

SELECT BOARD MEETING
Tuesday, September 6, 2022
Conducted by Remote Participation*
5:00 PM

AGENDA

PUBLIC COMMENTS

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

SELECT BOARD MEMBER CONCERNS AND LIAISON REPORTS

1. Select Board Member Concerns and Liaison Reports

TOWN MANAGER REPORT

1. Town Manager Report

CONSENT AGENDA

1. Select Board Committee Appointments & Resignation
2. Accept and Sign Easement - 53 & 55 Watertown Street Parking and Nature Trail
3. Approve Select Board Meeting Minutes
4. Approve Lowering the Battle Green Flag on September 11, 2022
5. Dissolve Ad Hoc Grain Mill Alley Steering Committee
6. Approve and Sign Proclamations
 - Sustainable Food Systems Day 2022
 - Childhood Cancer Awareness Month
 - Suicide Prevention Month
7. Approve Recommended Parking Regulations - One-Hour Parking Spaces in Front of 93-97 Massachusetts Avenue
8. Approve Theater License Renewals

ITEMS FOR INDIVIDUAL CONSIDERATION

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1. Water and Sewer Abatement Appeal - 12 Curve Street | 5:10pm |
| 2. Presentation - Lexington Housing Assistance Board's (LexHAB) Recommendation to Transfer to an Independent, Not-For-Profit 501c3 Organization | 5:20pm |
| 3. Presentation - 2021 Communications Survey Results | 5:40pm |

4. Update on American Rescue Plan Act (ARPA) 5:55pm
5. Update on Select Board Goals & Implementation 6:25pm
6. Review Draft Select Board Report Submission for FY2022 Annual Town Report 6:45pm

EXECUTIVE SESSION

1. Exemption 3: Discuss Strategy with Respect to Collective Bargaining - Lexington Police Patrolman's Association (LPPA); Public Safety Dispatchers Union; Firefighters Union; Lexington Crossing Guards Union; Lexington Municipal Employees Association (LMEA); Lexington Municipal Management Association (LMMA) 6:55pm

ADJOURN

1. Anticipated Adjournment 7:25pm

The Select Board meeting packet is typically available at least one business day in advance of the meeting: <https://lexington.novusagenda.com/agendapublic/>

Members of the public can view the meeting webinar from their computer or tablet by clicking on the following link at the time of the meeting:

<https://us06web.zoom.us/j/86708380863?pwd=NIJCdGdBeTU3VWEwakYrMEpXSTc4QT09>

iPhone one-tap:

+13126266799,,86708380863# or +16469313860,,86708380863#

Telephone: +1 312 626 6799 or +1 646 931 3860 or +1 929 436 2866 or +1 301 715 8592 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 386 347 5053

Webinar ID: 867 0838 0863

Passcode: 135183

*An Act Relative to Extending Certain State of Emergency
Accommodations: <https://www.mass.gov/the-open-meeting-law>

The next regularly scheduled work session of the Select Board will be held on Monday, September 12, 2022 at 6:30pm via remote participation.

The next regularly scheduled meeting of the Select Board will be held on Monday, September 19, 2022 at 6:30pm via remote participation.

Hearing Assistance Devices Available on Request

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

LexMedia
Recorded by LexMedia

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Select Board Member Concerns and Liaison Reports

PRESENTER:

Select Board Members

ITEM NUMBER:

LR.1

SUMMARY:

Under this item, Select Board Members can provide verbal updates, as well as comment on any additional points and concerns. There are currently no written updates for the September 6, 2022 meeting.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Town Manager Report

PRESENTER:

Jim Malloy, Town Manager

ITEM NUMBER:

TM.1

SUMMARY:

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description	Type
 Weekly Report	Cover Memo



Town of Lexington

Town Manager's Office

James J. Malloy, Town Manager
Kelly E. Axtell, Deputy Town Manager

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

MEMORANDUM

TO: Select Board
FROM: Jim Malloy, Town Manager
DATE: August 19, 2022
RE: Weekly Update

The following is an update of activities for the week ending August 19, 2022:

Various Administrative Issues:

- Attached please find the final proposal that went before the HDC for the solar canopies needed to provide electricity for the Police Station.

Land Use Health and Development:

- Hosmer House Relocation – On August 30, the Historical Commission provided supportive recommendations for the upcoming Zoning Board hearing on the relocation of the Hosmer House to 39 & 43 Blossomcrest Road. The Zoning Board and Planning Board are meeting together on the same Zoom. The Planning Board is reviewing the request to create the new lot fronting on Waltham Street. The Zoning Board's application focuses on granting zoning dimensional relief to preserve the historic house.
[Zoning and Planning Board applications found here](#)
- Comprehensive Plan/LexingtonNEXT Update – The Comprehensive Plan is in the final editing stage after a summer of public review of the full draft. A final updated Plan will be considered by the Planning Board on the evening of September 28th. The most up to date information is on the webpage here: <https://www.lexingtonma.gov/816/Draft-Comprehensive-Plan>
- MBTA Communities – The state issued final guidelines in response to the 2021 law requiring MBTA communities to zone to allow multi-family housing. The final guidelines can be [found here](#). A memo from Carol Kowalski summarizing these guidelines for Lexington is attached.

Recreation & Community Programs:

Parks & Playgrounds

- As previously shared, the Community Parks have been experiencing an uptick and consistent graffiti vandalism since the spring. The Center Recreation restrooms, pool, skatepark and trash

barrels as well as the Lincoln Park playground poured in place safety surfacing and play structures have all had multiple graffiti incidents. Staff have been very responsive to cleaning up the spray paint. LPD is aware of each incident and is increasing security efforts. The damages and repairs required for the Lincoln Park require 750 square feet of the PIP (poured in place) safety surfacing to be replaced and the cost will be approximately \$25K. Staff are working with the playground representatives to have the damages and repairs completed as soon as possible and will likely be within 5-6 weeks.

Community Center

- The Community Center will resume full hours of operation with both Thursdays and Fridays remaining open until 9 PM.

Aquatics

- The Town Pool Complex will close for the season on Monday, September 5th. The 2022 season was very successful and reintroduced swim lessons and swim team after two seasons due to the impacts of the pandemic.

Golf Course

- The Pine Meadows Golf Clubhouse drainage work is scheduled to begin on Tuesday, September 6th and anticipated to be complete within two – three weeks. The Clubhouse will remain open throughout the project with limited impact on access from the parking lot.

Public Works:

- Milling on Massachusetts Avenue will begin on Wednesday of next week to allow for some prep work and to not interfere with Tuesday's State Primary election.
- Kerry Weaver, Compost Site Foreman, was recognized by MassRecycle for a Lifetime Achievement award for his dedication and hard work at the Hartwell Avenue Compost Site. The announcement is below.

Congratulations 2022 MassRecycle Award Winners

MassRecycle is proud to honor the champions of waste world sustainability! Please join us in a round of applause for this year's awardees and all nominees. Learn about all of the nominees and their impressive work on our website.

Congratulations to this year's winners:

Business

Johnny's Luncheonette in Newton, for their organics diversion, composting, creative efforts to incorporate sustainability education, and their community partnerships.

Individual

Jason Johnson, at WIN Waste Innovations, for his long-time commitment and creative strategies to divert construction and demolition waste away from the waste stream.

Municipal

Superintendent Gregory M. St. Louis, at The **City of Watertown** Department of Public Works, for identifying residents' barriers to composting and instituting a successful city-wide organics program.

Institution

Dave Purington and **Deerfield Academy** Facilities for their robust waste diversion programs that includes composting, collection of hard-to-recycle materials in dorms, donation of unopened food and personal care products to a local food pantry, and more.

Public Servant

Mayor Ruthanne Fuller, City of Newton for prioritizing testimony in support of extended producer responsibility bills for paint, mattresses, packaging and paper products, and the expanded bottle bill in the 2021-2022 legislative session, and for her commitment to sustainable solid waste efforts in Newton.

Small Transfer Station

Ruth Kaminski, for her decades of work as a founder and volunteer at the **Leicester Recycling Center**; a grassroots effort to bring recycling to Leicester and surrounding towns.

The **MassRecycle Lifetime Commitment Award** is given to those who have demonstrated unflagging dedication and lifelong persistence.

- **Kathleen Casey**, Hilltown Resource Management Cooperative
- **Lynn Rubinstein**, Northeast Recycling Council
- **Terri Goldberg**, Northeast Waste Management Officials' Association
- **Bruce Gellerman**, WBUR Boston
- **Daniel Moon**, Environmental Business Council of New England
- **Kerry Weaver**, Town of Lexington



Tecton
ARCHITECTS

CES
FUSS & O'NEILL
ODEH ENGINEERS

SOLAR CANOPIES AT POLICE HEADQUARTERS

TABLE OF CONTENTS

- Campus Site Plans
- Required Canopy Area Calculation
- Solar Canopy Design Option A
- Solar Canopy Design Option B
- Solar Canopy Design Option C
- Proposed Exterior Materials and Colors
- Solar Panel Options



Campus Site Plan

Existing Campus Plan

Planned Campus Site Plan



GRAPHIC SITE PLAN





Required Canopy Area Calculations

Canopy Area Calculation

A 335,000w system is required to offset
Police Station load

Sunflare Powerfit on sloped roof output: 8,075w

LG Neon2 Module on flat roof output: 64,730w

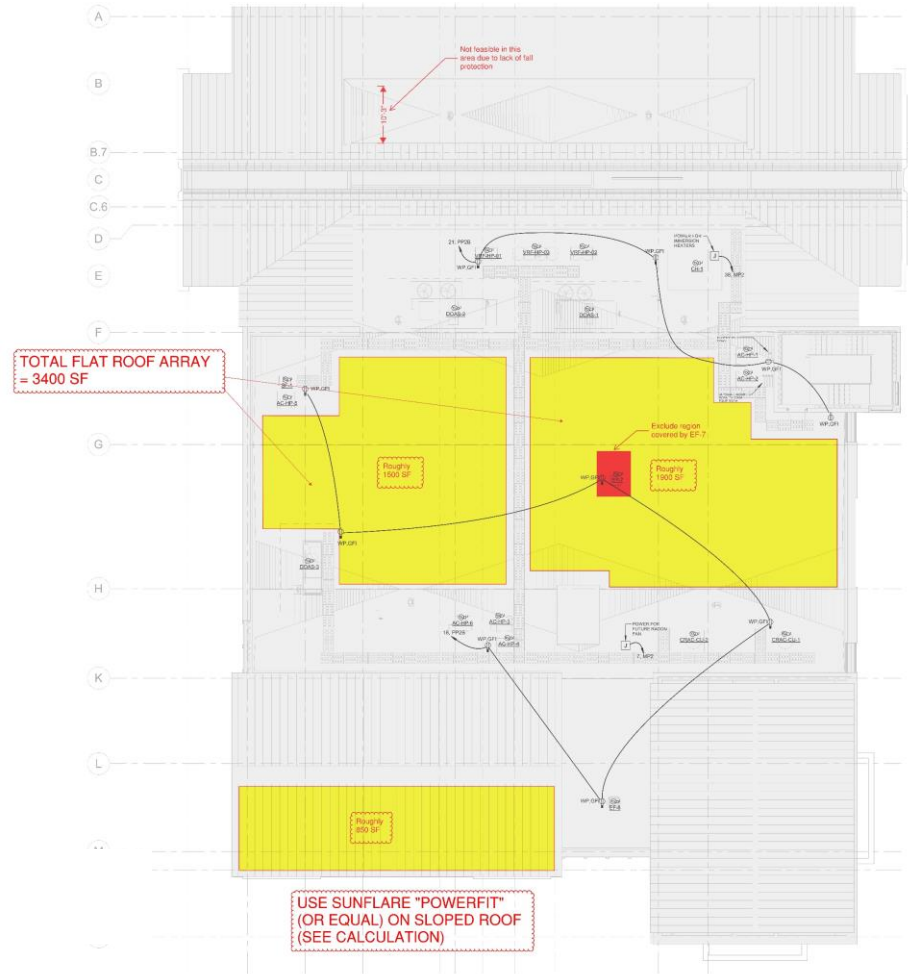
Remaining watts to offset: 262,190w

Lumos Module provides 13.564 adjusted
watts per s.f.

- $262,190 \text{ watts} / 13.564 \text{ watts/s.f.} = 19,330 \text{ s.f.}$
canopy panels required

LG Neon2 Module provides 18.495 adjusted
watts per s.f.

- $262,190 \text{ watts} / 18.495 \text{ watts/s.f.} = 14,176 \text{ s.f.}$ of
canopy panels required





Solar Canopy Design Option A

Solar Canopy Design Option A



SOCIETY AWARDS, GROVE OKLAHOMA – JATTUSO ARCHITECTURE



UNIVERSITY OF CALIFORNIA, IRVINE – LMN ARCHITECTS



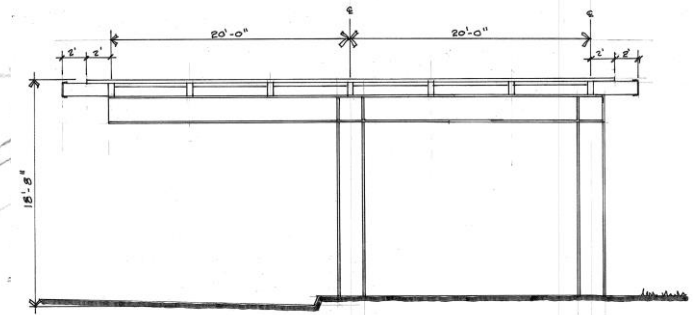
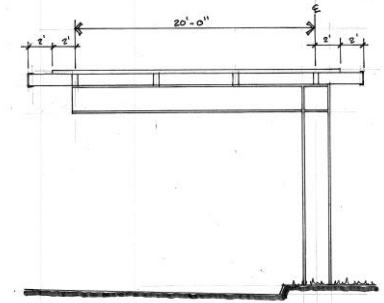
CALIFORNIA ACADEMY OF SCIENCE – RENZO PIANO



CALIFORNIA ACADEMY OF SCIENCE – RENZO PIANO



PRECEDENT IMAGES

[illegible]

SITE PLAN

Solar Canopy Design Option A



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RENDERING

Solar Canopy Design Option A



RENDERING



Solar Canopy Design Option B

Solar Canopy Design Option B



SAXSUM WINERY – BK ARCHITECTS



SAXSUM WINERY – BK ARCHITECTS

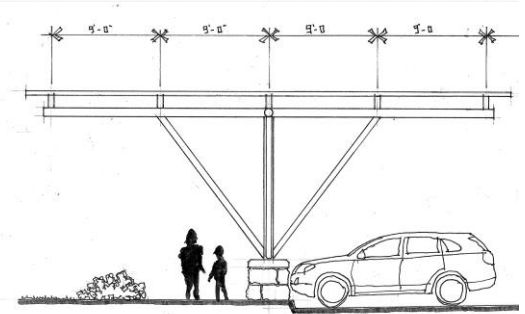
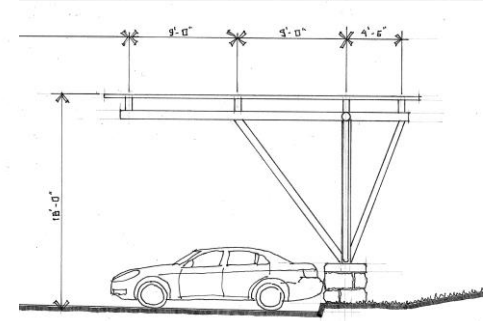
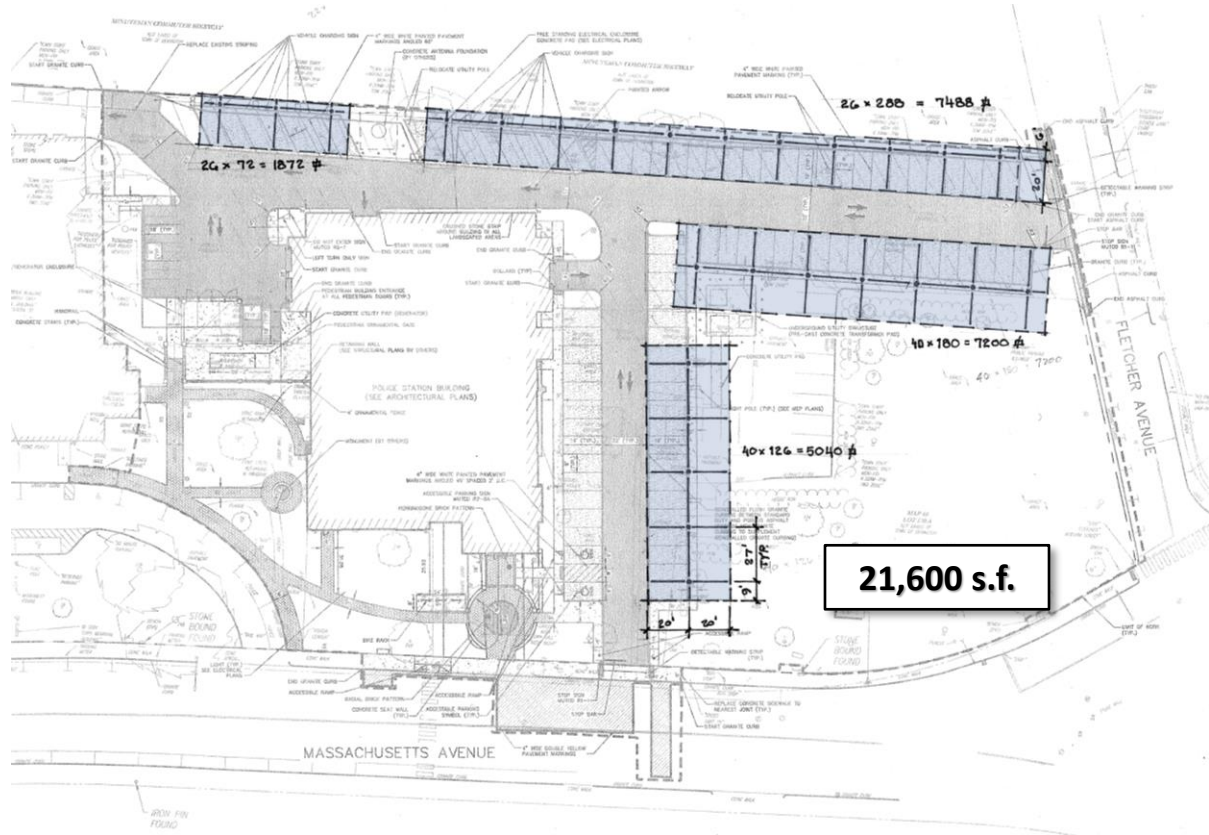


THE KENEDA BUILDING FOR INNOVATIVE SUSTAINABLE DESIGN – SKANSKA, MILLER HULL, LORD AECK SARGENT



PRECEDENT IMAGES

Solar Canopy Design Option B



SITE PLAN & CANOPY SECTION

Solar Canopy Design Option B



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RENDERING

Solar Canopy Design Option B

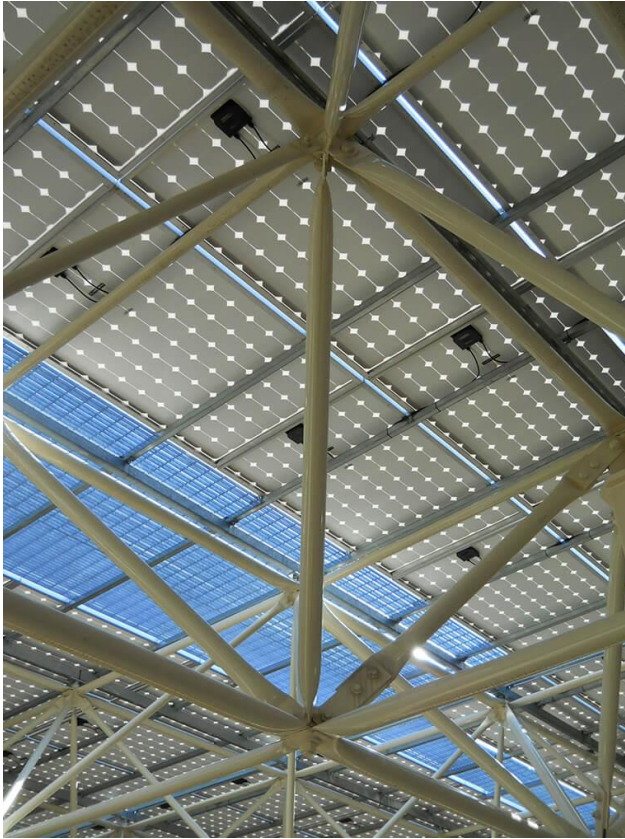


RENDERING

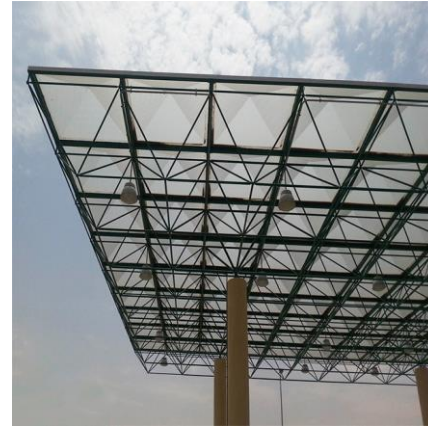


Solar Canopy Design Option C

Solar Canopy Design Option C

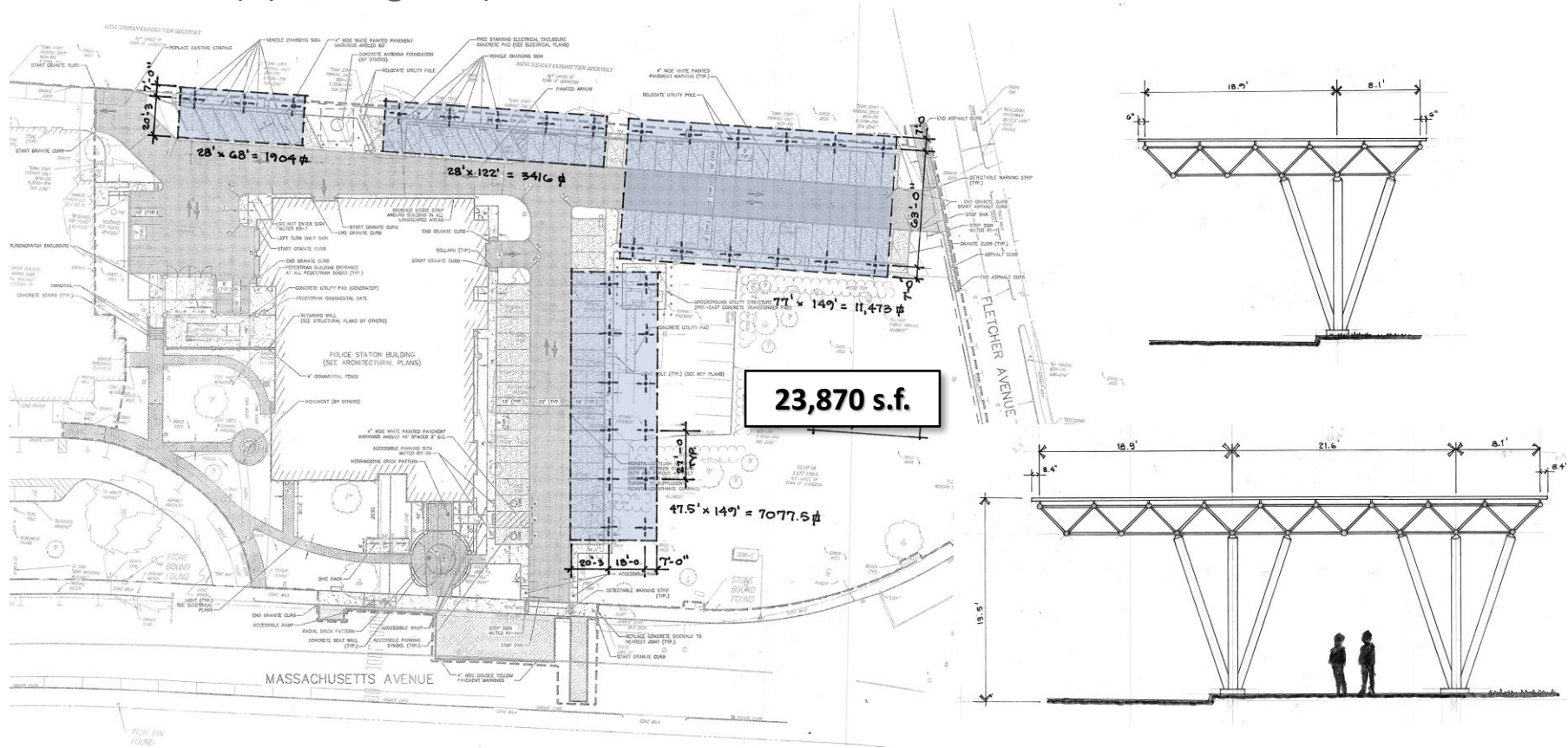


THE EARTH CENTRE –FEILDEN CLEGG BRADLEY STUDIOS



PRECEDENT IMAGES

Solar Canopy Design Option C



SITE PLAN & SECTION

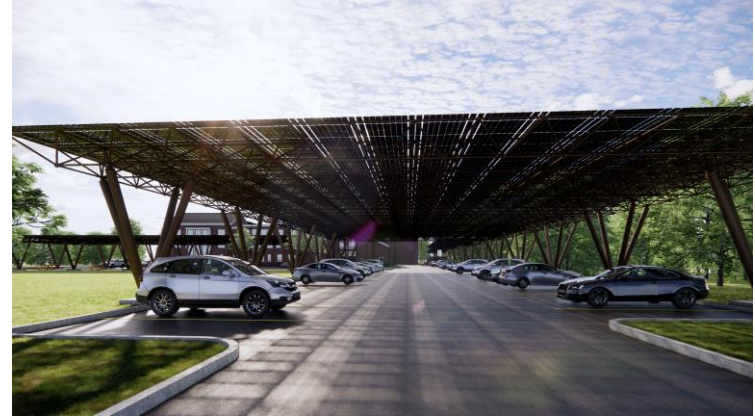
Solar Canopy Design Option C



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RENDERING

Solar Canopy Design Option C



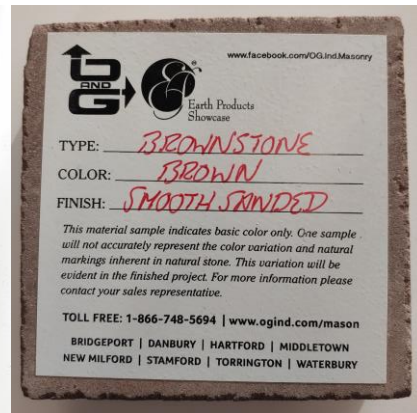
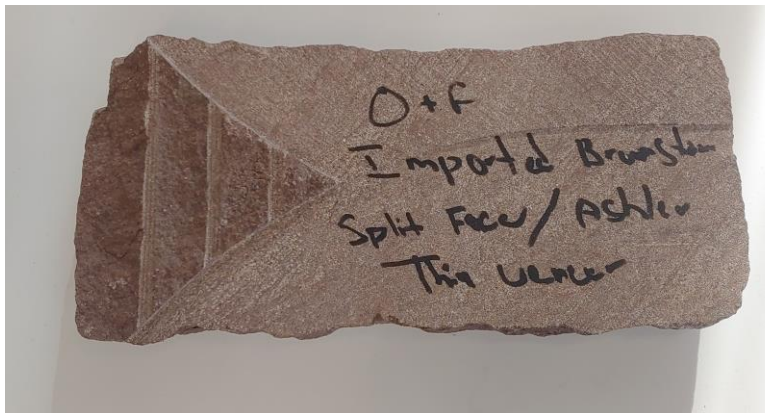
RENDERING



Exterior Materials

Design Option B - Brownstone

- Natural Brownstone from O&G Industries
- Locations
 - Base of canopy columns
 - Bottom course 2'-8" wide x 1'-4" tall split face – will extend minimum of 6" below grade
 - Top course 2'-8" wide x 1'-4" tall honed
 - Cap 8" honed finish



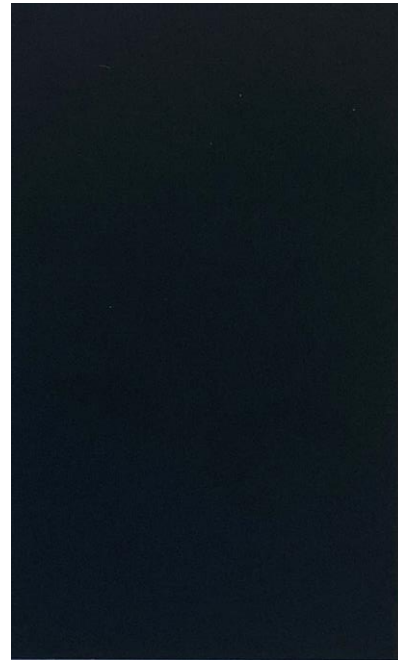
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BROWNSTONE

Design Options – Steel Color



Option A
Gray to match Police
Station roof



Option B & C
Dark Bronze to match
Police Station front doors



STEEL COLORS



Solar Panel Options



Sunflare Powerfit



Lumos Solar LSX Module



LG Neon2 Module

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SOLAR PANEL OPTIONS

Solar Canopy Panel Option A



Lumos Solar LSX Module



LG Neon2 Module



LG Neon2 Module with slots

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RENDERING

Solar Canopy Panel Option B



Lumos Solar LSX Module



LG Neon2 Module



LG Neon2 Module with slots

.....

RENDERING

Solar Canopy Panel Option C



Lumos Solar LSX Module



LG Neon2 Module



LG Neon2 Module with slots

.....

RENDERING



Tecton
ARCHITECTS

CES
FUSS & O'NEILL
ODEH ENGINEERS

SOLAR CANOPIES AT POLICE HEADQUARTERS



TOWN OF LEXINGTON

Land Use, Health and Development Department

Carol Kowalski AICP, ICMA CM
Assistant Town Manager for Development
ckowalski@lexingtonma.gov

1625 Massachusetts Avenue
Lexington, MA 02420
(781)860-2219 cell; (781)698-4561, office

MEMO TO: Planning Board, Town Manager

FROM: Carol Kowalski

DATE: August 16, 2022

Re: Final MBTA Communities Multi-family Housing Guidelines for Compliance

Cc: A. McCabe

This memorandum provides an update and summary on how the Final Guidelines for complying with the MBTA Multi-Family Zoning apply to Lexington. On August 10, 2022, the Department of Housing & Community Development released the final guidelines on compliance with the new law. Section 3A specifically requires that each MBTA Community have a district of reasonable size in which multi-family housing is allowed by-right at a minimum density of 15 units per acre. The law does not require the production of new multi-family housing units within the district zoned for such development. Site Plan Review is allowed for multi-family uses allowed by-right.

The general principles of Section 3A are that MBTA communities benefit from having transit assets within their boundaries and, therefore, should:

- Contribute to the production of new housing stock;
- Provide opportunity for multi-family housing development around MBTA facilities;
- Adopt multi-family housing districts that will lead to development of multi-family housing projects of a scale, density and character that are consistent with a community's long-term planning goals.

Based on the final guidelines, Lexington is considered an "adjacent" community, and our minimum multi-family capacity must allow 1,231 units in Lexington's multi-family by-right zoning districtⁱ. Also, a minimum of 50 acres must be zoned for multi-family by right to comply with the new law, and at least half of that must be contiguous lots. Lexington would need a Multi-family zoning district of approximately 82 acres (1,231 units x 15 units per acre), assuming the minimum density.

The deadline for Lexington, as an adjacent community, to adopt the new zoning district and submit a compliance application to the Department of Housing & Community Development is December 31, 2024. A compliance Action Plan must be submitted by January 31, 2023.

<https://www.mass.gov/doc/action-plan-for-mbta-communities/download>

Inclusionary Zoning/Requiring affordable housing:

The final guidelines allow us to require affordable units in the Multi-family district but only if 1) they are eligible for inclusion on DHCD's Subsidized Housing Inventory, and 2) not more than 10% of the homes are required to be affordable, and 3) the cap on income for eligible families or individuals is not less than 80% of Area Median Income. An exception allows up to 20% of the units to be affordable if the district pre-dates Section 3A, and does not make the project

infeasible, or if the district is subject to DHCD approval as a 40R Smart Growth District.

Higher standards than other uses are prohibited

No requirements that are greater than those applied uniformly on all zoning uses can be applied to the Multi-family zoning district. The guidelines prohibit third-party certification requirements (e.g. LEED), higher energy efficiency standards than other uses, and any requirement that multi-family be combined with other uses on the same lot or project.

Mixed Use

Mixed-use may be allowed as of right as long as multi-family is allowed separately as of right.

Water and Wastewater infrastructure:

If municipal water and sewer are provided, but capacity is limited, the final guidelines state: “For purposes of the unit capacity analysis, it is assumed that housing developers will design projects that work within existing water and wastewater constraints, and that developers, the municipality, or the Commonwealth will provide funding for infrastructure upgrades as needed for individual projects.”

Wetlands and Title V (septic regulations)

Compliance with Title V and state wetlands protection law is still required in the Multi-family district, even if a project results in less density than the 15 units per acre allowed in the zoning district.

Suitable for families

No age restrictions, bedroom caps, size limits, or limits on number of occupants or minimum age of occupants are allowed.

Locating a compliant district

Page 12 of the final guidelines discusses locating the district in a manner to achieve compliance. For an Adjacent Community such as Lexington, the district can go anywhere that provides safe, convenient access to mobility and “reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that qualifies as an “eligible location” as defined in Chapter 40A—for example, near an existing downtown or village center, near a regional transit authority bus stop or line, or in a location with existing under-utilized facilities that can be redeveloped into new multi-family housing.” (pp 12-13).

The guidelines note that the district should not go in wetlands, habitat for rare or threatened species, areas subject to flooding, or farmland/agricultural soils.

DHCD will present a webinar on the final guidelines on Thursday, September 8. Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_KBSNAXLuR9yrnmklDPFx-g

The Planning Director and I are prepared to support the Planning Board in its work toward compliance with Section 3A. Please let the Planning Director or me know if you have questions.

ⁱ There are two ways minimum required unit capacity is calculated, in our case first by multiplying our total housing units by .10 resulting in 1,231 units. Second, we multiply 50 units per acre times the required density of 15 units per acre = 750. The larger of the two numbers is our minimum unit capacity, as long as that number is no more than 25% of our total year-round units (12,310 x .25 = 3,077.5)

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Select Board Committee Appointments & Resignation

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.1

SUMMARY:

Appointments:

Town Celebrations Committee

- The Select Board is being asked to appoint Mary Hutton and Susan "Sue" Stering as full members of the Town Celebrations Committee for three-year terms set to expire on June 30, 2025. Ms. Hutton and Ms. Stering are both currently serving as a members of the Town Celebrations Subcommittee. State Conflict of Interest Law Online Training is up-to-date for both members.

Town Celebrations Subcommittee

- The Select Board is being asked to appoint Dodd Harter and Kristen Pulkkinen to the Town Celebrations Subcommittee for one-year terms set to expire on June 30, 2023.

Resignation:

Vision for Lexington Committee

- The Select Board is being asked to accept the resignation of Vishwanathan "Vishy" Krishnamoorthy from the Vision for Lexington Committee effective immediately.

On behalf of the Town of Lexington, the Select Board Members would like to extend their many thanks to Mr. Krishnamoorthy for his time and service to the community.

SUGGESTED MOTION:

To appoint Mary Hutton and Susan "Sue" Stering as full members of the Town Celebrations Committee for three-year terms set to expire on June 30, 2025.

To appoint Dodd Harter and Kristen Pulkkinen to the Town Celebrations Subcommittee for one-year terms set to expire on June 30, 2023.

To accept the resignation of Vishwanathan "Vishy" Krishnamoorthy from the Vision for Lexington Committee

effective immediately.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description	Type
📎 2022 Town Celebrations Committee Application - M. Hutton	Backup Material
📎 Email From TCC Chair - M. Hutton	Backup Material
📎 2022 Town Celebrations Committee Application - S. Stering	Backup Material
📎 Email From TCC Chair - S. Stering	Backup Material
📎 2022 Town Celebrations Subcommittee Application - D. Harter	Backup Material
📎 2022 Town Celebrations Subcommittee Application - K. Pulkkinen	Backup Material
📎 Resignation Letter - V. Krishnamoorthy	Backup Material

APPLICATION FOR BOARD OR COMMITTEE MEMBERSHIP

Applicants are encouraged to also include a letter of interest or current resume along with their submission of this application.

Town Celebrations

Board/Committee Name (one application per Committee): _____

yes

Would you like your application kept on file for up to one year? Yes: _____ No: _____

Mary R.S. Hutton

Full Name: _____

Nickname: _____ Preferred Title: _____

67 valley road

lexington

02421

Home Address: _____ City: _____ Zip: _____

28 years

Length of Residence in Lexington (*note: ZBA requirement is a minimum of 8 years*): _____

retired

Occupation: _____

Work Address: _____ City: _____ Zip: _____

Phone: Home: _____ Cell: _____

Email: Primary: _____ Secondary: _____

Special Training and/or Qualifications: _____

I have seven years experience with TCC and have participated in all of its activities, in some cases in a leadership capacity.

What is your interest in this Committee? _____

I love Lexington and its history

My neighbor

How did you hear about the Committee? _____

X

Have you recently attended any meetings of the Committee? Yes: _____ No: _____

X

Have you confirmed your availability to attend the Committee's meetings? Yes: _____ No: _____

(For questions regarding the meeting schedule, please contact the Board/Committee via the Town website.)

X

Do you currently serve on another Board/Committee? Yes: _____ No: _____

If Yes, please list Board/Committee Name(s): _____

If Yes, please list date of most recent Conflict of Interest Law Training*: _____

Signature: _____ Date: June 16, 2022

****If currently serving on another Board/Committee, please attach a copy of your State Conflict of Interest Law Online Training Certificate, which can be obtained from the Town Clerk's Office.***

Stacey Prizio

From: Geetha Padaki [REDACTED]
Sent: Friday, August 12, 2022 5:10 PM
To: Stacey Prizio
Cc: mary hutton
Subject: Fwd: Town Celebrations Committee Application

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

Hi Stacey-

I reached out to Mary Hutton (copied on this e-mail) and she is interested in serving as a full committee member. Please let me know if you need any additional information from me.

Thanks,
Geetha

APPLICATION FOR BOARD OR COMMITTEE MEMBERSHIP

Applicants are encouraged to also include a letter of interest or current resume along with their submission of this application.

Town Celebrations Committee

Board/Committee Name (one application per Committee): _____

Would you like your application kept on file for up to one year? Yes: X No: _____

Full Name: Susan R. Stering

Nickname: Sue Preferred Title: Mrs.

Home Address: 3 Blinn Road City: Lexington Zip: 02421

Length of Residence in Lexington (note: ZBA requirement is a minimum of 8 years): 37 Years

Occupation: Retired...Homemaker

Work Address: _____ City: _____ Zip: _____

Phone: Home: [REDACTED] Cell: [REDACTED]

Email: Primary: [REDACTED] Secondary: [REDACTED]

Special Training and/or Qualifications: _____

Have been working on this committee for over 7 years. Have led several subcommittees and have come up with several ideas such as our Veterans Day Car Parade. Have also taken photos that have appeared in Newspapers. Have also worked in research on WWII Committee and helped research and identify the names of the WWII Fallen on the new plaque at Cary .

What is your interest in this Committee?

Have been committed to what the committee does for the community.

How did you hear about the Committee? Worked on it after being recruited by Lorain Marquis at a Vietnam ceremony

Have you recently attended any meetings of the Committee? Yes: X No: _____

Have you confirmed your availability to attend the Committee's meetings? Yes: ☒ No: ☐

(For questions regarding the meeting schedule, please contact the Board/Committee via the Town website.)

Do you currently serve on another Board/Committee? Yes: No: ☒

If Yes, please list Board/Committee Name(s): _____

If Yes, please list date of most recent Conflict of Interest Law Training*: 1/28/2022

Signature: Luson R. Sterling Date: 6/16/2022

****If currently serving on another Board/Committee, please attach a copy of your State Conflict of Interest Law Online Training Certificate, which can be obtained from the Town Clerk's Office.***

Stacey Prizio

From: Geetha Padaki [REDACTED]
Sent: Friday, August 12, 2022 5:13 PM
To: Stacey Prizio
Cc: Sue Stering
Subject: Resending: Town Celebrations Committee Application

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

Dear Stacey-

Resending this as my previous e-mail was incomplete and was sent inadvertently by mistake.

I reached out to Sue Stering and she is interested in serving as a full committee member. Please let me know if you need any additional information from me.

Thanks,
Geetha

On Fri, Aug 12, 2022 at 5:11 PM Geetha Padaki [REDACTED] wrote:

I reached out to Sue Stering and she is interested in serving as a full committee member. Please let me know if you need any additional information from me.

Thanks,
Geetha

APPLICATION FOR BOARD OR COMMITTEE MEMBERSHIP

Applicants are encouraged to also include a letter of interest or current resume along with their submission of this application.

Board/Committee Name (one application per Committee): Town Celebrations

Would you like your application kept on file for up to one year? Yes: X No:

Full Name: Dodd B. Harker

Nickname: Dabby Preferred Title: ?

Home Address: 5 Wildwood Rd City: Lexington Zip: 02421

Length of Residence in Lexington (note: ZBA requirement is a minimum of 8 years): 46 years

Occupation: Real Estate Broker

Work Address: 1775 Mass Ave City: Lexington Zip: 02420

Phone: Home: [REDACTED] Cell: [REDACTED]

Email: Primary: [REDACTED] Secondary: [REDACTED]

Special Training and/or Qualifications: Former elementary/nursery school teacher, former manager Coldwell Banker Real Estate. I am a good listener/negotiator. Driver for FISH

What is your interest in this Committee? I would like to give back to the town and help in any way possible. I have enjoyed living in Lexington and would like to help others do the same.

How did you hear about the Committee? Julie Miller

Have you recently attended any meetings of the Committee? Yes: X No:

Have you confirmed your availability to attend the Committee's meetings? Yes: X No:

(For questions regarding the meeting schedule, please contact the Board/Committee via the Town website.)

Do you currently serve on another Board/Committee? Yes: No: X

If Yes, please list Board/Committee Name(s): _____

If Yes, please list date of most recent Conflict of Interest Law Training*: _____

Signature: Walter B. Apple Date: 7/8/2022

****If currently serving on another Board/Committee, please attach a copy of your State Conflict of Interest Law Online Training Certificate, which can be obtained from the Town Clerk's Office.***

APPLICATION FOR BOARD OR COMMITTEE MEMBERSHIP

Applicants are encouraged to also include a letter of interest or current resume along with their submission of this application.

Town Celebrations Committee

Board/Committee Name (one application per Committee): _____

Would you like your application kept on file for up to one year? Yes: ☒ No: _____

Full Name: Kristen Ann Pulkkinen

Nickname: Kristen Preferred Title: Ms.

Home Address: 12 Hancock Street City: Lexington Zip: 02420

Length of Residence in Lexington (note: ZBA requirement is a minimum of 8 years): 2 months

Occupation: Chief Marketing Officer, Aliaswire

Work Address: 152 Middlesex Turnpike City: Burlington Zip: _____

Phone: Home: N/A Cell: [REDACTED]

Email: Primary: [REDACTED] Secondary: _____

Special Training and/or Qualifications: _____

I have planned and produced many events designed to highlight the purpose of the gathering as well as ensure safety for all participants. For example, while working in marketing for Lindt Chocolate, I produced the "World's Largest Chocolate Party," for which we earned a spot in the Guinness Book of World Records.

What is your interest in this Committee? _____

I recently purchased a home in Lexington, having lived in Maine for the majority of my life. I'm new to the town and I'm eager to become part of the community. I've spent my career in marketing, which has allowed me to plan and orchestrate events and celebrations of many types, for large groups. I'd like to be of service to Lexington using these skills.

How did you hear about the Committee? Online search

Have you recently attended any meetings of the Committee? Yes: _____ No: ☒ *met with Ashley Rooney*

Have you confirmed your availability to attend the Committee's meetings? Yes: ☒ No: _____
(For questions regarding the meeting schedule, please contact the Board/Committee via the Town website.)

Do you currently serve on another Board/Committee? Yes: _____ No: ☒

If Yes, please list Board/Committee Name(s): _____

If Yes, please list date of most recent Conflict of Interest Law Training*: _____

Signature:  _____ Date: 6/21/22 _____

**If currently serving on another Board/Committee, please attach a copy of your State Conflict of Interest*

KRISTEN PULKKINEN

B2B & B2C MARKETING | EXECUTIVE LEADERSHIP | GROWTH STRATEGY

Results-driven executive marketing leader with 15+ years of experience in building brands and driving revenue growth through multichannel marketing programs. Deep experience delivering a superior customer experience throughout each stage of the buyer journey. Skilled in driving brand awareness and consumer engagement through innovative campaigns and compelling storytelling. Passion for building, leading, and mentoring high-performing teams.

LEADERSHIP & ACHIEVEMENTS

- **Business Transformation** – Repositioned leading companies in the marketplace during periods of hyper-growth
- **Revenue Impact** – Led B2B and B2C marketing programs delivering annual revenues in excess of \$100M
- **Team Leadership** – 15+ years leading multidisciplinary teams of marketers, creatives, and data analysts
- **Brand Identity & Strategy** – Created brand standards and market positioning to grow share of voice in target markets

SKILLS & EXPERTISE

- Go-To-Market Strategy
- Customer Lifecycle Marketing
- Product Marketing
- Demand Generation
- Data Segmentation & Insights
- Campaign Performance
- Team Building & Leadership
- Problem Solving & Innovation
- P&L Ownership

EXPERIENCE & CONTRIBUTIONS

Chief Marketing Officer, Aliaswire Software (Payment software provider)

Jun 2021 – Present

Lead marketing, strategy, and business intelligence teams.

- Designed go-to-market strategies to productize two platforms and relaunch in the hyper-competitive fintech marketplace.
- Built multichannel demand generation campaign, growing activation revenue by 35%.

VP Product Strategy & Consumer Marketing, PDI Software (Global enterprise management software provider) **Jun 2020 – Jun 2021**

Transitioned into this role as part of ZipLine acquisition; Hybrid B2B/B2C marketing team leader; Reported to the President.

- Built and led a team that developed solutions to help brands understand, attract, and engage consumers and maximize lifetime value.
- Led all B2B acquisition marketing campaigns, growing the sales pipeline for new merchants and retailers by 25%.
- Drove loyalty and revenue through B2C marketing and engagement campaigns, establishing relationships with 30M+ consumers.

Chief Marketing Officer, ZipLine (Mobile rewards and payments technology platform)

Apr 2016 – Jun 2021

Led sales, marketing, strategy, and business intelligence teams, growing enterprise value organically by 15x in four years.

- Accelerated the lifecycle value of 3.5 million consumers by 40% through targeted CRM campaigns.
- Designed consumer experiences for mobile app and browser environments, increasing completed program enrollments by 70%.
- Member of the executive team that executed a successful exit via sale to PDI Software in June 2020.

Chief Marketing Officer, LEV Restaurant Group

Jun 2014 – Apr 2016

Built the team and led the incubation and market launch strategy for new restaurant concepts across a 70-unit restaurant chain.

- Developed and managed integrated promotional campaigns, driving a 30% increase in consumer trial, and repeat visitation.
- Built Yelp community in metropolitan markets, growing Yelp score and engagement from 0 to 4.7 stars (out of a possible 5).

Director of Marketing/New Business Development, Lindt Chocolate

May 2012 – Jun 2014

Led marketing strategy and execution within retail and e-commerce divisions; managed a team of 12 direct reports.

- Created and launched a new ESP, CRM, and loyalty program, growing top-line revenue for the e-commerce division by 28%.
- Sold a high-end gifting product to new department store vertical; stores included Lord & Taylor, Nordstrom Rack, and Bloomingdales.

Vice President, Market Dynamics, The Moseley Group (Consulting services for the food and beverage industry) **May 2007 – May 2012**

Developed consumer experiences and go-to-market strategy for large restaurant chains and food/beverage manufacturers.

- Cumberland Farms: Constructed a new business model and brand strategy for the chain that led to a \$3B acquisition.
- Qdoba: Redesigned store systems and communications, increasing same-store sales, visitation frequency, and check averages.

EDUCATION

Master of Business Administration, Boston University School of Management

Bachelor of Arts in English Literature, University of Montana

BOSTON, MA | [REDACTED] | [REDACTED]

Stacey Prizio

From: vishwanathan krishnamoorthy [REDACTED]
Sent: Monday, August 15, 2022 7:46 AM
To: Stacey Prizio; Margaret Coppe
Subject: Re: Membership on Vision for Lexington Committee

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

Hi Stacey and Margaret,

Apologies for a long overdue email. We have as a family moved back to India and no longer reside in Lexington.

thank you,

regards

Vishy

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Accept and Sign Easement - 53 & 55 Watertown Street Parking and Nature Trail

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.2

SUMMARY:

Action Required

The MOU with National Development required them to provide trail access and parking easement.

- Staff and Town Counsel have reviewed.
- Plan is consistent with the Planning Board approval
- Plan is consistent with the PSDUP requirements
- Developer has already signed the agreement

This agreement requires the Select Board approval and filing at the Registry of Deeds for the easement to be legally established.

SUGGESTED MOTION:

To approve the attached easement for trail access and parking and to authorize the Select Board to execute the attached document.

Move to approve the consent.

FOLLOW-UP:

Select Board Office/Planning Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description		Type
	Memo	Cover Memo
	Easement Agreement	Cover Memo

Town of Lexington
**Land Use and
Development Office**



MEMORANDUM

Date: August 31, 2022

To: Jim Malloy, Town Manager

Cc: Carol Kowalski, Assistant Town Manager for Land Use, Health and Development
Kim Katzenback, Executive Clerk,
Karen Mullins, Conservation Director

From: Sheila Page, Assistant Planning Director

Re: Acceptance of Easement at 53-55 Watertown Street: Waterstone Property

As required in the MOU with National Development dated November 5, 2018 regarding Planned Development District-3 for Waterstone and Bridges: senior independent/assisted living and memory care residences, National Development is providing trail access and parking for the public. Attached are the documents for the Select Board's vote to accept the easement. The documents have been reviewed and are acceptable to Town Counsel.

GRANT OF PUBLIC EASEMENTS

(Property Address: 53 & 55 Watertown Street, Lexington, Massachusetts)

Lexington Senior Housing Owner LLC, a Delaware limited liability company with a principal place of business at 2310 Washington Street, Newton Lower Falls, Massachusetts 02462, its successors and assigns (the "Grantor"), for consideration paid of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Town of Lexington, Massachusetts ("Grantee"), a municipal corporation acting by and through its Select Board (the "Select Board"), having a usual place of business at the Lexington Town Office at 1625 Massachusetts Avenue, Lexington, MA 02420, with QUITCLAIM COVENANTS, a perpetual right and non-exclusive easement (as more particularly described and set forth herein) over a portion of the Grantor's land located at 53 and 55 Watertown Street, Lexington, Massachusetts, which land is described in more detail in **Exhibit A** attached hereto ("Premises").

Grantee, acting by and through its Select Board, and ND Acquisitions LLC, a Massachusetts limited liability company and an affiliate of Grantor (the "Developer"), entered into a Memorandum of Understanding dated as of November 5, 2018, as amended by that certain First Amendment to Memorandum of Understanding dated as of November 14, 2018 (as so amended, the "MOU"), notice of which MOU is recorded with Middlesex South District Registry of Deeds (the "Registry") in Book 74434, Page 269, in connection with, among other things, the development and use of the Premises as a senior independent living and senior assisted living residence (the "Project"). The rights and easements conveyed by Grantor to Grantee hereunder are in accordance with and in satisfaction of Developer's obligations under Section VIII.B of the MOU.

Grantor hereby grants to Grantee (i) an easement (the "Nature Trail Easement") five (5) feet in width in the location identified as the "Nature Trail" on the plan attached hereto as **Exhibit B** (the "Plan"), (ii) an easement (the "Pedestrian Access Easement," and together with the Nature Trail Easement, the "Pedestrian Trail Easements") five (5) feet in width in the location identified as the "Pedestrian Access to Nature Trail" on the Plan, (iii) an easement (the "Vehicular Access Easement") twenty-two (22) feet in width in the location identified as the "Driveway to Parking" on the Plan, (iv) an easement (the "Trailhead Parking Easement") to park two (2) passenger vehicles in the location identified as "Trail Parking" on the Plan, (v) an easement (the "Additional Parking Easement") to park up to four (4) passenger vehicles in the location identified as "Additional Parking" on the Plan. The Nature Trail Easement, the Pedestrian Access Easement,

the Vehicular Access Easement, the Trailhead Parking Easement and the Additional Parking Easement are collectively referred to herein as the “Easements.” The precise locations of the Easements granted hereunder shall become established by and upon the installation and construction of the respective easement areas by Grantor, as the same may be subject to relocation by Grantor from time to time as provided herein, and the locations of such Easements are collectively referred to herein as the “Easement Areas.” Grantor acknowledges that certain sections of the Nature Trail are located within a portion of the Premises that is subject to the terms and conditions of that certain Conservation Restriction granted by Grantor to Grantee (the “Conservation Restriction”), which Conservation Restriction is recorded with the Registry in Book 80236, Page 82. That portion of the Premises encumbered by the Conservation Restriction is referred to herein as the “Conservation Area”. Aside from the aforementioned portions of the Nature Trail, none of the other Easement Areas is located within the Conservation Area. Grantor and Grantee hereby agree that, with respect to any such portion(s) of the Nature Trail located within the Conservation Area, to the extent of any inconsistency between the terms and conditions hereof and the terms and conditions of the Conservation Restriction, the terms and conditions of Conservation Restriction shall govern and control.

The purpose of the Pedestrian Trail Easements is to provide the perpetual right and non-exclusive easement in common with others entitled thereto for the general public to pass and repass for pedestrian outdoor recreational activities (such as walking and hiking) that do not materially alter the landscape, do not degrade environmental quality, and are minimally disruptive to the land on which the Pedestrian Trail Easements are located (the “Permitted Trail Uses”).

The purpose of the Vehicular Access Easement is to provide the perpetual right and non-exclusive easement in common with others entitled thereto for the general public to pass and repass by motorized passenger vehicle from the public way known as Watertown Street over and across the Premises to the Nature Trail Parking area in connection with and to facilitate the use of the Pedestrian Trail Easements for the Permitted Trail Uses.

The purpose of the Trailhead Parking Easement is to provide the perpetual right and exclusive easement for the general public to temporarily park two (2) passenger vehicles in the Nature Trail Parking area in connection with and to facilitate the use of the Pedestrian Trail Easements for the Permitted Trail Uses.

The purpose of the Additional Parking Easement is to provide the perpetual right and non-exclusive easement in common with others entitled thereto for the general public to temporarily park up to four (4) passenger vehicles in the Additional Parking area in connection with and to facilitate the use of the Pedestrian Trail Easements for the Permitted Trail Uses.

Upon acceptance of this Grant of Public Easements by the Grantee and the Grantee's issuance to the Grantor of a final Certificate of Occupancy for the Project, the Grantee and the members of the general public shall have the right to enter onto the Easement Areas granted herein solely for the purposes set forth herein. The rights of the Grantee and the general public to use the Easement Areas as set forth herein shall be limited to the period from dawn until dusk each day, and such rights shall at all times be exercised in a manner that does

not unreasonably interfere with the Grantor's operation of the Project. Neither the Grantor, nor Grantee, may charge for access to the Easement Areas pursuant to the rights granted hereunder. In addition, the rights of the Grantee and the general public to utilize the Additional Parking Easement and the Additional Parking area as set forth herein shall be permitted only to the extent such use is feasible without interfering with the operation of the Project, and such use shall in all events be limited to daylight, non-business hours of the Project.

The Grantor shall not be obligated to construct, install or maintain any facility or improvement within the Easement Areas, except for (i) the construction and maintenance of an informal walking path in the location of the Pedestrian Trail Easements that, in the case of the Nature Trail, shall generally follow existing grades and pathways on the Premises to be minimally disruptive to the Premises, (ii) the construction and maintenance of a paved drive aisle or driveway in the location of the Vehicular Access Easement, (iii) the construction, maintenance and designation for the exclusive use by the public of two (2) parking spaces in the location of the Parking Easement, (iv) the installation and maintenance of clear signage identifying the location of the Nature Trail Parking area, the pedestrian access to the Nature Trail and the Nature Trail itself, and (v) the installation and maintenance of a bulletin board, waste and recycling containers and a bag dispenser for pet waste collection (collectively, the "Amenities") for use on the Pedestrian Trail Easements, which Amenities shall be in the location identified as "Amenities Area" on the Plan.

The Easement Areas shall be maintained by Grantor in a manner reasonable acceptable to the Grantee, including removal of physical obstructions to the Nature Trail on or within the Nature Trail Easement, and Grantor hereby retains the right to access any portion of the Easement Areas for such purpose and for all other purposes not inconsistent with the rights granted to Grantee and the general public hereunder. Grantor shall remove snow and ice from the Vehicular Access Easement area, the Trailhead Parking Easement area and the Additional Parking Easement area; snow shall not be stored in the Trailhead Parking Easement area or the Additional Parking Easement area. Notwithstanding the foregoing, Grantor shall not be obligated to remove or clear snow from any portion of the Nature Trail. Grantor shall have the right (i) to post reasonable way-finding signage along the Pedestrian Trail Easements, (ii) to post rules and regulations concerning the Permitted Trail Uses and the use of the Easement Areas generally to ensure that such uses do not interfere with the Grantor's operation of the Project, and (iii) to post signage warning of potentially hazardous conditions and disclaiming liability therefor.

Notwithstanding any language to the contrary contained in this easement, Grantor and Grantee shall each have the benefit and protection of the limitation on liability contained in Massachusetts General Laws Chapter 21, Section 17C to the fullest extent provided therein. Use of the Easements or any portion of the Easement Areas by members of the general public shall be at their own risk. Neither Grantor nor Grantee shall assume any duty to or for the benefit of the general public for defects in the location, design, installation, maintenance or repair of the Easement Areas; for any unsafe conditions within the Easement Areas; for the failure to inspect for or warn against possibly unsafe conditions within the Easement Areas, or to close the within the Easement Areas to public access when unsafe conditions may be present.

Grantor reserves to itself, and its successors and assigns, (i) the right to relocate, at Grantor's sole cost and expense, all or any portion of the Easement Areas as may be necessary or desirable for Grantor's development, use and operation of the Premises or the Project thereon, provided, that (a) Grantor notifies Grantee in writing in advance, which notice shall contain a new description and plan, both to be prepared and recorded at Grantor's sole cost and expense, (b) with respect to the proposed relocation of any portion of the Nature Trail, Grantee approves such relocation in writing (such approval not to be unreasonably withheld, conditioned or delayed), (c) with respect to the proposed relocation of any portion of the Trailhead Parking area, said parking spaces shall remain in a location proximate to the trailhead, and (d) the relocation of the Easement Areas (or applicable portion thereof) does not significantly lessen the utility of the Easement Areas, does not increase the burdens on the use and enjoyment of the Easement Areas by the Grantee and members of the general public, and does not frustrate the purpose for which the Easement Areas were created, but continues to provide the public with the right to pass and repass as hereinbefore specified; (ii) the right to use the Easement Areas for any and all purposes that do not unreasonably interfere with the enjoyment by the Grantee and the members of the general public of the rights granted herein; (iii) the right to cut trees or otherwise disturb resources to the extent reasonably prudent to remove or mitigate against an unreasonable risk of harm to persons on or about the Easement Areas (in each case subject to the terms and conditions of the Conservation Restriction; and (iv) the right to remove or exclude from the Easement Areas from time to time any person or persons who are engaged in activities that are inconsistent with the Permitted Trail Uses or that violate Grantor's rules and regulations with respect to the Easement Areas.

Grantor shall not: (i) obstruct, or permit the obstruction of, the Easement Areas; (ii) use, or permit the use of, the Easement Area in any way that derogates from the intent of this Easement, or that will materially interfere with the use or purposes of this Easement; (iii) grant other easements, leases, licenses, or deeds that derogate from the intent of this Easement, or that will materially interfere with the use or purposes of this Easement. If Grantor is in violation of any of its obligations under this Easement, Grantee shall have the right but not the obligation, upon thirty (30) days' prior written notice to Grantor, to remedy the violation and receive reimbursement from Grantor for Grantee's reasonable, third-party, out-of-pocket costs and expenses incurred in connection therewith, in the event Grantor has not within such 30-day period commenced to remedy such violation (and thereafter diligently prosecutes such remedy to completion).

Grantor agrees, at Grantor's sole cost and expense, to perform such work on the Premises as is reasonably necessary connect any existing off-site nature trail to the Nature Trail in a location mutually acceptable to both Grantor and Grantee along the northern boundary of the Premises, provided that any such connection and the resulting access therefrom shall in all events be subject to the terms and conditions set forth herein.

The rights and obligations established herein shall run with Grantor's land and shall be binding upon the Grantor and inure to the benefit of the Grantee, and their respective successors and assigns. If Grantor conveys to a third party(ies) any land through which any of the Easements granted herein passes, any and all such conveyances shall be made expressly subject to the applicable Easement(s) granted herein. The easement rights granted herein may not be amended without the written consent of the Grantor and the Grantee.

To the extent that there are any mortgages or other liens encumbering the Premises and recorded with the Registry prior to the date and time of the recording with the Registry of this Easement, Grantor represents and warrants that it has obtained the consent of such existing mortgagees and lienholders of the Project to the execution of this Easement and to the terms and conditions hereof, and that all such mortgagees and lienholders have executed a consent to this Easement.

Grantor warrants and represents that Grantor has the sole and exclusive right to grant the Easements, and that the individual(s) executing this Grant of Public Easements is/are duly authorized and fully qualified to execute this Grant of Public Easements on behalf of Grantor.

For Grantor's title reference, see deed recorded with the Registry in Book 74435, Page 235.

Exhibits:

Exhibit A: Legal Description of Premises

Exhibit B: Plan of Easement Areas

WITNESS my hand and seal this 26 day of August, 2022.

LEXINGTON SENIOR HOUSING OWNER LLC

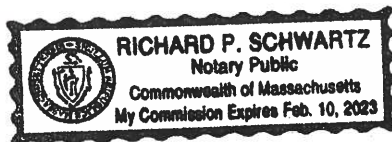
By: [Signature] rh
Name: Stephen A. Kinsella
Its: Authorized Real Estate Signatory

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss.

On this 26 day of August, 2022, before me, the undersigned notary public, personally appeared Stephen A. Kinsella, proved to me through satisfactory evidence of identification, which consisted of personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he has signed it as Auth RE Sign. of Lexington Senior Housing Owner LLC voluntarily for its stated purpose.

[Signature]
Notary Public:
My commission expires:



ACCEPTANCE OF GRANT OF PUBLIC EASEMENTS BY MUNICIPALITY

The Select Board of the Town of Lexington hereby accepts the foregoing Grant of Public Easements on behalf of the Town of Lexington.

EXECUTED as an instrument under seal this ____ day of _____, 2022.

TOWN OF LEXINGTON
BY SELECT BOARD

By: _____
Name: _____

By: _____
Name: _____

By: _____
Name: _____

By: _____
Name: _____

By: _____
Name: _____

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this ____ day of _____, 2022, before me, the undersigned Notary Public, personally appeared _____, _____, _____, _____, and _____, who proved to me through satisfactory evidence of identification, which were _____ to be the persons whose names are signed on the preceding or attached document, as Select Board for the Town of Lexington, and acknowledged to me that they signed it voluntarily for its stated purpose.

(Official Signature and Seal of Notary)

Exhibit A

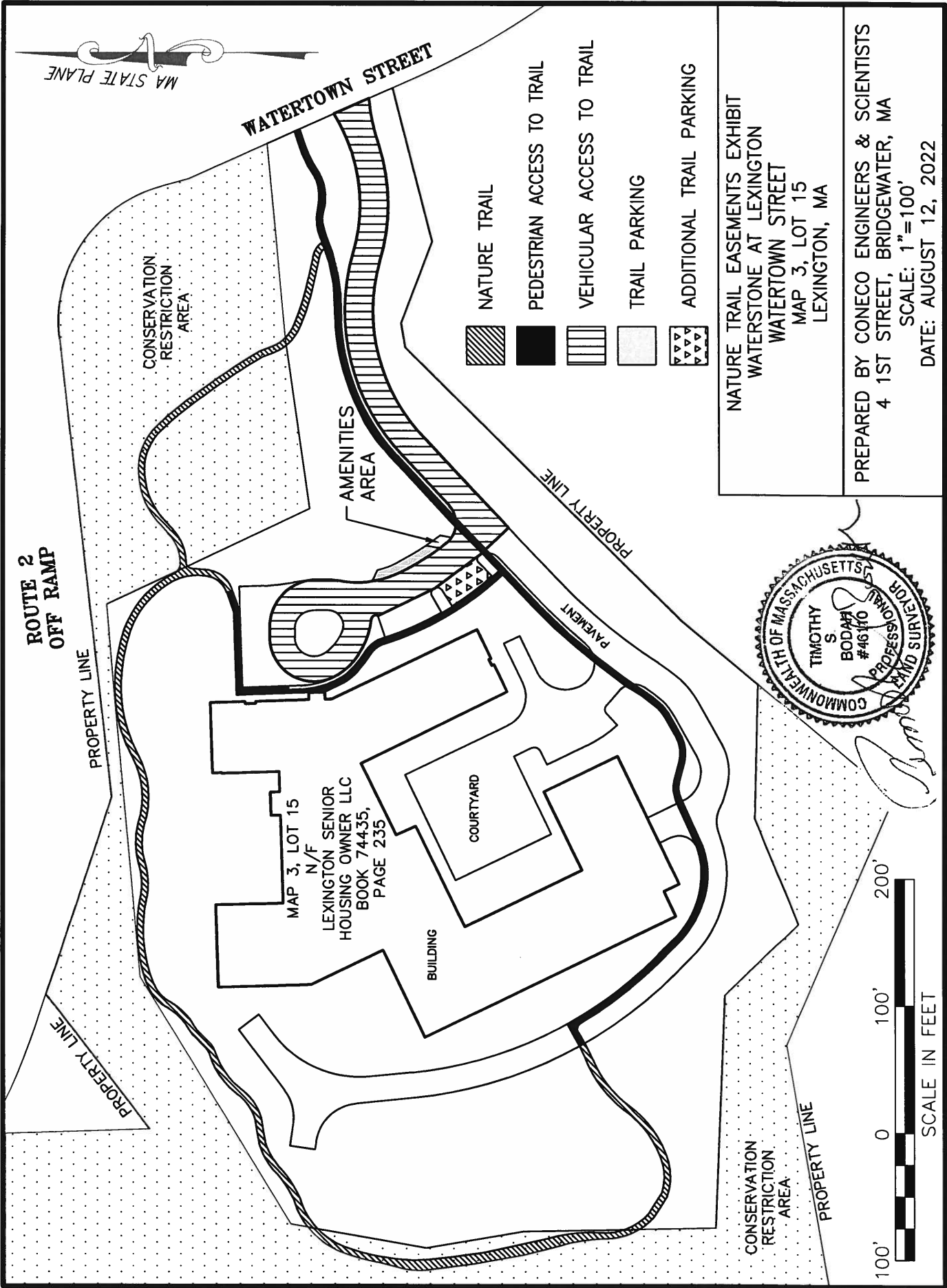
Legal Description of Premises

That certain parcel of land situated in Lexington, Middlesex County, Massachusetts shown as "Proposed Lot B-2" on a plan entitled "Approval Not Required Plan of Land, Belmont Country Club, Watertown Street, Lots 2A Map 1 & Lot 2A, Map 3, Town of Lexington, Middlesex County, Commonwealth of Massachusetts", dated April 25, 2018, prepared by Control Point Associates, Inc. and recorded with the Middlesex South Registry of Deeds as Plan No. 469 of 2018.

Exhibit B

Plan of Easement Areas

[See attached]



ROUTE 2
OFF RAMP

MA STATE PLANE

WATERTOWN STREET

CONSERVATION
RESTRICTION
AREA

AMENITIES
AREA

NATURE TRAIL

PEDESTRIAN ACCESS TO TRAIL

VEHICULAR ACCESS TO TRAIL

TRAIL PARKING

ADDITIONAL TRAIL PARKING

MAP 3, LOT 15
N/F
LEXINGTON SENIOR
HOUSING OWNER LLC
BOOK 74435,
PAGE 235

BUILDING

COURTYARD

PROPERTY LINE
PAVEMENT

CONSERVATION
RESTRICTION
AREA

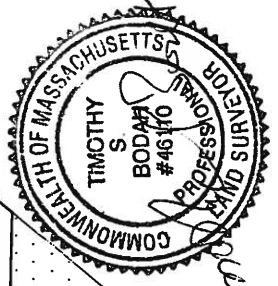
PROPERTY LINE

NATURE TRAIL EASEMENTS EXHIBIT
WATERSTONE AT LEXINGTON
WATERTOWN STREET
MAP 3, LOT 15
LEXINGTON, MA

PREPARED BY CONECO ENGINEERS & SCIENTISTS
4 1ST STREET, BRIDGEWATER, MA

SCALE: 1"=100'

DATE: AUGUST 12, 2022



AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Select Board Meeting Minutes

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.3

SUMMARY:

The Select Board is being asked to approve the meeting minutes of:

- July 25, 2022
- August 8, 2022
- August 15, 2022

SUGGESTED MOTION:

To approve and release the Select Board meeting minutes of:

- July 25, 2022
- August 8, 2022
- August 15, 2022

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description	Type
📎 Draft 07252022 Select Board Meeting Minutes	Backup Material
📎 DRAFT 08082022 Select Board Meeting Minutes	Backup Material
📎 DRAFT 08152022 Select Board Meeting Minutes	Backup Material

SELECT BOARD MEETING
July 25, 2022

A remote participation meeting of the Lexington Select Board was called to order at 6:03 p.m. on Monday, July 18, 2022 via hybrid meeting services. Ms. Hai, Chair; Mr. Lucente; Vice Chair, Mr. Pato, Ms. Barry, and Mr. Sandeen were present, as well as Mr. Malloy, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Katzenback, Executive Clerk.

PUBLIC COMMENTS

None at this time.

SELECT BOARD MEMBER CONCERNS & LIAISON REPORTS

1. Select Board Member Concerns & Liaison Reports

The Board discussed the report from Mr. Pato.

DOCUMENTS: Select Board Concerns and Liaison Reports - July 25, 2022

TOWN MANAGER REPORT

Mr. Malloy explained that an attachment regarding the Stormwater Enterprise Fund is being reviewed and possibly amended by Mr. Livsey.

CONSENT AGENDA

1. Water and Sewer Adjustments

To approve the above Water & Sewer Adjustments as recommended by WSAB on June 16, 2022.

DOCUMENTS: WSAdj7-25-22

2. Approve Sale of the Hosmer House

To approve the bid from John Carroll for \$2.00 to purchase the Hosmer House and move it to a new location on Waltham Street, subject to all other permits being issued and further to authorize the Chair of the Select Board and Town Manager to execute any documents necessary to effectuate this vote.

DOCUMENTS: Hosmer House Bid

3. Approve Select Board Meeting Minutes

To approve and released the Select Board meeting minutes of June 27, 2022 and July 11, 2022

DOCUMENTS: Draft 06272022 Select Board, Draft 07112022 Select Board

It was noted that the Hosmer House will be moved specifically to its new location on Blossomcrest Road, off Waltham Street.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Public Hearing: Noise Bylaw Special Permit - Night Work for Water Main Replacement on Lowell Street

Ms. Hai opened the public hearing at 6:09pm.

Ms. Hai explained that this is in regard to Phase 2A of the Town of Burlington's Water Main Replacement project includes the installation of a 24-inch ductile iron water main along Lowell Street from Maple Street to North Street and North Street from Lowell Street to Adams Street in Lexington. A request for a special permit under the noise by-law has been submitted seeking approval to work during the nighttime hours of 7:00pm - 5:00am, Monday through Friday, to work in hours outside of peak commuter traffic to reduce delays along a major commuter corridor at the intersection of Lowell and Woburn Streets. The work would be scheduled following the review and approval of this application and was originally hoped to take place over the course of 4 nights between July 26, 2022 to July 29, 2022 but due to scheduling requirements may need to be pushed out to August. The attached application contains the detailed description of the noise generating activity that would transpire at the time of the night work. Fire, Police, and Health reviewed the application and have no issues/concerns regarding the request as it relates to their respective departments. The hearing notice was mailed to abutters within 300ft of the proposed work area. It was also advertised in the July 14, 2022 and the July 21, 2022 Lexington Minuteman Newspaper.

Collin Stuart, PE, Wright Pierce explained that the proposal to shift work hours to nighttime is to help alleviate traffic concerns during construction. There would be one lane of traffic maintained.

It was noted that the proposal is requested to be amended to shift the nighttime work out two weeks, to the weeks of August 8 and August 15, in order to first complete work within the intersection. The original request was for work to be completed from 9pm-5am, but the application has been amended to reflect 7pm-5am. All abutters will be provided with a copy of these updates.

Mr. Sandeen asked if some of the loudest noises can be kept to the earlier work hours in order to least disturb residents' sleep patterns. It was noted that, unfortunately, the work is going to require a continuation-use of the equipment during all of those hours. The nighttime work is-will be restricted to being just in front of the commercial businesses area-of-near this intersection. The goal is to have the 24" mainline work along the North Street and the Woburn/Maple Street intersection completed this year, with restoration work and final paving to occur next spring.

Ms. Hai closed the public hearing at 6:23pm.

It was noted that the work may occur for a total of eight nights, instead of four nights as originally proposed.

Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to approve a Noise Bylaw Special Permit for evening work to be conducted from 7:00pm to 5:00am for up to eight nights, Monday through Friday, the weeks of August 8, 2022 and/or August 15 2022, with notification to all abutters by mail and by hand required before commencement of work for the Town of Burlington's water main replacement project at the intersection of the Lowell and Woburn Streets in Lexington.

DOCUMENTS: Application for Noise Bylaw Special Permit

2. Appoint Members to School Building Committee

Ms. Hai explained that the Select Board is the appointing authority for the MSBA required School Building Committee and the Committee needs to be appointed by July 31, 2022. Several of the seats on the Committee are dictated by the MSBA to be filled by particular functions or roles. Others are flexible, at the choice of the community. The Board has chosen to include three seats under that option. One is a member of the Select Board, and two are community representatives, one chosen by the School Committee, and one chosen by the Select Board. Mr. Pato is the Board's representative. There have been suggestions to add members from the Finance Committees and the Sustainable Lexington Committee.

Finance committee members may not be members of any other committee however, so liaison roles would be appropriate.

Mr. Malloy explained that the Sustainable Lexington Committee will have a role, whether they have a member on this Committee or not, as the Board and School Committee both approved ~~to integrate a the~~ Integrated Building Design and Construction Policy that requires the Sustainable Lexington Committee and the Permanent Building Committee to be involved in all construction projects. There are currently 12 recommended voting members for the School Building Committee.

Mr. Pato stated that he would like to see full membership for the Sustainable Lexington member on the Committee and noted that the Capital Expenditures Committee individual will have a liaison role, per the bylaws.

Ms. Barry noted that the Committee meetings will be subject to Open Meeting Law.

Mr. Lucente and Mr. Sandeen spoke to the quality of the candidates they interviewed for seats on the Committee. Mr. Sandeen is in strong agreement with Mr. Pato, that the Integrated Building Design & Construction Policy was adopted with the intention that it would guide the Town's biggest project in the the last 50 years and that a Sustainable Lexington committee member needs to be a member of the stakeholder group, and should be a member of the School Building committee rather than forming two groups that then need to interface with each other. A Sustainable Lexington committee member must be present for each meeting as a member, not just a liaison, to ensure the optimal outcome of this process.

David Kanter, Vice Chair of the Capital Expenditures Committee and Precinct 7 Town Meeting Member, stated that he would like the Board to endorse his Committee's participation in the School Building Committee process.

Todd Rhodes, Sustainable Lexington Committee, stated that, regarding the Integrated Building Design and Construction Policy, he believes it is important for someone with that perspective to be involved from the very beginning of this project, from building orientation to decisions on systems, in order to deliver a building that meets the Town's values, an efficient building that meets sustainable criteria. The Town has asked for these types of buildings and has been able to deliver on previous projects by following the Integrated Building Design and Construction policy.-

Valerie Overton, 25 Emerson Gardens, suggested that there be either a representative or liaison who has expertise in diversity, equity, and inclusion.

Mr. Malloy explained that the list needs to be submitted this week for the Committee roster, but that this can, and likely will, be changed over the years.

Mr. Sandeen said we approved the Integrated Building Design and Construction policy for a reason. It was designed to govern the building of the biggest project in the last 50 years. We need to live by our policy and should decide that a Sustainable Lexington committee member should be a member of the School Building Committee from the beginning.

Ms. Hai noted that the Integrated Building Policy Committee stands, and it will have all of ~~the required-its~~ granted authority ~~as well as membership~~. There are also two members of the Permanent Building Committee sitting on the School Building Committee, and that Committee is intimately integrated with the Integrated Building Design and Construction Policy Committee as well. She believes there should be liaisons from a finance committee and potentially from Sustainable Lexington as well. She is concerned with the size of the School Building Committee.

Mr. Pato suggested that the School Building Committee could act as the stakeholder group under the Integrated Building Design and Construction Policy, rather than setting up two redundant committees. Mr. Sandeen explained that in the past on the Estabrook and Hastings projects, the School Committee appointed School Committee members, parents, the Select Board appointed representatives from the community and PBC members. We have a process that already works with a large number of stakeholders involved. Decision making was made by developing a process of consensus.

Ms. Hai explained that there seems to be many questions about how the Stakeholder Committee under the Integrated Building Policy ~~would work~~, in contrast to or duplication of and how the School Building Committee, which is governed by the MSBA, and its policies work. She recommended voting on the list, as proposed, with the addition of a liaison from the finance committees, and a potential temporary chair, Mr. Malloy, with the understanding that the list can be amended in the future. She requested Mr. Sandeen create a crosswalk, and comments from sustainable Lexington and the PBC on the crosswalk be created and submitted to the Board for further discussion of whether the stakeholder committee under the integrated building and design committee role could be consolidated with the School Building committee or whether they needed to remain separate.

Ms. Hai read the list of proposed School Building Committee members:

SBC member who is MCPPO certified: Mark Barrett, Public Facilities Project Manager; Local Chief Executive Officer: Joe Pato, Select Board Member; Administrator or Manager: James Malloy, Town Manager; School Committee Members: Kathleen Lenihan, School Committee Member; Superintendent of Schools: Julie Hackett, Superintendent of Schools; Local Official responsible for Building Maintenance: Mike Cronin, Public Facilities Director; Representative of Office authorized by law to construct school buildings ~~School Principal~~: James Malloy, Town Manager; School Principal: Andrew Stephens, Principal

Member knowledgeable in educational mission and function of facility: Julie Hackett, Superintendent of Schools; Local budget official or member of local finance Committee: Carolyn Kosnoff, Assistant Town Manager for Finance; Members of community with architecture, engineering and/or construction experience: Jonathan Himmel, Architect, PBC Chair, & Charles Favazzo Jr., Vice President Leggat McCall; and Other: Kseniya Slavsky, Resident, & Hsing Min Sha, Resident

Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to approve the School Building Committee for the Lexington High School Project as proposed, and to authorize the finance committees, at their discretion, to designate a liaison, and to further designate all members of the School Building Committee as Special Municipal Employees; Further, to appoint Jim Malloy as the temporary Chair of the School Building Committee.

Mr. Sandeen asked if the Select Board will take this decision up again. Ms. Hai agreed and asked Mr. Sandeen to bring this issue back to the Select Board including comments from the Sustainable Lexington Committee and the Permanent Building Committee.

DOCUMENTS: High School Building Committee

3. Update on American Rescue Plan Act (ARPA)

Mr. Malloy reviewed additional requests for ARPA funding:

- The DPW Director requested two additional electronic sign boards for communication;
- The Economic Development Committee requested development of Store Façade Improvement Guidelines, replacement for the Parklet on Mass Ave, a Tourism Study requested by the Visitor Center, upgrades to the East Lexington area of the bike path;

- The Recreation Department requested additional funding for outside shelters, sustainable financial aid efforts, broadband infrastructure to the Pool, Old Res, and Lincoln Field, replacing fabric furniture and carpeting at the Community Center, a water fountain replacement (Center & Lincoln), benches and storage sheds at recreation areas, and seven basketball hoops
- The 250th Anniversary Committee requested funding for the website and promotional work, and a penny imprint machine
- The Human Services Department requested bike racks for East Lexington, funding for the Blue Bike program, Uber gift cards, and Welcome to Lexington packets
- The Town Clerk requested funding for ballot printing/mailing
- The Town Manager requested a 21st Century Select Board Meeting Room and a 1st floor information screen/pictures
- The IT Department requested interactive touch monitors
- Human Resources requested an Administrative Assistant
- The Fire Department requested a fire pumper overage, a new hose for the fire pumper, an ATV for EMS Services, an ATV for Forestry Services, and an ambulance replacement.

Ms. Barry stated that she feels it important to set aside money through ARPA funding for affordable housing.

Mr. Lucente stated that he would like to hear more information on some of the items but agreed with moving forward with a few of the items more aggressively, such as the DPW signs and the ATV for EMS Services. He also would like to hear more about Ms. Barry's suggestion for affordable housing.

Mr. Pato stated that he supports the DPW sign request, as it will hopefully increase communication to the public. He would also be interested in improving displays in some of the Town building rooms. He would also support the Parklet and the outdoor shelter items.

Mr. Sandeen noted that the effect of COVID-19 on local businesses is likely not over yet. He would be interested in ensuring there is money to respond to economic issues for local businesses into the future, if needed. He agreed with the potential to use ARPA funds to prefund the Affordable Housing Trust. He would also be supportive of improving ventilation in the Town buildings.

Mr. Lucente also noted that upgrades to the East Lexington bike path area could create an economic improvement overall for East Lexington.

Ms. Hai stated that she agrees with using these funds to significantly seed the Affordable Housing Trust. Items that increase accessibility for residents, such as the proposed water fountains and basketball hoops, would also make a difference for many. She supported the overages on the Fire Department equipment and the proposed ATVs. She would like more analysis on the proposed ambulance replacement. Improving the technology to make board meetings more accessible is important, but that does not necessarily relate to upgrading the Select Board's room alone. She noted that the building itself has a poor rating and there should be more discussion regarding its future overall before planning to update the Select Board meeting room. She explained that she would also like to have further discussions regarding the water tower.

Mr. Malloy stated that he believes an architect could be hired to examine the Select Board meeting room for updates both to technology and functionality. The meeting room is used by other boards and an upgrade could thus be helpful for many. He explained that additional staff is needed for certain services, but there is not space in the building to house them. He asked that the Board reconsider certain requests as items associated with loss of revenue, such as the outdoor shelters, and the fire truck.

Mr. Sandeen and Mr. Pato suggested that Board members send their Yes, No, and Hold positions on each line item to Select Board staff and then bring that list back to the Board at the next Select Board Meeting.

The Board agreed to review the list of proposed items and send opinions on each item to Ms. Katzenback.

Ms. Barry noted that, without ARPA funding, the 250th Anniversary Committee's request for a website will not move forward until it can potentially be funded through the budget process.

Sandhya Iyer explained that the Board had previously approved \$100,000 to be provided to businesses in East Lexington to make store facade improvements to the back of the stores. As this process began, it became clear that guidelines will be necessary to make sure the funds are efficiently distributed. That was the basis for the Store Façade Improvement Guidelines item.

DOCUMENTS: ARPA Update & Additional Requests

4. Discussion on Special Town Meeting Warrants

Ms. Hai explained that, in the past few years, Board members have commented on whether Special Town Meeting in the Fall should be limited to articles that are necessary for operations for the fiscal year or have a time sensitive requirement. The Board reviewed several years' worth of Annual Town Meeting and Special Town Meeting(s) articles.

Mr. Lucente noted that too many articles put stress on staff and Town resources.

Mr. Pato stated that he believes it is valuable to have the Special Town Meeting in the Fall available on a regular basis to make the Annual Town Meeting less onerous. The Board may just need to set a higher bar for articles submitted for the Special Town Meeting.

Ms. Barry agreed to keeping the Special Town Meeting articles to items such as financial housekeeping or necessary staff items.

Ms. Hai agreed with keeping items for the Special Town Meeting to those that are absolutely necessary. She noted that staffing is set up to operate a single Town Meeting, and an in-person one, at that, which is less onerous than the hybrid model being used.

Mr. Sandeen stated that there seems to be plenty of real work that needs to be done in Fall Town Meetings, and that we shouldn't try to force all decisions into one Town Meeting each year. The world is changing and demands on Town government are accelerating. Residents are asking for decisions more than once a year. We should recognize that there will be two Town Meetings each year. He supported prioritizing consideration of major warrant articles at the Annual Town Meeting.

Mr. Malloy explained that the Board seems to agree that there needs to be a higher bar set for items to be considered. Perhaps boards and committees should include a statement as to why items need to be considered at the Special Town Meeting, so that the Board can determine whether it meets the bar.

Mr. Lucente suggested that there be a clear timeline for submittal of article proposals to the Board.

Ms. Hai stated that she would like the Board to discuss at its next meeting calendaring the process of a Special Fall Town Meeting and messaging that can incorporate the idea of a higher bar to be reviewed by the Board.

The Board took a five-minute break at 8:04pm.

DOCUMENTS: Town Meeting Articles - 2015 – Present, MGLCh.39,Sec.10

5. Update from Semiquincentennial Commission (Lex250) & Request for Funding

Mona Roy, Vice-Chair of the Semiquincentennial Commission (Lex250), presented an update on the Commission. She displayed the logo chosen from the logo contest. Promotional materials have been created and discussions have begun with a website developer. Basic working groups, such as fundraising, publicity, community engagement & events, logistics, and governmental relations have been identified. A community stakeholder event is tentatively planned for October. The Commission is looking to engage with unique talents that exist in Town for the event.

Ms. Barry explained that the Commission will be requesting Board agenda time this fall to have a deeper conversation regarding what is envisioned for the event weekend. A discussion regarding the budget for the event also needs to occur. The Commission is considering inviting some high-level dignitaries that will require additional security. The Commission does plan to launch a very robust fundraising campaign, but it is unknown how successful that will be. She noted that the School Department Representative seat on the Commission is still open.

Mr. Lucente suggested that the Commission meet with representatives of the community groups to solicit and coordinate ideas well ahead of time.

DOCUMENTS: Presentation - Semiquincentennial Commission (Lex250)

6. Update on Proposed LexSeeHer Monument and Location

Jessie Steigerwald presented the LexSeeHer request seeking approval from the Select Board for the proposed monument design named "Something is Being Done" and its placement. "Something is Being Done" is a bronze sculpture designed by Meredith Bergman. It invites people to stand in the center of an arch among incredible women from across time. These women have made contributions to the Town economically, politically, intellectually, socially, and culturally. This work was designed for a particular site, on the corner of Mass Ave and Miriam Street. The Historic Districts Commission (HDC) has granted a Certificate of Appropriateness for the chosen site. The Monuments and Memorials Committee and the Tourism Committee support the design, but they do not support the site. The group then spent an additional four weeks gathering feedback from supporters and stakeholders to understand how people would react to an alternate site. This study showed that the originally proposed site remained the most feasible site, the most meaningful site, and the best site in terms of accessibility. There is no site that would have 100% consensus. People believe the proposed site will be a draw to the area, a public gateway to art, and good for local business. Those who are opposed to the proposed site have said that a less offensive and less visible site should be considered. They have stressed that the monument should not be near the Battle Green, the Minuteman, or the Visitor Center. LexSeeHer disagrees. The group believes that the monument carries on the theme of the pursuit of liberty and freedom, and that it will enhance the historic area with its beauty. The monument won't block the Visitor Center, the Minuteman, or any historic building.

In response to a question from Ms. Barry, Mr. Pinsonneault stated that there is no concern regarding tree roots on the proposed site. Some of the funding will need to be used to include drainage and grading for the area.

Ms. Barry noted that this monument gift will become Town property in the end. Ms. Steigerwald explained that she would not suggest that the Town accept this gift this evening. LexSeeHer has a contract with Ms. Bergman which has contingencies in it. She suggested that the Town review this contract, as

part of a larger conversation. Mr. Malloy agreed to have Town Counsel review the agreement and bring a recommendation back to the Board after that review is complete.

In response to a question from Ms. Barry, Ms. Steigerwald stated that an 18-month timeline for this project is still reasonable.

Dawn McKenna, Chairman of the Lexington Tourism Committee, explained the Battle Green Master Plan was developed with hundreds of participants in a visioning process and putting the monument on the proposed site ignores the basic principles of that Master Plan. She suggested that the Board not vote on this tonight, and instead ask all involved to work together to find a prominent, agreed upon location. The proposal will dramatically change the lighting of the Visitor Center.

Wendy Reasenberg, 16 Garfield St., noted that the construction of the base of the monument can be completed separately from construction of the sculpture. This gives the project some flexibility. If the site is approved, work can begin on the base, while construction of the sculpture happens separately. She stated that she believes history evolves and recommended approval of the sculpture as proposed.

Bridger McGaw, 89 Meriam Street, spoke in support of the monument. He noted that Master Plans, such as the Battle Green Master Plan, are meant to change over time. As part of the Town's 250th anniversary, the community should remember the important role women have played throughout history.

Matthew Schnall, 143 Cedar Street, noted how often proposals by and about women are met with tone policing, and with a reluctance to make space. He recommended that the Board the Select Board be receptive to this more inclusive vision of the Town's history, the visibility of women in it, and ultimately vote to approve the monument in the proposed location.

Cindy Arens, 7 Kitson Park Drive, voiced her support for the monument in its proposed location. She noted that there are many nearby monuments dedicated to important men in the Town's history, and that residents, visitors, especially all of our daughters and granddaughters, should be able to see that Lexington also values what women have contributed to the history of the Town.

Marsha Baker, Tourism Committee member, noted that there was a minority vote regarding this item in the Committee, and one was hers.

Lin Jensen, Precinct 8 Town Meeting Member, appreciated the inclusiveness of the women recognized and noted that very few women are featured in any statues around the world, including the United States. Lexington should be very proud that it can feature these women. She believes the proposed location is a good one and will be happy to see a monument that displays women and minorities.

Mr. Lucente stated that a small group did its due diligence to try to find other alternate locations. He is unsure if delaying a vote this evening would alter the outcome. He believes this is a gift that the Board either needs to accept or not. A monument celebrating women is long overdue. While he is not in love with every aspect of the proposal, he believes it is a good idea which has merit.

Ms. Barry agreed with moving forward with the vote this evening. She noted a concern that children may climb on the monument.

In response to a question from Ms. Hai, Ms. Bergman stated that the monument will be anchored deeply into the ground. She noted that some subtle lighting on the monument is proposed, mostly for security purposes. Ms. Bergman explained that she thinks about safety, vandalism, durability, and maintenance, as much as art and sculpture.

Mr. Sandeen stated that he believes there are highly desirable reasons for locating the monument in the proposed location, as it is where these women lived and worked, and where visitors can easily reflect on the contributions made by women that are central to the Town's history, to our lives today, and also to our future. He explained that a records survey found that Lexington has monuments and memorials naming 227 men and six women; 38 times more men honored than women. He stated that Lexington's first monument to women should be at the center of our community, so that the women we honor are no longer hidden figures, but are now recognized as central to our history, our lives today, and to our future. LexSeeHer's monument should be the first of many monuments to women in the Town of Lexington.

Mr. Pato agreed with moving forward with a vote this evening and stated that he hopes the Board is unanimously in support.

Ms. Hai stated that she believes the process for this item has been followed as requested. Also, the support of the Commission on Disability for this particular location is not something that the Board should ignore.

Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to approve the proposed location, identified site 15, located on Town-owned land at 1875 Massachusetts Avenue for placement of "Something is Being Done" monument, as presented in the proposed plans by LexSeeHer, contingent upon successful discussion or negotiation between and among LexSeeHer, Meredith Bergman, and the Town of Lexington, regarding any legal documents, and contingent upon obtaining any future Certificates of Appropriateness deemed necessary by the Historic Districts Commission.

DOCUMENTS: Presentation - LexSeeHer Proposed Monument and Location, Commission on Disability memo regarding their vote for LexSeeHer, Monuments & Memorials Committee report - LexSeeHer June 2022

EXECUTIVE SESSION

1. Exemption 3: Discuss Strategy with Respect to Litigation

Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 at 9:25 p.m. that the Board go into Executive Session under Exemption 3 to Discuss Strategy with Respect to Litigation and not to reconvene in Open Session. Further, Ms. Hai declared that an open meeting discussion on this item may have a detrimental effect on the bargaining position of the Town. Adjournment for both Open Session and Executive Session will occur at the conclusion of the Executive Session. The Board will not reconvene in Open Session.

ADJOURN

Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 from the executive session to adjourn both the executive session and regular meeting at 9:53 p.m.

A true record; Attest:
Kristan Patenaude
Recording Secretary

SELECT BOARD MEETING
August 8, 2022

A remote participation meeting of the Lexington Select Board was called to order at 6:16pm on Monday, August 8, 2022 via hybrid meeting services. Mr. Lucente; Vice Chair, Mr. Pato, Ms. Barry, and Mr. Sandeen were present, as well as Mr. Malloy, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Katzenback, Executive Clerk.

PUBLIC COMMENTS

None at this time

SELECT BOARD MEMBER CONCERNS & LIAISON REPORTS

1. Select Board Member Concerns & Liaison Reports

Mr. Lucente reminded Board members that the Select Board members' scribed sections for the Annual Town Report are due to the office before the end of this month.

DOCUMENTS: Select Board Concerns and Liaison Reports - July 18, 2022

TOWN MANAGER REPORT

Mr. Malloy noted that the Attorney General approved Annual Town Meeting Articles 31 and 35 but did not approve all of Article 28. This will need to go back before Town Meeting at some point in the future. Also, the affordable housing lottery for the Waterstone development is now open. He stated that Dave Pinsonneault recently met with the hired arborist and a group of residents near the Center Recreation Complex area. Ten of thirty-five trees in the area will be saved and twenty-five trees will be removed within the next couple of weeks. Finally, the Police Department is now completely housed at 173 Bedford Street. He thanked all of the staff involved in this complicated move.

CONSENT AGENDA

1. Accept Fund Terms – Williams Family Fund

To accept the terms of the Williams Family Fund, which will be managed by the Trustees of Public Trusts.

DOCUMENTS: Williams Family Fund Terms

2. Approve Request for Deferral of Water and Sewer Payment

To approve the deferral of FY2022 water and sewer payments for 21 Leonard Road.

DOCUMENTS: Application for deferral of water and sewer payment - 21 Leonard Road

3. Approve Select Board Meeting Minutes

To approve and release the Select Board meeting minutes of July 18, 2022.

DOCUMENTS: DRAFT 07182022 Select Board

4. Select Board Committee Resignation

To accept the resignation of Sara Arnold from the Transportation Advisory Committee effective immediately.

DOCUMENTS: ResignationLetter-S.Arnold

5. Water and Sewer Adjustments

To approve the above Water & Sewer Adjustments as recommended by WSAB on May 5, 2022 and July 14, 2022.

DOCUMENTS: Water Sewer Adjustments 8-8-2022

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to approve the Consent Agenda.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Liquor License - Change of Manager - Bertucci's Restaurants, LLC d/b/a Bertucci's, 1777 Massachusetts Avenue

Mr. Lucente stated that Bertucci's Restaurants, LLC d/b/a Bertucci's has submitted all the necessary paperwork requesting approval for a Change of Manager on their All-Alcohol Common Victualler Liquor License. The proposed manager, Randy Melnick, submitted a current Alcohol Awareness Training Certificate. The required CORI check has been completed.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to approve Bertucci's Restaurants, LLC d/b/a Bertucci's application for a Change of Manager naming Randy Melnick as Manager and upon ABCC approval, issue an updated Liquor License to Bertucci's Restaurants, LLC d/b/a Bertucci's, located at 1777 Massachusetts Avenue reflecting the change of manager.

DOCUMENTS: Bertuccis liquor license change of manager application

2. Liquor License - Change of Manager - Lexington Lodge #2204 B.P.O.E. of U.S.A., Inc., 959 Waltham Street

Mr. Lucente stated that the Lexington Lodge #2204 B.P.O.E. of U.S.A., Inc., has submitted all the necessary paperwork requesting approval for a Change of Manager on their All-Alcohol Club Liquor License. The proposed manager, Audrey Martignetti, submitted a current Alcohol Awareness Training Certificate. The required CORI check has been completed.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to approve Lexington Lodge #2204 B.P.O.E. of U.S.A., Inc.'s, application for a Change of Manager naming Audrey Martignetti as Manager and upon ABCC approval, issue an updated Liquor License to Lexington Lodge #2204 B.P.O.E. of U.S.A., Inc., 959 Waltham Street reflecting the change of manager.

DOCUMENTS: Elks Liquor license change of manager application

3. Battle Green Flag Request - Manheim Township Police Department

Mr. Lucente explained that Marc Valenti, DPW Manager of Operations, was contacted by Officer Mark Shivers, Manheim Township Police (PA) via email seeking permission to fly a flag over our Battle Green. The flag would essentially be raised, fly for a minute or two, then be lowered, or the Town could provide retired flag, for the purposes of auctioning for the proceeds to support maintenance of Fort Mifflin. All older flags previously flown over the Battle Green already have been properly disposed of by the DPW, so Officer Shivers would provide the flag. The flag would be auctioned via a silent auction along with flags from other prominent historic locations (and ships around the country) and the proceeds would benefit the maintenance of Fort Mifflin, in Philadelphia, PA.

Officer Shivers explained that a few months ago he started a program to collect tattered American flags. In the last few months, he has already collected over 1,800 flags. This idea grew into an event called Celebration of America. One of the main focuses of the event is to raise funding for Fort Mifflin. A silent auction will be held to raise funds as well. This event will be held on September 3, 2022, from 1pm-8pm.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to approve flying a flag over the Battle Green and providing it to Officer Mark Shivers of the Manheim Township Police Department to be donated for a silent auction to provide funding for the maintenance of Fort Mifflin in PA.

4. Voluntary Outdoor Water Use Restrictions

Dave Pavlik, Water & Sewer Superintendent, stated that he is requesting the Board institute a voluntary water restriction from August 9, 2022 to October 14, 2022. This will urge residents and businesses to refrain from any outdoor water use between the peak demand hours of 5:30am – 8:30am daily. This includes restricting all irrigation and other outdoor landscape/turf watering, washing vehicles, rinsing driveways, filling pools etc. This is an annual request.

In response to a question from Mr. Sandeen, Mr. Malloy explained that the Town, as a member of the Massachusetts Water Resources Authority (MWRA), cannot make water restrictions mandatory

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to approve a voluntary water restriction on any outdoor water use as recommended by Lexington Department of Public Works between the hours of 5:30am and 8:30am daily from August 9, 2022 to October 14, 2022.

5. Assignment of Police Officers at Polling Locations

Ms. Barry recused herself from this item.

Town Clerk, Mary de Alderete, explained that the Town Clerk's Office has had a long history of partnering with the Police Department, especially during elections. This item acknowledges the Select Board's authority to appoint, and respectfully requests that the purview of selecting Police Officers to oversee elections be returned to the Chief of Police, where it can best be managed in consultation with the Town Clerk and Town Manager's Office.

Mr. Malloy explained that he contacted the Mass Municipal Association, who indicated that the legislative change for this item was made at a Conference Committee. It was not in the original bill that was passed by the House or the Senate. He believes that the Select Board likely does not want to vet which Police Officer should be stationed at which polling location, and that this could be more efficiently done by the Police Chief, in consultation with the Town Clerk and Town Manager. It was confirmed through the State Elections Division that a Police Officer is required to be at the polling location 100% of the time during the election.

Mr. Pato stated that he has never observed an issue with this process as it was in the past, which gives him pause in considering why the legislative change was made. While he is open to considering this change in delegation, he does not wish to make it a permanent change at this time.

David Kanter, 48 Fifer Lane and Town Meeting Member Precinct 7, stated that he believes this change shows the Board's explicit support of the Police Department and he supports that.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 3-0 to designate the Police Chief, in consultation with the Town Manager and Town Clerk, beginning at the September 6, 2022 State Primary and all other elections in 2022, to assign specific police officers according to

scheduling and availability, to provide a sufficient number of police officers, but not less than one, in each polling location at every election therein, to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54 as amended by section 13 of Chapter 92 of the Acts of 2022.

Ms. Barry rejoined the meeting.

6. Rescheduled Discovery Day Street Fair 2022 Request

Mr. Lucente explained that the Lexington Retailers Association (LRA) has requested permission to reschedule the Discovery Day Street Fair, as the event in May was canceled due to inclement weather, to be held on Saturday, October 8, 2022 from 10:00am to 3:00pm in the following areas: Massachusetts Avenue, from Waltham Street to Meriam Street (both sides); and Depot Square; and Muzzey Street, from Massachusetts Avenue to the first private driveway; and Massachusetts Avenue, north-side sidewalk, from Edison Way to Waltham Street; and Visitors Center lawn.

Mr. Lucente stated that permission is also being requested for the following: permission to erect a temporary sign on the Minuteman Commuter Bikeway behind 1775 Massachusetts Avenue during the event for publicity purposes, provision of free parking at the Central Business District parking meters, and no charge for parking in the Depot Lot on Discovery Day. The Police Department, Fire Department, Economic Development Office, and Department of Public Works have reviewed the request with no concerns. The Health Department will work with the applicant to provide the appropriate permitting for the food vendors/booths. The applicant shall work with the Engineering Department regarding the Center Streetscape status at the time of the event. The One-Day Liquor License for the requested Beer Garden will be applied for by the requester at a future date.

In response to a question from Mr. Kanter regarding the proposed banner for the event, Mr. Lucente explained that this request will be handled through the Town Manager's Office and will not be voted on by the Board this evening.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to approve restricting vehicular access in the following areas for the 2022 Discovery Day Street Fair to be held on Saturday, October 8, 2022 from 6:00am to 5:00pm: Massachusetts Avenue, from Waltham Street to Meriam Street (both sides); and Muzzey Street, from Massachusetts Avenue to the first private driveway; and Massachusetts Avenue, north-side sidewalk, from Edison Way to Waltham Street.

Further, move to approve permission to erect a temporary sign on the Minuteman Commuter Bikeway behind 1775 Massachusetts Avenue during the event for publicity purposes.

Further, move to approve free parking at the Central Business District parking meters, and not charge for parking in the Depot Lot on Discovery Day.

Further, all approvals and locations are subject to modifications as may be required by Department of Public Works, Public Safety, Public Health, Engineering and/or Town Manager up to the time of the event.

DOCUMENTS: 2022 Discovery Day Request - Rescheduled for October 2022

7. Approve Additional American Rescue Plan Act (ARPA) Funding

Mr. Lucente explained that the Board had previously discussed approving those funding requests in which at least three Select Board members favored. There are a number of requests that have "holds" and Senior Managers are on hand to speak to these items, if needed.

Mr. Malloy noted that the price for the electronic sign board has increased from \$40,000 in the initial request to \$43,600, which is reflected in the attachments. Also, the Town Clerk has determined that the original request for printing ballots will not work as proposed and she will continue to look into alternative options. The parklet proposal request is for \$75,000. The outside shelter proposal request has increase in cost to approximately \$75,000. The water fountain replacement at Center and Lincoln Parks is estimated to cost \$20,000. The adjustable basketball hoops are estimated to cost \$10,500. The 250th Committee's website and promotion request is estimated at \$40,000. The bike racks for East Lexington are estimated at \$7,200. The Fire Pumper overage is estimated to cost \$82,882, and the new hose is estimated to cost \$18,109. Finally, the ATV ambulance is estimated to cost \$93,876. All of these items total to \$466,167, and there is currently \$6,731,993 left in the ARPA budget.

Mr. Malloy explained that the Sustainability and Resilience Officer is considering contracting with a company called Abode, which offers training on heat pumps and also helps facilitate with residents interested in moving to an electric heat pump, heating, and air conditioning source. This would include a website with information for residents. The company would train individuals to become heat pump advocates for the community. The cost for this is approximately \$16,400.

Mr. Malloy also noted that two Board members previously indicated support for funding temporary HR staff out of ARPA funds. This temporary staffing request, which was recommended as part of the organizational assessment, may come back before the Board within the next couple of weeks.

Mr. Malloy explained that there is some concern among local government advocates groups, like the Mass Municipal Association, that if Congress were to change in midterm elections there could be a clawback of remaining ARPA funds. A clawback would occur if the federal government requested any un-used ARPA funds back from the Town. Town staff has continued to bring forth projects to the Board that it feels will support community business and residents in hopes of using much of the ARPA funding, if possible.

Mr. Pato stated that he would like to see ARPA funds considered for improving and monitoring air quality in buildings. He also considered incentives for private facilities, such as restaurants and stores, to consider improving air quality. Finally, he suggested considering fully funding the roof of the Bridge School, as the project is currently scheduled to be done in sections due to supply chain issues and costs.

Ms. Barry stated that she would like to see an item included to use ARPA funds to help fund the Affordable Housing Trust. She noted that the Board may also want to discuss funding to help with hybrid meetings into the future.

Mr. Sandeen echoed his colleagues' comments regarding ARPA funding for affordable housing and also for upgrading and monitoring air quality in buildings. He also noted that he is in support of keeping some ARPA funding available in case there are additional financial impacts to local businesses which need to be addressed.

Mr. Pato stated that he is unsure if funding the Affordable Housing Trust can be considered COVID-related. This is an ongoing issue that the Town needs to address. He would like to use these funds to create programs that have broad impact and provide the support to those who need it most.

Mr. Lucente noted that \$500,000 of this ARPA funding has been put aside for participatory budgeting.

Mr. Malloy noted that all ARPA funds have to be completely obligated by the end of December 2024. There is a short window thereafter by which the funds then need to be fully expended. He stated that the

IT Director's request reads "interactive touchscreens," but a more accurate description of the item is "large format displays for hybrid meeting rooms."

Dawn McKenna, 9 Hancock Street and Chair of the Tourism Committee, noted that one of the direct impacts from COVID was the closing of the Visitor Center and visitor operations of the Town. The Tourism Committee is very concerned that funds lost by both the Visitor Center operations and the Liberty Ride operations have not been replenished. Liberty Ride is still not operating at full strength, and this has had an overall impact on economics for the Town.

VOTE: The Board took a vote on each of the previously reviewed ARPA project requests. Upon motions duly made and seconded, by roll call vote, the following requests for ARPA funds were approved by the Board:

<u>Department</u>	<u>ARPA Funding Request Approved</u>	<u>Cost</u>	<u>Select Board Vote</u>
DPW	Two additional electronic sign boards for communications (\$15-\$20K each)	\$ 43,600	Motion Passed 4-0
Human Services	Bike Racks for East Lexington	\$ 7,200	Motion Passed 4-0
Econ. Dev/DPW	Parklet	\$ 75,000	Motion Passed 3-1
Recreation	Outside Shelters (Cost Increase)	\$ 75,000	Motion Passed 4-0
Recreation	Water Fountain Replacement (Center & Lincoln)	\$ 20,000	Motion Passed 4-0
Human Resources	Temporary Administrative Assistant	\$ 26,609	Motion Passed 4-0
Fire Department	Fire Pumper Overage	\$ 82,882	Motion Passed 4-0
Fire Department	New Hose for Fire Pumper	\$ 18,109	Motion Passed 4-0
Recreation	Basketball Hoops (7)	\$ 10,500	Motion Passed 4-0

VOTE: Upon a motion duly made and second, by roll call vote, the Board voted 2-2 regarding Semiquincentennial Commission's request for ARPA funds for website and promotion, thus the request was not approved.

The Board discussed the other ARPA funding requests that were designated as a hold.

Mr. Sandeen stated that he would like to see a more formal presentation regarding the East Lexington Bike Path landscape improvements project.

Ms. Barry stated that she would like to change her vote to a 'yes' for the IT large format displays for hybrid meeting rooms item, and the temporary HR Administrative Assistant item.

In response to a question from Mr. Sandeen regarding how the temporary Human Resources (HR) Administrative Assistant item is COVID-related, Mr. Malloy explained that this was one of the highest priority Program Improvement Request items which had to be bumped due to the fact that there was a significant drop in hotel/motel revenues due to COVID. Mr. Pato added that the load on the HR department has increased, as employees have been asking more insurance-related issues and needing more direct care provided through that Department.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 voted to approve ARPA funds for the temporary Human Resources Administrative Assistant (\$26,609).

The Board agreed that it would like to see a more formal presentation and hear from neighboring communities regarding the blue bike request.

DOCUMENTS: ARPA Select Board Preferences, ARPA Update

8. Discuss Select Board Meeting Times

The Select Board will discuss meeting start times as of Labor Day on Monday, September 5, 2022. The Select Board meeting starts times were moved from 7:00pm to 6:00pm for the summer months of July and August. The first Select Board meeting after Labor Day is on Tuesday, September 6, 2022.

The Board proposed meeting to start at 6:00pm on September 6, 2022 and at 6:30pm for subsequent regular meetings.

DOCUMENTS: Schedule of Select Board Regular and Work Session Meetings

ADJOURN

Upon a motion duly made and seconded, by roll call, the Select Board voted 4-0 to adjourn the meeting at 8:15pm.

A true record; Attest:
Kristan Patenaude
Recording Secretary

SELECT BOARD MEETING
August 15, 2022

A remote participation meeting of the Lexington Select Board was called to order at 6:02 p.m. on Monday, August 15, 2022 via hybrid meeting services. Ms. Hai, Chair; Mr. Lucente; Vice Chair, Mr. Pato, Ms. Barry, and Mr. Sandeen were present, as well as Mr. Malloy, Town Manager; Ms. Axtell, Deputy Town Manager; and Ms. Katzenback, Executive Clerk.

PUBLIC COMMENTS

None at this time.

SELECT BOARD MEMBER CONCERNS & LIAISON REPORTS

1. Select Board Member Concerns & Liaison Reports

Mr. Sandeen noted that the Federal Government recently passed the Inflation Reduction Act. One of the implications of this Act is that the Solar Investment Tax Credit has been increased from 26% to 30%. The Inflation Reduction Act now allows nonprofits, schools, and municipalities to take a cash payment in lieu of the 30% Tax Credit. This could have important implications for the Town's solar energy projects for the Fire Department, Police Department, and high school projects going forward. It also allows an additional 20% Investment Tax Credit for qualifying low-income residential building projects.

Ms. Hai suggested that the Sustainability and Resilience Officer look into this further.

TOWN MANAGER REPORT

Mr. Malloy stated that WalletHub ranked Lexington as the #4 small city to live in in America. Hobbs Brook Real Estate has submitted their site plan for 95-99 Hayden Street and has a hearing scheduled in a couple of weeks. The Police Station project bids will be opened on Thursday.

CONSENT AGENDA

1. Approve Select Board Meeting Minutes – *This item removed from consent agenda to be rescheduled on a future agenda*

2. Approve One-Day Liquor Licenses

To approve seven One-Day Liquor Licenses for Spectacle Management to serve beer and wine in the lobby of Cary Memorial Building, 1605 Massachusetts Avenue, for the purpose of seven events as follows: Grace Kelly Concert, Saturday, October 8, 2022 from 7:00pm to 11:00pm; Croce Plays Croce Concert, Sunday, October 16, 2022 from 6:00pm to 10:00pm; Nathan Carter Concert, Thursday, November 10, 2022 from 7:00pm to 11:00pm; Livingston Taylor & Tom Chapin Concert, Friday, November 11, 2022 from 7:00pm to 11:00pm; Paula Cole & Sophie B. Hawkins Concert, Saturday, November 12, 2022 from 7:00pm to 11:00pm; Vienna Boys Choir - Christmas in Vienna Concert, Thursday, December 15, 2022 from 6:30pm to 10:30pm; and Kenny G The Miracles Holiday and Hits Tour Concert, Friday, December 16, 2022 from 7:00pm to 11:00pm.

To approve a One-Day Liquor License for Eastern Massachusetts Association of Community Theaters (EMACT) to serve beer and wine in the main and lower lobbies of Cary Memorial Building, 1605 Massachusetts Avenue, for the purpose of their Annual Theater Awards Ceremony and Event on Saturday, August 20, 2022 from 5:00pm to 11:00pm.

3. Select Board Committee Resignation

To accept the resignation of Archana Dayalu from the Sustainable Lexington Committee effective immediately.

DOCUMENTS: ResignationLetter-A.Dayalu

4. Authorize Communications Advisory Committee to Begin Negotiation Process for the Renewal of the Comcast of Massachusetts III, Inc. Cable Television License

To authorize the Communications Advisory Committee to conduct the process of negotiating a renewal Cable Television License with Comcast of Massachusetts III, Inc.

DOCUMENTS: Request for Select Board approval for CAC to negotiate Comcast license renewal

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to approve the Consent Agenda items 2, 3, & 4.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Water and Sewer Abatement Appeal - 40 Arcola Street

John Rossi, Appellant, explained that he has lived in and raised a family in his home for approximately 23 years. He was surprised to examine his water and sewer bill last December and find a \$7,000 adjustment for what was owed in water and sewer. He determined this was because, for the last three years, the water and sewer bills had been estimated. During the time of these bills, he had two water leaks at his home, one in 2020 and one in 2021 which were subsequently repaired. He was disappointed to learn that the abatement is only available for interest only. He finds this to be unfair, especially because many deadlines for things were extended during the pandemic. Also, the billing system is run quarterly, not monthly. He did not think anything of the decreasing water bills that he was receiving, did not know they were only estimates, and did not think they could be due to a leak. He asked the Board to show fairness and compassion in considering his request for appeal.

Vyctoria Walsh, Utility Enterprise Business Manager, explained that bills are billed semi-annually and does not knock on doors when meters are not accessible. Blue postcards are left at properties when this occurs. The Department does not adjust estimated bills anymore as a way to put some responsibility on the customer to contact the Department, if this is the case, and because it is difficult for the Board to determine an abatement amount based on actual usage when estimates have been used for a period of time.

In response to a question from Mr. Lucente, Mr. Rossi stated that he never received any of the blue postcards noting it was possible the cards blew away during inclement weather.

In response to a question from Mr. Sandeen, Mr. Malloy stated that the Town is always open to discussing payment schedules for large bills such as this.

Ms. Hai suggested that the paragraph in the bill which mentions the estimated usage be highlighted in some way to better draw people's attention to it.

Ms. Hai stated that she believes it is important for the Board to be consistent with its decisions. The Board heard a very similar case within the last couple of weeks, and it did not reverse the WSAB decision at that time.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to deny the appeal of Mr. John Rossi, 40 Arcola Street.

DOCUMENTS: 40 Arcola Street - Letter of Appeal to Select Board 2022-07-25, 40 Arcola Street - Appeal Denial, 40 Arcola Additional Information

2. Approve Vision Zero Traffic Safety Plan

Ross Morrow, Assistant Town Engineer, reviewed the Vision Zero Traffic Safety Plan.

Ms. Barry suggested that reference to the Town's sidewalk and pavement indexes be included in this Plan.

Mr. Sandeen suggested including an objective in the Plan that it should be both safe and perceived to be safe to travel on both foot and bike. He would also like to see an objective included that the team interview successful communities, such as Hoboken, New Jersey, which has achieved zero fatalities for four years running, versus communities that have seen crashes or fatalities rise, even in spite of adopting this type of program.

David Kanter, 48 Fifer Lane and Town Meeting Member Precinct 7, stated that he believes there needs to be identification and perspective regarding State-owned roadways in Town, which affect the ability of the Town to dictate anything under Vision Zero on these roads.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to approve the Vision Zero plan, as presented.

DOCUMENTS: Presentation, Action Plan

3. Presentation - Town Organizational Assessment Project Report

Julia Novak, Rebekka Hosken, and Jim Flick, of Raftelis reviewed the Organizational Assessment they performed. Some of the recommendations included in their report are: suggest removing the reference to Assistant Town Manager for the Director of Land Use, Health, & Development, as well as Finance positions, and call them Department Directors that provide supervision for important organizational functions; establish a new position within the Town Manager's Office of Assistant Town to take some of those specific functional roles and provide supervision to them; and restructuring the support functions for both the Select Board and the Town Manager's office, to create opportunities for cross training and improving efficiency and daily operations.

Ms. Hosken stated that, regarding Human Resources(HR) in Town, it was noted that the Town HR was largely decentralized. There is a low level of HR support being provided to departments right now, as the Town HR staff are really focused on processing benefits for both the Town and school staff, or approximately 1,500 employees. There is insufficient staffing to address strategic Town priorities and HR needs. The recommendation is to take a part time HR Municipal Assistant and make that person full time, and then to add some limited-term HR staff to provide additional capacity. A second recommendation is to reorient the Town's HR Department to focus on strategic priorities.

Ms. Hosken stated that, regarding the Public Health Department, the recommendation is to move this department outside of the Land Use, Health, & Development Department into its own department, and to have its Director report directly to the Town Manager. The recommendation for the Transportation Department includes three different options: to simply clarify the duties of the department, to create a standalone Transportation Division within the Land Use, Health, & Development Department and combine all staff in one location, or to leave the Transportation staff where they are currently located but have them report to the Transportation Division in the Land Use, Health, & Development Department. Another recommendation is to rename the Land Use, Health, & Development Department to a Community Development Department.

Mr. Flick explained that, regarding the Facilities Department, one recommendation is to make Facilities responsible for the interior and exterior of the physical structures in Town, and then assign Public Works to be responsible for all the grounds maintenance, including mowing, landscaping, snow removal, and paving activities. This would include both Town and school facilities. The Facilities Department would also manage the construction of any new structures and partnering with applicable stakeholder departments in the planning process. It is also recommended that the Town Manager become the sole direct supervisor for the Facilities Director, and that a formal service agreement be drafted for facilities maintenance at the schools.

Mr. Flick stated that a recommendation is for the Town to create one housing position to focus directly on housing issues. This position could be added within the next two to three years. Regarding the Information Technology (IT) Department, a recommendation was made to retitle the Information Technology Director to Assistant Director for Technology Infrastructure. Another recommendation is to eliminate the position of Webmaster and the function be reassigned under the Public Information Officer in the Town Manager's Office. The Municipal Assistant should also report directly to the Department Director.

Regarding the Finance Department, Mr. Flick explained that recommendations included amending the Town bylaws to delete Special Act Chapter 777, which would eliminate the use of the Comptroller title. The position would then be retitled as Finance Director. Also finding additional ways to automate the Town's payroll process.

Ms. Novak explained that one recommendation made was to streamline the number of boards and committees that exist in Town. An additional recommendation was to identify staff people for specific committees. Finally, a recommendation for formal onboarding for new board and committee members.

Mr. Malloy stated that he will draft an implementation plan which will first be shared with the senior managers, before being brought back before the Board for a larger discussion.

Mr. Pato stated that he would like to make sure both the boards/committees in Town and the Town operations themselves are meeting the Town's needs. He is more interest in the direction of these groups than the exact titles or numbers that exist.

Ms. Barry stated that she is not in favor of combining the Select Board's Office with the Town Manager's Office. She stated that this report seems Town Office Building focused and asked if the scope of work included an organizational assessment across all Town departments. Ms. Novak stated that the report was a high-level assessment focused on structure.

Ms. Barry stated that she is confused with the mentions of removing and adding titles throughout the report. She stated that, while she agrees there needs to be an assessment as to the number of boards/committees in Town, there also needs to be great caution taken not to offend any volunteers of the Town.

In response to a question from Ms. Hai, Mr. Malloy explained that the original Request for Proposal was to do an organizational assessment of the structure of the Town government, and where there could be efficiencies gained and better adjacencies. There are likely still funds left from the original appropriation in case further refinement or expansion of the project is desired.

Mr. Sandeen agreed with Mr. Pato and Ms. Barry on the keeping Select Board office staff independent. Mr. Sandeen stated that he was also expecting that this report would include recommendations on an operational assessment of how the Town can be more effective in providing services, and also how the Town can be more effective in providing clarity to residents on where those services are provided. Mr. Sandeen also agreed that we have extraordinary citizens who are willing to make valuable contributions to the Town, and

we should be embracing that resource, not pushing it away. He agreed with the recommendations on the proposed reorganization of the Health Department and Transportation roles. He does not support the recommendation to hire an assistant town manager to manage Sustainability, DEI and Communications, instead believing that those roles should be integrated with senior staff. He was hoping this report would have provided recommendations on how the decision making culture of the organization might be more effective in the future. Ms. Hai stated that titles do have an important role to play in retention and recruiting. She was unsettled with the report focusing on staff not answering phones in the office, versus a reflection of the valuable work that staff is completing.

Mr. Malloy stated he would bring to the Board at a future meeting his proposal for an implementation plan for further discussion.

DOCUMENTS: Raftelis Report Presentation

4. Noise Bylaw Special Permit Amendment Request - Night Work for Water Main Replacement on Lowell Street

Ms. Hai explained that, due to unforeseen utility conflicts, the contractor was delayed in the work towards installing 24" water main to the intersection of Woburn Street and Lowell Street. The applicant respectfully requests an amendment of the dates from the weeks of August 8th and August 15th to now be the weeks of August 22, 2022 and August 29, 2022, Monday through Friday from 7:00pm to 5:00am (4 nights each week) on the Noise Bylaw Special Permit, which was originally approved at the July 25, 2022 for nighttime work on the Water Main Replacement Project at the intersection of the Lowell and Woburn Streets in Lexington.

VOTE: Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to amend dates on the Noise Bylaw Special Permit for evening work to be conducted from 7:00pm to 5:00am for four nights Monday through Friday, for the each of the weeks of August 22, 2022 and August 29, 2022 with notification to all abutters by mail and by hand required before commencement of the night work for the Town of Burlington's water main replacement project at the intersection of the Lowell and Woburn Streets in Lexington.

DOCUMENTS: Request Letter to amend permit

5. Discuss Potential Special Town Meeting regarding Remote or In-Person Participation and Potential Schedule

Ms. Axtell reviewed the following draft schedule if a Special Town Meeting were to be held in early November:

- 9/12/22 - Select Board would call a Special Town Meeting
- 9/23/22 - Citizen petitions would be due.
- 9/19/22 - Draft warrant would be shared at the Select Board meeting.
- 10/3/22 - Final warrant presented and signed by Select Board on this evening.
- 10/4/22 - Warrant would need to be sent to the printer
- 11/1/22 - Proposed first day of potential Special Town meeting.

The Board discussed the possibility of holding the Special Town meeting in a hybrid fashion. It was also noted that potential articles should be of time-sensitive nature when being requested for inclusion in a Special Town Meeting.

ADJOURN

Upon a motion duly made and seconded, by roll call, the Select Board voted 5-0 to adjourn the meeting at 8:04 p.m.

A true record; Attest:
Kristan Patenaude
Recording Secretary

DRAFT

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Lowering the Battle Green Flag on September 11, 2022

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.4

SUMMARY:

The Battle Green Flag has annually been lowered on September 11th for the anniversary of the 9/11 attack on the United States and in memory of all those who lost their lives.

SUGGESTED MOTION:

To lower the Battle Green Flag on Sunday, September 11, 2022, the anniversary of the 9/11 attack on the United States and in memory of all those who lost their lives.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Dissolve Ad Hoc Grain Mill Alley Steering Committee

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.5

SUMMARY:

The Select Board is being asked to approve the dissolution of the Ad Hoc Grain Mill Alley Steering Committee. The Committee's final recommendations were submitted to the Board of Selectmen at the end of 2015 and the "Grain Mill Alley Improvements" were included in the FY2017 Capital Project requests. In March of 2016, the Board of Selectmen voted unanimously to narrow the request to the bicycle path and just propose one part of the Grain Mill Alley project at Town Meeting. On April 25, 2016, the Annual Town Meeting Warrant Article 8o: Appropriate the FY2017 Community Preservation Committee Operating Budget and CPA Projects - Grain Mill Alley Design Improvements was adopted by Town Meeting. No further work has been done on the Committee as the criteria of the charge has been met. The Committee has not met since 2016. The Grain Mill Alley Bike Node project is currently underway with an anticipated completion in the spring of 2023.

SUGGESTED MOTION:

To dissolve the Ad Hoc Grain Mill Alley Steering Committee.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description	Type
 Ad Hoc Grain Mill Alley Steering Committee Charge	Backup Material

AD HOC GRAIN MILL ALLEY STEERING COMMITTEE

Members:	Seven
Appointed by:	Members and Chair Appointed by Board of Selectmen
Length of Term:	Work Completed within One Year
Staff:	Economic Development Director
Liaisons:	Selectmen, Historic Districts Commission, Bank of America and Office Condo Association

Description. The Ad hoc Grain Mill Alley Steering Committee (GMASC) shall work to develop a conceptual design, supported by the abutting property owners, which enhances the alley's aesthetic, offers new utility, and improves the safe passage of pedestrians between the bikeway and the Center's retail corridor. To that end, the Committee shall work with the property owners at 1761 and 1775 Mass Avenue and the Historic Districts Commission (liaisons to the Committee) to develop an agreed upon concept design and make a final recommendation to the Board of Selectmen, preferably by November 2015 such that final design and construction funding can be included in the FY17 capital budget request.

The Grain Mill Alley Steering Committee will:

- Present to and incorporate recommendations from the Historic Districts Commission.
- Decide on a final landscape design recommendation for that area that addresses the three sections of the alley: 1) the intersection at the bikeway, 2) the area between the two buildings, and 3) public right of way at Mass Avenue (in consultation with the DPW/Center Streetscape project).
- Support installment of temporary street furniture, objects, and/or lighting to gauge the use before and after the installation and inform the final recommendation.

Criteria for Membership. Members shall include:

1. Center Committee
2. Planning Board Member
3. Design Advisory Committee
4. Arts Community
5. Youth of the Community
6. Tourism/Visitor Community

Prior to serving as a member of this Committee, appointees 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 by 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.

Ref: Charge adopted by the Board of Selectmen on May 11, 2015.
Board of Selectmen voted to designate as Special Municipal Employees on May 18, 2015.

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve and Sign Proclamations

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.6

SUMMARY:

Sustainable Food Systems Day:

Maggie Peard, Sustainability Director, is requesting that the Select Board approve and sign a proclamation declaring September 20, 2022 as Sustainable Food Systems Day. The proclamation request was timed to coincide with Sustainability Day at the Lexington Farmers' Market. The proclamation was formally known as "Local Food Day" and recognized on the first Tuesday in October. It was originally requested and approved as Local Food Day in 2021.

Childhood Cancer Awareness Month:

Kids Cancer Connection, Inc. is requesting that the Select Board approve and sign a proclamation recognizing the month of September 2022 as Childhood Cancer Awareness Month. The proclamation was originally requested and approved in 2015.

Suicide Prevention Month:

The Lexington Human Services Department is requesting that the Select Board approve and sign a proclamation annually recognizing the month of September as Suicide Prevention Month. This is an annual request since 2021.

SUGGESTED MOTION:

To approve and sign a proclamation recognizing September 20, 2022 as Sustainable Food Systems Day.

To approve and sign a proclamation recognizing the month of September 2022 as Childhood Cancer Awareness Month in the Town of Lexington.

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

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	2022 Sustainable Food Systems Day Proclamation	Backup Material
<input type="checkbox"/>	2022 Childhood Cancer Awareness Month Proclamation	Backup Material
<input type="checkbox"/>	2022 Suicide Prevention Month Proclamation	Backup Material



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** consumers are encouraged to, whenever possible, purchase fruits, vegetables, grains, meats, beverages, and all products made from them that are raised, value added, and consumed in Massachusetts; and
- Whereas:** nutritious food along with clean air and water are the necessities of life and all who work in agriculture and a sustainable food system play an essential role in stewarding these precious resources; and
- Whereas:** local food outlets and producers in Lexington, including but not limited to the Lexington Farmers' Market and the Lexington Community Farm help to build a strong sustainable local food system and serve as public and community gathering places; and
- Whereas:** food waste collection and composting initiatives are essential to a sustainable and regenerative food system, and are imperative to reducing waste and its associated greenhouse gas emissions; and
- Whereas:** Lexington Public Schools are encouraged to source foods from local farmers and food producers, for the long-term health, sustainability, and economic growth of the Lexington community for future generations; and
- Whereas:** the Lexington Farmers' Market farmers and food producers, Town composting providers, and localized energy programs contribute to the vitality of Lexington's natural ecosystems, economic resilience, and community health; and play a critical part in combating the effects of climate change.

NOW, THEREFORE, WE, THE SELECT BOARD of the Town of Lexington, Massachusetts, do hereby proclaim September 20, 2022 as

Sustainable Food Systems Day

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 6th of September 2022.

JILL I. HAI, CHAIR

JOSEPH N. PATO

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

MARK D. SANDEEN



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** families, caregivers, charities and research groups across the United States observe September as Childhood Cancer Awareness Month; and
- Whereas:** the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 16,000 of our country's young people each and every year; and
- Whereas:** one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and
- Whereas:** founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and
- Whereas:** the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Boston Children's Hospital, UMass Memorial Medical Center in Worcester, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and
- Whereas:** the American Cancer Fund for Children and Kids Cancer Connection also sponsor toy distributions, Laughternoon - Laughter is Healing, positive appearance programs, pet-assisted therapy, KCC Supercar Experience, educational programs and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW, THEREFORE, WE THE SELECT BOARD of the Town of Lexington, Massachusetts, hereby declare September 2022 as

Childhood Cancer Awareness Month

and urge all our citizens to remember the young lives taken too soon, stand with the families facing childhood cancer today, and rededicate ourselves to combating this terrible illness.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 6th of September 2022.

JILL I. HAI, CHAIR

JOSEPH N. PATO

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

MARK D. SANDEEN



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

PROCLAMATION

- Whereas:** September is known globally as Suicide Prevention Month and throughout the month mental health advocates, prevention organizations, survivors, allies, and community members unite to promote suicide prevention awareness; and
- Whereas:** National Suicide Prevention Week is held the Monday through Sunday surrounding World Suicide Prevention Day which is observed on September 10 and overall, these observances are intended to promote awareness, and highlight resources available in our communities and share stories; and
- Whereas:** the simple goals are to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and
- Whereas:** suicide can affect anyone regardless of age, ability, gender, race, sexual orientation, income level, religion or background; and it is overall the 10th leading cause of death in the United States and the second leading cause of death for people ages 10-34; and
- Whereas:** people in the United States die by suicide at a rate of about one death every 11 minutes resulting in more than 48,000 deaths by suicide each year; and
- Whereas:** suicide is preventable and we all have a role to play in order to save lives and create healthy and strong individuals, families, and communities; and
- Whereas:** many factors can increase the risk for suicide. For example, people who have experienced violence, including child abuse, bullying, and/or sexual violence, are at a higher risk of suicide. Youth who are lesbian, gay, or bisexual also have higher rates of suicidal ideation and behavior compared to their peers who identify as straight; and
- Whereas:** we encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors during this month and to genuinely convey their appreciation for their existence by any gesture they deem appropriate.

NOW, THEREFORE, WE, THE SELECT BOARD of the Town of Lexington, Massachusetts, do hereby proclaim the month of September to be annually recognized as

Suicide Prevention Month

in the Town of Lexington as we work together to save lives in our community.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 6th of September 2022.

JILL I. HAI, CHAIR

JOSEPH N. PATO

SUZANNE E. BARRY

DOUGLAS M. LUCENTE

MARK D. SANDEEN

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Recommended Parking Regulations - One-Hour Parking Spaces in Front of 93-97 Massachusetts Avenue

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.7

SUMMARY:

Action Required

The business owner has requested to modify three unmarked parking spaces in front of their business to one-hour parking limits.

- The Traffic Safety Group has reviewed and is recommending the change.
- The recommended change will ensure parking for the businesses at 93-97 Massachusetts Avenue.

SUGGESTED MOTION:

To modify the Lexington Traffic Rules and Orders, Chapter 192-18 Schedule 1 - Parking Locations and Prohibitions to alter the three unmarked parking spaces adjacent to 93-97 Massachusetts Avenue to be limited to one-hour parking.

Move to approve the consent.

FOLLOW-UP:

Planning Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

ATTACHMENTS:

Description	Type
 TSC Request to Amend Parking Regulations	Backup Material



TOWN OF LEXINGTON

TRANSPORTATION SAFETY GROUP

1625 Massachusetts Avenue
Lexington, Massachusetts 02420
781-698-4560

<https://www.lexingtonma.gov/transportation-safety-group>

Contact: Sheila Page
Assistant Planning
Director

spage@lexingtonma.gov

Date: September 1, 2022

To: Jim Malloy; Town Manager

Cc: Kim Katzenback, Executive Clerk Select Board
Carol Kowalski, Assistant Town Manager for Land Use Health and Development
Michael McLean, Chief of Police
David Pinsonneault, Department of Public Works Director

Fr: Transportation Safety Group - Sheila Page, Assistant Planning Director

**RE: Recommended Parking Regulation Amendment
One-hour parking in front of 93-97 Mass Avenue**

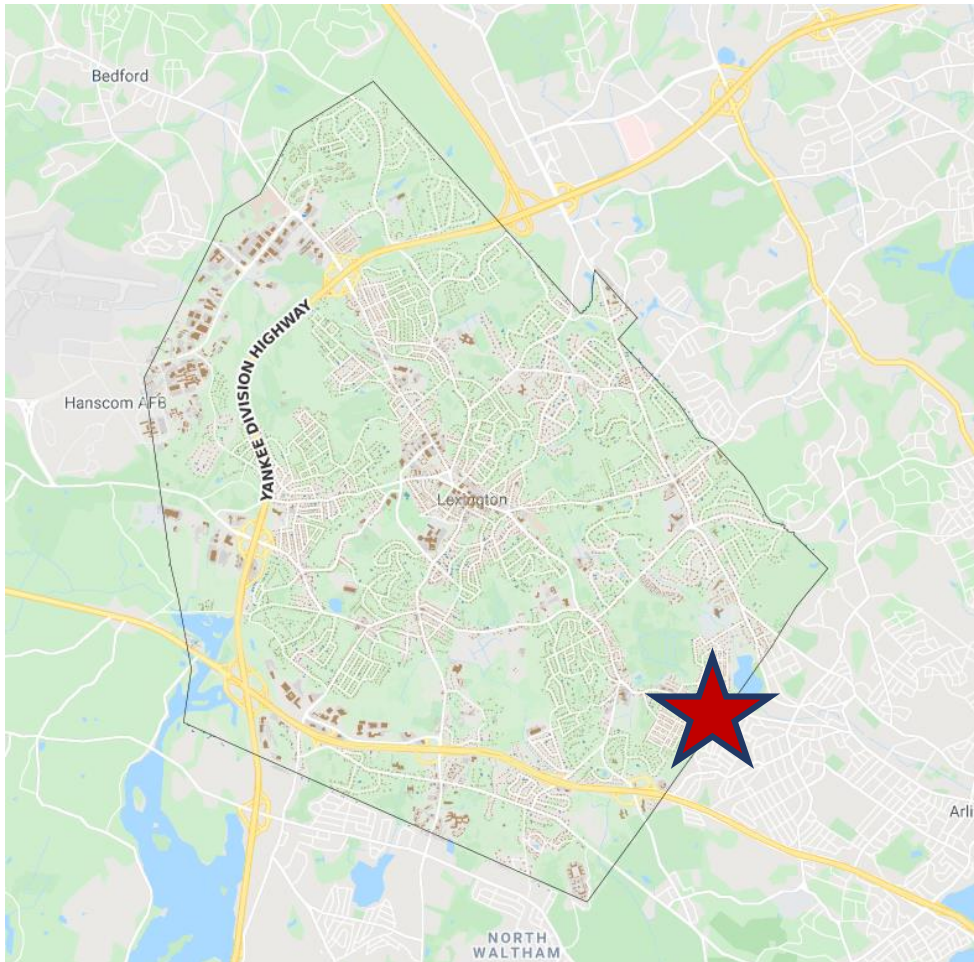
In response to a business owner's request TSG recommends that the Select Board amend the *Traffic Rules and Orders Chapter 192-18 Schedule 1 Parking Locations and Prohibitions* to change three un-marked parking spaces to one-hour parking spaces in front of 93-97 Massachusetts Avenue.

The restricted parking will ensure convenient parking spaces for the businesses at 93-97 Massachusetts Avenue. There is ample available parking nearby to serve the needs of the neighborhood and MBTA bus riders.

TSG asks that this recommendation be included in an upcoming meeting.

Transportation Safety Group

Parking Code Amendment Recommendation



Proposed One Hour Parking:
3 existing un-marked parking spots
in front of 93-97 Massachusetts Avenue –
a small commercial building



Bow Street

MBTA Bus Stop

93-97 Mass Ave

Proposed:
3 One-Hour
parking spaces

Massachusetts Avenue

Taft Avenue

VOTED: 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 AS FOLLOWS:

BY ADDING TO CHAPTER 192-18 SCHEDULE 1 THE FOLLOWING

LOCATION	SIDE	FROM	TO	REGULATION
Massachusetts Avenue	North	109 Massachusetts Avenue	Approximately 75 feet south to the driveway of 93 Massachusetts Avenue	ONE HOUR PARKING

DATE OF PASSAGE

SELECT

BOARD

ATTEST TOWN CLERK

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Approve Theater License Renewals

PRESENTER:

Jill Hai, Select Board Chair

ITEM NUMBER:

C.8

SUMMARY:

Lexington Theatre Project, Inc. d/b/a Lexington Venue, 1794 Massachusetts Avenue, has submitted an application, and all necessary documents, to renew two Theater Licenses for the purpose of showing movies in Cinemas 1 and 2. Their current licenses expire on September 1, 2022.

The Fire Safety inspection was completed and passed on April 22, 2022. A Certificate of Inspection was issued in June 24, 2022 by the Building Inspector. The Zoning Administrator did not have any concerns.

SUGGESTED MOTION:

To approve the application and issue two Theater Licenses to Lexington Theatre Project, Inc. d/b/a Lexington Venue, 1794 Massachusetts Avenue, for Cinema 1 and Cinema 2 to show movies from September 1, 2022 through September 1, 2023.

Move to approve the consent.

FOLLOW-UP:

Select Board Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Water and Sewer Abatement Appeal - 12 Curve Street

PRESENTER:

Todd Cataldo, Appellant

ITEM NUMBER:

I.1

SUMMARY:

The Board is being asked by Mr. Todd Cataldo to consider his appeal to the Select Board regarding the decisions of the Water and Sewer Abatement Board related to 12 Curve Street.

WSAB Background:

An appeal to the WSAB application was submitted in May for their 6/16/22 meeting and was denied by the Water Sewer Abatement Board for lack of leak proof. This is a rental property and the homeowner said he questioned the tenants about their usage and they insisted they had no leaks. The meter was retrofitted in January and has never displayed a leak, the property owner was informed him that this influx in usage must have occurred between the fall reading date (9/13/2021) and the date of the retrofit (1/14/22). The reading as of today indicated 21 CCF of usage since the spring bill (back to normal). The homeowner did mention that when he confronted the tenants, he said he felt like they were hiding something when they said they had no issues. This application was denied as there was no explanation for the increased usage.

It is the recommendation of the the Water and Sewer Department to the Select Board to uphold the decision of the Water and Sewer Abatement Board.

SUGGESTED MOTION:

Move to uphold the June 16, 2022 and July 14, 2022 decisions of the Water and Sewer Abatement Board to deny the appeal of 12 Curve Street.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

5:10pm

ATTACHMENTS:

Description	Type
📎 Request from T. Cataldo for appealto Select Board - 12 curve street regarding WSAB decision	Backup Material
📎 12 Curve Street Denial	Backup Material
📎 2022.07.14 WSAB Appeal Denial Letter - 12 Curve Street	Backup Material
📎 12 Curve Street Calculations	Backup Material

From: [Thomas Cataldo](#)
To: [Select Board](#)
Subject: 12 curve street water abatement
Date: Monday, August 1, 2022 3:14:41 PM

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

All- I would like to have a hearing about the water bill at 12 Curve Street. My last bill with a read date of 3/15/22 had an abnormally high usage of approximately 120 HCF which is approximately 90 HCF more than usual. I questioned my tenant to see if they had any leaks, a running toilet or any outside usage and they said no. This is a small 3 bedroom house with 2 occupants. I believe that when the meter was retrofitted on 1/14/22 something happened with the reading as there supposedly was 100 HCF used from 9/13/21 thru 1/14/22. The WASB denial was on 6/16/22 and the appeal to the WASB was on 7/14/22.

Thank you-

Todd Cataldo

no leak proof

Town of Lexington Department of Public Works
Water/Sewer Division
Samuel Hadley Public Services Building
201 Bedford Street
Lexington, MA 02420



APPLICATION FOR ABATEMENT

APPLICANT INFORMATION

NAME(S): MIRZ A COKE LLC - TODD CHAMLOO Manager
MAILING ADDRESS: PO BOX 7 LEXINGTON, MA 02420
TELEPHONE: [REDACTED]
E-MAIL: [REDACTED]

SERVICE LOCATION INFORMATION

ACCOUNT #: [REDACTED]
ADDRESS: 12 CUMY ST

DISPUTED BILL INFORMATION

BILL #: 1030748 BILL DATE: 4-20-22 AMOUNT: 2,685.20

REASON(S) FOR WHICH ABATEMENT IS REQUESTED: (please attach any supporting documentation)

WATER USAGE WAS ABNORMALLY HIGH WITH NO EVIDENCE OF ANY LEAKS OR WATER LEFT RUNNING. THE PREVIOUS 10 BILLS RANGED FROM 24 TO 35 WITH AN AVERAGE OF 29.5, ON 1-14-22 THE METER WAS CHANGED/MODIFIED. THE USAGE SINCE THIS DATE WAS NORMAL. I AM NOT SURE IF THIS CHANGE CONTRIBUTED TO THIS ABNORMAL BILL.

PLEASE CAREFULLY READ AND CHECK OFF THAT YOU ACKNOWLEDGE THE FOLLOWING

- ☒ I UNDERSTAND THAT THIS APPLICATION MUST BE TURNED IN WITHIN 30 DAYS OF THE BILL ISSUANCE DATE OF MY BILL IN DISPUTE OR MY APPLICATION WILL BE DENIED
- ☒ I UNDERSTAND THAT A GOOD FAITH PAYMENT EQUALLING THE SAME AMOUNT AS MY PRIOR BILL FROM THE CURRENT CYCLE MUST BE MADE ON THE BILL IN DISPUTE BEFORE I TURN IN THIS APPLICATION OR MY APPLICATION WILL BE DENIED
- ☒ I UNDERSTAND THAT THERE CANNOT BE ANY OUTSTANDING BALANCES PRIOR TO MY BILL IN DISPUTE ON MY UTILITY ACCOUNT BEFORE I TURN IN THIS APPLICATION OR MY APPLICATION WILL BE DENIED
- ☒ I UNDERSTAND THAT IF THE FINDINGS OF THE WSAB DETERMINE MY PIPES/PLUMBING/METER EQUIPMENT WERE NOT PROPERLY MAINTAINED MY APPLICATION WILL BE DENIED
- ☒ I UNDERSTAND THAT IF I HAD A LEAK, I MUST PROVIDE A COPY OF A RECEIPT/PLUMBER'S INVOICE SHOWING THAT I HAVE FIXED THE ISSUE OR MY APPLICATION WILL BE DENIED

SIGN: [Signature] DATE: 5-15-22

FOR OFFICE USE ONLY

DATE SUBMITTED: 5/25/22 ///WITHIN 30 DAYS: ☒ YES ☐ NO ///PAYMENT AMT: _____
INITIAL: VW WSAB MEETING DATE: 6/16/22

Town of Lexington Department of Public Works
Water/Sewer Division
Samuel Hadley Public Services Building
201 Bedford Street
Lexington, MA 02420



JULY 14, 2022

MIRZ A. COKE LLC
PO BOX 7
LEXINGTON, MA 02420

RE: Location: 12 CURVE STREET
Acct #: [REDACTED]
Bill #: 1030748

**PLEASE READ THIS LETTER CAREFULLY FOR THE DETAILS ON THE
REMAINING PROCEDURES FOR YOUR ABATEMENT**

Dear Customer,

A request for an abatement was presented to the Town of Lexington Water and Sewer Abatement Board (WSAB) on JULY 14, 2022. The WSAB will recommend to the Select Board that the abatement below be made to your account:

Abatement: INTEREST ONLY
PER WSAB POLICIES, NO PROOF OF LEAK WAS SUBMITTED

If you disagree with the Board's recommendation, you may exercise your right to appear before the Abatement Board at its next meeting to appeal its recommendation. **You have already exercised your right to dispute this decision to the WSAB. Should you wish to contest this decision further with the Select Board, you must contact them on your own accord.**

After the 14 days and upon approval by the Select Board at their subsequent meeting, you will be notified of its action. At that time, an adjustment in the amount of the abatement shown above will be applied to your account. Any penalty interest that may have accrued on the bill in question will be waived and you will be given 30 days to pay any balance due.

If you would like more information regarding the basis upon which the Water and Sewer Abatement Board's recommendation was made, please contact me at 781-274-8370 or via email at vwalsh@lexingtonma.gov. Please be advised my office hours are Monday, Tuesday, Thursday, and Friday 7:00AM to 3:30PM – email is the preferred form of contact.

Sincerely yours,

Vyctoria Walsh

Utility Billing & Meter Operations Manager
Water/Sewer Enterprise
vwalsh@lexingtonma.gov
781-274-8370

Account #

12 CURVE STREET

WSAB Meeting

Adjustment Request: \$

(1,640.64)

CUSTOMER DID NOT PROVIDE ANY PROOF OF LEAK OR PROBLEM AT THE PROPERTY. ABATEMENT WAS DENIED.

												Revised Bill			Adjustment		
READ TYPE	READ DATE	BILL #	CURRENT READ	USAGE	REPL USAGE	WATER CHARGE	SEWER CHARGE	BILL TOTAL	BILL CYCLE DAYS	AVG DAILY USAGE	Usage	Water Charge	Sewer Charge	Total Charge	Water Charge	Sewer Charge	Total Charge
A	3/15/2022	1030748	416	120	0	\$ 850.80	\$ 1,834.40	\$ 2,685.20	183	0.656	32	\$ 453.84	\$ 590.72	\$ 1,044.56	\$ (396.96)	\$ (1,243.68)	\$ (1,640.64)
A	9/13/2021	1015556	296	24	0	\$ 114.00	\$ 210.48	\$ 324.48	175	0.137							
A	3/22/2021	1000026	272	32	0	\$ 140.80	\$ 266.88	\$ 407.68	195	0.164							
A	9/8/2020	979752	240	31	0	\$ 136.40	\$ 258.54	\$ 394.94	166	0.187							
A	3/26/2020	959847	209	35	0	\$ 143.50	\$ 285.25	\$ 428.75	198	0.177							
A	9/10/2019	944876	174	34	0	\$ 139.40	\$ 277.10	\$ 416.50	174	0.195							
A	3/20/2019	929824	140	29	0	\$ 114.84	\$ 216.34	\$ 331.18	197	0.147							
A	9/4/2018	915076	111	28	0	\$ 110.88	\$ 208.88	\$ 319.76	160	0.175							
A	3/28/2018	900068	83	28	0	\$ 108.92	\$ 192.08	\$ 301.00	195	0.144							
A	9/14/2017	885329	55	29	0	\$ 112.81	\$ 198.94	\$ 311.75	178	0.163							
A	3/20/2017	870532	26	25	0	\$ 94.00	\$ 171.00	\$ 265.00	N/A	N/A							
												\$ 453.84	\$ 590.72	\$ 1,044.56	\$ (396.96)	\$ (1,243.68)	\$ (1,640.64)

AVERAGE USAGE LAST THREE CYCLES: 32

FY 2022 Bill # 1030748									
Tier	Water			Sewer			GrandTotal		
	Usage	Rate	Total	Usage	Rate	Total			
	0-40	32	\$ 4.75 \$ 152.00	32	\$ 8.34 \$ 266.88				
	41-80	0	\$ 7.12 \$ -	0	\$ 13.61 \$ -				
>80	0	\$ 9.40 \$ -		0	\$ 21.64 \$ -				
Subtotal	32	\$ 152.00		32	\$ 266.88		\$ 418.88	\$ 1,044.56	
Wholesale	88	\$ 3.43	\$ 301.84	88	\$ 3.68	\$ 323.84	\$ 625.68		
Total	120	\$ 453.84		120	\$ 590.72		\$ 1,044.56		

<u>SVC CODE</u>	<u>MTR TYPE/#</u>	<u>READ TYPE</u>	<u>READ DATE</u>	<u>BILL #</u>	<u>CURRENT READ</u>	<u>USAGE</u>
100 - 1 WATER	SENS72704905	A	3/15/2022	1E+06	416	120
100 - 1 WATER	SENS72704905	A	9/13/2021	1E+06	296	24
100 - 1 WATER	SENS72704905	A	3/22/2021	1E+06	272	32
100 - 1 WATER	SENS72704905	A	9/8/2020	979752	240	31
100 - 1 WATER	SENS72704905	A	3/26/2020	959847	209	35
100 - 1 WATER	SENS72704905	A	9/10/2019	944876	174	34
100 - 1 WATER	SENS72704905	A	3/20/2019	929824	140	29
100 - 1 WATER	SENS72704905	A	9/4/2018	915076	111	28
100 - 1 WATER	SENS72704905	A	3/28/2018	900068	83	28
100 - 1 WATER	SENS72704905	A	9/14/2017	885329	55	29
100 - 1 WATER	SENS72704905	A	3/20/2017	870532	26	25
100 - 1 WATER	SENS72704905	A	9/12/2016	856027	1	1
100 - 1 WATER	SENS72704905	A	3/10/2016	841377	0	0
100 - 1 WATER	I	2/11/2016	1/0/1900	1,098	0	0

<u>REPL USAGE</u>	<u>WATER CHARGE</u>	<u>BILL TOTAL</u>
0	850.80	2,685.20
0	114	324.48
0	140.8	407.68
0	136.4	394.94
0	143.5	428.75
0	139.4	416.50
0	114.84	331.18
0	110.88	319.76
0	108.92	301
0	112.81	311.75
0	94	265
0	3.76	10.6
0	0	
0	0	

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Presentation - Lexington Housing Assistance Board's (LexHAB) Recommendation to Transfer to an Independent, Not-For-Profit 501c3 Organization

PRESENTER:

Sarah Morrison, Executive Director of
LexHAB

ITEM NUMBER:

I.2

SUMMARY:

LexHAB has been studying becoming a non profit organization, there are a number of steps that needed to be taken before this can occur.

- Presentation/update to the Select Board is attached.
- Proposed changes to their Special Act is attached.
- Town Counsel has been asked to attend to respond to any questions the Board may have.

The process will require Town Meeting approval, a Home Rule Petition for a Special Act as well as filings with the IRS and others to establish a 501(c)(3) non profit.

SUGGESTED MOTION:

No action required at this time, this is a presentation with future action required.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

5:20pm

ATTACHMENTS:

Description	Type
<input type="checkbox"/> LexHab Presentation - change to 502c3 Oranization	Presentation



Proposed changes to discuss for Special Act

Backup Material



Assessment of Transition to 501c3 Organization

Sarah Morrison, LCSW
Executive Director, LexHAB



- Founded in 1983, chartered by the Town to address growing concern about housing affordability
- 78 units throughout the town house 212 people
- Inventory includes one, two, three, and four bedroom units
- 3 part-time staff
- 9 board members
- Run by a volunteer board for all but 2 years of its existence
- New Executive Director is MSW with 20 + years experience community organizing, non-profit management, homelessness and affordable housing sectors

Affordable Housing Trust Committee Charge

Objective B:

Analyze and evaluate the costs and opportunities, benefits and risks of creating a non-profit, non-governmental Housing Development Corporation or Community Development Corporation or other entity as described above, including a recommendation on whether such non-profit corporation would help Lexington produce affordable housing more quickly, efficiently and economically than is currently being produced by the Town or by private developers, and whether a non-profit Housing Development Corporation or non-profit Community Development Corporation or other entity as described above would ultimately replace some or all of LexHab's duties, including affordable housing development duties. The committee may also recommend suggested initial staffing, operating budget, and annual fundraising plan. Draft for the corporation's consideration the organization's draft bylaws and articles of organization

A large orange circle occupies the left side of the slide, partially cut off by the edge.

More efficient housing production

- As a 501c3 LexHAB could produce affordable housing more quickly, efficiently and economically than is currently being produced



Development Costs Increased Significantly Due to Public Procurement

Fairview built privately 2017

- 3 units in one building and renovation of 1 house
- Stick build
- Construction \$1,125,000
- Cost/unit \$385,000

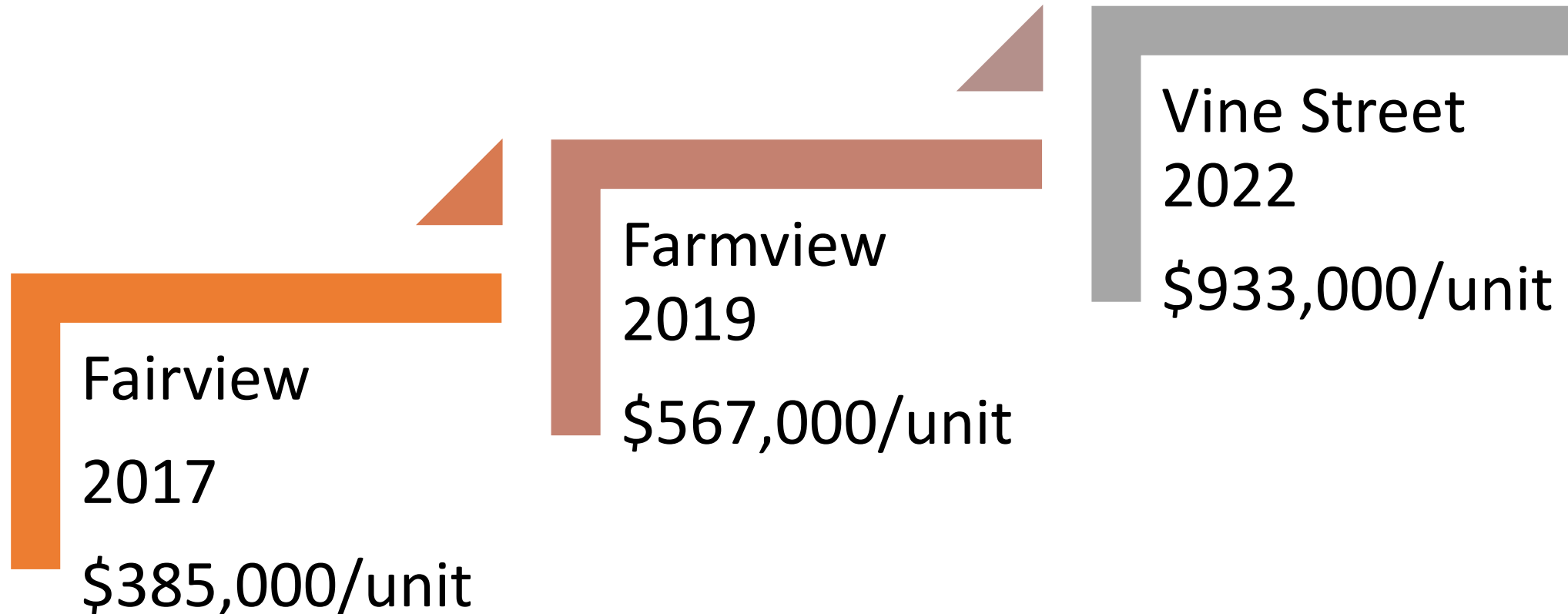


Farmview built with public bidding 2019

- 6 units in two buildings
- Modular build
- Construction \$3,400,000
- Cost/unit \$567,000



Unsustainable Development Costs



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More Robust Funding Opportunities

- As a 501c3 LexHAB would be in a better position for fundraising from individuals, foundations, and accessing state and federal funds because of clear tax-exempt status and clear division from Town



Impact on Fundraising and Donated Goods

Quasi-municipal

- Donations 'may be tax deductible-check with your accountant'
- Development funded by CPA, Town funds

Independent 501c3

- Donations clearly tax deductible
- Diversified funding streams for development: local, state, federal, private
- Option to become CDC and access CITC revenue
- Eligible for partnering with larger developers without the constraints of municipal finance, real estate and procurement law



Pros and Cons of Transition

As a 501c3, LexHAB's development costs would decrease 10-40%

As a 501c3, LexHAB would have a clear organizational status for fundraising and partnering with larger developers

As a 501c3, LexHAB would pay more for property insurance

As a 501c3, LexHAB would need to acquire Director and Officer's insurance

Recommended Path to 501c3 and Timeline

Request Select Board
Consider Warrant
Article in Special Fall
Town Meeting

Redraft the Special Act
that created LexHAB

Warrant Article
Special Fall Town
Meeting

File Home Rule Petition
in State Legislature by
3rd week of January
2023 to be considered
'timely file'

Create MOU
Outlining Affordability
Housing Restrictions
and other details

A Tale of Two Towns: Different Pathways to Affordable Housing

Lexington



- 1983 LexHAB chartered by Town of Lexington
- Quasi-municipal organization
- 3 part-time staff
- Self-Managed Property
- 78 units
- 6 units ready for bidding on hold due to high cost of public procurement
- Local and private funds

Arlington



- 1986 HCA founded by group of residents
- Non-profit 501c3 CDC
- 4 full-time, 1 part-time staff
- Property Management company
- 150 units
- More than doubled units with 3 most recent developments 2014-2021
- Local, state, federal, private funds
- Multi-family zoning

Draft of Special Act

- Clearly Separates LexHAB from Town
- Mission of LexHAB remains the same
- Transfers ownership of 78 units to LexHAB non profit organization
- If LexHAB dissolves properties will revert to Town or affordable housing organization of the Town's choosing
- LexHAB's organizational structure will remain the same
- Clearly exempts LexHAB from public bidding requirements
- Maintains connections to the Town for reporting

**SUPPORT
AFFORDABLE HOUSING**

YIMBY

YES! IN MY BACK YARD!

lexhab.org

SPECIAL ACTS

Chapter 521
THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-three

AN ACT ~~ESTABLISHING A NONPROFIT~~ REORGANIZING THE LEXINGTON HOUSING CORPORATION FOR THE TOWN OF LEXINGTON ASSISTANCE BOARD, INC.

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

SECTION 1: Chapter 521 of the Acts of 1983 shall be repealed and replaced in its entirety with the following:

SECTION 1. There is hereby established ~~an independent~~, nonprofit housing corporation to be known as the Lexington Housing Assistance Board, Inc. ~~which~~ or "LexHAB".

SECTION 2. LexHAB shall be ~~subject to the supervision of the~~ governed by a board of selectmen of the town of Lexington. Said directors referred to in this act as the board. The board shall consist of not less than five and not more than nine members, who shall be appointed by. Each member of the board shall be a resident of selectmen the Town of Lexington at the time of initial appointment and shall serve for a three year term. Terms shall be staggered three year terms as designated by said board of selectmen, such appointments to that the term of no more than 40% of the board members shall expire in any one year. Appointments to the board shall be made annually by said board of selectmen on or before May thirty first. June 30 by the Lexington Select Board members of the board then sitting. Members shall serve until their successors are appointed and qualified. Continuing members may act despite a vacancy or vacancies in said board and, for this purpose, shall be deemed to constitute a full board. ~~Any~~ A vacancy in ~~said~~ the board, however occurring, may be filled by vote of the board of selectmen for the remainder of the unexpired portion of the term. The members of the "Lexington Housing Assistance Board, Inc." established pursuant to Chapter 521 of the Acts of 1983 in office as of the effective date of this Act shall constitute the board for purposes hereof for the remainder of their unexpired terms.

SECTION 3. Members of the board shall not receive compensation for the performance of their duties under this act, but each member may be reimbursed by LexHAB for expenses incurred in the performance of the member's duties.

SECTION 4. ~~Said board is hereby established and~~ The board shall exercise its powers and perform its duties for the purpose of investigating and implementing alternatives for the provision of and providing affordable housing for persons of low, moderate and middle income, and others whose needs may be identified from time to time, in the town of Lexington. The powers and duties of ~~said the~~ board ~~as set forth herein are intended to~~ shall be alternative and supplemental to, and not in limitation of, the powers and duties of the Lexington Housing Authority established pursuant to chapter one hundred and twenty-one B of the General Laws. ~~The liability of said board and its members shall be limited to the same extent as~~

~~the liability of a public employer and public employees as provided in section two of chapter two hundred and fifty-eight of the General Laws.~~

~~SECTION 2-Said 5. Day-to-day o~~Operation of LexHab shall be independent of the Lexington select board and the town manager.

SECTION 6. The board shall have the powers and privileges conferred by the provisions of paragraphs (a) to (i), inclusive, and paragraph (k) of section nine of chapter one hundred and fifty-six B of the General Laws, and the following powers, provided that no such power shall be exercised either in a manner inconsistent with this act or any general or special law, or to carry on any activity which is not in furtherance of the purposes set forth in this act:

- (a) to adopt, amend and repeal by-laws for the regulation and conduct of its business including but not limited to the call and conduct of its meetings, the number of members which shall constitute a quorum and the mode of voting by proxy;
- ~~(b) to elect a chairmaperson and vice-chairmaperson, each of whom shall be members of said board, and a secretary and a treasurer, who need not be members of saidthe board, and who may be the same person. The treasurer shall give bond for the faithful performance of their duties in form and amount approved and fixed by the select board of selectmen, the cost of which bond shall be paid from funds of saidthe board. The chairmaperson and, in their absence, the vice-chairmaperson shall chair meetings of saidthe board. The secretary shall be the custodian of all books, documents and papers filed with the board and of the minute book or journal of the board; all books, documents and papers filed with said board and of the minute book or journal of said board;~~
- ~~(e)(b) with the approval of the board of selectmen, to make and execute all contracts and all other instruments necessary or convenient for the exercise of its power and functions, subject to approval of the town counsel of the town of Lexington as to form;~~
- ~~(d)(c) with the approval of the board of selectmen, to acquire or lease, by purchase or otherwise, and to own, hold and use, on such terms and conditions and in such manner as it may deem proper, and to exchange, grant options on, sell, transfer, convey, assign, lease, pledge, mortgage, encumber, grant liens on and security interests in, or otherwise dispose of, on such terms and conditions as it may deem proper, real, personal or mixed real and personal property or any interest, easements or rights therein that property, and any assets or revenues of saidthe board, as may be necessary or appropriate to carry out its purposes, it being understood that the board's right to acquire or sell town-owned real estate may also be subject to authorization by town meeting vote in accordance with other applicable laws;~~
- ~~(e)(d) with the approval of the board of selectmen, to enter into agreements or other transactions with the commonwealth, the town of Lexington or any other political subdivision or public instrumentality thereof, the United States government or any federal, state or other governmental agency;~~
- ~~(f)(e) with the approval of the board of selectmen, to borrow money and to execute notes therefor which shall not be deemed to be debts or obligations of the town of Lexington, to hold mortgages, and to invest any funds held in reserve funds, or any funds not required for immediate disbursement in such investments as may~~

be lawful for fiduciaries in the commonwealth. ~~Said~~The board shall have no stock;

~~(e)(f) with the approval of the board of selectmen,~~ to enter into contracts or agreements with, and to employ from time to time contractors, architects, engineers, consultants, attorneys, accountants, construction, financial and other experts, superintendents, managers and such other agents and employees as may be necessary in its judgment and to fix their compensation. Notwithstanding any general or special law to the contrary, the board shall be exempt from the provisions of chapters 30, 30B, and 149 of the general laws;

~~(h)(g) with the approval of the board of selectmen,~~ to receive and hold funds, including any funds that may from time to time be appropriated by the town of Lexington in furtherance of the board's public purpose, pursuant to section nine hereof ~~appropriated by the town and other funds,~~ property, labor and other things of value from any source, public or private, by gift, grant, bequest, loan or otherwise, either absolutely or in trust, and to expend or utilize the same on behalf of ~~said~~the board for any of its purposes or to act as an agent or conduit in administering or disbursing funds or financial or other aid from any source; ~~provided, however, that all revenues collected or received by said board in connection with its activities, investments or transactions shall be expended only with the approval of the board of selectmen of the town of Lexington;~~

~~(h)(h)~~to appear in its own behalf before boards, commissions, departments or other agencies of government, municipal, state or federal;

to procure insurance against any loss in connection with the property or activities of said board, in such amounts, and from such insurers as it may deem necessary or desirable, and, ~~with the approval of the board of selectmen,~~ to indemnify its members or agents if and to the extent specified from time to time in the by-laws of said board and subject to

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SPECIAL ACTS

~~(i)(i)~~ and in the manner provided in section six of chapter one hundred and eighty of the General Laws;

(k) to formulate ~~and, with the approval of the board of selectmen,~~ carry out or monitor plans for projects involving the acquisition or operation of housing facilities of any kind or nature, and to construct, reconstruct, renovate, expand, extend, improve, repair, remodel, equip, furnish, maintain, manage and operate such facilities;

~~(l) with the approval of the board of selectmen, (l)~~ to fix and revise from time to time, and to charge and collect rates, fees, rentals and other charges and sales prices for or in connection with the use, occupancy or other disposition of any housing facility or other property or portion thereof under its ownership or control;

(m) ~~with the approval of the board of selectmen,~~ to establish, impose, grant or amend, by deed, lease or any other means or method, and to hold the benefit of, monitor, exercise and enforce lawful restrictions on the rental, sale, resale, use or occupancy of housing facilities or other property under its ownership or control, or other facilities or property designated by the ~~selectmen of the town~~select board,

or restrictions with respect to the income of owners, tenants or occupants of such housing facilities or other property, or options and rights of first refusal with respect to such facilities or property, and to waive, release or discharge any such rights or restrictions, but the foregoing shall not apply to any town-owned real estate or facilities except upon the vote of the town meeting or as otherwise allowed by law;

- (n) ~~with the approval of the board of selectmen,~~ to enter into, perform ~~or~~ or monitor agreements or other transactions with contractors, developers, brokers or other real estate professionals or any other person relating to the providing of affordable housing for persons of low and moderate income in the town;
- (o) to establish policies and procedures for and to implement a program, called the housing purchase program, under which the board will assist income-eligible home buyers to purchase homes within the town through the sharing of equity ownership or via direct loan for a down payment or portion of the purchase price of a home, this equity or loan to be repaid to the board at the time of the sale of the home;
- (p) to establish eligibility requirements for the housing purchase program including income requirements connected to Lexington's median family income, and other requirements which may include, but are not limited to, minimum residency or town employment status; and
- ~~(q)~~ (g) to establish policies and procedures for and to implement programs, and to do any and all things necessary or convenient to carry out its purposes and exercise the powers conferred by this act.

~~Said~~ SECTION 7. The board may delegate to any committee or member of the board any action which

~~said the~~ board is empowered to do or make. ~~Said~~ The board may be a partner in any business enterprise which ~~said the~~ board would have power to conduct by itself.

~~SECTION 38.~~ Notwithstanding the provisions of any general or special law to the contrary, the income, assets and activities of ~~said the~~ board shall be exempt from all taxes and assessments and ~~said the~~ board shall not be subject to any of the provisions of chapter sixty-three of the General Laws or to any taxes based upon or measured by property or income imposed by the commonwealth or by any political subdivision thereof. ~~Said~~ The board is ~~hereby~~ authorized and empowered to enter into an agreement or agreements with the assessor of the town of Lexington, with the approval of the board of selectmen, wherein said board shall undertake to make ~~to the town~~ annual payments to the town in lieu of taxes, in connection with any real property acquired and owned by ~~said the~~ board, the amounts of such payments to be reasonable sums stipulated in such agreement or agreements or determined in accordance with a reasonable formula so stipulated.

SECTION 9. The town of Lexington ~~SECTION 4. Without limitation of the powers of said board set forth in section two, said board is authorized to receive and to expend and utilize for its purposes all proceeds of the sale by the town of Lexington of the land and improvements known as the Muzzey junior high school, which proceeds have been appropriated by the town for such purposes. In addition, the town may appropriate other funds for the carrying out by said board of its purposes as set forth herein. Any appropriation therefor may be raised by the town by taxation. At least annually, said the~~ board shall cause independent audits to be made of the books and records

Commented [JS1]: For discussion—Mina, can you provide some context on these two paragraphs. These paragraphs do not reflect any current initiatives of LexHAB, and it would seem that it could undertake them without specifically calling them out. Given this, perhaps these paragraphs should be deleted.

of ~~said~~the board, ~~which annual audits shall be filed with the select board.~~ The board shall make an annual report of selectmen's activities and operations to the select board of the town of Lexington.

~~SECTION 5. In the event that said~~SECTION 10. All personal and real assets and liabilities of the "Lexington Housing Assistance Board, Inc." established pursuant to Chapter 521 of the Acts of 1983+ shall be deemed transferred to the board and title to all such property and all such rights shall vest in the board automatically without the need for further action or instrument.

SECTION 11. In the event that the board shall be dissolved in accordance with law at any time, all property and interests therein, assets and rights of said board existing at such time shall be transferred to the town of Lexington ~~by authority of this act, or to a qualified non-profit housing development corporation designated by the town of Lexington,~~ and title to all such property and all such rights shall vest in the town of Lexington automatically without the need for further action or instrument, and the town of Lexington shall, to the maximum extent permitted by law, and acting by and through its ~~board of selectmen~~Select Board, assume, hold and exercise the powers and duties of said board set forth herein with respect to such property and rights so transferred to said town.

SECTION 6-12. The provisions of this act are severable and if any of its provisions shall be held invalid in any circumstance, such invalidity shall not affect any other provisions or circumstances.

SECTION 72. This act shall take effect upon its passage.

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Presentation - 2021 Communications Survey Results

PRESENTER:

Sean Dugan, Public Information
Officer

ITEM NUMBER:

I.3

SUMMARY:

This presentation will provide an overview of the results of the Town's first communications survey conducted in the spring of 2021. The survey was developed to understand the effectiveness of the Town's communications efforts, and to inform the development of the Town's first communications plan.

No vote needed for this item

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

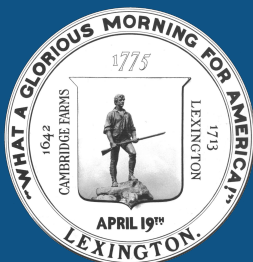
9/6/2022

5:40pm

ATTACHMENTS:

Description	Type
 Communication Survey Presentation	Backup Material

2021 Communications Survey Report



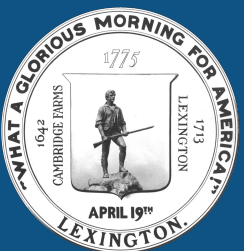
Sean Dugan,
Public Information Officer

Background

2017: Town Wide Survey calls for improved communications

2019: Public Information Officer hired

2021: Town's first communications survey



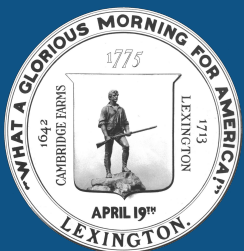
Methodology



Developed with the help of resident and researcher
Marian Cohen, Ph.D.



Used the Town's website, social media, email
subscription lists, and outreach to numerous
community groups



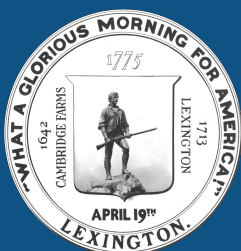
Demographic Information



Sex, age, highest level of education, race, and length of residence in Lexington

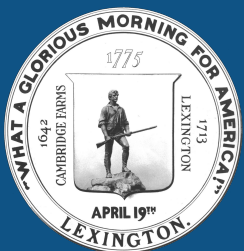


Compared these categories with 2020 Census data to see how it compared



Executive Summary

- Availability and Importance of Public Information
- Methods of Communication
- Important Aspects of Government
- Timeliness, Accuracy, and Completeness of Information
- Spoken Languages



Availability and Importance of Public Information

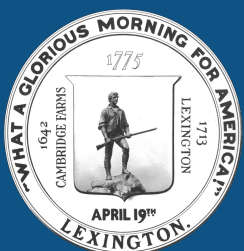
- Emergency notifications
- Changes in programs/services
- Budget discussions/decisions
- Plans for major construction
- Proposed changes in bylaws/regulations
- Voting/elections

Top priorities to respondents:

- Emergency notifications
- Voting/elections

Notable areas for improvement:

- Proposed changes in bylaws/regulations
- Budget discussions/decisions

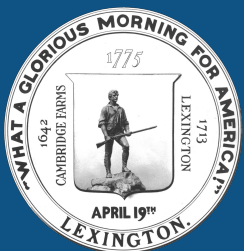


Methods of Communication

- Local news media
- Mailings from the Town
- Printed handouts/flyers
- Town social media channels
- LexMedia
- CodeRED: Emergency
- CodeRED: Non-Emergency
- LPS Blackboard system
- Calling to speak with Town staff
- Word of Mouth
- Physical signage in public buildings

Takeaways:

- Using digital/non-digital is still important
- CodeRED, Town email lists, local news media, and mailings from Town ranked particularly high



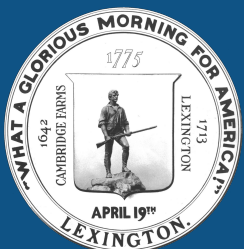
Important Aspects of Government

707 responses:

- Emergency information (21%)
- Schools (14%)
- Elections (11%)
- Taxes, budget, and spending (11%)
- Public health (8%)

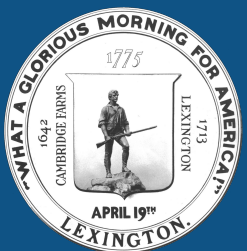
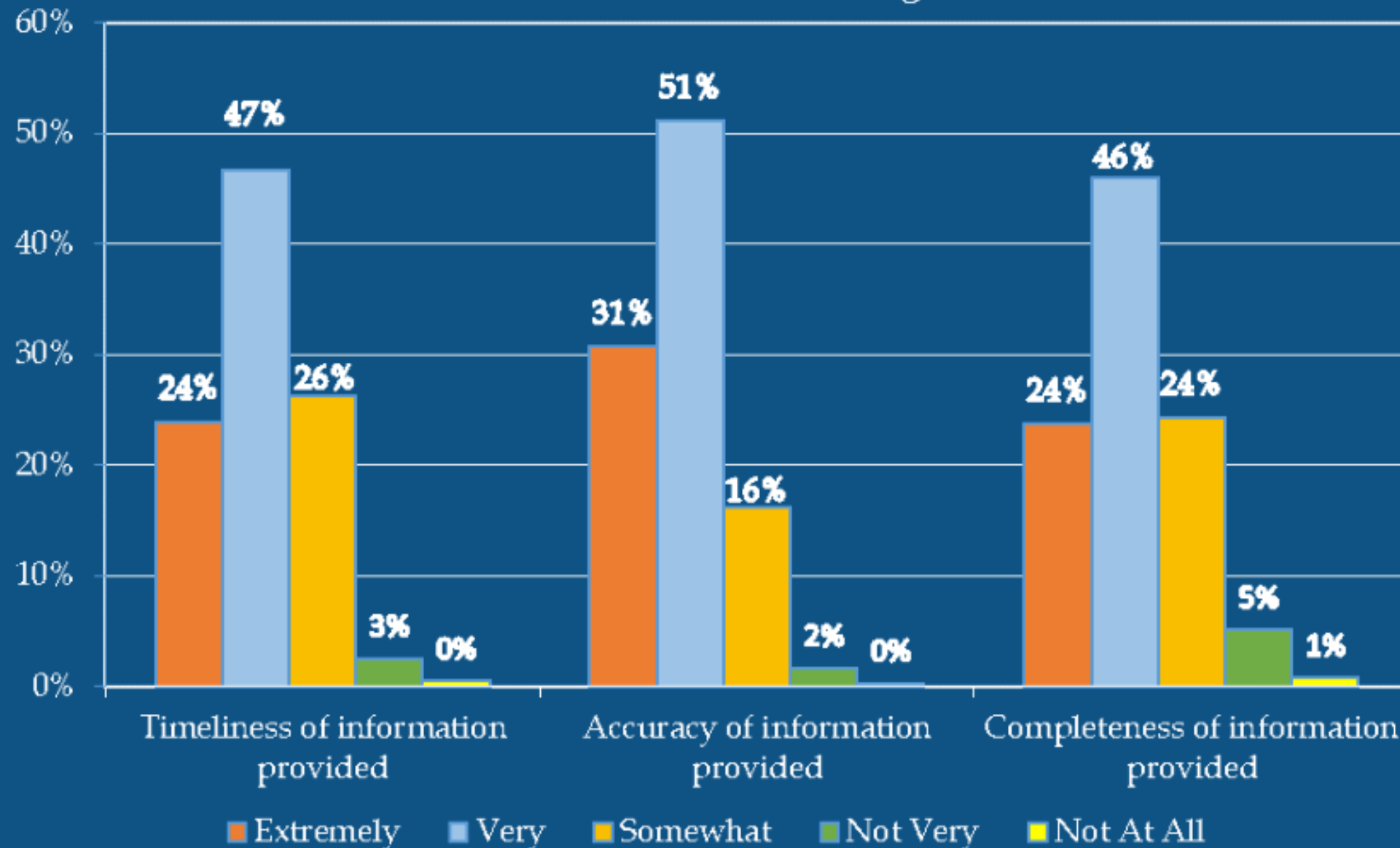
Takeaways:

- Emergency information was a top issue, and Town's performance is rated high in this area
- Taxes, budget, and spending were mentioned often, but Town's performance needs improvement



Timeliness, Accuracy, and Completeness of Information

Satisfaction with information provided by the Town with respect to each of the following:



Spoken Languages

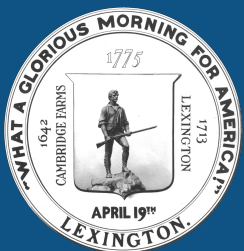
923 responses:

- 94% listed English as primary language
- Next highest were Chinese and Spanish, each at 1%

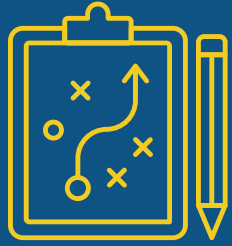


Other languages listed

- Hindi
- Marathi
- Arabic
- Portuguese
- Bengali
- Japanese
- Dutch
- Korean
- Gujarati
- Swedish
- Greek
- Tamil
- Russian
- Urdu
- Kannada
- Turkish
- Hebrew



Conclusion and Takeaways



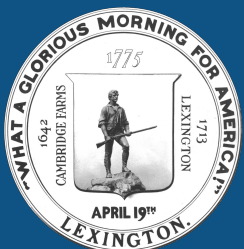
Great information that will inform the development of the Town's communications plan



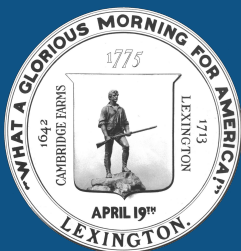
Even in an increasingly digital world, non-digital channels are still highly valued by the community



There are areas for praise, but also a number of areas for improvement



Questions?



AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Update on American Rescue Plan Act (ARPA)

PRESENTER:

Jim Malloy, Town Manager

ITEM NUMBER:

I.4

SUMMARY:

The Board has discussed keeping the use of ARPA Funds in front of the Board for continuing consideration. The following items are new and are included in the attached (highlighted):

- Human Services is proposing to update the old Muzzey Senior Center into a multi-use space that is primarily used as an Adult Day Health Center during the week. We'd also like to explore the idea of utilizing part of the space for the food pantry storage and distribution. An Adult Day Health Center, under DPH guidelines, has to operate all on one floor. The first level of Muzzey is large enough for this purpose, with kitchen facilities and accessible bathrooms already present. A current Adult Day Health provider could sublease the space through an RFP process. The lower level could be updated to provide the food pantry with much needed storage and could allow them to distribute out of that space on Saturdays. This would require an adjustment to the deed restriction to allow for Saturday use (typically from about 8:30a-noon); and would also require full code adherence in regards to building, fire, etc. The space could be outfitted with a basic lift that is secured, so that the space on the lower level is accessible. Estimating ~\$500k, possibly more or less, as nothing has been quoted.
- The Board had asked for a cost associated with finishing the second portion of the roof at the Bridge School. The cost is \$1,525,100. Mike Cronin is recommending that this be held off and rebid in 2023.
- There are a number of items (in the ARPA Vote SB 8-8-22 attached file) that the Board took under consideration at the 8-8-22 meeting when there were 4 Board members present, I've attached that listing so that the Board can review it and determine whether there are any additional items the Board may want to reconsider.
- The Economic Development Department has been working on developing special events in the Center consistent with the Select Board's previous vote. There is a presentation attached and Sandhya Iyer, Economic Development Director will be presenting at the Select Board meeting.
- The Board had requested an opinion on whether ARPA funds could be used to prefund the Affordable Housing Trust. Attached is an opinion from Town Counsel.

SUGGESTED MOTION:

Move to approved the following uses and amounts from ARPA funds:

(insert any projects and amounts the Board may wish to consider)

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

5:55pm

ATTACHMENTS:

Description	Type
 ARPA Spreadsheet Updated	Cover Memo
 ARPA Vote SB 8-8-22	Cover Memo
 Center Events Presentation	Cover Memo
 Legal Opinion on ARPA - Affordable Housing Trust	Cover Memo

ARPA FUNDING REQUEST BY DEPARTMENTS - UPDATED 9-1-22

Projects/Programs Previously Approved:

Department	Funding Request	Estimated Cost	2022	Notes	Balance
Committee/ Community Requests	Lex Retailer's Association: Discovery Day, Halloween Walk, Holiday Lighting, Taste of Lexington	Grant basis - amount TBD	\$ 50,000		\$ 45,000
Committee/ Community Requests	LCA, Symphony, Munroe Center: Non-profit and Small Business Sustainability Fund for cultural sector	Grant basis - amount TBD	\$ 50,000		\$ 30,000
DPW	Picnic Tables for Center	\$24,000	\$ 24,000		\$ (1,620)
DPW	Bikeways – 6 replacement bottle filling stations (\$6K each)	\$36,000	\$ 36,000		\$ 2,865
DPW	Two additional electronic sign boards for communications (\$15-\$20K each)	\$ 40,000	\$ 43,600	Previously removed from consideration	
Economic Dev/DPW	Parklet – needs to be replaced	\$ 75,000	\$ 75,000	Center Streetscape - planned for FY23	
Economic Development	Pop Up Business Incubator	\$100,000	\$ 100,000		\$ -
Economic Development	Fund Accessibility Ramp	\$25,000	\$ 25,000		\$ 10,400
Economic Development	Visitor Center website rebuild	\$25,000	\$ 50,000	Increased by \$25K	\$ 50,000
Economic Development	Non-Profit Business Assistance	\$ 50,000	\$ 50,000		\$ 5,000
Economic Development	Additional Small Business Assistance	\$ 300,000	\$ 300,000		\$ 300,000
Economic Development	Store back/ storefront improvement plan	\$ 100,000	\$ 100,000		\$ 100,000
Economic Development	Small Business Assistance	Grant basis - amount TBD (\$250,000+)	\$ 600,000	Program to be determined	\$ -
Fire Department	Fire Pumper Overage	\$ 82,882	\$ 82,882		
Fire Department	New Hose for Fire Pumper	\$ 18,109	\$ 18,109		
Fire Department	Salaries	\$ 80,188	\$ 80,188		\$ 15,751
Human Resources	Administrative Assistant	\$ 26,609	\$ 26,609		
Human Services	Mental Health Services/ Health Clinician	\$80,000- \$100,000 annually	\$ 90,000	Operational	\$ -
Human Services/Sustainability	Bike Racks for E. Lexington	\$ 7,200	\$ 7,200	New	
IT	Remote/Hybrid Meeting Solution	\$40,000	\$ 40,000		\$ 40,000
LexHab	Lexhab - Vine Street Design Funding		\$ 115,000	Lexhab Request	\$ 48,250
LexHab	Lexhab Request to buy houses		\$ 315,000		\$ 315,000
LUHD	Develop a proposal for a Municipal Affordable Housing Trust & Development Corporation	\$20,000	\$ 20,000		\$ 20,000
LUHD	Take Home Rapid Test Kits	\$25,000	\$ 25,000		\$ 2,137
LUHD	Ongoing Support for Lexington Health Department (contact tracing, food inspections, health nurse)	\$281,000	\$ 100,000	3 years but should end when pandemic ends	\$ 44,416
LUHD	Community COVID testing events	\$150,000	\$ 175,000		\$ 28,000
Police Dept	Lifepak AED devices	\$22,200	\$ 22,200		\$ 10
Recreation	Bottle Fillers - at 3 locations	\$24,000	\$ 24,000		\$ 4,939
Recreation	Outside shelters for programming	\$80,000- \$160,000	\$ 160,000	Funded at high estimate, only the actual would be spent	\$ 160,000
Recreation	Outside Shelters (Cost Increase)	\$ 75,000	\$ 75,000	New/Revised Cost	
Recreation	Water Fountain Replacement (Center & Lincoln)	\$ 20,000	\$ 20,000	New	
Recreation	Basketball Hoops (7)	\$ 10,500	\$ 10,500	New	
Select Board	Fund SPRD Consultant	\$25,000	\$ 25,000		\$ 18,000
Select Board	Food Insecurity	\$ 150,000	\$ 50,000	Estimate as no actual amount was discussed	\$ 20,000
Select Board	N95 Masks	\$25,000	\$ 25,000		\$ 25,000
Town Manager	Participatory Budget set-aside	\$500,000	\$ 520,000	Add \$20,000 for community engagement tool	\$ 520,000

Department	Funding Request	Estimated Cost	2022	Notes	Balance
	Total Amount Approved to Date:	\$	3,530,288		
	Total ARPA Funds:	\$	9,903,381		
	ARPA Balance:	\$	6,373,093		

Other Projects

250th Committee	Website and Promotion	\$ 40,000	\$ 40,000	New
250th Committee	Penny Imprint Machine	\$ 7,000	\$ 7,000	New
DPW	Water tower replacement	TBD (\$1,000,000-\$5,000,000+)	\$ 1,000,000	Water, Sewer, Broadband Infrastructure
Economic Development	Store Façade Improvement Guidelines	\$ 100,000	\$ 100,000	New
Economic Development	Visitor Center/Tourism Study	\$ 75,000	\$ 75,000	New
Economic Development	East Lexington Bike Path Landscape Improvements	\$ 400,000	\$ 400,000	New
Fire Department	ATV Ambulance	\$ 93,876	\$ 93,876	
Fire Department	ATV Forestry	\$ 60,562	\$ 60,562	
Fire Department	Ambulance Replacement	\$ 400,000	\$ 400,000	
Human Services	Increase affordable housing stock - Providing short-term incentives for larger rental property owners (we've been hearing of the significant burden market rate apartments are having on residents, as well as even longer waitlists for subsidized/affordable housing.)	Grant basis - limit TBD (\$150,000 - \$200,000 annually)	\$ 200,000	Address negative economic impacts
Human Services	Lexpress Buses	\$ 827,562	\$ 827,562	New - Fund portion that MADOT does not fund
Human Services	Blue Bikes	\$ 263,000	\$ 263,000	New (may be funded by earmark)
Human Services	Uber Gift Cards	\$ 46,000	\$ 46,000	Fund portion if Mass Development Grant is received
Human Services	Welcome to Lexington Packets	TBD	TBD	New
IT	Interactive Touch Monitors	\$ 20,000	\$ 20,000	Parker/Robbins or Hudson
LUHD - Econ Dev	Bike Node/Technical Assistance grant – expand Downtown initiative to increase ridership to East Lexington- bikeway, wayfinding, lighting	TBD - evaluation needed	\$ 100,000	Address negative economic impacts
Public Facilities	Bridge Roof	\$ 1,525,100	\$ 1,525,100	Obtained price at the request of Select Board
Human Services	Muzzey Re-Use - Adult Day Health Center	\$ 500,000	\$ 500,000	
Recreation	Sustainable financial aid efforts	Grant basis - annual amount TBD	\$ 10,000	Previously removed from consideration
Recreation	Replace Carpeting	TBD	TBD	New
Recreation	Benches & Storage Shed	\$ 40,000	\$ 40,000	New
Recreation	Broadband infrastructure to Pool and Old Res, Lincoln Field	\$120,000-\$225,000	\$ 225,000	High Expense/Operational - Not initially recommended by SMT
Recreation	Replace fabric furniture in Community Center	\$ 75,000	\$ 75,000	New
Town Manager	Participatory Budget set-aside - 2023	\$500,000	\$ 500,000	Address negative economic impacts
Town Manager	Participatory Budget set-aside - 2024	\$500,000	\$ 500,000	Address negative economic impacts
TMO	Lawn games, Adirondack chair, etc. to encourage outdoor community building	\$3,000	\$ 3,000	Replace public sector revenue
Town Manager	First Floor Info Screen/Photos	\$ 10,000	\$ 10,000	Replace 1980's static

Balance Forward: \$ 6,373,093
Total Other Projects (above): \$ 7,021,100
Remaining Balance: \$ (648,007) (Includes 2 Additional Years of Participatory Budgeting)

Department	Funding Request	Estimated Cost	2022	Notes	Balance
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Items Not currently being requested

Human Services	Increase affordable housing stock - Providing short-term incentives for larger rental property owners (we've been hearing of the significant burden market rate apartments are having on residents, as well as even longer waitlists for subsidized/affordable housing.)	Grant basis - limit TBD (\$150,000 - \$200,000 annually)	\$ 200,000	\$80K Remaining in Takeda Funds could be used in 2022
LUHD - Econ Dev	Women and minority businesses promotion and retention (MAPC)	\$30,000	\$ 30,000	
LUHD - Econ Dev	Financial support for Visitor Center and Liberty Ride	\$100,000	\$ 100,000	
Sustainability	Add solar to affordable housing (LexHAB, LHA)	\$100,000	\$ 100,000	
TMO	Improving Communication - sandwich boards, town-wide mailings (2)	\$11,000	\$ 11,000	
Library	Building disease resistant bathroom fixtures	TBD - evaluation needed	\$ 50,000	
Recreation	Install fitness equipment for Community Center (outdoor) – add pour-in-place surface ~\$70K	\$70,000	\$ 70,000	

Department	Funding Request	Estimated Cost	Vote at 8/8/22 meeting	JP	SEB	DL	MS
DPW	Two additional electronic sign boards for communications (\$15-\$20K each)	\$ 43,600	Passed 4-0	YES	YES	YES	YES
Human Services	Bike Racks for E. Lexington	\$ 7,200	Passed 4-0	YES	YES	YES	YES
Economic Dev/DPW	Parklet – needs to be replaced	\$ 75,000	Passed 3-1	YES	YES	NO	YES
Recreation	Outside Shelters (Cost Increase)	\$ 75,000	Passed 4-0	YES	YES	YES	YES
Recreation	Water Fountain Replacement (Center & Lincoln)	\$ 20,000	Passed 4-0	YES	YES	YES	YES
Human Resources	Temporary Administrative Assistant	\$ 26,609	Passed 4-0	YES	YES	YES	YES
Fire Department	Fire Pumper Overage	\$ 82,882	Passed 4-0	YES	YES	YES	YES
Fire Department	New Hose for Fire Pumper	\$ 18,109	Passed 4-0	YES	YES	YES	YES
Recreation	Basketball Hoops (7)	\$ 10,500	Passed 4-0	YES	YES	YES	YES
250th Committee	Website and Promotion, estimate cost 40,000		Motion failed. 2-2	NO	YES	YES	NO

S. Barry will look to put this forth this request for funds through Town meeting - either from Board or from Committee

ARPA Request items not voted on yet by Board - positions are as of 8/5/22 poll from office

Department	Funding Request	Estimated Cost	8/5/22 Poll response - JH	8/5/22 Poll response - JP	8/5/22 Poll response - SB	8/5/22 Poll response - DL	8/5/22 Poll response - MS	Comments from 8/8/22 meeting (JH absent from this meeting)
Fire Department	ATV Ambulance	\$ 93,876	YES	HOLD	YES	YES	NO	Select Board asked to bring this back to a future discussion about ARPA spend since the Fire Chief was not available to be at the 8/8/22 meeting. No Vote taken at 8/8/22 meeting.
Town Clerk	Ballot Printing/Mailing (Off 39)	\$ 12,000	YES	YES	YES	HOLD	YES	Per Town Manager, noted the Town Clerk has removed this request. No Vote taken at 8/8/22 meeting.
Human Services	Blue Bikes	\$ 263,000	YES	HOLD	HOLD	HOLD	HOLD	Board agreed to park this idea, more information would be needed to consider in the future for possible ARPA spend. No Vote taken at 8/8/22 meeting.
Economic Development	East Lexington Bike Path Landscape Improvements	\$ 400,000	HOLD	HOLD	YES	YES	HOLD	Board agreed to park this idea, more information would be needed to consider in the future for possible ARPA spend. No Vote taken at 8/8/22 meeting.
Town Manager	21st Century Select Board Meeting Room	\$ 500,000	NO	HOLD	NO	NO	NO	Not discussed by Board
Economic Development	Visitor Center/Tourism Study	\$ 75,000	HOLD	HOLD	HOLD	HOLD	NO	Not discussed by Board
Recreation	Benches & Storage Shed	\$ 40,000	HOLD	HOLD	HOLD	HOLD	NO	Not discussed by Board
Economic Development	Store Façade Improvement Guidelines	\$ 100,000	HOLD	HOLD	HOLD	YES	NO	Not discussed by Board
Recreation	Sustainable financial aid efforts	Grant basis - annual amount TBD	HOLD	HOLD	YES	HOLD	NO	Not discussed by Board
Recreation	Replace Carpeting	TBD	NO	HOLD	HOLD	HOLD	NO	Not discussed by Board
Human Services	Lexpress Buses	\$ 827,562	YES	HOLD	HOLD	HOLD	NO	Not discussed by Board
Human Services	Uber Gift Cards	\$ 46,000	HOLD	YES	HOLD	YES	HOLD	Not discussed by Board
Human Services	Welcome to Lexington Packets	TBD	NO	HOLD	HOLD	HOLD	NO	Not discussed by Board
Recreation	Broadband infrastructure to Pool and Old Res, Lincoln Field	\$120,000-\$225,000	NO	HOLD	YES	HOLD	NO	Not discussed by Board
IT	Large format Display for Hybrid Meeting Rooms	\$ 20,000	HOLD	YES	YES	NO	NO	While not discussed by Board, Suzie updated her poll response at the 8/8/22 meeting to a yes,
Town Manager	First Floor Info Screen/Photos	\$ 10,000	YES	HOLD	NO	HOLD	NO	Not discussed by Board
Recreation	Replace fabric furniture in Community Center	\$ 75,000	NO	HOLD	HOLD	YES	NO	Not discussed by Board
Fire Department	ATV Forestry	\$ 60,562	YES	HOLD	YES	HOLD	NO	Not discussed by Board
Fire Department	Ambulance Replacement	\$ 400,000		YES	YES	NO	NO	Not discussed by Board

Event Planning Services The Town of Lexington

THE ANTHEM GROUP



Proposal

- The Anthem Group proposes the following activation and programming for The Town of Lexington, taking place for the duration of September 2022 – December 2022. Dates can be revised based on existing town events, other activities and preferences.
 - **Fall Kickoff Party**
 - **Pumpkin Fest**
 - **Fall Movie Series**
 - **Sip and Shop Nights**
 - **Lexington Winter Garden**
 - **Anthem Operated Wine and Beer Garden**



Proposed Events – Fall Kickoff Party

- Thursday September 29th or Thursday October 6th
- Designed to be a smaller, more tactical event used as the prelude to more robust fall and winter programming
- **Live music/entertainment**
 - Live music performance by local talent
- **Interactive paint party class**
 - Instructor-led paint class of a fall scene
- **Food and beverage**
 - Food trucks/pop-ups from local restaurants
 - Anthem operated beer and wine garden



Proposed Events – Pumpkin Fest

- Sunday October 30th
- **Live pumpkin carving demonstration** throughout the duration of the event
- **All-ages arts/crafts**
 - Pumpkin carving and/or painting station
 - Instructor-led sugar skull painting class
- **Live music/entertainment**
 - Live music performances by local high school bands as well as other local talent
- **Children's programming/activities**
 - Face painting and balloon animal artists
 - Lawn and carnival games
- **Instagram Wall**
 - Photo op with custom designed mural with props and hired photographer
- **Food and beverage**
 - Pop-ups from local restaurants
 - Potential for each restaurant to feature a pumpkin themed dish
 - Anthem operated beer and wine garden featuring mulled wine and cider
- **Retail**
 - Pop-up vendor shops in collaboration with local stores
- **Other**
 - Community costume parade/contest



Proposed Events – Fall Movie Series

- Friday or Saturday nights in October at sunset
- Featuring family friendly Halloween classics in The Lexington Common (e.g., Halloweentown, Nightmare Before Christmas, Hocus Pocus, Beetlejuice, etc.)
- Shown on a 16' state of the art air screen
- **Food and beverage**
 - Opportunity for local restaurants to “pop-up” and serve food/snacks
 - Anthem operated beer garden/beer cart and movie style concessions (e.g., popcorn and candy)
 - Beer garden predicated on establishing a seasonal build out for the month of October for economies of scale as to not build out/tear down every week (e.g., seating, remains on-site even when not operating)



Proposed Events – Sip and Shop Nights

- Thursday November 10th and 17th
- Opportunity to shop from storefronts while enjoying a glass of wine, a locally brewed beer or warm/seasonally mulled
- Excellent awareness builder for local businesses leading into the holiday shopping season
- **Retail**
 - Pop-up vendor shops in collaboration with local stores
 - Enable retailers to promote and execute promotion to generate additional interest and pedestrian traffic to the storefront
- **Live music/entertainment**
 - Local acts performing holiday classics (as many will be shopping for the holidays)
- **Food and beverage**
 - Anthem operated wine and beer garden

Proposed Events – Lexington Winter Garden

- Saturday, December 3rd
- **Live ice sculpture carving demonstration** throughout the duration of the event
 - Sculptures would revolve around the “Winter Garden” theme and incorporate winter characters (e.g., polar bears, penguins etc.)
- **Live music/entertainment**
 - Feature different local live acts including performances from local high school bands, choirs/carolers, theater groups, etc.
- **Holiday Movie Lounge**
 - Inspired by the fall movie series
 - Build out inclusive of winter lounge for enhanced viewing of holiday classics
- **Illuminate Igloos**
 - Illuminated, heated igloos with seating for up to 10 people
 - Requires heating (w/power to heat) and furniture/seating
 - Anthem/The Anchor can lease/rent to The Town of Lexington
- **Children’s Holiday Happenings**
 - Balloon Twisting Artist
 - Face Painting
 - Winter characters walking around to greet kids and assist with wayfinding
 - Appearances by Santa and Mrs. Claus



Proposed Events – Lexington Winter Garden

- **Instagram Wall**

- Photo op featuring existing thematic characters (e.g., polar bears, penguins etc.)

- **The Bear Parade**

- Hand crafted, wooden carved, winter-themed and winter dressed polar bears – some with cutouts for faces and others patrons can stand next to
- Perfect for photos for families and children
- Anthem/The Anchor can either lease/rent to The Town of Lexington or commission new pieces of art for Lexington to own

- **Aerial Show**

- Holiday themed aerialist, hoop and silk show
- Two performances throughout the duration of the event

- **Food and beverage**

- Pop-ups from local restaurants
- Ideally featuring winter friendly/warm items including soup, chowder, hot dogs, cookies etc.
- Anthem to spearhead hot cocoa and s'mores bar
- Anthem operated beer and wine garden featuring mulled wine and cider

- **Retail**

- Pop-up vendor shops in collaboration with local stores



Anthem Operated Wine and Beer Garden

- Beer and wine garden operation for October with the potential to extend through December
 - Operations focused toward the weekends (Fri-Sun), holidays (Columbus Day, Halloween) and whenever there are events.
 - Potential to include Thursdays if desired
- Anthem operated beer garden featuring various craft beers, wines, mulled wine, cider and non-alcoholic beverages
- Infrastructure for build out to include bar, seating, fencing and tenting
- The beer garden can either be built out for each of the above events or built out for more consistent operation throughout the month of October and/or additional throughout the season (e.g., through December if deemed feasible)
- Beer garden operation in collaboration with local non-profit partner
- To ensure professionalism, security and optimal performance, Anthem would plan to operate the beer garden through its hospitality company in conjunction with regional suppliers/partners to increase marketing appeal

ANTHEM CONTACTS

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James Malloy

From: Kristen Gagalis <kgagalis@andersonkreiger.com>
Sent: Monday, August 22, 2022 1:06 PM
To: James Malloy; Carolyn Kosnoff
Cc: Mina S. Makarious
Subject: RE: ARPA/ SLFRF Funds Analysis

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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

Jim and Carolyn,

You asked us to look into whether ARPA State and Local Fiscal Recovery Fund (SLFRF) funds could be used to provide seed money for the Affordable Housing Trust that the Town is considering creating. The short answer is, unfortunately, probably not. Although all SLFRF guidance highlights the leeway that local governments have in using SLFRF funds to support affordable housing, such leeway does not seem to include putting money in a trust where the ultimate use of the funds may be some time far into the future.

Affordable Housing in FAQs

The short version of the SLFRF FAQs addresses affordable housing in section 2.14, or pages 10-13 [here](#). The list of eligible affordable-housing uses of SLFRF funds does not list placing funds in a trust, but since this list is explicitly non-exhaustive, that does not necessarily provide a determinative answer. However, these FAQs do explicitly say that “other affordable housing projects, beyond those eligible under the presumptions described above, may also be eligible uses of SLFRF funds under the final rule if they are related and are reasonably proportional to addressing the negative economic impacts of the pandemic *and otherwise meet the final rule’s requirements*” (emphasis added). Thus, we must still address the question of whether placement in a trust by the applicable deadlines complies with the final rule.

“Liquidated” or “Expended” by 12/31/26

Under SLFRF guidelines, all funds that a recipient (the Town) or subrecipient (i.e., an entity that receives a subaward from the Town) receives under SLFRF must be used to pay a cost “incurred” between March 3, 2021 and December 31, 2024, and must be **expended** or liquidated by December 31, 2026. Interestingly, the statute does define the term “Incurred” Title 31 Subtitle A Part 35 Subpart A § 35.5 (b) as follows: “**Costs incurred.** A cost shall be considered to have been incurred for purposes of paragraph (a) of this section if the recipient has incurred an obligation with respect to such cost by December 31, 2024.” However, the neither the statute nor the guidelines or FAQs define the term “liquidated” or “expended,” (both of which are used interchangeably to describe the 2026 deadline.)

Even if putting funds in a Trust counts as expending those funds, the applicable costs must still be incurred by December 31, 2024, as stated above. Thus, it seems as though the only way to abide by both the 2024 incurment and the 2026 expenditure deadlines, while still putting the funds in a Trust, would be to begin projects before the end of 2024 that would be paid for with debt service funded by the Trust. Unfortunately, debt service is explicitly excluded under the final rule: “For all recipients, funds may not be used for debt service” Final Rule, pg 10. [31 CFR Part 35 RIN 1505-AC77]. (<https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>).

Trust = Expenditure Elsewhere

It is also worth noting that elsewhere in the final rule, putting the money in a Trust is an allowable expenditure. For example, “[u]nder the interim final rule, a recipient may use funds to make deposits into its account of the Unemployment Trust Fund established under section 904 of the Social Security Act (42 U.S.C. § 1104) up to the level needed to restore the pre-pandemic balance of such account as of January 27, 2020 or to pay back advances received under Title XII of the

Social Security Act (42 U.S.C. § 1321) for the payment of benefits between January 27, 2020 and May 17, 2021. These costs support the solvency of the unemployment insurance system and, ultimately, unemployment insurance benefits provided to unemployed workers during the pandemic... In the final rule, Treasury is maintaining the inclusion of this eligible use category. Because unemployment insurance trust funds directly fund benefits to unemployed workers, maintaining the solvency of the trust fund is critical to the continued provision of assistance to unemployed workers. Further, funds deposited into the trust fund must be used as assistance to unemployed workers, an eligible use of SLFRF funds.” Final Rule, pg 118. [31 CFR Part 35 RIN 1505-AC77]. (<https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>).

However, elsewhere in the rule, other types of long-term funds are not eligible expenditures. For example, “a recipient... may not use funds for deposit into any pension fund.” Title 31 Subtitle A Part 35 Subpart A § 35.7 Pensions. (<https://www.ecfr.gov/current/title-31/subtitle-A/part-35/subpart-A>).

Arguably, the types of expenses that would be incurred by a Housing Trust, like those incurred by an unemployment insurance fund, would be almost perfectly aligned with SLFRF’s purposes. Thus, one could possibly make an argument that deposit into a housing trust is equivalent to deposit in an unemployment trust. However, as previously discussed, since the Trust did not exist pre-pandemic, it would be difficult to argue that deposits into the Trust would be needed “to restore the pre-pandemic balance” of the account.

Subrecipient v. Beneficiary

One last possible route to use SLFRF funds for a housing trust would be classifying the Trust as a “beneficiary” rather than a “subrecipient” of the funds. This distinction matters because a subrecipient is “subject to subrecipient monitoring and reporting requirements,” whereas a beneficiary is not subject to those requirements. Final Rule pg. 210. In order for the Trust to be considered a beneficiary, the Town’s rationale for providing the funds to the Trust would have to be “for the purpose of *directly benefitting*” the Trust “as a result of experiencing a... negative economic impact of the pandemic.” In other words, the Trust could only be considered a beneficiary if it had taken a financial hit due to COVID-19 between January, 2021 and December 31, 2024 (the dates between which COVID- related impacts would have to have been incurred).

Given that the Trust does not yet exist, the Town cannot show that the Trust’s balance was impacted by COVID. However, were the Town instead to put the money into LexHab as it currently exists, it could potentially make the argument that LexHab is a beneficiary rather than a subrecipient and thereby make it not subject to the same monitoring and reporting requirements. However, this would be a fact-based analysis and would require more information about the particulars of LexHab’s finances, especially during the pandemic

Best,

Kristen



Kristen Gagalis (she/her)

T: 617.621.6594

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[Anderson & Kreiger LLP](#) | 50 Milk Street | 21st Floor | Boston, MA 02109

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AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Update on Select Board Goals & Implementation

PRESENTER:

Jim Malloy, Town Manager

ITEM NUMBER:

I.5

SUMMARY:

The attached information has been previously provided to the Board. The second file "Goals by Major Category" has been updated to reflect the major categories of the Select Board's goals:

- Community Compass
- Livable Lexington
- Quality Services
- Fiscal Stewardship
- Thriving Local Economy

SUGGESTED MOTION:

There is no motion required this is an update to the Select Board.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

6:25pm

ATTACHMENTS:

Description	Type
❑ Raftelis Report on Goals	Cover Memo
❑ Goals by Major Categories	Cover Memo



Strategic Outcome Areas



Community Compass

Lexington is a visionary and sustainable community that values and respects all people, history, and community assets, by:

- Celebrating and fostering our differences in belief, culture, and ability
- Creating effective, respectful two-way communication
- Continuing opportunities to create and share history
- Maintaining and improving our physical assets



Livable Lexington

Lexington provides opportunities for all people to participate in community activities and benefit from Town services that are affordable, accessible, and responsive, by:

- Increasing opportunities for and utilization of safe multimodal transportation
- Actively seeking development of affordable and accessible housing
- Providing financial opportunities and support to enable lifelong residency



Quality Services

Lexington delivers quality municipal services, infrastructure, and amenities for all by:

- Ensuring the health, safety, and well-being of our community
- Balancing the financial impact of existing services and infrastructure with planning for future needs
- Valuing and respecting Town staff
- Effectively engaging Boards and Committees
- Maximizing sustainability and resilience while mitigating negative climate impacts



Fiscal Stewardship

Lexington is committed to fiscal stewardship, which includes:

- Long-term capital and fiscal planning
- Responsible financing and debt management
- Providing staff and resources necessary to deliver quality services
- Ensuring strategic priorities are met



Thriving Local Economy

Lexington supports its thriving local economy by partnering with the private sector to achieve:

- Access to a vibrant mix of businesses, services, attractions, and events for all people
- Quality jobs in diverse industries
- A balanced approach to tax policy for residents and businesses

Town of Lexington, MA

2022-2024 Goals and Objectives Retreat

October 27, 2021



IS NOW

 **RAFTELIS**

The Town of Lexington, Massachusetts, held a Goals and Objectives Retreat on October 27th, 2021. The retreat was planned and facilitated by Raftelis.

Prior to the retreat, Raftelis solicited input for the Town's strategic framework through engagement with the Town's Board and Committee Chairs and the Senior Management Team. Summaries of that information is included as Appendices A and B.

Expectations

The retreat began with the Select Board and staff introducing themselves and then sharing their expectations for the retreat:

- This is the first time we're all together, and that's weird, both in that we haven't been, and that we are. We have a lot of goals, and I'd like to see us narrow and reevaluate what's important to us and the community. I'd like to come out of here knowing that, while there are a lot of things that we'd like to do, these are the things we're looking at.
- My expectation is that we really focus. This is one of my favorite days, because we can sit back and think big picture. I'm excited.
- From a staff perspective, I have a lot of concern about burn-out among maybe half of the senior leadership team. I'm worried that we'll lose some if we keep going at the pace we are. We have too many goals; if we could narrow it down, it would be tremendous, 5-10 goals are better than 20-30 goals. We need to have a laser focus on what needs to get done. When the senior leadership team met, we did one word at the end to describe how everyone was feeling. I was really proud of the team, both for their performance, but also for their recognition of what's most important for the Town and the community, not just their individual departments. It feels like we're on a hamster wheel that gets bigger and bigger and faster and faster. Pandemic work is different, in that we've needed to be a lot more responsive and reactive. We've accomplished quite a bit, and there's a lot to be proud of, but here are some caution signs too. The goals last time were really task-oriented, so it would be good to do better with outcomes and articulating where would we like to be.
- I'm excited. I love when the Board gets together and has space for free-thinking and brainstorming. Day to day, we have a lot of fires to put out. This is a good opportunity to reset, and to match what the Departments are doing with what the Select Board is focused on. I'm excited to have everyone together and talk through where the Town is going.
- Focus on the outcomes you desire. That's pretty high wisdom – what are the outcomes that we desire? With COVID, there's a new playbook, but there will always be things that come up that make us reevaluate what we need to do to get to our desired outcomes. I agree that we can't do 27 things, or even 10 things, but let me balance that with something else. When I liaise, folks don't always feel that the Boards and Committees are heard by the Select Board. Their processes are to have individual and focused goals, so each committee might have eight goals, and we have 87 committees – it's too much. Everyone has their passion, and everyone has real needs. They get disappointed when they don't see their goals appearing as part of what comes out of here. At

the last Goal Setting session, we read letters from the chairs. I don't see that here, but it would be great to know what the Committees are thinking and what they're focused on.

- I really appreciate that we're all here together. I agree that we really need clarity and to narrow our focus. It would help for me if we had clarity and knew the top three things, and that we use those as a lens. My expectations are clarity, collaboration, vision, and leadership.
- I'm in line with much of what's been said. There's a distinction between priorities and goals. We can set priorities and then help the committees and staff to turn those priorities into action. The parallel – what exactly are we working on? Putting out the fires. When I stopped being a private practice lawyer, I said that I wanted to stop being a fire fighter and instead build something that was fire proof. This is our opportunity to do that.

Status of Established Priorities

The Town Manager provided an update on the Town's 14 priorities. The priorities generally link to one of the Town's existing five outcome areas, and are shown in the table below. The status update provided by the Town Manager is included as Appendix C.

Outcome Area	Existing Priorities
Livability for ALL Ages and Stages	<ul style="list-style-type: none"> Develop effective transportation solutions Review residential zoning for ways to create new housing opportunities and protect the diversity of existing housing stock
Quality Infrastructure, Amenities, and Municipal Services	<ul style="list-style-type: none"> Review the charges for all town Committees; modify and update as appropriate to reflect Board priorities and create expanded opportunities for resident participation Board Liaison Review
Thriving Local Economy	<ul style="list-style-type: none"> Create a predictable framework for Permitting Process Engage in a Community Conversation to define what attractive and vibrant would look like for Lexington Work with Businesses and Property owners to develop creative and integrated solutions
Town-wide Fiscal Stewardship	<ul style="list-style-type: none"> Limit the rate of property tax increase Develop a capital master plan that encompasses all capital items (infrastructure, buildings, etc.) and incorporates the School's Master Plan
Community Character	<ul style="list-style-type: none"> Create and communicate a plan for broadening diversity of Town Staff
Other Priorities	<ul style="list-style-type: none"> Implement the Sustainable Action Plan and Getting to Net Zero Emissions Plan 250th Celebration Two-way Communication

Defining Success

The Select Board considered the input provided by the senior leadership team and the Boards and Committees in creating success statements for each of the Town's outcome areas. The success statements are captured below.

Community Compass

(formerly Community Character)

Lexington is a visionary and sustainable community that values and respects all people, history, and community assets, by:

- Celebrating and fostering our differences in belief, culture, and ability
- Creating effective, respectful two-way communication
- Continuing opportunities to create and share history
- Maintaining and improving our physical assets

Livable Lexington

(formerly Livability for ALL Ages and Stages)

Lexington provides opportunities for all people to participate in community activities and benefit from Town services that are affordable, accessible, and responsive, by:

- Increasing opportunities for and utilization of safe multimodal transportation
- Actively seeking development of affordable and accessible housing
- Providing financial opportunities and support to enable lifelong residency

Quality Services

(formerly Quality Infrastructure, Amenities, and Municipal Services)

Lexington delivers quality municipal services, infrastructure, and amenities for all by:

- Ensuring the health, safety, and well-being of our community
- Balancing the financial impact of existing services and infrastructure with planning for future needs
- Valuing and respecting Town staff
- Effectively engaging Boards and Committees
- Maximizing sustainability and resilience while mitigating negative climate impacts

Fiscal Stewardship

Lexington is committed to fiscal stewardship, which includes:

- Long-term capital and fiscal planning
- Responsible financing and debt management
- Providing staff and resources necessary to deliver quality services
- Ensuring strategic priorities are met

Thriving Local Economy

Lexington supports its thriving local economy by partnering with the private sector to achieve:

- Access to a vibrant mix of businesses, services, attractions, and events for all people
- Quality jobs in diverse industries
- A balanced approach to tax policy for residents and businesses

Virtual and In-Person Activities

Select Board members reflected on the day and considered the eventual transition back to in-person meetings. Discussion included:

- Today's session
 - We made more progress today than on Zoom sessions.
 - We do have a facilitator, we don't have an in-person audience.
 - Work sessions have been valuable, but the regular business meetings can continue to be virtual.
- What should the trigger be to return to fully in-person activities?
 - When we open the meetings to the public and they're in the room – webinars don't build community engagement.
 - When the mask order has been lifted.
 - I would rather be together with masks on (the public could come, starting immediately).
 - I understand the discomfort, but I would be comfortable in a large room with good ventilation, masks on, and the public welcome.
 - I'm not comfortable. We're not out of the woods if we're vaccinated. I'm here, I know everyone in the room is vaccinated and wearing masks. I worry about large groups of people where you can't be assured of compliance.
 - I'm comfortable in this room, but not sure I'm comfortable with having a larger group, or being in a different room.
- Immediate future activities
 - Work sessions
 - In person in December
 - Reevaluate Board meetings returning in person after the first of the year
 - Budget presentations
 - Hybrid
 - Boards and Committees
 - Meeting format (in-person vs. virtual) is up to them, but they have to wear a mask.
 - Members will receive a letter from the Chair, clarifying the Select Board's plan.

Parting Thoughts

Participants were asked to reflect on the retreat and share their parting thoughts.

- This helped. I'm looking forward to absorbing what we've done and seeing the progress reports.
- We got two out of the four words that I was focused on, so this was better than I thought that it would be. Giving up the day and making the time was really important.
- We focused on continuing the goals without adding a lot more. I think this will help the staff to focus better.
- I appreciated the Board tying the buckets to specific tasks that staff will be focusing on. I think that this gave more of a clear direction for staff to have creative ways to move forward.
- I'm very pleased that we have five goals as opposed to 105 goals. I also like the idea that they're more standalone and all at around the same priority. It's an integrated whole. I'm wondering what comes next – we had the last session, and then there was another attempt to create more measurable goals. How do we translate this to something for the staff to use when they bring information back to us? I hear that we'll have quarterly reports, but before that, a "here's how this translates" would be helpful. The broader outlines gives more opportunity for creativity.
- This was great. It's nice that we have five goals and also five people who care and want to collaborate to get to the same page on the same issues. I wish all levels of government collaborated at this level. I feel good about what we've accomplished.
- Thank you. This made a huge difference. I came away feeling like we've made a lot of progress, that we have a plan, and that we can communicate with the staff. Working with the committees will be the next big thing. Are their goals driving us or are our goals driving them? That will be a big question to ask and work on.

Appendix A

Town of Lexington, MA

Boards and Committees Strategic Plan Input

October 12, 2021

The Town of Lexington, Massachusetts, held a strategic plan input session for representatives from its Boards and Committees on October 12, 2021. The session was planned and facilitated by Raftelis.

A Visionary and Sustainable Community

The session began with participants introducing themselves and then sharing what they believe makes Lexington a Visionary and Sustainable Community. Themes from the responses are highlighted below, with individual thoughts shared as bullets.

Participation and Engagement

- High participation from a highly educated and motivated part of the population
- Volunteerism; highly educated population that sees a role for the Town
- Community involvement by all
- Smart people come up with solutions
- The Town reaches out for input and community involvement
- Thrives on volunteer participation, committees, milestone celebrations, and diverse participation
- Smart people and strong volunteer efforts
- Willingness of leadership to educate the community and the community's willingness to be educated regarding how the Town works; engagement of the citizens
- Educated population willing to volunteer, but need to expand participation and diversity as well
- Appreciate the advocacy and volunteerism; even when there are disagreements, that never changes

Focus on Resilience and Sustainability

- Town has tried to be ahead of the curve on resilience and sustainability
- Interaction around solid waste, hazardous materials, and other topics that make us more sustainable
- Values sustainability
- Recent focus on renewable resources has increased level of visibility
- Starting to look at how we contribute to climate change
- Sustainability communication and outreach
- Made good strides (e.g., early participants in Solarize MA, DPW has electrified landscaping)
- Fierce commitment to resources – cultural, physical, intellectual – high value; commitment to put the money needed to make the resources sustainable
- Concerted effort to lead in implementing values and putting our money where our mouths are (facilities at netzero, etc.)

- Wonderful community, move towards making it sustainable across the board

Welcoming and Diverse Community

- Embraces diversity
- Open community, respect for all
- Lexington has grown to be a diverse, progressive community

Other Themes

- Thoughtfulness, patience, and open-mindedness, particularly of the Select Board
- Transparency and visibility of Town management, increased information availability
- Outdoor opportunities, open space – would like to see more
- Willingness to support spending for public facilities
- Have made progress towards affordable housing/options
- Article 8 passage in the Town Meeting
- Openness to new things and doing things in a new way, as a whole
- One of the resources we care for is our history

Progress and More

The objective of the session was to gather input for the Select Board's strategic planning retreat related to the Town's *Framework for a Visionary and Sustainable Community*. Participants were asked to comment on what success would like in each of the Town's five Outcome Areas, what progress they have seen over the last two years, and what they would like to see the Town do more of in each area in the future. The input is captured in the following graphic and sections.



Livability for ALL Ages and Stages

Success in this area is:

- Working actively on community programming and engagement from the time that children come into the school system through later stages of life – we see, identify, and address needs to ensure opportunities for all and have Town services that support a person's whole lifespan
- Safe transportation options
 - Walkable open space and a walkable/bikeable community
 - More shared use paths that walkers and bike riders can use and feel safe

- Streets where you can bike safely (Especially for trips of two miles or fewer) – interconnected safe routes
- Useful public transportation, lower reliance on personal automobiles
- More local public transportation
- There's a place in Lexington for all ages and stages to live
 - Accessible and affordable housing for people with varying income levels
 - People wanting to be life-long residents; trend is changing – families come when they have school-aged children and then downsize, so finding ways to retain those residents long-term
 - Housing diversity
- Full accessibility and inclusion in physical structure, programs, policies, etc.
- A rich cultural event calendar, with a healthy local retail/restaurant environment

Progress made over the last two years	Additional opportunities in this area
<ul style="list-style-type: none"> ● Virtual engagement – increased participation and inclusion ● Increase in the number of bicycle safety programs for children and adults. 	<ul style="list-style-type: none"> ● Transportation <ul style="list-style-type: none"> ○ More sidewalks ○ More local public transportation ● Diversity <ul style="list-style-type: none"> ○ Identify barriers to diversity and gather information ○ Emphasis on reaching out to folks with neurodiverse needs; increase programmatic inclusion ● Communication <ul style="list-style-type: none"> ○ Mix of technology and face-to-face engagement (and support for the tech) ○ Can't totally depend on the internet for communication – not accessible for everyone ● Analyze demand for folks living in the Town and address needs <ul style="list-style-type: none"> ○ Identify what makes people want to stay here ○ Increase activities for 25-35 age range to be engaging for this age group ○ Housing and support for a more diverse set of people ● Straighten out issues in the schools with unfair and disparate suspension rates ● Revitalize the center for retail, restaurants, and cultural venues. <ul style="list-style-type: none"> ○ More vibrant Town center ○ More offerings downtown ○ Restaurants open later ○ Outdoor seating

Quality Infrastructure, Amenities, and Municipal Services

Success in this area is:

- Continuing to evaluate the feasibility of capital projects and guarding against policies and designs that are cookie cutter copies of what other communities have done
- Ensuring that we don't sacrifice good aspects that make Lexington great
- A Town that offers almost everything that anyone would want
- New facilities
 - New high school
 - New police station
- Using the Board of Health as a starting point for local regulation and to lead policy change at the state level

Progress over the last two years:

Progress made over the last two years	Additional opportunities in this area
<ul style="list-style-type: none"> • Pleasant/Maple intersection work • Lexington is moving to make Parker Meadow accessible • Strong stormwater regulations for projects that impact more than an acre of land • More playgrounds are now accessible • Visitor Center open • The Streetscape project has made the Center more accessible and pedestrian friendly than what we had in place before the project began • Adding staff to make it practical for the Town to see and address a full range of challenges. 	<ul style="list-style-type: none"> • Be more proactive rather than reactive • Streetscape improvements <ul style="list-style-type: none"> ○ Make the streetscape welcoming to people of all abilities ○ Center Streetscape should have addressed the Mass Ave / Woburn St intersection disaster • Need to make sure we're making the right investments in schools – can't delay investment • Maintain healthy trees • Deal with global warming, resiliency, addressing high levels of rainfall/stormwater • Green space is becoming more important • Need to do better with cost / benefit evaluations • More Sunday and late/night transit options • Streamline sidewalk processes

Thriving Local Economy

Success in this area is:

- Increasing the potential for economic growth (increasing entrepreneurship)
- Growth in the commercial center

- Revitalized center shops
- More diverse business of all sorts
- Bike parking in the center
- Increased foot traffic, parking, zoning – increase first-floor space, better mix of businesses.; rethink what the commercial area needs to look like and what the Town can do to support
- Celebrating the progress that we’ve made
- Focusing on a balance between residents and tourists
- Denser housing near primary transportation arteries
- Increased restaurant variety

Progress made over the last two years	Additional opportunities in this area
	<ul style="list-style-type: none"> ● Full rehashing of zoning, rents, and taxes to assist in attracting new businesses that support the diverse town ● Assess what’s right for the neighborhoods, commercial center, and other places around the Town ● Additional transportation options for late hours and weekends ● Capitalize on cultural tourists; start with those in Lexington and move out in concentric circles to the 50 mile mark. ● Increase affordable housing downtown

Town-Wide Fiscal Stewardship

Success in this area is:

- Preventing delays in investment in infrastructure that lead to higher costs later
 - Police station
 - School buildings
 - Human infrastructure, including the costs of delayed investment in people (staff and students)
- Dealing with existing large capital projects and preparing for future projects
 - Townwide capital master planning
 - Unused revenue has gone to stabilization funds – trying to balance needs and tax relief, economic diversity
 - Anticipating the high costs of capital projects
- Enhancing commercial centers, which could play a huge role in helping to balance commercial and residential needs
- Enabling zoning to encourage building
- Increased economic growth opportunity

- The Town primarily focuses on growing the tax revenue through development. The Tourism Committee has created a valuable additional avenue. However, these are just two legs of what should be a multi-leg stool.
- Sufficient funding for schools and students

Progress made over the last two years	Additional opportunities in this area
<ul style="list-style-type: none">• AAA rated community; excellent progress	<ul style="list-style-type: none">• Town-wide capital plan• Zero-based budget every several years

Community Character

Success in this area is:

- Additional signs in and around Town, which have been improved and are great
- The combination of community members who create and maintain the character and the physical assets
- Well-maintained signs and places
- Considering all people; who stays and who goes? Who invests? How do we uplift our Town?
- Building on good foundations, uplifting our history and stories
- Having each resident do their part (e.g., cleaning sidewalks/drains for snow, debris next to their house, respecting diversity of transportation needs)
- Being a place where everyone feels they can be their honest whole selves and still be a part of the community
- Valuing each others' opinions and beliefs even when we disagree
- Welcoming new people into the community

Progress made over the last two years	Additional opportunities in this area
<ul style="list-style-type: none"> • Uplifting our 300+ years of history is the goal of the new tourism logo "Make history in Lexington." • Increased access to the government and community via technology and Zoom • Communicating out has improved, but communicating still requires you to know someone or know the right person to call 	<ul style="list-style-type: none"> • Two-way communication <ul style="list-style-type: none"> ○ Town-to-resident communication should focus on disseminating information and keep people abreast • Work to get higher participation rates, rather than just a vocal minority • Clarify the path to bring issues to the Town; residents don't always know the pathways or receive feedback/uniform response (ticketing systems) • Reduce the work that's occurring in siloes • Bring back See-Click-Fix • Pay attention to the character of the areas of Town that are not in or right near the center - East Lexington and the Bedford and Waltham sides of town, among others • Make sure to focus on the big picture <ul style="list-style-type: none"> ○ Preserving some of our smaller Capes is not just about affordable housing, it's also about keeping green space and sustainability • Look for ways to be where people are comfortable <ul style="list-style-type: none"> ○ School committee meetings rotated within different schools

Parting Thoughts

Participants were asked to reflect on the session and share their parting thoughts.



Appendix B

Town of Lexington, MA

Senior Management Team Strategic Plan Input

October 20, 2021

The Town of Lexington, Massachusetts, held a strategic plan input session for the Senior Management Team on October 20, 2021. The session was planned and facilitated by Raftelis.

Proud Moments

The pandemic has required local governments to ensure continuity of services for their community in unprecedented circumstances. Participants were asked to reflect on the last 18 months and share what they are most proud of with regard to their department's performance. Responses included the following:

- Leadership of the team during COVID. We pulled off a virtual Town Meeting several times, and organizationally, everyone has stepped up to help. We had more than enough people to pull it off and make it successful.
- We showed up every day to do our stuff, much of which was done in person. The team was selfless and put their personal health at risk to take care of the rest of us.
- I'm proud to be part of the organization. Being in a learning role, I enjoy being in a room with people who look to make government more effective and efficient – we are leaders in DEI and sustainability, and we're always looking for opportunities for innovation and change.
- I'm proud that we were able to change from a paper-based process for open enrollment to paperless.
- We constantly pivoted during the pandemic to meet the communities' expectations at a very high level and continue to do a great job. We had no complaints during shut down; people here would complain if it were warranted.
- I'm proud that the Town created the DEI position; the position is being supported and we are excited to push this forward.
- The staff at Library changed our service model multiple times. It took a village to think through how to do this without a building; thanks to facilities for their support during that process.
- The way we supported the community, including financial assistance, connecting volunteers and resources to those in need, moving things to a virtual environment, and supporting vaccination.
- The Health Office worked through a tumultuous time without a Health Director. We brought in new staff constantly to help the community respond to COVID; completed almost all of the tasks the Select Board had in its goals for the department; had two key staff who were onboarded remotely; moved three major Town initiatives forward; and increased diversity of staff in the department.
- Despite the uncertainty of last year, the Town moved forward with hiring the Sustainability Director and sustainability/climate resiliency have not been deprioritized despite other emerging priorities. People see the importance of these issues with what is happening around the world.
- I'm proud of the level of interdepartmental coordination that happened during the pandemic – the departmental responsiveness was impressive in addressing mandates and working together to meet the ever-changing demands. We did what needed to be done to reach vulnerable populations, and we have so many examples of success in pushing information out to the community.

- The SMT Leadership team members leaned on each other, and staff did what had to be done, even with fewer staff! Recreation learned how creative they really are! With indoor facilities closed and outdoor facilities in high demand, things changed daily. We pulled off small scale in person programming, opened and closed facilities as needed, implemented a capital program (including Point of Sale), and the virtual senior recreation program happened. We're reaching people in new ways and prioritized our critical needs for the community based on location and need.
- The DPW response provided essential services throughout the pandemic and showed up every day to ensure operations happened. One big thing is the streetscape project being underway in the downtown. There was a lot of departmental interaction and very little negative feedback; we have an outstanding communication team. I'm proud to have taken the needs of residents and businesses into consideration.
- The Police Department showed up every day and things changed daily in how we responded to the community and provided services. We worked well together and collaborated with other departments to make sure the work got done. It's been a challenging environment for policing and I'm proud of how our department has responded. Staff understood the importance of the changes, and we've been reaccredited and have updated our policies and procedures.
- We had to show up in person every day to support the public and other departments. We made sure people got paid, bills got paid, and we responded to the public. Now we're responding to all the federal funding opportunities, including FEMA and CARES Act, and now ARPA. The team has done a fabulous job pulling together the necessary documentation, keeping up with deadlines, and receiving our reimbursements.
- I'm proud of the department and crews who were dealing with this before we even knew what it was. People came to work – no extraneous sick calls – and did their part. I'm proud of the way the Town and Management responded to things in a quick and timely manner and pivoted when things didn't go as planned. The fund recovery that Finance was able to do was critical.
- Not only did we do three Town Meetings virtually, we implemented! This Town moves fast, nothing has stopped, and we have continued to do EVEN MORE during the pandemic. Stop, go, decide what to do, and then we got it done!
- We are public servants who have proudly served this community while simultaneously dealing with the pandemic on a personal level.

Framework for a Visionary and Sustainable Community

Existing Outcome Areas

The Town has five key outcome areas:

- Livability for ALL Ages and Stages
- Quality Infrastructure, Amenities, and Municipal Services
- Thriving Local Economy
- Town-Wide Fiscal Stewardship
- Community Character

Participants were first asked to reflect on how implementation of activities within the outcome areas has gone over the last two years, and to consider whether anything is missing from the existing outcome areas. Discussion included:

- From an implementation standpoint, there is tension between valuing community engagement and respecting the professionalism and expertise of the Town staff.
 - We have professional staff with expertise in their individual disciplines, and it would be great for the Town to recognize that and allow them to do the work without additional committees. It creates a challenge to actually move forward and do the work when so many Boards, Committees, and working groups must be created and coordinated.
 - The SMT receives a lot of direction without a chance to implement. It's not sustainable and there's some concern about burnout with the SMT.
 - The goals seemed more heavily focused in certain departments, so the impact was not evenly distributed.
 - We need to coordinate timeframes for implementation. The Town Staff hasn't had the opportunity to workplan things, so we're always catching up and could be more coordinated.
- What's missing?
 - Sustainability is also a workload factor and needs to be considered beyond environmental sustainability.
 - Our equity work doesn't fall cleanly within the categories.

Defining Success

Participants reviewed the input provided by the Boards and Committees leadership and worked to capture the concepts that define success for each of the five outcome areas.

Livability for ALL Ages and Stages

- Livability is different for everyone.

- The Town's role is to provide opportunities for people to engage in programs, services, and facilities that are affordable and accessible and that are responsive to their personal needs and interests.
- This outcome area should incorporate housing accessibility and should be flexible enough to encompass those who visit and work in Lexington.

Quality Infrastructure, Amenities, and Municipal Services

- Infrastructure, amenities, and services should be inclusive for all people, regardless of age, race, ability, gender, orientation, etc.
- Our approach needs to be flexible, to balance the maintenance needs of existing infrastructure with the future community needs for new infrastructure.
- The Town needs to consider resiliency and adaptability and be proactive in planning for climate and community changes.

Thriving Local Economy

- A thriving local economy includes a good mix of businesses and attractions/events that provide varied services to people, a stable tax rate, and quality jobs for all skill levels.
- A vibrant economy contributes to the Town's sustainability, incorporates existing efforts (e.g., the downtown streetscape plan), and builds opportunities for a diverse mix of local businesses.
- This includes accessible (transportation and ADA) opportunities and continued open dialogue between the Town and our local businesses.
- Housing and mixed-use development in the downtown area may improve vibrancy and the local economy.

Town-Wide Fiscal Stewardship

- The Town provides timely and prudent investment and stewardship of fiscal resources to minimize delays and cost increases.
- Fiscal stewardship involves continuing to find innovative approaches to financing and new, diverse revenue opportunities, while ensuring staff and resource availability to execute projects.
- Communication of goals and resources allows for focus on long-term planning and strategic prioritization.

Community Character

- Suggested Title Change: Community Fabric/Spirit
- Lexington is a community that values and respects all people, its history, and its physical assets by creating ongoing opportunities to share our history; maintaining and improving our physical assets; creating two-way communication channels; and celebrating and fostering our differences in belief, culture, and ability.
- The Town proactively addresses and improves historic policies to build the future community and delivers equitable programs and services.

Progress and Possibilities

Participants were asked to comment on the progress that has been made over the last two years, and what possibilities they see for each area in the future. The input is captured in the following table.

Progress made over the last two years	Future Possibilities
Livability for ALL Ages and Stages <ul style="list-style-type: none"> Full-time position for Therapeutic Recreation Specialist Focused on alternate modes of transit – programming around biking, walking, etc. Age friendly assessment Hired a Chief Equity Officer to apply an equity lens to our work 	<ul style="list-style-type: none"> New housing opportunities
Quality Infrastructure, Amenities, and Municipal Services <ul style="list-style-type: none"> Implementation of integrated design ADA improvements in the park system Moving forward on 25% design for Bedford St. and Hartwell Ave. Center Streetscape Sustainable financing of water and sewer infrastructure Outdoor dining, in response to public interest Introduction of 20-year capital plan Continued collaboration of transportation safety group Comprehensive Plan Update 	<ul style="list-style-type: none"> New funding model for Recreation Operations and Tourism Services Climate resilience to new infrastructure and amenities Renovations v. reconstruction Recognize human limitations of Town Staff Athletic feasibility study Stormwater utility New website
Thriving Local Economy <ul style="list-style-type: none"> Center Streetscape Hartwell Rezoning Outdoor dining East Lexington Local Rapid Recovery Study 	<ul style="list-style-type: none"> Tying economic development to our financial stability and capital stabilization Green Business Certification MWBE Attraction Potential to become a center for life sciences Cultural District (more of an amenity/attraction than a tax base issue) Using Federal Funding to support affordable housing and local businesses Attracting businesses that attract a range of ages and interests

Progress made over the last two years	Future Possibilities
<p>Town-wide Fiscal Stewardship</p> <ul style="list-style-type: none"> • Improved debt financing planning • Tying commercial development to infrastructure needs • Maximized application of CARES Act and FEMA Funds during pandemic • Built Reserves • Maintained AAA Bond Rating • Updating fiscal policies 	<ul style="list-style-type: none"> • ARPA funding • Reducing debt financing • Organizational Assessment could pose possibilities
<p>Community Character</p> <ul style="list-style-type: none"> • Hired Chief Equity Officer – shifted our work with all ages to focus energy on diversity work (ongoing) • Hired Sustainability Director • Supporting the Celebrations Committee • Town Meeting adaptation • Proactively assessed our policing policies and procedures to address perceived concerns of national policing – currently implementing 32 recommendations • Across Lexington Trail Network • Completion of the Center Recreation Complex 	<ul style="list-style-type: none"> • Implementing the Comprehensive Plan update • Continuing to diversify our workforce and board and committee membership to reflect the community • Innovative placemaking – build on the pride in our history to integrate the old and new • Bridging Town and School to be one Lexington, one community and enhance service delivery • Continue to provide opportunities and funding to support cultural events – celebrate diversity, etc. • Across Lexington Trail Network – more segments! • Equity audit to check on our processes!

Parting Thoughts

Participants were asked to reflect and share how they felt at the conclusion of the session. The word cloud below captures the feedback.



Appendix C

Select Board Goals
January 2020 – December 2021

Goals Approved February 3, 2020

Status Update - August 10, 2020/August 24, 2020

Status Update #2 – September/October 2021

BOARD GOALS:

- 2020 – Assign one Board member as lead for each priority area; Agree on baseline performance / customer satisfaction measures for priority areas below
- 2021 – Set improvement targets and expected results

TOP PRIORITIES

THRIVING LOCAL ECONOMY

CREATE A PREDICTABLE FRAMEWORK FOR PERMITTING PROCESSES
(CHAMPION – JILL HAI)

- Redesign the Business Resource Guide to provide a more detailed explanation of the permitting process – the measurable goal will be an updated Business Resource Guide, this is to be undertaken by the Economic Development Office to be completed by Fall 2020.
 - Select Board Member Update 8/10/20: New Director of Economic Development, Sandhya Iyer, was hired and began work in May. The Economic Development office created and maintained many supports for local business throughout pandemic and has created quick permitting process for outdoor space utilization. Ongoing work with Center Committee and Economic Development committee.
 - Land Use, Health & Development Department (LUHD) Update 8/10/2020: New Economic Development Director started May 11, 2020. The Business Guide is under review and changes are planned. Changes to web pages are also planned to signal to the life sciences industry that Lexington is prepared to facilitate permitting.
 - *2021 Update – The Land Use, Health & Development Department (LUHD) Update 9/2/21*
 - *The Economic Development Office is working with a consultant to design the new Business Toolkit. The ED office had the Valente intern help with research and document interviews for the business guide this summer. As this guide goes beyond just explaining permitting process, and provides a comprehensive overview of the Town departments helping businesses in Lexington, it would be helpful to look at this document as a toolkit. The business toolkit will help businesses:*
 - *Decide to locate in Lexington- Choose Lexington*
 - *Introduce Town departments and staff- Concierge service*
 - *Streamlined Permitting sequence and recent case studies- Citizens Services (Online/Cloud permitting services), Examples of permitting & licensing timeframe for projects from Planned Development District to Outdoor Dining permits*
- Ensure businesses understand the Town's coordinated effort of all permitting departments through the Design Review Team (DRT). Promote the "one-stop" shop for all pre-permitting review to ensure that permitting processes go smoothly and that by the time an applicant is before a Board or Committee that all staff have commented on plans and that the plans meet the Town's requirements. The measurable goal is that outlines of meetings of the DRT are to be forwarded to

the Town Manager and that a report will be developed outlining the number of days from initial contact to the Town to completion for the past 3 years will be developed and updated regularly to indicate the effectiveness of the DRT process, to be undertaken by the Planning Office. The initial report will be due July 2020.

- LUHD Update 8/10/2020: 1. The Assistant Town Manager for Development received approval to add the duty of single-point-of-contact for permit sequencing to the ED Director job description. The ED Director is in progress on learning Lexington's zoning and permitting, and the ED Coordinator is also supporting business permitting. This now makes clear to businesses and Town staff that this position acts as permit "concierge," and advises on sequencing with review boards, in concert with relevant staff. The ED Director has been trained on ViewPoint Cloud; 2. DRT is promoted to prospective commercial developers and new businesses to advise and coordinate on the most efficient path to permitting.
- *2021 Update – This item is complete.*
- Training for all Development/Permitting Boards – Training programs will be offered to these Boards through the Citizen Planning Collaborative and/or other programs and will be ongoing through the next two years. This will be undertaken by the Planning Department and a record kept of each Board member's training. The measurable goal is that written notification of training opportunities will be made and recorded. This will be initiated January 1, 2020.
- LUHD Update 8/10/2020: Planning Board members Richard Canale and Bob Peters attended the Citizen Planner Training Collaborative workshop this year. The Zoning Administrator notified the ZBA of the CPTC training opportunity, and they registered, but the pandemic caused a cancellation of live workshops. Even still, ZBA members Ralph Clifford (Chair), members Jeanne Krieger, Nyles Barnert, Norman Cohen, and alternate member James Osten participated in the Stormwater Management Webinar. Mr. Osten also took a workshop on Variances and Special Permits.
- *2021 Update – This item is complete and training will be ongoing.*

**ENGAGE IN A COMMUNITY CONVERSATION TO DEFINE WHAT ATTRACTIVE AND VIBRANT
WOULD LOOK LIKE FOR LEXINGTON
(CHAMPION – JOE PATO)**

- This will be part of the ongoing comprehensive plan update with at least one specific facilitated community conversation to define what "attractive" and "vibrant" means in relation to Lexington. This will be undertaken by the Planning Department and incorporated into the final report on the Comprehensive Plan with the measurable goal to complete the Comprehensive Plan no later than December 31, 2020.
- Town Manager Update 8/10/2020: The Planning Department has continued to move forward with the comprehensive plan and we are anticipating that the Planning Staff and Assistant Town Manager for Development will present an update at a joint meeting of the Select Board and Planning Board in September 2020.
- LUHD Update 8/10/2020: This was understood by the LUHD Department to be conceived by the Select Board as a live public gathering. Guidance is sought on whether a Zoom webinar is now acceptable. The Select Board and the Planning Board will receive an updated timeline for the draft Comprehensive Plan at a joint meeting with the Planning Board intended for September 2020. The Department also understands the Select Board considers the scope to include all commercial areas in Lexington, not just Lexington Center.

- *2021 Update – A public forum has been scheduled for October 26, 2021 to discuss what an attractive and vibrant community entails.*

**WORK WITH BUSINESSES AND PROPERTY OWNERS TO DEVELOP
CREATIVE AND INTEGRATED SOLUTIONS
(CHAMPIONS – SUZIE BARRY, MARK SANDEEN, JILL HAI & JOE PATO)**

*Continue meetings with both small local businesses and larger,
corporate businesses Local Business Owners
(Champion - Suzie Barry)*

- Small business meetings will commence on a quarterly basis (starting with the first quarter of 2020), where these have been irregularly scheduled over the past year. This will be one venue to have discussions with local businesses over a variety of topics, including the impact of the Center Streetscape Project. The measurable goal will be improved communications from 4 quarterly meetings by December 2020. These meetings will be scheduled through the Economic Development Office who will attend these meetings, the Select Board will designate two members as well as the Town Manager or his designee to attend these meetings. The measurable goal is that 4 quarterly meetings are held to improve communications.
 - Select Board Member Update 8/10/20: I have been in touch with a few participants from the small business owners group that started meeting on an occasional basis after the Town Manager's arrival in October 2018 and went on hiatus in the fall of 2019 with seasonal business needs, loss of the Economic Development Director and then continued to be on hiatus with the pandemic. They are interested in restarting meetings again in a remote manner and are interested in meeting the new Economic Development Director. Short term goals: Set up a meeting for some time in the next month or so and at that meeting lay out a projected schedule of future meetings and potential topics. Determine the second member of the Select Board to be added to this group.
 - LUHD Update 8/10/2020: She is meeting business owners and planning a more formal program of meetings however the focus of activities has been on supporting the smaller businesses during the pandemic. COVID 19 having the maximum impact on the small businesses, the Economic Development Office has been working closely with them to understand their unique needs to stay afloat in this market. Starting with a streamlined outdoor permitting process for outdoor seating for restaurants and some retailers adding outdoor pick-up services the ED office has constantly been providing information about different state and federal funding support options to businesses. The ED Office has been working with the Lexington Retailers Association and the Chamber of Commerce to provide tailored resources to small business owners such as organizing a webinar with state representatives and developing promotion and marketing for some of the businesses. The ED Office has also secured funding through the Community Development Block Grant program to support micro-enterprises (5 or fewer employees) in Lexington.
 - *2021 Update - Select Board Member Update 9/6/2021: The small business owners group has met in October 2020, February 2021, April 2021, July 2021. The meetings are now set up roughly every 3-4 months and facilitated by the Economic Development Director. The group's membership has seen a few new people join and a few others drop out. It can sometimes be challenging to find a mutually agreed upon time to meet as many of the small business owners are actively involved in running their business and last minute situations may arise rendering them unable to attend. There is a sense among some of the group's members that the group*

needs better definition of what the goals of the group are. Select Board members currently attending these meetings are: Suzie Barry & Doug Lucente

- *Land Use, Health & Development Department (LUHD) Update 9/2/21*
 - *October 14th, 2020- The Town staff and the Town Manager provided an update about COVID 19 numbers and outdoor dining. The businesses discussed concerns related to Employee Healthcare, vaccination plans, and transportation services for employees.*
 - *February 18th, 2021- The Town Manager discussed high-level plans for ARPA funding, and Center Streetscape updates. The businesses discussed challenges related to upcoming construction, parking, and outdoor dining. The staff proposed to invite other businesses to the future meetings and call it small Business Roundtable with Town officials.*
 - *April 22nd, 2021- Staff extended invitation to East Lexington small businesses and property owners. Town Manager and staff provided updates about Center Streetscape and Annual Town Meeting. Businesses discussed about permits and concerns related to sign bylaw.*
 - *July 22nd, 2021- Staff provided an update about the Comprehensive Plan and discussed COVID 19 and the effects on small businesses. Businesses discussed Bike share, the Commuter breakfast, predictable and guidance for permitting and licensing. Staff updated about business guide/toolkit and grants.*
 - *The next small business meeting is scheduled for October 22nd, 2021.*

*Large Business Outreach
(Champion - Mark Sandeen)*

- The outreach program with larger businesses will continue through 2020 with the plan to hold at least six meetings with large businesses during 2020 targeted to businesses that may be growing, lease renewals or other indicators. This will be coordinated through the Economic Development and Town Manager's offices. With one of these meetings being a joint meeting with the Center Businesses group. The measurable goal is that a minimum of 6 meetings are held with the larger business owners in Lexington.
- Select Board Member Update 8/10/2020: The Town Economic Development office has organized two well-attended meetings with the business community in the last year. Secretary Kennealy spoke at both events. One event was hosted on Hartwell Avenue and one in Lexington Center.
- Town Manager Update 8/10/2020: These were expected to start in the first quarter of 2020 but haven't due to the inability to hold in person meetings. It would be difficult to arrange a zoom meeting with the right people, but it would probably be very helpful right now to make the effort. I'm happy to work with Suzie and Mark and our other staff to identify the appropriate people to invite and schedule a zoom meeting to hear from businesses. This may be helpful as we move forward into the Fall. If this is what the Board wishes to pursue, we will work to arrange a meeting prior to the end of August with the businesses that are identified.
- LUHD Update 8/10/2020: The ED Director has had communication with the commercial developments and large businesses such as Revolution Labs (1050 Waltham), Takeda, The Richmond Group (4 Maguire) and Lincoln Properties (91 Hartwell). She is working with state agencies such as MassEcon as well as Middlesex 3 Coalition to promote commercial properties that are lab-ready and a premier location for growing life sciences companies. The ED Director also promoted Lexington's Commercial space in the New England Real Estate Journal featuring the region: <https://reader.mediawiremobile.com/NEREJ/issues/206193/viewer?page=22>
- *2021 Update - Land Use, Health & Development Department (LUHD) Update 9/2/21*

- *Town Manager and Economic Development Staff toured 75 Hayden and visited Dicerna Therapeutics and Frequency therapeutics.*
- *Town Manager and staff also attended a ribbon-cutting ceremony of Fequency Therapeutics with Congresswoman Clark and Rep Michelle Ciccolo.*

*Center Businesses
(Champion - Jill Hai)*

- A quarterly meeting will be established in 2020 specifically with businesses in the Center Business District through the Center Committee to discuss the impacts of the Center Streetscape Project and to work around as many issues as possible to ensure the project goes smoothly. The project is slated for construction to begin in the Spring of 2021, therefore starting the first quarter of 2020 a meeting will be initiated through the Economic Development, Public Works Department and Public Information Officer, who will be responsible to communicate with businesses to ensure an effective two-way communication before and during the project to minimize complaints and to establish an effective complaint resolution program during construction. The measurable goals will be that 4 meetings are held and that a two- way complaint/complaint resolution program is developed.
 - Select Board Member Update 8/10/2020: New ED Dir has begun relationship building with Center Committee and Chamber to establish the meetings and communication pathways discussed
 - Town Manager Update 8/10/2020: Dave Pinsonneault is on the agenda for August 24, 2020 to provide an update to the Select Board on the status of the Center Streetscape project and a letter is going out in early August providing an update to the businesses. Again, this was slated for some initial meetings in the first quarter of 2020 but due to the pandemic this has not occurred. The project is still on track and a notice has gone out to the businesses in the center. I would recommend that a meeting be scheduled during the third quarter of 2020 to have a discussion with the center businesses and Jill can be involved in those discussions/meetings.
 - LUHD Update 8/10/2020: The Economic Development office has been working closely with the Center Committee to understand the needs of the Center Businesses. The ED office has developed several resources such as a list and information of all the businesses currently open and also developed a Map with all the different business categories in the Center as well as East Lexington. The ED Coordinator also developed signage and posters for businesses as part of the reopening strategy. The ED Office also assisted the Engineering and DPW to secure grant funding through MassDOT to promote outdoor dining and retail to help with revitalization post-COVID 19. The Assistant Town Manager for Development and the Planning staff have experience communicating with and assisting businesses through roadway reconstruction projects in other communities. We are prepared to support the ED director and DPW in this communication before and during construction.
 - *2021 Update - Land Use, Health & Development Department (LUHD) Update 9/2/21 – Economic Development Staff meets weekly with the Engineering Department, the Public Information Officer, and project consultant to review the construction schedule for the upcoming week. Staff works to get those updates on the Town Website and in newsletters. A standing Center Streetscape Construction updates has been added to the Economic Development Newsletter. Staff provides updates on construction to the Center Committee, Tourism Committee, Chamber of Commerce, and Retailer's Association Monthly.*

*Small Business Tax Exemption Program
(Champion - Joe Pato)*

- Through the Town's Finance Department, data will be accumulated during the first three quarters of 2020 to develop an impact statement and to identify the number of businesses that would be able to participate in a Small Business Tax Exemption program. The Finance Department will make contact with all businesses identified as eligible based upon their property valuation and will identify the number of employees to establish a list of potential businesses and further develop an impact to all other commercial businesses should the Town offer a Small Business Exemption. The measurable goal is the development of the report for the Board's consideration. The timeframe will be to ensure a final report is provided to the Select Board one month prior to the FY21 tax rate setting hearings.
 - Select Board Member Update 8/24/2020: Initiated discussions with Land Use, Health & Development Department and Finance Department to take raw data from the state and analyze how many businesses would actually benefit from this exemption. Brookline studied this exemption in 2010 and recommended proposing changes to MGL Chapter 59§5I "to address the inequities created by the limitations of the current qualifying criteria and to be more useful to the Town of Brookline as a tax policy tool to promote and support small business development." Looking into if any of the proposed changes could be meaningful for Lexington via a home-rule petition.
 - Town Manager Update 8/10/2020: This is predicated on the size (number of employees) of certain businesses and the Finance Department was going to be accumulating data through the first three quarters of 2020 to determine whether there was a need to pursue this exemption. I will follow up with Carolyn Kosnoff, Assistant Town Manager for Finance to provide an update.
 - LUHD Update 8/10/2020: Although not a task for the Land Use Health & Development Department, this goal could help small businesses open and/or remain in Lexington.
 - *2021 Update – Land Use, Health & Development Department (LUHD) Update 9/2/21: In September 2020, under the Direction of the LUHD Department, Katherine Scotti, the Valente intern cross-referenced the owner-occupied buildings in the center with those buildings in Lexington Center valued at the eligible assessed value and only four met the criteria to potentially qualify. The results were provided to the Finance Department.*

LIVABILITY
DEVELOP EFFECTIVE TRANSPORTATION SOLUTIONS
(CHAMPION – MARK SANDEEN)

- The Transportation Manager will continue to work with others in the neighboring communities to identify opportunities to cooperate and develop a broader use of the Town's transportation services.
 - *2021 Update – The Town was awarded a Mobility Management grant from MassDOT which is assisting us in development of a Regionalization Action Plan for transportation services. This is currently underway. Our grant ends in June 2022. We continue to work with neighboring communities through the Inner West Regional Coordinating Council, in addition to other opportunities (i.e. MPO Transit Working Group, MAPC).*
- The Transportation Manager will review and identify opportunities to provide first mile/last mile service during the morning and evening rush hours to connect local businesses with other public transportation options using the Lexpress or Rev bus services.
 - *2021 Update – Commuter specific transportation has declined the most during COVID and the focus of most transit organizations is on equity and offering more frequent, all day services to better reflect the needs of riders and schedules that are not the typical 9-5 schedule. As part of*

our regionalization work, we are looking at all opportunities that make sense for transit. (It should be noted that 91% of the world's 1st/last mile trips are made by walking and walking infrastructure is not only important for connecting to transit, but for reducing school congestion, and creating a more Age Friendly community.)

- *2021 Update – Additionally as part of a COVID-related taxi grant, businesses needing rides for employees late at night or during weekend hours when we have no transit available, can book workforce rides through the Transportation Services division with advance notice (at least 1 day prior). The funding is limited but this type of service could be continued through other relief funding in the short-term, as indicated.*
- The Transportation Manager will work with the MBTA on potential new bus routes to provide improved services for residents seeking public transportation.
- The measurable goal for the above three bullets is to see increased usage (not a defined percentage as this will be a multi-year goal seeking to increase public transportation usage) during 2020 and to provide a recommendation on alternative routes that would link Lexpress or other public transportation services to regional train services available in nearby communities.
 - *2021 Update - The MBTA is still working on Bus Network Redesign. This will take time, and the Transportation Manager attends all of those meetings. Outside of this, the Transportation Manager works closely with the MBTA service area manager to find ways to create better connecting services. The Transportation Manager organized a meeting of Lexpress, LRTA, and MBTA before the Fall schedules were finalized with the goal of creating systems that offer better connections. The Transportation Manager is also on two committees for the MBTA Advisory Board. This is something the MBTA is working towards as they move away from commuter rail to more frequent, all day transportation and less peak-time (white collar commuter) services. It is expected to take until about 2025 before the rail lines surrounding Lexington are put on the more frequent schedule. Once they are, it will make more sense to connect people to these other rail options, rather than only funneling people through Alewife.*
- During 2020, the Transportation Manager working with the Town Engineer and Public Works Department will identify potential locations for a protected bike lane trial in Town. The measurable goal will be to include a recommendation whether a protected bike lane is possible/advisable. The measurable goal will be that public meetings will be held and a recommendation made to the Select Board in a timely manner so that any costs could be included for the FY22 budget.
 - Select Board Member Update 8/10/2020: The Town's Lexpress service celebrated its 40th anniversary this year. The Transportation Manager has revised schedules and fees to encourage ridership once service resumes. Many of the goals outlined in this section have been delayed due to the coronavirus crisis. The Transportation Manager has not yet provided a recommendation on potential protected bike lane trial locations.
 - Town Manager Update 8/10/2020: This goal came to a halt with the pandemic and the shuttering of the Town's Lexpress bus service. Some of the goals have made progress as far as developing new routes and continuing to work with other communities. The first mile/last mile goal was discussed briefly in the last Select Board meeting and still a major issue for businesses to get their employees from the train stations to work locations in Lexington and should continue to be pursued. The measurable goal is not possible in 2020 as the service has not been operating for 5 months. In regard to the protected bike lane, Melissa Interest, Human Services Director has been asked to provide an update on the status of this work and whether it will be completed in time to coincide with the FY22 budget development. Depending on the pandemic and how long it lasts and long-term impact on the Town's finances when combined with other priorities, this may need to be postponed until the FY23 budget process.

- *2021 Update – Regarding bike lanes, in October 2020, Assistant Town Manager for Development requested that this goal be moved under the jurisdiction of the Planning division for planning/review/design through the Transportation Safety Group.*

**REVIEW RESIDENTIAL ZONING FOR WAYS TO CREATE NEW HOUSING
OPPORTUNITIES AND PROTECT THE DIVERSITY OF EXISTING HOUSING STOCK
(Champion – Jill Hai)**

- The Select Board have already had an introductory presentation on Chapter 40R and 40S development. The Board will schedule a secondary discussion on these options during the first quarter of 2020 with the measurable goal of having a position developed during the second quarter with the goal of having any action required of Town Meeting included in a Fall 2020 Town Meeting warrant.
 - LUHD Update 8/10/2020: The Land Use Health & Development Department staff (Dept. Head) has 40R experience and is prepared to assist along with other staff. This effort would not be ready for the Fall 2020 Special Town Meeting.
 - *2021 Update – Land Use, Health & Development Department (LUHD) Update 9/2/21 Assistant Town Manager for Development, Planning Director and Economic Development Director applied for Technical Assistance grant funding to help Lexington evaluate 40R potential, but the grant was not approved. In May 2021, Assistant Town Manager, Economic Development Director and Planning Director discussed with the Town Manager locations in Lexington that may meet eligibility requirements for a 40R Smart Growth district.*
- The Select Board will work with the Planning Department, Community Preservation Committee, Housing Partnership, LexHab, Housing Authority and others to review existing affordable housing stock, improvements that may be needed and to develop a plan to fund improvements. The Board will hold an initial meeting during the first quarter, develop a working group of these Committees to identify opportunities and the Town Manager will identify appropriate staff to assist in this review. The working group will work throughout 2020 and identify funding opportunities and/or needs and will present to the Select Board an interim report in the Fall of 2020 to obtain feedback and then provide recommendations to the Board in December 2020 for any action needed by the Town at Annual Town Meeting 2021. The measurable goal will be to have an improvement plan agreed upon by January 2021 with funding recommendations for the 2021 Annual Town Meeting.
 - Select Board Member Update 8/10/2020: SPRD continued to meet regularly through the summer and will going forward (3rd Tuesday each month, 8am). Zoning Consultant has brought a large range of zoning alternatives other communities have used to broaden housing diversity. Documents are posted to SPRD committee page and work is shifting to drafting new options for Lexington, based on these models and our needs.
 - Town Manager update 8/10/2020: Jill Hai has been working with Carol Kowalski on this issue and I will include Carol's written update to the Board when it's received. The Town has not created a working group consisting of the various housing interests during 2020. There has been some discussion about the future of LexHab and how this could be transformed in the future. Once the Board discusses this goal, the creation of a working group could be added on the August 24 agenda to move this item forward.
 - LUHD Update 8/10/2020: The Board may wish to consider starting this once the SPRD Ad-Hoc Committee completes its work. That Committee's knowledge and engagement is on the continuum of this goal.

- *2021 Update – Land Use, Health & Development Department (LUHD) Update 9/2/21. The Planning Director and Assistant Town Manager for Development continue to work with the Select Board's SPRD Ad-Hoc Committee to develop a zoning bylaw amendment.*
- *At the Town Manager's request Assistant Town Manager for Development prepared a memorandum on Municipal Affordable Housing Trusts and Housing Development Corporations. She presented to the Select Board, Housing Partnership Board, LexHab, Capital Expenditures Committee, Appropriations Committee, CPA, and was subsequently asked to prepare a committee charge for a committee that would study the benefits/risks of a Municipal Housing Trust for Lexington and a Housing Development Corporation. The Select Board has discussed the charge at several meetings, and housing stakeholder groups commented on the draft charge in August 2021.*
- *A housing forum for public input on the Housing section of the Comprehensive Plan is scheduled September 21, 2021.*

HIGH PRIORITIES

**QUALITY INFRASTRUCTURE, AMENITIES AND MUNICIPAL SERVICES
REVIEW THE CHARGES FOR ALL TOWN COMMITTEES; MODIFY AND UPDATE AS APPROPRIATE TO
REFLECT BOARD PRIORITIES AND CREATE EXPANDED OPPORTUNITIES FOR RESIDENT PARTICIPATION.
(CHAMPIONS – JOE PATO & SUZIE BARRY)**

EXECUTION:

Town Committee Review (Joe Pato)

- During the first half of 2020, the Board will designate a Select Board member to work with the Management Fellow to identify the legal basis of all Town Committees and whether the Committees are mandated by law, mandated by some other law the Town has adopted or optional. Those Committees that are identified as optional, will be reviewed to determine the ongoing necessity of the Committee. The charge for all Committees, both mandated and optional will be reviewed to determine if they continue to be appropriate and/or whether an updated charge is advisable and will provide a recommendation to the Board for consideration by December 2020. The measurable goal will be for the Select Board to approve new Committee charges by June 2021.

BOARD GOAL:

2020 – Complete review and update of all committee charges to rationalize functions and expand appeal for broader resident participation.

2021 – Attract 15% new participants to town committees

- Select Board Member Update 8/24/2020: Committee inventory completed with linkage to establishing authority. Committee charge analysis has been delayed by 6 months.
- Town Manager Update 8/10/2020: Joe Pato and Doug Lucente were working on this item and I will leave this to them to provide an update. One of the goals was to ensure new participants (15% was the goal). On the Town Manager appointments, we specifically advertised all of them as being open appointments, which did not make some long time members happy. We have reviewed the Town Manager appointments and of the 27 appointments I've made this year, 20

were reappointments and 7 are new appointments (26%) relative to the 15% goal (TM appointments only).

- LUHD Update 8/10/2020: Land Use, Health & Development Department staff would like to assist in this review for the many committees supported by the Department.
- *2021 Update – The Select Board is actively engaged in reviewing its appointment processes and a report back was provided at the September 20, 2021 Select Board meeting. The Town Manager has made 23 appointments with 11 being new appointees or 48%.*

Board Liaison Review (Suzie Barry)

- The Board will commence a discussion on the role of Board Liaison to various Committees and establish protocols for the Board Liaisons. This discussion will commence in January 2020 and will conclude by June 2021. The Chair of the Board will review other community's liaison roles and develop a protocol for discussion with the full Board no later than May of 2020. The measurable goal is that protocols will be established by June 2021.
 - Select Board Member Update 8/10/2020: Currently gathering information already in use by other Towns for review and reviewing draft information written by former Select Board member Michelle Ciccolo regarding this topic. Goals: Have preliminary discussion with full Select Board to gather information regarding how they see the role, challenges and opportunities. Schedule for SB meeting by end of September 2020; Survey Board and Committee Chairs regarding their understanding of the role and their interaction with their liaison. Aim for survey result by end of October 2020; Hold an additional discussion with the full Select Board in November 2020 to review survey results and gather additional feedback; Draft and review protocol including ongoing review and feedback of draft with full Select Board December 2020-February 2021; Present final protocol for review and approval by full Select Board March-May 2021.
 - Town Manager Update 8/10/2020: I was not involved in this review and will defer to Suzie Barry's comments on updates. The schedule was to complete this by June 2021.
 - *2021 Update - Select Board Member Update 9/6/2021: A larger formal Board conversation of substance regarding the role of a Board liaisons did not take place. Smaller conversations/comments did take place during liaison reporting and liaison reshuffling discussions. The Board did move to written liaison reports to be included in the SB meeting packet as standard practice as of July 2021 and so far they have received favorable feedback from the members. This goal continues to need to be worked on.*

COMMUNITY CHARACTER

CREATE AND COMMUNICATE A PLAN FOR BROADENING DIVERSITY OF TOWN STAFF (CHAMPION – JILL HAI)

- The Town Manager and HR Director will identify additional resources to advertise and promote job openings and will continue the employee survey that was undertaken in 2019 to measure and identify whether there are improvements or lessening diversity. The measurable goal will be a continuing annual report back in Fall 2020 on employee demographics and outreach efforts.
- The Select Board through the activities listed above relative to reviewing the charge of all Committees and seeking to provide additional opportunities for residents (that may not have previously been involved) will require that all vacancies, and those seats with incumbents who's terms are expiring, whether the Committee is appointed by the Select Board or Town Manager to be advertised in local papers, on Town bulletin boards and the Town's website with a copy of the opportunity emailed to all those previous attendees of the Citizen's Academy to seek to diversify

Committee membership. This will be undertaken with the reappointments starting January 2021 and the measurable goal will be advertising all expiring terms for Committee appointments.

- Town Manager Update 8/10/2020: The Town Manager and HR Director were to identify additional goals and a continuing report back in the Fall of 2020 on town employee demographics. The Town has placed ads nationally in professional websites that include diverse membership including ELGL (Engaging Local Government Leaders, which is a diverse professional association of middle managers in local government), MassachusettsDiversity.com, MMA and websites specific to the position (i.e. Massachusetts Environmental Health for our Health Agent position). We have also used the Bay State Banner (an African American newspaper) and El Mundo (a Latino American newspaper among others and will continue to do so. The most recent recruitment for police officers was provided to ABCL with a request that they distribute it widely. The employee demographic study will be initiated in September 2020 and will be reported to the Board with a comparison with 2019.
- *2021 Update – The Town continued its survey of town staff to develop baseline data and saw increases in 2020 over 2019. With the hiring of a Chief Equity Officer in August 2021, she has assumed this responsibility and will be undertaking an update of that survey in the coming months. The HR Department is working with the Chief Equity Officer and identifying additional advertising venues for positions and will be updating position descriptions with an equity lens. These have been developed into part of the race equity plan that the Chief Equity Officer has developed which will be presented to the Select Board in the coming months.*

TOWN-WIDE FISCAL STEWARDSHIP (CHAMPION – DOUG LUCENTE)

- Limit the rate of property tax increase. The Town will endeavor to not have a Proposition 2 ½ override and communication to residents on town finances and taxes will be developed. The measurable goal is that the Town Manager and Finance Department will develop easy to understand informational pieces during 2020 and will work with the Public Information Officer to communicate to residents through Town Meeting, a community conversation, online, mail and/or LexMedia.
 - Select Board Member Update 8/10/2020: Need to set up a meeting to review the format to be used for an easy to understand communication piece to the community before Fall Town Meeting and before the Police Station project is presented to the community.
 - Town Manager Update 8/10/2020: We have not anticipated a need for a Proposition 2½ override. An informational piece as discussed in the goals has not occurred, but can be done as part of the Fall Town Meeting process to explain how we're balancing the budget and explaining the tax rate.
 - *2021 Update – The Town has continued to conservatively manage its funds and work within the Revenue Allocation Model that the Town has utilized for many years. However, during the past two budget processes additional funds from the Town's reserves were utilized to meet school spending requests and the Town Manager and Assistant Town Manager for Finance have indicated this is not sustainable. The FY23 budget will continue the practice of not seeking a Proposition 2½ override and to contain sustainable practices.*
- Review home rule petition opportunities to address the issue of tax deferrals and the timing of when interest begins after the property owner(s) passes away and the estate is required to pay the deferred taxes. The measurable goal is that the Board will consider adding to the 2020 Annual Town Meeting warrant, an article that will seek a home rule petition to allow the Town of Lexington to set the timing and interest rate for the deferred taxes for the residential tax deferral.

- Select Board Member Update 8/10/2020: This was successfully completed at the 2020 Annual Town Meeting.
- Town Manager Update 8/10/2020: This was on the Annual Town Meeting warrant and the home rule petition has been submitted to the legislature. With the pandemic schedule and other associated issues of the legislature, I do not anticipate this will be taken up for consideration until the next session and would anticipate it being considered in the Spring of 2021.
- *2021 Update – This was codified as Chapter 351 of the Acts of 2020 and signed by the Governor on January 20, 2021.*
- Take action on the residential exemption study committee recommendations, including development of a means-tested and/or age-based residential exemption – The Board will charge a new Residential Exemption Study Committee in 2020 to take up this issue and make a recommendation by January 2021 at which time the Ad Hoc Committee will sunset.
 - Select Board Member Update 8/10/2020: Next step is for the Select Board to create the charge for the proposed study committee and appoint members. This will be on an agenda during a September 2020 meeting with a proposed draft for the Board to review.
 - Town Manager Update 8/10/2020: The residential exemption study committee has not been created and I anticipate it would be difficult to provide a recommendation by Jan 2021 even if it is created in the near future. I would recommend this goal deadline be extended.
 - *2021 Update – This item is outstanding.*

**DEVELOP A CAPITAL MASTER PLAN THAT ENCOMPASSES ALL CAPITAL ITEMS
(INFRASTRUCTURE, BUILDINGS, ETC.) AND INCORPORATES THE SCHOOL'S MASTER PLAN
(CHAMPION – JOE PATO)**

- The Town Manager, Assistant Town Manager for Finance, Director of Public Facilities and Director of Public Works will provide an estimated cost for inclusion for items costing over \$500,000 in the 2021 Annual Town Meeting warrant. The measurable goal is to develop a full cost report in time to inform the FY23 budget process (Fall of 2021).
 - Town Manager Update 8/10/2020: This is in the FY21 Capital Plan, but with many of the capital items and PIRs are waiting until the Town Manager and Finance staff make a recommendation on how to move forward with the FY21 budget. An update is planned for August 24 and a summit with the School Committee, Select Board, Appropriation Committee and Capital Expenditures Committee is planned for September 10. Within the next few weeks, we'll have a better idea of the PIRs and capital projects that can move forward and an update on this can be provided at that time.
 - *2021 Update – Select Board Member Update 9/16/21 - Mike Cronin presented the preliminary set of findings of a facility condition assessment on June 7, 2021. This presentation covered 27 assets – 18 School and 9 Town facilities or roughly 1.86M Gross Square Feet of building space. Presented projections show that the current capital maintenance investment of roughly \$4M per year is well below the level needed to maintain the current Facility Condition Index (FCI).*
- The Town Manager and Finance Department will draft a comprehensive debt management plan in the form of guidelines to be presented to the Select Board prior to September 2020 and incorporated into the FY22 budget process. The measurable goal will be an agreement between the Select Board, Appropriation Committee, Capital Expenditure Committee and School Committee by the second budget summit of the FY22 budget process.

- Town Manager Update 8/10/2020: This has been worked on but is behind schedule, but we will continue to endeavor to provide it by the second budget summit. We are meeting with the school administration every other week to ensure a smooth budget process for FY22.
- *2021 Update – Select Board Member Update 9/16/21 – Staff have developed a Capital Stabilization Framework for addressing impending large construction projects. This proposal was previewed at the September 22, 2021 Financial Summit. This will go back to the Financial Working Group one final time before coming back to the Select Board for approval.*

OTHER PRIORITIES

The following items were listed under “other priorities” and will be worked on to move them forward, but without the top and high priority detail. These include:

IMPLEMENT THE SUSTAINABLE ACTION PLAN AND GETTING TO NET ZERO EMISSIONS PLAN (CHAMPION – MARK SANDEEN)

- The Town is in the process of hiring a Sustainability Director and has developed an Integrated Building Design and Construction Policy to provide direction for Town building projects. The measurable goal will be following the hiring of a Sustainability Director, an implementation road map of the Sustainable Action Plan and Getting to Net Zero Emissions Plan will be developed with priorities for implementation and any costs associated with the implementation of plan elements estimated, this will be undertaken within one year of the Sustainability Director’s hire date and will be done under the direction of the Sustainability Director and Sustainable Lexington in consultation with the Town Manager and Select Board.
 - Select Board Member Update 8/10/2020: The Town has hired a Sustainability Director. The Sustainability Director has met with Sustainable Lexington to understand that committee’s recommendations regarding implementation priorities for the Sustainable Action Plan and the Getting to Net Zero Emissions plan for the next year.
 - Town Manager Update 8/10/2020: We have hired the Sustainability Director who started this Spring (remotely) and has jumped right into these projects with the Sustainable Lexington Committee.
 - *2021 Update – The Director of Public Facilities and the Permanent Building Committee have worked off the Integrated Building Design and Construction Policy and consider whether every Town project can be accomplished as a net zero project. Designers are being asked to approach the project with this in mind and if feasible, they design for the goal of Net Zero. During this year, the Sustainability Director, Sustainable Lexington Committee and Town Manager drafted a Fleet Electrification Policy which the Select Board has approved and all Town vehicle purchases are now required to be analyzed as to whether there is a reasonable electric option. As part of the fleet electrification planning, the Town appropriated funds in the capital budget to install several EV Chargers and was able to obtain grant funding to extend the number of EV Chargers that will be installed. The Sustainability Director also is working with the MAPC on a Climate Action Plan to assist the Town in achieving its net zero goal and local funding for the program is proposed on the Fall 2021 Special Town Meeting.*

250TH CELEBRATION (CHAMPION – SUZIE BARRY)

- The Select Board will create and appoint a Committee in 2020 to oversee and plan activities for the 250th anniversary of the Battle of Lexington and the Board will also coordinate with surrounding communities, other partners and the State on collaborative opportunities. The measurable goal will be the creation of the Committee and planning efforts being coordinated with other area communities, other partners and the State.
 - Select Board Member Update 8/10/2020: The Select Board approved the charge for the Semiquincentennial Commission (Lex250) at the January 13, 2020 Select Board Meeting. Mr. Lucente & Ms. Barry were working on the application for membership on the Commission and the plan for recruitment of members when the pandemic hit and efforts were paused. As a side note an informal group of a Select Board representative from Lexington, Concord, Lincoln, Bedford & Arlington along with the Director of Minute Man National Park and a representative from Hanscom Air Force Base was formed and met twice prior to the pandemic to begin conversations surrounding the communication and coordination of any events being planned in the Battle Road area for 2025. This group intends to start meeting again informally in the coming weeks by remote participation. This group is also monitoring events being planned at the State and National level as well. Goals: Revisit the application to see if any updates are necessary and restart the recruitment process to staff the Commission. Aim for a first meeting of the Commission by April of 2021.
 - *2021 Update - Select Board Member Update 9/6/21: The charge to the Semiquincentennial Commission (Lex250) was amended in January of 2021 and members were appointed by the Select Board on April 5, 2021. In May of 2021, The Select Board submitted a letter to the Citizens Stamp Advisory Board of the United States Postal requesting that the United States Postal Service issue three separate stamps to commemorate the 250th anniversary: one depicting Paul Revere's Capture in Lincoln, one depicting the Battle on Lexington Green and one depicting the Battle at the Old North Bridge in Concord. The Commission held their first meeting in June of 2021 to review their charge, committee structure, important upcoming dates in the years ahead, local, state and federal efforts to date and begin the brainstorming and planning process. In August of 2021, the Select Board received acknowledgement of the letter sent to the Citizen's Stamp Advisory Board. The multi-town Select Board Committee continues to meet on an informal basis. State Senator Mike Barrett was successful in adding representation from the Towns along the Battle Road to the State's Committee for the 250th Anniversary (it previously included only the City of Boston). Representative Michelle Ciccolo was successful in getting \$50,000 in planning money for the 250th included in the FY22 State Budget.*

**TWO-WAY COMMUNICATION
(CHAMPION – DOUG LUCENTE)**

- The Town Manager will work with the Board during 2020 to better define what is intended for two-way communication tools and will work with the Public Information Officer to review existing online platforms and a non-online option and will implement (subject to budget appropriation) a plan to improve communications between residents and Town Departments. The measurable goal will be the development of a communication plan with cost estimates in time to be included in the FY22 budget.
 - Select Board Member Update 8/10/2020: The FY21 Budget included a new Town website. The staff is currently in the process of getting feedback from various vendors. The IT department has been working with PIO on this process. By next fiscal year's budget development, staff plans to have explored options available by vendors to integrate a two way communication option such as "See, Click, Fix" or other similar application.

- Select Board Member Update 8/24/2020: Vision 20/20 Committee has approved Enhancing Communication in Lexington (ECiL) subcommittee report “Best Practices for Municipal Communications” for submission to the Select Board in September. This report identifies Best Practices which the ECiL Committee believes, if implemented, will help improve communication in Lexington. Throughout this report the term “communication” refers to the bi-directional exchange of information between the Town of Lexington and residents and/or people working in the Town.
- Town Manager Update 8/10/2020: While we haven’t defined what is intended by two-way communication, we have been fully utilizing the PIO position and there has been tremendous positive feedback that I’ve received related to the flow of information coming from the Town. We have not developed a formal communications plan for the FY22 budget, but this still may be possible.
- *2021 Update -*
 - *The Town’s Public Information Officer is in the process of working on a Town-wide communications plan. This requires a lot of effort for a single communications staffer (communities with communications plans that we’ve found either had multi-person communications departments, or the plan was completed by a consultant). The PIO worked with a group of PIOs from other communities to develop a framework for a communications plan, and will then be using the group as a peer-review team when a draft of the plan is complete.*
 - *In an effort to understand the effectiveness of our communication, we sent out the first Town Communications Survey in March. This survey will be sent biennially moving forward, and the results will inform updates to the Town’s communications plan. We received nearly 1,300 responses to the survey.*
 - *Of particular note in the survey, 1,023 respondents shared their satisfaction with respect to timeliness of information (at least 71% were either ‘extremely’ or ‘very’ satisfied), accuracy of information (at least 82% were either ‘extremely’ or ‘very’ satisfied), and completeness of information (at least 70% were either ‘extremely’ or ‘very’ satisfied). The PIO is also working on a summary of findings for the communications survey.*
 - *The Webmaster, in collaboration with the PIO and Library’s Webmaster, have identified a vendor for the design and implementation of a new municipal website, which is anticipated to launch in winter/spring 2022.*
 - *The PIO is working with Town Departments to identify a two-way communications solution. The identified website vendor may have a solution that is built into their content management system that would satisfy the Town’s two-way communication needs, so we will work with the vendor to see if that’s a possibility.*

Community Compass

Library

- In 2021 Cary Library passed its first [IDEAS \(Inclusion, Diversity, Equity, Accessibility, and Staffing\) Action Plan](#) and staff have been at work on many of the goals listed under that plan.
 - We are in the process of revising all job descriptions in collaboration with the Chief Equity Officer (50% complete)
 - For the past two years, we have been reviewing library collections for diversity and adding titles by authors of color, authors with disabilities, and authors who are members of LGBTQIA+ communities. We are reviewing our booklists book displays to ensure that there is diversity in the authors we recommend.
 - Our library card application is now bilingual (English/Chinese)
 - We moved to a new website vendor in September 2021 largely because it was the best product in terms of accessibility features.
 - We now are now the host location for vocational interns (one from the Coting School, one from the LABBB Collaborative)
 - Our Teen Services Manager has established a book club at the Pelham Academy residential school.
 - We are proud to continue significant collaborations with community partners including ABCL, CAAL, IAL, LexPride, and members of the Muslim Community. We are working to build and strengthen our relationships with CALEX, JPlex, KOlex, and other community groups.

Land Use Health and Development

- The Economic Development Office worked on Tourism rebranding and has now developed a new logo and brand identity for the visitors to learn about the history and have a great experience in Lexington.
- The ED office used several marketing opportunities in radio, television, and print to promote Patriots Day.
- Assistant Town Manager attended two-part workshop Creating a Race Equity Framework and Tools for Planners
- For sharing history, Land Use Health & Development Department routinely use the Laserfiche files to provide history and documentation of residents' property files. We frequently have questions about the past permitting or work at a property, and we send the information or invite the owner to the office to view.

- LUHD Dept. held two well-attended, interactive community forums held September and October 2021 for Lexington Next (Comprehensive Plan) one on What “Attractive and Vibrant” means for Lexington’s commercial districts, and the other on Housing.
- Spring 2022: Parker Meadow Accessible Trail construction in progress
- Planning Board proposed and Town Meeting approved Article 13 at Special Town Meeting 2021 which amended the Town’s Zoning bylaws to clarify Town of Lexington zoning requirements do not discriminate; to use more inclusive language, to ameliorate racial, disability, and other impacts in permitting decisions
- TSG worked with MassDOT and MBTA to install RRFB’s Rapid Rectangular Flashing Beacons and landing pads making safer routes to school and accessible MBTA stops.
- The ED Office will be working on a new Tourism Website that will address all destination marketing needs in FY 2023.
- Completing the Comprehensive Plan which is a town-wide long range plan focusing on land use and development in areas of housing, transportation, sustainability, public facilities, historic preservation, open spaces and recreation
- Implement Lexington Next (expected to be adopted by the Planning Board in late 2022)
- Developing District Plans for Transportation Management Overlay Districts 2 and 3
- Proposing zoning amendment(s) for mixed use and multi-family residential to comply with new state law for MBTA communities. The proposed zoning is both a an economic development and housing related focused effort. The proposed zoning will meet the state’s goals to zone to permit higher density housing in sustainable areas near public transportation and have a strong economic focus by proposing zoning most beneficial to protect Lexington’s tax base.

Human Services

- Provided programming that highlights customs and challenges of different groups – e.g. DEI series, LexPride partner programming, Diwali and Chinese New Year Celebrations (2021 – ongoing)
- Work with LABBB, the Independent Learning Program (ILP) and Dependent Learning Program (DLP) to support students in their life skills training and provide travel training based on their abilities (Ongoing)

- Transportation Manager actively advocates on different committees/boards for enhanced services for seniors and people with disabilities, as well as plans alternative transit programs (e.g. Lexpress Nature Walks, senior biking program) targeted to those who cannot drive (ongoing)
- Neighborhood postcards (September 2020 – ongoing),

Livable Lexington

Land Use Health and Development

Safe Multi-modal Transportation:

- Planning staff continued to work with Engineering staff and the 25% Design working group on the Bedford Street/Hartwell Ave Redesign

Affordable and Accessible Housing:

- Annual Town Meeting 2022 Article 35 [Open Space Residential Development] approval for new zoning that allows a higher density housing and various styles of housing to be clustered to preserve open space. The new zoning also has an inclusionary housing requirement.
- Assistant Town Manager and the Special Permit Residential Ad Hoc Committee met 15 times to continue to develop a bylaw for Town Meeting to allow alternatives to conventional subdivisions. The Committee also reviewed the OSRD and other alternative bylaw proposals that would create more varied housing types in Lexington.
- Assistant Town Manager drafted the Affordable Housing Trust Study Committee Charge for SB
- Lottery held for Moderate Income condominium home at Lexington Meadows (Lily Pond Lane). This moderate-income unit resulted from Planning Director's suggestion during Planning Board hearings with the developer.
- Lexington public housing forum presented for LexingtonNext with Judi Barrett presenting.
- Assistant Town Manager attends presentation to Mass Select Board Association on how municipal leaders can create affordable housing in their towns.
- Select Board appoints Affordable Housing Trust Study Committee (check date with Kim)
- Assistant Town Manager arranged Affordable Housing Trust Study Committee Meeting's first meeting and provides ongoing staff support. The AHT Study

Committee has met nine times through May 11, 2022, and will meet with the CPC and CEC in June to present the proposed scope of a Lexington Municipal Affordable Housing Trust.

- Assistant Town Manager met with LexHAB Director and Board member regarding Housing Development Corporation objective of the Affordable Housing Trust Study Committee charge.
- Assistant Town Manager and other Lexington staff and committee members attend Mass Housing Partnership workshop, Bonding CPA funds to support Affordable Housing
- Staff and AHT Study Committee members attended “Municipal Affordable Housing Trust Fund 101”
- Assistant Town Manager, Town Counsel, LexHAB Board member, Exec Director, Liz Rust and AHT Study Committee Chair meet regarding process for a nonprofit Housing Development Corporation for Lexington.
- Assistant Town Manager attended NYU Furman Center Housing Solutions Lab Panel Event: Legal Frameworks for Addressing Racial Disparities in Housing
- Assistant Town Manager attended Citizen Housing Planning Association Fair Housing Symposium
- Staff discussed how to plan to help Lexington comply with MBTA Multi-family housing zoning law
- The town supported local businesses to thrive during the pandemic with several initiatives. The Economic Development Office assisted more than 100 businesses to receive support from the state relief funds that totaled \$4.4 million in direct funding for the businesses. We also received a Community Development Block Grant (CDBG) grant of \$85,000 which helped microenterprise businesses in Lexington.
- The Town received funding under the ARPA and the Select Board has authorized \$600,000 through the American Rescue Plan Act (ARPA) funding to be available to the Lexington businesses. An additional \$50,000 was distributed to the local non-profit, arts & cultural organizations. The Economic Development Office assisted the Town Manager and Senior Management to distribute these funds to 28 eligible businesses and 6 non-profit organizations.
- These efforts have led to reducing the vacancy rates to the lowest in the Center and are helping retain the businesses.
- Planning Board proposed and Town Meeting approved Art 35 of Annual Town Meeting 2022 amended the Town Zoning to provide development options that encourage affordable housing and open space preservation.
- Currently updating the Hartwell TMO-1 Mitigation plan to enhance our transportation demand management on the Bedford/Hartwell Corridor

- Completing by July Town-wide Vision Zero Plan to reduce roadway fatalities and serious injury
- Evaluated citizen safety requests and installed stops signs, turtle crossing signs, no-parking signs
- The ED office is working with the Town of Bedford and Arlington in developing wayfinding signage for East Lexington to help in increasing foot traffic in the district from the bike path. The Town has received \$150,000 under a grant program for this tri-town project.
- The ED office will also be working on a store façade improvement program for East Lexington to improve the stores to be more attractive and vibrant.
- Support efforts to create and hire an Affordable Housing Officer
- Develop zoning that meets MBTA community requirements, encourages diverse housing options, and requires inclusionary housing.
- Develop Town-wide Bicycle Pedestrian Plan to prioritize bike and ped routes, guide decisions, be nimble on funding opportunities
- Develop Forbes/Marrett TMO-2 and South Lexington TMO-3 mitigation plans to enhance our transportation demand management in those Districts
- Create Vision Zero policy
- Update existing Transportation Demand Management policy
- West Farm Meadow Preservation
- Wright Farm Barn
- Complete CPA FY18-FY21 projects:
 - Conservation Restriction and Baseline Work
 - Native Plant Nursery Support
 - East Lexington Habitat Enrichment
 - GCC Land Survey for Concord Ave
 - Idlewild Community Garden Parking
 - Trail Boardwalk Improvement projects

Human Services

- Provided programming and services on bike safety, transportation training, etc. – e.g. Lex Lights the Night, Bike Rodeo, Bike to work day (2021 – ongoing)
- Created program for free parking for seniors in Town Center (Fall 2021 – ongoing)
- Promote and advocate for additional subsidies for seniors that allow for them to age in place in Lexington – e.g. Senior Tax Workoff program, promoting tax relief programs, etc. (2021- ongoing)

- Advocated for a Pedestrian & Bike Master Plan, approved by TM (beginning FY 23)
- Safe Routes to School coordination, including recent bike train at Hastings, coordination with the Health & Wellness team of LPS to get pedestrian & bike safety into the curriculum (ongoing)
- Transportation subsidies through Lexpress and taxi, as well as backup to FISH for medical rides (ongoing)
- Financial Assistance program for residents in need (ongoing)

Quality Services

Land Use Health and Development

- Cotton Farm Improvements: Wayside Panel Installed.
- Daisy Wilson Meadow Invasive Plants removed; stream plantings
- Parker Meadow Accessible Trail construction started
- Willards Woods Engineer Design Plan RFQ and contractor procured
- Open Space and Recreation Plan update procurement
- Wright Farm Barn Stabilization and West Farm Meadow preservation approved at Town Meeting
- Spring 2022 Lexington participated in the 2022 worldwide City Nature Challenge
- Implemented Viewpoint Cloud for Health Office applications
- COVID vaccine administration to residents
- Flu vaccine administration to residents
- Partnered with Physicians One to provide COVID 19 testing to community
- Implemented electronic vaccine registration system
- Maximize sustainability: Special Town Meeting Article 17 [Zoning Bylaw Amendment for Sustainable Design for Hartwell Ave.] was approved by Town Meeting, but is still pending Attorney General approval. If approved, new construction in the CM district (primarily on Hartwell Ave. area) over 65 ft. must design buildings to provide non-fossil fuel source systems.
- The LUHD Dept. Building Division continues to encourage and welcome residents to call, email or visit the staff in the office. We Always answer the phone and respond in a timely manner. We try to be considerate to anyone's concerns, no matter how minor or trivial they may appear.
- The Building Division strives to ensure the health , safety and well-being of the community is maintained, through all the permitting , plan review and on-site

inspections conducted by staff. Our permits are not created to raise fees, but to ensure our homes and businesses are safe and accessible to visit and occupy.

- On July 1st, the Division will have an increase of one extra day per week for a per diem building inspector. This is an example of insuring the staff and resources are available to deliver quality services to the residents, and a fiscally responsible approach to providing those services.
- Implemented Viewpoint Cloud for Planning Office applications
- The Economic Development Office serves as a concierge office to help with all kinds of needs of the businesses for them to thrive and grow in Lexington. We recently released a business toolkit that comprises all tools, tips, and case studies to help businesses navigate the permitting and licensing in Lexington. <https://www.lexingtonma.gov/economic-development/pages/business-toolkit>.
- The Visitors Center construction completed in July 2020. The Lexington Visitors Center opened up last summer for business during the pandemic. We missed the opportunity to celebrate the opening but we had a grand ribbon-cutting ceremony which was attended by many dignitaries including the Secretary of Housing and Economic Development and Executive Director of Mass Office of Travel and Tourism on October, 7th, 2021. The ED staff worked closely with the Tourism Committee in organizing and planning the event.
- The staff has been working very closely with the Engineering team on the Center Streetscape project to help collaborate and communicate with the local businesses during the construction.
- The ED staff also works closely with the Center Committee and the Economic Development Advisory Committee (EDAC) on several fronts.
- The ED Office also works closely with the Chamber of Commerce, Lexington Historical Society, and the Lexington Retailers Association on projects and programs such as Discovery Day, Taste of Lexington, and other such events.
- Improve the Planning Office, TSG, and Planning Board's website to make information more accessible and kept up-to-date. We are looking forward to the website launch in July.

Human Services

- Developing Transportation Regionalization Plan to make more efficient use of regional transportation systems and funding – (July 2021- ongoing)
- Strict COVID cleaning protocols in buildings and on transit – (March 2020 – ongoing)

Fiscal Stewardship

Land Use Health and Development

- The recent efforts to increase the divisions fee structure is such an example. The town staff, salaries, workload and expenses continue to grow, and the fees for the services should as well.
- Worked with developer to initiate and pass a Planned Development District
- Worked with developers and the Planning Board to grow our economic base on Hartwell Avenue – to this end the Planning Board approved a 300,000 SF lab/office project at 440 Bedford Street
- Applied for and received FDA Retail Food Standards Grant (step 1) to improve our food inspection program
- Applied for the Public Health Excellence Grant through the Massachusetts Department of Public Health, with 2 other communities, for shared regional Public Health professional services. This is a \$300,000, 3 year grant with renewal options.
- The ED Office along with the Planning Staff and other departments worked on Rezoning the Hartwell Ave/Bedford St for redeveloping the area for Life Sciences uses. There are several projects in the pipeline that will help in economic growth in the next 5-6 years.
- Work with developers and the Planning Board to grow our economic base on Hartwell Avenue
- Begin process toward Accreditation of the Health Department
- Implement electronic inspection program
- Continue Hazardous Waste/Medical waste collection days
- Expand vaccine program - offering more accessibility to residents both adult and pediatric
- Revitalize public health educational and training programs such as Serve Safe food safety, CPR classes
- Implement health and wellness programming such as blood pressure clinics, health fairs
- Reorganize the MRC – Medical Reserve Corps – recruit volunteers to respond to emergency and non- emergency public health events
- Emergency preparedness trainings for residents

- The ED Office is working with the EDAC members, Center Committee members, Building Commissioner, and several other committees and Boards on re-writing the existing Sign Bylaw section in the Zoning Bylaw.
- Continue to work through the steps of the FDA Standards Program which allows more grant funding opportunities

Finance

- Limit the rate of property tax increase- The Town has weathered the pandemic well from a financial standpoint and continued to maintain a large amount of Free Cash over the last two-fiscal year ends. Debt service expenses are on the decline as Free Cash has been used instead of debt financing for ongoing capital programs. Federal funding through FEMA, CARES Act and ARPA have provided support and stability to the Town, businesses and residents by covering extraordinary expenses, recovering revenue and providing for economic recovery. An operating override is not needed for FY2023 nor anticipated for FY2024. Staff have continued to plan for large capital projects, including the new Police Station and a High School Construction Project, and have developed the Capital Stabilization Framework to mitigate significant impacts on the tax rate when those projects come online.
- In preparation of setting the tax FY2022 tax rate in November of 2021, the Finance staff reviewed the work done by the LUHD intern to compare commercial assessment data from our own Vision database to the list of registered small businesses with under 10 employees provided by the Massachusetts Department of Unemployment Assistance (DUA). There was very little overlap in the data and the ultimate conclusion reached is that adoption of a Small Business Tax Exemption Program would have very little benefit to Lexington Businesses (data indicates that less than 10 businesses would qualify).
- In January of 2022 Finance staff discussed another opportunity that could potentially benefit small businesses in terms of tax relief. Per MGL, the town must assess and tax commercial personal property which encompasses tangible assets that are not part of a building or property, including machinery, tools, equipment and inventory. Some specific examples of personal property are a personal computer at a Law Firm, or lawn mowers for a Landscaping company. Personal property is taxed at commercial/industrial tax rate. Many towns do not offer any minimum threshold/exemption for personal property, though it is an option. Many years ago Lexington's Select Board set an exemption for the first \$1,200 in Personal Property. Many Towns do not offer a

Personal Property tax exemption, however, those that do have set the limit at higher amounts –i.e. \$10-\$20K. Valuations have increased significantly since the original minimum was set, and it has not been revisited. Finance Staff will evaluate the impact this would have on the Town’s Personal Property Tax revenue, how many/which types of businesses would be impacted, and the level of relief it may provide. If the Select Board is interested in revisiting the \$1,200 threshold Finance staff will present the results to the Select Board ahead of submitting FY2023 property values to the Department of Revenue.

- Establishing a new policy and Capital Stabilization Framework that will set aside net new property tax revenue from PSDUP projects and new development in the rezoned area of Hartwell Avenue to establish sustainable funding for Capital Stabilization, specifically to offset a portion of the High School Debt is now up to seven and potentially eight development projects that will offset a large portion of the high school debt and will provide stabilized property taxes during the Town’s largest capital expenditure in the history of the Town.

Thriving Local Economy

Land Use Health and Development

- Spring 2022: Low vacancy rate in Lexington Center retail buildings
- Worked with small business owners to ensure they have available parking
- Worked with Physicians One Urgent Care to provide COVID 19 testing to the community
- The ED Office is working with Project UP Next to start a pop-up incubator in the Center that will be supported by ARPA funds and will bring in new businesses that will add to the vibrancy and vitality of the Center.
- The ED Office works closely with the LRA and the Center committee on several initiatives for the Center.
- Continually work with property owners and businesses to help them get what they need to thrive
- The ED office is also working on several initiatives for East Lexington, Bedford Street, and Marrett Square business corridors that will be starting in the next fiscal year.

AGENDA ITEM SUMMARY

LEXINGTON SELECT BOARD MEETING

AGENDA ITEM TITLE:

Review Draft Select Board Report Submission for FY2022 Annual Town Report

PRESENTER:

Board Discussion

ITEM NUMBER:

I.7

SUMMARY:

Submission of reports for the FY22 Annual Town Report are due to the Town Report Coordinator in early September. The Board is being asked review and comment on the draft of Select Board's Report submission for the FY22 (July 1 2020 - June 30, 2021) Annual Town Report.

If no edits are required, a vote to approve the submission of this report is requested at this meeting. If edits are required, the edited draft will then be placed on the September 12, 2022 Select Board Work Session for Board review and approval.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/6/2022

6:45pm

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Select Board Report - FY2022 Annual Town Report	Backup Material
<input type="checkbox"/> Message of the Select Board - FY2022 Annual Town Report	Backup Material

SELECT BOARD

Five members Five members elected by the voters at large to overlapping 3-year terms: Jill I. Hai, Chair, Douglas M. Lucente, Vice-Chair, Joseph N. Pato, Suzanne E. Barry, and Mark D. Sandeen. In March 2022, Mr. Pato and Ms. Barry were re-elected to three-year terms.

While FY2022 continued many of the challenges faced since FY2020, there was a resumption of some pre-pandemic activity, and some significant new activity, including the launch of the Center Streetscape Project and the initial deployment of American Rescue Plan Act (ARPA) funds. The State of Emergency in the Commonwealth due to the outbreak of COVID-19, which was issued on March 10, 2020, was continued again, through July 15, 2022. Special Town Meeting in the fall of 2021 and the Annual Town Meeting in spring of 2022 were both held virtually. Public meetings continued in a virtual format, accessible by the public using the application Zoom, though some committees chose to begin meeting in person. Town Celebrations and events began to resume, following the lifting of the State of Emergency at the end of FY 21. A full Veterans' Day parade and celebration was held and widely enjoyed. All municipal buildings re-opened to the public. The Town continued to monitor each building for safe and continued operations and services to residents. Initial ARPA funds were used to further the health and safety of the community, and to improve the economic situation of our local businesses and non-profits through direct grant assistance.

The Select Board held its biannual goal setting retreat, establishing five goals for the coming years: Community Compass, Livable Lexington, Quality Services, Fiscal Stewardship and Thriving Local Economy.

<https://www.lexingtonma.gov/DocumentCenter/View/4497/Select-Board-Goals-FY2022---FY2023>. These goals continue to guide the work of the Board as FY 22 comes to a close.

Select Board Priorities for American Rescue Plan Act (ARPA) Spending

The American Rescue Plan Act of 2021 (ARPA) was passed by the federal government to support communities across the country in responding to and recovering from the COVID-19 pandemic. Federal funds from ARPA are intended to address the negative health and economic impacts caused by the pandemic. Lexington is receiving \$9,903,381 in ARPA funding. The allocation for Lexington, which is distributed through the Massachusetts Department of Revenue, is based on the Town population.

ARPA funding is available for use until the end of 2024. The federal government has outlined the primary objectives for the use of these funds:

- Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control
- Replace lost revenue for eligible state, local, territorial, and Tribal governments to

strengthen

support for vital public services and help retain jobs

- Support immediate economic stabilization for households and businesses
- Address systemic public health and economic challenges that have contributed to the unequal

impact of the pandemic.

- Provide premium pay for essential workers - offering additional support to those who have and

will bear the greatest health risks because of their service in critical infrastructure sectors

- Invest in water, sewer, and broadband infrastructure - making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet:

The federal government specifically noted uses of funds that are NOT eligible such as: contributions to Pension Fund; contributions or replenishment of reserves or 'rainy day' funds; direct or indirect application of funds to reduce tax revenues/tax rate; Payments for legal settlements; payments for debt service; general infrastructure spending (above amount identified as lost revenue).

The Select Board set priorities for ARPA spending in the following areas that address the immediate needs of our residents and businesses: housing, food insecurity, public health and safety and economic stimulus and resiliency for our community.

As of June 30, 2022, the Select Board has approved using \$x,xxxxxxx in ARPA funds in the following areas:

- Public Health including: \$100,000 for ongoing support for the Public Health Office; \$175,000 for community Covid Testing Events; \$25,000 for purchasing of N95 masks and rapid at home tests.

- Affordable Housing including: \$115,000 for design work on the LexHAB Vine Street project;

\$315,000 for a down payment on affordable housing units; \$20,000 to assist in the development of an Affordable Housing Trust.

- Economic Development including: \$250,000 in local business grants for businesses that have been impacted by COVID; \$50,000 for Arts and Cultural organizations that have been impacted by COVID.

- Human Services including: \$90,000 for: Mental health clinician services; \$50,000 for local food insecurity programs.

- Participatory Budgeting that provides an opportunity for residents to weigh in on how \$500,000 of the funds may be used.

The Select Board will continue to prioritize addressing the urgent needs of the community and will work with the Town Manager to determine how the remainder of the Town's ARPA funds should be allocated.

Fiscal Resiliency

FY22 closed with the Town continuing in a strong financial position. Real-estate tax collections and other revenue sources remain strong. Residential real-estate growth continues, and new commercial projects are progressing on Hartwell Avenue and Hayden Avenue commercial districts. The Select Board remains committed to avoiding the need for proposition 2½ operating budget overrides. Nonetheless, the continuing effects of the COVID-19 pandemic and the need for major capital investment in obsolete buildings present a continuing challenge for the community.

New Capital Stabilization Funding Framework

In November 2021 the Select Board approved a new Capital Stabilization Funding Framework. In anticipation of the need for a Lexington High School construction project, the largest capital project the Town of Lexington has ever seen, we sought a long-term, financially sustainable funding mechanism to provide dedicated funding for the Capital Stabilization Fund (CSF). This is meant to ensure that larger capital projects and future debt service do not place an unmanageable burden on taxpayers.

The framework recognizes the effort by the Town of Lexington to simultaneously identify and attract opportunities for commercial development and accommodate the substantial need for capital project funding. Rather than having "New Growth," from significant commercial developments be allocated between the Town and School departments via the Revenue Allocation Model, any additional incremental property tax revenue generated from new commercial developments shall be dedicated and annually appropriated to the CSF. Included commercial developments are those which go through the Preliminary Site Development and Use Plan (PSDUP) process and have an approved project Memorandum of Understanding to create a Planned Development District; as well as those developed through the zoning changes approved at the 2020 Special Annual Town Meeting for the Hartwell Avenue area.

Economic Development and Commercial Growth

The Select Board has continued to prioritize economic development and commercial growth in an effort to enhance our commercial tax base, and take advantage of opportunities for growth. With the passage of zoning changes in the Hartwell Avenue/ Bedford Street corridor in both 2020 and 2021, the Town is beginning to see new development projects brought forth.

Commercial growth is not limited to the Hartwell Avenue/ Bedford Street corridor. At Annual Town Meeting 2022, Article 38 passed by a vote of 169-6-2 which proposed changes to the existing

zoning and zoning district at 128 Spring Street and 95 Hayden to expand the existing lab / office campus by razing and modernizing existing buildings and adding an additional 314,812 square feet of lab / office space with structured parking. The proposed project brings additional jobs and tax revenue and bolsters Lexington's reputation as a biolab hub.

Tourism remains an important component of our Lexington economy. The Lexington Visitors Center's Official Grand Opening and Ribbon-Cutting Ceremony took place on October 7, 2021. The new Visitors Center is an inviting, inclusive and accessible modern facility which helps to inform visitors and residents with a wide range of interests on where to spend their time while visiting Lexington. Further, at Annual Town Meeting 2022, Article 12n passed by a vote of 167-2-4 which sought \$4,975,000 to fund design, construction and project management for the roadways and intersections around the Lexington Battle Green, known as the Battle Green Streetscape Improvements. This project will allow for any construction to be completed in advance of the 250th Anniversary of the Battle of Lexington in the year 2025. This project includes improvements to the sidewalks and roadway infrastructure with a focus safety, accessibility and improved connectivity to our tourist attractions.

Town Meeting Use of Virtual Technology

Content information forthcoming

Housing Options

One element the Select Board defined as part of its goal to further a "Livable Lexington" was 'Actively seeking development of affordable and accessible housing'. In furtherance of that goal, in September 2021 the Select Board formally created the Affordable Housing Trust Study Committee. The committee was charged with creating proposals for both an Affordable Housing Trust and a non-profit Housing or Community Development Corporation. The former can hold and deploy funds from sources beyond municipal funds and the latter would be eligible for participation in community investment tax credit programs. Together, the two-prong approach is hoped to improve the opportunity for and creation of affordable housing in Lexington.

The Select Board's Special Permit Residential Development (SPRD) Zoning Bylaw Amendment Ad Hoc Committee continued its work to create incentives for creation of more diverse housing stock. The nine- member committee was charged with gathering stakeholder input, reviewing housing data and drafting a statement of values, to inform the drafting of a zoning bylaw amendment and warrant article to either revise or replace the current Special Permit Residential Development Zoning Bylaw. Data, drafts and other documents are all available on the webpage at <https://www.lexingtonma.gov/special-permit-residential-development-zoning-bylaw-amendment-committee-sprd-ad-hoc> and the meetings are available on LexMedia on demand. The committee has begun workshops on target proposals, drafting actual plans

and visual representations and has worked to review the proposals with a variety of stakeholders.

Center Streetscape and Battle Green Streetscape Projects

The Center Streetscape project broke ground in the spring of 2021 and is focused on: improving pedestrian safety, accommodating bicycle traffic, making sidewalks and crosswalks more accessible and safer for people with disabilities and renewal of the mid-century modern landscape. In the summer and fall of 2021 work was focused on the easterly end of the project near the post office and the Town Office Building. In the spring and summer of 2022, the work shifted more to the west and the core of the center as sidewalks were dug up, a modular suspended planting system was installed to allow for proper tree planting, new lighting was installed and amenities such as benches, bike racks and some trees were planted prior to the drought. Communication with direct abutters and the community continues to take place through a variety of means including: weekly project emails, updates in Town e-newsletters, a dedicated page and updates on the Town's website, a dedicated email and phone number and direct one on one outreach. It is anticipated that the project will be substantially complete in the Fall of 2022 with a few items being held over to the spring of 2023.

The Battle Green Streetscape project advanced as the Select Board gave their support for a round about to be located at the Harrington Road/Bedford Street/Hancock Street intersection. The project was then brought to the 2022 Annual Town Meeting under Article 12n-Appropriate for Municipal Capital Projects and Equipment-Battle Green Streetscape Improvements where it received a vote of 167-2-4 for \$4,975,000 in funding. It is anticipated the project will start in 2023 and be completed by fall 2024 in anticipation of the 2025 Town Celebration.

Bedford Street/Hartwell Avenue Update

Traffic issues in the Hartwell Avenue corridor are one of the key concerns cited by residents and business owners. 2019 Special Town Meeting appropriated \$1.5 million for the 25% design of the Bedford Street/Hartwell Avenue/Wood Street Corridor. The Town formed a 25% design working group in November 2020, and hired an engineering and planning firm in January 2021 to develop 25% design level plans for complete streets reconstruction that addresses safety, traffic flow and pedestrian, bicycle, transit, and alternative modes of transportation.

The Town's consultant has substantially completed the data collection task, the environmental permitting task, the land use & development build out analysis, and has made significant progress on the transportation analysis, concept development, and public outreach tasks.

The Town's consultant has identified that the roadway capacity will begin to be exceeded at approximately 60% of the "likely" redevelopment as properties within the project area

are redeveloped to current zoning limits. The Town's consultant has recommended several options to address this concern. Based on input from the Select Board, the consultant will be revising the build out and traffic analysis to include future residential development. In addition, Town staff and the consultant are coordinating with MassDOT to acquire state funding to expand the study limits to include the I-95 northbound half of the interchange.

The project is expected to culminate in a formal Massachusetts Department of Transportation public hearing targeted for FY24.

Municipal and School Buildings

The Board continues to address the issues of maintaining and improving our municipal and school building infrastructure.

- Lexington High School - With severe overcrowding, outdated building systems, and spaces that do not adequately support the academic program, Lexington High School needs replacement or renovation and expansion. To that end, the Superintendent, with the support of the School Committee and Select Board, submitted a Statement of Interest to the Massachusetts School Building Authority (MSBA) requesting state support for a future high school building project.

The MSBA invited the Lexington High School Project into the MSBA's eligibility period, which started on June 1, 2022 and will conclude on February 27, 2023. During this time, the Town must complete the preliminary requirements defined by the MSBA.

In April 2022, Lexington Special Town Meeting 2022-2 appropriated \$1,825,000 for a Lexington High School Feasibility Study. In July, the Select Board approved the membership of the School Building Committee to comply with the MSBA's requirements for the Lexington High School project. Invitation into the Eligibility Period is not an invitation to Feasibility Study. Moving forward in the MSBA's process requires collaboration with the MSBA, and an invitation to Feasibility Study will require a further vote of the MSBA Board of Directors.

- The Westview Cemetery Building replacement project was approved at 2020 Annual Town Meeting with an appropriation of \$3,290,000. The initial Westview Cemetery construction bids came in higher than the appropriated amount. As a result, Special Town Meeting 2021-1 approved additional construction funding of \$770,000. The second round of construction bids came in within the updated project budget. The Westview Cemetery Building construction work started in April 2022 and is expected to be complete in early 2023.
- The Lexington Police Station building project is in the construction phase. Special Town Meeting 2022-1 approved an appropriation of \$32,400,000 for the design and construction of a new Police Station building to be located at 1575 Massachusetts

Avenue. On June 6, 2022, in a Special Town election, Lexington voters approved a Proposition 2 ½ debt exclusion for the borrowing for the Police Station Project. In August 2022, construction bids came in lower than the appropriated amount. Town staff expects construction to start [Month 2022] and be complete by [date].

The new facility will be constructed in compliance with the Town's Integrated Building Design and Construction Policy and to be solar ready in furtherance of the Town's Net Zero goals. The Select Board voted unanimously to bring a solar project acceptable to the stakeholders to a future Town Meeting, with a goal to have the solar project constructed at the same time as the Police Station to maximize efficiencies with the site contractor.

The Lexington Police Department has moved their operations to the temporary Police Station facility located at 173 Bedford Street until construction of the new Police Station building is complete.

- The Select Board approved a bid to move the Hosmer House, located at 1557 Massachusetts Avenue, from its current location to allow for construction of the new Lexington Police Station. The Historic District Commission has also approved the relocation of the Hosmer House.
- The Select Board and School Committee authorized the installation of 2.6 MW of solar energy systems at Hastings Elementary School, Lexington Children's Place, Diamond Middle School, Clarke Middle School, Harrington Elementary School, Bridge Elementary and Bowman Elementary School. Final interconnection approval from the utility is expected by the end of 2022. When fully operational, the solar installations will enable Hastings School and Lexington Children's Place to be net zero schools. When combined with the Town's previous solar installations, they will generate approximately 64% of the Town's municipal and school electricity.
- 2020 Annual Town Meeting approved \$100K in design funds for the Center Recreation Bathroom complex. At the 2021 Annual Town Meeting, the Select Board recommended indefinite postponement of a warrant article requesting \$915K in construction funding. 2022 Annual Town Meeting approved \$680,000 in construction funds appropriated from the Community Preservation Fund. [Current Status?] Town staff expects construction to start [Month 2022] and be complete by [date].
- [I am unsure of the current status for this project. I have requested an update from DPF]

The Old Reservoir Bathhouse renovation project was approved at 2019 Annual Town Meeting with an appropriation of \$610,000. The bathhouse construction bids came in higher than expected and over the appropriated amount. Town staff is reviewing the scope of the project and is expected to make recommendations to the Select Board on next steps [by date].

Diversity, Equity and Inclusion

The Select Board recognizes that social and racial injustice has deep roots. The Select Board has adopted Diversity, Equity & Inclusion as one of the Town's top priority goals, including a commitment to develop and implement a comprehensive racial equity plan, consider racial and other equity impacts in all decisions and planning processes, and incorporate the goals of Town Meeting's systemic racism resolution in each department's goals and objectives. The Select Board recognizes that accomplishing these goals will require an ongoing staffing and budgetary commitment to continuous improvement.

The Board has made a proactive and ongoing commitment to engage in comprehensive and ongoing community conversations to better understand community needs and to consider diversity, equity, and inclusion in policies and plans, all with the goal of making Lexington a truly safe, equitable, and just community for all.

The following steps were taken toward furthering that goal:

The Town of Lexington hired a Chief Equity Officer (CEO) reporting to the Deputy Town Manager to lead the Town in achieving these goals while prioritizing community engagement.

The CEO has focused on expanding the applicant pool for Town staff positions, with the goal of hiring and retaining staff of diverse backgrounds and identities. The Town has adopted a diversity hiring policy and enhanced the existing hiring process to include an equity lens. The CEO published the results of an employee demographics survey based on race, gender, age, salary and length of service and compared that data to historical hiring trends.

The CEO initiated a series of community engagement and communication programs including:

- Forming the Strategic Equity Advisory Team (SEAT) with representatives from as many communities as possible,
- Participating on the COVID-19 effects on persons with disabilities working group in consultation with the Human Rights Committee and the Commission on Disability, and
- Launching the Coffee with the [Police] Chief program to foster better understanding and communications between the community and the Police Department.

- Created a centralized resource page on the Town website for links to all equity-related resources, discussion, and learning opportunities: LexingtonMA.gov/DEI

The Select Board accepted a report on community feedback on policing drafted by two members of the Lexington Select Board after holding meetings with a wide cross-section of cultural, civic, and community organizations to better understand local perspectives on policing and replacing the police station.

The Police Department has completed the implementation of 30 of the 32 policy change recommendations to remove any unintended bias or discriminatory policies presented in Lexington's Town Counsel (Anderson & Kreiger LLP) report on Lexington Police Department policies. The Police Department is in the process of implementing the remaining 2 policy change recommendations. The Police Chief has expressed the department's commitment to implementing the recommendations of the report and to continuous and ongoing improvement in this area.

Police Station Project

The Lexington Police Station, originally built in 1955, became too small and in poor condition to adequately serve the needs of the Police Department and Lexington residents. Project planning to replace the building began in 2011. Town Meeting appropriated funding for a feasibility study in 2016, and design in 2018. In the wake of a national debate on policing in 2020, the Select Board paused further funding and design development to allow the Lexington community to have additional comprehensive conversations about the future of policing.

Select Board Members Joe Pato and Doug Lucente presented the "Report on Community Feedback on Police Station Project and Policing in Lexington". The report was initially presented in two parts. Part one (July 2021) focused on community feedback specific to the construction of a replacement police station. Part two (October 2021) examined feedback focused on how the police operate in Lexington. The report represented the culmination of comments by Lexington community members collected over a three-month period. While some direct concerns were addressed, generally, community members were very supportive of our Police Department and of proceeding with replacing the Police Station. Feedback specific to replacing the Police Station was varied, however, participants were clear that they wanted a Police Station that serves both the Police Department and the entire community.

In light of the findings in the report, in July 2021, the Select Board voted to authorize the Town Manager to re-engaged the architectural firm, Tecton Architects, to proceed into the Design Development Phase of the project. In October 2021, the Select Board stated its preference for proceeding with a building designed that is flexible, inclusive and welcoming.

In March 2022 Town Meeting passed Article 2 of the 2022-1 Special Town Meeting for construction of a new police station. On June 6, 2022, 12.5% of Lexington's voters turned

out for a Debt Exclusion override vote to construct a new police station. 56.7% of the voters supported the project. Construction is expected to start in late summer of 2022, and will likely continue for about 18 months. The Lexington Police Department will operate out of temporary headquarters at 173 Bedford St. during demolition and construction.

Several attempts were made to relocate the Hosmer House from its current location because it is in the way of the new Police Station construction. In the Spring of 2022, the Town issued a Request for Proposals (RFP) for the sale and move of the Hosmer House. In May 2022, the Town opened the one bid from the RFP issued to move the Hosmer House offsite. The bid proposed to move the house to a property located on Waltham Street adjacent to Route 2 and for the house to be renovated with an 800 square foot addition. The Select Board unanimously supported the proposal. The final project plan for the Hosmer House is expected to be reviewed by the Historic District Commission, the Historical Commission, the Zoning Board of Appeals and the Planning Board for further approvals.



Town of Lexington, Massachusetts

SELECT BOARD OFFICE

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MESSAGE OF THE SELECT BOARD

Massachusetts law requires that the Select Board, prior to the annual Town Meeting, issue an Annual Report for use by the residents of the Town. The 2022 annual Town Report presented here provides, among other things, financial data relating to the Town for the fiscal year 2022 that covers the period July 1, 2021 through June 30, 2022. In addition, the report contains highlights of the accomplishments of the many departments, boards, committees, and commissions that are responsible for the governance of Lexington.

This Annual Town Report is just one of several ways by which citizens may be informed of what is going on in the Town. The Town's Web site at <https://www.lexingtonma.gov/> provides links to many other resources including the websites for the schools and the Town Meeting Members Association. From our Town website, you can also find all budget documents as they are generated, and the minutes of all committee meetings which provides valuable insight into the departments and committees. Meetings of the three elected boards, Select Board, School Committee, and Planning Board are covered by LexMedia, our Public, Educational, Governmental (PEG) access provider, and broadcast by all three of the Town's cable television providers. LexMedia covers other Town meetings and events as well. For more up to the minute information, residents can register for CodeRED - the Town's emergency notification system - for texts, emails, and automated phone calls about closings, detours, or emergencies. Residents can sign up for monthly Townwide news email, or periodic emails and e-newsletters from specific departments and boards/committees. Residents can also follow the Town's Social Media accounts on Facebook and Twitter.

The Select Board acknowledges the leadership provided by Town Manager, James Malloy, his outstanding staff, and the dedicated Town employees who manage the day-to-day operations of the Town and make Lexington a special place to live, work and visit. Of special note, however, are the countless volunteer hours provided by the citizens who make up our many boards, committees, and commissions. The Select Board extends its continued thanks, appreciation, and admiration to the many residents whose work and civic engagement make it possible for Lexington to be a well-managed Town.

Jill I. Hai, Chair
Douglas M. Lucente, Vice Chair
Joseph N. Pato
Suzanne E. Barry
Mark D. Sandeen