ITEM SUMMARY**

### **LEXINGTON SELECT BOARD MEETING**

#### **AGENDA ITEM TITLE:**

Approve: One-Day Liquor License - Wilson Farm, 10 Pleasant Street

#### **PRESENTER:**

Doug Lucente, Chair

#### **ITEM NUMBER:**

C.8

#### **SUMMARY:**

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

##### **Wilson Farm:**

The Wilson Farm has requested a One-Day Liquor License to serve beer and wine for the purpose of their ‘Dinner in the Field’ event to be held at Wilson Farm, 10 Pleasant Street, outside of farm greenhouse #7, on Thursday, June 26, 2025 from 5:30pm to 9:30pm.

#### **SUGGESTED MOTION:**

To approve a One-Day Liquor License for Wilson Farm to serve beer and wine for the purpose of their ‘Dinner in the Field’ event to be held at Wilson Farm, 10 Pleasant Street, outside of farm greenhouse #7, on Thursday, June 26, 2025 from 5:30pm to 9:30pm.

Move to approve the consent.

#### **FOLLOW-UP:**

Select Board Office.

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

6/9/2025

**ATTACHMENTS:**

Description	Type
 Dinner in Field MAP	Backup Material



Stairs with a gate to access the field area where dinner in the fields will be held. Greenhouse is a rain option. Space in circled in red below



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: License for Public Entertainment on Sunday - Fiesta Shows, Hastings Park

### **PRESENTER:**

Board Discussion

### **ITEM NUMBER:**

C.9

### **SUMMARY:**

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

#### **Fiesta Shows:**

Fiesta Shows has requested a License for Public Entertainment on Sunday for the purpose of amusement rides and games during the 69th Annual Fourth of July Carnival on Sunday, July 6, 2025. The amusement rides and games will take place at Hastings Park, 0 Massachusetts Avenue, from 1:00pm to 8:00pm. There will be a total of 20 rides and games. The applicant is responsible for submitting the Select Board approved license and payment to the Massachusetts State Division of Professional Licensure.

### **SUGGESTED MOTION:**

To approve a License for Public Entertainment on Sunday for Fiesta Shows for the purpose of providing amusement rides and games for patrons of the 69th Annual Fourth of July Carnival to take place on Sunday, July 6, 2025 at Hastings Park, 0 Massachusetts Avenue, from 1:00pm to 8:00pm.

Move to approve the consent.

### **FOLLOW-UP:**

Select Board Office.

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

6/9/2025

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

HEARING: Noise Bylaw Permit - Mural Project at 135 Massachusetts Avenue

### **PRESENTER:**

Jay Abdella, Senior Economic  
Development Coordinator

### **ITEM NUMBER:**

I.1

### **SUMMARY:**

#### **Category: Hearing**

The Economic Development Department respectfully requests approval of a Noise Bylaw Special Permit to allow evening work to be performed at the rear of 135 Massachusetts Avenue for the East Lexington Mural Project outside of the allowable hours under the Noise Bylaw. Work would start on Tuesday, June 24, 2025 through Friday, June 27<sup>th</sup> for approximately three nights from 9:00 p.m. to 11:00 p.m. While the artists believe that the work can be accomplished in three nights, 4 nights are being requested in the event that rain causes a delay.

The hearing notice was mailed to abutters and was also posted to the the Town Website Legal Notice page.

### **SUGGESTED MOTION:**

Move to (*approve / not approve*) a Noise Bylaw Special Permit for evening work to be conducted from 9:00pm to 11:00pm to take place between June 24, 2025 – June 27, 2025 for work related to the East Lexington Mural Project.

### **FOLLOW-UP:**


Select Board Office

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

6/9/2025

6:45pm

**ATTACHMENTS:**

Description	Type
 Request Memo For Select Board Special Permit	Backup Material



**TOWN OF LEXINGTON SELECT BOARD**  
**APPLICATION FOR SPECIAL PERMIT UNDER THE NOISE BY-LAW**

This application must be completed, signed and submitted with the filing fee by the applicant or his/her representative in accordance with the Rules and Regulations For the Application For Special Permit Under the Noise By-law (see other side of this application). The applicant is advised to review the Lexington By-law prior to filing this application.

Location of Property (street and number) : 135 Massachusetts Avenue

Name and Address of Applicant Jay Abdella  
1875 Massachusetts Avenue, Lexington MA 02420

Tel. No. 781-698-4568

Applicant is: Owner \_\_\_ Tenant \_\_\_ Agent/ Attorney X Prospective Purchaser \_\_\_

Property Owner's Name/ Address (if not applicant): Ashok Patel  
110 Hartwell Ave Suite 300

Tel. No. 781-863-8500

Date Deed recorded: 06/25/2010 Middlesex So. Registry of Deeds: Book 54884 Page 252

Characteristics of property: Lot Area 15844 Actual Lot Frontage 110

Lexington Assessors' Map No. 13 Lot No. 379A Zoning District CRS

Permitted Use:

Shopping Mall MDL-94

Present use:

Shopping Mall MDL-94

Application is for:

X A special permit in accordance with Noise By-law

X Renewal of a special permit in accordance with Noise By-law

Required Attachments:

a) Attach a detailed description of the noise generating activity. Describe in detail the reason(s) for seeking the Special Permit or renewal of the Special Permit, the expected deviations from the permitted noise standards and the frequency of operations generating the noise in excess of allowed standards under the Noise By-law, including the hours of the day, the days of the week and the season of the noise generating activity.

- b) Attach a description of and quantify the expected impacts on the abutters, if the application were granted.
- c) Attach an explanation of the financial hardship, if the application were not granted.
- d) Attach property owner's written consent (if other than applicant).
- e) Plot Plan.
- f) Certified abutters list.
- g) Letters of support from abutters (not mandatory).

APPLICANT OR REPRESENTATIVE MUST ATTEND THE PUBLIC HEARING.

Signature of Applicant (or representative) Jay Abdella Digitally signed by: Jay Abdella  
DN: CN = Jay Abdella email = jayabdella18@gmail.com  
C = US O = Town of Lexington OU = Town of Lexington  
Date: 2025.05.16 13:27:26 -0400

Address if not applicant 1875 Massachusetts Avenue, Lexington MA 02420

Telephone number where applicant may be reached during the day 781-698-4568

#### Schedule of Filing Fees:

Filing fees shall be set by the Select Board.

	Residential	Non-residential
Special Permit	\$_____	\$_____
Renewal	\$_____	\$_____



***Town of Lexington***  
**Economic Development Office**

Sandhya Iyer  
Economic Development Director

Tel: (781) 698-4567  
[siyer@lexingtonma.gov](mailto:siyer@lexingtonma.gov)

May 16, 2025,

**To: Doug Lucente, Select Board Chair**

**From: Jay Abdella, Senior Economic Development Coordinator**

**CC: Sandhya Iyer, Economic Development Director**

**Subject: Cover Memo for 135 Massachusetts Avenue Special Noise Permit**

Dear Chair Lucente,

This memo is an overview of the work that is anticipated to be conducted at 135 Massachusetts Avenue pending approval of a Special Noise Permit pursuant to Chapter 80, Section 9 of the Lexington Noise Bylaw. This project is part of the East Lexington Mural and Area Activation Project, an Economic Development Office initiative that seeks to use art to connect the Minuteman Bikeway and East Lexington businesses. As part of this application, we have provided an in-depth noise analysis report conducted by L.G. Copley Associates – Acoustics, which is required for this permit. The report also includes the expected impacts on abutters, deviations from permitted noise standards, and frequency of operations generating the noise in excess of allowed standards under the Noise By-law.

The noise will be generated by the use of a lift that is required for the artist to reach the height of the building that cannot be accessed through normal means such as a ladder. We are seeking a special permit to use a boom-lift at night to directly construct the outline of the artwork onto the wall by the artist. The artists will be using a projector to illuminate the image onto the wall during the night time as the projector cannot achieve the illumination during the day time. As

the work would need to be done beyond the 5:00 p.m. deadline of the Noise Bylaw, this would require a Special Noise Permit.

The artists indicated that this installation method is the most cost-effective and other options would cause financial hardship for this project, and the surrounding businesses. According to the Mural artist if they were to change methods from hand painting to poly-tab, the effort and cost to prep the wall would exceed three to four times the budget of the project. The reason for this would be that a contractor would need to sandblast the stucco out of the wall and smoothen it for the poly-tab to be applied properly. If the stucco remains as is, it would cause the poly-tab to rip and cause extensive damage to the mural. In addition to financial hardships, sandblasting would require staging, tenting, and dust collecting. All of those would impact businesses and residents during this process, and delay the project substantially. Alternative options to chip off the stucco would involve electric chipping guns which would take several months and require taking up spaces to clean and haul away plaster.

As per the Select Board request on 4.4.25 meeting, the Economic Development Office sent out letters to the 35 abutters of 135 Massachusetts Avenue to survey their preference about timing, it was indicated from those surveyed that households preferred having the work done over three nights from 9:00 p.m. to 11:00 p.m. As such, we are planning this work starting on Tuesday, June 24th, through Friday, June 27<sup>th</sup>. While the artists believe that the work can be accomplished in three nights, we are requesting Friday night in the event that rain causes a delay.

Sincerely,

Jay Abdella

# L.G. COPLEY ASSOCIATES      Acoustics & Vibration

53 BARRETT ST. • P.O. BOX 920479 • NEEDHAM, MASSACHUSETTS 02492

(781) 455-8814

LGCopley@Verizon.net

9 April 2025

To:	Town of Lexington Economic Development	Attention: Sandhya Iyer, Jay Abdella
From:	Lawrence G. Copley	
Subject:	East Lexington Mural – Noise Assessment	

The noise concern arises because the artist needs to work for about one night with the mural image projected onto the wall. The painter will be working on a diesel powered boom lift, which will need to be moved periodically as the painting progresses. The specific noise concern is noise from the boom lift when it is moved – engine noise and the movement safety alarm.

The mural will be painted on the rear wall of the commercial buildings at 135 Massachusetts Avenue. The rear wall faces the Minuteman Bikeway. The noise concerns relate to nearby houses. Fig. 1, attached, shows the houses along Massachusetts Avenue, facing the front of the building. Fig. 2 shows houses behind the building, on the north side of the bikeway.

The paint will be brush applied, not sprayed. Thus the only source of noise will be the boom lift.

The motorized boom lift base will traverse the rear of the parking lot, as indicated in Figures 1 and 2. The boom will extend towards the building. Once positioned, the boom lift will remain in place for a time, and then moved to a new painting location. It is anticipated that these moves will be brief in duration. The only time the engine will run is during these periodic moves.

During these moves, a movement alarm will sound. This will not be the beep-beep type of alarm. Rather, the painter has specified a “white noise” alarm, as is often used on Amazon delivery vans. This type of alarm makes a “woosh-woosh” sound that more easily blends into the surrounding environment.

The proposed night-time work is limited in duration. It is anticipated that this phase of the mural painting can be accomplished in one night, in about 4 hours. The artist is suggesting 9 pm to 1 am. Realistically, it is possible that this night-time work might require further activity on a second night, although the artist does not anticipate this.

#### Engine Noise Analysis – Houses Along Mass. Ave. (See Fig. 1)

Noise from the boom lift engine is estimated to measure 80 dBA at a distance of 50 feet from the machine, when placed in an open area.

The houses along Mass. Ave. (see Fig. 1) are at a distance of approximately 230 feet from the boom lift base. In the absence of any shielding, the boom lift would contribute 67 dBA at a distance of 230 feet. However, the roof of the building is approximately 25 feet higher than the rear parking lot, where the boom lift will be based.

This 25 ft. high building can be expected to provide shielding attenuation of about 20 dBA, thus reducing the boom lift noise to about 47 dBA. However, there is an alleyway at the east end of the building, providing vehicular access to the rear parking lot. (See Fig. 1.) For some boom lift locations, and for some of the houses, sound passing through the alley will by-pass the building. It is estimated that some of the houses will receive noise as high as 57 dBA for some boom lift locations.

Sound in the range of 47-57 dBA would be no louder than typical automobiles or pick-up trucks traveling along Mass. Ave. Moreover, exterior sound at this level would be barely audible inside closed windows. Considering that there will not be a “beep-beep” movement alarm, the proposed night-time painting work will not have any significant adverse noise effect on the Mass. Ave. houses.

#### Engine Noise Analysis – Houses Behind the Building (See Fig. 2)

Noise from the boom lift engine is estimated to be 80 dBA at a distance of 50 feet from the machine when placed in an open area.

The houses behind the building (see Fig. 1) are at a distance of approximately 300 feet from the boom lift base. In the absence of any shielding, the boom lift would contribute 64 dBA at a distance of 300 feet.

Fig. 2 shows extensive deciduous tree cover between the parking lot and the houses. Considering that the painting will be done in warm weather, it can be assumed the trees will have leaves. It is estimated that the vegetation will provide about 3 dBA of attenuation, this reducing the noise level to about 61 dBA. This is slightly louder than predicted for the Mass. Ave. houses. However, this noise level would be barely audible inside closed windows.

#### White Noise Movement Alarm Noise Analysis

The white noise movement alarm would be selected to emit a noise level about the same as the machine. So the alarm dBA levels reaching the houses will be about the same as predicted above for the boom lift. Due to the white noise spectrum character, the movement alarm sound will be hardly noticeable.

#### Lexington Noise By-Law (Section 80)

Noise from the mural painting must comply with the Town's noise by-law, Section 80, Noise Control. Presumably the mural painting would fit in the category of construction work by a contractor. Under Section 80, this work is prohibited on weekdays between 5pm and 7am. (See §80-4 A(i) ).

Thus the proposed night-time painting for one or two nights would be a violation of Section 80. Considering the relatively low noise levels (as explained in the foregoing), and considering that the activity will occur only on one or two nights, it is hoped that the Select Board would issue a special permit under §80-9.

\* \* \*

Respectfully submitted,

Lawrence G. Copley, P.E.  
Member, Institute of Noise Control Engineering

#### Attached:

Figures 1 and 2 – Aerial photos









Figure 1 – Aerial of 135 Mass. Ave. and Residences Across the Street



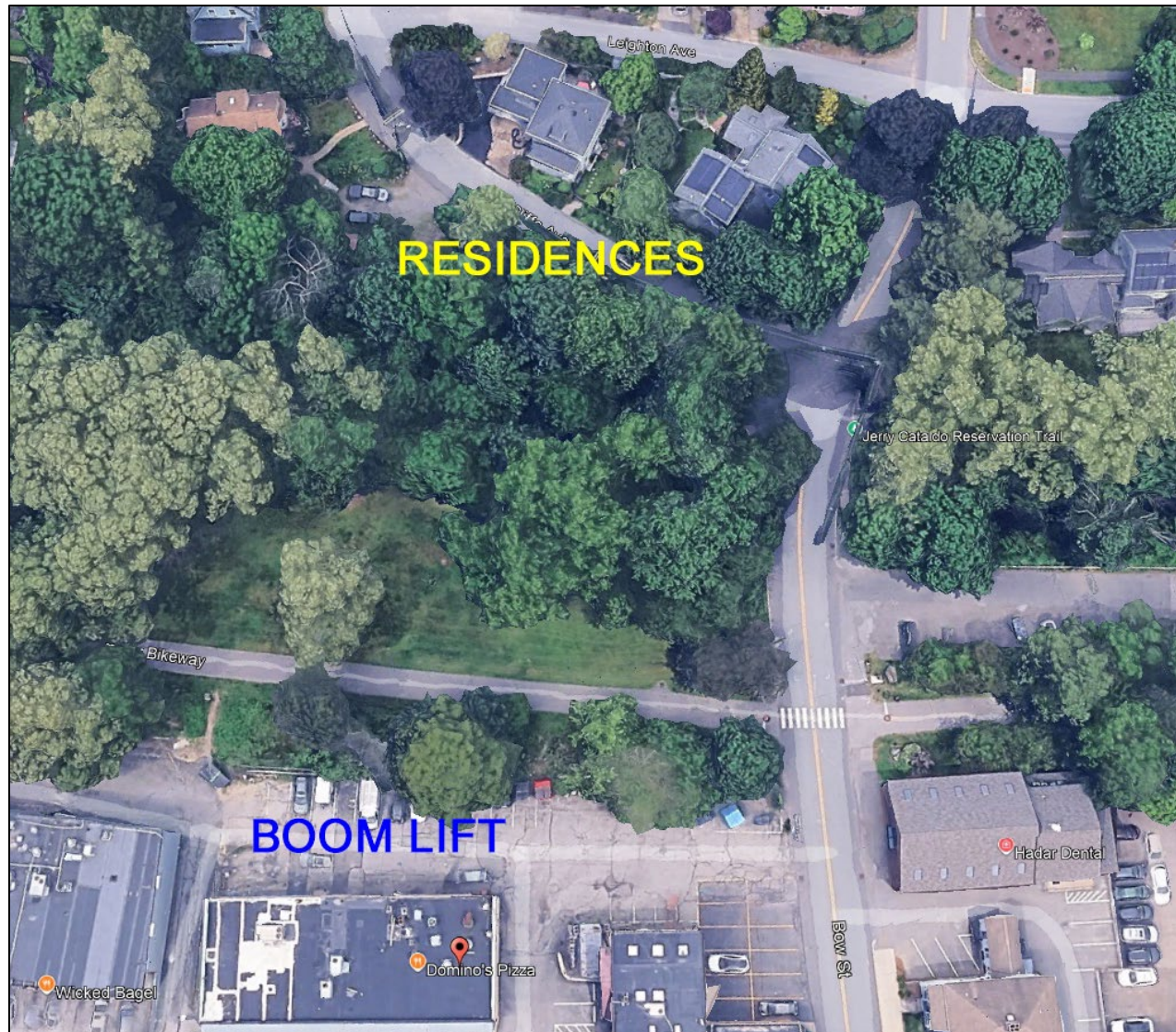


Figure 2 – Aerial of 135 Mass. Ave. and Residences to the North

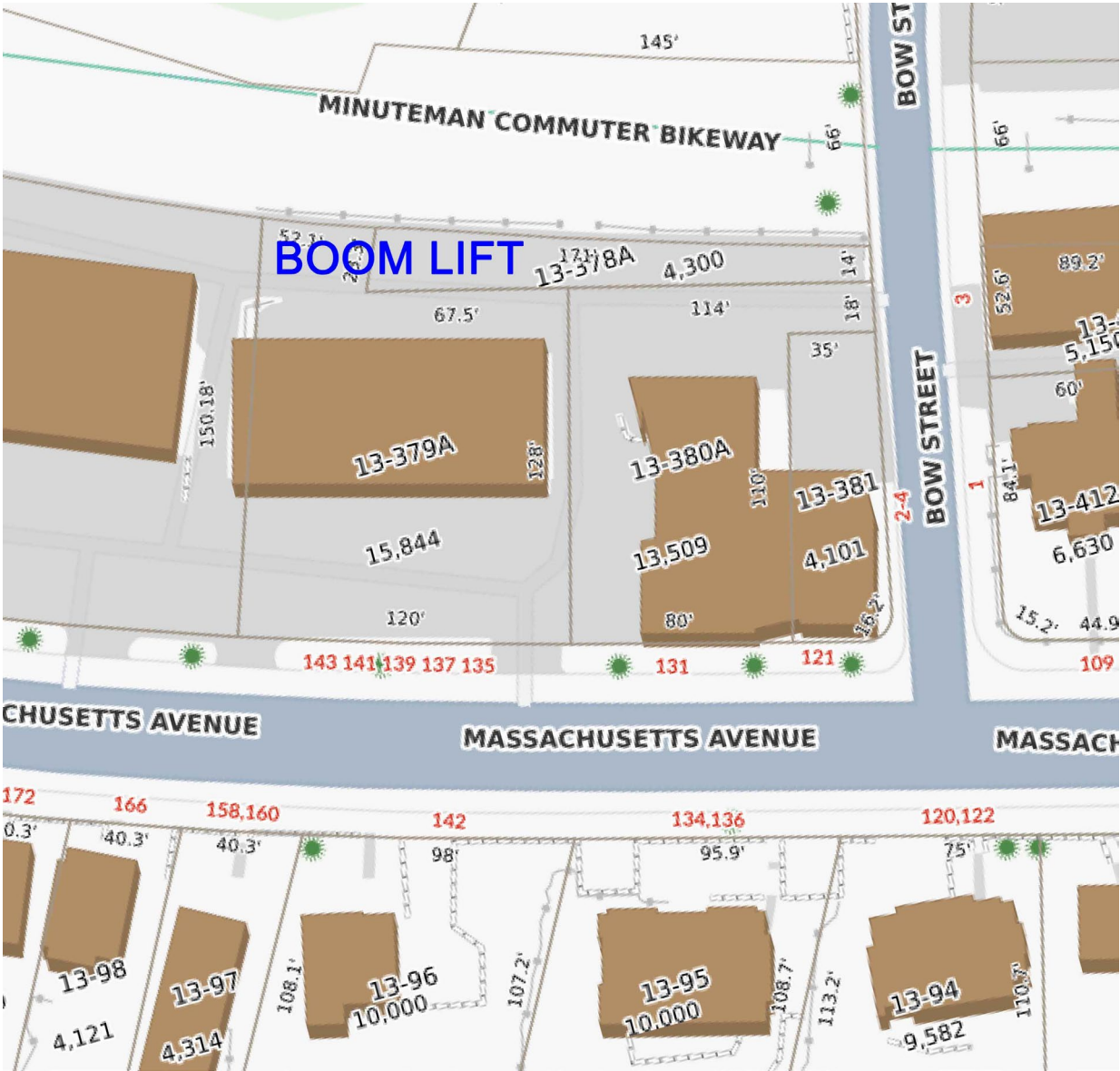


Figure 1 - Assessor's Map of 135 Mass. Ave. and Residences Across the Street



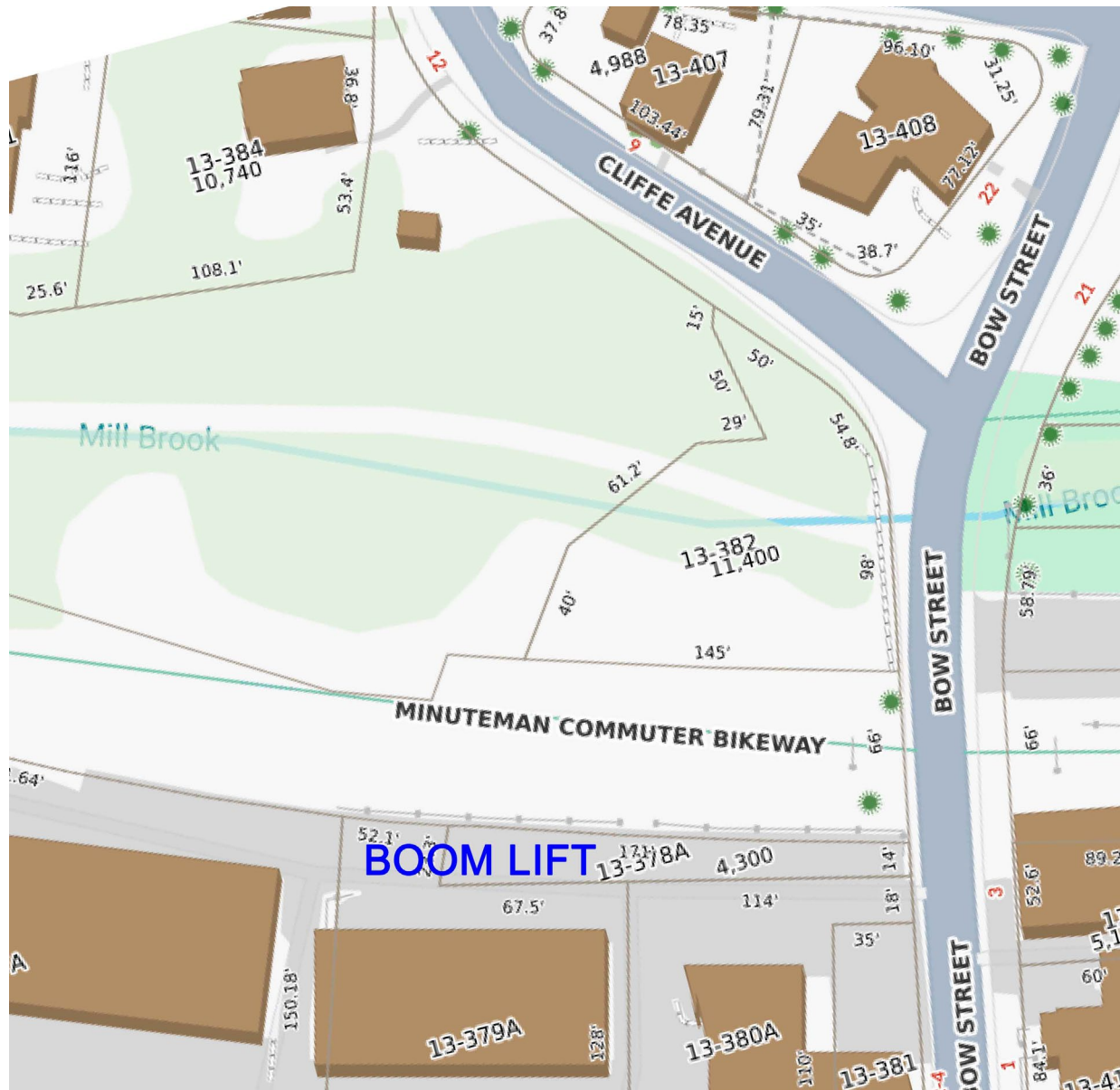
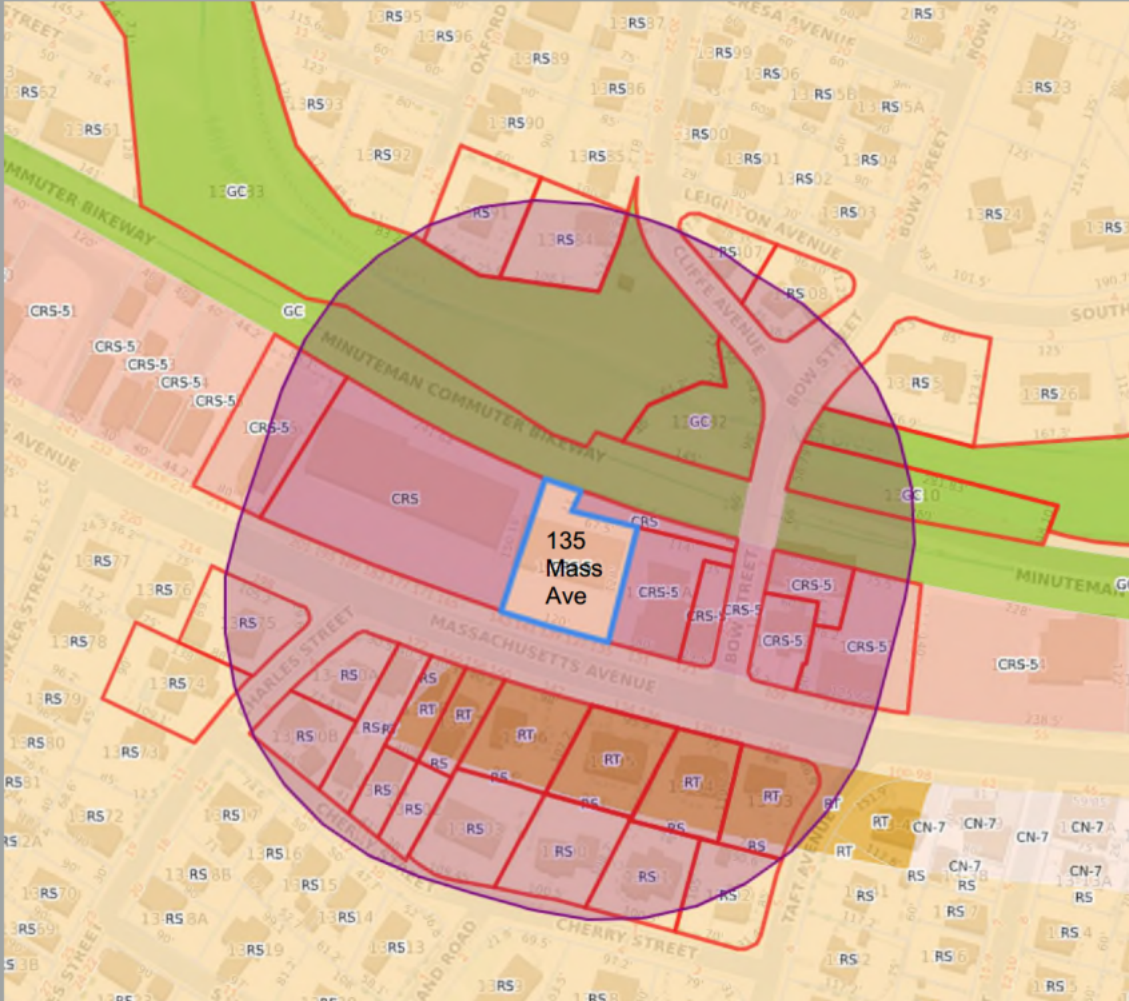


Figure 2 - Assessor's Map of 135 Mass. Ave. and Residences to the North



### Additional Information

- 1) Work will be conducted behind 135 Massachusetts Avenue on the wall facing the Minuteman Bikeway. Please see attached photo.
- 2) The distance from the source of the noise to the houses on Bow Street and Cliffe Avenue is around 300 feet.
- 3) The distance from the source of the noise to the houses along Massachusetts Avenue is about 230 feet.
- 4) 23 residential abutters, 5 government-civic abutters, and 7 retail-shopping abutters

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Discussion: Diversity Equity & Inclusion Staffing Update

### **PRESENTER:**

Steve Bartha, Town Manager

### **ITEM NUMBER:**

I.2

### **SUMMARY:**

#### **Category: Informing**

The Board will receive a presentation from staff on plans to expand staffing resources dedicated to DEI based on feedback received from employees, local stakeholders, and subject area experts.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

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

6/9/2025

6:55pm

### **ATTACHMENTS:**

Description	Type
☐ DEI 2.0 Memo w/ attachment	Cover Memo
☐ DEI 2.0 PPT	Cover Memo



# *Town of Lexington*

## Town Manager's Office



Steve Bartha, Town Manager  
Kelly Axtell, Deputy Town Manager

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

### Memorandum

**To:** Lexington Select Board  
**From:** Steve Bartha, Town Manager *Steve Bartha*  
**Date:** June 4, 2025  
**Subject:** DEI 2.0: Reimagining Equity Work in our Organization & Community

---

The principles of diversity, equity, and inclusion (DEI) are embedded in the values that make Lexington a community of choice and a special place to work and live. Those principles were affirmed by the Lexington Town Meeting at STM 2020-2, when the Systemic Racism Resolution was passed, which stated explicitly “the goal of making Lexington a truly equitable community.”

The principles of DEI are also embedded in the governing documents that guide local government managers. The preamble to the ICMA Declaration of Ideals (1982) calls on members to work “to achieve equity and social justice, to affirm human dignity, and to improve the quality of life for the individual and the community.” The ICMA Code of Ethics requires members “to create diverse opportunities in housing, employment, and cultural activity in every community for all people” and to “recruit, hire, promote, retain, train, and support a diverse workforce at all levels of the organization.”

Equity and inclusion have guided and shaped me as a professional manager over the past 15 years, and the Town of Lexington’s commitment to this work was a factor in my decision to join the team in 2024.

When the Town’s Chief Equity Officer announced her departure in December of 2024, it marked the second vacancy in the position since it was first filled in July of 2021. Rather than re-advertise the same position for the third time in less than four years, I communicated to staff and the Select Board a desire to pause, reassess, and solicit input on how best to proceed in order to make sure we were (a) making the best use of our staffing and budget resources and (b) giving ourselves the best chance to be successful in advancing the work inside the organization as well as in the community.

Over the past few months, the Deputy Town Manager and I have solicited input from staff at all levels of the organization, met with a number of community groups and committees engaged in this work, consulted with Dr. Becker from Tangible Development, worked with other members of the Senior Management Team (SMT), and consulted with Jillian Harvey, Chief Equity Officer at the Massachusetts Municipal Association, to gain insight and perspective on what is working (and what isn’t) across the municipal DEI landscape today.

During this period, the SMT also finalized its work with Dr. Becker to establish a shared DEI Commitment Statement and Strategic Goals (attached), based on the results of the 2024 DEI Assessment Report, which included a climate survey completed by 50% of our employees and a series of focus groups:

<https://www.lexingtonma.gov/DocumentCenter/View/12042/Town-of-Lexington-Assessment-Report---Complete-Report?bidId>.

After listening to feedback from these varied stakeholder groups, a vision for DEI 2.0 (as we've taken to calling it) began to emerge. One of the common threads across all of our discussions—which is also consistent with my experience in Danvers, as well as feedback from colleagues—is that internal and external DEI work require different skillsets and more time and attention than one person can reasonably give. This is not a one-person job. It takes a team, and buy in from leadership.

As such, our vision for DEI 2.0 involves spreading the work, formally, across 2.5 positions in the organization—an internal equity officer, an external equity officer, and a DEI coordinator—and, informally, across many more positions, as described below, all within existing budget resources and headcount.

### **Formal Staff Support**

#### **1. Assistant HR Director & Internal Equity Officer – external hire**

This position will lead, in partnership with the TMO and SMT, internal equity work, including recruitment, retention, development, compliance, training, engagement and conflict resolution.

Highlights from the job description include:

- Collaborate with external equity officer to ensure DEI initiatives and programs are in alignment internally for employees and externally for the community at large.
- Develop and monitor internal racial and social equity metrics across Town departments that capture the Town's internal vision and goals for advancing diversity
- Advise and collaborate with employees and SMT to establish, coordinate, and assess DEI programs and initiatives that are internally focused. Identify, execute and promote best practices in the areas of equity, inclusion and diversity.
- Support the development of employee resource groups and working groups, that will positively impact the organization through effective leadership, engagement, programming and management

#### **2. Clinical Engagement & Community Equity Officer (Human Services) – internal promotion**

This position will lead, in partnership with TMO and SMT, external equity work, including language access, community engagement, events/programs, community relations, and accessibility.

Highlights from the job description include:

- Collaborate with internal equity officer to ensure DEI initiatives and programs are in alignment internally for employees and externally for the community at large.
- Develop ways to engage communities in meaningful dialogue about racial and social equity, inclusion, and what it means for Lexington to be a welcoming community, including meeting regularly with various community groups.
- Coordinate community programs centered on DEI and mental health, including programs related to heritage, culture, holidays and observances, neurodivergence, LGBTQIA+, etc.



- Serve as a resource on Human Rights, DEI, and ADA; provide technical assistance regarding DEI and ADA issues / activities; assist DPF with ADA transition plan.
- Support and coordinate the work of the HRC and Commission on Disabilities.

3. DEI Coordinator (part-time in Human Services) – internal or external hire

This position will support DEI work by providing administrative support to the external equity officer, assisting with community engagement, coordinating events, and managing programs/services.

Highlights from the job description include:

- Assist with planning public forums, listening sessions, and community events.
- Manage day-to-day administrative tasks and functions related to DEI function.
- Support language access through translation, interpretation, and multilingual materials.
- Collaborate with local organizations and community leaders to co-design inclusive events.
- Develop ways to engage communities in meaningful dialogue about racial and social equity, inclusion, and what it means for Lexington to be a welcoming community, including meeting regularly with various community groups.

**Informal Staff Support & Next Steps**

As noted above, DEI work should not and cannot be siloed under one person or office; the work extends across and beyond the organization into the services we provide and the populations we serve. Between the 2024 DEI Assessment Report, the 2025 DEI Commitment Statement and Strategic Goals, and broad community support, a roadmap is in place for the internal and external equity officers to follow.

There is also enthusiasm and support for this work across the organization, and employees from a number of different departments (from DPW to Police to Library) have expressed interest in supporting these roles. This is where the IDEA Team comes in—a group of volunteers from across the organization to serve the equity officers as a sort of steering committee. The work of this committee would include active participation from the Town Manager’s Office and members of the SMT.

In the weeks ahead, we plan to advertise the internal equity officer and DEI coordinator positions and finalize the new job description for our external equity officer (Juanica Buchanan). The goal is to have key staff positions filled by the end of summer, at which point we will build out the IDEA Team, onboard the equity officers with key staff and committees, and start our DEI 2.0 journey together.

I look forward to discussing with you at our June 9, 2025 meeting.

**Town of Lexington**

**Diversity, Equity, and Inclusion  
Strategic Plan  
2025**

# Contents

1. Purpose
2. Strategic Planning Process
3. DEI Commitment Statement
4. DEI Goals
  - a. Employee Training & Professional Development
  - b. Communications
  - c. Celebrations & Appreciation
  - d. Harness (Local & Diverse) Talent



## **Purpose**

This document serves to communicate the Town of Lexington's newly formalized approach to diversity, equity, and inclusion (DEI). The DEI strategic initiatives summary is meant to be a living document that will evolve, taking different shapes as the Town of Lexington continues to engage in meaningful organizational DEI work. This plan envisions that all Lexington leadership, managers, supervisors, and employees will assume direct responsibility for its implementation with one or more DEI professionals providing guidance, support, leadership, and expertise. We recognize that promoting diversity, equity, and inclusion and ensuring opportunity are both an individual and a collective responsibility that should be a prominent part of the Town of Lexington's workplace culture.

## **Strategic Planning Process**

While the Town of Lexington has championed diversity, equity, and inclusion for a number of years, the DEI strategic planning efforts formally began in 2024 in partnership with the DEI firm [Tangible Development](#) (TD). Prior to working with TD, Lexington committed to DEI in a number of ways, most notably hiring a Chief Equity Officer. The Town of Lexington and TD began their work together in 2023 beginning with an assessment, including the DEI Climate Assessment Tool (DEI CAT) survey, focus groups, and a policy and practice review. The results of these assessments informed the Town of Lexington's DEI strategic planning.

In the fall of 2024, the Town of Lexington convened the Senior Management Team (SMT) to develop the DEI commitment statement and goals. The SMT engaged in four two-hour visioning and strategy sessions and provided additional feedback in writing.

Through this process, TD supported these efforts by:

- Facilitating strategic visioning sessions to develop the Town of Lexington DEI Commitment Statement
- Facilitated strategic goal setting conversations to guide the reflection, analysis, and decision-making process
- Engaged in iterative drafting of the DEI Commitment Statement and Goals and responding to and incorporating input and revisions

- Assisted in the development of the DEI strategic initiatives documents

## **DEI Commitment Statement**

### ***Lexington: Join Our Journey***

In the Town of Lexington, where liberty meets unity, we work hard to create a space where everyone is free to belong, contribute, and thrive. We are committed to fostering a culture where every voice is heard, every perspective is valued, and every individual has the opportunity to reach their full potential.

# **Town of Lexington DEI Strategic Goals**

## **Focus Area 1: Employee Training & Professional Development**

**Goal 1.1:** Offer workshops that allow employees in all roles and at all levels to expand their skills and knowledge

Tasks/Strategies:

- Survey staff on what DEI topics they would like to engage more in
- Explore adding DEI training as required annual training for all employees.
- Explore external DEI experts to offer training.
- Seek out recommendation(s) from MA DEI Coalition

Responsible party/parties: TMO Office

Timeline: Next year

**Goal 1.2:** Add DEI metrics to employee annual review goals

Tasks/Strategies:

- Add line in employee review form about DEI goal
  - Check Union/ Association policy about adding this as standard to employee reviews

Responsible party/parties: All department heads and middle managers after running it by Unions/Associations

Timeline: Next three months

**Goal 1.3:** Add DEI training as part of employee onboarding

Tasks/Strategies:

- Follow Salem's DEI director method of onboarding new employees: cover topics including inclusive language, unconscious bias, and microaggressions. (Conduct this quarterly or annually.)

Responsible party/parties: HR and/or future DEI employee

Timeline: Next year

## **Focus Area 2: Communications**

**Goal 2.1:** Close communication gap between/amongst departments

Tasks/Strategies:

- Staff e-newsletter

Responsible party/parties: Communications Division/TMO/SMT

Timeline: TBD

**Goal 2.2:** Share photos of employees in the field doing their work

Tasks/Strategies:

- Style guide (pronoun usage, accessibility)

Responsible party/parties: TBD

Timeline: TBD

**Goal 2.3:** Document existing investments in one centralized way, ie: annual report/dashboard, include staff trainings, capital, etc.

Tasks/Strategies:

- Gather info from annual reports and other relevant sources

Responsible party/parties: TBD

Timeline: TBD

## **Focus Area 3: Celebrations & Appreciation**

**Goal 3.1:** Employee events that embrace identity and culture

Tasks/Strategies:

- Form Committee described in Goal 3.2
- Have an event each quarter

Responsible party/parties: TBD

Timeline: TBD

**Goal 3.2:** Set up a committee with members from multiple departments

Tasks/Strategies:

- Identify the volunteers that will serve on this committee that encourage diversity on the committee and support the commitment of time.
- Ensure that a variety of employees are able to participate on the committee.

Responsible party/parties: TBD

Timeline: TBD



**Goal 3.3:** Create a calendar of events

Tasks/Strategies:

- Create the calendar
- Include in employee newsletter

Responsible party/parties: TBD

Timeline: TBD

## **Focus Area 4: Harness (Local & Diverse) Talent**

**Goal 4.1:** Promote working in Town; proactively work to promote the idea that working for the Town is for many different people, and expand outreach on job openings to diverse residents/populations

Tasks/Strategies:

- Advertise on job sites that diverse candidates use regularly
- (START) Town Government Needs You/Your Talents campaign, to make local and diverse candidates feel comfortable and welcome applying for Town jobs
- Initiative: images and videos of Lexington High School graduates promoting the benefits/satisfaction of being Town employees

Responsible party/parties: TBD

Timeline: TBD

**Goal 4.2:** Provide PD opportunities; provide opportunities for tangible, resume-building professional development (like an accredited certificate/license), and encourage or invite diverse employees to seek promotions

Tasks/Strategies:

- Invite employees with untapped potential (such as ‘a love of math’) to participate in paid opportunities for professional growth and encourage them to apply for openings
- Develop partnership/commitment with a local institution that offers opportunities only available to town employees such as CPR, Microsoft Excel, or typing courses
- Encourage employees (and consider how to incentivize) who have DEI options as part of their professional recertification programs to engage in those options, especially if funded by the Town

Responsible party/parties: TBD

Timeline: TBD

**Goal 4.3:** Create an inclusive environment; cultivate an environment where belonging and inclusion are bedrocks for collaboration and innovation

Tasks/Strategies:

- Highlight workplace expectations upon hire using training that creates awareness around employees' responsibilities to ensure that all feel welcome
- Clarify and hire for Town DEI role (currently Chief Equity Officer)
- Increase the diversity of applicant pool
- Role/level specific onboarding training to address personal and implicit bias to begin self (and team, if relevant) reflection, as part of microaggression mitigation
- Continuing education for managers/supervisors/leadership to support them in creating an inclusive culture and a culture of accountability
- Continuing education for managers/supervisors/leadership to support them in creating an inclusive culture and a culture of accountability

Responsible party/parties: TBD

Timeline: TBD

# DEI 2.0: Reimagining Equity Work in Our Workplace, Services and Community

Lexington Select Board Meeting

June 9, 2025

# A Smarter, More Sustainable Model

- In 2020, Lexington Town Meeting passed a resolution which stated explicitly “the goal of making Lexington a truly equitable community.”
- Two Chief Equity Officers held role between July 2021 and Dec. 2024.
- In January 2025, TMO paused to get input—from staff, officials, volunteers, and outside experts—on what worked (and didn’t).
- Two themes: (1) internal and external work require different skillsets, and (2) the work is bigger than one person: it takes a team!
- We are committed to DEI: this model gives of a chance to succeed.

# The Model: Internal, External, Organizational

- *Within existing budget resources*, the new model will identify multiple champions—internal and external—integrated with Human Services and Human Resources, with leadership from the TMO and SMT, and support from a cross-departmental IDEA Team.
- **Internal:** Assistant HR Director / Internal Equity Officer (HR Dept)
- **External:** Clinical Engagement and Community Equity Officer (HS)
- **Admin Support:** Part-Time DEI Coordinator Position (HS)
- **Team Approach:** IDEA Team (Internal Steering Committee), SMT, TMO

“Attitude reflects leadership.” –Remember the Titans

# Internal: Assistant Human Resources Director & Internal Equity Officer

## Why Human Resources?

- The Town employs 340 people who interact with 34,000 Lexingtonians on a daily basis: this is where our values and commitment to DEI work will shine the brightest.
- The majority of duties in our CEO job description (like most) overlapped with core HR functions – compliance, training, development, retention, conflict resolution
- Separating internal (HR) and external (HS) adds capacity and clarity — ensuring that both functions can focus deeply on their respective areas of impact.
- Key functions that this added staff capacity will be able to elevate and dedicate resources to (time, skill, expertise) include: recruitment, retention, training, development, promotion, bias response, and sustaining a healthy workplace culture.

# External: Clinical Engagement & Community Equity Officer (Human Services)

## Why Human Services?

- Human Services already supports people through various life challenges and serves diverse populations — DEI aligns directly with our mission: it's what we do every day!
- Embedding External DEI into Human Services further integrates the work into our daily services and makes it a norm (versus a silo), e.g. Veteran & Senior Services
- Owning external equity work will help establish stronger, more focused collaboration across our youth, senior, and mental health programs
- Much of this work is already being done — for example, our staff leads community engagement efforts, and supports groups like LexPride, COD, HRC, ABCL, CAAL, etc.
- DEI work is not just about policies; it's about fostering relationships, building trust, maximizing potential, removing barriers, and maintaining a visible community presence.

# Organizational: SMT Vision Statement / Goals

## ***Lexington: Join Our Journey***

In the Town of Lexington, where liberty meets unity, we work hard to create a space where everyone is free to belong, contribute, and thrive. We are committed to fostering a culture where every voice is heard, every perspective is valued, and every individual has the opportunity to reach their full potential.

## **Four goal focus areas with twelve specific goals across:**

(1) Training & Development, (2) Communications, (3) Celebrations & Appreciation, and (4) Harnessing (Local & Diverse) Talent



# Many hands, light(er) work

Department	Assigned Staff	Responsibility
Human Resources	Internal Equity Officer, HR Director, TMO, SMT	Research equitable policies and practices; develop policies and practices in the existing organizational structure for systemic and institutional racism norms and recommend new racially equitable policies and practices.
	Internal Equity Officer, HR Director, TMO, SMT	Establish or expand programs and resources focused on recruiting, retaining, and developing a workforce that resembles the community we serve; identify best practices, benchmarks, and emerging workforce trends that inform and/or complement internal workforce goals and employee engagement.
Human Services	External Equity Officer, DEI Coordinator, Human Services	Create marketing / outreach material for programs / services, e.g. Mental Health and Minority Mental Health Month; partner with existing community groups and support existing community programming/events (facilitate new, as needed).
	External Equity Officer, DEI Coordinator, Human Services, TMO	Develop ways to engage communities in meaningful dialogue about racial and social equity, inclusion, and what it means for Lexington to be a welcoming community, including meeting regularly with various community groups.
Shared	HR, Human Services, TMO, and SMT	Advise and collaborate on diversity and inclusion initiatives.
	HR, Human Services, TMO, and SMT	Develop new employee groups to provide an engine for positively impacting the organization through effective leadership, engagement, programming and management; develop and build programs that create a common language around racial and social equity and inclusion and facilitate dialogue amongst Town employees.

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Parklet Location on Massachusetts Avenue

### **PRESENTER:**

Sandhya Iyer, Economic Development  
Director

### **ITEM NUMBER:**

I.3

### **SUMMARY:**

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

For the last several years, the Town has placed a parklet on the Southwest side of Massachusetts Avenue due to the narrow sidewalks.

This year, with unanimous approval from the Lexington Center Committee, the Economic Development Department recommends the placement of the Parklet be located in the three parking spaces in front of area of 1718 Massachusetts Avenue. There is support from MiniLuxe, Galaray House and Marathon Sports.

Police and Public Works have also indicated their support for the location. A walk through with Economic Development and Public Works occurred on June 3, 2025.

### **SUGGESTED MOTION:**

Move to authorize the installation of the Massachusetts Avenue Parklet starting the week of June 16, 2025 through the end of October 2025 in three parking spaces in front of 1718 Massachusetts Avenue.

### **FOLLOW-UP:**








EDO and DPW will coordinate the installation of the parklet.

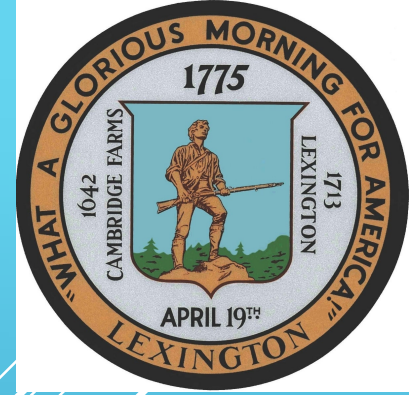
### **DATE AND APPROXIMATE TIME ON AGENDA:**

6/9/2025

7:25pm

## ATTACHMENTS:

Description		Type
	Parklet 2025 Location Details	Backup Material
	MiniLuxé Parkelt Support Letter	Backup Material
	Galaray House Support Letter	Backup Material
	Nouve - Support Letter	Backup Material
	Marathon Sports - Support Letter	Backup Material
	Artinian Jewelry letter of concern	Backup Material
	Btone Support Letter	Backup Material

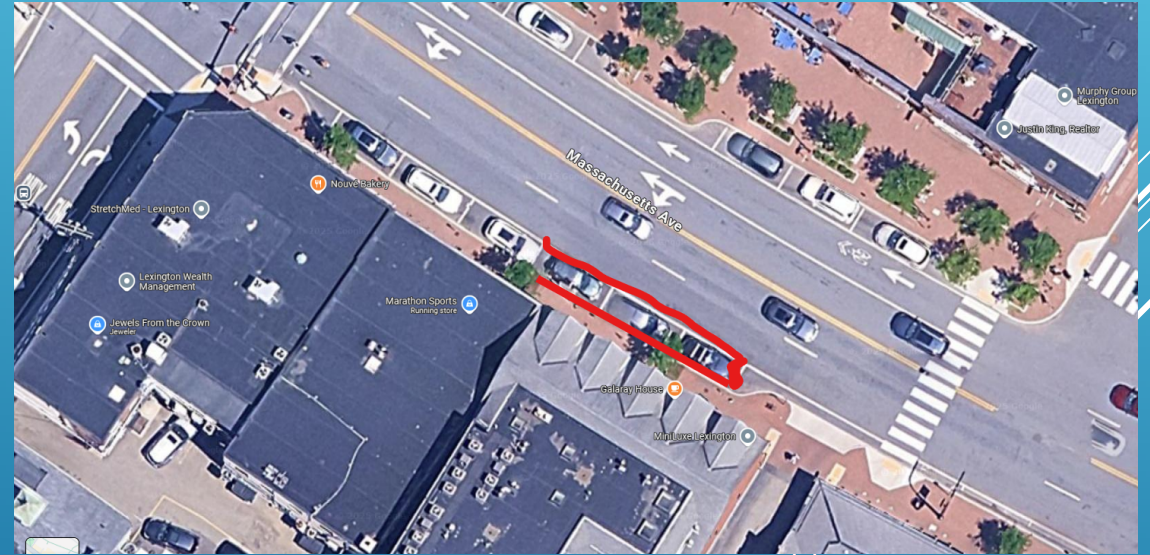
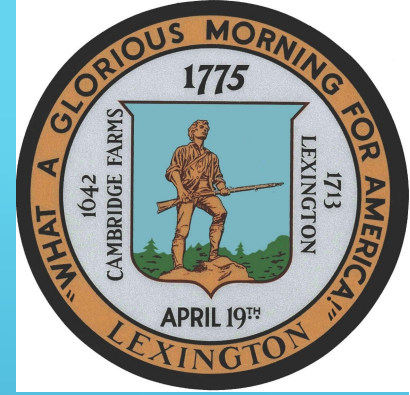


# PARKLET 2025

Location

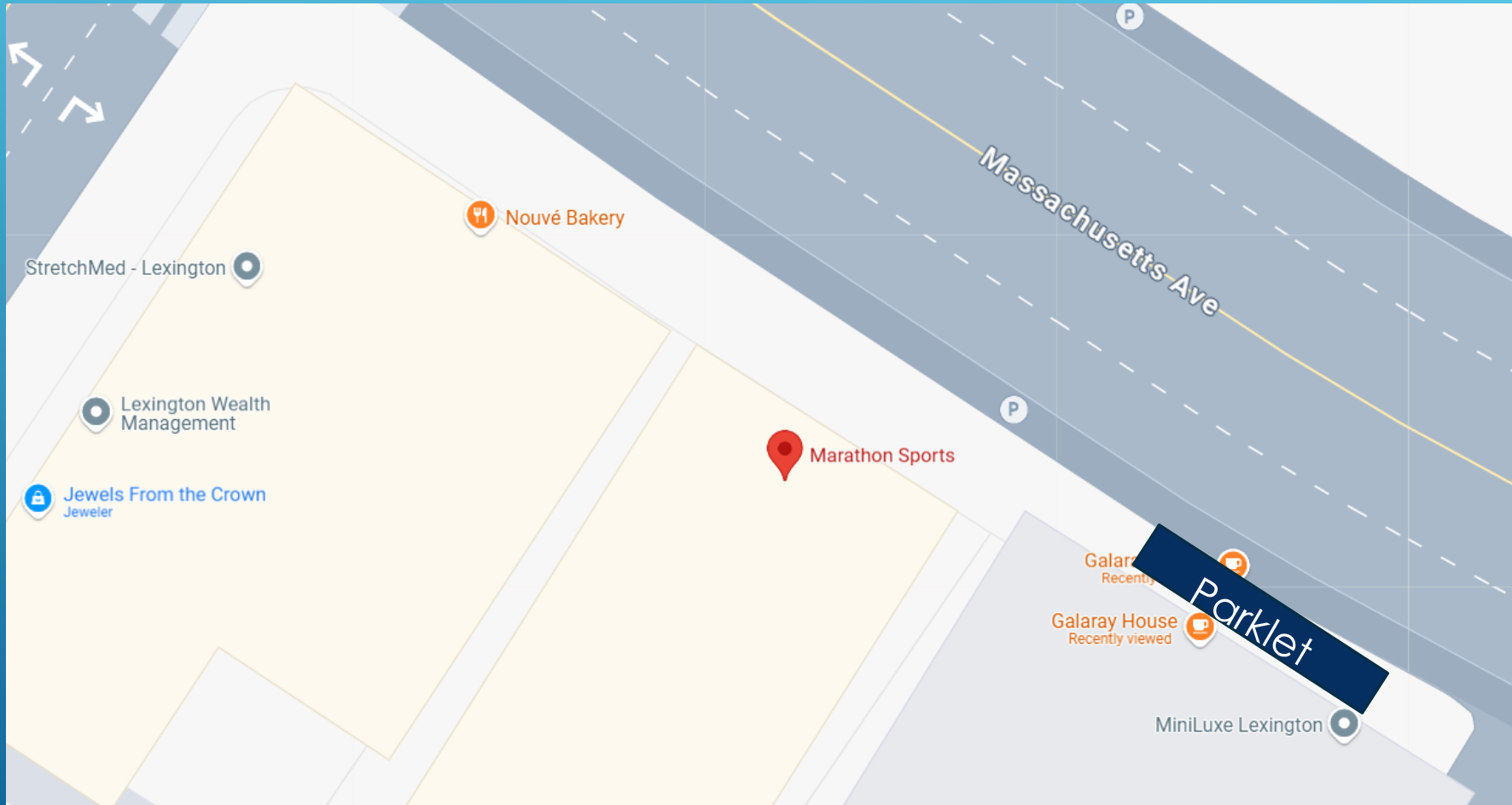
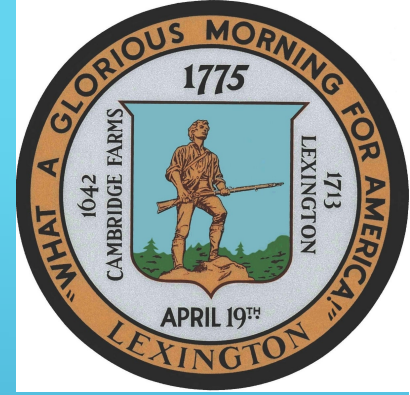


# CURRENT REQUEST





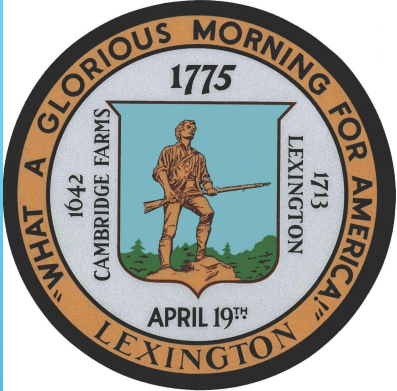
# NEW PARKLET LOCATION







# BUSINESSES



Address	Business	Position
1720 Mass Ave	Galaray House	Primary Request
1718 Mass Ave	MiniLuxe	Letter of Support
1728 Mass Ave	Marathon Sport	Letter of Support
1726 Mass Av	Btone Fitness	No Conversation
1736 Mass Ave	Nouve	Letter of Support
1734 Mass Ave	Artinian Jewelry	Letter to Oppose
1740 Mass Ave	Stephanie Louise	No Conversation
1730 Mass Ave	Shadley Associates	No Conversation

I am writing to formally express my approval for the installation of a parklet in front of MiniLuxe Lexington, located at 1718 Massachusetts Ave, Lexington for the duration of the warmer months. I understand that this parklet will provide additional outdoor space for the community, enhancing the pedestrian experience and contributing to the vibrancy of the area.

As the assistant manager of MiniLuxe Lexington, I support this initiative and appreciate the town's efforts to create more inviting public spaces.

Thank you for your time and consideration.

Sincerely,

AM: *Molika Khan*  
DM: *Cassandra D*



# GALARAY HOUSE



**To Whom It May Concern,**

I'm writing on behalf of Galaray House to express our interest in having the parklet placed in front of our storefront at 1720 Massachusetts Avenue. We believe it would be a wonderful addition to our space and a benefit to the community.

As the only café on the block without outdoor seating, this parklet would provide a much-needed spot for patrons to enjoy their coffee and take in the rotating collection of fine art we showcase inside. We've spoken with our neighboring businesses, and everyone we've spoken to has been supportive of the idea.

We are more than happy to adopt the plantings, water them regularly, and ensure that the space is kept clean and welcoming for all who use it. As both a café and an art gallery, we see this as an opportunity to extend our inviting atmosphere outdoors and contribute to the vibrancy of Lexington Center.

Thank you for your consideration. Please let us know if there is anything else you need from us to move forward.

Warm regards,  
**Molly Rappoli**  
Owner, Galaray House

**To Whom It May Concern,**

**I'm writing to express my support for the installation of a parklet on Massachusetts Ave. by Nouve Bakery, located at 1736 Massachusetts Avenue, for the duration of the warmer months. I believe this addition would offer valuable outdoor space for the public, encouraging people to spend more time in the area and helping to create a more vibrant and welcoming environment for all.**

**As the owner of Nouve Bakery, I fully support this initiative and appreciate the town's ongoing efforts to enhance the pedestrian experience and foster a stronger sense of community through shared outdoor spaces.**

**Thank you for your time and consideration.**

**Sincerely,**

A handwritten signature in black ink, consisting of a stylized 'S' followed by a series of connected loops and a final upward stroke.

To Whom It May Concern,

I'm writing to express my support for the installation of a parklet on Massachusetts Ave. by Marathon Sports, located at 1728 Massachusetts Avenue, for the duration of the warmer months. I believe this addition would offer valuable outdoor space for the public, encouraging people to spend more time in the area and helping to create a more vibrant and welcoming environment for all.

As the manager of Marathon Sports, I fully support this initiative and appreciate the town's ongoing efforts to enhance the pedestrian experience and foster a stronger sense of community through shared outdoor spaces.

Thank you for your time and consideration.

Sincerely,

A stylized, handwritten signature in dark ink, appearing to be 'SC' followed by a long horizontal flourish.

Stephen Curley

**Kim Katzenback**

---

**Subject:** FW: Massachusetts Avenue Parklet

**From:** Artinian Jewelry

**Sent:** Thursday, June 5, 2025 11:31 AM

**To:** Jay Abdella

**Subject:** Massachusetts Avenue Parklet

Dear Mr. Abdella,

We are contacting you as the owners of Artinian Jewelry located at 1734 Massachusetts Avenue. We were just informed of the town's intentions to establish a parklet on Massachusetts Avenue adjacent to our storefront. As a retail business we are very concerned about the effect that this will have on parking availability, especially for our elderly customers. As it is, there is limited street parking on Massachusetts Avenue and, should this parklet be approved, the parking spaces would be further affected.

We are respectfully against the implementation of a parklet area. As a small family business, we have served this town for 26 years and want to continue to offer the best service and accessibility to our customers. We collectively as small businesses should strive to work together as a community to help each other. We appreciate you considering this when making a final decision.

Please forward this to the select board.

Sincerely,

Gary, Hermine, Michael Artinian

---

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

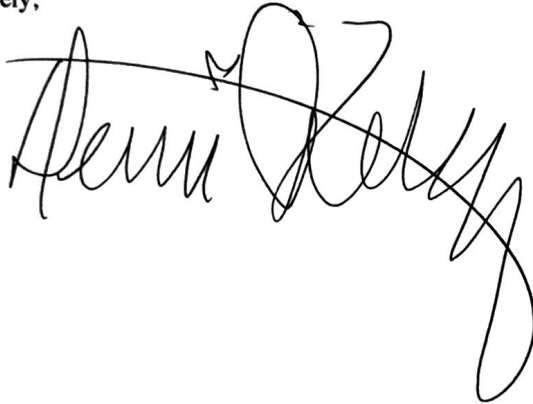
To Whom It May Concern,

I'm writing to express my support for the installation of a parklet in front of btone Lexington, located at 1726 Massachusetts Avenue, for the duration of the warmer months. I believe this addition would offer valuable outdoor space for the public, encouraging people to spend more time in the area and helping to create a more vibrant and welcoming environment for all.

As a staff member at btone Lexington, I fully support this initiative and appreciate the town's ongoing efforts to enhance the pedestrian experience and foster a stronger sense of community through shared outdoor spaces.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Kelly". The signature is fluid and cursive, with a large loop at the end of the last name.

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Discussion: Battle Green Use Policy

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

I.4

### **SUMMARY:**

#### **Category: Discussion**

At the request of the Police Department, the Select Board is asked to consider potential amendments to the Use of the Battle Green regulation to clarify the physical boundaries of the Battle Green and to address permitted use of the pedestrian island directly in front of the Captain Parker Statue.

In response to growing public safety concerns and the need to ensure unobstructed ADA access in this constrained and historically significant location, the Police Department has recommended that this area be formally recognized as distinct from the main Battle Green and subject to Select Board review for any proposed assembly or demonstration. The intent is to discourage such activity in this space and reinforce the importance of permitting and oversight in sensitive areas.

Captain John Mazerall of the Police Department and Town Counsel Mina Makarious will be present at the meeting to provide additional context and answer any questions.

To support public understanding and aid enforcement, a labeled aerial map may be incorporated into the final adopted policy.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

A revised version of the policy, incorporating Select Board feedback, may be brought back at a future meeting for formal approval.

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

6/9/2025

7:35pm

**ATTACHMENTS:**

Description	Type
📎 Battle Green Memo from PD	Cover Memo
📎 Proposed Changes Battle Green Regulations - redlined	Backup Material
📎 Battle Green Use Regulation	Cover Memo
📎 Battle Green Proposed Boundaries Map	Backup Material



## *Town of Lexington*

### Police Department

#### **Subject: Clarification and Recommendations Regarding Use of the Area in Front of the Captain Parker Statue**

With the recent improvements to the Battle Green and its surrounding area—particularly the redesigned area around the Captain Parker Statue itself—we have observed a notable increase in public demonstrations occurring directly in front of the Statue. Historically, this location has not been a common site for such activities, and given its limited footprint and historical significance, we believe that demonstrations in this area create a public safety risk.

This space was intentionally designed and improved to:

- Provide safe pedestrian access from both Bedford Street and Massachusetts Avenue,
- Ensure ADA-compliant access to the Battle Green, and
- Allow unobstructed viewing and photography of the Captain Parker Statue and its surroundings.

Use of the Battle Green is governed by the Select Board, under Chapter 100-10 of the Town Code. While this code addresses usage, it does not specifically define the physical boundaries of the Battle Green. Based on the design plans, we believe the Battle Green should be understood to include the full area within the curb cut bordered by Bedford Street, Harrington Road, and Massachusetts Avenue.

While recent demonstrations have remained peaceful, they have raised concerns regarding:

- Pedestrian visibility and safety,
- Safe navigation for vehicles,
- Unimpeded ADA access to the Battle Green, and
- Preservation of the site's historical context.

For these reasons, we recommend that:

1. A clear, documented definition of the Battle Green be established, encompassing the full curb cut area within the triangle formed by Bedford Street, Harrington Road, and Massachusetts Avenue.
2. We also suggest there is wording explicitly excluding assembly or demonstration activity on the pedestrian island directly in front of the Captain Parker Statue, to preserve access and safety.

We fully recognize and support the First Amendment right to lawful assembly and do not intend to discourage peaceful demonstrations. However, we recommend directing demonstrations take place on either side of the Battle Green, outside the defined boundaries of this central and historically sensitive area, unless expressly permitted.



**BOARD OF SELECTMENSELECT BOARD**  
**REGULATION**

***USE OF THE BATTLE GREEN***

Date Approved ~~by BOS:~~

~~November 19, 2018~~ June XX, 2025

Signature of Chair:

*Suzanne E. Barry*

The following rules and regulations have been adopted in accordance with the Code of the Town of Lexington, Chapter 100-10, as amended. Any otherwise legal activities not explicitly prohibited by these regulations, including the gathering of groups on the Battle Green for the sole purpose of exploring its history and which do not remain for more than four hours, are allowed. If these regulations, or portions thereof, conflict with the Code, the Code shall take precedence.

1. Definitions

a. "Audio device" means any electronic or amplified radio, television set, computer, telephone, electronic music player, musical instrument, or other device that produces sound.

~~a-b.~~ "Battle Green" means the public green space enclosed by the full curb cut triangle formed by Massachusetts Avenue, Bedford Street, and Harrington Road, including all grassy areas and walkways within that boundary and the apron in front of the Captain Parker Statue.

c. "Battle Green Reenactment Organization" is a chartered group, dedicated to the reenactment of the events that occurred on the Battle Green on April 19, 1775, using historically accurate period appropriate weapons and costumes.

~~b-d.~~ "Captain Parker Statue Pedestrian Island" means the detached, paved pedestrian area located outside the lawn of the Battle Green, situated directly in front of the Captain Parker Statue at the intersection of Bedford Street and Massachusetts Avenue. This space is designed for passive pedestrian use only. Due to safety and accessibility concerns, any assembly or demonstration on this island is strongly discouraged and may only occur with prior approval by the Select Board through the established permitting process.

~~e-c.~~ "Compromised turf" shall mean any condition that would make the Battle Green vulnerable to excessive damage by heavy wear or use; for example, heavy rains, reseeding, and drought conditions.

~~d-f.~~ "Disorderly conduct" means any action intended to cause inconvenience, annoyance or alarm, or which recklessly creates a risk thereof; which includes, but is not necessarily limited to, fighting, threatening or violent behavior; unreasonable noise; abusive language directed toward any person present; wrestling in vicinity of others; throwing of breakable objects; malicious throwing of dangerous objects or stones; open fires, burning objects or spitting.

~~e-g.~~ "Powerless flight" means any device used to carry persons or objects through the air; for example, sailplanes, gliders, balloons, body kites, hang gliders.

**Commented [DL1]:** New definition added to clarify the physical boundaries of the Battle Green

**Commented [DL2]:** This definition clarifies that the pedestrian island is distinct from the main Battle Green and is not intended for assemblies. Its small size and location near busy roads raise safety and accessibility concerns, warranting separate Select Board approval for any use beyond passive pedestrian access.

~~f.h.~~ "Public use limit" means the maximum number of people or the amount, size, or type of equipment permitted on the Battle Green at one time, as established by the ~~Board of Selectmen~~Select Board.

~~g.i.~~ "Responsible Party" is a person filing an application for a permit for an activity on the Battle Green, who shall be responsible for compliance with these rules and regulations.

~~h.j.~~ "Special event" means demonstrating, picketing, speechmaking, marching, holding of vigils, and all other similar forms of conduct which involve the active communication or expression of opinions or grievances, engaged in by one or more persons, the conduct of which has the effect, intent, or propensity to draw a crowd of onlookers.

~~k.~~ "Weapon" is an instrument or device that can inflict serious bodily injury and includes but is not limited to: firearms, rifles, shotguns and antiques as defined by MGL Chapter 140, §121; air rifles and BB-guns as regulated by MGL Chapter 269, §12B; paintball guns; edged weapons; explosive material or devices; muskets and weapons that discharge an arrow or bolt.

~~i.l.~~ A labeled aerial map of the Battle Green and surrounding areas, including the Captain Parker Statue Pedestrian Island, is appended to this regulation as a visual reference to support interpretation and enforcement.

## 2. Permit Required Activities

a. The purpose for requiring permits for certain activities is to promote the use of the Battle Green in a manner consistent with its nature and history; to protect the Battle Green from harm; to ensure adequate notice of the event so that arrangements can be made to protect the public health and safety and to minimize interference with the event by the public.

b. Permits are required for any of the following activities, singly or in combination:

- i. Any group activity reasonably likely to exceed the public use limit established by the ~~Board of Selectmen~~Select Board.
- ii. Special events, public meetings, assemblies, gatherings, demonstrations, parades and other similar activities, not to exceed four hours in duration.
- iii. Pageants, reenactments, entertainments or other public spectator attractions.
- iv. Structures and/or signs in connection with special events and limited in duration to the period required for such events.
- v. Use of public address systems, electrical lighting, or other electrical or amplified devices.
- vi. Distribution of non-commercial printed matter.
- vii. Possession and/or use of unconcealed weapons, in compliance with all federal, state and local laws, at events conforming to the following:
  - a) Events and ceremonies conducted by United States Armed Forces and/or law enforcement agencies;
  - b) Reenactments of the events on the Battle Green on April 19, 1775, honor guard ceremonies or related activities conducted by a Battle Green Reenactment Organization; and
  - c) The applicant shall provide evidence of training and competency in the display and use of such weapons to the satisfaction of the ~~Board of Selectmen~~Select Board.

- viii. Use or possession of fireworks or firecrackers.
- ix. Planting of any trees/plants.
- x. Parked or moving vehicles on any grassy areas, except those necessary for Town maintenance activities.
- xi. Use of powered models.

### 3. Impermissible Activities

The following activities are strictly prohibited:

- a. Destruction, injury, defacement, removal, or disturbance of any building, sign, equipment, monument, statue, marker, animal or plant.
- b. Distribution or display of commercial advertising; or soliciting of business; or any other commercial transactions.
- c. Remaining on the Battle Green for more than four hours.
- d. Abandonment of any vehicle or personal property.
- e. Unreasonably loud operation of audio devices.
- f. Delivery of any person or thing by parachute or helicopter.
- g. Powerless flight activities.
- h. Operation, launching, or landing of an Unmanned Aerial System (UAS) or drone aircraft, except for emergency landings, unless authorized by municipal staff as designated by the Town Manager.
- i. Disorderly conduct.
- j. Use or display of unconcealed weapons, except as provided in 2b.
- k. Use of metal detecting devices.
- l. Gambling of any form or operation of gambling devices.
- m. Picnicking in groups exceeding seven people.
- n. Consumption of alcoholic beverages, marijuana, or use of unlawful substances.
- o. Use of rollerblades, scooters and skateboards.
- p. Placement on the Battle Green of any unattended structure or commemorative planting of any trees/plants by a private party.
- q. Posting signs on poles including telephone or light poles.
- r. Climbing on the Minuteman Statue, Hayes Fountain, its base, or any public monument or structure.
- s. Bicycle riding.
- t. Use of grills, open flames or any other type of cooking devices.
- u. Placement of portable restrooms.
- ~~u.v.~~ Assembly or demonstration on the Captain Parker Statue Pedestrian Island or the apron in front of the Captain Parker Statue.

### 4. Permit Process

- a. Application for permit to conduct activities on the Battle Green, specified in 2, above, shall be filed no later than two weeks prior to the requested date. Late and/or incomplete applications will be considered at the discretion of the ~~Board of Selectmen~~ Select Board.
- b. Permit applications shall include the following information:

**Commented [DL3]: Option 1:** Fully prohibits assemblies on the pedestrian island and apron in front of the statue due to its limited space and safety concerns. This approach prioritizes passive use and avoids conflicts with ADA access and traffic visibility.

- i. Name and phone number of the Responsible Party to serve as contact
- ii. Date and time of event.
- iii. Nature of event.
- iv. Expected number of participants, spectators, and vehicles.
- v. Duration of event.
- vi. Statement of equipment and facilities to be used.
- vii. Section of the Battle Green desired.
- ~~viii.~~ Any proposed assembly or demonstration on the Captain Parker Statue Pedestrian Island or the apron in front of the statue shall require separate review and explicit approval by the Select Board.
- c. The Responsible Party is to keep the permit, a copy of which must be available for inspection upon request. The Responsible Party may be required by the ~~Board of Selectmen~~ Select Board, as a condition of issuing the permit, to pay for detail police officers if the Board determines that such officers are necessary for public safety.
- d. Permits are issued upon express condition that the Battle Green is to be left in a clean and orderly condition.
- e. The responsible party will be charged by the ~~Board of Selectmen~~ Select Board, as a condition of issuing the permit, for any damages directly resulting from the permitted activity.
- f. Permits are non-transferable and are only valid for date and time specified. For cause, the Police Chief or the Chief's designee may extend a permit for up to 2 hours.
- g. The ~~Board of Selectmen~~ Select Board may set reasonable permit conditions and restrictions, including but not limited to duration and area occupied, as are necessary for protection of the Green and public use thereof.

**Commented [DL4]: Option 2:** Allows the Select Board to consider island and apron use on a case-by-case basis through the permitting process. Either way they would need a permit in advance.

#### 5. Grounds for Revocation of Permit

- a. At the discretion of the ~~Board of Selectmen~~ Select Board, a permit may be revoked or further conditioned upon a finding of compromised turf of the Battle Green.
- b. The Select ~~Boardmen~~ Board may suspend or revoke a permit to use the Battle Green based on reasonable expectations that there may be an imminent threat to public safety because of a weather or man-made event.
- c. A permit shall be revoked if a sanctioned event includes impermissible activities and may be revoked if the permit group engages in activities that are not within the specifications of the permit.

#### 6. Grounds for Denial of Permit Request

Permit requests may be denied if an:

- a. Application creates a scheduling conflict with a previously filed application by another person or group.
- b. Event presents a clear and present danger to public health or safety.
- c. Event is of such nature or duration that it cannot reasonably be accommodated in the area applied for; or the expected number of participants exceeds the public use limit.

- d. Event will, in the opinion of the ~~Board of Selectmen~~Select Board, cause unacceptable interference with use and enjoyment of the Battle Green by the general public.
- e. Event is requested for a date that conflicts with official Town events by Battle Green Reenactment organizations.
- f. Event is more appropriately held at other available Town facilities, such as recreational facilities.

7. Patriots' Day

Other than official Town-sponsored activities and permitted activities by Battle Green Reenactment Organizations, no activity or event otherwise requiring a permit shall be scheduled to take place at, nor shall any other permit be issued for use of, the Battle Green from April 1 through April 30 of each year. During such time, the Battle Green is reserved for Town activities and events, permitted activities conducted by Battle Green Reenactment Organizations and for activities for which no permit is required under Section 2.

8. Penalties

Penalties for violations of these regulations shall be in accordance with Chapter 1, Article II, Sections 1-4 and 1-6 of the Code of the Town of Lexington.

9. Severability

If any section, paragraph or part of these regulations be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

Approved by the Board of Selectmen July 15, 1986.

Amended July 24, 2000.

Amended December 21, 2009.

Amended August 1, 2011.

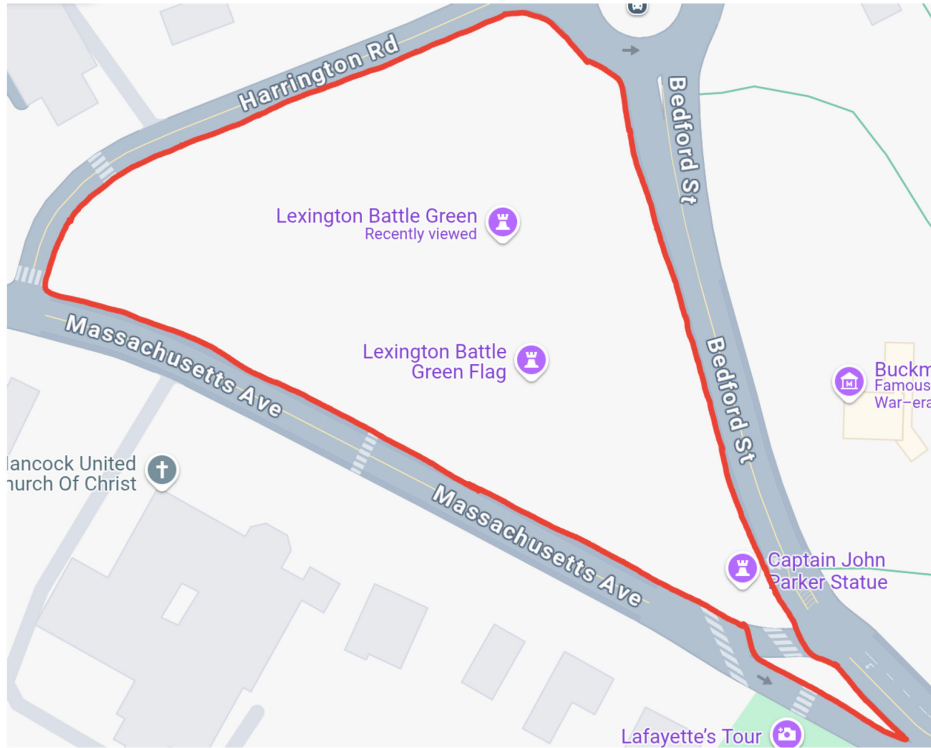
Revisions to the Use of the Battle Green Regulation were approved by the Board of Selectmen on February 3, 2014.

Selectmen approved minor revisions to the Use of the Battle Green Regulation on March 10, 2014.

Revisions to the Use of the Battle Green Regulation were approved by the Board of Selectmen on November 19, 2018.

Revisions to the Use of the Battle Green Regulation were approved by the Select Board on June XX, 2025.

Appendix A – Battle Green and Captain Parker Statue Pedestrian Island Map



## BOARD OF SELECTMEN REGULATION

### *USE OF THE BATTLE GREEN*

Date Approved by BOS:  
November 19, 2018

Signature of Chair:  
*Suzanne E. Barry*

The following rules and regulations have been adopted in accordance with the Code of the Town of Lexington, Chapter 100-10, as amended. Any otherwise legal activities not explicitly prohibited by these regulations, including the gathering of groups on the Battle Green for the sole purpose of exploring its history and which do not remain for more than four hours, are allowed. If these regulations, or portions thereof, conflict with the Code, the Code shall take precedence.

#### 1. Definitions

- a. "Audio device" means any electronic or amplified radio, television set, computer, telephone, electronic music player, musical instrument, or other device that produces sound.
- b. "Battle Green Reenactment Organization" is a chartered group, dedicated to the reenactment of the events that occurred on the Battle Green on April 19, 1775, using historically accurate period appropriate weapons and costumes.
- c. "Compromised turf" shall mean any condition that would make the Battle Green vulnerable to excessive damage by heavy wear or use; for example, heavy rains, reseeding, and drought conditions.
- d. "Disorderly conduct" means any action intended to cause inconvenience, annoyance or alarm, or which recklessly creates a risk thereof; which includes, but is not necessarily limited to, fighting, threatening or violent behavior; unreasonable noise; abusive language directed toward any person present; wrestling in vicinity of others; throwing of breakable objects; malicious throwing of dangerous objects or stones; open fires, burning objects or spitting.
- e. "Powerless flight" means any device used to carry persons or objects through the air; for example, sailplanes, gliders, balloons, body kites, hang gliders.
- f. "Public use limit" means the maximum number of people or the amount, size, or type of equipment permitted on the Battle Green at one time, as established by the Board of Selectmen.
- g. "Responsible Party" is a person filing an application for a permit for an activity on the Battle Green, who shall be responsible for compliance with these rules and regulations.
- h. "Special event" means demonstrating, picketing, speechmaking, marching, holding of vigils, and all other similar forms of conduct which involve the active communication or expression of opinions or grievances, engaged in by one or more persons, the conduct of which has the effect, intent, or propensity to draw a crowd of onlookers.

- i. “Weapon” is an instrument or device that can inflict serious bodily injury and includes but is not limited to: firearms, rifles, shotguns and antiques as defined by MGL Chapter 140, §121; air rifles and BB-guns as regulated by MGL Chapter 269, §12B; paintball guns; edged weapons; explosive material or devices; muskets and weapons that discharge an arrow or bolt.

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- a. The purpose for requiring permits for certain activities is to promote the use of the Battle Green in a manner consistent with its nature and history; to protect the Battle Green from harm; to ensure adequate notice of the event so that arrangements can be made to protect the public health and safety and to minimize interference with the event by the public.
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    - c) The applicant shall provide evidence of training and competency in the display and use of such weapons to the satisfaction of the Board of Selectmen.
  - viii. Use or possession of fireworks or firecrackers.
  - ix. Planting of any trees/plants.
  - x. Parked or moving vehicles on any grassy areas, except those necessary for Town maintenance activities.
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The following activities are strictly prohibited:

- a. Destruction, injury, defacement, removal, or disturbance of any building, sign, equipment, monument, statue, marker, animal or plant.



- b. Distribution or display of commercial advertising; or soliciting of business; or any other commercial transactions.
- c. Remaining on the Battle Green for more than four hours.
- d. Abandonment of any vehicle or personal property.
- e. Unreasonably loud operation of audio devices.
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- i. Disorderly conduct.
- j. Use or display of unconcealed weapons, except as provided in 2b.
- k. Use of metal detecting devices.
- l. Gambling of any form or operation of gambling devices.
- m. Picnicking in groups exceeding seven people.
- n. Consumption of alcoholic beverages, marijuana, or use of unlawful substances.
- o. Use of rollerblades, scooters and skateboards.
- p. Placement on the Battle Green of any unattended structure or commemorative planting of any trees/plants by a private party.
- q. Posting signs on poles including telephone or light poles.
- r. Climbing on the Minuteman Statue, Hayes Fountain, its base, or any public monument or structure.
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- b. Permit applications shall include the following information:
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- e. The responsible party will be charged by the Board of Selectmen, as a condition of issuing the permit, for any damages directly resulting from the permitted activity.
- f. Permits are non-transferable and are only valid for date and time specified. For cause, the Police Chief or the Chief's designee may extend a permit for up to 2 hours.
- g. The Board of Selectmen may set reasonable permit conditions and restrictions, including but not limited to duration and area occupied, as are necessary for protection of the Green and public use thereof.

#### 5. Grounds for Revocation of Permit

- a. At the discretion of the Board of Selectmen, a permit may be revoked or further conditioned upon a finding of compromised turf of the Battle Green.
- b. The Selectmen may suspend or revoke a permit to use the Battle Green based on reasonable expectations that there may be an imminent threat to public safety because of a weather or man-made event.
- c. A permit shall be revoked if a sanctioned event includes impermissible activities and may be revoked if the permit group engages in activities that are not within the specifications of the permit.

#### 6. Grounds for Denial of Permit Request

Permit requests may be denied if an:

- a. Application creates a scheduling conflict with a previously filed application by another person or group.
- b. Event presents a clear and present danger to public health or safety.
- c. Event is of such nature or duration that it cannot reasonably be accommodated in the area applied for; or the expected number of participants exceeds the public use limit.
- d. Event will, in the opinion of the Board of Selectmen, cause unacceptable interference with use and enjoyment of the Battle Green by the general public.
- e. Event is requested for a date that conflicts with official Town events by Battle Green Reenactment organizations.
- f. Event is more appropriately held at other available Town facilities, such as recreational facilities.

#### 7. Patriots' Day

Other than official Town-sponsored activities and permitted activities by Battle Green Reenactment Organizations, no activity or event otherwise requiring a permit shall be scheduled to take place at, nor shall any other permit be issued for use of, the Battle Green from April 1 through April 30 of each year. During such time, the Battle Green is reserved for Town activities and events, permitted activities conducted by Battle Green Reenactment Organizations and for activities for which no permit is required under Section 2.

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Penalties for violations of these regulations shall be in accordance with Chapter 1, Article II, Sections 1-4 and 1-6 of the Code of the Town of Lexington.

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If any section, paragraph or part of these regulations be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

Approved by the Board of Selectmen July 15, 1986.

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Amended December 21, 2009.

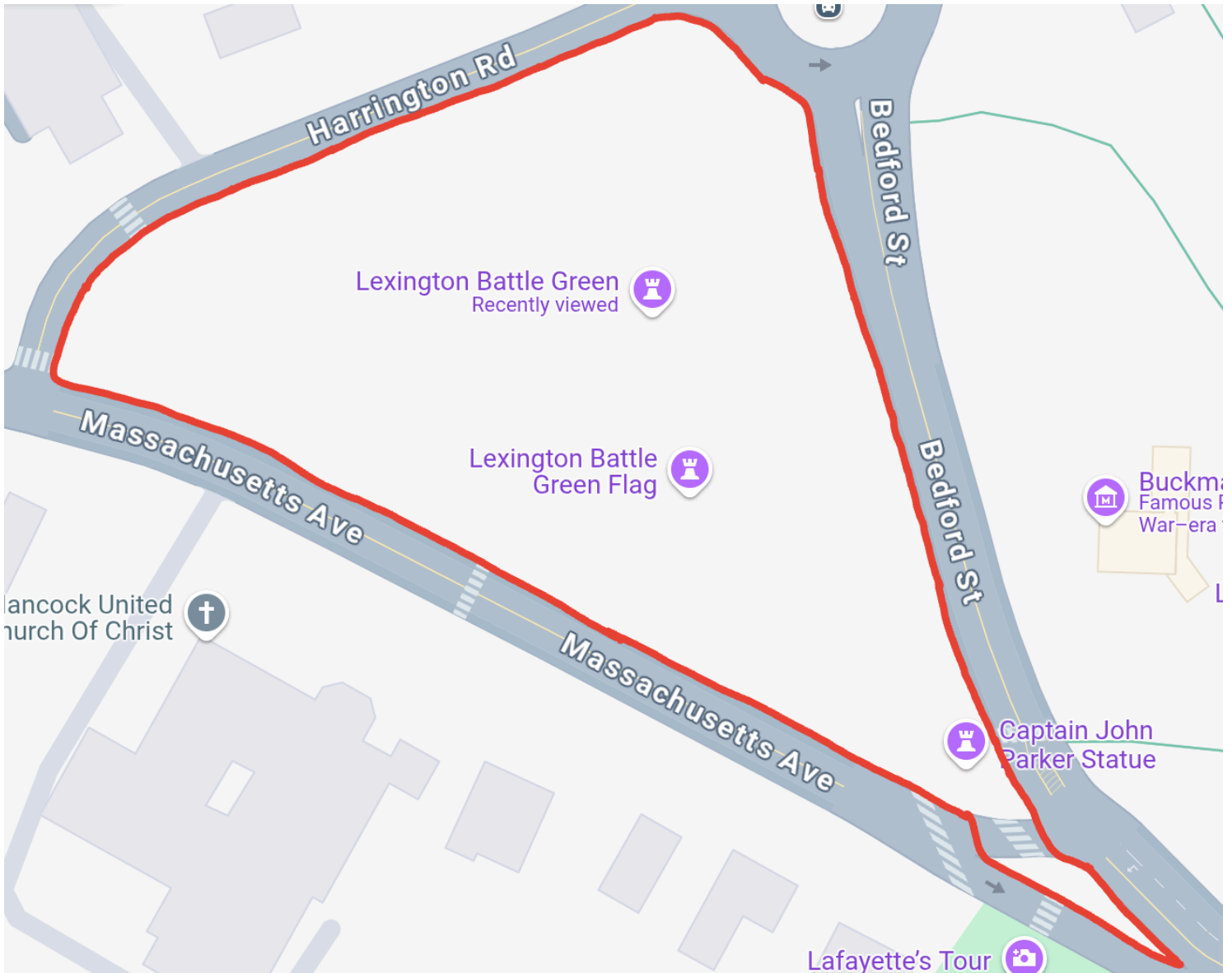
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Revisions to the Use of the Battle Green Regulation were approved by the Board of Selectmen on November 19, 2018.

Town of Lexington, Massachusetts  
Proposed Battle Green Boundaries Map  
June 9, 2025 Select Board Meeting



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: Conduct and Decorum for Public Meetings Policy

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

I.5

### **SUMMARY:**

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

At the July 8, 2024 Select Board meeting, the Board reviewed and discussed the proposed Conduct and Decorum for Public Meetings Policy, which is intended to establish clear and consistent guidelines for behavior at public meetings. The policy outlines expectations for participation, order, and respect, while ensuring alignment with constitutional protections for public speech, as affirmed in *Barron v. Kolenda* and other relevant case law.

Suggested edits from the July meeting have been incorporated into the revised draft included in this packet. Town Counsel has reviewed the current version and is satisfied with its content. Counsel will also be present at the June 9, 2025 meeting and available to answer any questions that may arise.

Approval of this policy will allow for its inclusion in both the Select Board Procedures, Policies, and Regulations Manual and the Town Clerk's Board and Committee Handbook.

### **SUGGESTED MOTION:**

Move to approve the Conduct and Decorum for Public Meetings Policy as presented, and to incorporate it into the Select Board Procedures, Policies, and Regulations Manual and the Town Clerk's Board and Committee Handbook.

### **FOLLOW-UP:**

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

6/9/2025

7:50pm

**ATTACHMENTS:**

Description	Type
▣ Policy-Conduct and Decorum for Public Meetings-060925	Backup Material
▣ Redline_Conduct_and_Decorum_Comparison from July Version	Backup Material

## SELECT BOARD POLICY

### *Conduct and Decorum for Public Meetings Policy*

Date Approved by Select Board:

Signature of Chair:

#### I. BACKGROUND

- The Town of Lexington recognizes the importance of maintaining a respectful and efficient environment during public meetings. Recent rulings by the Massachusetts Supreme Judicial Court have underscored the importance of ensuring that public participation is conducted in a manner that respects constitutional rights while maintaining orderly governance.

#### II. PURPOSE & SCOPE

- A. **Purpose:** To establish clear and consistent guidelines for conduct at public meetings, fostering inclusive participation while maintaining decorum, in accordance with recent Massachusetts Supreme Judicial Court rulings regarding public speech at governmental meetings.
- B. **Scope:** This policy applies to meetings conducted by public bodies under the jurisdiction of the Lexington Select Board, including committee members, staff, presenters, consultants, and the public. It does not apply to independent bodies such as Town Meeting, the Lexington Housing Authority, or committees appointed by other authorities.

#### III. APPLICATION

- A. **Public Participation:** The Chair shall announce the guidelines for public participation at the start of each meeting. A specific time for public comments should be designated, with a consistent time limit per speaker clearly announced and applied uniformly. Comments must be orderly and peaceable. The Chair shall not discriminate based on the viewpoint expressed by any speaker. All comments must be addressed to the Chair, and speakers must adhere to the time limits.
- B. **Maintaining Order:** Participants must wait for the Chair's recognition before speaking. Interruptions are not permitted. The Chair may issue warnings, call for recesses, or take other appropriate actions to maintain order, provided such actions do not infringe on constitutional rights.
- C. **Suggested Language for Chairs:**
  - o "Remember, we are all neighbors working toward common goals."
  - o "Let's keep our discussions focused and respectful."
  - o "Please wait for recognition before speaking."
- D. **Civil Discourse:** All participants are expected to engage respectfully, focusing discussion on policies and ideas rather than individuals. Only one person should speak at a time, using constructive rather than hurtful language. Committee members and staff are expected to model respectful conduct. Members of the public may express strong or critical views, provided their speech remains orderly and peaceable. Clarifying preferred forms of address (e.g., Mr., Ms., first name, pronouns), restating ideas when requested, and using "I" statements to share personal perspectives are encouraged.
- E. **Prohibition of Discriminatory or Harassing Behavior:** All participants are expected to treat others with respect and dignity. Discriminatory or harassing behavior will not be tolerated. Disruptive conduct, including personal attacks or repeated interruptions, may result in removal where appropriate.
- F. **Implementation:** This policy shall be included in the Lexington Select Board Procedures, Policies, and Regulations Manual (last updated 12-4-2023); Incorporated into the Town Clerk's Board and Committee Handbook (2024 Edition, replacing page 17); and distributed to all committee chairs and referenced during orientation or training as needed.

#### IV. REFERENCES

- Louise Barron & others v. Daniel L. Kolenda, 491 Mass. 408 (2023).
- Lexington Select Board Procedures, Policies, and Regulations Manual (12-4-2023)
- Town Clerk's Board and Committee Handbook

## Redline Comparison: July 8, 2024 vs. June 2025

### SELECT BOARD POLICY

#### Conduct and Decorum for Public Meetings Policy

**Date Approved by Select Board:** **Signature of Chair** [Deleted]

**Date Approved by Select Board:** **Signature of Chair:** [Added]

\_\_\_\_\_ [Added]

**BACKGROUND** [Deleted]

**BACKGROUND** [Added]

The Town of Lexington recognizes the importance of maintaining a respectful and efficient environment during public meetings. Recent rulings by the Massachusetts Supreme Judicial Court have underscored the necessity of ensuring that public participation and discourse are conducted in a manner that respects constitutional rights while fostering an orderly governance process. [Deleted]

The Town of Lexington recognizes the importance of maintaining a respectful and efficient environment during public meetings. Recent rulings by the Massachusetts Supreme Judicial Court have underscored the importance of ensuring that public participation is conducted in a manner that respects constitutional rights while maintaining orderly governance. [Added]

**PURPOSE & SCOPE** [Deleted]

**PURPOSE & SCOPE** [Added]

#### **Purpose:**

The purpose of this policy is to establish guidelines for conduct during public meetings to create an orderly, efficient environment that encourages public participation and upholds the governance process in accordance with 2023 Massachusetts Supreme Judicial Court rulings. (Barron v. Kolenda) [Deleted]

#### **Scope:**

This policy applies to all meetings conducted by public bodies within the Town of Lexington, including committee members, staff, presenters, consultants, and the public. [Deleted]

**Purpose:** To establish clear and consistent guidelines for conduct at public meetings, fostering inclusive participation while maintaining decorum, in accordance with recent Massachusetts Supreme Judicial Court rulings regarding public speech at governmental meetings. [Added]



**Scope:** This policy applies to meetings conducted by public bodies under the jurisdiction of the Lexington Select Board, including committee members, staff, presenters, consultants, and the public. It does not apply to independent bodies such as Town Meeting, the Lexington Housing Authority, or committees appointed by other authorities. [Added]

**APPLICATION** [Deleted]

**APPLICATION** [Added]

### **Public Participation**

**The Chair should state guidelines for public participation at the beginning of each meeting. A specific time for public comments should be designated, typically allowing two minutes per speaker. Comments must be orderly and peaceable, with no viewpoint discrimination. All comments must be addressed to the Chair, and speakers must adhere to established time limits.** [Deleted]

**Public Participation:** The Chair shall announce the guidelines for public participation at the start of each meeting. A specific time for public comments should be designated, with a consistent time limit per speaker clearly announced and applied uniformly. Comments must be orderly and peaceable. The Chair shall not discriminate based on the viewpoint expressed by any speaker. All comments must be addressed to the Chair, and speakers must adhere to the time limits. [Added]

### **Maintaining Order**

**Participants must wait for the Chair to recognize them before speaking. Interruptions are not permitted. The Chair has the discretion to issue warnings, call for recesses, or take other actions to maintain order, provided such actions do not infringe on constitutional rights.** [Deleted]

**Maintaining Order:** Participants must wait for the Chair's recognition before speaking. Interruptions are not permitted. The Chair may issue warnings, call for recesses, or take other appropriate actions to maintain order, provided such actions do not infringe on constitutional rights. [Added]

**Suggested Language for Chairs** [Deleted]

**Suggested Language for Chairs:** [Added]

"Remember, we are all neighbors working toward common goals."

"Let's keep our discussions focused and respectful."

"Please wait for recognition before speaking."

### **Civil Discourse**

**Participants should respect diverse opinions and engage in democratic deliberation,**

focusing on discussing policies and ideas rather than people. Only one person should speak at a time, using helpful, not hurtful, language. It is important to clarify how individuals prefer to be addressed (e.g., Mr., Ms., first name, pronouns) and to restate ideas when requested. A civil tone of voice should be maintained at all times. Participants should respectfully listen to and consider differing points of view, using “I” statements to express personal viewpoints. [Deleted]

#### **Prohibition of Discriminatory or Harassing Behavior**

Treat others with respect and dignity. Discriminatory or harassing behavior will not be tolerated. Disruptive behavior, including interruptions and personal attacks, may result in removal, provided it complies with constitutional protections. [Deleted]

#### **Implementation**

This policy will be included in the Lexington Select Board Procedures, Policies, and Regulations Manual (last updated 12-4-2023) and in the Town Clerk’s Board and Committee Handbook (Last update: 2024 Edition replaces Page 17). [Deleted]

**Civil Discourse:** All participants are expected to engage respectfully, focusing discussion on policies and ideas rather than individuals. Only one person should speak at a time, using constructive rather than hurtful language. Committee members and staff are expected to model respectful conduct. Members of the public may express strong or critical views, provided their speech remains orderly and peaceable. Clarifying preferred forms of address (e.g., Mr., Ms., first name, pronouns), restating ideas when requested, and using “I” statements to share personal perspectives are encouraged. [Added]

**Prohibition of Discriminatory or Harassing Behavior:** All participants are expected to treat others with respect and dignity. Discriminatory or harassing behavior will not be tolerated. Disruptive conduct, including personal attacks or repeated interruptions, may result in removal where appropriate. [Added]

**Implementation:** This policy shall be included in the Lexington Select Board Procedures, Policies, and Regulations Manual (last updated 12-4-2023); Incorporated into the Town Clerk’s Board and Committee Handbook (2024 Edition, replacing page 17); and distributed to all committee chairs and referenced during orientation or training as needed. [Added]

**REFERENCE** [Deleted]

**REFERENCES** [Added]

Louise Barron & others v. Daniel L. Kolenda, 491 Mass. 408 (2023).

Lexington Select Board Procedures, Policies, and Regulations Manual (12-4-2023)

Town Clerk’s Board and Committee Handbook

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve: List of Legal Holidays during which Construction Noise is Limited as it Relates to Noise Control Bylaw Chapter 80

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

I.6

### **SUMMARY:**

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

At the 2024 ATM, Town Meeting voted to approve amendments to Chapter 80 (Noise Control) of the General Bylaw to clarify when construction noise is restricted. As part of this update, the bylaw now defines “Legal Holidays” as those recognized by the Commonwealth and those identified on a list approved by the Select Board [Article 29, adopted 3/18/24]. To comply with this provision, the Select Board is asked to formally approve the list of holidays during which construction activity is subject to restrictions. This action ensures clear communication to residents, contractors, and enforcement departments. The proposed list reflects:

- The 12 Massachusetts-recognized legal holidays
- The same list of 12 holidays presented to Town Meeting during the Article 29 presentation

This approval will aid in consistent enforcement by the Building Department, DPW, and Police, and addresses recent public inquiries about when construction is limited due to holidays.

### **SUGGESTED MOTION:**

Move to approve the following legal holidays during which construction noise is limited, as outlined in the Noise Control Bylaw, Chapter 80.

- New Year’s Day
- Martin Luther King Day
- Presidents Day (Commonwealth of Mass - Washington’s Birthday)
- Patriots Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Indigenous Peoples' Day (Commonwealth of Mass - Columbus Day)
- Veteran’s Day
- Thanksgiving Day

- Christmas Day



**FOLLOW-UP:**

Select Board Office.

**DATE AND APPROXIMATE TIME ON AGENDA:**

6/9/2025                      7:55pm

**ATTACHMENTS:**

Description		Type
	List of MA legal Holidays	Backup Material
	Article 29 noise presentation posted 2.12	Backup Material

# Massachusetts Legal Holidays



William Francis Galvin  
Secretary of the Commonwealth

Holiday	2024	2025	2026
<b>New Year's Day</b> January First	Jan. 1, Mon.	Jan. 1, Wed.	Jan.1, Thurs.
<b>Martin Luther King, Jr. Day</b> Third Monday in January	Jan. 15, Mon.	Jan. 20, Mon.	Jan.19, Mon.
<b>Washington's Birthday</b> Third Monday in February	Feb. 19, Mon.	Feb. 17, Mon.	Feb. 16, Mon.
<b>Patriots' Day</b> Third Monday in April	Apr. 15, Mon.	Apr. 21, Mon.	Apr. 20, Mon.
<b>Memorial Day</b> Last Monday in May** (1A)	May 27, Mon.** (1A)	May 26, Mon.** (1A)	May 25, Mon.** (1A)
<b>Juneteenth Independence Day</b> June 19th	June 19, Wed.	Jun 19, Thurs.	Jun 19, Fri.
<b>Independence Day</b> July 4th**	July 4, Thurs.**	July 4, Fri.**	July 4, Sat.** (3)
<b>Labor Day</b> First Monday in September**	Sept. 2, Mon.**	Sept. 1, Mon.**	Sept. 7, Mon.**
<b>Columbus Day</b> Second Monday in October* (Restrictions until 12 noon) (2)	Oct. 14, Mon.* (2)	Oct. 13, Mon.* (2)	Oct. 12, Mon.* (2)
<b>Veterans' Day</b> November 11th* (Restrictions until 1pm) (2)	Nov. 11, Mon.** (2)	Nov. 11, Tues.** (2)	Nov. 11, Wed.** (2)
<b>Thanksgiving Day</b> Customarily the fourth Thursday in November* (1)	Nov. 28, Thurs.* (1)	Nov. 27, Thurs.* (1)	Nov. 26, Thurs.* (1)
<b>Christmas Day</b> December 25th* (1)	Dec. 25, Wed.* (1)	Dec. 25, Thurs.* (1)	Dec. 25, Fri.* (1)

Above is a list of all legal holidays observed in Massachusetts. State, county, and municipal offices are closed on the days listed above. Federal offices are only closed on holidays which the federal government recognizes (i.e. New Year's Day, Martin Luther King, Jr. Day, Washington's Birthday, Memorial Day, Juneteenth Independence Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas). The term "federal holiday" is not applicable to individual states and the private sector since each state has jurisdiction over its holidays.

In Massachusetts certain holidays are subject to laws which restrict the type of work that may be performed as well as the kind of business and commercial activities that may remain open. Only those holidays followed by asterisks (\*) have certain restrictions. On holidays not followed by asterisks, business and commercial activities may operate as usual.

**Please note: Only retail establishments may open during the summer holidays of Memorial Day, Independence Day, and Labor Day.** Some businesses may be required to pay premium pay on some holidays. Please contact the Attorney General's Fair Labor Division at 617-727-3465. The Department of Labor Standards (617-626-6975) oversees the approval of local

permits allowing businesses to open on Columbus, Veteran's Days, Thanksgiving and Christmas when they otherwise could not open for some or all hours on those days.

For further information on holiday laws, contact Citizen Information Service:

Secretary of the Commonwealth  
Citizen Information Service  
One Ashburton Place, Room 1611  
Boston, MA 02108-1512  
Telephone: 617-727-7030  
Toll-free: 1-800-392-6090 (in Mass. only)  
MassRelay English: 1-866-887-6619 Mass Relay Spanish: 1-866-930-9252  
Fax: 617-742-4528  
E-mail: [cis@sec.state.ma.us](mailto:cis@sec.state.ma.us)  
Website: [www.sec.state.ma.us/cis](http://www.sec.state.ma.us/cis)

\* Full restrictions apply for ALL commerce

\*\* Restrictions apply except to retail

- (1) Liquor Stores must be closed for Thanksgiving and Christmas Days.
- (1A) Liquor stores may not open prior to 12:00 noon Memorial Day.
- (2) Many companies operate all day on these holidays, pending obtaining a local permit.
- (3) All holidays falling on Sunday must be observed on Monday, under state law. Saturday holidays are observed on Saturday.



# *Annual Town Meeting*

*2/8/2024*

*Article 29 Amend the General Bylaw - Noise Control*



# Bylaw Amendment Motivation

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- During 2023 it became evident that elements of the noise bylaw focused on construction noise needed clarification
  - A staff working group developed broad updates, but public response led the Select Board to refer these changes to a reconstituted Noise Committee
  - This article represents narrow changes addressing observed ambiguities
-



# Scope

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To amend or replace the Noise Control Bylaw, Chapter 80 of the Code of the Town of Lexington to:

- a. Provide clarity related to construction-related noise complaints;
  - b. Delay the implementation of the gas-powered leaf blower prohibition for commercial landscapers by one year to March 15, 2026. § 80-4H(6);
-





## a) Construction Noise

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- Increase penalties;
- Clarify that ledge work includes a broad set of techniques including blast hole drilling
  - All such work is permitted only on weekdays between 9am and 5pm



## a) Construction Noise

---

- Clearly identify legal holidays during which construction noise is limited:

New Year's Day  
Martin Luther King Day  
Washington's Birthday  
Patriots Day  
Memorial Day  
Juneteenth Independence Day

Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day



## a) Construction Noise

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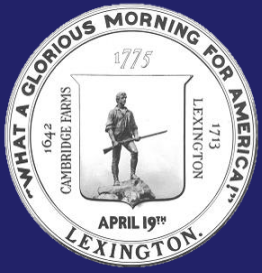
- Allow the Building Commissioner to require noise monitoring and reporting as part of a noise mitigation plan and identify required elements of the mitigation plan;
  - Clarify that noise mitigation plans must be prepared by a credentialed noise mitigation consultant and provide conditions under which the Building Commissioner is authorized to require a noise mitigation plan;
-



## b) GLB Prohibition Delay

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- Delay the implementation of the gas-powered leaf blower prohibition for commercial landscapers by one year to March 15, 2026. § 80-4H(6);



# Select Board Discussions

- 12/11/2023 – Discuss Proposed Updates to Noise Bylaw  
<https://www.youtube.com/watch?v=NY8YEQXpQ3U&t=2210s>
- 01/22/2024 – Discussion of Leaf Blower Availability  
<https://www.youtube.com/watch?v=U6IMOxpAIRc&t=2244s>

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Discussion: Proposed Compost Pilot Partnership with Black Earth at Hartwell Avenue Site

### **PRESENTER:**

Dave Pinsonneault, Director of Public  
Works

### **ITEM NUMBER:**

I.7

### **SUMMARY:**

#### **Category: Informing**

The Board will receive a presentation from staff and/or Black Earth on a proposed food-waste processing pilot partnership at the Hartwell site.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

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

6/9/2025

8:00pm

### **ATTACHMENTS:**

Description	Type
 Black Earth Partnership PPT	Cover Memo

# Full organics management

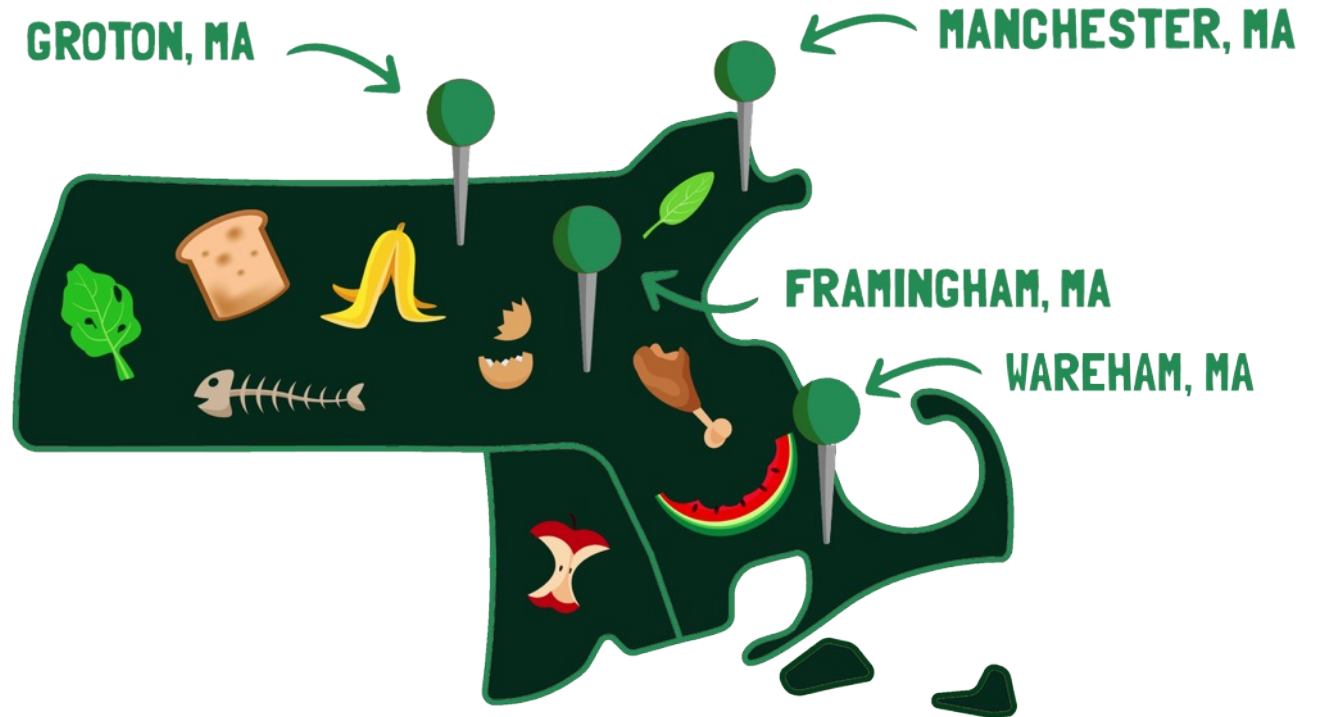
Pilot proposal for how to add on  
food waste processing to an existing  
leaf & yard debris compost site.





# Black Earth Compost

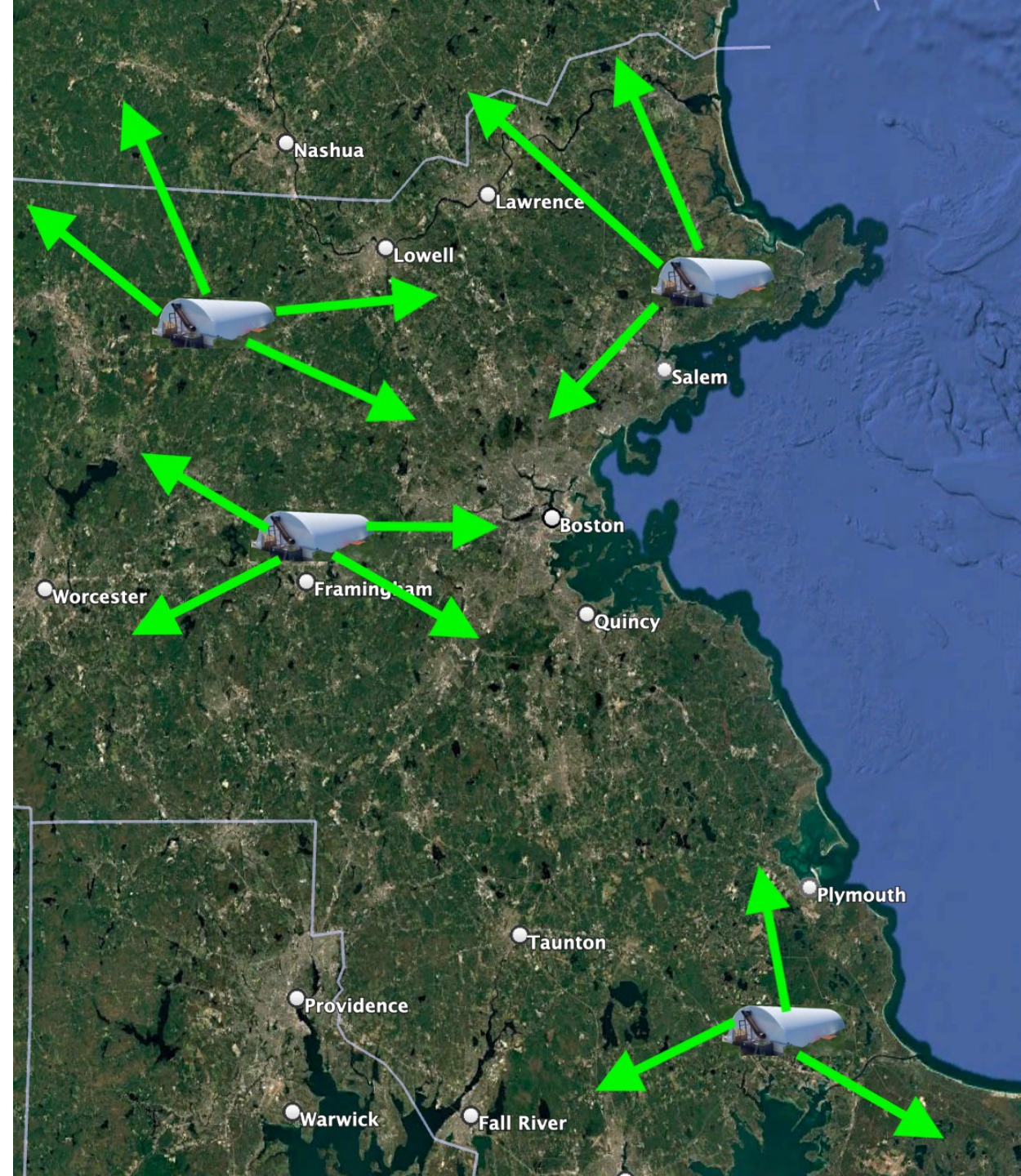
Compost Collection  
Compost Production





# Why is this important

- Household food scraps is best suited for composting.
- Most diversion.
- 25 sites – most cost effective for MA
- Each site handles 5-10 neighboring towns.
- Decentralization Keeps trucking costs low and avoids traffic.
- Nutrient rich compost is a boon for the area's soils.





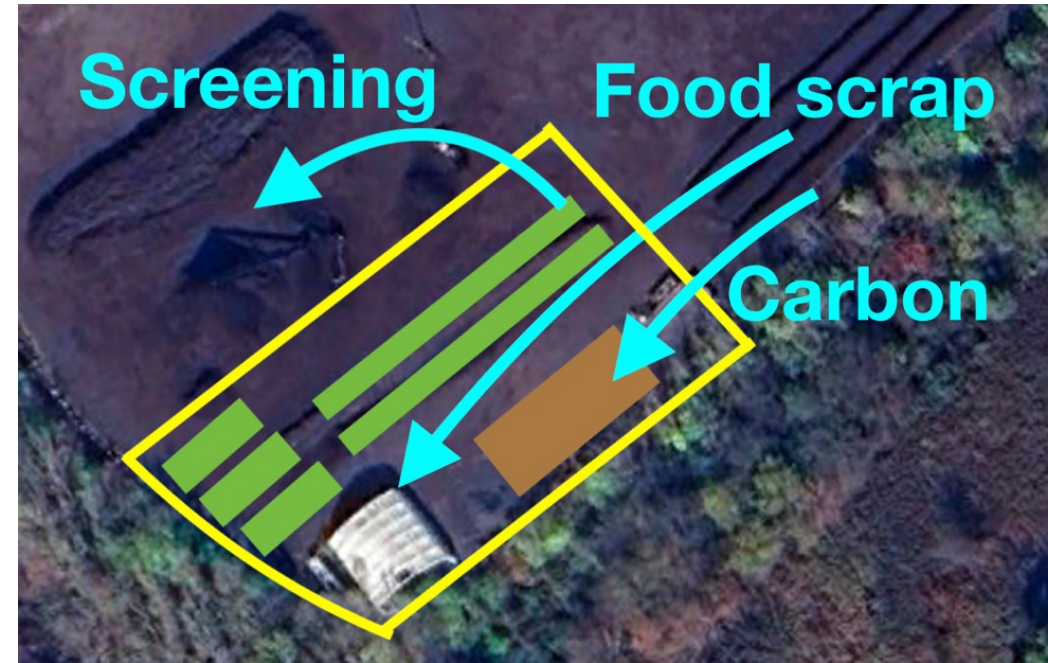
# We propose a pilot project

**Purpose:** Test the controlled addition of food scraps into a side stream of Hartwell's existing management of leaf and yard debris.

**Tests:** Technical Viability, Financial Viability of composting food scraps at Hartwell.

- 3 year
- ~1 acre in back corner.
- Indoor Receiving of Food Scraps. Aerated Static Pile (ASP) composting method
- Black Earth staffs and has a wheel loader
- 3 Trucks stationed bringing food scraps from Lexington and region in (~1:2 ratio)
- 2020 McSweeney assessment
- Transparent Cost/Revenue books on operation
- 5% reduction in Town collection bill = \$20,000/year
- Revenue to Hartwell: \$7-15/cubic yard of food scrap compost that Black Earth sells. = \$20,000/year
- Creates synergies with Hartwell's staff.
- Leads to the big picture goal of **Owning the Infrastructure**

Questions?



## Do Nothing Future

- Hartwell composts only **Leaf & Yard Debris**
- **\$\$\$\$ Cost** to collect food waste and drive **far away** for recycling
- **\$\$ Cost** to tip at 3<sup>rd</sup> party recycler
- 3-5 year contract
- Exposed to interstate markets and global markets

## Own the compost facility

- Hartwell composts **Leaf & Yard Debris + Food Scraps**
- **\$\$ Cost** to collect food waste and recycle **in town**.
- **\$\$ Revenue from neighboring towns.**
- 20-30 year contract
- Resistant to global market strife



# North Shore Regional Compost Facility – Manchester by the Sea, MA





# Compost Facility – Groton, MA





# How?

## Side Stream



# How? Side Stream

Lexington  
and Regional  
Food Scraps

**Carbon**

**Windrow  
Turned**

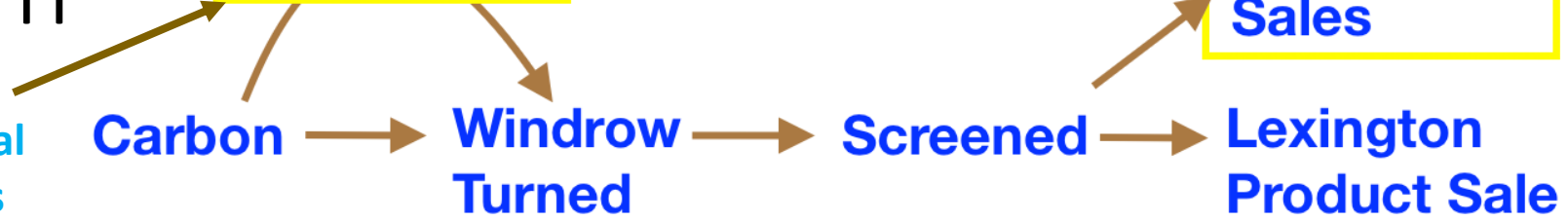
**Screened**

**Lexington  
Product Sale**

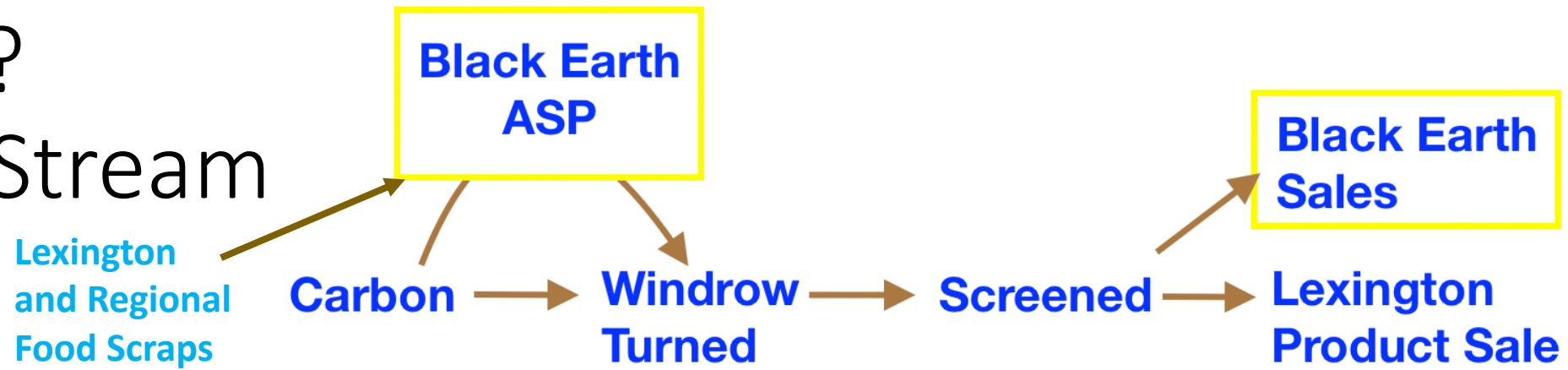
**Black Earth  
ASP**

Black Earth  
Wheel loader +  
Operator

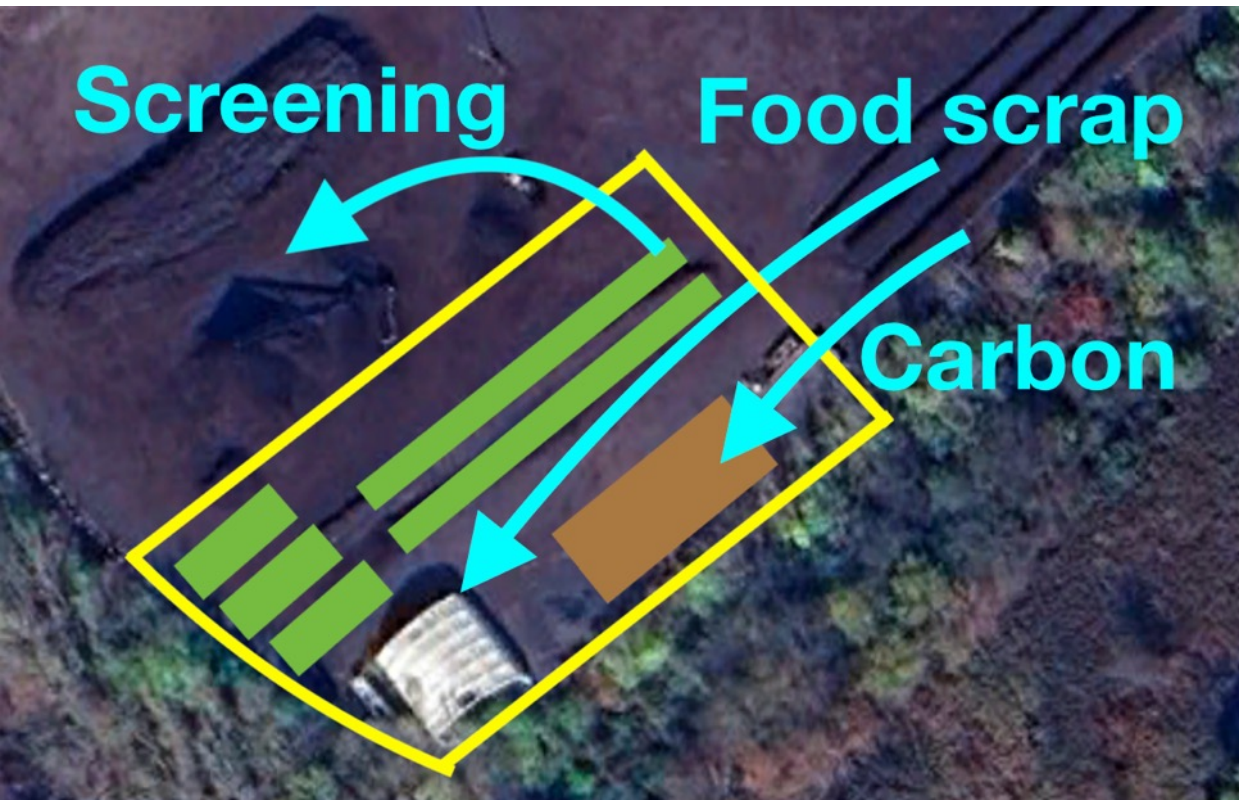
**Black Earth  
Sales**



# How? Side Stream

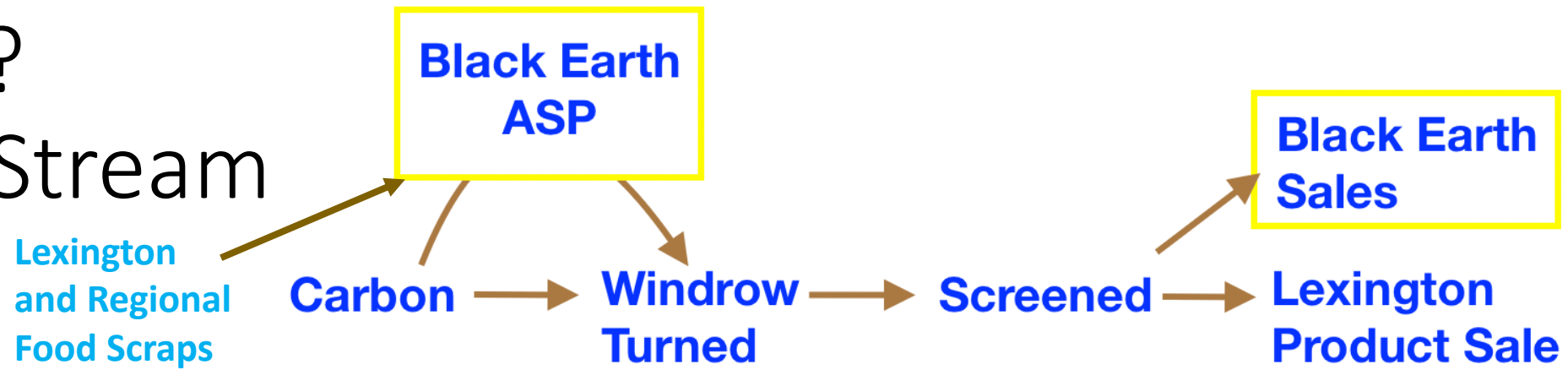


## Pilot Phase

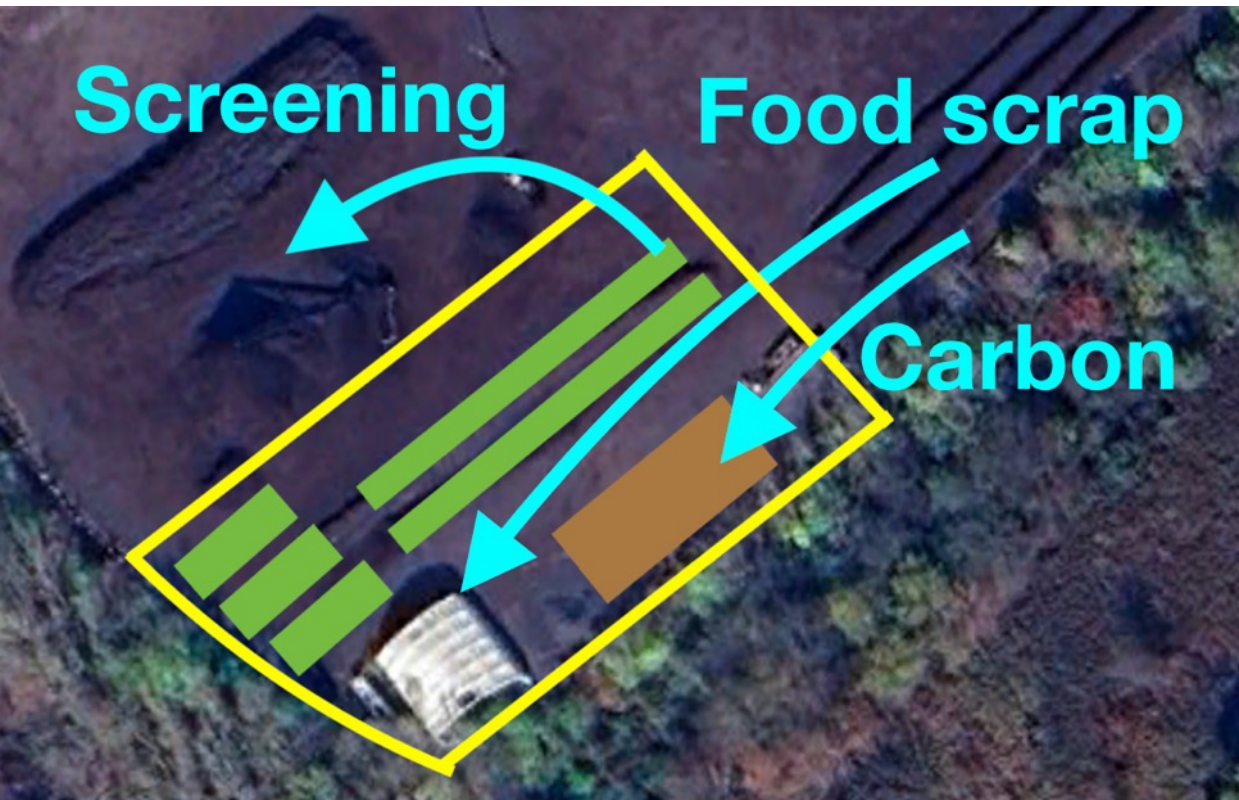




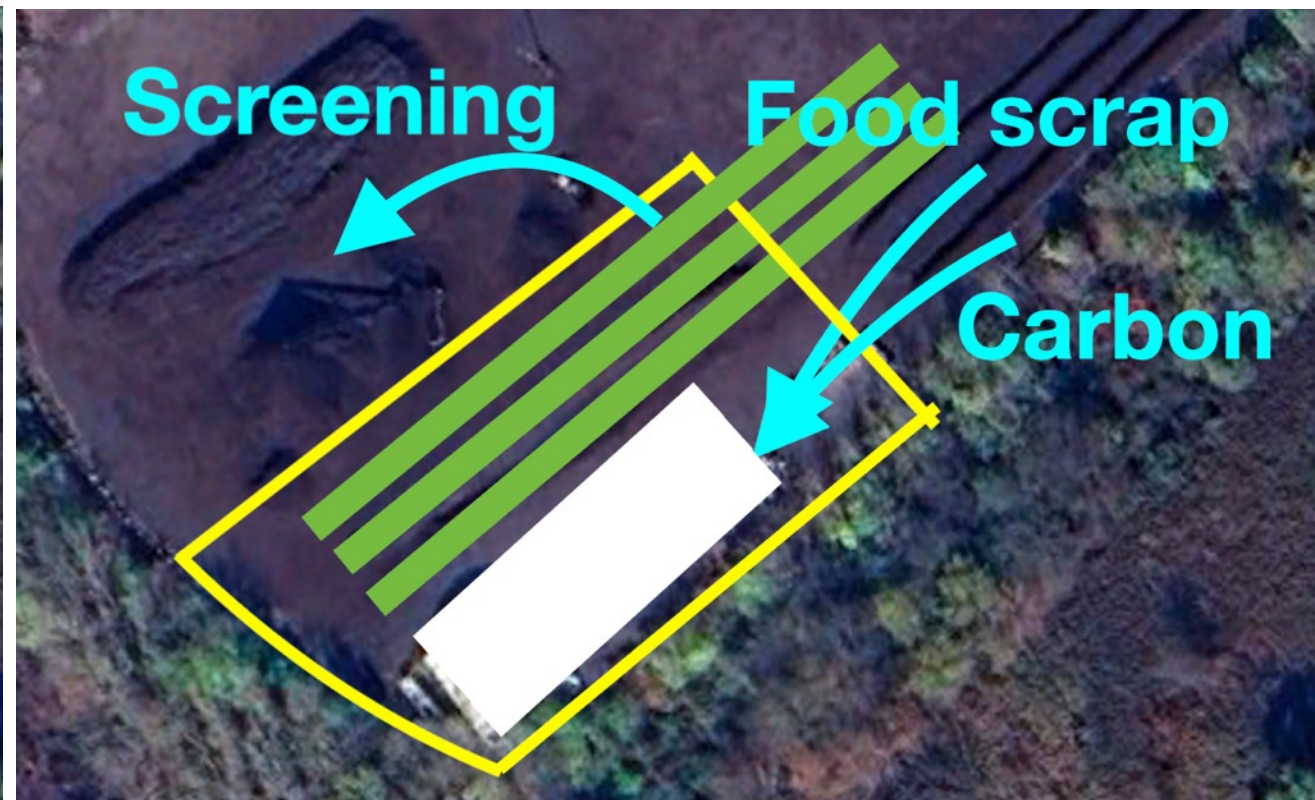
# How? Side Stream



Pilot Phase



Future



# Contracting/Procurement

- **DEP Permit:** uses existing town permit
- **Term:** 3 year pilot
- **Start:** Summer 2025
  - Site will have least material on it
  - Prep for Fall leaves coming in
- **Procurement:** Exempt from 30B
- **Transition:** into a long term contract after 3 years?
  - Year 2 consider contracting/permitting for permanent structure
  - Pilot phase baselines town benefits to then frame a long term contract
  - Additional Savings for Lexington

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Discussion: Condo Conversion Board

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

I.8

### **SUMMARY:**

#### **Category: Discussion**

The Select Board will review and discuss the future of the Condominium Conversion Board, which was established in the 1980s and has remained inactive for well over a decade. While it still appears on the Town's official list of boards and committees, there are currently no members appointed, and no recent activity has occurred. However, recent resident inquiries, such as one involving a potential condo conversion on Massachusetts Ave., have highlighted the confusion this creates for property owners and staff. In the absence of an active board, questions regarding procedural requirements, such as application review and hearings mandated by Chapter 63 (§63-6) and Chapter 144 of the Town Code, remain unresolved.

The Select Board could potentially appoint a standing board, another Town body, or even itself to serve as the Condominium Conversion Board. Options include:

- \* Take no action, and wait to see if any issues arise – which preserves the current ambiguity
- \* Dissolve the Condominium Conversion Board and Reassign the functions – to staff, another existing board or committee, or the Select Board itself; This would also require amending the relevant Town Code sections.

This discussion seeks Board input on whether to preserve, modify, or dissolve the Condo Conversion Board and how best to ensure the required functions are appropriately handled going forward.

#### **Questions for the Board:**

- \* Does the Board believe the Condo Conversion Board is still necessary or relevant today?
- \* If not, should we formally move to dissolve it and reassign its functions?
- \* Should certain responsibilities be delegated to Town staff, or should they fall under the purview of another existing board (e.g., Planning Board or Zoning Board)?
- \* If the Board retains or reactivates the Condominium Conversion Board, what skills are we seeking and when would we start the recruiting and appointing process for qualified members?

#### **Next Steps:**

If the Board chooses to pursue dissolution and reassignment of responsibilities, staff will prepare a recommendation identifying an appropriate receiving body and propose a procedural outline, and proposed amendments to Chapters 63 and 144 of the Town Code will be drafted for future Board and Town Meeting

consideration.

If reactivation is the preferred path, staff will initiate recruitment based on the current charge and membership criteria.

**SUGGESTED MOTION:**

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

6/9/2025                      8:20pm

**ATTACHMENTS:**

Description	Type
☐ Condo Board - Charge	Cover Memo
☐ Condo Board - Code Chpt 63	Cover Memo
☐ Condo Conversion Board - Code Chpt 144	Cover Memo

## CONDOMINIUM CONVERSION BOARD

Members: 5  
Appointed by: Board of Selectmen  
Length of Term: 3 years  
Appointments made: September 30  
Meeting Times: As needed

Description: The Condominium Conversion Board is responsible for establishing license fees; notifying abutters of proposed condominium sites; holding public hearings; filing a decision with the Town Clerk; and holding hearings regarding eviction licenses and making decisions concerning such issues. In addition, the Conversion Board is liable to appeal on any of its decisions.

Criteria for Membership: Members of this board must demonstrate sound judgment and knowledge of housing and land planning issues. Members of this board may also consist of members of any official committee, commission, or other authority in the town at the discretion of the Board of Selectmen.

Ref.: Lexington Code Chapter 63 §6

Selectmen designated as Special Municipal Employees on December 14, 1987.

Selectmen reaffirmed designation as Special Municipal Employees on January 18, 2006.

*Town of Lexington, MA  
Tuesday, May 13, 2025*

## Chapter 63. Housing Conversion and Eviction

### § 63-6. Condominium Conversion Board.

- A. Appointment and composition. The Select Board shall appoint five members to administer the provisions of this by-law. The Select Board may appoint any existing board (including itself), official committee of the Town, commission or authority to act as the Condominium Conversion Board. It may, as an alternative, appoint five citizens of the Town of sound judgment and knowledge of housing and land planning issues.  
[Amended 3-27-2019 ATM by Art. 34]
- B. Terms of office. Members of the Conversion Board will serve without compensation for three-year terms, except for the first year of appointment when the Select Board shall designate two members to have three-year terms, two members to have two-year terms and one member to have a one-year term. If the Select Board appoints an existing board, official committee of the Town, commission or authority to act as the Condominium Conversion Board, the terms of office of the Condominium Conversion Board shall be coterminous with the terms of office of such other board, committee, commission, or authority.  
[Amended 3-27-2019 ATM by Art. 34]
- C. Procedure and hearings. The Condominium Conversion Board shall promulgate rules of procedure for the conduct of its business.
- (1) It may establish reasonable fees for applications for licenses.
  - (2) Its rules shall require that it will hold a public hearing on any application for a condominium conversion license after notice by certified or registered mail to all occupants of the subject property and by publication in a newspaper of general circulation within the town.
  - (3) The hearing shall not be scheduled for a date less than 30 days from the date of the mailed notice, nor more than 60 days from that date. The rules of the Board may provide for reasonable postponements by agreement of the Board and the applicant.
  - (4) The Board shall reduce its decisions to writing which it shall file with the Town Clerk within 60 days of the completion of the hearing or within such time as the Board and the applicant shall agree. If the Board does not render its decision within the time required by this section, it shall be deemed to have granted the license requested without condition, save those imposed by state law.
  - (5) The Board's rules shall require that it will hold a public hearing on any application for an eviction license after notice by certified or registered mail to the tenants in the subject property whose eviction the applicant seeks and by publication in a newspaper of general circulation within the town.
  - (6) The Board shall reduce its decisions to writing which it shall file with the Town Clerk within 60 days of the completion of the hearing or within such time as the Board and the parties shall agree. However, the failure of the Board to act within the time required by this Subsection **C(6)** shall not have the effect of granting the license to evict.
  - (7) Any aggrieved party may appeal a decision of the Board to a court of competent jurisdiction within 30 days of the date the decision of the Board has been filed with the Town Clerk or within such time as state law permits.

Town of Lexington, MA  
Thursday, June 5, 2025

## Chapter 144. Condominium Conversion Board

[HISTORY: Adopted by the Condominium Conversion Board of the Town of Lexington 11-1-1989. Amendments noted where applicable.]

### GENERAL REFERENCES

Housing conversion and eviction — See Ch. 63.

### § 144-1. Purpose and scope.

- A. Purpose. These regulations implement the Town of Lexington Housing Conversion and Eviction By-Law,<sup>[1]</sup> Chapter 527 of the Acts of 1983, and other statutes regulating the conversion of residential housing into condominium or cooperative units in the Town of Lexington.

[1] *Editor's Note: See Ch. 63, Housing Conversion and Eviction.*

- B. Scope. These regulations provide for various rights, duties and obligations pursuant to the Town of Lexington Housing Conversion and Eviction By-Law, as amended, and shall apply to the conversion of housing accommodations in the Town of Lexington into condominium or cooperative units or accommodations, as defined herein. Provisions of the by-law or these regulations which impose requirements in addition to those set forth in Chapter 527 of the Acts of 1983, as amended, shall be inapplicable to:

- (1) Housing accommodations constructed or converted from a nonhousing to a housing use after November 30, 1983;
- (2) Housing accommodations which were constructed or substantially rehabilitated pursuant to any federal mortgage insurance program, without any interest subsidy or tenant subsidy attached thereto; or
- (3) Housing accommodations financed through the Massachusetts Housing Finance Agency, with an interest subsidy attached thereto.

### § 144-2. Relationship to other laws.

These regulations are meant to supplement, and not to limit, the protections and benefits available to tenants under the Town of Lexington Housing Conversion and Eviction By-Law, as amended, Chapter 527 of the Acts of 1983, as amended, MGL c. 183A; as amended; and any other statute of the commonwealth or court decision.

### § 144-3. Definitions.

As used in these regulations, the following words shall have the following meanings, unless the context clearly requires otherwise.

#### APPLICANT



The owner or purchaser of a housing accommodation applying for a conversion or eviction license under these regulations and the by-law.

## **BOARD**

The Condominium Conversion Board, consisting of five members appointed by the Town of Lexington Select Board who are responsible for the administration of the by-law and these regulations.

[Amended 3-27-2019 ATM by Art. 34]

## **BY-LAW**

The Town of Lexington Housing Conversion and Eviction By-Law, as amended.<sup>[1]</sup>

## **CONDOMINIUM OR COOPERATIVE CONVERSION EVICTION**

An eviction of a tenant (a) for the purpose of removing such tenant from a housing accommodation in order to facilitate the initial sale and transfer of legal title to that housing accommodation as a condominium or cooperative unit to a prospective purchaser, or (b) for the purpose of removing such tenant from a housing accommodation in order to facilitate the sale and transfer of legal title to that housing accommodation after a binding purchase and sale agreement has been validly executed for the sale of such condominium or cooperative unit; provided, however, that the eviction of a tenant for nonpayment of rent or other violation of a rental agreement for which a tenant may be evicted under applicable law shall in no event be deemed a condominium or cooperative conversion eviction.

## **CONDOMINIUM UNIT OR ACCOMMODATION**

A unit, as that term is defined in MGL c. 183A, in a housing condominium.

## **CONSUMER PRICE INDEX**

As used in § **63-4E(2)** of this Code and Chapter 527 of the Acts of 1983, shall be the United States Consumer Price Index for All Urban Consumers, U.S. City Average, as published by the United States Department of Labor, Bureau of Labor Statistics.

## **CONVERSION**

The recording of a master deed or master lease in order to make the initial sale and transfer of title to a housing accommodation as one or more condominium units pursuant to an individual unit deed or deeds, or, as one or more cooperative units pursuant to an individual proprietary lease or leases, as the case may be.

## **CONVERSION LICENSE**

The license required by the by-law and § **144-4A** of these regulations prior to the conversion of any housing accommodation into condominium or cooperative forms of ownership.

## **CONVERSION NOTICE**

The notice given by the owner to the tenant as required by § **144-4B** of these regulations.

## **COOPERATIVE UNIT OR ACCOMMODATION**

A unit, as set forth in MGL c. 156B, 157, or 157B, in a housing cooperative.

## **ELDERLY TENANT**

A tenant or group of tenants of the same housing accommodation, any of whom has reached the age of 62 years or over as of the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier.

## **EVICTION LICENSE**

The license required by the by-law and § **144-5A** of these regulations prior to the eviction of any handicapped, elderly or low- to moderate-income tenant from any housing accommodation.



**HANDICAPPED TENANT**

A tenant or group of tenants of the same housing accommodation, any of whom is physically handicapped as defined in MGL c. 22, § 13A, as of the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier.

**HOUSING ACCOMMODATION**

Any building, structure, or part thereof or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes which has been used in whole or in part for residential purposes within one year prior to the date of submission of an application for a conversion license provided for herein or within one year prior to the time of the conversion of such housing accommodation prior to the adoption of this by-law, whichever is earlier, together with all services connected with the use or occupancy of property, but not including the following:

- A. Housing accommodations which the United States or the commonwealth or any authority created under the laws thereof either owns or operates;
- B. Housing accommodations in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or in any nursing or rest home for the aged;
- C. Buildings containing fewer than four housing accommodations; or
- D. Housing accommodations in hotels, motels, inns, tourist homes, and rooming houses and boardinghouses which are occupied by transient guests staying for a period of fewer than 14 consecutive calendar days.

**INTEREST SUBSIDY**

Any payment made by the federal or state government to reduce the effective interest rate payable by a mortgagor.

**LOW- or MODERATE-INCOME TENANT**

A tenant or group of tenants entitled to occupy the same housing accommodation as of the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier, so long as the total income for such tenant or group of tenants for the 12 months immediately preceding the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier, is less than 80% of the median income for the area set forth in regulations promulgated from time to time by the Department of Housing and Urban Development pursuant to 42 U.S.C. § 1437 et seq., and calculated pursuant to said regulations; or, a tenant or group of tenants entitled to occupy the same housing accommodation as of the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier, so long as the total income for such tenant or group of tenants for the 12 months immediately preceding the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier, falls within 50% to 120% of the Boston SMSA median income as calculated from time to time by the Department of Housing and Urban Development pursuant to 42 U.S.C. § 1437 et seq., as amended; whichever shall apply.

**OWNER**

The individual or entity which holds title to any housing accommodation subject to conversion, including the individual or entity which holds title to any condominium or cooperative accommodation after such conversion but prior to the execution, delivery and recording of a unit deed (in the case of condominium conversion) or a unit lease (in the case

of a cooperative conversion) for such accommodation, including without limitation, a partnership, corporation, or trust.

**PURCHASER**

An individual or entity other than the owner which has validly executed a binding purchase and sale agreement for a condominium or cooperative unit, including without limitation, a partnership, corporation, or trust. For the purposes of these regulations, a purchase and sale agreement shall be considered binding even though the purchaser's obligation to purchase the condominium or cooperative unit is subject to the customary contingencies as to financing and inspection.

**TENANT**

A person or group of persons collectively entitled to occupy a housing accommodation pursuant to a written, oral or implied rental agreement existing at the date of the conversion of such housing accommodation prior to the adoption of this by-law or the receipt by such tenant or group of tenants of any conversion notice, whichever is earlier. Any tenant or group of tenants who first becomes entitled to occupy a housing accommodation after the date of the conversion of such housing accommodation prior to the adoption of this by-law or the granting of any conversion license for such housing accommodation shall not be entitled to the protections afforded by the by-law or these regulations.

**TENANT SUBSIDY**

Any payment made by the federal or state government for or on behalf of any tenant to be applied toward the reduction of the tenant's rental payment.

**TOTAL INCOME**

The total combined income from all sources for a tenant or group of tenants of a housing accommodation for the 12 months immediately preceding the date of the conversion of such housing accommodation prior to the adoption of this by-law, or the receipt by such tenant or group of tenants of any conversion notice provided for herein, whichever is earlier, or the exercising of any right, whichever may occur later, excluding income which is temporary, nonrecurring or sporadic as defined in H.U.D. Regulation 24 CFR 860.403(n)(1)-(7). Total income shall include, but not be limited to, the following:

- A. The gross amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses;
- B. Net income from the operation of a business or profession;
- C. Interest, dividends, and net income of any kind from real or personal property;
- D. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts;
- E. Payments in lieu of earnings, such as unemployment compensation and severance pay;
- F. Welfare assistance payments;
- G. Periodic and determinable allowances, such as alimony and child support payments, and payments nominally to a minor for his support and controlled for his benefit by another;
- H. Regular contributions or gifts received from persons not residing in the housing accommodation; and
- I. All regular pay, special payments, and allowance received by a member of the Armed Forces.

**TOWN**

The Town of Lexington, Massachusetts.

[1] *Editor's Note: See Ch. 63, Housing Conversion and Eviction.*

## § 144-4. Conversion licenses.

- A. License required. No housing accommodation in the Town shall be converted to condominium or cooperative units after May 13, 1987, unless the owner or purchaser, as the case may be, of such housing accommodation shall have first secured a conversion license from the Board. The Board shall grant a conversion license, provided the applicant has complied with all requirements of federal, state and local law and regulations.
- B. License applications. Applications for conversion licenses shall be made on forms established by the Board. Application forms shall be signed by the applicant and shall be accompanied by evidence satisfactory to the Board that the applicant has notified the Lexington Housing Authority, the Lexington Housing Assistance Board and all affected tenants of the applicant's intent to convert the subject housing accommodations to condominium or cooperative units; which notice to affected tenants shall include, at a minimum, all information required by Section 4 of Chapter 527 of the Acts of 1983, as amended, as can be provided prior to the creation of the condominium or cooperative units, together with such other information as the Board may from time to time require.
- C. Public hearing notice. Upon receipt of the completed conversion license application, the materials described in Subsection **B**, and payment of the application filing fee as provided in § **144-9**, the Board shall serve notice of a public hearing to all tenants of the subject housing accommodation by certified or registered mail, return receipt requested, and by publication in a newspaper of general circulation within the Town.
- D. Form of notice. The notice of the public hearing shall schedule the date for a public hearing not less than 30 days nor more than 60 days from the date of that notice. By agreement of a majority of the Board and the applicant, the public hearing may be reasonably postponed for up to an additional 60 days beyond the initial public hearing date; provided, however, that no postponement shall be made during the seven days prior to the public hearing. In the event of a postponement, the Board shall renotify the parties entitled to receive notice pursuant to this section and shall republish the notice of the public hearing in the same newspaper.
- E. Decisions. Except as provided for in this section, the Board shall issue a written decision within 60 days of the public hearing, which shall be duly filed with the Town Clerk and served to the applicant and all tenants entitled to receive notice pursuant to Subsection **C** by certified or registered mail, return receipt requested. In the event that the Board does not so issue a written decision within 60 days of the public hearing, the Board shall be deemed to have granted the conversion license requested without condition, except those imposed by state law. The Board shall, upon request of any party, issue a written confirmation of its deemed decision within seven days of such request.
- F. Conversion license conditions.
  - (1) Any conversion license issued by the Board may contain reasonable conditions for the protection of tenants. The Board shall consider the following factors in determining whether to impose any conditions and in deciding what conditions may be appropriate in connection with a particular conversion:
    - (a) The protection of the public interest of the Town of Lexington in preserving the existing rental housing accommodations available for use by tenants, particularly those who are elderly, handicapped, or of low to moderate income;
    - (b) The hardships imposed on the tenants residing in the housing accommodations proposed to be converted;

- (c) The aggravation of the shortage of rental housing accommodations in the Town which may result from the conversion, especially housing accommodations suitable for low- and moderate-income tenants, single-parent household tenants, elderly tenants, handicapped tenants, or fixed-income tenants;
  - (d) The hardships imposed on the owner or purchaser of the unit; and
  - (e) Reasonable arrangements by the owner, purchaser, or third parties, to alleviate the hardships on the tenants affected by the proposed conversion.
- (2) The conversion license conditions imposed may include, but are not limited to:
- (a) Specified schedules for the sale of individual units; or
  - (b) The offering of a specified percentage of units to the Lexington Housing Authority, the Lexington Housing Assistance Board or other entity approved by the Board for low- and moderate-income rental units as provided in § **144-7** of these regulations.

## § 144-5. Eviction licenses.

- A. License required. No condominium or cooperative conversion eviction shall be instituted against any elderly, handicapped, or low- or moderate-income tenant unless the owner or purchaser seeking to evict any such tenant shall have first secured an eviction license from the Board. The Board shall grant an eviction license, provided the applicant has complied with all requirements of federal, state, and local law and regulations, and with the requirements of these regulations. No eviction license shall be granted unless (a) either the conversion occurred prior to May 13, 1987, or a valid conversion license has been issued for the subject housing accommodation, and (b) either a binding purchase and sale agreement for the subject housing accommodation unit has been validly executed or the owner in good faith desires to occupy the subject housing accommodation unit. Any tenant or group of tenants who first becomes entitled to occupy a housing accommodation after the date of the conversion of such housing accommodation prior to the adoption of this by-law or the granting of any conversion license for such housing accommodation shall not be entitled to the protections afforded by the by-law or these regulations.
- B. License applications. Applications for eviction licenses shall be made on forms established by the Board. Application forms shall be signed by the applicant and shall be accompanied by the following materials:
- (1) A copy of the conversion license previously granted by the Board or evidence that the conversion occurred prior to May 13, 1987;
  - (2) Evidence reasonably satisfactory to the Board that the applicant has complied with all applicable provisions of Chapter 527 of the Acts of 1983, as amended, as can be satisfied prior to the eviction of the tenant, specifically including written evidence that the condominium or cooperative unit was offered for sale to the tenant and that the tenant has waived his or her right to acquire such unit; and
  - (3) Such other information as the Board may from time to time require.
- C. Public hearing notice. Upon receipt of (a) the completed eviction license application, (b) the materials described in Subsection **B**, and (c) a copy of an executed, binding purchase and sale agreement covering the subject housing accommodation, or an affidavit from the owner as to his or her desire to occupy said accommodation, as the case may be, and upon payment of the application filing fee as provided in § **144-9**, the Board shall serve notice of a public hearing to all tenants of the subject housing accommodation whose eviction the applicant seeks by certified or registered mail, return receipt requested, and by publication in a newspaper of general circulation within the Town.

- D. Form of notice. The notice of the public hearing shall schedule the date for a public hearing not less than 30 days nor more than 60 days from the date of that notice. By agreement of a majority of the Board and the applicant, the public hearing may be reasonably postponed for up to an additional 60 days beyond the initial public hearing date; provided, however, that no postponement shall be made during the seven days prior to the public hearing. In the event of a postponement, the Board shall renotify the parties entitled to receive notice pursuant to Subsection **C** and shall republish the notice of the public hearing in the same newspaper.
- E. Decisions. Except as provided for in this section, the Board shall issue a written decision within 60 days of the public hearing, which shall be duly filed with the Town Clerk and served to the applicant and all tenants entitled to receive notice pursuant to Subsection **C** hereof by certified or registered mail, return receipt requested. In the event that the Board does not issue a written decision within 60 days of the public hearing, the Board shall be deemed to have granted the eviction license requested.
- F. Eviction license conditions.
- (1) Any eviction license issued by the Board may contain reasonable conditions for the protection of tenants. The Board shall consider the following factors in determining whether to impose any conditions and in deciding what conditions may be appropriate in connection with a particular eviction:
    - (a) The hardships on the tenant and the owner or purchaser of the unit, including, but not limited to, finances, health, age, family problems, and the desirability of tenant children continuing to attend Town schools;
    - (b) The availability of affordable housing for the tenant in the Town; and
    - (c) The housing situation of the owner or purchaser of the unit.
  - (2) Eviction license conditions may include, but are not limited to:
    - (a) Prohibiting the eviction for a period of time, not less than one year or any other period of time to which the tenant is entitled under the provision of any other law, court decision, regulation, or by-law, and not more than a period of five years from the date of the application for a license to evict.
    - (b) Requiring the applicant to extend the rental agreement for a period of time not less than one year or any other period of time which the tenant is entitled to under the provision of any other law, court decision, regulation, or by-law, and not more than a period of five years from the date of the application for a license to evict, as provided for in § **144-6**.
  - (3) Such conditions imposed by the Board on an eviction license shall be in addition to, and not in limitation of, any right, protection, or benefit available to any tenant under any statute of the commonwealth or court decision.

## § 144-6. Rental agreement extensions.

Pursuant to § **144-5F(2)(b)**, the Board may grant an eviction license on the condition that the applicant extend the applicable rental agreement for a period of time not less than one year or for any other period of time to which the tenant is entitled under the provision of any other law, court decision, regulation, or by-law, but not for more than a period of five years from the date of the application for the eviction license. In connection with any such extension, the provisions of such a rental agreement may not otherwise be modified, except with respect to the amount of annual rent, any increase in which shall not exceed an amount equal to the sum which would result by multiplying said rent by the percentage increase in the Consumer Price Index for Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the calendar year immediately preceding the date upon which such rental agreement is

commenced, or 10%, whichever is less. This restriction, however, shall not limit the right of an owner or purchaser to any reasonable amounts which may be due under a valid tax escalation clause in the rental agreement.

## § 144-7. Low- to moderate-income rental housing dedication.

Pursuant to § **144-4F(1)(e)**, the Board may grant a conversion license on the condition that the applicant offer a reasonable percentage (not less than 10% and not more than 20%) of the housing accommodations to the Lexington Housing Authority, the Lexington Housing Assistance Board, or a limited profit or nonprofit legal entity approved by the Board upon reasonable terms and conditions as will make the offeree eligible for state or federal subsidies and as will make it economically feasible for the unit to be purchased for rental to persons of low- or moderate-income. Such units shall be permanently maintained as rental housing accommodations for low- and moderate-income tenants.

## § 144-8. Public hearings.

- A. Scope. All Board decisions as to conversion and eviction licenses shall be preceded by a public hearing held pursuant to the requirements of this section.
- B. Hearings. The Board, or any hearing officer the Board may appoint, shall conduct the hearing in as informal and open a manner as possible while ensuring that all parties entitled to receive notice have an opportunity to present their positions and to contest the issues. Neither the Board nor any hearing officer it might appoint shall have any interest in or relationship to the housing accommodation or parties involved.
- C. Notice of hearing. The Board shall notify the parties of the time, date, and place of the public hearing pursuant to § **144-4** or **144-5**.
- D. Counsel. Any party may appear on his or her behalf or has the right to be accompanied, represented, and advised by any person authorized by that party.
- E. Evidence. Rules of evidence observed by courts of law need not apply in the hearing. Evidence may be admitted and given probative effect only if it is the kind of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs. Unduly repetitious, irrelevant, incomprehensible or illegible evidence may be excluded. The Board or any hearing officer it might appoint may conduct investigations and question such parties as it shall deem necessary.
- F. Records. The Board or any hearing officer it may appoint shall maintain brief written records of the hearing proceedings and any Board decisions or actions. Such records shall be available for public inspection during normal business hours.
- G. Decisions. The Board or hearing officer shall issue a written decision with supporting reasons pursuant to § **144-4** for conversion licenses and to § **144-5** for eviction licenses.

## § 144-9. Filing fees.

- A. Conversion licenses. Applications for conversion licenses will only be accepted by the Board upon the receipt of a filing fee in the amount of \$50 for each such application.
- B. Eviction licenses. Applications for eviction licenses will only be accepted by the Board upon the receipt of a filing fee in the amount of \$50 for each such application.
- C. Waiver of filing fees. The Board, in its sole discretion, may waive the filing fee for any applicant upon the filing of an affidavit of indigency setting forth the applicant's income and

expenses.

## § 144-10. Review and appeal; enforcement; severability; effective date.

- A. Review and appeal. Decisions of the Board or any hearing officer it may appoint shall be final. A person aggrieved by any action or decision of the Board may appeal to any court of competent jurisdiction such action or decision within 30 days of the date the decision was filed with the Town Clerk or within such time as state law permits.
- B. Enforcement. Failure to comply with the provisions of the by-law or these regulations may result in the initiation of both civil and criminal actions against any violator pursuant to Chapter 527 of the Acts of 1983. Other Town, state, or federal laws may also provide penalties for violations of the by-law and these regulations. Any violation of the by-law or these regulations by an owner of a housing accommodation shall not affect the validity of a conveyance of a condominium unit or an interest in a housing cooperative to a purchaser for value who has no knowledge of the violation.
- C. Severability. The provisions of these regulations are severable, and if any provisions shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.
- D. Effective date. These regulations shall take effect on November 1, 1989.<sup>[1]</sup>  
*[1] Editor's Note: Copies of Appendix A, Notice Forms, which immediately followed, are on file in the Town offices.*



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Discussion: Board and Committee Member Service Policy

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

I.9

### **SUMMARY:**

#### **Category: Discussion**

The Select Board will revisit a long-standing discussion on whether to establish a policy, guideline, or best practice concerning the length of service for members of Lexington's boards and committees. The aim is to balance respect for dedicated, long-term volunteers with the need to encourage broader participation and foster new leadership.

Questions include whether to set expectations for rotating leadership roles (such as chair), whether to limit consecutive years of service for members, and how to approach reappointments. Specifically, whether incumbents should be evaluated alongside new applicants. While prior efforts (including a September 2021 work session, and a July 2022 Memo from the Town Manager) identified interest in these issues, no formal policy was adopted.

If the Board wishes to pursue this further, a draft framework will be developed for consideration. Board feedback is requested on the scope, priorities, and next steps.

### **SUGGESTED MOTION:**

N/A

### **FOLLOW-UP:**

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

6/9/2025

8:30pm



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Discussion: Potential Creation of Committee Academy

### **PRESENTER:**

Doug Lucente, Chair

### **ITEM NUMBER:**

I.10

### **SUMMARY:**

#### **Category: Discussion**

The Select Board will discuss the concept of launching a “Committee Academy”, a half-day training program designed to provide both foundational knowledge and practical skills to current (and potentially include prospective) members of Lexington’s committees and boards. While the existing Committee Handbook contains valuable information, many members benefit more from interactive, real-time guidance. This initiative aims to improve consistency, compliance, and confidence across committees by offering training on key areas such as municipal law, ethics, conflict of interest, Open Meeting Law, public records, meeting procedures, and effective public engagement.

At this stage, the Committee Academy is presented as a concept. If the Board is supportive, the Select Board Office will collaborate with the Town Clerk’s Office to further develop a proposed framework and content. Board Members are encouraged to share any feedback or suggest additional topic areas for inclusion.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

If the Board expresses interest in pursuing the Committee Academy concept, staff from the Select Board Office will collaborate with the Town Clerk’s Office to draft a proposed structure for the program, including topic areas, format, and timeline. Staff will return at a future meeting with a more detailed outline for Board review and feedback.

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

6/9/2025

8:45pm

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Exemption 3: Collective Bargaining - To discuss strategy with respect to collective bargaining (LMEA, LMMA, Fire, Police Superior)

### **PRESENTER:**

Board Discussion

### **ITEM NUMBER:**

E.1

### **SUMMARY:**

**Category: Discussion**

### **SUGGESTED MOTION:**

Move that the Select Board go into Executive Session under Exemption 3 to To discuss strategy with respect to collective bargaining for the Lexington Municipal Employees Association, Lexington Municipal Management Association, Fire Department, Crossing Guard and the Police Superior Unions, and to not reconvene in Open Session as the adjournment for both the Open Session and Executive Session will occur at the end of the Executive Session. Further, as Chair, I declare that an open meeting discussion may have a detrimental effect on the bargaining and litigating position of the Town

### **FOLLOW-UP:**

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

6/9/2025

8:55pm