

SELECTMEN'S MEETING
Wednesday, April 2, 2014
Selectmen Meeting Room
6:00 p.m.

AGENDA

- 6:00 p.m. PUBLIC COMMENTS (10 min.)**
- 6:10 p.m. SELECTMEN CONCERNS AND LIAISON REPORTS (5 min.)**
- 6:15 p.m. TOWN MANAGER REPORT (5 min.)**
- 6:20 p.m. ITEMS FOR INDIVIDUAL CONSIDERATION**
1. Grant of Location – Nstar – Valleyfield Street (5 min.)
 2. Article Positions (15 min.)
 3. Consideration of Room Name Changes – Cary Memorial Building (5 min.)
 4. Discuss Sending Letter to Attorney General Regarding TMMA Listserve Participation (5 min.)
 5. Town Manager Appointments (5 min.)
 - a. Board of Health
 - b. Conservation Commission
 - c. Historical Commission
- 6:55 p.m. EXECUTIVE SESSION (15 min.)**
1. Exemption 3: Crossing Guards Tentative Agreement
 2. Exemption 4: Patriots Day Security Arrangement
 3. Exemption 6: Purchase, exchange, lease or value of real property
- 7:10 p.m. ADJOURN**

The next meeting of the Board of Selectmen is scheduled for Monday, April 7, 2014 at 6:00 p.m. in the Selectmen's Meeting Room, 1625 Massachusetts Avenue.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

April 2, 2014

STAFF:

William P. Hadley, Director

ITEM NUMBER:

SUBJECT:

Public Hearing for Grant of Location

Install and maintain approximately 250 feet of 4" gas main in Valleyfield St from the existing 4" main at House #69 northerly to serve House #'s 73, 74 and 77.

EXECUTIVE SUMMARY:

The Department of Public Works/Engineering has reviewed the petition, plan and order of National Grid for a Grant of Location to install approximately 250 feet of 6" gas main in Sherburne Road from the existing 6" main at Vinebrook Road southerly to House #4 for a new gas service. A Street Opening Permit is required prior to excavation. Since this petition appears to be in order, we recommend that approval be granted.

FINANCIAL IMPACT:

None

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the petition for Nationalgrid to install and maintain approximately 160 feet of 6" gas main in Sherburne Road.

STAFF FOLLOW-UP:

Engineering Division

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

Town of Lexington / Board of Selectmen:

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

To install and maintain approximately 250 feet more or less of 4 inch gas main in Valleyfield St., Lexington from the existing 4 inch gas main at house # 69, Northerly to serve houses # 73, # 74 and # 77.

Date: March 13, 2014

By: Dennis K. Regan
Dennis K Regan
Permit Representative

Town of Lexington / Board of Selectmen:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Lexington** substantially as described in the petition date March 13, 2014 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

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

Date this _____ day of _____, 20__.

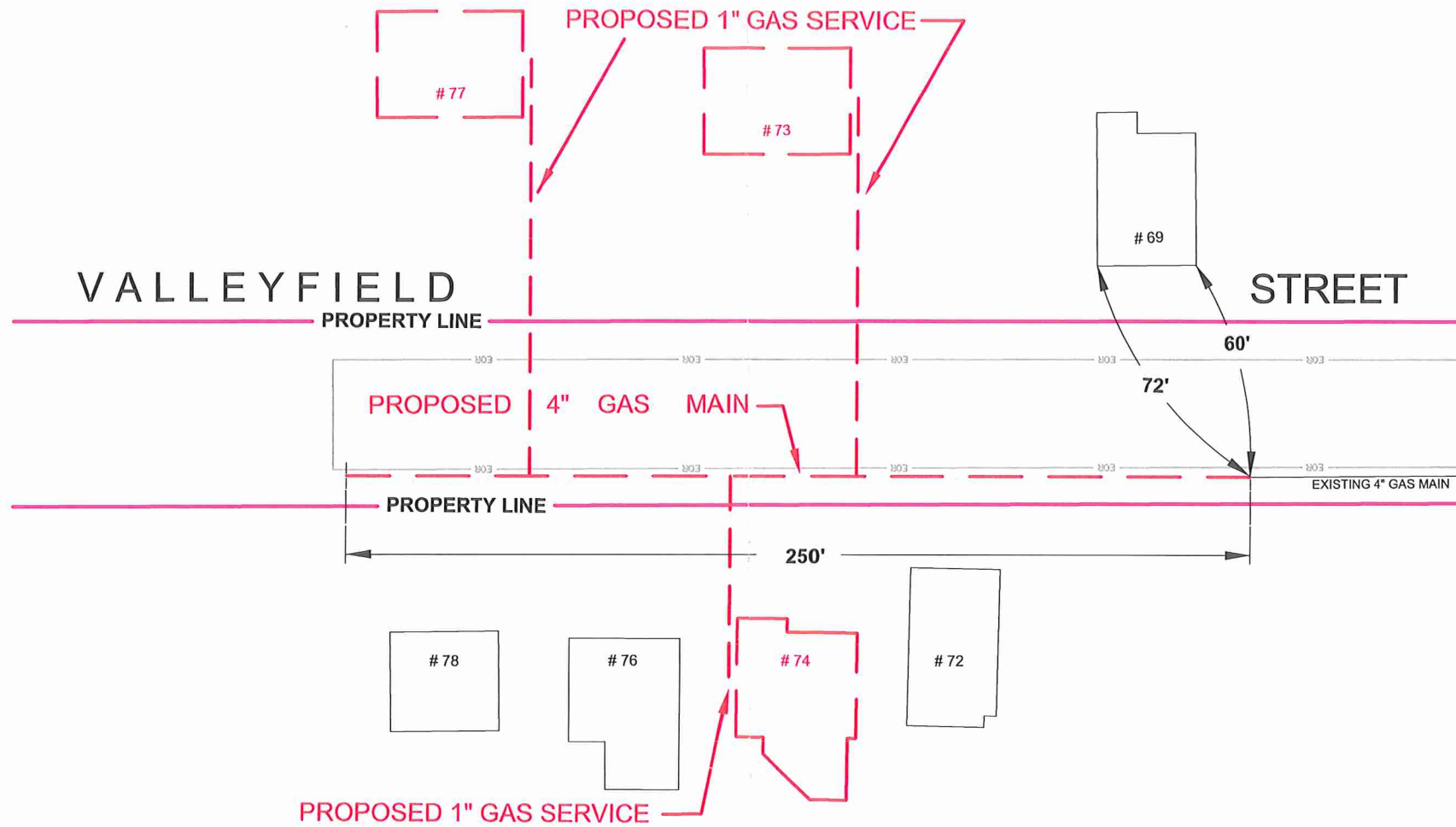
I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____, 20__.

By: _____

Title

MN # 144-8504-966745

**RETURN ORIGINAL TO THE PERMIT SECION
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**



PIPE TOTALS
MAIN = 250' OF 4" PLASTIC
SERVICES = 275' OF 1" PLASTIC

- - - - - PROPOSED GAS MAIN & SERVICE
- — — — — EXISTING GAS MAIN
- - - - - PROPERTY LINE
- — — — — PROPERTY LINE
- — — — — E O R
- — — — — EDGE OF ROADWAY
- ▨ ▨ ▨ ▨ ▨ PROPOSED OPENING

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

NO.	DESCRIPTION	DATE	DR. BY	CK. BY	APP. BY
REVISIONS					

nationalgrid

40 SYLVAN ROAD
 WALTHAM, AM. 02451

GRANT OF LOCATION
 PROPOSED OPENING TO INSTALL A NEW 4" GAS MAIN TO SERVICE #73, #74 & #77
VALLEYFIELD STREET, LEXINGTON, MA 02421

ENGR./AUTO-CAD TECH.	DATE:	SIZE:	PRESSURE:	MATERIAL:	LENGTH:	WORK ORDER NO.
J.A.M./W.W.S.Jr.	03/11/2014	4" & 1"	25 PSIG	PLASTIC	AS NOTED	966745

SCALE: N/A
 SHEET 1 OF 1
 DRAWING NO.
GP-LEX
 966745-14-58

NOTICE TO ABUTTERS

March 19th, 2014

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws (Ter. Ed.), you are hereby notified that a public hearing will be held in the Selectmen's Meeting Room, Town Office Building, of the Town of Lexington, Massachusetts, on **April 2nd, 2014 at 6:00 p.m.**, upon the following petition of National Grid for permission to construct and location for gas mains and the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same under the following public way(s) of Lexington:

Valleyfield Street:

To install and maintain approximately 250 feet of 4" gas main in Valleyfield Street from the existing 4" main at House #69 northerly to serve Houses #73, #74 and #77.

By: *Tricia Malatesta*
Engineering
Department of Public Works

Please direct inquiries to: Dennis K. Regan, (617) 293-0480

CC:

Dennis K. Regan
Permit Representative
National Grid
40 Sylvan Road
Waltham, MA 02451

Matthew Dinsmore
77 Valleyfield St.
Lexington, MA 02421

Christopher Winters
69 Valleyfield St.
Lexington, MA 02421

David Suconick
78 Valleyfield St.
Lexington, MA 02421

Edith Tracey
70 Valleyfield St.
Lexington, MA 02421

Elizabeth Chen
73 Valleyfield St.
Lexington, MA 02421

Gary Ganzi
74 Valleyfield St.
Lexington, MA 02421

Robert White
76 Valleyfield St.
Lexington, MA 02421

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 4/2/14

STAFF: Lynne Pease

ITEM NUMBER: I.2

SUBJECT:

Article Positions

EXECUTIVE SUMMARY:

Continue to take positions on the Annual Town Meeting warrant articles. I will provide an updated list of positions at your places.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

STAFF FOLLOW-UP:

Selectmen's Office

ARTICLE	FINANCIAL ARTICLES (continued)	PRESENTATION	DM	PK	NC	JP	MC	AC	CEC	SC
	l) Parker Meadow Accessible Trail D&E m) CPA Debt Service n) Administrative Budget		Yes	Yes	Yes	Yes	Yes			
Article 9	Appropriate for Recreation Capital Projects		Yes	Yes	Yes	Yes	Yes			
Article 10	Appropriate for Municipal Capital Projects and Equipment a) Center Streetscape Improvements and Easements b) DPW Equipment c) Street Improvements and Easements d) Storm Drainage Improvements and NPDES Compliance e) Hydrant Replacement Program f) Comprehensive Watershed Storm Water Management Study and Implementation Measures g) Mass Avenue Intersections' Improvements and Easements h) Sidewalk Improvements and Easements i) Dam Repair j) Town Wide Culvert Replacement k) Town Wide Signalization Improvements l) Traffic Island Renovation m) Ambulance Replacement n) Heart Monitors o) Replace Town Wide Phone Systems-Phase III p) Network Redundancy and Improvement Plan – Phase II		Yes	Yes	Yes	Yes	Yes			
Article 11	Appropriate for Water System Improvements		Yes	Yes	Yes	Yes	Yes			

ARTICLE	ZONING/LAND USE ARTICLES (continued)	PRESENTATION	DM	PK	NC	JP	MC	AC	CEC	SC
Article 30	Amend Zoning By-Law – Medical Marijuana Treatment Centers	3/17 Tom Fenn Amend.	Yes Yes	No Yes	Yes Yes	Yes Wait	Yes Yes			
Article 31	Amend Zoning By-Law – Site Plan Review for Projects over 10,000 SF	3/17	Yes	Yes	Yes	Yes	Yes			
Article 32	Amend Zoning By-Law – Technical Corrections	3/17	Yes	Yes	Yes	Yes	Yes			

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

April 2, 2014

PRESENTER:

Carl F. Valente

ITEM NUMBER:

I.3

SUBJECT:

Naming of Cary Memorial Building Rooms

EXECUTIVE SUMMARY:

With the planned renovation of Cary Memorial Building, staff is recommending renaming certain of the rooms in that building.

FINANCIAL IMPACT:

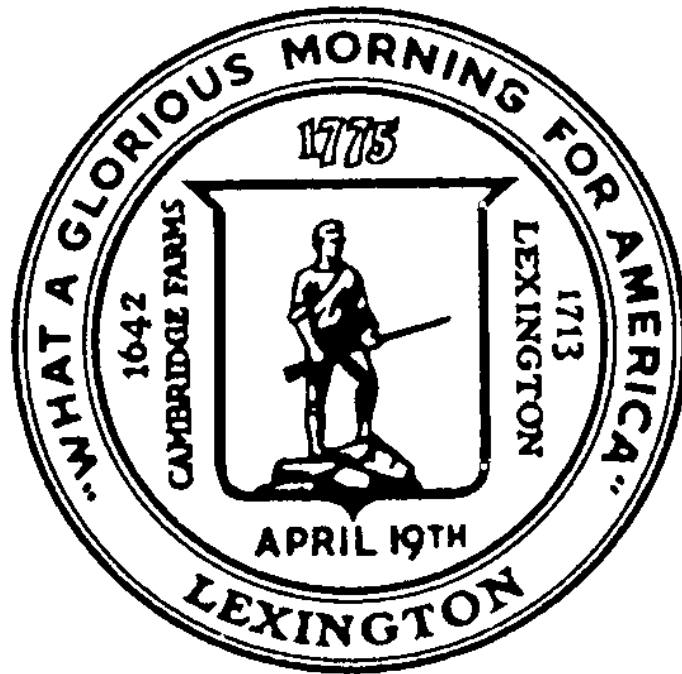
NA

RECOMMENDATION / SUGGESTED MOTION:

Move to approve the renaming of the Bird Room to the Hudson Room; the Civil Room to the Harris Room; and the Legion Room to the Cotton Room.

STAFF FOLLOW-UP:

TMO and Facilities



Historical Background on Named Rooms in Cary Memorial Building & Town Offices

Cary Memorial Signage Working Group
February, 2012
Updated by Town Manager's Office – March 2014

Cary Memorial Building

The 'Isaac Harris Cary Memorial Building', often (incorrectly) referred to as 'Cary Hall', was constructed with a gift from sisters Susanna E. Cary and Eliza Cary Farnham in memory of their father. At the dedication of the building in 1927 the naming recognized the generosity of the Cary family.

The gathering spaces and meeting rooms in the building are named after individuals serving the community during the 1700, 1800, and early 1900's, recognizing the intent of the Cary family to erect a memorial building for use in celebrating the history of Lexington.

This building is sometimes confused with the Cary Memorial Library, located across Massachusetts Avenue and on the opposite end of Lexington Center. The library is named after Maria Hastings Cary, who donated money to the Town for a 'free public library' in the 1860's.

Cary Hall (main hall) – *(Now named the Margery Battin Hall)*

This Colonial styled performance hall opened to the public in 1928. The Hall is graced with a proscenium stage, Corinthian pilasters and arched windows and is a symbol of the exuberance and vitality of Lexington's cultural activities.

Memorial Lobby, East Corridor, West Corridor

No name changes proposed.

Ellen Stone Room

This first-floor meeting room to the left of the lobby as you enter (west side of the building). Named within past 5-7 years.

No name changes proposed.

Estabrook Hall

Name dates from time of building construction. The 'hall' is located on the property of the original Estabrook family homestead.

No name changes proposed.

Robbins Room

Previously a coat room, this space was converted for public meeting use.

No name changes proposed.

Bird Room (Suggested name: Hudson Room)

Formerly the location of an aviary collection donation, this room was referred to as the 'Bird Room' for many years. The space was originally identified in the building plans as 'exhibition hall' and at one time used as the Selectmen's

meeting room. It is located on the top floor of the building and is currently accessible only by stairs at each end of the room.

Charles Hudson was author of 'The History of Lexington'. He served the Town as a member of the School Committee in 1853 and 1856; Selectman from 1857-1861; and Representative to the General Court (Commonwealth of Massachusetts legislature) in 1857.

Civil Room (Suggested name: Harris Room)

This room became known as the 'Civil Room', based on its prior use as a Civil Defense room. One of two small meeting rooms on the second floor of the building, this room on the west side is currently accessible only by stairs. (The main hall balcony is located in between these two meeting rooms on the second floor.) The room was renamed when renovations were last made to the building.

Mary Harris was the second wife of Jonathan Cary, a successful maker of ship masts in Boston. It was said that much of the future success of their six children was due to the careful training and good advice received from their mother. One of the sons was Isaac Harris Cary, whose daughters, Eliza and Susanna, donated funds to construct the Cary Memorial Building to memorialize their father.

Legion Room (Suggested name: Cotton Room)

Long referred to as the 'Legion Room' based on use (during what time period?), this room was named for Judge Joseph R. Cotton. Located on the east side of the second floor, this room is accessible by elevator as well as stairs. The room was renamed when renovations were last made to the building.

Judge Cotton was Chairman of the 'original' Committee to confer with the Trustees of the Isaac Harris Cary Educational Fund (funding source for building construction) prior to building construction. He also served as a Selectman, Judge, and Representative to General Court.

Town Offices

Previous name changes to Town Office Building following the most recent renovations.

Lexington has no 'Town Hall'; the building where general government offices are located is often referred to as the 'Town Office Building' but the name of the building (in gold letters on the frieze) is 'Town Offices'. There are three public meeting rooms in the building.

Selectmen's Meeting Room

The Board of Selectmen schedules their regular meetings in this room, unless a larger space is needed to accommodate the anticipated number of attendees. The Selectmen have been meeting in this room since (date?)

Reed Room

This small first-floor conference room was previously referred to as 'Room 111'. Following completion of building renovations, it was renamed in memory of William Reed who served in the General Court over a number of years: 1741-'47, '50, '60-'62, '64-'67, and '69-'70. (when Lexington was Cambridge Farms?)(any relation to Joshua Reed and Joshua Reed, Jr., members of the Lexington Militia Company who stood on the Common on the morning of April 19, 1775?)

Parker Room

This larger conference room on the ground floor was referred to as 'G-15' for many years. After the 2011 renovation of the Town Offices, the room was renamed in memory of Captain John Parker.

John was born on the family homestead purchased in Lexington (on modern day Spring Street) by his grandfather in 1712. A farmer and woodworker, he came from a long tradition of military service and was Captain of the Lexington Militia Company in April of 1775. He commanded the men on the Lexington Green and later led them to extract revenge on the British Regulars from a rocky outcrop at the edge of town now called "Parker's Revenge." The Minuteman statue in Lexington was originally intended to represent an idealized Minute Man, but has come to be identified as a depiction of Captain Parker (who was, however, stout and of medium height.) Captain Parker was also the grandfather of New England Transcendentalist Theodore Parker.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 4/2/14

STAFF: Lynne Pease

ITEM NUMBER: I.4

SUBJECT:

Discuss Sending Letter to Attorney General Regarding TMMA Listserve Participation

EXECUTIVE SUMMARY:

Mr. Pato requested a discussion of the attached letter.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

STAFF FOLLOW-UP:

Selectmen's Office

DRAFT 4/1/14

KEVIN D. BATT

kbatt@andersonkreiger.com

T: 617-621-6514

F: 617-621-6614

April 3, 2014

BY EMAIL

Amy Nable
Division of Open Government
Office of Attorney General Martha Coakley
One Ashburton Place
Boston, MA 02108 -1518

Re: *Participation by Lexington Selectmen and Other Board Members in the Town Meeting Members Association (TMMA) Listserve*

Dear Amy:

The Lexington Selectmen seek your guidance on whether, consistent with the Open Meeting Law, they may participate in a listserv sponsored by the Lexington Town Meeting Members Association (TMMA).

The TMMA is a volunteer private group comprised principally of elected Town Meeting members and certain other at-large members, including the Town Meeting Moderator, Town Clerk, all five Selectmen, the chairman of the Appropriation Committee, the chairman of the School Committee, the Town Revenue Officer, the Town Counsel and any member of the State Legislature who reside in the Town. The TMMA's mission is to support the work of Town Meeting members and to explain the institution of Town Meeting, including its local government role and procedures, to both Town Meeting members and the public. The TMMA hosts a website at <http://www.lexingtontmma.org/pmwiki.php?n=Composite.HomePage>.

The TMMA also sponsors a Yahoo-based email discussion group at: <https://groups.yahoo.com/neo/groups/lex-tmma/info>. The TMMA sponsors the forum "to support and encourage constructive discussion among our members and to help facilitate Town Meeting, which is the legislative meeting of the Town of Lexington, Massachusetts." This season features robust exchanges on warrant articles scheduled to come before Town Meeting for action.

- Membership is open to Lexington's Town Meeting Members, town management and designated employees, elected officials and officially appointed members of town committees and boards.
- Non-members may freely view all postings and archives by visiting this website.
- As a courtesy, list members may post messages on behalf of non-members if such messages otherwise meet the Acceptable Use Policy of the forum.

The Selectmen request your advice on the following:

- Does the exemption (e) of Town Meeting sessions from the definition of "Meeting" apply to such a listserv?
- If it does not, may individual Selectmen post messages to the website expressing their individual views on articles coming before Town Meeting?
- Would it make any difference in the analysis if the individual Selectmen made clear that he or she spoke as an at-large Town Meeting member, not as a Selectmen?
- If the Board of Selectmen already had deliberated in a duly posted open meeting and reached decisions on majority and minority positions on warrant articles, would the OML permit posting to the listserv reports by individual Selectmen of such decisions and explanations of the positions taken?
- Attached is a current list of 98 standing boards, committees and subcommittees of the Town. Many members of these boards and committees are also Town Meeting members. Would the OML prevent listserv communication by these Town Meeting members concerning Town Meeting issues which fall within their respective board jurisdictions? Would it make a difference if less than a quorum of any particular board are members of the TMMA listserv?

Thanks for any assistance that you can provide on these questions. The Selectmen want to ensure that the requirements of the OML are maintained, while at the same time facilitating communications leading up to the legislative sessions of Town Meeting.

Sincerely,

Kevin D. Batt

Amy Nable
March 28, 2014
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cc: Lexington Selectmen
Carl Valente

Committee
128 Central Corridor Coalition
2020 Vision Committee
2020 Vision Committee - Subcommittee on Demographic Change
Ad hoc Cary Memorial Building Renovation Design Committee
Ad hoc Committee on Youth at Risk
Ad hoc Community Center Advisory Committee
Ad hoc Townwide Facilities Master Planning Committee
Appeals, Board of
Appropriation Committee
Assessors, Board of
Battle Road Scenic Byway Committee
Bio-Safety Committee
Bridge Charitable Fund Trustees
Capital Expenditures Committee
Cary Lecture Committee
Civil Defense Advisory Council
Commission on Disability
Communications Advisory Committee
Community Farming Committee
Community Preservation Committee
Condominium Conversion Board
Conservation Commission
Conservation Commission - Land Management Planning Subcomm
Conservation Commission - Land Management Subcommittee
Constables
Council on Aging
County Charter Commission
Depot Square Committee
Design Advisory Committee
Economic Development Advisory Committee
Electric Utility Ad Hoc Committee
Elem. Capital Planning Task Force
Emergency Planning Commission
Energy Conservation Committee
Fence Viewers
Financial Review Subcommittee-LPS
Fund for Lexington Board
Gammel Legacy Trust
Greenways Corridor Committee
Hanscom Area Towns Committee (HATS)
Hanscom Field Advisory Commission
HATS: DRI (Developments of Regional Impact Committee)
HATS: Environmental Subcommittee
Health, Board of

Historic Districts Commission
Historical Commission
Housing Partnership Board
Human Rights Committee, Lexington
Human Services Committee
Keeper of the Lockup
Land Acquisition Committee
Lexington Bicycle Advisory Committee
Lexington Center Committee
Lexington Center Committee - Physical Infrastructure Subcomm
Lexington Center Committee - Programmatic Subcommittee
Lexington Council for the Arts
Lexington Emergency Housing Assistance Committee
Lexington Housing Assistance Board (LEXHAB)
Lexington Housing Authority
Lexington Scholarship and Education Fund Board
Lexington Vision 20/20 Steering Committee
MAGIC - Minuteman Advisory Group on Interlocal Coordination
Metropolitan Area Plan Council (MAPC)
Minuteman Cane Award Selection Committee
Minuteman Regional Ad Hoc Committee
Minuteman Regional High School District Committee
Moderator
Noise Advisory Committee
Permanent Building Committee
Planning Board
Police Manual Policy Committee
Policy Manual Committee
Recreation Committee
Recreation Committee - Lincoln Park Subcommittee
Registrars, Board of
Retirement Board
Scenic Byway Working Group
School Committee
School Transportation and Safety Study Committee, Ad hoc
Selectmen, Board of
Sidewalk Committee
Special Needs Committee
Sustainable Lexington Committee
Tax Deferral and Exemption Study Committee
TCC - Lexington 300th Anniversary Celebrations Committee
Tourism Committee
Town Celebrations Committee
Town Meeting Member
Town Report Committee

Town Seal Committee
Traffic Safety Advisory Committee
Transportation Advisory Committee
Tree Committee
Trustees of Cary Library
Trustees of Public Trusts
Water and Sewer Abatement Board
Youth Commission

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

April 2, 2014

STAFF:

Carl Valente

ITEM NUMBER:

I.5

SUBJECT:

Appointments: Board of Health, Conservation Commission, Historical Commission

EXECUTIVE SUMMARY:

I am requesting that the Board approve the Town Manager's appointments of:

1. Richard Wolk to the Conservation Commission. He has been a member since 1987;
2. Wendy Heiger-Bernays to the Board of Health. She has been a member since 2002; and
3. David Kelland to the Historical Commission. He has been a member since 1994.

FINANCIAL IMPACT:

None

RECOMMENDATION / SUGGESTED MOTION:

Move to approve the Town Manager's appointment of: Richard Walk to the Conservation Commission, Wendy Heiger-Bernays to the Board of Health and David Kelland to the Historical Commission.

STAFF FOLLOW-UP:

TMO

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

April 2, 2013

PRESENTER:

Carl F. Valente
Chief Wilson, Chief Corr

ITEM NUMBER:

Executive Session

SUBJECT: Exemptions 3, 4 and 6

Suggested motion for Executive Session: *Move that the Board go into Executive Session to discuss a collective bargaining agreement with the Crossing Guards Union; Patriots' Day deployment of security personnel or devices, or strategies with respect thereto; and to consider the purchase, exchange, lease or value of real property and to reconvene in Open Session only to adjourn. Further, that as Chairman, I declare that an open meeting may have a detrimental effect on the bargaining and negotiating position of the Town.*

EXECUTIVE SUMMARY:

1. The Town Manager will update the Board on a proposed collective bargaining settlement with the Crossing Guards Union.
2. Chief Corr and Chief Wilson will update the Board on safety measures for Patriots' Day weekend (if not concluded on Monday).
3. Pat Goddard and Chief Wilson will update the Board on the analysis of a private property as a fire station site (if not concluded on Monday).

FINANCIAL IMPACT:

NA

RECOMMENDATION / SUGGESTED MOTION:

NA

STAFF FOLLOW-UP:

TMO