

SELECTMEN'S MEETING
Monday, March 10, 2014
Selectmen Meeting Room
7:00 p.m.

AGENDA

- 7:00 p.m. PUBLIC COMMENTS (10 min.)**
- 7:10 p.m. SELECTMEN CONCERNS AND LIAISON REPORTS (5 min.)**
- 7:15 p.m. TOWN MANAGER REPORT (5 min.)**
- 7:20 p.m. ITEMS FOR INDIVIDUAL CONSIDERATION**
1. Grant of Location National Grid – Sherburne Road (5 min.)
 2. Housing Production Plan (20 min.)
 3. LexHAB Presentation on Housing on Busa Property (30 min.)
 4. Community Center Advisory Committee Update (20 min.)
 5. Discussion on Article 23 - Amendments to the District Agreement of the Minuteman Regional School District (10 min.)
 6. Article Positions/Article Presenters (10 min.)
 7. OPEB Working Group Recommendation (15 min)
 8. Right of First Refusal – 430 Concord Avenue (10 min.)
 9. Approve Lexington Municipal Management Association Collective Bargaining Agreement (5 min.)
 10. Approve Policy and Regulation (10 min.)
 - a. Remote Participation Policy
 - b. Minor Amendments to the Battle Green Regulation
 11. Reappointment/Resignation- Town Counsel/Design Advisory Committee (5 min.)
 12. Adjust Sidewalk Use Permit Fees in Center (5 min.)
- 9:45 p.m. CONSENT AGENDA (5 min.)**
1. Water/Sewer Commitments/Adjustments
 2. One Day Liquor License – Cary Library Foundation
 3. One Day Liquor License – Bowman PTA
 4. One Day Liquor License – Compass for Kids
- 9:50 p.m. EXECUTIVE SESSION (15 min.)**
1. Exemption 6 and 7 – Potential Tax Increment Financing (TIF) for Commercial Property Expansion
- 10:05 p.m. ADJOURN**

The next meeting of the Board of Selectmen is scheduled for Monday, March 17, 2014 at 7:00 p.m. in the Selectmen's Meeting Room, 1625 Massachusetts Avenue.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

STAFF:

William P. Hadley, Director

ITEM NUMBER:

I.1

SUBJECT:

Public Hearing for Grant of Location

Install and maintain approximately 160 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.

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 160 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

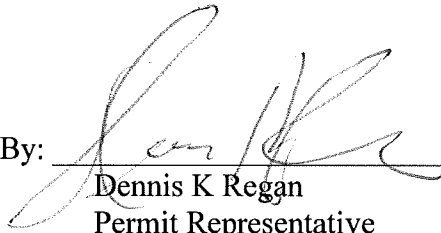
PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

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 160 feet more or less of 6 inch gas main in Sherburne Rd., Lexington from the existing 6 inch gas main in Vinebrook Rd, southerly to house # 4 for a new gas service.

Date: **February 13, 2014**

By: 
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 **February 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____.

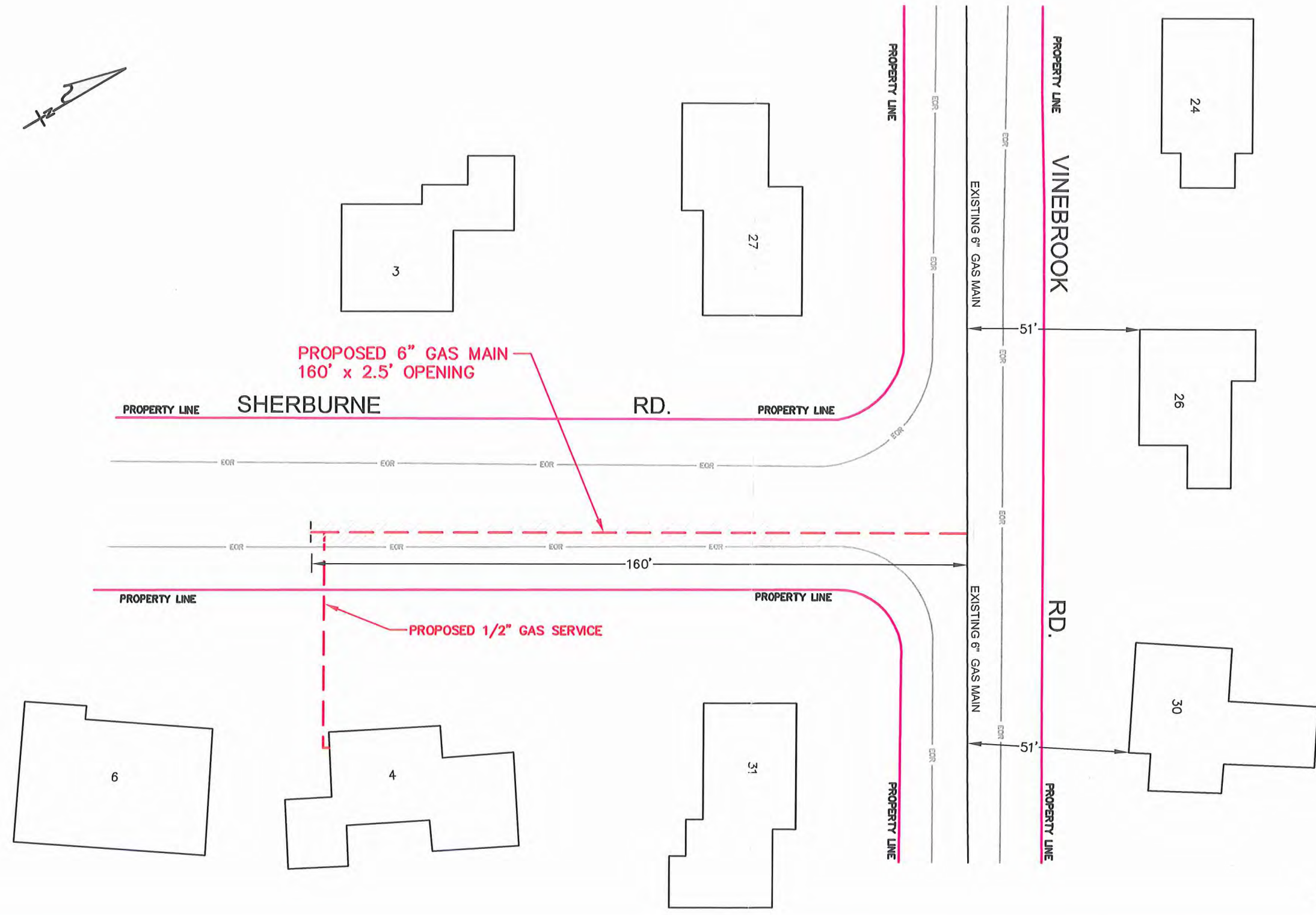
I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____, 20____.

By: _____

Title

MN # 144-8504

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



PROPOSED 6" GAS MAIN
160' x 2.5' OPENING

PROPOSED 1/2" GAS SERVICE

PROPOSED PIPE TOTALS
 MAIN = 160' OF 6" PLASTIC
 SERVICE = 20' OF 1/2" PLASTIC

LEGEND

- PROPOSED GAS
- EXISTING GAS
- PROPERTY LINE
- EOR
- EDGE OF ROADWAY
- PROPOSED OPENING

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

REVISIONS

NO.	DESCRIPTION	DATE	DR. BY	APP. BY

nationalgrid
 40 SYLVAN ROAD
 WALTHAM, MA 02451

GRANT OF LOCATION
 PROPOSED LOCATION OF 6" GAS MAIN
 4 SHERBURNE RD., LEXINGTON, MA 02421

ENGR / DRFTMN	DATE	SIZE	PRESSURE	MATERIAL	LENGTH	WORK ORDER NO.
J.A.M. / M.J.B.	02/12/2014	6"	25 PSIG	PLASTIC	AS NOTED	960729

SCALE: NOT TO SCALE
 SHEET 1 OF 1
 DRAWING NO.
GP-LEX
960729-14-38

NOTICE TO ABUTTERS

February 25th, 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 **March 10th, 2014 at 7:00 p.m.**, upon the following petition of National Grid for permission to construct and location for gas mains and the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same under the following public way(s) of Lexington:

Sherburne Road:

To install and maintain approximately 160 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

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

Peter Siy
24 Vinebrook Road
Lexington, MA 02421

Laurence Tropeano
25 Vinebrook Road
Lexington, MA 02421

Richard Zammeitti
3 Sherburne Road
Lexington, MA 02421

Katherine Taudavin
26 Vinebrook Road
Lexington, MA 02421

Kirk Minihane
4 Sherburne Road
Lexington, MA 02421

Richard Ian Ashton
27 Vinebrook Road
Lexington, MA 02421

Peter McLaughlin
5 Sherburne Road
Lexington, MA 02421

Christopher Ellmore
30 Vinebrook Road
Lexington, MA 02421

Cora Jean Snow
6 Sherburne Road
Lexington, MA 02421

Anne Heatherington
31 Vinebrook Road
Lexington, MA 02421

Murali and Meena
Kothandaraman
7 Sherburne Road
Lexington, MA 02421

Mark Sommer
32 Vinebrook Road
Lexington, MA 02421

Jonathan Liebeskind
8 Sherburne Road
Lexington, MA 02421

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

PRESENTER:

Aaron Henry, Senior Planner

ITEM NUMBER:

I.2

SUBJECT:

Housing Production Plan

EXECUTIVE SUMMARY:

See attached

FINANCIAL IMPACT:

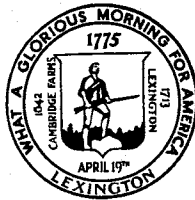
NA

RECOMMENDATION / SUGGESTED MOTION:

That the Board of Selectmen accept the Lexington Housing Production Plan and refer certain aspects of it to other Town committees for further analysis.

STAFF FOLLOW-UP:

None



Lexington Housing Production Plan and Short-Term Strategy

Background: Housing Production Plans (HPP) are typically prepared by municipalities that are below the 10% affordable housing threshold, as a HPP can provide some protections to a town from Chapter 40B private development affordable housing projects. Lexington, however, is above the 10% affordable housing threshold. Based on the number of units on the State's Subsidized Housing Inventory (SHI), Lexington's is considered to have 11.1% affordable housing units.

The Town, through its Housing Partnership Committee, still chose to request a HPP from the Metropolitan Area Planning Council (MAPC) in the hope that it would provide the Selectmen with guidance in meeting its affordable housing goals in the future.

This plan provides an abundance of data to support the need for housing for low and moderate families in Lexington. The report is less helpful, however, in providing Lexington specific options for meeting three general affordable housing goals of the community:

1. Continue to provide housing for low and moderate income families;
2. Remain at or above the current 11.1% affordable housing units to preclude uncontrolled Chapter 40B affordable housing projects by private developers; and
3. Identify strategies for providing affordable housing in a cost effective manner.

Staff Recommendation: *That the Board of Selectmen accept the Lexington Housing Production Plan and refer certain aspects of it to other Town committees for further analysis.*

Short-Term Housing Production Strategy

The Town, through Planning Board and Board of Appeals actions, has permitted 79 new housing units since the 2010 federal census, which is the baseline measurement for our affordable unit count. Of the 79 units, 22 have already been built, with 57 remaining to be built. These units will likely be built over the next five years. One could expect that there will continue to be additional units produced before the next census, which will also need to be offset by affordable units. To meet housing goal #2 above, therefore, the Town will need to add a minimum of eight new affordable housing units over this same period. This can be partially accomplished if the following affordable housing projects are brought forward:

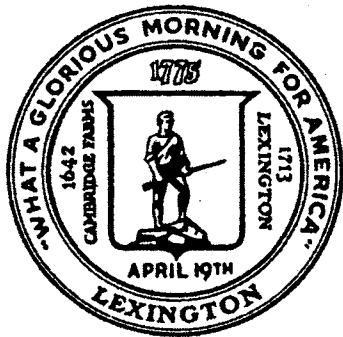
- Fairview Ave. (LexHab): 4 units
- Busa Property (LexHab): 4-6 units
- Greeley Village (LHA): 4 units
- Keeler Farm: 1 unit
- Leary Property (LexHab): unknown

Lexington Housing Production Plan

"Affordable Housing: Goals and Strategies
for Lexington"

Funding provided by the Sustainable
Communities Regional Planning Grant
Program

MARCH 2014 - DRAFT



Prepared for:

Town of Lexington
1625 Massachusetts Avenue
Lexington, MA 02420

Lexington Board of Selectman:

Deborah Mauger, Chair
Norman Cohen
Peter C.J. Kelley
Hank Manz
Joseph Pato

Lexington Planning Board:

Charles Hornig, Chair
Michelle Ciccolo, Vice Chair
Nancy Corcoran-Ronchetti, Clerk
Richard Canale
Greg Zurlo



Prepared by:

Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, Massachusetts 02111
Tel (617) 451-2770
www.mapc.org

Acknowledgments

This document was produced with input from Lexington town staff and members of the Metro West Housing Production Planning Project Advisory Committee. Active participants in the development of this Plan included residents, Planning Board, Planning Department staff, Board of Selectmen, and the Town Administrator.

Metro West Housing Production Planning Project Advisory Committee members, by affiliation:

Town of Lexington members:

- Bob Bicknell, Lexington Housing Partnership
- Aaron Henry, Assistant Planning Director
- Ken Kreutziger, Lexington Housing Partnership

Town of Watertown members:

- Danielle Evans, Senior Planner
- Gideon Schreiber, Senior Planner
- Steve Magoon, Planning Director

Town of Belmont members:

- Ann Silverman, Belmont Housing Trust
- Jay Szklut, Planning Director
- Alisa Gardner Todreas, Belmont Housing Trust
- Jeffrey Wheeler, Senior Planner

Metro West Collaborative Development:

- Jennifer Van Campen, Executive Director
- Steve Laferriere, Senior Housing Project Manager

Project Team

Professional technical assistance was provided by the Metropolitan Area Planning Council (MAPC) and Metro West Collaborative Development (MWCD). From MAPC: Jennifer M. Raitt, Chief Housing Planner; Matt Smith, Senior Regional Planner; Jennifer S. Erickson, Regional Planner; Barry Fradkin, GIS Analyst; and Clayton Martin, Research Analyst. Research and editorial assistance was provided by Raymond Gabriele, Smart Growth Intern. From MWCD: Jennifer Van Campen, Executive Director.

This project was funded by a federal Sustainable Communities regional planning grant awarded to Metro West Collaborative Development (MWCD) by the Metro Boston Consortium for Sustainable Communities. The grant enabled MWCD, the Metropolitan Area Planning Council (MAPC), and the towns of Belmont, Lexington, and Watertown to undertake the Metro West Housing Production Planning Project, a model for collaborative housing production planning in the region that enabled the concurrent development of housing production plans for three municipalities in the MWCD service area: Belmont, Lexington, and Watertown. An Advisory Committee consisting of municipal planning or community development staff and members of a local housing partnership or housing trust from Belmont, Lexington, and Watertown was also established to oversee the development of the sub regional analysis and the outreach strategy for the HPP visioning process in each community.

The Metropolitan Area Planning Council (MAPC) is a regional planning agency serving the people who live and work in the 101 cities and towns of Metropolitan Boston. Our mission is promoting smart growth and regional collaboration. MAPC was responsible for undertaking the research, writing, analysis, and partial facilitation of key public meetings for the development of the HPPs. MAPC worked closely with MWCD staff and municipal staff in Belmont, Lexington, and Watertown to undertake a multi-municipal baseline housing trends and needs analysis that formed the basis for developing housing production plans for the three municipalities.

MWCD is a private non-profit community development corporation whose mission is to organize residents, resources, and good ideas to resolve community problems and improve the quality of life for all members in the MetroWest municipalities of Belmont, Lexington, Watertown, and Waltham. MWCD was responsible for convening, outreach and engagement, and facilitation of key public meetings associated with the regional baseline housing trends and needs analysis, and with the HPPs. MWCD was responsible for developing and implementing an outreach and engagement strategy in each HPP municipality, working closely with the planners in each town.

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I. Executive Summary

Lexington is a mid-sized, suburban community in Greater Boston with a population of 31,394 in 11,530 households. Lexington is categorized as an Established Suburb according to MAPC's typology, which is defined as a municipality characterized by single-family homes on moderately-sized lots, with a relatively affluent population.

The Town of Lexington has worked hard to achieve the Massachusetts General Law Chapter 40B 10% Subsidized Housing Inventory (SHI) mandate, which it currently exceeds at 11.1% of year round housing units. However, despite achieving this goal, many of the units on the SHI inventory are not deed-restricted affordable units, rather as a result of a number of multi-family rental projects, projects permitted through a Comprehensive Permit are allowed to count both the 25% affordable units and the 75% market rate rental units on the SHI. Thus, there is continued need for more housing options affordable to a range of low-income (below 50% Area Median Income - AMI), moderate-income (50% - 80% AMI) and middle-income (80% to 120% AMI) households.

Lexington values affordable housing. From the establishment of LexHAB in 1983 (64 affordable units developed through 2013), to development of the Muzzey property, to Katahdin Woods and the Met State Avalon at Lexington Hills developments, Lexington has made affordable housing a priority, and has planned for it. As stated in the Planning Board's Comprehensive Plan written in 2002, one of the goals of the town is to create "Housing to support the social and economic diversity of Lexington." In addition, the Lexington 20/20 Vision calls to "provide increased housing options to promote diversity of income and age," recommending a range of strategies including zoning by-law changes and incentives for smaller-scale housing, developing affordable housing in Lexington Center, and providing different types of housing including smaller units.

To help maintain and increase affordable housing opportunities within Lexington, the town engaged with the Metropolitan Area Planning Council (MAPC) and Metro West Collaborative Development (MWCD) to develop this Housing Production Plan (HPP). MAPC and MWCD worked closely with the Senior Town Planner, the Lexington Housing Partnership, the Planning Board, the Board of Selectman and others to assist in developing this framework for achieving the Town's housing production goals over the next five years.

The following provides a summary of plan efforts, findings, goals and recommendations.

Housing Needs and Demand Assessment

Key findings from existing conditions analysis show that the number of households in Lexington is expected to increase modestly over the next two decades (1,737 households, or +15%). Elderly households – defined in this report as those with persons 65 or older – will account for the majority of growth, while middle-age households (ages 35-64) are projected to decline. The number of young households (ages 20-34), many with small children, is also expected to increase moderately. These changes in household composition will likely impact housing demand, particularly since many elderly households often prefer alternatives to the single-family homes that currently make up the majority of housing units in Lexington. There is a need in Lexington for the development of housing types that appeal to seniors and smaller households alike. This could include community spaces for socializing, recreation, and/or sharing meals and within close proximity to town services and public transportation.

As noted earlier, housing affordability is a concern in Lexington. The housing market in Lexington remained strong throughout the recession. Prices are higher than in most other municipalities in the MAPC region and now prices are increasing at a rapid pace. Median single-family and condominium prices are up approximately 180% over the last two decades. Further, 768 building

permits were issued for new homes over the last decade; however, the majority were for single-family tear-downs (71% or 542 units), which are typically priced at 2 to 3 times the price of the teardown. These higher-priced homes will further erode the economic diversity of Lexington and result in a homogeneous wealthy suburb.

Additionally, rents for two-bedroom units are nearly 30% higher than fair market rents established by the U.S. Department of Housing and Urban Development (HUD) for the Boston Metro area. Rents are higher than in most surrounding communities and vacancy rates are very low at less than 4%. This is due in part to the limited new rental housing inventory.

Although Lexington is a relatively affluent community, the existing housing inventory is still not affordable to many Lexington families who are cost burdened. One in five households in Lexington are low-income households earning below 80% of area median income, and significantly, over 30% of households are housing cost burdened, meaning they spend more than 30% of their gross household income on housing. Both low-income households and middle-income households are cost burdened. Estimates show that 45% of owner and 49% of renter middle-income households are likely housing cost burdened as well. Further complicating the issue, many of Lexington's low-income households are living in units they cannot afford.

Goals and Strategies for Affordable Housing Production

Based on findings from the Affordable Housing Needs and Demand Assessment included in Section III of this report, as well as previous planning activities and public input, the HPP planning team worked with the Town of Lexington to develop housing production goals that best reflected the desired outcomes of the community. Strategies and implementation activities to engage community stakeholders to achieve the goals were also developed. In general, near-term strategies are considered to be the priority (highlighted in italics), as they set the stage to achieve the subsequent medium term initiatives.

Goal 1: At a minimum, maintain Lexington's Subsidized Housing Inventory (SHI) above 10% through 2020 and beyond.

- Renew expiring deed restrictions and recertify existing SHI units, for example, the 128 unit Katahdin Woods development. (Near Term)
- Maintain the existing SHI surplus by ensuring new affordable unit development keeps pace with total housing unit growth.¹ (Near Term)
- Adjust LexHAB rental procedures to allow existing affordable units which do not presently meet state certification requirements to qualify for the SHI. (Near Term)
- Continue to maintain and improve existing SHI units as necessary to keep them in service. (Ongoing)

Goal 2: Provide more housing options for Lexington's low-income households earning less than 80% AMI (area median income).

The current market rate for a two-bedroom home in Lexington is approximately \$2,800 per month. A low-income household, defined as a family of four earning \$67,350 (80% of AMI), would have to pay half of their annual income on housing to live in Lexington. Obviously, other housing options need to be developed for these families.

¹ The Subsidized Housing Inventory percentage is based on a denominator (total number of year-round housing units from the most recent decennial census) and a numerator (total number of subsidized housing units). Therefore, to maintain the 10% or higher percentage, the total number of SHI units must grow along with new total unit growth.

- Develop affordable housing units on land already acquired by the Town to provide more affordable housing. (Near Term)
- Allocate no less than \$500,000 annually from Community Preservation Act (CPA) funds to LexHAB for continuing development of affordable units that meet Department of Housing and Community Development's (DHCD) SHI requirements. (Near Term)
- Identify additional funding sources for affordable residential development (e.g. HOME funds and others). (Medium Term)
- Identify potential sites for affordable residential development, and advocate for acquisition of these parcels. (Medium Term)
- Reconsider adopting an Inclusionary Zoning Bylaw or strengthen existing affordable housing incentives as part of a larger strategy. (Medium Term)

Goal 3: Provide housing options for Lexington's middle-income households earning between 80% - 120% AMI.

- Continue to encourage creation of moderate and affordable housing under the current Zoning Bylaw, for example, via the Balanced Housing Developments and Public Benefit Developments sections of the bylaw. (Near Term)
- Consider additional zoning changes, including by-right zoning overlay districts such as Compact Neighborhood Zoning to encourage the creation of low- and middle-income housing in existing residential zones. (Medium Term)

Goal 4: Provide housing options tailored to the needs of seniors and those with disabilities.

- Explore mechanisms to allow seniors to age in place, through housing rehabilitation, modification, emergency repairs, and buy-down programs. (Near Term)
- Develop affordable housing with accessible and adaptable designs specifically for eligible seniors and people with disabilities. (Medium Term)

Goal 5: Plan affordable housing to incorporate sustainable building practices and to support Lexington's economic goals.

- Encourage greater energy-conservation and use of renewable energy in residential development or redevelopment, including new affordable housing. (Ongoing)

Goal 6: Coordinate Lexington's affordable housing development with regional housing strategies.

- Continue to participate in the Regional Housing Services Office² to help monitor and maintain the SHI, and seek guidance on affordable housing production. (Near Term and Ongoing)
- Hold discussions with developers to better understand local, regional and statewide housing market development trends.

² The Regional Housing Services Office (RHSO) works with member communities, of which Lexington is one, to monitor their affordable housing stock and provide local housing assistance, including affordable housing planning, permitting assistance, maintaining ready-renter and ready-buyer lists, and other services.

II. Introduction

Because housing needs vary from community to community, each must assess its housing needs based on its unique characteristics. In its 2003 publication, *The Housing Needs Workbook: Assessing Community Housing Needs*, the Massachusetts Housing Partnership summarized the intent of housing needs assessments as attempting to answer the following questions:

- Who can and cannot afford to live in this community?
- In what direction is our community headed in providing quality housing to a broad spectrum of residents?
- Can our children afford to remain in, or return to, the community as they form their own households?
- Are special needs populations given adequate housing options?
- Are there substandard, overcrowded, or other undesirable living conditions that should be addressed?
- Do our elderly residents have adequate alternatives for remaining in the community as they age?
- Do we provide the type of housing that promotes local economic development?

There are several reasons to be concerned about affordable housing. Among these are our moral and social values; first among those may be the simple belief that everyone should be able to afford a decent place to live. Occasionally, these beliefs are translated into laws and regulations. This is precisely what happened in Massachusetts in 1969, when the Commonwealth took steps to stimulate the production of affordable housing, by mandating a certain percentage of affordable housing units be present in all of its 351 communities.

Another reason to support affordable housing production, however, touches on social values rather than legal requirements. Some people may prefer to live in uniform and homogeneous communities; but others feel that something is gained by living in a community which not only supports diversity – and accordingly, affordable housing – but also acts to ensure it. The community can become richer, and community life ultimately more satisfying. Affordable housing indirectly contributes to the richness, the satisfaction, and the quality of life enjoyed by those who live in Lexington.

A Primer on Massachusetts General Law Chapter 40B

The Comprehensive Permit Act consists of Massachusetts General Laws (MGL) Chapter 40B, Sections 20 through 23, along with associated regulations issued and administered by the Massachusetts Department of Housing and Community Development (DHCD). It was enacted in 1969 to encourage the production of affordable housing in all communities of the Commonwealth.

Under Chapter 40B, in any municipality where less than 10% of its housing stock qualifies as affordable under the law, a developer can build more densely than the municipal zoning bylaws would otherwise permit, if at least 25% (or 20% in certain cases) of the new units are affordable. Despite continuing controversy, Massachusetts voters rejected an initiative petition to repeal the law in November of 2010.

For the purposes of this statute, an affordable housing unit is defined as one that could be purchased or rented by a household making up to 80% of the area median income (AMI) that spends no more than 30% of its income on housing. Such housing must be subject to long term affordable housing restrictions, often in perpetuity.

Housing Production Plans

In 2007, with the addition of 387 rental units at the Avalon at Lexington Hills development, Lexington's affordable housing stock reached 10%, and DHCD certified the Town as having met its obligation under MGL Chapter 40B. However, Lexington continues to add additional market rate housing units to its stock every year. Because the denominator in the formula is the ever-growing total of homes in the Town, maintaining the 10% requires regular action.

This Plan will assist the Town in planning for the continued annual production of housing affordable to low- and moderate-income households to keep up with the background growth of the Town, thereby ensuring the Town's continued compliance with Chapter 40B into 2020 and beyond.

The Housing Production Plan establishes a strategy for planning and developing affordable housing that is both compliant with the statute and consistent with the Town's character and values.

III. Housing Needs & Demand Assessment

The Housing Needs and Demand Assessment section will examine demographic and housing data to identify key population and housing characteristics and trends within Lexington that best gauge the need and demand for housing. This assessment provides the framework for the housing production goals, strategies and actions developed later in this document to address Lexington's housing needs, both for market rate and affordable units.

Demographic Analysis

A thorough examination of Lexington's demographics was undertaken to identify trends that will impact future housing needs and planning efforts. This is a crucial element of any Housing Production Plan because the makeup of a community's residents, and how that makeup is anticipated to change, impacts the future housing needs within that community. Analysis focuses both on current and projected population, households, type of households, age and economic status as well as other datasets.

A Note on Demographic Projections

The projections in this document were developed by the Metropolitan Area Planning Council (MAPC) with assistance from an advisory committee comprised of state agencies, academic experts and municipal staff, to reflect population and household growth in municipalities throughout the Greater Boston region. While some in Lexington have expressed some concern about the projected level of population and household increases, the projections are based on an extensive, detailed analysis of demographic trends (including rates of birth and death), migration patterns, and housing preferences at both the regional and municipal level. Additionally, although MAPC strives to be as accurate and exhaustive as possible in its analysis, it is important to note that it is impossible to predict the future with complete accuracy. Therefore, these projections paint a picture of potential future growth within the community, and provide the best data currently available to project the future housing unit needs in Lexington over time.

Key Findings:

- Lexington's population is projected to increase by 1,665 residents (+5%) between 2010 and 2030. The largest increase will be in people 65+.
- 1,737 additional households (+15%) are projected over the same time period.
- Lexington's average household size is significantly larger than those of the region and the state.
- The vast majority of Lexington's households are family households (76%). Over 40% of total households have children under 18 residing at home.
- The number of students qualifying for and receiving free or reduced lunch at school has increased significantly over the last decade.

Population

The Town of Lexington's population is growing. According to Census data, between 2000 and 2010, the town's population grew by 3.4%, or 1,039 additional people for a total of 31,394 residents. This trend is expected to continue over the next two decades.

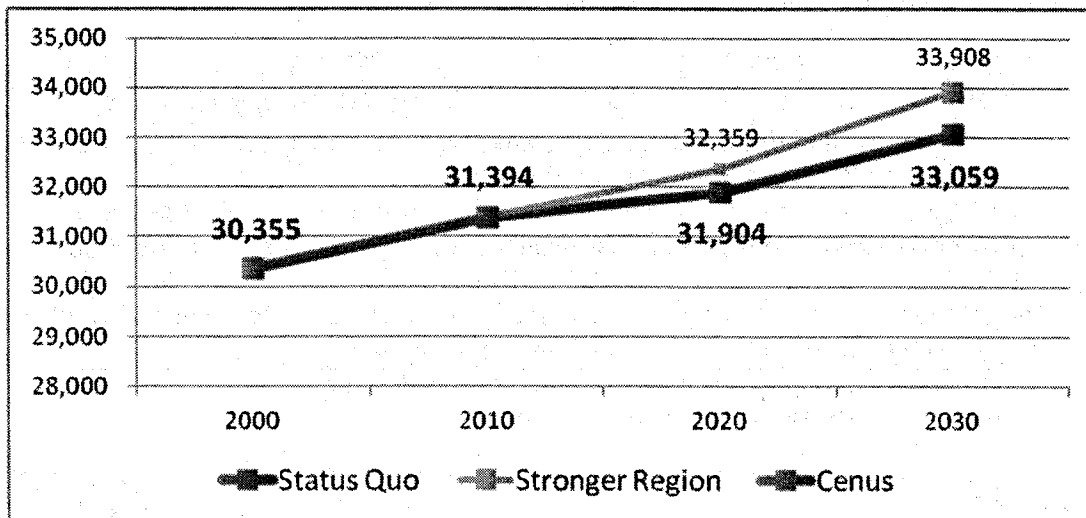
Table 1: Population Change, Census and MAPC Projections

	2000	2010	2020	2030	Change 2010-2030	% Change 2010- 2030
Census	30,355	31,394	n/a	n/a	n/a	n/a
MetroFuture Status Quo	30,355	31,394	31,904	33,059	1,665	5.3%
MetroFuture Stronger Region	30,356	31,394	32,359	33,908	2,514	8.0%

Source: US Census and MAPC

MAPC has prepared two sets of projections, MetroFuture Status Quo and MetroFuture Stronger Region. Status Quo scenario is based on continuation of existing rates of birth, deaths, migration and housing occupancy. The Stronger Region scenario explores how changing trends might result in higher population growth, greater housing demand, and a substantially higher workforce. This document will use MAPC's Status Quo calculations to project population and household change. According to Status Quo projections³, between 2010 and 2035, the town's population is expected to grow by 2,089 residents.

Figure 1: Population Projections, MetroFuture vs. Current Trends (Source: MAPC)



³ A summary of MAPC's Status Quo and Stronger Region technical analysis and methodology projections can be found here: <ftp://ftp.mapc.org/projections/>.

Population by Age

Persons at different stages of life prefer housing unit types that align with their different needs and household size. MAPC analyzed the age composition of Lexington's population over time to provide greater insight into future demand for unit types than the more general total population figures.

The age profile of Lexington is projected to change in the coming decades. According to MAPC's Status Quo projections, Lexington's elderly population (65+) is expected to grow significantly, while the number of middle-aged adults (35-64 year olds) and school-age children (5-19) are projected to decline. This is similar to regional and national demographic trends that will impact housing demand and shift housing preferences in coming decades.

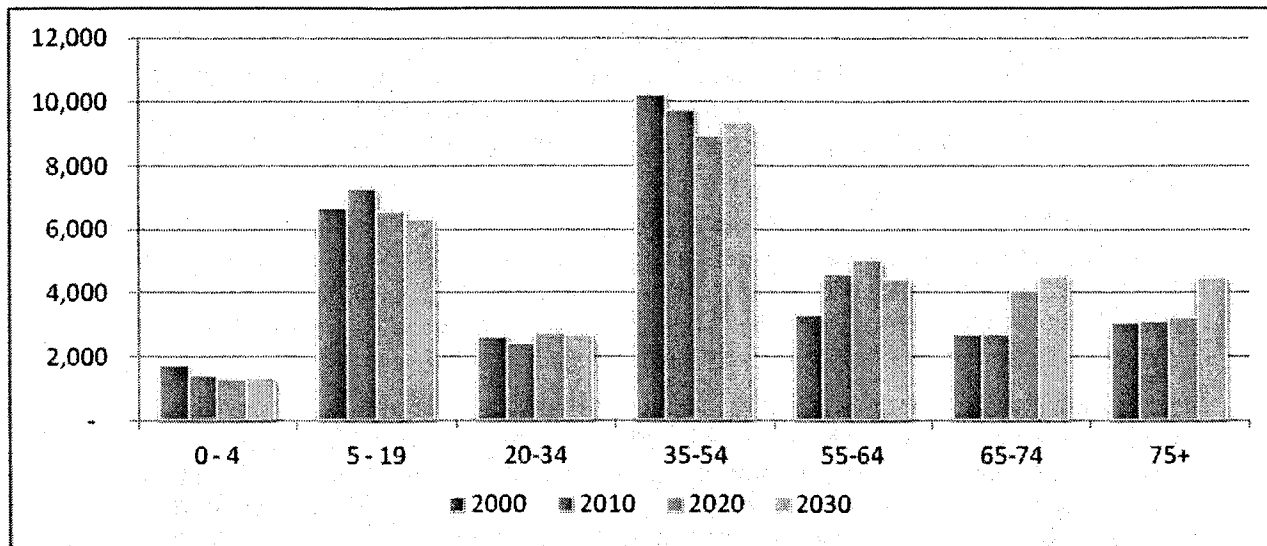
According to Status Quo projections for the 2010 to 2030 period, the fastest growing age cohort will be people 65 and over, which is estimated to grow by 53%, or 3,112 residents, many of whom may be living alone. At the same time, Lexington's 35-64 population is anticipated to decrease by 4%, or 578 residents, and young professional-aged residents (20-34) are projected to increase by just over 9% or 228 total people. The number of school-aged children is projected to decline by 13% (-978).

Table 2: Age Trends, Status Quo Projections, 2000 - 2030

	2000	2010	2020	2030	Change 2010-2030	Percent Change 2010-2030
0-4	1,728	1,438	1,294	1,318	-120	-8.3%
5-19	6,694	7,307	6,571	6,329	-978	-13.4%
20-34	2,622	2,442	2,765	2,670	228	9.3%
35-54	10,234	9,756	8,934	9,347	-409	-4.2%
55-64	3,310	4,600	5,026	4,432	-168	-3.7%
65-74	2,716	2,726	4,072	4,501	1,775	65.1%
75+	3,051	3,125	3,243	4,462	1,337	42.8%

Source: MAPC

Figure 2: Age Trends, Status Quo Projections, 2000-2030 (Source: MAPC)



These changes in Lexington’s population are likely to have significant implications on the type of housing needed in coming years. As Lexington’s elderly population increases, the need or preference for smaller units with lower attendant costs, as well as the need for special housing facilities such as assisted living and nursing home units, is likely to increase. Simultaneously, as the middle-age and school-age population decreases, the demand for additional large single-family homes may also decline, as the middle-age cohort is most likely to have children or older family members living at home and reside in such homes. However, demand for moderately priced single-family, condominium or rental options may increase slightly, since these types are often more appealing to a growing young professional/family-aged population.

Households

The number and type of households within a community is more relevant to housing production than the number of people because households correlate more directly to unit demand than population. Each household resides in one dwelling unit no matter the number of household members.

In 2010, there were 11,530 households in Lexington, and that number is increasing. According to the US Census, between 2000 and 2010, Lexington added 420 new households, a 4% increase.

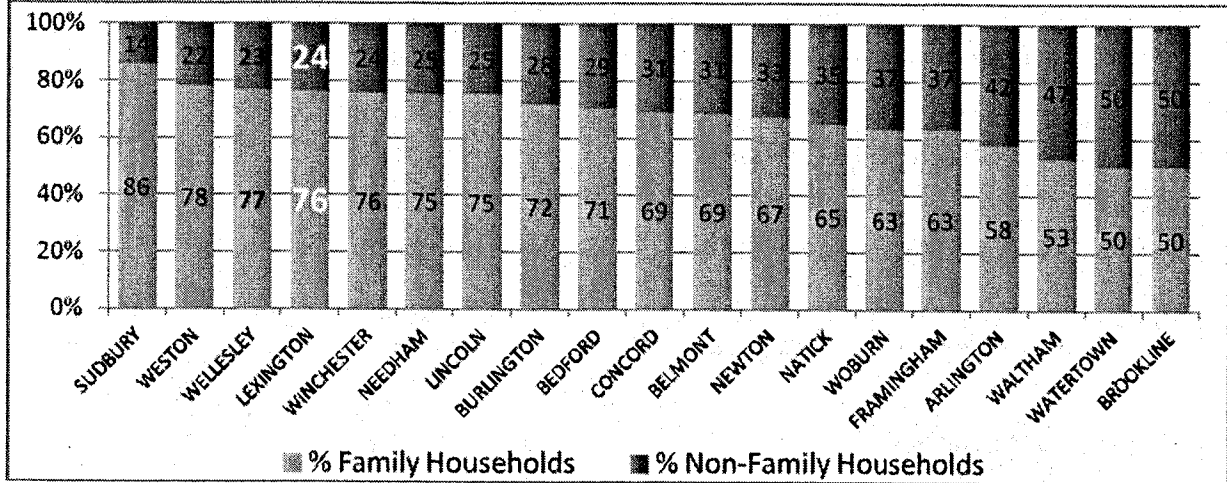
Table 2: Number of Households, 2000 & 2010

	2000	2010	% Change
Households	11,110	11,530	4%
Source: US Census Bureau			

Family and Non-Family Households

Analyzing household types is important to help project the type of housing units that will be needed within a specific community over time. Different household types often have different housing needs or preferences. For example, a married couple with children may wish to reside in a different housing type than will single persons in their early 20s or an elderly couple.

Figure 3: Households by Type – Family and Non-Family (Source: Census 2010)



Households are defined by the census as family and non-family households. Family households include any households with two or more related persons living together. Non-family households include households with one person, or two or more non-related persons living together.

Of Lexington's 11,530 households in 2010, the overwhelming majority were family households (76%, or 8,807 households), the third highest percentage in communities analyzed for comparison. Over half of these households have children less than 18 years of age living at home; and the majority of these households are two parent households. These types of households are most likely to reside in larger housing unit types, including detached single-family homes with multiple bedrooms.

Of the 2,723 non-family households, the great majority were people living alone (2,416 households). Significantly, over half of these households were persons over 65. As the population ages in the coming decades, the number of persons over 65 living alone is likely to increase. Ensuring that units exist for this population to remain in the community should be a priority for Lexington.

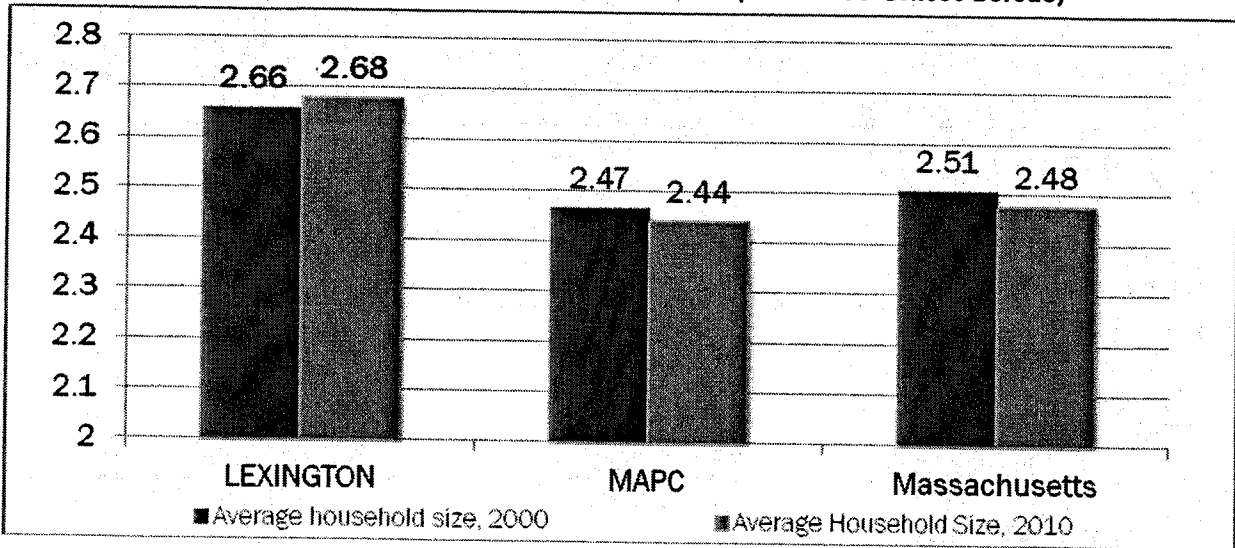
Table 3: Households by Type, 2010

	Number	Percent
Total households	11,530	100
Family households	8,807	76.4

With own children under 18 years	4,450	38.6
Husband-wife spouse	7,708	66.9
With own children under 18 years	3,890	33.7
Male householder, no spouse present	242	2.1
With own children under 18 years	100	0.9
Female householder, no spouse present	857	7.4
With own children under 18 years	460	4.0
Nonfamily households	2,723	23.6
Householder living alone	2,416	21.0
Householder 65 years and over living alone	1,404	12.1
Average household size	2.68	n/a
Average family size	3.12	n/a
Source: U.S. Census Bureau		

The large number of family households in Lexington, particularly husband-wife families with children living at home, explains why Lexington has a higher average household size than the MAPC region or the Commonwealth as a whole (see Figure 4). Lexington's household size increased over the last decade, whereas household size decreased regionally and statewide. A substantial number of families with school-aged children have moved into Lexington since 2010, attracted by the reputation of the Lexington Public Schools.

Figure 4: Comparative Average Household Size, 2000-2010 (Source: US Census Bureau)



Household Change

MAPC's Current Trends projections show continued household growth over the coming decades, with Lexington expected to gain over 1,700 new households by 2030. Given the change in age composition previously discussed, much of this household growth is anticipated to be senior households. This will result in a smaller average household size as most elderly households will not have children living at home, and many will be people over 65 living alone. Additionally, with middle-aged persons and school-age children projected to decline, the number of family households with children is likely to decrease.

Figure 5: Household Trends, MetroFuture and Current Trends (Source: MAPC)

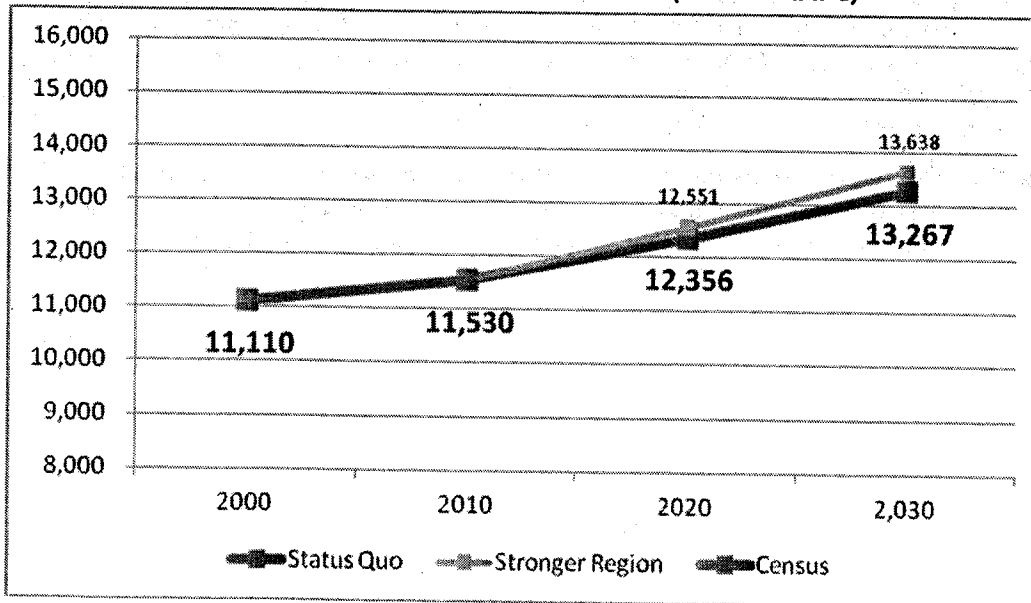


Table 4: Household Projections, MetroFuture and Current Trends, 2000 -2035

	2000	2010	2020	2030	Change 2010-2030	% Change 2010-2030
Census	11,110	11,530			n/a	n/a
Status Quo - MetroFuture	11,110	11,530	12,356	13,267	1,737	15%
Stronger Region - MetroFuture	11,110	11,530	12,551	13,638	2,108	18%

Source: US Census and MAPC

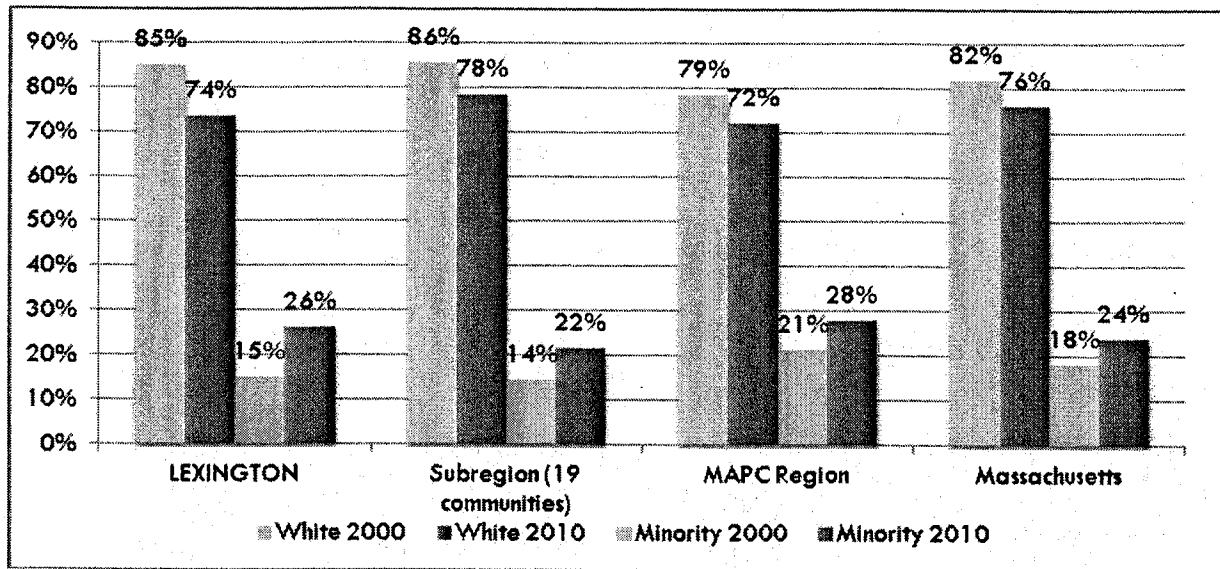
The projected changes in household composition will mean that needs and preferences are likely to change. As mentioned earlier, many seniors prefer smaller, single floor units with lower maintenance costs. At the same time, with households of middle-age persons and children projected to decline, additional units that appeal to large families with children may not be needed beyond the supply that already exists within Lexington (e.g. single-family units vacated by senior households.)

Race and Ethnicity

Lexington has grown more ethnically diverse since 2000. Over the last decade, the non-white population increased by 11%, a slightly higher rate than trends in the subregion, MAPC region, and the state. The most significant change was in the Asian population, which increased by 89%, or nearly 3,000 people; however, increases were identified in all non-white populations, including those of Hispanic and Latino ethnicity.

These shifts may indicate changing preferences and needs as related to housing types. For example, in some cultures, multiple generations are more likely to live in the same household, or have more children. This results in larger household sizes and has implications on housing unit types desired.

Figure 6: Change in Ethnicity, Lexington vs. Sub region, MAPC and State, 2000-2010 (Source: US Census Bureau)



School Enrollment

The quality of a municipality’s public school system can impact the housing market – the better the school system, the more desirable the community may be to families with children. The Lexington School District is one of the top districts in the State⁴, and this is reflected in the district’s enrollment figures. Between 2002 and 2012, student enrollment increased by almost 350 students; this confirms the recent growth projected in the school aged population in MAPC’s current trends analysis, as well as the growing diversity in the community. Over 21 percent of students do not speak English as their first language, and those with limited English proficiency have increased in the last ten years as well.

A separate concern is that the percentage of low-income students who qualify for free or reduced-price lunch (i.e. students from households meeting federal low-income eligibility guidelines) has nearly doubled in the last ten years. This may be an indicator of unmet needs within the community.

Table 5: Lexington School District Enrollment, 2002-2012

Year	total enrolled	% Change from Previous Year	% First Language not English	% Limited English Proficient	% Low-income (Eligible for Free or Reduced Price Lunch)
2011-2012	6,397	0.5%	21.1%	5.7%	6.6%

⁴ Lexington Elementary Schools Rank #5 in the State according to MCAS scores, Middle Schools Rank #10 and Lexington High School was ranked by Boston Magazine as the #2 High School #12. <http://www.localschooldirectory.com/>. Lexington High School was ranked #2 in Boston Magazine’s 2012 Top Schools <http://www.bostonmagazine.com/best-schools-boston-2012-top-50/>.

2010-2011	6,366	2.9%	20.9%	5.5%	6.1%
2009-2010	6,182	-0.9%	20.7%	4.8%	4.8%
2008-2009	6,235	-0.3%	20.3%	4.8%	5.0%
2007-2008	6,253	0.4%	18.8%	3.8%	4.7%
2006-2007	6,226	-0.4%	17.4%	3.8%	3.7%
2005-2006	6,253	1.1%	17.4%	3.8%	4.4%
2004-2005	6,184	0.1%	16.2%	3.1%	3.8%
2003-2004	6,175	2.0%	15.7%	3.4%	3.9%
2002-2003	6,051	0.7%	15.0%	3.3%	3.5%

Source: Massachusetts Department of Elementary and Secondary Education, 2012

Educational Attainment

Lexington exceeds both Middlesex County and the Commonwealth in the percentage of residents who have attended college or have a bachelor's degree. The percentage of the population without a high school diploma is significantly lower than state figures. Additionally, the high percentage of persons with a post-secondary degree (55%) likely correlates to the higher percentage of households with incomes of \$100,000 or more. (More on Lexington's incomes is discussed in Section IV.) The number of highly educated, high-income residents is likely contributing to higher priced homes in Lexington, which is discussed in Section III of this document.

Table 6: Educational Attainment, Lexington vs. Middlesex County and State, 2010

	% High School Without Diploma	% Completed High School	% Completed Some College	% Completed Bachelors Degree or Greater
Lexington	1.3	11.7	7.5	79.5

Middlesex County	8.4	22.9	197	49.3
State	11.3	26.7	23.7	38.3
Source: Census 2010				

Housing Characteristics

The following section looks at Lexington's current housing stock and how it has changed over time. Understanding the types, age and size of existing units is essential for housing production planning because it assists with determining what type of new housing might be needed to meet the current and projected population.

Key Findings

- Lexington's housing stock is overwhelmingly comprised of single-family homes.
- The majority of housing units are owner-occupied.
- The majority of single-family residential building permits issued over the last decade involved tear downs, with larger units replacing more modestly sized/priced homes.
- There are no major residential developments currently proposed, although small subdivisions (2-10 units) continue to be sited.

Housing Stock by Type & Age

Lexington is known within the region as a predominantly single-family housing stock community. According to ACS estimates, 85% of units in the Town are single-family units, the majority of which are detached units. This is the third highest single-family rate within the sub region. The majority of multifamily units are found in developments with more than 10 units. Only 7% are found in 2-9 multi-family buildings.

Table 7: Housing Units by Type

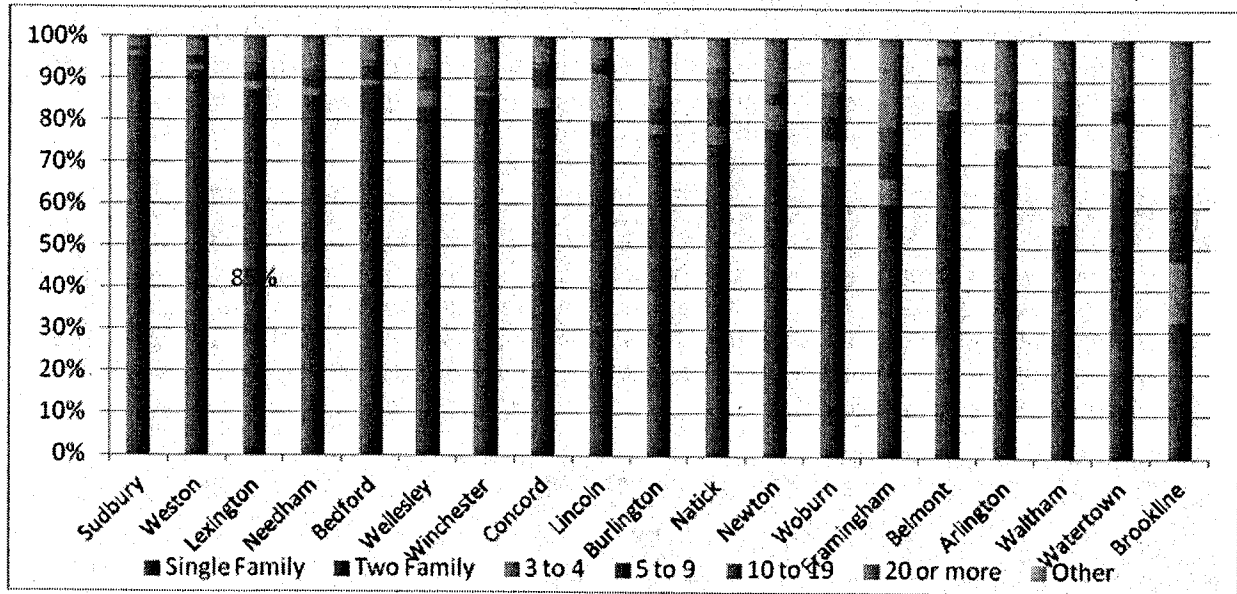
	<i>Units</i>	<i>Percent</i>
Single-Family	10236	85%
Two-Family	319	3%
3 to 4	244	2%
5 to 9	245	2%

10 to 19	298	2%
20 or more	742	6%
Other	0	0%
TOTAL	12084	100%

Source: ACS 2006-2010

The lack of housing unit diversity in Lexington will likely present a challenge in the years to come, particularly for the increasing number of older residents who wish to remain in the community. Older residents seeking more affordable alternatives in town will likely need to find housing in places that have a greater inventory of two-family, small apartment, or larger apartment complexes that offer single floor living options and amenities.

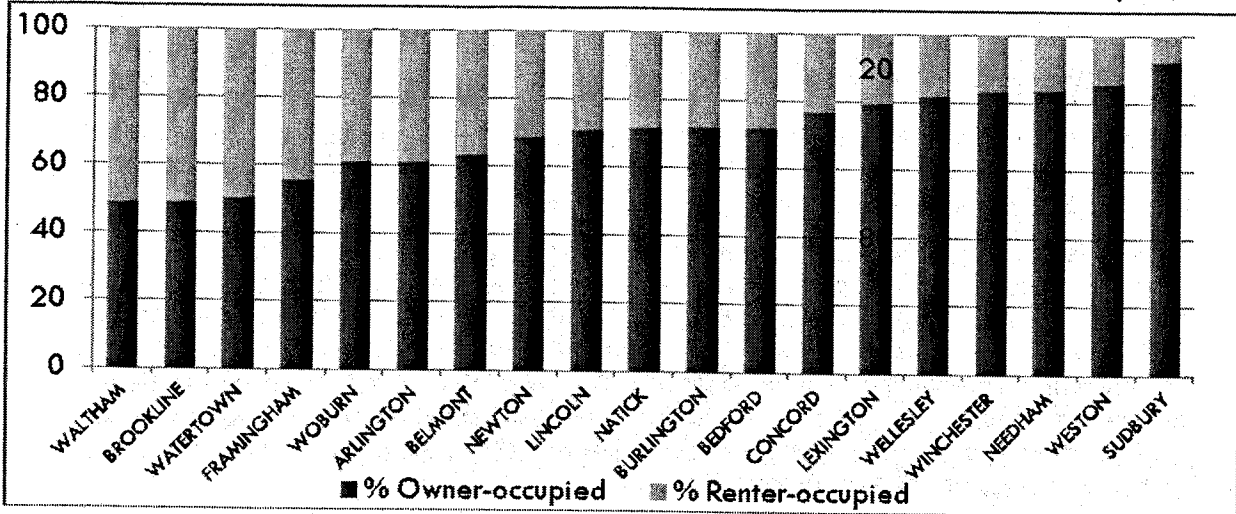
Figure 7: Housing Units by Type, Lexington and Sub region, 2010 (Source: US Census Bureau)



Housing Tenure (Ownership or Rental)

Lexington is primarily an owner-occupied residential community. According to 2010 Census data, of Lexington's 11,530 occupied housing units, nearly 80%, or 9,171 units, are owner-occupied, and 2,359 are renter-occupied.

Figure 8: Percent of Units Occupied by Renters vs. Owners, 2010 (Source: US Census Bureau)



The average household size of owner occupied units is significantly larger than that of renter-occupied households (2.80 vs. 2.22, respectively); indicating owner-occupied homes are more likely to house larger family households with more than one child under 18. Renter-households are more likely to be mix of singles, couples without children and small families with fewer children.

Figure 9: Renter-Occupied Units with Children Under 18 (Source: US Census Bureau)

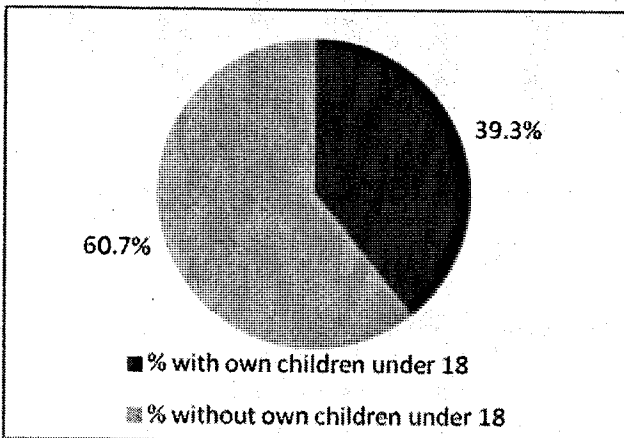


Table 8: Average Household Size by Tenure, 2010

	HH Size
All Lexington Households	2.68
Owner occupied	2.80
Renter occupied	2.22

Source: US Census Bureau

More rental units within Lexington could provide more affordable options for young professionals as they enter the workforce, small families who cannot afford a single-family home in Lexington, as well as older residents looking to remain in town in more modest housing.

Vacancy

According to Census 2010, approximately 96% of housing units in Lexington are occupied. The percentage of vacant units for rent and the percentage of vacant units for sale in Lexington are similar (24.9% for rent, 21.9% for sale). This contrasts with the percentages in the MAPC region

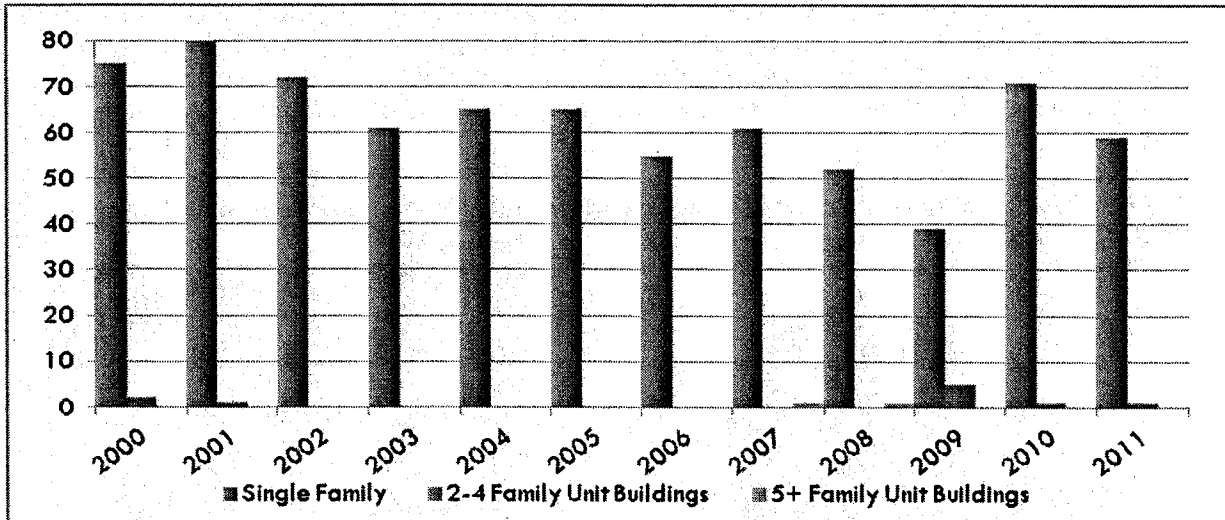
and the state, where there are generally three times as many vacant units for rent as there are vacant units for sale.

Housing Units Permitted

Between 2000 and 2011, the Town of Lexington issued 768 building permits for housing structures. Of this number, the overwhelming majority (756) were for single-family structures, whereas 10 were for buildings with 2-4 units, and two for buildings with 5+ units.

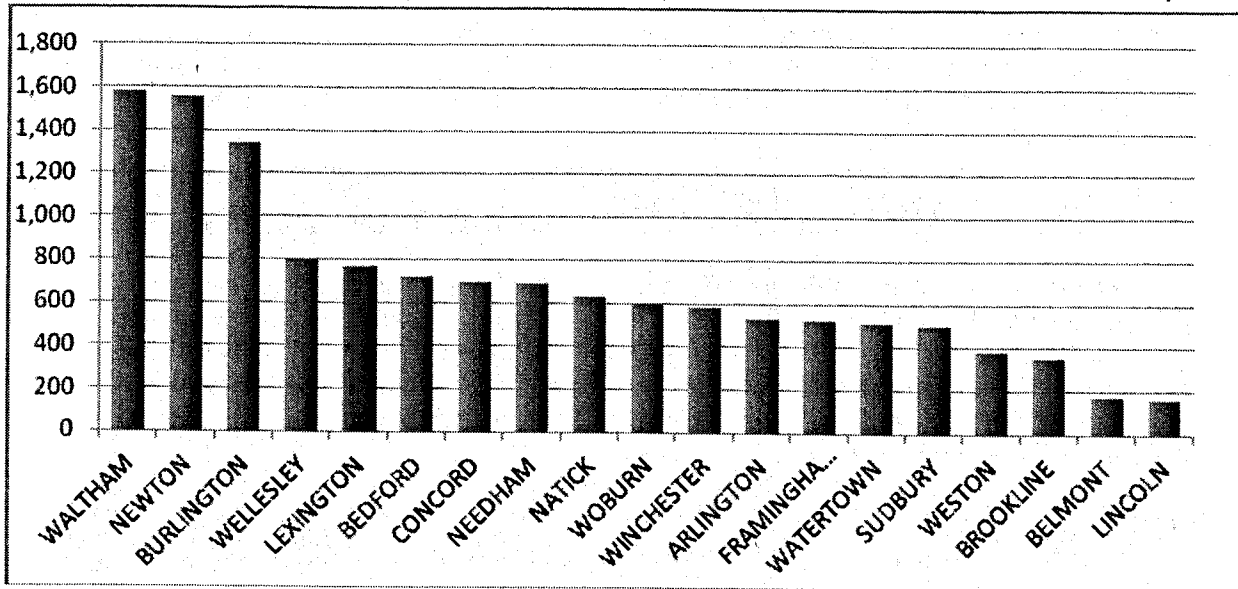
Permits issued appear to show Lexington to be a higher growth community (in terms of permitting volume) when compared to other communities in the sub region (Lexington is 6th). However, according to town data, 542 of the 694 (78%) total new single-family units built over the time period replaced tear downs. This typically involves razing a smaller, more affordable housing unit and replacing it with a larger unit. Therefore, the net gain of units over the last decade was minimal. This process removes homes that would be more affordable to moderate-income households (those earning between 80 and 120% of area median income) and replaces them with homes affordable only to top earners.

Figure 10: Residential Building Permits by Type, 2000 to 2011 (Source: US Census Bureau)



Although the majority of building permits issued between 2000 and 2011 were for single-family homes, it is important to note that several larger, multifamily projects resulted in hundreds of new units over the timeframe. This includes the 387-unit Avalon at Lexington Hills development, as well as the 36-unit Lexington Courtyard. These projects not only added an additional 100+ affordable units, but provided some 300 additional rental units often preferred by seniors and young professionals. Identifying additional opportunities for projects like these would help to provide additional housing choice for middle-income residents.

Figure 11: Total Residential Building Permits, Sub region, 2000-2010 (Source: US Census Bureau)



Projected Development

The table below shows the number of units that will be needed between 2010 and 2035 by unit type, according to MAPC's Current Trends household growth projections. Although MAPC projects the greatest need over the 25-year period to be for single-family units, it also projects an increased need for multifamily homes or townhouses, apartments and condo buildings, and accessory apartments. These are the types of units that often appeal to the population cohorts expected to increase in Lexington, including seniors, small families, and non-family single and unmarried households.

Table 9: Additional Projected Housing Units by Type, Current Trends, 2010-2035

	<i>Single-Family Units</i>	<i>Multifamily Homes or Townhouse Units</i>	<i>Apartment or Condo Building Units</i>	<i>Accessory Apartments</i>	TOTAL
Percent of Units*	27%	13%	57%	3%	100%
Units	434	370	917	5	1,609

***Based on percentages from MAPC 2000-2030 MetroFuture projections.**

Source: MAPC

Development Pipeline

Currently, there are no large, multi-unit projects proposed for Lexington. LexHAB is exploring three smaller projects: Fairview Avenue (4 units), Busa Farm (4-8 units), and 116 Vine Street (4-6 units)). The Lexington Housing Authority has one project in their pipeline – 4 handicapped units at an existing development.

Housing Market Conditions

Housing market conditions influence affordability of the housing stock within a community. Competitive housing markets tend to have a limited supply of available units (ownership or rental) compared to the number of households looking to live in or move to the community. This can lead to increasing housing prices and rents. These factors can significantly reduce affordability within a community, both for potential new residents or existing residents who can no longer afford their current unit.

Key Findings

- The housing market in Lexington is expensive and remains strong and competitive. It was not noticeably impacted through the recession.
- The number of single-family units sold per year has remained relatively consistent at 350-450 units over the last two decades. Condominium sales have increased in recent years.
- Median home prices for both single-family and condos have increased significantly over the last 20 years.
- Rents in Lexington are higher than those in nearby communities.
- Rents in Lexington are significantly higher than Fair Market Rents set by the U.S. Department of Housing and Urban Development (HUD).

Median Sale Prices and Total Annual Sales

The housing market in Lexington is very strong, particularly for single-family homes, which make up the greater part of the town's housing stock. Unlike much of the state and nation, Lexington did not experience steep declines during the recent recession in either sales volumes or values. In fact, according to data from the Warren Group, the number of single-family and condo sales remained relatively constant over the last two decades, with a noticeable upward trend in single-family sales over the last few years.

Lexington's housing prices are increasing rapidly. Over the last two decades, the median single-family home price has nearly tripled from approximately \$291K in 1993 to approximately \$810K in 2013⁵. This is significantly higher than for the surrounding 19-community subregion. Similarly, Lexington's median condo sales price has risen from \$176k in 1991 to \$422,000 in 2013. However, although the number of recent sales is up, the median price for a condo has decreased over the last two years.

These trends point to a strong housing market; however, rising home sales prices will increasingly make buying a home difficult or nearly impossible for those with low- or even middle-incomes, particularly seniors, who often live on fixed incomes.

⁵ 2013 median single family and condo prices reflect median sales prices through August 2013.

Figure 12: Single-Family and Condo Home Sales, 1993-2012 (Source: The Warren Group)

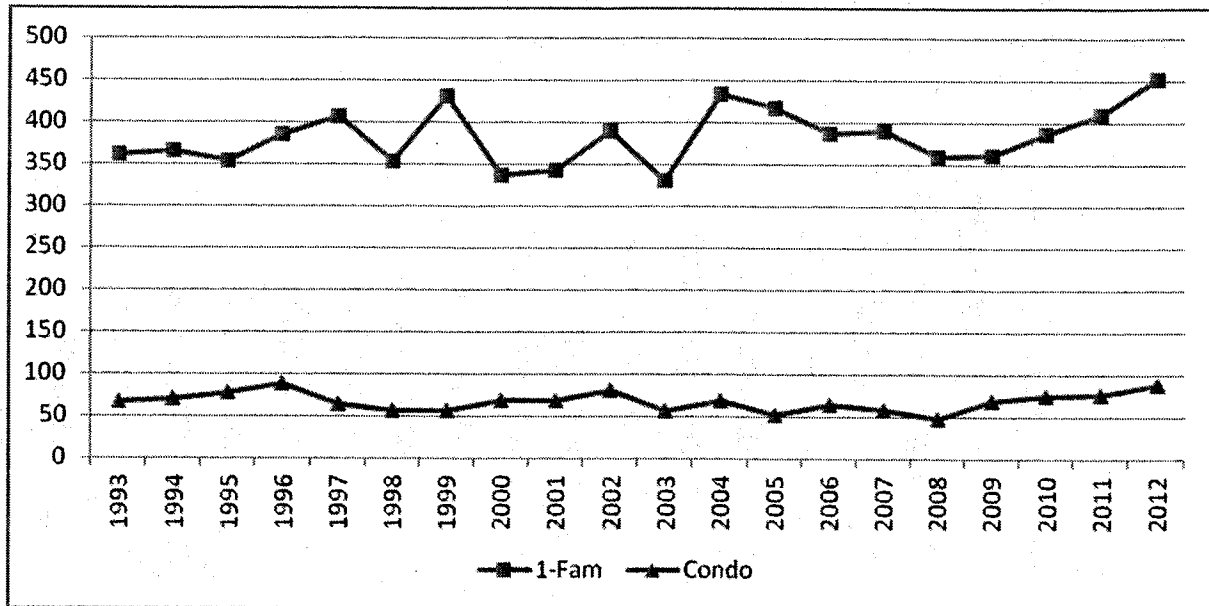
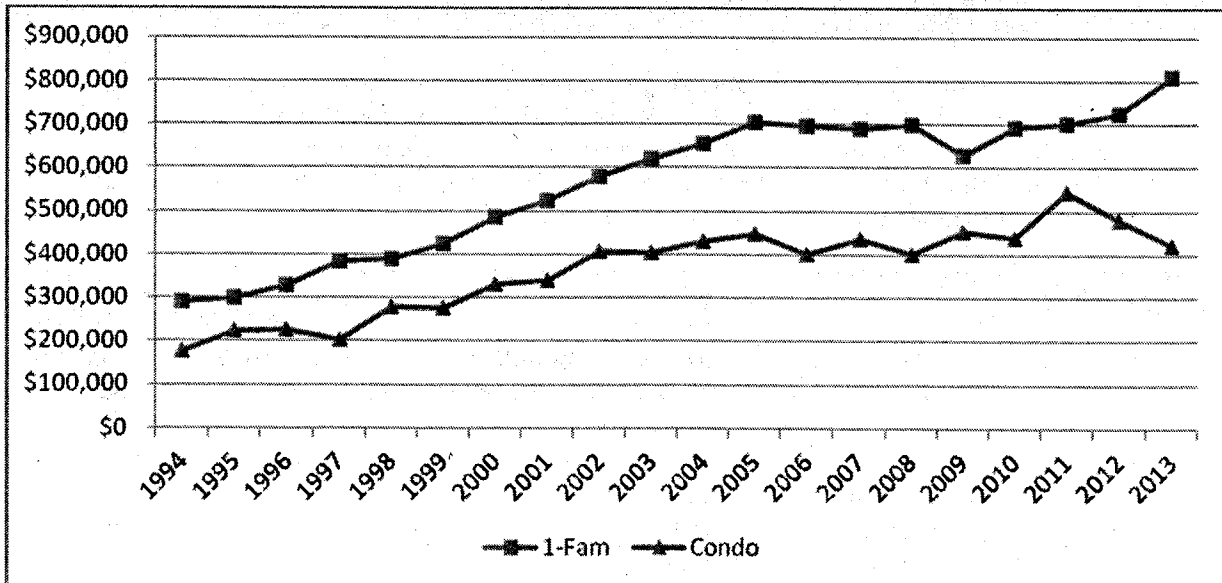


Figure 13: Median Single-Family and Condo Prices, 1993-2013 (Source: The Warren Group)



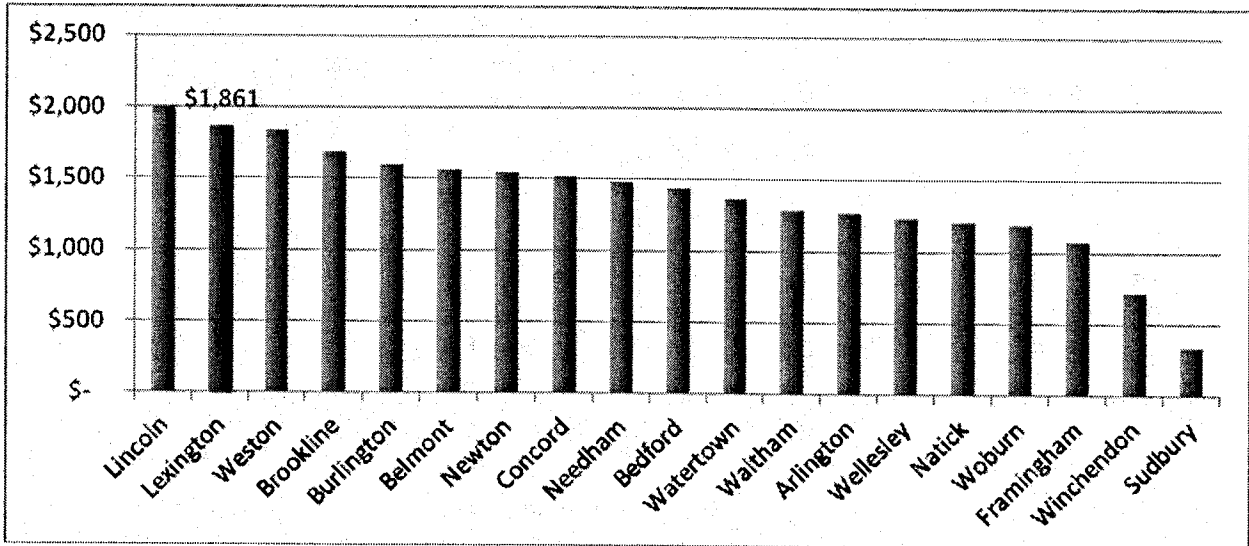
Gross Rents

Rental units within Lexington are expensive. According to the census, average gross rent in Lexington was \$1,861, the second highest of all communities in the sub region⁶. This is significantly higher than the average gross rent of the Boston-Cambridge-Quincy MSA, which is \$1,146. Households looking for more affordable rental options, including low-income families

⁶ Gross rent is the sum of the rent paid to the unit's owner plus utility costs incurred by the tenant such as electricity, gas, water and sewer, and trash removal services. Telephone and other communications services are not included. If the owner pays for all utilities, then gross rent equals the rent paid to the owner.

and seniors, will most likely have to leave Lexington to find more affordable options if no subsidized or lower-priced options are available within town.

Figure 14: Gross Rent, 2010 (Source: US Census Bureau)



Housing Affordability

In the previous sections, we looked at Lexington's population, in particular its age and income distribution and at Lexington's housing stock and market conditions. The intersection of demand (people) and supply (housing units), along with policy and planning priorities, ultimately determines the affordability of housing in a given community. In this section, we will explain the affordability of housing stock for the residents of Lexington.

Key Findings

- Low-income households are more cost burdened, with elderly households the most cost burdened. The number of elderly cost burdened households is likely to rise as the population of 65+ increases significantly.
- Nearly a third of all households (30.3%) are cost burdened, meaning they spend over 30% of their income on housing costs.
- There are not enough housing units (ownership or rental) affordable to households earning below 80% AMI in Lexington.
- Despite the high median household income, one in five Lexington households are estimated to be low-income (earn below 80% of area median income).
- Lexington's median household income is significantly higher than that of the Boston-Cambridge-Quincy MSA.
- Lexington's Subsidized Housing Inventory is 11.1%, higher than Chapter 40B's 10% mandate.

Household Income

Household income not only determines how much a household can afford to pay for a dwelling unit, either to rent or own, but also determines which households are eligible for housing assistance.

In 2010, Lexington's median household income was \$132,931, an increase of 37% since 1999 (\$96,825). Lexington's median household income is higher than that of the Boston-Quincy Metro area (\$94,400), and the fourth highest of the communities analyzed for comparison.

Although Lexington is a well-off community with over 60% of households earning \$100,000 or more, over 15% of households earn below \$40,000. The percentage of middle-income categories (between \$40,000 and \$99,000) is significantly lower than in nearly all nearby communities. (See Figure 15)

Household incomes in Lexington differ widely by age. Whereas nearly 75 percent of younger adults (25-44) and middle-age (45-64) households earn over \$100,000, only 35% of elderly households (65+) do so. Of concern is the nearly 30% of elderly households (and 10% of younger households) with incomes below \$40,000 per year. At this low-income level, it is increasingly difficult for seniors to retire in Lexington.

Figure 15: Income Distribution, Subregion Communities, 2010 (Source: US Census Bureau)

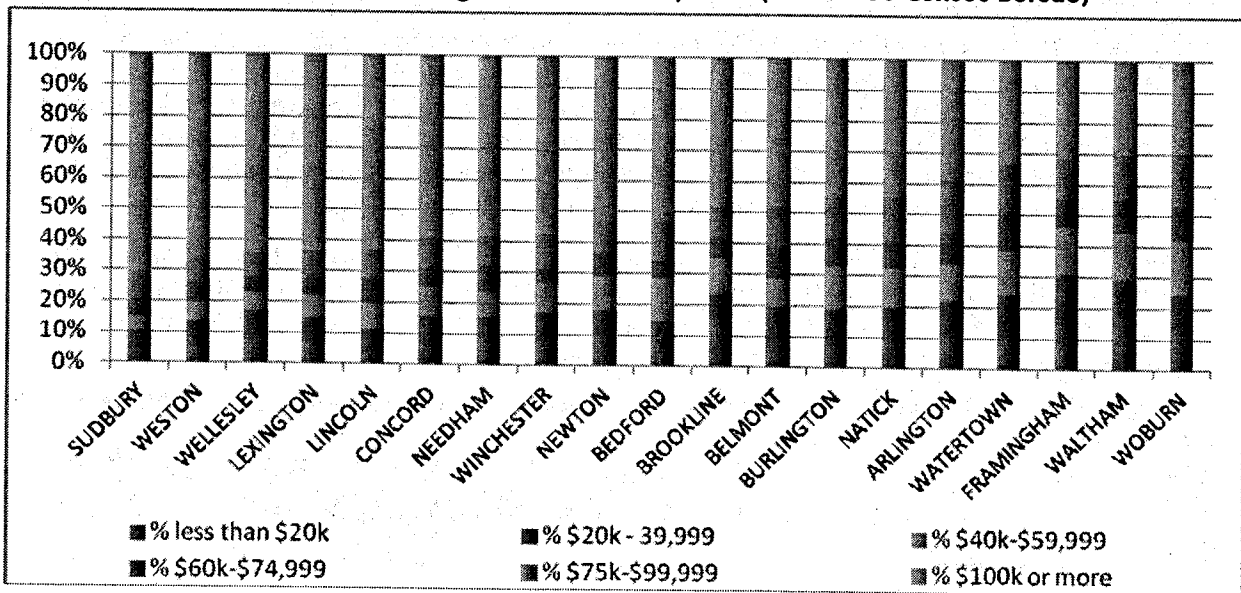
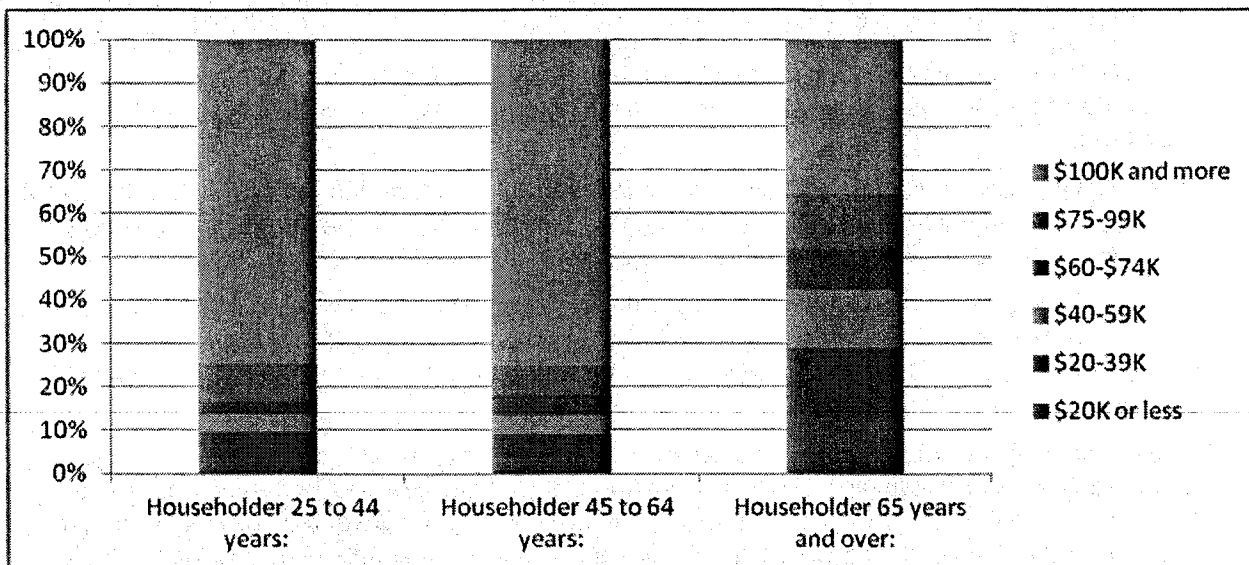


Figure 15: Household Income by Age of Householder, 2010 (Source: US Census Bureau)



Households Eligible for Housing Assistance

One measure of the need for affordable housing is the number of households eligible for housing assistance. Federal and state programs use Area Median Income (AMI) figures, along with household size, to identify eligible households. Table 12 shows U.S. Department of Housing and Urban Development (HUD) income limits for Extremely Low (Below 30% AMI), Very Low (31-50% of AMI), and Low-Income (51-80% of AMI) households by household size for the Boston-Cambridge-Quincy Metropolitan Statistical Area, which includes Lexington.

Typically, households at 80% of area median income and below qualify for housing assistance; however, HUD breaks this down according to household size. As highlighted in the chart, a 1-person household may qualify with an income up to \$47,150, while a four-person household may qualify with an income up to \$67,350 per year.

Table 10: FY2013 Income Limits for Affordable Housing: Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area

FY 2013 Boston-Cambridge-Quincy Median Income: \$94,400			
FY2013 Income Limit Category	Extremely Low (30%) Income Limits	Very Low (50%) Income Limits	Low (80%) Income Limits
1 Person	\$19,850	\$33,050	\$47,150
2 Person	\$22,650	\$37,800	\$53,900
3 Person	\$25,500	\$42,500	\$60,650

4 Person	\$28,300	\$47,200	\$67,350
5 Person	\$30,600	\$51,000	\$72,750
6 Person	\$32,850	\$54,800	\$78,150
7 Person	\$35,100	\$58,550	\$83,550
8 Person	\$37,400	\$62,350	\$88,950

Source: US Department of Housing and Urban Development, 2013

Lexington housing was analyzed using Comprehensive Housing Affordability Strategy (CHAS) data, a tabulation of American Community Survey (ACS) data that allows us to look at housing costs versus household income, size and other factors that impact affordability.⁷ While HUD income limits in Table 12 are set according to people per household, CHAS data is more specific to household type, and classifies household types as follows:

- Small related households (two persons, neither person 62 years or over, or three or four persons);
- Large related households (five or more persons);
- Elderly households (one or two persons, with either or both age 62 or over); and
- All other households (singles, non-related living together)

As shown in Table 13, nearly a fifth of all households in Lexington (1,950 total) would be categorized as low-income with nearly two thirds in the very low or extremely low categories, earning less than 50 or 30 percent AMI, respectively.

Significantly, over 60% of all low-income households in Lexington are elderly households. More specifically, one of every three elderly households earns below 80% of the area median income, and one of every 5 earns less than 50% AMI. Conversely, fewer than 10% of non-elderly households, small and large, are low-income. The data points to the need for more affordable senior housing in Lexington, and it also shows that there is need for housing for smaller families with fewer than four people.

Table 11: Income as Percent of Area Median Income by Household Type and Size, 2005-2009

TOTAL Households	Low-income Households			Greater Than 80%
	Less Than	Between 30% and	Between 50% and	

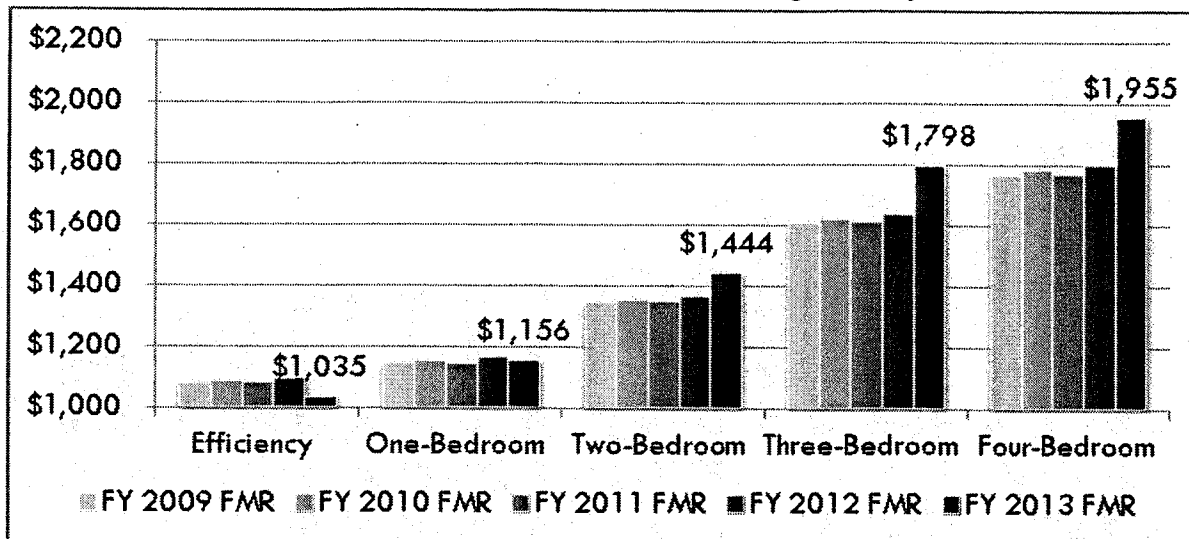
⁷ CHAS data is based on Census American Community Survey estimates. Household number estimates were significantly lower than official counts from the subsequent 2010 Decennial Census. Therefore, CHAS estimates are likely lower than actual need.

		30% AMI	50% AMI	80% AMI	
Elderly 1 & 2 Member Households	3,530	385 (11%)	415 (12%)	380 (11%)	2,350 (67%)
Small Related (2 to 4) Households	5,690	170 (3%)	120 (2%)	160 (3%)	5,240 (92%)
Large Related (5+) Households	945	10 (1%)	15 (2%)	60 (6%)	860 (91%)
All Other Households	815	70 (9%)	85 (10%)	80 (10%)	580 (71%)
Total	10,980	635 (6%)	635 (6%)	680 (6%)	9,030 (82%)

Source: CHAS 2005-2009

Fair Market Rents

The figure below highlights the Fair Market Rents, or maximum allowable rents (not including utility and other allowances) determined by HUD for subsidized units in the Boston MSA. The upward trend is reflective of the annual adjustment factor that occurs to reflect market demands for rental housing. Given the many constraints on the Greater Boston rental housing market, increasing rents is not a surprising trend and only makes the need for more rental housing at multiple price points a priority.

Figure 16: Fair Market Rents (FMR) by Unit Type Boston-Cambridge, Quincy MSA, 2009-2013

In order for 1- or 2-bedroom rental units - those most likely needed for senior and small related households - to be considered affordable and qualify on the State's Subsidized Housing Inventory (SHI), the current FMR would be \$1,156 or \$1,444, respectively. However, as described earlier, the median gross rent in Lexington is \$1,861, indicating that most rental households are paying far more than the FMR. Over two-thirds of rental households (67%) are paying more than \$1,250 per month in rent (not including utilities), more than the FMR for a 1-bedroom apartment. Over 60% are paying more than \$1,500 per month, higher than the FMR for a two-bedroom unit.

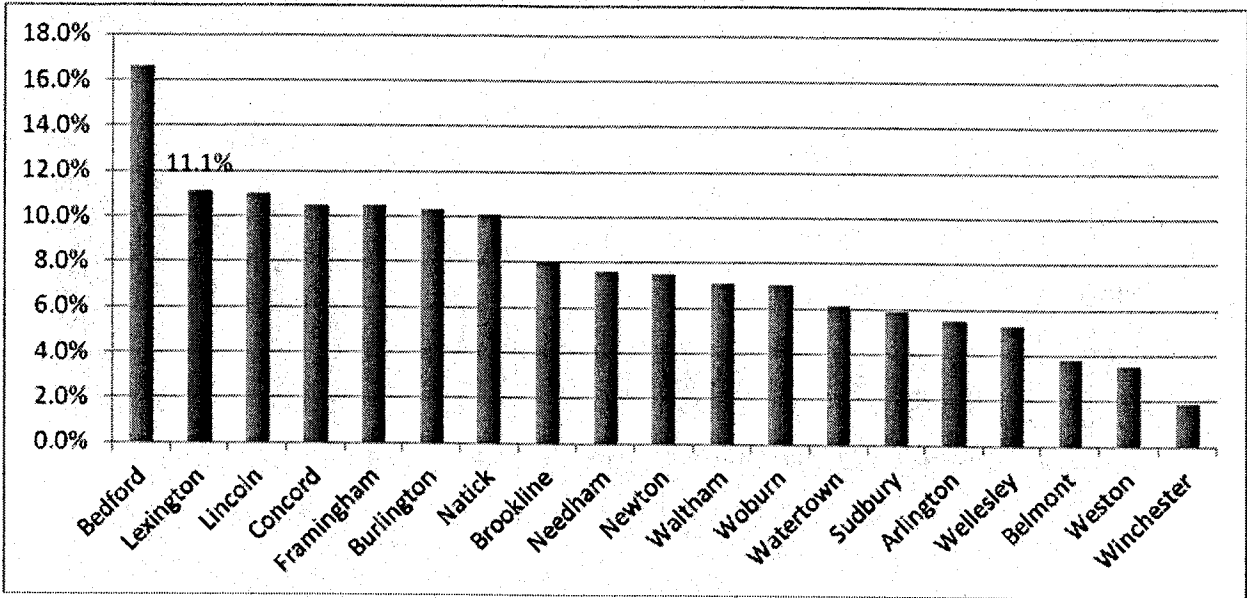
Affordable Housing Units and MGL Chapter 40B

Under M.G.L. Chapter 40B, affordable housing units are defined as housing that is developed or operated by a public or private entity and reserved for income-eligible households earning at or below 80% of the area median income (AMI). The units are secured by deed restriction to ensure affordability terms and rules. All marketing and placement efforts follow Affirmative Fair Housing Marketing guidelines per the Massachusetts Department of Housing and Community Development. (See Appendix A.) Housing that meets these requirements, if approved by the Massachusetts Department of Housing and Community Development (DHCD), are added to the Subsidized Housing Inventory (SHI). Chapter 40B allows developers of low-income housing to obtain a Comprehensive Permit to override local zoning and other restrictions if less than 10% of that community's housing is included on the SHI.

Subsidized Housing Units in Lexington

Lexington has accomplished much in terms of creating affordable housing over the years. As of May 2012, Lexington's SHI was 11.15%, with a total of 1,329 units, above the 10% threshold needed to be exempt from the Chapter 40B comprehensive permit process. Of the 19 sub region communities analyzed for comparison, Lexington had the second highest SHI. (See Appendix D for Lexington's SHI listing.)

Figure 17: Subsidized Housing Inventory (SHI), 2012 (Source: MA DHCD)



Of Lexington's 1,329 affordable units, over 80% are affordable in perpetuity. However, the deed restrictions on 150 units could expire before 2020, including those on the 128-unit Katahdin Woods Apartments. Should all of these units expire, Lexington's SHI would be 9.9%, below the 10% threshold. For Lexington to maintain an SHI above 10%, it is important that the town work with owners of expiring units to recertify those rental units, as well as to add more units to the inventory by 2020. Additionally, because the SHI is determined using the total number of housing units from the most recent decennial census (the denominator), the number of SHI units (the numerator) must grow. That means that even if the number of SHI units stays the same, as more market rate units (owner or rental) are built, the SHI could fall below 10%.

It is also important to note that although Lexington has achieved the 10% SHI threshold, of the 1,329 units included in its inventory, only 663 – or less than half – are actually deed-restricted units affordable to households earning at or below 80% AMI. This is possible because M.G.L. s.40B allows rental developments where at least 25% of units are deed-restricted as affordable to include all units in the development on the SHI, even the 75% that are market rate. For example, Lexington reached its current SHI total with the 387-unit Avalon at Lexington Hills development, where 97 units are affordable, but all 387 units were counted on the inventory. Therefore, even though Lexington has achieved the 10% SHI mark, more units are needed for the low-income households earning below 50% and 80% AMI.

Affordability Gap

Another way to measure housing affordability is to compare the median home sale price in a community to the price that a household at the community's median income can afford. The difference between these values is defined as the affordability gap. Simply put, as housing prices increase, the affordability gap widens.

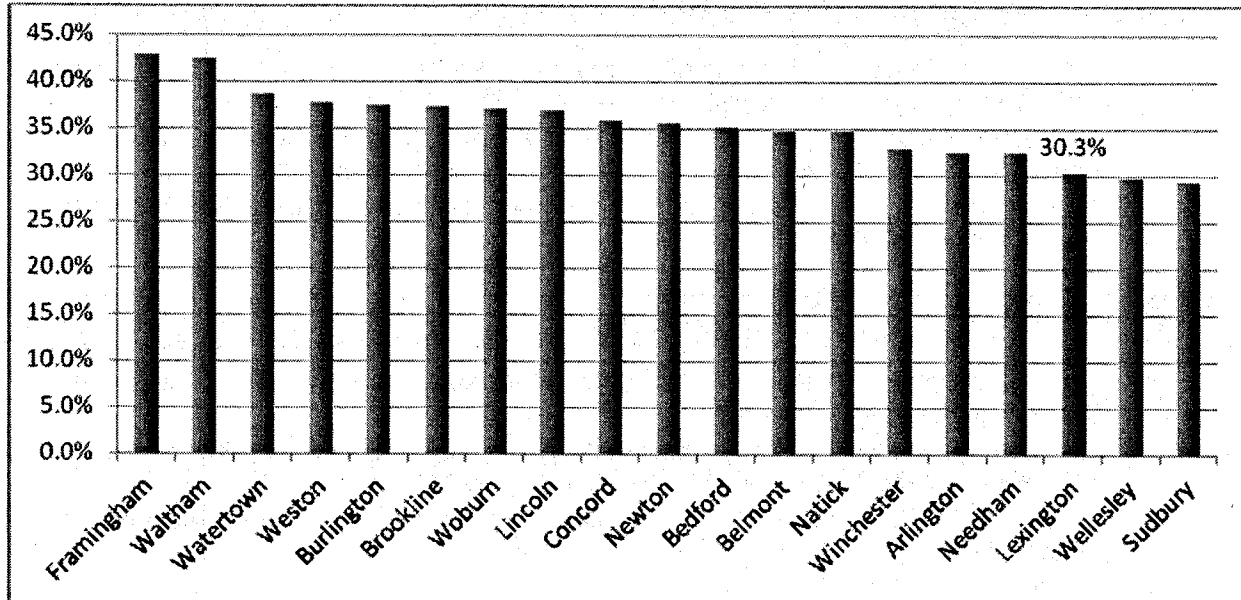
The median family income in Lexington is \$132,931. The sales price of median single-family home is \$725,000 in 2012. Spending 30% of its income on housing, a family earning \$132,931 could only afford a house priced at \$568,000, which is far below the median sales price in Lexington. Given increasing home prices, there is a widening affordability gap for single-family homes in Lexington, which make up the vast majority of units. However, the median sales price

of a condominium in Lexington in 2012 was \$480,000, which is affordable to a household earning the median income, but very difficult for many families earning less than the median.

Cost Burden

The primary method to determine whether housing is affordable to a community's population is to evaluate households' ability to pay their mortgage or rent based on their incomes. Households that spend more than 30% of their income on housing are considered to be housing cost burdened. Households that spend more than 50% are considered to be severely cost burdened.

Figure 18: Cost Burdened Households, 2010 (Source: US Census Bureau)



HUD considers it to be a significant issue when over 30% of households are cost burdened. According to ACS figures, approximately 30.3% of Lexington's households were cost burdened in 2010. So, although Lexington's cost burden percentage is lower than most surrounding communities, the issue is significant, and affects an estimated 3,454 households.

Level of Cost Burden by Type

Lexington's renter households are more cost burdened than owners by percentage (not in total numbers). Nearly 40% of renter households are cost burdened, compared to 28% of owner households.

To further identify affordable housing need by household type, cost burden by household type was analyzed using CHAS data. CHAS data identifies cost burden by low income category (low, very low, extremely low) and by household type (elderly, small related, large related and other), as well as middle income households (80-120% median income) with housing problems.

Key Findings

- Lexington's low-income households are more likely to be housing cost burdened than those earning above 80% AMI

- 75% of all low income households are cost burdened, compared to only 16% of those above 80% AMI.
- Cost burden was a significant issue among all low income household types.
- The most significant cost burden is among elderly households (34% of total), including market rate rental elderly households (37% are cost burdened), and low-income elderly households (75% or 895 households).

The following is a summary of cost burdened households by type. Again, it is important to note that HUD considers it significant if more than 30% of either owner or renter households in a community are cost burdened, or 15% or more are severely cost burdened.

Elderly 1&2 Person Households

- Total Elderly Households: 34% of all Elderly 1&2 member households are cost burdened; 18% are severely cost burdened.
- Total Low-income Elderly Households: 75% of all low-income Elderly 1&2 member households are cost burdened; 47% are severely cost burdened
- Elderly owner households are more cost burdened than renter households, by percent and total numbers

Small Related (2-4 person) Households

- Total Small Related Households: 21% of all small related households are cost burdened; 8% are severely cost burdened.
- Total Low-income Small Related Households: 69% of all Low-income small related households are cost burdened; 52% are severely cost burdened
- Owners are more cost burdened than renters, both by percentage and number of households.

Large Related (5+ person) Households

- Total Large Related Households: 25% of all large related households are cost burdened; 6% are severely cost burdened.
- Total Low-income Large Related Households: 75% of all Low-income small related households are cost burdened; 16% are severely cost burdened
- Renter households are more cost burdened than owners.

Other (singles, unrelated persons) Households

- Total Other Households: 35% of all other households are cost burdened; 20% are severely cost burdened.
- Total Low-income Other Households: 87% of all Low-income other households are cost burdened; 44% are severely cost burdened
- Owner households are more cost burdened than renters by percentage, but a larger number of renter households are cost burdened.

As Lexington's population grows and ages, cost burden is likely to increase as many elderly persons have fixed-incomes, which can make it difficult to pay for emergency repairs, routine maintenance, and other retrofitting to age in place. Ensuring units are in place for this and other cost burdened populations in Lexington should be a priority for the community.

Middle-income Housing Problems

CHAS data also looks at the extent of housing problems for middle income households earning between 80 and 120 percent of AMI. A household is said to have a housing problem if they have 1 or more of these 4 problems:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Household is overcrowded; and
- Household is cost burdened.

2006-2010 American Community Data estimates indicate that fewer than 0.3% of Lexington's housing units lack either complete kitchen or plumbing facilities (21 and 32 units, respectively), and fewer than 1% of total housing units (41 total) have more than 1 occupant per room. Therefore, it can be assumed that the housing problem for most households represented below is cost. As shown in Table 14, 44.6% of owner-occupied households and 49 percent of renter-occupied households earning between 80-120 percent of AMI have a housing problem.

Table 12: Housing Problems for Lexington Households at 80-120% of AMI

	#	% with Housing Problem
Total Owner occupied HH: 80 - 120 % AMI	875	n/a
with Housing Problem	390	44.6
Total Renter occupied HH: 80 - 120 % AMI	245	n/a
with Housing Problem	120	49.0

Source: Department of Housing and Community Development 2005-2009 CHAS Data

Gaps between Existing Needs and Current Supply

The following charts compare the estimated number of households in Lexington by income category and tenure (home owners vs. renters) and the number of housing units in Lexington that are affordable to these households – the need (households) and supply (units).

Figures 21 and 22 show that there are more low-income owner- and renter-occupied households earning below 50% AMI or below 80% AMI than there are units affordable to them. Conversely, there is a surplus of market rate owner- and renter-occupied units affordable to households earning more than 80% AMI. This indicates a housing mismatch, where lower income households are living in units they cannot afford. Thus, there is a need for more housing units specifically dedicated to households earning below 80% AMI.

Figure 19: Housing Gap for Affordable Housing by Type in Lexington

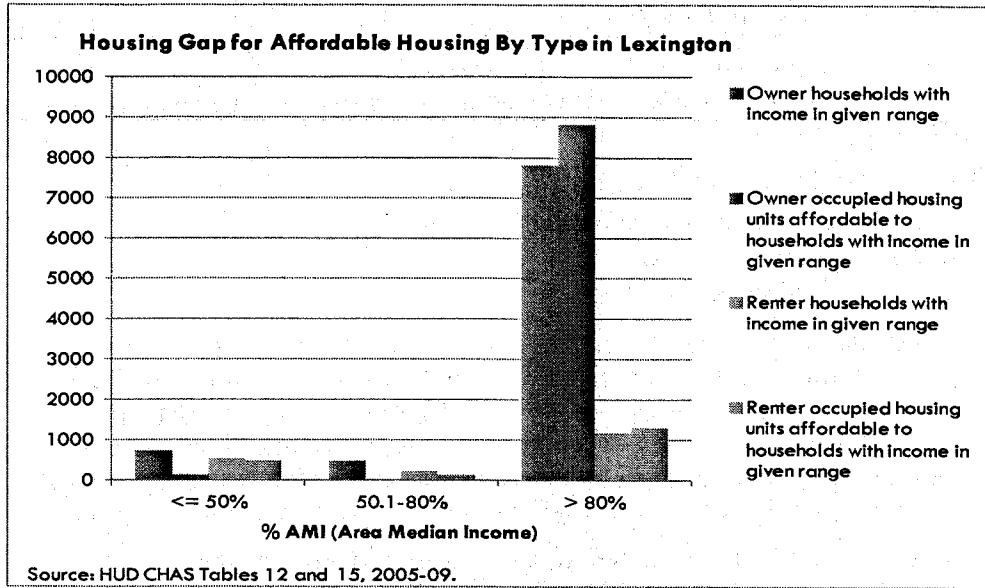
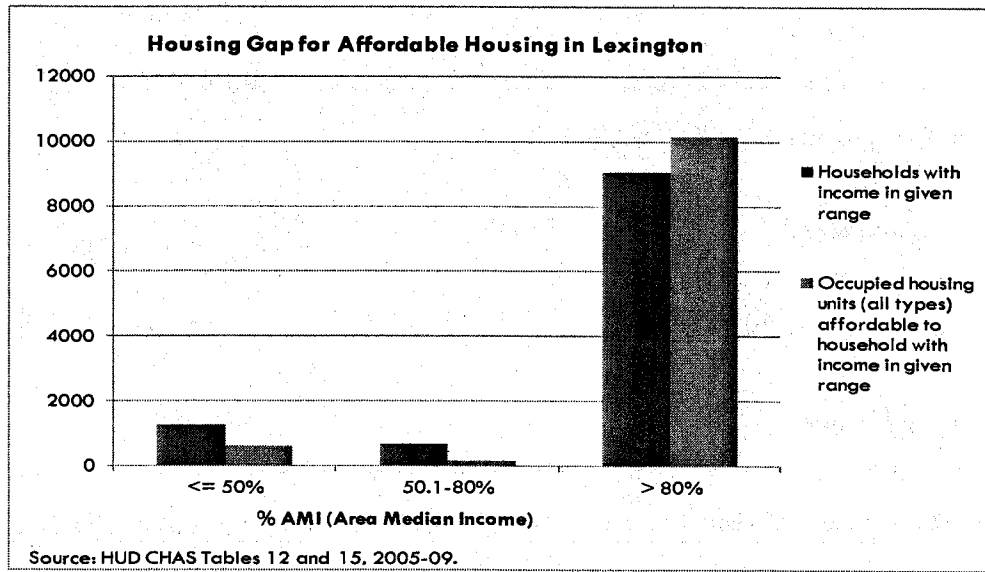


Figure 20: Housing Gap for Affordable Housing in Lexington



Foreclosures

The Greater Boston region was spared the worst impacts from the recent housing crisis, although foreclosures in the region did surge over the last decade. Foreclosures have not been a significant issue in Lexington, which has fared well when compared to the state and other nearby communities. In 2011, there were only 6 foreclosure deeds, or 0.05% of all housing units in Lexington. This places Lexington among the communities with the lowest foreclosure rates.

IV. Constraints on Development

Residential development is influenced by various factors including historical development patterns, local land use regulations, restrictive covenants, availability of developable land, natural constraints, and municipal infrastructure. This section provides an overview of the development constraints impacting residential development in Lexington, including regulatory, environmental and physical obstacles to the creation of affordable housing.

Regulatory Constraints

Zoning

Zoning bylaws regulate the type and location of development. Ideally, zoning reflects land use decisions reached during development of the community's comprehensive plan. In general, Lexington's Comprehensive Plan (2003) encourages the continuation of Lexington's single-family identity, while looking to provide increased housing diversity in appropriate locations. Identified goals and actions related to housing include:

- Develop housing to support the social and economic diversity of Lexington
- In the disposition of "surplus" land, give priority to uses for which land is essential: diversity-serving housing and preservation of open space
- Facilitate mixed uses where appropriate, such as housing uses in Lexington Center and more versatile commercial development to serve neighborhoods.
- Develop incentives for development of cluster housing development
- Consider provisions to control adverse effects of out-of-scale houses, where appropriate.
- Explore revising zoning to allow residential use in Lexington Center and review current zoning to identify impediments to mixed use in other parts of town.

Table 13: Land Area of Zoning Districts

<i>District</i>	<i>Description</i>	<i>Acres</i>	<i>% Total Land Area in Lexington</i>
RO	One-family Dwelling	5,700	54%
RS	One-family Dwelling	3,797	36%
RT	Two-family Dwelling	54	1%
RD	Planned Residential Development	183	2%
CN	Neighborhood Business	18	<1%

CRS	Retail Shopping	34	<1%
CS	Service Business	7	<1%
CLO	Local Office	25	<1%
CRO	Regional Office	149	1%
CB	Central Business	16	<1%
CD	Planned Commercial Development	216	2%
CM	Industrial	349	3%
ALL	Total All Districts	10,603	

Source: Town of Lexington GIS

Allowed Residential Uses by Zoning District

The Town of Lexington's zoning bylaw includes four residential zones: two one-family districts (RO and RS), a two-family district (RT), and a planned residential district (RD). As described below, one of the greatest constraints to a more diverse housing stock to serve the needs of different household types is the limited opportunities for development beyond single-family structures.

Single-Family Districts

The single-family RO and RS zoning districts are intended specifically to encourage low density housing development for families with children or for small households. These districts also allow related public or institutional uses (e.g. schools). The RO district sets a minimum lot area of 30,000sf, whereas the RS allows for higher density single-family housing with a minimum lot area requirement of 15,500sf. Combined, these two districts account for approximately 90% of all land in Lexington, the greater part of which has already been developed.

Two Family District

Only 1% of town land is zoned for two-family residential development in and around the East Village Historic District along Massachusetts Avenue. The purpose is to provide opportunities for low density development for families and smaller households in either ownership or rental properties. Minimum lot area is the same as in RS zones, at 15,500sf. Again, the majority of land in these zoning districts is already developed.

Planned Residential Districts (RD)

Multifamily residential development is only allowed in Planned Residential Districts. The intent of RD districts is to provide for higher density development for small families, and single persons in different unit types in a planned setting appropriate for specific parcels of land. RD districts are created on a project-by-project basis and require a special permit from the Zoning Board of Appeals, as well as approval at Town Meeting. Only after both approvals are the districts mapped. Currently, 2% of town land has been approved and zoned for these developments.

This process, as described, is more onerous than those in other communities where multi family use is allowed by right in multi-family zoning districts. The requirement of Town Meeting approval may discourage developers from pursuing larger, multi-family or mixed-use projects since there is a strong possibility that after initial design and development costs are incurred, a project won't be approved.

Table 14: Residential Uses Allowed by Zoning District

	R O RS	RT	RD*	CN	CR S	C S	C B	CL O	CR O	C M
RESIDENTIAL USES										
One-family Dwelling	Y	Y	SP	Y	N	N	N	N	N	N
Two-family Dwelling	N	Y	SP*	Y	N	N	N	N	N	N
Conversion of one-family to congregate living facility	S P	SP	SP*	SP	N	N	N	N	N	N
Dwelling unit above the street level floor in a commercial or institutional building	N	N	N	N	N	N	Y	N	N	N
RESIDENTIAL DEVELOPMENTS										
One-family detached	Y	Y	SP*	N	N	N	N	N	N	N
Two-family	S P	Y	SP*	N	N	N	N	N	N	N
Townhouse	S P	SP	SP*	N	N	N	N	N	N	N

Three-family, four-family, multifamily	N	N	SP*	N	N	N	N	N	N	N
Rooming house, group quarters	N*	N*	SP*	N	N	N	N	N	N	N
Group Care Facility, Long-term care, assisted living, etc.	N	N	SP*	N	N	N	N	N	N	N
Conversion of municipal building to residential	S P	SP	SP*	N	N	N	N	N	N	N
ACCESSORY USES FOR RESIDENTIAL USES										
Rooming units without kitchen facilities	Y	Y	SP	N	N	N	N	N	N	N
By-right Accessory Apartment	Y	N/A	N/ A	Y	N	N	N	N	N	N
Special Permit Accessory Apartment	S P	N/A	N/ A	SP	N	N	N	N	N	N
Accessory structure apartment	S P	SP	N/ A	SP	N	N	N	N	N	N
Bed and Breakfast Home	Y	N	N	N	N	N	N	N	N	N

Y – Yes, permitted as of right

N – No, not permitted

SP – Special permit required

***Subject to a preliminary site development and use plan**

****Y, if accessory to a religious or educational use**

Mixed Use Districts (CB and CD)

The only mixed-use residential development allowed as of right is allowed in the CB district in Lexington Center. Pursuant to the goals set out in Lexington's Comprehensive Plan, Lexington's

Town Meeting has voted to allow residential units above the street level floor in either commercial or institutional buildings. Mix-used is also allowed within CD Planned Commercial Districts through a special permit process which requires a vote at Town Meeting and approval by the Board of Appeals similar to the process for RD districts.

Senior Housing

While there is no specific Senior Housing Bylaw⁸ in Lexington, Lexington's zoning specifies a range of residential facilities for seniors, primarily by special permit in residential districts. They include assisted living residences, congregate living facilities⁹, continuing care retirement facilities, and independent or long-term care facilities. The three 'villages' funded by the state and federal governments and administered by the Lexington Housing Authority, Countryside Village, Greeley Village and Vynebrook Village, provide housing specifically for low-income seniors.

Accessory Apartments

Accessory apartments have the potential to provide for smaller scale and affordable alternatives to single-family homes in Lexington. The Town allows accessory apartments by-right or by special permit. As stated in the zoning bylaw, the general objectives of these units is to increase the number of small dwelling units available for rent in Lexington; increase the range of choice of housing accommodations; encourage greater diversity of population with particular attention to young adults and senior citizens; and encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's single-family neighborhoods. In addition to these goals, accessory units may also function to assist cost burdened homeowners with rental income.

Accessory units are allowed by-right in single-family and multifamily zoning districts if the apartment is within the principal structure, no more than 1,000 SF, no more than 2 bedrooms, the lot is at least 10,000 SF, there are no extensions or enlargements of the dwelling unit (with some exceptions), and the building is at least 5 years old. Accessory apartments created by enlargement or additions to the principal structure are allowed by special permit from the Board of Appeals.

Accessory structure apartments are allowed only by special permit from the Board of Appeals if certain criteria are met. This includes, but is not limited to, a minimum lot area is met (18,000 SF in RS, RT and CN; 33,000 SF in R0), and that the accessory structure does not exceed 1,000 SF.

Inclusionary Housing Policy

Requiring private residential development proposals to provide a given share, typically 10% to 33%, of new residential units as affordable to people with low-incomes is now a common part of any proactive community's affordable housing strategy. Inclusionary housing, or inclusionary zoning, requires a wider range of housing options than the market would provide on its own. The resulting "mixed income" housing developments are an important means to reduce concentrations poverty and combat residential segregation in the broader metropolitan region.

⁸ Senior housing bylaws often encourage development of moderately priced housing unit types attractive to and/or restricted to people over 55 years of age, often using increased density allowances as an incentive to build units.

⁹ Congregate living facilities are allowed by right in RT zoning districts.

Beginning in the mid-1990s the Lexington Planning Board instituted an Inclusionary Housing Policy for all development proposals within their permitting responsibilities. This policy covered the great majority of conventional residential development as well as Planned Residential Development zoning proposals. In 2007 an effort was made by the Board and the Lexington Housing Partnership to develop and codify this policy into an Inclusionary Zoning Bylaw, but failed to garner the necessary two-thirds vote for adoption. However, the Board continues to encourage developers to include affordable units in developments it permits.

Natural and Physical Constraints

For the purposes of this document, protected open space and natural resources such as wetlands, surface water, and endangered species habitats may be considered constraints to potential residential development, since their presence on a parcel may render that portion of the property unbuildable, or may require mitigation measures. Only a small percentage of Lexington's total land area includes these sensitive environments. However, given that much of the Town is already developed, they do serve as constraints and must be considered in identifying areas that can accommodate growth and determining appropriate densities.

Wetlands and Floodplains

Wetlands are important because they provide floodwater retention, groundwater recharge and wildlife habitat. However, these areas also constrain development in some of Lexington's residential districts because wet parcels either cannot be developed at all, or significant portions cannot, limiting housing development potential.

According to Mass GIS data, there are 1,300 acres of wetlands in Lexington, just over 10% of total land area in the Town. Wetlands provide floodwater retention, groundwater recharge and wildlife habitat and are generally not available for development. Considering the extent to which Lexington is already built out, these wet areas pose a significant constraint to development. Additional zoning protections for these valuable wetland resources, including the National Flood Insurance District, further constrain development potential.

National Flood Insurance District

This special overlay district includes all flood hazard areas in Lexington designated as Zone A or AE on local Flood Insurance Rate Maps (FIRM) issued by FEMA for Middlesex County, and prohibits development in all areas within the one-hundred-year base flood elevations.

Rare and Endangered Species Habitat

Estimated Habitats for Rare Wildlife are regulated under the Massachusetts Wetlands Protection Act, and any development within the Habitat must be reviewed under the State's Natural Heritage and Endangered Species Program. According to Mass GIS data, there are only 98 acres in Lexington, located west of Rte 128, subject to these constraints. Therefore, these areas do not present a significant constraint to affordable housing development within Lexington.

Municipal Water & Sewer Infrastructure

Water and sewer supply are not considered to be significant constraints on housing development in Lexington. Lexington belongs to the Massachusetts Water Resources Authority (MWRA),

purchasing nearly 2 billion gallons of water annually to serve town residents and businesses. The Town pays the MWRA to treat and dispose of the town's sewage. Nearly all residential units in town are connected to the public water system, and all but 6% of units are connected to public sewer. Infrastructure consists of 158 miles of water main, 2 water towers storing 3 million gallons, 1,500 fire hydrants, 3,400 street and hydrant control valves, and about 10,000 residential control valves located on property lines. Four main water transmission lines serve Lexington: 16" main at Summer St., 16" main on Mass. Ave. in East Lexington, 12" main at Watertown Street, and 24" main on Concord Avenue. The sewer system has 137 miles of street line sewers, 34 miles of trunk line sewers and 10 sewer pump stations, including the main pumping station at Route 128 and Bedford St., and 4,924 manholes.

With water and sewer infrastructure in place, the only constraint is capacity, and all large developments are required to do an impact assessment, and mitigate as needed to proceed.

V. Existing Municipal Tools & Resources

The Town of Lexington has many existing local resources that can help advance the creation and preservation of affordable housing within the community, including the Planning Office and Board, the Lexington Housing Partnership, Lexington Housing Authority, Lexington Housing Assistance Board (LexHAB), Community Preservation Committee, private developers, the West Metro HOME Consortium, and the Comprehensive Plan.

Lexington Housing Partnership

The Lexington Housing Partnership is a 14-member board consisting of residents with interest or expertise in housing issues. Members are appointed to 3-year terms by the Board of Selectman. The intent of the Partnership is to bring boards and committees as well as individuals together to work on housing issues in Lexington. The key goal is to advocate for families and individuals in Lexington who need affordable housing.

The Partnership has held various forums to educate the public, identified sources of mortgage assistance for first-time home buyers, and advocated on behalf of the Lexington Housing Authority and LexHAB at Town Meeting and Board of Selectmen meetings. The Partnership was instrumental in Lexington's passing the Community Preservation Act (CPA) in 2006; significant funds from CPA have been allocated to make capital improvements on existing units and to purchase new affordable units in Town. The partnership also lobbied the Board of Selectmen to join the West Metro HOME Consortium; this resulted in the awarding of HOME funds to make necessary improvements for disabled residents.

Lexington Housing Authority

In 1969, MGL Chapter 121B, Section 3 was passed to allow the creation of housing authorities by cities and towns in Massachusetts. The Lexington Housing Authority (LHA) serves the needs of low-income residents through state and federally subsidized units it manages. It also administers housing vouchers to individuals and households who qualify.

As of December 2012, LHA owned or managed a total of 240 units. The majority of units are 1-bedroom units for elderly or disabled residents in three developments (Countryside Village, Greeley Village, and Vynebrooke Village). Approximately 18 scattered sites serve families (2-, 3- and 4-bedroom units). Additionally, there are 78 vouchers for families in Lexington. Waiting lists vary depending on the size and purpose of the units, and waiting time varies between 1.5 to 8 years, depending on unit type.

Lexington Housing Assistance Board (LexHAB)

LexHAB was founded in 1983 by a group of concerned residents who recognized the lack of housing for Lexington residents in transition or experiencing economic difficulties. LexHAB is unique to Lexington and has been the primary developer of affordable housing in Town. LexHAB currently owns and manages 64 rental units in attached and detached single-family residences; rental income is used for maintenance and capital improvements. LexHAB has used 'linkage funds' from the developers of large housing complexes to acquire units for affordable housing, and since 2006, when Lexington adopted the CPA, LexHAB has used CPA funds to purchase and rehabilitate additional affordable units.

Community Preservation Act (CPA)

The Town of Lexington voted to adopt the Community Preservation Act (CPA) at the 2006 Town Meeting, adopting a 3% surcharge on all real estate property tax bills, with exemptions for persons who qualify for low-income housing and for the first \$100,000 of residential property value.

Four eligible activities can be funded with CPA funds: Community Housing, Historic Preservation, Open Space and Recreation. Allocation of funds to the first three is required, and the fourth is optional. The legislation requires that a minimum of 10% of all collected CPA funds (local and state) must be spent of each of the three required activities.

Lexington has allocated significant sums to affordable housing, for maintenance and repair or existing units, property and unit purchases, and set asides for future affordable housing acquisition or construction by LexHAB.

Table 15: CPA Expenditures on Housing 2006-2013

Year	Amount	Project
2006	\$271,112	Busa Property Purchase – ±0.5 acres (affordable housing portion)
2007	\$228,404	Lexington Housing Authority for Capital Improvements @ Greeley Village
2007	\$300,000	Supportive Living Inc. Douglas Community Housing
2007	\$53,500	Muzzey High Condominium Association Engineering Study
2008	\$652,800	LexHAB Purchase 3 Units @ Parker Manor Condominium
2008	\$25,000	Lexington Housing Partnership/LexHAB Affordable Ownership Study
2008	\$320,828	Lexington Housing Authority for Capital Improvements @ Greeley Village
2009	\$845,000	LexHAB –Purchase 3 properties to convert to 4 affordable units
2010	\$695,000	LexHAB Purchase – 2 affordable units
2010	\$386,129	Lexington Housing Authority for Capital Improvements @ Greeley Village
2010	\$10,000	Lexington Housing Authority Drainage Study for Vynebrooke Village

2011	\$450,000	LexHAB (Set aside for purchase of Existing Property)
2011	\$364,000	Lexington Housing Authority for Capital Improvements
2012	\$450,000	LexHAB (Purchase of Existing House)
2012	\$810,673	Lexington Housing Authority – Construct4 handicapped-accessible units @ Greeley Village

Source: Town of Lexington

HOME Funds

HOME is a federal housing program administered by the U.S. Department of Housing and Urban Development (HUD). HUD distributes funds to groups of adjacent communities to create local consortiums. Lexington is part of the West Metro HOME Consortium, which is administered by the City of Newton and currently has 14 members: Bedford, Belmont, Brookline, Concord, Framingham, Lexington, Lincoln, Natick, Needham, Newton, Sudbury, Waltham, Watertown, and Wayland.

The allocation amount varies according to HUD formulas based on entitlement parameters of population, rental housing units occupied by the poor, poverty households living in rental units built before 1950, families in poverty, and rental housing units with problems. The Consortium also brings each community into a local housing network. The network provides both informal contacts among housing professionals and opportunities for more formal exchanges of information and technical assistance.

Estimated HOME allocation funding from the FY11-15 Consolidated Plan is as follows:

- Funding pool for the creation of affordable housing: \$54,413 per year
- Administration of Lexington's HOME Program: \$4,544 per year

Regional Housing Services Office

Lexington is a member of the 6-town Regional Housing Services Offices, currently operated by and run out of the Town of Sudbury. Participating communities presently include Acton, Bedford, Concord, Lexington, Weston, and Sudbury. The fee-for-service housing office was formed in 2011 through an Inter-Municipal Agreement to provide affordable housing administrative services for the six participating municipalities. Core services handled by the office include annual monitoring of all rental and ownership affordable housing units and developments, SHI administration, HOME administration, local support including project consultation.

Previous Planning

Lexington has invested resources in developing and publishing strategic and important land use plans to help guide future development within the community. The 2002 Comprehensive Plan, "*The Lexington We Want*", sets out the key goals, strategies, and guidelines for Lexington. The plan includes elements focusing on Housing, Land Use, Natural and Cultural Resources, Economic Development, and Transportation (adopted 2003).

The 2009 *Open Space and Recreation Plan* prepared for the Town of Lexington by consulting firm, VHB, primarily recommends programmatic and funding mechanisms, along with acquisition of parcels that are important from environmental, recreational or historical perspectives.

The *Lexington 20/20 Vision* process culminated in themes, goals and recommended actions to implement a shared vision for Lexington in the year 2020. Many of these goals and actions related directly to providing a range of housing options to different household types. Specifically, the goals and strategies included:

1. Provide increased housing options to promote diversity of income and age.
 - 1.1. Enable cooperative housing for mixed generations
 - 1.2. Enact zoning by-law changes/incentives to create more smaller-scale age-restricted housing for the elderly.
 - 1.3. Provide affordable housing in the Center.
 - 1.4. Provide different types of housing, e.g. high end, smaller units for down-sizers.
 - 1.5. Provide new opportunities for new people to be able to move into Lexington as homeowners
2. Create strong incentives to maintain and expand affordable housing.
 - 2.1. Sustain ongoing affordable housing efforts.
 - 2.2. Develop strategies for keeping housing affordable for current residents, including seniors.
 - 2.3. Control changes to housing stock to preserve some more affordable units – use various zoning options, take small steps.
 - 2.4. Pursue opportunities with federal, state, county and town "surplus" land.
 - 2.5. Make the accessory-apartment laws flexible to allow more facilities to be permissible.
 - 2.6. Modify zoning by-laws and create zoning overlay districts to allow and encourage development of higher density housing in areas close to retail centers and public transportation.

VI. Housing Goals and Objectives

The purpose of this Housing Production Plan is to address the housing needs of current and future Lexington households. Discussions around affordable housing too often focus on meeting the 10% affordable housing obligation under state law. This may miss the overriding objective to provide housing choices to the residents of our community. The following goals seek to address the identified housing needs established in this report, and provide specific strategies for different income groups (low- to middle-income households), seniors and people with disabilities.

Many of Lexington's low- and moderate-income households (incomes below 50% and 80% AMI, respectively) are cost burdened or severely cost burdened due to the lack of housing options in the range affordable to them. Exacerbating this issue is Lexington's heated housing market, which makes it attractive for developers to demolish small and medium-sized houses serving the needs of low- and middle-income households, and replace them with much larger and more expensive homes beyond the reach of all but top earners.

Despite the fact that Lexington's SHI now stands at 11.15%, the data contained in this report demonstrates a substantial disconnect between specific categories of housing demand and the housing units existing or being produced in Lexington.

How to read this implementation section:

The strategies below, grouped under demand-driven goals and strategies, suggest ways to address those specific categories of demand, while meeting Lexington's statutory obligations. The section begins with an implementation grid, including the goals and accompanying strategies for each, the responsible parties for each strategy, and a timeframe for implementation – Near Term (Years 1-2), Medium Term (Years 3-5), or Ongoing (All years). Near Term goals should be considered the priority goals, as they are ready to implement and set the stage to better achieve the subsequent Medium Term recommendations.

Given the 5-year timeframe for this plan, the town should ensure that resources are directed first to these Near Term priority strategies to further increase housing choice in Lexington.

Affordable Housing Implementation Plan, 2014-2019

Priority goals highlighted in yellow.

STRATEGY	RESPONSIBLE ENTITIES	TIME FRAME	PAGE
GOAL 1: AT A MINIMUM, MAINTAIN LEXINGTON'S SHI ABOVE 10% THROUGH 2020 AND BEYOND.			
STRATEGY 1.1: Renew expiring deed restrictions and recertify SHI units.	Town Manager, Planning Department, Lexington Housing Partnership	Near Term and Ongoing	p.45
STRATEGY 1.2: Maintain the existing SHI surplus by ensuring new affordable unit development keeps pace with total housing	Town Manager, Board of Selectmen, Planning Board,	Near Term and Ongoing	p.45

unit growth.	Lexington Housing Partnership		
STRATEGY 1.3: Adjust LexHAB rental procedures to allow existing affordable units which do not presently meet state certification requirements to qualify for the SHI.	LexHAB, Planning Department, Housing Partnership	Medium Term	p.46
STRATEGY 1.4: Continue to maintain and improve existing SHI housing units as necessary to keep them in service	LexHAB, Housing Authority, Community Preservation Committee	Ongoing	p.46
GOAL 2: PROVIDE MORE HOUSING OPTIONS FOR LEXINGTON'S LOW-INCOME HOUSEHOLDS EARNING LESS THAN 80% OF AMI.			
Strategy 2.1: Develop affordable housing units on land already acquired by the Town for this purpose.	LexHAB, Lexington Housing Partnership, Planning Department	Near Term	p.47
Strategy 2.2: Allocate no less than \$500,000 annually from CPA to LexHAB for continuing development of affordable units that meet DHCD's SHI requirements.	Lexington Housing Partnership, LexHAB, Community Preservation Committee	Near Term	p.48
Strategy 2.3: Identify additional funding sources for affordable housing development (e.g. HOME and other funds.)	Lexington Housing Partnership, LexHAB, Community Preservation Committee	Medium Term	p. 49
Strategy 2.4: Identify potential sites for affordable residential development.	Lexington Housing Partnership, LexHAB, Planning Department	Medium Term	p. 49
Strategy 2.5: Reconsider adopting an Inclusionary Zoning By-Law or strengthen existing affordable housing incentives as part of a larger strategy.	Planning Department, Board of Selectmen, Lexington Housing Partnership	Medium Term	p. 49

GOAL 3: PROVIDE HOUSING OPTIONS FOR LEXINGTON'S MIDDLE-INCOME HOUSEHOLDS EARNING BETWEEN 80% - 120% AMI.

Strategy 3.1: Continue to encourage creation of moderate and affordable housing under the current Zoning Bylaw.

Planning Board, Lexington
Housing Partnership

Short Term

p. 50

Strategy 3.2: Consider additional zoning changes, including by-right zoning overlay districts such as Compact Neighborhood Zoning to encourage creation of low- and middle-income housing in existing residential zones.

Planning Board, Board of
Selectmen

Medium Term

p.51

GOAL 4: PROVIDE HOUSING OPTIONS TAILORED TO THE NEEDS OF SENIORS AND THOSE WITH DISABILITIES.

Strategy 4.1: Explore mechanisms to allow seniors to age in place, through housing rehabilitation and modification, emergency repair services, and buy-down programs

Lexington Housing Partnership,
Community Preservation
Committee

Short Term

p.52

Strategy 4.2: Develop affordable housing with accessible and adaptable designs specifically for eligible seniors and people with disabilities.

Planning Department, Lexington
Housing Partnership, Board of
Selectmen

Medium Term

p. 53

GOAL 5: PLAN AFFORDABLE HOUSING TO INCORPORATE SUSTAINABLE BUILDING PRACTICES AND TO SUPPORT LEXINGTON'S ECONOMIC GOALS.

Strategy 5.1: Encourage greater energy-conservation and use of renewable energy in residential development, including affordable housing.

Planning Board, Lexington
Housing Partnership, LexHAB

Ongoing

p. 54

GOAL 6: COORDINATE LEXINGTON'S AFFORDABLE HOUSING DEVELOPMENT WITH REGIONAL HOUSING STRATEGIES.

Strategy 6.1: Continue to participate in the Regional Housing Services Office to help monitor and maintain the SHI, and seek guidance on affordable housing

Planning Department, Lexington
Housing Partnership, Board of
Selectmen

Ongoing

p. 54

production.			
Strategy 6.2: Hold discussions with developers to better understand local, regional and statewide housing market development trends.	Planning Department, Lexington Housing Partnership, LexHAB	Short – Medium Term	p. 55

GOAL 1: MAINTAIN LEXINGTON'S SHI ABOVE 10% THROUGH 2020 AND BEYOND.

Lexington has met the statutory requirement that 10% of its year-round housing be state-certified as affordable. Currently 11.15% of its housing is on its state-approved Subsidized Housing Inventory (SHI). This allows the Town to add affordable housing at a more moderate pace than would otherwise be required under a Housing Production Plan.

The Town should investigate ways to renew deed restrictions on other properties whose affordable status may be in jeopardy, so as to maintain them as affordable units. In particular, the Town should work with the owners of Katahdin Woods, whose units could expire. The Town should seek a new agreement with the owner of Katahdin Woods to renew existing deed restrictions on 25% of the units and to maintain the entire development as rental units, so that they continue to qualify for the SHI. (M.G.L. Ch. 40B allows rental developments in which only 25% of the units are deed-restricted as affordable, and 75% are priced at market rate, to include 100% of the units on the SHI). Alternatively, should Katahdin Woods become a condominium development, LexHAB is prepared to purchase at least the 25% of the units that are presently deed-restricted and to maintain them as affordable units.

STRATEGY 1.1: Renew expiring deed restrictions and recertify SHI housing units.

The Town should investigate ways to renew deed restrictions on other properties whose affordable status may be in jeopardy, so as to maintain them as affordable units. In particular, the Town should work with the owners of Katahdin Woods, whose units could expire. The Town should seek a new agreement with the owner of Katahdin Woods to renew existing deed restrictions on 25% of the units and to maintain the entire development as rental units, so that they continue to qualify for the SHI. (M.G.L. s.40B allows rental developments in which only 25% of the units are deed-restricted as affordable, and 75% are priced at market rate, to include 100% of the units on the SHI). Alternatively, if Katahdin Woods should become a condominium development, LexHAB is prepared to purchase at least the 25% of the units that are presently deed-restricted and to maintain them as affordable units.

Measurable Milestones:

- Record new deed restrictions in place of those expiring.
- Recertify units as SHI eligible, whether as rental or ownership.

STRATEGY 1.2: Maintain the existing SHI surplus by ensuring new affordable unit development keeps pace with total housing unit growth (Current Trends Approach).

As stated, Lexington has already achieved and exceeded the State-mandated 10% Subsidized Housing Inventory (currently at 11.3%). Therefore, rather than pursuing a predetermined number of new affordable units to be developed annually, the Town should seek, at a minimum,

to add affordable units relative to overall net annual unit growth over time. If the Town grows by X units in Year 1, the Town should at a minimum, aim to add 0.1(X) units in Year 2. For example, if 50 new units were developed in year 1, the goal would be to add 5 new affordable units in Year 2; or if 70 new units were developed in year 1, at least 7 new affordable units should be developed the following year.

Adjusting affordable housing goals based on actual annual net increases to the Town's housing stock is a more effective way of maintaining the SHI above 10% than looking to past trends or future household projections. For example, if Lexington were to base affordable unit production needs on 2000 and 2010 trends, when an average of 22 total units were added each year, the Town would need to develop two to three units per year going forward to maintain the current SHI. However, future household projections suggest Lexington will add between 633 and 996 households between 2010 and 2020, or 64 to 100 new units per year. This would require developing six to 10 new affordable units per year. The number of new units likely falls somewhere between the recent trends (2-3 units per year) and projected trends (6-10); thus an affordable unit target tied to annual growth would better serve the town in maintaining its current SHI percentage.

Measurable Milestone:

- Create and certify new units to the SHI each year, based on previous year total unit increase.

STRATEGY 1.3: Adjust LexHAB rental procedures to allow existing subsidized housing units which do not presently meet state certification requirements to qualify for the SHI.

Over the past 20 years, LexHAB has created an affordable housing inventory of 64 units, which it manages as rental housing. While all of these units are rented at affordable rates to legally eligible families, a portion of them (27) do not qualify for the state-certified SHI because tenants have not been selected using a DHCD-approved Affirmative Fair Housing Marketing Plan. (See Appendix A). Adhering to the policy of Lexington's Community Preservation Committee, all units developed by LexHAB with CPA funds have counted.

LexHAB should consider organizational changes to their leasing practices such that over time, existing affordable units could be moved onto the SHI.

Measurable Milestones:

- Annual certification by LexHAB that new rentals of all units have met state requirements for inclusion on the SHI.

STRATEGY 1.4: Continue to maintain and improve existing SHI housing units as necessary to keep them in service.

The Lexington Housing Authority and LexHAB each provide for maintenance of their respective housing units and have used Community Preservation Act (CPA) funds and other sources to make capital improvements as necessary (e.g. for improved drainage systems, roofs and windows in Housing Authority complexes), and should continue to do so.

Measurable Milestone:

- Monitor the condition of existing SHI units and budget for maintenance and improvement on an annual basis.

GOAL 2: PROVIDE MORE HOUSING OPTIONS FOR LEXINGTON'S LOW-INCOME HOUSEHOLDS EARNING LESS THAN 80% OF AREA MEDIAN INCOME.

As set out earlier in this Plan, a housing unit is considered to be affordable if its cost does not exceed 30% of a household's annual income. Deed restrictions limiting the cost of housing units to a point below market price are intended to make the units available at that 30% cost level to households with income below 80% of the Area Median Income (AMI). Households paying more than 30% of their income for housing are considered "cost burdened," and those paying more than 50% of their income are considered "severely cost burdened."

A majority of Lexington households have income at or above (often considerably above) the Boston-Quincy-Cambridge AMI. However, while more than 60% of Lexington households have annual income above \$100,000, almost 40% have less. Approximately 10% earned between \$75,000 and \$99,999; 5% earned between \$60,000 and \$74,999; 7% earned between \$40,000 and \$59,999; 10% earned between \$20,000 and \$39,999, and 5% earned less than \$20,000. None of these households could afford to purchase a median priced condo or single family home in Lexington.

In 2013, a household of one with income of \$47,150 or less is eligible for housing assistance. For a household of two, the income limit is \$53,900; for a household of three, \$60,650; for a household of four, \$67,350; and for a household of five, \$72,750. The data indicate that approximately 30.3% of Lexington households (3,453) are cost burdened by housing. These families include small business owners, municipal and other service employees, single parents, young people at the beginning of careers, and most notably, seniors, who wish to stay in Lexington.

STRATEGY 2.1: Develop affordable housing units on land already acquired by the Town for this purpose.

LexHAB has acquired a parcel of land of approximately 25,000 square feet on a residential street ("the Fairview property") which contains one house. Lexington's Selectmen have approved LexHAB's plans to restore that house and to add another building with three units for a total of four affordable homes. The project is intended to go forward as a Local Initiative Plan (LIP) which must have at least 25% of its units certified by the state as affordable. Funding is in place, and work on this project should proceed as soon as possible.

Additionally, Lexington has recently acquired two other parcels of land with CPA funds and has set aside portions of them for affordable housing:

- The "Leary property," historically a dairy farm, was acquired for open space conservation land, with 30,000 square feet fronting a residential street (one building lot) allocated for housing. Plans for building on the Leary property have not yet been prepared.
- The "Busa property," one of the last working farms in Lexington, will be preserved as open space, including a 7.43 acre community farm, with approximately the remaining one half an acre fronting on a residential street designated for housing. LexHAB, working with local architects, has prepared several plans for the design and location of up to 8 units of housing on the Busa farm land.

LexHAB currently has approximately \$480,000 in allocated but unspent CPA funds, and should apply in the next CPA funding cycle starting November 1, 2013 for additional and sufficient funds to proceed with the Busa and Leary projects.

Measurable Milestones:

- Begin construction on four units of affordable housing on the Fairview property.

- Obtain final approval from the Board of Selectmen of plans for construction of affordable housing on the Busa farm land.
- Apply to Lexington CPC for funding of the Busa property construction.
- Begin construction of affordable housing units on the Busa property.
- Prepare plans for construction of affordable housing on the 30,000 sq. ft Leary property, and present to the Board of Selectmen for approval.

STRATEGY 2.2: Allocate no less than \$500,000 annually from CPA funds to LexHAB for continuing development of affordable housing units that meet DHCD's SHI requirements.

Small single family houses in Lexington are becoming too expensive for LexHAB to purchase and deed-restrict as affordable units, and LexHAB has recognized that this is no longer viable as a primary strategy. However, some opportunities to acquire such houses may still arise and should be taken advantage of when possible. The Lexington Community Preservation Committee has previously recommended allocations to LexHAB on an annual basis so that LexHAB would have funds available to take advantage of such opportunities without having to wait for Town Meeting to approve funding in each instance. In 2013, the CPC expressed a preference for use of these funds to create new, economical and environmentally sustainable units rather than to buy existing houses. These allocations should continue and may be carried over from year to year, with the proviso that development of newly built affordable units should have priority for funding when possible.

Measurable Milestone:

- Obtain annual CPC recommendation and Town Meeting approval of at least \$500,000 for affordable housing.

STRATEGY 2.3: Identify additional funding sources for affordable housing development.

Look to allocate funding from other sources, including HOME funds, or other local or state funds, to assist in the development of affordable housing.

Measurable Milestone:

- Identify funds and allocate to affordable housing projects.

STRATEGY 2.4: Identify potential sites for affordable residential development, and advocate for acquisition of these parcels.

Lexington is a largely built-out town with limited land that is not developed or already restricted for conservation. However, in recent years, Lexington has had the opportunity to acquire several relatively large parcels of land which had long been identified by the Conservation Commission as appropriate for preservation as open space. Housing advocates have sought, with varying success, to have a small portion of each of these parcels designated for affordable housing.

The Lexington Housing Partnership should work to identify additional parcels of land which may be appropriate for housing, considering factors such as square footage available, previous development or disturbance of natural features, location near transportation and other services, and compatibility with nearby neighborhoods and/or commercial uses. Consideration should be given to residentially zoned lots of sufficient size and frontage to accommodate one or two additional homes as well as larger parcels that might accommodate some multifamily housing. As Lexington is a residential suburb with a general preference for individual single family

housing, housing advocates must be sensitive to neighborhood and town culture in selecting potential sites.

As with conservation lands, this is a long-term strategy, coming to fruition only when parcels come on the market. Nevertheless, it is useful for housing advocates to be proactive in identifying these areas and preparing to advocate purchase by the Town when an occasion arises.

Measurable Milestone:

- Complete a list of parcels of land in Lexington which might be appropriate for housing development.

STRATEGY 2.5: Reconsider adopting an Inclusionary Zoning Bylaw or strengthen existing affordable housing incentives as part of a larger strategy.

In 2007 the Lexington Planning Board proposed an Inclusionary Zoning Bylaw to Town Meeting, which would have required 10% of units to be affordable in new subdivisions. The bylaw was defeated, in part because of concerns about neighborhood uniformity, loss of profit to developers and land owners, and the belief by some Town Meeting members that CPA was a more equitable way to produce affordable housing.

While the Planning Board is able to encourage some inclusion of less expensive or affordable housing units with the 2008 Balanced Housing and Public Benefit development bylaws, an inclusionary bylaw would be more effective and predictable, particularly when larger, multifamily projects are proposed within Lexington. This could include an in-lieu payment, but should recognize that the price and availability of land/units is the largest obstacle at this time. However, if opposition to Inclusionary Housing continues, the Housing Partnership, in conjunction with the Town (Board of Selectmen/Planning Board/Town Meeting), should consider other methods of ensuring that any developments which would significantly increase the number of housing units in Town not adversely affect the Town's SHI percentage. A comprehensive proposal addressing the typical range of projects permitted might not meet the same fate as the 2007 proposal. This would include additional incentives in Public Benefit Development and changes to Planned Residential Development districts.

Measurable Milestones:

- Public sessions to inform Lexington residents about the need for moderate and affordable housing and the effectiveness of inclusionary housing practices as a housing strategy.
- Consider providing further incentives for the inclusion of affordable units in private development (e.g. increase density bonus in Public Benefit Developments for higher percentage of affordability);
- Require that all Planned Residential Development rezoning proposals to include a minimum of 10% inclusionary units (or equivalent)

GOAL 3: PROVIDE HOUSING OPTIONS FOR LEXINGTON MIDDLE-INCOME HOUSEHOLDS EARNING 80% TO 120% OF AREA MEDIAN INCOME.

While low-income households in Lexington suffer the most acute cost burdens with regard to housing, income data indicates that almost 45% of home owners in the middle range - from 80% to 120% of AMI - are cost burdened as well, paying more than 30% of their income for housing. The same is true for 49% of renters in this range. While these households may not be eligible for

or require direct housing subsidies, their housing needs are not being met. Lexington's heated housing market is pricing out an ever-larger segment of the population.

STRATEGY 3.1: Continue to encourage creation of moderate and affordable housing under the current Zoning Bylaw.

The Lexington Planning Board has long sought to work with developers to encourage inclusion of less expensive units in new subdivisions, generally by allowing higher density of development in exchange for a certain percentage of moderate-income or affordable units or for donations toward creation of such units elsewhere in town. In 2008, Lexington Town Meeting approved a modification of the subdivision bylaw which defined four categories of development permissible by special permit: a) Conventional Developments; b) Site Sensitive Developments; c) Balanced Housing Developments; and Public Benefit Developments. Dimensional standards applicable to Conventional Developments (e.g., lot size and frontage required for each unit) do not apply to the other categories, in order to allow for more sensitive siting and greater diversity in unit size and type. For Balanced and Public Benefit developments, the limits to square footage of development are calculated for the entire development rather than unit by unit. In Balanced Housing Developments additional development (number of units) is permitted in exchange for the creation of a certain percentage of moderate size housing. For example, if total land area in a conventional development would allow for five lots with 7,000 SF homes (totaling 35,000 SF of development), a balanced housing development would allow for more lots/units as long as total development doesn't exceed 35,000 SF. This is achieved by requiring a certain number of units to be less than 2,700 SF, and under 3,500 SF. Thus, more moderately sized and priced units are constructed. In Benefit Developments, developers receive a 20% density bonus if 10% of units are dedicated as affordable.

Since amendment of the bylaw, approximately six Balanced Housing Developments and one Public Benefit Developments have been permitted. The Planning Board should continue to encourage these developments and work with developers to obtain more diversity of housing size and type through controlled increases in permitted density.

Measurable Milestones:

- Monitoring of the price, size and diversity of housing units created by special permit each year.
- Encourage developers to create Balanced Housing or Public Benefit Developments to further increase the number of units affordable to middle-, moderate- and low-income households.

STRATEGY 3.2: Consider additional zoning changes, including by-right zoning overlay districts such as Compact Neighborhood Zoning to encourage creation of low, moderate, and middle-income housing in existing residential zones.

Lexington presently has no districts zoned for multi-family housing. They were eliminated by a vote of Town Meeting in 2013 because, while existing multi-family housing (generally two-family homes) exists as a non-conforming use, new development of multi-family housing had not been permitted for many years. Some multi-family projects have been developed under Lexington's Planned Residential Zoning (RD) in which specific zoning standards are developed for sites with unique features and go into effect only when approved by Town Meeting and permitted by the Zoning Board of Appeals. RD zoning has allowed the development of a 30-unit condominium complex in Lexington Center of which 3 units are affordable, and another building adjacent to previously developed multi-family housing near the town border with Woburn. While RD zoning has allowed for a greater diversity of housing types in scattered individual developments, it is by

its nature limited to specially qualified lots, and has not, in any case, been focused on affordable housing.

In 2011 the Town's Zoning Bylaw was amended to allow housing as a second story use in the Center Business District, which had not been permitted since the 1980s. Development of such housing is in part contingent on further zoning changes to permit greater density and building heights in the Center.

Lexington Center and other sections of Massachusetts Avenue zoned for single-family housing may be well-suited for the state's Compact Neighborhood Zoning policy. Massachusetts Avenue is a transportation corridor served by two MBTA bus lines as well as by the local Lexpress bus, and neighborhoods along the avenue running toward East Lexington already include a diversity of housing types, including some pre-existing two-family homes. A Compact Neighborhood overlay zoning district would allow for at least 4 units per acre for developable land zoned for single-family use, and require that 10% of all units constructed in projects of more than 12 units be affordable.

Measurable Milestone:

- Explore the potential for Compact Neighborhood Zoning overlays in Lexington Center and areas along Massachusetts Avenue.

GOAL 4: PROVIDE HOUSING OPTIONS TAILORED TO THE NEEDS OF SENIORS AND THOSE WITH DISABILITIES.

Projections discussed in this document indicate that the fastest growing age cohort in Lexington over the next 20 years will be that of residents 55 years or older. This group is projected to grow by 52%, or 5,440, people in that time period. The greatest increase will be among those 65 years and older, many of whom will be on fixed incomes, often living alone. While housing cost burden is a significant issue among all low-income households, senior households are most likely to be cost burdened (34% of senior one and two-person households) whether they are owners or renters. Seniors who have made their homes in Lexington for many years and are valued contributors to the community find it increasingly difficult to remain in town as they age.

STRATEGY 4.1: Explore mechanisms to allow seniors to age in place, through housing rehabilitation and modification, emergency repair services, and buy-down programs.

The Lexington Housing Partnership should promote existing programs such as the Home Modification Loan Program, which may be further leveraged with local CPA or HOME funds. The Southern Middlesex Opportunity Council, a regional non-profit agency serving many communities in Middlesex County, offers a Home Modification Loan Program which provides no- and low-interest loans of up to \$30,000 (inclusive of costs) to modify the homes of seniors and individuals with disabilities. Homeowners who are frail, disabled or renting to someone with disabilities, with incomes of up to 100%, and sometimes 200%, of the AMI may be eligible for these loans.

The Town should also consider sponsoring a small grant Emergency Repair program, designed to provide assistance to income-eligible Lexington residents to make repairs and alterations to their homes for safety and health reasons, such as minor plumbing or electrical work, light carpentry, smoke and carbon monoxide detector installation, weather stripping, grab bars and railings, and State Building Code updates.

These programs may be administered locally through the Lexington Human Services department, or in coordination with the Regional Housing Services Office in Sudbury, MA.

Measurable Milestones:

- Consider promotion of loan and grant programs to assist seniors and those with disabilities with housing issues.
- Establish a fund for Emergency Repair grants.

STRATEGY 4.2: Develop affordable housing with accessible and adaptable designs specifically for eligible seniors and people with disabilities.

There is no Senior Housing Bylaw in Lexington, although a range of residential facilities for seniors are permitted in residential districts by special permit, including assisted living, continuing care retirement homes and congregate living facilities. Existing private facilities of this kind are not affordable by state standards. There are very few private affordable housing units appropriate for seniors on limited incomes or for those wishing to downsize from larger homes in Town. Also, seniors and others with disability issues may lack resources to make their homes handicapped accessible and otherwise adapted to their needs.

The Housing Partnership, the Planning Board and the Board of Selectmen should consider adopting a Senior Housing bylaw that would provide density bonuses to developers who include senior and/or handicapped accessible units as part of the overall unit mix. Additionally, they should conduct a review of Town-owned land, or land available for purchase, particularly parcels with access to public transportation and convenient for the delivery of social services. The Town should issue Requests for Proposals for development of housing on these parcels that includes senior and/or handicapped accessible units. For example, LexHAB may choose to tailor its forthcoming design for housing on the Leary land so that units are attractive to seniors and handicapped accessible. Additionally, Lexington has contracted to purchase a parcel of land intended for the development of a Community Center, including Senior Center facilities. The possibility of accessible housing for seniors adjacent to the planned Center should be explored.

Measurable Milestones:

- Study potential for a Senior Housing bylaw that would provide density bonuses to developers that include senior and/or handicapped accessible units.
- Determine whether land currently owned by the Town is appropriate for the development of housing that is accessible to seniors and/or those with disabilities.
- Review parcels of land that may become available for purchase which are appropriate for the development of affordable housing, and seniors and/or those with disabilities.

GOAL 5: PLAN AFFORDABLE HOUSING TO INCORPORATE SUSTAINABLE BUILDING PRACTICES AND TO SUPPORT LEXINGTON'S ECONOMIC GOALS.

Strategy 5.1: Encourage greater energy-conservation and use of renewable energy in residential development, including affordable housing.

Development of new affordable housing provides an opportunity to address energy conservation and sustainable development goals that are consistent with Lexington's designation by the Massachusetts Department of Energy Resources (DOER) as a Green Community, and to address metropolitan area goals on a local level. Addressing these goals is also consistent with the Climate Change Resolution approved by Town Meeting in 2013.

- Development of more affordable housing in Lexington and neighboring communities provides an opportunity for more workers employed along Route 128 to live near their

workplace, thereby reducing commuting distances, and reducing demand for new residential development on the periphery of the metropolitan area.

- New affordable housing can be designed and constructed to exceed the requirements of the "Stretch Code" for energy conservation, and to incorporate renewable energy technologies where appropriate. By doing so, new housing can reduce operating expenses for energy, and provide an example for other new residential construction.
- New affordable housing with relatively small dwellings in compact developments, ideally located near public transportation and services, will contribute toward a more sustainable and energy-conserving pattern of development locally and in the metropolitan area.

GOAL 6: COORDINATE LEXINGTON'S AFFORDABLE HOUSING DEVELOPMENT WITH REGIONAL HOUSING STRATEGIES.

STRATEGY 6.1: Continue to participate in the Regional Housing Services Office to help monitor and maintain SHI and seek guidance on affordable housing production.

Lexington is a member of the 6-town Regional Housing Services Office. The office assists the town in maintaining and achieving its housing goals in a cost-effective manner, particularly through valuable services like affordable housing monitoring and the recertification of subsidized units.

Measurable Milestones:

- Continue to allocate funding to participate in the Regional Housing Services Office.

STRATEGY 6.2: Hold discussions with developers to better understand local, regional and statewide housing market development trends.

Having a thorough understanding of housing market trends from various perspectives will help the Town of Lexington to identify and prioritize appropriate housing development types to meet the needs of various demographic groups within Lexington and across the region, and put into place the necessary policies to achieve desired outcomes.

Measurable Milestones:

- Convene group of local and regional housing developers for discussion of local and regional housing needs.

VII. Appendices

Appendix A: DHCD Affirmative Fair Housing Marketing Guidelines

The Commonwealth of Massachusetts has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights obligations. Therefore, all housing with state subsidy or housing for inclusion on the Subsidized Housing Inventory (SHI) shall have an Affirmative Fair Housing Marketing Plan. To that end, DHCD has prepared and published comprehensive guidelines that all agencies use to guide the resident selection of affordable housing.

In particular, the local preference allowable categories are specified:

- **Current residents:** A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
- **Municipal Employees:** Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
- **Employees of Local Businesses:** Employees of businesses located in the municipality.
- **Households with children attending the locality's schools,** such as METCO students.

These were revised on June 25, 2008, removing the allowable preference category, "Family of Current Residents.")

The full guidelines can be found at the link:

http://www.mass.gov/?pageID=eheadterminal&L=3&L0=Home&L1=Community+Development&L2=Chapter+40B+Planning&sid=Ehed&b=terminalcontent&f=dhcd_legal_ch40bguidelines&csid=Ehed

Appendix B: Maps



Lexington: Land Use Development Status (2005)

Land Use Development Status 2005

- Developed, Redevelopable
- Undeveloped
- Developed, Undevelopable
- Vacant, Undevelopable
- Permanently Protected Open Space
- Future
- Computer Roll Stations

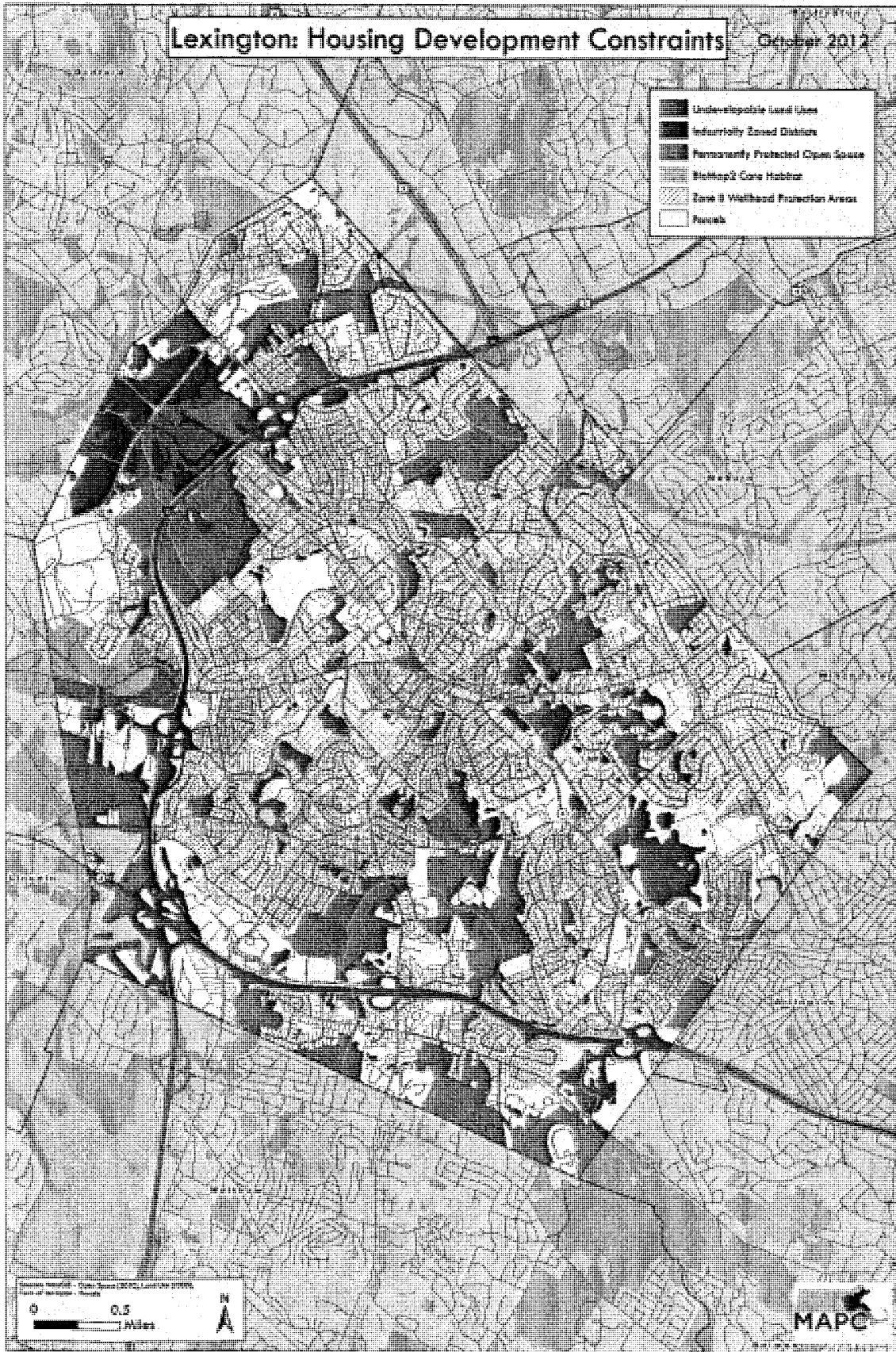


Source: Research - Data Team LEXIS, Land Use (2005),
City of Lexington - VDOT

0 0.5 Miles

N





Appendix C: Cost Burden

<i>Housing Expenditures by HUD Income Categories</i>					
Owners					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member Households	Small Related (2 to 4)	Large Related (5 +)	All Other Households	Total Owners
Household Income (HHI) <=30% MFI	210	30	10	25	275
% with any housing problems	100	66.7	100	60.0	92.7
% Cost Burden >30%	100	66.7	100	60.0	94.5
% Cost Burden >50%	85.7	66.7	100	60.0	81.8
HHI >30% to <=50% MFI	340	75	0	40	455
% with any housing problems	100	100	N/A	100	100
% Cost Burden >30%	100	100	N/A	100	100
% Cost Burden >50%	44.1	73.3	N/A	100	53.8
HHI >50 to <=80% MFI	335	95	35	10	475
% with any housing problems	49.3	89.5	42.9	100	57.9
% Cost Burden >30%	49.3	84.2	42.9	100	56.8

% Cost Burden >50%	29.9	68.4	0	0	34.7
HHI >80% MFI	2,055	4,625	800	355	7,830
% with any housing problems	9.5	17.5	21.3	19.7	15.9
% Cost Burden >30%	9.2	16.9	21.3	19.7	15.5
% Cost Burden >50%	3.2	4.2	5.6	5.6	4.2
Total Households	2,940	4,825	845	430	9,035
% with any housing problems	31.0	20.5	23.1	31.4	24.7
% Cost Burden >30	31.0	19.8	23.1	31.4	24.3
% Cost Burden >50	16.8	6.9	6.5	17.4	10.6

Housing Expenditures by HUD Income Categories					
Renters					
Household by Type, Income, & Housing Problem	Elderly 1 & 2 member households	Small Related (2 to 4)	Large Related (5 +)	All Other Households	Total Renters
Household Income (HHI) <=30% MFI	175	140	0	45	355
% with any housing	57.1	50.0	N/A	77.8	57.7

problems					
% Cost Burden >30%	57.1	50.0	N/A	77.8	57.7
% Cost Burden >50%	31.4	42.9	N/A	44.4	38.0
HHI >30% to <=50% MFI	75	45	15	45	175
% with any housing problems	80.0	55.6	100	100	82.9
% Cost Burden >30%	80.0	55.6	100	100	82.9
% Cost Burden >50%	80.0	55.6	0	77.8	68.6
HHI >50 to <=80% MFI	45	65	25	70	210
% with any housing problems	44.4	61.5	100	85.7	69.0
% Cost Burden >30%	22.2	61.5	96.0	85.7	63.8
% Cost Burden >50%	22.2	15.4	16.0	42.9	25.7
HHI >80% MFI	295	615	60	225	1,200
% with any housing problems	37.3	17.1	25.0	4.4	20.0
% Cost Burden >30%	37.3	15.4	0	4.4	17.9
% Cost Burden >50%	10.2	2.4	0	0	3.8
Total Households	590	865	100	385	1,940

% with any housing problems	49.2	27.7	55.0	39.0	37.9
% Cost Burden >30	47.5	26.6	39.0	39.0	36.0
% Cost Burden >50	26.3	12.7	4.0	22.1	18.2

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 3/10/14

STAFF: Lynne Pease

ITEM NUMBER: I.3

SUBJECT:

LexHAB Presentation on Housing on Busa Property

EXECUTIVE SUMMARY:

Mr. Kennedy from LexHAB will be at your meeting to present the proposed affordable housing plans for the Busa property on Lowell Street.

See attached information, including: aerial view of property, site plan, floor plans and elevations, rendering of the proposed housing, construction cost, CPC Project Application and Cost Estimate. Also attached is a letter from the Housing Partnership Board in support of this project.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve LexHAB's proposal to build two buildings with three units each on the Busa Property as defined previously.

STAFF FOLLOW-UP:

Selectmen's Office

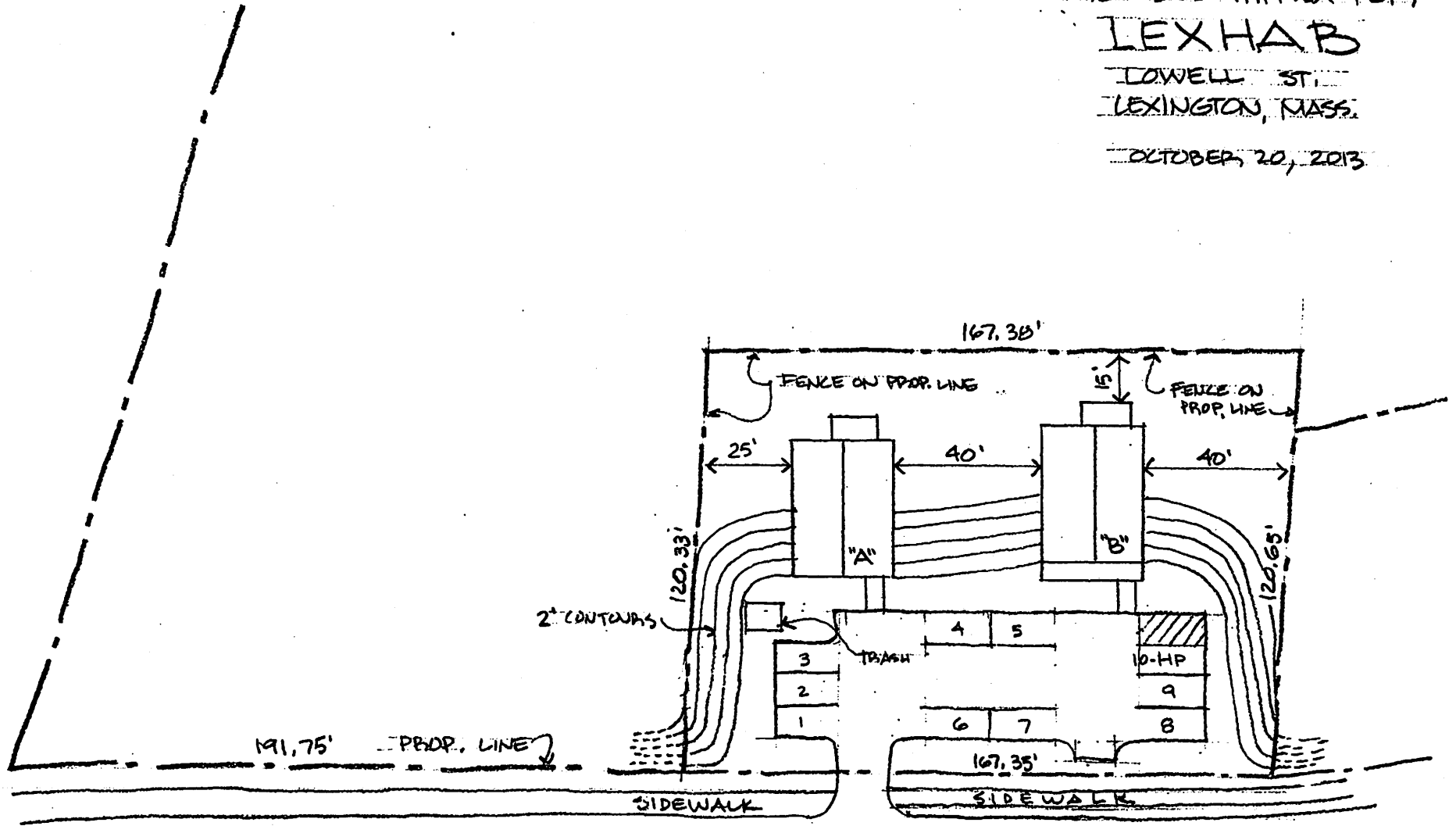


PROPOSED TRIPLEX FOR

LEX HAB

LOWELL ST.
LEXINGTON, MASS.

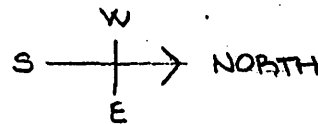
OCTOBER 20, 2013



LOWELL STREET

SITE PLAN

1" = 40'

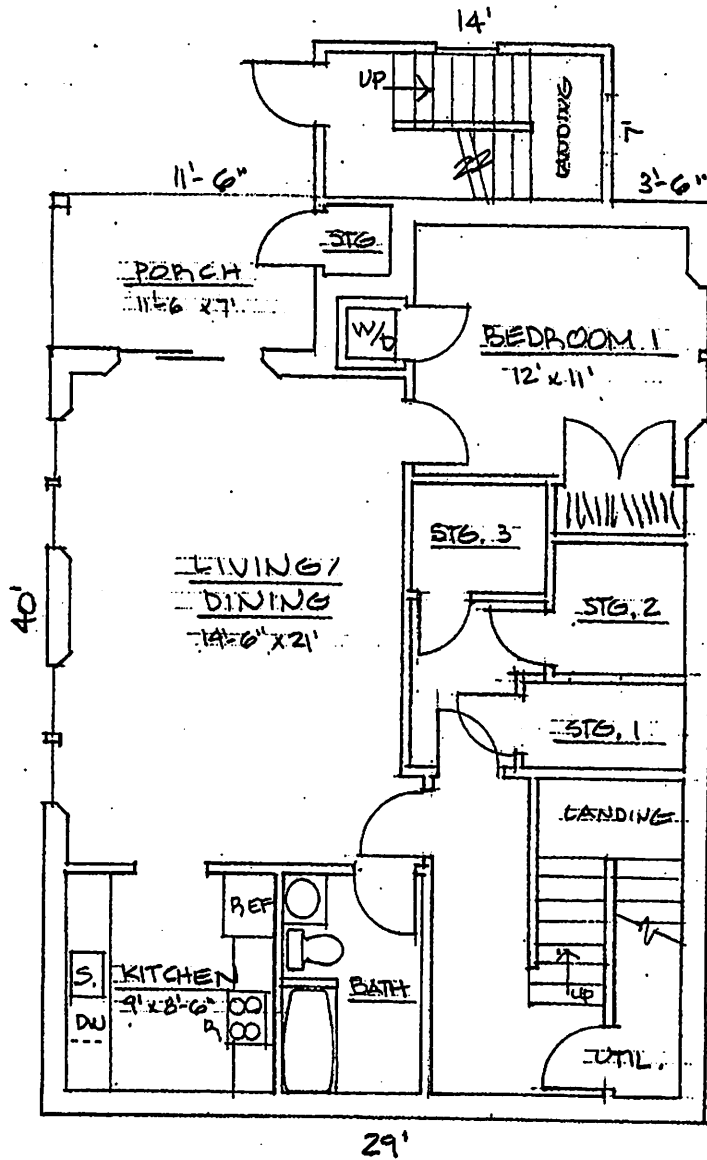


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PROPOSED TRIPLEX FOR
LEXHAB

LOWELL ST.
LEXINGTON, MASS.

DECEMBER 27, 2012
REVISED 3/7/13



GROUND FLOOR PLAN

1/8" = 1'-0"

PROPOSED TRIPLEX FOR

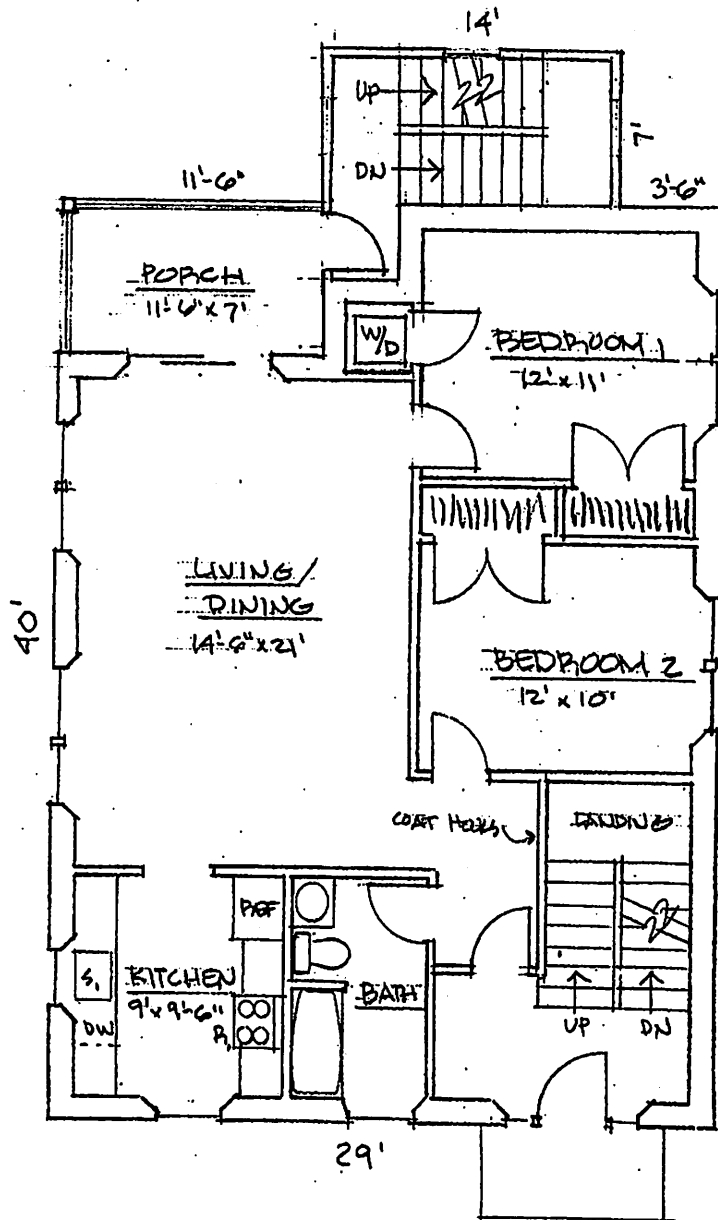
LEXHAB

LOWELL ST.

LEXINGTON, MASS.

DECEMBER 27, 2012

REVISED 3/7/13



FIRST FLOOR PLAN

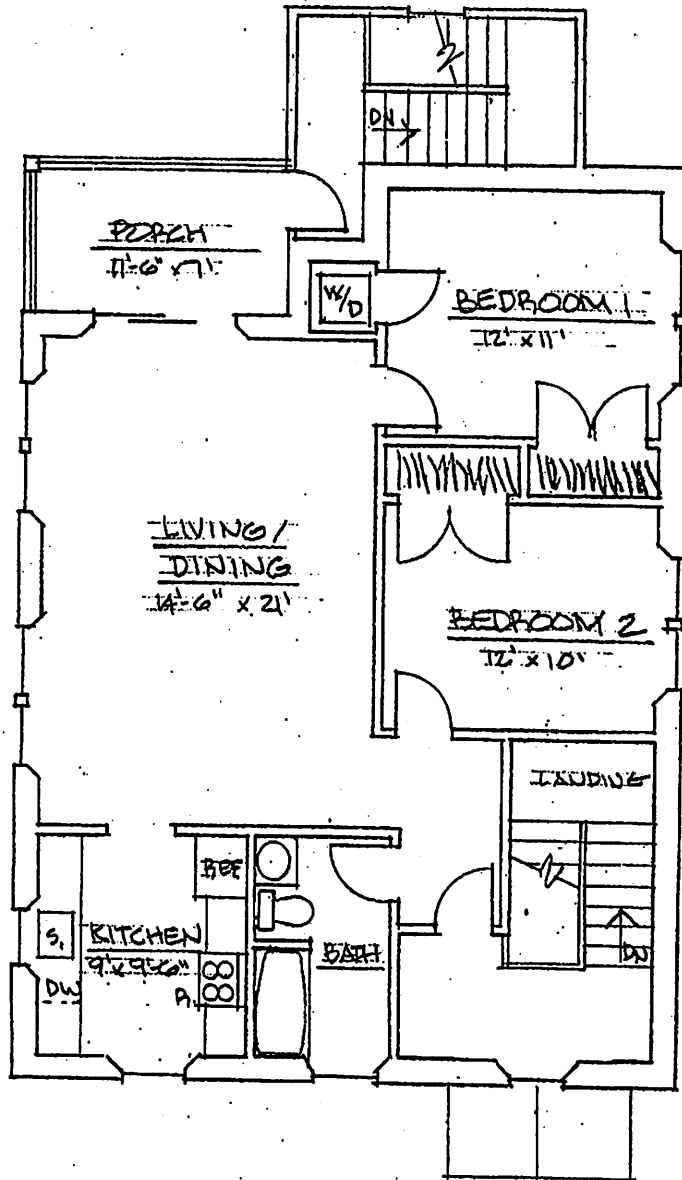
T/01/12/12

PROPOSED TRIPLEX FOR

LEXHAB

LOWELL ST.
LEXINGTON, MASS.

DECEMBER 27, 2012
REVISED 3/7/13



SECOND FLOOR PLAN
17'-8" x 11'-0"

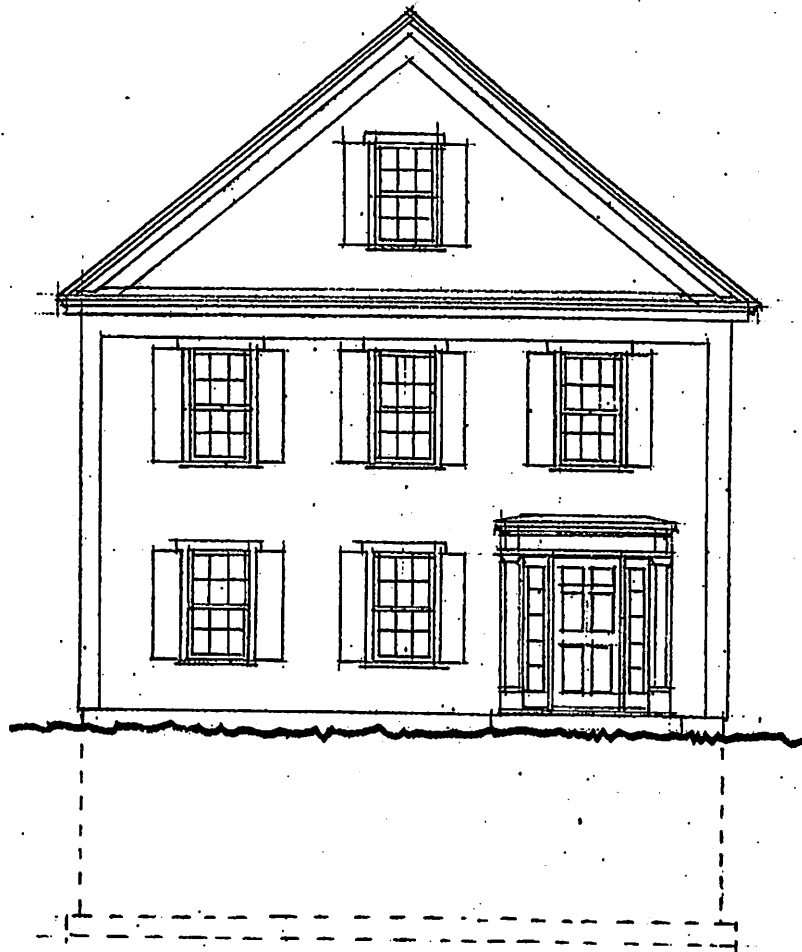
PROPOSED TRIPLEX FOR

LEXHAB

LOWELL ST.

LEXINGTON, MASS.

DECEMBER 27, 2012



FRONT ELEVATION "A"

1/8" = 1'-0"

PROPOSED TRIPLEX FOR

LEXHAB

LOWELL ST.
LEXINGTON, MASS.

DECEMBER 27, 2012
REVISED 3/1/13



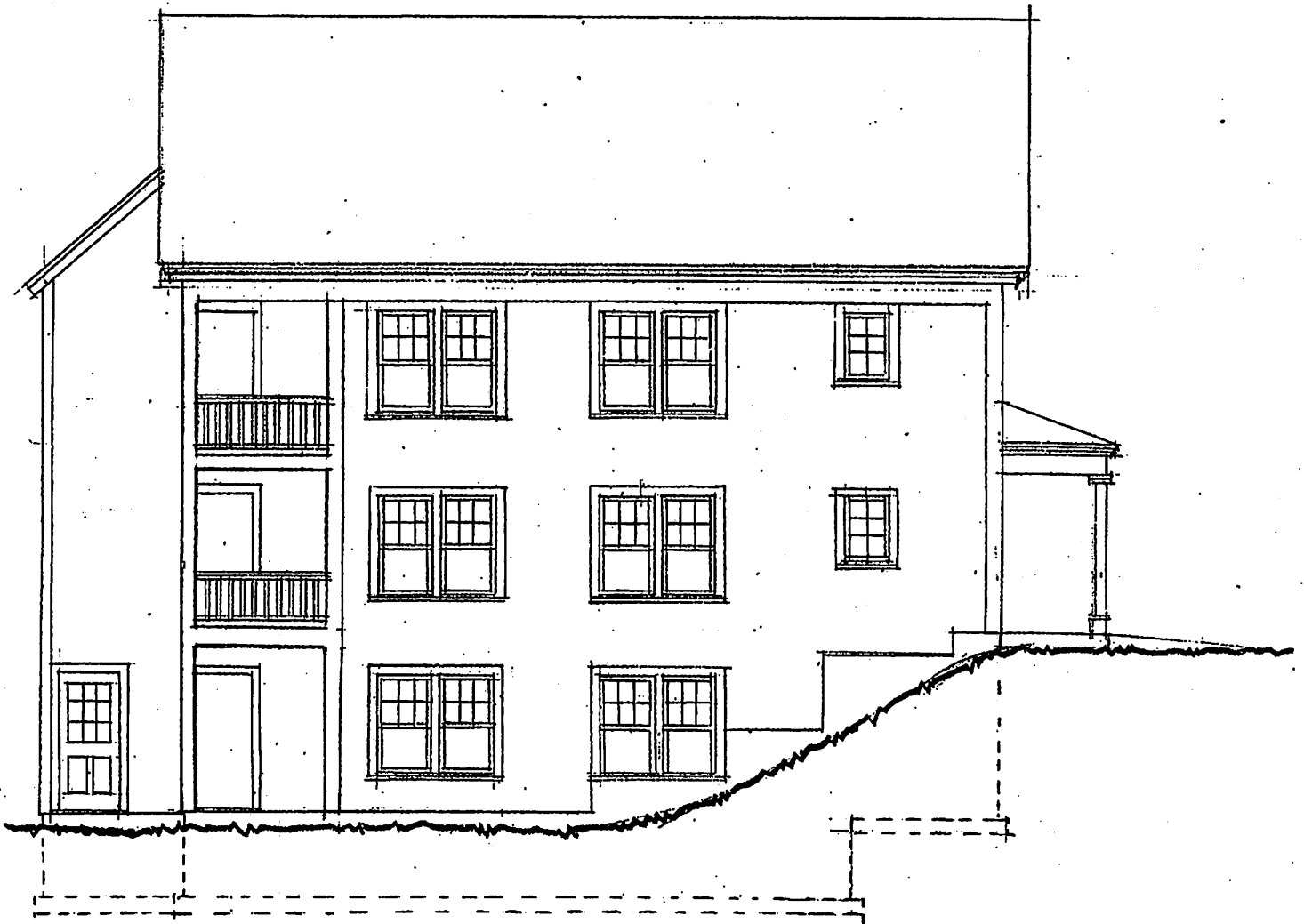
FRONT ELEVATION "B"

1/8" = 1'-0"

PROPOSED TRIPLEX FOR
LEXHAB

LOWELL ST.
LEXINGTON, MASS.

DECEMBER 27, 2012
REVISED 3/7/13



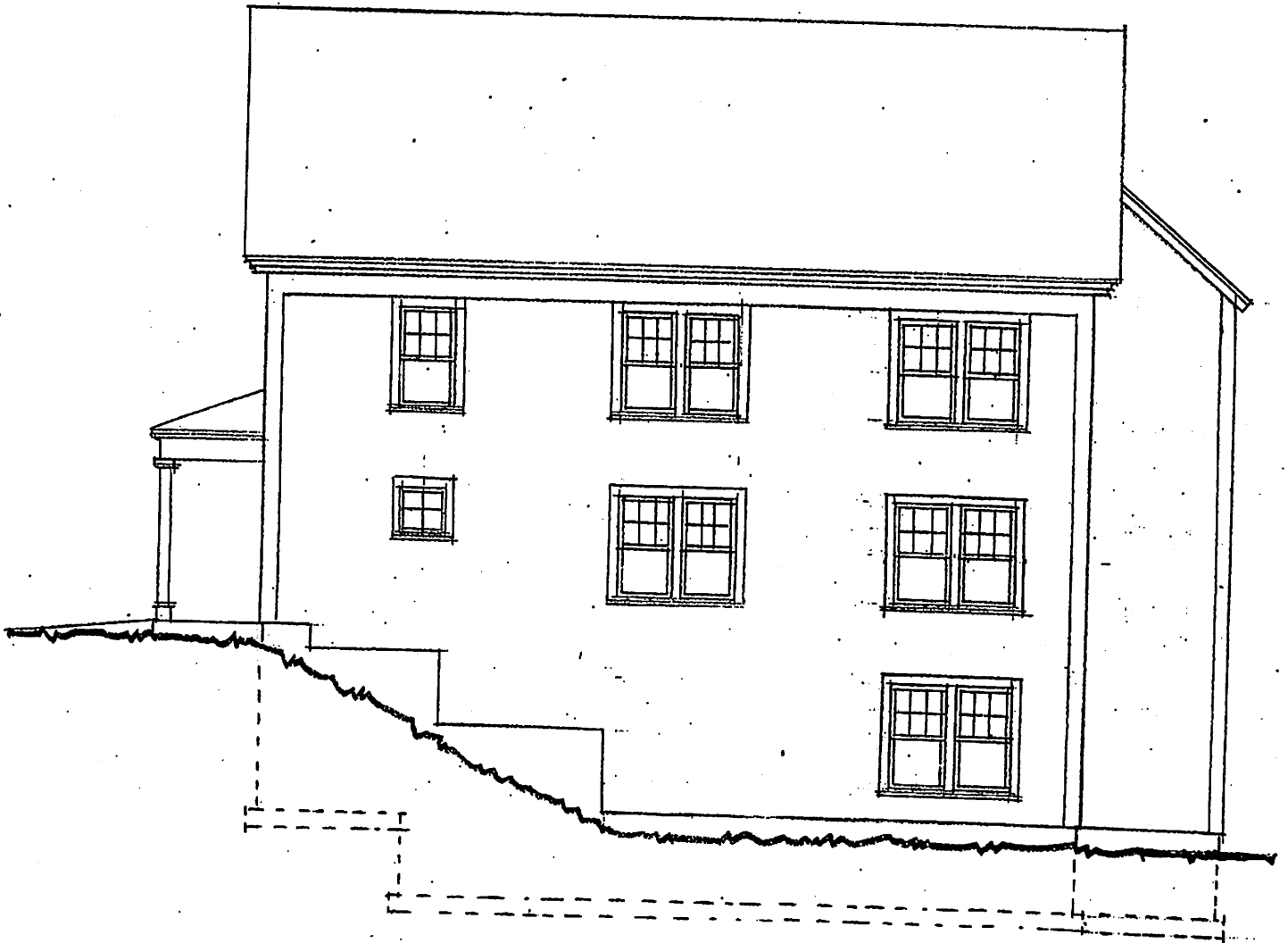
SOUTH SIDE ELEVATION

1/10/13

PROPOSED TRIPLEX FOR
LEXHAB

LOWELL ST,
LEXINGTON, MASS.

DECEMBER 27, 2012
REVISED 3/7/13



NORTH SIDE ELEVATION

1/8" = 1'-0"

© 2012 TRANSFORMATIONS, INC.

PROPOSED TRIPLEX FOR
LEXHAB

LOWELL ST,
LEXINGTON, MASS.

DECEMBER 27, 2012
REVISED 3/7/13



REAR ELEVATION

17015101



Construction Cost - \$1.2 Million

TM Request - \$750,000

Previously Approved - \$535,000



8 Coppersmith Way, Townsend, MA 01469-4412

Office: (978) 597-0542; Fax: (978) 597-0543

www.transformations-inc.com

PROGRAM, BUSA FARM---6 Units of Zero Energy rental housing

Site: Lowell Street, Lexington, MA

12-2-2013

Unit Type	# of Units	BR's /Unit	Baths /Unit	SF /Unit	SF per Unit Type
Rental units:					
First floor 2 BR units	2	2	1	918	1,836
Second floor 2 BR units	2	2	1	918	1,836
Ground Floor 1 BR unit	2	1	1	735	1,470
Common, Stg., Stairs & Porch					<u>2,406</u>
Totals	6				7,548

BALLPARK HARD COSTS---BUSA FARM---6 Units of Zero Energy rental housing					
Transformations, Inc.					
Site: Lowell Street, Lexington, MA					
12-2-2013					
				TOTAL	PER UNIT
HARD COSTS (Transformations cost ballparks)				COST	COST
Site Development Costs:					
	Excavation - strip and stockpile loam - 1,000 CY	1000	\$ 2.40	\$ 2,400	\$ 400
	Compacted structural fill under buildings - 200 CY	200	\$ 16.00	\$ 3,200	\$ 533
	Compacted fill around buildings/parking area - 2,400 CY	2400	\$ 14.00	\$ 33,600	\$ 5,600
Water service					
	Extend 6" water main 150' on Lowell St.	150	\$ 18	\$ 2,700	\$ 450
	Stub out 2 water services each 70' long	140	\$ 14	\$ 1,960	\$ 327
	Water hook up fees	6	\$ 2,500	\$ 15,000	\$ 2,500
Sewer					
	Extend 10" PVC sewer line 150' on Lowell St.	150	\$ 50	\$ 7,500	\$ 1,250
	1 manholes	1	\$ 2,500	\$ 2,500	\$ 417
	Stub out 2 sewer services each 70' long	140	\$ 30	\$ 4,200	\$ 700
	Sewer hook up fees	6	\$ 2,500	\$ 15,000	\$ 2,500
	Electric - overhead off of existing poles or underground			\$ 4,000	\$ 667
	Paving - 4,860 SF base, binder, topcoat.	4860	\$ 6	\$ 29,160	\$ 4,860
	Repave existing sidewalk - 750 SF	750	\$ 5	\$ 3,750	\$ 625
	New walks - 100 SF	100	\$ 5	\$ 500	\$ 83
	Spread loam and seed 12,500 SF	12500	\$ 0.40	\$ 5,000	\$ 833
	Landscape Allowance	6	\$ 1,000	\$ 6,000	\$ 1,000
	Parking lot lighting			\$ 2,000	\$ 333
	Allowance for breaking stuff when working in Lowell Street			\$ 3,500	\$ 583
	Allowance for police detail when working in Lowell Street.			\$ 2,500	\$ 417
	Allowance for patching or repaving Lowell Street			\$ 3,500	\$ 583
	Allowance for granite curb rounding at new driveways off Lowell St.			\$ 3,000	\$ 500
	Allowance for wood split rail fencing			\$ 5,000	\$ 833
	Residential Green Zero Energy Attainable Const.		\$108	<u>\$815,184</u>	\$ 135,864
	Sub-Total Site Development/Residential Const.			\$971,154	\$ 161,859
	Hard cost contingency	5%		<u>\$48,558</u>	\$ 8,093
	Sub-Total Site Development/Residential Const.			\$1,019,712	\$ 169,952
Related Party Details:					
	Builder's Margin		8.50%	\$86,675	\$ 14,446
	Builder's Overhead		3.00%	\$30,591	\$ 5,099
	General Requirements		6.30%	<u>\$64,242</u>	\$ 10,707
	TOTAL HARD COSTS			\$1,201,220	\$ 200,203
	Total Gross Square Footage			7,548	
	Cost Per Gross Square Foot			159.14	
Notes:					
1	The units are projected to save about 43% of the energy as compared to the stretch code before the solar electric systems are installed.				
2	The units come with a leased solar electric system, not adding to the first time costs.				
3	Transformations pays for any associated costs to attain Energy Star certification and retains incentives, if any, provided by the utility.				
4	These are ballpark numbers to be used for planning purposes. They will need to be refined with the construction drawings and specifications. Place holders were used on many linear cost per foot items, cost per square foot items, sewer and water hook up fees, etc.				

February 25, 2014

Lexington Board of Selectmen
1625 Massachusetts Avenue
Lexington, MA 02420

Dear Board of Selectmen,

On July 30, 2012, a Board majority identified a portion of the Busa land as a site for affordable housing. At that meeting the Board of Selectmen was unanimous in its support of designating a portion of the Busa parcel for affordable housing; members differed on the size of the parcel and the number of units to create. The Board requested LexHAB to develop a proposal for that housing. LexHAB has presented their proposal. The Lexington Housing Partnership is writing in support of their proposal with the hope that your Board will approve the development of six units to maximize this important affordable housing opportunity.

LexHAB proposes the construction of two buildings, consistent in dimensions with other residences in the neighborhood. Carter Scott of Transformations Inc. has completed the design work; as per your Board's request, Carl Odenburg has also consulted on some of the design specifications. Each building would have 2 two-bedroom and 1 one-bedroom apartments. The units will be highly energy efficient, in keeping with Town policy.

This parcel, less than one-half acre, is only 5.9 percent of the total site purchased by the Town of Lexington. Now that the operators of the community farm have been chosen and a lease entered, the Lexington Housing Partnership believes it is time for the Board of Selectmen to approve the proposal so the development of these much-needed affordable housing units can begin. As you know, there has been significant discussion about the size and scope of the housing portion of this parcel; in the spirit of compromise, LexHAB's present proposal for housing has already been scaled back from eight units to six units.

Approval of this LexHAB proposal is necessary to complete a compromise solution, advancing multiple Town interests. In their presentation to the Busa Land Use Committee, community farm advocates initially sought designation of the entire parcel for farming. The Lexington Housing Partnership presented to the Busa Committee a well-planned, two building proposal totaling 10-14 units. The Busa Committee

recommended to the BOS the adoption of the farming proposal along with a very modest amount of housing. Later, your Board requested LexHAB to provide a housing proposal; LexHAB did so, suggesting the construction of 4 duplex buildings [8 apartments] on the entire 360 foot frontage along Lowell Street south of the existing homes. The Board rejected that approach and will now consider LexHAB's 6 apartment approach in two buildings on the smaller parcel designated by the Board in July 2012.

LexHAB's present plan offers a cost effective method for providing affordable housing. The estimated total design and building costs for the two buildings will be \$1,200,000. When this amount is added to the portion of the cost of the land set aside for housing, \$256,001, the cost for each of the six new housing units will only be \$242,667. This is well below the CPA guidelines for LexHAB's use of CPA funding for housing, which is \$525,000 for a single unit. Therefore, LexHAB's current plan is the most favorable approach we have seen so far in Lexington.

Approval of LexHAB's proposal will implement carefully considered statements of Town values. The land use section of the Planning Board's Comprehensive Plan cites one goal as “[h]ousing to support the social and economic diversity of Lexington.” Another criterion states: “In disposing of 'surplus' land, give priority to the uses for which land is essential: diversity-serving housing and the preservation of open space.” The text of the 2020 Vision Statement is also germane. It identifies as among Town interests “preserving . . . public and private open spaces” and adds that the Town “strives . . . to maintain a range of affordability.” Lastly, one significant CPC criterion for evaluating proposals reads: ““Serve more than one CPA purpose (especially in linking open space, recreation and community housing) or demonstrate why serving multiple needs is not feasible.” [CPC “General Criteria”]

The Vision Statement's reference to “a range of affordability” warrants emphasis. Much evidence demonstrates there is a real threat to economic diversity in Lexington. From 1999 through June, 2012 seven hundred and twenty seven (727) demolition permits were granted to developers. Typically, replacement homes are priced 2 to 3 times the amount paid by developers for a property. A drive through Lexington today will show that modestly priced homes continue to be torn down at an alarming rate. In 2013, the median sales price for a home in Lexington was \$820,000. An advertisement in the January 30, 2014 Minuteman listed 17 homes, one for \$572,000 and the others from \$1,198,000 to \$3,230,000. Rents for market-rate apartments in Lexington are also expensive. For example, two of Avalon's three Lexington apartment developments, as well as Katahdin Woods, and the Battle Green Apartments are advertising monthly rents for two-bedroom apartments that range from \$1,990 per month to \$2,680 per month.

Waiting lists also show the need for substantially more affordable units. Many locations have waiting lists of several years or more. [Information compiled by the Regional Housing Services Office.]

And finally, although it is often said that the Town currently meets Chapter 40B standards, the method for determining the town's SHI (Subsidized Housing Inventory) counts all the units in a development, even if some of the units are market-rate rather than affordable. For example, of the 387 units at Avalon Hills that are counted for assessing Chapter 40B compliance, only 97 of those units are actually affordable and 290 are market rate. Lexington has 1,334 SHI-Qualified units; however, only 663 are affordable as defined by DHCD. Therefore, due to the way the legislation is written, Lexington is in compliance, but the inventory of real affordable housing options for families in Lexington is shrinking. To be consistent with the Town's aforesaid statements of core values we need to treat Chapter 40B's 10% rule as a minimum requirement not a definitive on the statement of need.

The Lexington Housing Partnership believes that LexHAB's proposal to create six affordable housing units on the Busa property deserves the unanimous support of the Board of Selectman.

Thank you for your consideration,

Betsey Weiss, Chair and the Lexington Housing Partnership Committee

Betsey Weiss, Chair and the Lexington Housing Partnership Committee

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 3/10/14

STAFF: Michelle Ciccolo
Pat Goddard
Rob Addelson

ITEM NUMBER: I.4

SUBJECT:

Community Center Advisory Committee Update

EXECUTIVE SUMMARY:

At the Board of Selectmen meeting of February 3rd, Michelle Ciccolo and Pat Goddard requested five weeks of additional time before providing a Community Center renovation recommendation to the Board. During the five weeks, a team of consultants, staff, and residents reviewed options for heating, ventilation, air conditioning, building insulation and lighting to determine which combination yielded the most cost effective approach to deliver the required Community Center environmental conditions. In addition, the team evaluated implementing the preferred scope of work in a single project or a two-phased project.

The result of this analysis was review at the March 5th meeting of the Ad hoc Community Center Advisory Committee. The committee unanimously supported the recommendation to implement the project in one phase. The budget estimate provided totaled \$6,320,000. This project cost would require supplemental appropriation at the March Special Town Meeting in the amount of \$3,150,000. This amount is currently estimated as being \$3,050,000 eligible for CPA funding and \$100,000 provided from the general fund.

Also attached is the revised financial analysis for funding projects that the Board requested at the February 3 meeting.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Move that the Community Center Renovation Project be implemented as a single construction project and that the budget for implementation be finalized for appropriation at the March 24 Special Town Meeting.

STAFF FOLLOW-UP:

Meet with the Community Preservation Committee and the Capital Expenditures Committee and finalize the budget request for Special Town Meeting March 24, 2014.



TOWN OF LEXINGTON
Ad hoc Community Center Advisory Committee (AhCCAC)

DATE: March 5, 2014

FROM: Michelle Ciccolo, Chair, AhCCAC

TO: Lexington Board of Selectmen

SUBJECT: Recommendation on Project Phasing, Budget, and Town Meeting Appropriation Request.

AhCCAC MEMBERS: Michelle Ciccolo, Chair; Linda Vine, Staff Vice Chair, ex-officio; Mary Ellen Alessandro; Elizabeth Borghesani; Harry Forsdick; Jonathan Himmel; Laura Hussong; Florence Koplow; Leslie Zales.

For reference purposes, prior presentations before the Board, relative to the work of this Committee, have occurred on September 23, 2013, October 17, 2013, December 16, 2013, January 27th, 2013, and February 3rd, 2014.

At the Meeting of February 3rd, Pat Goddard and I were present to request that the Board allow additional time needed to advance the design of the project. We noted that despite the aggressive design schedule, the Town had only recently acquired the facility in December 2013, and the architecture and engineering teams had actually had very limited time inside the building to study and evaluate the facility's needs. Areas yet to be fully explored included the HVAC system requirements, energy efficiency objectives, and certain exterior components of the building. We requested 4-6 weeks to consider different phasing scenarios (whether to include HVAC upgrades or perform them at a later date); to perform a cost-benefit analysis of various potential energy efficiency improvements; and to estimate the impact on both the anticipated occupancy date and the budget for the various scenarios being evaluated. The Board expressed concern about potential delay in occupancy but expressed a preference to continue fleshing out the design in the areas noted above.

The results of the further refining of the project scope and design have been quite favorable and a clear path now seems to be self-evident. Combining the HVAC upgrades into the initial construction yields minimal project delay, saves the Town almost \$500,000, and prevents the disruption of programs and staff which would have occurred if HVAC improvements were done in an occupied building at a later date. Consequently, the AhCCAC is now recommending that the project proceed as one phase with HVAC improvements fully incorporated into one set of bid documents.

Should the Board agree with this approach, and Town Meeting appropriate the necessary funding this spring, the project will go out to bid as one unified project. The resulting anticipated occupancy date would be March 1, 2015, a loss of only around 4-6 weeks in the project schedule. The total new anticipated budget is \$6,320,000 with the majority of the funding coming from CPA. A detailed CPA cost impact model will be prepared for the Board and available at its meeting on 3/10/14.

Attached is a power point presentation which details the preferred HVAC upgrades which is now the project approach the AhCCAC is recommending the BOS advance.



LEXINGTON COMMUNITY CENTER

Board of Selectmen – March 10, 2014



Analysis Since 2/3/14 Board of Selectmen Meeting

- BR+A developed two equipment options to deliver environmental requirements (temperature & ventilation) with both options including new digital controls.
 - Option 1): Reuse boiler & chiller, add energy recovery ventilation (ERV) and variable refrigerant flow units for additional cooling capacity requirements
 - Option 2): Replace boiler and chiller with newer, higher efficiency units, new fan coils (ECM), and energy recovery ventilation (ERV)
- SBA contracted Shawmut Construction to perform constructability analysis of 1/24/14 DD plans, as approved by AhCCAC, and add both equipment options 1 & 2. This includes construction estimate, schedule, and value engineering suggestions.
- SBA contracted BR+A to perform a building energy model and life cycle costing analysis for implementing option 2 and to add higher insulation values in the walls and ceiling.
- SBA, BR+A, Shawmut and Town of Lexington met January 29, 30, February 5, 7, 12 (with Energy and Sustainability Committee members), 13, 26, and March 3 to discuss the options, costs, and schedule impacts of the various scenarios.

Findings

- The technical analysis found that implementing the project in one phase instead of two should only extend the occupancy date by 4 to 6 weeks, with an opening of the first week in March.
- The capital costs to perform the work in two phases increases direct costs approximately \$382,000, increasing project costs \$484,000.
- The existing building has good insulating properties, and adding additional insulation does not improve comfort or enough energy savings to justify the expense.
- Replacing the chiller and boiler with more efficient, newer equipment would result in a simple pay back of 27 years

Recommended Budget

Lexington Community Center Total Project

	STM 11/4		Recommended 3/5/2014	
Hard Costs				
Direct Cost Subtotal		\$1,765,000		\$3,675,000
Direct Cost Markups and Contingencies				
General Conditions, General Requirements, Insurance & Fee	23.2%	\$409,000	23.2%	\$853,000
Price and Design Contingency	18%	\$326,000	12.5%	\$459,000
Escalation Contingency	0%	\$0	0%	\$0
Estimated Construction Cost		<u>\$2,500,000</u>		<u>\$4,987,000</u>
Construction Change Order Contingency	7.5%	\$187,000	5.0%	\$249,000
Total Estimated Construction Contract		<u>\$2,687,000</u>		<u>\$5,236,000</u>
Soft Costs				
A&E Design Development & Construction Documents	6.5%	\$162,000	7.0%	\$349,000
A&E Bidding & Construction Administration	2.5%	\$62,000	2.5%	\$125,000
FF&E		\$75,000		\$125,000
Transition Costs		\$0		\$50,000
Consultants (legal, testing)		\$10,000		\$10,000
Commissioning		\$15,000		\$50,000
Total Estimated Soft Cost for Phase 1		<u>\$324,000</u>		<u>\$709,000</u>
Hard Cost + Soft Cost		\$3,011,000		\$5,945,000
Project Contingency	3.0%	\$88,000	3.0%	\$175,000
		<u>\$3,099,000</u>		<u>\$6,120,000</u>
Other Considerations				
Sidewalk Design		\$20,000		\$20,000
Sidewalk Construction				\$100,000
Additional Fees (Constructability & Carriage House Evaluation)		\$50,000		\$80,000
Total Project Cost				
		\$3,169,000		\$6,320,000

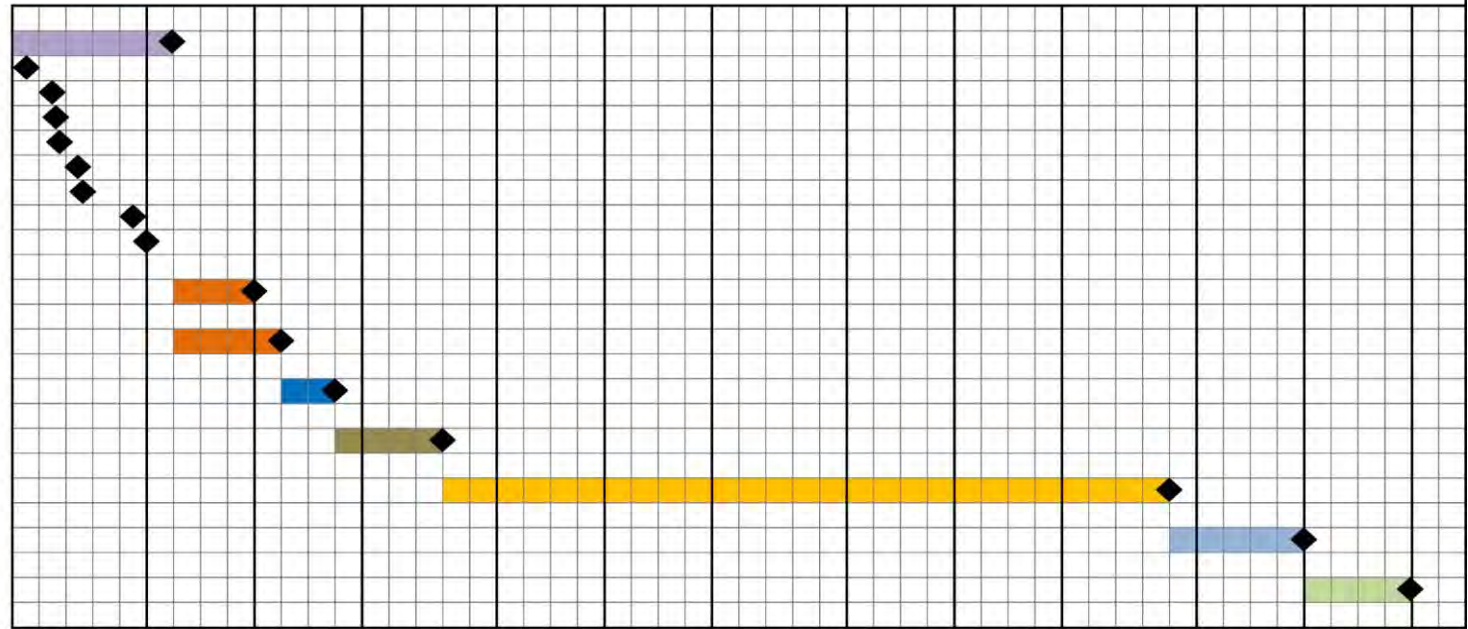
Recommended Schedule

2015

Recommended Project Schedule

Mondays	March			April			May			June			July			August			September			October			November			December			January			February			March																
	3/3/14	3/10/14	3/17/14	3/24/14	3/31/14	4/7/14	4/14/14	4/21/14	4/28/14	5/5/14	5/12/14	5/19/14	5/26/14	6/2/14	6/9/14	6/16/14	6/23/14	6/30/14	7/7/14	7/14/14	7/21/14	7/28/14	8/4/14	8/11/14	8/18/14	8/25/14	9/1/14	9/8/14	9/15/14	9/22/14	9/29/14	10/6/14	10/13/14	10/20/14	10/27/14	11/3/14	11/10/14	11/17/14	11/24/14	12/1/14	12/8/14	12/15/14	12/22/14	12/29/14	1/5/15	1/12/15	1/19/15	1/26/15	2/2/15	2/9/15	2/16/15	2/23/15	3/2/15

	Weeks	Start	Finish
Construction Documents		Current	4/14/14
AhCCAC Meeting - Scope/Costs			3/5/14
User Group - Kitchen			3/12/14
User Group - Workshop			3/13/14
User Group - Council for the Arts			3/14/14
User Group - Board of Health			3/19/14
User Group - Fire & Police Depts			3/20/14
AhCCAC Meeting - Technology			4/2/14
AhCCAC Meeting - Safety			4/7/14
Bid - Filed Sub Bids	3	4/14/14	5/5/14
Bid - GC	4	4/14/14	5/12/14
Contract Award	2	5/12/14	5/26/14
Permit	4	5/26/14	6/23/14
Construction	27	6/23/14	12/29/14
Commissioning	5	12/29/14	2/2/15
Occupancy	4	2/2/15	3/2/15



What Is Included in Recommended Scope

- Lighting fixtures approximately 50% LED. New Philips InstantFit LED lamps are not recommended at this time.
- Sufficient cooling capacity to cool rooms to 74 degree F, per Town guidelines.
- Sufficient heating capacity to heat rooms to 70 degree F, per Town guidelines.
- New energy recovery ventilation to provide efficient ventilation for offices and assembly areas as recommended per American Society of Heating, Refrigeration, and Air-conditioning Engineers Standards.
- An accessible entrance into the Mansion from the patio, and replacement of the patio stones with an accessibility compliant surface.
- A sidewalk extending from Marrett Road to the existing Community Center sidewalk.
- Repairs to building envelope including trim/facia/sealants.

What Is Not Included in Recommended Scope

- Neither a 250 kw generator nor a 450 kw generator (required to maintain environmental conditions) since the installed cost of the small generator exceeds \$500,000.
- An integrated manual transfer switch with distribution for connection of a portable 250 kw generator, as installed cost exceeded \$250,000.
- Additional insulation in wall cavities. It was estimated that, due to the amount of wood trim and detailing, opening the walls, replacing the insulation with foam to increase the R value from 19 to 30 would cost over \$850,000, but yield only \$47/yr in savings.
- Similarly, adding additional batt insulation above the ceiling to increase R-value from 30 to 50 would cost approximately \$50,000 and yield only \$10/yr in savings.

Life Cycle Cost Analysis of Option 2

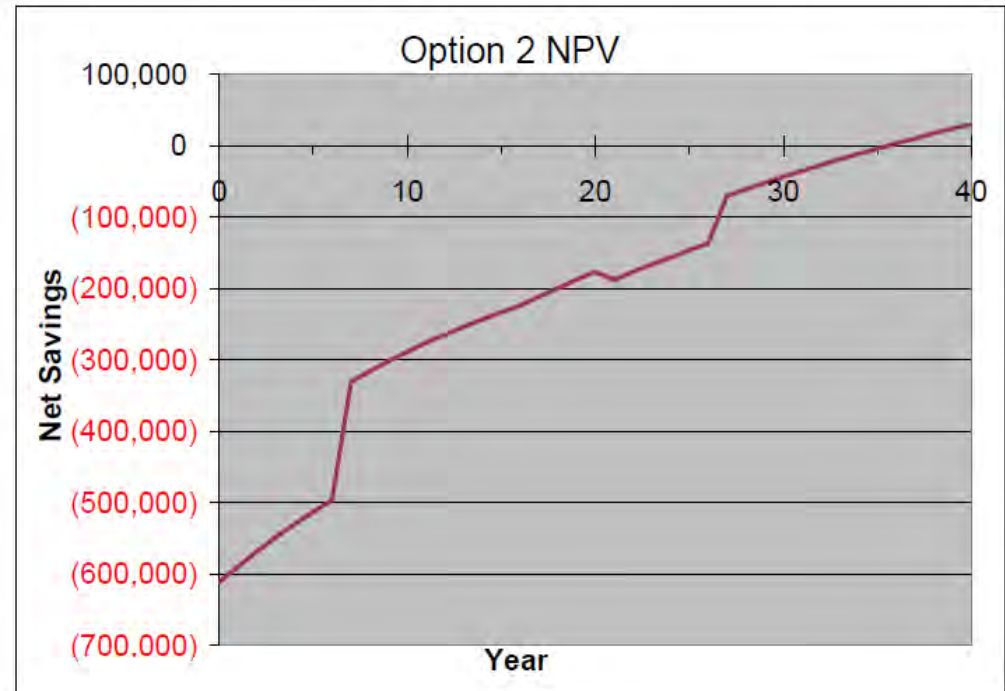
New Chiller and Boiler Plants, New Fan Coils (ECM), New ERVs DDC Compared to Existing Chiller and Boiler Plants, New ERVs and VRF, DDC

Simple Payback Analysis

Additional Investment	\$611,534
Annual Operating Savings (Year one rates)	\$22,480
Simple Payback Period	27.20
Return on Investment	3.7%

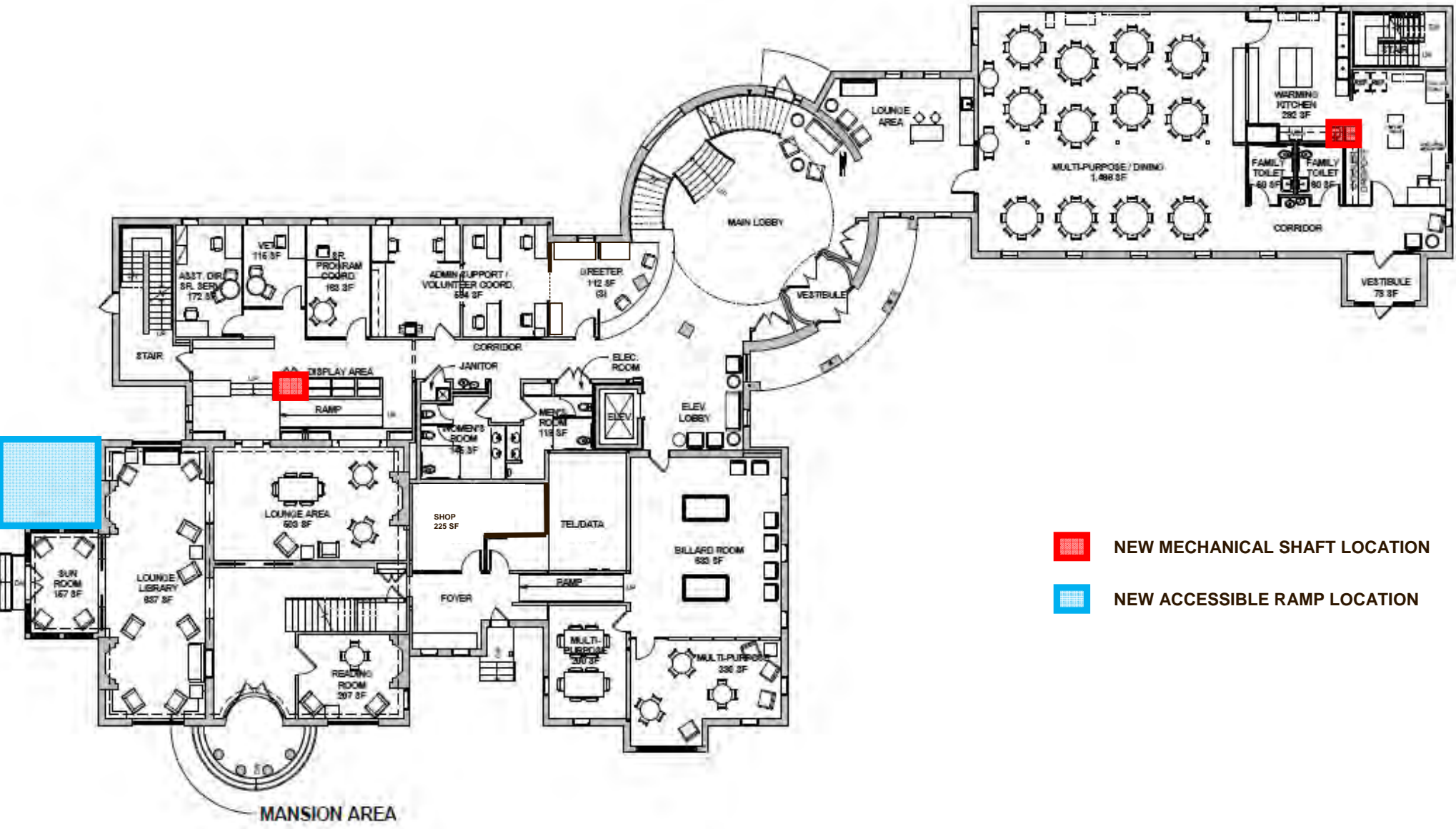
Life Cycle Cost Metrics

Option 1 Net Present Cost	\$6,588,020
Option 2 Net Present Cost	\$6,764,632
20 Year Net Present Savings	(\$176,612)
20 Savings to Investment Ratio	(0.03)
Discounted Payback Period (years)	See Graph
Internal Rate of Return	6.75%



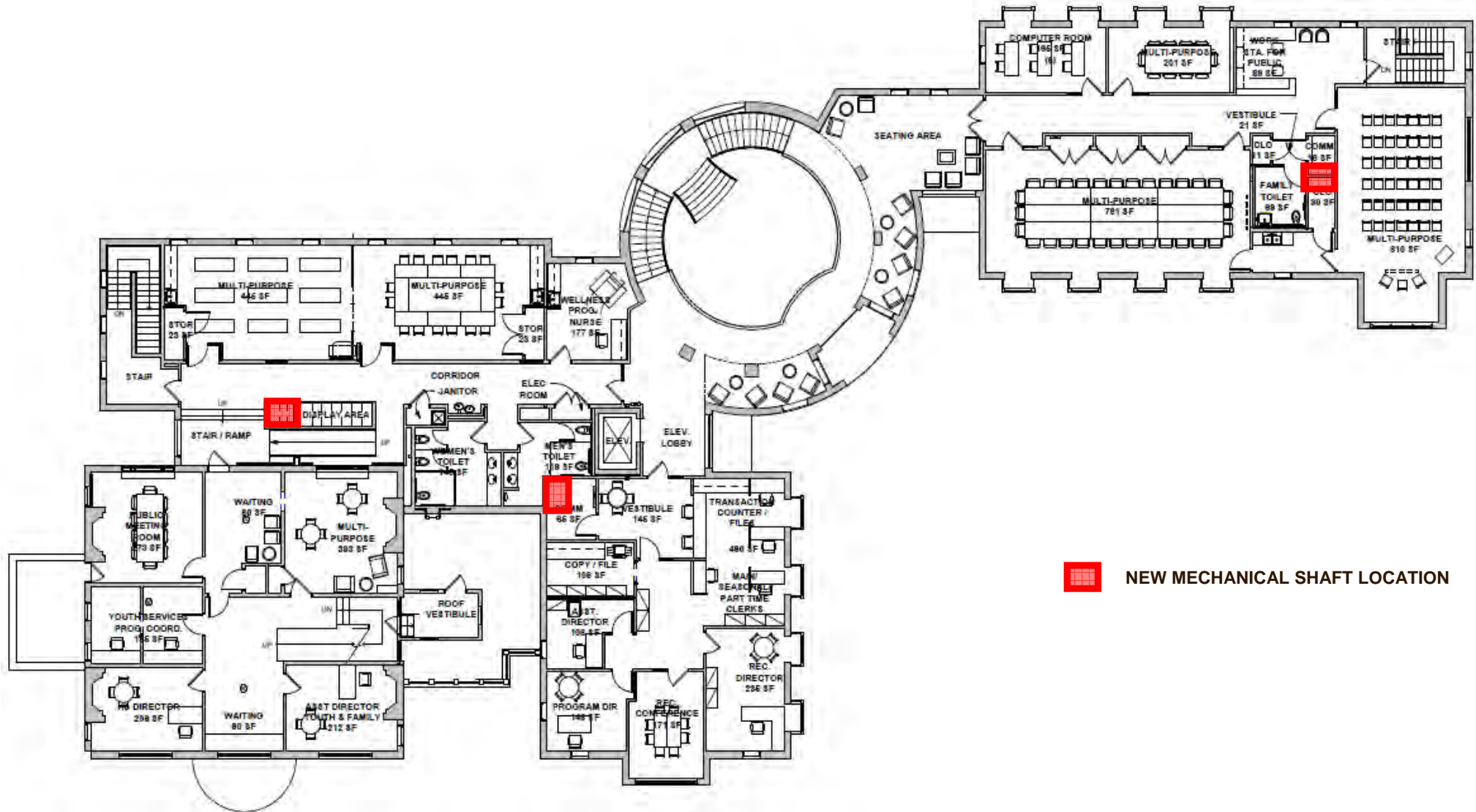
- *Remaining useful life of boiler and chiller is on the order of six to ten years.*

First Floor Plan



- NEW MECHANICAL SHAFT LOCATION
- NEW ACCESSIBLE RAMP LOCATION

Second Floor Plan



 NEW MECHANICAL SHAFT LOCATION

Summary

- Project can be implemented at a lower cost and without disruption to program in one phase.
- With HVAC scope of work now identified, the schedule impact of adding this additional work to the project only extends the schedule about 4 to 6 weeks.
- Additional funding of \$3,151,000 is required at the March 24, 2014 Special Town Meeting to fund the project.
- This additional funding is estimated as \$100,000 from general fund for FF&E and transition costs, and \$3,051,000 from CPA funds.
- Opening of the Community Center is project to be the first week of March 2015.

Lexington Community Center

Discussion

CPA Fund - Projected Revenues and Expenditures

		(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	
		Projected Revenue										
				Estimated Resources on Hand at 2014								
				ATM	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	
(1)	Property Surcharge				\$ 3,907,000	\$ 4,043,745	\$ 4,185,276	\$ 4,331,761	\$ 4,483,372	\$ 4,640,290	\$ 4,802,701	
(2)	State Match ¹				\$ 927,310	\$ 959,766	\$ 993,358	\$ 1,028,125	\$ 1,064,110	\$ 1,101,353	\$ 1,139,901	
(3)	Investment Income ²				\$ 14,000	\$ 14,490	\$ 14,997	\$ 15,522	\$ 16,065	\$ 16,628	\$ 17,210	
(4)	Undesignated Fund Balance											
(5)	Total				\$ 3,428,334	\$ 4,848,310	\$ 5,018,001	\$ 5,193,631	\$ 5,375,408	\$ 5,563,547	\$ 5,758,271	\$ 5,959,811
		Projected Allocations into Reserves and Claims Against Reserves										
(6)	Open Space				\$ 484,831	\$ 501,800	\$ 519,363	\$ 537,541	\$ 556,355	\$ 575,827	\$ 595,981	
(7)	Historic Resources				\$ -	\$ (501,800)	\$ (519,363)	\$ (537,541)	\$ (556,355)	\$ (575,827)	\$ (595,981)	
(8)	Community Housing				\$ 484,831	\$ 501,800	\$ 519,363	\$ 537,541	\$ 556,355	\$ 575,827	\$ 595,981	
(9)	Other Projects				\$ 484,831	\$ 501,800	\$ 519,363	\$ 537,541	\$ 556,355	\$ 575,827	\$ 595,981	
(10)	Unbudgeted Reserves				\$ (1,149)	\$ (483,351)	\$ (501,800)	\$ (519,363)	\$ (537,541)	\$ (556,355)	\$ (575,827)	
(11)	Administrative Expenses				\$ (177,265)	\$ (150,000)	\$ (150,000)	\$ (150,000)	\$ (150,000)	\$ (150,000)	\$ (150,000)	
(12)	Marrett Rd. Construction - Phase IA				\$ (2,500,000)							
(12)	Residual Balance				\$ 279,038	\$ 3,535,223	\$ 2,860,800	\$ 2,966,179	\$ 3,075,245	\$ 3,188,128	\$ 3,304,963	\$ 3,425,887
		Projected Debt Service - 10 Year Term @ 4% (Visitor Center - 5 year term)										
		Amount	ATM Action		FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
(13)	Wright Farm (actual debt service) ³	\$ 2,950,000	2012		\$ 434,633	\$ 424,800	\$ 410,050	\$ 395,300	\$ 380,550	\$ 365,800	\$ 351,050	
(14)	Marrett Rd. Purchase (actual debt service) ³	\$ 7,390,000	2013		\$ 1,089,774	\$ 1,065,100	\$ 1,028,100	\$ 991,100	\$ 954,100	\$ 917,100	\$ 880,100	
(15)	Marrett Rd. Construction - Phase IA ³	\$ 551,000	2014		\$ 11,250	\$ 77,140	\$ 74,936	\$ 72,732	\$ 70,528	\$ 68,324	\$ 66,120	
(16)	Cary Memorial Hall Construction (including Contingency) ³	\$ 8,241,350	2014		\$ 168,261	\$ 1,153,789	\$ 1,120,824	\$ 1,087,858	\$ 1,054,893	\$ 1,021,927	\$ 988,962	
(17)	Visitor Center Construction	\$ 675,727	2015			\$ 15,767	\$ 162,174	\$ 156,769	\$ 151,363	\$ 140,551	\$ 135,145	
(18)	Potential Center Pool ⁴	\$ 1,200,000	2016					\$ 168,000	\$ 163,200	\$ 158,400	\$ 153,600	
(19)	Potential Center Track Project ⁴	\$ 2,400,000	2017						\$ 336,000	\$ 326,400	\$ 316,800	
(20)	Total Projected Debt Service				\$ -	\$ 1,703,917	\$ 2,736,596	\$ 2,796,084	\$ 2,871,759	\$ 3,110,634	\$ 2,998,503	\$ 2,891,777
(21)	Residual Balance Net of Debt Service				\$ 1,910,505	\$ 1,831,306	\$ 124,205	\$ 170,094	\$ 203,486	\$ 77,495	\$ 306,460	\$ 534,109
(22)	Application of Residual Balances											
(23)	Net Balances Available											

¹ FY15 figure derived from an assumed 25% reimbursement rate.

² FY15 figure based on historical experience. FY15 to FY21 assumes a 3.5% annual increase based on assumed growth in the CPA surcharge of 3.5% annually.

³ Given that these projects constitute preservation of historic resources, the annual debt service payments could be applied to mitigate or meet the 10% threshold required under the CPA, thus precluding the need to set-aside a portion or all of the amounts shown in row 7 above. Relatedly, debt service for Wright Farm could be applied to mitigate the 10% threshold for open space shown in row 6 above.

⁴ Current Estimate of total project cost. Recreation Enterprise Fund retained earnings is a potential source to mitigate project costs.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

PRESENTER:

Carl F. Valente
David Horton, Minuteman Representative
Norman Cohen, Selectmen's Liaison on Minuteman Issues

ITEM NUMBER:

I.5

SUBJECT:

Town Meeting Article 23: Amendments to District Agreement of the Minuteman Regional School District

EXECUTIVE SUMMARY:

The Minuteman School Committee has proposed a number of changes to the Regional Agreement. To amend the Agreement requires the unanimous consent of the 16 member towns (town meeting).

Attached is a summary of the proposed changes and a red-line version of the new Agreement.

The Minuteman School Committee may make one further change at its meeting on March 11 to the weighted voting procedure. This alternative voting method is also attached.

The Appropriation Committee met with representatives from Minuteman and their consensus is to recommend to Town Meeting the approval of the Amended Agreement.

FINANCIAL IMPACT:

NA

RECOMMENDATION / SUGGESTED MOTION:

STAFF FOLLOW-UP:

TMO and BOS Office will prepare the necessary Town Meeting motion.



Point - By - Point Comparison

Subject	Current Agreement	Proposed Agreement
Annual Assessment	Based on most recent year's enrollment share.	Based on 4-year rolling average enrollment share.
Capital Costs	Based on most recent year's enrollment share.	Each member community pays base 1% of yearly total. 50% is based on 4-year rolling average enrollment share and remainder considers certain factors used in calculating Chapter 70 state aid to education along with enrollment.
School Committee Votes	Each member town has one vote for all questions.	Weighted votes based on 4-year rolling average enrollment share. Incurring debt is specifically excepted and would require approval by 2/3 of all school committee members regardless of enrollment share or actual attendance at meeting.
Admission of New Members	New member would carry full share of capital costs from day one. Current language does not account for admission of a city.	School Committee could negotiate gradual 4-year "buy-in", subject to approval by all of the existing member communities. Language contemplates membership by city.
Withdrawal of Members	Requires approval by all other member communities and the exiting member remains liable for a share of all debt approved while a member, even if its own residents voted against authorizing that debt.	Could occur unless disapproved by a majority of other members. Qualified students could still be accepted on a space-available, tuition basis. IF withdrawal is properly pursued following a District-wide election that authorizes new debt, the subject community would not be liable for a share of the debt that its own voters disapproved in that election.
Contribution to Capital Costs	Current agreement is silent on this point.	Must be applied to reduce capital assessments to members.
Authorization for New Debt	As this is not specified in the current agreement, either of two routes may be followed at the School Committee's option under applicable state law. The method involving town meeting votes, whereby a single community has the power to block borrowing, has historically been used by the District.	Specifies that the current method must be pursued first, however, if rejected by one or more communities, the School Committee would then be permitted (but would not be required) to initiate a second attempt with a District-wide election. In this case, the aggregate vote would determine the outcome.
Amendments	May be initiated by majority vote of the School Committee (or by petition as allowed by law) and requires approval by all member communities.	May be initiated by a 3/4 vote of the School Committee (or by petition as allowed by law). The current requirement for approval by all member communities is unchanged.

Commissioner's approval applies when required by law.



Voting Under the Amended Regional Agreement

Subject	School Committee Vote	Member Community Vote
Routine Business	More than 50% of weighted vote (present and voting)	None Required
Annual Budget	66.67% of total weighted vote, not merely among those present and voting	Majority vote by the appropriating authority (town meeting or city council) of at least 2/3 (two thirds) of the member communities
Incurring Debt	2/3 (two thirds) of all School Committee members without regard for weighted vote or number of members present and voting If one or more member towns votes to reject debt authorization on first attempt, the School Committee MAY by more than 50% of the weighted vote (present and voting) decide to make a second attempt via district-wide election as permitted by state law.	First attempt by majority vote by the appropriating authority of ALL of member communities. A community that does not vote within 60 days is deemed to approve, but debt is blocked if one community votes "no". Second attempt by aggregate majority vote in District-wide election (Note that if authorization for debt is approved by this method, AND a majority of voters in a particular community voted "no" in such election, that community MAY seek to withdraw from the District without liability for the debt thus incurred.** Refer to separate section for process.)
Future Amendments to the Regional Agreement	3/4 (three fourths) of all School Committee members without regard for weighted vote or number of members present and voting	The current requirement for approval by the legislative body of each member community is unchanged, meaning that a majority vote is required in 100% of member communities.)
Admission of New Community	3/4 (three fourths) of all School Committee members without regard for weighted vote or number of members present and voting	Constitutes an amendment to the Regional Agreement and thus requires approval by all member communities
Withdrawal of a Community	N/A; must refer to member communities.	2/3 (two thirds) vote by the legislative body of the community seeking to withdraw from the District** AND Approval by a majority of other member communities. Note that in this case, failure of the legislative body of a member community to vote <i>disapproval</i> within 60 days of the notice of the requested withdrawal (e.g. a town does not bring the question to town meeting) will constitute approval by that community.

*These matters also require approval by the Commissioner of Elementary and Secondary Education.

**Strict time limits apply when such vote is taken with the intent of withdrawing without liability for debt authorized by District-wide election. Withdrawing community remains liable for share of any other debt authorized while they were a member.

Prepared by Carrie Flood, 2-11-14

**Minuteman Regional High School
Proposal - Calculation of Weighted Voting**

Weighted Vote by Community - Based on 4 year Rolling Average						
	Enrollment Count as of October 2013	Enrollment Count as of October 2012	Enrollment Count as of October 2011	Enrollment Count as of October 2010	Total Enrollment Based on 4 Year Rolling Average	Weighted Vote Percent
Arlington	153	125	123	102	125.8	33.03%
Lexington	47	53	54	62.5	54.1	14.22%
Belmont	30	31	37	37	33.8	8.86%
Needham	34	27	31	24	29.0	7.62%
Stow	22	25	20	29	24.0	6.30%
Acton	25	20	25	23	23.3	6.11%
Lancaster	26	22	18	21	21.8	5.71%
Sudbury	19	15	11	13	14.5	3.81%
Concord	7	7	15	20	12.3	3.22%
Bolton	11	9	10	9	9.8	2.56%
Wayland	7.5	8.5	8.5	11	8.9	2.33%
Carlisle	12	9	7	5	8.3	2.17%
Boxborough	4	5	7	12	7.0	1.84%
Lincoln	5	4	3	3	3.8	0.98%
Weston	4	3	3	3	3.3	0.85%
Dover	1	2	2	1	1.5	0.39%
Total	407.5	365.5	374.5	375.5	380.8	100%

Allocation of Vote			
Weighted Vote Percent	50% Weighted Vote Share	50% Equal Member Vote	Total Member Vote
33.03%	16.51%	3.13%	19.64%
14.22%	7.11%	3.13%	10.23%
8.86%	4.43%	3.13%	7.56%
7.62%	3.81%	3.13%	6.93%
6.30%	3.15%	3.13%	6.28%
6.11%	3.05%	3.13%	6.18%
5.71%	2.86%	3.13%	5.98%
3.81%	1.90%	3.13%	5.03%
3.22%	1.61%	3.13%	4.73%
2.56%	1.28%	3.13%	4.41%
2.33%	1.17%	3.13%	4.29%
2.17%	1.08%	3.13%	4.21%
1.84%	0.92%	3.13%	4.04%
0.98%	0.49%	3.13%	3.62%
0.85%	0.43%	3.13%	3.55%
0.39%	0.20%	3.13%	3.32%
100%	50%	50%	100%

Amended: 1973, 1979, 1980, 2013

DRAFT 2/12/14-15/14
1/27/14-12/13/13

REGIONAL AGREEMENT

~~Voted on June 8, 1970~~ ~~Minuteman Tech~~

~~Revised on 11/20/73~~ ~~2/20/79~~ ~~10/7/80~~
~~Amendment #1~~ ~~Amendment #2~~ ~~Amendment #3~~
~~Modifying Budget Year~~ ~~Admission of New Towns~~ ~~Term of Office of Committee Members~~

~~POLICY:~~ ~~CATEGORY: SCHOOL COMMITTEE FILE NUMBER: 2.10~~
~~TOPICS~~ ~~DISTRICT AGREEMENT~~

AGREEMENT WITH RESPECT TO THE ESTABLISHMENT OF A TECHNICAL AND VOCATIONAL REGIONAL SCHOOL DISTRICT

This Agreement is entered into pursuant to Chapter 71 of the General Laws of Massachusetts, as amended, among the towns of Acton, Arlington, Belmont, Boxborough, Carlisle, Concord, Lexington, Lincoln, Stow, Sudbury, Wayland, and Weston, and, in accordance with the provisions of Section VIII, such of the Towns of Bolton, Dover, Lancaster, and Needham as shall accept its provisions, hereinafter sometimes referred to as member towns. (Amendment #2 2/20/79). In consideration of the mutual promises herein contained, it is hereby agreed as follows:

SECTION I: THE REGIONAL DISTRICT SCHOOL COMMITTEE

(A) Composition

The Regional School Committee, hereinafter sometimes referred to as "the Committee," shall consist of one member from each member city or town (the term "city" and the term "town" will hereinafter be referred to jointly as "community"). The members of the Committee shall be appointed as hereinafter provided. All members will serve until their respective successors are appointed and qualified.

(B) Staggering of Terms

The terms of office shall begin on July 1 and shall be for three years. In order to have approximately one third of the terms of office expire at the end of each year, the initial term of office of a Committee member representing a newly admitted community may be for shorter than three years, said determination to be made by vote of the Committee (or by lot, if there is more than one community being newly admitted at the same time).

(B) Initial Committee

~~The existing Committee will continue to function as such until July 1, _____. At any time following the approval of this Revised Agreement by the member communities and by the Commissioner of Education, the Moderator (or Mayor) of each member community shall appoint an individual to serve as a member of the Regional School Committee. These "Initial Committee" appointees will take office on July 1, _____, and the length of their initial terms shall be as follows:~~

- ~~1. Initial three year term: Arlington, Acton, Wayland, Bolton, and Stow.~~

July 1 and extending for the next year, that community's member of the Regional School Committee would exercise a 8.67% vote.) Assuming that a quorum as defined in subsection (I) below is present, and except for a vote to approve the annual budget, to incur debt, or to approve an amendment to this Agreement, a combined total of weighted votes amounting to over 50% of the weighted votes present shall constitute majority approval.

In order to approve the District's annual budget, a combined total of weighted votes equal to or exceeding 66.67% of the weighted vote of the entire Committee (i.e., not merely two thirds of the weighted vote of those present) shall be required.

In order to incur debt, a two-thirds (2/3) vote of all of the members of the Regional School Committee, without regard for the weight of the vote, shall be required. In order to approve an amendment to this Agreement, a three-fourths (3/4) vote of all of the members of the Regional School Committee, without regard for the weight of the vote, shall be required.

(I) Quorum

A majority of the total number of members of the Regional School Committee (regardless of the weighted votes) shall constitute a quorum. A quorum is necessary for the transaction of business, but an assemblage less than a quorum may adjourn a meeting.

(A) Composition

~~The regional district school Committee, hereinafter sometimes referred to as the Committee, shall consist of one member from each member town. The members of the Committee shall be appointed as hereinafter provided. All members shall serve until their respective successors are appointed and qualified.~~

(B) Initial Committee

~~Within ten days after the establishment of the regional school district, the moderator of each member town shall appoint one member to serve on the Committee, each of whom shall have been a member of the regional school district planning board which submitted this agreement if such person is available and willing to serve. The twelve members so appointed shall serve on the Committee until their respective successors are appointed and qualified as provided in subsection 1 (C).~~

(C) Appointed Members

~~On or before April 1, 1972, the moderators of such of the towns of Acton, Arlington, Boxborough and Carlisle as shall become members of the District pursuant to Section XII shall each appoint one member to serve on the committee for a term of one year; the moderators of such of the towns of Belmont, Concord, Lincoln, and Sudbury as shall become members of the District pursuant to Section XII shall each appoint one member to serve on the Committee for a term of two years; and the moderators of such of the towns of Lexington, Stow, Wayland, and Weston as shall become members of the District pursuant to Section XII shall each appoint one member to serve on the Committee for a term of three years.~~

~~The moderator of each town that shall be admitted to the District pursuant to Section VIII of this Agreement shall, prior to the date on which admission takes effect, appoint one member to serve on the Committee beginning on such date for a term of three years, or for such shorter term, as may be necessary to retain symmetry of terms on the Committee as a whole. Prior to the date on which the admission of one or more new member towns is to become effective, the Committee shall determine (by lot, if there is more than one such town) the initial term of the member appointed by the moderator of each such town, unless such initial term is specified in this Agreement. In every year in which the term of office of a member expires, the~~

~~moderators of the respective member towns shall each appoint one member to serve for a term of three years. The term of each member of the Committee shall commence on July 1 of the year in which he or she is appointed.~~

~~Amendment #2-2/20/79~~ — ~~Amendment #3-10/7/80~~

~~(D) — Vacancies~~

~~If a vacancy occurs among the members appointed by the moderator under subsection 1(B), the moderator of the town involved shall within thirty days after such vacancy occurs appoint a member to serve until his successor is appointed and qualified as provided in subsection 1(C). If a vacancy occurs among the members appointed under subsection 1(C), the moderator of the member town involved shall appoint a member to serve for the balance of the unexpired term, if any.~~

~~(E) — Organization~~

~~Annually, on a date specified in the by laws of the District, the Committee shall organize and choose by ballot a chairman and a vice chairman from among its own membership.~~

~~(F) — Power and Duties~~

~~The Committee shall have all the powers and duties conferred and imposed upon school committees by law and conferred and imposed upon it by this agreement, and such other additional powers and duties as are specified in Section 16 to 16-1, inclusive, of Chapter 71 of the General Laws and any amendments thereof or additions thereto now or hereafter enacted, or as may be specified in any other applicable general or special law.~~

~~(G) — Quorum~~

~~The quorum for the transaction of business shall be a majority of the Committee, but a number less than the majority may adjourn.~~

SECTION II TYPE OF REGIONAL SCHOOL DISTRICT

The regional district school shall be a technical and vocational high school consisting of grades nine through twelve, inclusive. The Committee is also hereby authorized to establish and maintain such kinds of education, acting as trustees therefore, as may be provided by communitiestowns under the provisions of Chapter 74 of the General Laws and acts amendatory thereof, in addition thereto or dependent thereon, including courses beyond the secondary school level in accordance with the provisions of Section 37A of said Chapter 74.

SECTION III LOCATION OF THE REGIONAL DISTRICT SCHOOL

The regional district school shall be located within the geographical limits of the District, ~~and within a radius of 5 miles from the intersection of Route 2 and Bedford Road which intersection is in the town of Lincoln.~~

SECTION IV APPORTIONMENT AND PAYMENT OF COSTS

(A) Classification of Costs

For the purpose of apportioning assessments levied by the District against the member communitiestowns, costs shall be divided into two categories: capital costs and operating costs.

(B) Capital Costs

Capital costs shall include all expenses in the nature of capital outlay such as the cost of acquiring land, the cost of constructing, reconstructing, or adding to a school building or buildings, the cost of remodeling or making extraordinary repairs to a school building or buildings, the cost of constructing sewerage systems and sewerage treatment and disposal facilities or the cost of the purchase or use of such systems with a municipality, and any other item of capital outlay for which a regional school district may be authorized to borrow, or which could be categorized as a capital expense in conformance with applicable law and regulation, including without limitation ~~of~~ the cost of original equipment and furnishings for such school buildings or additions, plans, architects' and consultants' fees, grading and other costs incidental to placing school buildings and additions, sewerage systems and sewerage treatment and disposal facilities, and any premises related to the foregoing in operating condition. Capital costs shall also include payment of principal of and interest on bonds, notes and other obligations issued by the District to finance capital costs.

(C) Operating Costs

Operating costs shall include all costs not included in capital costs as defined in subsection IV (B), but including interest on temporary notes issued by the District in anticipation of revenue.

(D) Apportionment of Capital Costs

1. The following method will be used for apportioning capital costs incurred prior to July 1, 2014:

After first deducting any other sources of revenue that are appropriately applied against capital costs, ~~Capital costs shall be annually apportioned to the member towns which were members of the District as of June 30, 2014 annually~~ for the ensuing fiscal year in the following manner. Each member town's share of capital costs for each fiscal year shall be determined by computing the ratio which the town's pupil enrollment in the regional district school on October 1 of the fiscal year next preceding the fiscal year for which the apportionment is determined bears to the total pupil enrollment from all the member towns on the said date, except that if there is an enrollment of fewer ~~less~~ than five pupils from any member town in the regional district school on said date, such member town shall be deemed to have an enrollment of five pupils in the regional district school. For the purpose of this subsection, in computing this apportionment the persons enrolled in courses or programs ~~persons~~ referred to in subsection IV (F) shall not be included. ~~Notwithstanding the foregoing, in the event that there is no enrollment in the regional district school from all the member towns on October 1 of any such year, capital costs shall be apportioned on the basis of enrollment in grades nine through twelve of pupils residing in each member town and receiving education at such town's expense on October 1 of such year. Capital costs represented by debt service shall be apportioned as a capital cost of the fiscal year in which the debt service falls due.~~

2. The following method will be used for apportioning capital costs incurred on or after July 1 2014:

After first deducting any other sources of revenue that are appropriately applied against capital costs, capital costs which are incurred on or after July 1, 2014 shall be apportioned to the member communities annually for the ensuing fiscal year in the following manner (for illustration purposes only, examples of these calculations appear in Appendix A.)

- a. Fifty percent (50%) of the capital costs will be apportioned to each of the member communities by computing the ratio which that community's pupil enrollment in the regional district school, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, bears to total pupil enrollment in the regional district school from member communities, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, except that if there were an enrollment of fewer than five (5) pupils from any member community in the regional district school on any of the four (4) most recent October 1 dates, such member community will be deemed to have had an enrollment of five (5) pupils in the regional district school on said date.
- b. An additional one percent (1%) of these costs will be apportioned to each of the member communities regardless of student enrollment.
- c. The balance of these costs will be apportioned by applying DESE's combined effort yield (a measure of a community's ability to pay for education using property values and household incomes) to the percentage of each community's students (as defined by foundation enrollment) that are enrolled at Minuteman. The specific calculation is as follows:
- Each member community's pupil enrollment in the regional district school, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, including the five (5) pupil minimum spoken of in 2,a above, will be identified.
 - This average regional enrollment figure for each member community will be compared to that community's most recent October 1 "foundation enrollment" figure (determined by DESE), and the percentage of that community's most recent foundation enrollment figure which is comprised of that town's average regional enrollment figure will be computed.
 - This percentage amount will be multiplied by the lesser of the "combined effort yield" or 100% of the "foundation budget" (using the most recent "final" numbers determined by DESE) for that community, resulting in a number to be called "combined effort yield at Minuteman".
 - The numbers representing each community's "combined effort yield at Minuteman" will be totaled, and each community's percentage of that total (this percentage to be called "combined effort capital assessment share") will be computed.
 - Each community's "combined effort capital assessment share" will be used to calculate the apportionment of the capital costs under this paragraph. (An example of the calculations described in this paragraph is found in the chart headed "Calculation Factor - Ch. 70 Combined Effort Capital Allocation" appearing on page 2 of Appendix A.)

In the event that changes occur at the state level in either the terminology or the calculation formulas that lie behind the terms used in this paragraph, the Committee will use a calculation approach which replicates the apportionment outcomes that would result from this paragraph if the terms of this paragraph were applied as of the effective date of this Regional Agreement.

(E) Apportionment of Operating Costs

The District will utilize the statutory method in the apportionment of operating costs. Pursuant to this method, the District will deduct from operating costs the total of any revenue from Chapter 70 state aid, Chapter 71 Regional Transportation Reimbursement, and any other revenue as determined by the Regional School Committee. The balance of all operating costs, except those described in subsection IV,F below, shall be apportioned to each member community as follows. Each member community's share of operating costs will be the sum of the following: (a) the member's required local contribution to the District as determined by the Commissioner of Elementary and Secondary Education (hereinafter "the Commissioner"); (b) the member's share of that portion of the District's net school spending, as defined by G.L. chapter 70, section 2, that exceeds the total of the required local contributions for all of the members; and (c) the member's share of costs for transportation and all other expenditures (exclusive of capital costs as defined in subsection IV,(B) above) that are not included in the District's net school spending. A member's share of (b) and (c) above will be calculated by computing the ratio which that member's pupil enrollment in the regional district school, using a rolling average based on the four (4) most recent annual October 1 enrollment figures, bears to the total pupil enrollment in the regional district school from member communities, using a rolling average based on the four (4) most recent annual October 1 enrollment figures.

~~All operating costs, except those described in subsection IV(F), for the first fiscal year next following the establishment of the regional school district, and for every fiscal year thereafter, shall be apportioned to the member towns on the basis of each town's respective pupil enrollment in the regional district school. Each member town's share for each fiscal year shall be determined by computing the ratio which that member town's pupil enrollment in the regional district school on October 1 of the fiscal year next preceding the fiscal year for which the apportionment is determined bears to the total pupil enrollment in the regional school from all the member towns on the same date. In computing this apportionment the pupil hours referred to in subsection IV(F) shall be excluded. In the event that enrollment of pupils in the regional district school has not been accomplished by October 1 of any year, operating costs shall be apportioned on the basis of enrollment in grades nine through twelve of pupils residing in each member town and receiving education at such town's expense on October 1 of such year.~~

(F) Special Operating Costs

The Committee shall determine the operating costs for each fiscal year for any courses or programs which are offered by the District to persons other than secondary students attending the regular day regional vocational school. Each member's community's share of such special operating costs shall be apportioned by identifying each member's community's enrollment and/or participation rate in said courses or programs as compared to the overall enrollment and/or participation rate in said courses or programs. Normally said share shall be paid by the members as a special assessment in the fiscal year following the year of the course or program offering, although exceptions may be made whereby the payment will be made during the fiscal year of the course or program offering.

~~The Committee shall determine the operating costs for each fiscal year of any evening trade extension courses or any other types of courses which are offered by the District to persons other than the pupils attending the regular day regional vocational school. Each member town's~~

~~share of such operating costs shall be determined by computing the ratio which that town's enrollment of pupil hours in such courses on November 1 of the fiscal year next preceding the fiscal year for which the apportionment is determined bears to the total enrollment of pupil hours in such courses from all the member towns on the same date. In the event that enrollment of pupil hours in such courses on November 1 of the fiscal year next preceding the fiscal year for which the apportionment is determined bears to the total enrollment of pupil hours in such courses from all the member towns on the same date. In the event that enrollment of pupil hours in such courses has not been accomplished by November 1 of any year, such operating costs shall be apportioned on the basis of enrollment in grades nine through twelve of pupils residing in each member town and receiving education at such towns expense on October 1 of such year.~~

(G) Times of Payment of Apportioned Costs

Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection ~~V(B)V(C)~~, of the capital and operating costs. ~~Except as otherwise provided in subsection V(A) or in Section XI, t~~The annual share of each member town community shall be paid in such amounts and at such times that at least the following percentages of such annual share shall be paid on or before the dates indicated, respectively:

September 1	25%
December 1	60%
March 1	75%
May 1	100%

(H) Apportionment of Costs to New Members Towns

1. The share of operating costs which will be paid by a new member community will be determined consistent with subsection IV(E) except that, for purposes of calculating that community's four (4) year rolling average of pupil enrollment, the number of "out of district" students from that community which were enrolled in the regional district school during each of the applicable four (4) years will be regarded as that community's "pupil enrollment" during those years for purposes of this calculation.
2. The Regional School Committee, prior to the admittance of a new member community, will have the option of negotiating a phase in of the amount of capital costs which will be assessed to that new member community during the first three years of membership in the District. Beginning no later than the fourth year of membership and thereafter, however, the new member community will be assessed the full capital cost apportionment that will result from an application of subsection IV(D).

~~Except as otherwise provided in this subsection, capital costs and operating costs shall be apportioned in accordance with subsections IV(D), (E), and (F) to towns admitted to the District pursuant to the provisions of section VIII. In the first fiscal year in which the admission of a new member town is effective, the town shall pay as its share of the capital costs and operating costs for such fiscal year, an amount equal to what the town would pay if the pupils from the town enrolled in the regional district school were tuition~~

~~pupils. After the first fiscal year in which the admission of a new member town is effective, the town's share of capital costs and operating costs shall be determined in accordance with section IV of this Agreement except that such share shall not include any capital costs on account of the bonds issued by the district dated March 1, 1973 and March 1, 1974. However, commencing in the second fiscal year in which such town is a member and continuing through the eleventh such fiscal year, in lieu of such capital costs and as partial reimbursement to the other member towns for their payment of capital costs on account of the original regional district school building, such town shall pay as part of its share of capital costs an annual surcharge of \$400 per pupil enrolled from such town in the regional district school on October 1 of the next preceding fiscal year. If on such October 1, there is an enrollment of less than five pupils from such town in the regional district school, such member town shall be deemed to have an enrollment of five pupils in the regional district school. The Committee shall determine the amount necessary to meet the annual operating and maintenance budget and shall allocate such amount among the member towns without taking such surcharge into account. After making such allocation, the Committee shall apply the amount of such surcharge to reduce the shares of capital and operating costs of the member towns which are not then required to pay such surcharge, in the same proportion as capital costs are allocable among such towns pursuant to Section IV of this Agreement. For the purposes of Section IX of this Agreement, if a new member town shall withdraw from the District prior to the twelfth year of its membership, such surcharge shall be deemed to be part of the town's share of the indebtedness of the District outstanding at the time of its withdrawal. (Amendment #2-2/20/79)~~

(I) Incurring of Debt

Other than short-term borrowing for cash-flow purposes, the incurring of debt for purposes expressed in G.L. cChapter 71, section 16(d), will require at least a two-thirds (2/3) vote of all of the members of the Regional School Committee without regard for the weight of the votes. If such a margin exists, the Committee must seek authorization for incurring debt by following the approach set out in G.L. chapter 71, section 16, subsection (d). If one or more member communities vote disapproval of the debt, the Committee, by a majority of the weighted vote, may then seek authorization for the debt via Chapter 71, section 16, subsection (n). If and when subsection (n) it is utilized, and if the incurring of debt is approved via subsection (n), the following option will be open to a member community if a majority of the registered voters voting on the question from that community voted to disapprove the incurring of debt in the subsection (n) election. Said community may seek to withdraw from the District consistent with the procedure in Section IX, and, if the notice of withdrawal is sent consistent with Section IX within sixty (60) days of the subsection (n) election, that community will not be responsible for a share of the debt service attributable to this new debt even if that community's withdrawal from the District is not approved by a majority of the member communities as required by Section IX, or even if the withdrawal of said community is disapproved by the Commissioner. Communities whose resident voters disapprove the incurring of the debt in the subsection (n) election but which do not give a notice of withdrawal consistent with Section IX will remain members of the District and will share in the debt service for the new debt consistent with the apportionment process in this Section IV.

SECTION V BUDGET

(A) Initial Budget

~~Within sixty days after the initial regional district school Committee is organized, it shall prepare a reasonably detailed operating and maintenance budget covering expenses, if any, for the~~

~~balance of the then fiscal year. Copies of such proposed budget shall be submitted to the chairman of the finance or advisory committee in a member town, to the chairman of the board of selectmen, for its consideration. A budget shall be adopted not earlier than fourteen days but within twenty one days after the proposed budget has been so submitted. The amount of the said budget shall be apportioned among the member towns according to the provisions of Section IV herein. The regional district treasurer shall certify to the treasurer of each member town its respective shares of said budget. The sums thus certified shall be payable by each member town to the regional district school committee but only from funds which may be or may have been appropriated by each member town for such purpose.~~

(B)(A) Tentative Operating and Maintenance Budget

~~Thereafter, tThe Committee shall annually prepare a tentative operating and maintenance budget for the ensuing fiscal year, attaching thereto provision for any installment of principal or interest to become due in such fiscal year on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member towns communities. The said Committee shall mail a copy to the chairman of the Board of Selectmen and the Finance or Advisory Committee, if any, of each member town at least fifteen days prior to the date on which the final operating and maintenance budget is adopted by the Committee, said copy to be itemized in a fashion consistent with DESE's chart of accounts, as follows or in such further detail as the Committee may deem advisable:~~

- ~~1. Administration~~
 - ~~2. Instruction~~
 - ~~3. Other school services~~
 - ~~4. Operating and maintenance of plant~~
 - ~~5. Fixed charges~~
 - ~~6. Acquisition of fixed assets~~
 - ~~7. Community service~~
 - ~~8. Debt retirement and debt service~~
 - ~~9. Programs with other districts and private schools~~
- ~~(Amendment #1 11/20/73)~~

(C)(B) Final Operating and Maintenance Budget

~~After conducting a public hearing consistent with G.L. Chapter 71, section 38M, Fthe Committee shall adopt an annual operating and maintenance budget for the ensuing fiscal year not later than forty-five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but in no event later than March 31, provided that said budget need not be adopted earlier than February 1. Said adoption of the budget will require a combined total of weighted votes equal to or exceeding 66.7% of the weighted vote of the entire Regional School Committee (i.e., not merely two-thirds of the weighted vote of those present at the meeting). Said annual operating and maintenance budget shall include debt and interest charges and any other current capital costs as separate items, and the said Committee shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of Section IV. The amounts so apportioned to each member communitytown shall be certified by the district treasurer to the treasurer of such member communitytown within thirty days from the dates on which the annual operating and maintenance budget is adopted by the Committee, and each such communitytown shall, at the next annual town meeting or meeting of the city council, appropriate the amounts so certified. The annual Regional School District budget shall require approval by the~~

local appropriating authorities of at least two-thirds (2/3) of the member communities consistent with G.L. Chapter 71, section 16B. (Amendment #1 — 11/20/73)

~~If the amount necessary to meet the annual operating and maintenance budget for a fiscal year in which the admission of one or more new member towns becomes or is to become effective, shall have been determined and apportioned without regard to the payments to be received from any such member town as its share of the capital and operating costs of the District, the Committee may reopen the budget, may re-determine the amounts necessary to meet the budget taking account of such payments, and may reapportion such amounts among the other member towns in accordance with the provisions of Section IV; provided, however, that the shares of such amounts reapportioned to the member towns (other than such new member towns) shall be less than the amounts previously apportioned to such towns. (Amendment #2 — 2/20/79)~~

SECTION VI TRANSPORTATION

School transportation shall be provided by the regional school district and the cost thereof shall be apportioned to the member communities towns as an operating cost.

~~During the first fiscal year in which the admission pursuant to Section VIII of a new member town is effective, such town shall be responsible for providing school transportation for pupils from the town enrolled in the regional district school and for paying the costs of such transportation. (Amendment #2 — 2/20/79)~~

SECTION VII AMENDMENTS

(A) Limitation

This Agreement may be amended from time to time in the manner hereinafter provided, but no such amendment shall be made which shall substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness of the District then outstanding, or the right of the District to procure the means for payment thereof, provided that nothing in the section shall prevent the admission of new communities a new town or towns to the District and the reapportionment accordingly of capital costs of the District represented by bonds or notes of the District then outstanding and of interest thereon.

(B) Procedure

Any proposal for amendment, except a proposal for amendment providing for the withdrawal of a member community town (which shall be acted upon as provided in Section ~~DCIX~~), may be initiated by a vote of at least three-fourths (3/4) of all of the members of the Regional School Committee, without regard for the weight of the votes, majority of all members of the Committee so long as the proposed amendment was discussed as an agenda item at no less than one prior Committee meeting. Alternatively, a proposal for amendment may be initiated ~~or~~ by a petition signed by at least 10 per cent of the registered voters of any one of the member communities towns. In the latter case, said petition shall contain at the end thereof a certification by the Municipal Town Clerk of such member community town as to the number of registered voters in said community town according to the most recent voting list and the number of signatures on the petition which appear to be the names of registered voters of said community town and said petition shall be presented to the secretary of the Committee. In either case, the sSecretary of

the Committee shall mail or deliver a notice in writing to the Board of Selectmen, or City Council, of each of the member ~~communitiestowns~~ that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signatures in the case of a proposal by petition). The ~~selectmen~~ of each member town shall include in the warrant for the next annual or a special town meeting called for the purpose an article stating the proposal or the substance thereof, and the City Council in each member city shall vote on said proposed amendment within two months of its submittal by the Committee. Such amendment shall take effect upon its acceptance by ~~all three-fourths (3/4)~~ of the member ~~communitiestowns~~, acceptance by each ~~communitytown~~ to be by a majority vote at a town meeting in the case of a town, or by majority vote of the City Council in the case of a city as aforesaid, and after approval by the Commissioner.

(C) Approval by Commissioner

All amendments to this Agreement are subject to the approval of the Commissioner. ~~of Elementary and Secondary Education (hereinafter, the "Commissioner").~~

SECTION VIII ADMISSION OF NEW COMMUNITIESTOWNS

By an amendment of this Agreement adopted under and in accordance with Section VII above, any other ~~community or communitiestown or towns~~ may be admitted to the regional school district. The effective date for the admission of each such new member town shall be the July 1 following the adoption by the District of such an amendment, ~~and the acceptance by all of the existing members, and the approval by the Commissioner town of this Agreement as so amended.~~ All of the above approvals must be completed by December 31 for the new member to be admitted on the following July 1. Such admission also shall be subject to compliance with such provisions of law as may be applicable and such terms as may be set forth in such amendment. ~~(Amendment #2 2/20/79)~~

SECTION IX WITHDRAWAL

(A) Procedure

Consistent with 603 CMR 41.03(2) the withdrawal of a member community can occur only as of July 1 of a given fiscal year. A notice of desire to withdraw must be initiated by a two-thirds (2/3) vote of the legislative body of the member community, which must occur no less than three (3) years prior to the desired July 1 withdrawal date. The Municipal Clerk of the community seeking to withdraw must notify the Regional School Committee in writing within seven (7) days of the vote of the legislative body that the 2/3 two-thirds (2/3) vote has occurred, and the receipt of the notice of withdrawal will be acknowledged in the minutes at a Regional School Committee meeting. Within seven (7) days of its receipt, the District's Clerk will notify in writing the Municipal Clerks of all of the member communities that a notice of withdrawal has been received. Once this notice of withdrawal is given, it may not be rescinded without the unanimous consent of the members of the Regional School Committee. The withdrawal of a community will be allowed only if it is approved by a majority of the other member communities. A failure of the legislative body of a member community to vote disapproval of a requested withdrawal within sixty (60) days of the notice of withdrawal being submitted to the Regional School Committee will constitute approval. During this three (3) year notice period, the departing member will continue to be responsible for the following:

1. Payment of its share of operating costs apportioned by way of subsection IV(E).
2. Payment of its share of capital costs apportioned by way of subsection IV(D), except that no apportionment for a withdrawing member will be made for a share of debt that was disapproved by the voters of said withdrawing member in a G.L. Chapter 71, subsection 16(n) election and after said disapproval a notice of withdrawal was sent by said member consistent with the terms of subsection IV(I). Similarly, no apportionment for a withdrawing member will be made for a share of any debt incurred after the member has given a notice of withdrawal.
3. The withdrawing community shall continue to have a right to appoint and be represented by its member on the School Committee with full voting authority until the date of final withdrawal, on which date the withdrawing community member's term shall end.

(B) Continuing Obligations After Withdrawal

A departing member shall have no right or claim to the assets of the District, and a departing member shall continue to be responsible, after withdrawal, for the following:

1. Payment of its share of capital costs incurred prior to withdrawal apportioned by way of subsection IV(D), provided that for purposes of this apportionment the withdrawn community's enrollment shall be deemed to be its enrollment determined pursuant to subsection IV(D) immediately prior to the date of its notice of intent to withdraw, except that:
 - a. no apportionment for a withdrawing member will be made for a share of debt that was disapproved by the voters of said withdrawing member in a G.L. Chapter 71, subsection 16(n) election and after which disapproval a notice of withdrawal was sent by said member consistent with the terms of subsection IV(I); and,
 - b. no apportionment for a withdrawing member will be made for a share of debt that was incurred by the District following receipt of the withdrawing member's notice of intent to withdraw, such notice having not been rescinded.

(C) Commissioner's Approval

Consistent with 603 CMR 41.03(2) the withdrawal of any member requires the approval of the Commissioner of Education, and all requisite approvals must be obtained no later than the December 31 preceding the July 1 effective date of withdrawal.

(D) Amendment to Agreement

The withdrawal of a member which occurs consistent with the above will, upon its completion, constitute an amendment to the Regional Agreement, regardless of the fact that said amendment was not processed via the procedure contained in Article VII.

(A) Limitations

The withdrawal of a member town from the District may be effected by an amendment to this agreement in the manner hereinafter provided by this section. Any member town seeking to withdraw shall by vote at an annual or special town meeting, request the committee to draw up an amendment

to this

~~agreement setting forth the terms by which such town may withdraw from the District, provided that the said town shall remain liable to the District for its share of the indebtedness of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as though the town had not withdrawn from the District.~~

~~(B) Procedure~~

~~The clerk of the town seeking to withdraw shall notify the Committee in writing that such town has voted to request the Committee to draw up an amendment to the agreement (enclosing a certified copy of such amendment). The selectmen of each member town shall include in the warrant for the next annual or a special town meeting called for the purpose an article stating the amendment or the substance thereof. Such amendment shall take effect upon its acceptance by all of the member towns acceptance by each town to be by a majority vote at a town meeting as aforesaid.~~

~~(C) Cessation of Terms of Office of Withdrawing Town's Members~~

~~Upon the effective date of withdrawal the terms of office of the member serving on the regional district school committee from the withdrawing town shall terminate and the total membership of the Committee shall be decreased accordingly.~~

~~(D) Apportionment of Capital Costs after Withdrawal~~

~~The withdrawing town's annual share of any future installment of principal and interest on obligations outstanding on the effective date of its withdrawal shall be not less than the average of such town's annual capital cost apportionment percentages for the three years next preceding the year in which its withdrawal becomes effective, or, in case such withdrawal becomes effective, the withdrawing town's annual share of such future installments of principal and interest shall be not less than the average of such town's annual capital cost apportionment percentage for such of the year or years preceding the year in which its withdrawal becomes effective for which an apportionment of capital costs shall have been made. The remainder of any such installment after subtracting the share of any town or towns which have withdrawn shall be apportioned to the remaining member town or towns in the manner provided in sub-section IV(D) or as may be otherwise provided in the amendment providing for such withdrawal.~~

SECTION X TUITION STUDENTS

The Committee may accept for enrollment in the regional district school pupils from communitiestowns other than member communitiestowns on a tuition basis. Income received by the District from tuition pupils and not previously deducted from operating costs shall be deducted from the total operating costs in the next annual budget to be prepared after the receipt thereof, prior to apportionment under Section IV subsection FV(E) to the member communitiestowns, provided that income identified as a contribution to capital costs shall be applied to the capital budget.

SECTION XI FISCAL YEAR

The fiscal year for the district shall run from July 1 to June 30.

~~Except as may otherwise be provided by law, the fiscal year of the district shall be the same as the fiscal period of the member towns and the work year or fiscal year as it relates in this agreement to a fiscal or budget period shall mean the fiscal year of the District.~~

~~If the fiscal year of the District shall be other than the calendar year, the dates on or before which the respective percentages of the annual share of each member town shall be paid as provided in subsection IV (G) shall be adjusted so that not less than 25% thereof shall be paid not later than the first day of the third month of such fiscal year, 60% shall be paid not later than the first day of the sixth month of such fiscal year, 75% shall be paid not later than the first day of the ninth month of such fiscal year and 100% shall be paid not later than the first day of the eleventh month of such fiscal year.~~

SECTION XII SUBMISSION FOR APPROVAL

~~This Agreement shall be submitted for approval pursuant to the applicable provisions of Section 15 of Chapter 71 of the General Laws, to the towns of Acton, Arlington, Belmont, Boxborough, Carlisle, Concord, Lexington, Lincoln, Sudbury, Stow, Wayland and Weston. In the event that at least the towns of Arlington, Belmont, Concord and Lexington vote in the affirmative as provided in said Section 15 to establish a regional technical and vocational school district, composed of the towns of Arlington, Belmont, Concord, Lexington and such additional towns, if any, as so vote, shall be deemed to be established; otherwise this agreement shall be void and of no effect.~~

NOTE ON EFFECTIVE DATE OF AMENDMENT NO. 2

~~Amendment No. 2 to the Agreement, proposed by vote of the Committee adopted on February 20, 1979, shall take effect upon its acceptance by the member towns and upon the acceptance of the Agreement, as heretofore amended and as further amended by this Amendment No. 2, on or before June 30, 1981 by any one or more of the Towns of Bolton, Dover, Lancaster and Needham; provided, however, that the admission of any such town shall not be effective prior to July 1, 1980.~~

MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

Amendment No. 1 to Minuteman Regional Vocational
Technical School District Agreement

Certificate of the Secretary

I, the undersigned, hereby certify that I am the duly elected, qualified and acting Secretary of the Minuteman Regional Vocational Technical School District, Massachusetts, and that, as such, I keep and have custody of the records of the meetings of the Minuteman Regional Vocational Technical School District Committee. I further certify that, at a regular meeting of the said Committee duly called and held on Tuesday, November 20, 1973, attended by 9 of the twelve (12) members of said Committee, constituting a quorum, the following vote was adopted pursuant to Chapter 1025 of the Acts of 1973 by the vote of 9 (nine) members voting in the affirmative and 0 (zero) members voting in the negative.

WHEREAS, the towns of Acton, Arlington, Belmont, Boxborough, Carlisle, Concord, Lexington, Lincoln, Stow, Sudbury, Wayland and Weston established a regional school district under the provisions of Chapter 71 of the General Laws of Massachusetts, as amended, known as Minuteman Regional Vocational Technical School District, and for that purpose entered into an agreement entitled "Agreement With Respect to the Establishment of a Technical and Vocational Regional School District" (hereinafter called the "Agreement"); and

WHEREAS, Chapter 1025 of the Acts of 1973 of The Commonwealth of Massachusetts authorizes any regional district school committee without regard to the amendment procedure in its regional school district agreement to amend such agreement for the purpose of changing the various dates set forth therein for the adoption of an annual budget, including a tentative annual budget, and for certification by the regional school district treasurer to the treasurer of each member town of the amounts of such budget apportioned to that town and making technical changes to carry out the provisions of clause (m) of section 16 and section 16B of Chapter 71 of the General Laws as amended by sections 1 and 2 of said Chapter 1025;

NOW THEREFORE, pursuant to said Chapter 1025, to amend the Agreement as follows, viz.:

Amend Section subsection (B) entitled Tentative Operating and Maintenance Budget and subsection (C) entitled Final Operating and Maintenance Budget, by deleting said two subsections in their entirety and substituting therefor the following new subsections (B) and (C):

(B) Tentative Operating and Maintenance Budget

Thereafter, the Committee shall annually prepare a tentative operating and maintenance budget for the ensuing fiscal year, attaching thereto provision for any installment of principal or interest to become due in such fiscal year.

~~on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member towns. The said Committee shall mail a copy to the chairman of the board of selectmen and the finance or advisory committee, if any, of each member town at least fifteen days prior to the date on which the final operating and maintenance budget is adopted, itemized as follows or in such further detail as the Committee may deem advisable:~~

- ~~1. Administration~~
- ~~2. Instruction~~
- ~~3. Other school services~~
- ~~4. Operating and maintenance of plant~~
- ~~5. Fixed charges~~
- ~~6. Acquisition of fixed assets~~
- ~~7. Community services~~
- ~~8. Debt retirement and debt service~~
- ~~9. Programs with other districts and private schools~~

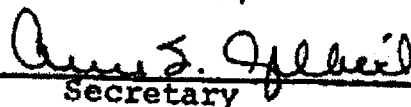
~~(C) Final Operating and Maintenance Budget~~

~~The Committee shall adopt an annual operating and maintenance budget for the ensuing fiscal year not later than forty five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but in no event later than March 31, provided that said budget need not be adopted earlier than February 1. Said annual operating and maintenance budget shall include debt and interest charges and any other current capital costs as separate items, and the said Committee shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of Section IV. The amounts so apportioned to each member town shall be certified by the district treasurer to the treasurer of such member town within thirty days from the date on which the annual operating and maintenance budget is adopted by the Committee, and each such town shall, at the next annual town meeting, appropriate the amounts so certified.~~

~~FURTHER VOTED: This amendment shall take effect immediately.~~

~~I further certify that the foregoing vote has not been amended or rescinded and remains in full force and effect.~~

~~WITNESS my hand and the seal of said district this 20th day of November, 1973.~~


Secretary

(DISTRICT SEAL)



OFFICE OF THE TOWN CLERK
TOWN OF ARLINGTON
MASSACHUSETTS

TOWN HALL
OFFICE HOURS
9 AM TO 5 PM

TELEPHONE
781-643-6700

CHRISTINE M. CALLAHAN, CMC
TOWN CLERK

AMENDMENT #2

ARTICLE 70. — ADMISSION OF NEW MEMBERS TO THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

~~VOTED: (Unanimously) That the Town does hereby accept an amendment to the agreement establishing the Minuteman Regional Vocational Technical School District ("Minuteman") as proposed by vote of the Minuteman School Committee adopted on February 20, 1979; said amendment providing for the admission of new member towns generally, and the towns of Bolton, Dover, Lancaster, and Needham specifically; said amendment further specifying (a) that any new member town will have one member of the School Committee appointed by the Moderator of the town for a three year term, or for a shorter initial term in order to retain the symmetry of terms on the Minuteman School Committee as a whole; (b) that for the first year of its membership a new town will contribute as its entire share of the operating costs and capital costs of Minuteman for such year an amount equal to what it would pay if the students from the new town were tuition students, and the new member town will also be responsible for all the transportation costs of those students. After first year of membership a new town will pay its share of operating costs and capital costs apportioned in accordance with Section IV of the agreement, except that such new member town shall not pay any capital costs in accordance with Section IV on account of debt service on Minuteman's bonds dated March 1, 1973, and March 1, 1974, but in lieu thereof and as partial reimbursement to the members of Minuteman for their payments of capital costs on Minuteman's original school building, each new member town will pay to Minuteman for a period of ten years, commencing with the second year of the new town's membership and ending on the eleventh year of such membership, an annual surcharge of \$400 per pupil enrolled on October 1st of the prior year; and (c) that the effective date for the admission of a new member town will be July 1st following its acceptance of the amended Minuteman agreement and the acceptance by each of the existing member towns of the amendment admitting the new town; said amendment further providing for the admission of such of the Towns of Bolton, Dover, Lancaster, and Needham as accept and for their admission not earlier than July 1, 1980, in accordance with the Minuteman agreement amended as described above.~~

A true copy of the vote under Article 70 of the Warrant for the Annual Town Meeting of the Town of Arlington at the adjourned session held May 28, 1980. ATTEST:

Christina M. Callahan



CHRISTINE M. CALLAHAN, CMG

OFFICE OF THE TOWN CLERK
TOWN OF ARLINGTON
MASSACHUSETTS

TOWN HALL
OFFICE HOURS
9 AM TO 5 PM

TELEPHONE
781-643-6700

TOWN CLERK

~~769533v1747745v1~~ARTICLE 72. — AMENDMENT NO. 3 TO THE AGREEMENT ESTABLISHING THE
MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

VOTED: (Unanimously) ~~Amendment No. 3 to the agreement establishing the Minuteman Regional Vocational Technical School District~~

~~The agreement among the towns of Acton, Arlington, Belmont, Bolton, Buxborough, Carlisle, Concord, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, Wayland and Weston entitled "Agreement with Respect to the Establishment of a Technical and Vocational Regional School District" as heretofore a ended (the "Agreement") is hereby further amended as follows:~~

~~A. Subsection I (C) of the Agreement is amended by deleting the second sentence thereof, as inserted by Amendment No. 2, and substituting in its place the following sentence:~~

~~The moderator of each town that shall be admitted to the District pursuant to Section VIII of this Agreement shall, prior to the date on which such admission takes effect, appoint one member to serve on the Committee beginning on such date for a term of three years, or for such shorter term as may be necessary to retain symmetry of terms on the Committee as a whole.~~

~~B. Subsection I (C) of the Agreement is further amended by deleting the last sentence thereof and substituting in its place the following sentence:~~

~~The term of each member of the Committee shall commence on July 1 of the year in which he or she is appointed.~~

~~C. Subsection I (E) of the Agreement is amended by deleting said subsection and substituting in its place the following subsection:~~

~~E. Annually, on a date specified in the by laws of the District, the Committee shall organize and choose by ballot a chairman and a vice chairman from among its own membership.~~

~~D. Transition and Effective Date of Amendment No. 3. Amendment No. 3 to the Agreement, proposed by vote of the Committee adopted on October 7, 1980, shall take full effect on January 1 of the year following the year in which it has been accepted by all the member towns and the terms of all the members of the Committee in office on such January 1 shall be extended to expire at the commencement of the term of their successors in the year in which their terms would otherwise expire pursuant to the Agreement as amended by Amendment No. 3,~~

A true copy of the vote under Article 72 of the Warrant for the Annual Town Meeting of the Town of Arlington at the adjourned session held March 21, 1981. ATTEST:

Christine M Callahan

AMENDMENT NO. 3 TO THE AGREEMENT ESTABLISHING THE MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

~~The agreement among the towns of Acton, Arlington, Belmont, Bolton, Boxborough, Carlisle, Concord, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, Wayland and Weston entitled "Agreement with Respect to the Establishment of a Technical and Vocational Regional School District", as heretofore amended (the "Agreement") is hereby further amended as follows:~~

~~A. Subsection I (C) of the Agreement is amended by deleting the second sentence thereof, as inserted by Amendment No. 2, and substituting in its place the following sentence:~~

~~The moderator of each town that shall be admitted to the District pursuant to Section VIII of this Agreement shall, prior to the date on which such admission takes effect, appoint one member to serve on the Committee beginning on such date for a term of three years, measured from July 1 next preceding such date, or for such shorter term, measured from such July 1, as may be necessary to retain symmetry of terms on the Committee as a whole.~~

~~B. Subsection I (C) of the Agreement is further amended by deleting the last sentence thereof and substituting in its place the following sentence:~~

~~The term of each member of the Committee shall commence on July 1 of the year in which he or she is appointed.~~

~~C. Subsection I (E) of the Agreement is amended by deleting said subsection and substituting in its place the following subsection:~~

~~(E) Annually, on a date specified in the by-laws of the District, the Committee shall organize and choose by ballot a chairman and a vice chairman from among its own membership.~~

~~D. Transition and Effective Date of Amendment No. 3. Amendment No. 3 to the Agreement, proposed by vote of the Committee adopted on October 7, 1980, shall take full effect on January 1 of the year following the year in which it has been accepted by all members towns and the terms of all the members of the Committee in office on such January 1 shall be extended to expire at the commencement of the term of their successors in the year in which their terms would otherwise expire pursuant to the Agreement as amended by Amendment No. 3.~~

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 3/10/14

STAFF: Lynne Pease

ITEM NUMBER: I.6

SUBJECT:

Article Positions and Selectmen Article Presenters

EXECUTIVE SUMMARY:

At this meeting you will be taking positions on as many articles as time allows. Attached is a table that lists all of the articles to be taken up at the 2014 Special and Annual Town Meeting.

Deb will be sending the proposed list of Article Presenters to you over the weekend.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

STAFF FOLLOW-UP:

Selectmen's Office

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

PRESENTER:

Carl F. Valente
Rob Addelson

ITEM NUMBER:

I.7

SUBJECT:

OPEB Working Group Recommendation

EXECUTIVE SUMMARY:

The Town Manager's OPEB Working Group has reviewed the most recent OPEB Actuarial Study and has made the attached recommendation regarding the future funding of OPEB benefits.

FINANCIAL IMPACT:

NA

RECOMMENDATION / SUGGESTED MOTION:

Move to endorse the funding policy recommended by the Town Manager's OPEB Working Group.

STAFF FOLLOW-UP:

TMO and Finance

Board of Selectmen

DRAFT POLICY for FUNDING OTHER POST EMPLOYMENT BENEFITS (OPEB)

March 10, 2014

Background: The Town of Lexington, pursuant to the Massachusetts General Laws, is required to provide its active employees upon their retirement with certain post-employment benefits (health and dental insurance) known as OPEB (Other Post Employment Benefits). The liability that results from the provision of these benefits is estimated using actuarial methods and revised every two years.

Assuming a 7.75% discount rate, the **Unfunded Actuarially Accrued Liability** - the present value of the future post retirement benefits for all currently retired employees and active employees eligible for those benefits - is \$87,194,853 based upon a supplementary schedule provided in the Actuarial Valuation as of 6/30/13.

While the estimate of this liability can vary based on changes in statutory requirements, benefit levels provided to employees and revised actuarial assumptions such as mortality, medical inflation rates, and the discount rate, the Board of Selectmen believe that the magnitude of this liability is unlikely to change materially.

Full financing of the Town's liability is represented by the **Annual Required Contribution (ARC)**, an annual payment that is the sum of two components. The first component is an amortized payment that is actuarially determined to retire the **Unfunded Actuarially Accrued Liability** over a fixed number of years. The second component of the ARC is the **Normal Cost**, which represents an actuarially determined annual contribution that will fund the Town's share of future retiree benefits earned by active employees in the current fiscal year. At the assumed discount rate of 7.75% and an amortization period of 26 years, the **ARC** is \$9,142,199 comprised of a **Normal Cost** of \$1,711,000 and an **Amortization of Unfunded Actuarially Accrued Liability** of \$7,431,000.

Given the competing demands on limited revenue, the Town has limited flexibility to fund its **Unfunded Actuarial Accrued Liability** other than by continuing its pay-as-you-go funding approach. This pay-as-you-go amount in FY14 was approximately \$5,900,000 and covers only the annual health insurance premiums for current retirees.

The Town does have the ability to fund some portion of the **Normal Cost**. By doing so the Town will build assets in a trust fund - enabled by a 2002 of the Legislature and formally known as the Post Retirement Insurance Liability Fund - that may be invested in vehicles that are reasonably expected to yield investment returns that are compatible, on an average annual basis over a decade or several decades, with the discount rate noted above. The balance in the trust fund should ultimately yield sufficient investment earnings to lower the amount that must be budgeted by the Town in any given year to pay

the Town's portion of that year's retiree health and dental insurance, thus buffering other services from the impact of rising cost of medical benefits.

Policy: It is the policy of the Board of Selectmen to recommend to Town Meeting each year a budget contribution to the OPEB Trust Fund in an amount that ranges from 35 to 100 percent of the estimated **Normal Cost** for the upcoming budget year, with the General and Enterprise Funds bearing their respective shares of those contributions. This approach will mitigate growth in the Unfunded Actuarial Accrued Liability, eventually reducing the amount the Town will need to budget for health insurance by approximately one-third, as the assets of the OPEB Trust Fund will be used to underwrite the annual cost of retiree benefits.

Further, it is recognized that there are competing claims for limited Town funds, which are considered as part of the annual budget process. Consequently, the annual recommendation for OPEB funding shall be made in the context of other capital and operating budget needs, such that recommended OPEB funding shall not have a material detrimental impact on service delivery or the maintenance of Town capital assets and infrastructure.

This policy should be reviewed following each update to the actuarial study.

Recommended by the OPEB Working Group to the Town Manager.

Deb Mauger, Board of Selectmen

Glenn Parker, Appropriation Committee

Alan Levine, Appropriation Committee

Rob Addelson, Assistant Town Manager for Finance

TOWN OF LEXINGTON

**OTHER POST-RETIREMENT EMPLOYEE BENEFITS
ANALYSIS
FOR FISCAL YEAR JULY 1, 2012-JUNE 30, 2013**

**REVISED
FEBRUARY 21, 2014**

FINANCIAL RISK ANALYSTS



February 21, 2014

Sent Via Email

Mr. Robert N. Addelson
Assistant Town Manager for Finance
Town of Lexington
1625 Massachusetts Avenue
Lexington, MA 02420

Dear Mr. Addelson:

Enclosed please find our revised report regarding indicated other than pension post-retirement employee liabilities as of June 30, 2013 for the Town. This report revises our report dated December 31, 2013 to reflect a correction to the amortized unfunded actuarial accrued liability, an adjustment to the expected annual contribution and some changes the alternative funding scenarios we provide. The liability calculation is in accordance with Governmental Accounting Standards Board Statement 45 (GASB-45).

It has been a pleasure being of service to you on this project. If after reviewing this report you have any questions please do not hesitate to contact us.

Sincerely,

Robert W. Van Epps, FCAS, MAAA
Managing Principal

John D. Stiefel, FSA, MAAA
Associated Consultant

TOWN OF LEXINGTON

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TOWN OF LEXINGTON

INTRODUCTION

Financial Risk Analysts, LLC has been retained by the Town of Lexington (the Town) to provide an actuarial valuation of the Town's retiree medical and life insurance post-retirement benefits program for the fiscal year ending June 30, 2013. Medical and life insurance are the two most common types of other (than pension) post-retirement employee benefits (OPEB) provided by an employer to retirees and their beneficiaries. This is the Town's fifth year of reporting OPEB liabilities.

The Town presently provides life, health and dental insurance benefits for active and retired employees and their covered dependents. The Town has reported to us 1,109 active employees, 125 pre-Medicare retirees, 910 Medicare retirees and 88 over-65 non-Medicare retirees who have elected health insurance.

Since the Town joined the Group Insurance Commission, all of its plans are on a premium basis and none are self-insured. Life and dental insurance benefits provided by the Town are fully insured. For health insurance, active employees and retirees not on Medicare have a choice among several plans sponsored by the Massachusetts Group Insurance Commission. As required by Massachusetts law, retirees not on Medicare have the same benefit options as active employees. Most retirees on Medicare are in the Harvard Pilgrim or Unicare plans. For retiree life insurance, the only option is a flat \$2,000 benefit (reduced from \$5,000).

A detailed description of the Town's census, benefit, and premium information is presented on Exhibits 7, 8 and 9.

TOWN OF LEXINGTON

CONDITIONS & LIMITATIONS

DATA

Within this report we used data and other information provided to us by the Town. This data consisted of the following:

- **Census Information** - the demographics of the active, pre-Medicare retiree and Medicare retiree population covered for medical and life insurance benefits as of the date of the most recent pension valuation. For active employees, date of hire was also included. Data was valued as of November 2013.
- **Benefit Information** - a description of the different health and life insurance plans available to participants.
- **Funding Information** - a description of how the life and health insurance plans are funded including the contributions required from employees and retirees.
- **Premium Rates** - the premium rates for the various plans and the percentage of each premium rate that the Town pays.
- **Life Insurance In-Force Information** - a summary of the life insurance schedules for actives and retirees and the participant contributions required.
- **Requirements for Retirement** - the age/service requirements for retirement with an unreduced pension benefit and the amount of benefit reduction for early retirement.
- **Probabilities of Retirement** - the probability that a general or uniformed employee eligible to retire will actually retire.
- **Retirement Election Rates** - The percentage of active participants who opt to continue their life and health insurance benefits (and pay the associated premiums) at retirement.

Although the data supplied were reviewed for purposes of reasonability, we have not independently audited or verified this information and we assume it to be accurate and complete. The results of our analysis will be contingent upon the reliability of the information supplied to us and such reliability is the responsibility of the Town. Should the Town become aware of any significant discrepancies in the data reported to us, we should be notified of such discrepancies and this report will be amended, if necessary.

TOWN OF LEXINGTON

UNCERTAINTY

Actuarial projections, by their nature, are estimates of future contingent events, which cannot be known with certainty. The Town's ultimate liability for medical, life and dental insurance benefits will be subject to events that have yet to occur such as the future employee attrition rate, retirements, and particularly interest rates and medical cost inflation.

While we believe the results presented in this report are reasonable and reflect the use of accepted actuarial principles and standards of practice, it is possible that the actual future OPEB liability of the Town will differ, perhaps materially, from what we have projected herein. Nothing in this report should be construed as a warranty or guarantee as to the adequacy of the liability estimates contained herein.

TOWN OF LEXINGTON

DISTRIBUTION & USE

This report is provided solely for the use of the Town of Lexington in evaluating its OPEB liability for the fiscal year July 1, 2012 through June 30, 2013. A copy of this report may also be provided to the Town's auditor with the proviso that the report is copied in its entirety and that each party receiving a copy of this report agrees to not distribute the report to any other third party.

TOWN OF LEXINGTON

REQUIRED DISCLOSURES

Required Information for the Fiscal Year July 1, 2012 through June 30, 2013

As required by GASB-45, the table below presents a 3-year summary of the results of our results.

Lexington			
GASB-45 Required Disclosures			
	FYE 2011	FYE 2012	FYE 2013
	Full Valuation	Town Financials	Full Valuation
	<u>2.50%</u>	<u>2.50%</u>	<u>4.50%</u>
A. Expected Post-Retirement Benefit Obligation (EPBO)	\$ 429,781,233		\$ 176,784,446
B. Funded Status			
1 Actuarial Accrued Liability			
Active Employees	\$ 97,842,403		\$ 40,912,449
Retirees	\$ 206,861,958		\$ 90,493,620
Total AAL	\$ 304,704,360		\$ 131,406,069
2 Actuarial Value of Assets	\$ 2,500,000		\$ 3,069,273
3 Unfunded Actuarial Accrued Liability (1)-(2)	\$ 302,204,360		\$ 128,336,796
4 Funded Ratio (2)/(1)	0.82%		2.34%
5 Annual Covered Payroll	Town to provide		\$ 83,486,497
6 Ratio of Unfunded AAL to Covered Payroll	(3)/(5)	(3)/(5)	1.537
C. Annual Required Contribution			
1 Normal Cost (Service Cost)	\$ 8,701,341		\$ 3,370,054
2 Amortization of Unfunded AAL	\$ 14,889,767		\$ 8,108,106
3 Annual Required Contribution (ARC) (1)+(2)	\$ 23,591,108		\$ 11,478,160
D. OPEB Cost			
1 ARC	\$ 23,591,108	\$ 23,058,694	\$ 11,478,160
2 Interest on Net OPEB Obligation	\$ 855,580	\$ 1,257,664	\$ 3,019,667
3 Adjustment to ARC	\$ 1,672,359	\$ 2,458,776	\$ 4,239,501
4 Annual OPEB Cost (1)+(2)-(3)	\$ 22,774,328	\$ 21,857,582	\$ 10,258,326
E. Net OPEB Obligation			
1 Net OPEB Obligation-beginning of year	\$ 34,223,182	\$ 52,665,101	\$ 67,103,713
2 Annual OPEB Cost	\$ 22,784,328	\$ 21,857,582	\$ 10,258,326
3 Expected Contributions during the year	\$ 6,837,760	\$ 7,418,970	\$ 6,050,165
4 Net OPEB Obligation-end of year (1)+(2)-(3)	\$ 50,159,750	\$ 67,103,713	\$ 71,311,874

TOWN OF LEXINGTON

The table above represents results using a partially-funded discount rate of 4.50%. The weighting is based on discount rates of 7.75% for a fully funded program and 4.00% for an unfunded program. Since the Town has only partially funded its GASB-45 liabilities, the weighted, partially-funded discount rate is appropriate for financial reporting purposes.

The following is an explanation of the above:

Expected Post-Retirement Benefit Obligation (EPBO) – This is the present value of the future post-retirement life and health insurance benefits for all currently retired employees and active employees eligible for those benefits. For active employees, the EPBO includes the full present value of benefits even though some employees have not yet fully earned or vested in those benefits. The municipality needs to be aware of this liability but does not need to disclose or recognize it on any of its financial statements.

Actuarial Accrued Liability (AAL) – This is also known as the Accumulated Post-Retirement Benefit Obligation (APBO) or the Transition Obligation. This is that portion of the EPBO that has been accrued to date. For existing retirees and active employees who have fully earned their benefit, the AAL equals the EPBO. Upon implementation of GASB-45, the APBO is the transition obligation (current liability) that must be recognized on the Municipality's balance sheet if the Municipality chooses immediate recognition. Alternatively, the Municipality can choose to amortize the current APBO. GASB-45 permits amortization over a period of from 10 to 30 years.

Plan Assets – The amount of assets held in trust to fund the plan (if the plan is funded).

Unfunded Actuarial Accrued Liability – The excess of the AAL over the plan assets.

Normal Cost – Also known as the Service Cost. This is the portion of the EPBO for active employees attributable to employee service during the year.

TOWN OF LEXINGTON

Amortization of Unfunded Accrued Liability – This is the annual amortization of the AAL if the entity chooses to amortize the AAL. If the entity chooses to amortize the AAL, the amortization cost should be booked as a current year expense. Lexington elected to amortize the AAL, and we use the level dollar amortization method for this calculation. We used an initial 30 year period for purposes of amortizing the AAL. This is the maximum period of time allowed under GASB. GASB allows amortization on an open, closed or level % of payroll basis. We selected the closed basis; i.e. the amortization period declines 1 year every year.

Annual Required Contribution (ARC) – This is the total amount that should be booked as a current year expense. GASB-45 recommends, but does not require, that the ARC actually be contributed (funded) each year.

Net OPEB Obligation – Beginning of Year – This is accumulated excess of each year's ARC over the actual contributions (premium payments) actually made that year.

Interest of Net OPEB Obligation – This is interest, at the assumed interest rate, on the Beginning of Year Net OPEB Obligation.

Adjustment to ARC – This is the Beginning of Year Net OPEB Obligation divided by the amortization factor.

Annual OPEB Cost – This is the ARC + Interest on Net OPEB Obligation - Adjustment to ARC

Expected Contributions During the Year – This is the amount of OPEB payments and funding the Municipality made during the just-completed fiscal year.

Net OPEB Obligation – End of Year Estimate – This is the Beginning of Year Net OPEB Obligation + Annual OPEB Cost - the Expected Contributions during the Year.

TOWN OF LEXINGTON

SCHEDULE OF EMPLOYER CONTRIBUTIONS

The schedule below is based on 4.50% interest, the normal cost and amortization of the unfunded actuarial accrued liability calculated as of June 30, 2012, future normal costs increasing at 5.0% per year and future amortization payments increasing at the assumed future healthcare trend rates.

Schedule of Employer Contributions 4.50% Discount Rate					
Fiscal Year Ending in	Normal Cost	Amortization Payment	Total Town ARC		
2013	\$3,370,054	\$8,108,106	\$11,478,160		
2014	\$3,538,557	\$8,283,500	\$11,822,057		
2015	\$3,715,484	\$8,541,301	\$12,256,786		
2016	\$3,901,259	\$8,888,185	\$12,789,444		
2017	\$4,096,322	\$9,333,507	\$13,429,829		
2018	\$4,301,138	\$9,889,719	\$14,190,857		
2019	\$4,516,195	\$10,476,636	\$14,992,831		
2020	\$4,742,004	\$11,095,876	\$15,837,880		
2021	\$4,979,105	\$11,749,139	\$16,728,243		
2022	\$5,228,060	\$12,438,212	\$17,666,271		
2023	\$5,489,463	\$13,164,973	\$18,654,436		
2024	\$5,763,936	\$13,931,397	\$19,695,333		
2025	\$6,052,133	\$14,739,558	\$20,791,690		
2026	\$6,354,739	\$15,591,634	\$21,946,373		
2027	\$6,672,476	\$16,489,916	\$23,162,392		
2028	\$7,006,100	\$17,457,422	\$24,463,522		
2029	\$7,356,405	\$18,478,371	\$25,834,776		
2030	\$7,724,225	\$19,555,602	\$27,279,828		
2031	\$8,110,437	\$20,692,102	\$28,802,539		
2032	\$8,515,958	\$21,881,889	\$30,397,847		
2033	\$8,941,756	\$23,126,591	\$32,068,348		
2034	\$9,388,844	\$24,427,832	\$33,816,676		
2035	\$9,858,286	\$25,787,221	\$35,645,507		
2036	\$10,351,201	\$27,206,353	\$37,557,554		
2037	\$10,868,761	\$28,686,803	\$39,555,564		
2038	\$11,412,199	\$30,230,120	\$41,642,318		
2039	\$11,982,809	\$31,837,819	\$43,820,628		
2040	\$12,581,949	\$33,511,382	\$46,093,331		
2041	\$13,211,047	\$35,252,246	\$48,463,293		
2042	\$13,871,599	\$37,076,801	\$50,948,400		
2043	\$14,565,179	\$38,988,694	\$53,553,873		

TOWN OF LEXINGTON

ANALYSIS

Assumptions

1. **Interest discount rate** - 4.50% per year, net of expenses, for a partially-funded plan, 4.00% per year, net of expenses, for an unfunded plan and 7.75% per year, net of expenses, for a fully-funded plan. The Town is partially funding its plan (contributions to date being about \$4 million or 5.5% of the Net OPEB Obligation), so this warrants an interest assumption in excess of the unfunded discount rate. GASB-45 requires that the selection of an unfunded interest discount rate be based on the expected long term rate of return on the (General Fund) assets expected to be available to pay the benefits when due. We note that a 1% increase in the assumed interest discount rate decreases the Town's liabilities by about 25%.
2. **Trend** - Medical Costs are assumed to increase each year according to the following schedule:

<u>Year</u>	<u>Medical Trend</u>
2013	2.16%
2014	3.11%
2015	4.06%
2016	5.01%
2017	5.96%
2018	5.93%
2019	5.91%
2020	5.89%
2025	5.78%
2030	5.81%
2040	5.19%
2050	5.00%
2060	4.83%
2070	4.35%
2080	4.35%
2085+	4.35%

The above trend rates were developed using the baseline projection of the SOA Long-Run Medical Cost Trend Model version 12.11 (November 2012). The short-term (first 4 years) trend rates were based on the fact that the Town's most recent rate increase for retirees. The long-term (after 4 years) trend rates were based on the following assumptions:

Rate of Inflation 2.8%

Rate of Growth in Real Income / GDP per capita 1.5%

TOWN OF LEXINGTON

Income Multiplier for Health Spending 1.30
 Extra Trend due to Technology and other factors 1.1%
 Health Share of GDP Resistance Point 23.0%
 Year for Limiting Cost Growth to GDP Growth 2060

The Society of Actuaries' (SOA's) Long-Run Medical Cost Trend Model and its baseline projection are based on an econometric analysis of historical US medical expenditures and the judgments of experts in the field. The long-run baseline projection and input variables have been developed under the guidance of an SOA Project Oversight Group. The above schedule represents a reasonable medical trend projection for the current plan provisions and demographics of the Town's Retiree Welfare Benefits Plan, and no changes to these baseline assumptions are necessary.

3. **Amortization Period** - Thirty years (initial), 26 years (remaining). 30 years is the maximum period permitted by GASB-45. GASB-45 permits amortization payments to increase at a rate not to exceed projected salary growth. We assumed level amortization payments, which we think are more realistic for budgeting purposes.
4. **Retirement Eligibility** - As prescribed by the terms of the Town's Retirement System.
5. **Marital Status** - Active participants are assumed to keep their current marital status upon retirement.
6. **Turnover** - Representative values of assumed annual turnover rates for general and uniformed employees are as follows.

Age Group	General Employees	Uniformed Employees
<20	15.00%	1.50%
20-24	13.13%	1.50%
25-29	10.12%	1.50%
30-34	8.33%	1.46%
35-39	6.78%	1.22%
40-44	5.96%	0.28%
45-49	5.13%	0.03%
50-54	3.23%	0.03%
55-59	2.45%	0.00%
60-64	2.07%	0.00%
65-69	1.94%	0.00%
70-74	1.22%	0.00%
75+	0.00%	0.00%

In 2011, we checked these turnover rates against those used by the Town's pension actuary (David Driscoll, FSA). They are consistent (although his turnover rates are based on service). For instance, his turnover rates also start at 15% for general employees and 1.5% for uniformed employees.

TOWN OF LEXINGTON

7. **Mortality** - Mortality assumptions are used to project the expected number of employees who will be receiving benefits each year in the future. We used the RP-2000 mortality table (combined healthy lives) with projected mortality.
8. **Disability** - Disability assumptions are used to project the number of people who will retire early due to disability. The possibility of disability was accounted for by assuming average retirement ages that were 1 year younger than were observed by the Town (see (10) below)
9. **Requirements for Retirement** - The Town has informed us it requires attainment of age 55 for general employees to retire with an unreduced pension benefit. For uniformed employees this age is 65. Early retirement with a reduced benefit is available with twenty years of service. For Uniformed employees, there is a mandatory retirement age of 65.
10. **Age at Retirement** - Representative assumed average retirement ages are shown below. These values are consistent with the requirements for retirement stated above, the input provided by the Town and the adjustment for disability retirements (see (8) above).

<u>Age</u>	<u>General Employees</u>	<u>Uniformed Employees</u>
45	63	58
50	63	59
55	64	61
60	66	64
62	67	65
65	69	65
69	72	n/a
70	72	n/a

11. **Retirement Election Rates** - The Town provided us data for each group showing total retirees and how many retirees have elected to continue post-retirement benefits and pay the associated premiums. That data showed that retirement election rates have been as follows.

All Employees

Health Insurance	Only participants electing health insurance included
Life Insurance	49%
Dental Insurance	59%

12. **Affordable Care Act** - The Affordable Care Act indicates that premiums over \$10,200/\$27,500 (Single/Family) in 2018 will be subject to a 40% excise tax. Some of the Town's premiums might exceed these thresholds in 2018 (based on current trend assumptions); but we did not calculate or include any additional GASB-45 liability for this

TOWN OF LEXINGTON

eventuality. In our judgment, the Town's benefits and premiums are "normal" for a government, not "Cadillac." Also, the Town is likely to take action to avoid the tax if necessary. Finally, the current thresholds (\$10,200/\$27,500) are projected to trigger the tax with over 50% of government employers; so it is quite likely that Congress will change them before 2018.

13. **Plan Changes** - The Town joined the Massachusetts Group Insurance Commission effective 7-1-12. As a result, there were be savings to the Town resulting from changes in benefits, premium rates and increased member contribution requirements. These changes have been reflected in the data the Town provided us as of November 2013, so we have reflected these savings in this valuation.
14. **Expenses** - We did not make an explicit assumption for expenses because our assumed interest discount rates are net of expenses.

Methodology

We used the Projected Unit Credit actuarial cost method in our analysis. The following is a summary of the steps employed in this methodology.

1. **Determine current annual subsidy for life and health insurance for the pre-Medicare retirees, Medicare retirees and retirees over age 65 not on Medicare.** We used the most recently available census data, current premiums, participant contribution requirements and age-sex adjustment factors to make these calculations.
2. **Calculate the EPBO.** This is the present value of future subsidies for life and health insurance for the actives, pre-Medicare retirees, retirees over 65 not on Medicare and Medicare retirees. Separate calculations were required for active general and active uniformed employees.
3. **Calculate the AAL from the EPBO and the active employee age and service information from the census.**
4. **Calculate the other GASB-45 required disclosures.**

TOWN OF LEXINGTON

APPENDIX 1 – GASB-45 Required Disclosures at 7.75% Interest

Lexington	
GASB-45 Required Disclosures	
	FYE 2013
	Full Valuation
	<u>7.75%</u>
A. Expected Post-Retirement Benefit Obligation (EPBO)	\$ 110,395,098
1. Impact of a 1% Change in the Interest Assumption	16%
B. Funded Status	
1 Actuarial Accrued Liability	
Active Employees	\$ 22,300,753
Retirees	\$ 67,963,373
Total AAL	\$ 90,264,126
2 Actuarial Value of Assets	\$ 3,069,273
3 Unfunded Actuarial Accrued Liability (1)-(2)	\$ 87,194,853
4 Funded Ratio (2)/(1)	3.40%
5 Annual Covered Payroll	\$ 83,486,497
6 Ratio of Unfunded AAL to Covered Payroll	1.044
C. Annual Required Contribution	
1 Normal Cost (Service Cost)	\$ 1,711,184
2 Amortization of Unfunded AAL	\$ 7,431,014
3 Annual Required Contribution (ARC) (1)+(2)	\$ 9,142,199
D. OPEB Cost	
1 ARC	\$ 9,142,199
2 Interest on Net OPEB Obligation	\$ 5,200,538
3 Adjustment to ARC	\$ 5,635,776
4 Annual OPEB Cost (1)+(2)-(3)	\$ 8,706,961
E. Net OPEB Obligation	
1 Net OPEB Obligation-beginning of year estimate	\$ 67,103,713
2 Annual OPEB Cost	\$ 8,706,961
3 Expected Contributions during the year	\$ 6,050,165
4 Net OPEB Obligation-end of year (1)+(2)-(3)	\$ 69,760,509

TOWN OF LEXINGTON

APPENDIX 2 – Alternative Contribution Scenarios

Lexington Alternate Funding Scenarios (50-Year Projection at 4.5% Interest)					
	\$0 Contributions in Future	Flat \$500,000 per Year	\$500,000 Increasing by 4% per Year	\$1,000,000 Increasing by 4% per Year	\$1,500,000 Increasing by 4% per Year
A. Expected Post-Retirement Benefit Obligation (EPBO)	\$ 176,784,446	\$ 176,784,446	\$ 176,784,446	\$ 176,784,446	\$ 176,784,446
1. Impact of a 1% Change in the Interest Assumption	25%				
B. Funded Status					
1 Actuarial Accrued Liability					
Active Employees	\$ 40,912,449	\$ 40,912,449	\$ 40,912,449	\$ 40,912,449	\$ 40,912,449
Retirees	\$ 90,493,620	\$ 90,493,620	\$ 90,493,620	\$ 90,493,620	\$ 90,493,620
Total AAL	\$ 131,406,069	\$ 131,406,069	\$ 131,406,069	\$ 131,406,069	\$ 131,406,069
2 Actuarial Value of Assets	\$ 3,069,273	\$ 12,950,277	\$ 25,244,317	\$ 47,419,360	\$ 69,594,404
3 Unfunded Actuarial Accrued Liability (1)-(2)	\$ 128,336,796	\$ 118,455,792	\$ 106,161,752	\$ 83,986,708	\$ 61,811,664
4 Funded Ratio (2)/(1)	2.34%	9.86%	19.21%	36.09%	52.96%
5 Annual Covered Payroll	\$ 83,486,497	\$ 83,486,497	\$ 83,486,497	\$ 83,486,497	\$ 83,486,497
6 Ratio of Unfunded AAL to Covered Payroll	1.537	1.419	1.272	1.006	0.740
C. Annual Required Contribution					
1 Normal Cost (Service Cost)	\$ 3,370,054	\$ 3,370,054	\$ 3,370,054	\$ 3,370,054	\$ 3,370,054
2 Amortization of Unfunded AAL	\$ 8,108,106	\$ 7,483,841	\$ 6,707,123	\$ 5,306,141	\$ 3,905,158
3 Annual Required Contribution (ARC) (1)+(2)	\$ 11,478,160	\$ 10,853,894	\$ 10,077,177	\$ 8,676,195	\$ 7,275,212
D. OPEB Cost					
1 ARC	\$ 11,478,160	\$ 10,853,894	\$ 10,077,177	\$ 8,676,195	\$ 7,275,212
2 Interest on Net OPEB Obligation	\$ 3,019,667	\$ 3,019,667	\$ 3,019,667	\$ 3,019,667	\$ 3,019,667
3 Adjustment to ARC	\$ 4,239,501	\$ 4,239,501	\$ 4,239,501	\$ 4,239,501	\$ 4,239,501
4 Annual OPEB Cost (1)+(2)-(3)	\$ 10,258,326	\$ 9,634,060	\$ 8,857,343	\$ 7,456,361	\$ 6,055,378
E. Net OPEB Obligation					
1 Net OPEB Obligation-beginning of year estimate	\$ 67,103,713	\$ 67,103,713	\$ 67,103,713	\$ 67,103,713	\$ 67,103,713
2 Annual OPEB Cost	\$ 10,258,326	\$ 9,634,060	\$ 8,857,343	\$ 7,456,361	\$ 6,055,378
3 Expected Contributions during the year	\$ 6,050,165	\$ 6,050,165	\$ 6,050,165	\$ 6,050,165	\$ 6,050,165
4 Net OPEB Obligation-end of year (1)+(2)-(3)	\$ 71,311,874	\$ 70,687,608	\$ 69,910,891	\$ 68,509,909	\$ 67,108,926

TOWN OF LEXINGTON

APPENDIX 3 – Enterprise Funds

Lexington Enterprise Funds				
	FYE 2013 Total <u>100.00%</u>	Allocation to Water <u>0.65%</u>	Allocation to Sewer <u>0.25%</u>	Allocation to Recreation <u>0.41%</u>
A. Expected Post-Retirement Benefit Obligation (EPBO)	\$ 176,784,446	\$ 1,149,099	\$ 441,961	\$ 724,816
1. Impact of a 1% Change in the Interest Assumption	25%			
B. Funded Status				
1 Actuarial Accrued Liability				
Active Employees	\$ 40,912,449	\$ 265,931	\$ 102,281	\$ 167,741
Retirees	\$ 90,493,620	\$ 588,209	\$ 226,234	\$ 371,024
Total AAL	\$ 131,406,069	\$ 854,139	\$ 328,515	\$ 538,765
2 Actuarial Value of Assets	\$ 3,069,273	\$ 19,950	\$ 7,673	\$ 12,584
3 Unfunded Actuarial Accrued Liability (1)-(2)	\$ 128,336,796	\$ 834,189	\$ 320,842	\$ 526,181
4 Funded Ratio (2)/(1)	2.34%	2.34%	2.34%	2.34%
5 Annual Covered Payroll	\$ 83,486,497	Town to provide	Town to provide	Town to provide
6 Ratio of Unfunded AAL to Covered Payroll	1.537	(3)/(5)	(3)/(5)	(3)/(5)
C. Annual Required Contribution				
1 Normal Cost (Service Cost)	\$ 3,370,054	\$ 21,905	\$ 8,425	\$ 13,817
2 Amortization of Unfunded AAL	\$ 8,108,106	\$ 52,703	\$ 20,270	\$ 33,243
3 Annual Required Contribution (ARC) (1)+(2)	\$ 11,478,160	\$ 74,608	\$ 28,695	\$ 47,060
D. OPEB Cost				
1 ARC	\$ 11,478,160	\$ 74,608	\$ 28,695	\$ 47,060
2 Interest on Net OPEB Obligation	\$ 3,019,667	\$ 19,628	\$ 7,549	\$ 12,381
3 Adjustment to ARC	\$ 4,239,501	\$ 27,557	\$ 10,599	\$ 17,382
4 Annual OPEB Cost (1)+(2)-(3)	\$ 10,258,326	\$ 66,679	\$ 25,646	\$ 42,059
E. Net OPEB Obligation				
1 Net OPEB Obligation-beginning of year estimate	\$ 67,103,713	\$ 436,174	\$ 167,759	\$ 275,125
2 Annual OPEB Cost	\$ 10,258,326	\$ 66,679	\$ 25,646	\$ 42,059
3 Expected Contributions during the year	\$ 6,050,165	\$ 39,326	\$ 15,125	\$ 24,806
4 Net OPEB Obligation-end of year (1)+(2)-(3)	\$ 71,311,874	\$ 463,527	\$ 178,280	\$ 292,379

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

REQUIRED DISCLOSURES-SUMMARY
4.50% Interest

	<u>Active</u>	<u>Retired</u>	<u>Total</u>
A. Expected Post-Retirement Benefit Obligation	\$86,290,826	\$90,493,620	\$176,784,446
B. Actuarial Accrued Liability	\$40,912,449	\$90,493,620	\$131,406,069
C. Plan Assets	\$955,599	\$2,113,674	\$3,069,273
D. Unfunded Actuarial Accrued Liability	\$39,956,850	\$88,379,946	\$128,336,796
E. Service Cost (Normal Cost)	\$3,370,054	\$0	\$3,370,054
F. Amortization of Unfunded Accrued Liability	\$2,524,408	\$5,583,698	\$8,108,106
G. Annual Required Contribution (ARC)	\$5,894,461	\$5,583,698	\$11,478,160
H. Unamortized Portion of Actuarial Accrued Liability	\$38,388,041	\$84,909,921	\$123,297,963
I. Expected Benefit (Premium) Payments	n/a	\$5,480,892	\$5,480,892

A-B. Exhibit 2

C. Asset value as of November 2013

D. B - C

E-H. Exhibit 2

I. These are the Town's share of the annual retiree life, dental and health insurance premiums.

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

Exhibit 2

REQUIRED DISCLOSURES-DETAIL
4.50% Interest

	Active Employees			Retirees			Total
	General (1)	Uniformed (2)	Total (3)=(1)+(2)	Pre- Medicare (4)	Age 65+ Not on MC (5)	Medicare (6)	Total (7)=(3)+(4)+(5)+(6)
A. Number of Members Generating a Liability (Medical)	996	113	1,109	125	88	910	2,232
B. Expected Post Retirement Benefit Obligation							
Medical/Rx/Vision	\$66,064,284	\$15,467,931	\$81,532,216	\$23,211,787	\$22,776,597	\$39,514,857	\$167,035,457
Dental	\$2,945,402	\$689,620	\$3,635,022	\$1,034,871	\$1,015,469	\$1,761,725	\$7,447,088
Life	\$910,426	\$213,162	\$1,123,588	\$319,880	\$313,882	\$544,551	\$2,301,901
Total	\$69,920,112	\$16,370,714	\$86,290,826	\$24,566,538	\$24,105,949	\$41,821,134	\$176,784,446
C. Actuarial Accrued Liability	\$33,302,011	\$7,610,438	\$40,912,449	\$24,566,538	\$24,105,949	\$41,821,134	\$131,406,069
D. Plan Assets	\$777,840	\$177,758	\$955,599	\$573,805	\$563,047	\$976,823	\$3,069,273
E. Unfunded Actuarial Accrued Liability (UAAL)	\$32,524,170	\$7,432,680	\$39,956,850	\$23,992,733	\$23,542,902	\$40,844,311	\$128,336,796
F. Service Cost (Normal Cost)	\$2,812,122	\$557,932	\$3,370,054	\$0	\$0	\$0	\$3,370,054
G. Amortization Factor	15.83	15.83	15.83	15.83	15.83	15.83	15.83
H. Amortization of UAAL	\$2,054,823	\$469,584	\$2,524,408	\$1,515,821	\$1,487,402	\$2,580,476	\$8,108,106
I. Annual Required Contribution	\$4,866,946	\$1,027,516	\$5,894,461	\$1,515,821	\$1,487,402	\$2,580,476	\$11,478,160
J. Unamortized Portion of UAAL	\$31,247,187	\$7,140,854	\$38,388,041	\$23,050,717	\$22,618,547	\$39,240,658	\$123,297,963

- A. Exhibit 9
B. Exhibit 4. Dental and Life EPBO = ratio of premium to Medical premium x Medical EPBO
C. For retired lives AAL = EPBO. For active lives AAL = EPBO x C from Exhibit 3
D. Plan Assets = total amount of funding as of November 2013. Plan assets for subgroups are pro-rated based on C.
E. C - D
F. For retired lives Service Cost = 0. For active lives Service Cost = EPBO x D from Exhibit 3
G. Amortization factor = present value at 4.50% interest of a 26-year annuity due
H. E/G
I. F + H
J. C - H

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

ACTIVE EMPLOYEE ACCRUED BENEFITS
4.50% Interest

	Active Employees	
	<u>General</u>	<u>Uniformed</u>
	(1)	Employees (2)
A. Average Projected Service at Retirement = Attribution Period	27.9	29.6
B. Weighted Average Service to Date	13.3	13.8
C. Weighted Average Percent of Retirement Benefits Accrued to Date	47.6%	46.5%
D. Percent of OPEB Accrued in Fiscal Year 2012	4.0%	3.4%

-
- A. Calculated from the census data
 - B. Calculated from the census data
 - C. B/A
 - D. Calculated from the census data

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

EXPECTED POST-RETIREMENT BENEFIT OBLIGATION - MEDICAL/Rx
4.50% Interest

	Active Employees		Retirees			Total (6)
	(1)	(2)	(3)	(4)	(5)	
	<u>General</u>	<u>Uniformed</u>	<u>Pre-Medicare</u>	<u>Age 65+ Not on MC</u>	<u>Medicare</u>	
A. Number of Contracts	996	113	125	88	910	2,232
B. Annual Subsidy per Contract	n/a	n/a	\$17,958	\$17,418	\$3,501	
C. PV of Future Subsidies for All Employees	\$69,363,939	\$16,240,495	\$24,371,126	\$23,914,200	\$41,488,471	\$175,378,230
D. Percent Expected to Elect Medical at Retirement	100%	100%	100%	100%	100%	
E. Expenses	0%	0%	0%	0%	0%	0%
F. Adjustment to Account for Survivor Benefits	1.01	1.01	1.01	1.01	1.01	1.01
G. Impact of "Cadillac tax" during and after 2018	1.00	1.00	1.00	1.00	1.00	1.00
H. Interest Adjustment	0.943	0.943	0.943	0.943	0.943	0.943
I. Expected Post-Retirement Benefit Obligation	\$66,064,284	\$15,467,931	\$23,211,787	\$22,776,597	\$39,514,857	\$167,035,457
J. EPBO per Contract	\$66,330	\$136,884	\$185,694	\$258,825	\$43,423	\$74,837

- A. Exhibit 9
- B. Exhibit 5
- C. Calculated from B and the age and sex of each contractholder.
- D. Calculation only considered participants who actually elected medical.
- E. Expenses are 0% because the assumed interest rate is net of expenses.
- F. Survivors can continue coverage and pay the same % as actives.
Also, survivors can resume coverage any time even if they decline it initially.
- G. Assumed to be 0% as a result of discussion with the Town CFO.
- H. This accounts for the fact that the valuation is for FY 7/1/12 but the data is as of 11/1/13.
- I. $C \times D \times (1 + E) \times F \times G \times H$
- J. H / A

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

CURRENT ANNUAL SUBSIDY - MEDICAL/Rx

	<u>Active</u> (1)	<u>Pre-Med. Retirees</u> (2)	<u>Ret. >65 Not on MC</u> (3)	<u>Medicare Retirees</u> (4)
A. Average Annual Premium per Contract excluding Med Part B	n/a	\$13,233	\$8,313	\$4,486
B. Actual Annual Cost per Contract excluding Med Part B	n/a	\$20,303	\$18,953	\$4,486
C. Annual Medicare Part B Premium per Contract paid by the Town	n/a	n/a	n/a	\$41
D. Blended Annual Stop Loss Premium paid by the Town	n/a	\$36	\$46	\$49
E. Total Actual Annual Cost per Contract	n/a	\$20,339	\$18,999	\$4,576
F. Annual Member Contributions per Contract	n/a	\$2,382	\$1,580	\$1,075
G. Current Annual Subsidy per Contract	n/a	\$17,958	\$17,418	\$3,501

- A. Exhibit 6
- B. 100.00% of A for MR.
For PMR and Retirees > 65 not on M/C, equal to A times an age-sex factor to account for the "implicit subsidy".
For PMR and Retirees > 65 not on M/C, the age-sex factors are 153.43% and 228.00% respectively.
- C. The Town reimburses Medicare retirees for 40% of the Medicare Part B premium.
- D. Used same numbers as 2012
- E. B + C + D
- F. Exhibit 6
- G. E - F

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

Exhibit 6

MEMBER CONTRIBUTIONS

	<u>Medical/Rx</u>
<u>Pre-Medicare Retirees - < 65</u>	
Blended Monthly Premium per Contract	\$1,102.74
Blended Annual Premium per Contract	\$13,232.85
Percent Paid By Members	18.00%
Current Annual Amount Members Pay	\$2,381.53
<u>Pre-Medicare Retirees - > 65</u>	
Blended Monthly Premium per Contract	\$692.72
Blended Annual Premium per Contract	\$8,312.60
Percent Paid By Members	19.01%
Current Annual Amount Members Pay	\$1,580.35
<u>Medicare Retirees</u>	
Blended Monthly Premium per Contract	\$373.81
Blended Annual Premium per Contract	\$4,485.68
Percent Paid By Members	23.97%
Current Annual Amount Members Pay	\$1,075.27

Monthly costs calculated from census and premium rates.

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

FUNDING INFORMATION

<u>Actives</u>	
Medical	All plans designed for actives are fully-insured. Employees pay 25% of premium for Indemnity Plan. Employees pay 15% of premium for PPO / HMO plans. Premium rate schedule depends on plan elected. Stop loss coverage determined by the GIC.
Drugs and Vision	Included with Medical
Dental	All plans designed for actives are fully-insured. Members pay 50% of blended cost of actives and retirees.
Life Insurance	Fully insured. Members pay 50% of blended cost of actives and retirees. Current monthly premium rate is \$4.20 per month for \$5,000 of coverage for active ees.
<u>Retirees Under 65</u>	
Medical	All plans designed for Non-Medicare Retirees are fully-insured. Retirees pay 25% of premium for Indemnity Plan. Retirees pay 15% of premium for PPO / HMO plans. Premium rate schedule depends on plan elected. Stop loss coverage determined by the GIC.
<u>Retirees Over 65</u>	
Medical	All plans designed for Medicare Retirees are fully-insured. Retirees pay 25% of premium for Indemnity Supplemental Plan. Retirees pay 15% of premium for HMO plans. Premium rate schedule depends on plan elected. Stop loss coverage determined by the GIC.

Data provided by the Town of Lexington

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

BENEFIT INFORMATION

<u>Actives</u>	
Medical	Fallon Community Plan Direct, Fallon Community Plan Select, Harvard Pilgrim Independence, Harvard Pilgrim Primary Choice, Health New England, Neighborhood Health Plan, Tufts Health Plan Navigator, Tufts Health Plan Spirit, UniCare Indemnity Plan w CIC, Unicare Indemnity Community Choice & Unicare PLUS. Rates depend on choice of coverage
Drugs and Vision	Included if Medical Elected (Drug Copays per Medical Plan Elected Apply)
Dental	Choice of Delta Premier or Delta Care.
Life Insurance	All life insurance benefits are a flat \$5,000
<u>Retirees Under 65</u>	
Medical	Fallon Community Plan Direct, Fallon Community Plan Select, Harvard Pilgrim Independence, Harvard Pilgrim Primary Choice, Health New England, Neighborhood Health Plan, Tufts Health Plan Navigator, Tufts Health Plan Spirit, UniCare Indemnity Plan w CIC, Unicare Indemnity Community Choice & Unicare PLUS. Rates depend on choice of coverage
Drugs and Vision	Included if Medical Elected (Drug Copays per Medical Plan Elected Apply)
Dental	Choice of Delta Premier or Delta Care.
Life Insurance	Flat \$2,000
<u>Retirees Over 65</u>	
Medical	Fallon Senior Plan, Harvard Pilgrim Medicare Enhanced, Health New England Plus, Tufts Health Plan Medicare Compliment, Tufts Health Plan Medicare Preferred, Unicare Indemnity (OME) with CIC. Section 18 applies, so Medicare enrollment is mandatory
Drugs and Vision	Town Supplements 40% of Medicare Part B though a reduction in monthly supplemental rate. Included if Medical Elected (Drug Copays per Medical Plan Elected Apply) Drug plan Not Eliminated When Medicare Part D Took Effect
Dental	Same Choices as for Actives
Life Insurance	Flat \$2,000

Data provided by the Town of Lexington

**TOWN OF LEXINGTON
GASB 45 DETERMINATION**

CENSUS INFORMATION

	<u>General</u> (1)	<u>Uniformed</u> (2)	<u>Elected No Coverage</u> (3)	<u>Total</u> (4)
<u>Actives - Medical</u>				
Number of Contracts	996	113		1,109
Average Age	46	46		46
Average Service Years	9	14		10
<u>Pre-Medicare Retirees - Medical/Under 65</u>				
Number of Contracts	125	Incl in Gen		125
Average Age	60			60
<u>Retirees >65 Not on Medicare</u>				
Number of Contracts	88	Incl in Gen		88
Average Age	72			72
<u>Medicare Retirees - Medical</u>				
Number of Contracts	910	Incl in Gen		910
Average Age	76			76
Total Retirees				
<u>Life Insurance</u>				
Number of Contracts - Actives	470	83	670	1,140
Number of Contracts - Retirees	590	Incl in Gen	604	1,194
Number Electing Life Insurance - Total	1,060	Incl in Gen	1,274	2,334
<u>Dental Insurance</u>				
Number of Contracts - Actives	956	108	159	1,223
Number of Contracts - Retirees	681	Incl in Gen	477	1,158
Number Electing Dental Insurance - Total	1,637			
Percent of Retirees Electing Life Insurance				49%
Percent of Retirees Electing Dental Insurance				59%

Data provided by the Town of Lexington

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

PRESENTER:

Carl F. Valente

ITEM NUMBER:

I.8

SUBJECT:

Right of First Refusal – 430 Concord Avenue

EXECUTIVE SUMMARY:

ARTIS Senior Living is proposing to purchase a portion of the parcel of land located at 430 Concord Avenue. This parcel is currently eligible for and receiving a property tax reduction under the State statute, Chapter 61A, that provides this benefit for land used for agricultural purposes. When so-called Chapter land is under a Purchase and Sale Agreement and no longer will be used for agricultural purposes, however, the Town has the right of first refusal to purchase the property at the price negotiated (by ARTIS) in the P&S agreement. As ARTIS determines whether to go forward with the evaluation to purchase this property, they have asked whether the Selectmen have any interest in exercising the Town's right to purchase the parcel.

FINANCIAL IMPACT:

NA

RECOMMENDATION / SUGGESTED MOTION:

STAFF FOLLOW-UP:

The Town Manager will convey the Board's informal response to Counsel for ARTIS.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

PRESENTER:

Denise Y. Casey, Carl F. Valente

ITEM NUMBER:

I.9

SUBJECT:

Approve Collective Bargaining Agreement for Lexington Municipal Management Association.

EXECUTIVE SUMMARY:

The Board had previously considered, in Executive Session, the proposed collective bargaining agreement with the Lexington Municipal Management Association (LMMA) for FY13 and FY14. The LMMA membership is voting on March 10 whether to accept the Agreement. If the LMMA votes to accept the Agreement, the Board will be asked to vote to accept it as well. It provides for:

- A 2% cost of living adjustment for Fiscal Year 2013.
- A 2% cost of living adjustment for Fiscal Year 2014.

FINANCIAL IMPACT:

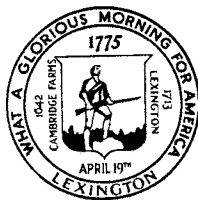
The cost of living adjustments for Lexington Municipal Management Association staff are within the amount allocated in the FY14 operating budgets.

RECOMMENDATION / SUGGESTED MOTION:

Move to approve the collective bargaining agreement between the Town and the Lexington Municipal Management Association for Fiscal Years 2013 and 2014.

STAFF FOLLOW-UP:

TMO/Human Resources



**Memorandum of Understanding
Between
Town of Lexington
And
Lexington Municipal Management Association
LMMA**

The Town of Lexington and the Lexington Municipal Management Association hereby agree to the following amendments to the collective bargaining agreement, which expired June 30, 2012.

1. Article 14 Unpaid Leave

Add Article 14.4, "In the event an employee needs to take unpaid leave related to their own illness, the employee must exhaust all sick, vacation and personal leave prior to being placed on unpaid leave. In the event an employee needs to take unpaid leave for other purposes, the employee must exhaust all vacation and personal leave prior to being placed on unpaid leave."

Amend the 1st paragraph to read, "For employees hired before 07/01/2007 and who are on the January 1 vacation granting system, the employee's vacation balance for the following January 1 will be prorated based on the number of weeks missed in the previous calendar year".

Example

Vacation leave	Unpaid leave	Vacation Balance January 1
4 weeks	2 weeks	140 - 5.8 = 134.2
35hrs/wk = 140/yr	11.6/2 = 5.8 hrs	
140/yr / 12 = 11.6/month		

2. Article 26.4 Compensation – Promotion or Transfer

Add the following, "When an employee is promoted from another bargaining unit into the LMMA, their anniversary date for the purposes of future step increases is the effective date of the promotion. Employees will be placed in the LMMA salary band as determined by the Town Manager".

Change the Article to include the following sections:

- 4a Promotion of an existing member of the LMMA
- 4b Promotion of a member of another association/union into the LMMA
- 4c Probationary period.

3. Article 13 Personal Leave

“New employees in their first year of employment will have their Personal Leave pro-rated based on the following basis:

Hire date January 1 to June 30	3 Personal Days
Hire Date July 1 to September 30	2 Personal Days
Hire Date October 1 to December 31	1 Personal Day

Employees in their second year of employment will receive 3 personal days on January 1.”

4. New Article Direct Deposit

“As of the signing of the agreement, all employees must have their biweekly pay direct deposited to the financial institution of their choosing. Existing employees who are currently not receiving direct deposit will be excluded from the above provision unless and until they request otherwise.

New employees hired after July 1, 2013 and those existing employees who request will have their payroll stubs sent to the electronic mail address of their choosing. Arrangements will be made for individuals without access to personal or Town of Lexington electronic mail.”

5. Article 1 Recognition and Exhibits A-B

- Remove DPW Office Manager, as that position is now non-represented.
- Change “Town Assessor” to “Director of Assessing”.
- Change “Director of Information Services” to “Director of Information Technology”.
- Add “Traffic Bureau Supervisor”.
- Change “Transportation Services Coordinator” to “Transportation Services Manager”
- Add Assistant Planning Director (formerly LMEA Senior Planner) to the LMMA in Grade 213.

6. Article 14 Unpaid Leave

Put a period at the end of the last sentence in Article 14.1.

7. Article Wages

FY 13	2.0% base wage increase effective 07/01/2012
FY 14	2.0% base wage increase effective 07/01/2013

See Attached Wage Schedules Exhibit A-B.

Signed this _____ day of _____ 2014.

Town of Lexington

Lexington Municipal Management Association

Carl F. Valente
Town Manager

David Pinsonneault
President, LMMA

Witness

Witness

LMMA: Wage & Step Classification

EXHIBIT A

Wage and Classification Schedule - Effective July 1, 2012

2.0% Base Wage Increase

Band #	Position Title	FY13 Base	Job Class	Hours	1	2	3	4	5	6	7	8	9	10	11	12	13	14
128	Traffic Bureau Supervisor	\$37,937	T722	70	\$38,696	\$40,223	\$41,811	\$43,462	\$45,180	\$46,966	\$48,823	\$50,755	\$52,765	\$54,855	\$56,213	\$57,606	\$59,032	\$60,495
132	Office Manager	\$42,023	T189	70	\$42,863	\$44,558	\$46,319	\$48,151	\$50,055	\$52,037	\$54,098	\$56,241	\$58,469	\$60,788	\$62,294	\$63,839	\$65,421	\$67,044
213	Assistant Director Youth Services	\$46,523	T147	70	\$47,453	\$49,331	\$51,284	\$53,314	\$55,426	\$57,622	\$59,906	\$62,281	\$64,752	\$67,320	\$68,991	\$70,702	\$72,457	\$74,255
	Superintendent of Environmental Services		T754	70														
	Transportation Supervisor		T756															
	Assistant Director Senior Services		T755	56	\$37,962	\$39,465	\$41,027	\$42,651	\$44,340	\$46,097	\$47,925	\$49,825	\$51,802	\$53,856	\$55,193	\$56,562	\$57,965	\$59,404
216A	Assistant Library Director	\$52,573	T148	74	\$53,624	\$55,748	\$57,957	\$60,254	\$62,644	\$65,129	\$67,713	\$70,400	\$73,195	\$76,102	\$77,992	\$79,929	\$81,914	\$83,949
216B	Superintendent of Water/Sewer		T178	80														
	Superintendent of Highways & Drains		T145	80														
216	Assistant Director of Recreation		T167	70														
217	Treasurer/ Collector	\$54,998	T703	70	\$56,098	\$58,321	\$60,633	\$63,037	\$65,538	\$68,138	\$70,843	\$73,656	\$76,582	\$79,623	\$81,601	\$83,628	\$85,705	\$87,835
	Town Assessor		T104	70														
	Economic Development Director		T134	70														
217A	Superintendent of Public Grounds		T157	80														
	Assistant Town Engineer		T136	80														
218	Assistant Fire Chief	\$57,652	T143	80	\$58,805	\$61,137	\$63,561	\$66,083	\$68,705	\$71,433	\$74,268	\$77,218	\$80,286	\$83,477	\$85,550	\$87,676	\$89,855	\$92,089
	Director of Public Health		T165	70														
219	Director of Information Technology	\$61,107	T150	70	\$62,329	\$64,801	\$67,372	\$70,045	\$72,827	\$75,719	\$78,727	\$81,855	\$85,109	\$88,491	\$90,690	\$92,944	\$95,256	\$97,623
220	Vacant	\$64,197	---	---	\$65,481	\$68,079	\$70,782	\$73,592	\$76,515	\$79,554	\$82,716	\$86,003	\$89,423	\$92,979	\$95,290	\$97,659	\$100,087	\$102,577
221	Building Commissioner	\$67,375	T704	70	\$68,722	\$71,450	\$74,288	\$77,237	\$80,307	\$83,497	\$86,816	\$90,268	\$93,858	\$97,592	\$100,018	\$102,506	\$105,055	\$107,669
221A	Manager of Operations		T133	80														
	Town Engineer		T141	80														

Increase 2.00%
1.02

NOTE:

At successful completion of 6-month satisfactory Introductory Period, new employee receives a Step Increase -- next Step Increase in 18 months at their second anniversary date.

LMMA: Wage & Step Classification

EXHIBIT B

Wage and Classification Schedule - Effective July 1, 2013

2.0% Base Wage Increase

Band #	Position Title	FY14 Base	Job Class	Hours	1	2	3	4	5	6	7	8	9	10	11	12	13	14
128	Traffic Bureau Supervisor	\$38,696	T722	70	\$39,470	\$41,027	\$42,647	\$44,331	\$46,084	\$47,905	\$49,799	\$51,770	\$53,820	\$55,952	\$57,337	\$58,758	\$60,213	\$61,705
132	Office Manager	\$42,863	T189	70	\$43,720	\$45,449	\$47,245	\$49,114	\$51,056	\$53,078	\$55,180	\$57,366	\$59,638	\$62,004	\$63,540	\$65,116	\$66,729	\$68,385
213	Assistant Director Youth Services	\$47,453	T147	70	\$48,402	\$50,318	\$52,310	\$54,380	\$56,535	\$58,774	\$61,104	\$63,527	\$66,047	\$68,666	\$70,371	\$72,116	\$73,906	\$75,740
	Superintendent of Environmental Services		T754	70														
	Transportation Supervisor		T756	70														
	Assistant Director Human Services		T171	70														
	Assistant Director Senior Services		T755	56	\$38,722	\$40,254	\$41,848	\$43,504	\$45,228	\$47,019	\$48,883	\$50,821	\$52,838	\$54,933	\$56,297	\$57,693	\$59,125	\$60,592
216A	Assistant Library Director	\$53,624	T148	74	\$54,696	\$56,863	\$59,116	\$61,459	\$63,897	\$66,432	\$69,067	\$71,808	\$74,659	\$77,624	\$79,552	\$81,528	\$83,552	\$85,628
216B	Superintendent of Water/Sewer		T178	80														
	Superintendent of Highways & Drains		T145	80														
216	Assistant Director of Recreation		T167	70														
217	Treasurer/ Collector	\$56,098	T703	70	\$57,220	\$59,487	\$61,846	\$64,298	\$66,849	\$69,501	\$72,260	\$75,129	\$78,114	\$81,215	\$83,233	\$85,301	\$87,419	\$89,592
	Town Assessor		T104	70														
	Economic Development Director		T134	70														
217A	Superintendent of Public Grounds		T157	80														
	Assistant Town Engineer		T136	80														
218	Assistant Fire Chief	\$58,805	T143	80	\$59,981	\$62,360	\$64,832	\$67,405	\$70,079	\$72,862	\$75,753	\$78,762	\$81,892	\$85,147	\$87,261	\$89,430	\$91,652	\$93,931
	Director of Public Health		T165	70														
219	Director of Information Technology	\$62,329	T150	70	\$63,576	\$66,097	\$68,719	\$71,446	\$74,284	\$77,233	\$80,302	\$83,492	\$86,811	\$90,261	\$92,504	\$94,803	\$97,161	\$99,575
220	Vacant	\$65,481	---	---	\$66,791	\$69,441	\$72,197	\$75,064	\$78,045	\$81,145	\$84,370	\$87,723	\$91,211	\$94,838	\$97,196	\$99,612	\$102,089	\$104,628
221	Building Commissioner	\$68,722	T704	70	\$70,096	\$72,879	\$75,774	\$78,782	\$81,913	\$85,167	\$88,552	\$92,073	\$95,735	\$99,544	\$102,018	\$104,556	\$107,156	\$109,822
221A	Manager of Operations		T133	80														
	Town Engineer		T141	80														

Increase 2.00%
1.02

NOTE: At successful completion of 6-month satisfactory Introductory Period, new employee receives a Step Increase -- next Step Increase in 18 months at their second anniversary date.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 3/10/14

STAFF: Lynne Pease

ITEM NUMBER: I.10

SUBJECT:

Approve Policy and Regulation:

- a. Remote Participation Policy
 - b. Minor Amendments to the Battle Green Regulation
-

EXECUTIVE SUMMARY:

Attached is the proposed Remote Participation Policy that was put together by Joe, Hank and Melissa Jones. The Policy Manual Committee approved the Policy at its meeting on March 5.

Also attached is a revised Battle Green Regulation showing a few additional changes suggested by David Kanter that the Policy Manual Committee reviewed and approved at the March 5 meeting.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to adopt the Remote Participation Policy as presented.

Motion to approve the revised Battle Green Regulation as presented.

STAFF FOLLOW-UP:

Selectmen's Office

BOARD OF SELECTMEN POLICY

REMOTE PARTICIPATION

Date Approved by BOS:

Signature of Chair:

1. Purpose Statement

This policy establishes clear guidelines for remote participation in meetings of Lexington public bodies. The policy promotes greater participation in public meetings by allowing board and committee members to participate by telephone, internet, video conferencing, or other forms of adaptive telecommunications when specific circumstances prevent them from being physically present. However, all members of public bodies are strongly encouraged to attend meetings in person whenever possible.

2. Enabling Authority

The Open Meeting Law regulations at 940 CMR 29.00, amended by the Office of the Attorney General and adopted by the Lexington Board of Selectmen on (*month*) (*day*), 2014, allows members of public bodies to participate remotely in meetings when specific circumstances prevent them from being physically present. 940 CMR 29.10 (8) allows a municipality to prohibit or further restrict remote participation, but does not provide for making those regulations less stringent.

3. Applicability

This policy shall apply to all Lexington public bodies subject to the Open Meeting Law (e.g. boards, committees, commissions and sub-committees), including the School Committee, whether appointed or elected. As provided by statute, the Lexington Retirement Board is not covered by this policy but may choose to adopt its own policy.

4. Technology

- a) The Town does not guarantee that sufficient technology for remote participation will be available for any given meeting.
- b) If hearing assist devices are in use, the technology employed for remote participation must effectively connect with the hearing assist system.

5. Lexington Restrictions Governing Remote Participation

- a) Any costs incurred by a remote participant will not be reimbursed by the Town.
- b) Remote participation in an executive session is not allowed.

6. References

Policy adopted by the Board of Selectmen on _____.



Town of Lexington Remote Participation Guide

(March 10, 2014)

The Remote Participation Policy, as adopted by the Board of Selectmen, permits remote participation by members of public bodies at public meetings in accordance with 940 CMR 29.10 and outlines local restrictions as allowed under the law.

The State's regulations on remote participation may be found at:

<http://www.mass.gov/ago/government-resources/open-meeting-law/940-cmr-2900.html#Remote>.

You are encouraged to read the entire document, but this guide is intended to be an outline of the Attorney General's regulations for remote participation. Should there be any discrepancy between the law and this guide, the law shall prevail.

The chair, or, in the chair's absence, the person authorized to chair the meeting, is responsible for compliance with this policy.

1. Permissible Reasons for Remote Participation

It is the express desire of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and public bodies as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to persuade all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence at a meeting. Chairs are encouraged to inform their colleagues that remote participation will not be permitted simply as a matter of convenience.

A member may remotely participate in a meeting should his/her physical presence be unreasonably difficult for any of the following reasons:

- a. Personal illness;
- b. Personal disability;
- c. Family or other personal emergency;
- d. Military service;
- e. Significant geographic distance.

2. Minimum Requirements for Remote Participation

- a. Remote participants and all persons present at the meeting location shall be clearly audible to each other. If video conferencing technology is also in use, the remote participants shall be clearly visible to all persons present in the meeting location.
- b. A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present.

3. Procedures for Remote Participation

- a. Any member of the body wishing to participate remotely should notify the chair as soon as reasonably possible prior to the meeting. The chair has the authority to grant or deny requests to participate remotely.
- b. At the start of the meeting, the chair must announce the name of any member who will be participating remotely and the reason for his/her remote participation. This information shall be recorded in the meeting minutes.
- c. All votes taken during a meeting in which a member participates remotely shall be by roll call vote.
- d. When feasible, the chair or, in the chair's absence, the person authorized to chair the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he/she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

4. Technology

- a. The minimum technology required will be a speakerphone of sufficient quality to be intelligible to all in the meeting.
- b. If communication problems inhibit the progress of the meeting, the chair must decide whether to continue the meeting, suspend the meeting, or terminate the participation of the remote participant. In the event that more than one member remotely participates, the chair shall evaluate each connection separately and may elect to terminate the participation of one or more of the remote participants should technical difficulties inhibit the progress of the meeting. The meeting minutes must reflect any

BOARD OF SELECTMEN REGULATION

USE OF THE BATTLE GREEN

Date Approved by BOS:

March 10, 2014

Signature of Chair:

Deborah N. Mauger

Deleted: February 3,

The following rules and regulations have been adopted in accordance with the Code of the Town of Lexington, Chapter 100-10, as amended. Any otherwise legal activities not explicitly prohibited by these regulations, including the gathering of groups on the Battle Green for the sole purpose of exploring its history and which do not remain for more than four hours, are allowed. If these regulations, or portions thereof, conflict with the Code, the Code shall take precedence.

1. Definitions

- a. "Audio device" means any electronic or amplified radio, television set, computer, telephone, electronic music player, musical instrument, or other device that produces sound.
- b. "Battle Green Reenactment Organization" is a chartered group, dedicated to the reenactment of the events that occurred on the Battle Green on April 19, 1775, using historically accurate period appropriate weapons and costumes.
- c. "Compromised turf" shall mean any condition that would make the Battle Green vulnerable to excessive damage by heavy wear or use; for example, heavy rains, reseeding, and drought conditions.
- d. "Disorderly conduct" means any action intended to cause inconvenience, annoyance or alarm, or which recklessly creates a risk thereof; **which includes, but is not necessarily limited to,** fighting, threatening or violent behavior; unreasonable noise; abusive language directed toward any person present; wrestling in vicinity of others; throwing of breakable objects; malicious throwing of dangerous objects or stones; open fires, burning objects or spitting.
- e. "Powerless flight" means any device used to carry persons or objects through the air; for example, sailplanes, gliders, balloons, body kites, hang gliders.
- f. "Public use limit" means the maximum number of people or the amount, size, or type of equipment permitted on the Battle Green at one time, as established by the Board of Selectmen.
- g. "Responsible Party" is a person filing an application for a permit for an activity on the Battle Green, who shall be responsible for compliance with these rules and regulations.
- h. "Special event" means demonstrating, picketing, speechmaking, marching, holding of vigils, and all other similar forms of conduct which involve the active communication or expression of opinions or grievances, engaged in by one or more persons, the conduct of which has the effect, intent, or propensity to draw a crowd of onlookers.
- i. "Weapon" is an instrument or device that can inflict serious bodily injury and includes but is not limited to: firearms, rifles, shotguns and antiques as defined by MGL Chapter 140, §121; air rifles and BB-guns as regulated by MGL Chapter 269, §12B; paintball guns; edged weapons; explosive material or devices; muskets and weapons that discharge an arrow or bolt.

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2. Permit Required Activities

- a. The purpose for requiring permits for certain activities is to promote the use of the Battle Green in a manner consistent with its nature and history; to protect the Battle Green from harm; to ensure adequate notice of the event so that arrangements can be made to protect the public health and safety and to minimize interference with the event by the public.
- b. Permits are required for any of the following activities, singly or in combination:
 - i. Any group activity reasonably likely to exceed the public use limit established by the Board of Selectmen.
 - ii. Special events, public meetings, assemblies, gatherings, demonstrations, parades and other similar activities, not to exceed four hours in duration.
 - iii. Pageants, reenactments, entertainments or other public spectator attractions.
 - iv. Structures and/or signs of a ceremonial nature in connection with special events and limited in duration to the period required for such events.
 - v. Use of public address systems, electrical lighting, or other electrical or amplified devices.
 - vi. Distribution of non-commercial printed matter.
 - vii. Possession and/or use of unconcealed weapons, in compliance with all federal, state and local laws, at events conforming to the following:
 - a) Events and ceremonies conducted by United States Armed Forces and/or law enforcement agencies;
 - b) Reenactments of the events on the Battle Green on April 19, 1775, honor guard ceremonies or related activities conducted by a Battle Green Reenactment Organization; and
 - c) The applicant shall provide evidence of training and competency in the display and use of such weapons to the satisfaction of the Board of Selectmen.
 - viii. Use or possession of fireworks or firecrackers.
 - ix. Planting of any trees/plants.
 - x. Parked or moving vehicles on any grassy areas, except those necessary for Town maintenance activities.
 - xi. Use of powered models.

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3. Impermissible Activities

The following activities are strictly prohibited:

- a. Destruction, injury, defacement, removal, or disturbance of any building, sign, equipment, monument, statue, marker, animal or plant.
- b. Distribution or display of commercial advertising; or soliciting of business; or any other commercial transactions.
- c. Remaining on the Battle Green for more than four hours.
- d. Abandonment of any vehicle or personal property.
- e. Unreasonably loud operation of audio devices.
- f. Delivery of any person or thing by parachute or helicopter.
- g. Powerless flight activities.
- h. Begging.

- i. Disorderly conduct.
- j. Use or display of unconcealed weapons, except as provided in 3b.
- k. Use of metal detecting devices.
- l. Gambling of any form or operation of gambling devices.
- m. Picnicking in groups exceeding seven people.
- n. Consumption of alcoholic beverages or use of unlawful substances.
- o. Use of rollerblades, scooters and skateboards.
- p. Placement on the Battle Green of any unattended structure or commemorative planting of any trees/plants by a private party.
- q. Signs posted on poles such as telephone or light poles.
- r. Climbing on the Minuteman Statue, Hayes Fountain, its base, or any public monument or structure.
- s. Bicycle riding.

4. Permit Process

- a. Application for permit to conduct activities on the Battle Green, specified in 2, above, shall be filed no later than two weeks prior to the requested date. Late and/or incomplete applications will be considered at the discretion of the Board of Selectmen.
- b. Permit applications shall include the following information:
 - i. Name and phone number of the Responsible Party to serve as contact
 - ii. Date and time of event.
 - iii. Nature of event.
 - iv. Expected number of participants, spectators, and vehicles.
 - v. Duration of event.
 - vi. Statement of equipment and facilities to be used.
 - vii. Section of the Battle Green desired.
- c. The Responsible Party is to keep the permit, a copy of which must be available for inspection upon request. The Responsible Party may be required by the Board of Selectmen, as a condition of issuing the permit, to pay for detail police officers if the Board determines that such officers are necessary for public safety.
- d. Permits are issued upon express condition that the Battle Green is to be left in a clean and orderly condition.
- e. The responsible party will be charged by the Board of Selectmen, as a condition of issuing the permit, for any damages directly resulting from the permitted activity.
- f. Permits are non-transferable; and are only valid for date and time specified. For cause, the Police Chief or the Chief's designee may extend a permit for up to 2 hours.
- g. The Board of Selectmen may set reasonable permit conditions and restrictions, including but not limited to duration and area occupied, as are necessary for protection of the Green and public use thereof.

5. Grounds for Revocation of Permit

- a. At the discretion of the Board of Selectmen, a permit may be revoked or further conditioned upon a finding of compromised turf of the Battle Green.
- b. The Selectmen may suspend or revoke a permit to use the Battle Green based on reasonable expectations that there may be an imminent threat to public safety because of a weather or man-made event.

- c. A permit shall be revoked if a sanctioned event includes impermissible activities and may be revoked if the permit group engages in activities that are not within the specifications of the permit.

6. Grounds for Denial of Permit Request

- a. Application creates a scheduling conflict with a previously filed application by another person or group.
- b. Event presents a clear and present danger to public health or safety.
- c. Event is of such nature or duration that it cannot reasonably be accommodated in the area applied for; or the expected number of participants exceeds the public use limit.
- d. Event will, in the opinion of the Board of Selectmen, cause unacceptable interference with use and enjoyment of the Battle Green by the general public.
- e. Event is requested for a date that conflicts with official Town events by Battle Green Reenactment organizations.
- f. Event is more appropriately held at other available Town facilities, such as recreational facilities.

7. Patriots' Day

Other than official Town-sponsored activities and permitted activities by Battle Green Reenactment Organizations, no activity or event otherwise requiring a permit shall be scheduled to take place at, nor shall any other permit be issued for use of, the Battle Green from April 12 through April 26 of each year. During such time, the Battle Green is reserved for Town activities and events, permitted activities conducted by Battle Green Reenactment Organizations and for activities for which no permit is required under Section 2.

8. Penalties

Penalties for violations of these regulations shall be in accordance with Chapter 1, Article II, Sections 1-4 and 1-6 of the Code of the Town of Lexington.

9. Severability

If any section, paragraph or part of these regulations be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

Approved by the Board of Selectmen July 15, 1986.

Amended July 24, 2000.

Amended December 21, 2009.

Amended August 1, 2011.

Revisions to the Use of the Battle Green Regulation were approved by the Board of Selectmen on February 3, 2014.

Selectmen approved the revised Use of the Battle Green Regulation on March 10, 2014.

Deleted: Policy

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 3/10/14

STAFF: Lynne Pease

ITEM NUMBER: I.11

SUBJECT:

Reappointment/Resignation - Town Counsel/Design Advisory Committee

EXECUTIVE SUMMARY:

The Town Counsel appointment expires March 31, 2014.

Ginna Johnson has submitted her resignation from the Design Advisory Committee

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to reappoint Anderson and Kreiger, represented by William L. Lahey, as Town Counsel for Lexington for a term to expire March 31, 2015.

Motion to accept the resignation of Ginna Johnson from the Design Advisory Committee, effective immediately.

STAFF FOLLOW-UP:

Selectmen's Office

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

PRESENTER:

Carl F. Valente

ITEM NUMBER:

I.12

SUBJECT:

Adjust Sidewalk Use Permit Fees in Center

EXECUTIVE SUMMARY:

It has been the Town's practice to allow certain businesses in the Center to license the use of the public sidewalks. Specifically, Bertucci's and Peets Coffee have licensed the use of the sidewalk for customer tables. The Town has not increased the license fees since 2000. Bertucci's currently pays \$400 per month and Peets \$60 per month. The Town Manager is recommending a 5% increase in these license fees for 2014.

FINANCIAL IMPACT:

Approximately \$160 increase in permit fees in FY14.

RECOMMENDATION / SUGGESTED MOTION:

Move to authorize a 5% increase in sidewalk use permit fees.

STAFF FOLLOW-UP:

TMO

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

March 10, 2014

STAFF:

William P. Hadley, Director

ITEM NUMBER:

Consent C.1

SUBJECT:

Adjustments and Commitments of Water and Sewer Charges

EXECUTIVE SUMMARY:

Commitments of Water and Sewer Charges Cycle 9	\$182,802.66
Commitments of Water and Sewer Charges Finals Feb 2014	\$ 4,821.77
Adjustments to Sewer Charges as recommended by WSAB	(\$300.00)

FINANCIAL IMPACT:

Allows the reconciliation with the General Ledger.

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the Water and Sewer commitments and adjustments as noted above.

STAFF FOLLOW-UP:

Revenue Officer



Department of Public Works
Town of Lexington
Water and Sewer Enterprise Funds
FISCAL YEAR 2014
February 2014 Cycle 9 Billing

CYCLE 9

GRAND TOTALS

WATER	\$175,502.76	\$175,502.76
SEWER	\$2,372.50	\$2,372.50
FEE FOR BEDFORD	\$4,927.40	\$4,927.40
TOTAL:	<u>\$182,802.66</u>	<u>\$182,802.66</u>

To the Collector of Revenue for the Town of Lexington:

You are hereby authorized and required to levy and collect of the persons named in the list of water/sewer charges herewith committed to you and each one of his/her respective portion herein set down of the sum total of such list. Said sum being:

One hundred eighty-two thousand, eight hundred two dollars and 66/00

And pay the same into the treasury of the Town of Lexington and to exercise the powers conferred by law in regard thereto.

DIRECTOR OF PUBLIC WORKS

BOARD OF SELECTMEN

March 10, 2014

Treasurer/Collector; Director Public Works, Water/Sewer Billing



Department of Public Works
Town of Lexington
Water and Sewer Enterprise Funds
FISCAL YEAR 2014

	FINALS	GRAND TOTALS
	FEBRUARY 2014	
WATER	\$1,486.99	\$1,486.99
SEWER	\$3,334.78	\$3,334.78
TOTAL:	<u>\$4,821.77</u>	<u>\$4,821.77</u>

To the Collector of Revenue for the Town of Lexington:

You are hereby authorized and required to levy and collect of the persons named in the list of water/sewer charges herewith committed to you and each one of his/her respective portion herein set down of the sum total of such list. Said sum being:

Four thousand eight hundred twenty-one dollars and 77/00

And pay the same into the treasury of the Town of Lexington and to exercise the powers conferred by law in regard thereto.

DIRECTOR OF PUBLIC WORKS

BOARD OF SELECTMEN

March 10, 2014

Treasurer/Collector; Director Public Works, Water/Sewer Billing



FY2014
ADJUSTMENTS TO WATER/ SEWER
AS RECOMMENDED BY THE WATER AND SEWER ABATEMENT BOARD
DATE: March 10, 2014

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR
0100030300	18	Albemarle Avenue		(\$300.00)	(\$300.00)	757154	2014
			\$0.00	(\$300.00)	(\$300.00)		

It is further recommended to waive all accumulated interest on disputed bills for which no abatement is recommended:

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR

It is the recommendation of the Water and Sewer Abatement Board that the Town Collector be authorized to waive interest that has accrued on the bills included herein, unless stated here otherwise, from the due date of the bill until 30 calendar days after the date of written notification to applicant of the Selectmen's action.

THE SUM SET AGAINST THE ABOVE ACCOUNTS IS HEREBY ADJUSTED.

WATER	SEWER	TOTAL
\$0.00	(\$300.00)	(\$300.00)

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 3/10/14

STAFF: Lynne Pease

ITEM NUMBER: C.2-4

SUBJECT:

Consent

EXECUTIVE SUMMARY:

2. Approve one-day liquor license for the Cary Memorial Library Foundation to serve beer and wine at a Cooks and Books fundraiser on Saturday, April 12, 2014, from 5:30 p.m. to 8:00 p.m. at the Cary Memorial Library, 1874 Massachusetts Avenue.
3. Approve a one-day liquor license for the Bowman PTA to serve beer all alcohol for the Bowman International Night Fundraiser on Saturday, April 5, 2014, from 7:00 p.m. to 10:00 p.m. at the Knights of Columbus, 177 Bedford Street.
4. Approve a one-day liquor license for Compass for Kids to serve all alcohol at the Shake It For Shelter Fundraiser on Saturday, June 14, 2014, from 7:00 p.m. to 11:30 p.m., and the music must be turned off no later than 12:00 midnight, at Lower Hayden Field on Worthen Road.

See attached information.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the Consent Agenda.

STAFF FOLLOW-UP:

Selectmen's Office