

## SELECT BOARD MEETING

Monday, March 20, 2023

Select Board Meeting Room, 1625 Massachusetts Avenue, Lexington, MA 02420 - Hybrid Participation\*  
6:00 PM

### AGENDA

#### CONSENT AGENDA

1. Select Board Appointment of Town Counsel
  - Anderson & Kreiger LLP
2. Select Board Committee Resignation
  - Lexington Housing Assistance Board (LexHAB) - Donna Leary
3. Appoint Select Board Member to Nominating Committee for the Executive Board of the Cary Memorial Library Board of Trustees
4. Approve and Sign Proclamations
  - Autism Awareness and Acceptance Month
  - National Public Health Week
  - National Public Safety Telecommunicators Week

#### ITEMS FOR INDIVIDUAL CONSIDERATION

1. 2023 Annual Town Meeting 6:05pm
  - Motion - ATM 2023 Article 21: Amend FY2023 Operating, Enterprise and CPA Budgets
  - Revised Motion - ATM 2023 Article 40: Amend Section 135 - 4.4 of the Zoning Bylaw-Reduce Residential Gross Floor (Citizen Petition)
  - Approve Select Board Report to Town Meeting
  - Select Board Article Discussion and Positions
2. Approve Electric Vehicle (EV) Charger Overnight Parking Regulation 6:20pm

#### ADJOURN

1. Anticipated Adjournment 6:35pm

**Meeting Packet:** <https://lexington.novusagenda.com/agendapublic/>

***\*Members of the public can attend the meeting from their computer or tablet by clicking on the following link at the time of the meeting:***

<https://zoom.us/j/92482764382?pwd=SFFvYWo3MmVkODF1aG5ETmNsRDVoZz09>

iPhone one-tap:

+13092053325,,92482764382#,,, \*380743# US

+13126266799,,92482764382#,,, \*380743# US (Chicago)

Telephone:

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)  
+1 646 931 3860 US  
+1 929 205 6099 US (New York)  
+1 301 715 8592 US (Washington DC)

Meeting ID: 924 8276 4382

Passcode: 380743

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

The next scheduled meeting of the Select Board will be held on Wednesday, March 22, 2023 at 6:00pm via hybrid participation and prior to the start of Annual Town Meeting.

*Hearing Assistance Devices Available on Request*

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



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Select Board Appointment of Town Counsel

### **PRESENTER:**

Jill Hai, Select Board Chair

### **ITEM NUMBER:**

C.1

### **SUMMARY:**

**Category: Decision-Making**

### **Appointment:**

*Town Counsel*

The Select Board shall appoint each year, within thirty days after the Annual Election of Town Officers, some attorney-at-law as Town Counsel, who shall serve for the term of one year. The Select Board is being asked to appoint Anderson & Kreiger LLP as Town Counsel for the Town of Lexington for a one-year term to expire on March 31, 2024.

### **SUGGESTED MOTION:**

To appoint Anderson & Kreiger LLP as Town Counsel for the Town of Lexington, with Mina S. Makarious serving as Town Counsel, for a one-year term to expire March 31, 2024.

Move to approve the consent.

### **FOLLOW-UP:**

Select Board Office

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

3/20/2023



# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Select Board Committee Resignation

### **PRESENTER:**

Jill Hai, Select Board Chair

### **ITEM NUMBER:**

C.2

### **SUMMARY:**

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

#### **Resignation:**

*Lexington Housing Assistance Board (LexHAB)*

The Select Board is being asked to accept the resignation of Donna Leary from the Lexington Housing Assistance Board (LexHAB) effective immediately.

On behalf of the Town of Lexington, the Select Board Members would like to extend their many thanks to Ms. Leary for her time and service to the community.

### **SUGGESTED MOTION:**

To accept the resignation of Donna Leary from the Lexington Housing Assistance Board (LexHAB) effective immediately.

Move to approve the consent.

### **FOLLOW-UP:**

Select Board Office

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

3/20/2023

**ATTACHMENTS:**

Description	Type
 Resignation Letter - D. Leary	Backup Material

## Stacey Prizio

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**From:** Select Board  
**Sent:** Monday, March 13, 2023 8:32 AM  
**To:** Stacey Prizio  
**Subject:** FW: Resignation from LexHab Board  
**Attachments:** Resignation LEXHAB 01.03.2023.pdf

**From:** Donna Leary [REDACTED]  
**Sent:** Sunday, March 12, 2023 1:47 PM  
**To:** Select Board <selectboard@lexingtonma.gov>; Clerk's Office <Clerk@lexingtonma.gov>  
**Subject:** Resignation from LexHab Board

**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.

Good afternoon,

My name is Donna Leary, and I serve on the Board of Directors for LexHab, Inc.. My term is due to expire 5-31-2023, but unfortunately I can not continue my commitment to the Board, and I am resigning from the Board effective immediately. Attached please find my resignation letter. If you need anything else from me, please let me know.

Thank you,  
Donna Leary  
19 Charles St.  
Bedford, MA 01730  
[REDACTED]

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

Donna Leary

19 Charles St

Bedford, MA 01730

Lexington Housing Assistance Board, INC. (LEXHAB)

1620 Massachusetts Ave. Suite 4

Lexington, MA 02420

Attn: Robert Burbidge, Chairman of the Board

January 3, 2023

Dear Bob,

It is with regret that I am writing to inform you of my decision to resign from my position as a member of the Board of Directors for LexHab, effective immediately due to my increased responsibilities in my new job as the COO of Walpole Co-operative Bank.

It has been a pleasure being a part of the LexHab Board for so many years. I am so proud of all we have accomplished since joining the Board, and I have no doubt the board will continue these successes in the future.

If I can be of any assistance during the time it will take to fill the position, please don't hesitate to reach out to me.

Best regards,

Donna Leary





# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Appoint Select Board Member to Nominating Committee for the Executive Board of the Cary Memorial Library Board of Trustees

### **PRESENTER:**

Jill Hai, Select Board Chair

### **ITEM NUMBER:**

C.3

### **SUMMARY:**

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

The nominating committee for the Executive Board of the Cary Memorial Library Board of Trustees consists of three members: one representative from the Select Board; one from the School Committee; and one from the Lexington Interfaith Clergy Association. The Nominating Committee will present a slate of five Executive Board members, including a Chair and a Vice-Chair, for a vote at the Annual Meeting of the Cary Memorial Library Board of Trustees being held in May.

Select Board Member Mark Sandeen has volunteered to be the Select Board Representative on the nominating committee for the Executive Board of the Cary Memorial Library Board of Trustees.

### **SUGGESTED MOTION:**

To appoint Select Board Member Mark Sandeen as the Select Board Representative on the nominating committee for the Executive Board of the Cary Memorial Library Board of Trustees.

Move to approve the consent.

### **FOLLOW-UP:**

Select Board Office

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

3/20/2023

**ATTACHMENTS:**

Description	Type
 2023 Cary Library Trustees Nominating Committee Letter	Backup Material



March 10, 2023

Ms. Jill Hai, Chair  
Select Board  
Town Of Lexington  
1625 Massachusetts Avenue  
Lexington, MA 02420

Dear Jill,

The Cary Library Board of Trustees will be holding their next annual meeting on Wednesday, May 17, 2023. As per the Trustee Bylaws, I am asking the Select Board to identify one of its members to serve on the nominating committee for the Executive Board of the Cary Memorial Library Board of Trustees.

The Nominating Committee shall consist of three members, one representative from the Select Board, one from the School Committee, and one from the Lexington Interfaith Community Association (LICA). Not more than one Trustee from the Executive Board shall be a member of the Nominating Committee.

The Nominating Committee will present a slate of five Executive Board members, including a Chair and a Vice Chair, for a vote at the Annual Meeting of the Cary Memorial Library Board of Trustees in May.

**Please respond with the Select Board's designee for this position before April 14, 2023.**

For your information, the current members of the Executive Board are:

Suzie Barry, Chair – Select Board

Amy Hertz, Vice Chair – LICA

Barbara Callaghan – LICA

Eileen Jay – School Committee

Joe Pato – Select Board

Thank you,

*Suzie Barry*

Suzie Barry, Chair  
Cary Library Board of Trustees

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve and Sign Proclamations

### **PRESENTER:**

Jill Hai, Select Board Chair

### **ITEM NUMBER:**

C.4

### **SUMMARY:**

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

The Select Board is being asked to approve and sign proclamations recognizing the following:

- The Lexington Human Rights Committee had previously requested that the Select Board approve and sign a proclamation recognizing the month of April annually as Autism Awareness and Acceptance Month. This proclamation pledges support and encouragement for all those affected by autism within the community.
- National Public Health Week to be celebrated from April 3, 2023 to April 9, 2023. This is a new request from the Director of Public Health. This proclamation recognizes the efforts of public health professionals in Lexington and the role of public health in improving the overall health of Lexington residents and the community.
- National Public Safety Telecommunicators Week to be celebrated from April 9, 2023 to April 15, 2023. This proclamation encourages citizens to recognize and support the Public Safety Telecommunicators of Lexington.

### **SUGGESTED MOTION:**

To approve and sign proclamations to annually recognize the month of April as Autism Awareness and Acceptance Month and to commemorate National Public Health Week from April 3, 2023 to April 9, 2023 and National Public Safety Telecommunicators Week from April 9, 2023 to April 15, 2023.

Move to approve the consent.

### **FOLLOW-UP:**

Select Board Office

**DATE AND APPROXIMATE TIME ON AGENDA:**

3/20/2023

**ATTACHMENTS:**

Description	Type
☐ 2023 AutismAwareness and Acceptance Month Proclamation	Backup Material
☐ 2023 National Public Health Week Proclamation	Backup Material
☐ 2023 National Public Safety Telecommunicators Week Proclamation	Backup Material



# Town of Lexington, Massachusetts

SELECT BOARD OFFICE

## PROCLAMATION

- Whereas:** autism spectrum disorder (ASD) (“autism”) is a developmental disability that can cause significant social, communication and behavioral challenges; and
- Whereas:** autism can cause challenges with verbal and nonverbal communication, social interaction, and repetitive behaviors, and can affect anyone, regardless of age, race, ethnicity, gender, or socioeconomic background; and
- Whereas:** autism is often accompanied by medical conditions that impact quality of life; and
- Whereas:** people with ASD may communicate, interact, behave, and learn in ways that are different from neurotypical people. The learning, thinking, and problem-solving abilities of people with ASD can range from gifted to severely challenged with varying needs for support; and
- Whereas:** the prevalence of autism in the United States is 1 in 54 children according to estimates from CDC’s Autism and Developmental Disabilities Monitoring (ADDM) Network; and
- Whereas:** children and adults with autism are our family members, friends, neighbors, and co-workers; and
- Whereas:** each individual with autism is unique, with their own talents and qualities; and
- Whereas:** individuals with autism benefit from specialized services and community support to ensure their health and safety and full participation in community life; and
- Whereas:** individuals with autism, families, professionals, and community members are supported through connections with others and the sharing of resources; and
- Whereas:** the resilience of families and individuals with autism is strengthened through support; and
- Whereas:** we value what is important to people with autism and their families, who are striving to live everyday lives; and
- Whereas:** positive outcomes increase for individuals with autism when training is provided to professionals across all systems, including those in justice, healthcare, and emergency response settings; and
- Whereas:** the aims for Autism Awareness and Acceptance Month are to inform our community about both the potential and needs of people with autism and to stress the importance of early diagnosis and early intervention, as well as the importance of providing appropriate supports that continue through adulthood; and
- Whereas:** Autism Awareness and Acceptance Month is an opportunity to acknowledge educators specializing in effective teaching strategies, and to celebrate the many achievements of adolescents, students, and adults with autism.

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

### ***Autism Awareness and Acceptance Month***

in the Town of Lexington and pledge our support and encouragement to all those affected by autism.

*IN WITNESS WHEREOF*, we have set our hands and caused the seal of Lexington to be affixed herewith on the 20<sup>th</sup> of March 2023.

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JILL I. HAI, CHAIR

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JOSEPH N. PATO

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SUZANNE E. BARRY

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DOUGLAS M. LUCENTE

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MARK D. SANDEEN



## Town of Lexington, Massachusetts

SELECT BOARD OFFICE

### PROCLAMATION

- Whereas:** the goal of National Public Health Week is to recognize the contributions of Public Health Officials, and the public health system, in improving the health and wellbeing of ALL people, on a national, state and local level; and
- Whereas:** the United States and the global community are responding to the COVID-19 pandemic, which requires support for a robust public health infrastructure and workforce and collaboration among the Federal Government, State and local governments, schools, businesses, and employers to support public health measures to decrease community spread of COVID-19; and
- Whereas:** many of the leading causes of death for individuals result from chronic conditions, which are among the most common, costly, and preventable of all health challenges; and
- Whereas:** there were an estimated 100,306 drug overdose deaths in the United States during the 12-month period ending in April 2021, the highest level ever recorded during a 12-month period, and this was an increase of 28.5 percent from the 78,056 deaths during the same period the year before; and
- Whereas:** cigarette smoking is the leading cause of preventable disease and death in the United States, accounting for more than 480,000 deaths every year, including more than 41,000 deaths resulting from secondhand smoke; and
- Whereas:** in 2020, according to data from the National Youth Tobacco Survey, 19.6 percent of high school students (3,020,000 students) and 4.7 percent of middle school students (550,000 students) reported current e-cigarette use; and that almost 40 percent of high school e-cigarette users were using an e-cigarette on 20 or more days out of the month, and almost a quarter of high school e-cigarette users were using e-cigarettes every day, indicating a strong dependence on nicotine among youth; and
- Whereas:** studies show that small strategic investments in disease prevention can result in significant savings in health care costs; and
- Whereas:** vaccination is one of the most significant public health achievements in history and has resulted in substantial decreases in the number of cases, hospitalizations, and deaths associated with vaccine-preventable diseases; and health care costs associated with vaccine-preventable diseases; and
- Whereas:** public health professionals help communities prevent, prepare for, mitigate, and recover from the impact of a full range of health threats, including disease outbreaks, such as the COVID-19 pandemic; natural disasters, and other disasters, including disasters caused by human activity and public health emergencies; and



**Whereas:** public health professionals collaborate with partners outside of the health sector, including planners, transportation officials, education officials, and private sector businesses, recognizing that other sectors can influence health outcomes; and

**Whereas:** in communities across the United States, due to public health interventions, individuals are changing the way they care for their health by avoiding tobacco use, eating healthier, increasing physical activity, and preventing unintentional injuries at home and in the workplace; and

**Whereas:** efforts to adequately support public health and the prevention of disease and injury can continue to transform a health system focused on treating illness into a health system focused on preventing disease and injury and promoting wellness.

**NOW, THEREFORE, WE, THE SELECT BOARD** of the Town of Lexington, Massachusetts do hereby proclaim the week of April 3 to 9, 2023 as

## ***National Public Health Week***

in the Town of Lexington recognizing the efforts of the Public Health professionals in Lexington and recognize the role of public health in improving the overall health of residents and the Lexington community.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 20th of March 2023.

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JILL I. HAI, CHAIR

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JOSEPH N. PATO

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SUZANNE E. BARRY

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DOUGLAS M. LUCENTE

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MARK D. SANDEEN



## Town of Lexington, Massachusetts

SELECT BOARD OFFICE

### PROCLAMATION

- Whereas:** emergencies can occur at any time requiring police, fire or emergency medical services; and
- Whereas:** when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and
- Whereas:** the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who contact the Town of Lexington, Massachusetts Public Safety Dispatch Center; and
- Whereas:** Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and
- Whereas:** Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and
- Whereas:** the Public Safety Dispatchers of the Town of Lexington have contributed substantially to the apprehension of criminals, suppression of fires, treatment of patients and comfort to resident callers; and
- Whereas:** each Public Safety Dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

**NOW, THEREFORE, WE, THE SELECT BOARD** of the Town of Lexington, Massachusetts do hereby proclaim the week of April 9 to 15, 2023 as:

### *National Public Safety Telecommunicators Week*

in the Town of Lexington and call upon all citizens to join us in recognizing the Town of Lexington Public Safety Dispatchers whose diligence and professionalism keep our town and citizens safe.

IN WITNESS WHEREOF, we have set our hands and caused the seal of Lexington to be affixed herewith on the 20<sup>th</sup> of March 2023.

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JILL I. HAI, CHAIR

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JOSEPH N. PATO

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SUZANNE E. BARRY

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DOUGLAS M. LUCENTE

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MARK D. SANDEEN

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

2023 Annual Town Meeting

### **PRESENTER:**

Board Discussion

### **ITEM NUMBER:**

I.1

### **SUMMARY:**

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

The Select Board is being asked to approve the Select Board Report to 2023 Annual Town Meeting. The draft report is attached.

The Select Board will discuss 2023 Annual Town Meeting articles as well as continue to take positions.

### **SUGGESTED MOTION:**

Move to approve the Select Board Report to 2023 Annual Town Meeting as presented.

### **FOLLOW-UP:**

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

3/20/2023

6:05pm

### **ATTACHMENTS:**

Description	Type
☐ Art 19 motion revised	Backup Material
☐ Art 21 motion	Backup Material
☐ Proposed amendment Art 32	Backup Material

📎	Art 40 revised motion	Backup Material
📎	DRAFT 2023 Select Board Report for approval	Backup Material
📎	DRAFT 2023 Select Board Report redlined from 3-13-2023 meeting	Backup Material
📎	Select Board Working Document - Positions 2023 ATM	Backup Material
📎	Moderator's Proposed schedule for ATM 2023 (as of 3-15-2023)	Backup Material

## 2023 Annual Town Meeting

**ESTABLISH, DISSOLVE AND APPROPRIATE TO AND FROM  
SPECIFIED STABILIZATION FUNDS**

- a) That \$500,000 be appropriated from the Capital Stabilization Fund for projects excluded from the limits of Proposition 2½;
- b) That \$1,733,137 be appropriated into the Capital Stabilization Fund, and to meet this appropriation, \$1,733,137 be appropriated from the tax levy;
- c) That \$246,063.75 be appropriated into the Transportation Management Overlay District Stabilization Fund, and to meet this appropriation, \$246,063.75 be appropriated from the Transportation Management Overlay District Special Revenue Fund;
- d) That \$210,000 be appropriated into the Traffic Mitigation Stabilization Fund, and to meet this appropriation, \$210,000 be appropriated from the Traffic Mitigation Special Revenue Fund;
- e) That \$205,000 be appropriated into the Transportation Demand Management/Public Transportation Stabilization Fund, and to meet this appropriation, \$205,000 be appropriated from the Transportation Demand Management/Public Transportation Special Revenue Fund;
- f) That \$439,402.27 be appropriated from the Affordable Housing Capital Stabilization Fund to the Lexington Affordable Housing Trust fund; and
- g) That in accordance with M.G.L. Chapter 40, Section 5B paragraph four, that the dedication of payments from Symmes Lifecare, Inc. d/b/a Brookhaven at Lexington directly into the Affordable Housing Capital Stabilization Fund, as approved under Article 19 of the 2020 Annual Town Meeting, be terminated as of June 30, 2023, and
- h) That \$500,000 be appropriated into the Special Education Stabilization Fund, and to meet this appropriation, \$500,000 be appropriated from the General Fund unreserved fund balance.

## ARTICLE 21 AMEND FY2023 OPERATING, ENTERPRISE AND CPA BUDGETS

**Please accept this as a formal request that the following amended text be considered as an amended version of Article 32:**

Suggested Amendment: (change is underlined)

"That the Town authorize the Select Board, with the approval of the Conservation Commission, to grant permanent easements over portions of the Dunback Meadow Conservation Land to the owners of property bordering Bacon Street in order to allow connections for no more than two dwellings to the Town sewer system, with the exact locations to be determined by the Department of Public Works, the Conservation Commission, and the applicant at such time as the applicant requests approval of such connections, and authorize the Select Board to petition the General Court for an act to permit such easements over conservation land to the extent necessary.

Rationale:

The proponents presently own a single house on the south side of Bacon Street. In their petition, they express a desire to expand their home – or possibly add a second dwelling – to accommodate a daughter and her family. This implies, at most, a need for two connections. As written, the petition would allow for an unlimited number of dwellings.

Respectfully submitted,

Leonard J. Morse-Fortier, Ph.D., P.E., Precinct 7 Town Meeting Member

# Town of Lexington

## Motion

### 2023 Annual Town Meeting

#### ARTICLE 40 AMEND ZONING BYLAW, GROSS FLOOR AREA (Citizen Article)

##### MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck-through~~ text is to be removed and underlined text is to be added, except where otherwise stated below, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington.

1. Amend: §135-4.4 as follows:

4.4.2 Maximum Allowable Residential Gross Floor Area Tables. The total gross floor area of all buildings on a lot containing a one-family or two-family dwelling may not exceed the amount listed in ~~the table below~~ Table 4.4.2.2 based on lot area-, except that:

- (a) buildings for which a building permit application has been submitted before January 1, 2024 may be extended, altered, reconstructed or structurally changed so long as the total gross floor does not exceed that in Table 4.4.2.1 below based on lot area. For the purposes of this §135-4.4.2, extension, alteration, reconstruction, and structural change shall not include any construction which involves demolition of more than 50% of the primary building's shell exclusive of demolition of a single story attached garage. For purposes of calculating the percentages of any demolition under this subsection, all demolition shall be taken into account which commenced, or could have commenced, pursuant to an issued permit within two years prior to the date of any request for any permit to construct, re-construct, alter, add, extend or otherwise structurally change any structure.
- (b) For the purposes of §135-6.12.3.7(a), Table 4.4.2.1 shall be used to determine the gross floor area permitted based on a proof plan.

Table 4.4.2.1:

<b>Lot Area (in square feet)</b>	<b>Maximum Gross Floor Area (in square feet)</b>
0 to 5,000	0.8 * Lot Area
5,000 to 7,500	4,000 + 0.55 * (Lot Area - 5,000)
7,500 to 10,000	5,375 + 0.23 * (Lot Area - 7,500)
10,000 to 15,000	5,950 + 0.2 * (Lot Area - 10,000)
15,000 to 30,000	6,950 + 0.16 * (Lot Area - 15,000)
More than 30,000	9,350 + 0.16 * (Lot Area - 30,000)



**Town of Lexington**  
**Motion**  
**2023 Annual Town Meeting**

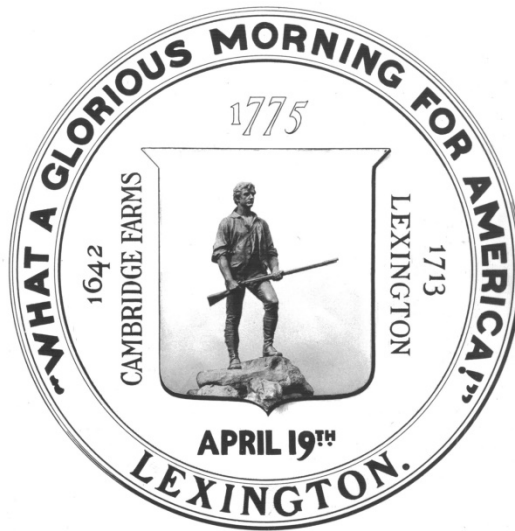
Table 4.4.2.2:

<b><u>Lot Area (in square feet)</u></b>	<b><u>Maximum Gross Floor Area (in square feet)</u></b>
<u>0 to 5,000</u>	<u><math>0.76 * \text{Lot Area}</math></u>
<u>5,000 to 7,500</u>	<u><math>3,800 + 0.42 * (\text{Lot Area} - 5,000)</math></u>
<u>7,500 to 10,000</u>	<u><math>4,850 + 0.12 * (\text{Lot Area} - 7,500)</math></u>
<u>10,000 to 15,000</u>	<u><math>5,150 + 0.11 * (\text{Lot Area} - 10,000)</math></u>
<u>15,000 to 30,000</u>	<u><math>5,700 + 0.1 * (\text{Lot Area} - 15,000)</math></u>
<u>More than 30,000</u>	<u><math>7,200 + 0.1 * (\text{Lot Area} - 30,000)</math></u>

2. The amendments to §135-4.4 under this Motion shall take effect on January 1, 2024.

(Revised 03/15/2023)

# SELECT BOARD TOWN OF LEXINGTON



## REPORT TO THE 2023 ANNUAL TOWN MEETING

### **Select Board:**

Jill I. Hai, Chair ; Douglas M. Lucente, Vice-Chair,  
Joseph N. Pato, Suzanne E. Barry, Mark D. Sandeen  
Kim Katzenback, Executive Clerk

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March 2023

## Message from the Select Board

The Select Board has prepared this written report to Annual Town Meeting 2023 under Article 2. This report contains an update to Town Meeting on issues and topics the Board felt would be of interest to Town Meeting Members. This year we have included a summary of the Select Board's Goals, as set bi-annually and the progress which is being made toward them. Additional topics include updates on the Town's use of and balance remaining from American Rescue Plan Act (ARPA) funds and other municipal finance initiatives, continuing efforts to move forward with our Social Racial Equity Initiatives, an update on Municipal Building Projects, an update on the status of recent actions at Town Meeting regarding Home Rule Petitions and the progress on the Semiquincentennial (250<sup>th</sup>) Celebration of the Battle of Lexington coming in 2025.

Should you have any questions or comments regarding this report, the Board encourages you to get in touch with any member of the Board. Select Board meetings are generally held Monday evenings at 6:30pm in the Select Board meeting room of the Town Office building, and via zoom. Board members' office hours, as well as the Select Board meeting packets are posted at <https://www.lexingtonma.gov/755/Select-Board>. We can be reached via email (below) or by calling the Select Board Office (781-698-4580) to schedule a phone conversation or meeting.

- Jill Hai, Chair: [jhai@lexingtonma.gov](mailto:jhai@lexingtonma.gov)
- Doug Lucente, Vice-Chair: [dlucente@lexingtonma.gov](mailto:dlucente@lexingtonma.gov)
- Joe Pato: [jpato@lexingtonma.gov](mailto:jpato@lexingtonma.gov)
- Suzie Barry: [sbarry@lexingtonma.gov](mailto:sbarry@lexingtonma.gov)
- Mark Sandeen: [msandeen@lexingtonma.gov](mailto:msandeen@lexingtonma.gov)

Respectfully submitted,  
Lexington Select Board

*Jill I. Hai, Chair  
Douglas M. Lucente, Vice-Chair  
Joseph N. Pato  
Suzanne E. Barry  
Mark D. Sandeen*

## Select Board Goals

The Select Board established the following five strategic outcome areas for FY2022 & FY2023 to use as road map to help guide the collaborative work of the Board, Staff and Committees.

### 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:*

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- Valuing and respecting Town staff
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- Long-term capital and fiscal planning
- Responsible financing and debt management
- Providing staff and resources necessary to deliver quality services
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## Budget Challenges FY2024 and Beyond

Developing the FY2024 budget for the Town of Lexington presented several challenges for the Select Board. One of our primary concerns was balancing the needs of the community with the available resources while also addressing critical infrastructure and capital projects. We are committed to ensuring that the budget we develop reflects the priorities and values of our community, and we worked closely with Town Departments and Committees to identify areas where we could make strategic investments while also controlling costs.

One of the major challenges we faced this budget cycle was dealing with inflation and the resulting increased expenses in the areas of energy costs, waste management increases, and employee health benefits. We continue to budget cautiously and conservatively, taking these increased expenses into account. Given our limitations, we allocated funds toward a few new initiatives this year including funding to support our public access television, LexMedia, due to decreased Public Educational Government access channel (PEG) revenue, ongoing maintenance for the new Center Streetscape and

sidewalk infrastructure, and additional support to our Human Resources Department to help service the needs of all municipal and school employees.

Additionally, we recognized that while we have made great strides in recent years, there is still much work to be done to maintain and improve our Town's infrastructure. This is a priority for the Select Board, and our FY2024 budget reflects this commitment. We have allocated funds for a number of road and sidewalk projects. We also allocated funds to support our excellent school system and special education needs, and we are continuing our efforts to promote sustainability and environmental stewardship, including expanding our recycling program and investing in renewable energy projects. In addition to these initiatives, we are also committed to maintaining our AAA bond rating and avoiding operating overrides. We recognize the importance of continuing our building reserves in the Capital Stabilization Fund to ensure that larger capital projects and future debt service do not place an unmanageable burden on taxpayers, and we are working to identify opportunities for cost savings and revenue growth to ensure the long-term financial health of our Town.

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The Select Board recognizes the challenges we face in developing the FY2024 budget and beyond, but we are committed to addressing these challenges. We appreciate the support of our residents, and we look forward to continuing to serve Lexington in the year ahead.

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**Appropriation:** \$34,517,622

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The Town has completed the installation of a 41.7 kW solar energy system on the roof of the Fire Station.

#### **Old Reservoir Bath House Renovation**

**Appropriation:** \$620,000

**Funding:** ATM 2019 Article 14g

All initial bids received by the Town exceeded the appropriation approved by Town Meeting. The Department of Public Facilities and Recreation Department staff have developed procurement alternatives required to complete the project. Final engineering work is being completed now with the expectation that the project will be advertised for bid this spring. If those bids are within appropriation, the construction project is expected to begin this fall.

#### **Center Bathroom & Maintenance Building Renovation**

**Appropriation:** \$1,180,000

**Funding:** ATM 2020 Article 16b / ATM 2021 Article 16g / ATM 2022 Article 10e / STM 2022-3 Article 5

2020 Annual Town Meeting approved \$100,000 in design and engineering funds for the Center Bathroom building renovation project. At the 2021 Annual Town Meeting, the Select Board recommended indefinite postponement of warrant article 16g requesting \$915,000 in construction funding to a future Town Meeting. 2022 ATM approved warrant article 10e requesting \$680,000 in additional funding for this project. STM 2022-3 approved warrant article 5 requesting \$400,000 in additional funding for this project.

The Town recently received a successful general contractor bid of \$815,000 for this project. A meeting with the contractor, Recreation Department and DPW staff has been set to establish the construction schedule. The project is expected to take 6 months to complete.

#### **Lexington High School Feasibility Study**

**Appropriation:** \$1,825,000

**Funding:** STM 2022-2 Article 2

The Massachusetts School Building Authority (MSBA) invited Lexington to participate in the MSBA's eligibility period for the Lexington High School in March 2022. Lexington has formed a School Building Committee to manage the MSBA process for the Lexington High School Project. The Town completed the preliminary requirements defined by the MSBA. Lexington received our design enrollment certification from the MSBA stating that the Lexington High School proposed project will be based on an enrollment of no more than 2,395 students in grades 9-12.

On March 1, 2023, the Lexington High School project was invited by the MSBA Board of Directors into the next Module, the Feasibility Study. The School Building Committee will partner with the MSBA on

the process of selecting the Owners Project Manager and the Designer for the project beginning immediately. The expectation would be to have these two important pieces of the team in place by October 2023, whereupon the formal Feasibility Study work will commence. The Feasibility study is expected to be completed by October 2024.

The Town of Lexington is currently estimating a total cost for the Lexington High School project of \$400 million.

## Update on recent Home Rule Petitions

There are six home rule petition requests approved at recent Town Meetings that remain under consideration by the legislature. No final action has been taken by the legislature on any of these petitions.

- **STM 2020-2: Article 6** – Authorize Special Legislation Development Surcharge for Community Housing (Citizen Petition)

[Bill H.4314 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD3088) An Act authorizing a development surcharge for community housing in the town of Lexington

**Status:** Reported favorably by the Joint Committee on Municipalities and Regional Government. Referred to the committee on House Steering, Policy and Scheduling, reported out for second reading. Second reading on 7/31/2022 and ordered to a third reading. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.3088.

<https://malegislature.gov/Bills/193/HD3088>

- **ATM 2021: Article 26** – Petition General Court to Amend Legislation Regarding Permanent Transportation Funding

[Bill H.3892 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD2481) An Act authorizing the town of Lexington to establish transit improvement districts

**Status:** Referred to Joint Committee on Transportation, reported favorably after study. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.2481.

<https://malegislature.gov/Bills/193/HD2481>

- **ATM 2021: Article 29** – Clean Heat-Authorize Special Legislation to Regulate Fossil Fuel Infrastructure and Adopt Bylaw Amendment Enabling Legislation

[Bill H.3893 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD2481) An Act authorizing the town of Lexington to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction

**Status:** Referred to Joint Committee on Telecommunications, Utilities and Energy  
No further action by the end of the legislative session.

The need for this home rule petition has been largely made moot by Chapter 179 of the Acts of 2022 authorizing a demonstration program for municipal regulation of fossil fuels in new construction. Lexington is one of the ten communities identified as eligible to participate in the Department of Energy Resources regulations implementing these provisions in the Climate Bill.

- **ATM 2021: Article 36** – Authorize Special Legislation-Development Surcharge for Affordable Housing (Citizen Petition)

[Bill H.3891 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD3085) An Act to establish a surcharge on specific commercial development activities for the purpose of funding the creation of community housing

**Status:** Passed by the House but did not reach a third reading in the Senate. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.3085.

<https://malegislature.gov/Bills/193/HD3085>

- **STM 2022-2: Article 3** – Amend General Bylaw to Allow Remote Participation at Hybrid Town Meetings

[Bill H.4876 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD118) An Act authorizing the town of Lexington to allow remote participation at town meetings

**Status:** Reported favorably by the committee on Election Laws and the committee on House Steering, Policy and Scheduling. Concluded a second reading and ordered for a third reading. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.118.

<https://malegislature.gov/Bills/193/HD118>

- **STM 2022-3: Article 14** – LEXHAB Reorganization

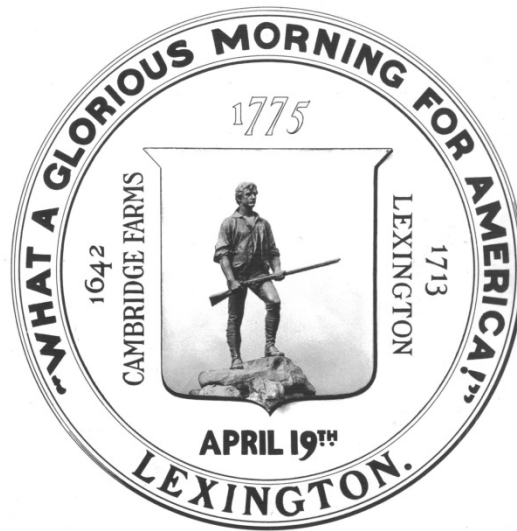
Filed in the 193rd (Current) session of the legislature as Bill HD.119. An Act reorganizing the Lexington Housing Assistance Board, Inc <https://malegislature.gov/Bills/193/HD119>

**Status:** No action yet taken.

## 2025: The 250th Anniversary of the Battle of Lexington

The Semiquincentennial Commission (Lex 250) continued their work on helping the Town of Lexington plan events for the 250<sup>th</sup> Anniversary of the Battle of Lexington and Concord. Accomplishments in the past year included a jury selecting a logo for the 250<sup>th</sup> from student submitted artwork, producing a video in collaboration with LexMedia that is shown on a monitor at the Visitor's Center, working with Town Counsel on securing trademark protections, working on preliminary public relations guidelines, holding two community kickoff meetings to make residents aware of the events and encourage groups and residents to get involved, secured \$75,000 in initial funding from Special Town Meeting in November 2022 to be used towards a dedicated website, memberships, printing and promotional materials.

# SELECT BOARD TOWN OF LEXINGTON



## REPORT TO THE 2023 ANNUAL TOWN MEETING

### **Select Board:**

Jill I. Hai, Chair ; Douglas M. Lucente, Vice-Chair,  
Joseph N. Pato, Suzanne E. Barry, Mark D. Sandeen  
Kim Katzenback, Executive Clerk

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March 2023

## Message from the Select Board

The Select Board has prepared this written report to Annual Town Meeting 2023 under Article 2. This report contains an update to Town Meeting on issues and topics the Board felt would be of interest to Town Meeting Members. This year we have included a summary of the Select Board's Goals, as set bi-annually and the progress which is being made toward them. Additional topics include updates on the Town's use of and balance remaining from American Rescue Plan Act (ARPA) funds and other municipal finance initiatives, continuing efforts to move forward with our Social Racial Equity Initiatives, an update on Municipal Building Projects, an update on the status of recent actions at Town Meeting regarding Home Rule Petitions and the progress on the Semiquincentennial (250<sup>th</sup>) Celebration of the Battle of Lexington coming in 2025.

Should you have any questions or comments regarding this report, the Board encourages you to get in touch with any member of the Board. Select Board meetings ~~on~~are generally held Monday evenings at 6:30pm in the Select Board meeting room of the Town Office building, and via zoom. Board members' office hours, as well as the Select Board meeting packets are posted at <https://www.lexingtonma.gov/755/Select-Board>. We can be reached via email (below) or by calling the Select Board Office (781-698-4580) to schedule a phone conversation or meeting.

- Jill Hai, Chair: [jhai@lexingtonma.gov](mailto:jhai@lexingtonma.gov)
- Doug Lucente, Vice-Chair: [dlucente@lexingtonma.gov](mailto:dlucente@lexingtonma.gov)
- Joe Pato: [jpato@lexingtonma.gov](mailto:jpato@lexingtonma.gov)
- Suzie Barry: [sbarry@lexingtonma.gov](mailto:sbarry@lexingtonma.gov)
- Mark Sandeen: [msandeen@lexingtonma.gov](mailto:msandeen@lexingtonma.gov)

Respectfully submitted,  
Lexington Select Board

*Jill I. Hai, Chair  
Douglas M. Lucente, Vice-Chair  
Joseph N. Pato  
Suzanne E. Barry  
Mark D. Sandeen*

## Select Board Goals

The Select Board established the following five strategic outcome areas for FY2022 & FY2023 to use as road map to help guide the collaborative work of the Board, Staff and Committees.

### 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

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- Ensuring the health, safety, and well-being of our community
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### **Old Reservoir Bath House Renovation**

**Appropriation:** \$620,000

**Funding:** ATM 2019 Article 14g

All initial bids received by the Town exceeded the appropriation approved by Town Meeting. The Department of Public Facilities and Recreation Department staff have developed procurement alternatives required to complete the project. Final engineering work is being completed now with the expectation that the project will be advertised for bid this spring. If those bids are within appropriation, the construction project is expected to begin this fall.

### **Center Bathroom & Maintenance Building Renovation**

**Appropriation:** \$1,180,000

**Funding:** ATM 2020 Article 16b / ATM 2021 Article 16g / ATM 2022 Article 10e / STM 2022-3 Article 5

2020 Annual Town Meeting approved \$100,000 in design and engineering funds for the Center Bathroom building renovation project. At the 2021 Annual Town Meeting, the Select Board recommended indefinite postponement of warrant article 16g requesting \$915,000 in construction funding to a future Town Meeting. 2022 ATM approved warrant article 10e requesting \$680,000 in additional funding for this project. STM 2022-3 approved warrant article 5 requesting \$400,000 in additional funding for this project.

The Town recently received a successful general contractor bid of \$815,000 for this project. A meeting with the contractor, Recreation Department and DPW staff has been set to establish the construction schedule. The project is expected to take 6 months to complete.

### **Lexington High School Feasibility Study**

**Appropriation:** \$1,825,000

**Funding:** STM 2022-2 Article 2

The Massachusetts School Building Authority (MSBA) invited Lexington to participate in the MSBA's eligibility period for the Lexington High School in March 2022. Lexington has formed a School Building Committee to manage the MSBA process for the Lexington High School Project. The Town completed the preliminary requirements defined by the MSBA. Lexington received our design enrollment certification from the MSBA stating that the Lexington High School proposed project will be based on an enrollment of no more than 2,395 students in grades 9-12.

On March 1, 2023, the Lexington High School project was invited by the MSBA Board of Directors into the next Module, the Feasibility Study. The School Building Committee will partner with the MSBA on the process of selecting the Owners Project Manager and the Designer for the project beginning immediately. The expectation would be to have these two important pieces of the team in place by October 2023, whereupon the formal Feasibility Study work will commence. The Feasibility study is expected to be completed by October 2024.

The Town of Lexington is currently estimating a total cost for the Lexington High School project of \$400 million.

## Update on recent Home Rule Petitions

There are six home rule petition requests approved at recent Town Meetings that remain under consideration by the legislature. No final action has been taken by the legislature on any of these petitions.

- **STM 2020-2: Article 6** – Authorize Special Legislation Development Surcharge for Community Housing (Citizen Petition)

[Bill H.4314 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD3088) An Act authorizing a development surcharge for community housing in the town of Lexington

**Status:** Reported favorably by the Joint Committee on Municipalities and Regional Government. Referred to the committee on House Steering, Policy and Scheduling, reported out for second reading. Second reading on 7/31/2022 and ordered to a third reading. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.3088.  
<https://malegislature.gov/Bills/193/HD3088>

- **ATM 2021: Article 26** – Petition General Court to Amend Legislation Regarding Permanent Transportation Funding

[Bill H.3892 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD2481) An Act authorizing the town of Lexington to establish transit improvement districts

**Status:** Referred to Joint Committee on Transportation, reported favorably after study. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.2481.  
<https://malegislature.gov/Bills/193/HD2481>

- **ATM 2021: Article 29** – Clean Heat-Authorize Special Legislation to Regulate Fossil Fuel Infrastructure and Adopt Bylaw Amendment Enabling Legislation

[Bill H.3893 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD2481) An Act authorizing the town of Lexington to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction

**Status:** Referred to Joint Committee on Telecommunications, Utilities and Energy  
No further action by the end of the legislative session.

The need for this home rule petition has been largely made moot by Chapter 179 of the Acts of 2022 authorizing a demonstration program for municipal regulation of fossil fuels in new construction. Lexington is one of the ten communities identified as eligible to participate in the Department of Energy Resources regulations implementing these provisions in the Climate Bill.

- **ATM 2021: Article 36** – Authorize Special Legislation-Development Surcharge for Affordable Housing (Citizen Petition)

[Bill H.3891 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD3085) An Act to establish a surcharge on specific commercial development activities for the purpose of funding the creation of community housing

**Status:** Passed by the House but did not reach a third reading in the Senate. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.3085.  
<https://malegislature.gov/Bills/193/HD3085>

- **STM 2022-2: Article 3** – Amend General Bylaw to Allow Remote Participation at Hybrid Town Meetings

[Bill H.4876 \(malegislature.gov\)](https://malegislature.gov/Bills/193/HD118) An Act authorizing the town of Lexington to allow remote participation at town meetings

**Status:** Reported favorably by the committee on Election Laws and the committee on House Steering, Policy and Scheduling. Concluded a second reading and ordered for a third reading. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.118.  
<https://malegislature.gov/Bills/193/HD118>

- **STM 2022-3: Article 14** – LEXHAB Reorganization

Filed in the 193rd (Current) session of the legislature as Bill HD.119. An Act reorganizing the Lexington Housing Assistance Board, Inc <https://malegislature.gov/Bills/193/HD119>

**Status:** No action yet taken.

## 2025: The 250th Anniversary of the Battle of Lexington

The Semiquincentennial Commission (Lex 250) continued their work on helping the Town of Lexington plan events for the 250<sup>th</sup> Anniversary of the Battle of Lexington and Concord. Accomplishments in the past year included a jury selecting a logo for the 250<sup>th</sup> from student submitted artwork, producing a video in collaboration with LexMedia that is shown on a monitor at the Visitor's Center, working with Town Counsel on securing trademark protections, working on preliminary public relations guidelines, holding two community kickoff meetings to make residents aware of the events and encourage groups and residents to get involved, secured \$75,000 in initial funding from Special Town Meeting in November 2022 to be used towards a dedicated website, memberships, printing and promotional materials.

Select Board Positions  
Working Document

#	Article Name	UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	SB	JH	MS
1	Notice of Election									
2	Election of Deputy Moderator and Reports of Town Boards, Officers and Committees									
3	Appointments To Cary Lecture Series.					Y	Y	Y	Y	Y
Financial Articles										
4	Appropriate FY2024 Operating Budget		JH			Y	Y	Y	Y	Y
5	Appropriate FY2024 Enterprise Funds Budgets		SB			Y	Y	Y	Y	Y
6	Establish Qualifications for Tax Deferrals	2/6/2023	DL			Y	Y	Y	Y	Y
7	Appropriate To Affordable Housing Trust		MS			Y	Y	Y	Y	Y
8	Evaluation of Archeological Resource Potential (Citizen Petition)	1/23/2023	SB			N	N	N	N	N
9	Establish and Continue Departmental Revolving Funds		JP			Y	Y	Y	Y	Y
10	Appropriate The Fy2024 Community Preservation Committee Operating Budget And CPA Projects	1/23/2023								
	a) Stone Building Design and Repairs- \$400,000					Y	Y	Y	Y	Y
	b) Munroe Center for the Arts- \$6,635,191					W	Y	W	Y	Y
	c) Hancock-Clarke Barn Restoration- \$118,419					Y	Y	Y	Y	Y
	d) Archives and Record Management- \$35,000 - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	e) First Parish Church Clock Restoration- \$12,000					Y	N	Y	Y	Y
	f) East Village Clock at Follen Church Restoration- \$9,600					Y	N	Y	Y	Y
	g)Willard Woods Site Improvements 1,211,675					Y	Y	Y	Y	Y
	h) Whipple Hill Trail Repair, Fire Access- \$300,000 <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	i)Lincoln Park Field Improvements including Lighting- \$3,391.500				MS		Y	W	Y	Y

Select Board Positions  
Working Document

#	Article Name	UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	SB	JH	MS
10 (cont.)	j) Park and Playground Improvements, Bridge School- \$285,000 - <a href="#">CONSENT</a>	1/23/2023		PC		Y	Y	Y	Y	Y
	k) Park and Playground Improvements, Justin Park- \$155,000 - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	l) Public Grounds Irrigation Improvements- \$200,000 - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	m) Transforming Trees into Art, Birds of New England- \$22,000					W	Y	Y	W	Y
	n) Affordable Housing Trust Funding- \$1,500,000 - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	o) LexHAB Property Acquisition Prefunding- \$400,000					Y	Y	Y	Y	Y
	p) LexHAB Rehabilitation/Preservation and Installation of Solar Panels- \$345,125 - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	q) Projected Debt Service- \$1,788,900 - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	r) Administrative Budget- \$150,000 - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
11	Appropriate For Recreation Capital Projects - <a href="#">CONSENT</a>		SB	PC		Y	Y	Y	Y	Y
12	Appropriate For Municipal Capital Projects And Equipment		JH							
	a) All Terrain Vehicle (ATV)- Forestry					Y	Y	Y	Y	Y
	b) TMOD Implementation - Permitting and Progress Tracking					Y	Y	Y	Y	Y
	c) Transportation Mitigation - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	d) Bedford St. and Hartwell Ave. Long-Range Transportation Improvements					Y	Y	Y	Y	Y
	e) Townwide Culvert Replacement - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	f) Equipment Replacement - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	g) Sidewalk Improvements - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	h) Storm Drainage Improvements and NPDES compliance - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	i) Comprehensive Watershed Stormwater Management - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y
	j) Street Improvements - <a href="#">CONSENT</a>			PC		Y	Y	Y	Y	Y

Select Board Positions  
Working Document

#	Article Name	UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	SB	JH	MS
12 (cont.)	k) Hydrant Replacement Program - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	l) Municipal Parking Lot Improvements					Y	Y	Y	Y	Y
	m) New Sidewalk Installations					Y	Y	Y	Y	Y
	n) Network Core Equipment Replacement - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	o) Network Redundancy & Improvement Plan - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	p) (there is <i>no item associated with letter p</i> )									
	q) Scanning - Electronic Document Management - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
13	Appropriate For Water System Improvements.		MS			Y	Y	Y	Y	Y
14	Appropriate For Wastewater System Improvements - <b>CONSENT</b>		SB	PC		Y	Y	Y	Y	Y
15	Appropriate For School Capital Projects And Equipment - <b>CONSENT</b>		JP	PC		Y	Y	Y	Y	Y
16	Appropriate For Public Facilities Capital Projects		DL							
	a) Public Facilities Bid Documents - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	b) Public Facilities Interior Finishes - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	c) Public Facilities Mechanical/Electrical/Plumbing Replacements - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	d) School Paving and Sidewalks - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	e) Municipal Building Envelopes and Associated Systems - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	f) School Building Envelopes and Associated Systems - <b>CONSENT</b>			PC		Y	Y	Y	Y	Y
	g) Pine Meadows Clubhouse Renovation- Design					Y	Y	Y	Y	Y
	h) 173 Bedford Street Renovation- Design;					W	W	W	W	W
	i) Solar Canopy & System - Police Station					W	W	W	W	Y
	j) East Lexington Fire Station- Feasibility Study					Y	Y	Y	Y	Y



Select Board Positions  
Working Document

#	Article Name	UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	SB	JH	MS
17	Appropriate To Post Employment Insurance Liability Fund - <a href="#">CONSENT</a>		JP	PC		Y	Y	R	Y	Y
18	Rescind Prior Borrowing Authorizations - <a href="#">CONSENT</a>		MS	PC		Y	Y	Y	Y	Y
19	Establish, Amend, Dissolve And Appropriate To And From Specified Stabilization Funds		DL			Y	Y	Y	Y	Y
20	Appropriate For Prior Years' Unpaid Bills - <a href="#">CONSENT</a>		SB	PC		Y	Y	Y	Y	Y
21	Amend Fy2023 Operating, Enterprise And CPA Budgets.		DL							
22	Appropriate For Authorized Capital Improvements.		DL			Y	Y	Y	Y	Y
23	Establish Special Education Reserve Fund		JH			Y	Y	Y	Y	Y
<b>General Articles</b>										
24	Select Board To Accept Easements - <a href="#">CONSENT</a>		MS	PC		Y	Y	Y	Y	Y
25	Amend The General Bylaws - Demolition Delay		SB			W	Y	W	W	Y
26	Amend The General Bylaws - Municipal Opt-In Specialized Stretch Energy Code		JP			Y	Y	Y	Y	Y
27	Amend Fossil Fuel Bylaw - Compliance With DOER Regulations And Guidance	2/6/2023	JP							
28	Amend General Bylaws - Tree Bylaw - Increase Protected Tree Look-Back Period	2/6/2023	JP			W	Y	W	W	Y
29	Amend General Bylaws - Tree Bylaw - Changes To Tree Committee Composition	2/6/2023	JP			Y	Y	Y	Y	Y
30	Humane Pet Store Bylaw Correction - <a href="#">CONSENT</a>		SB	PC		Y	Y	Y	Y	Y
31	Fair Trade Restrictions - Fur Products (Citizen Petition)	2/27/2023	DL			Y	Y	Y	Y	Y
32	Dunback Meadow Sewer Easement (Citizen Petition)	1/23/2023	MS			Y	Y	Y	Y	Y
<b>Zoning Articles</b>										
33	Amend Zoning Bylaw - Special Permit Residential Development	2/13/2023	JH			Y	Y	Y	Y	Y

Select Board Positions  
Working Document

#	Article Name	UPDATE AT SELECT BOARD MTG	SELECT BOARD PRSNTR	Proposed CNSNT (PC)	Possible IP (?)	DL	JP	SB	JH	MS
34	Amend Zoning Bylaw And Map - Multi-Family Zoning Housing For MBTA Communities	2/27/2023	JH			W	Y	W	Y	W
35	Supplemental Inclusionary Zoning Requirements For Village Overlay Districts - <b>Refer Back to Planning Board - CONSENT</b>	2/27/2023	JH	PC		RB	RB	RB	RB	RB
36	Amend Zoning Bylaw And Map - Central Business District	2/27/2023	SB			Y	Y	W	Y	Y
37	Amend Zoning Bylaw - Action Deadline For Major Site Plan Review	2/27/2023	JP			W	Y	Y	Y	Y
38	Amend Zoning Bylaw - Minor Modifications To Approved Permits	2/27/2023	MS			Y	Y	Y	Y	Y
39	Amend Zoning Bylaw - Technical Corrections	2/27/2023	JH			Y	Y	Y	Y	Y
40	Amend Section 135 - 4.4 Of The Zoning Bylaw-Reduce Residential Gross Floor (Citizen Petition)  - "Refer To" Planning Board	2/13/2023	DL			N	Y	N	N	Y
						RT	W	RT	RT	W

Deborah Brown

Mar 15, 2023, 10:07:56 AM (4 days ago)  
to LexTMMMA

Good morning, Town Meeting members!

Below this email you will find a proposed schedule for our upcoming Annual Town Meeting. A few important things to note:

- **This schedule is subject to change.** After each session of Town Meeting, the Deputy Moderator and I will update this proposed schedule to reflect what has actually transpired.
- Some items on this schedule are designated **DATE CERTAIN. For these items, we intend to protect the proposed date** unless there are completely unforeseen circumstances that prevent adherence to this schedule.
- **Please note the deadlines for submitting proposed amendments or requests to divide a question. These deadlines are firm!** In particular, note that we've established an earlier deadline for submitting proposed amendments/division requests **for Articles 33, 34, and 40 - that deadline is 5pm Monday, April 3.**

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***Proposed schedule for ATM 2023 (as of 3/15/2023)***

**Monday March 20, 2023** (*Proposed amendments/divisions due 5pm Thursday, March 16*)

- Article 2 - vote to ratify nomination of Deputy Moderator
- Article 2 - report of Cary Lecture Series
- Article 3 - Cary Lecture Committee
- Article 2 - report of Cary Library Trustees
- Article 31 - Fair Trade Restrictions - Fur Products (Citizen Petition)
- Article 32 - Dunback Meadow Sewer Easement (Citizen Petition)
- Time permitting:
  - Article 26 - Amend General Bylaws - Municipal Opt-In Specialized Stretch Energy Code
  - Article 28 - Amend General Bylaws - Tree Bylaw - Increase Protected Tree Look-Back Period
  - Article 29 - Amend General Bylaws - Tree Bylaw - Changes to Tree Committee

**Wednesday March 22, 2023** (*Proposed amendments/divisions due 5pm, Monday, March 20 - but **earlier is better for Zoning articles!***)

- Article 2 - report of Minuteman H.S. Superintendent (with opportunity for questions)
- Article 36 - Amend Zoning Bylaw and Map - Central Business District
- Article 37 - Amend Zoning Bylaw - Action Deadline for Major Site Plan Review
- Article 38 - Amend Zoning Bylaw - Minor Modifications to Approved Permits
- Article 39 - Amend Zoning Bylaw - Technical Corrections
- Time permitting:
  - Article 25 - Amend the General Bylaws - Demolition Delay
  - Article 2 - report of Town Manager
  - Continue any unfinished business from previous session

**Monday March 27, 2023** (*Proposed amendments/divisions due 5pm Thursday, March 23*)

- Article 2 - report of Town Manager (if not delivered 3/22/23)
- Article 2 - report of Appropriation Committee
- Article 2 - report of Lexington Schools Superintendent
- Article 2 - Report of the Lexington High School Building Committee
- Consent agenda
- Article 4 - Appropriate FY2024 Operating Budget
- Article 8 - Evaluation of Archaeological Resource Potential (Citizen Petition)
- Time permitting:
  - Article 5 - Appropriate FY2024 Enterprise Fund Budgets
  - Article 6 - Establish Qualifications for Tax Deferrals
  - Article 9 - Establish and Continue Departmental Revolving Funds
  - Continue any unfinished business from previous sessions

**Wednesday March 29, 2023** *(Proposed amendments/divisions due 5pm, Monday, March 27)*

- Article 2 - report of Capital Expenditures Committee
- Article 2 - report of Community Preservation Committee
- Article 10 - Appropriate for the FY2024 Community Preservation Committee Operating Budget and CPA Projects (items not on consent agenda):
  - **DATE CERTAIN:** 10i - Lincoln Park Field improvements including lighting
  - **DATE CERTAIN:** 10a - Stone Building design and repairs
  - 10b - Munroe Center for the Arts
  - 10c - Hancock-Clarke barn restoration
  - 10e - First Parish Church clock restoration
  - 10f - East Village clock at Follen Church restoration
  - 10g - Willard Woods site improvements
  - 10m - Transforming trees into art, Birds of New England
  - 10o - LexHab property acquisition prefunding
- Time permitting:
  - Article 7 - Appropriate to Affordable Housing Trust
  - Article 19 - Establish, Amend, Dissolve and Appropriate to and from Specified Stabilization Funds
  - Unfinished business from previous sessions

**Monday April 3, 2023** *(Proposed amendments/divisions due 5pm Thursday, March 30)*

- Any unfinished items from Article 10
- Article 12 - Appropriate for Municipal Capital Projects and Equipment (items not on consent agenda):
  - 12a - All Terrain Vehicle - Forestry
  - 12b - TMOD Implementation - Permit and progress tracking
  - 12d - Bedford St and Hartwell Ave long-range transportation improvements
  - 12l - Municipal parking lot improvements
  - 12m - New sidewalk installations
- Article 13 - Appropriate for Water System Improvements
- Time permitting:
  - Article 21 - Amend FY2023 Operating, Enterprise and CPA Budgets
  - Article 23 - Establish Special Education Reserve Fund

**Wednesday April 5, 2023 - no meeting (1st night of Passover)**

**Monday April 10, 2023** *(Proposed amendments/divisions due 5pm, Monday, April 3 for Articles 33, 34 and 40 - Note earlier deadline!!)*

- **DATE CERTAIN:** Article 33 - Amend Zoning Bylaw - Special Permit Residential Development
- **DATE CERTAIN:** Article 34 - Amend Zoning Bylaw and Map - Multi-Family Zoning Housing for MBTA Communities
- Time permitting: Unfinished business from previous sessions

**Wednesday April 12, 2023** *(Proposed amendments/divisions due 5pm, Monday, April 10 except for Article 40 - which has due date of 5pm Monday April 3)*

- **DATE CERTAIN:** Article 16 - Appropriate for Public Facilities Capital Projects (items not on consent agenda):
  - 16g - Pine Meadows clubhouse renovation - design
  - 16h - 173 Bedford Street renovation - design
  - 16i - Solar canopy & system - Police Station
  - 16j - East Lexington Fire Station - feasibility study
- Article 40 - Amend Section 135-4.4 of the Zoning Bylaw - Reduce Residential Gross Floor (Citizen Petition)
- Article 27 - Amend Fossil Fuel Bylaw - Compliance with DOER Regulations and Guidance
- Unfinished business from previous sessions

**No meetings Monday, April 17 and Wednesday April 19 (school vacation week)**

**\*\*\*Hold Monday April 24 and Wednesday April 26 for (inevitable) unfinished business\*\*\***

# **AGENDA ITEM SUMMARY**

## **LEXINGTON SELECT BOARD MEETING**

### **AGENDA ITEM TITLE:**

Approve Electric Vehicle (EV) Charger Overnight Parking Regulation

### **PRESENTER:**

Jim Malloy, Town Manager

### **ITEM NUMBER:**

I.2

### **SUMMARY:**

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

As discussed at the previous two Select Board meetings, the Board had requested that an amendment to the overnight parking regulations be presented to the Select Board for consideration to allow overnight parking at EV Chargers and for the time and parking rates to be consistent with the adjacent parking areas.

The following amendment to Section 192-40 was approved in November 2019. As discussed at the last Select Board meeting, this was not posted to the online version of the Town's Code. It may now be found under the "New Laws" section of the Code and will be incorporated into Chapter 192 Code shortly.

§ 192-40 Parking Meters with EV Charging Stations the Town of Lexington encourages use of the public EV Charging Stations found in municipal parking lots in Lexington. The following shall apply:

- A. All normal parking fees and rules shall apply to parking spaces with EV Charging capabilities.
- B. There is established a four-hour maximum time limit for parking at an EV Charging Station while any other metered time limitation is in effect.
- C. EV Charging Stations shall charge a rate as set by the Board of Selectmen that ensures all costs associated with the use of the Charging Station are recovered by the Town, any fees charged over the base electric cost shall be deposited in the Parking Lot Fund.
- D. Parking meter and enforcement regulations as stated in §192 of the Town's Traffic Rules and Orders shall apply to all EV Charger Station parking meters.
- E. EV Charging Station parking spaces shall be reserved for electric vehicles, any non-electric vehicle may be subject to a fine of \$100.

Based upon the amendment to the Code the Select Board previously adopted, all normal parking fees and rules shall apply to parking spaces with EV Charging capabilities, therefore, no wording needs to be included in the motion that relates to the time of day or day of week nor hourly rate for parking as this is already encapsulated in Section 192-40(A) &(D). Similarly no additional language needs to be included in the motion below to amend Section 192-23 as it relates to the type of vehicle that would be parked in an EV Charging Station as only electric vehicles are permitted to park in said locations and that non-electric vehicles parked at EV Charging Stations are subject to a fine of \$100 (which is the same as parking in a handicapped parking spot).

Therefore, the motion below solely relates to allowing electric vehicles to park at Electric Vehicle Charging Stations between 8 PM and 8 AM without a time limitation, but otherwise would be subject to all other rules and regulations related to the parking area in which the EV Charging Station is located.

The revised section would read:

192-23 All Night Parking.

It shall be unlawful for the driver of any vehicle, other than one acting in an emergency, to park said vehicle on any street or any municipal off-street parking area for a period of time longer than one hour between the hours of 2:00 a.m. and 6:00 a.m. of any day except in official governmental capacity, with the exception of vehicles parked at municipal EV Charging Stations in which there will be no time limitation between 8:00 PM and 8:00 AM.

**SUGGESTED MOTION:**

Move to amend Section 192-23 by adding the following at the end of the paragraph after the word, capacity: ", with the exception of vehicles parked at municipal EV Charging Stations in which there will be no time limitation between 8:00 PM and 8:00 AM."

**FOLLOW-UP:**

**DATE AND APPROXIMATE TIME ON AGENDA:**

3/20/2023

6:20pm