

SELECTMEN'S MEETING  
Monday, January 13, 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. Request for a Monuments and Memorials Committee (10 min.)
  2. Toole Group Bikeway Path Finding Presentation and Recommendations (10 min.)
  3. Preliminary FY 2015 Budget and Financing Plan (30 min.)
  4. Approve Common Victualler and Entertainment Licenses for il Casale (5 min.)
  5. Appointment – Historic Districts Commission (5 min.)
- 8:20 p.m. CONSENT (5 min.)**
1. Approve One-day Liquor License – Tourism/Antony
  2. Approve Request of Town Celebrations Committee-Sponsorship Letter
  3. Approve Agreement Between MassDOT and Lexington for Spring Street/Hayden Avenue/Patriot Way Traffic Signal
- 8:25 p.m. EXECUTIVE SESSION (15 min.)**
1. With Conservation Commission - Exemption 3 and 6: 430 Concord Road
- 8:40 p.m. ADJOURN**

The next regular meeting of the Board of Selectmen is scheduled for Monday, January 27, 2014 at 7:00 p.m. in the Selectmen Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

Summit 4 is scheduled for Wednesday, January 15, 2014, at 7:00 p.m. in the Public Services Building Cafeteria at 201 Bedford Street.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 1/13/14

**STAFF:** Lynne Pease

**ITEM NUMBER:** I.1

---

**SUBJECT:**

Request for a Monuments and Memorials Committee

---

**EXECUTIVE SUMMARY:**

Sam Doran and Ryan Lennon will be at your meeting to request your consideration of creating a committee to determine the need for new veterans' memorials and maintain a list of existing memorials and ensure they are maintained.

See attached information.

**FINANCIAL IMPACT:**

---

**RECOMMENDATION / SUGGESTED MOTION:**

**STAFF FOLLOW-UP:**

Selectmen's Office

Tel. Volunteer 3-1577

168 East Street  
Lexington 20

Dear

The enclosed proposal should give you some idea of a monuments and tablets committee's purpose.

I have been distinguishing outdoor memorials as monuments and indoor ones as tablets. There are some of each that need attention in this town, as I believe you would agree.

The Lexingtonians lost in World War I are commemorated inside the Cary Building, but this means there is no moment of recognition for them on Memorial Day - an outdoors parade.

The veterans of World War II are honored outside next to the Visitors Centre, but our townsmen lost in that war are the first not to have been honored inside town hall.

Veterans of Korea and Vietnam are remembered inside the crescent in front of town hall, but the monument is small (perhaps indicative of public opinion for the war at the time) and the Lexingtonians who lost their lives in those two wars are not remembered by name anywhere in town.

An entire war is forgotten - 1812, our second and final war against the British. One Lexington man died in that war and another was seriously injured.

And in this town where we think of our Revolutionary forebears so often, nowhere is there any remembrance of those who died after the 19th of April in '75.

Should World War I veterans be honored out-of-doors and if so, how? Ought there be a plaque in the Cary Building for World War II killed in action? Should Korea and Vietnam be remembered on a larger scale? What to do about 1812? And how can we blend post-1775 Revolutionary history into Lexington? These are just some of the questions that face us.

We should also think of preservation. Some of our monuments have fallen into disrepair and prescribed treatment courses ignored. At least one other has been physically removed to a private setting where it is not visible to the public.

A committee such as this proposed would hold the appropriate party accountable for properly maintaining Lexington's monuments.

There is also today and tomorrow to consider. With each conflict comes the need to recognize those who were "willing to sacrifice ... Life itself in support of the Common Cause." \*

Some nine decades ago, a veterans' memorial committee was established by the town. Its purpose was to think of design and location for a common memorial to include all wars. They went so far as to draw up plans, before the idea was thrown out - apparently for political and budgetary reasons. Is the idea worth re-examining? Or is our collection of unique markers throughout the Centre one of the things that "make Lexington Lexington"?

There is lots to talk about. If this committee is enacted by the Board of Selectmen, there will be plenty to do - all of it well worth doing and long overdue.

Very truly yours,

S. L. Doran

Encls.

\* (From the Lexington Minute Men Oath)

PROPOSAL FOR A NEW COMMITTEE

Lexington, Mass.

Name: ~~Veterans Memorials~~ Monuments & Memorials Committee

Members: ~~12/17~~

Appointed by: Board of Selectmen

Length of term: Three years

Charge: (a.) Determine need for new veterans' memorials; their location; their design; etc.  
(b.) Maintain list of existing memorials; ensure they are maintained by responsible party.

Membership: Shall include the town's veterans service officer; at least one other veteran of the US Armed Forces; at least one member of the Lexington Minute Men; at least one member conversant with town history.

Proposed Committee Membership

1. Mr. Ryan P. Lennon, Lexington veterans service officer  
(staff liaison)
2. PCC Charles H. Price Jr., Korean War veteran; Past Captain  
Commanding of the Lexington Minute Men
3. Mr. Peter Kelley, Board of Selectmen liaison
4. Mr. Michael DaRu, board of directors, Lexington Minute Men
5. Mr. S. L. Doran, local historian, Lexington Historical Society
6. Reserved for member of Lexington Post 3007, Veterans of  
Foreign Wars \*
7. Reserved for member of Lexington Veterans Association \*

\* (if the organization decides to nominate one)

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 1/13/14

**STAFF:** Lynne Pease

**ITEM NUMBER:** I.2

---

**SUBJECT:**

Toole Group Bikeway Path Finding Presentation and Recommendations

---

**EXECUTIVE SUMMARY:**

Ms. Enders, Chair of the Bicycle Advisory Committee, and Mr. Livsey, Town Engineer, will be at your meeting to present the Toole Group Report on Bikeway Path Finding and make recommendations.

See attached information.

**FINANCIAL IMPACT:**

---

**RECOMMENDATION / SUGGESTED MOTION:**

**STAFF FOLLOW-UP:**

Selectmen's Office

## STATEMENT FROM THE BICYCLE ADVISORY COMMITTEE

### Toole Design Group Draft Report: “Navigating the Minuteman Commuter Bikeway”

The Bicycle Advisory Committee strongly endorses the draft report of the Toole Design Group and recommends that the Board of Selectmen accept the report on behalf of the Town of Lexington. The Minuteman Commuter Bikeway is a critical regional transportation resource that needs considerable improvement in terms its appearance and, more importantly, its safety.

Of the many recommendations contained in the draft report, the Bicycle Advisory Committee recommends that the following be given top priority:

- I. Resolution of pavement issues, including root upheavals, pavement erosion, and flooding. The root upheavals are not just an annoyance for cyclists and skaters: these are a safety hazard. Riders are swerving to avoid the growing number of roots and potholes, thus paying less attention to the traffic around them.
- II. Intersection safety recommendations, including traffic controls; signals and warnings on both streets and the bikeway; removal of unsafe gates; and reconfiguration of intersections to safely slow bikeway traffic.
- III. Development of a signage and amenities plan to improve wayfinding, bikeway behavior, and public safety. Such a plan – and its implementation – will require the production of a “master plan” as well as collaboration with the other Bikeway towns.

Given these important recommendations, and the many others contained in the report, it is not clear to this committee what agency within the Town would coordinate the effort. That is, to organize efforts of various town departments, staff and committees (e.g., engineering, operations, public safety, recreation, planning, bicycle, center and tourism committees, HDC, etc.) as well as to work with the other towns to implement a uniform signage and amenities plan. The Bicycle Advisory Committee is unanimously in favor of recommending the appointment of a staff person to serve as Lexington’s Bicycle Program Coordinator.

Submitted by Peggy Enders on behalf of the Bicycle Advisory Committee  
January 10, 2014





# **Navigating the Minuteman Commuter Bikeway:**

## **Recommendations from Toole Design Group**

**Lexington Board of Selectmen  
January 13, 2014**

# Background

- Toole Design Group hired through \$48,000 DCR grant awarded in 2012 to Arlington, Lexington and Bedford.
- Minuteman Bikeway map also produced under this grant.
- Purpose:
  - Develop a “logical and cohesive” wayfinding system along the entire length of the Bikeway (i.e., signage and related amenities)
  - Recommend trail amenities to serve needs of users while preserving historical and natural character of trail;
  - Identify strategies to improve safety, particularly where bike path intersects with roadways
- Toole Design Group began its work in Fall 2012.

# Draft Report

- Released in August 2013;
- Distributed to BoS, Planning Board, Town Center Committee, Tourism Committee...
- Toole Group presented to Transportation Forum group on October 8;
- Arlington BoS heard presentation from its Bicycle Advisory Committee in December;
- Final stakeholders meeting with Toole Group to be scheduled in near future.

# Recommendations

Toole Design Group Draft Report



# Wayfinding and Signage

- Establish consistency in signage along the Bikeway; three towns should work together;
- Destination signs at primary connections – on and off the Bikeway;
- Mile markers at ½ mile intervals;
- Etiquette signs for passing and other Bikeway behavior should be easy to read:



"Navigating the Minuteman Commuter Bikeway"



# Wayfinding and Signage

- Direct Bikeway users to Town Centers



- Bikeway maps should be displayed at all trailheads, waysides, access points.
- Improve location signage at intersections and Bikeway connections



- Avoid over-signing the Bikeway.

# Sample Interpretive Display

## Name of Historic Area or Feature



Psum dolor sit amet, consectetur adipiscing elit, sed diam nonummy nibh euismod tincidunt ut laoreet dolore magna aliquam erat volutpat. Ut wisi enim ad minim veniam, quis nostrud exerci tation ullamcorper suscipit lobortis nisl ut aliquip ex ea commodo consequat. Duis autem vel eum iriure dolor in hendrerit in vulputate velit esse molestie consequat, vel illum dolore eu feugiat nulla facilisis at vero eros et accumsan et iusto odio dignissim qui blandit praesent luptatum zzril delenit augue duiis dolore te feugiat nulla

facilisi. Nam liber tempor cum soluta nobis eleifend option congue nihil imperdiet doming id quod mazim placerat facer possim assum. Typi non habent claritatem insitam; est usus legentis in iis qui facit eorum claritatem. Investigationes demonstraverunt lectores legere me lius quod ii legunt saepius. Claritas est etiam processus dynamicus, qui sequitur mutationem consuetudinum lectorum. Mirum est notare quam littera gothica, quam nunc putamus parum claram, anteposuerit litterarum formas humanitatis per saecula quarta decima

### Minuteman Area Timeline

#### About the Minuteman Bikeway and Recent History

Psum dolor sit amet, consectetur adipiscing elit, sed diam nonummy nibh euismod tincidunt ut laoreet dolore magna aliquam erat volutpat. Ut wisi enim ad minim veniam, quis nostrud exerci tation ullamcorper suscipit lobortis nisl ut aliquip ex ea commodo consequat. Duis autem vel eum iriure dolor in hendrerit in vulputate velit esse molestie consequat, vel illum dolore eu feugiat nulla facilisis at vero eros et accumsan et iusto odio dignissim qui blandit praesent luptatum zzril delenit augue



#### Natural Feature Call Out



Information about natural history or other natural features in the area.

Mirum est notare quam littera gothica, quam nunc putamus parum claram, anteposuerit litterarum formas humanitatis per saecula quarta decima et quinta decima. Eodem modo typi, qui nunc nobis videntur parum clari, fiant sollemnes in futurum.

Duis autem vel eum iriure dolor in hendrerit in vulputate velit esse molestie consequat, vel illum dolore eu feugiat nulla facilisis at vero eros et accumsan et iusto odio dignissim qui blandit praesent luptatum zzril delenit augue duiis dolore te feugiat nulla facilisi.

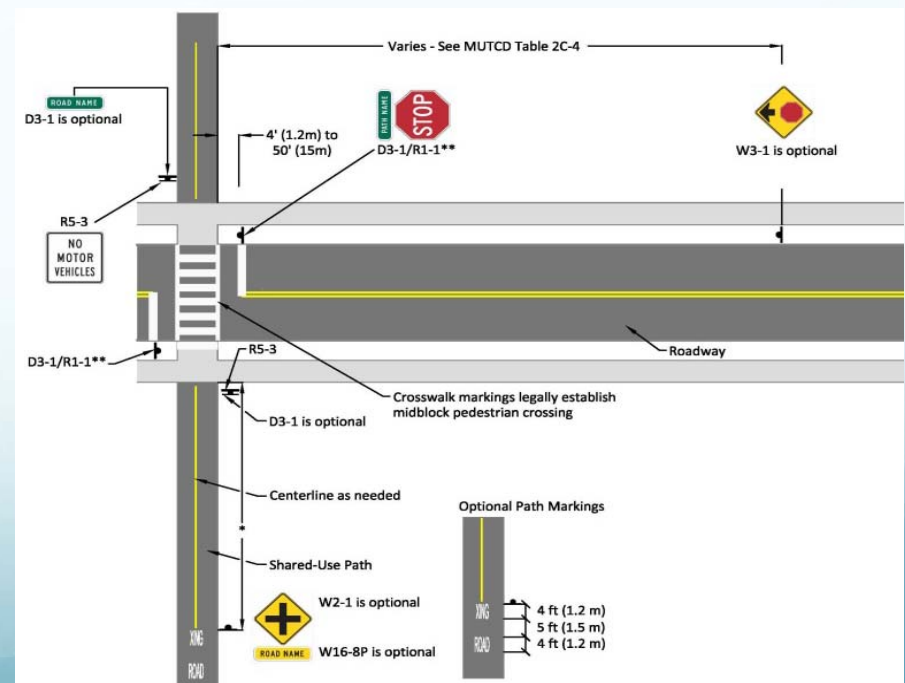
# Intersection Improvements

- Pedestrian-activated signals;
- Bicycle detectors to eliminate need for push button;
- Audible features;
- Traffic signal/beacon;
- Improved intersection lighting at all intersections;
- Improve intersection sight distances.



# Intersection Control

- Provide the least intersection control that is effective:
  - Yield control for Bikeway Users (e.g., Revere, Fottler, Fletcher) or on Roadways
  - Stop control on Bikeway (Bow Street, Westview)
  - Stop control on Roadways (e.g., Seasons 4, Lexington Town Center Parking Lot)



# Intersection Control

- “Advance yield lines” provides direction to motorists to yield in advance of crossing



"Navigating the Minuteman Commuter Bikeway"

# Create Gateways at Intersections

- Roadways and sidewalks leading to Bikeway should accommodate cyclists and pedestrians.
- Towns should include bike facilities on streets that are connections to the Bikeway.
- Existing bollard and gates are dangerous and should be removed; future gateways designed without these features.



"Navigating the Minuteman Commuter Bikeway"

# Hancock Street Intersection



"Navigating the Minuteman Commuter Bikeway"

# Woburn and Westview Street Intersections



"Navigating the Minuteman Commuter Bikeway"

# Trailheads and Waysides

- Trailheads should identify key access points, landmarks with info kiosks, artful nodes of interest;
- Provide waysides and trailheads at key places along the Bikeway
  - Level 1 wayside: benches, interpretive panels and information kiosks, lighting;
  - Level 2: information kiosk, interpretive panel; benches; lighting; trash receptacle; bike rack.
  - Level 3: Level 2 plus tables; drinking fountain, restroom, doggie bag dispenser, public art, motor vehicle parking. Bike repair stations.

# Bikeway Terminus in Bedford



"Navigating the Minuteman Commuter Bikeway"

# Increase Collaboration Between Towns

- Establish a Joint Powers Committee to improve operations and reduce inefficiencies;
- Graphic standards for signage;
- Outreach and communication;
- Maintenance and cleanup;
- Event permitting;
- Habitat and natural resource protection;
- Rules and Regulations: Reduce conflicts between users through education





# Policing and Public Safety

- Form “bike ambassadors” program to provide additional eyes on the trail.
- Train citizen volunteers to improve safety since police patrols on Bikeway are rare.



"Navigating the Minuteman Commuter Bikeway"

# Bikeway Maintenance

- MassDOT standards include:
  - Bikeway cleared of debris that creates obstacles for cyclists;
  - Vegetation pruned or mowed to maintain sightlines;
  - Snow and ice plowed;
  - Broken pavement, especially from root invasion, repaired and reduce hazardous obstacles for cyclists, runners, and peds.
- Towns can use a mobile app to allow Bikeway users to report hazardous conditions to Towns.

# Bikeway Maintenance

- Use best practices to repair the Bikeway from root damage;
- Work collaboratively to maintain signage on the Bikeway
  - Inspect annually pavement markings and signage on and approaching the Bikeway.
  - Replace worn or missing signs, especially at intersections.

# Bikeway Improvements

- Manage and accommodate increased growth and users of the Bikeway
- Areas of highest use should be widened to 14-16 feet, where feasible, to accommodate passing cyclists during periods of heavy use.
- (The current Bikeway Level of Service is a C; the score will likely decrease as usage increases.)
- Many trails have stone dust pathways or shoulders adjacent to path to accommodate walkers or runners (this is not a direct substitute, however)

# Near Parker Meadow



"Navigating the Minuteman Commuter Bikeway"

# Bikeway Improvements

- Incorporate sustainability and low-impact designs:
  - Bioswales
  - Raingardens
  - Tree Box filters
  - Permeable surfaces



# Next Steps

- Selectmen accept the report;
- Develop an implementation strategy:
  - Develop master plan for wayfinding implementation, which will likely include additional consulting services;
  - Identify funding sources for design and construction.
- Improve three-town collaboration.





"Navigating the Minuteman Commuter Bikeway"



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

January 13, 2014

**PRESENTER:**

Carl F. Valente  
Rob Addelson  
Theo Kalivas

**ITEM NUMBER:**

I.3

---

**SUBJECT:**

FY15 Preliminary Budget Presentation

---

**EXECUTIVE SUMMARY:**

Staff will present the preliminary FY15 operating and capital budget recommendations (i.e., the White Book). The recommendations in this preliminary budget document will be the basis of the Summit IV discussion on January 15<sup>th</sup>.

---

**FINANCIAL IMPACT:**

NA

---

**RECOMMENDATION / SUGGESTED MOTION:**

NA

---

**STAFF FOLLOW-UP:**

TMO and Finance

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 1/13/14

**STAFF:** Lynne Pease

**ITEM NUMBER:** I.4

---

**SUBJECT:**

Approve Common Victualler and Entertainment Licenses for il Casale, 1727 Mass. Avenue

---

**EXECUTIVE SUMMARY:**

The il Casale owners have requested that the Selectmen approve the Common Victualler License and Entertainment License for their new restaurant at 1727 Mass. Avenue because they need proof in order to close on their Asset Purchase Agreement. The signed licenses will not be sent to them until I receive a copy of their approved Certificate of Occupancy and Certificate of Inspection, but I will provide them a letter that the licenses were approved pending receipt of the certificates.

See attached information.

**FINANCIAL IMPACT:**

---

**RECOMMENDATION / SUGGESTED MOTION:**

Motion to approve a Common Victualler License and Entertainment License for Sfizi LLC, d/b/a il Casale, 1727 Massachusetts Avenue, pending receipt of a Certificate of Occupancy and Certificate of Inspection.

**STAFF FOLLOW-UP:**

Selectmen's Office



**TOWN OF LEXINGTON  
SELECTMEN'S OFFICE**

**APPLICATION FOR  
COMMON VICTUALLER LICENSE**

The Board of Selectmen issues Common Victualler licenses to establishments that cook, prepare and serve food at tables. Please fill in this form completely and return to the Selectmen's Office along with a check for \$25.00 made payable to the Town of Lexington, the Workers' Compensation Insurance Affidavit form, and the declaration page of your workers compensation insurance policy.

CORPORATE NAME: Sfizi LLC

D/B/A: il Casale

ON-SITE MANAGER NAME AND PHONE NUMBER: \_\_\_\_\_

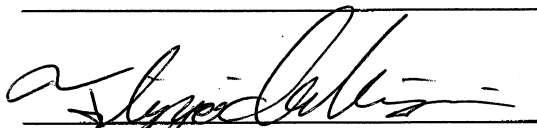
Filippo deMagistris (617) 733-3519

BUSINESS ADDRESS: 1727 Massachusetts Avenue, Lexington, MA 02420

EMAIL ADDRESS: filippo@restaurantdante.com

HOURS: Proposed: 11:00 a.m. -12:00 a.m. Monday - Sunday

ADDITIONAL INFORMATION: \_\_\_\_\_

  
Authorized Signature

46-3907817  
Federal Identification No. or

\_\_\_\_\_  
Social Security Number

Submit to Selectmen's Office:

1. Application
2. Check for \$25.00 (payable to Town of Lexington)
3. Workers' Compensation Insurance Affidavit (including copy of Declaration page of policy)



**TOWN OF LEXINGTON  
SELECTMEN'S OFFICE**

**APPLICATION FOR  
ENTERTAINMENT LICENSE**

The Board of Selectmen issues Entertainment licenses to establishments that have theatrical exhibitions, public shows, public amusements and exhibitions of every description (including televisions). Please fill in this form completely and return to the Selectmen's Office along with a check for \$5.00 made payable to the Town of Lexington.

CORPORATE NAME: Sfizi LLC

D/B/A: il Casale

ON-SITE MANAGER NAME AND PHONE NUMBER: \_\_\_\_\_

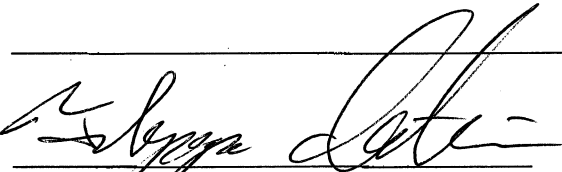
Filippo deMagistris 617-733-3519

BUSINESS ADDRESS: 1727 Massachusetts Avenue, Lexington, MA 02420

EMAIL ADDRESS: filippo@restaurantdante.com

TYPE OF ENTERTAINMENT: Background Music, two (2) TVs and six (6) instrumentalists  
and/or vocalists

ADDITIONAL INFORMATION: \_\_\_\_\_

  
\_\_\_\_\_  
Authorized Signature

46-3907817  
Federal Identification No. or

\_\_\_\_\_  
Social Security Number

Submit to Selectmen's Office:

1. Application
2. Check for \$5.00 (payable to Town of Lexington)

## Lynne Pease

---

**From:** Kristen Scanlon [kls@kscanlonlaw.com]  
**Sent:** Monday, January 06, 2014 2:12 PM  
**To:** Lynne Pease  
**Subject:** Re: il Casale Lexington

Thanks Lynne.

Question: Are you able to issue a letter from the Board indicating that the CV and Entertainment license applications were also approved? The deMagistris's need proof of same in order to close on their Asset Purchase Agreement.

Thanks,

**Kristen L. Scanlon, Esq.**  
**Of Counsel**  
**Law Offices of John P. Connell, P.C.**  
112 Water Street, Suite 201  
Boston, Massachusetts 02109  
(617) 227-3277 (office)  
(315) 271-9755 (cell)  
(617) 227-3222 (fax)  
kls@kscanlonlaw.com

---

**From:** Lynne Pease <LPEASE@lexingtonma.gov>  
**To:** 'Kristen Scanlon' <kls@kscanlonlaw.com>  
**Sent:** Thursday, January 2, 2014 8:09 AM  
**Subject:** RE: il Casale Lexington

*Lynne A. Pease*  
Selectmen's Office  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington, MA 02420  
email selectmen@lexingtonma.gov  
phone 781-862-0500 x208  
fax 781-863-9468

---

**From:** Kristen Scanlon [mailto:kls@kscanlonlaw.com]  
**Sent:** Thursday, January 02, 2014 5:54 AM  
**To:** Lynne Pease  
**Subject:** Re: il Casale Lexington

Would you be able to fax or scan and email me a copy of the approved Form 43?

Thanks,

**Kristen L. Scanlon, Esq.**  
112 Water Street, Suite 201  
Boston, Massachusetts 02109

(617) 334-5032 (office)  
(315) 271-9755 (cell)  
(617) 227-3222 (fax)  
kls@kscanlonlaw.com

---

**From:** Lynne Pease <LPEASE@lexingtonma.gov>  
**To:** 'Kristen Scanlon' <kls@kscanlonlaw.com>  
**Sent:** Tuesday, December 31, 2013 9:19 AM  
**Subject:** il Casale Lexington

Kristen,

Just wanted to let you know that I received an approved Form 43 back from the ABCC for il Casale. It was approved on December 11, 2013.

*Lynne A. Pease*

Selectmen's Office  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington , MA 02420  
email selectmen@lexingtonma.gov  
phone 781-862-0500 x208  
fax 781-863-9468

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 1/13/14

**STAFF:** Lynne Pease

**ITEM NUMBER:** I.5

---

**SUBJECT:**

Selectmen Committee Appointment – Historic Districts Commission

---

**EXECUTIVE SUMMARY:**

Mr. Oldenburg's term as an associate member of the Historic Districts Commission, representing the Library, expired on December 31, 2013, and he has served the 2 term maximum. The Library has nominated Britta McCarthy to be the Library's Representative as an Associate Member of the Historic Districts Commission.

See attached information.

**FINANCIAL IMPACT:**

---

**RECOMMENDATION / SUGGESTED MOTION:**

Motion to appoint Britta McCarthy to the Historic Districts Commission, representing the Library as an Associate Member, for a term to expire December 31, 2018.

**STAFF FOLLOW-UP:**

Selectmen's Office



1874 Massachusetts Avenue, Lexington, MA 02420 • P 781-862-6288 • F 781-862-7355 • carylibrary.org

---

January 9, 2014

Lynne A. Pease  
Executive Clerk  
Board of Selectmen  
1625 Massachusetts Avenue  
Lexington, MA 02420

Dear Lynne,

The Board of Trustees of the Cary Memorial Library at their meeting on January 8, 2014 recommended the nomination of the following candidate to the Historic Districts Commission:

Britta McCarthy

Sincerely,

Koren Stembridge  
Library Director

Cc: Norman Cohen, Chair, Library Board of Trustees



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 1/13/14

**STAFF:** Lynne Pease

**ITEM NUMBER:** C.1-3

---

**SUBJECT:**

Consent Agenda

---

**EXECUTIVE SUMMARY:**

1. Approve a one-day liquor license for the Tourism/Antony Working Group to serve wine at “A French A Faire” on Sunday, February 9, 2014, from 4:00 p.m. to 6:30 p.m. at the Depot, 13 Depot Square.
2. Approve the request of the Town Celebrations Committee to send out the annual sponsorship letters to local businesses for the 2014 Patriots Day Parade.
3. Approve the Agreement between MassDOT-Highway Division and the Town of Lexington for installing a traffic control signal and roadway improvements for the Spring Street/Hayden Avenue/Patriot Way.

See attached information.

**FINANCIAL IMPACT:**

---

**RECOMMENDATION / SUGGESTED MOTION:**

Motion to approve the Consent Agenda.

**STAFF FOLLOW-UP:**

Selectmen’s Office

Dear Lexington Business Leader,

Lexington's 300<sup>th</sup> Anniversary Celebration may be over, but plans are well underway to commemorate the 239<sup>th</sup> anniversary of the Battle of Lexington! If you have been in town on Patriots' Day in years past you know the scale of the Patriots' Day Afternoon Parade, big anniversary year or not. This is a production that takes hours upon hours of planning and organization as well as significant funding. The Town Celebrations Committee has a strong team of dedicated volunteers to take care of the planning and organization, but we look to the generous support of the Lexington business community to help us bring wonderful bands and other marching units.

The Lexington Patriots' Day Afternoon Parade attracts groups from all over New England, and the cost to secure quality groups increases from year to year. On the enclosed sponsorship form you can see a listing of the groups we expect to attend the parade this year as well as the associated cost of bringing them to Lexington. Your financial support will ensure that we can continue to provide the caliber of entertainment in the parade that Lexington has come to expect.

We are looking to you to help support the parade in one of three ways:

- **Sponsoring** a group by covering their entire cost
- **Co-sponsoring** a group through a donation of \$400 or more
- Making a **general donation** of any amount in support of the Parade

**Sponsors and co-Sponsors will receive:**

- A large banner bearing the name of your organization carried by volunteer parade ambassadors (or by members of your organization if you prefer) that will precede the sponsored group in the parade. Banners this year will include a "Boston Strong" ribbon in remembrance of the marathon bombing victims from Patriots' Day last year.
- Recognition from the reviewing stand and in printed local media.

For answers to questions regarding sponsoring, co-sponsoring or making a general donation, please contact Dick Michelson at 781-862-1034. Please note that the deadline for the enclosed sponsorship form and payment is Tuesday, April 1, 2014. Your check should be made payable to:

Town of Lexington  
Patriots' Day Gift Account  
c/o Selectmen's Office  
1625 Massachusetts Avenue  
Lexington, MA 02420

The Town Celebrations Committee would like to thank those businesses that have been Parade supporters in the past, and we hope that you will give generously again this year. We would also like to encourage those who have not yet contributed to the parade to consider becoming a sponsor this year. A banner in this beloved and well-attended parade is a tremendous show of support for and involvement in your community.

Sincerely,

Suzie Barry, Chairman

AGREEMENT  
(COMMONWEALTH OF MASSACHUSETTS AND  
TOWN OF LEXINGTON)

Agreement Number \_\_\_\_\_

AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the COMMONWEALTH OF MASSACHUSETTS, hereinafter called the "Commonwealth," through its MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION, hereinafter called the "MassDOT, Highway Division," and TOWN OF LEXINGTON, hereinafter called the "Town."

WHEREAS, the Town desires to install a traffic control signal and construct roadway improvements on Spring Street at the intersection of Hayden Avenue in the Town of Lexington, in Middlesex County, in the Commonwealth of Massachusetts, as shown on Massachusetts Department of Transportation, Highway Division ("MassDOT, Highway Division") Traffic Control Signal Regulation No. AB-155-2971, dated March 16, 2012 and plan of twenty six (26) sheets prepared by BSC Group, Inc., dated February, 2011 entitled:

TOWN OF LEXINGTON  
MASSACHUSETTS  
TRAFFIC and ROADWAY IMPROVEMENTS  
SPRING STREET/HAYDEN AVENUE/PATRIOT WAY  
IN THE TOWN OF LEXINGTON  
MIDDLESEX COUNTY

Said plans being subject to review and approval by MassDOT, Highway Division before signal installation, and said plans, and permits are made a part hereof; and in accordance with the provisions of Permit No 4-2011-0131 dated May 25, 2011 to perform work on a state highway and made a part of this Agreement; and

WHEREAS, the parties hereto have reached an agreement as to the apportionment of the work, the expense of carrying out said work, and the ownership and future maintenance thereof;

NOW THEREFORE, in consideration thereof, MassDOT, Highway Division and the Town hereby agree, each with the other as follows:

DIVISION OF WORK

The Town will furnish through its own contractor, all necessary labor, materials, equipment, and other services necessary for the installation of the traffic control signal and roadway improvements as indicated above and as shown on the attached plans.

The Town agrees that all work done under this Agreement will be done in accordance with the "STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, issued by the

Commonwealth of Massachusetts, Department of Highways, 1988 Edition,” as amended, and the 2003 Manual on Uniform Traffic Control Devices and amendments as adopted by MassDOT, Highway Division.

The Town agrees to require its contractor to take out and maintain Public Liability Insurance and Property Damage Liability Insurance, and also Contractor's Protective Public Liability and Property Damage Liability Insurance on behalf of the Commonwealth of Massachusetts and the Town, in conformance with Section 7.05 of the hereinbefore defined STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, and to furnish evidence of such insurance to MassDOT, Highway Division and the Town.

The Town agrees to require its contractor to provide a Performance Bond and a Payment Bond on behalf of the Town in conformance with Section 3.04 of the hereinbefore defined STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES. The Performance Bond and the Payment Bond shall be in the full amount of the contract.

The Town agrees not to advertise for construction nor award a contract for any work covered by this Agreement without prior approval by MassDOT, Highway Division.

The Town agrees that work will not commence without written permission from the District 4 District Highway Director. Prior to the commencement of any work, a preconstruction conference may be required by MassDOT, Highway Division. If required, it shall be held at the Department's District 4 Administrative office and the Town shall be so notified.

MassDOT, Highway Division must approve all contractors, materials, and equipment used in this installation. Contractors and subcontractors must be pre-qualified by MassDOT, Highway Division for the type of work they are conducting. Traffic Signal equipment must be included on the MassDOT, Highway Division Traffic Signal Approved Equipment list.

The Town will be required to furnish an engineer for proper inspection services necessary during the prosecution of work, and in turn, MassDOT Highway Division will make periodic inspection for compliance with MassDOT, Highway Division standards.

Upon completion of the work, the Town or its Engineer will be responsible for the final inspection and certification of compliance with plans and specifications. All specifications must meet MassDOT, Highway Division standards. The Town agrees to conform to MassDOT, Highway Division SOP No. HMD-60-03-3-000.

MassDOT, Highway Division reserves the right for final acceptance of the completed project.

### DIVISION OF EXPENSE

The entire cost of the construction and installation of said traffic control signals and roadway improvements as hereinbefore stated and as shown on said plans and specifications will be borne by the Town.

### OWNERSHIP AND FUTURE MAINTENANCE

Upon the completion of the construction and installation of the traffic control signal and appurtenances to the satisfaction of MassDOT, Highway Division, title to said signals and appurtenances shall vest with MassDOT, Highway Division shall there after maintain said signals and appurtenances as installed.

All future power costs for the traffic control signal systems at the intersection of Spring Street and Hayden Avenue shall be borne by MassDOT, Highway Division.

After completion of the roadway improvements along Spring Street and Hayden Avenue, MassDOT, Highway Division shall thereafter maintain said roadway within the State Highway Layout, and the Town shall thereafter maintain said roadway within the Town Layout. Ornamental mast arm structures will be installed on this project. In the event of a mast arm knockdown or damage to a mast arm that renders the structure unusable, the Town of Lexington shall be responsible for replacement of the mast arm structure.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Approved

TOWN OF LEXINGTON  
BOARD OF SELECTMEN

\_\_\_\_\_  
Hank Manz, Chairman

\_\_\_\_\_  
Deborah N. Mauger

\_\_\_\_\_  
Peter C. J. Kelley

\_\_\_\_\_  
Norman P. Cohen

\_\_\_\_\_  
Joseph N. Pato

CERTIFICATE OF SIGNATORY

This will attest that the above named individual is duly authorized and empowered to execute and deliver this Agreement on behalf of Town of Lexington.

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Town Clerk

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TRANSPORTATION -  
HIGHWAY DIVISION

\_\_\_\_\_  
Patricia Leavenworth, P.E.  
Chief Engineer