

SELECTMEN'S MEETING
Monday, May 21, 2018
Town Office Building, 1625 Mass Avenue, Selectmen's Meeting Room
7:00 PM

AGENDA

PUBLIC COMMENTS

Public comments are allowed for up to 10 minutes at the beginning of each meeting. Each speaker is limited to 3 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 Selectmen's Office at 781-698-4580 if they wish to speak during public comment to assist the Chairman in managing meeting times.

SELECTMAN CONCERNS AND LIAISON REPORTS

TOWN MANAGER REPORT

ITEMS FOR INDIVIDUAL CONSIDERATION

- | | |
|--|-----------|
| 1. Grant of Location for National Grid Main Extension on Sanderson Rd (5 min.) | 7:05 p.m. |
| 2. Update - Greenways Corridor Committee (15 min.) | 7:10 p.m. |
| 3. Getting to Net Zero Update (20 min.) | 7:25 p.m. |
| 4. Draft Charge for Special Permit Residential Development Committee - Article 42 (15 min.) | 7:45 p.m. |
| 5. Lexington Employees Academy (10 min.) | 8:00 p.m. |
| 6. Non-Tax Levy Fundraising for the Visitors Center (10 min.) | 8:10 p.m. |
| 7. Relocation of Easement - Camelia Place (5 min.) | 8:20 p.m. |
| 8. Review Updated Battle Green BOS Regulations (5 min.) | 8:25 p.m. |
| 9. Approve Charge for Ad Hoc Stone Building Stakeholder Committee (10 min.) | 8:30 p.m. |
| 10. Review and Discuss Proposed Lexington School Master Planning Advisory Committee (15 min.) | 8:40 p.m. |
| 11. Approve FY2019 Cost-of-Living Adjustment for Non-Represented Employees (5 min.) | 8:55 p.m. |
| 12. Town Manager Search Update (10 min.) | 9:00 p.m. |
| <ul style="list-style-type: none">• Amend the Composition of Town Manager Screening Committee• Town Manager Executive Search RFQ Amendments | |
| 13. Battle Green Requests (5 min.) | 9:10 p.m. |
| <ul style="list-style-type: none">• Flag Day Ceremony• Rally for Gun Violence Prevention | |
| 14. Town Manager's Re-appointments (5 min.) | 9:15 p.m. |
| 15. Selectmen - Committee Appointments/Re-appointments (5 min.) | 9:20 p.m. |

CONSENT AGENDA

1. Approve and Sign Proclamation
 - Immigrant Heritage Month
2. Approve and Sign Eagle Congratulation Letters
 - Russell Laman
 - Ido Diamant
 - Andrew Thompson
3. Approve One-Day Liquor Licenses
4. Approve Minutes

EXECUTIVE SESSION

- | | |
|---|------------|
| 1. Exemption 6 (Purchase of Real Estate):Community Center Parking Lot and Adjacent Land (15 min.) | 9:30 p.m. |
| 2. Exemption 3: Collective Bargaining Update - DPW Union (15 min.) | 9:45 p.m. |
| 3. Exemption 3: Collective Bargaining Update - Library Union (15 min.) | 10:00 p.m. |

ADJOURN

- | | |
|----------------------------|------------|
| 1. Anticipated Adjournment | 10:15 p.m. |
|----------------------------|------------|

A Joint Meeting of the Selectmen and the School Committee regarding Mental Health is scheduled for Wednesday, May 23, 2018 at 7:00 p.m. in Estabrook Hall in the Cary Memorial Building, 1605 Massachusetts Avenue.

A meeting of the Board of Selectmen is scheduled for Tuesday, May 29, 2018 at 4:00 p.m. in the Selectmen's Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

A Joint Board of Selectmen and Planning Board Community Meeting regarding Hartwell North is scheduled for Wednesday, May 30, 2018 at 7:00 p.m. in Estabrook Hall in the Cary Memorial Building, 1605 Massachusetts Avenue.

A meeting of the Board of Selectmen is scheduled for Monday, June 4, 2018 at 9:00 a.m. in the Selectmen's Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

A Board of Selectmen Community Meeting regarding the Center Streetscape Project will be held on Monday, June 11, 2018 at 7:00 p.m. in the Battin Hall, Cary Memorial Building, 1605 Massachusetts Avenue.

The next regularly scheduled meeting of the Board of Selectmen is scheduled for Wednesday, June 13, 2018 at 7:00 p.m. in the Selectmen's Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

Hearing Assistance Devices Available on Request

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



AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Grant of Location for National Grid Main Extension on Sanderson Rd (5 min.)

PRESENTER:

Michael Gerling, National Grid
Representative

ITEM NUMBER:

I.1

SUMMARY:

Petition from National Grid to install and maintain approximately 62 feet more or less of 2 inch gas main in Sanderson Rd., Lexington. From the existing 2 inch gas main at house# 28, northwesterly to house #29 for a new gas service.

SUGGESTED MOTION:

Move to approve the petition submitted by National Grid to install and maintain 62 feet more or less of 2 inch gas main in Sanderson Rd., Lexington. From the existing 2 inch gas main at house #28, northwesterly to house #29 for a new gas service.

FOLLOW-UP:

Excavation Permits required by Engineering

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

7:05 p.m.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Petition and plan	Cover Memo
<input type="checkbox"/> Abutter notice	Cover Memo

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

Town of Lexington / Board of Selectmen:

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **Town of Lexington** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 62 feet more or less of 2 inch gas main in Sanderson Rd., Lexington. From the existing 2 inch gas main at house # 28, northwesterly to house # 29 for a new gas service.

Date: **May 1, 2018**

By: Barbara H. Kelleher
Barbara H. Kelleher
Permit Representative

Town of Lexington / Board of Selectmen:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Lexington** substantially as described in the petition dated **May 1, 2018** attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **Town of Lexington** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____ of the Town of _____, MA on the _____ day of _____, 20____.

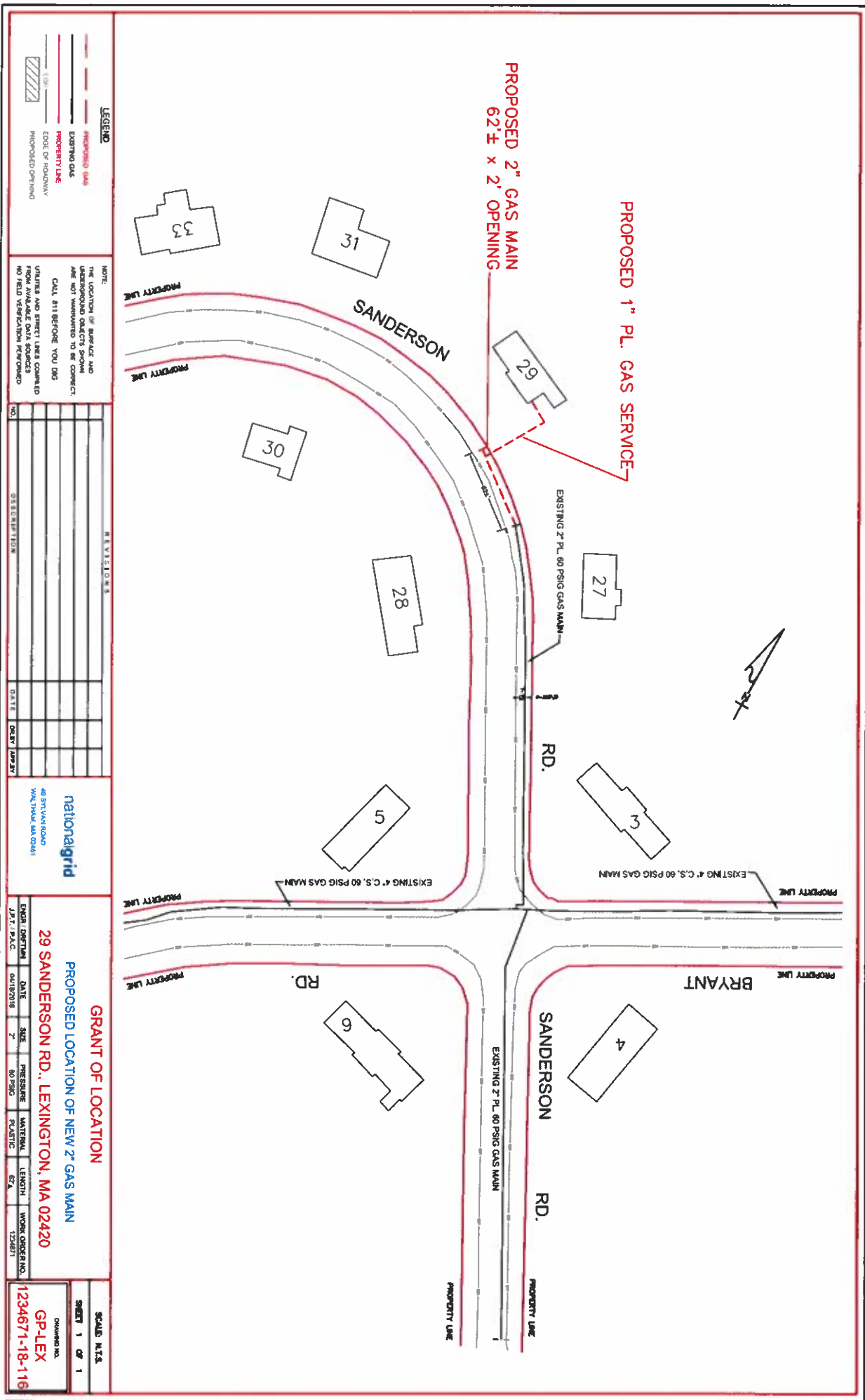
By: _____

Title

WO # 1234671

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451**

RETAIN DUPLICATE FOR YOUR RECORDS



LEGEND

PROPOSED GAS

EXISTING GAS

PROPERTY LINE

EDGE OF ROADWAY

PROPOSED OPENING

NOTE:
THE LOCATION OF SURFACE AND UNDERGROUND OBJECTS SHOWN ARE NOT WARRANTED TO BE CORRECT. CALL 811 BEFORE YOU DIG. UTILITIES AND STREET LINES COMPILED FROM AVAILABLE DATA SOURCES. NO FIELD VERIFICATION PROVIDED.

REVISIONS

NO.	DESCRIPTION	DATE	DESIGN	INCH

nationalgrid

40 STUNTING
WATKINS, MA 02461

GRANT OF LOCATION

PROPOSED LOCATION OF NEW 2" GAS MAIN

29 SANDERSON RD., LEXINGTON, MA 02420

ENGINEER	DATE	SIZE	PRESSURE	MATERIAL	LENGTH	WORK ORDER NO.
J.P.T. P.A.C.	04/18/2018	2"	60 PSIG	PLASTIC	62'	1234671

SCALE: 1" = 10'

SHEET 1 OF 1

OWNER NO.
GP-LEX

1234671-18-116

ABUTTERS LIST

SANDERSON RD.:

Owner Name	Address	City State	ZIP Code
DIGIOVANNI MATTHEW P	27 SANDERSON RD	LEXINGTON MA	02420-2618
GROBEL JOSEPH T	28 SANDERSON RD	LEXINGTON MA	02420-2619
GERGES NANCY	29 SANDERSON RD	LEXINGTON MA	02420-2618
ZHAOKUI WAN (TE)	30 SANDERSON RD	LEXINGTON MA	02420-2619
PAVEL SMELKOV	31 SANDERSON RD	LEXINGTON MA	02420-2618
KUAN SHENG HSUEH	33 SANDERSON RD	LEXINGTON MA	02420-2618

BRYANT RD.:

Owner Name	Address	City State	ZIP Code
MCDONALD TRACY A	3 BRYANT RD	LEXINGTON MA	02420-2603
GLASS BARRY L	4 BRYANT RD	LEXINGTON MA	02420-2604
WHARTON KEITH A JR	5 BRYANT RD	LEXINGTON MA	02420-2616
WANG KATHERINE K	6 BRYANT RD	LEXINGTON MA	02420-2628

NOTICE TO ABUTTERS

May 4, 2018

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws (Ter. Ed.), you are hereby notified that a public hearing will be held in the Selectmen's Meeting Room, Town Office Building, of the Town of Lexington, Massachusetts, on **May 21st, 2018 at 7:00 p.m.**, upon the following petition of National Grid for permission to construct and location for gas mains and the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same under the following public way(s) of Lexington:

Sanderson Rd.:

To install and maintain approximately 62 feet more or less of 2 inch gas main in Sanderson Rd., Lexington. From the existing 2 inch gas main at house# 28, northwesterly to house# 29 for a new gas service.

Tricia Malatesta

Engineering
Department of Public Works

Please direct inquiries to: Barbara Kelleher (617) 293-0480

CC:

Barbara Kelleher
Permit Representative
National Grid
40 Sylvan Road
Waltham, MA 02451

Matt DiGiovanni
27 Sanderson Rd
Lexington, MA 02420

Tracy McDonald
3 Bryant Rd
Lexington, MA 02420

Joseph Grobel
28 Sanderson Rd
Lexington, MA 02420

Barry Glass
4 Bryant Rd
Lexington, MA 02420

Nancy Gerges
29 Sanderson Rd
Lexington, MA 02420

Keith Wharton
5 Bryant Rd
Lexington, MA 02420

Wan Zhaokui
30 Sanderson Rd
Lexington, MA 02420

Katherine Wang
6 Bryant Rd
Lexington, MA 02420

Pavel Smelkov
31 Sanderson Rd
Lexington, MA 02420

Kuan Sheng Hsueh
33 Sanderson Rd
Lexington, MA 02420

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Update - Greenways Corridor Committee (15 min.)

PRESENTER:

Keith Ohmart, Chair Greenways
Corridor Committee

ITEM NUMBER:

I.2

SUMMARY:

Mr. Ohmart will provide a brief update of the Greenways Corridor accomplishments to date and look ahead at future plans.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

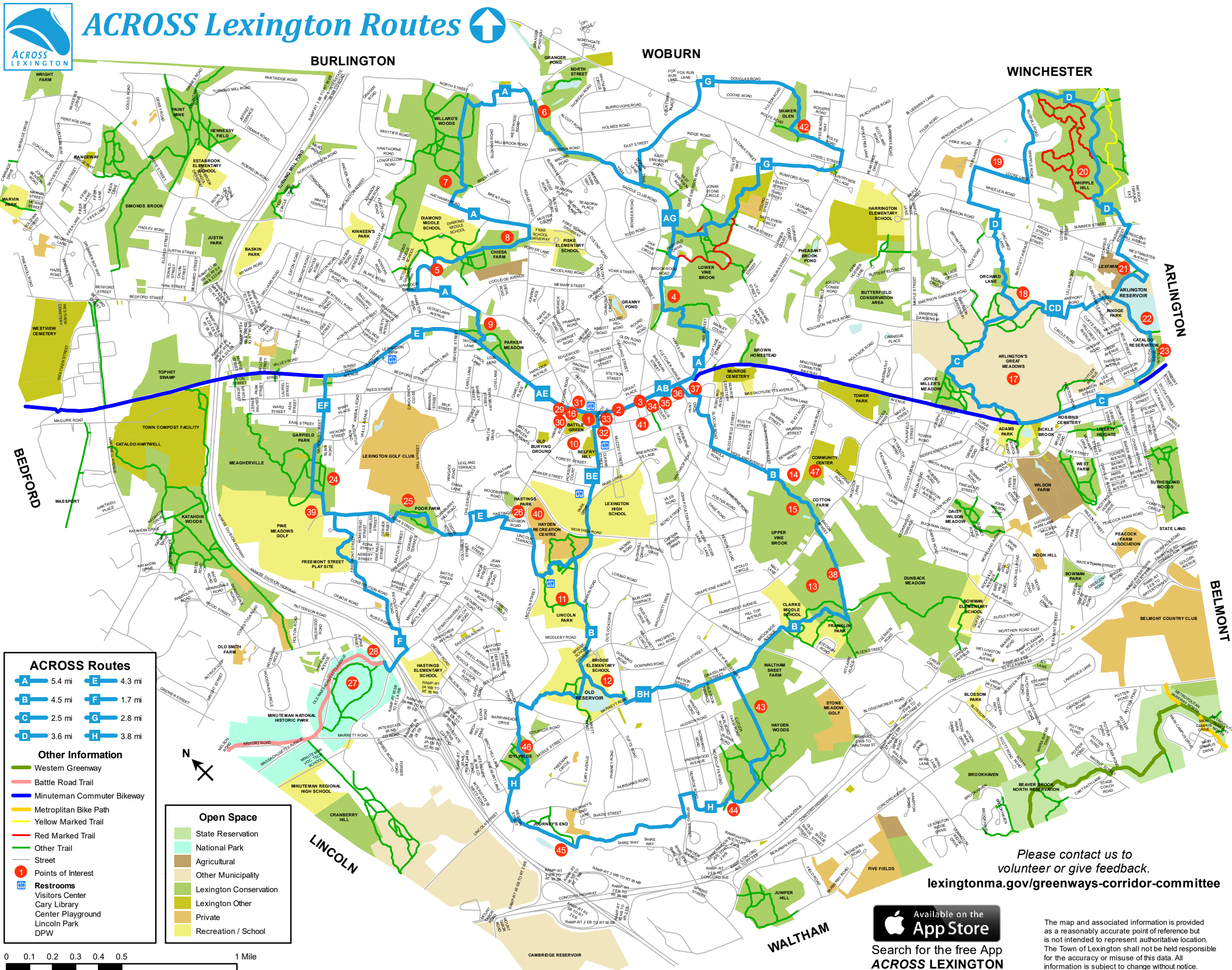
7:10 p.m.

ATTACHMENTS:

Description	Type
☐ Greenways Layout	Backup Material
☐ Greenways Planning Map	Backup Material



ACROSS Lexington Routes



Points of Interest

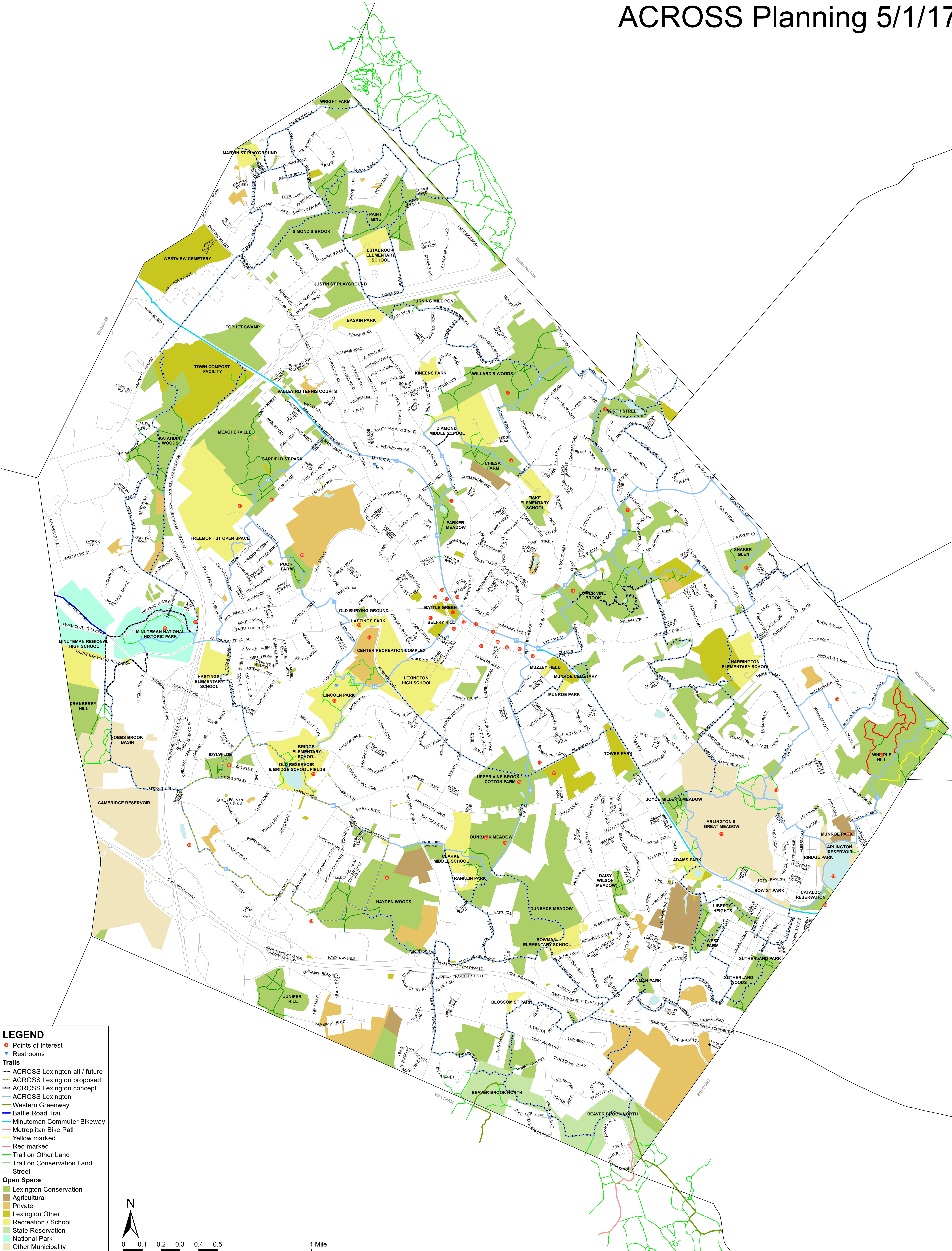
- 1 Visitors Center** offers information and hospitality between 9:00 A.M. and 5:00 P.M., 362 days a year.
- 2 The Minuteman Bikeway**, a hugely popular rail-trail, is in the Rail Trail Hall of Fame.
- 3 Vine Brook** provided water power for the town in the 17th and 18th centuries. It flows from the Old Reservoir, runs under Lexington Center, and eventually empties into the Shawsheen River.
- 4 Lower Vine Brook** conservation area covers 108 forested acres and includes 2.1 miles of trails. Portions of Routes A and G follow a paved path running along Vine Brook itself, with other trails leading to old sand and gravel pits, now ponds.
- 5** During World War II, "victory gardens" were set up as a way to expand the public food supply. The **Victory Garden Site** at the former Lexington Gardens was the focus of a PBS TV show that began in the 1970s. The garden was maintained until the property was sold.
- 6** Today's **North Street** conservation area was an operating sand pit as recently as the 1950s, when it supplied sand for the construction of parts of Route 128. Now a large pond inhabits the 26-acre forest and wildlife habitat.
- 7 Willard's Woods** conservation area comprises 107 acres of fields, meadows, pine groves, wetlands, and a picnic area. Much of Willard's Woods is a kettle hole, a geological depression formed about 10,000 years ago by the melting of a mass of glacial ice.
- 8 Chiesa Farm** conservation area has 18 acres of pasture along Adams Street. Traces of a ring tramped by the farm's horses are visible near where the trail enters the street.
- 9 Parker Meadow** conservation area, comprising 17 acres of fields, forest, and wetlands, was farmed early in the 17th century. It is named for a later owner who was killed on Lexington Green on April 19, 1775. In the early 1980s the Lexington Conservation Commission built a pond around a spring there to protect the watershed and as a habitat for wildlife. A granite bench overlooks the pond.
- 10 Belfry Hill Park** contains a replica of the bell tower that stood on the Green from 1767 to 1797. On April 19, 1775, the bell sounded the alarm that the Regulars were coming.
- 11 Lincoln Park**, reclaimed in the 1980s from the old town dump and landfill, is now a handicapped-accessible open space with walking paths. The Teresa & Roberta Lee Fitness and Nature Path, with 16 self-directed fitness stations, winds through the park. The Lincoln Street recreation area includes sports fields and a playground.
- 12 The Old Reservoir**, known locally today as "The Res," once provided drinking water to Lexington and the surrounding areas. Now it's a popular site for swimming and skating.

Additional points of interest continued on reverse side.

Please contact us to volunteer or give feedback.
lexingtonma.gov/greenways-corridor-committee



The map and associated information is provided as a reasonably accurate point of reference but is not intended to represent authoritative location. The Town of Lexington shall not be held responsible for the accuracy or misuse of this data. All information is subject to change without notice.



AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Getting to Net Zero Update (20 min.)

PRESENTER:

Mark Sandeen, Chair of Sustainable
Lexington

ITEM NUMBER:

I.3

SUMMARY:

This item will be deferred to a future meeting.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

7:25 p.m.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Draft Charge for Special Permit Residential Development Committee - Article 42 (15 min.)

PRESENTER:

Jill Hai

ITEM NUMBER:

I.4

SUMMARY:

A proposed charge for the Special Permit Residential Development Committee - Article 42 will be presented for review and comment.

SUGGESTED MOTION:

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

7:45 p.m.

ATTACHMENTS:

Description	Type
❏ Draft Charge	Backup Material
❏ Draft Charge - redline	Backup Material

DRAFT 5/17/2018 PB input
Special Permit Residential Development (SPRD) Zoning Bylaw Amendment Ad hoc
Committee

Members: TBD

The Committee members should be designated such that the Committee's membership will be representative of the broad range of stakeholder interests. Members should include residents or individuals working in Lexington who have background or experience in:

- Smart growth residential policy;
- Residential development or construction;
- Residential real estate marketing or sales;
- Affordable housing policy, development or construction;
- Land use planning or engineering;
- Interested residents

The Committee will also include:

- A member of the Board of Selectmen
- A member of the Planning Board

While not part of the Committee, the following committees are invited to recommend a non-voting liaison:

- Capital Expenditures Committee
- Appropriation Committee

Appointed by: Board of Selectmen and Planning Board. The Board of Selectmen will designate the Committee Chair, in consultation with the Chair of the Planning Board.

Length of Term: The length of term will be from formation through the end of the Town Meeting session at which a proposed Bylaw is considered.

Staff Support: Technical consultant, committee facilitator, Planning Director (limited)

Meeting Times: As determined by the Committee.

Committee Goal: To articulate a statement of values regarding housing development and to provide stakeholder input and appropriate housing data so that a draft zoning bylaw amendment and warrant article to either revise or replace Section 135-6.9 of the Zoning Bylaw, Special Permit Residential

Development, to provide for the creation of more affordable and diverse residential dwelling units.

Committee Role: This committee will:

- 1) Undertake a comprehensive listening strategy to garner community and stakeholder input on a SPRD Bylaw, with the first event occurring before _____. Over the life of the committee a minimum of three meetings at times designated to allow a broad diversity of citizen participation to solicit public comment and input the subject is recommended. Input sought should include community housing values, goals of Special Permit residential developments, and associated costs and benefits. Summarize and contextualize community input in a written report
- 2) Work with Elected board representatives, staff, the public, and any appropriate consultant to review the current bylaw, the work from the Residential Policy Committee, and the 2017 and 2018 Annual Town Meetings on the same subject, and draft a revised SPRD zoning bylaw. This effort should include input and documentation from the development community to ensure that hard and soft costs and benefits of any SPRD project taken under a new or revised bylaw are of equal or better value to all stakeholders compared to the alternate by-right conventional development.
- 3) Seek input from the Disabilities Commission and the Council on Aging and other relevant stakeholders.

Deliverables: Draft zoning bylaw amendment warrant article by the Fall 2018 or Annual 2019 Town Meeting.

Prior to serving as a member of this committee, members are required to:

- 1) Acknowledge receipt of the Summary of the Conflict of Interest Statute. Further, to continue to serve on the Committee the member must acknowledge annually receipt of the Summary of the Conflict of Interest Statute. Said summary will be provided by and acknowledged to the Town Clerk.
- 2) Provide evidence to the Town Clerk that the appointee has completed the on-line training requirement required by the Conflict of Interest statute. Further, to continue to serve on the Committee, the member must acknowledge every two years completion of the on-line training requirement.

DRAFT ~~5/3/18~~ 5/17/2018 PB input
Special Permit Residential Development (SPRD) Zoning Bylaw Amendment Ad hoc Committee

Members: TBD

~~If possible, members~~The ~~seven~~ Committee members should be designated such that the Committee's membership will be representative of the broad range of stakeholder interests. Members should include residents or individuals working in Lexington who have background or experience in:

- Smart growth residential policy:
- Residential development or construction;
- Residential real estate marketing or sales;
- Affordable housing policy, development or construction;
- Land use planning or engineering;
- Interested residents ~~as determined by the Board of Selectmen~~

The Committee will also include:

- A member of the Board of Selectmen
- A member of the Planning Board

While not part of the Committee, the following committees are invited to recommend a non-voting liaison:

- Capital Expenditures Committee
- Appropriation Committee

Appointed by: Board of Selectmen and Planning Board. The Board of Selectmen will designate the Committee Chair, in consultation with the Chair of the Planning Board.

Length of Term: ~~As determined by the Board of Selectmen based on draft reports/bylaw amendments~~The length of term will be from formation through the end of the Town Meeting session at which a proposed Bylaw is considered.

Staff Support: Technical consultant, committee facilitator, Planning Director (limited)

Meeting Times: As determined by the Committee.

Committee Goal: To articulate a statement of values regarding housing development and to provide stakeholder input and ~~develop~~ appropriate housing data so that a zoning consultant under direction of the Committee, Elected Boards, and

~~staff, can develop~~ a draft zoning bylaw amendment and warrant article to either revise or replace Section 135-6.9 of the Zoning Bylaw, Special Permit Residential Development, to provide for the creation of more affordable and diverse residential dwelling units.

Committee Role: This committee will:

- 1) Undertake a comprehensive listening strategy to garner community and stakeholder input on a SPRD Bylaw, with the first event occurring before _____. Over the life of the committee a minimum of three ~~evening~~ meetings s at times designated to allow a broad diversity of citizen participation to solicit public comment and input the subject is recommended. Input sought should include community housing values, goals of Special Permit residential developments, and associated costs and benefits. Summarize and contextualize community input in a written report
- 2) Work with ~~Planning Board representatives~~ Elected board representatives, staff, the public, and any appropriate a-zoning consultant to review the current bylaw, the work from the Residential Policy Committee, and the 2017 and 2018 Annual Town Meetings on the same _subject, and draft a revised SPRD zoning bylaw. This effort should include input and documentation from the development community to ensure ~~the~~ that hard and soft costs and benefits of any SPRD project taken under a new or revised bylaw are of equal or better feasibility of the proposal value to all stakeholders compared to the alternate by-right conventional development.
- 3) Seek input from the Disabilities Commission and the Council on Aging ~~if universal access or age-restricted units are included in the proposed bylaw~~ and other relevant stakeholders.

Deliverables: Draft zoning bylaw amendment warrant article by _____ the Fall 2018 or Annual 2019 Town Meeting.

Prior to serving as a member of this committee, members are required to:

- 1) Acknowledge receipt of the Summary of the Conflict of Interest Statute. Further, to continue to serve on the Committee the member must acknowledge annually receipt of the Summary of the Conflict of Interest Statute. Said summary will be provided by and acknowledged to the Town Clerk.
- 2) Provide evidence to the Town Clerk that the appointee has completed the on-line training requirement required by the Conflict of Interest statute. Further, to continue to serve on the Committee, the member must acknowledge every two years completion of the on-line training requirement.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Lexington Employees Academy (10 min.)

PRESENTER:

Rajon Hudson, Management Fellow

ITEM NUMBER:

I.5

SUMMARY:

No vote is requested for this agenda item.

Rajon Hudson will review plans for a Lexington Employees Academy (LEA), modeled after the very successful Lexington Citizen's Academy.

Staff is requesting that representatives from the Board participate in the first and last session of this program.

In this trial year, the LEA will be limited to 10-15 employees.

SUGGESTED MOTION:

NA

FOLLOW-UP:

Employee applications for the LEA are currently being accepted.

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

8:00 p.m.

ATTACHMENTS:

Description	Type
☐ Employee Academy Schedule	Exhibit



2018-19 Lexington Employees' Academy

Date	Topic	Location
Thursday, September 13, 2018 11:30 a.m.—1 p.m.	Board of Selectmen, Town Manager, and Human Resources	Board of Selectmen Meeting Room, 1625 Massachusetts Avenue
Thursday, October 11, 2018 11:30 a.m.—1 p.m.	Land Use, Health, Community and Economic Development	Town Office Building, Parker Room 1625 Massachusetts Ave
Thursday, November 15, 11:30 a.m.—1 p.m.	Cary Memorial Library / Recreation and Community Programs + Tour	Cary Memorial Library, 1874 Massachusetts Avenue
Thursday, December 13, 2018 11:30 a.m.—1 p.m.	Public Works & Public Facilities + Tour	Samuel Hadley Public Service Building, 201 Bedford Street, Cafeteria
Thursday, January 10, 2019 11:30 a.m.—1 p.m.	Information Technology	Town Office Building, Parker Room, 1625 Massachusetts Ave
Thursday, February 14, 2019 11:30 a.m.—1 p.m.	Town Financials + Tour	Lexington Community Center, 39 Marrett Road, Room 242
Thursday, March 14, 2019 11:30 a.m.—1 p.m.	Emergency Services—Fire + Tour	Lexington Fire Station, 173 Bedford Street
Thursday, April 11, 2019 11:30 a.m.—1 p.m.	Police and Human Services + Tour	Lexington Police Station, 1575 Massachusetts Ave
Thursday, May 16, 2019 11:30 a.m.—1 p.m.	Town Meeting and Town Clerk	Cary Hall, 1605 Mass Ave, Battin Hall
Tuesday, June 11, 2019 11:30 a.m.—1 p.m.	Hot Topics Discussion and Graduation	Cary Hall, 1605 Mass Ave, Estabrook Hall

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Non-Tax Levy Fundraising for the Visitors Center (10 min.)

PRESENTER:

Dawn McKenna, Chairman, Tourism
Committee

ITEM NUMBER:

I.6

SUMMARY:

The Staff and Tourism Committee are seeking some direction from the Board of Selectmen regarding how the responsibilities for fundraising will be divided for the Visitors Center. A detailed memo and copy of the proposed tax bill insert are attached.

SUGGESTED MOTION:

Move to approve the request for donations to the Visitors Center project in the form of a donation envelope may be inserted in the 1st quarter FY2019 tax bill, with the amount collected to be dedicated to the Visitors Center Capital Stabilization Fund as provided by paragraph 4(B) of MGL Chapter 40 approved at the 2018 Annual Town Meeting.

Move to authorize town staff to accept Visitor donations online effective July 1, 2018 through the tourism website (www.tourlexington.us) and on the Visitors Center page and other Town webpages as authorized by the Town Manager, with the amount collected to be dedicated to the Visitors Center Capital Stabilization Fund as provided by paragraph 4(B) of MGL Chapter 40 approved at the 2018 Annual Town Meeting.

Move to authorize the Tourism Committee member(s) to make direct donation requests on behalf of the Town, and with assistance from Town staff as approved by the Town Manager, with the amount collected to be dedicated to the Visitors Center Capital Stabilization Fund as provided by paragraph 4(B) of MGL Chapter 40 approved at the 2018 Annual Town Meeting; and further, that the Board of Selectmen delegate to the Town Manager the authority to review the names of individuals, businesses and organizations to approach for potential funding to ensure that there would be no permitting or regulating conflicts due to such a request.

Move that the Board is open to crowdfunding and authorizes the Committee to come back with a recommended plan for approval.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

8:10 p.m.

ATTACHMENTS:

Description	Type
☐ Memo to BOS - Visitor's Center Fundraising	Backup Material
☐ Draft - Tax Bill Insert	Backup Material

MEMORANDUM

TO: Board of Selectmen

FROM: Lexington Tourism Committee:

DATE: May 17, 2018

RE: Fundraising for Visitors Center

CC: Carl Valente, Town Manager; Carol Kowalski, Melisa Tintocalis

As you know, the 2018 Annual Town Meeting established a Visitors Center Stabilization Fund to capture specific directed revenues as approved by the Board of Selectmen, as well as any grant income, state/federal funds, and donations. While the Committee has prepared several funding strategy memos which were publicly discussed on several occasions, those conversation were in the context of potential Town Meeting requests. In the spreadsheets, a target for discussion purposes was set at collecting \$10,000 from Lexington households, \$15,000 in general donations from other sources, and \$3k from visitors. Now that the project has been approved, the Tourism Committee has had discussions with the Economic Development Office regarding fundraising responsibilities and has continued to explore specific options that could be implemented to solicit contributions for the project.

The Tourism Committee is seeking the Board's guidance and specific permissions to undertake the activities detailed in this memo, and to help provide clarity to both the Committee and staff regarding our respective roles. This week, a meeting was held with the Mr. Valente, Ms. Kowalski, Ms. Tintocalis, and Mr. Lucente to discuss the mechanics of doing so. The following items are ready for Board action:

Tax Insert

A direct ask to all households to support the Visitors Center project is supported by the Committee. The most cost effective way to do so is through a tax insert. This method has been used by other entities such as the Lexington Education Foundation and Cary Library. In fact Kerry Brandin, who is a member of the Tourism Committee, paved the way for such an insert while working with Cary Library. Mr. Lovering, the Town Treasurer, has indicated that there is room in the upcoming mailing to include a donation envelope. We contacted the company who has the contract for the mailing at Mr. Lovering's suggestion to ensure that the weight of the envelope does not result in additional postage. Kerry has drafted a design which is included in your packet for your consideration. This will be a small envelope, approximately 6 1/2" long by 3 5/8" high. An excess quantity of envelopes would also be ordered to allow us to place some in the Visitors Center and possibly the Library and at other willing sites around town. At Mr. Valente's recommendation, donations would be sent directly to the Selectmen's office and deposited directly into the VC stabilization fund.

Request: That the Board approve a donation envelope insert for the tax bill due August 1, 2018.

Online donation

On the donation envelope we would like to provide two different methods for accepting donations: by check, and by credit card online. Mr. Lovering, the Town Treasurer, indicates for the 300th, a mechanism was set up to accept online donations and that mechanism could be used for this project. The convenience of online donation capability will likely increase donations.

The Tourism Committee believes that we could entice a percentage of those visiting www.tourlexington.us to support the project if a direct donation link was available on the landing page. Potential visitors and those planning their trip regularly visit this page. Google Analytics are used to inform marketing decision-making. The most recent data provided to the Committee covered the period of October 5, 2017 - November 1, 2017. During that one-month period, 11,597 unique visits were made to the website. The link could also be added to the Visitors Center page.

If the Board approves this request staff would set up the mechanics for doing so. Mr. Valente has recommended that the link be set up beginning in FY2019 to coincide with the Visitors Center project funding.

Request: That effective July 1, 2018, the Board approve the staff developing an online donation opportunity on the appropriate Town webpages.

Direct Asks to Individuals, Business and Organizations

The principal tenet of fundraising is that people give to people. Generally, 90% of funds are contributed by 10% of the donors. There are many civic-minded individuals and organizations both within and outside of Lexington who are candidates for direct conversations. Additionally, Lexington has tourism partners such as the Greater Merrimack Convention and Visitors Bureau who fund programs and projects that support the region. As an example, GMCVB contributed \$18k towards the 1st year operations of the Liberty Ride. In order to avoid potential ethical concerns regarding those who might have permitting or regulation requests pending or planned, and so as not to publicly provide names of those who may not ultimately contribute, it was recommended that the Town Manager be delegated to determine whether potential targets should not be contacted for donations.

Request: That the Selectmen authorize the Tourism Committee member(s) to make direct donation requests on behalf of the Town, and with assistance from Town staff as approved by the Town Manager and further, that the Board of Selectmen delegate to the Town Manager the authority to review the names of individuals, businesses and organizations to approach for potential funding to ensure that there would be no permitting or regulating conflicts due to such a request.

Crowdfunding

Crowdfunding is an internet-based way of raising small amounts of money from large numbers of people to reach a fundraising target. It is unique from the traditional online donation, in that once people give, they have a vested interest in helping to reach the fundraising goal. Typically donors will use their own networks and social media accounts to help promote a cause in which they believe. There are websites that provide the platform for this type of funding such as Kickstarter and GoFundMe. These platforms charge a fee for service, similar to generally higher than credit card fees. Some users of this type of fundraising have been individuals looking to jumpstart an entrepreneurial idea, or non-profits seeking to pay for a new program.

In the past few years, municipalities have found success through crowdfunding. There are platforms that specialize in municipal projects such as Kickstarter, Neighbor.ly, ioby, and Citizinvestor. On May 9, 2014 Rodrigo Davies completed his Masters' thesis on Civic Crowdfunding: Participatory Communities, Entrepreneurs and the Political Economy of Place at the Center for Work, Technology and Organizations; MIT Center for Civic Media. Mr. Davies' data showed that 1,224 project campaigns were launched between 2010-2014. Of those, 771 projects were successfully funded, raising a total of \$10.74 million. According to Davies, This method has been an effective way of funding municipal projects with municipal project funding at a higher rate than private projects. The full report can be downloaded at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2434615

In advertising for their online Masters of Public Administration program, the University of San Francisco highlights municipal crowdfunding as a growing trend and lists successful projects across the country. (<https://onlinempadegree.usfca.edu/news-resources/infographics/howcommunities-are-using-crowdfunding-to-finance-public-projects/>) Sample projects include: \$10k for Jenks Park in Central Falls, RI; \$36,085 for enhanced bike lanes in Denver, CO; \$100,003 in Royal Oak, MI to create a park; and \$25k in Naperville, IL to install a historic statue.

Before spending additional time investigating this possibility and preparing a campaign, the Committee would like feedback from the Selectmen as to whether they would be willing to approve the request if questions and concerns were answered. If the answer is yes, a specific plan would be developed and brought back to the Board for approval at a future meeting.

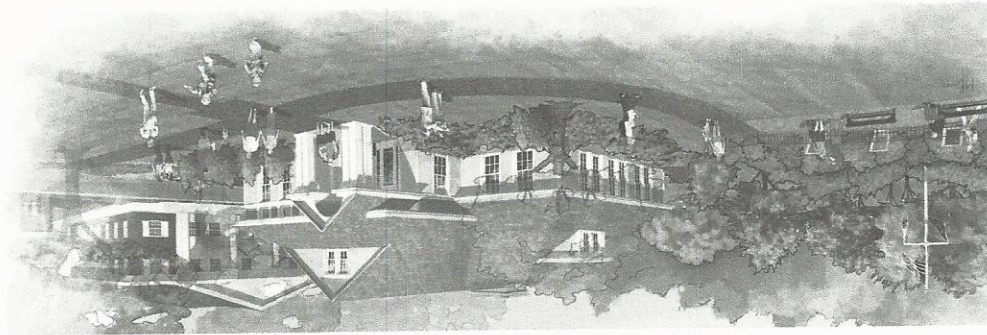
Request: That the Board indicate whether they would consider crowdfunding and whether the Committee could come back with a recommended plan for approval, and indicate questions or concerns you would like addressed prior to approval.

Donations at Visitors Cash Register

Currently there are posters showing the proposed new building posted in the Visitors Center. Staff began collecting voluntary donations at the cash registers on April 12th. These donations are separately tracked and reported during their regular accounting procedures. In the initial fundraising strategy spreadsheets, the Tourism Committee had set a target of collecting \$3k assuming a \$1 contribution during purchase transactions. In the first 14 days \$133.25 was collected from 7 donors. One donor was a Lexington resident who gave \$100. The average donation from the remaining 6 donors was \$5.54. If this two week average continues for a full year, we would exceed our \$3k target.

Request: None, informational only.

Welcoming over 120,000 people annually from Around the World



Open 362 days year-round

THE NEW LEXINGTON VISITORS CENTER

PLACE
STAMP
HERE

Selectmen's Office
Town of Lexington
1625 Massachusetts Avenue
Lexington, MA 02420

GLUE

Through the generations, Lexington residents have proudly shouldered their responsibility as stewards of the Battle Green to teach the world the importance of American Liberty and the significance of the events that took place here. In anticipation of the 250th anniversary of the Battle of Lexington, Town Meeting voted to replace the obsolete Visitors Center which was originally built to welcome visitors to the Bicentennial in 1975.

Today the Visitors Center is open year-round and is the only source of information for the thousands of guests who visit Lexington during the winter months. The Visitors Center is one of the rare capital investments we can make that actually provides a return to the Town. Tourism contributes directly to tax revenue in the hotel and meals taxes, and to the business vitality of our hotels, food service and retail businesses. The interior of the new Visitors Center has been designed to inform visitors with a wide range of interests how to spend their time—and money—while they Linger in Lexington.

A commitment was made to raise funds through grants and donations to mitigate the project costs. Visitors are being asked to contribute towards the project. Businesses and organizations are being asked to do so, too. Your gift to the Visitor Center project will help continue our legacy and give Lexington a welcoming center that reflects proudly on the excellence of our Town.

Please consider making a tax-deductible contribution today.

Yes, I'm proud to support the Lexington Visitors Center project!

☐ \$25 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$500 ☐ \$1000 ☐ Other \$ _____

Name _____
as you would like to be acknowledged

Street Address: _____

Town _____ State _____ Zip Code _____

- Please make checks payable to: Town Of Lexington
- Donations can be made online at: www.tourlexington.us

DOTTED LINE REPRESENTS WHERE FLAP WILL FALL - NO TEXT BELOW DOTTED LINE

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Relocation of Easement - Camelia Place (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.7

SUMMARY:

A vote is requested for this agenda item.

As part of the construction of the Headquarters Fire Station, a relocation of the Camelia Place easement is necessary. See attached plan.

At the request of the Board, an abutters meeting was held to provide information and receive comments on this proposed change. Two abutters attended and provided comments, largely related to matters outside of this easement but which will be addressed by the Facilities Department as part of the project work.

SUGGESTED MOTION:

See attached vote of the Board as prepared by Town Counsel.

FOLLOW-UP:

Town Counsel will file easement document with Registry of Deeds.

DATE AND APPROXIMATE TIME ON AGENDA:

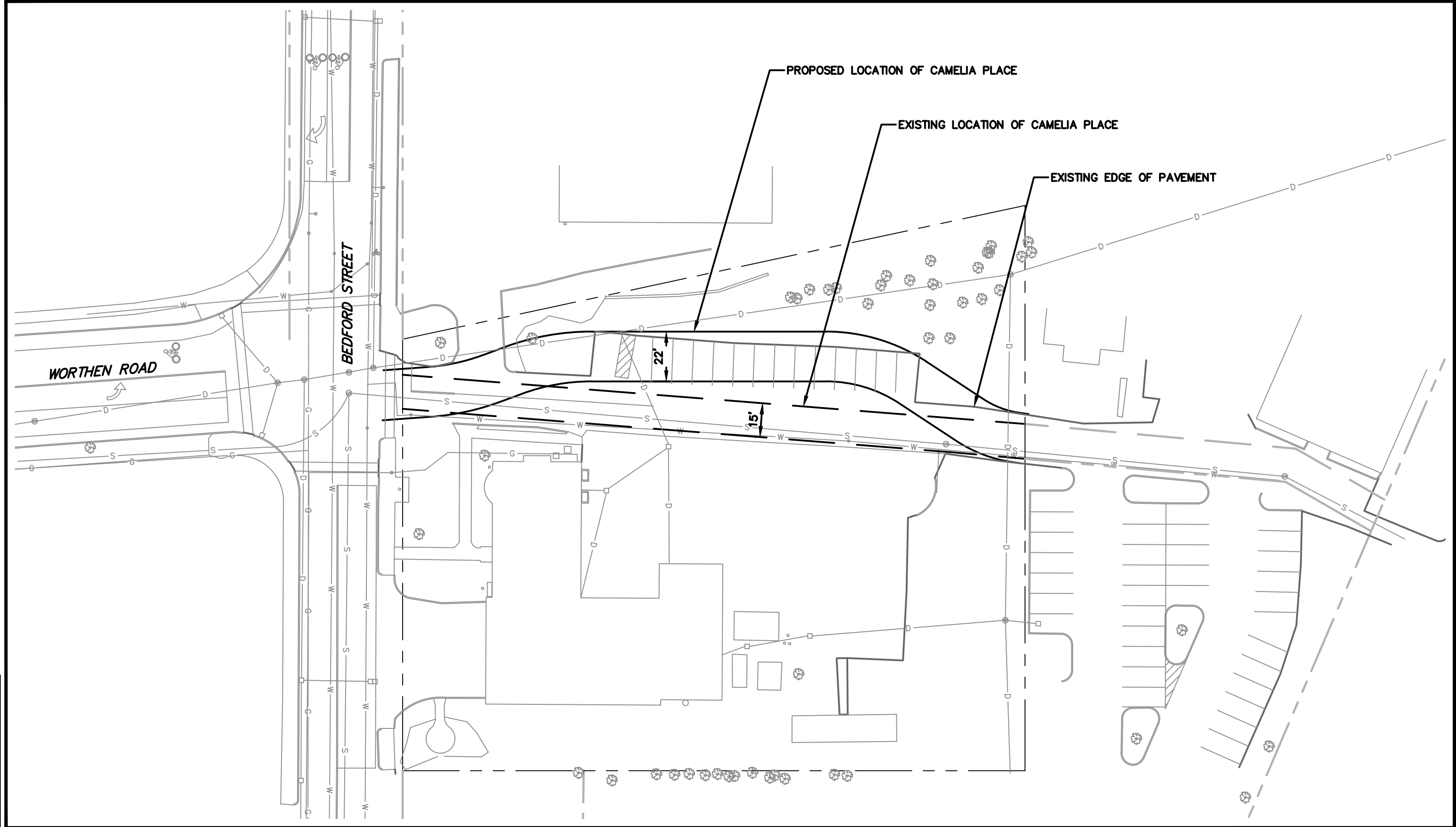
5/21/2018

8:20 p.m.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Easement Plan	Backup Material
<input type="checkbox"/> Vote of the Board of Selectmen	Backup Material

File Path: J:\DWG\20160924\10\Civil\Figures\20160924A10_Camilla Place.dwg Layout: 11X17-L Plotted: Fri, March 02, 2018 - 2:02 PM User: ovlora
MS VIEW: Plotter: DWG TO PDF PC3 CTB File: FO.STB



No.	DATE	DESCRIPTION	DESIGNER	REVIEWER
1.				

SCALE:
HORIZ.: 1" = 40'
VERT.:
DATUM:
HORIZ.:
VERT.:
0 20 40
GRAPHIC SCALE

 **FUSS & O'NEILL**
108 MYRTLE STREET, SUITE 502
QUINCY, MA 02171
617.282.4675
www.fando.com

TOWN OF LEXINGTON
CAMELIA PLACE ALIGNMENT
LEXINGTON FIRE STATION
MASSACHUSETTS

PROJ. No.: 20160924.A10
DATE: FEBRUARY 2018
DRAFT

RECORD VOTE OF THE LEXINGTON BOARD OF SELECTMEN
May 21, 2018

WHEREAS, the Town of Lexington (the “Town”) is the owner of that certain parcel of land (the “Town Parcel”) shown as Lot B on a plan entitled “Plan of Land in Lexington, Mass.,” dated May 23, 1944, recorded with the Middlesex South Registry of Deeds (the “Registry”) as Plan 272 of 1944 (the “Plan”), pursuant to that certain deed recorded with the Registry at Book 6778, 589 (the “Deed”);

WHEREAS, also pursuant to said Deed, the Town Parcel is subject to the rights of owners of certain parcels abutting the Town Land to a right of way to Bedford Street, over a passageway fifteen feet wide under which a sewer has been laid, shown on the Plan as “Camelia Place,” for all purposes for which streets are or may be commonly used in the Town of Lexington (the “Easement”);

WHEREAS, said Deed, which establishes the Easement, does not expressly prohibit the relocation of the Easement as shown on the Plan; and

WHEREAS, the Town desires to relocate said Easement in order to facilitate certain renovations to the Town’s fire station located on the Town Parcel, in a manner that will not significantly lessen the utility of the Easement, increase burdens on the dominant estate holders’ use and enjoyment of the Easement, or frustrate the purposes for which the Easement was created.

NOW THEREFORE, at a duly called public meeting of the Board of Selectmen on the date first written above, the Board votes as follows:

To relocate the Easement, at the Town’s sole cost and expense, from the location as shown as “Camelia Place” on the Plan, to the location as shown as “Proposed Location of Camelia Place” (the “New Easement Area”) on that certain plan entitled “Town of Lexington Camelia Place Alignment Lexington Fire Station” dated February 2018, prepared by Fuss & O’Neill, attached as Exhibit A.

The relocation of said Easement shall be effective upon the completion of the construction of the right of way in the New Easement Area.

TOWN OF LEXINGTON

By its Board of Selectmen

Suzanne E. Barry, Chairman

Michelle L. Ciccolo, Vice-Chairman

Joseph N. Pato

Douglas M. Lucente

Jill I. Hai

EXHIBIT A

Plan of New Easement Area

[See Attached]

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Review Updated Battle Green BOS Regulations (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.8

SUMMARY:

A proposed update regarding the Board of Selectmen Use of the Battle Green Regulation will be presented to the Board for their review and comment.

SUGGESTED MOTION:

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

8:25 p.m.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Proposed Changes - Battle Green Regulations	Backup Material

BOARD OF SELECTMEN REGULATION

USE OF THE BATTLE GREEN

Date Approved by BOS:

Signature of Chair:

~~March 10, 2014~~ <NEW DATE>

Deborah N. Mauger

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.

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.
 - 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 ~~of a ceremonial nature~~ 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.
 - 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.
- ~~g.~~h.Operation of or overflight by drone aircraft unless authorized by [municipal staff].
- ~~h. Begging.~~
- 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 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. Signs posted on poles such as telephone or light poles.
- r. Climbing on the Minuteman Statue, Hayes Fountain, its base, or any public monument or structure.
- s. Bicycle riding.

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.
- b. Permit applications shall include the following information:
 - 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.
- 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, 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, 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

- 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 ~~14~~¹² through April ~~26~~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 MONTH XX, 2018.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Charge for Ad Hoc Stone Building Stakeholder Committee (10 min.)

PRESENTER:

Doug Lucente

ITEM NUMBER:

I.9

SUMMARY:

A draft charge for the Ad-Hoc Stone Building Stakeholder Committee will be presented for review and comment.

SUGGESTED MOTION:

Move to approve charge for the Ad-Hoc Stone Building Stakeholder Committee.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

8:30 p.m.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft - Charge for Ad Hoc Stone Building Stakeholder Committee	Backup Material

AD HOC STONE BUILDING FEASIBILITY/RE-USE COMMITTEE

Members: Nine. If possible, members should include residents or individuals working in Lexington who have background in or experience as:

- an architect;
- a museum professional, preferably with curator experience;
- a representative of the Cary Memorial Library Trustees;
- a representative from the Historical Commission;
- a representative from the Historic Districts Commission;
- a member of the Lexington arts community;
- an East Lexington resident;
- and a member of the business community

Appointed by: Board of Selectmen. The Board will designate the Committee Chair.

Length of Term: Upon completion of all recommendations to the Board of Selectmen in accordance with the established deliverables schedule as outlined below.

Staff Support: Assistant Town Manager for Development

Ex Officio/Liaisons (non-voting): Capital Expenditures Committee; Appropriation Committee

Meeting Times: As determined by the Committee.
A minimum of three evening meetings to solicit public comment, preceded by surveys, forums, social media or other forms of public input.

Committee Goal: To preserve the Stone Building for reuse by researching the feasibility of alternative uses for the building, thereby supporting future Town investment to implement the preservation recommendations of the 2009 Historic Structures Report.

The Stone Building is believed to be one of the earliest lyceums in America. It was built in 1833, and speakers included [Ralph Waldo Emerson](#), [Henry David Thoreau](#), [Charles Sumner](#), and [Josiah Quincy, Jr.](#) The lyceum hall is on the second floor. The 2009 Menders Torrey Spencer report recommends that the second floor be used as it was historically, as an assembly room for public lectures and community meetings. The first floor was believed to have been living quarters.

Committee Role: This committee will prepare a feasibility study on possible re-uses of the historic Stone Building in order to:

- 1) implement the recommended improvements in the 2009 Menders, Spencer, Torrey preservation plan (“the Plan”), and
- 2) be consistent with both the deeded use restrictions (“the Deed”), and the Secretary of the Interior’s Standards for the Treatment of Historic Properties (“the Standards”), and
- 3) recognize that operating the Stone Building for public use will have associated costs, and the type and degree of users’ rental or lease interest must be gauged to also project whether a portion of the operating costs could be covered by lease revenue from the future user and uses. This feasibility study will therefore help determine what use(s) justify budgeting further preservation and ADA accessibility investments in the building, and
- 4) to determine the feasibility and market demand for uses of the Stone Building consistent with the Deed and the Standards.

Deliverables: Report addressed to Board of Selectmen on the feasibility of the proposed use no later than November, 2018.

Prior to serving as a member of this committee, members are required to:

1. Acknowledge receipt of the Summary of the Conflict of Interest Statute. Further, to continue to serve on the Committee the member must acknowledge annually receipt of the Summary of the Conflict of Interest Statute. Said summary will be provided by and acknowledged to the Town Clerk.
2. Provide evidence to the Town Clerk that the appointee has completed the on-line training requirement required by the Conflict of Interest statute. Further, to continue to serve on the Committee, the member must acknowledge every two years completion of the on-line training requirement.

Reference:

2009 Historic Structures Report, Menders, Torrey Spencer, Stone Building
<https://www.lexingtonma.gov/stone-building>
(Link at top left of the webpage)

The Secretary of the Interior’s Standards for the Treatment of Historic Properties
<https://www.nps.gov/tps/standards.htm>
<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>

Seven purposes defined in Stone Building deed:

1. A branch library
2. A public reading room

3. A public art museum
4. A meeting place for classes
5. Public lectures authorized by the Trustees of Cary Library
6. A room for children and youth of Lexington under the supervision of the Trustees
7. Any other purposes that the Trustees find consistent with the Library's mission.

DRAFT

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Review and Discuss Proposed Lexington School Master Planning Advisory Committee (15 min.)

PRESENTER:

Board Discussion

ITEM NUMBER:

I.10

SUMMARY:

The School Committee approved the charge for a School Master Planning Advisory Committee (attached) at the School Committee Meeting on May 8.

The School Committee is requesting one member of the Board of Selectmen serve on the Committee and further requesting that the same person attend each meeting to aid continuity and efficiency.

Members will be asked to complete background reading over the summer and attend monthly meetings of the Advisory Committee beginning in September and continuing throughout the school year. It is expected that the meetings will take place on Friday mornings from 8:30 to 10:30 am.

The School Committee has indicated that DiNisco Design will provide professional support for this effort pursuant to an existing contract. Mr. Valente is checking on the funding source for this contract.

SUGGESTED MOTION:

Move to appoint _____ as a member of the School Master Planning Advisory Committee.

FOLLOW-UP:

Selectmen's office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

8:40 p.m.

ATTACHMENTS:

Description	Type
 School Master Planning Committee Charge	Backup Material

School Master Planning Advisory Committee Charge

Members:	14 members
Appointed By:	School Committee
Length of Term:	One year
Meeting Times:	Monthly or as determined by the Advisory Committee

Description: The School Master Planning Advisory Committee (“Advisory Committee”) is being established pursuant to School Committee Policy BDF. The School Committee has determined that developing a master plan for school capital projects is necessary and prudent as Lexington continues to experience enrollment growth at all grade levels. The Advisory Committee will develop and recommend a 5-10 year capital plan for school facilities, analyzing current facilities and enrollment forecasts, and developing conceptual plans and timelines for needed additional educational spaces. DiNisco Design will provide professional support for this effort pursuant to an existing contract.

The work of the School Master Planning Advisory Committee will include, but not be limited to:

1. Assess current capacity findings and identify options to align future school capacities with enrollment projections and educational program requirements;
2. Develop recommendations for addressing capacity, including costs and timelines;
3. Prepare a Final Report and Recommendations to the School Committee.

Criteria for Membership: The Advisory Committee members shall consist of staff and citizens, with sufficient background to understand facility assessments and the impact of facilities on the education process.

Composition: School Committee (2), Board of Selectmen (1), Permanent Building Committee (1), Superintendent of Schools (1), Director of Public Facilities (1), Director of Planning and Assessment (1), Capital Expenditures Committee Liaison (1), Appropriation Committee Liaison (1), the chair of the PTA/O Presidents’ Council (1), representative from SEPAC (1), high school student (1), citizens selected through application process (2).

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve FY2019 Cost-of-Living Adjustment for Non-Represented Employees (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.11

SUMMARY:

A vote is requested for this agenda item.

The Town Manager and HR Director are recommending a 2 percent cost-of-living adjustment for non-represented employees for fiscal year 2019. This amount is consistent with settled collective bargaining agreements and the Board's overall guidance for settlements for FY2019.

SUGGESTED MOTION:

Move to approve a 2 percent cost-of-living adjustment for non-represented employees for fiscal year 2019, effective July 1, 2019.

FOLLOW-UP:

HR will notify departments of this increase.

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

8:55 p.m.

ATTACHMENTS:

Description	Type
☐ List of Non-Represented Employees	Backup Material

July 1, 2018 COLA list	
NON - UNION Positions	Department
Office Manager	Assessing
Executive Assistant to the Board of Selectmen	Board of Selectmen
Municipal Assistant	Board of Selectmen
Recording Secretary	Board of Selectmen
Administrative Assistant	Finance
Assistant Town Manager for Finance/Comptroller	Finance
Budget Officer	Finance
Director of Purchasing	Finance
Town Accountant	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
Chief Information Officer	Information Services
Project Manager*	Information Services
Alternate Inspectors	Land Use, Health and Development
Assistant Town Manager for Development	Land Use, Health and Development
Office Manager - Land Use	Land Use, Health and Development
Visitor's Center Manager	Land Use, Health and Development
Visitor's Center Assistant Manager	Land Use, Health and Development
Visitor's Center Tourism Advisors	Land Use, Health and Development
Visitor's Center Customer Service Clerk	Land Use, Health and Development
Substitute Temporary Library Employees	Library
High School Library Pages	Library
Library Director	Library
Assistant Library Director	Library
Office Manager - Library	Library
Part-time less than 8 hrs/biweekly Library Employees	Library
Cadets	Police
Office Manager - Police Department	Police
Parking Lot Attendants	Police
Per-Diem Public Safety Dispatchers	Police
Police Chief	Police
Administrative Assistants	Public Facilities
Office Manager	Public Facilities
Assistant Director of Public Facilities	Public Facilities
Assistant to the Project Manager	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
PBC Recording Secretary	Public Facilities
Clerk of the Works	Public Facilities
DPW Sidewalk Cleaning Attendants	Public Works

NON - UNION Positions	Department
Office Manager - Public Works	Public Works
Per Diem Engineering Assistant	Public Works
Public Works Director	Public Works
Manager of Operations	Public Works
Seasonal Compost Attendant	Public Works
Recreation and Community Programs Director	Recreation and Community Programs
Office Manager	Recreation and Community Programs
Seasonal Recreation Office Assistant	Recreation and Community Programs
Benefits Coordinator / HR Generalist	Town Manager's Office
Assistant Town Manager	Town Manager's Office
Human Resources Assistant	Town Manager's Office
Human Resources Director	Town Manager's Office
Office Manager - Special Events Coordinator	Town Manager's Office
Parking Hearing Officer	Town Manager's Office
Town Manager	Town Manager's Office

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Town Manager Search Update (10 min.)

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

I.12

SUMMARY:

1. The Town Moderator is unable to serve on the Search Committee. The Board needs to amend the membership of the committee to reflect that. It is proposed that the Board amend the membership of the Town Manager Screening Committee by removing the reference to the Town Moderator and including a member of the Diversity Advisory Task Force. The membership of the committee would stand at 11 members with 2 liaisons.
2. The Town Manager has received a few questions regarding the RFQ, that will require a written clarification to firms that may submit proposals for this work. Given that there are no further Selectmen's meetings prior to proposals being due, it is suggested that the Town Manager, with the approval of the Chair, be authorized to provide an addendum to the RFQ.

SUGGESTED MOTION:

Move to amend the membership of the Town Manager Screening Committee by removing the Town Moderator and adding a member of the Diversity Advisory Task Force.

Move to authorize the Town Manager, with the approval of the Chair, to prepare and distribute an addendum to the Town Manager Executive Search RFQ.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

9:00 p.m.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Battle Green Requests (5 min.)

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

I.13

SUMMARY:

The Lexington Lodge of Elks has requested a Battle Green Permit for the purpose of the annual Flag Day Ceremony to be held on Thursday, June 14, 2018 at 5:30 p.m.

Gun Violence Prevention Rally: application formally withdrawn on May 18, 2018.

SUGGESTED MOTION:

Move to approve Lexington Lodge of Elks' request to use the Battle Green for the purpose of the annual Flag Day Ceremony to be held on Thursday, June 14, 2018 at 5:30 p.m.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

9:10 p.m.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Battle Green Request - Flag Day Ceremony	Backup Material
<input type="checkbox"/> Withdrawn request notification - Rally for Gun Violence Prevention	Backup Material



LEXINGTON LODGE No. 2204

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

INSTITUTED MARCH 26, 1961

A FRATERNAL ORGANIZATION

P. O. Box 176

LEXINGTON, MA 02420

781-862-9759

Birthplace of American Liberty

**Exalted Ruler
Frank Fitzgerald**

**Secretary
Alysia Osgood**

**Treasurer
Austin Smith**

May 3, 2018

Board Of Selectmen
Town Of Lexington
1625 Massachusetts Avenue
Lexington, MA

To The Chairperson:

The Lexington Lodge Of Elks #2204 cordially invites the Board Of Selectmen to participate in our annual Flag Day Ceremony to be held on Thursday, June 14, 2018 at 5:30 P.M. at the Lexington Battle Green.

It is requested that the Lexington Lodge Of Elks #2204 be given permission for the use of the Battle Green on June 14, 2018 at 5:30 P.M. It is also requested that a platform be made available and a public address system with a 110-volt outlet.

Your co-operation, as in the past, will be greatly appreciated.

Sincerely,

Frank Fitzgerald

Frank Fitzgerald
Exalted Ruler

Roger J. Doherty Jr.

Roger J. Doherty Jr.,
Committee Chairman

From: Victoria Fraser
Sent: Friday, May 18, 2018 12:01 PM
To: Morgan Steele
Subject: Re: FW: Application use of Battle Green

Hi Morgan. I let Kim know that Lexington Says #Enough is formally withdrawing our application for the Battle Green in June 10, due to student scheduling problems.

Thanks to all of you for your understanding and patience. We will likely try again in the Fall.
Cheers, v

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Town Manager's Re-appointments (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.14

SUMMARY:

A vote is requested for this agenda item.

Board of Health:

- Dr. Wendy Heiger-Bernays has been a member since 2002. Ms. Heiger-Bernays' new term will expire April 30, 2020. Appointment is contingent upon completion of ethics training.

Community Center Program Advisory Committee:

- Alessandro Alessandrini has been a member since 2016. Mr. Alessandrini's new term will expire May 30, 2020. Appointment is contingent upon completion of ethics training.

SUGGESTED MOTION:

Move to approve the Town Manager's re-appointments of Wendy Heiger-Bernays to the Board of Health and Alessandro Alessandrini to the Community Center Program Advisory Committee.

FOLLOW-UP:

Town Manager's Office.

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

9:15 p.m.

ATTACHMENTS:

Description	Type
📎 Dr. Wendy Heiger-Bernays Reappointment Application	Backup Material
📎 Alessandro Alessandrini Reappointment Application	Backup Material

TOWN OF LEXINGTON

APPLICATION FOR REAPPOINTMENT FOR BOARD/COMMITTEE MEMBERSHIP

Board/Committee
of Interest:

Board of Health

Full Name:

Wendy Heigel-Bernays

Preferred Title

(please circle): Mr./Ms./Mrs./Other

Dr.

Home Address:

Length of Residence
in Lexington:

25 years

Current Occupation:

Professor of Environmental Health

Work Address:

Boston Univ. School of Public Health

Phone Number(s):

Home

Fax Number(s):

Email Address:

Comments:

Honored to serve

Members of Town boards and committees, as defined by the Conflict of Interest Law, M.G.L. c. 268A, must abide by the standards of conduct as set forth by the Massachusetts State Ethics Commission. Within 30 days of appointment, and annually thereafter, committee members must acknowledge receipt of the Summary of the Conflicts of Interest Statute from the Town Clerk, and thereafter must provide documentation of biennial completion of the on-line training required by the Conflict of Interest Statute. The law places responsibility for acknowledging receipt of the summaries, and for completing the online training on the individual. You will be provided additional information by the Town Clerk pertaining to this law and recently enacted education and training requirements.

Signature:

Wendy Heigel-Bernays

Date:

4/11/18

G:A02:B&C's Application

RECEIVED

MAY 10 2018

TOWN MANAGERS OFFICE

TOWN OF LEXINGTON

APPLICATION FOR REAPPOINTMENT FOR BOARD/COMMITTEE MEMBERSHIP

Board/Committee of Interest: Community Center Program Advisory Committee

Full Name: Alessandro Alessandrini

Preferred Title (please circle) Mr. / Ms. / Mrs. / Other _____

Home Address: [REDACTED]

Length of Residence in Lexington: 21 years

Current Occupation: Faculty Member (Mass. Gen. Hosp.)

Work Address: [REDACTED]

Phone Number(s): Home: [REDACTED] Work: [REDACTED]

Fax Number(s): NA

Email Address: [REDACTED]

Comments: Wish to continue being on committee

Thank you!

Members of Town boards and committees, as defined by the Conflict of Interest Law, M.G.L. c. 268A, must abide by the standards of conduct as set forth by the Massachusetts State Ethics Commission. Within 30 days of appointment, and annually thereafter, committee members must acknowledge receipt of the Summary of the Conflicts of Interest Statute from the Town Clerk, and thereafter must provide documentation of biennial completion of the on-line training required by the Conflict of Interest Statute. The law places responsibility for acknowledging receipt of the summaries, and for completing the online training on the individual. You will be provided additional information by the Town Clerk pertaining to this law and recently enacted education and training requirements.

Signature: [Signature] Date: 04/20/2018

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Selectmen - Committee Appointments/Re-appointments (5 min.)

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

I.15

SUMMARY:

Appointment:

Lexington Center Committee

The Board is being asked to appoint David Tabeling to the Lexington Center Committee position for 3 year term ending September 30, 2020.

Reappointments:

Lexington Housing Assistance Board

The Board is being asked to reappoint the following members to a 3 year term ending May 31, 2021:

- Martha C. Wood, ethics training is up-to-date.
- Robert E. Phelan, contingent upon completion of ethics training
- William C. Hays, contingent upon completion of ethics training

SUGGESTED MOTION:

Move to appoint David Tabeling to the Lexington Center Committee to the 3 year term to expire September 30, 2020.

Move to re-appoint Martha C. Wood to the Lexington Housing Assistance Board for a three year term ending May 31, 2021.

Move to re-appoint Robert E. Phelan to the Lexington Housing Assistance Board for a three year term ending May 31, 2021, contingent upon completion of ethics training.

Move to re-appoint William C. Hays to the Lexington Housing Assistance Board for a three year term ending May 31, 2021, contingent upon completion of ethics training.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

9:20 p.m.

ATTACHMENTS:

Description	Type
☐ 2018 - David Tabeling	Backup Material
☐ LexHab Reappointments	Backup Material
☐ LexHab- Chair Recommendation	Backup Material

**APPLICATION FOR APPOINTMENT
FOR BOARD/COMMITTEE MEMBERSHIP**



Board/Committee of Interest: 1. Lexington Center Committee 2. _____
3. _____ 4. _____

Would you consider another Committee: no

For how long should we keep your application on file? indefinitely

Full Name: David S. Tabeling Nickname: _____

Preferred Title (please circle) Mr./Ms./Mrs./Other: Mr.

Home Address: _____ Zip: 01890

Length of Residence in Lexington: 1958-1974, 1986-1992

Occupation: Merchandising Manager/Theatre Pharmacy

Work Address: 1784 Massachusetts Avenue, Lexington, MA

Phone: Home _____ Work _____ Fax _____
Cell _____

E-mail: Primary: _____ Secondary: _____

If you currently serve on a Board or Committee, please identify: Town Report Committee

Special Training, Interests, Qualifications: I've been working in Lexington Center for 31 years
and have been on the Town Report Committee for 20 years.

Have you been asked by a Committee to become a member? Jerry Michelson, Chair

How did you hear about the Committee? Jerry Michelson

Please attach a current resume, if possible. Add any comments below or on a separate page.

Signature:  Date: 05/14/18

Committee Members - Term Ending 6/2018

Lexington Housing Assistance Board (LexH	not fewer than 5 Members, 3 Year Term, May 31
---	---

William C. Hays	39 Locust Avenue Lexington, MA 0242	5/2018
Robert E. Phelan	152 Reed Street Lexington, MA 0242	5/2018
Martha C. Wood	51 Gleason Road Lexington, MA 0242	5/2018

From: William Kennedy
To: [Morgan Steele](#)
Subject: Re: LexHAB Committee Appointments
Date: Tuesday, May 15, 2018 7:54:00 AM

LexHAB recommends that all three individuals be reappointed.

Thanks,

Bill

Sent from my iPhone

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve and Sign Proclamation

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

C.1

SUMMARY:

Request to the Board to approve and sign a proclamation recognizing the month of June as Immigrant Heritage Month. The fifth-annual Immigrant Heritage Month (IHM) celebrates our country's immigrant heritage and acknowledges the stories of individuals, families and communities who have contributed to the unique fabric of our country.

SUGGESTED MOTION:

Motion to approve the consent agenda.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

ATTACHMENTS:

Description	Type
☐ 2018 Immigrant Heritage Month	Backup Material



Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

SUZANNE E. BARRY, CHAIRMAN
JOSEPH N. PATO
MICHELLE L. CICCOLO
DOUGLAS M. LUCENTE
JILL I. HAI

PROCLAMATION

- Whereas:** generations of immigrants from every corner of the globe have built our country's economy and created the unique character of our nation; and
- Whereas:** immigrants continue to grow businesses, innovate, strengthen our economy, and create American jobs in Lexington, Massachusetts; and
- Whereas:** immigrants have provided the United States with unique social and cultural influence, fundamentally enriching the extraordinary character of our nation; and
- Whereas:** immigrants have been tireless leaders not only in securing their own rights and access to equal opportunity, but have also campaigned to create a fairer and more just society for all Americans; and
- Whereas:** despite these countless contributions, the role of immigrants in building and enriching our nation has frequently been overlooked and undervalued throughout our history and continuing to the present day.

NOW, THEREFORE, WE, THE BOARD OF SELECTMEN of the Town of Lexington, Massachusetts, do hereby proclaim the month of June 2018 as

Immigrant Heritage Month

in the Town of Lexington and call upon all citizens to join us in celebrating our country's immigrant heritage - stories of individuals, families and communities who have contributed to the unique social fabric of a country whose greatness is fueled by its diversity.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 21st of May 2018.

SUZANNE E. BARRY, CHAIRMAN

JOSEPH N. PATO

MICHELLE L. CICCOLO

DOUGLAS M. LUCENTE

JILL I. HAI

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve and Sign Eagle Congratulation Letters

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

C.2

SUMMARY:

The Board is being asked to sign letters of commendation for Boy Scout Eagles Russell Laman, Ido Diamant, and Andrew Thompson from Troop 119.

SUGGESTED MOTION:

Motion to send a letters of commendation congratulating Russell Laman, Ido Diamant, and Andrew Thompson for attaining the highest rank of Eagle in Boy Scouting.

FOLLOW-UP:

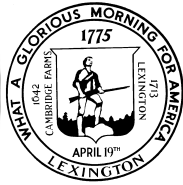
Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

ATTACHMENTS:

Description	Type
☐ Russell Laman	Backup Material
☐ Ido Diamant	Backup Material
☐ Andrew Thompson	Backup Material



Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

SUZANNE E. BARRY, CHAIRMAN
JOSEPH N. PATO
MICHELLE L. CICOLO
DOUGLAS M. LUCENTE
JILL I. HAI

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

May 21, 2018

Russell Laman

Dear Russell,

Congratulations on attaining the highest rank in Scouting. We know the trail to Eagle Scout has not always been an easy one and we recognize that you have had to work hard to get this far. Your time in positions of leadership within Troop #119, and the successful completion of your Eagle project, speaks to your dedication.

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

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

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

Sincerely,

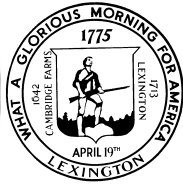
Suzanne E. Barry, Chairman

Joseph N. Pato

Michelle L. Ciccolo

Douglas M. Lucente

Jill I. Hai



Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

SUZANNE E. BARRY, CHAIRMAN
JOSEPH N. PATO
MICHELLE L. CICOLO
DOUGLAS M. LUCENTE
JILL I. HAI

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

May 21, 2018

Ido Diamant

Dear Ido,

Congratulations on attaining the highest rank in Scouting. We know the trail to Eagle Scout has not always been an easy one and we recognize that you have had to work hard to get this far. Your time in positions of leadership within Troop #119, and the successful completion of your Eagle project, speaks to your dedication.

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

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

Sincerely,

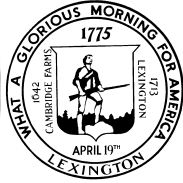
Suzanne E. Barry, Chairman

Joseph N. Pato

Michelle L. Ciccolo

Douglas M. Lucente

Jill I. Hai



Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

SUZANNE E. BARRY, CHAIRMAN
JOSEPH N. PATO
MICHELLE L. CICOLO
DOUGLAS M. LUCENTE
JILL I. HAI

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

May 21, 2018

Andrew Thompson

Dear Andrew,

Congratulations on attaining the highest rank in Scouting. We know the trail to Eagle Scout has not always been an easy one and we recognize that you have had to work hard to get this far. Your time in positions of leadership within Troop #119, and the successful completion of your Eagle project, speaks to your dedication.

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

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

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

Sincerely,

Suzanne E. Barry, Chairman

Joseph N. Pato

Michelle L. Ciccolo

Douglas M. Lucente

Jill I. Hai

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve One-Day Liquor Licenses

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

C.3

SUMMARY:

Spectacle Management has requested two One-Day Liquor Licenses to serve beer and wine at the Cary Memorial Hall, 1605 Massachusetts Avenue for the purpose of shows on the following dates:

- Gordon Lightfoot, Thursday, June 21, 2018 from 7:00 p.m. to 10:00 p.m.
- Tower of Power, Thursday, June 28, 2018 from 7:00 p.m. to 10:00 p.m.

SUGGESTED MOTION:

Move to approve consent.

FOLLOW-UP:

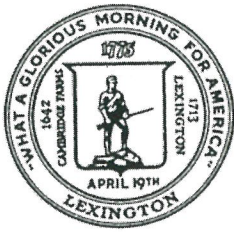
Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

ATTACHMENTS:

Description	Type
 Spectacle Management Application	Backup Material



TOWN OF LEXINGTON SELECTMEN'S OFFICE

APPLICATION FOR ONE-DAY LIQUOR LICENSE

The Board of Selectmen issues one-day liquor licenses to for-profit and non-profit organizations that serve liquor and charge either a cover charge or for each drink. Please fill in this form completely and return to the Selectmen's Office along with a check for \$25.00 made payable to the Town of Lexington.

BUSINESS/FUNDRAISING ORGANIZATION: Spectacle Management

CONTACT NAME AND NUMBER: Jack Lally,

ADDRESS FOR MAILING: 4 Muzzey St. Lexington MA 02420

EMAIL ADDRESS: _____

TITLE/PURPOSE OF EVENT: 2 Events in June, 2018

LOCATION AND ADDRESS: Cary Memorial Hall, 1605 Massachusetts Avenue

DATE OF FUNCTION: June 21st Gordon Lightfoot; June 28th Tower of Power

TIMES OF FUNCTION: Both shows performance at 8:00 PM; Doors open at 7:00 PM

TYPE OF LIQUOR TO BE SERVED: Beer and Wine

DATE AND TIME WHEN LIQUOR DELIVERED: Both shows 3:00 PM

DATE AND TIME WHEN LIQUOR REMOVED: Both shows 11:00 PM

ADDITIONAL INFORMATION: _____

Jack Lally 5/14/18
Authorized Signature

Federal Identification No. or

Social Security Number

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Minutes

PRESENTER:

Suzanne Barry, Chair

ITEM NUMBER:

C.4

SUMMARY:

The minutes of the following meeting dates are ready for your review and approval:

- 03/07/2018 BOS
- 03/12/2018 BOS
- 03/19/2018 BOS
- 03/26/2018 BOS
- 03/28/2018 BOS
- 04/02/2018 BOS
- 04/04/2018 BOS
- 04/09/2018 BOS
- 04/11/2018 BOS
- 04/23/2018 BOS
- 04/25/2018 BOS

The Executive Session minutes of the following meeting dates are ready for your review and approval:

- 03/19/2018 BOS
- 04/09/2018 Joint BOS and SC

SUGGESTED MOTION:

Move to approve the minutes of:

- 03/07/2018 BOS
- 03/12/2018 BOS
- 03/19/2018 BOS
- 03/26/2018 BOS
- 03/28/2018 BOS
- 04/02/2018 BOS
- 04/04/2018 BOS
- 04/09/2018 BOS
- 04/11/2018 BOS
- 04/23/2018 BOS
- 04/25/2018 BOS

Move to approve but not release the executive minutes of:

- 03/19/2018
- 04/09/2018 Joint BOS and SC

FOLLOW-UP:

Selectmen's Office.

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

ATTACHMENTS:

Description	Type
☐ Minutes - 03-07-18 BOS	Backup Material
☐ Minutes - 03-12-18 BOS	Backup Material
☐ Minutes - 03-19-18 BOS	Backup Material
☐ Minutes - 03-26-18 BOS	Backup Material
☐ Minutes - 03-28-18 BOS	Backup Material
☐ Minutes - 04-02-18 BOS	Backup Material
☐ Minutes - 04-04-18 BOS	Backup Material
☐ Minutes - 04-09-18 BOS	Backup Material
☐ Minutes - 04-11-18 BOS	Backup Material
☐ Minutes - 04-23-18 BOS	Backup Material
☐ Minutes - 04-25-18 BOS	Backup Material

Selectmen's Meeting
March 7, 2018

A meeting of the Lexington Board of Selectmen was called to order at 7:00 p.m. on Wednesday, March 7, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Selectmen Concerns and Liaison Reports

Ms. Hai reported that she attended the Mock Town Meeting at Clarke Middle School on the morning of March 7, 2018 where she had the opportunity to represent both the Capital Expenditures Committee and the Board of Selectmen. She applauded students and School staff for an impressive event.

Discuss Selectmen's Communication Protocol

Kim Katzenback, Selectmen's Office Executive Clerk, and Morgan Sanders, Assistant to the Board, and the Board of Selectmen discussed email protocol and Selectmen's office hours.

Ms. Barry hoped Board members will improve their use of Town-assigned email accounts. Mr. Lucente reported he does not receive many emails at his Town address but he has activated the text alert feature so he knows when messages come in. Mr. Pato receives quite a few messages at his Town address; he has configured the account to forward and sort messages to his phone. The Town IT department can help other members set up these features. Mr. Valente said using the Lexington.gov email address properly archives email communications as public records.

Ms. Barry made the public aware that messages sent to the generic email address (selectmen@lexington.gov) are received by the office, not delivered directly to Selectmen. If emails are sent at night or over the weekend, they will not be forwarded to until regular business hours. Office staff send a pro forma reply to the sender, noting that the email message has been received and forwarded.

Ms. Ciccolo and Mr. Pato volunteered to work with staff on establishing an email policy.

Selectmen's Office hours:

- Mr. Lucente: Tuesdays, 4:00-5:00 p.m. in the Selectmen's Office;
- Mr. Pato: Wednesdays, 10:00-11:00 a.m. in the Selectmen's Office and Wednesdays, 2:00-3:00 at the Community Center;
- Ms. Barry: Thursday, 4:00-5:00 p.m. in the Selectmen's Office;
- Ms. Ciccolo: weekly, by appointment;
- Ms. Hai: Thursdays, 3:00-4:00 in the Selectmen's Office.

Review Potential Consent Agenda Warrant Articles

Warrant article lists generated by the Selectmen, Capital Expenditures Committee and

Appropriation Committee were discussed for potential inclusion in an Annual Town Meeting 2018 Consent Agenda. Charles Lamb, Capital Expenditures Committee Chair, and John Bartenstein, Appropriation Committee Chair were present to explain their committees' recommendations or objections.

Article 6: Appropriate for Senior Service Program: Indefinitely postponed.

Article 7: Appropriate for Advice and Analysis-Getting to Net Zero: All agreed it can be placed on the Consent Agenda.

Article 10a: CPA Conservation Land Acquisition: Will probably be indefinitely postponed.

Article 10c: Archives and Record Management/Records Conservation & Preservation: All agreed.

Article 10k: CPA Debt Service: All agreed.

Article 10l: CPA Administrative Budget: All agreed.

Article 15: Recreation Capital: All agreed.

Article 16a: Hydrant Replacement: Added by Capital Expenditures. Board of Selectmen agree to include. Appropriation Committee to meet and discuss.

Article 16d: Town-wide Culvert Replacement: All agreed.

Article 16g: Sidewalk Improvements: All agreed.

Article 16m: Transportation Mitigation: All agreed.

Article 17: Water Capital: Appropriation Committee to discuss.

Article 18: Wastewater Capital: Appropriation Committee to discuss.

Article 20b, c, e, g, i: All agreed.

Article 27: Appropriate to Stabilization Fund: Will probably be indefinitely postponed. If that comes to pass, the Appropriation Committee and Capital Expenditures Committee are likely to support.

Article 28: Appropriate from Debt Service Stabilization Fund: All agreed.

The proposed Consent Agenda will be updated when Appropriation Committee decisions are confirmed. The list will be reviewed again at a future Selectmen's meeting.

Update—ATM 2018 Warrant Article 21—Appropriate to Reimburse Resident for Sewer Backup

Dan McGrath, 11 Cherry Street, presented information about citizen's Article 21 that requests the Town to cover damages incurred to his property due to a blockage in the sewer main. Costs include: reconstruction \$14,240; decontamination \$15,723; and miscellaneous \$590.

Mr. McGrath described the circumstances of the sewer blockage, saying his home sustained the full impact because it is the lowest property on the sewer main and because he discovered the back-up before it affected other homes. When Mr. McGrath attempted to file for damages, his insurance claim was denied because the Town was not found to be negligent; negligence is the only basis on which a municipality can be held responsible. Mr. McGrath indicated he was previously unaware that "negligence" is the only way a claim of this type can be successfully made. Mr. Valente verified that Massachusetts General Law, Chapter 258 stipulates that a town has no authority to spend taxpayers' money for claims other than negligence; similar claims in Lexington have been handled this way. It is unclear if Town Meeting has the authority to appropriate funds in this instance. Selectmen expressed their sympathies to Mr. McGrath.

Update—ATM 2018 Warrant Article 34—Amend General Bylaw: Make Lexington a “Welcoming, Inclusive, Safe Community”

Ms. Barry recused herself from this item because her husband is employed by the Town of Lexington as a Police officer. Ms. Ciccolo chaired in Ms. Barry’s absence.

Todd Burger, Lexington People Power Co-Chair, stated that the purpose of Article 34 is to ask Lexington to support the Safe Communities Act (SCA) which “opposes unjust immigration policies”, including “cancellation of the Deferred Action for Childhood Arrivals (DACA) and ending the extension of Temporary Protective Status”. Until the Safe Communities Act becomes State law, Lexington People Power asks the Town to consider passing a Welcoming Community resolution and adopting the main points of the SCA by adding a 10-element appendix to Police Policies and Procedures Manual, with the goal of extending Town policies to the Police Policies and Procedures Manual. If future changes are proposed for these elements, Lexington People Power asks that a public hearing be held. Lexington People Power awaits feedback from Town Counsel on the wording of the article via the Town Moderator.

Mr. Lucente said, whatever the outcome of Article 34, the Town should ensure its policy on this matter is clear so that people feel safe. He would like to hear from the Police about issuance of “U Visas” and if making changes to the Manual would prohibit seeking help on behalf of an immigrant. Mr. Pato said that raising this subject allows the community to discuss its values. He is proud that Lexington has stood up on behalf of universal human rights and that the Board has already issued proclamations to this effect. He is optimistic Town Meeting will strongly support adoption of a State Safe Communities Act but he hopes to see language revisions to Lexington People Power’s resolution that reflect the best interests of the Town. Ms. Ciccolo asked that copies of the 10-element appendix be made available for Board review. Ms. Hai said she is happy to see this initiative as a resolution rather than a bylaw.

Ms. Hai asked how changes to the Police Policy Manual are made. Chief Corr of the Lexington Police Department replied that, when the Board agreed to the Town Manager Act, it gave the Town Manager full authority over policy; Mr. Valente delegates day-to-day implementation of Police policy to Chief Corr. Police policy standards are in line with Massachusetts’ standards and must be reviewed and maintained for the Town to maintain its accreditation. Proposals for changes in policy, including State mandated policies, are brought before the Policy Committee, which provides feedback. If the Safe Communities Act were to be State-mandated, the Policy Committee would review it as well.

Margaret Heitz, 335 Marrett Road, is happy Lexington People Power has decided to propose a resolution rather than a bylaw. Ms. Heitz wants the Town’s policy manual to be clear on this matter, as well as the role of Lexington Police relative to Federal authority. She recommended that whatever Town Meeting adopts be published and disseminated widely so people living and visiting in Lexington know their rights are protected.

Carol Rose, 11 Parker Street/ Executive Director of the ACLU of Massachusetts, stated that many people throughout the state are watching how Lexington handles this as more than 30 other communities have already passed this type of resolution. She believes it is important for people to feel safe and know they will not be discriminated against.

Update—ATM 2018 Warrant Article 45—Amend Historic District Commission Special Act

Anne Eccles, Historic Districts Commission (HDC) Chair, and Marilyn Fenollosa, HDC member, presented the findings of the Ad hoc 40C Study Committee that drew on comparisons of Special Acts versus State 40C regulation, historic district bylaws, ordinances of various communities, interviews with local officials, and other collections of data. The Committee concluded there were advantages and disadvantages to both Lexington's Special Act and the statewide 40C enabling legislation, and that an update of Lexington's Special Act would accomplish the goals of clarifying the HDC's enabling legislation and bringing it in line with statewide principles and current practice. Ms. Eccles noted that it has been over 20 years since Lexington updated its Special Act.

Ms. Eccles said the Study Committee had two stated goals: to codify existing practice and to conform to statewide regulatory practice. To achieve these goals, the Study Committee recommended that the HDC clarify ambiguous terms; strengthen the nominating process; augment criteria for assessing appropriateness; provide specificity for procedural matters; address the parties who can appeal an HDC decision; and strengthen penalties for non-compliance. Ms. Eccles reported that a public hearing to gather public input about the proposed changes is scheduled for March 8, 2018.

Mr. Pato noted that the terms of office in the 40C model are 3 years rather than 5 years. He recommended that the recommendation for 5-year terms be revisited as it can be difficult finding candidates who are comfortable with the longer commitment; most/all appointed boards in Lexington carry three-year terms. Mr. Pato further noted that the ad hoc committee is recommending only two nominating authorities—the Lexington Historical Society and the Lexington Design Advisory Committee—but other communities draw from a wider spectrum. He is not sure reducing the number of nominating entities is in the best interest of the Town.

Ms. Eccles said the subject of term lengths was not raised during the study but terms would remain staggered; she noted, in practice, that individuals stay or step down regardless of term length. About the narrowing of the nominating authorities, Ms. Eccles said the ad hoc committee learned that groups found it burdensome to regularly develop lists of qualified candidates. She believes the Design Advisory Committee, a newly proposed nominating authority, to be a resource few other communities have.

Mr. Pato questioned the ad hoc committee's recommendation to eliminate white as the default color choice. He asked how a homeowner, in future, would avoid having to come before the HDC for color approval. Ms. Eccles said the HDC hopes that providing a clearer set of guidelines will eliminate some of the reasons people have to come for a hearing. Ms. Fenollosa said there is now complicated language about white as the default choice; the best way to simplify the process was to eliminate the reference and to provide a color palette in the guidelines. Ms. Eccles said clearer guidelines would make much of what now requires a public hearing be simply administrative. She also believes the legislation should be frequently updated.

Mr. Pato asked the committee to consider clarifying language regarding "aggrieved parties." Ms. Fenollosa said, for the purpose of notification, abutters are defined as those with properties

within 100 feet but an interested party might live outside that 100-foot boundary. To alert those outside the 100-foot setback, the HDC relies on posted agendas and newspaper notices.

Ms. Barry said, given the proposed changes, it is appropriate to amend the Design Advisory Committee's charge to include being a nominating entity for the HDC. Ms. Barry also asked how the terms of current HDC members would be handled. Ms. Fenollosa said, once the proposed changes are approved by Town Meeting, the Design Advisory Committee would begin to nominate new members as current members cycle off. Ms. Fenollosa reported that Town Counsel comments have not yet been incorporated in the amendment, although changes in language were made in response to Selectmen criteria. Town Counsel feels there should be language in the bylaw about the nominating process.

Mr. Pato asked the committee to consider adopting the 40c nominating process language that would make it easier to execute changes in the future. Ms. Fenollosa said the language is already there, although it is not transparent. Anything that is codified in Chapter 447 has to go back to the State Legislature but, in talking to the other communities with Special Acts, the requirements are not as burdensome as they had seemed.

Ms. Ciccolo said she feels the nominating entities should be broadened and suggested the committee consider adding the Chamber of Commerce or the Planning Board. There is still time before Town Meeting to make amendments based on Selectmen, Town Counsel, and public hearing feedback.

Ms. Eccles said new guidelines are the next thing the HDC will tackle; this can be done without forming a new committee or going outside the ad hoc committee's original charge

Update—ATM 2018 Warrant Article 44—Amend General Bylaw—Demolition Delay

Marilyn Fenollosa, Historical Commission member, said the original Neighborhood Conservation District (NCD) bylaw had a built-in contradiction that HDC properties are subject to the Demolition Delay but, outside the District, the NCD has the authority to decide on demolitions and, potentially, stop one altogether. This amendment fixes the contradiction and takes the NCD out of the Demolition Delay equation. The HDC also intends to remove reference to successor organizations.

Mr. Pato said he approves of removing the dual authority but he would like to see the language of the amendment before recommending approval.

Update—ATM 2018 Warrant Article 10—Community Preservation Act (CPA) Projects

Marilyn Fenollosa, Community Preservation Committee Chair, presented account balances plus details about CPA projects to be voted at Annual Town Meeting 2018. FY19 available funds (before ATM18) are: Current balance \$2,923,240; estimated surcharge revenue \$4,805,000; estimated State match (calculated at 15%) \$689,000; estimated interest income \$20,000 for a total of \$8,437,240. Total funds projected to be available in FY20, after all elements of Article 10 are approved, is \$4,360,720. Ms. Fenollosa noted, however, that the costs for Farmview

Affordable Housing Supplemental Funds (Article 10j) and Community Center Sidewalk (Article 10b) projects are not yet known.

Mr. Lucente asked if there was a chance the hybrid natural/synthetic turf Center Field project might be allowed under CPA guidelines. Ms. Fenollosa reported that Town Counsel has confirmed the hybrid turf is not eligible.

Mr. Pato said he is now comfortable supporting the Center Track project since discussions about the high school re-build/expansion have concluded.

Ms. Hai asked for more information about the irrigation project. Mr. Pinsonneault said the request is one of a series of annual request for irrigation projects taking place around town.

David Kanter, Capital Expenditures Committee, asked if there is a cap on the amount per affordable unit that CPA can support; if there is any doubt, he asked for a careful wording of the motion. Ms. Fenollosa said the cost guidelines are not strict and because of the particular circumstances of this project, she believes the project to be fully eligible.

Update—Community Center Sidewalk

David Pinsonneault, DPW Director, presented site map drawings and details of a sidewalk from Marrett Road to the Lexington Community Center, to be constructed on the Scottish Rite land per agreement with the organization. The project is eligible for Community Preservation funding and appears on the Annual Town Meeting warrant as Article 10b.

The Scottish Rite has indicated support for the sidewalk to be built along the museum driveway. This work will entail reconfiguration of the gate/entryway which Mr. Pinsonneault said would include improvement of sight lines at the driveway merger with Marrett Road. The intent is not to have the sidewalk go all the way up Marrett Road to the Commander's House, but only to the crosswalk higher up the hill on Marrett Road. The sidewalk would also extend down Marrett Road from the entryway to Massachusetts Avenue.

Mr. Pinsonneault asked for direction from the Board regarding sidewalk material (concrete or bituminous asphalt) and whether the walkway should be lit. He provided cost estimates and projected a final cost of \$350,000-\$360,000. Mr. Pinsonneault will present this information to the Community Preservation Committee on March 8, 2018.

Mr. Lucente asked if the Scottish Rite Museum is expected to contribute funds. Mr. Valente said no funds are expected, merely the granting of easements. Mr. Lucente said he believes the sidewalk should be lighted on the Museum property up to the Community Center and that existing signs that say the property closes at dark should be removed. He supports a concrete surface and laments that the Museum gates will be removed.

Mr. Pato said the sidewalk should be lighted from the gate to the parking lot area, which is already lighted. He supports a concrete surface.

Ms. Barry said her preference is for a concrete sidewalk surface and the pathway should be lit by solar LED lights which eliminate the need to run utility lines. She would also like to find a way to re-use the gates on the property, if the Museum is amenable.

Ms. Ciccolo said she is also in favor of solar LED lighting but she is ambivalent about the sidewalk material and suggests deferring to the Scottish Rite and the DPW on the matter so that transitions between surface materials are handled appropriately. She is pleased the sidewalk will connect with the crosswalk on Marrett Road.

Ms. Hai supported solar lighting and agreed that the new sidewalk's material should be compatible with existing sidewalk surfaces.

David Kanter, Capital Expenditures Committee, said his committee is interested to know the dollar amount of the project as soon as possible. He is pleased to know there is no additional cost beyond construction to be paid for easements. He expressed surprise that the project is being forwarded to the Community Preservation Committee before the Selectmen's blessing. Ms. Fenollosa concurred that the CPC would prefer to see a firm dollar amount than a number of options.

Mr. Pinsonneault confirmed that the project is CPA eligible because proposed roadway adjustments are for the purpose of installing the sidewalk. Mr. Valente concurred but he will ask Town Counsel to verify.

The Board of Selectmen reached consensus to support the higher priced concrete option for the purpose of the CPC discussion, with further details to be worked out as the project advances.

The Board took a five-minute recess at 9:32 p.m. The meeting reconvened at 9:37.

FY2018 Second Quarter Budget Review

Carolyn Kosnoff, Assistant Town Manager for Finance and Jennifer Hewitt, Budget Officer, presented the annual Second Quarter budget update that gauges whether Operating Budget and Enterprise Fund revenues and expenses are on track at the year's halfway mark.

For the General Fund, Ms. Kosnoff reported that the Town has received slightly more than 50% of expected annual revenue and expended slightly less than 50% of anticipated expenses. Explanation of significant revenue variances include: receipt of property tax pre-payments (due to changes in federal tax regulations); motor vehicle excise tax bills are not yet due and so less than 50% has been received; meals tax, hotel tax, and jet fuel excise tax are generally paid in the first half of the year so over 50% has been received; the effort to reclaim delinquent taxes from past years has been successful, resulting in higher-than-budgeted revenues in the Penalties and Interest category; investment income dividends have been more favorable than anticipated.

Variations from the 50% mark in the General Fund expenses category include: education salaries which are weighted toward the second half of the year; health care expenses which are one billed

one month in arrears; salary adjustments, such as retirement buybacks, that were not foreseen when the FY18 budget was constructed.

Enterprise accounts (water, sewer, and recreation/community programs) are largely on target with regular and seasonal billing accounting for variances. Ms. Kosnoff stated her department is closely monitoring water and sewer payments/revenue.

Ms. Barry asked how often Town fees are updated. Mr. Valente said there is no set schedule; staff is asked every year to review fees and to bring proposed changes to the Board during November budget presentations. Lexington tracks fees in comparable communities.

Ms. Kosnoff said she would provide a Third Quarter update in the coming weeks.

Board Discussion Regarding ATM Article 38—Zoning Change for Marrett @ Spring Commercial Districts

Carol Kowalksi, Assistant Town Manager for Development, presented proposed changes to citizen's Article 38 that seeks to change the name and uses of the current CS district at Marrett Road and Spring Street. The new district name would be CSX (Expanded Commercial District) and the Use Table would expand to include three new categories: office, retail, and certain food-related uses. The amendment makes no dimensional or setback changes, precluding development expansion. The purpose of the amendment is to encourage commercial leases in existing vacancies. Ms. Kosnoff asked the Board to consider approving/signing a letter of support to be sent to the Planning Board.

Ms. Ciccolo said the Selectmen have recently begun to receive expressions of concern from residents of the Marrett Road/Spring Street neighborhood. The developer, Mr. Minasian, reported he has spent a considerable time talking to residents of the neighborhood.

Mr. Carrow, 42 Normandy Road, concurred that he and Mr. Minasian had spent three hours discussing the proposal; he does not speak for his neighbors but he believes the part of the proposal that addresses the immediate need to fill vacancies is something the residents can support but cannot support the current proposal because it is too far-reaching. Mr. Carrow said he was not against commercial development but because the proposal has been revised so frequently, he and others cannot keep up with the changes. He noted a petition with 95 signatures that opposes the article which seeks to slow down the process and make it more inclusive of public input. Mr. Carrow believes, in time, that a compromise can be reached.

Todd Rhodes, 482 Marrett Road, represented neighborhood residents that support Mr. Minasian's proposal. He believes Mr. Minasian's plan to revise the use table makes sense so both sides of the street are the same. He has no problem with any of the proposed additional uses.

Diane Biglow, 15 Bellflower Street, said she, too, speaks for a group of residents who are in full support of what Mr. Minasian is trying to do. It disturbs her that the Planning Board has not supported the plan. She believes that greater commercial vitality will help to mitigate high residential taxes.

Mr. Minasian agreed that Article 38 has been evolving and noted that the petition with 95 signatures was in response to an older version of the proposal. The proposal has now been reduced in scope. The new proposal asks to add 15 uses to one side of the street only and it retains current density and dimensions. There are also 5 new development standards that apply directly to office use. He asked for the Selectmen's support of the article so he can resolve his vacancy issues.

Mr. Lucente asked Mr. Minasian if he anticipates more changes before Town Meeting. Mr. Minasian said, if anything, the changes would be a further reduction of uses. He has been asked to consider eliminating furniture store, artisan work, medical/outpatient clinic, and a liquor store by Special Permit. He has also been asked to add a development standard that would prohibit single-use spaces over 7,500 SF. Mr. Minasian said was comfortable with this request and, in any case, such a large store is virtually impossible, based on the current infrastructure. There is adequate parking for all proposed uses.

Mr. Pato said there are two important issues for the Selectmen: to provide a better environment for commercial development and to do so in concert with neighborhood concerns. He is generally supportive of the proposal, noting that Mr. Minasian is not looking to expand the commercial footprint or increase building height and is listening closely to community feedback. He advised Mr. Minasian to narrow the Town Meeting motion to conform with neighborhood concerns.

Ms. Ciccolo said it is important to the community not to have a lot of commercial vacancy. Noting that Mr. Minasian has time to work on the Town Meeting motion, she asked the proponents to work with the neighborhood toward a compromise. Ms. Hai said residents have expressed the desire for neighborhood-scale amenities. She finds Mr. Minasian's proposal to be both timely and attractive. Ms. Barry agreed that residents want tax relief and commercial vitality is an important way of providing that. She supports the proposal and is encouraged that it will move forward.

Ms. Ciccolo proposed a new second sentence for the letter to the Planning Board: "We recognize it is still evolving article and encourage the proponent to continue to work with the neighborhood to improve the article and incorporate neighborhood feedback before it is presented to Town Meeting." Consensus was reached to include make this change to the draft letter. Ms. Ciccolo will send the edit to the Selectmen's Office; Ms. Kowalski will forward the final draft to the Planning Board.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and sign the letter to the to the Planning Board regarding Article 38 of the Annual Town Meeting.

ATM 2018 Positions and Presenters

The Board of Selectmen reviewed article positions and presenters. Members voted "yes", "no" or "wait" on each of the articles. This review will be repeated at upcoming Selectmen's meetings for the duration of Annual Town Meeting; results will be appended to each meeting's minutes.

Future Meeting Dates

The meeting calendar for the months of July -December 2018 was distributed. Mr. Valente said it is very possible there will be a Special Town Meeting in the fall. Mr. Lucente asked that department budget presentation meetings in November be kept to 4 hours or less in length.

Selectmen Committee Appointments/Reappointments

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to appoint Anderson & Krieger, represented by Mina S. Makarious, as Town Counsel for Lexington for a term to expire March 31, 2019; and further, to appoint Selectman Suzanne Barry as a member of the Fund for Lexington Board; and further to name Selectmen Dug Lucente as the Chair for the Fund for Lexington; and further, to reappoint Mark Vitunic to the Board of Registrars to a three-year term to expire March 31, 2021.

Consent Agenda

- Water & Sewer Commitments and Adjustments

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve five Water & Sewer Commitments and Adjustments:

Water & Sewer Commitment December 2017 Final billing	\$ 2,828.72
Water & Sewer Commitment January 2018 Final billing	\$ 8,794.62
Water & Sewer Adjustment as recommended by WSAB November 2, 2017	(\$10,891.09)
Water & Sewer Adjustment as recommended by WSAB December 14, 2017	(\$3,951.26)
Water & Sewer Adjustment as recommended by WSAB February 15, 2018	(\$37,282.90)

- Approve One-Day Liquor License

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve a one-day liquor license request for Kisoboka Uganda Inc, March 10, 2018 from 6:30 p.m.to 10:30 p.m. for the purpose of their fundraiser event being held at Depot Square, 13 Depot Square.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 10:52 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

2018 Annual Town Meeting Article Selectmen's Positions as of March 7, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	W	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	W	Y	Y	W	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	W	W	W	W	W
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for Westview Cemetery Building Construction	W	W	W	W	W
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	W
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	W	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	W	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. Center Streetscape Improvements- Design	W	W	W	W	W
	f. Automatic Meter Reading System	Y	Y	Y	W	W
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	W	W
	k. Street Improvements	Y	W	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	W	W	W
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	W
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	W
	q. Police Radio Console Equipment Replacement	Y	Y	Y	W	Y
17	r. Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	W	W
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	ii. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	W
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	f. Community Center Expansion-Design	Y	W	R	W	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	W	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	W
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	W	N
22	Visitors Center Funding	W	W	W	W	W
23	Visitors Center Funding (<i>Citizen Article</i>)	W	W	W	W	W
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	W
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	W	W	W	W	W
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	W	W	W	W	W
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	W	W	W	W	W
31	Appropriate for Authorized Capital Improvements	W	W	W	W	W
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	W	W	W	W	W
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	W	W	W	W	W
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	W	W	W	W
35	Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	W	W	W	W	W
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	W	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	W	W	W	W

ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	<u>W</u>	<u>W</u>	<u>W</u>	<u>W</u>	<u>W</u>
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	W	Y	W	W
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	W	Y	Y	W
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	W
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	W	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	W	Y	Y	W
45	Amend Chapter 447 of the Acts of 1956	W	W	W	W	W

Selectmen's Meeting
March 12, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:03 p.m. on Monday, March 12, 2018 in the Selectmen's Meeting Room of the Town Office Building and immediately entered Executive Session under Exemption 3 to discuss strategy with respect to collective and coalition bargaining related to Municipal and School unions. Upon exiting Executive Session at 7:15 p.m., a five-minute recess was called and Open Session reconvened at 7:20 p.m. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Public Comments

Ann Grady, Follen Church Gun Violence Prevention Committee Chair, said her group's application to rent the Cary Memorial Building on Sunday, April 8, 2018 for a program entitled "Gun Violence: Action, Truth, and Reconciliation" was denied by the Town. The intention of the program is to highlight the work of Lexington School students in response to the Parkland, Florida school shootings and to have experts, such as the State Attorney General, explain State and Federal gun laws. Ms. Grady asked that the decision be reconsidered and what the appeals process might be.

Devesh Patel, a sophomore at Lexington High School, is a member of the "Lexington Says Enough" group. He reported that tensions and anxiety among students and parents have increased since the Parkland shootings. He asked the Gun Violence program be allowed to take place in the community space of the Cary Memorial Building since he believes it to be a conversation and not inherently political.

Taylor Singh, 80 Burlington Street/Precinct 7 Town Meeting Member, is also a member of "Lexington Says Enough". She, too, asked for reconsideration of the decision and noted that the prohibition against use of Cary Hall for political purposes, as stipulated in the bequest of the building donor, seems contradicted by its use for Town Meetings. She believes it would be more responsible, for security reasons, to hold the program near the Police Station, although there is no expectation of violence.

Jessie Steigerwald, Precinct 8 Town Meeting Member, asked the Town Manager for reconsideration as well, or that an appeals process be identified that involves a group rather than a single individual. She sees the program as educational because it will provide residents with important information. Follen Church has been organizing this event for more than a year; while it is timely, it is not based on the recent events in Parkland, Florida. Ms. Steigerwald noted she has attended more than one program in the Cary Memorial Building where candidates seeking political office were allowed to speak. She believes the decision to deny use of Cary Hall for the Gun Violence program is inconsistent with permissions given in the past.

Valerie Overton, 25 Emerson Gardens, belongs to a group that is co-sponsoring the Gun Violence program. She sees the program as a way of hearing multiple perspectives and offering critical information to a broad variety of people. She believes the program should be open and inclusive and held in a community space.

Matt Schnall, 143 Cedar Street, encouraged the Board of Selectmen to look into this particular decision for reasons of Town Government transparency.

Selectmen Concerns and Liaison Reports

Mr. Pato, Ms. Ciccolo, and Ms. Hai asked that the Board follow up the previous public comments by taking a closer look at the Cary Hall rental policy and process.

Ms. Barry said the most recent storm resulted in an enormous workload for Town staff and many Lexington residents suffered power outages. Ms. Barry asked Mr. Valente to express the Board's gratitude to relevant departments. The entire town is now back online but another storm looms.

Town Manager Report

Mr. Valente reported that, due to the impending storm, trash pick-up for the remainder of the week will be delayed by one day. Also due to the storm, extra staff will be on duty at the DPW, Fire, and Police departments. If more tree damage occurs, the Town's tree contractor will be available. The Hartwell Compost Site will be open this coming weekend on both Saturday and Sunday (for residents only/no contractors) to accept debris; tree debris larger than 4 inches in diameter will be allowed but must be cut in lengths no longer than 4 feet. The library, Town Offices, Community Center, Meals on Wheels and Lexpress programs will be closed on Tuesday, March 13. All Town government meetings for March 13 have been cancelled and will be rescheduled. All the above information was sent out via the Code Red platform and appears in the Town website's home page.

Request for Use of the Battle Green--#Enough, School Walkout Against Gun Violence

The applicant formally withdrew the application on Friday, March 9, 2018. No action is required.

Westview Cemetery Building Design Presentation

Dave Pinsonneault, DPW Director; Christopher Filodoro, Public Grounds Superintendent; and Justin Humphreys, TBA architect, presented a site plan and proposed new 5,000 SF combined operations and administration building for the Westview Cemetery. The building will be located near the Westview Street entrance. Construction costs are projected at \$3.054M; total project costs are estimated at \$3.367M, including 15% contingency, escalation, and furnishings. The budget for the project was estimated at \$3.040M. An independent estimator is reviewing these figures.

Mr. Humphreys showed the proposed floor plan that includes public spaces, restrooms, offices, records archives, break room/meeting room, locker facilities, mechanical space, and open-air storage bays for mulch, etc. The site plan provides 10 hardscape public parking spots, 5 grass/paver/or gravel spaces, and an outdoor three-season viewing pavilion with one solid wall and three glass walls that can be opened up in nicer weather. Mr. Humphreys likened the exterior appearance of the new building to the DPW facility at 201 Bedford Street as it would also have a brick base and corrugated siding. The new building would have work bays with natural light and a pitched roof with solar panel set-up. Trees would be added; existing trees will be retained to the extent possible.

The full project includes demolition of the current building and surrounding pavement. Mr. Humphreys stated that a substantial amount of the project cost is due to site development, particularly running utility lines to the new building location and clearing out the area where the new building will be constructed. Water and electric lines will come from Westview Street and gas and sewer lines will probably come from Bedford Street with the gas lines extending from the existing building. Mr. Humphreys also described stormwater management systems for the site.

Mr. Lucente asked how big the need is for locker rooms and showers in the new building. Mr. Pinsonneault said there are facilities in the current building but they are unusable. Staffing at the facility includes 3 full-time maintenance people, 1 full-time administrator, plus supplemental staff as needed. The space also is used as a staging location during snow operations.

Mr. Lucente asked how many people the viewing pavilion would accommodate and if use of the pavilion would require a fee. Mr. Humphreys estimated the pavilion would hold between 50 and 70 people, depending on whether they are sitting or standing. A fee has been discussed but not determined. There is currently a fee to use a tent at the site, which is erected and dismantled per occasion.

Mr. Lucente asked if solar is a practical option given the number of trees on the site. Mr. Humphreys said some clearing would be necessary for construction which would also make solar viable.

Mr. Pato noted the project, as presented, is within budget. The plan is to cover project costs with burial fee revenue.

Ms. Barry questioned how private the pavilion would be, given its proximity to the road. Mr. Pinsonneault said the distances in the drawings are deceiving but he will look closely at this as he is mindful of privacy while needing to make the pavilion accessible. Staff would continue to manage traffic for funeral processions; overflow parking would be along the road, as it is now for graveside services.

Ms. Ciccolo asked if the project followed Sustainable Building policies even though the final approval of the policies has not yet been voted. Mr. Pinsonneault confirmed that it does.

Ms. Hai asked if the records storage dimensions of the new building are adequately sized. Mr. Pinsonneault said the new area is larger than the existing storage and a lot of the current records are being transferred to Laserfiche.

Ms. Hai asked if the current utilities could be run further to accommodate the new building rather than digging all new lines. Mr. Humphreys said the current building does not have a sewer line, so an entirely new one is needed, and the size of the current water and electric lines is inadequate for the new building.

Ms. Hai asked how often the pavilion would be used, given that many people want a graveside service. Mr. Pinsonneault said a pavilion was requested by the Board and he believes it will be used, although some will still want a graveside ceremony.

David Kanter, Capital Expenditures Committee, asked if the \$270,000 in funds appropriated for schematic design will carry the project through to the bid document phase. He believes it to be early in the trajectory of the project to be seeking construction funding and that the project has not followed the established process. Additionally, he believes the \$100,000 pavilion should be an add-alternate as it seems unclear how much it would be used. Mr. Kanter further noted that the cost of the full project exceeds the budget projection and he fears the escalation cushion will not be enough. Mr. Pinsonneault said there have been two appropriations for design: the current \$270,000 and an earlier \$35,000; these are adequate to satisfy costs up until construction.

Update –ATM 2018 Warrant Article 35—Resolution Regarding Financial Impact of Warrant Articles

Mark Andersen, Precinct 6 Town Meeting member, spoke for a group that put together Article 35 for Town Meeting consideration. The purpose of the Article is to establish an expectation that each warrant article presentation will include an explicit financial impact statement (cash flow; net present value; life expectancy of equipment, etc.) in order to facilitate assessment, transparency, and make the best use of Town Meeting time. Article 35 is intended to be flexible so that the Selectmen, the financial committees, or the Town Manager could set the standard; is it also intended to ensure that all the details of an article are finalized before reaching Town Meeting floor.

Mr. Andersen has met with the Appropriation Committee and Capital Expenditures Committee (CEC) about Article 35. CEC welcomed the concept and noted there are templates available that could be used for the financial impact report. Mr. Andersen noted that there were concerns about the potential workload of providing this level of financial information across all warrant articles. Financial committee members also said that Town Meeting is too late in the process to learn about financial impacts for the first time; they believe Town Meeting members should inform themselves sooner by paying attention during earlier in the process. Finally, Mr. Andersen said he believes the current process makes it difficult for Town Meeting to engage in debates about prioritization, trade-offs, and over-all sequencing.

Mr. Lucente said the thought behind Article 35 is important and the type of questions Mr. Andersen raises should be asked early in any process.

Mr. Pato agreed, pointing out that the budget process takes place all year long, not merely at Town Meeting. He thinks there are some templates that might be helpful. Even if Article 35 is indefinitely postponed, he hopes the discussions with Appropriation and Capital Expenditures committees will continue so their reports to Town Meeting address these concerns.

Ms. Barry asked about the template model included in the presentation, noting that it would be hard to apply it to citizens' articles. Mr. Andersen said that, even if the article was not generated by the Town Government process, someone would "own" the article and need to explain any impacts.

Ms. Ciccolo said the concepts and discussions around Article 35 are interesting but agreed that the budget process takes place all year. She suggested that the Selectmen discuss this at goal setting or consider improvements to the wider budgeting and Town Meeting processes. Ms. Hai

agreed and said there are ways in which the concepts in Article 35 can be applied within Selectmen and financial committee deliberations.

David Kanter, Capital Expenditures Committee, said embedding Article 35's concepts within department or proponent requests makes sense.

ATM 2018 Warrant Article 37—Accept Massachusetts General Laws Chapter 59, Section 5C½

Ms. Barry recused herself because her husband is a veteran and eligible for the exemption. Ms. Ciccolo chaired in Ms. Barry's absence.

Vicki Blier and Pat Costello, Tax Deferral and Exemption Committee Co-Chairs, presented analyses of research into the fiscal impacts of applying 30%, 60% and 100% personal property tax deferral benefits for specific segments of the population (the elderly, blind, surviving spouse or child, veterans,). The Town receives State reimbursement up to a point but it would absorb additional deferral costs above current rates. Based on their findings over 12+ years of study, Ms. Blier and Ms. Costello recommended supporting 100% deferral.

Ms. Blier and Ms. Costello said, if the Selectmen support a higher deferral percentage, they—not the Committee— would sponsor the warrant article. If Town Meeting approves Article 37, it would be able to revoke acceptance of MGL Chapter 59, Clause 5C½ after three years.

All four participating Selectmen supported the 100% option. Mr. Lucente asked how the full amount would impact the FY19 budget. Mr. Valente said the \$89,000 impact would have to be set aside in the Overlay account since it is not a Town Meeting appropriation.

Mr. Pato said Ms. Costello and Ms. Blier make a good point that the deferral has remained static even though taxes have increased substantially. Mr. Pato asked where the money would come from since all FY19 funds are already allocated. Mr. Valente said since the Senior Services program was dropped, \$30,000 remains available. He will discuss the matter with Ms. Kosnoff, Assistant Town Manager for Finance, and develop options for Board consideration.

Ms. Ciccolo said the amounts are small but the Town should do what it can to ease the tax burden. Mr. Pato said, if full deferral cannot be applied in FY19, the date for implementation could be pushed into FY20 and the Board could work toward the 100% target. Ms. Hai, Mr. Lucente, and Ms. Ciccolo agreed that if 100% cannot be found, some amount could still be applied in FY19. Ms. Hai asked if there is reason to believe more people would take advantage of the deferral if the benefit increases. Ms. Blier said she doesn't anticipate a large increase, given income limitations.

John Bartenstein, Appropriation Committee Chair, has worked with the Tax Deferral and Exemption Committee over the years. He agreed that the benefits, compared to increasing tax burdens, have been shrinking by remaining static. He believes the Town should maximize what the State has newly allowed towns to do, as long as the money can be found.

Ms. Ciccolo said the Board will pursue additional information and take action at a subsequent meeting.

Update—ATM 2018 Warrant Article 32—Amend General Bylaw Regarding Financial Committees

David Kanter, Article 32 proponent, provided updates to Article 32, emphasizing that the main goal of the initiative is to reflect current practices, not to amplify the role of the Capital Expenditures Committee. Article 32 would clarify the establishment and purpose of the Committee; address the CEC's year-long responsibilities and activities; clarify that the scope is broader than financial expenditures and includes participation in policy discussions; and include text that would affirm CEC's access to Town staff support and records. The motion for Article 32 requires review from Town Counsel.

Mr. Lucente, Mr. Pato, and Ms. Ciccolo agreed it is important to document current practice. Ms. Barry said some of the wording seems difficult. Mr. Kanter said he supports future wordsmithing but his guidance from the Town Moderator was to aim for equivalency with existing wording for the Appropriation Committee. Ms. Hai said she would be happy to work on future revisions.

Review Selectmen Liaison Assignments

The Board went through the yearly process of reviewing Selectmen liaisons to Town boards and committees, with particular attention to former Selectmen Kelley's assignments. Ms. Barry noted that the Council on Aging currently has two Selectmen liaisons but only one is required. Ms. Barry said that the Capital Expenditures Committee and, perhaps, the Appropriation Committee want a Selectmen liaison and while it may make sense for Ms. Hai to assume that role, the practice has not been to have a Selectman liaison to a committee on which s/he formerly served.

David Kanter, Capital Expenditures Committee, said he sees value in dialogue continuity. Ms. Barry said, most recently, the dialogue has been chair-to-chair and she is comfortable continuing that practice.

Ms. Barry revised the liaison list as changes were made. She advised liaisons to check the Public Meeting Calendar to keep track of meeting dates and times. Ms. Ciccolo asked that an updated liaison list be sent out to the committee chairs so they know which Selectmen to communicate with.

Selectmen—Committee Appointment/Resignation

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to accept the resignation of Donna Hooper from the Historic Districts Commission to be effective April 6, 2018.

Ms. Barry noted that with Ms. Hooper leaving the HDC, the membership is down one full and one associate member. The Lexington Arts and Crafts Society is working on providing a list of potential nominees to fill the full-member seat.

Upon motion duly made and seconded, the Board voted 5-0 to appoint Andra Bennett to the Transportation Advisory Committee to complete the unexpired term of Susan Barrett ending September 30, 2019.

ATM 2018 Article Positions & Presenters

The Board reviewed Annual Town Meeting positions and presenters, making changes as indicated from the positions noted on March 7, 2018. The updated chart is appended to these minutes.

Consent Agenda

- Approve Tax Bill Insert

Ms. Ciccolo and Mr. Pato applauded the Bike Committee's efforts to keep the public informed.

David Kanter, Precinct 7 Town Meeting Member, noted that since many people prepaid their property tax bills this year, they would not receive a 4th quarter bill. Ms. Kosnoff concurred that this would be the case if the balance is zero. Mr. Kanter asked that the information be posted on the Town's website. Ms. Barry asked that copies of the flyer be mail available at the Cary Memorial Library, the Cary Memorial Building, the Town Office Building, and the Police Station.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the tax bill insert regarding bicycle safety and the bike share program.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 9:23 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

2018 Annual Town Meeting Article Selectmen's Positions as of March 12, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	W	Y	Y	W	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	W	W
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for Westview Cemetery Building Construction	Y	Y	Y	W	Y
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. Center Streetscape Improvements- Design	W	W	W	W	W
	f. Automatic Meter Reading System	Y	Y	Y	W	W
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	W	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	W	Y	W
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	ii. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	W	W	W	W	W
23	Visitors Center Funding (<i>Citizen Article</i>)	W	W	W	W	W
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	W
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	W	W	W	W	W
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	W	W	W	W	W
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	W	W	W	W	W
31	Appropriate for Authorized Capital Improvements	W	W	W	W	W
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	W	W	W	W	W
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	W	W	W	W
35	Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	W	W	W	W	W
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	W	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	W	Y	W	Y

ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	W	W	W	W	W
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	W	Y	W	W
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	W	Y	Y	W
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	W
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	W	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	W	Y	Y	W
45	Amend Chapter 447 of the Acts of 1956	W	W	W	W	W

Selectmen's Meeting
March 19, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:11 p.m. on Monday, March 19, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Public Comments

David Kanter, 48 Fifer Lane/Precinct 7 Town Meeting Member, asked the Board of Selectmen to reconsider its support for ATM 2018 Article 20 (f)—Community Center Expansion Design. Mr. Kanter urged postponement on the project for several reasons: the expansion has not been part of the 5-year Capital Plan; it is a want, rather than a need; it competes for funds with what Mr. Kanter considers to be higher priorities, such as the Police and Fire stations and the high school; the project has not been in the funding model; the design phase of a municipal project should not be far ahead of the Town's ability to move forward with the construction phase; private donors do not require an elaborate schematic design to provide support.

Selectmen Concerns and Liaison Reports

Mr. Pato reported that Governor Baker announced a \$1.4B State-funded "Climate Challenge" investment program. Speaking as liaison to the Sustainable Lexington Committee, Mr. Pato said the Committee finds the program to be of considerable interest, particularly with regard to implementation of the Town's Sustainable Action Plan that will soon to come before the Selectmen for review/approval. Because Lexington has multiple programs in place or in progress, such as the Sustainable Building policy and the Net Zero effort, it is in a strong position to apply for the Climate Challenge grants. Ms. Barry added that she hopes to see the Sustainable Building Policy on the agenda in the next few weeks, as well as the larger policy that is being drafted.

Ms. Barry acknowledged the passing of former Selectman James Crain who served on the Board from 1978-1983 and expressed sympathies to Mr. Crain's family. The flag was lowered today, March 20, 2018, in Mr. Crain's honor, with gratitude for his service to the town.

Ms. Barry announced that the Annual Town Report has been released and expressed thanks to the Annual Town Report Committee. Copies will be available at Annual Town Meeting, the Town Office Building, Community Center, and Cary Memorial Library.

Ms. Barry asked her colleagues to consider stepping forward to serve on the nominating committee of the Executive Board of the Cary Memorial Library Board of Trustees. Ms. Hai volunteered to fill the position.

Town Manager Report

Mr. Valente said that, in response to the recent storm, the Hartwell Avenue Compost Site will be open to accept storm debris Sunday, March 25, 2018 from 8 a.m. to 4 p.m. Due to space limitations, this is the last day tree debris greater than 4 inches in diameter will be accepted. The

facility will also be open Saturday, March 31, 2018 from 8 a.m. to 4 p.m. but the accepted size requirement will return to the pre-storm maximum.

Mr. Valente said that the Town Clerk has reported a tie vote (100 to 100) for one Precinct 7 Town Meeting Member seat. There will be a recount on Thursday, March 22, 2018.

Mr. Valente said insulation work will be done at Cary Memorial Library, requiring closure for several days, starting March 24, 2018. The Library expects to reopen on the afternoon of March 29, 2018. Late fees will be waived during this period and reserve materials will be held for an extended period of time.

Mr. Valente announced the publication of the Spring/Summer Recreation and Community Programs brochure and congratulated the Recreation Department and Community Center staff for offering a wide variety courses of categories such as adaptive, pre-school, youth and teen, adult, “lifetime” for ages 60+, drop-in, and Pine Meadows Golf Course.

Update—Visitors Center Design

Don Mills, Architect; and Sergio DeMango, Department of Public Facilities, Engineer, addressed Annual Town Meeting 2018 Article 22—Visitors Center Funding, which he said is likely to include a request for construction phase appropriation. Since Special Town Meeting 2017, the design phase of the project has progressed; revisions have been made based on feedback from multiple groups. Mr. Mills summarized the project’s timeline to date and addressed current conditions. The current Visitors Center was constructed in 1966 and since 2014 has been under the purview of the Town’s Economic Development Department.

Mr. Mills showed slides of the proposed building layout, presented 2014/15/16 visitor tallies, and described how the historical displays would be integrated into the new construction. The Sustainability features of the building include: LEED v4 Silver certification; 22.8% cost savings compared to baseline LEED v4 Silver; 22% reduction from baseline GHG emissions; improved building envelope, window unit and glazing energy performance; energy recovery and occupancy ventilation controls; reduced lighting power density; and low-flow plumbing fixtures.

The total project budget, from the design development phase through construction, is projected to cost \$4.5M. Mr. Mills said possible value engineering could decrease costs by \$200,000, such as opting for alternative building materials and designing to LEED Silver standards but foregoing certification.

Mr. Mills stated that if construction funding is delayed until Special Town Meeting in the fall of 2018, it would still be possible to finish the project by April 2020. He noted that if construction is started earlier, a temporary facility would have to operate for a longer period of time and savings on escalation costs would yield little advantage.

Ms. Hai said she was impressed with how far the project has come over time and with the number of groups Mr. Mills consulted. She asked if changing the roof materials, from wood to asphalt shingles, would increase the likelihood of ice damming. Mr. Mills said there should be no effect and added that the team looked at 4 different alternatives (slate, wood, copper, and asphalt). Of the four, asphalt was least expensive and had the best life cycle cost. The Historic

District Commission has not yet made a determination about roof shingle preference but Mr. Mills noted that the new building itself would not be historic and that there are many historic homes in the Historic District that have asphalt shingles. He projected that, by the time the asphalt shingles need to be replaced, photovoltaic shingles will look more like asphalt shingles and be readily available.

Ms. Ciccolo believes the design now being presented is the right one. She noted that the staff bathroom is not handicap accessible, although the bathrooms on the lower level are. Mr. Mills said an earlier version of the design included an accessible staff bathroom but, due to Board feedback about exterior access bathrooms, he minimized the staff bathroom footprint. In order to make the staff bathroom accessible at this point, the stockroom will have to have only one entrance. Mr. Mills noted that the building has an elevator that could be taken to the lower level bathrooms.

Ms. Barry said she preferred the staff bathroom on the main floor to be accessible to all abilities.

Mr. Lucente said he would support using the less expensive asphalt shingles, if the HDC is amenable. He asked if the concrete flooring surface would be slippery. Mr. Mills said stained concrete is finished with a low VOC, slip-resistant sealant which would require more maintenance than “self-polishing” granite because the stain and sealant are not “through-colors”. Even using the most durable sealant, a new application would need to be applied every couple of years. However, granite, the alternative, would also benefit from being sealed, so it is not an entirely maintenance-free material.

Mr. Lucente asked if hold buttons for the outer doors are warranted. Mr. Mills said they are not required. They are included the budget but not in the current design and continue to be discussed. If doors are weighted correctly, it is preferable to not have buttons because they are pushed unnecessarily and energy is lost.

Mr. Lucente asked if blowers are planned to heat the entryway to minimize the effects of heat loss. Mr. Mills said they are planned in the vestibule area and the double doors in the front should partially counteract some of the heat loss; there are single doors in the rear of the building.

Mr. Lucente asked if waiting to fund the project until fall would pose a problem. Mr. Mills said, from his perspective, there would be no difference vis-à-vis construction but he would not want to delay construction documents. He believes the project is right-sized and the budget is unlikely to change, but he noted that escalation costs equal about 4% for every year a project is delayed.

David Kanter, Capital Expenditures Committee, asked at what point the alternative value engineering decisions will be made, noting that they must ultimately be taken in the order they are listed. Mr. Mills replied that all of the alternatives could be part of the bid documents, although it would be best to clarify the roofing materials at an early stage. With regard to the LEED alternative, Mr. Mills said it must be clarified that the building would be designed to LEED Silver even if certification is not the end goal. If certification is the goal, Mr. Mills recommended registering the project soon because standards may change.

Dawn McKenna, Tourism Committee Chair, reported that the Tourism Committee was happy

with the compromises made on the project. Ms. McKenna does not believe the asphalt will be acceptable to the HDC because it is not a “natural” material, as specified by the Commission’s preference. Ms. McKenna asked the Selectmen to recommend the higher cost so that everything is still on the table as the decision process continues. Ms. McKenna said transitioning to the temporary Visitors Center space in May of 2019 would fit best with the tourism calendar. She is against removing one of the exterior access bathrooms because having two improves the ability to hold outside events. Ms. McKenna supports inclusion of the automatic door buttons and advocated funding the project now instead of waiting until Special Town Meeting in the fall.

Jerry Michelson, Center Committee, asked if the total project estimate includes landscaping and drainage. Mr. Mills said it does not include drainage in the foreground, which is part of the Battle Green Master Plan.

Staff Report—Visitors Center Financing Plan/Fundraising Option

Megan Zamutto, Economic Development Coordinator, presented three components of the Visitors Center plan: a staff recommended financing plan; fee increases and additional revenue sources, including grants and partner contributions; and options for a temporary facility while Visitors Center is under construction.

- Visitors Center funding *without* outside funding sources

Ms. Zamutto showed how the debt service for \$4.5M in construction costs plus \$200,000 in temporary location costs, minus revenue from fee increases and partner contributions (Lions Club and Chamber of Commerce) would be amortized over a ten-year period. Debt payments vary over the years but the average is \$579,000. The interest rate used in the estimate was 5%.

- Visitor's Center funding *with* outside funding sources

As above, \$4.5M total project costs plus \$200,000 for relocation but outside funding is demonstrated as \$190,000 in CPA funds; \$200,000 in State funding; and \$668,000 in grant funding. The Town will learn this summer if it will receive the State funds and/or the two grants. With these offsets, the average payment would be \$444,000 each year for ten years.

- Potential funding from internal and external partners

Proposed rental rate increases include: 1) Battle Green charter tour fees would go from \$50 to \$75 per tour, yielding an estimated \$4,000 over ten years.; 2) Battin Hall rental fees would go from \$500 to \$550, yielding \$15,000 over ten years; 3) Estabrook Hall rental fees would go from \$150 to \$200, yielding \$10,000 over ten years. These estimates, which Ms. Zamutto said were conservatively calculated, show annual revenue as \$2,900 or \$29,000 over ten years.

Additional potential revenue sources include: advertisement inside the Liberty Trolley (\$1,200/yr.); sale of a Battle Green Walking Tour (\$3,000/yr.); sale proceeds from an exclusive product to go to a Visitors Center Stabilization Fund (\$800/yr.); and optional Visitors Center contributions (\$3,000). Over ten years, revenue from these sources would equal \$80,000.

Potential partner contributions included: Lexington Chamber of Commerce (\$31,450 over ten years); Lions Club (\$50,000 over ten years); and Lexington Rotary Club (TBA). Not including the Rotary Club, the ten-year yield from these sources would equal \$81,450.

With the State Funding, two grants, and fee increases, revenue is estimated at \$190,450.

- Interim space options

Ms. Zamutto provided two options: The Masonic Lodge (cost to be determined); or a temporary trailer (6-month cost = \$113,972; 12-month cost=\$144,078). Elements to be considered include program hours and staff adjustments; comparative displacement costs; and the practical/logistical pros and cons of either location. The Historic District Commission has yet to be consulted about the trailer option; the availability and the cost of the Masonic Lodge has not been determined, although Ms. Zamutto has been in preliminary discussions with the board of directors.

Ms. Hai asked if the operating cost savings presented for the trailer are entirely due to staff reductions. Ms. Zamutto confirmed that they are and explained that proceeds from the gift shop fund go into the Visitors Center Revolving Fund which, in turn, pays staff. If proceeds decrease, the Visitor's Center will require Town support.

Ms. Hai said the Masonic Lodge appears to be an attractive option but asked about other Town-owned buildings, like Cary Library, might be considered. Ms. Zamutto said she has not looked into the Library as a temporary space; she did discuss the matter with the Depot but that group is not interested in renting to the Visitors Center due to programmatic impacts.

Ms. Hai asked if the \$300 monthly rent for the Chamber is comparable to rents. Mr. Valente said the rent is pegged to the square footage costs in the Center.

Ms. Hai asked about the 5% interest rate and the ten-year loan term. Mr. Valente said that an expenditure of this size was suited for a term of no more than ten years; 5% is the most recent coupon rate.

Ms. Hai asked what the timing would be for the Battle Green project and if the landscaping to improve drainage would be completed in the same timeframe as the new Visitors Center. Mr. Valente said the schedule for the Battle Green plan follows behind the Visitors Center because the projects need to be staggered for practical reasons.

Ms. Ciccolo favored the 12-month interim program over the 6-month program and the Masonic Lodge over the trailer option. Ms. Barry also found the Masonic Lodge option attractive.

Mr. Pato said he is pleased to see the outside funding approach but noted both the small and still highly-speculative amount. He asked about the small number of Battle Green Charter Tours in the fee projections. Ms. Zamutto said the tour has a lot of room for growth and will be promoted more in the future.

Mr. Pato noted that the Masonic Lodge intersection is a high traffic area and he is worried about pedestrian accommodations.

Mr. Lucente agreed that the Cary Library is an option worth pursuing. He applauded efforts to identify outside funding and encouraged more work to be done in this area. He confirmed that the Lions Club is committed to the contribution Ms. Zamutto projected. He would support the Masonic Lodge option but expressed concern about accessibility. Ms. Zamutto confirmed that the trailer option includes costs for a ramp.

Ms. Ciccolo said that outside fundraising is a critical piece of the puzzle; she supports putting an optional donation jar out immediately, and possibly a “Dip Jar” in the form of a swipe machine for voluntary contributions.

David Kanter, Capital Expenditures Committee, said that while he applauds the effort to identify external funding sources, he is opposed to applying rental fees for Battin Hall and Estabrook Hall to the Visitors Center.

Dawn McKenna noted the people in the audience who came in support the Visitors Center project. She believes fundraising will become easier once it is certain the Town will support the project. Ms. McKenna supported the 12-month plan rather than the 6-month plan for reasons of consistency. She said she has spoken with the owner of Abbott’s Frozen Custard, soon to be in the Center; the business is open to having the location advertised as an accessible bathroom location. She suggested there may be other businesses similarly inclined. Ms. McKenna said her meetings with State officials lead her to believe State funding might be higher than \$200,000. She asked for direction on whether the Tourism Committee or the Town Staff should be pursuing outside funding options.

Fred Johnson, Precinct 6 Town Meeting Member/Center Committee liaison to the Tourism Committee, asked to go on record as urging the Board to move ahead with full-construction funding at this Annual Town Meeting. He sees no advantage in delay and the bidding process can be controlled. He sees the Visitors Center as the rare municipal project that has a return on investment and it contributes to the business sector. He believes there is still work to be done on determining the best temporary location.

Ms. Hai said she supports moving ahead now with both design and construction funding. Ms. Ciccolo agreed but asked that it be ascertained whether any of the grant funding would be forfeited if Town Meeting votes to fully fund the project. Mr. Pato said he is not willing to support full funding at this time but he applauds the progress made in fundraising and design; he is willing to support the remaining design costs but explained that \$4.5M is beyond what he sees as a “reasonable expenditure”. Mr. Pato believes defraying costs is critical but the bulk of

the \$1M in potential outside funding is uncertain and, in any case, he would be happier if the potential was in the \$2M range. Mr. Lucente supported the full amount, including construction, and does not see the benefit of waiting. Ms. Barry said, now that the debt exclusion vote was successful, she can support the Visitors Center project but she wants to take a harder look at the temporary plan, particularly Town-owned building options.

David Kanter, Capital Expenditures Committee, asked that the dollar amount and the funding sources for the Visitors Center be made available to the CEC for its report to Town Meeting. He asked for advice on how to express the qualifiers for the various grants as well.

Article 16 (f)—Automatic Meter Reading Equipment Analysis

The Town recently received the draft report from Wesson and Sampson consultants on implementing an automatic water meter reading system to replace the house-to-house semi-automated system. Because of the technical and financial complexity of the analysis, and the number of follow-up questions staff have for the consultant, DPW Director Dave Pinsonneault recommended that this Warrant Article (16f) be indefinitely postponed at Town Meeting.

Mr. Pinsonneault said the system will allow better monitoring of leaks, will set up a system by which the Town can generate quarterly bills, and will allow residents to access their own information online. He believes it will decrease the number of water bill abatements; staff is gathering information from other communities that use the system.

Mr. Pato said he is disappointed in the delay but he appreciates the need to be fully prepared before bringing the matter to Town Meeting. He is aware that other communities that use the system have had success in a variety of ways, including discovering missing or inaccurate meters. Mr. Pinsonneault noted that both he and the Finance Director agree that they want the process to move ahead as soon as possible.

Ms. Hai said the Capital Expenditures Committee has asked for the return on investment analysis now being prepared and she supports waiting until that analysis is complete before bringing the matter forward.

Update—Center Streetscape 25% Design

David Pinsonneault, Public Works Director, and John Livsey, Town Engineer, presented a summary of progress to date, including updates to the major design elements such as sidewalk materials; lighting; irrigation; roadway features including buffers, edging, bollards, stonewalks and fences; stormwater infiltration; bike parking; interpretive/educational elements; and signage/wayfinding. Mr. Livsey noted that members of a Town Manager work group have been working alongside staff and design engineers to ensure that, moving forward, the design is in concert with the direction provided by the Board.

Mr. Livsey presented the proposed timelines for the Center Streetscape and the Battle Green Streetscape projects, noting several other projects in the area (Grant Street Bridge, Bedford Street/Worthen Road traffic signal, National Grid vault at Winthrop Road, Massachusetts Avenue/Worthen Road intersection, Water Main from Battle Green to Parker Street, and the new Police Station) and the estimated decision points and construction dates for each of the initiatives. The Police Station timeline is not known, at this point.

The 25% Center Streetscape design is scheduled to be reviewed by the Selectmen in the summer of 2018 and approved in the fall of 2018. The completion of the 100% design is expected 6 months later with Selectmen review and approval anticipated in the spring of 2019. Mr. Livsey said that the Center Streetscape construction may be split into two phases with Phase 1 starting in April 2020 and ending in October 2021 and Phase 2 starting in April 2022 and ending in October 2023. Battle Green Streetscape 100% design and approval is scheduled behind the Center Streetscape by approximately a year but Mr. Livsey said he is looking to include the Battle Green construction in Phase 2 of the Center Streetscape so that everything is completed before

Lexington's anniversary celebrations in 2025. The reason the long list of projects is staggered is because it would otherwise be next to impossible to navigate through the Center.

The department is taking into consideration several factors with regard to the Woburn Street intersection:

- Elements of the Police Station plan are still in flux, including curb cuts, the bus stop location, pedestrian crossing locations, and bike accommodations;
- The traffic light being installed at Massachusetts Avenue and Maple Street is likely to have an impact on traffic flow that will need to be evaluated;
- The restriping in the Center, as well as a painted median strip, will also have an effect.

With these issues in mind, Mr. Livsey asked that the Center Streetscape project be truncated between the existing Police Station driveway and the Cary Hall entry drive until changes from the above can be analyzed.

Mr. Pinsonneault added that staff also recommend postponement of the 25% Center Streetscape article until Special Town Meeting in the fall of 2018, which will provide the opportunity for analysis and a solid cost estimate but still allow for the timeline as presented.

Ms. Hai appreciated that a lighting consultant has been hired and asked that the crosswalk lighting be included in the consultant's scope of work. Mr. Livsey agreed this would be critical. Ms. Hai asked why Silva Cells were planned only for the north side of Massachusetts Avenue if 85% of the trees in the Center are known to be failing. Mr. Pinsonneault said there is insufficient room on the south side to install them; instead, tree pits will be widened and the structural soil will be replaced with a better growing medium. The ad hoc Committee has recommended a grate be added to protect the trees from soil compaction.

Ms. Hai asked that the Historian's Report be made available to the Board. Mr. Pinsonneault said he would send it to Mr. Valente's office. Ms. Hai asked that the drainage piece of the Battle Green plan be coordinated with the Visitors Center project.

Ms. Ciccolo said she is relieved to see the Center Streetscape and Woburn Street intersection projects decoupled. She asked if there would need to be a second article at a later date to fund the Woburn Street project. Mr. Valente said he expects the Woburn Street project to be postponed for a number of years to see how the other projects in the area effect that intersection; Woburn Street intersection improvements will appear on a later Capital Improvement plan. Ms. Ciccolo asked that a neighborhood impact study be included in the funding.

Ms. Barry thanked Mr. Livsey and Mr. Pinsonneault for providing the timeline and for incorporating the Battle Green project, noting the importance of coordinating the two projects and ending construction before the 2025 events.

Mr. Pato said he is somewhat concerned that delays will cause the projects not to be completed by 2025 but he sees no way to accelerate the timeline. He believes removal of the Woburn Street portion of the project to be necessary but noted that this means the intersection is unlikely to be addressed for another 5 years. He supports indefinite postponement of the Center Streetscape 25% design article at this Town Meeting.

Mr. Lucente said he is surprised that the Center Streetscape project will take 3½ years. This necessitates careful thought about what the impact will be on businesses and how to mitigate it. Mr. Livsey said part of the reason for the length of the project is minimization of impact via construction staging; parts of the project will be dormant during busy times of day for the businesses, requiring an overall longer project period. Mr. Lucente said members of the business community should be asked which approach they prefer.

Mr. Lucente asked if the 25% design review will include a Public Hearing, considering the amount of interest in this project. Ms. Valente said this will be up to the Board.

David Kanter, Capital Expenditures Committee, applauded the indefinite postponement of the article and removal of the Woburn Street intersection from the project scope. He asked for a rough project estimate to revise the Capital Plan.

Mark Connor, 16 Highland Avenue, said he has been involved in the project's process but noted that the working group mentioned has not been public, unlike the ad hoc Committee that preceded it. He said residents are very interested in the streetscape choices being made and believes it to be a wasted opportunity not to include people who want to be involved, even if the intent is not to be exclusionary.

Jon Himmel, Permanent Building Committee co-chair, said his Committee works hard to include a wide variety of stakeholders in its deliberations. While this can painfully slow down progress, it is nonetheless an important element of high-visibility public projects.

Mr. Valente clarified that the working group in question was established by the Town Manager to work with staff on moving forward in the direction provided by the Board of Selectmen; this is separate and different from what the ad hoc Committee had been doing and does not qualify as a public body.

Mr. Pato asked that time be included in the calendar for the Board to review the project recommendations of the working group before an article is prepared for Special Town Meeting 2018.

Dawn McKenna, Tourism Committee Chair, said she is pleased the Visitors Center and Center Streetscape projects are being coordinated but the dates concern her, both because of the 2025 deadline and the possibility that tourists drawn to 2020 events in Plymouth will also make Lexington a destination.

The Board took a 5-minute recess at 8:37 p.m. before reconvening at 8:45 p.m.

ATM 2018 Warrant Article 42—Amend Zoning Bylaw/Special Permit Residential Developments

Matt Daggett, Article Proponent/Precinct 2 Town Meeting member/ Comprehensive Plan

Advisory Board, provided an overview of Article 42 that asks Town Meeting to adopt a “Shared Benefits Developments” concept. The Planning Board recently voted 4-1 to support the article. The Shared Benefits model is intended as an alternative to by-right conventional development and two of the three Special Permit development models (Balanced Housing, Public Benefit) that

have not produced housing diversity as intended. Site Sensitive Developments, a third Special Permit model, would remain as it is while Balanced Housing and Public Benefit developments would, essentially, be merged into Shared Benefits.

The Shared Benefits model would allow for increased density in exchange for mandated percentages of affordable units, accessibility, and open space. Mr. Daggett noted the Planning Board had been working on a similar proposal but it was not ready in time for the last Town Meeting and was indefinitely postponed. A citizen's article, intended to eliminate the two ineffective Special Permit models, was also indefinitely postponed. Mr. Daggett said his intention in bringing forward Article 42 is to finish the work begun by the Planning Board that is also a goal of both the most recent Comprehensive Plan and the 2015 Residential Policy Committee.

Mr. Daggett endeavored to test whether any developer would actually build one of these developments by conducting a study based on recent development in town. His goal was to see if Article 42 would have the desired effects and if the financial yield was as advantageous as by-right conventional development. In the course of his inquiry, he spoke with staff and a number of builders to discuss methodology and assumptions. He reported that developers are mostly comfortable with his approach.

Mr. Lucente asked how construction costs used in the modeling were identified. Mr. Daggett said he had taken the costs from past developments permits. Since there are only a handful of people doing Balanced Housing, the numbers may not be as representative as they are in conventional construction. Mr. Daggett noted factors at play when comparing developments/developers: site challenges; profit margin expectations; appetite for risk. None of the developers had a problem with the affordable housing component but there was concern expressed about the definition and marketability of accessible housing.

Mr. Pato sees good elements in the proposal, although he would like to more fully see the mathematical calculations used in the analysis. He sees the requirement to require affordable housing and accessible housing as positive as it is clear that the current Special Permit models have not produced desired results. He would like to hear from the housing advocate groups how they perceive Article 42.

Ms. Barry said she is encouraged by the affordable and accessible elements of the plan.

Ms. Ciccolo said the proposal goes a long way toward achieving the Town's goals. She asked which member of the Planning Board cast the dissenting vote. Mr. Daggett reported the member was Charles Hornig and his dissent was based on a belief that the plan would still not provide the incentives necessary for developers. Ms. Ciccolo asked if the Public Hearings were well attended. Mr. Daggett said there were a total of four Public Hearings, including continuances. There was almost no attendance by the development community although he otherwise received calls and emails from developers.

Ms. Ciccolo asked if the language in Article 42 specifies inclusion of the affordable units on the Town's Subsidized Housing Inventory. Mr. Daggett said that it properly states this in the motion. Ms. Ciccolo asked if the specification regarding open space includes a public access provision, even if the land remains under Home Owners' Association jurisdiction. Mr. Daggett said that

initial language mandated that open space be deeded to the Town under the Conservation Commission; this was later changed to giving the Town the right of refusal. In Article 42, he has tried to limit the scope to the larger issues but he agreed several amendments that could be addressed at a later date. Ms. Ciccolo noted the Planning Board could require public access as a condition of Special Permit approval.

Ms. Ciccolo asked if the affordable housing calculation would be rounded up if a partial unit was required. Mr. Daggett said he chose to round up for affordable units and round down for accessible units.

Ms. Hai asked why the affordable units are excluded from being counted toward the accessible unit number. Mr. Daggett said that affordable units can be designed to accessible unit standards but they do not fall into the same category. The way the motion is written, there is no prohibition toward building affordable units to accessible standards. Mr. Daggett said that Accessibility Code #521 is currently being revised.

Melinda Walker, Lexington Housing Partnership, said the group has seen Mr. Daggett's presentation and will discuss it again this week. All were impressed with the proposal and in favor of additional affordable housing. However, the Partnership is not certain Shared Benefit Development is something developers will want to do because of the high percentage of affordable and accessible units. Abutters complain about developments that include affordable units because they don't like townhouses or other higher density styles. Mr. Daggett said the Planning Board has discussed this at length but Mr. Canale, the Chair, feels the higher density framework is something that would work for the Town and the developer. The future will show whether or not developers are willing to go in this direction. If Article 42 does not pass Town Meeting, the majority of the Planning Board feels this should nonetheless be the standard for Special Permitting in Lexington.

Ms. Walker asked if there is a market for medium sized accessible units. The Partnership is also concerned about: mandated accessibility and affordable percentages; what "accessible" means; and whether there is a market for these units. Mr. Daggett said accessible units are attractive to empty nesters who want more houses with than one-bedroom. There are also benefits to HOA formats that remove the need for owners to mow lawns and remove snow.

Bob Pressmen, Housing Partnership member, said he supports the Planning Board's approach of testing the standards of Article 22 without asking Town Meeting to adopt it.

Article 37 Financing Update—Accept MGL Chapter 59, clause 5c1/2

Ms. Barry recused herself as her husband is a veteran who would potentially benefit from acceptance of MGL Chapter 59, clause 5c1/2.

Carolyn Kosnoff, Assistant Town Manager for Finance, reported that the Town's financial

Departments agree it is possible to cover the cost of additional FY19 property tax exemptions for the eligible categories of taxpayer affected by MGL Chapter 59, clause 5c 1/2. Although additional funds have not been budgeted in FY19 for this specific purpose, there are funds available in prior years' Overlay accounts. Going forward, staff would want to look at the

Overlay Account on an annual basis and possibly appropriate more funds to increase the balance. Running some preliminary numbers, Ms. Kosnoff calculated a need for between \$75,000 and \$90,000 annually to cover the increase, based on past exemptions totals.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to recommend to Town Meeting that the percent increase in the property tax exemption amount, as allowed under Chapter 59, Section 5C 1/2, be 100% percent.

ATM 2018 Article Positions & Presenters: Review Article 26 Draft motions: Potential Consent Agenda Articles

Mr. Valente reviewed draft motions (a) through (g) for Article 26—Establish, Dissolve, and Appropriate to and from Specific Stabilization Funds.

Mr. Valente noted that motion (c) would establish a new Stabilization Fund for the non-tax portion of Visitors Center construction funding. Changes in MGL allow identified special fees, grants, and donations to go directly into self-supporting accounts rather than requiring a two-step process but Town Meeting approval is still required to appropriate these funds out of the Stabilization Fund. This fund is distinct from the Visitors Center Revolving Fund used for Operating costs.

Ms. Ciccolo said that she would like to have the Board consider the establishment of an Affordable Housing Trust to be used when a unit could be purchased or subsidized rather than lost from the Subsidized Housing Inventory.

Mr. Valente said that motion (e) refers to a Water System Capital Stabilization Fund, related to extending Lexington's supplier agreement with the Town of Bedford. The extension specifies that Bedford will continue to pay Lexington an annual sum of money for supplying water, part of which will go into the special account to pay for Capital updates to the system. Mr. Valente said there may a similar agreement with the Town of Burlington in the future; he will consider whether the language of the motion should include the word "entity" to cover potential non-municipal partnerships.

Ms. Ciccolo said she is disappointed to see that the School Committee is discontinuing its program to promote bus ridership. Mr. Pato said he shares this concern but the Schools continue to subsidize the bus service, though ridership fees will increase. Ms. Barry noted that the Schools are also changing their after-school bussing program. Mr. Valente clarified that motion (f) is unrelated to the bus subsidy.

The potential Annual Town Meeting Consent Agenda was discussed. Mr. Valente noted some controversy over including Article 10 (k) –CPA Debt Service which includes the debt service for 10 (g) Athletic Facility Lighting and 10 (h) Center Track and Field Reconstruction that might not be approved by Town Meeting. If the Track and Lighting were not to pass, the problem would be moot because the money would merely not be spent.

Dawn McKenna, Precinct 6 Town Meeting member, asked that two items be removed from the Consent Agenda: Article 16 (m)—Transportation Mitigation and Article 28—Appropriate from Debt Service Stabilization Fund. Mr. Valente said that Article 28 addresses how MSBA

payments are to be accounted; Ms. McKenna withdrew her reservation. Mr. Valente said 16 (m) addresses making small amounts of money available for low-cost solutions such as signage or for sidewalk evaluations. Ms. McKenna said she and others opposes the proliferation of signs in town and believe there should be more of a public process before signs are erected. She is otherwise unopposed to making funds available to TSG for evaluations but believes the item warrants Town Meeting discussion.

David Kanter, Capital Expenditures Committee, said that Article 16 (m) provides program funding and expenses are vetted through the Transportation Safety Group. He supports keeping the item in the Consent Agenda.

Mr. Pato said that the process for Consent Agenda items is that an item will be pulled if any Town Meeting member objects. Since Ms. McKenna objects, the item should be removed.

The remaining Consent Agenda items include:

- Article 16 (f)—Automatic Meter Reading System: to be indefinitely postponed but will remain on list;
- Article 16 (e)—Center Streetscape Improvement Designs: not on the Consent Agenda so it can be reported upon;
- Article 10 (k): CPA Debt Service: will be removed from Consent Agenda;

Mr. Valente will bring the revised Consent Agenda list to the Town Moderator.

The Board reviewed the remaining Articles, focusing on the positions the Selectmen have not yet determined.

Town Manager Reappointments

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to reappoint Philip Hamilton to the Conservation Commission for a term to expire March 31, 2021. Mr. Hamilton has been a member since 2003. His ethics training is up-to-date.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to reappoint Kevin Beuttell to the Conservation Commission. Mr. Beuttell has been a member since 2014. His ethics training is up-to-date.

Relocation of Easement—Camelia Place

Mr. Valente said that as part of the engineering and construction plan for the new Fire Station,

Camelia Place will be relocated within its existing easement. Ms. Ciccolo noted that Conservation should comment on the plan as the area abuts wetlands and abutters should be notified since the traffic patterns in the area are already complicated. Mr. Valente said Conservation has been consulted but he is unsure of the status of conversations with abutters. Alterations will affect Town parking, not parking for the businesses. The new traffic light to be installed should improve matters. Ms. Ciccolo asked if the vote could be delayed to assure that

all parties have had the opportunity to express concerns. Mr. Lucente agreed, saying one business owner contacted him and it would be a courtesy to reach out before moving ahead.

Dennis Tremblay, representing Tremblay Real Estate Trust, agreed that the matter warrants consultation with abutters; he learned about the matter only by happenstance. He has no serious objection but the realignment might affect current traffic patterns. Ms. Barry apologized that Mr. Tremblay had not been notified. She tabled the matter until there is an opportunity to meet with abutters.

Consent Agenda

- Approve Use of Battle Green—Historical Society—Battle Reenactment

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve a request from the Historical Society to use the Battle Green on April 18, 2018 for the annual children's Battle Reenactment from 10:00 a.m. - 2:00 p.m. with a rain date of Friday April 20, 2018

- Water & Sewer Commitments & Adjustments

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the Water & Sewer Commitment February Finals 2018 of \$2,730.07 and the Water & Sewer Adjustment as recommended by WSAB of \$ (783.71).

Minutes

Upon motion duly made and with minor clarifications submitted by David Kantor, Capital Expenditures Committee, the Board of Selectmen voted 5-0 to approve and release the Board of

Selectmen Regular Session minutes from February 5, 2018; February 12, 2018; and February 26, 2018; and the minutes of the Joint Meeting of the Board of Selectmen and School Committee from March 8, 2018.

Further, the Board of Selectmen voted 5-0 to approve but not release the Executive Session Minutes from February 12, 2018.

Executive Session

Ms. Barry was recused because her husband is employed by the Town.

Upon motion duly made and by roll call, the Board of Selectmen voted 4-0 to enter Executive Session at 10:14 p.m. under Exemption 3: Collective Bargaining at to discuss strategy with respect to collective bargaining related to the Public Safety Dispatchers union and Facilities Department Town Custodians union, and to reconvene in Open Session only to adjourn. Further, it was declared that an open meeting discussion may have a detrimental effect on the bargaining position of the Town.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 11:07 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

2018 Annual Town Meeting Article Selectmen's Positions as of March 19, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	Y	Y	Y	Y	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	W	W
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for Westview Cemetery Building Construction	Y	W	W	W	W
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. IP - Center Streetscape Improvements-Design	IP	IP	IP	IP	IP
	f. IP - Automatic Meter Reading System	IP	IP	IP	IP	IP
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	Y	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	W	Y	W
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	ii. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	Y	N	Y	Y	Y
23	Visitors Center Funding (<i>Citizen Article</i>)	W	W	W	W	W
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	W
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	Y	Y	Y	Y	Y
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	W	W	W	W	W
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	W	W	W	W	W
31	Appropriate for Authorized Capital Improvements	W	W	W	W	W
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	W	Y	Y	Y	Y
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	W	W	W	W
35	Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	N	N	N	W	W
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	W	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	Y	Y	Y	Y

ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	W	Y	W	Y	Y
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	W	Y	Y	Y
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	W	Y	Y	W
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	W
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	W	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	Y	Y	Y	W
45	Amend Chapter 447 of the Acts of 1956	W	W	W	W	W

Selectmen's Meeting
March 26, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:00 p.m. on Monday, March 26, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Katzenback, Executive Clerk.

Selectmen Concerns and Liaison Reports

Mr. Pato stated the Appropriation Committee has requested the Sustainable Lexington Committee to report at Town Meeting on the status on Getting to Net Zero. Mr. Pato noted the Board of Selectmen would need to put this request forth to the Moderator.

ATM 2018 Warrant Articles 22 and 23 - Appropriate for Visitors Center

Ms. McKenna, Petitioner Citizen's Article 23, stated that Article 23 is going to be indefinitely postponed by reason that the Selectmen are in support of Article 22.

Mr. Valente stated the motion for Article 22 will be updated to reflect \$4,575,000 as the recommended funds being requested.

Ms. Fenollosa, 10 Marshall Road, expressed concern regarding the demolition of the existing Visitor Center located on the Battle Green property indicating it is listed on the Historical Registry.

Ms. Eccles, Chair of Historic District Commission, explained that the State indicated the Town of Lexington ultimately has the authority for the decision regarding the demolition of the existing Visitors Center.

Mr. Kanter, Capital Expenditures Committee, Precinct 7, stated he feels that an approval of funding for Article 22 would be premature since the Historic Districts Commission has not yet given their feedback.

General Board discussion ensued and the Board asked that this item be brought back a future meeting for further discussion in order to vote on the revised motion for Article 22.

Update - ATM 2018 Warrant Article 45 - Amend Historic Districts Commission Special Act

Ms. Eccles provided an update to the Board regarding the amendments being proposed by the Historic Districts Commission Ad Hoc 40C Study Committee to update chapter 447 of the Acts of 1956.

Mr. Pato expressed concern regarding the recommended amendments and feels the article needs additional time and should be indefinitely postponed.

Mr. Michelson, Center Committee Chair, stated the Center Committee had decided to vote against Article 45 based on the concern regarding the reduction of the Historic Districts

Commission nominating bodies which would remove diversity and business representation. Mr. Michelson indicated the Center Committee would like to review the article again after hearing the information presented at tonight's Board of Selectmen's meeting.

Rabbi Jaffe, Cary Library Board, stated the Library Board supports diversity in the nominating bodies for the Historic Districts Commission and supports the recommendation to modify the nominating bodies understanding that ultimately the Library may be replaced with a different nominating entity on the Historic Districts Commission.

Mr. Carrow, 42 Normandy Road, expressed that he feels there is a lack of transparency with information regarding Article 45. He feels more time is needed to incorporate additional public review.

Ms. Ciccolo asked if Town Counsel has fully reviewed the motion for Article 45 and are there any concerns.

Mina Makarious, Anderson & Kreiger, Lexington Town Counsel, explained the motion has been reviewed and Counsel has no concerns as to the language as the motion now stands.

Ms. Barry recommended, that this Board discussion be continued at an upcoming Board of Selectmen meeting in order to complete tonight's agenda items prior to the 7:30 p.m. start of Town Meeting.

Update - ATM 2018 Warrant Article 34 - Make Lexington a "Welcoming, Inclusive, Safe Community"

Ms. Barry recused herself as her husband is employed by the Town of Lexington as a Police Officer and Ms. Ciccolo presided over the meeting.

Chief Mark Corr provided his comments regarding the 2018 Annual Town Meeting Warrant Article 34 - Make Lexington a "Welcoming, Inclusive and Safe Community" expressing his concern that the article does not appear to accurately reflect the current version of the Safe Communities Act.

Mina Makarious, Town Counsel, explained that the Article 34 resolution will not legally bind the Lexington Police Department to act contrary to State and Federal Law.

Margaret Heitz, 335 Marrett Road, Precinct 4, said she feels it is important to communicate that immigrants can feel safe in Lexington.

Tony Rodriguez, 14 Loring Road, stated he feels the resolution as originally presented does not need to change.

Mary Ann Stewart, Precinct 1, stated her support of the resolution.

Loren Wood, 14 Benjamin Road, stated he does not feel the need for Article 34.

General Board Discussion ensued regarding the concerns raised by Chief Corr.

Todd Burger, Petitioner Citizen's Article 34, stated he is willing to amend the motion to address Chief Corrs concern.

The Board confirmed Mr. Burger will ask the Moderator to postpone this Article to a later night in the 2018 Annual Town Meeting schedule in order for the Selectmen to review an amended motion.

Ms. Barry returned to preside over the meeting.

2018 ATM Article Positions & Presenters

The Board continued taking positions on 2018 Annual Town Meeting Articles. Appended to these minutes is the 2018 Annual Town Meeting Articles - Selectmen's Positions Chart which reflects the Boards positions on 2018 articles as of March 26, 2018.

Consent Agenda

- Approve One-Day Liquor Licenses

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve six One-Day Liquor Licenses to serve wine at the Munroe Center for the Arts, 1403 Massachusetts Avenue for the purpose of an Art Show on the following dates: March 30, 2018 6:30 p.m. to 8:00 p.m. March 31, 2018 2:00 p.m. to 3:30 p.m.; April 6, 2018, 6:30 p.m. to 8:00 p.m.; April 7, 2018, 4:30 p.m. to 6:30 p.m.; April 13, 2018, 6:30 p.m. to 8:00 p.m.; April 14, 2018, 4:30 p.m. to 6:30 p.m.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve six One-Day liquor licenses to serve beer and wine at Cary Memorial Building 1605 Massachuseet Avenue, for the following events: Classic Albums Live, Friday, April 13, 8:00 p.m. to 11:00 p.m.; Something to Wine About, Laurie Forster, Friday, April 20, 8:00 p.m. to 11:00 p.m.; The Legendary Ladies of Motown, Sunday, April 22, 3:00 p.m. to 6:00 p.m.; The Capitol Steps, Saturday, April 28, 7:30 p.m. to 11:00 p.m.; John Sebastian & Tom Rush, Sunday, April 29, 3:00 p.m. to 6:00 p.m.; My Mother's Italian, My Dad's Jewish, I'm in Therapy, Sunday, May 6, 3:00 p.m. to 6:00 p.m.

Documents Presented

1. Letter – Grant Carrow to Board of Selectmen regarding concerns to Article 45
2. Email – Marilyn Fenollosa to Board of Selectmen regarding concerns to Article 22 & 23

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 7:25 p.m.

A true record; Attest:

Kim Katzenback
Executive Clerk

2018 Annual Town Meeting Article Selectmen's Positions as of March 26, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	Y	Y	Y	Y	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	W	W
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for Westview Cemetery Building Construction	Y	Y	Y	Y	Y
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. IP - Center Streetscape Improvements-Design	IP	IP	IP	IP	IP
	f. IP - Automatic Meter Reading System	IP	IP	IP	IP	IP
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	Y	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	Y	Y	Y
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	i. School Paving Program	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	Y	N	Y	Y	Y
23	IP - Visitors Center Funding (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	Y
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	Y	Y	Y	Y	Y
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	W	W	W	W	W
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	W	W	W	W	W
31	Appropriate for Authorized Capital Improvements	W	W	W	W	W
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	W	W	W	W
35	IP - Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	IP	IP	IP	IP	IP

ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	Y	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	Y	Y	Y	Y
ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	Y	Y	Y	Y
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	Y	Y	Y	Y
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	Y
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	N	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	Y	Y	Y	Y
45	Amend Chapter 447 of the Acts of 1956	W	W	W	W	W

Selectmen's Meeting
March 28, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:00 p.m. on Monday, March 28, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; and Mr. Lucente were present as well as Ms. Axtell, Assistant Town Manager; and Ms. Siebert, Recording Secretary. Ms. Hai and Mr. Valente were absent.

Open Meeting Law Complaint Regarding Article 45 of the 2018 Annual Town Meeting/Historic Districts Commission Ad Hoc 40C Study Committee

Ms. Barry noted that a copy of the letter of complaint was in the meeting packet and on file on the Selectmen's Office.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to delegate responsibility for responding to the Open Meeting Law Complaint filed on March 26, 2018 by Grant Carrow regarding Article 45 of 2018 Annual Town Meeting to Town Counsel.

Trash and Recycling Collection Update

David Pinsonneault, Public Works Director, and Robert Beaudoin, Environmental Services Superintendent, summarized the new trash and recycling contract process to date, asking the Selectmen to grant authority to the Town Manager to execute the new trash and recycling contract with EL Harvey. The new contract would start July 1, 2018.

Mr. Pinsonneault stated that Requests for Proposals (RFPs) for trash and recycling collection were solicited in July 2017, yielding four responses. Vendors had been asked to provide pricing for three different options: manual trash and manual recycling, automated trash and automated recycling, automated trash and manual recycling. When Public hearings were held in October 2017, the resulting recommendation was to pursue two options: a 5-year status quo contract and a 6-year contract with year one being status quo and years 2 - 6 begin automated recycling.

Dissatisfaction with current vendor JRM has mounted. During the proposal timeframe, JRM requested an increase of \$30,000 per year to obtain a performance bond, something all other vendors included the original pricing. In December, JRM stated it could no longer honor its pricing but would continue to negotiate. In February 2018, JRM informed the Town that, due to the collapse of the recycling materials market, it would begin charging a fee of \$80 per ton, up from \$0 today. There have also been a number of recent customer service complaints and Mr. Pinsonneault noted that JRM has no experience with automated collections, if the Town decides to switch collection methods during the term of the new contract. Given that collection contracts are exempt from Chapter 30B of the Bidding Laws, staff reached out to a number of other vendors and engaged in a positive dialogue with EL Harvey.

In contrast to JRM, EL Harvey provided pricing that is \$800,000 less over the 5-year period, using the status quo manual collection method. If Lexington switches to automated recycling, EL Harvey would charge \$200,000 less. Additionally, EL Harvey's recycling fee would be \$70/ton, compared to JRM's \$80/ton, with the possibility of a reduction if the company receives

a better materials price in future. Due to the difference in contract proposals plus EL Harvey's very good references and experience with automated collections, staff recommends entering into the collection contract with EL Harvey.

Mr. Pinsonneault emphasized that, before any change in the recycling collection method would occur, Public Information meetings would be held. The vendor needs to know by November 2018 in order to switch by July 1, 2019, although there are options built into the contract to re-open negotiations at intervals during the 5 years. If the recycling collection method does change to automated, the contract price would have to be adjusted to cover equipment investment.

Noting strong public outcry against switching to automated collection, Mr. Lucente asked that the motion include a commitment to the status quo manual collection method to ensure that residents understand the Town's intent. Mr. Pinsonneault clarified that the contract will include both manual and automated collection options in case the Town decides to move toward automation within the contract term. Year one of the contract is status quo, no matter what. Mr. Lucente asked that "status quo for the first year" be spelled out.

Mr. Lucente said was surprised to hear negative feedback about JRM; he asked Mr. Pinsonneault to elaborate on EL Harvey's reputation and if references had been checked. Mr. Pinsonneault confirmed that references have been checked and added that he is confident that EL Harvey is a reputable company; EL Harvey was the runner-up for Lexington's last collection contract, 6 years ago.

Mr. Lucente asked what differences in service residents would experience from changing vendors. Mr. Pinsonneault said there will be all new trucks and a nine-employee customer service department, ensuring that all calls would be answered by a representative. He anticipates no negative changes.

Mr. Pato asked if recycling will become single stream and what the tipping fee per ton is currently. He asked if the new charge for recycling tonnage is in the budget. Mr. Pinsonneault said all companies are switching to single stream because of the way the materials are processed. Mr. Beaudoin said the tipping fee is \$66.19 per ton, which will increase 2% in 2019. Mr. Pinsonneault said the recycling charge is part of the budget Mr. Valente brought forward.

Ms. Barry asked if there will be changes to the pick-up schedule. Mr. Beaudoin said there will be no schedule change and an additional truck will be added that can also be used for seasonal yard waste pick-up. EL Harvey's implementation staff has been doing its homework by following the current refuse and recycling trucks to learn the schedule.

The annual refuse/recycling flier would go out in early May. Ms. Barry recommended that, considering the vendor change, the Town make a more comprehensive effort to spread the word, including various publications and Discovery Day. She asked that information about medical waste disposal also be included on the flier. Mr. Pinsonneault said one Public information session will take place this spring, before school gets out, and others would be held in the fall.

Ms. Ciccolo asked if EL Harvey offers smaller totes since cart size was one of the biggest public concerns expressed. Mr. Pinsonneault said EL Harvey will be involved in the upcoming public

outreach effort to discuss the automated versus manual question; they will bring a variety of cart sizes to the meetings.

David Kanter, Precinct 7 Town Meeting member, applauded the preferential pricing and EL Harvey's good reputation. He asked that the wording of the motion make it clear that the 5-year contract is for status quo with an option to reopen the question of automated recycling, rather than a 1-year status quo contract with an implied bias to switch to automated collection after the first year. He believes the schedule is too tight to make a decision to change by November and asked that at least two years be considered. Additionally, Mr. Kanter believes it inappropriate for any additional costs since the Town faces many upcoming expensive projects.

Bob Pressman, 22 Locust Avenue, agreed with Mr. Kanter, saying he believed the Selectmen had agreed to a 5-year status quo contract with consideration for automated recycling after one year.

Dawn McKenna, Precinct 6 Town Meeting member, agreed as well and emphasized her support for the 5-year manual status quo. She urged the Selectmen not to change course without the opportunity for additional resident input.

After discussion, the Board agreed to revise the motion. Ms. Barry said, on the one hand, the Selectmen heard overwhelmingly that the community prefers the status quo arrangement but, on the other hand, the Board does not want to constrain the Town Manager's flexibility.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to authorize the Town Manager to enter into a five-year status quo contract with EL Harvey for trash and recycling collection, retaining the option for automation after public input is sought.

Update 2018 Annual Town Meeting Article 10J—Lowell Street/Farmview Affordable Housing

Lester Savage, Bob Phelan, and Bob Burbidge of LexHab presented background information about Article 10J in which LexHab requests supplemental funds of \$1.4M:

In 2014, Town Meeting approved \$1,284,653 for construction of two buildings and a total of 6 units of affordable housing on the Lowell Street site abutting Lex Farm, now called the Farmview project. This project is modeled on Fairview Avenue in that the units are built to NetZero standards. Two of the six units will be fully-accessible. A project eligibility letter has been obtained from the Department of Housing and Community Development (DHCD). However, it was found that the original funding request of \$1,284,653 is inadequate for several reasons: original bids were too low; general construction cost increases; public bidding and prevailing wage requirements; onsite stormwater mitigation has proven to be more complicated; engineering, architectural, and legal cost increases.

Plans and cost estimates for Farmview have now been reviewed by TG Jones International, Inc. The analysis shows that the project is likely to run close to \$2.85M. In the first round of public bidding, LexHab received two bids: one lower than \$2.85M (from an as yet unqualified bidder) and one quite a bit higher. Despite the cost increases, LexHab remains committed to the project.

Mr. Lucente agreed, saying there is zero likelihood that construction costs will go down.

Farmview project is mid-way through to completion and turning back now would be difficult. Mr. Pato agreed, saying Lexington's commitment to affordable housing is laudable, even though \$450,000 is unexpectedly expensive. The Town may need to rethink some of its affordable housing formulas in the future but this project should move forward. Ms. Ciccolo applauded LexHab for its efforts to see this complicated project through. She agreed that the price is not unreasonable, comparatively.

Dawn McKenna, Precinct 6 Town Meeting member, asked what the square footage cost works out to be. Mr. Savage said the price is \$382/SF.

Bob Pressman, Community Preservation Committee, said Lexington's per unit guideline is \$525,000 and this project falls below that cap.

Mr. Lucente said he now feels comfortable to join three of his colleagues in voting to support Town Meeting Article 10J. Ms. Hai, absent from tonight's meeting, remains a "wait" until she is able to determine her position.

2018 Annual Town Meeting Article Positions and Presenters

Ms. Barry listed the articles expected to come to Town Meeting floor tonight and their presenters.

Ms. Axtell will schedule a presentation by staff on Citizen' Article 42.

Ms. Barry understands that the Ad Hoc 40C Study Committee has been meeting to make changes to the language of motion of Article 45. To give that process more time, and to provide time for Town Counsel review, Ms. Barry moved the discussion of any changes to April 4, 2018.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to remove Article 7 from the Consent Agenda in order to provide an opportunity for a presentation by the Sustainable Lexington Committee.

Selectmen—Committee Appointments/Resignations

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to appoint Wei Ding to the Town Celebrations Subcommittee to a one-year term to expire on June 30, 2019.

Upon motion duly made and seconded, the Board voted 4-0 to accept the resignation of Cristina Burwell from the Town Report Committee and as the Coordinator of the Town Report. The Board extended its thanks and appreciation to Ms. Burwell for her time and effort in serving the Lexington community.

Consent Agenda

- Approve and Sign Proclamations

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve and sign a

proclamation to celebrate National Public Safety Telecommunicators Week April 8 to 14, 2018.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve and sign a proclamation to celebrate National Library Week April 8 to 14, 2018. The proclamation encourages all citizens to recognize the staff of the Cary Memorial Library and to visit Cary Memorial Library to take advantage of the wonderful library resources available.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve and sign a proclamation to recognize Arbor Day on Friday, April 27, 2018. The proclamation urges all citizens to support efforts to protect trees and woodlands, to support the town's urban forestry program, and to urge all citizens to plant and protect trees to promote the well-being of present and future generations.

- Approve Lexington Little League Opening Day Request

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve the request from the Lexington Little League for the Annual Little League Parade on Saturday, April 28, 2018 from 9:00 a.m. to approximately 11:00 a.m. as outlined in their letter dated March 16, 2018, pending required approval from Town Manager, Police, Fire and Public Works staff.

- Use of the Battle Green—Old Guard Performance

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve the request from the Town Celebrations Committee to use the Battle Green on Saturday, April 14, 2018 at approximately 11:00 a.m. for a firing demonstration by The Old Guard.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 4-0 to adjourn at 7:01 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

2018 Annual Town Meeting Article Selectmen's Positions as of March 28, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	Y	Y	Y	Y	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	Y	W
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for Westview Cemetery Building Construction	Y	Y	Y	Y	Y
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. IP - Center Streetscape Improvements-Design	IP	IP	IP	IP	IP
	f. IP - Automatic Meter Reading System	IP	IP	IP	IP	IP
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	Y	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	Y	Y	Y
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	i. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	Y	N	Y	Y	Y
23	IP - Visitors Center Funding (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	Y
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	Y	Y	Y	Y	Y
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	W	W	W	W	W
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	W	W	W	W	W
31	Appropriate for Authorized Capital Improvements	W	W	W	W	W
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	W	W	W	W
35	IP - Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	N	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	Y	Y	Y	Y

ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	Y	Y	Y	Y
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	Y	Y	Y	Y
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	Y
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	N	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	Y	Y	Y	Y
45	Amend Chapter 447 of the Acts of 1956	W	W	W	W	W

Selectmen's Meeting
April 2, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:02 p.m. on Monday, April 2, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Open Meeting Law Complaint Regarding Article 45 of the 2018 Annual Town Meeting/Historic Districts Commission Ad Hoc 40C Study Committee

Ms. Barry noted that a copy of the letter of complaint is in the Selectmen's meeting packet and on file on the Selectmen's Office.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to delegate responsibility for responding to the Open Meeting Law Complaint filed on March 30, 2018 by Grant Carrow regarding Article 45 of 2018 Annual Town Meeting to Town Counsel.

Application for a Common Victualer License—Tres Petite Creperie

Augusto Rios, new owner of Tres Petite Creperie, has requested approval for a new Common Victualler license to be issued to Myso Corporation d/b/a Tres Petite Creperie, 1707 Massachusetts Avenue, Suite 2, for the hours of Mon – Saturday 9:00 a.m. to 7:00 p.m. and Sunday 9:00 a.m. – 5:00 p.m. All application requirements have been fulfilled by the applicant.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve common victualler license as listed.

Approve Parklet on Massachusetts Avenue

Megan Zammuto, Economic Development Coordinator, asked the Board of Selectmen to approve a public parklet at 1720 Massachusetts Avenue the first week in May through the last week of October, 2018. This year will mark the fifth that a parklet has been installed in Lexington Center during the summer months. The area is established by converting two public parking spaces into a mini-park with seating for approximately 15 people and bike parking for approximately 18 bicycles. In 2014, Lexington was the first town in Massachusetts to install a parklet, intended to increase social spaces and enhance the Center retail district.

Mr. Lucente asked if staff has explored moving the parklet to another area of the Center, now that the ice cream shop is no longer at this location. Ms. Zammuto said this could be considered in the future.

Ms. Barry asked if the Board could vote approval for the parklet for longer than one year at a time. Mr. Valente confirmed that the Board can do so. Ms. Ciccolo agreed with this approach, citing the parklet's success. She said she like would the parklet become a permanent, warm weather fixture in the Center.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to authorize the installation of the Massachusetts Avenue parklet from first week in May through the last week in October 2018, in two parking spaces in the vicinity of the Ride Studio Cafe at 1720 Massachusetts Avenue.

2018 Annual Town Meeting Positions and Presenters

Ms. Barry noted a concern raised by Ms. Ciccolo at the March 28, 2018 regarding Article 22—Visitors Center Funding, saying the Board postponed taking positions until an answer about grant funding was received. Mr. Valente reported that the grantee was contacted and there appears to be no issue that the Visitors Center is located in the Historic District. With regards to demolishing the current Visitor Center, Mr. Valente reported that Lexington HDC Chair Anne Eccles said, in a matter such as this, the State Historic District Commission refers the matter back to the local HDC.

Based on the revised motion, the Board took positions on Article 22—Visitors Center Funding: Ms. Barry, Mr. Lucente, Ms. Ciccolo, and Ms. Hai voted to support the article; Mr. Pato voted not to support the article.

Article 45—Amend Chapter 447 of the Acts of 1956: Mr. Pato said he had not yet seen the new language of the motion. Citing a series of concerns about the previous language that he discussed at an earlier Selectmen’s meeting, he drafted a series of amendments. He is waiting now to see if any of these concerns will be addressed by the ad hoc Committee; if not, he will submit his suggested changes at the Selectmen’s meeting on April 4, 2018.

Mr. Valente said staff has seen the Mr. Pato’s amendments but they have not been sent to Town Counsel because the ad hoc Committee is still working on revisions. Ms. Barry said the Selectmen’s Office will reach out to Anne Eccles to make sure she is available to join the Board’s April 4 dialogue about Article 45; the suggested amendments will be included the Selectmen’s Meeting Packet for the April 4 Board meeting.

Ms. Barry led the Board through the articles/position chart to update positions. The resulting updated chart is appended to these minutes.

Annual Town Meeting Article 34—Amend General Bylaw—Make Lexington a “Welcoming, Inclusive, Safe Community”—Revised Motion/Continue Discussion

Ms. Barry recused herself as her husband is employed as a Police Officer for the Town of Lexington. Ms. Ciccolo assumed the role of chair for the item.

Ms. Ciccolo said that, following the citizens’ Article 34 presentation on March 28, 2018, item 6 in the motion was substantially revised, as recommended by the Board, so that it now refers to the Safe Communities Act/Senate 1305. Additionally, it was noted that the Board received a memo from Chief Corr of the Lexington Police that details how the article would affect Police response.

Mr. Lucente thanked the article’s proponent, Lexington People Power, for its flexibility and willingness to work with Town staff on article revisions. Mr. Pato likewise supported the

revisions and stated that the issues addressed by Article 34 are important ones for the community and the commonwealth; he believes the language of the motion now captures the core sentiments of the community and supports the State Legislature moving forward with the Safe Communities Act in a way that is comfortable for the Lexington Police Department. Ms. Hai stated she is happy to see the sides of this question come together but asked where responsibility for the adoption of Article 34 will lie if it is passed by Town Meeting. Mr. Valente said, following an affirmative vote by Town Meeting, the motion would be forwarded by the Town Clerk to the Police Department and the Police Manual Policy Committee would address it. Compliance, however, would rest with the Town Manager's Office. Ms. Ciccolo said the issue is one of importance for the Lexington community, although it is complex; she is pleased the revised motion is one that all can support and that it sends a clear message.

Todd Burger, Lexington People Power, thanked the Board for its February 2017 issuance of the Inclusivity Proclamation and the Lexington Police Department for its willingness to work collaboratively. Mr. Burger also reported that Lexington People Power is pleased with revisions to the wording of the resolution that calls for changes to the Police Policy and Procedures Manual to achieve compliance with the Safe Communities Act.

Margaret Heitz, 335 Marrett Road/Precinct 4, said she is pleased that the Town Manager will take responsibility for ensuring that the resolution, if passed, is implemented in a proper fashion. However, she asked the Town to appoint a person or commission to manage the implementation of the resolution and to ensure that implementation is timely, efficient, and provides certainty.

All four participating Selectmen voted to support Article 34.

Consent Agenda

- Approve One-Day Liquor License

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the request of the Cary Memorial Library Foundation for a one-day liquor license on May 5, 2018 from 7:00 p.m. to 10:00 p.m. for the purpose of their Social Evening Community Builder being held at the Cary Memorial Library, 1874 Massachusetts Avenue.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 6:26 p.m.

A true record; Attest:

Kim Siebert

Recording Secretary

2018 Annual Town Meeting Article Selectmen's Positions as of April 2, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	Y	Y	Y	Y	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program-Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	Y	Y
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	Appropriate for Westview Cemetery Building Construction	Y	Y	Y	Y	Y
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. IP - Center Streetscape Improvements-Design	IP	IP	IP	IP	IP
	f. IP - Automatic Meter Reading System	IP	IP	IP	IP	IP
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	Y	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	Y	Y	Y
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	i. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	Y	N	Y	Y	Y
23	IP - Visitors Center Funding (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	Y
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	Y	Y	Y	Y	Y
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	W	W	W	W	W
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	W	W	W	W	W
31	Appropriate for Authorized Capital Improvements	W	W	W	W	W
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community"(<i>Citizen Article</i>)	R	Y	Y	Y	Y
35	IP - Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	N	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	Y	Y	Y	Y

ARTICLE	ZONING/LAND USE ARTICLES	SB	JP	MC	DL	JH
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	Y	Y	Y	Y
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	Y	Y	Y	Y
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	Y
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	N	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	Y	Y	Y	Y
45	Amend Chapter 447 of the Acts of 1956	W	W	W	W	W

Selectmen's Meeting
April 4, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:02 p.m. on Wednesday, April 4, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Selectmen Concerns and Liaison Reports

Mr. Lucente reported that a one-hour interactive program about communicating with adolescents called "The Secret Life of Teens" will be held at Clark Middle School auditorium on April 5, 2018 at 7:00 p.m. The event is funded by a Community Health Needs Assessment (CHNA) grant and co-sponsored by Lexington's Health Department, the Human Services Department, and the Public Schools.

Mr. Pato reported that he and Ms. Barry recently joined representatives from a variety of Town groups including members of the Chamber of Commerce and the Retailers Association to work on the Board's diversity goal. In an Open Circle format, the participants addressed the question of how to make Lexington more welcoming to all who visit or live in the town. The group plans to meet again in a few weeks to discuss recommendations, particularly those that target how to make businesses more accessible to all.

Ms. Barry said a discussion about an appeals process for Cary Hall rental application rejections, prompted by a question raised by resident Jessie Steigerwald, will be a Selectmen's agenda item on Monday, April 9, 2018.

Ms. Ciccolo reported that a Council on Aging program will take place on the afternoon of June 6, 2018 to kick off Lexington's Age-Friendly Community efforts. The event will potentially include a presentation by the consultant working on the project.

Ms. Hai reported that the Westview Cemetery project was discussed at the most recent Permanent Building Committee. Some aspects of the project have been revised; the Selectmen will be updated prior to Annual Town Meeting.

Board Discussion Regarding Annual Town Meeting Article 45: Amend Historic Districts Commission Special Act

Responding to feedback about the proposed Historic District Commission member nominating process, Anne Laurin Eccles, Chair of the Historic District Commission and the ad hoc 40C Study Committee, said revisions to Article 45 have been made with the goal of achieving a "balanced and representative commission." Town Counsel has not yet reviewed the latest draft. Other than this, the motion remains the same as presented to the Selectmen on March 7, 2018.

Mr. Valente said that Town Counsel had reviewed the original motion and suggested revisions to the motion's legal form, but not its substance. The date on which Article 45 will be presented to Town Meeting is not certain.

Mr. Pato said his suggested edits predate the ad hoc committee's most recent draft and mirror concerns he expressed at the March 7, 2018 Selectmen's meeting following the ad hoc committee's presentation on Article 45. Taking the proposed edits in order as they appear in the text, Mr. Pato explained his concerns and offered potential remedies in the revised language:

- **aii: Definition of Structures:** Mr. Pato sees the issue of sidewalk jurisdiction as a policy question, noting that in the existing Special Act, jurisdiction over sidewalks is ambiguous. Given that sidewalks are a passionate issue in Lexington, he would prefer not to establish HDC jurisdiction over them. Chapter 40C, Section 8 of the General Act allows structures, including sidewalks, to be excluded from HDC authority; individual communities can determine which type of structures to exclude.
- **b: Nominating Authority:** Mr. Pato has a number of concerns in this area. 1) He recommends that the length of term for both full and associate seats be changed from 5 to 3 years to encourage potential nominees and to match generally accepted term lengths; 2) Mr. Pato recommends broadening, rather than narrowing, the selection of nominating bodies; 3) Mr. Pato proposes that an HDC Nominating Committee be added to the current process and sees the number and identity of the appropriate groups as a policy question; 4) Mr. Pato added language that limits consecutive terms to three (of 3 years each, rather than two terms of 5 years each) to ensure turnover of permanent members; 5) Mr. Pato added language directly from 40C that allows the HDC to solicit nominations from the community at large if an identified nominating entity fails to provide candidates when called upon to do so; 6) Mr. Pato added language about how to identify quality nominees other than those who reside or do business in the historic districts, in case no candidates are found that fit the primary criteria.
- **Section 6 Exclusions d (i):** Mr. Pato has restored previous language about public safety inspections because he feels they are best done by the Building Inspector rather than by two Public Safety staff members (from the Health and Fire departments) as recommended by the ad hoc committee;
- **Section 9: Powers (a):** With the exception of the Center District, Mr. Pato generally agrees with the language about the HDC's jurisdiction over building/structure massing in the historic districts.

Because he has not been able to study the revised draft, Mr. Pato does not yet know if he will have additional comments.

Ms. Ciccolo noted that Center Committee has not yet provided input and that the Selectmen have also recently received lengthy, multi-page comments from a resident. She asked that the resident's comments be forwarded to the ad hoc committee for consideration. She stressed her appreciation for the ad hoc committee and the amount of thought and effort that has gone into the recommendations but, given the amount of input still to be processed, she would like to see the work continue until the community is comfortable and ready to support the motion. Ms. Barry said her understanding is that discussion of Article 45 is on the Center Committee's agenda for later in the week.

Ms. Hai said she is also impressed with the ad hoc committee's work and has been in favor of initiative as well as some of the changes it has proposed. She agreed that the Selectmen should hear from the Center Committee and she understands Mr. Pato's reservations about including the Center District in the HDC's jurisdiction vis-à-vis massing and structure size. She supported aligning the three-year terms with other Town committee appointments and election cycles.

Mr. Lucente said he did not have negative reactions to the ad hoc committee's proposals but acknowledged the changes may not entirely reflect what the community wants. He noted how long ago the Special Act was last updated; he asked the committee to provide feedback on Mr. Pato's recommendations.

Ms. Barry agreed that the ad hoc committee has done an enormous amount of work and that change is not easy. She asked Ms. Eccles to comment on Mr. Pato's revisions.

Ms. Eccles concurred that the committee had worked hard. She believes it a reasonable request to standardize member terms to three years instead of five but emphasized that the five-year term was a carryover from the original HDC charter. She noted that all the meetings were public, that it would have been easier to have this level of feedback earlier in the process, and that she is unsure how to incorporate feedback at this juncture. She sees the revision process as a longer effort with several phases.

David Kanter, Precinct 7 Town Meeting member, said he believes the ad hoc committee's initiative should go forward to Annual Town Meeting and proposed revisions such as Mr. Pato's regarding term limits be considered "friendly amendments." He does not believe forward movement should be subverted and that future changes can be made.

Dan Fenn, 59 Potter Pond/member of the ad hoc 40C Study Committee, said he believes Mr. Pato's thoughtful suggestions deserve consideration but there is not enough time for that process to take place before Annual Town Meeting. He is distressed to think forward momentum might be stopped. He proposed that Town Meeting discuss the current amendment but that the Board of Selectmen waive filing home rule legislation with the State until after fall Special Town Meeting when subsequent changes can be added. This would give the ad hoc committee a chance to review suggestions such as those Mr. Pato has supplied.

Lynn Hopkins, 45 Munroe Road, expressed reservations about some of the Mr. Pato's proposals. She disagreed that sidewalks should be excluded from HDC jurisdiction and felt strongly they should be within the Commission's purview. She believes it makes sense for the Design Advisory Committee to be a nominating body for the HDC as the two groups have a strong affinity. Ms. Hopkins believes the HDC should have jurisdiction over height and size of buildings in the Center District.

Susan Bennett, 64 Bloomfield Street, said she has been intimately involved with the HDC nominating process as the former Executive Director of the Lexington Historical Society. She believes everyone shares the goal of having the most qualified people on the HDC but members of the groups tasked with identifying candidates struggle with that role and the process should be fixed.

Mr. Lucente said he feels the issue should come back at a subsequent meeting to allow time to

consider new information. Mr. Pato emphasized he appreciated the work of the ad hoc committee and said the reason he was unable to attend the ad hoc committee's public hearing was because the Selectmen met at the same time in Joint Session with the Planning Board. Ms. Ciccolo asked Mr. Valente about Mr. Fenn's suggestion: procedurally/legally can the Town postpone filing with the State until remaining changes are made at a later date? Mr. Valente said asking Town Meeting to do something like that is confusing and quite unusual. Ms. Hai and Ms. Barry agreed that further discussion is warranted. Article 45 will again be on the Selectmen's agenda on Monday, April 9, 2018. Ms. Barry noted that, in order to provide time for the discussion, the meeting will start at 5:30 p.m. instead of 6:00 p.m.

Annual Town Meeting—Article 42 Motion: Staff Review/Analysis

Aaron Henry, Planning Director, provided staff comments requested by the Board of Selectmen regarding the presentation made at the March 19, 2018 Board meeting by resident Matt Daggett, proponent of Article 42. Article 42 seeks to revise Section 6.9 of the Zoning Bylaw titled "Special Permit Residential Developments"; Mr. Henry said Mr. Daggett's proposal "essentially collapses" Balanced Housing and Public Benefit Developments into a single "Shared Benefits" category. A third Special Permit type, Site Sensitive Development, would remain unchanged. The proposed "Shared Benefits" category melds the affordable housing requirement of Public Benefits Development into the Balance Housing concept. Particulars, such as size thresholds and maximum unit count (either 1.5 or 2 times the conventional subdivision proof plan), are also revised.

Mr. Henry said the current Special Permit models were adopted in 2007/2008 but they have not entirely yielded middle tier and affordable housing results as intended. Since 2008, the Planning Board has approved permits for seven Site Sensitive developments (creating the same number of units as conventional development), six Balanced Housing developments, and two Public Benefit developments (yielding four affordable housing units). All told, 88 units of Balance Housing and Public Benefit have been permitted in ten years, compared to the 43 by-right conventional units that would otherwise have been built.

Analyzing Mr. Daggett's proposals in Article 42, Mr. Henry expressed some concerns:

- 1) Staff is unsure that the upper limit threshold of 1.5 or 2 times the proof plan will answer the need. Mr. Henry said perhaps Mr. Daggett included it to address the back and forth negotiations of the Special Permitting process regarding unit yield. He believes the current Special Permits already accomplish the 2 times proof plan, sometimes a slightly more, sometimes slightly less. He added that the bylaw would still reserve the Town's right to negotiate the number downward;
- 2) The accessibility/inclusionary requirements in Mr. Daggett's proposal would mean that, in addition to all other requirements, 20% of the units will be accessible. Mr. Henry said this is laudable effort that many towns are now tackling but staff is unsure that, when combined with the other requirements, this provision will work as intended and may work instead to disincentivize utilization of the Shared Benefits bylaw;
- 3) The amendment decreases Gross Square Footage to about 80% of that allowed in conventional development proof plans. This may be hard to achieve and, in concert with other requirements,

may conversely encourage conventional development;

4) Open Space is something everyone wants more of but, given that developments are now small, there is less land to work with. One of the criticisms, even without Article 42, is that there is hardly any quality Open Space acquired as a result of Public Benefit Special Permitting; recently, Open Space, has served more as a buffer area rather than adhering to the spirit of concept;

5) There has been very little discussion about what “Shared Benefit” developments would actually look like. Mr. Henry said development will happen but it has to be attractive in order not to engender negative public reaction.

Mr. Henry emphasized that the Planning office is eager to address all the issues, just as the community wants, and to that end the Planning Office proposed in 2013 doing a 5-year check up to see if the Special Permits were working as intended. He is not confident, however, that Article 42 will result in the desired changes.

Mr. Lucente asked how many conventional developments were done during the same 10-year timeframe and if the new Shared Benefit option would have produced any different results. Mr. Henry recalled three conventional developments, none of which would have been affected by Shared Benefits.

Ms. Hai asked Mr. Henry to comment about a statement expressed in a letter from John Farrington, lawyer for several local developers, who Mr. Daggett solicited for comment on the provisions of Article 42. Mr. Farrington contends that developers want to build smaller units but currently cannot. Mr. Henry said he could not comment on Mr. Farrington’s thinking but noted generally that Planning sees two patterns in Balance Housing developments: all units are similarly sized or some units are very small and others are very large.

Asked for his comments, Mr. Daggett said the motion is now in its final form and has been reviewed twice by Town Counsel. Two major aspects of Article 42 that have changed since March 19 are: 1) the ability to put parking and other structures within the Open Space; 2) the accessible housing requirement was reduced to 15-20% because builders are unsure what the market is for universal design homes.

Mr. Daggett noted that when he did not receive any direct feedback from the development community at the Public Hearing for Article 42, he reached out to several developers who have recently built housing in Lexington. The feedback he subsequently received was supportive.

Richard Canale, Planning Board Chair, said that three Public Hearings have been held about Article 42. Following those, the Planning Board voted 4-1 in support of the article, although the actual motion had not been written at the time of the approval. The Board has since read the motion and suggested a revision but did not feel the change constituted a need to alter/rescind the previous vote.

Mr. Canale said the Planning Board shares some of Mr. Henry’s concerns but it strives to make

evidence-based recommendations and feels that the revisions are worthy of Town Meeting discussion and adoption to test their effectiveness. He noted that Planning staff time has been consumed with the Comprehensive Plan effort which left little time for attention to Article 42.

Betsy Weiss, Lexington Housing Partnership, said the Housing Partnership's opinion is being written; the final version will be expressed at Town Meeting. Her personal opinion is that the removal of the age-restriction requirement in a previous draft, now replaced by an accessibility requirement, is cause for concern. Additionally, she noted that Gross Square Footage limits now need to be subtracted to achieve actual living space dimensions. She is concerned that no mid-sized units will be built and is not sure there are any large tracts of land left to which the Shared Benefit could be applied. Wrapping many requirements into one proposal is very complicated and Ms. Weiss is not sure Article 42 is ready to be vetted by Town Meeting. She would like it to be referred back to the Planning Board and for developers to have more time to provide input.

Ms. Barry asked Ms. Weiss to send her comments, as well as the Housing Partnership's opinion, to the Selectmen prior to the Board's next discussion on Article 42 scheduled for Monday, April 9, 2018.

David Kanter encouraged the Board of Selectmen to support Article 42, noting that the Planning Board has done so because current Special Permitting has not produced the desired results.

2018 Annual Town Meeting Positions and Presenters

Ms. Barry asked Board members to be prepared to confirm their positions on all Town Meeting articles at the next meeting.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 7:17 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

Selectmen's Meeting
April 9, 2018

A meeting of the Lexington Board of Selectmen was called to order at 5:32 p.m. on Monday, April 9, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Selectmen Concerns and Liaison Reports

Mr. Lucente praised DPW staff for doing an excellent job re-painting crosswalks and road markings and for otherwise sprucing up the town after the winter season. Ms. Barry seconded Mr. Lucente's sentiments and noted that the upcoming Patriots' Day weekend will be event-filled. All activities are listed on the Town website; hardcopy event schedules are available at Town Hall, Community Center, and the Cary Library.

Mr. Pato said he and Sustainable Lexington Chair Mark Sandeen attended a Sierra Club program for elected officials and sustainability volunteers at which Lexington was applauded for setting the bar high for other communities in the Commonwealth.

Board Discussion Regarding Annual Town Meeting Article 45—Amend Historic Districts Commission Special Act

Anne Laurin Eccles, Chair of the Historic Districts Commission and the ad hoc 40C Study Committee, asked for the Board's support in referring Article 45 back to committee due to the volume of input now being received. Ms. Eccles would make a report to Town Meeting to this effect on Wednesday, April 11, 2018. All five Selectmen voted in support of these actions.

The Selectmen thanked Ms. Eccles for her efforts and Mr. Pato said he looks forward to a constructive dialog. Ms. Ciccolo noted a high level of enthusiasm in the community for completing the Special Act amendment process. Ms. Barry reported that Special Town Meeting dates will be discussed at the April 11 Selectmen's meeting; these scheduling decisions will provide useful information for the ad hoc committee's workflow.

Board Discussion Regarding Annual Town Meeting Article 42—Special Permit Residential Developments

This item is a continuation of a discussion that began at the April 4, 2018 Selectmen's meeting. Since that date, the Board has received additional written comments from Charles Hornig, Planning Board member; attorney John Farrington; and Article 42 proponent Matt Daggett. Also, Mr. Pato noted he received an email last week from the Lexington Housing Partnership.

Melinda Walker, Lexington Housing Partnership, said the email to Mr. Pato informed him that the Partnership had voted to recommend sending Article 42 back to the Planning Board. However, in a subsequent meeting, the Partnership met with Mr. Daggett and afterward changed its position to be in support of Article 42 because it mandates inclusion of affordable housing units in each development. The Partnership understands that the affordable housing yield will be

at the discretion of the Planning Board and that unit designs are intended to be desirable for senior occupants.

Mr. Valente said he has not seen changes to the motion that demonstrate what Ms. Walker referred to. As far as he is aware, the affordable and accessible housing percentages remain as they were when the Article 42 motion was last discussed by the Selectmen. Ms. Walker clarified that Mr. Daggett had not indicated he would change the motion; the Partnership is, instead, hopeful the Planning Board will develop specific definitions for accessibility after the article passes Town Meeting.

Richard Canale, Chair of the Planning Board, concurred, saying that the Planning Board also wants Town Meeting to approve Article 42 so that definitions can be worked out at a later date.

Mr. Pato reported that Mr. Daggett also presented to the Commission on Disabilities last week; although the Commission is very supportive of creating more accessible housing, it did not offer a position on Article 42 because members are unsure if the article will result in the desired housing.

Bob Pressman, Housing Partnership member but speaking for himself, said he had been previously concerned that applying accessibility standards to all units would result in housing for which there is no market. In a recent discussion with Mr. Daggett, however, Mr. Pressman became reassured these accessible units would also be attractive to seniors. On that basis, he now feels he can support Article 42. Mr. Pressman further supports the concept, expressed at a recent Planning Board meeting, that the Planning Board will be able to selectively apply accessibility standards when ruling on Special Permit applications.

Betsey Weiss, 8 Dover Lane, said she supports the intent of Article 42 to create additional affordable housing but questions the implications and definition of the term “accessible”. She also feels that Article 42 has been rushed, especially noting that it deals with complex issues such as Open Space, Affordable Housing, and Accessible Housing. She is not sure, even if the zoning article passes, that so-called Shared Benefit housing would ever be built.

Diane Biglow, 15 Bellflower Street, seconded Ms. Weiss’ sentiments.

Mr. Lucente applauded Mr. Daggett for the in-depth, detailed, and painstaking work he has done on Article 42. However, he believes that the article is not ready for Town Meeting. To illustrate, Mr. Lucente said that over the weekend, he discussed the initiative with six different builders, none of which were comfortable with the direction of the initiative. Given the choice of Shared Benefits or conventional development, all six said they would choose the conventional approach. Mr. Lucente believes that the regulations currently in place already provide flexibility for the Planning Board to approve or reject any Special Permit application.

Mr. Pato said he has a number of concerns about the Shared Benefits option as presented but believes the current bylaw is seriously flawed and has not provided the kind of housing Lexington needs. Mr. Pato thinks Article 42 needs more time to establish accessibility definitions. He noted that the Planning Board voted approval of Article 42 but he hopes Mr. Daggett’s recommendations will be used as a starting point for future deliberations, with the goal of ultimately codifying the amendment at a later Town Meeting.

Ms. Ciccolo said she supports the goals of Mr. Daggett's effort and does not want momentum to be lost. She believes much of Mr. Daggett's proposal resolves what is wrong with current Special Permitting models. But, Ms. Ciccolo noted a range of conflicting public opinion on this matter, even though a large percentage of the community wants change. Ms. Ciccolo said the Selectmen had previously asked the Planning Board to address flaws in the current bylaw; she added that Article 42 is a Citizen's article and must be heard by Town Meeting.

Ms. Hai said there has been a tremendous amount of recent email traffic about Article 42. She sees almost universal support for the article's goals but also significant concerns. At this time, there does not seem to be enough understanding or unanimity about the way forward. She asked that the article be referred to committee and brought forward again at Special Town Meeting in the fall.

Mr. Pato asked a procedural question to ensure that Article 42 would not be subject to a two-year delay if it is indefinitely postponed. Kevin Batt, Town Counsel, said the Planning Board could recommend action; he advised referring the matter back to the Planning Board so the waiting period is not triggered but cautioned that the Planning Board itself could affect momentum.

Ms. Barry said Mr. Daggett has done a tremendous amount of work on a high-profile issue. She supports the path he is on but does not want to make policy in a rushed environment, even though she agrees that the article could be passed and refined as time goes on. She supports referring the matter back to the Planning Board for further consideration.

Bob Pressman asked what additional resources the Planning Board would have to work on the initiative, considering that Planning staff time is consumed by the Comprehensive Plan effort.

David Kanter, Precinct 7 Town Meeting member, asked how many projects currently underway would be wiped out by passage of Article 42. Charles Hornig, Planning Board member, said one project, 441 Lincoln Street, would be subject to the new provisions.

David Kanter asked if the article could be referred back to the proponent instead of to the Planning Board. Town Counsel replied that this would not be considered due procedure. If the article is referred back to a committee/board, the Planning Board could then choose to refer it to the proponent.

Mr. Canale said he shares Mr. Pressman's concerns about staff resources but he disagrees with the comments about the matter being rushed. Article 42 is, in many ways, has been three years in the making. Mr. Canale said Mr. Daggett's proposal is not very different from what the Planning Board intended to propose last year and the same concerns now being raised would still be applicable in the fall. He believes if action is not taken, these issues will never be resolved.

Ms. Ciccolo asked, if the article receives a negative action on Town Meeting floor, could the petitioner bring a similar, but not identical, motion to the floor before the two-year waiting period elapses. Mr. Batt said he would have to see the new proposal but it would have to be substantially different.

Mr. Pato said he would not want to take an action that triggered the 2-year moratorium.

Dawn McKenna, Precinct 6 Town Meeting member, asked Mr. Batt if the matter could be referred to the Board of Selectmen which could then set up a working committee to propose refinements. Mr. Batt concurred this was a viable course of action. Ms. McKenna reported that she believes there to be a philosophical disagreement in the community about the right levels of affordable housing and burdens on developers. She asked the Board of Selectmen to engage in a general policy discussion with the community to address these questions, saying that until these matters are addressed, initiatives such as Article 42 will be met with obstacles.

Melinda Walker noted that the term “accessibility” has replaced “age-restriction” in the motion. She asked if the motion would be substantially different if the term was switched back to the original. Mr. Batt said he is unsure why the switch was first recommended without speaking to the Town Moderator, but he believes age-restriction could be reintroduced.

Article proponent Matt Daggett joined the meeting at this point; Ms. Barry summarized the evening’s discussion to date, explaining that the Board of Selectmen does not, at this point, recommend approval of Article 42. The Board is supportive of referring the matter back to the committee without prejudice.

Mr. Daggett said Article 42 is intended to move the ball forward on something the community supports. He is concerned about losing momentum and noted that the Planning Board’s initiative last spring was waylaid in this manner. Mr. Daggett said one of the problems he encountered in his work was lack of access to Town Counsel; such access might have resolved the “age-restriction” versus “accessibility” issue, for example. He believes he has incorporated all the Planning Board recommendations and that there is now consensus to move forward so Town Meeting can debate the merits of the proposal.

Ms. Ciccolo said she is troubled to hear Mr. Daggett had no access to legal advice. She believes the Town need to have answers about the permissibility of age-restriction. If the item is referred back to committee, Ms. Ciccolo would support access to Counsel; she further supports moving ahead this fall rather than waiting for Comprehensive Plan to be completed and added that this juncture feels different than previous attempts because the effort is farther along and the community is now paying attention.

Ginna Johnson, Planning Board member/Precinct 5, asked the Selectmen to postpone taking positions until they are able to hear the Town Meeting discussion. She noted the high degree of passionate public dissatisfaction with the current bylaw. The Planning Board had difficulty bringing forward an article to Annual Town Meeting 2017 due to the question of density but Article 42 appropriately addresses this point.

Dawn McKenna does not agree there is consensus on density, affordable percentages, or the level of burden to be placed on developers. However, she does agree that a Town Meeting discussion would be the best course of action. Until that conversation takes place, Ms. McKenna believes it will be very difficult to get the needed 2/3 consensus for the article to pass.

Ms. Barry summarized the Selectmen’s position as wanting to hear Town Meeting discuss Article 42 but otherwise leaning toward referral to committee. Mr. Pato said, to avoid having the question called prematurely, he could state this in his opening remarks. Mr. Valente said he

would discuss this procedure with Town Counsel and the Town Moderator.

Annual Town Meeting Article Positions and Presenters

Ms. Barry asked Mr. Kanter to convey to the Capital Expenditures Committee that both Ms. Hai and Mr. Pato remain undecided on Article 20f.

Mr. Valente reported that staff recommends indefinite postponement of Article 11—Appropriate for Westview Cemetery Building Construction— due to the workload of the Permanent Building Committee and because recent Facilities Department input should be incorporated into the project. Additionally, a crematorium facility is now being considered on the site. All five Selectmen supported indefinite postponement of Article 11.

Ms. Barry led the Board through the articles/position chart to update positions. The resulting chart is appended to these minutes.

Review and Consider Letter from Jessie Steigerwald

Mr. Lucente and Ms. Hai volunteered to study the appeals process for denied applications to rent Cary Hall. Mr. Valente confirmed that there is no current process. The Selectmen's Executive Clerk Ms. Katzenback will respond to Ms. Steigerwald about the course of action.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 6:38 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

2018 Annual Town Meeting Article Selectmen's Positions as of April 9, 2018

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	Y	Y	Y	Y	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	Y	Y
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	IP - Appropriate for Westview Cemetery Building Construction	IP	IP	IP	IP	IP
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. IP - Center Streetscape Improvements-Design	IP	IP	IP	IP	IP
	f. IP - Automatic Meter Reading System	IP	IP	IP	IP	IP
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	Y	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	Y	Y	Y
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	i. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	Y	N	Y	Y	Y
23	IP - Visitors Center Funding (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	Y
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	Y	Y	Y	Y	Y
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	Y	Y	W	Y	Y
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	Y	Y	W	Y	Y
31	Appropriate for Authorized Capital Improvements	Y	Y	W	Y	Y
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	Y	Y	Y	Y
35	IP - Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	N	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	Y	Y	Y	Y

ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	Y	Y	Y	Y
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	Y	Y	Y	Y
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	Y
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	W	W	W	W	W
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	N	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	Y	Y	Y	Y
45	IP - Amend Chapter 447 of the Acts of 1956	IP	IP	IP	IP	IP

Selectmen's Meeting
April 11, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:08 p.m. on Wednesday, April 11, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager (delayed arrival); Ms. Axtell, Assistant Town Manager; and Ms. Siebert, Recording Secretary. Ms. Ciccolo was absent.

Selectmen Concerns and Liaison Reports

Ms. Hai reported she attended an informative Pelham Road abutters meeting at which Facilities Director Mike Cronin provided a Lexington Children's Place construction updates.

Application for a Common Victualer License—Abbott's Frozen Custard

The Board was asked to consider a request for a Common Victuallers License for Abbott's Frozen Custard. Proprietor Jason Denoncourt was present to answer questions.

The Board of Appeals granted a Special Permit on March 8, 2018 which will require renewal prior to the expiration on March 8, 2023. The Building Department has completed inspections and issued a Certificate of Occupancy. Health Department final inspections are scheduled on Thursday April 12, 2018.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve a Common Victuallers License for Abbott's Frozen Custard, 1853 Massachusetts Avenue for the hours of 11:00 a.m. to 10:00 p.m. Monday - Sunday, pending final approval from the Health Department.

Mr. Valente arrived at this point in the meeting.

Review Town Meeting Motions

Carolyn Kosnoff, Assistant Town Manager for Finance, presented information about four 2018 Annual Town Meeting motions.

- Article 25: Rescind Prior Borrowing Authorizations

Ms. Kosnoff identified Article 25 as a standard housekeeping item for old borrowing authorizations that were not fully expended; a similar article is presented at each Annual Town Meeting. The projects associated with the items are now complete:

# 16.....	2017 Annual Town Meeting LHS Nurses Office and Treatment Space.....	\$7,677
# 15H.....	2016 Annual Town Meeting Munroe School Roof.....	\$140,450
# 16C.....	2015 Annual Town Meeting Additional Time Clock System Funds.....	\$208,000
# 11B.....	2015 Annual Town Meeting DPW Equipment.....	\$47,355
# 6.....	Special Town Meeting 2015-2 High School Modular Classrooms.....	\$22,000

All four Selectmen supported the motion as written.

- Article 29: Appropriate for Prior Years' Unpaid Bills

There are no prior year bills. All four Selectmen supported indefinite postponement.

- Article 30: Amend FY2018 Operating, Enterprise, and CPA Budgets

Ms. Kosnoff recommended three Operating budget adjustments and one Water Enterprise Fund budget adjustment.

2120..... Non-Contributory Retirement: Adjust from \$14,620 to \$14,650.

This item is related to the COLA increase that was voted at Annual Town Meeting 2017; one retiree was not accounted for and the total needs to be amended.

7100..... Land Use Personal Service: Adjust from \$1,868,974 to \$1,854,974.

7100..... Land Use Expenses: Adjust from \$495,738 to \$552,238

These two items are related to the Hartwell North zoning project. The Land Use department is requesting funds for Phase 2, which includes a fiscal impact analysis; a financing plan; zoning and design consulting services; and a legal review. Grant funding will cover some Phase 2 expenses but Ms. Kosnoff asked that the Selectmen approve the remaining \$42,530 from the General Fund/Free Cash.

8400..... Finance Personal Services: Adjust from \$1,394,395 to \$1,349,395

8400..... Finance Expenses: Adjust from \$485,630 to \$530,630

Ms. Kosnoff asked that an even swap of \$45,000 be made between Personal Services and Expenses. An expense for contracted services was incurred due to the long-term Town Accountant vacancy.

Ms. Barry recused herself on Article 30 because her mother is a retiree of the Town. Mr. Lucente, Mr. Pato, and Ms. Hai supported the motion as written.

- Article 31: Appropriate for Authorized Capital Projects

Ms. Kosnoff stated there are no requests for additional funding for existing Capital projects and the article can be indefinitely postponed. All four Selectmen agreed with this action.

Annual Town Meeting 2018 the Planning Board intends to make a presentation, explaining why it supports passage of Article 42. If the article fails to garner a 2/3 majority vote, the article could not come back for consideration for two years unless it receives a positive vote from the Planning Board.

Mr. Pato said he would normally choose to refer the matter back to the Planning Board but he is not sure, without additional support resources, that the Planning Board would be able to move forward the article forward in time for the fall 2018 Special Town Meeting. Mr. Pato noted that

Special Permit reform has been a high priority of the Board of Selectmen for the last two years; given that, he is open to referring the article back to the Selectmen instead of the Planning Board. The Selectmen could choose to set up an ad hoc committee or work instead with the proponent to amend the current motion for a fall Town Meeting vote.

Ms. Hai said she wants to make sure that the recipient board will move the initiative forward. If the Planning Board and staff are at capacity, can the Selectmen provide the needed resources? Mr. Valente said use of Planning staff to further the initiative is one option but doing so might slow down progress on the Comprehensive Plan. A second option would be hire consulting expertise to provide technical support for an ad hoc committee. Ms. Hai said she would be in favor of whichever option ensures a quality and timely outcome.

Mr. Lucente said a community conversation needs to take place about the goals and purposes of the Special Permits; he does not believe technical adjustments alone will satisfy the need for a unified vision of development diversification. To put a community process into place, he prefers referring the matter back to the Selectmen.

Dawn McKenna, Precinct 6 Town Meeting member, agreed, saying that without a common understanding of goals, Special Permitting reform initiatives such as Article 42 are apt to fail. She believes the Selectmen are the best people to guide the process forward.

David Kanter, Precinct 7 Town Meeting member, noted that the Planning Board has voted 4-1 to support Article 42. Further, the Planning Board has stated there is not enough time before fall Special Town Meeting to revise the article, given the Comprehensive Plan work. Mr. Kanter believes that since the Planning Board will retain discretionary approval on the accessibility component of Special Permitting, amendments to Article 42 are possible after it passes Town Meeting.

Diane Biglow, Precinct 8 Town Meeting member, believes there are a wealth of people in town who understand Special Permitting issues and could serve on an ad hoc committee.

Ms. Barry asked if funding would be available to hire outside consultants. Mr. Valente said, he would first like to discuss the approach with the Planning Director and Assistant Town Manager for Development but both the Selectmen's and Town Manager's budgets contain funds for contingencies such as this. Policy work could be started before a consultant is on board; outside help would focus on the technical aspects of writing the zoning language. Ms. Barry noted that consultants could understand that the projects would be free to go forward until an alternative bylaw is filed. Ms. Barry noted general uncertainty about the number of projects affected.

Article Positions and Presenters

On the Town Meeting agenda tonight are Articles 39, 40, 45, 42.

Mr. Pato said he believes there has been substantial confusion about Article 42—Amend Zoning Bylaw for Special Permit. Because of this, he believes it would be best to clarify at the start of the discussion that the Board intends to offer a substitute motion that would refer the matter back

to committee for further study. It was noted that the article's proponent, Matt Daggett, has not expressed an interest in either a referral or an indefinite postponement. Mr. Valente reported that

Mr. Lucente said he is comfortable recommending that the article be referred back to the Selectmen and he would support the concept of setting up an ad hoc committee, assisted by an outside consultant. Mr. Pato agreed, adding that the current motion has problematic language that should be addressed. He does not want to approve a bylaw that inhibits incentives for creating more diverse housing and he fears this would happen with the current motion. Because zoning bylaws require a 2/3 majority, Mr. Pato does not believe zoning should be attempted casually or under the presumption that Town Meeting will amend it in a few months. He wants to firmly target fall Special Town Meeting for the revised motion. Ms. Hai said she is not fully comfortable with either option but, of the two, will support referral because it is a better policy to fix problems first than to pass a flawed bylaw with the intent to fix it later. Additionally, citizens are confused about what is included in the current motion. Ms. Barry agreed that the motion needs more time to be vetted and that policy should be made carefully.

Mr. Pato said, in his presentation of the article, he will make clear that the Selectmen intend to offer a substitute motion to refer the article back to the Board of Selectmen once there has been some discussion. The other Selectmen said they would support this approach to guard against the question being called before the substitute motion is on the table.

Mr. Valente asked what the Board's position would be if the substitute motion failed. Board members agreed they would not alternatively support the current motion. If the current motion failed, the Board would still want to offer resources to move the matter forward for the fall.

Discuss Discovery Day Participation

Mr. Lucente and Ms. Hai will not be available for Discovery Day. Mr. Pato and Ms. Ciccolo are available; Ms. Barry can participate until 1:00 p.m.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to participate in the 2018 Discovery Day program on Saturday, May 26, 2018.

Review Selectmen 2018 Liaison Assignments

- Ms. Hai will become the Energy Conservation Committee liaison, replacing Mr. Lucente.
- Lexington will assume the HATS chairmanship on April 26, 2018.
- The list was amended to include Ms. Ciccolo as ad hoc 40C Committee liaison.

Discuss Schedule for Upcoming Meetings

- Hartwell North Zoning Community meeting will take place Wednesday, May 30, 2018;
- Center Streetscape Community meeting will take place Monday, June 11, 2018;
- Automated Recycling Option Community Meeting will take place September 26, 2018;
- Fall Special Town Meeting—Hold nights of November 13,14,15 (two nights are likely);
- The second June Selectmen's meeting will take place June 25, not June 18 (Mr. Lucente out of town on June 25);

also help with public outreach.

Ms. Hai asked what would happen to projects already in the pipeline if the matter is referred back to committee. Mr. Valente said he would double check with Town Counsel but the Board of Selectmen/School Committee meeting was rescheduled to May 2 rather than April 26 due to a conflict with an important HATS meeting.

Town Manager Appointments and Resignations

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve the Town Manager's re-appointment of Ruth Ladd to the Conservation Commission for a term to expire March 31, 2021. Ms. Ladd's ethics training is up-to-date.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve the Town Manager's appointments of Sudhir Kumar Jain and John Zhao to the Council on Aging. Sudhir Kumar Jain will be filling the unexpired term of Marion D. de B. Kilson. His term will end May 31, 2019. John Zhao will be filling an upcoming open position that was previously held by Sophia Ho. Mr. Zhao's appointment will begin June 1, 2018 and expire May 31, 2021.

Selectmen—Committee Appointment and Resignation

Mr. Pato asked that the Board defer the appointment of a Lexington Arts and Crafts member to the Historic District Commission until he has been able to interview the second of two members nominated. The matter will come back before the Board on April 23, 2018.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to accept the resignation of Charles Mabardy from the Ad Hoc Residential Exemption Policy Study Committee, effective immediately. The Board extended its thanks and appreciation to Mr. Mabardy for his time and effort in serving the Lexington community.

Ms. Barry noted that all those not chosen to serve on the ad hoc Residential Study Committee have been contacted to ascertain their willingness to remain on the list in case a vacancy occurs. The names of those who expressed continued interest will be forwarded to the Selectmen. Ms. Hai asked that she be sent the list of those actively serving since the committee configuration predates her arrival on the Board.

Review Chamber of Commerce Use of Visitors Center

With Town Meeting's approval of the Visitors Center building project, staff is working to finalize the non tax-revenue funding sources. One such source is a monthly payment from the Chamber of Commerce, which would like to occupy an office on the second floor of the new building. The proposed payment agreement of \$300/month is based on an \$18/SF rate which was identified by the Office of Assessors as the viable charge for such space.

Mr. Lucente said the lease amount seems low. Mr. Pato said he does not object to the price but would like to verify with a commercial real estate broker that it is fair market rent. Ms. Hai agreed, adding that, with the controversy over the cost of the new building, she wants to make

sure the space is appropriately priced. Ms. Barry said she is happy that the Town and Chamber have a strong working relationship but asked that the rate be reviewed.

Dawn McKenna, Tourism Committee chair, said she consulted with a realtor when developing a funding plan for the new Visitors Center. In her analysis, the expected Chamber rent was indeed pegged higher than \$300. She believes the Assessors rates are consistently lower than actual market rate. She said she would not have a problem if the Board decided to reduce the market rate for the Chamber but she would also like to maximize the Center's revenue.

Consent Agenda

- Approve and Sign Proclamations

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve and sign a proclamation for the Minuteman Cane Award to be presented on Patriots' Day, Monday, April 16, 2018.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve and sign a proclamation for Bike Walk 'N' Bus Week, May 12-20, 2018.

- 2018 Outstanding Youth of Lexington Awards

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to sign commendation letters for the 2018 Outstanding Youth of Lexington Awards to be presented Monday, April 16, 2018.

- Approve One-Day Liquor License

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve and sign a one-day liquor license for the Human Services department and the Friends of the Council on Aging for Friday, June 29, 2018 from 5:00-7:00 p.m. for the purpose of a fundraiser event being held at the Community Center, 39 Marrett Road.

- Approve Lexington Education Foundation Water Bill Insert

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve the Lexington Education Foundation Water Bill insert.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 4-0 to adjourn at 7:05 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

Selectmen's Meeting
April 23, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:02 p.m. on Monday, April 23, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

Selectmen Concerns and Liaison Reports

On behalf of the Board of Selectmen and the Town of Lexington, Ms. Barry extended sympathies to Town of Yarmouth and the Yarmouth Police department on the loss of Officer Sean Gannon during a home search on April 12. Ms. Barry included the Lexington Police department in her remarks, saying that when one officer goes down in the line of duty, it affects all members of the police fraternity.

Ms. Barry was also saddened to report the death of former Selectmen's Office Executive Clerk Lynne Pease on April 18, 2018; Ms. Pease served the Town of Lexington for more than 20 years. Members of the Board and the Town Manager expressed gratitude and respect for Ms. Pease, saying she was always composed under pressure, extremely kind, thoroughly organized, and that she never lost her positive attitude under any circumstances. Ms. Barry announced that a bench on the Town Hall campus will be installed and dedicated to Ms. Pease's memory. The Board observed a moment of silence.

Mr. Pato said he had attended a Massachusetts 5th Congressional District meeting for mayors and elected Town leaders held by Congresswoman Katherine Clark. The discussion centered around regional issues and collaborative efforts that could benefit from Congressional assistance, in particular approaches that communities are taking to address the opioid crisis, housing development, and transportation.

Ms. Barry thanked Town staff and all who braved the elements on Patriots' Day. The battle re-enactment and road race took place and the morning ceremonies were moved indoors. All other events were cancelled.

Ms. Ciccolo said that she and Selectman Pato attended the most recent Comprehensive Plan meeting at which affordable housing was discussed. Of particular note was the discussion about the regional housing shortage which was informative particularly because Annual Town Meeting is now discussing one zoning amendment and more zoning articles will be presented at Special Town Meeting in the fall. A video document of the Comprehensive Plan meeting is available on LexMedia.

Town Manager Report

Mr. Valente announced that Robert Beaudoin, Lexington's Superintendent of Environmental Services, was awarded the 2018 American Public Works Association National Solid Waste Manager of the Year. Mr. Valente praised Mr. Beaudoin for his stewardship of the environment and for his dedication over the last 15 years to recycling and re-use, subjects that Lexington

residents care deeply about. Ms. Barry asked Mr. Pinsonneault, Public Works Director, to extend the Board's congratulations to Mr. Beaudoin.

2018 Annual Town Meeting Article Positions and Presenters

- Revised motion, Article 16i

Carolyn Kosnoff, Assistant Town Manager for Finance said the entire amount of \$1.1M no longer needs to be bonded since unexpended funds from completed projects can be applied, leaving \$73,479 still to be borrowed. This re-allocation has been reviewed and approved by Bond Counsel.

Ms. Kosnoff noted that, as a result of the Municipal Modernization Act, unexpended funds can now be regularly used to pay down debt service. Staff would like to discuss and propose a policy to this effect so that such reallocations would only require Selectmen approval in the future.

David Kanter, Capital Expenditures Committee member, noted there has been an informal rule that the source of unexpended funds should match the category to which it will be reallocated. Ms. Kosnoff said the unexpended funds are from a variety of General Fund Town and School projects. Staff felt that it would be easier to track if all the funds were reallocated to a single purpose.

All Board members remained supportive of 16i with the revised motion.

Ms. Barry reviewed the Annual Town Meeting articles to be addressed that night: Article 16—Appropriate for Municipal Capital Projects and Equipment sub-items that were not under the Consent Agenda (b, c, e, h, i, j, k, l, m, n, o, p, q); Article 20—Appropriate for Public Facilities Capital Projects sub-item (a, d, f, g); Article 19—School Capital Projects; Article 25—Rescind Prior Borrowing Authorizations; Article 29—Appropriate for Prior Years' Unpaid Bills; Article 30—Amend FY2018 Operating, Enterprise, and CPA Budgets; Article 31—Appropriate for Authorized Capital Improvements.

Mr. Pato voted against approval of Article 20f, saying he agreed with the two finance committees' analysis. Mr. Pato believes the Community Center Expansion should be discussed by Town Meeting but the request goes beyond what should be done, given the addition of Visitors Center project and the overall pressures on the Capital Plan. Mr. Pato would like a public/private partnership funding model to be established before more funds are expended on design.

Ms. Hai also voted against recommending Article 20f, saying her objection lies in both the reasons stated by the finance committee and the lack of clarity of what should be done with the Pelham campus. She advocated for a re-establishment of a citizen-driven group to flesh out a more precise and less expensive plan before coming back to Town Meeting for design funds.

Ms. Barry said two articles will be brought up for reconsideration: Article 21—Appropriate to Reimburse Resident for Sewer Back-up; and Article 42—Amend Zoning Bylaw for Special Permit. She asked the Board members if they were in favor of reconsideration.

All Board members opted to wait until Town Meeting to determine reconsideration of Article 21.

An updated positions chart is amended to these minutes.

Ms. Barry called for a two-minute recess before reconvening with the Planning Board to discuss Article 42. The meeting was called back to order at 6:28 p.m.

Consent Agenda

- Water & Sewer Commitment and Adjustments

Ms. Hai recused herself as her address is on the list of adjustments.

Upon motion duly made and seconded, the Board of Selectmen voted 4-0 to approve Water & Sewer Commitment Cycle 9 billing February 2018 \$ 259,032.34 and Water & Sewer Adjustments as recommended by Water/Sewer Advisory Board March 15, 2018 \$ (56,006.89).

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 6:30 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
4	Appropriate FY2019 Operating Budget	Y	Y	Y	Y	Y
5	Appropriate FY2019 Enterprise Funds Budgets	Y	Y	Y	Y	Y
6	IP - Appropriate for Senior Services Program	IP	IP	IP	IP	IP
7	Appropriate for Advice and Analysis-Getting to Net Zero	Y	Y	Y	Y	Y
8	Appropriate to create Diversity Advisory Task Force	Y	Y	Y	Y	Y
9	Establish and Continue Departmental Revolving Funds	Y	Y	Y	Y	Y
10	Appropriate for FY2019 Community Preservation Committee Operating Budget and CPA Projects					
	a. IP - Conservation Land Acquisition- TBD	IP	IP	IP	IP	IP
	b. Community Center Sidewalk- TBD	Y	Y	Y	Y	Y
	c. Archives & Records Management/Records Conservation & Preservation - \$20,000	Y	Y	Y	Y	Y
	d. 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000	Y	Y	Y	Y	Y
	e. Public Grounds Irrigation Improvements - \$100,000	Y	Y	Y	Y	Y
	f. Playground Replacement Program- Bowman School - \$302,000	Y	Y	Y	Y	Y
	g. Athletic Facility Lighting - \$975,000	Y	Y	Y	Y	Y
	h. Center Track and Field Reconstruction - \$3,340,000	Y	Y	Y	Y	Y
	i. Old Reservoir Bathhouse Design - \$75,000	Y	Y	Y	Y	Y
	j. Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD	Y	Y	Y	Y	Y
	k. CPA Debt Service - TBD	Y	Y	Y	Y	Y
	l. Administrative Budget - \$150,000	Y	Y	Y	Y	Y
11	IP - Appropriate for Westview Cemetery Building Construction	IP	IP	IP	IP	IP
12	Appropriate for Lexington Children's Place Construction	Y	Y	R	Y	Y
13	Appropriate for 45 Bedford Street/Fire Station Replacement	Y	Y	Y	Y	Y
14	Appropriate for Lexington Police Station Re-Build-Design	Y	Y	Y	Y	Y
15	Appropriate for Recreation Capital Projects	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
16	Appropriate for Municipal Capital Projects and Equipment					
	a. Hydrant Replacement Program	Y	Y	Y	Y	Y
	b. Storm Drainage Improvements and NPDES compliance	Y	Y	Y	Y	Y
	c. Comprehensive Watershed Stormwater Management Study and Implementation	Y	Y	Y	Y	Y
	d. Townwide Culvert Replacement	Y	Y	Y	Y	Y
	e. IP - Center Streetscape Improvements-Design	IP	IP	IP	IP	IP
	f. IP - Automatic Meter Reading System	IP	IP	IP	IP	IP
	g. Sidewalk Improvements	Y	Y	Y	Y	Y
	h. Equipment Replacement	Y	Y	Y	Y	Y
	i. Townwide Signalization Improvements	Y	Y	Y	Y	Y
	j. Pelham Road Sidewalk and Roadway Improvements	Y	Y	Y	Y	Y
	k. Street Improvements	Y	Y	Y	Y	Y
	l. Hartwell Area TMOD Plan Update	Y	Y	Y	Y	Y
	m. Transportation Mitigation	Y	Y	Y	Y	Y
	n. Municipal Technology Improvement Program	Y	Y	Y	Y	Y
	o. Application Implementation	Y	Y	Y	Y	Y
	p. Network Core Equipment Replacement	Y	Y	Y	Y	Y
	q. Police Radio Console Equipment Replacement	Y	Y	Y	Y	Y
17	Appropriate for Water System Improvements	Y	Y	Y	Y	Y
18	Appropriate for Wastewater System Improvements	Y	Y	Y	Y	Y
19	Appropriate for School Capital and Equipment	Y	Y	Y	Y	Y
20	Appropriate for Public Facilities Capital Projects					
	a. Selectmen Meeting Room High Definition Broadcasting Upgrade	Y	Y	Y	Y	Y
	b. Public Facilities Bid Documents	Y	Y	Y	Y	Y
	c. Facility and Site Improvements	Y	Y	Y	Y	Y
	i. Building Flooring Program	Y	Y	Y	Y	Y
	i. School Paving Program	Y	Y	Y	Y	Y
	d. Public Service Building Vehicle Storage Area-Floor Drainage System	Y	Y	Y	Y	Y

ARTICLE	FINANCIAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
	e. Municipal Building Envelopes and Systems	Y	Y	Y	Y	Y
	f. Community Center Expansion-Design	Y	W	R	Y	W
	g. School Building Envelopes System	Y	Y	Y	Y	Y
	h. LHS Security Upgrade	Y	Y	Y	Y	Y
	i. Public Facilities Mechanical/Electrical System Replacements	Y	Y	Y	Y	Y
21	Appropriate to Reimburse Resident for Sewer Backup (<i>Citizen Article</i>)	N	N	N	N	N
22	Visitors Center Funding	Y	N	Y	Y	Y
23	IP - Visitors Center Funding (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
24	Appropriate to Post Employment Insurance Liability Fund	R	Y	Y	Y	Y
25	Rescind Prior Borrowing Authorizations	Y	Y	Y	Y	Y
26	Establish, Dissolve and Appropriate to and from Specified Stabilization Funds	Y	Y	Y	Y	Y
27	IP - Appropriate to Stabilization Fund	IP	IP	IP	IP	IP
28	Appropriate from Debt Service Stabilization Fund	Y	Y	Y	Y	Y
29	Appropriate for Prior Years' Unpaid Bills	Y	Y	W	Y	Y
30	Amend FY2018 Operating, Enterprise, and CPA Budgets	Y	Y	W	Y	Y
31	Appropriate for Authorized Capital Improvements	Y	Y	W	Y	Y
ARTICLE	GENERAL ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
32	Amend General Bylaw-Regarding Financial Committees (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
33	Amend Town Bylaw-Ban Plastic Bags (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
34	Amend General Bylaw-Make Lexington a "Welcoming, Inclusive, Safe Community" (<i>Citizen Article</i>)	R	Y	Y	Y	Y
35	IP - Resolution to Request Warrant Articles to be Accompanied by Financial Projections (<i>Citizen Article</i>)	IP	IP	IP	IP	IP
36	Amend General Bylaws to Repeal Prohibition of Recreational Marijuana Establishments in Town (<i>Citizen Article</i>)	N	N	N	N	N
37	Accept MGL Chapter 59, clause 5c ½	R	Y	Y	Y	Y

ARTICLE	ZONING/LAND USE ARTICLES	Barry	Pato	Ciccolo	Lucente	Hai
38	Amend Zoning Bylaw and Map in Commercial District/Marrett Road (<i>Citizen Article</i>)	Y	Y	Y	Y	Y
39	Amend General Bylaw: Turning Mill Neighborhood Conservation District	Y	Y	Y	Y	Y
40	Amend General Bylaw: Pierce-Lockwood Neighborhood Conservation District	Y	Y	Y	Y	Y
41	Wright Farm Parcel Split (241 Grove Street)	Y	Y	Y	Y	Y
42	Amend Zoning Bylaw for Special Permit (<i>Citizen Article</i>)	N	N	N	N	N
	• Refer back to Selectmen	Y	Y	Y	Y	Y
43	Amend Chapter 135 Zoning Bylaw (<i>Citizen Article</i>)	N	N	N	N	N
44	Amend the General Bylaws-Demolition Delay Amendments	Y	Y	Y	Y	Y
45	IP - Amend Chapter 447 of the Acts of 1956	IP	IP	IP	IP	IP

Selectmen's Meeting
April 25, 2018

A meeting of the Lexington Board of Selectmen was called to order at 6:05 p.m. on Wednesday, April 25, 2018 in the Selectmen's Meeting Room of the Town Office Building. Ms. Barry, Chair; Mr. Pato; Ms. Ciccolo; Mr. Lucente; and Ms. Hai were present as well as Mr. Valente, Town Manager; and Ms. Siebert, Recording Secretary.

On behalf of the Board of Selectmen, Ms. Barry stated that the content of certain comments made by a Town Meeting member at the April 23, 2018 session of Annual Town Meeting is a source of serious concern. Ms. Barry stated that the Board of Selectmen is firmly committed to ensuring that Lexington is a welcoming, inclusive, and safe community. To emphasize this point, Ms. Barry read a paragraph from the Proclamation of Inclusivity, signed by the Board of Selectmen in February 2017, which states that the Town is committed to "treating all people fairly and fully embracing the unique contributions of all Lexington residents. In Lexington, we affirm that all means all people."

Public Comment

Nyles Barnert, Precinct 4 Town Meeting member, expressed a Town Meeting procedural concern that he believes should be addressed so that warrant articles are either taken up in order or voted to be taken out of order. This is contrary to how articles have been scheduled. Mr. Barnert said he had no substantive problem with the current procedure, only that it violates the bylaw. He asked that an amendment be proposed so that practice and bylaw become compatible.

Dawn McKenna, Tourism Committee Chair, asked that a temporary electronic sign be moved from its current location in front of the Old Soldiers Memorial. Ms. McKenna acknowledged that information must be communicated to residents and those who travel through the town but, in her view, the erection of a sign in this location violates the Battle Green Master Plan. She asked to established a time to discuss with the Chair the overall use signage and the processes approved by prior Boards of Selectmen that she believes are not being followed. Mr. Valente said he would check with the Department of Public Works to determine why the sign was erected in that location, how long it might be there, and whether there are other options. He will forward the responses to the Board via email.

Selectmen Concerns and Liaison Reports

Mr. Pato reported that the Getting to Net Zero Task Force expects to complete its meetings tomorrow and will make a presentation to the Board of Selectmen in the near future.

Ms. Barry thanked and congratulated all who played a role in Annual Town Meeting 2018, which has now ended after 7 sessions and 22 ½ hours of business. Mr. Valente reported that ATM 2018 authorized a quarter of a billion dollars in expenditures.

Approve LIP Application for Wright Farm Affordable Unit

Liz Rust, Regional Housing Services Office, and Bill Kennedy, LexHab Chair, reviewed the 40B application for a single unit of affordable housing at Wright Farm/241 Grove Street. Town

Meeting approved the acquisition of this property in 2016 at which time the house was expressly designated for affordable housing. Because the lot is non-conforming, it must receive zoning relief via 40B. LexHab is now fielding construction estimates, a process which is occurring in parallel to the 40B application. Once zoning relief is approved, the site plan can be recorded and the project can progress.

Mr. Lucente asked when the unit will become available and part of the affordable housing inventory. Mr. Kennedy expects the project to be completed by the end of 2018 or the beginning of 2019; the schedule identifies the summer of 2019 as the project completion timeframe.

Ms. Ciccolo asked what entity would monitor the property and find replacement tenants as needed. Ms. Rust said the property manager will be responsible for finding new tenants, just as with all other LIP units, but LexHab will perform the day-to-day property management.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and authorize the Town Manager to sign the Local Initiative Program Application for a Comprehensive Permit for the 241 Grove Street/The Wright Farm affordable housing project.

Grant of Location for Pole Attachment at 277 Wood Street

Ms. Barry opened the Public Hearing on this matter at 6:18 p.m.

Michael Dolan, Attorney, Brown Rudnick; and David Ford, Site Acquisition Leader, Centerline Communications, presented a petition on behalf of AT&T to install an attachment to a utility pole in the Town's right of way at 277 Wood Street. The request is being made to address rapidly increasing demand on the network. The attachments of a small cell site will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws and regulations. The proposed attachment will be maintained by Eversource. The apparatus consists of an antennae two-feet long and ten inches in diameter, and a small equipment cabinet attached to the pole. Mr. Rudnick noted a typo on the drawings sent to the Selectmen that have been corrected to indicate that the attachment to the pole will be three feet higher than what was shown.

Mr. Pato noted that the pole in question has a 15-degree slant that seems worrisome, particularly if more weight will be added to the top. Mr. Rudnick assured the Board that a rigorous structural analysis is mandated by Eversource before equipment can be added to a pole.

Ms. Barry observed that the petition before the Selectmen is for only one pole but the letter to the Board cites three separate locations. Mr. Dolan said that one of other poles is on private land and usage rights must be secured and the ownership of the other pole location is now being investigated; one pole is at 45 Bedford Street near the Fire Station and the other is at 153 Hartwell Avenue. Petitions for these other locations will be submitted once the ownership matters are cleared up. Ms. Barry asked that a map of the locations be attached to the letter already received.

Ms. Ciccolo asked if any notified abutters submitted comments about the petition. Ms. Rudnick and Mr. Valente said no comments have been received; Ms. Barry said Ms. Katzenback has not alerted her to any comments received by the Selectmen's office.

Victoria Buckley, 18 Bates Road, is an abutter to the pole location. She asked the petitioners to describe the dimensions of the apparatus to be added and to specify how much noise will be emitted. Ms. Buckley added that she shared Mr. Pato's concern about the slant of the pole. Mr. Ford said the pole height will be extended from 24 feet to 27 feet because of the mounting and antenna; the equipment cabinet and submeter are attached to the side of the pole, one at the height of 8 feet and the other at the height of 12 feet. Mr. Rudnick said noise from a small fan will not be detectable from any of the abutting homes; the apparatus is noise bylaw compliant.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the grant of location for installing an attachment to a pole in the right of way at 277 Wood Street.

Ms. Barry closed the Public Hearing at 6:27 p.m.

Selectmen—Committee Appointments

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to appoint Steve Poltorzycki as a member of the Council for the Arts for the unexpired term ending September 30, 2018.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to appoint Sara Bothwell Allen as a member of the Ad Hoc Residential Exemption Policy Committee.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to appoint current Associate Member Paul O'Shaughnessy to a Full Member position representing the Lexington Arts & Crafts Society to the Historic District Commission for the unexpired term ending December 31, 2018.

Approve Limousine License Renewals

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the application and issue (2) renewed Limousine Licenses to Boyadjian Limousine Service, 447 Lowell Street and (1) renewed Limousine License for R&M Ride, 24 Deering Avenue.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the application and issue (1) renewed Limousine License to Fusco Enterprise, LLC d/b/a Back Bay Sedan, 37 Woburn Street, pending an inspection scheduled to be performed April 25, 2018.

Town Manager Re-appointments

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve three Town Manager's re-appointments: Debra Hankins and Joseph Hankins to the Youth Commission for terms to expire April 30, 2021; Dr. Burt Perlmutter to the Board of Health for a term to expire April 30, 2021; and Nancy Shepard and Archana Singhal to the Community Center Program Advisory Committee for terms to expire May 30, 2020. All ethics training is up to date with the exception of Ms. Shepard whose appointment is contingent upon ethics training completion.

Authorize Town Manager to Sign Procurement Card Agreement

Carolyn Kosnoff, Assistant Town Manager for Finance, asked the Board of Selectmen to approve a procurement card agreement migration of business from US Bank to the Bank of Montreal and to authorize the Town Manager to sign the agreement. Procurement cards are used by Town staff to facilitate the processing of certain transactions, such as travel expenses for the Schools; cards are not used for everyday expenses or when a purchase order is possible/appropriate. The current contract with US Bank is ending in the summer of 2018. The new agreement would carry a 5-year term. US Bank is no longer an approved institution in the government purchasing alliance to which Lexington belongs; Bank of Montreal is the only vendor available that has been fully vetted.

Mr. Lucente said it struck him as odd that Lexington would use a non-US bank but he otherwise has no objection to the new vendor.

David Kanter, Precinct 7 Town Meeting member, asked how many cards are in circulation and what the standard practice is for reviewing the expenses that are charged against the cards. Additionally, is there any loss or gain attributed to switching vendors. Ms. Kosnoff said approximately 100 cards are out at any given time, spread between Town and School. Each card has a designated department head; each month, all of the receipts must be turned in and the department head must make sure the account tallies correctly. There is also a second review: on the School side, card use is reviewed by the finance manager; on the Town side, use is reviewed by the Comptroller. As part of switching vendors, staff will be review policies and possibly tightening up some controls. The Town gets a rebate on card purchases which is tied to the amount spent. Ms. Kosnoff believes that last year \$30,000-\$40,000 was received. The rebate rate from Bank of Montreal is somewhat more beneficial than from US Bank.

Dawn McKenna, Precinct 6 Town Meeting member, said she is also troubled that the bank is not a US institution. She asked the Board to consider going outside the consortium for procurement so that the Town can contract with domestic, perhaps local, institutions. She asked if a fluctuating exchange rate would have any effect.

Mr. Valente said that the current contract elapses on July 1. The Town has never used local procurement institutions because only national banks are eligible to participate. Mr. Pato noted that the Bank of Montreal arm Lexington would deal with is based domestically, in Chicago. Ms. Kosnoff does not believe that exchange rates would have any bearing on the expenses or the rebates. She noted as well that Lexington has not been thoroughly pleased with US Bank's customer service.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the following resolution:

WHEREAS it is in the best interest of the Town of Lexington to enter into an arrangement with the Bank of Montreal, a Canadian chartered bank with a branch at 115 South LaSalle Street, Chicago, IL 60603 to provide the Town of Lexington with credit by way of a Corporate MasterCard account;

WHEREAS the Town of Lexington has the power and authority to borrow money and otherwise

obtain credit and to grant security on its assets;

BE IT RESOLVED:

1. *THAT the Town of Lexington is authorized to enter into an arrangement with the Bank to provide the Town of Lexington with credit by way of a Corporate MasterCard account. Under which arrangement employees of the Town of Lexington may be issued with Corporate Cards on the MasterCard corporate account of the Town of Lexington with the Bank and the Town of Lexington shall be responsible for the payment of all amounts, including fees and interest, charged to such corporate account, the whole substantially on the terms and conditions set forth in the draft Corporate MasterCard Account Agreement submitted to and hereby approved by the directors;*
2. *THAT the Town of Lexington Town Manager Carl F. Valente is hereby authorized to sign for and on behalf of the Town of Lexington a Corporate MasterCard Account Agreement with the Bank of Montreal substantially on the terms and conditions of the draft thereof approved by the directors, with such changes or modifications as the person so signing may in his/her sole discretion deem appropriate, and to sign such other documents and do such other things he/she in his/her sole discretion deem appropriate or advisable in connection with or to give effect to such Corporate MasterCard Account Agreement and the program contemplated thereunder.*

Accept Bus Shelter Easement—Beth Israel Deaconess, 482 Bedford Street

Mr. Valente reported that the installation of a bus shelter at 482 Bedford Street, in front of Beth Israel Deaconess Medical Center, Inc., required the Town to receive easements from MassDOT and Beth Israel Deaconess. He asked the Board to accept the Beth Israel easement document, noting that the shelter has been installed for some time, even though the paperwork has lagged. Beth Israel is responsible for maintaining of the shelter.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and sign the Acceptance of an Easement from Beth Israel Deaconess Medical Center for land and improvements located at 482 Bedford Street to construct a bus shelter as a public amenity upon a portion of the Property adjacent to Bedford Street.

Future Meeting Dates

The Board reviewed Selectmen meeting dates for the period of May to December 2018. Two meetings have been added from the previous version of the chart: Monday, September 24 and Monday, October 22. Both additions are in anticipation of a Special Town Meeting in November. A Summit meeting will potentially be added on Thursday, June 14 to discuss the School Master Planning Committee; Lexington High School Science Lab facilities; and possibly adding discussion of an indoor swimming pool facility. The date will be confirmed once all committees have indicated their availability.

Ms. Barry said that Special Town Meeting is being targeted for Tuesday, November 13, 2018 and may be three days in duration.

Review and Approve Letter to Department of Energy Resources Regarding Solar Regulations

Mark Sandeen, Chair of the Sustainable Lexington Committee, said that solar panels with energy storage capacity are planned for the roofs and parking lots of the new Hastings Elementary School and the new Lexington Children's Place. Noting pending Department of Energy administrative decisions regarding solar storage, Mr. Sandeen asked the Selectmen to consider signing a letter intended to encourage the agency to maximize the value and capacity of solar generation and storage.

All Selectmen supported the signing letter. Ms. Hai asked if any further steps should be taken. Mr. Sandeen reported that Mr. Valente has agreed to forward the letter to the Massachusetts Municipal Association because other towns are facing similar concerns. At Ms. Ciccolo's suggestion, the letter will also be forwarded to the Metropolitan Area Planning Council.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and sign the letter to the DOER regarding energy storage administrative procedures.

Consent Agenda

- Approve and Sign Proclamations

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and sign a proclamation naming May 20-26, 2018 National Public Works Week.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and sign a proclamation naming May 13-19 National Police Week/Peace Officer Day.

- Approve and Sign Eagle Congratulations Letter—Ryan Christopher Davy

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve and sign a letter of commendation congratulating Ryan Christopher Davy for attaining the highest rank of Eagle in Boy Scouting.

- Approve One-day Liquor Licenses

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the Munroe Center for the Arts request for a One-Day Liquor License to serve wine at the Lexington Open Studios event being held at 1403 Massachusetts Avenue on Sunday, April 29, 2018 from 5:00 p.m. to 7:00 p.m.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the Lexington Historical Society request for a One-Day Liquor License to serve beer and liquor at the Wicked Revelry theatrical performance being held at the Depot, 13 Depot Square on Saturday, May 5, 2018 from 7:00 p.m. to 10:00 p.m.

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the Lexington BBQ Festival request for three (3) One-Day Liquor Licenses to serve to serve beer and cider at their event located on the Farmer's Market Fairgrounds at the intersection of

Massachusetts Avenue and Fletcher Avenue as follows: Friday, June 1, 2018 from 4:00 p.m. to 7:30 p.m.; Saturday, June 2, 2018 from 11:00 a.m. to 7:00 p.m. Sunday, June 3, 2018 from 12:00 p.m. to 4:00 p.m.

- Use of Battle Green—Educational Travel Consultants

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the Educational Travel Consultants request to use the Battle Green for a choir performance by Henderson High-School on Sunday, April 29, 2018 from approximately 10:30 a.m. to 11:30 a.m.

- Sign Inn at Hastings Park Corrected 2018 Liquor License (Scrivener's Error)

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to sign a corrected Liquor License for the Inn at Hastings Park to accurately reflect the expiration date of December 31, 2018.

- Approve Minutes

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve the minutes of February 7, 2018 from a Joint meeting of the Board of Selectmen and the School Committee.

Upon motion duly made and seconded the Board of Selectmen voted 5-0 to approve but not release the Executive Session minutes of March 3, 2018 from a Joint Meeting of the Board of Selectmen and the School Committee.

- Approve Releasing Executive Session Minutes 2009

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to release the Executive Session minutes from January 5, 12 and 26, 2009; February 9 and 23, 2009; March 2, 9 and 19, 2009; April 27 and 29, 2009; May 4, 6 and 18, 2009; June 8 and 22, 2009; July 13, 2009; August 31, 2009; September 21 and 29, 2009; October 19, 2009; November 2, 3, 9, 12, 23 and 30, 2009; and December 14, 2009

- Approve Request for Water & Sewer Deferral

Upon motion duly made and seconded, the Board of Selectmen voted 5-0 to approve a Water & Sewer deferral granted by the Board of Assessors on April 12, 2018 for FY2018 for 42 Solomon Pierce Road.

Adjourn

Upon motion duly made and seconded, the Board of Selection voted 5-0 to adjourn at 7:02 p.m.

A true record; Attest:

Kim Siebert
Recording Secretary

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Exemption 6 (Purchase of Real Estate):Community Center Parking Lot and Adjacent Land
(15 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

E.1

SUMMARY:

Suggested motion for Executive Session: *Move that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property, a portion of the parking lot at 33 Marrett Road, and to reconvene in Open Session only to adjourn. Further, that as Chairman, I declare that an open meeting may have a detrimental effect on the negotiating position of the Town.*

Staff update on the status of negotiations to purchase a portion of the Scottish Rite parking lot located at 33 Marrett Road.

SUGGESTED MOTION:

FOLLOW-UP:

TMO

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

9:30 p.m.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Exemption 3: Collective Bargaining Update - DPW Union (15 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

E.2

SUMMARY:

Suggested Motion for Executive Session: Move to go into Executive Session to discuss strategy with respect to collective bargaining related to the Public Works Union and to reconvene in Open Session only to adjourn. Further, as Vice Chairman I declare that an open meeting discussion may have a detrimental effect on the bargaining position of the Town.

SUGGESTED MOTION:

NA

FOLLOW-UP:

TMO

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

9:45 p.m.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Exemption 3: Collective Bargaining Update - Library Union (15 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

E.3

SUMMARY:

Suggested motion for Executive Session: *Move to go into Executive Session to discuss strategy with respect to collective bargaining related to the Library Union and to reconvene in Open Session only to adjourn. Further, as Vice Chairman I declare that an open meeting discussion may have a detrimental effect on the bargaining position of the Town.*

SUGGESTED MOTION:

NA

FOLLOW-UP:

TMO

DATE AND APPROXIMATE TIME ON AGENDA:

5/21/2018

10:00 p.m.