

SELECTMEN'S MEETING  
Monday, October 20, 2014  
Selectmen Meeting Room  
7:00 p.m.

**AGENDA**

**7:00 p.m. PUBLIC COMMENTS (10 min.)**

Public comments are allowed for up to 10 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Members of the Board will neither comment nor respond, other than to ask questions of clarification. Speakers are encouraged to notify the Selectmen's Office at 781-698-4580 if they wish to speak during public comment to assist the Chairman in managing meeting times.

**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 – Verizon – Laconia Street – 7:00 p.m. (5 min.)
2. Approve One-Hour Parking in East Lexington – 7:00 p.m. (5 min.)
3. Greenways Corridor Committee Request Naming for Rick Abrams (10 min.)
4. Discuss Request to Ban Toy Weapons for Halloween Events (5 min.)
5. Overview on Proposed Lincoln Park Field Lights Feasibility Study (10 min.)
6. Continued Discussion on Proposed Sale of Tax Title Land – Laconia Street (10 min.)
7. Community Center Advisory Committee Interim Report (30 min.)
8. Proposed Parking Mitigation Agreement – 21 Muzzey Street (15 min.)
9. Liquor License – Change of Manager – Waxy O'Connor's (5 min.)
10. Resignation – Community Center Advisory Committee (5 min.)
11. Town Manager Appointment – Commission on Disability (5 min.)

**9:05 p.m. CONSENT AGENDA (5 min.)**

1. Water and Sewer Commitments and Adjustments
2. Sign St. Nicholas Church Proclamation – 50<sup>th</sup> Anniversary
3. Approve One-Day Liquor License – Center for Life Solutions
4. MPO Election
5. Use of the Battle Green – Lexington Minute Men

**9:10 p.m. EXECUTIVE SESSION (40 min.)**

1. Exemption 3: Coalition Bargaining Update
2. Exemption 6: Fire Station/Public Safety Site Options Update

**9:50 p.m. ADJOURN**

The next regular meeting of the Board of Selectmen is tentatively scheduled for Monday, November 3, 2014 at 7:00 p.m. in the Selectmen's Meeting Room, 1625 Massachusetts Avenue.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**STAFF:**

William P. Hadley, Director

**ITEM NUMBER:**

I.1

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**SUBJECT:**

Verizon

Laconia St. – Relocate one JO Pole (P19) 20' northwesterly of its current location.

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**EXECUTIVE SUMMARY:**

The Department of Public Works/Engineering Division has reviewed the petition, plan and order for Verizon to relocate Pole P19 to a point northeasterly side of Laconia Street at a point approximately 20' northwesterly of its current location. The new location of said pole is approximately 332' from the intersection of Laconia Street and Ridge Road. This pole move is necessary to accommodate a new development at 111-119 Laconia street.

A public hearing is required and abutters have been notified. Since this petition appears to be in order, we recommend that approval be granted.

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**FINANCIAL IMPACT:**

None

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**RECOMMENDATION / SUGGESTED MOTION:**

Motion to approve the petition of Verizon to move Pole P19 on

**Laconia Street:**

Relocate Pole P19 20' northwesterly of its current location.

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**STAFF FOLLOW-UP:**

Engineering Division

Kelly-Ann Condon  
Right of Way Specialist



c/o UC Synergetic  
Attn: Kelly-Ann Condon  
21 Oxford Road  
Mansfield, MA 02048

Phone 508-330-7703  
Cell 508-975-3004  
Fax 508-337-7797  
kcondon@ucseng.com

September 23, 2014

Lexington Board of Selectmen  
Lexington Town Hall  
1625 Massachusetts Avenue  
Lexington, MA 02420

**RE: Petition for Verizon job #4A0AB6A  
Laconia Street, Lexington, MA**

Dear Honorable Board of Selectmen:

Enclosed please find a petition on behalf of Verizon New England Inc. and NStar Electric Company to relocate one Pole (P19) to a point on the northeasterly side of Laconia Street approximately 20' northwesterly of its current location as shown on the attached plan.

This pole relocation is necessary to accommodate the development of the abutting property at 111-119 Laconia Street

A Public hearing and notice to abutters is required. A Verizon representative will attend the Public hearing. Should any questions or comments arise concerning this matter prior to the hearing, please contact me at (508) 337-7703. Your Assistance is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Kelly-Ann Condon".

Kelly-Ann Condon  
Right of Way Specialist

Enc

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen

Of LEXINGTON, Massachusetts

VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

**Laconia Street:**

Relocate one JO Pole (P19) to a point on the northeasterly side of Laconia Street at a point approximately 20' northwesterly of its current location. The new location of said P19 is to be at a point approximately 332' from the intersection of Laconia Street and Ridge Road.

- 1 JO Pole to be relocated
- 2 JO Poles to remain

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - VERIZON No. 4A0AB6A, Dated September 22, 2014.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By Kelly-Ann Condon  
Kelly-Ann Condon, Right of Way Specialist, UCS

NSTAR ELECTRIC COMPANY

By William D. Linn  
Right of Way Supervisor

**ORDER FOR JOINT POLE LOCATION**

The Board of Selectmen of the Town of Lexington, Massachusetts **ORDERED:**

That permission be and is hereby granted **VERIZON NEW ENGLAND INC. and NStar Electric Company** joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways as requested in petition of said Company dated the 22<sup>nd</sup> day of September, 2014.

**Laconia Street:**

Relocate one JO Pole (P19) to a point on the northeasterly side of Laconia Street at a point approximately 20’ northwesterly of its current location. The new location is to be at a point approximately 332’ from the intersection of Laconia Street and Ridge Road.

- 1 JO Pole to be relocated
- 2 JO Poles to remain

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked – **VERIZON No. 4A0AB6A**, Dated September 22, 2014 filed with said petition.

There may be attached to said poles by Verizon New England Inc. not to exceed 20 wires and 5 cables and by said NStar Electric Company such wires, cables and fixtures as are necessary in its business and all of said wires and cables shall be placed at a height in compliance with the National Electrical Safety Code.

Also that permission be and hereby is granted said **VERIZON NEW ENGLAND INC. and NStar Electric Company** to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Lexington, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Clerk of Selectmen

We hereby certify that on \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_ M., at Lexington, Massachusetts, a public hearing was held on the petition of **VERIZON NEW ENGLAND INC. and NStar Electric Company** for permission to erect the line of wires, cables, poles fixtures and connection described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which said Company is permitted to construct the lines of said Company under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Selectmen of the Town of  
Lexington, Massachusetts

**CERTIFICATE**

I Hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Lexington, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 and recorded with the records of location orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk



# PETITION PLAN

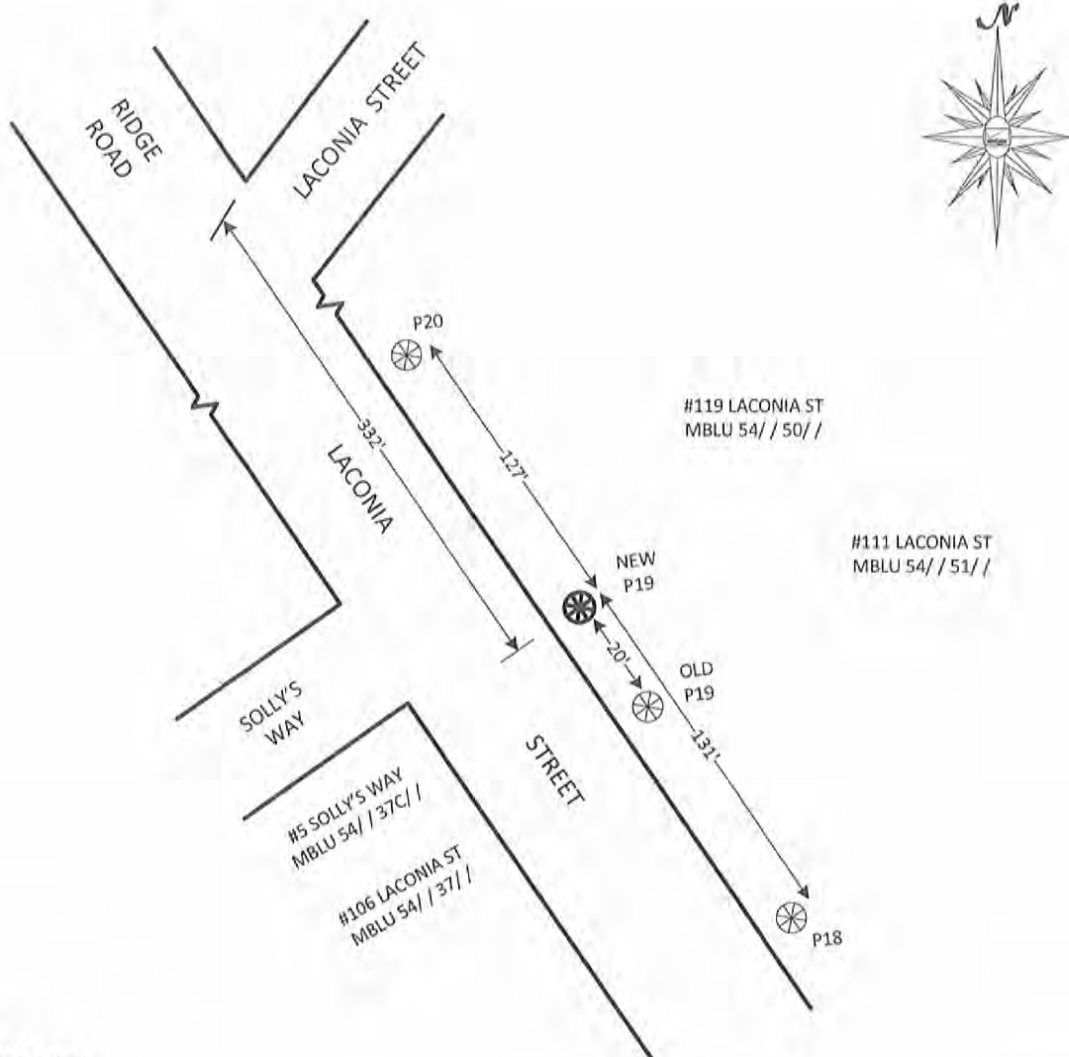
MUNICIPALITY LEXINGTON

NO. 4A0AB6A

VERIZON NEW ENGLAND, INC and NSTAR ELECTRIC COMPANY

DATE: SEPTEMBER 22, 2014

SHOWING PROPOSED NEW POLE ON LACONIA STREET



1 JO Pole to be relocated  
 2 JO Poles to remain

NOT TO SCALE

## LEGEND

	PROPOSED VERIZON POLE		EXISTING JOINTLY OWNED POLE TO REMAIN
	VERIZON POLE TO BE REMOVED		POWER CO. POLE TO BE REMOVED
	VERIZON POLE TO REMAIN		EXISTING JOINTLY OWNED POLE TO BE REMOVED
	PROPOSED JOINTLY OWNED POLE		EXISTING POWER CO. POLE TO BE HELD JOINTLY
	EXISTING VERIZON MANHOLE		PROPOSED VERIZON MANHOLE
	EXISTING VERIZON CONDUIT		PROPOSED VERIZON CABINET

## NOTICE TO ABUTTERS

October, 2014

You are hereby notified that a public hearing will be held in the Selectmen's Meeting Room, 2nd Floor, Town Office Building, of the Town of Lexington, Massachusetts, on **Monday, October 20nd at 7:00 p.m.\*** upon the proposal of Verizon to increase the size of joint owned pole in the following public way of said Town:

### **Laconia Street:**

Relocate Pole P19 to a point northeasterly side of Laconia Street at a point approximately 20' northwesterly of its current location.

By: *Tricia Malatesta*  
Engineering Aide  
Department of Public Works/Engineering

Please direct inquiries to:  
Kelly-Ann Condon (508) 330-7703

**\* Original letter had the wrong date and time. Sorry for any misunderstanding.**

Copies to:

UC Synergetic  
Kelly-Ann Condon  
Rights of Way Agent  
21 Oxford Road  
Mansfield, MA 02048

Santosh and Jasomaine Vetticaden  
5 Solly's Way  
Lexington, MA 02420

Resident  
119 Laconia St.  
Lexington, MA 02420

Vincent and Christina McCarthy  
111 Laconia St.  
Lexington, MA 02420

Albert and Beverly Cobuzzi  
106 Laconia St.  
Lexington, MA 02420



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20th, 2014

**PRESENTER:**

Dave Cannon, TSAC/DPW

**ITEM NUMBER:**

I.2

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**SUBJECT:**

One Hour Parking South Side of Massachusetts Ave from Sylvia Street to the Arlington Town Line

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**EXECUTIVE SUMMARY:**

**One Hour Parking** –This area has small businesses that will benefit from the establishment of a one hour parking limit. All day parking is currently allowed in this location. TSAC has reviewed this request and has no objections. There would be no change to the existing traffic safety if this change is approved.

Notice of this discussion was sent to residents along Massachusetts Avenue from Sylvia Street to the Arlington town line. A notice was also put at the bus stops in the area of the one-hour parking.

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**FINANCIAL IMPACT:**

Cost of materials and installation of each sign and post is approximately \$125. A total of approximately 2 signs equates to a cost to the Town of \$250, exact number and placement is under consideration.

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**RECOMMENDATION / SUGGESTED MOTION:**

Motion to approve the proposed establishment of a One Hour Parking area as described on the code change forms.

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**STAFF FOLLOW-UP:**

If approved, the DPW Highway Department will install the proposed signs.

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**VOTED:** IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 689 OF 1986 OF THE GENERAL LAWS, THE TRAFFIC RULES AND ORDERS OF LEXINGTON, ADOPTED BY THE BOARD OF SELECTMEN ON NOVEMBER 13, 1967, NOW CHAPTER 192 OF THE CODE OF LEXINGTON, ARE HEREBY AMENDED AS FOLLOWS:

BY ADDING TO CHAPTER 192-18 SCHEDULE 1 THE FOLLOWING:

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<b>LOCATION</b>	<b>FROM</b>	<b>TO</b>	<b>REGULATION</b>
Massachusetts Avenue	Sylvia Street	the Arlington Town Line	One Hour Parking (South Side)

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\_\_\_\_\_  
DATE OF PASSAGE

\_\_\_\_\_  
BOARD

\_\_\_\_\_  
OF

\_\_\_\_\_  
ATTEST TOWN CLERK

\_\_\_\_\_  
SELECTMEN

\_\_\_\_\_

\_\_\_\_\_

Thank You,

Nini  
Dev Support  
1-800-331-5747

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**From:** Lynne Pease [mailto:LPEASE@lexingtonma.gov]  
**Sent:** Monday, October 20, 2014 8:38 AM  
**To:** Ncsc, DevSupport - Memphis, TN; NCSC, Internet - Memphis, TN  
**Subject:** AIS Viewer Product

I received the email saying the AIS Viewer was ready to download. When I go into the epf.usps.gov site and log in with my email and password the page is blank and there is nothing in the product type drop down list. Please let me know what I need to do to be able to see the information. Thanks for any help.

*Lynne A. Pease*  
Selectmen's Office  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington, MA 02420  
email [selectmen@lexingtonma.gov](mailto:selectmen@lexingtonma.gov)  
phone 781-698-4580  
fax 781-863-9468

October 6, 2014

Dear Resident:

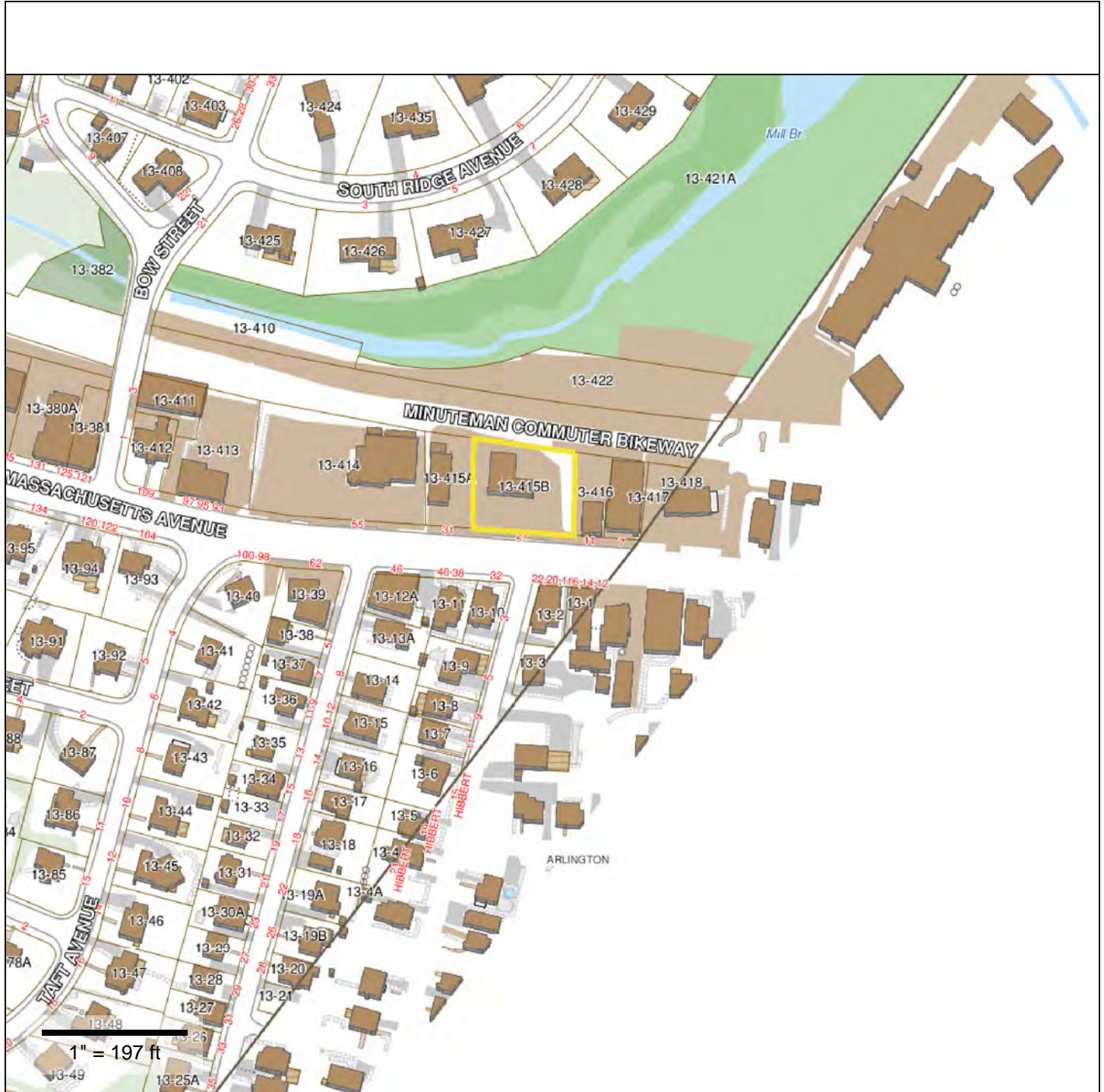
Staff from the Engineering Department will be bringing their recommendation regarding the installation of One Hour Parking signs on the south side of Massachusetts Avenue from Sylvia Street to the Arlington Town Line to the Board of Selectmen at its meeting on Monday, October 20, 2014, at 7:00 p.m. in the Selectmen's Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

You are invited to attend.

Sincerely,

Lynne A. Pease  
Executive Clerk

lap



**Property Information**

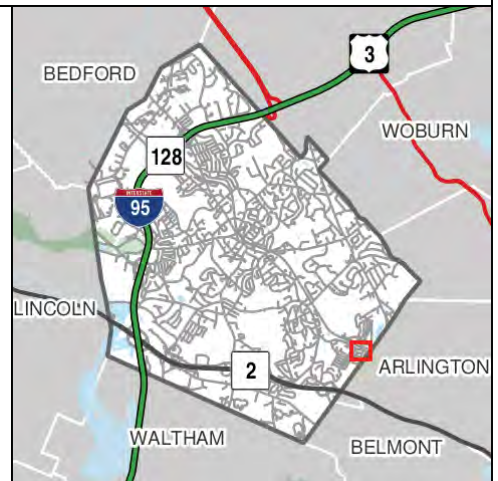
**Property ID** 13-415B  
**Location** 27 MASSACHUSETTS AVE  
**Owner** MASS AVE REALTY LLC



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

The Town makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated July 1, 2013





## Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

JOSEPH N. PATO, CHAIRMAN  
PETER C.J. KELLEY  
NORMAN P. COHEN  
MICHELLE L. CICCULO

TEL: (781) 698-4580  
FAX: (781) 863-9468

# PROPOSED ONE-HOUR PARKING

Board of Selectmen  
will discuss recommendation

To install **“One Hour Parking”** Signs

On the south side of Mass. Avenue  
From Sylvia Street to Arlington town line

Monday, October 20, 2014, 7:00 p.m.  
Selectmen’s Meeting Room  
1625 Mass. Avenue

You are invited to attend.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**PRESENTER:**

Keith Ohmart

**ITEM NUMBER:**

I.3

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**SUBJECT:**

Greenways Corridor Committee Request Naming for Rick Abrams

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**EXECUTIVE SUMMARY:**

The Greenways Corridor Committee has submitted a request to rename the ACROSS Lexington Trail Network the “ACROSS Lexington: The Rick Abrams Memorial Trail Network”. See attached proposal.

For your information, also attached is a copy of the Naming of Facilities and Placement of Memorials Policy. The GCC plans to return to the Selectmen with other requests, including signage for the trail.

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**FINANCIAL IMPACT:**

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**RECOMMENDATION / SUGGESTED MOTION:**

Motion to rename the “ACROSS Lexington Trail Network” to the “ACROSS Lexington: The Rick Abrams Memorial Trail Network”.

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**STAFF FOLLOW-UP:**

Proposal for naming the Across Lexington trail and route system the  
“ACROSS Lexington: The Rick Abrams Memorial Trail Network”

Submitted to the Board of Selectmen  
October 20, 2014

**Summary:**

In light of his commitment to, and unflagging energies on behalf of the ACROSS Lexington program, the Greenways Corridor Committee requests that the entire system be renamed in honor of Rick Abrams – to recognize and commemorate his essential contributions to its creation.

**Motivation for the proposal:**

Upon joining the Greenways Corridor Committee shortly after it’s founding, Rick quickly adopted its mission of linking open spaces in Lexington as his own personal mission. Rick conceived of the ACROSS Lexington acronym and became the principal driver and public face of this effort from its inception. His gentle persistence and persuasive approach led to the creation of a cross-community map, walkway signage, and town-wide visibility for the program and its benefits. Throughout his tenure, Rick demonstrated exemplary leadership through his selfless, broad and inclusive community engagement.

Rick joined the Greenway Committee in 2011. He drove awareness for the health benefits of walking, and for his vision of improving the quality of life and community through the creation of this connected trail system. He personally scouted possible routes, and planned (and led) numerous walks around and through Lexington to acquaint more town residents with paths and trails across the conservation lands we cherish.

As shown to the right, the Board of Selectmen has already recognized Rick’s contributions to ACROSS Lexington by accepting the terms of the “**Rick Abrams ACROSS Lexington Fund**” to attract, collect, and distribute funds to support the system.

Extending the recognition of Rick’s leadership beyond the name of the donation fund to renaming the entire ACROSS Lexington system he helped create is a fitting tribute to what has already become a valuable town asset.

The Board of Selectmen have established the **Rick Abrams ACROSS Lexington Fund** to support the trail network by creating:

- new directional and interpretive signage,
- electronic and/or print maps, and
- web/software development to incorporate current technologies.

The mailing address for donations is:

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

Please make checks out to "Town of Lexington"  
and write  
**"Rick Abrams ACROSS Lexington Trust Fund"**  
on the memo line.

From the ACROSS Lexington webpage



**BOARD OF SELECTMEN POLICY**

***NAMING OF FACILITIES AND PLACEMENT OF MEMORIALS***

Date Approved by BOS:

Signature of Chair:

February 5, 2007

*Jeanne K. Krieger*

Policy:

1. The Board of Selectmen is responsible for the naming (or renaming) of any land or facility, except school properties. A facility is defined as a building, portion of a building, driveway, intersection, walkway, or other parcel or portion of a parcel of land and places or natural features contained therein. Once a facility has been named, renaming will be approved only in extraordinary circumstances.
2. The Board of Selectmen is responsible for approval of the placement of memorial objects, artwork, signs or other fixtures on parcels of land under the jurisdiction of the Board. Examples include, but are not limited to, plaques, memorial and ornamental signs, sculptures, banners, benches, trees or other plantings, fountains, detached structures, and walls.

Procedure:

1. A proposal to name land or a facility must be submitted in writing to the Board of Selectmen and must include a summary outlining the merits of the proposal. The proponent or his or her designee will present the request to the Board of Selectmen at a regularly scheduled meeting. In addition to consulting with a related board or committee the Board of Selectmen may appoint a committee to assist with its review of any proposal, including size, type of materials and all design features.
2. A proposal for the placement of a memorial object, piece of artwork, sign, or other fixture must be submitted in writing to the Board of Selectmen and must include a summary outlining the merits of the proposal including design and wording. The Board will vote on the proposal at a regularly scheduled meeting.
3. The Board of Selectmen shall review existing land and facility names to avoid duplication, confusing similarity or inappropriateness.
4. Approval of the placement of a memorial object, artwork, sign, or other fixture will only be made after a determination by the Board of Selectmen that the proposal will not: limit physical access to the site; endanger the safety of the public; interfere with any utility or access thereto; be limited by unacceptable special restrictions, conditions or covenants; or create a significant budgetary obligation on the Town for which no provisions had been made.
5. Donation of memorial objects, artwork, signs or fixtures must be formally accepted by the Board of Selectmen in accordance with Massachusetts General Laws.

Criteria for selection of names:

1. The geographic location of the land or facility.
2. An outstanding feature of the land or facility.
3. A commonly recognized historical event, group or individual.
4. An individual or group who contributed significantly to the acquisition and/or development of the land or facility.
5. An individual or group who have made a significant and exceptional contribution to the community as a whole.

Ref: New Policy approved February 5, 2007.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**PRESENTER:**

Joe Pato

**ITEM NUMBER:**

I.4

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**SUBJECT:**

Discuss Request to Ban Toy Weapons for Halloween Events

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**EXECUTIVE SUMMARY:**

Anne Frymer has requested that the Selectmen consider sending a letter to the Town's preschools, administrators and the Co-Chairs of LexFUN to request that they advise parents not to allow their children to carry toy weapons for Halloween events.

Attached is Ann Frymer's 1<sup>st</sup> email and a follow-up email. Ms. Frymer also asked that a copy of a letter that the School Committee wrote to Senator Warren regarding banning assault weapons be included in your packets. Also attached is LexFUN's response to the toy weapon concern.

Ms. Frymer and LexFUN were notified that this item would be on the agenda and they were welcome to attend.

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**FINANCIAL IMPACT:**

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**RECOMMENDATION / SUGGESTED MOTION:**

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**STAFF FOLLOW-UP:**

## Lynne Pease

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**From:** Anne Frymer <[REDACTED]>  
**Sent:** Monday, October 06, 2014 9:01 PM  
**To:** selectmen's  
**Cc:** Anne Frymer  
**Subject:** Next step about LEXFUN ban on guns for Halloween Parade

Oct. 6, 2014 9 p.m.

Tonight I did my best to present my reasoning for a gun & knife ban for the LEXFUN Halloween Parade. Now what? I know you want to see what the public response will be. How will I know what the response is, and over what time span? A week? Will you let me know?

If a BOS ban is considered, would it be on the BOS agenda for Oct. 20? Short time, of course. Parade is Sat, Oct. 25. If my question is on the BOS agenda for Oct. 20 I'd be happy to present in 3 minutes what the Lexington Public Schools policy is about its ban on weapons for school parades.

Thanks. Anne Frymer

64 Asbury Street, Lexington  
781.862.3799 Mailbox 2

**Lynne Pease**

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**From:** [REDACTED]  
**Sent:** Wednesday, October 01, 2014 4:35 PM  
**To:** selectmen's  
**Subject:** Second request - BOS consideration of Halloween letter to preschools & LEXFUN

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Webmail**

**awake98@rcn.com**

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Request for BOS contact with preschools & LexFun about Halloween guns & knives

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From : Anne Frymer <[REDACTED]> Thu, Sep 18, 2014 09:53 AM  
Subject Request for BOS contact with preschools & LexFun about  
: Halloween guns & knives  
To : selectmen@lexingtonma.gov  
Cc : Anne Frymer <[REDACTED]>

[REDACTED]

On Oct. 31, 2013 the Lexington Minuteman published my letter to the editor about a disturbing encounter I had with the family of a four year old boy carrying a plastic assault weapon. I've reproduced my letter at the end of this e-mail. Would the BOS consider a motion in a Sept. or early Oct. meeting to send a letter to the town's ( 10 or so) preschool's administrators and the co-chairs of LexFun to request that they advise parents not to allow their children to carry any guns or knives with them for a Halloween event at their school or for the LexFun's annual Halloween parade.. If you would like, I could read my Minuteman letter at a BOS meeting, whether or not you have a motion on your agenda that night. Many thanks.

Oct. 31, 2013 letter to the editor

Halloween madness gives preschool guns (headline)

Shortly after enjoying the LexFun preschool Halloween parade on the Lexington Green last Saturday, I stopped by at a local restaurant for brunch.

Seated next to me was a young family whose four year old son was dressed in Halloween combat fatigues. The boy carried

with him a 15-inch plastic assault weapon.

I said nothing to the parents about the inappropriateness of bringing a gun (plastic or otherwise) into a public place until after they had finished their meal. Then I spoke to the father as he dumped his trash.

I said I was disturbed by his son brandishing an assault weapon. The father, and then the mother, became very upset with me. They called the manager to have me evicted. They said I'd yelled at their son, which I had not.

I am a retired nanny. I don't yell at someone else's child. I had only made eye contact with the father.

Later I spoke to the manager about the gun. I told him that just a year from now when that child would be in public schools, that the school would not allow a gun to be part of the school's Halloween parade. I said that my comments to the father (I never spoke to the mother) was quite reasonable in view of the Sandy Hook tragedy. I said that preschoolers must not be encouraged to carry guns at Halloween.

If a family want to dress their preschooler up as a combat soldier, I have a suggestion. Dress him in fatigues, yes, but then fasten a medico armband over his arm and place a first aide box or bag in his hand. And let him shine as a healer.

**Lynne Pease**

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**From:** Anne Frymer <[REDACTED]>  
**Sent:** Thursday, October 16, 2014 2:08 PM  
**To:** selectmen's  
**Cc:** Anne Frymer  
**Subject:** Oct. 20 BOS agenda item - LEXFUN Halloween Parade weapons

To: Lexington Board of Selectmen

[REDACTED]

[REDACTED]: Lexington School Committee letter dated February 12, 2013 supporting ban of sale of high assault weapons

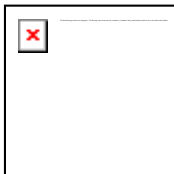
Please find below a copy of the SC Feb. 2013 letter to Sen. Elizabeth Warren supporting the ban of high assault weapons.

This letter was copied to President Obama and national and state representatives.

*I have italicized second and third line of letter.*

I respectfully request that this letter be incorporated into the BOS packet.

If you wish, I will read this letter into the public record at the Nov. 20 BOS meeting. Thank you.



**Lexington Public Schools**

146 Maple Street ❖ Lexington, Massachusetts 02420

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Lexington School Committee

email: [school-com@comet.ci.lexington.ma.us](mailto:school-com@comet.ci.lexington.ma.us)

February 12, 2013

The Honorable Elizabeth Warren\

United States Senate

2400 JFK Federal Building

15 New Sudbury Street

Boston, MA 02203

Dear Senator Warren,

In our role of responsibility in securing the safety of our school facilities and the protection of our school children, the Lexington School Committee

urges the U.S. Congress to *adopt legislation to ban the sale and possession of military-style assault weapons, ban the sale and possession of high*

*capacity magazines, and require every gun buyer to pass a criminal background check.*

Moreover, we urge the National School Boards Association (NSBA) to support this effort.

Given that we support the right of local school committees to make informed decisions regarding school security and that these decisions should be made

at the local level, the Lexington School Committee urges the rejection of the National Rifle Association (NRA) assertion that staffing schools with armed

security personnel is the most effective strategy for protecting our children.

Sincerely,

Margaret Coppe



Chair

cc: President Barack Obama

Senator William M. Cowan

Representative Ed Markey

Governor Deval Patrick

Senator Michael Barrett

Senator Kenneth Donnelly

Representative Jay Kaufman

C. Ed Massey, NSBA

Glenn Koocher, MASC



LexFUN!  
P.O. Box 445  
Lexington, MA 02420  
[www.lexfun.org](http://www.lexfun.org)

Your Connection to EVERYTHING for Young Families in Lexington

October 6, 2014

Via Email: [selectmen@lexingtonma.gov](mailto:selectmen@lexingtonma.gov)

Lexington Board of Selectmen  
Joseph N. Pato, Chairman

Re: LexFUN! Halloween Parade

Dear Chairman Pato,

We understand that Anne Frymer has expressed concern about toy weapons in public places and intends to ask the Board of Selectmen to consider banning them on the Battle Green for all Halloween activities, including the Annual LexFUN! Halloween Parade. We are writing to share LexFUN!'s view on this.

#### About LexFUN!

LexFUN! was formed in 1942 as the "Lexington Preschool Association" and celebrated our 72<sup>nd</sup> birthday this year. In 2014, LexFUN! was incorporated and its official name was changed to "Lexington's Five and Under Network PTA, Inc." ( LexFUN! ). Our member families have children who are 5 and under.

LexFUN! is the connection to EVERYTHING for these young families in Lexington! We have a 72-year old tradition of connecting young Lexingtonian families and providing wonderful social, educational and community service activities for our young children.

#### About LexFUN!'s Halloween Parade

LexFUN!'s special Halloween Parade for little ones is a long-standing and fond tradition in Lexington. Every year, Elmo leads our tiniest Lexingtonians on a parade walk around the Battle Green, as they show

off their costumes and make noise with their kidde instruments. Then the children enjoy decorating pumpkins and other outdoor arts and crafts in front of the Visitors Center. We also have a food drive for the Lexington Food Pantry, which provides a great teaching opportunity for parents to explain the importance of giving back to our community. Our parade takes place the Saturday before Halloween at 10am on the Battle Green. It is free and open to the public.

Our parade provides a safe and welcoming environment for our youngest Lexingtonians to celebrate Halloween in their costumes, during the day light, in a family-friendly atmosphere. A dedicated committee of LexFUN! moms and dads carefully plan out the parade and craft activities, and are on-site that day to ensure the environment remains safe and welcoming, from start to finish. We also have a Lexington Police Officer on-site to assist with traffic.

#### About Costumes at the Parade

Our parade is a time when our toddlers and preschoolers can tap into their imaginations and dress up like anyone or anything, just for a day. While some may choose to be princesses or Sesame Street characters, others may choose to be a Hanscom Army commander like daddy or a Minuteman like great, great grandpa.

LexFUN! is mindful that families differ in their social and cultural backgrounds. We respect that, and promote an inclusive environment for the parade, one that respects social, generational, and cultural differences.

To this end, LexFUN! encourages parents to use their good judgment in selecting costumes. In doing so, we recognize that parents – and parents alone – are responsible for choosing their children’s costumes and accessories. LexFUN! does not ban or prohibit any type of costumes or accessories. Nor do we think we have the power to do so, especially where the parade takes place in a public venue and is open to the public at large (*i.e.*, non-members).

In addition to encouraging good judgment, we also encourage costumes to be family friendly (not scary to our little ones) and portray positive images to our children.

This dual message of “good judgment” and “family friendly” appears in our member-wide communications and our publicity for the parade. Attached is a recent communication to our members on this point. We believe this dual message strikes the correct balance between and among respecting people’s differences, respecting First Amendment rights of expression and respecting personal responsibility/accountability for costume selection.

LexFUN! is proud to host this wonderful “feel good” event for our youngest Lexingtonians and looks forward to another great parade this year. Should the Board of Selectmen have any questions about the parade, please feel free to contact us.

Sincerely,



Leigh-Ann M. Durant  
Co-President of LexFUN!



Lindsay Wedell  
Co-President of LexFUN!

Enclosures:

- Communication about parade to members
- Flyer
- Photos of past parades

bigtent



LexFUN!

**Bulletin:** Announcements**Posted:** October 4, 2014 - 6:56 pm by Leigh\_Ann\_Durant**Tags:** None

## Announcing: LexFUN!'s Special Halloween Parade For Little Ones!!!

LexFUN! is once again proud to host its special Halloween Parade for little ones on Sat. Oct. 25th!

Every year, Elmo leads our tiniest Lexingtonians on a parade walk around the Battle Green, as they show off their costumes and make noise with their kidde instruments. This is a long-standing tradition in our Town and provides a safe and welcoming environment for our youngest Lexingtonians to celebrate Halloween in their costumes in a family-friendly atmosphere.

To this end, LexFUN! encourages parents to use their good judgment in selecting costumes. LexFUN! promotes a safe and inclusive environment for the parade, one that respects social, generational, and cultural differences. We encourage costumes that are family friendly (not scary to our little ones) and portray positive images to our children.

In addition to bringing your little tyke in costume, also please bring two other things to the parade:

- (1) Bring your childs favorite noise making instrument to help Elmo on his march around the Battle Green.
- (2) Bring a couple cans of tuna fish to donate to our Lexington Food Pantry drive. It is a great teaching opportunity to explain the importance of giving back to our community.

The parade is free and open to the public. You do not need to be a LexFUN! member to enjoy the fun. We are looking forward to another great parade this year!!!

See you on Sat. Oct. 25th at 9:45 am in front of the Visitors Center!

Like Share < D

### Comments



# LEXFUN!



LEXINGTON'S FIVE & UNDER NETWORK

## SPECIAL HALLOWEEN PARADE FOR LEXINGTON LITTLE ONES

**Saturday, October 25th  
9:45 am**

**In front of the Visitors Center (next to Buckman Tavern)**

\*Rain date Oct 26

- Elmo will lead our tiniest Lexingtonians on a parade walk around the Battle Green, as they show off their costumes and make noise with their kiddie instruments.
- Then the children will enjoy decorating pumpkins and other outdoor arts and crafts in front of the Visitors Center

Bring a noise making instrument and bring a couple of cans of tuna fish for our Lexington Food Pantry drive.

LexFUN! encourages parents to use their good judgement in selecting costumes. LexFUN! promotes a safe and inclusive environment for the parade, one that respects social, generational, and cultural differences. We encourage costumes that are family friendly (not scary to our little ones) and portray positive images to our children.

The parade and activities are free and open to the public.



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**PRESENTER:**

Karen Simmons, Director of Recreation  
Tom Shiple, President of Lexington United Soccer Club

**ITEM NUMBER:**

I.5

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**SUBJECT:**

Overview on Proposed Lincoln Park Field Lights – Feasibility Study

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**EXECUTIVE SUMMARY:**

Representatives from the Lexington United Soccer Club and Lexington Youth Lacrosse, have expressed an interest in privately raising money to install lights at Lincoln Park.

LUSC is requesting permission from the Town to complete a feasibility study which will include test borings at 12 potential pole locations at Lincoln Park.

At the October Recreation Committee meeting, the committee voted to support the general concept of lights and support the request for a feasibility study which includes test boring's in the recommended locations of the light poles. This process will require the approval of the Department of Environmental Protection

The results of the testing will determine if it is feasible to go the next phase of requesting lights at the Park.

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**FINANCIAL IMPACT:**

Funded Privately

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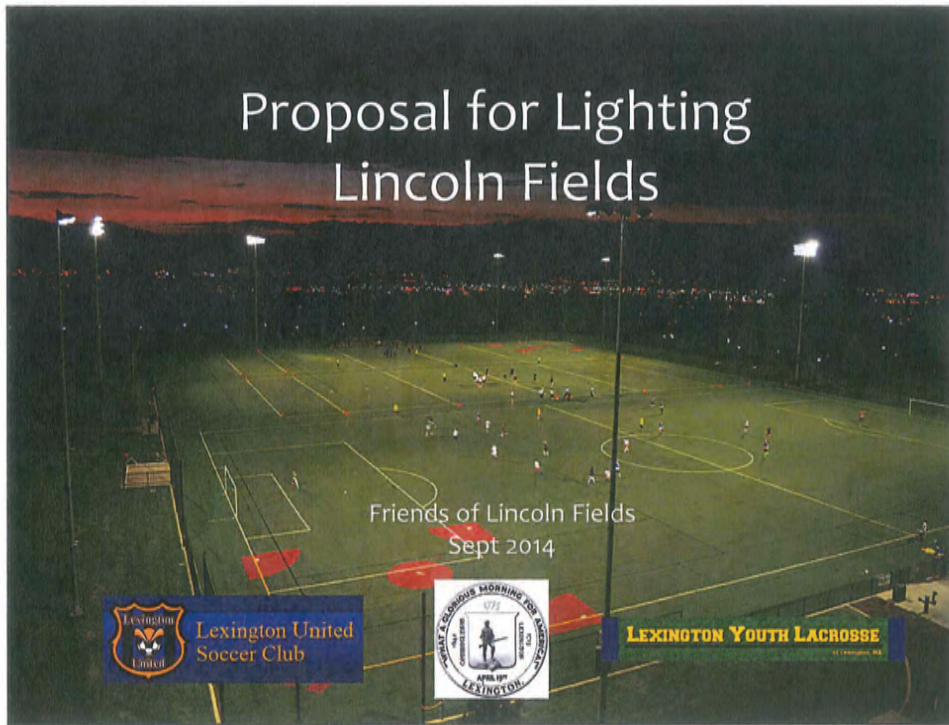
**RECOMMENDATION / SUGGESTED MOTION:**

NA

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**STAFF FOLLOW-UP:**

If the Board supports continuing this feasibility study, Recreation staff will continue to work with LUSC and their contractor.



## Mission Statement

Increase the availability of field space for Lexington sports by leveraging existing space through the addition of modern, environmentally sensitive lighting



## Goals for Tonight

1. Share our vision for increasing availability of field space within Lexington
2. Preliminary support from Rec Committee for concept of installing lights at Lincoln field
3. Rec Committee support to request approval to extract core samples to study footing approach

3

## Project Partners

- \* Lexington United Soccer
- \* Lexington Youth Lacrosse
- \* Town of Lexington
- \* Musco Lighting
- \* Geosyntec



## Motivation

- \* Town/Rec Committee has been searching for additional field space to meet recreation demand
  - \* Busa Farm, Lexington Gardens
- \* Lights address peak demand for field space on weekday evenings
  - \* Fall – need for sufficient and reliable lighted fields
  - \* Spring – demand from multiple sports
- \* Lights are cost effective solution
  - \* Approximately \$300K per field
  - \* Additional revenue stream
- \* Lights on Lincoln relieve stress on grass fields
  - \* Example: use of baseball field by LUSC in fall
  - \* Also provides “breathing room” to renovate grass fields

## Lighted Turf Fields in Nearby Towns

- \* Lighted turf fields
  - \* Acton-Boxboro
  - \* Arlington
  - \* Bedford
  - \* Belmont
  - \* Burlington
  - \* Concord-Carlisle
  - \* Sudbury
  - \* Watertown
  - \* Wayland
  - \* Woburn

## Addressing Potential Concerns

- \* Light pollution
  - \* Modern lighting eliminates spillage at 150'
  - \* Lower light setting for practices
- \* Late night noise
  - \* Strict lights-off curfew settings controlled by agreement
- \* Landfill cap
  - \* Experience with DEP from bathrooms and methane mitigation
  - \* Geosyntec, expert in landfill construction
    - \* No showstoppers at this stage
    - \* Based on review of available materials and previous experience

7

## Potential Location for Core Samples and Footings





## Project Concept

- \* Phase 0 – Discovery
  - \* Feasibility/engineering study for footing approach
  - \* Neighborhood outreach
  - \* Review with Rec Committee
- \* Phase 1 – Design & Permitting
  - \* Finalize design
  - \* Permit all 3 Lincoln fields
- \* Phase 2 – Construction
  - \* Install lights on one Lincoln field – 100% privately funded

9

## Recap / Next Steps

1. Share our vision
2. Preliminary support from Rec Committee for concept of installing lights at Lincoln field
3. Rec Committee support to request approval to extract core samples to study footing approach

10

## Memorandum

Date: 20 May 2014  
To: Tim Carruthers, Lexington United Soccer Club  
From: David Bonnett, P.E.; and Michael Toth, EIT, Geosyntec Consultants  
Subject: Installation of Lighting on a Closed Landfill  
Lincoln Park  
Lexington, MA

---

The purpose of this memorandum is to provide an opinion on the feasibility of the installation of the proposed lighting project at the Lincoln Park soccer fields in Lexington, Massachusetts. This opinion is being presented in response to your 12 May 2014 e-mail request. It is our understanding that 70-foot tall, galvanized steel light poles are being considered for lighting for soccer fields constructed on a closed landfill. A site visit was conducted 17 March, 2014 and a limited number of documents were reviewed in preparation of the proposal, provided to the Lexington United Soccer Club on 28 April, 2014.

Based on review of the available documentation related to the landfill, disposal of municipal solid waste (MSW) began circa 1930 and continued until 1963 when the waste was covered by a layer of silt and clay after which it was capped in 2003 using dredge soil consisting of silt and clay from the Mystic River and blast rock from the Route 2 construction. According to the Massachusetts Department of Environmental Protection (MassDEP) the landfill has been certified as closed. Soil gas sampling data indicated that the concentration of combustible gas exceeded 25 percent of lower explosive limit (LEL) and in the vicinity of the northeast corner of the site the combustible gas concentration consistently exceeded 100 percent of LEL (>5% methane by volume).

Due to the elevated methane readings, a 930-ft long vertical barrier vapor management system was installed along Lincoln Street. Apparently, since installation of the vapor management system, elevated levels of combustible soil gas have not been reported at the property line (i.e., compliance point) other than along Lincoln Street. In 2010, data was collected from sampling locations along the vent trench showing a decrease in the maximum LEL of 56 percent.

Based on our experience, MassDEP North East Region Office (NERO) will be receptive to the installation of the light poles for the field. They will focus on how landfill gas can be properly vented and to minimize the potential of gas accumulation along with ensuring stability of the light poles. Technically, we did not identify any insurmountable issues, as we believe items such as landfill gas levels and subsurface conditions can be managed through a field investigation and good design. A potential issue of concern is the nominal diameter of the blast rock. If too large (i.e., difficult to drill through) or if voids exist around the material (i.e., not a stable foundation),

could impact construction costs. The cost to improve the foundations can be developed when field data is collected.

It is Geosyntec's opinion that the project has merit for commencing to the site investigation phase for further analysis and subsequent construction.

Based on our experience (Geosyntec is a company with a 30-year history in delivering world-class expertise in the application of the geosciences, environmental and geotechnical services) closed landfills have been re-used for multiple uses, including the installation of lighting. Geosyntec has been involved in the following projects.

- *Mount Pisgah Christian School Property Redevelopment in Johns Creek, Georgia:* Athletic complex over a 35-acre landfill area in Johns Creek which included lighting.
- *San Marcos I Landfill Post-Closure Recreational Field Reuse, California:* Light standards included full penetration of approximately 15-ft thick waste profile.
- *City of Sunnyvale Closed Landfill, California:* A feasibility study that included installation of lighting at a landfill for recreational purposes was performed.

Regarding construction costs, it is reasonable to assume landfill material would need to be removed to create a stable foundation and would need to be handled as potentially contaminated material (it is noted that some of the poles may be able to be installed off the landfill). This will result in additional cost to the project for the disposal of the material. For each 100 yd<sup>3</sup> of potentially contaminated soil, assuming no free liquids, and using 30 cubic yard dumpsters, the additional cost would be approximately \$2,500.

Geosyntec would recommend as an added protection that the contractor should use personal protective equipment (PPE) while performing the work. This may add an additional ten percent to the overall foundation construction cost to cover the PPE, training and monitoring during the installation of the light poles.

Should you have any questions regarding this memorandum, do not hesitate to contact us at 9787.263.9588.

\* \* \* \* \*



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**STAFF:**

Melissa Jones

**ITEM NUMBER:**

I.6

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**SUBJECT:**

Continued Discussion on Proposed Sale of Tax Title Land – Laconia Street  
Tax Title Land – Laconia Street

---

**EXECUTIVE SUMMARY:**

At the last Board of Selectmen meeting, staff presented a request from Joseph Barr, the owner of 26 Laconia Street, regarding the Town-owned parcel adjacent to his property (Map 54, Lot 107).

The Board of Selectmen's 'Sale of Land - Tax Title' policy indicates that the Selectmen should have the parcel appraised prior to advertising their intent to put the parcel out to bid. However, the Board questioned whether it is worthwhile to conduct a formal appraisal in light of the small size of the parcel. The Board requested that staff find out how much the appraisal would cost.

Quotes from two firms indicate that an appraisal of this property would cost between \$2,000 and \$2,600. The sale of tax title land policy indicates that the cost of the appraisal would be added to the sales price.

Staff is now seeking feedback on whether the Board would like to have the appraisal done.

In addition, the Tree Committee has changed its recommendation on the sale of this property (see attached email).

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**FINANCIAL IMPACT:**

Depending on which firm the Town uses, the appraisal of this parcel will cost between \$2,000 and \$2,600.

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**RECOMMENDATION / SUGGESTED MOTION:**

Move to authorize staff to move forward with a formal appraisal of this property.

OR

Move to forego the formal appraisal and authorize staff to prepare an Invitation for Bids for the sale of this property, consistent with the Board's policy on the sale of Tax Title land.

---

**STAFF FOLLOW-UP:**

If authorized by the Board of Selectmen, the Town Manager's Office will arrange for the appraisal.

OR

If authorized by the Board of Selectmen, the Town Manager's Office will prepare the IFB.

**Melissa Jones**

---

**From:** Chris Bowler <chris@averyandassociates.com>  
**Sent:** Tuesday, October 14, 2014 9:00 AM  
**To:** Melissa Jones  
**Cc:** jon@averyandassociates.com  
**Subject:** Re: Lexington: Map 54, Lot 107

Hi Melissa,

Talked with Jon Avery about this assignment. We would charge \$2,500 and deliver the report in 4 weeks or less.

Thanks,

Chris  
Christopher H. Bowler, MAI, SRA  
Avery Associates  
282 Central Street, P.O. Box 834  
Acton, MA 01720  
978-263-5002 Office  
978-635-9435 Fax  
978-844-0314 Cell  
www.averyandassociates.com

**From:** [Melissa Jones](mailto:Melissa.Jones@townoflexington.com)  
**Sent:** Friday, October 10, 2014 1:55 PM  
**To:** <mailto:chris@averyandassociates.com>  
**Cc:** <mailto:jon@averyandassociates.com>  
**Subject:** Lexington: Map 54, Lot 107

Hi Chris,

Attached is the Assessors map for the tax title property on Laconia Street. The owner of 26 Laconia Street (Lot 108) is interested in purchasing this parcel. As I mentioned, we are curious as to what the fee for an appraisal on this lot would be. Let me know if you need any other information.

Thank you!  
Melissa

Melissa Jones  
Management Analyst  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington, MA 02420  
Direct Dial: (781) 698-4543  
Fax: (781) 861-2921



October 14, 2014

Melissa Jones  
Management Analyst  
Town of Lexington  
Town Office Building  
1625 Massachusetts Avenue  
Lexington, MA 02420

Re: Laconia Street, Lexington

Dear Ms. Jones:

In response to your request, we submit the following proposal for appraisal services for the above referenced property as outlined below. We appreciate the opportunity to present this proposal.

The intended use of these appraisals is to estimate the market value fee simple of a small parcel of residential unbuildable land for possible sale by the Town. Given the nature of the assignment, it is believed that a restricted use appraisal will suffice for the Town's purposes. The Town of Lexington is our client and the only intended user of the appraisal report. If additional parties need to rely on this appraisal, then a summary appraisal report will be required.

We will use all applicable appraisal methods, which is contemplated to be the Sales Comparison Approach to Value. No other valuation approach is applicable. The appraisal will conform to the Uniform Standards of Professional Appraisal Practice (USPAP).

We are able to complete the appraisal within 4-6 weeks of receipt of this engagement letter countersigned by the appropriate person for the Town of Lexington as our client.

The Company holds current full insurance coverage as required by The Commonwealth of Massachusetts.

We carry standard business owners package of insurance for commercial general liability (\$1,000,000 per occurrence, \$2,000,000 aggregate), workers compensation (\$100,000/\$500,000/\$100,000), automotive coverage (\$1,000,000 csl) on company owned vehicles (individual appraisers carry their own insurance policies), and professional errors and omissions insurance (\$1,000,000 per occurrence/aggregate), and Umbrella Liability (\$2,000,000 per occurrence).

The price for performing the appraisal services as outlined above shall be \$2,000 for a restricted report and \$2,600 if a summary report is required. Any work beyond the scope of the appraisal report as outlined in the RFP will be billed on an hourly basis at the rate of \$150/hour for Kenneth Croft.

We greatly appreciate the opportunity to present this proposal.

Very truly yours,

FOSTER APPRAISAL AND CONSULTING CO., INC.



Kenneth J. Croft III, Esq.  
Vice President

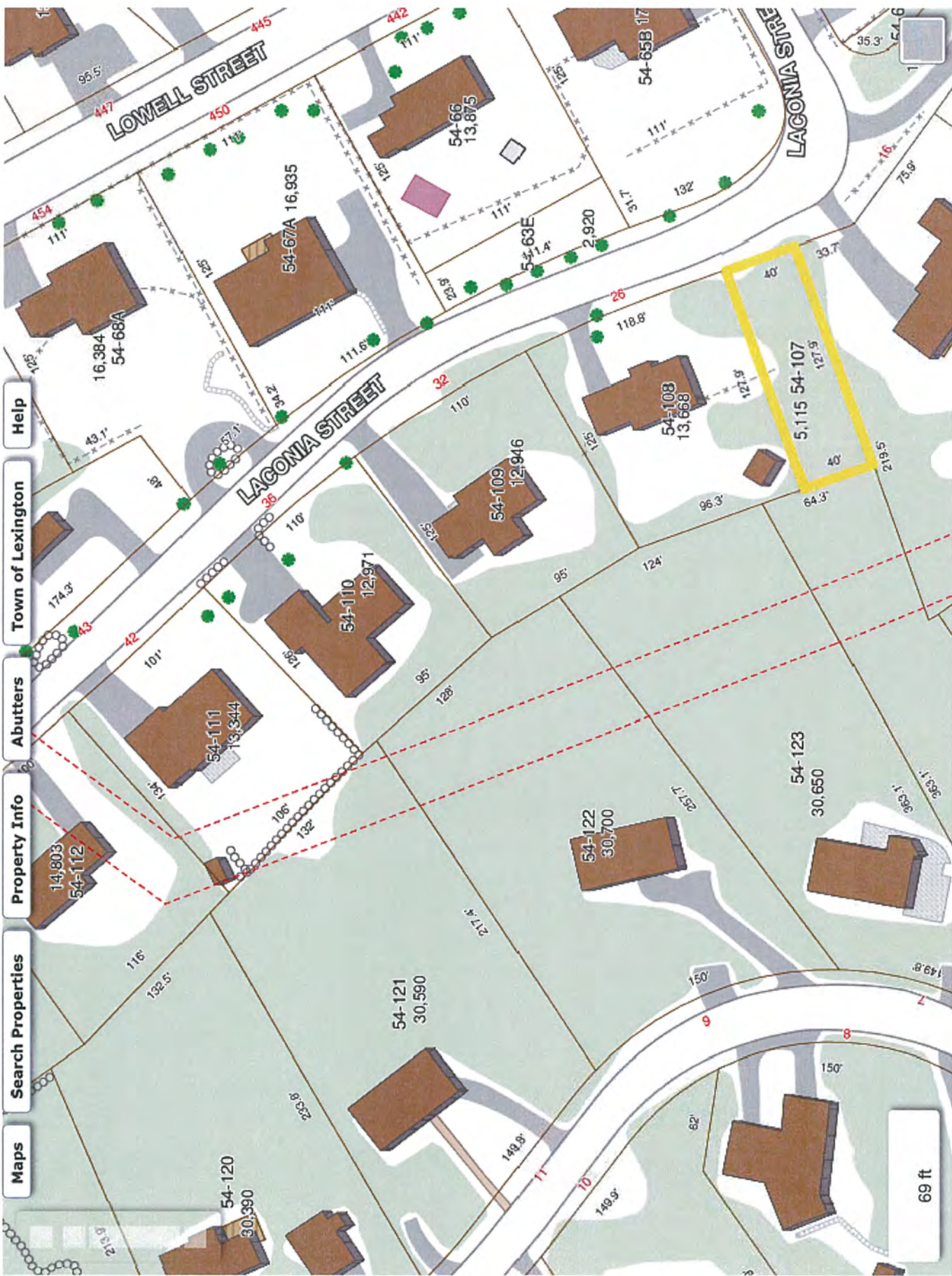
I hereby acknowledge and accept the terms and conditions as outlined above, and authorize you to proceed. Further, I represent that all procedures have been completed in order to bind the Town of Lexington to enter this contract and that the funds for this assignment have been appropriated.

Dated: \_\_\_\_\_

Signed by Comptroller: \_\_\_\_\_

Dated: \_\_\_\_\_

Signed as client: \_\_\_\_\_





**BOARD OF SELECTMEN POLICY**

***SALE OF LAND- TAX TITLE***

Date Approved by BOS:

Signature of Chair:

February 5, 2007

*Jeanne K. Krieger*

I. Purpose

Periodically, land is taken by the Board of Selectmen for failure to pay taxes. This property is known as tax title land. The purpose of this policy is to create a fair and equitable process for selling such land and returning to the tax roles, when requested to do so by a resident.

II. Application

1. The Board of Selectmen shall approve a list of qualified appraisers containing a minimum of 6 appraisers. Said list shall be maintained by the Executive Clerk and updated every five years.
2. The sales process may be initiated by any resident of the Town of Lexington, or by the Board of Selectmen.
3. All requests to purchase property must be in writing to the Town Manager's Office detailing the property sought, and the intent for use of the property.
4. Town Manager receives written request to purchase property.
5. Town Manager obtains information and history of parcel from Assessor's Office and Community Services.
6. Memo sent to all department heads and committee chairmen (appropriate committees) informing them of the size and location of the property and the intent that has been expressed for its purchase.
7. The Board of Selectmen vote on whether or not they would be willing to release property.
8. If yes, the Selectmen will select an appraiser from the list of qualified appraisers.

9. The intent to sell is advertised in the legal notices in the local paper for two weeks stating the location and size of the parcel, citizen requesting, the minimum acceptable bid (the appraisal price) and the date of the Selectmen's Meeting by which all interested bidders must submit a notice of intent to bid. A copy of the legal notice is sent to all abutters.
10. The cost of the appraisal will be added to the sales price.
11. At the next meeting of the Selectmen, if there are no alternate bidders, Selectmen vote to sell the property to the citizen at the appraised price plus the cost of the appraisal. If there are alternate bidders, sealed bids with a minimum of the acceptable bid price should be submitted within 14 days of the meeting. The highest bidder will then pay the bid price, plus the cost of the appraisal.

### III. Background

Periodically, the Manager's office has received requests to purchase tax title property. These requests generally are made by abutters. Typically, the lots are small and not separately buildable. They have value only to the direct abutters. Occasionally, more than one person has shown interest in particular tax title properties. By establishing a policy the Selectmen have set guidelines for the manager to help determine when it is appropriate to sell a parcel.

**Lynne Pease**

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**From:** John W Frey <[REDACTED]>  
**Sent:** Monday, October 13, 2014 8:14 PM  
**To:** selectmen's; Lynne Pease  
**Cc:** John Frey; Carl Valente  
**Subject:** Possible sale of tax-title parcel Lot 107 of Assessors Map 54 to abutter at 26 Laconia Street.

**To:** Board of Selectmen, Lexington, Massachusetts

**Subject:** Possible sale of tax-title parcel Lot 107 of Assessors Map 54 to abutter at 26 Laconia Street.

**Date:** October 13, 2014

Dear Selectmen,

After significant discussion at our Tree Committee meeting of October 9, we recognized that trying to protect the mature hickory trees on Lot 107 after the sale would not be practically enforceable. Simply recommending to the new owner that the trees should be saved does not actually protect the trees; incorporating a deed restriction of some sort does not make sense; and having the Tree Warden monitor privately owned sites with trees to be protected is not feasible.

As an example of what can happen when Town property is sold, consider the following example: It is our understanding that a few years ago the Town sold Town property along Follen Road to the abutter at 64 Marrett Rd. Recently, significant trees on that property were cut down. This is shown in the attached photos. The “before” image is from Google street view; the “after” images were taken on October 9, 2014. Note the two piles of wood chips from the removed trees. Also attached is a fragment from the Town GIS showing the 10,000 sq. ft. lot that was previously Town property and which includes the removed trees.

Section 120-1 of Lexington’s Tree Bylaw states “mature trees have aesthetic appeal, contribute to the distinct character of certain neighborhoods, improve air quality, provide glare and heat protection, reduce noise, aid in the stabilization of soil, provide natural flood- and climate-control, create habitats for wildlife, enhance property values and provide natural privacy to neighbors.”

We believe that the marginal financial benefits that would accrue to the Town by selling this land are far outweighed by these environmental and quality of life benefits of keeping this heavily forested land as open space.

For these reasons, we strongly recommend that the Town not sell the tax-title land next to 26 Laconia Street.

We are, of course, available to speak to the Board at the Board’s convenience on this issue.

Sincerely,

John Frey,

Chair, Lexington Tree Committee.













# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 10/20/14

**PRESENTER:** Michelle Ciccolo

**ITEM NUMBER:** I.7

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**SUBJECT:**

Community Center Advisory Committee Interim Report

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**EXECUTIVE SUMMARY:**

Attached is an Interim Report of the Community Center Advisory Committee, which Ms. Ciccolo will present to you and answer any questions you have.

**FINANCIAL IMPACT:**

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**RECOMMENDATION / SUGGESTED MOTION:**

1. Motion to accept this Interim Report of the AhCCAC, dated October 20, 2014.
2. Motion to recommend an initial phased opening and regular ongoing hours of operation, so that staff department-level budgetary planning can proceed.
3. Motion to recommend a Director Position so that the Town Manager can develop an overall staffing plan, job descriptions, and consider funding implications.
4. Motion to encourage the Town Manager to explore establishing a Director's position as soon as funds can be identified to do so, potentially within the existing fiscal 2015 year.

**STAFF FOLLOW-UP:**

Selectmen's Office



## **TOWN OF LEXINGTON**

### ***Ad hoc Community Center Advisory Committee (AhCCAC)***

DATE: October 20, 2014  
FROM: Michelle Ciccolo, Chair, AhCCAC  
TO: Lexington Board of Selectmen (BOS)  
SUBJECT: Interim Status Report with Initial Occupancy Recommendations for the new  
Lexington Community Center at 33 Marrett Road

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

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*For your reference, prior presentations before your Board, relative to the work of this Committee, have occurred on September 23, 2013, October 17, 2013, December 16, 2013, and January 24, 2014. Also, longtime AhCCAC member Mary Ellen Alessandro has resigned from the committee as of this month.*

---

Now that the work of this committee has turned its attention squarely towards preparing for Spring occupancy of the new Lexington Community Center (LCC) facility, it is with great enthusiasm and excitement that we submit this interim report. As you know, we held a well attended ground-breaking in September, construction bids were received within the allocated budget, and renovations are now underway. The project appears to be on track for a spring soft opening.

Since its last report to the Board, the AhCCAC work has delved into great detail examining the many issues still needing further clarification. In order to facilitate this effort, the committee broke out into a number of working groups/sub-committees. These Working Groups (WGs) include the following: Interiors, Safety/Security, Technology, Fundraising, Public Relations/Publicity, Programming, and Governance. An enormous amount of work, careful thought, data gathering, and analysis has been underway. Some of the Working Groups also met jointly given the necessary coordination and cross-over between issues. As Chair, I wish to thank all of the members and liaisons of the AhCCAC and in particular the working group chairs who put so much time into this project, especially over the summer. A summary of the various working group highlights is below. For those interested in the extensive sub-committee work, our minutes are available and our meetings are routinely posted in accordance with Open Meeting laws.

#### **Technology:**

- Recommended a 5 year technology plan for the Community Center.
- Reviewed the renovation construction documents and agreed that the documents sufficiently installed suitable infrastructure, with the understanding that the Public Facilities Department has committed to install some devices and capabilities as required.
- Prioritized AV devices to meet the basic needs of the center and meet the renovation budget.

#### **Interiors:**

- Met with Steffian Bradley Architects to select colors, carpets, cabinets, and counters.
- Color palette subsequently reviewed and enthusiastically supported by the full committee and then incorporated into the construction plans.

- Furniture plan developed that prioritizes reusing existing furniture where possible and introducing new furniture in common areas and program areas as budget allows.

### **Safety/Security:**

- Necessary technology components were incorporated into the bid plans as necessary.
- Additional cameras controls, alarms, and access controls have been added to make the building compatible with existing systems. Additional equipment may be added by the Public Facilities Department before the public opening of the building.
- A cross-departmental staff team inclusive of members from Recreation, Library, Human Services and Public Facilities will have any necessary operating procedures developed and in place prior to the opening.

### **Public Relations / Publicity:**

- With the help of staff, ran a highly successful Ground Breaking on September 11, 2014
- Is now planning for the soft opening in the Spring and a Gala Celebration in the Fall of 2015
- Is managing content on a volunteer web-site
- Continues to take in comments and feedback

### **Fundraising:**

- As this is not officially part of the AhCCAC charge, work in this area is more of a theoretical nature with the understanding that a separate, outside group will need to take this on. Nonetheless, the AhCCAC included this as a working group because it acknowledges the benefit of some careful thought on this topic. The Committee believes there is a need for a separate 501C3 to support the programming and activities of the new Center and to consider long-term capital fundraising to facilitate the eventual expansion phase.
- The group will be working to identify a list of equipment and large items which could be donated by the community. Large donations will need acceptance / approval of the Board of Selectmen.
- Although not part of the working group activities, it is worth noting that on October 1, 2014, the Council on Aging met jointly with the Friends of the Council on Aging and discussed issues of mutual concern. At that meeting, as BOS Liaison to COA and as Chair of AhCCAC, I raised the issue of needing to coordinate fundraising efforts and potentially the need to form a new entity / 501C3 to support the Community Center. Discussions on this topic are still very preliminary. The Friends of the COA will proceed with their annual fundraising drive this fall, as usual.

### **Programming:**

A comprehensive program matrix has been developed in close coordination with Recreation and Human Services staff. All existing programs have been demonstrated to fit within the existing building except for those activities which will continue off site such as outdoor programs and services including those requiring specialized facilities such as a gym, commercial kitchen, or conference/banquet sized meeting room. The WG also carefully captured all of the program and service ideas expressed by the community through surveys, public meetings, focus groups and other AhCCAC interactions over the past 12-18 months. These program enhancements or new service were documented and categorized so that no concepts are lost. As funding and staff time allows, this data will serve as a starting point for the development of new programs and services. For those interested in Programming, the Matrix and other summary reports are on file with the Town Clerk as “materials used” during the recent related meetings and so filed with the minutes of those WGs.

- The Programming Matrix indicates that with all existing Human Services, Senior, and Recreation programs moved into the new LCC, there will still be day time space capacity available for expanded Town and community programming.
- With the public demand for activities, programs, services, and drop-in at the new LCC it is clear that night and weekend hours will need to be established.
- Given programming demands from the community, there is still a real need to explore the use of the two gymnasiums (Old Harrington/daytime and Estabrook/after hours) for LCC programming during the day and on the weekends. Several meetings have been held between School and Town representatives and a trial period was established for Fall 2014. The Recreation Department advertised four evening programs using the Estabrook gym. The first program, Girls Drop in Basketball, has been very successful and discussions on extending the use of the gym into the Spring of 2015 are expected to begin shortly. Nevertheless, in an effort to formalize the work underway, the BOS or Town Manager might want to consider the creation of a task force to formalize a collaborative process for the scheduling of these two gymnasiums.

### **Governance:**

The Governance WG collaborated closely with staff on this effort and in particular with Koren Stembridge from the Library because that municipal facility operates in many ways in a similar fashion to what is envisioned for the new LCC relative to serving the public. We also want to acknowledge the excellence of the existing staff who will be moving into the new facility. Lexington is fortunate to have such talented department heads and support staff. Any AhCCAC suggestions as to future management and staffing are put forward in the spirit of trying to identify an ideal organizational model and structure which we believe would well serve the Town over the long run.

The WG has been focusing on staffing and oversight including what policies and procedures would be required to effectively manage this new facility. The Governance report inventoried existing applicable policies and are continuing to work on additional policies. In addition to reviewing policies and procedures, this WG developed a potential model for staffing, management, and oversight recognizing that the AhCCAC is only tasked with developing recommendations and must leave exact decisions and implementation of these many issues to those under whose purview these details fall. Nonetheless, there are some key themes and recommendations that rise to the top and should be clearly stated. It is also essential to note that the AhCCAC believes all staffing plans, management decisions, and governing models should be viewed from the perspective that we believe this new facility, “Lexington’s living room” should be functionally integrated across age, and discipline. We envision a new LCC to function with both recreational activities and human services being provided to the community in a seamless, integrated fashion for users so as not to confuse the public with separate independent departments. With community programming all being located in the same facility, there may be areas of overlap and duplication which could be reduced at the same time we look for opportunities to streamline, coordinate, and collaborate, to potentially expand upon the services and programs we are currently offering. Towards that end:

- **There should be a senior staff level Director position established for the LCC** and an individual should ideally be appointed as soon as possible. If a Director can be brought on board now, it will facilitate a successful transition to the new building, ensure the LCC opens with the greatest efficiency possible, and contribute to the new Director’s investment in decisions being made about the Center, from the phased opening through full-time normal operation. The Governance WG made many site visits to other Community Centers, and did extensive research about how similar organizations inside and outside of Lexington handle common governance issue



that we will face. The common theme among all the facilities visited is that successful community centers all seem to have a strong visionary leader at the top. Given the high expectations among residents for the new LCC, a Director will be needed to coordinate among the many stakeholders; to implement clear policies for the use of the facility; to help foster new programming; to welcome the public; to allow for collaboration and integration of the departments moving into the new facility; and to help Lexington achieve the excellence it has envisioned for the LCC. Additional functional roles which will be essential in the new LCC include tactical leadership personnel to oversee operations, programs, and administrative support.

- **Minimum staffing** needs careful attention by management, but it is clear that additional staff positions will inevitably be required to meet the service hours of operation which will be established for the new LCC (discussed below). Given the size of the LCC, and its complex configuration with separate wings and floors, safety, security and public service standards will need to be carefully considered. At a minimum, when the all wings and floors of the building are open, there may likely need to be one person at the front desk greeting residents, a custodian, and one LCC flexible staff person available to rotate through the facility. While this staffing can likely be easily accomplished during normal business hours, early morning, nights, and weekends will presumably need a staffing expansion plan. An overall staffing plan will need to be developed by the Town Manager that considers existing personnel, turnovers retirements and other staffing changes in light of existing job descriptions, and the desired objectives of the new center to be a truly service and age-integrated facility. We look forward to seeing this plan evolve.
- **An advisory group should be established** to make recommendations to the management team of the new LCC and this entity should ideally be put in place before the Center opens. It is unclear whether such a group should be appointed by the Town Manager or the BOS, but generally the Governance WG believes the group should be *advisory* in nature (not policy setting) and should advise the new Director. Depending on the size and composition of the Advisory Group, a smaller executive committee may be needed which can more readily be convened as issues arise which require community input. Once the permanent Advisory Committee structure is established and members appointed, the AhCCAC could then be disbanded.
- **A stakeholders** meeting should occur on a biannual basis or quarterly as an open forum to discuss issues related to the LCC. Such a group need not have any formal standing, but can meet on an ad-hoc basis, convened under the auspices of the Director or the Advisory Group. Stakeholders meetings would likely be an essential part of ensuring adequate community communication and collaboration.
- **The hours of operation** for the new center should be phased in with a soft opening in the Spring of 2015. However, the AhCCAC is aiming to have the LCC open for what we anticipate will likely be the regular operating hours ideally by the time of the Fall Gala. The AhCCAC believes we owe it to the community, given the significant fiscal investment already made in the facility, to be open for as many hours as budget and demand will allow. After extensive review of program demands, and citizen input, the AhCCAC recommends the following “regular” hours of operation be established as soon as the budget in FY16 will allow.

*May 1, 2015 (Initial Opening) – June 30, 2015*  
 Monday-Friday: 8AM – 5PM

*July 1, 2015, (increased hours) - Start of FY16*  
 Monday-Thursday: 8AM – 5PM  
 Friday: 8AM – 9PM  
 Saturday: 9AM – 3PM

*October 1, 2015 – (Regular) Ongoing Hours of Operation*

Monday-Thursday: 7AM – 9PM

Friday & Saturday: 7AM – 9PM

Sunday: 8AM – 6PM

The AhCCAC recognizes that this will have operating budget implications, but is nonetheless hopeful that Town Meeting will look favorably upon department requests that incorporate additional staffing and utilities to keep the buildings open as desired. We believe there is a clear public expectation of extended hours on the nights and weekends beyond normal business hours. That being said, we must also acknowledge that since this is an entirely new facility, we may have more or less demand than is anticipated and will need to be open to adjusting the hours further as patterns emerge which will be informed by actual experience at the center.

**Board of Selectmen Action Requested:**

1. Receive this Interim Report of the AhCCAC, dated October 20, 2014.
2. Vote to recommend an initial phased opening and regular ongoing hours of operation, so that staff department-level budgetary planning can proceed.
3. Recommend a Director Position so that the Town Manager can develop an overall staffing plan, job descriptions, and consider funding implications.
4. Encourage the Town Manager to explore establishing a Director's position as soon as funds can be identified to do so, potentially within the existing fiscal 2015 year.



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**PRESENTER:**

Carl F. Valente

**ITEM NUMBER:**

I.8

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**SUBJECT:**

**Continue Discussion: Proposed Parking Mitigation Agreement - 21 Muzzey Street**

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**EXECUTIVE SUMMARY:**

This agenda item is a continuation of the discussion the Board had at its August 25 meeting regarding the proposed development at 21 Muzzey Street. The Board authorized the Town Manager to negotiate, for the Selectmen's review and approval, a Memorandum of Agreement with the developer of this property, to mitigate the zoning requirement for parking for that proposed development. At the August 25<sup>th</sup> meeting, an initial Parking Mitigation Agreement was discussed. Representatives from the Lexington Center Committee offered the opinion that the amount of mitigation was not sufficient, particularly since it would be paid over a 20 year period. They did not offer a consensus opinion of a more appropriate mitigation amount, but did suggest that the mitigation amount should more closely resemble the amount that property owners are currently paying for privately owned parking spaces in the Center.

The attached revised draft agreement provides for upfront parking mitigation payments of \$20,000 per parking space for a 20 year period, discounted to the net present value and payable at the time certificate(s) of occupancy are issued for the space. The applicant, Todd Cataldo, is still contending that the mitigation amount is excessive and may speak to this at the Board's meeting.

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**FINANCIAL IMPACT:**

See draft Agreement

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**RECOMMENDATION / SUGGESTED MOTION:**

**Move to (adopt the Agreement) (continue negotiations over the Agreement) between the Board of Selectmen and 21 Muzzey Street, LLC.**

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**STAFF FOLLOW-UP:**

TMO

**Memorandum of Agreement**  
**between**  
**21 Muzzey Street LLC (“Applicant”)**  
**and**  
**The Town of Lexington, Massachusetts (“Town”)**

The Applicant (which term also includes a subsequent Property owner) has applied to the Lexington Board of Appeals for three Special Permits and a Variance to allow construction of a new building at 21 Muzzey Street, Lexington, Massachusetts, Assessor’s Map 49, Parcel 66 (the “Property”).

The Property is in the CB (Central Business) District and involves construction of a new commercial building on the site. The proposed development includes the demolition of two existing structures on the Property. The proposed new building on the Property meets all the dimensional and use requirements of the current Zoning Bylaw with three exceptions:

- 1 The Applicant has requested a waiver in the form of a variance from the Zoning Bylaw 25’ height and two (2) story limitation for a building in the CB District to allow a building height of 33’ and three (3) stories,
- 2 The Applicant has requested a waiver of the Transitional Landscaping and Screening Requirements for a building in a business district which abuts a residential district to allow the transitional landscaping and screening plan submitted by the Applicant to the Board of Appeals,
- 3 The Applicant has requested a waiver from the Zoning Bylaw requirement that parking for a building in the CB District be provided on site, and calculated parking demand for the proposed building on the Property so as to require the greatest number of parking spaces (40 spaces) that could be required.

As noted, one of the Applicant’s Special Permit requests is for a waiver of the Zoning Bylaw CB District parking requirements. However, given that Town-commissioned traffic and parking studies have documented limited parking in the Center Business District (the “Center”) in some areas and at peak demand times, the Applicant and the Town have agreed that the Applicant’s Special Permit request for a waiver of said parking requirements will be expanded to include this Memorandum of Understanding (the “Memorandum”) with the Board of Selectmen to mitigate the potential parking impacts of the Applicant’s proposed development in the CB district.

This Memorandum between the Applicant and the Lexington Board of Selectmen is part of the Board of Appeals’ approval of the requested Special Permit(s) and Variance for the Property and becomes binding on both parties upon issuance of and recording at the Middlesex South District Registry of Deeds of Applicant’s request for Special Permits and approval of Applicant’s requested Variance.

1. Mitigation of Parking for Proposed Building. The Applicant shall take the following measures and follow the process described below:
  - a) First 20 parking spaces – The Zoning Board of Appeals has waived any requirements for the first 20 parking spaces attributable to the property, as provided by Chapter 135.5.1.
  - b) In lieu of a waiver of up to 20 additional parking spaces, in excess of the 20 spaces referred to immediately above:
    1. The Applicant will pay to the Town's TDM or Parking Meter Fund a onetime fee for each space in excess of twenty, calculated under the Zoning Bylaw, resulting from a new tenant at the time a Certificate of Occupancy for a new tenant is issued.
    2. The fee shall be calculated as follows:
      - a. The Town has taken a position that a parking space in the CB District rents for \$1000.00 year and has a life of twenty years and therefore the cost or value of such a space is approximately twenty thousand dollars (\$20,000.00). This cost is amortizable ratably over said twenty (20) year period.
      - b. The Applicant and the Town further agree that it benefits the Applicant and the Town if the Applicant makes a onetime payment of the present value of said twenty year parking space cost at the time a certificate of occupancy is issued by the Town for the tenant needing said space.
      - c. For purposes of calculating the present value of this mitigation fee, the interest rate used by the Town and Applicant shall be the average commercial new construction lending rate of three banks making commercial development loans in Lexington, MA, within the immediate past twelve months to the month for which the mitigation fee is calculated. As of this date said interest rate is 5.25%.
      - d. In the event an otherwise required mitigation fee is not paid by the Applicant because the Applicant provided alternate acceptable parking under Section 2 below, and the alternate acceptable parking space becomes unavailable at a later date for whatever reason, the Applicant shall pay the Town a mitigation fee at that time calculated as provide for in section c. immediately above, except, the time period used to calculate present value shall be that remaining in the initial twenty year time period (e.g., if Applicant loses Applicant's right to lease a parking space in year 3 of a tenants lease, the mitigation fee present value calculation provided for in section c. immediately

above shall be based on 17 years, which is the remaining number of years in the twenty year amortization period).

- e. In the event a mitigation fee has been paid to the Town for a parking space and the Applicant later secures a long term lease or permanent use for a parking space attributed to 21 Muzzey Street, the Town shall refund Applicant the mitigation fee paid for that space. The applicant agrees that the timing of the refund may not take place until after a Town Meeting appropriation is received.

3 Install, prior to the issuance of the first Certificate of Occupancy for the Building, a bicycle rack accommodating a minimum of two bicycles on the site in a location mutually acceptable to the Town.

4 Cooperate with the Town in obtaining a license to operate a parking lot managed and controlled by the Town (municipal parking lot) adjacent to the Cary Library, in the area shown on the sketch attached hereto.

2. The Town Manager shall grant the Applicant a waiver of the fee per parking space required pursuant to Section 1(b)(1) above upon the Applicant's providing sufficient evidence to satisfy the Building Commissioner that the following condition has been met for the space:
  - i. The parking space(s) exists in other locations within the Center Business District, or other commercial district locations acceptable to the Town that are leased, owned, or licensed for use by the Applicant for tenants of 21 Muzzey Street.
3. Binding Effect. This Memorandum shall be binding on the Applicant and its successors and assigns and on the Town. This Memorandum is for the benefit of the Applicant and the Town, and it may be enforced by any remedy provided at law or in equity. This Memorandum and the applicable section of the Zoning Bylaw shall be construed in such a way as to harmonize any conflicting provisions to the greatest extent reasonably possible, but in the event of any irreconcilable conflict between this Memorandum and any provision in the Bylaw, the provisions of the Bylaw shall control (subject to the provisions of General Laws, Chapter 40A, as amended).

This Memorandum constitutes a valid and legally binding obligation of the Applicant, enforceable against the Applicant and the Town in accordance with its terms, and neither the execution, delivery or performance of this Memorandum nor compliance herewith conflicts with or will conflict with or results or will result in a breach of or constitutes or will constitute a default under (i) the organizational documents of the Applicant, (ii) any known law or any order, writ, injunction or decree of any court of governmental authority, or (iii) any agreement or instrument to which the Applicant is a party by which it is bound.

4. Applicant's Existence and Authority. The Applicant is a Massachusetts limited liability company with principal place of business at 121 Marrett Road, Lexington, Massachusetts 02421, duly formed, validly existing, and authorized to do business in Massachusetts.
5. Cooperation. The Applicant hereby agrees to continue to work cooperatively with the Town on an ongoing basis to implement both the specific provisions and the intent and purposes of this Memorandum.
6. Permitting. The execution and delivery of this Memorandum does not constitute an agreement by the Town that any necessary permit or approval for the Property will in fact be granted. Any provision of this Memorandum may be incorporated into, and made a condition of, any Special Permit granted by the Town.
7. Amendment of Memorandum. This Memorandum may not be amended, modified, or terminated, except by a written instrument executed by the Applicant and by a majority of the Board of Selectmen.
8. Modifications to this Agreement. In the event the Town adopts a policy, within three years of the first mitigation payment being made by the applicant, of requiring Owners or Applicants for redevelopment of properties or changes to a more intense use of a property in the CB District to pay a fee for parking demand in excess of parking already attributed to the property site because of its current use(s), or requires payment of a fee(s) of 10 percent less than those provided for herein, the Town shall modify this Agreement to bring the terms of this Agreement in conformity with the Town's revised policy or fee schedule.
9. Enforcement; No Waiver. The failure of the Town to enforce this Memorandum shall not be deemed a waiver of the Town's right to do so thereafter. If any provision of this Memorandum or its applicability to any person or circumstances shall be held invalid, the remainder thereof, or the application to other persons shall not be affected.
10. Severability. The invalidity of any provision of this Memorandum as determined by a court of competent jurisdiction shall in no way affect the validity of any other provision hereof.
11. Applicable Law. This Memorandum shall be governed by and construed according to the laws of the Commonwealth of Massachusetts, as amended from time to time. Any action brought by the Town or the Applicant hereunder may be brought in the Massachusetts Land Court or Superior Court in and for the County of Middlesex, and the Applicant and the Town hereby agree to the jurisdiction of such court.

Signed:

Town of Lexington,  
By its Board of Selectmen,

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

21 Muzzey Street LLC

\_\_\_\_\_  
By:  
Title:

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

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE** 10/20/14

**PRESENTER:** Joe Pato

**ITEM NUMBER:** 1.9

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**SUBJECT:**

Liquor License Hearing – Change of Manager – Waxy’s Lex LLC, Waxy O’Connor’s, 94 Hartwell Avenue

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**EXECUTIVE SUMMARY:**

I have received the necessary paperwork for Waxy’s request for a Change of Manager. CORI was done and came back with no information.

**FINANCIAL IMPACT:**

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**RECOMMENDATION / SUGGESTED MOTION:**

Motion to approve the application for a change of manager and issue an all alcoholic restaurant liquor license to Waxy’s Lex LLC, d/b/a Waxy O’Connor’s, 94 Hartwell Avenue.

**STAFF FOLLOW-UP:**

Selectmen’s Office



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

For Reconsideration

**FORM 43**  
**MUST BE SIGNED BY LOCAL LICENSING AUTHORITY**

061200004	Town of Lexington	10/20/2014
ABCC License Number	City/Town	Local Approval Date

**TRANSACTION TYPE (Please check all relevant transactions):**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> New License                  | <input type="checkbox"/> New Officer/Director            | <input type="checkbox"/> Pledge of License          | <input type="checkbox"/> Change Corporate Name                            |
| <input type="checkbox"/> Transfer of License          | <input type="checkbox"/> Change of Location              | <input type="checkbox"/> Pledge of Stock            | <input type="checkbox"/> Seasonal to Annual                               |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock          | <input type="checkbox"/> Change of License Type                           |
| <input type="checkbox"/> Cordials/Liqueurs Permit     | <input type="checkbox"/> Issuance of Stock               | <input type="checkbox"/> New Stockholder            | <input type="checkbox"/> Other <input style="width: 100px;" type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License       | <input type="checkbox"/> Management/Operating Agreement  | <input type="checkbox"/> Wine & Malt to All Alcohol |   |

Name of Licensee	Waxy's Lex, LLC	EIN of Licensee	27-2779911
D/B/A	Waxy O'Connor's	Manager	Douglas Carcione

ADDRESS:	94 Hartwell Avenue	CITY/TOWN:	Lexington	STATE	MA	ZIP CODE	02421
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Annual	All Alconol	Restaurant
Annual or Seasonal	Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials)	Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Complete Description of Licensed Premises:

Restaurant consisting of 1300 square feet of floor space located in a stand-alone two-story building. Liquor will be served in Dining Areas A, B, C and D, the Billiard Area, the Bar and the 2nd floor function room. Liquor will be stored in the Liquor Storage Room and the Beer Cooler Room.

Application Filed:	09/25/2014	Advertised:	NA	Abutters Notified:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Date & Time		Date & Attach Publication		

Licensee Contact Person for Transaction	Douglas Carcione	Phone:	781-861-9299				
ADDRESS:	94 Hartwell Avenue	CITY/TOWN:	Lexington	STATE	MA	ZIP CODE	02421

Remarks: Change of Manager from Ryan Blaney to Douglas Carcione.

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
 Ralph Sacramone  
 Executive Director

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ABCC Remarks:



**Corporate Vote – Waxy’s Lex LLC**

Date: 09/23/2014

We hereby vote to nominate Douglas Carcione as the Liquor License manager for Waxy’s Lex LLC, 94 Hartwell Avenue, Lexington, MA

Members of the LLC

Ashok Patel

Mark Rohleder

Paul McKenna

Signature

The image shows three horizontal dotted lines representing signature lines. The top line has a black handwritten signature that appears to be 'Ashok Patel'. The middle line has a blue handwritten signature that is more stylized and loops around. The bottom line has a black handwritten signature that is also stylized. The word 'Signature' is printed above the top line.

*This is a true copy attested*

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 10/20/14

**PRESENTER:** Joe Pato

**ITEM NUMBER:** I.10

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**SUBJECT:**

Resignation – Community Center Advisory Committee

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**EXECUTIVE SUMMARY:**

Mary Ellen Alessandro has submitted her resignation from the Community Center Advisory Committee, effective immediately.

**FINANCIAL IMPACT:**

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**RECOMMENDATION / SUGGESTED MOTION:**

Motion to accept the resignation of Mary Ellen Alessandro from the Community Center Advisory Committee, effective immediately.

**STAFF FOLLOW-UP:**

Selectmen's Office

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**STAFF:**

Carl Valente

**ITEM NUMBER:**

I.11

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**SUBJECT:**

Town Manager's Appointment: Commission on Disability

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**EXECUTIVE SUMMARY:**

I am requesting that the Board approve the Town Manager's appointment of Susan Cusack to the Commission on Disability. Susan has been a member since 2003.

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**FINANCIAL IMPACT:**

None

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**RECOMMENDATION / SUGGESTED MOTION:**

Move to approve the Town Manager's appointment of Susan Cusack to the Commission on Disability.

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**STAFF FOLLOW-UP:**

TMO will prepare the appointment letter.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**STAFF:**

William P. Hadley, Director



**ITEM NUMBER:**

Consent

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**SUBJECT:**

Commitments and adjustments of Water and Sewer charges

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**EXECUTIVE SUMMARY:**

Commitment of Water and Sewer Charges September Cycle 9	\$ 319,368.26
Commitment of Water and Sewer Charges September Finals	\$ 22,262.44
Adjustments to Water/Sewer Charges as recommended by WSAB	\$ (19,242.22)

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**FINANCIAL IMPACT:**

Allows the reconciliation with the General Ledger.

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**RECOMMENDATION / SUGGESTED MOTION:**

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

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**STAFF FOLLOW-UP:**

Revenue Officer



Department of Public Works  
Town of Lexington  
Water and Sewer Enterprise Funds  
FISCAL YEAR 2015  
SEPTEMBER Cycle 9 Billing

	CYCLE 9 DATE	GRAND TOTALS
WATER	\$311,818.92	\$311,818.92
SEWER	\$2,554.20	\$2,554.20
FEE FOR BEDFORD	\$4,995.14	\$4,995.14
TOTAL:	<u>\$319,368.26</u>	<u>\$319,368.26</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:

*Three hundred nineteen thousand, three hundred sixty-eight dollars and 26/00*

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

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DIRECTOR OF PUBLIC WORKS

BOARD OF SELECTMEN 10/20/14

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



Department of Public Works  
Town of Lexington  
Water and Sewer Enterprise Funds  
FISCAL YEAR 2015  
September 2014 Final Water Bills

	FINALS	GRAND TOTALS
WATER	\$12,276.13	\$12,276.13
SEWER	\$9,986.31	\$9,986.31
TOTAL:	<u>\$22,262.44</u>	<u>\$22,262.44</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:

*Twenty-two thousand, two hundred sixty-two dollars and 44/100*

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

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\_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

\_\_\_\_\_  
BOARD OF SELECTMEN 10/20/2014

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





FY2015  
**ADJUSTMENTS TO WATER/SEWER**  
**AS RECOMMENDED BY THE WATER AND SEWER ABATEMENT BOARD**

PAGE 2 OF 2

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR
Carried over from Page 1			(\$4,362.63)	(\$14,879.59)	(\$19,242.22)		
			(\$4,362.63)	(\$14,879.59)	(\$19,242.22)		

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
0200541300	136	East Street				764140	2014
200981700	104	East Emerson Road				783853	2014
0100987900	4	Farm Road				774750	2014
0200536800	38	Saddle Club Road				782645	2014

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.

<b>WATER</b>	<b>SEWER</b>	<b>TOTAL</b>
(\$4,362.63)	(\$14,879.59)	(\$19,242.22)

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*William Doolley*  
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 DIRECTOR OF PUBLIC WORKS

\_\_\_\_\_  
 BOARD OF SELECTMEN 10/20/2014



**FY2015**  
**ADJUSTMENTS TO WATER/ SEWER**  
**AS RECOMMENDED BY THE WATER AND SEWER ABATEMENT BOARD**  
**PAGE 1 OF 2**

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR
0300709400	12	Beford Street	(\$36.52)	(\$195.46)	\$ (231.98)	785505	2014
0300695800	118	Cedar Street	(\$51.46)	(\$137.33)	\$ (188.79)	766740	2014
0300748800	476	Concord Avenue	(\$105.28)	(\$787.24)	\$ (892.52)	788519	2014
0300952400	558	Concord Avenue	(\$1,164.76)	(\$6,630.83)	\$ (7,795.59)	788543	2014
0100045600	3	Curve Street	(\$114.00)	(\$5.36)	\$ (119.36)	771239	2014
0100046500	16	Curve Street	(\$256.98)	(\$666.60)	\$ (923.58)	771250	2014
0300710600	15	Drummer Boy Way	(\$179.80)	(\$1,233.15)	\$ (1,412.95)	786519	2014
0100101400	25	Fairlawn Lane	(\$346.35)	(\$855.60)	\$ (1,201.95)	758036	2014
0100304500	43	Golden Avenue	(\$674.27)	(\$554.05)	\$ (1,228.32)	765691	2014
0100304502	43	Golden Avenue	\$704.83		\$ 704.83	797800	2014
0200437700	6	Grove Street	\$20.39	\$41.92	\$ 62.31	762798	2014
0200437702	6	Grove Street	(\$67.70)		\$ (67.70)	781355	2014
0200453700	46	Hancock Street	(\$362.90)	(\$890.60)	\$ (1,253.50)	763003	2014
0200737302	5	Harrington Road	(\$301.32)		\$ (301.32)	780539	2014
0100305500	43	Hillcrest Avenue	(\$18.26)	(\$48.73)	\$ (66.99)	789201	2014
0300748800	15	Hickory Street	(\$26.48)	(\$56.00)	\$ (82.48)	785990	2014
0100005700	337	Massachusetts Avenue	(\$392.00)	(\$1,248.00)	\$ (1,640.00)	770782	2014
0300934800	10	Munroe Road	\$480.72	\$1,618.51	\$ 2,099.23	788323	2014
0100184400	3	Plainfield Street	\$3.16	(\$1,367.44)	\$ (1,364.28)	759119	2014
0100253200	41	Pleasant Street		\$282.72	\$ 282.72	797157	2014
0300904500	65	Prospect Hill Road	(\$44.82)	(\$119.61)	\$ (164.43)	787919	2014
0300647002	55	School Street	(\$748.44)		\$ (748.44)	766124	2014
0100123400	60	Taft Avenue	(\$321.03)	(\$801.94)	\$ (1,122.97)	772257	2014
0200351800	217	Waltham Street	(\$161.16)	(\$453.29)	\$ (614.45)	761725	2014
0100227800	498	Waltham Street	(\$11.20)	(\$30.80)	\$ (42.00)	722478	2012
0200481900	3	Utica Street		(\$126.00)	\$ (126.00)	781909	2014
0200585500	19	Woodland Road	(\$38.18)	(\$101.89)	\$ (140.07)	783357	2014
0100209200	131	Worthen Road	(\$148.82)	(\$512.82)	\$ (661.64)	736000	2014
			(\$4,362.63)	(\$14,879.59)	\$ (19,242.22)		



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:** 10/20/14

**PRESENTER:** Joe Pato

**ITEM NUMBER:** C.2-5

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**SUBJECT:**

Consent

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**EXECUTIVE SUMMARY:**

2. Sign Proclamation for St. Nicholas Church celebration of their 50<sup>th</sup> Anniversary.
3. Approve a one-day liquor license for Center for Life Solutions to serve wine at an open house on Thursday, October 30, 2014, from 5:30 p.m. to 8:00 p.m.
4. Approve submitting the 2014 MPO Absentee Ballot signed by the Chairman voting for the 4 unopposed seats for the MPO Election on October 29, 2014 or to designate someone to attend the meeting and vote.
5. Approve the request of the Lexington Minute Men to use the Battle Green on Saturday, November 15, 2014, from 9:00 a.m. to 1:00 p.m. for a drill and to interact with visitors.

See attached information.

**FINANCIAL IMPACT:**

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**RECOMMENDATION / SUGGESTED MOTION:**

Motion to approve the Consent Agenda.

**STAFF FOLLOW-UP:**

Selectmen's Office



# Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

JOSEPH N. PATO, CHAIRMAN  
PETER C.J. KELLEY  
NORMAN P. COHEN  
MICHELLE L. CICCOLO

TEL: (781) 698-4580  
FAX: (781) 863-9468

## *PROCLAMATION*

**Whereas:** On the occasion of their Fiftieth Anniversary, we send our congratulations to the St. Nicholas Greek Orthodox Church which held its first Divine Liturgy in Lexington on November 15, 1964.

**Whereas:** Together with an initial group consisting of 12 families, Dr. Charles T. Mooney of Lexington tirelessly began the five-year process of gaining a state charter for the new parish. As the number of families grew, they purchased the former Church of Our Redeemer at 17 Meriam Street, refurbished and redesigned the building to fit the needs of an Orthodox church.

**Whereas:** Since that time, the parish has continuously celebrated services at this location and has become an integral part of the life of the Lexington community by participating in historic celebrations, lectures, concerts, Thanksgiving Services and hosting Greek Festivals.

**Whereas:** It is particularly fitting that many of the St. Nicholas parishioners are descendants of those who shaped democracy in Greece, and they now worship in Lexington whose patriots fought to establish democracy in America.

**Now, Therefore:** *We, the Board of Selectmen of Lexington,* do hereby join the parishioners of St. Nicholas Parish in commemorating its Fiftieth Anniversary-- while being mindful of history, the current world situation, the vigilance needed to guard religious freedom and the values of love, faith and community, which this group holds dear-- and we celebrate with the St. Nicholas Parish as it continues to flourish.

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October 20, 2014



**MBTA Advisory Board**

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

October 9, 2014

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board  
Marc Draisen, Executive Director, Metropolitan Area Planning Council

**RE: Municipal Elections to the Boston Region Metropolitan Planning Organization**

We are pleased to forward the 2014 MPO Ballot, the candidates' statements of candidacy, and the election procedures for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

This year there are four (4) municipal open seats on the MPO. The Town of Lexington is running unopposed for the At-Large Town seat. The City of Everett is running unopposed for the At-Large City Seat. The City of Beverly is running unopposed for the North Shore Task Force seat. The town of Medway is running unopposed for the South West Advisory Planning Committee seat.

**Key Dates and Locations:**

October 28, 2014	Absentee Ballots Due 5:00 PM delivered by mail or in person ( <u>No Fax or Email</u> ) to: BOSTON REGION MPO ELECTIONS Metropolitan Area Planning Council <i>60 Temple Place, 6<sup>th</sup> Floor</i> <i>Boston, MA 02111</i>
October 29, 2014	MPO Municipal Election At MAPC Fall Council Meeting, 9:00AM Marriott Courtyard; 275 Tremont St; Boston 02116

**Voting Rules:**

One vote may be cast by each of the Chief Elected Officials of the 101 municipalities in the Boston region, for each open seat (there are 4 open seats). Ballots may be cast by one of the following ways:

1. By the CEO, in-person, on October 29, 2014 at MAPC Fall Council Meeting.
2. By Absentee Ballot, delivered by mail or in-person to MAPC by 5:00 PM the day before the election, October 28, 2014.
3. By a designee, in-person, on October 29, 2014 at MAPC Fall Council Meeting.

Each Chief Elected Official or their designee, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the two open MPO seats (for a total of 4 votes cast).

**Appointing Designees:**

Designees shall present a signed letter or signed MPO Ballot by the CEO of the municipality they are representing, to MAPC staff prior to the election or by 9:00 AM on the day of the election. Designees may represent only one municipality in the election.

**Certification of Results:**

The results of the election shall be certified by the Chairman of the MPO by 12 noon on Friday October 31, 2014.

**First MPO Meeting:**

The Boston Region MPO regularly meets at 10:00 AM on the first and third Thursdays of every month. Candidates that are elected to the MPO are asked to plan to attend their first MPO meeting on November 6, 2014 at 10:00 AM. The meeting is estimated to last two hours but may last longer. It will be held in conference rooms 2 and 3 in the State Transportation Building, 10 Park Plaza, Boston. If you have questions about the meeting, please contact Pam Wolfe, Manager, Certification Activities, 617-973-7141 or [pwolfe@ctps.org](mailto:pwolfe@ctps.org)

We appreciate the interest shown by the candidates in choosing to serve in these seats on the MPO and for your interest in this important matter. We look forward to your participation. Please contact Eric Bourassa at MAPC (617-933-0740) or Paul Regan, Executive Director of the MBTA Advisory Board (617-426-6054), if you have any questions concerning this election.

# 2014 MPO Absentee Ballot

The MPO Election will be held on Wednesday, October 29, 2014  
At MAPC Fall Council Meeting, 9:00 AM  
Marriott Courtyard; 275 Tremont St; Boston 02116

**Absentee ballots must be delivered by October 28, 2014  
via mail or in person (No Fax or Email) by 5 PM to:  
BOSTON REGION MPO ELECTIONS  
*Metropolitan Area Planning Council  
60 Temple Place, 6<sup>th</sup> Floor  
Boston, MA 02111***

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats.

## Chief Elected Official may:

### Vote for only one from the North Shore Task Force

Beverly Michael P. Cahill, Mayor

### Vote for only one from the South West Advisory Planning Committee

Medway Dennis P. Crowley, Chair Board of Selectmen

### Vote for only one At-Large City

Everett Carlo DeMaria, Mayor

### Vote for only one At-Large Town

Lexington Joseph N. Pato, Chair Board of Selectmen

Municipality \_\_\_\_\_ Chief Elected Official \_\_\_\_\_  
(Signature)

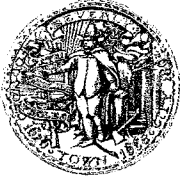
\_\_\_\_\_  
(Print or type name)

(see back for more information)

Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 29<sup>th</sup> at the MAPC Fall Council Meeting.

<b>Designation of alternate (by Mayor or Chair Board of Selectman):</b>	
I hereby authorize _____ to cast the ballot for _____	
(name)	(municipality)
_____	_____
<b>Chief Elected Official (signature)</b>	<b>Date</b>





**CITY of BEVERLY**  
**OFFICE of the MAYOR**

*191 Cabot Street*  
*Beverly, Massachusetts 01915*  
*Phone (978) 921-6000*  
*Fax (978) 922-0285*

**Mayor**

*Michael P. Cahill*

**Chief of Staff**

*Kevin Harutunian*

**Executive Secretary**

*Martha A. Lewis*

**STATEMENT OF QUALIFICATIONS**

I am a life long North Shore resident bringing over 20 years of experience working to promote North Shore regional priorities, ten of those years serving as the State Representative for the City of Beverly. I will bring a strong commitment to working collaboratively and effectively as an advocate for the infrastructure needs of the North Shore Task Force region.

The City of Beverly is uniquely situated at the intersection of the North Shore and Cape Ann. The region is characterized by a mix of community types from regional urban hubs, as defined in MAPC in MetroFuture, to suburban and rural communities. Beverly is itself a microcosm of the region with a compact mixed-use downtown served by multiple transportation options, commercial suburban centers and office parks to neighborhoods rural in character. The City benefits from hosting five commuter rail stations and is well served by regional transportation infrastructure including route 128 and the Beverly Municipal Airport. Our experiences in Beverly lend a unique perspective that aligns with many of the region's transportation needs.

Transportation planning and investment are critical components to providing a high quality of life to the residents and in successfully growing the economies of communities in the NSTF area. It is my view that transportation needs to be viewed in the context of land use and economic growth and should be considered regionally to efficiently and equitably utilize transportation funding. I will be an engaged board member and a strong advocate for projects that are important for each community and region.

2014 MPO Statement of Candidacy

At-Large City

Municipality: City of Everett

Chief Elected Official: Carlo DeMaria, Mayor

It is with great pleasure that I formally announce my candidacy for election to the Metropolitan Planning Organization (MPO) as the At-Large City candidate.

The City of Everett has been an active member of the MPO for nearly fifteen years. During my time as part of the MPO, I have worked closely with other members on the development of the Transportation Improvement Program (TIP), the Long Range Transportation Plan, and other important transportation initiatives for our communities and our region. In addition, I serve on the Congestion Management Committee and previously served on the Unified Planning Work Program Committee, and the TIP Criteria Subcommittee. I strongly believe that my past experience allows me to be a well-educated representative working for you and our region.

As the Mayor of Everett, I am particularly aware of the transportation issues we face within our communities and region. One of my major priorities will be to continue to support transportation projects that help address mobility and connectivity needs, foster economic development, improve safety, and enhance community livability while supporting responsible environmental stewardship, and sustainable land use and development patterns.

For all these reasons it will be my great privilege to continue to represent all of the 101 municipalities in our region, and I look forward to working with you and your staff on future transportation issues.

Thank you in advance for your consideration.

## Lexington seeks re-election to the Boston MPO

Lexington is seeking to be re-elected to the Boston MPO at-large Town membership that will begin in November, 2014. Lexington was elected to this three year position in 2011, and has made positive contributions to the MPO regional transportation planning and programming activities and results. Lexington has a 100 % attendance/participation record at MPO meetings.

As a whole, Lexington continues its deep interest and significant record in regional transportation issues. Lexington is bisected by Route 128 and is at the edge of the T's service area. Our residents (and thousands of others who work in Lexington) rely on both transit and roadway infrastructure to get around the metropolitan area. We are oriented equally towards both Boston and to the outer suburbs. As a MAGIC subregion member, we understand transportation needs of developing and mature suburbs.

Lexington is at the forefront in local transit services and bikeways, especially in our local Lexpress mini-bus system, and the Minuteman Commuter Bikeway. Lexington collaborates with area towns in improving inter-town transit services, and participates in public/private partnerships.

Joe Pato, Selectmen Chair, will continue to designate Richard Canale, Planning Board member, to represent Lexington. Richard, the current designee to the Boston MPO, is a former Advisory Council chair, and served on the Boston MPO (FFY02/03) as the Council's representative. He directly understands MPO member responsibilities and need for regional collaboration/solutions. He impartially represents all 101 MPO communities while ensuring that the needs and voices of the 78 MPO towns are fairly represented. Richard advocates for strong public participation, equity, transparency, and consistency.

Richard Canale  
Lexington Planning Board Member  
Lexington designee to the MPO  
(781) 861-0287  
richard.canale@gmail.com

Joseph N. Pato  
Lexington Selectmen Chair  
Chief Elected Official  
(781) 698-4580  
Selectmen@lexingtonma.gov

September 4, 2014

## Lynne Pease

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**From:** Larry Conley [REDACTED] >  
**Sent:** Friday, October 10, 2014 12:08 PM  
**To:** selectmen's  
**Subject:** LMM Green

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Lynne,  
The Lexington Minutemen are requesting usage of the Lexington Green for a drill and to interact with visitors,  
on Saturday November 15th  
Time [9:00 - 1:00](#)

Thank you, Larry Conley, LMM, Adjutant

Sent from my iPad

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

**DATE:**

October 20, 2014

**PRESENTER:**

Carl F. Valente, Denise Casey  
Brian Higgins

**ITEM NUMBER:**

Executive Session

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**SUBJECT:** Exemptions 3 and 6 – Coalition Bargaining and Fire Station/Public Safety Site Options.

*Suggested Motion by Chair for Executive Session: I move that the Board of Selectmen and the School Committee go into Executive Session to discuss strategy with respect to Coalition Bargaining and to consider the purchase, exchange, lease or value of real property for a Fire Station or Public Safety facility site, and to reconvene to Open Session. Further, as Chairman I declare that an open meeting discussion may have a detrimental effect on the bargaining position and negotiating position of the Town.*

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**EXECUTIVE SUMMARY:**

1. Update on status of Coalition Bargaining negotiations (see attached).
2. Update on potential Fire station/public safety facility site.
  - Appraisals attached

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**FINANCIAL IMPACT:**

NA

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**RECOMMENDATION / SUGGESTED MOTION:**

NA

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**STAFF FOLLOW-UP:**

NA