

SELECTMEN'S MEETING
Monday, February 3, 2014
Selectmen Meeting Room
7:00 p.m.

AGENDA

- 7:00 p.m. PUBLIC COMMENT (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. Approve Request of Town Celebrations Committee – Old Guard (5 min)
 2. Community Center Advisory Committee Update (20 min.)
 3. Sign Proclamation for International Mother Language Day – February 21, 2014 (5 min.)
 4. 2020 Vision Committee Report on Demographic Change (20 min.)
 5. FY2015 Budget Discussion (5 min.)
 6. Approve Patriots' Day Events (5 min.)
 7. Approve Battle Green Regulation (10 min.)
- 8:30 p.m. CONSENT (5 min.)**
1. Approve Water and Sewer Commitments and Adjustments
 2. Approve One-Day Liquor License - St. Brigid
 3. Approve One-Day Liquor License – Arlington-Lexington Chapter of Hadassah
 4. Approve One-Day Liquor License – Melanoma Foundation of New England
- 8:35 p.m. EXECUTIVE SESSION (15 min.)**
1. Exemption 3: Pending Litigation
 2. Exemption 6: Purchase of Real Property
- 8:50 p.m. ADJOURN**

The next regular meeting of the Board of Selectmen is scheduled for Monday, February 10, 2014 at 7:00 p.m. in the Selectmen Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 2/3/14

STAFF: Lynne Pease

ITEM NUMBER: I.1

SUBJECT:

Approve Request of Town Celebrations Committee – Old Guard

EXECUTIVE SUMMARY:

Major Matthaides and Ms. Barry, Chair of the Town Celebrations Committee, will be at your meeting to answer any questions you make have regarding the participation of The Old Guard in Patriots' Day activities. The Old Guard would like to participate in the Patriots' Day parade and also a special event on the Battle Green on Saturday, April 19, 2014, at 12:00 noon.

See attached information.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the request of the Town Celebrations Committee to use the Battle Green on Saturday, April 19, 2014, at 12:00 noon for a special show by The Old Guard, subject to working out the details with Town Departments.

STAFF FOLLOW-UP:

Selectmen's Office



*Town of Lexington
Town Celebrations Committee*



November 20, 2013

3d U.S. Infantry Regiment (The Old Guard)
ATTN: Regimental Operations Officer
242 Jackson Avenue
Fort Myer, VA 22211

Dear Major Matthaideess,

The Town of Lexington would like to request The Old Guard's participation in Patriots' Day activities on April 19 and April 21, 2014.

We request participation from The Old Guard Fife & Drum Corps, the U.S. Army Drill Team, the Continental Color Guard, and the Commander-in-Chief's Guard as we celebrate the 239th Anniversary of the 'Battle of Lexington' and the start of the American Revolution.

Like the events planned for last year before 'Sequestration' impacts, the Town would like you to participate in events both on Lexington Green and in the Annual Town Parade. Our timelines are not yet firm for either event, but your confirmation of participation will allow us to further plan these events and prominently incorporate your unit.

I look forward to having The Old Guard join us in 2014. Please contact me at (7 [REDACTED]
[REDACTED] with any questions.

Sincerely,

Ms. Suzie Barry
Chairman, Town Celebrations Committee

Encl: DD Form 2536

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

February 3, 2014

PRESENTER:

Michelle Ciccolo, Pat Goddard

ITEM NUMBER:

I.2

SUBJECT:

Community Center Advisory Update

EXECUTIVE SUMMARY:

At the Board of Selectmen meeting on January 27, the Board asked for Community Center updates on status on implementing HVAC improvements. Pat Goddard and Michelle Ciccolo will provide this information (see attached).

Facilities Department and MEP engineer are requesting 4 weeks to complete the HVAC analysis

FINANCIAL IMPACT:

NA

RECOMMENDATION / SUGGESTED MOTION:

STAFF FOLLOW-UP:

Facilities Department



TOWN OF LEXINGTON

Department of Public Facilities

Patrick W. Goddard
Director of Public Facilities

Tel: (781) 274-8958
Email: pgoddard@lexingtonma.gov

January 31, 2014

Carl Valente
Town Manager
Town of Lexington
1625 Massachusetts Ave
Lexington, MA 02420

Community Center Renovation, Phased versus Single Contract

Dear Carl,

The Project Team has been asked to evaluate the costs and schedule impact of a Community Center Renovation performed in two phases versus a Community Center Renovation performed as a single project. To be able to make this analysis we told the Mechanical, Electrical, and Plumbing (MEP) Engineer to comply with the Lexington Guidelines on temperature (cool to 74, heat to 70) and to comply with American Society of Heating and Air conditioning Engineers (ASHREA) 62.1 "Primary Standards" for ventilation. We reviewed the resulting preliminary costs analysis yesterday, and though we feel the scale of the single project is much higher than will actually be required, the initial analysis indicated that a phased project could cost 28% more than a single project. As a result, I recommend that we allow the Project Team four weeks to further examine and explore this analysis to determine which mechanical improvements will actually be required to achieve the performance guidelines and standards referenced above.

The process to improve the analysis will be to bring a construction manager into the design discussion to provide input on constructability as if this were a Chapter 149A project. We tentatively have a meeting scheduled for 2/5 at 8:00 AM at the Community Center with SBA and Shawmut to discuss this process and develop a work plan. Our expectation is that we would then be able to come back to the Board of Selectmen in the beginning of March with a better definition of the MEP requirements to achieve the environment conditions and system performance we expect for the Community Center and the cost and schedule differences in managing this as a two phase or single phase project.

We have had access to the Design Development documents since Monday. A quick review of the drawings identifies concerns with the adequacy of ventilation for several spaces in the Community Center. The design has added ventilation for dining and the fitness areas of the North wing, but most of the South and East wings do not have ventilation, including the two multipurpose rooms that will be used for arts and craft and fitness. I would recommend that we

add ventilation at a minimum to the multipurpose rooms in Phase 1A if we choose to continue with a two phase project.

Please let me know if you would like to discuss this information.

Sincerely,

Pat Goddard

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 2/3/14

STAFF: Lynne Pease

ITEM NUMBER: I.3

SUBJECT:

Sign Proclamation for International Mother Language Day – February 21, 2014

EXECUTIVE SUMMARY:

Attached is a request from Zahin and Noha Ahmed to formally recognize International Mother Language Day in Lexington. Also attached is a proposed proclamation recognizing February 21, 2014 as International Mother Language Day for you to approve and sign.

Zahin Ahmed will be at your meeting to explain the request and answer any questions you have.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve and sign a Proclamation recognizing February 21, 2014 as International Mother Language Day in the Town of Lexington.

STAFF FOLLOW-UP:

Selectmen's Office

Lynne Pease

From: [REDACTED]
Sent: Tuesday, August 21, 2012 2:04 PM
To: selectmen's
Subject: International Mother Language Day- Attn: Lynne

Hi Lynne,

I stopped by your office a couple months ago with my mother, Nila Karim, regarding a proposal to formally recognize International Mother Language Day in the Town of Lexington. The following is the proposal me and my brother have written up. Please let me know if you have any comments or amendments you would recommend to make before presenting the proposal to the Board of Selectmen. Thank you so much and hope to hear from you soon.

To Whom It May Concern:

The first official recognition of February 21st as International Mother Language Day was proclaimed in November of 1999 by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in order to "promote the preservation and protection of all languages used by people of the world" (1). This day has been observed in remembrance of the Bangladesh Language Movement of 1952 and pay tribute to those Bangladeshi students who gave their lives in order to gain the right to speak their native tongue.

On a global scale, the recognition of International Mother Language Day sheds light on the importance of cultural preservation and acceptance in the world, fostering both peace and freedom of speech. In a town where the value of diversity is prominent and of utmost importance, the formal recognition of 21st of February as International Mother Language Day would be befitting for our town. According to the US census released in 2011, the general population of Lexington has increased 3.4 percent while the percentage of minorities has risen to 26.3 percent within the last decade. The growth of culture and diversity within the Lexington population demonstrates how relevant and important the acknowledgement of Mother Language Day would be in our community.

My younger brother, Zahin, and I are both first generation Americans born to Bangladeshi parents and are multilingual, speaking three languages each, including Bangla, mother tongue of Bangladesh with fluency.

We believe the preservation of language is an important aspect in society today. Acknowledging the value and celebrating culture through formal recognition of February 21st as International Mother Language day will be a historic event in a town as culturally enlightened as Lexington.

We hope you consider this proposal and formally recognize 21st of February as International Mother Language Day in Lexington. We will appreciate your kind consideration. Thank you.

Regards,
Zahin and Noha Ahmed

1. United Nations. "International Mother Language Day." 2012. <http://www.un.org/en/events/motherlanguageday/>
2. Kocian, Lisa. Boston.com. "Lexington Grows More Diverse, Census Shows." April 7, 2011.

http://www.boston.com/yourtown/news/lexington/2011/04/lexington_grows_more_diverse_c.html

Proclamation

Whereas: In 1999 the United Nations Educational, Scientific and Cultural Organization (UNESCO proclaimed February 21 as International Mother Language Day; and

Whereas: International Mother Language Day recognizes the preservation and protection of all languages used by people of the world; and

Whereas: Lexington has long recognized the importance of cultural preservation and acceptance in the world, fostering peace and freedom of speech; and

Whereas: The number of international residents in Lexington has grown by 26.3 percent within the last decade

NOW THEREFORE, WE THE LEXINGTON BOARD OF SELECTMEN recognize February 21, 2014 as:

International Mother Language Day

As a measure of the Town's belief in the value of diversity and the growth of culture within our community.

November 18, 2013

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: February 3, 2014

PRESENTERS: Dan Krupka
and members of the Subcommittee

ITEM NUMBER: I.4

SUBJECT:

Report of 20/20 Vision's Subcommittee on Demographic Change

EXECUTIVE SUMMARY:

Dan Krupka, chair, and members of the Demographic Change Subcommittee will report on that group's recent study.

In March, 2010 the 20/20 Vision Committee's Demographic Change Task Force (DCTF) reported on the dramatic change in racial composition and substantial modification of the age profile that Lexington has been experiencing. The 20/20 Vision Committee formed the Subcommittee on Demographic Change in 2012 to address the recommendations of the DCTF with respect to the Asian-American population in Lexington.

The Demographic Change Subcommittee recently concluded an 18-month-long study examining ways to foster greater participation of Asian residents in town and school committees in an effort to increase diversity, understanding and inclusion. Specifically, the Subcommittee on Demographic Change investigated what barriers to civic participation exist and proposed a list of recommendations for the Town and its Asian organizations to help overcome these barriers.

The report is available on the Town's website at
<http://www.lexingtonma.gov/committees/2020/DemographicChangeSCfinalReport12-13-13.pdf>

FINANCIAL IMPACT:

None

RECOMMENDATION / SUGGESTED MOTION:

Motion to accept the report and review the recommendations for potential action.

STAFF FOLLOW-UP:

Coordinate future presentations of the report to the Planning Board, School Committee, and Senior Management Team.

Review recommendations and follow up on decisions regarding implementing actions.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

February 3, 2014

PRESENTER:

Carl F. Valente
Rob Addelson

ITEM NUMBER:

I.5

SUBJECT:

FY2015 Budget Discussion

EXECUTIVE SUMMARY:

Staff will be available to answer the Selectmen's questions regarding the FY15 Preliminary Budget and Financing Plan. In particular, please look at the proposed capital plan including any question or concerns with the following projects in particular:

- Cary Memorial Building Upgrades – \$8.7m
- Visitor's Center Design - \$220,000
- Center Streetscape Improvements Design - \$600,000
- Mass. Ave. Intersection Design - \$500,000 (pending State TIP funding)
- Battle Green Streetscape Improvements Design – \$90,000
- Hastings Park Gazebo Repairs - \$120,000
- Traffic Island Renovation – \$83,000

FINANCIAL IMPACT:

NA

RECOMMENDATION / SUGGESTED MOTION:

NA

STAFF FOLLOW-UP:

TMO and Finance

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 2/3/14

STAFF: Lynne Pease

ITEM NUMBER: I.6

SUBJECT:

Approve Patriots' Day Events

EXECUTIVE SUMMARY:

You are being asked to approve the following events for Patriots' Day:

1. Patriots' Day Events - Approve a request of the Lexington Minute Men for Patriots' Day Weekend:
 - a. April 6th – Battle Green – Reenactment rehearsal – 11:00 a.m. to 4:00 p.m. (rain ate April 12, 2014)
 - b. April 19th – Battle Green – Parker's Revenge – 10:00 a.m. to 11:30 a.m.
 - c. April 21st – Battle Green – Reenactment – 4:00 a.m. to 12:00 noon (rain date April 26, 2014)
3. Patriots' Day Events - Approve a request from the Lions Club for the 100th Annual Patriots' Day 5-mile Road Race on Monday, April 21, 2014 with an awards ceremony on the Battle Green at the end of the race from approximately 11:15 a.m. to 11:30 a.m.
4. Patriots' Day Events - Approve the requests of the Town Celebrations Committee for the Patriots' Day morning parade, ceremonies on the Battle Green and afternoon parade on Monday, April 21, 2014.
5. Patriots' Day Events - Approve the requests of the Lexington Historical Society and Lexington Minute Men for the reenactment of the arrival of Paul Revere and William Dawes on April 20-21, 2014.

See attached information.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the Patriots' Day activities listed above, subject to working out the details with Town Departments.

STAFF FOLLOW-UP:

Selectmen's Office

To: Office of the Board of Selectmen
Town of Lexington
Attention Lynne A. Pease, Executive Clerk

FM: Lexington Minute Men

RE: Use of Lexington Common for activities related to Patriots' Weekend 2014.

The Lexington Minute Men respectfully request the use of Lexington Common (the Battle Green) for the following times and uses:

1. Use of the Battle Green on April 6, 2014 for the Reenactment Rehearsal between 11:00 am to 4:00 pm (rain date April 12, 2014).
2. Use of the Battle Green on April 19, 2014 for Parker's Revenge from 10:00 am to 11:30 am and then marching to Minute Man National Park.
3. Use of the Battle Green on April 21, 2014 for the annual Reenactment from 4:00 am to 12:00 noon (rain date April 26, 2014).

We thank the Board of Selectmen and the Town of Lexington for the wonderful support and cooperation we have received in the past, and hope for good weather.

Sincerely,

A handwritten signature in black ink that reads "Bill Poole". The signature is written in a cursive, slightly slanted style.

William Poole
Captain Commanding
Lexington Minute Men

Lynne Pease

From: John Kiernan [REDACTED]
Sent: Friday, January 24, 2014 9:34 AM
To: Lynne Pease
Cc: [REDACTED]
Subject: Permission to use the Green and Tower Park

Lynn,

Please deliver to the selectmen the request from the Lexington Minute Men for the following dates for the use of the Green and for Tower Park.

- a. Use of the Battle Green on April 6, 2014 for the Reenactment rehearsal between 11:00AM and 4:00PM (raindate April 12).
- b. Use of the Battle Green on April 19th for the Assembly and marching out for Parker's Revenge from 10:00AM to 11:30AM.
- c. Use of the Battle Green on April 21, 2014 for the annual Reenactment from 4:00AM and 12:00 noon (raindate April 26th).

We will be contacting the Town Manager's office for permission to use Tower Park on April 13th from 4PM to 6PM.

Thank you,

John Kiernan

Adjutant
Lexington Minute Men

781-248-6000



THE LIONS CLUB OF LEXINGTON, INC.

P.O. Box 71, Lexington, Massachusetts, 02420

"Birthplace of American Liberty"

www.lexingtonlions.org

January 15, 2014

Town of Lexington
Board of Selectmen
1625 Massachusetts Ave.
Lexington, MA 02420

Dear Board Members;

The Lexington Lions Club will be sponsoring the **100th** Annual Patriots Day 5-Mile Road Race on Monday, April 21, 2014. We are requesting the use of the Battlegreen for the awards ceremony at the conclusion of the Road Race. The awards ceremony begins at approximately 11:15AM and will last approximately 15 minutes.

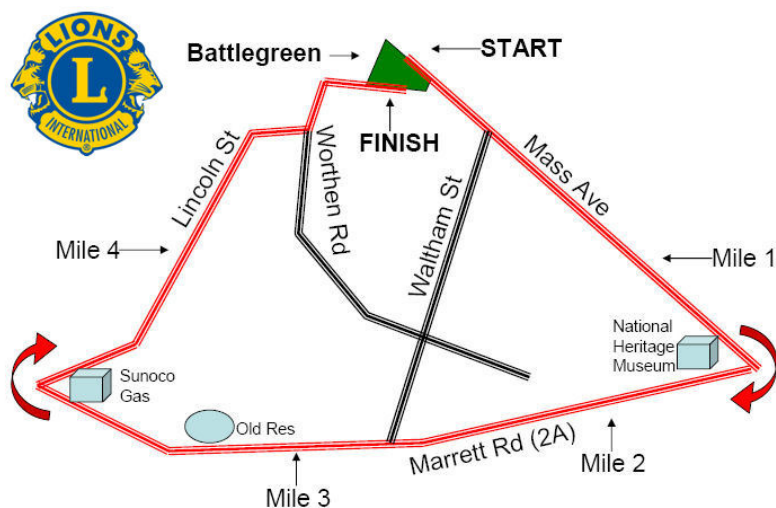
Thanks for your consideration of this request. If you have any questions, please contact me at 15 Vine Brook Rd, Lexington, MA 02421; Work phone: (781) 648-1170.

Very truly yours,

Mark J. McCullough
Lexington Lions Club, Road Race Chairman

***See attached:
Road Race Route & Details***

Lexington Lions Club – 100th Annual Patriots Day 5-Mile Road Race



Road Race Details:

Date, Time & Location:

- Monday, April 21, 2014
- Race Starts at 10:00am (*By Lexington Minutemen firing muskets*)
- Adjacent to the Battlegreen, Lexington, MA
- (1900 Mass Ave, Lexington, MA—for mapping purposes)

Registration:

Please Visit the "[HOW TO ENTER](http://www.lexingtonlions.org)" Registration Page at www.lexingtonlions.org

Race Packets:

Runners who have pre-registered may pick-up their race packets on race day at registration beginning at 8:00am

Team Registration:

Teams must have a minimum of 4 Runners.

Timing Chip:

Your timing chip is included in your race packet and must be placed on the top of your shoe and securely weaved/tied through your shoelaces. In order to receive an official time for the race you must be wearing the chip as you cross both the Start and Finish lines.

Age Group Awards & Other Trophies:

- Currier Cup* - 1st Place Overall Finisher
- Team Competition - 1st Place Team
- Sgt Norman Carlson Award - 1st Lexingtonian
- Age 12 & Under - 1st & 2nd Place Male, 1st & 2nd Place Female
- Age 13 – 19 - 1st & 2nd Place Male, 1st & 2nd Place Female
- Age 20 – 29 - 1st & 2nd Place Male, 1st & 2nd Place Female
- Age 30 – 39 - 1st & 2nd Place Male, 1st & 2nd Place Female
- Age 40 – 49 - 1st & 2nd Place Male, 1st & 2nd Place Female
- Age 50 – 59 - 1st & 2nd Place Male, 1st & 2nd Place Female
- Age 60 & Up - 1st & 2nd Place Male, 1st & 2nd Place Female

*Currier Cup Trophy:

The Currier Cup is a Special Silver Cup that is presented to the first place finisher of the race by the family of the first Place finisher of the First Patriots Day Road Race in 1914 Ralph "Curly" Currier.

Fees:

Mail-in and On-Line Pre-registration is \$25.

Day of Race registration is \$28.

Water Stops:

There are 4 water stops along the race route. Close to each mile marker.

Refreshments:

Refreshments and fruit are served at the end of the race.



Town of Lexington
Town Manager's Office

Carl F. Valente, Town Manager
Linda Crew Vine, Deputy Town Manager

Tel: (781) 862-0500 x275
Fax: (781) 861-2921

January 22, 2014

Mr. Mark McCullough
15 Vine Brook Road
Lexington, MA 02421

Dear Mr. McCullough:

Permission is given to the Lexington Lions Club to hold their 100th Annual Patriot's Day Road Race on Monday, April 21, 2014 at 10:00 a.m. You plan to start a partial set-up on Sunday, April 20 at 5:00 p.m. with full set-up on the morning of Monday, April 21. Break-down time will be immediately after the race ends (typically around 12:30 p.m.). You expect approximately 500 runners to participate in this race.

You intend to follow the same race course as in years past (enclosed). Please contact Police Sergeant Colleen Dunbar (781-862-1212) at least two weeks in advance to discuss the necessary police details that will be needed for the race course. I understand you are waiting for approval from the Selectmen for use of the Battle Green. We are in receipt of your insurance certificate naming the Town of Lexington as additionally insured for April 21.

We wish you good weather for this race!

Very truly yours,

Carl F. Valente
Town Manager

CFV/cbs

cc: Police Department, Fire Department, Department of Public Works, Board of Selectmen



*Town of Lexington
Town Celebrations Committee*



January 8, 2014

Ms. Deb Mauger, Chairman
Board of Selectmen
Town of Lexington
1625 Massachusetts Avenue
Lexington, MA 02420

RE: Patriots' Day 2014

Dear Deb,

On behalf of the Town Celebrations Committee I would like to make the following requests in regards to Patriots' Day, Monday April 21, 2014:

Patriots' Day Morning Parade:

- Use of the driveway to the Munroe Cemetery to line up the Patriots' Day Morning Parade.
- Use of Massachusetts Avenue from the driveway to the Munroe Cemetery westerly to Bedford Street, Bedford Street to Harrington Road and midway down Harrington Road to the Battle Green for the Patriots' Day Morning Parade.

Patriots' Day Ceremonies on the Battle Green:

- Use of the Battle Green for the annual Patriots' Day Morning Ceremonies. We will also be requesting the use of the small podium, reviewing stand, microphone and speaker system from the Department of Public Works for these ceremonies. The ceremonies are expected to begin once the Parade arrives at the Battle Green at approximately 8:15 a.m. and last for approximately 45 minutes to one hour.

Patriots' Day Afternoon Parade:

- Use of Massachusetts Avenue from approximately #409 (Lexington Toyota) westerly to Bedford Street, Bedford Street to Harrington Road, Harrington Road to Worthen Road and Worthen Road to the Town Pool parking lot for the Patriots' Day Afternoon Parade.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Suzie Barry, Chairman
781-862-5853



Town of Lexington
Town Manager's Office

Carl F. Valente, Town Manager
Linda Crew Vine, Deputy Town Manager

Tel: (781) 862-0500 x275
Fax: (781) 861-2921

January 22, 2014

Ms. Suzie Barry
Chairman
Town Celebrations Committee
1625 Massachusetts Avenue
Lexington, MA 02420

Dear Suzie:

Permission is granted to the Town Celebrations Committee for the Patriot's Day parades on Monday, April 21, 2014:

- **Morning parade** (6:45 a.m. – 7:15 a.m.) – use of the driveway to the Munroe Cemetery. This is to line-up participants for the parade.
- **Afternoon parade** (please confirm when timing is set) - block-off the Town pool parking lot (Worthen Road). This is for parking for ease of loading following the parade (in particular, the tractor trailers associated with the horse units).

Good luck with all your planning and we wish you good weather for both events!

Very truly yours,

Carl F. Valente
Town Manager

CFV/cbs

cc: Police Department, Fire Department, Department of Public Works, Board of Selectmen,
Recreation Department



LEXINGTON HISTORICAL SOCIETY

January 9, 2014

Board of Selectmen
Town of Lexington
Town Hall
Lexington, MA 02420

On behalf of the Lexington Historical Society and the Lexington Minute Men, request is respectfully made that appropriate steps be taken in order to close off portions of Bedford Street and Hancock Street for our special program on April 20-21, 2014.

As we have done for many years, the Society and the Minute Men are preparing to produce a reenactment of the arrival of Paul Revere and William Dawes at the Hancock-Clarke House. The actual program is intended to begin at approximately 11:30 p.m. with interpreters and minutemen at the House awaiting news of the activity of the Regulars in Boston. Paul Revere and then William Dawes will ride down Hancock Street from the Buckman Tavern area and arrive at the Hancock-Clarke House where they will converse with the occupants and then return to the Common briefly before heading to Concord.

In order to accomplish all of this and to ensure public safety, we request that Bedford Street from Massachusetts Avenue to Hancock Street and Hancock Street to Adams Street be closed to all but resident emergency traffic from 10:30 p.m. on Sunday, April 20th to no later than 12:30 a.m. on Monday, April 21st. We would like to thank the police and DPW personnel for adhering to the 10:30 closing time, as in earlier years the closing had not occurred as scheduled and several hundred people near the House were placed in a very dangerous situation as they tried to find vantage places to view the performance.

We also request permission to use the Common for the final scene of the production, for Captain Parker to gather his men and relate the news from Paul Revere, then instruct them to disperse until morning.

For further information from either organization, you may contact Bill Poole 978-251-1003.

Board of Selectmen


-2-

January 9, 2014

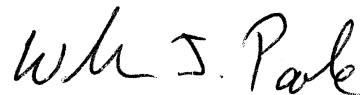
Our respective organizations continue to be very pleased by the overwhelmingly positive response to our annual production and are very excited about this year's event. We are delighted to provide this gift to the town and are very proud of the fact that it has become a welcome permanent addition to our Patriots' Day weekend in Lexington. We appreciate your cooperation in that endeavor.

Very truly yours,

LEXINGTON HISTORICAL SOCIETY

By 
Kevin McGuire, President

THE LEXINGTON MINUTE MEN

By 
Bill Poole, Captain Commanding

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 2/3/14

STAFF: Lynne Pease

ITEM NUMBER: I.7

SUBJECT:

Approve Battle Green Regulation

EXECUTIVE SUMMARY:

Attached is a revised Battle Green Regulation for your review and approval. This has been reviewed by the Policy Manual Committee, Captain Ferro and Selectmen Manz and Pato. Under 2.b.i an established limit has to be set, which you will approve at the February 10 meeting.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the Battle Green Regulation proposed and approved by the Policy Manual Committee.

STAFF FOLLOW-UP:

Selectmen's Office

BOARD OF SELECTMEN REGULATION

USE OF THE BATTLE GREEN

Date Approved by BOS:

Signature of Chair:

February 3, 2014

Deborah N. Mauger

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; 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.

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.

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 his 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. 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 10-4 and 10-6 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 Battle Green Policy were approved by the Board of Selectmen on February 3, 2014.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE:

February 3, 2014

STAFF:

William P. Hadley, Director

ITEM NUMBER:

Consent C.1

SUBJECT:

Adjustments and Commitments of Water and Sewer Charges

EXECUTIVE SUMMARY:

Adjustments to Water/Sewer as recommended by WSAB	(\$26,317.34)
Commitment of Water/Sewer Charges section 3	\$4,937,295.04
Commitment of Water/Sewer Charges Cycle 9 Nov 2013	\$222,385.91
Commitment of Water/Sewer Charges Finals Nov 2013	\$2,465.29

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



**FY2014
ADJUSTMENTS TO WATER/ SEWER
AS RECOMMENDED BY THE WATER AND SEWER ABATEMENT BOARD
DATE 2/3/14**

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR
0300693300	55	Asbury Street	\$ 55.94	\$ (273.17)	\$ (217.23)	766710	2014
0300726300	415	Bedford Street	\$ (109.23)	\$ (231.00)	\$ (340.23)	767116	2014
0100169000	62	Buckman Drive	\$ (38.18)	\$ (101.89)	\$ (140.07)	758902	2014
0100041500	42	Circle Road	\$ (322.96)	\$ (1,066.16)	\$ (1,389.12)	733832	2013
0200991800	3	Currier Court	\$ (68.80)	\$ (189.20)	\$ (258.00)	756705	2013
0100045600	3	Curve Street	\$ (23.24)	\$ (62.02)	\$ (85.26)	757327	2014
0300645400	30	Ewell Avenue	\$ (88.94)	\$ (193.96)	\$ (282.90)	766103	2014
0300793000	106	Fifer Lane	\$ (132.40)	\$ (280.00)	\$ (412.40)	767900	2014
0100111500	24	Fiske Road	\$ (439.14)	\$ (1,051.66)	\$ (1,490.80)	758181	2014
0206903900	31	Fletcher Avenue Unit 10	\$ (70.90)	\$ (204.35)	\$ (275.25)	765561	2014
0100195000	216	Follen Road	\$ (346.90)	\$ (855.90)	\$ (1,202.80)	759264	2014
0300885000	6	Freeman Circle	\$ (338.94)	\$ (880.74)	\$ (1,219.68)	769088	2014
0200519100	8	Frost Road	\$ (33.20)	\$ (284.60)	\$ (317.80)	763827	2014
0200554300	109	Grove Street	\$ (378.30)	\$ (945.26)	\$ (1,323.56)	738140	2014
0100146900	15	Holland Street	\$ (134.44)	\$ (411.77)	\$ (546.21)	758597	2014
0200554300	5	Holmes Road	\$ (369.52)	\$ (904.60)	\$ (1,274.12)	764325	2014
0200497600	111	Laconia Street	\$ (1,576.20)		\$ (1,576.20)	763544	2014
0100175300	4	Lexington Avenue	\$ (409.24)	\$ (988.60)	\$ (1,397.84)	758993	2014
0100200800	212	Marrett Road	\$ (258.33)	\$ (573.90)	\$ (832.23)	759342	2014
0200554300	640	Marrett Road	\$ (536.91)	\$ (1,266.02)	\$ (1,802.93)	768967	2014
0100147800	34	Oak Street	\$ (59.20)	\$ (440.40)	\$ (499.60)	721426	2013
0300674202	8	Patterson Road	\$ (633.00)		\$ (633.00)	752313	2013
0300678400	5	Paul Revere Road	\$ (52.80)	\$ (145.20)	\$ (198.00)	729226	2013
0300861900	5	Phinney Road	\$ 29.35	\$ (688.02)	\$ (658.67)	731435	2013
0100262000	22	Potter Pond	\$ (439.03)	\$ (1,051.60)	\$ (1,490.63)	760079	2014
0100179700	11	Richard Road	\$ 29.87	\$ (1,786.62)	\$ (1,756.75)	721870	2013
0100180500	23	Richard Road	\$ (31.42)	\$ (81.59)	\$ (113.01)	759064	2014
0100305300	18	Rockville Avenue	\$ (426.27)	\$ (1,142.19)	\$ (1,568.46)	760606	2014
0100305302	18	Rockville Avenue	\$ 411.16		\$ 411.16	760607	2014
0300989300	2	Royal Circle	\$ (117.21)	\$ (364.36)	\$ (481.57)	755957	2013
0100990900	26	Solomon Pierce Road	\$ (241.74)	\$ (531.46)	\$ (773.20)	760808	2014
0100133200	18	Tarbell Ave	\$ (546.67)	\$ (1,169.94)	\$ (1,716.61)	758448	2014
0300824400	3	Turning Mill Road	\$ (200.46)	\$ (253.91)	\$ (454.37)	754103	2014
			\$ (7,897.25)	\$ (18,420.09)	\$ (26,317.34)		

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
\$ (7,897.25)	\$ (18,420.09)	\$ (26,317.34)



**Department of Public Works
Town of Lexington
Water and Sewer Enterprise Funds
FISCAL YEAR 2013
NOVEMBER 2013 Cycle 9 Billing**

CYCLE 9		GRAND TOTALS
NOVEMBER 2013		
WATER	\$214,359.21	\$214,359.21
SEWER	\$3,099.30	\$3,099.30
FEE FOR BEDFORD	\$4,927.40	\$4,927.40
TOTAL:	<u>\$222,385.91</u>	<u>\$222,385.91</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:

Two hundred twenty-two thousand, three hundred eighty-five dollars and 91/00

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 2/3/2014

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
	NOVEMBER 2013	
WATER	\$302.29	\$302.29
SEWER	\$2,163.00	\$2,163.00
TOTAL:	<u>\$2,465.29</u>	<u>\$2,465.29</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:

Two thousand four hundred sixty-five dollars and 29/00

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

2/3/2014

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



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

COMMITMENT FA0314	SECTION 3	GRAND TOTALS
	NOVEMBER 2013	
WATER	\$1,924,283.26	\$1,924,283.26
SEWER	\$3,013,011.78	\$3,013,011.78
TOTAL:	<u>\$4,937,295.04</u>	<u>\$4,937,295.04</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 million, nine hundred thirty-seven thousand, two hundred ninety-five dollars and 04/00

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 02/03/14

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

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

DATE: 2/3/14

STAFF: Lynne Pease

ITEM NUMBER: C.2-4

SUBJECT:

Consent

EXECUTIVE SUMMARY:

2. Approve a one-day liquor license for the St. Brigid Parish to serve beer and wine in the St. Brigid, Keilty Hall, for Irish Night on Saturday, March 8, 2014, from 6:00 p.m. to 10:00 p.m.
3. Approve a one-day liquor license for the Arlington-Lexington Chapter of Hadassah to serve wine at a Benefit for Heart Institute on Saturday, March 1, 2014, from 8:00 p.m. to 11:00 p.m. at the Depot, 13 Depot Square.
4. Approve a one-day liquor license for the Melanoma Foundation of New England to serve beer and wine at the “Manis for Melanoma” night out on Thursday, March 20, 2014, from 5:00 p.m. to 11:00 p.m. at Mini-Luxe, 1718 Massachusetts Avenue.

See attached information.

FINANCIAL IMPACT:

RECOMMENDATION / SUGGESTED MOTION:

Motion to approve the Consent Agenda.

STAFF FOLLOW-UP:

Selectmen’s Office