

SELECT BOARD MEETING
August 5, 2024

A meeting of the Lexington Select Board was called to order at 6:30p.m. on Monday, August 5, 2024, via a hybrid meeting platform. Mr. Lucente, Chair; Mr. Pato, Ms. Barry, Ms. Hai, and Mr. Sandeen, were present, as well as Mr. Malloy, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Katzenback, Executive Clerk.

PUBLIC COMMENTS

Jim Cadenhead, 29B Shirley Street, member of the Bicycle Advisory Committee, and on the Board of the Friends of the Lexington Bikeways, spoke about the proposed Bikeway Block Party. This has been planned since last November. The Party will utilize the parks along the Minuteman Bikeway as venues for an arts, music, and wellness community festival.

SELECT BOARD MEMBER CONCERNS AND LIAISON REPORTS

1. Select Board Member Concerns and Liaison Reports

Ms. Barry stated that she previously requested a standing agenda item regarding the High School project. Also, next Monday August 12, 2024 is 250 days to the 250th Celebration. The community is invited to join in a photo for this day. The hope is to have at least 250 community members in the photo. Finally, she noted that she will not run for reelection next March.

Mr. Pato stated that on Wednesday, August 14th from 6:30-8:30pm, there will be another community meeting regarding the High School project. This will be a hybrid panel session for the School Building Committee to hear questions from the community and respond. Also, on August 15, 2024, there will be a summit meeting of the Select Board, School Committee, Appropriation Committee, Capital Expenditures Committee, Recreation Committee, and School Building Committee regarding the project, along with the community's appetite and interest in activities beyond the core curriculum, in particular the recreation facility at the field house and a potential aquatic pool center.

Ms. Hai stated that the Town Manager Search Screening Committee will be meeting this week to review the applications that have been received and to determine who will be invited to the first round of interviews.

DOCUMENTS: 2024.08.05 Select Board Announcements and Liaison Reports

TOWN MANAGER REPORT

Mr. Malloy stated that he supplied the Board with a letter regarding the MBTA Communities Act being fully approved by the State. Also, he has not yet received any comments from the Board about moving the Civics Academy from a fall to a late spring schedule. This would be a better schedule for the management fellow.

1. Town Manager Weekly Update

DOCUMENTS: Weekly Update 7-26-24; 8-2-24

CONSENT AGENDA

1. Approve Select Board Committee Resignation Lexington Center Committee - Fred Johnson

To accept the resignation of Fred Johnson from the Lexington Center Committee effective September 30, 2024.

DOCUMENTS: 2024 Resignation - Lexington Center Committee from Fred Johnson

2. Approve and Sign Proclamation – Suicide Prevention Month

To approve and sign a proclamation annually recognizing the month of September as Suicide Prevention Month in the Town of Lexington.

DOCUMENTS: 2024 Suicide Prevention Month Proclamation

3. Approve Water and Sewer Commitments and Adjustments

To approve the following:

Water & Sewer Cycle 9 Billing May 2024	\$340,369.25
Water & Sewer Cycle 9 Billing June 2024	\$394,478.80
Water & Sewer Finals June 2024	\$12,440.97

DOCUMENTS: May / June Comm & June Finals

4. Approve Select Board Meeting Minutes

To approve and release the following minutes: July 22, 2024, Select Board.

DOCUMENTS: DRAFT 07222024 Select Board minutes

5. Approve Battle Green Use Request – The Outdoor Channel – Filming of TV Segment Tuesday, October 8th, 2024, from 8-10am

To approve the request from Evan Brune, Executive Editor for 'The Outdoor Channel', to use the area in front of the John Parker Statue on Tuesday, October 8, 2024, from 8:00am to 10:00am for the purpose of filming on 10/8/24 a 12-minute historical segment about the events at Lexington and Concord on April 19, 1775.

6. Approve Entertainment License & One-Day Liquor License – Gyro Fest at St Nicholas Greek Orthodox Church

- St Nicholas Greek Orthodox Church: '2024 Gyro Festival' - Saturday, September 21, 2024, from 11am - 9pm

To approve an Entertainment License and One-Day Liquor License for St Nicholas Greek Orthodox Church to host Gyro Fest and to serve wine and beer on Saturday, September 21, 2024, from 11:00am-9:00pm with live music in the parking lot at 5pm, location 17 Meriam Street.

DOCUMENTS: St_Nicholas_Tent_Layout

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

- Roger McGuinn: Wednesday, September 11, 2024, from 6:30pm -10:30pm

To approve a One-Day Liquor License for Spectacle Management, Inc. to serve beer and wine in the lobby outside of Battin Hall on the main level of Cary Memorial Building, 1605 Massachusetts Avenue, for the purpose of four events as follows:

- Roger McGuinn, Wednesday, September 11, 2024, 6:30pm to 10:30pm

DOCUMENTS: Spectacle Diagram of Event

8. Approve Battle Green Use Request – Lexington Minute Men - 18th Century Military Drill

- Saturday, November 23, 2024, from 9:00am -11:00am

To approve the request of the Lexington Minute Men to use the Battle Green for an 18th-century military drill and musket blank-firing demonstration in preparation for the 250th Anniversary of the Battle of Lexington.

9. Approve Entertainment License – Friends of Lexington Bikeway

- Bikeway Block Party: Arts, Culture and Music Community Festival - Sunday, September 15, 2024, from 11am-4pm

To approve an Entertainment License for The Friends of Lexington Bikeway to host a Bikeway Block Party: Arts, Culture and Music Community Festival on Sunday, September 15, 2024, from 11am to 4pm with live music being performed at 4 separate locations along the bikeway as proposed.

DOCUMENTS: Bikeway Block Party Schedule, Bikeway Block Party Event Diagram

10. Approve Entertainment License - American Diabetes Association

- Tour de Cure: Non-competitive Charity Bicycle Ride - Sunday, August 18, 2024, from 7am-4pm

To approve a Special Entertainment License for The American Diabetes Association for the purpose of music at their Tour de Cure: Non-competitive Charity Bicycle Ride on Sunday, August 18, 2024, from 7am to 4pm.

DOCUMENTS: Tour de Cure Event Diagram

11. Approve: One-Day Liquor License - Craft Food Halls Lex Labs

- Beer Garden at Non-competitive Charity Bicycle Ride - Sunday, August 18, 2024, from 11:00am - 5:00pm

To approve a One-Day Liquor License for Lex Lab d/b/a Craft Food Halls to serve beer and wine in the beer garden in the parking lot at 10 Maguire Road Hall during the Tour de Cure: Charity Bicycle Ride on Sunday, August 18, 2024, from 11:00am to 5:00pm.

DOCUMENTS: Tour De Cure event Map

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

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Presentation - Plan of Action & Timeline for Amending the Lexington Human Rights Committee Charge and Community Conversation Plan

Mr. Sandeen stated that the Human Rights Committee (HRC) has met several times to discuss this and make recommendations regarding the charge. In addition to these changes, several other suggestions were made, primarily to align the charge with current practice and the way other committees are operating in Town. The revised charge is proposed to be brought to the HRC for a recommendation at its next meeting in September.

2. Approve Transportation Safety Group (TSG) Requests

- Stop sign on Sunny Knoll Avenue at Reed Street
- Stop signs on Balfour Street at Asbury Street
- Parking Prohibitions on Lois Lane

Sheila Page, Assistant Planning Director, explained that the Traffic Safety Group (TSG) is recommending the installation of stop signs on Sunny Knoll Avenue (at Reed Street), and Balfour Street (on both sides of Asbury Street). TSG is also recommending prohibiting parking on Lois Lane.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 that, in accordance with the provisions of Chapter 689 of 1986 of the General Laws, the Traffic Rules and Orders of Lexington, adopted by the Board of Selectmen on November 13, 1967, now Chapter 192 of the Code of Lexington are hereby amended by adding the following to:

§ 192-10 Schedule 7: Stop Signs and Yield Signs

- Sunny Knoll Avenue at Reed Street - Stop
- Balfour Street eastbound at Asbury Street - Stop
- Balfour Street westbound at Asbury Street - Stop

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

Chapter 192-18 Schedule 1 "Parking Prohibited or Restricted"

- Lois Lane - North Side from Bedford Street to approximately 90 feet east to the driveway of 77-79 Bedford Street - "No Parking"; and
- Lois Lane - South Side from Bedford Street to approximately 90 feet east to the driveway of 73-75 Bedford Street - "No Parking".

DOCUMENTS: Memorandum, Code Amendment Vote - Stop Signs, Code Amendment Vote - No Parking, Location - Maps

3. Discussion - William James Interface Contract

Dana Bickelman, Human Services Director, this is a discussion regarding the William James Interface referral service contract. This contract began in November of 2018 and goes through early 2025. Use of this referral system was brought in to identify two specific issues by the Mental Health Task Force website, to provide a way to take down barriers to accessing mental health services and to also address potential disparities among cultural group. The cost for FY24 was \$31,000 shared with the schools. For

FY25 the cost will be increased to \$34,500 which is already in the budget. The proposal is to stop services for FY26, when the cost is proposed to increase to \$38,000. Data and reporting that show that the service over the past year was used approximately 104 times, costing \$300 per referral. She explained that since 2018, Town Staff has been able to increase the number of cost-free ways to access mental health referrals. The cost savings from this proposal would be used to provide additional support, such as adding a part time staff to provide additional clinical support and programs.

Ms. Bickelman explained that is the recommendation of the Human Services Department not to renew the William James Interface contract. She stated that the Human Services Department would be able to successfully connect clients to needed resources even after the contract with William James Interface ends in 2025.

The Board was in support of not renewing the contract and expressed the importance of alerting the community ahead of the change.

DOCUMENTS: William James Interface Memorandum

4. Approve ARPA Request - Storeback/Storefront Improvement Plan Update

Jay Abdella, Economic Development Coordinator, reviewed the Economic Development Department's request to extend the storefront/storeback funding from East Lexington to include East Lexington and Lexington Center, as discussed at the last Select Board meeting.

Jim Cadenhead, speaking on behalf of Battle Road Bikes, stated that the shop is firmly in favor of this East Lexington District improvement proposal. He has a huge proposal for his building but has not seen anything come of it yet.

Jim Shaw, publisher of the Lexington Times, explained that approximately two years ago, an organization called the East Lexington Business Association was started. This group primarily works on beautification of the area. He believes the East Lexington businesses would be firmly in favor of this proposal.

Laura Swain, 29 Locust Avenue, stated that as an avid biker, one of the most needed items is bike racks. Murals are a great idea for this area, but more bike racks are also needed. Mr. Abdella explained that this area activation would absolutely include adding bike racks and other amenities to the area

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve the use of the (previously approved) \$100,000 for storeback/storefront improvements in E. Lexington to include Lexington Center.

DOCUMENTS: ARPA Funding Request – Economic Development

5. Review Request from Lexington Retailers Association to Place Signage on Minuteman Bikeway on September 15, 2024, during Bikeway Block Party Event

Jim Shaw, Chair of the Chamber of Commerce, reviewed a request to place lawn signs along the Bikeway to promote local businesses during the September 15, 2024, Bikeway Block Party.

Jim Cadenhead, on behalf of the Friends of the Lexington Bikeways, stated that the group reviewed the proposal. The group noted that the initial proposal was for three signs per business, but the group is hoping to reduce this to two signs per business. The group would also like to language specifying that this was for the day of the event only. Also, regarding the optional signage placement along the Bikeway near

Maguire Road and Bedford Street, the group would like that option removed. Mr. Shaw agreed with the proposals.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve the request from the Lexington Retailers Association to place signage, no more than two per business, on the Minuteman Bikeway on September 15, 2024.

DOCUMENTS: Presentation, Sign request on Bikeway during Bikeway Block Party, Economic Development letter of support

6. Liquor License Amendment - Knights of Columbus 177 Bedford Street - Extension of premise to include Outdoor Patio

Mr. Lucente explained that the Select Board Office has received all the necessary paperwork from Knights of Columbus requesting an amendment to their Liquor License to include service of alcoholic beverages to the outdoor tables located on the existing patio adjacent to their building. Building and Zoning have reviewed this application and have no objections. Abutting properties have been notified of the amendment application being taken up at this meeting.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve the Knights of Columbus application to amend their All-Alcohol Club Liquor License at 177 Bedford Street to include alcoholic beverage service to the outdoor tables located on the existing patio adjacent to their building and issue an updated Liquor License reflecting this.

DOCUMENTS: KOC Application to include outdoor patio, ABCC Email - LLA approving authority for adding outdoor alcohol service to existing license

7. Discussion - Potential Reserve Fund Transfer Request for Golf Course Repairs

Melissa Battite, Director of Recreation and Community Programs, explained that the Recreation and Community Programs Department is having an emergency issue related to the golf course. There are sufficient funds in the Recreation Enterprise Fund to pay for repairs, but expending those funds requires an appropriation. The plan is to seek a Reserve Fund transfer to address the current need and then include a warrant article on the Fall Town Meeting warrant to reimburse the Reserve Fund from the Recreation Enterprise Fund.

A brief description of the issues is as follows:

The VFD (variable frequency drive) to the pump station has failed. Staff are currently operating the pumps manually and the replacement part is approximately six weeks out, once ordered. The current VFD is outdated and the new VFD will be approximately \$24,000.

Also, both wells have failed and are inoperable. An assessment was made this morning by a local service provider. These wells were installed in 1998. The work is estimated to be \$15,000 per well, for an approximate total of \$30,000. There is a possibility that they may need to be fully replaced which will be known once the initial work begins.

Glenn Parker, Chair of the Appropriation Committee, stated that the Committee has a posted agenda to meet this Thursday to consider the request and will get a recommendation back to the Board as soon as possible.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve the request for a Reserve Fund transfer for the golf course repairs, contingent upon the approval and recommendation of

the Appropriation Committee, and to further authorize the Select Board Chair to sign on behalf of the Board as appropriate.

8. Follow Up Discussion - Plastic Bottle Phase Out Policy

Mr. Malloy reviewed the edited, redlined version of the Single Use Plastic Bottle Phase Out Policy based on previous Select Board discussions. The paragraph highlighted in yellow was the only outstanding paragraph. The Board at its last meeting requested that wording be inserted that would indicate the Board would be taking up a policy to address third party users of Town property.

Mr. Sandeen asked if the proponents have taken this up with the School Committees as well. Mr. Malloy explained that this likely will not be taken up with the School Committees until they are back in session in the fall.

Ms. Barry asked if Town Counsel has reviewed this. Mr. Malloy stated that he does not believe so, but this can be done.

The Board discussed changing some of the language within the policy.

Janet Kern, member of Lexington Zero Waste Collaborative, voiced support for this policy, and reminded everyone that it was modeled after an Executive Order from Governor Healy that went into effect last fall. Any reduction in plastic consumption helps reduce the Town's reliance on fossil fuels and thereby supports the Town's Climate Action Plan and Zero Waste Plan.

Laura Swain, Board president of Lex Zero Waste, stated that the September 1, 2024, deadline may be a little aggressive to have the Town Departments submit statements to the Town Manager. She also sat in on a policy subcommittee meeting of the School Committee which was preparing to put forth essentially the same version of this policy with appropriate revisions for the Schools. She suggested the Board commit to a certain date to draft the policy.

VOTE: Upon a motion duly made and seconded, the Select Board voted 5-0 to approve the Single Use Plastic Bottle Phase Out Policy as amended.

DOCUMENTS: Redline Policy, Clean Policy

ADJOURN

VOTE: Upon a motion duly made and seconded, the Select Board voted by roll call 5-0 to adjourn at 8:09pm.

A true record; Attest:
Kristan Patenaude
Recording Secretary