

SELECTMEN'S MEETING
Monday, September 21, 2015
Selectmen Meeting Room
7:00 PM

AGENDA

PUBLIC COMMENTS

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.

SELECTMAN CONCERNS AND LIAISON REPORTS

TOWN MANAGER REPORT

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Public Hearing - Flammable Storage License – 128 Spring Street (5 min.) 7:00 PM
2. Public Hearing - Receive Comments on Proposed FY2016 Water and Wastewater Rates (20 min.) 7:05 PM
3. Approve Community Center Non-Resident Membership Fees (10 min.) 7:25 PM
4. Report on Natural Gas Leaks (10 min.) 7:35 PM
5. Presentation on Battle Road Scenic Byway Logo (10 min.) 7:45 PM
6. Presentation of ViewPermit (20 min.) 7:55 PM
7. Discussion of School District Building Projects Plan (30 min.) 8:15 PM
 - a. Status of Current Plan
 - b. Release Funds for Continued Project Design
8. Review Final Draft of Historic Preservation Restriction and Monitoring Agreement for Community Center (15 min.) 8:45 PM
9. Approve Waiver of Conflict for Anderson & Kreiger (Town Counsel) Regarding 20 Pelham Road Negotiations (5 min.) 9:00 PM
10. Selectmen Committee Appointment/Reappointments (10 min.) 9:05 PM
11. Approve New Limousine License – Melodi Limo Service (5 min.) 9:15 PM

CONSENT AGENDA

1. Approve Use of the Battle Green - Battle Road Memorial March 9:40 PM
2. Approve One-Day Liquor Licenses - Spectacle Management 9:40 PM
3. Approve Town Celebrations Committee Request for Veterans' Day Events 9:40 PM

ADJOURN

All agenda time and the order of items are approximate and subject to change.



AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Public Hearing - Flammable Storage License – 128 Spring Street (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.1

SUMMARY:

Erin Orpik, Senior Property Manager for Related Beal, and David Vitale will be at your meeting to answer any questions regarding the request for a flammable storage license at 128 Spring Street Lexington LLC. Ken Tremblay from the Fire Department will also be available to answer any questions. See attached information.

SUGGESTED MOTION:

Motion to approve a Flammable Storage License for 128 Spring Street Lexington LLC, for the storage, operation and maintenance of existing flammable and combustible storage at 128 Spring Street (Map 18, Lot 2B), as presented.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

7:00 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Legal Notice-Flammable Storage-128 Spring Street	Backup Material
<input type="checkbox"/> Request, Application and License for Flammable Storage at 128 Spring Street	Backup Material
<input type="checkbox"/> GIS Map of 128 Spring Street	Backup Material

128 SPRING STREET
LEGAL NOTICE
Town of Lexington
BOARD OF SELECTMEN

In accordance with the requirements of Chapter 148 Section 13 of the Massachusetts General Laws, the Board of Selectmen will hold a public hearing on the application of 128 Spring Street Lexington LLC for a license for the storage, operation, and maintenance of existing flammable and combustible storage at 128 Spring Street (Map 18, Lot2B), as shown in a document which is on file in the Selectmen's Office.

The hearing will be held in the Selectmen's Meeting Room, Town Office Building, on Monday, September 21, 2015 at 7:00 p.m.

Joseph N. Pato, Chairman
Board of Selectmen

AD#13325762
Lexington Minuteman 9/3/15

August 14, 2015



Joseph Pato, Chairman
Town of Lexington, Office of Selectmen
1625 Massachusetts Avenue
Lexington, MA 02173

Re: 128 Spring Street Lexington LLC Flammable License Application – Storage of Flammable Fluids

Dear Mr. Pato:

Related Beal, the property managers for 128 Spring Street Lexington LLC, is applying for an amendment to the existing Flammable License at Ledgemont Research Center, located at 128 Spring Street in Lexington, MA.

Based on our meetings with John Fleck, Lexington Fire Department Assistant Fire Chief, in addition to completing our annual tenant review, we are submitting this application to amend our current Flammable License.

Please find enclosed two copies of our flammable matrix for all tenants at Ledgemont Research Center. This matrix was designed by our fire safety engineer, and has been approved for use by the Lexington Fire Department for tenant flammable permit applications.

Below, please find the capacities, categories, and description of the kinds of fluids to be stored in containers at Ledgemont Research Center.

Total capacity of containers in gallons

Aboveground

- 1) 1,200 gallons of Flammable Liquid
- 2) 800 gallons of Combustible Liquid
- 3) 2,000 cubic feet of Flammable Gas
- 4) 200 pounds of Flammable Solid

Underground

- 1) 15,000 gallons of #2 Fuel Oil

If you need additional information, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Erin S. Orpik'.

Erin Orpik
Senior Property Manager

Enclosures: Ledgemont Research Center Flammable Matrix (5 Excel worksheets); Ledgemont Total Flammables

Note: Complete upper portion of form and forward to local fire department.
Do not make application to Department of Fire Services.



Commonwealth of Massachusetts
Department of Fire Services - Office of the State Fire Marshal

City or Town LEXINGTON Date 8-10-2015

APPLICATION FOR LICENSE

For the lawful use of the herein described building... or other structure..., application is hereby made in accordance with the provisions of Chapter 148 of the General Laws, for a license to use the land on which such building... or other structure... is/are or is/are to be situated, and only to such extent as shown on plot plan which is filed with and made a part of this application.

Location of land 128 SPRING STREET Nearest cross street HAYDEN AVENUE
(Street & Number)

Owner of land 128 SPRING STREET LEXINGTON LLC Address 128 SPRING STREET LEXINGTON MA 02421

Number of buildings or other structures to which this application applies FIVE

Occupancy or use of such buildings OFFICE AND LABORATORY SPACE

Total capacity of containers in gallons: — Aboveground 1) 1200 gallons Flammable Liquid
2) 800 gallons Combustible Liquid Underground 15,000 gallons #2 FUEL OIL

Kind of fluid to be stored in containers: — 3) 2,000 cubic feet flammable gas
4) 200 pounds flammable solid (see attached)

Approved Disapproved

[Signature]
(Head of Fire Dept.)
8-14-2015
(Date)

Erin S. Ospek
(Signature of Applicant)
128 Spring St, Lexington, MA 02421
(Address)



Commonwealth of Massachusetts
Department of Fire Services - Office of the State Fire Marshal

City or Town _____ Date _____

LICENSE

In accordance with the provisions of Chapter 148 of the General Laws, a license is hereby granted to use the land herein described for the lawful use of the building... or other structure... which is/are or is/are to be situated thereon, and as described on the plot plan filed with the application for this license.

Location of land _____ Nearest cross street _____
(Street & Number)

Owner of land _____ Address _____

Number of buildings or other structures to which this application applies _____

Occupancy or use of such buildings _____

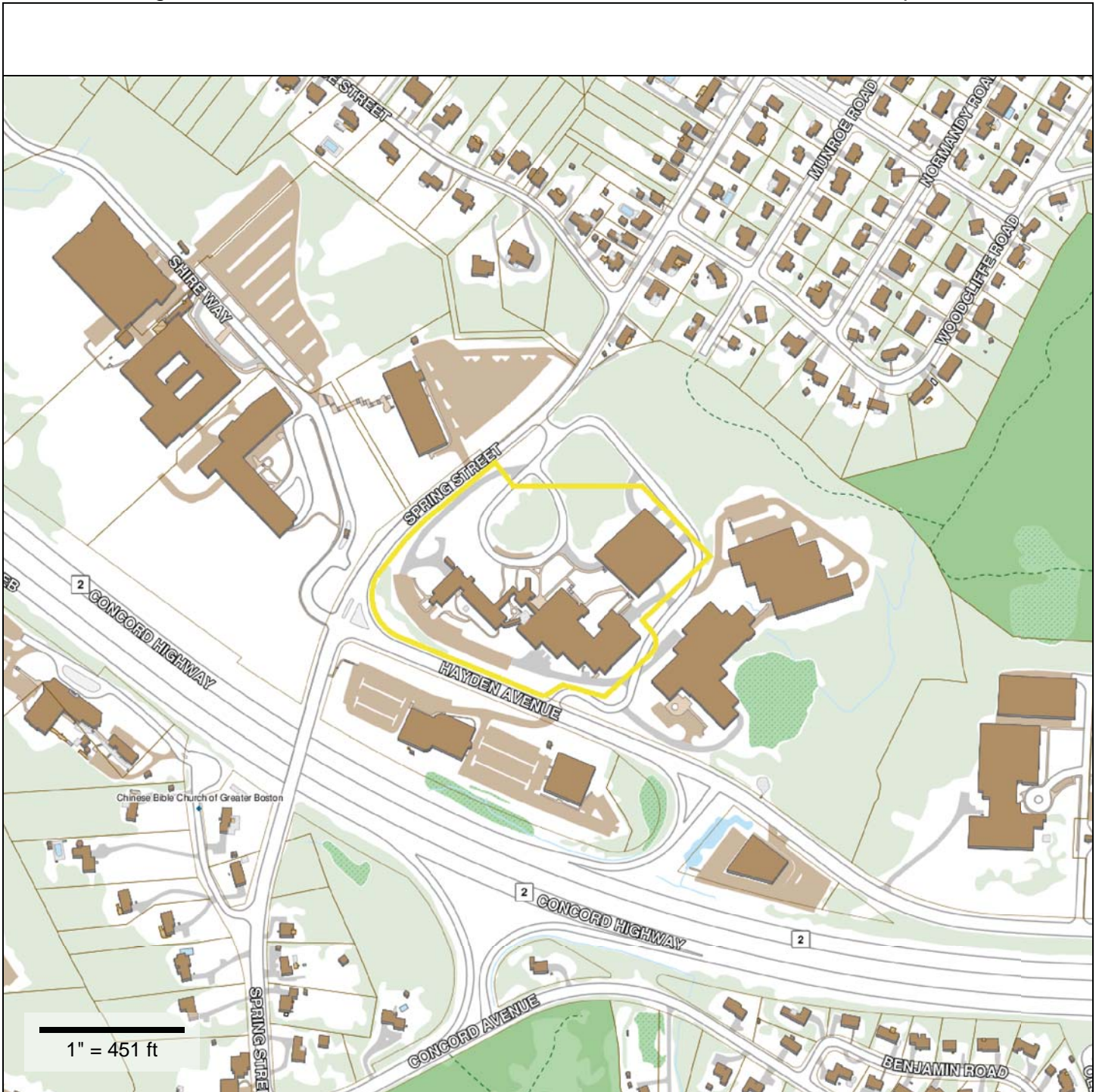
Total capacity of containers in gallons: — Aboveground _____ Underground _____

Kind of fluid to be stored in containers: — _____

Restrictions - If any: _____

Signature of licensing authority Title

THIS LICENSE OR A PHOTOSTATIC OR CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED IN A PROTECTED



Property Information

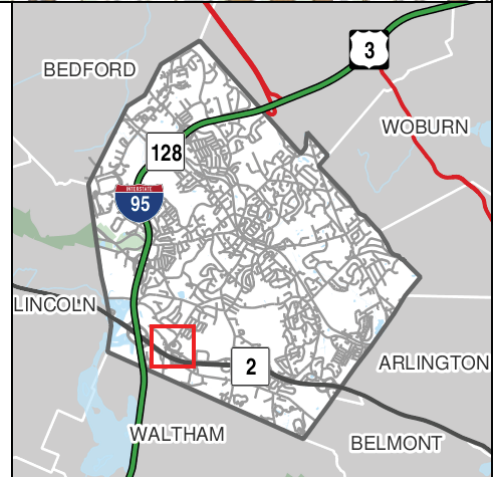
Property ID 18-2B
Location 124 SPRING ST
Owner ONE LEDGEMONT LLC
 C/O THE BEAL COMPANIES LL



**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 October 27, 2014



AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Public Hearing - Receive Comments on Proposed FY2016 Water and Wastewater Rates (20 min.)

PRESENTER:

Rob Addelson, Finance

ITEM NUMBER:

I.2

SUMMARY:

This is the second of three meetings on proposed Water/Wastewater rates for FY2016. At the first meeting held on September 9, 2015 the Board reviewed the results of FY2015 water and wastewater operations, billed usage and retained earnings histories; the FY2016 water and wastewater budgets as adopted at the 2015 annual town meeting (direct and indirect costs that will serve as the basis for calculating FY2016 water and wastewater rates), proposed changes to the budgets adopted last spring; and, preliminary FY2016 water and wastewater rates.

Tonight's meeting is for the purpose of taking public comment on proposed rates.

The enclosed PowerPoint presentation is a distillation of information included in your September 9th agenda packet and includes FY15 operating results, water consumption history for FY06 to FY15 including estimates of FY2016 usage proposed to be used in calculating FY16 water and rates (this presentation includes 3 corrections to the presentation on September 9th which are noted on the attachment), a revision of the FY16 proposed water and wastewater budgets to be funded with rate and non-rate revenue, a history of retained earnings, proposed FY16 rates and the impact of proposed rates on various classes of users.

Rates as proposed will generate revenue needed to fully support the FY2016 direct and indirect operating costs of water and wastewater operations.

The third meeting will be held on October 5, 2015, at which time it is anticipated final FY2016 rates will be recommended to the Board of Selectmen for review and approval.

SUGGESTED MOTION:

Not applicable.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

7:05 PM

ATTACHMENTS:

Description	Type
☐ FY2016 Water and Wastewater Rate Setting - Proposed Rates	Presentation

**FY2016 WATER AND
WASTEWATER RATE SETTING
PROPOSED RATES**

FY15 OPERATING RESULTS

WATER FUND

	<u>Budget</u>	<u>Actual</u>	<u>Difference</u>
Revenues	\$ 9,268,774	\$ 10,278,386	\$ 1,009,612
Expenditures	\$ 9,268,774	\$ 9,183,184	\$ 85,590
Addition to Retained Earnings			\$ 1,095,203

WASTEWATER FUND

	<u>Budget</u>	<u>Actual</u>	<u>Difference</u>
Revenues	\$ 9,511,297	\$ 9,926,266	\$ 414,970
Expenditures	\$ 9,511,297	\$ 9,393,974	\$ 117,323
Addition to Retained Earnings			\$ 532,292

FY16 PROPOSED BUDGETS

Change

	FY15	FY16	\$	%
Water	\$ 9,270,880	\$ 10,022,950	\$ 752,070	8.1%
Wastewater	\$ 9,517,618	\$ 9,151,553	\$ (366,065)	-3.8%
Combined	\$ 18,788,498	\$ 19,174,503	\$ 386,006	2.1%

RETAINED EARNINGS HISTORY

	Certified as of 6/30/2011	Certified as of 6/30/2012	Certified as of 6/30/2013	Certified as of 6/30/2014	Projected Certification as of 6/30/15
WATER					
Certified	\$ 1,952,253	\$ 2,066,566	\$ 2,324,007	\$ 2,119,458	\$ 2,000,000
Appropriated	\$ 575,000	\$ 1,050,000	\$ 1,323,500	\$ 1,010,345	NA
WASTEWATER					
Certified	\$ 1,168,190	\$ 1,310,716	\$ 1,990,816	\$ 2,072,941	\$ 1,160,000
Appropriated	\$ 150,000	\$ 300,000	\$ 990,500	\$ 1,390,500	NA

TOWN OF LEXINGTON
WATER CONSUMPTION HISTORY FY2006 thru FY2015

(in hundred cubic feet(HCF))

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)
	DESCRIPTION	TIER	HCF RANGE	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	Estimates Used for FY2015 Rates	10 Year Average	5 year Average	Estimates for Preliminary FY16 Rates
(1)	WATER	TIER 1	0-40	678,957	685,189	692,360	673,076	680,747	669,898	668,771	677,967	677,135	677,006	670,000	678,111	674,155	674,000
(2)	WATER	TIER 2	41-80	153,558	141,115	152,098	116,055	117,493	117,536	103,386	106,650	106,000	102,919	110,000	121,681	107,298	107,000
(3)	WATER	TIER 3	80+	193,594	163,047	161,145	163,160	177,434	194,452	206,690	211,757	231,938	228,852	210,000	193,207	214,738	200,000
(4)	WATER	TOTAL		1,026,109	989,351	1,005,603	952,291	975,674	981,886	978,847	996,374	1,015,073	1,008,777	990,000	992,999	996,191	981,000
(5)	WATER - MUNICIPAL	FLAT RATE		10,964	12,768	11,594	12,154	13,078	17,217	17,461	16,378	24,524	26,196	17,000	16,233	20,355	19,000
(6)	WATER - IRRIGATION	TIER 3		215,651	172,174	253,909	198,300	167,201	288,811	229,764	259,106	287,953	293,073	254,000	236,594	271,741	265,000
(7)	WATER BEDFORD	FLAT RATE		658,558	543,765	567,208	511,273	545,198	611,682	556,733	635,024	651,226	746,380	580,000	602,705	640,209	625,000
(8)	WATER - VA HOSPITAL	FLAT RATE		52,655	43,641	33,016	33,614	33,789	34,654	29,809	33,237	35,370	34,275	33,000	36,406	33,469	33,000
(9)	HANSCOM/ LINCOLN LABS	FLAT RATE		263,609	258,943	237,924	235,542	214,910	238,236	266,648	256,648	231,201	238,980	240,000	244,264	246,343	238,000
(10)	WATER - BURLINGTON	FLAT RATE		1,607	-	43,221	-	-	-	7,025	-	-	11,298	-	6,315	3,665	-
(11)	TOTAL WATER			2,229,153	2,020,642	2,152,475	1,943,174	1,949,850	2,172,486	2,086,287	2,196,767	2,245,347	2,358,979	2,114,000	2,373,465	2,454,651	2,161,000
(12)	SEWER	TIER 1	0-40	652,777	659,297	669,168	655,454	663,588	634,504	655,519	665,661	665,464	666,105	650,000	658,754	657,451	655,000
(13)	SEWER	TIER 2	41-80	145,164	134,383	145,727	112,225	114,368	110,847	100,327	103,928	103,415	100,709	108,000	117,109	103,845	104,000
(14)	SEWER	TIER 3	80+	169,230	151,419	149,007	157,472	170,784	178,401	197,406	208,380	228,377	225,110	205,000	183,559	207,535	200,000
(15)	SEWER	TOTAL		967,171	945,099	963,902	925,151	948,740	923,752	953,252	977,969	997,256	991,924	963,000	959,422	968,831	959,000
(16)	SEWER MUNICIPAL RATE	FLAT RATE		8,974	7,213	10,411	4,896	2,097	12,874	13,819	12,391	13,791	12,003	13,000	9,847	12,976	12,000
(17)	TOTAL SEWER			976,145	952,312	974,313	930,047	950,837	936,626	967,071	990,360	1,011,047	1,003,927	976,000	969,269	981,806	989,681

was shown incorrectly as 244,000 in 9/9/15 presentation to BOS

was shown incorrectly as 200,000 in 9/9/15 presentation to BOS

was shown incorrectly as 195,000 in 9/9/15 presentation to BOS

PROPOSED FY16 RATES

	WATER		WASTEWATER	
--	-------	--	------------	--

	FY15	FY16	FY15	FY16
block 1	\$3.45	\$ 3.71	\$7.05	\$6.89
block 2	\$5.18	\$ 5.58	\$11.52	\$11.25
block 3	\$6.82	\$ 7.35	\$18.31	\$17.88
irrigation	\$6.82	\$ 7.35	NA	NA
municipal	\$2.42	\$ 2.61	\$2.88	\$3.02
Hanscom /Lincoln Labs	\$5.08	\$ 5.48	NA	NA
VA Hospital	\$6.07	\$ 6.54	NA	NA
Bedford-water	\$2.44	\$ 2.64	NA	NA

IMPACT OF PRELIMINARY RATES ON LOW/AVERAGE/HIGH USERS

	\$ Change - Water/Wastewater Combined		% Increase
Low (50 HCF/yr)	\$	5.12	1.0%
Average (120 HCF/yr)	\$	13.48	0.9%
High (1000 HCF/yr)	\$	103.98	0.4%

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Community Center Non-Resident Membership Fees (10 min.)

PRESENTER:

Sheila Butts, Community Center
Director

ITEM NUMBER:

I.3

SUMMARY:

In its effort to bring on and manage programming at the Community Center, the Department of Recreation and Community Programs is recommending that users of the Center be provided with a membership card. Lexington residents will be issued a membership card at no charge. This is similar to the process the Town has been using for a few years at the Senior Center. Providing a membership card for Center users, however, begs the question of how to handle non-resident participation in Community Center programs. The attached proposal addresses this matter. Once the Board's comments are received, this draft proposal will be brought to the Recreation Committee and Council on Aging for its input.

SUGGESTED MOTION:

Not at this time. A final recommendation will be brought back to the Board of Selectmen.

FOLLOW-UP:

The Community Center Director will prepare final Policy, for adoption by the Board of Selectmen, following input from Selectmen, Council on Aging and Recreation Committee.

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

7:25 PM

ATTACHMENTS:

Description	Type
□ Draft Community Center Non-Resident Membership Fee Proposal	Bylaw/Regulation



DRAFT
APPROVED BY THE RECREATION COMMITTEE (4-0-0) September 9, 2015
Amended 9/17/15

Town of Lexington
Recreation and Community Programs
Community Center Division

Karen Simmons, CTRS, CPRP
Director of Recreation and Community Programs

Tel: 781-698-4800
Fax: 781-861-2747

**NON-RESIDENT LEXINGTON COMMUNITY CENTER
MEMBERSHIP FEE PROPOSAL**

The Lexington Community Center has been open to the public since July 6, 2015.

- Attendance at the Center has met initial expectations, and in some cases exceeded expectations. In July and August 10,000 people came to the Community Center to participate in wellness classes, Human Services programs and discussion groups, use the drop-in areas, and take tours of the facility.
- Wellness Classes for our 60+ population have been fully enrolled with a waiting list for each class.
- Drop-in spaces (Billiards and Ping Pong) are used throughout the day, especially on Monday, Wednesday and Friday, when senior specific time slots are designated.
- Human Services Department programming is ongoing and always well-attended.
- Bingo began on August 21st and numbers continue to increase.
- Youth numbers within the building have increased substantially since July primarily in the drop-in spaces.

As we transition into full-time hours of operation, the Recreation and Community Programs Department will roll out a Membership Module at the Community Center in early October. All those who come to the Center will complete a registration form and be provided with a Membership Card, used to track attendance on a daily basis, assist in monitoring class attendance and the use of drop-in spaces. A card reader (to scan the membership cards) will be located at the Customer Service Transaction Counter. Additionally, the Community Center Ambassadors and Customer Service volunteers will have hand scanners to assure that all who enter the building are logged in.

Although the majority of those who have used the facility to date are Lexington Residents, we have seen an increased number of non-residents using drop-in program spaces. The purchase of, renovations to and daily operations of the Center are funded by Lexington Residents, through the Community Preservation Fund and property taxes. To assure that residents are not supporting the facility for non-residents, we propose to assess an annual non-resident membership fee for use of the facility.

Non-Resident Senior (60+)	\$ 5.00*
Non-Resident Youth (under 18)	\$25.00
Non-Resident Adult (18 – 59)	\$50.00
Non-Resident Family (2 adults plus children under 18)	\$125.00
All Lexington Residents	FREE

****This is a onetime administrative fee for the membership card.***

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Report on Natural Gas Leaks (10 min.)

PRESENTER:

Assistant Chief Ken Tremblay, Fire
Department

ITEM NUMBER:

I.4

SUMMARY:

In response to inquiries from the Board, Assistant Chief Tremblay will update the Board on the Fire Department's protocol for handling calls for an odor of natural gas.

SUGGESTED MOTION:

None

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

7:35 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Presentation on Battle Road Scenic Byway Logo (10 min.)

PRESENTER:

Richard Canale, Battle Road Scenic
Byway Committee

ITEM NUMBER:

I.5

SUMMARY:

Mr. Canale will be at your meeting to make a presentation on the proposed logo for the Battle Road Scenic Byway logo.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

7:45 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Battle Road Scope Summary	Backup Material
<input type="checkbox"/> Proposed Logo	Backup Material

project understanding

Selbert Perkins Design is proposing to provide branding and graphic design services to the Battle Road Scenic Byway Committee and the Town of Lexington for the Battle Road Scenic Byway – the “Road to Revolutions,” located in the Towns of Arlington, Lexington, Concord and Lincoln, and within the Minuteman National Historic Park. We will create a brand communications master plan that lays the foundation for future Interpretive, promotional and website materials that will inform visitors of the wealth of attractions and resources the Byway has to offer.

BRAND COMMUNICATIONS MASTER PLAN

Brand Criteria	Positioning Core Personality Core Images
Logo Design	Develop (3 - 4) options (logo, color palette and typography) **for use in print, web, and signage
Applications	Letterhead Template Website (Home Page Template only) Identification (Gateway) Signs **at entrance points in all four communities, the National Historical Park, and Route 128

I Deliverables: uploaded digital files to include:

- Logo for use in print (letterhead, brochures, etc.), including Letterhead Template
- Logo design for use on signage design, including Design Intent Drawings both hard copy and electronic format
- Logo for use in web materials, including Website Template



THE Battle Road Byway Committee

Concord | Lincoln | Lexington | Arlington
Minute Man National Historical Park, NPS

Interim Report to Lexington Selectmen September 21, 2015

1. Report of Committee Activities
2. Branding | Logo Project
3. Presentation of Project products thus far
4. Request to outreach to the Lexington Community
5. Next year's project

Richard Canale, Chair

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Presentation of ViewPermit (20 min.)

PRESENTER:

Fred Lonardo, Building Commissioner;
Candy McLaughlin, Project Manager,
IT

ITEM NUMBER:

I.6

SUMMARY:

On August 17th, the Town implemented ViewPermit, an on-line permitting application. Residents and contractors can now complete and pay for building, electrical and plumbing permits via the Town's on-line portal, 24 hours a day, seven days per week. This on-line process allows the review and approval of permit applications by the various Town departments (e.g., Building, Fire, Engineering, Conservation) to also be done electronically, rather than circulating paper copies to each department. Further, inspectors have been issued tablets so that they can complete their field inspections electronically. The status of any accepted application can be viewed, on-line, by any interested party.

Staff will soon be implementing similar applications for Conservation and Fire permits. Following the implementation of these applications, Planning and Zoning permits are scheduled next.

SUGGESTED MOTION:

None

FOLLOW-UP:

None

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

7:55 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Discussion of School District Building Projects Plan (30 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.7

SUMMARY:

The board will review any changes in status regarding the district school building projects.

SUGGESTED MOTION:

Motion to approve the release of \$ _____ of design fees for the school district building projects plan.

FOLLOW-UP:

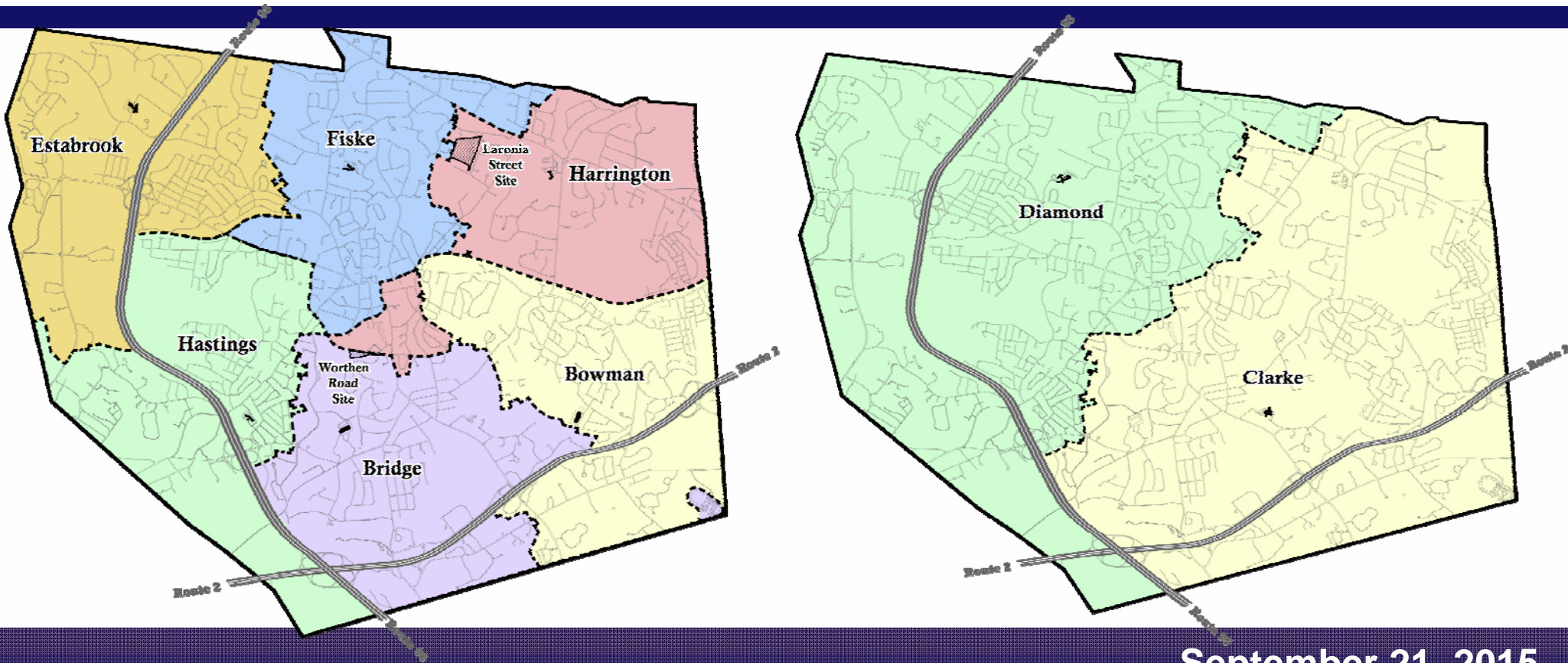
DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

8:15 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Presentation	Backup Material



September 21, 2015

Board of Selectmen Meeting Multiple Schools Construction Project

Agenda

- Pre- K Elementary Schools
- Middle Schools
- Fees
- Project Costs

Pre-K Elementary | July BOS Releases

LCP / Elementary School	Consensus	Consensus Confirmation	Final Consideration 1	Final Consideration 2	BOS VOTE
	153 general classrooms	153 general classrooms	153 general classrooms		
LCP	\$10,190,000	\$9,941,000	\$9,941,000	\$9,941,000	On Hold
Bowman ES	\$3,100,000	\$3,273,000	\$3,273,000	\$0	No Work
Bridge ES	\$3,680,000	\$5,161,000	\$4,094,000	\$0	No Work
Fiske ES Pre-Fab	\$3,680,000	\$2,042,000	\$0	\$0	No Work
Fiske Alternative/ Expansion	NA	NA	\$9,064,000	\$9,064,000	\$9,064,000
Hastings ES only	\$61,910,000	\$61,568,000	\$59,926,000	\$59,926,000	\$59,926,000
Hastings ES w/ LCP	NA	NA	\$0	\$0	No Work
Harrington Reno	\$330,000	\$164,000	\$164,000	\$164,000	Fall 2015
Harrington Expansion/LCP	NA	NA	\$0	\$0	No Work
Harrington Expansion	NA	NA	NA	NA	Study Fall '15
LCP / ES Sub Total	\$82,890,000	\$82,149,000	\$86,462,000	\$79,095,000	\$68,990,000

Fiske | Brick and Mortar Classrooms

26 Classrooms
Rear Site Redesign



Brick & Mortar Addition
90,760 GSF
\$11,600,000 Project Cost

26 Classrooms
Full Site Redesign



Brick & Mortar Addition
90,760 GSF
\$14,100,000 Project Cost

Fiske | Project Cost Comparison

	24 Classroom Option	26 Classroom Option	27 Classroom Option <small>(Includes additional core spaces)</small>
Redesign Rear Site Only	\$9,064,000	\$11,600,000	\$14,863,000
Redesign Entire Site	\$11,900,000	\$14,100,000*	\$16,900,000

* Recommended by School Committee 9/8

Middle School | July, Considerations 2 & 3

School	Consensus All Growth @ Diamond	Consensus Confirmation	Consider 1 Growth at Diamond	Consider 2 Growth by ES Migration	Consider 3 Growth by ES Migration
	Clarke = 824 Stu Diamond = 1,006 Stu		Clarke = 824 Stu Diamond = 1,006 Stu	Clarke = 862 Stu Diamond = 968 Stu	Clarke = 862 Stu Diamond = 968 Stu
Clarke MS	\$4,610,000 5 Pre-Fabs	\$6,912,000 5 Pre-Fabs	\$10,287,000 Space Mining + 3 Pre-Fab	\$18,105,000 Space Mining + 10 Classroom Addition	\$18,105,000 Space Mining + 10 Classroom Addition
Diamond MS	\$23,990,000 8 Pre-Fab + ~ 15 Classroom Addition	\$29,428,000 8 Pre-Fab + ~ 15 Classroom Addition	\$32,537,000 Space mining + 20 Classroom addition + Cafe relocation	\$28,229,000 Space mining + 16 Classroom addition + Cafe addition	\$30,811,000 Space mining + 16 Classroom addition + Cafe relocation
MS Total	\$28,600,000	\$36,340,000	\$42,824,000	\$46,334,000	\$48,916,000

1. Natural elementary school migration to middle schools
2. Addresses overcrowding at both middle schools
3. Includes revised traffic improvements at Clarke and Diamond
4. Consider 3 relocates cafeteria

Diamond | Cafeteria Location

36 Gen Ed Classrooms, 12 Science Classrooms



Cafeteria Relocation *
163,110 GSF
\$30,811,000 Project Cost



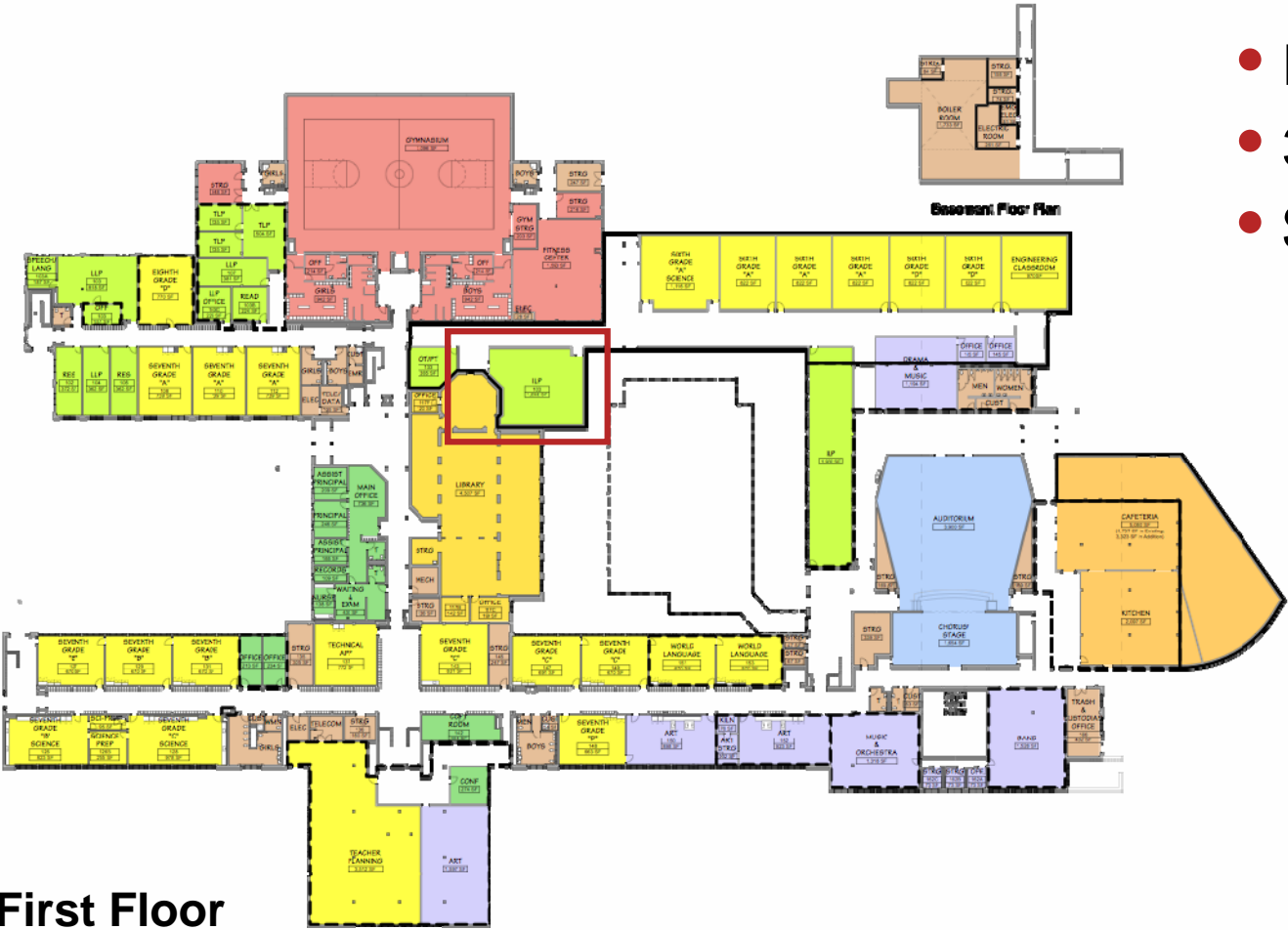
Cafeteria Expansion
161,053 GSF
\$28,229,000 Project Cost

- Multi-use space
- Supports future expansion
- Supports after-school programs
- New Efficient Kitchen
- Single loading dock

- Low ceilings
- Acoustical problems
- Does not support after-school programs
- Renovated Kitchen
- Two loading docks

* Recommended by School Committee 9/8

Diamond | Special Ed Feeder Pattern



- Diamond with additional ILP
- 3,385 GSF Additional
- \$ 2,054,000 Project Cost

Diamond | Mechanical Upgrade

Upgrade the entire existing mechanical system



Mechanical Upgrade
Requires further Study

- Steam and hot water systems
- Equipment beyond life expectancy
- Original piping throughout
- Boilers are failing
- Classroom unit ventilators
- ***Requires further study***
 - Type of system
 - Cost
 - Implementation Schedule
 - \$30,000 Study Fee

Diamond| Science Room Conversion

Renovate existing science rooms and replace all casework & furniture



TYP 8th GRADE SCIENCE RM



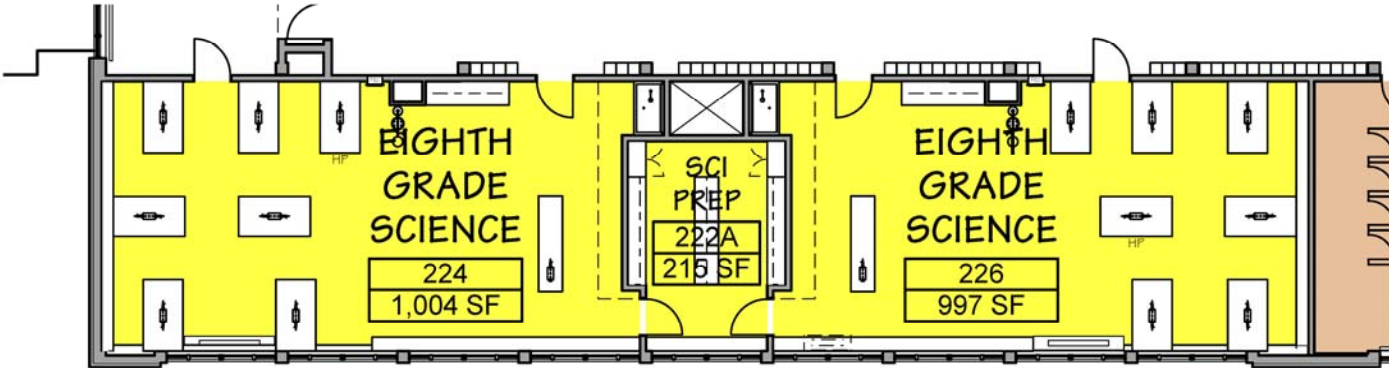
TYP 8th GRADE SCIENCE RM



TYP 6th GRADE SCIENCE RM

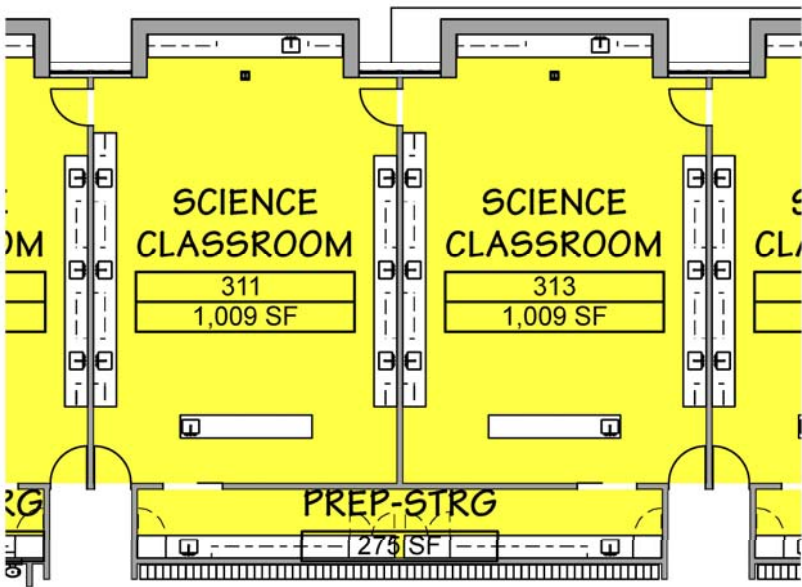


SCIENCE PREP RM

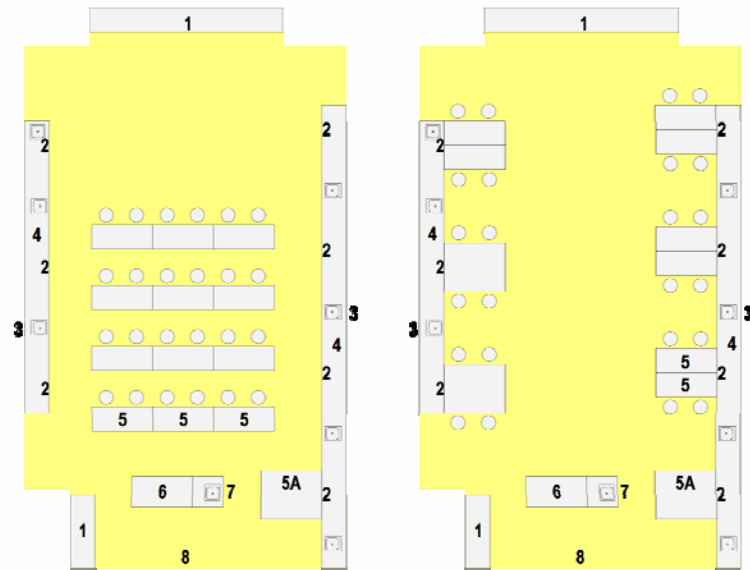


Clarke | Science Room Conversion

Expand existing science rooms and replace all casework & furniture



TYP EXISTING SCIENCE PREP

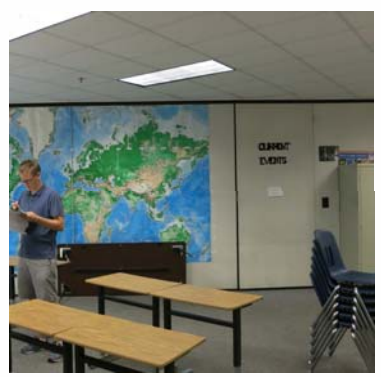


CONCEPTUAL PLAN - ENLARGED EXAMPLE LAYOUT

TYP "NEWER" SCIENCE RM

Clarke | Partition Reconstruction

Remove and replace existing folding walls with permanent walls



Wall Replacement
\$433,000 Project Cost

Funding Status

Appropriation	\$	4,080,000
<i>First Release</i>	\$	990,284
<i>Second Release</i>	\$	2,066,982
Balance Available	\$	1,022,734
<i>Deferred Second Release</i>	\$	48,000
<i>SC 9/8 DD Recommendations</i>	\$	171,050
<i>SC 9/8 Study Recommendations</i>	\$	72,000
<i>Pelham Road Fees</i>	\$	21,000
Projected Remaining Balance	\$	710,684

Design Fees For Consideration

LCP Renovation at Harrington (Construction Documents)	(DD & CD)	\$33,000
Harrington ES (Study Completion)	(Study)	\$15,000
Fiske Brick and Mortar Addition - 26 Classroom Addition	(DD)	\$48,250
SPED Feeder Pattern - ILP Expansion at Diamond	(DD)	\$50,200
Diamond Cafeteria Relocation	(DD)	\$72,300
Diamond Mechanical Upgrade	(Study)	\$30,000
Clarke Partition Reconstruction	(Study)	\$12,000
Clarke Science Space Study (Including Cost Estimate)	(Study)	\$15,000
Diamond Science Space Study (Including Cost Estimate)	(Study)	\$15,000
Pelham Road Fees	(Study)	\$21,000
Total, approving all fees		\$311,750
Fiske Hold @SD	(Hold @ SD)	(\$201,394)
Fiske DD Supplement	(Hold @ SD)	(\$48,250)
Total, approving all fees but holding Fiske @ SD 24 Classroom Addition		\$62,106

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Review Final Draft of Historic Preservation Restriction and Monitoring Agreement for Community Center (15 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.8

SUMMARY:

As a condition of purchasing the Community Center property with Community Preservation Act funds, the Town is required to place an Historic Preservation Restriction (HPR) on the property. An HPR insures that the Town will continue to maintain the historical aspects and features of this property. Further, an entity other than the Town is required to hold and enforce the HPR. The Historical Society has agreed to serve this role.

Attached is a final draft of the HPR as developed by representatives of the Town, Historical Society and Town Counsel. It incorporates the comments the Board of Selectmen offered when it reviewed an earlier draft at its meeting on July 27, 2015.

In light of the Selectmen's and School Committee decision to purchase the adjacent property at 20 Pelham Road, the Town is also discussing with the Historical Society whether the HPR should include language allowing certain site improvements on the Community Center parcel that may be necessary for placing a new or renovated school at the Pelham Road site.

Also attached is a draft of the HPR Monitoring Agreement between the Town and the Historical Society. The purpose of this Monitoring Agreement is to compensate the Historical Society for any expenses it may incur in monitoring and enforcing the HPR.

SUGGESTED MOTION:

Not at this time. The Executive Committee of the Historical Society is scheduled to review these two agreements at its October meeting.

FOLLOW-UP:

Any final edits from today's Selectmen's review or the Historical Society review in October will be brought back to the Board of Selectmen for review and approval.

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

8:45 PM

ATTACHMENTS:

Description	Type
☐ Draft Monitoring Agreement	Backup Material
☐ Draft Historic Preservation Restriction Agreement	Backup Material

September 17, 2015

Bill Poole, President
Thomas Taylor, Treasurer
Lexington Historical Society
P.O. Box 514
Lexington, MA 02420

Re: Community Preservation Grant – 39 Marrett Road

Dear Bill and Thomas:

This letter, upon its countersignature, will confirm the agreement (“Agreement”) by the Town of Lexington (“Town”) to establish an account (the “Account”), to be held and managed by the Town, for the purposes of providing the Lexington Historical Society (“Grantee”) with up to \$25,000 in Community Preservation Funds (“Funds”) to monitor compliance with a historical preservation restriction (the “Restriction”) for the property located at 39 Marrett Road in Lexington, Massachusetts (the “Property”). The Town hereby agrees to place the Funds in the Account, and the Grantee hereby agrees to have the Funds placed in the Account, subject to the following terms and conditions:

1. The Grantee agrees that the Funds shall be used solely for the purpose of establishing and funding the Account, which shall be held by the Town and used solely to reimburse Grantee for its reasonable costs and expenses associated with monitoring compliance with and enforcement of the terms of the Restriction pursuant to paragraphs 12 and 13 thereof (the “Project”), including reasonably necessary attorneys fees. The Project shall include, without limitation: (a) inspecting the Property from time to time upon reasonable notice to the Town to determine whether the Town is in compliance with the terms of the Restriction; (b) obtaining an annual report by a qualified preservation professional, with photographs, demonstrating whether the Town has complied with the Restriction (the “Report”); (c) potential enforcement expenses; and (d) administrative expenses of the Grantee. The Grantee agrees that this is a fundable purpose under the Community Preservation Act, G.L. c. 44B, § 5.
2. Prior to entering into any agreement with a qualified preservation professional to prepare the Report, Grantee shall submit a proposed scope of work and fee to the Town for the costs of preparing the Report on the letterhead of the design professional which the Grantee proposes prepare the Report (the “Designated Professional”). The Grantee may propose a scope of work and fee for the preparation of the Report over a period of up to five years.
3. The Town Manager and the Chair of the Community Preservation Committee or his or her designee, shall review the materials provided pursuant to paragraph 2 above and approve

Grantee's choice of the Designated Professional, such approval not to be unreasonably withheld. Without limitation, it shall not be unreasonable to deny such approval if the Designated Professional's proposed scope of work does not provide evidence that the Designated Professional has adequate professional and general liability insurance to cover his or her work at the Property.

4. The Grantee agrees to make a copy of the Report, and any other reports, photographs, drafts of reports, bid documents, or contracts with preservation professionals or other consultants available for inspection by the Town at the Town's request. Any documentation or service procured with monies from the Account shall be prepared by or under the direction of individuals duly qualified in the assessment and preservation of historic structures, and shall be limited to work necessary or appropriate to ensure compliance with the Restriction.

5. The Grantee agrees that the Town shall have the right to require confirmation by the Grantee that monies from the Account were used solely for their intended purpose under this Agreement. Any portion of the monies from the Account reimbursed by the Town to the Grantee under this Agreement that are not expended for the purposes described in paragraph 2, and any portion of such monies that have been expended and which are subsequently refunded to the Grantee, shall be returned to the Town.

6. The Grantee shall seek reimbursement from the Account only as necessary to meet its current or imminent payment obligations, which it shall certify in the form of a written request for funds to the Town Manager. The request shall be accompanied by copies of any invoices or deposit requests indicating that the funds are due and payable. The Town Manager shall verify that the request is in conformity with the terms of this Agreement and shall endorse the request as payable, at which point it shall be processed for payment from the Account by the Town's Finance Director.

7. This Agreement is made with the understanding that the Town has no other obligation to provide other or additional support to the Grantee. The Grantee and the Town further acknowledge and agree that the Property remains the property of the Town and that the Town is solely responsible for the award and supervision of all contracts for the restoration and rehabilitation of the Property, and for payments due on account of any such contracts. The Grantee shall not be considered a party to any such contract by reason of accepting funding under this Agreement.

8. The disbursal of funds hereunder by the Town shall not be considered the acquisition of any service or supply within the meaning of the Uniform Procurement Act, G.L. c. 30B.

9. The Town hereby certifies that the Funds have been duly appropriated and are currently available to meet the Town's obligations as stated in this Agreement.

10. The Grantee and the Town agree to negotiate future contributions by the Town to the Account, subject to approval by the Lexington Town Meeting, at such a time as the Account contains a principal balance of \$10,000 or less.

11. This Agreement shall not be binding unless and until signed by both parties below. Any amendment to this Agreement shall not be binding unless in writing signed by the duly authorized representatives of each party.

TOWN OF LEXINGTON, as duly authorized,

By: Marilyn Fenollosa, Chair
Community Preservation Committee
Date: _____

By: Carl Valente, Town Manager
Date: _____

By: Robert Addelson, Finance Director
Date: _____

ACCEPTANCE AND CONSENT:

I have read this letter, and I understand its purpose and the terms set forth therein.
I agree on behalf of and am authorized by the Lexington Historical Society to accept the terms of the Agreement set forth in this letter.

By: _____
Name: _____
Title: _____
Date: _____

PRESERVATION RESTRICTION AGREEMENT
between
THE TOWN OF LEXINGTON
and
THE LEXINGTON HISTORICAL SOCIETY

THIS PRESERVATION RESTRICTION AGREEMENT (this "Restriction") is made as of this ___ day of _____, 2015, by and between the TOWN OF LEXINGTON, a municipality of the Commonwealth of Massachusetts, acting by and through its Board of Selectmen, having an address of 1625 Massachusetts Ave., Lexington, MA 02420 (the "Town" or "Grantor"), and the Lexington Historical Society, a Massachusetts nonprofit corporation, having an address of P.O. Box 514, Lexington, MA 02420 ("Grantee").

WITNESSETH:

WHEREAS, Grantor is owner in fee simple of certain real property and the improvements thereon located at 39 Marrett Road in the Town of Lexington, Middlesex County, (hereinafter the "Premises"), shown as "Lot 2" on the plan entitled "Plan of Land in Lexington, MA (Middlesex County)" prepared by Rober Survey, dated January 15, 2013 and recorded with the Middlesex South District Registry of Deeds (the "Registry") as Plan 426 of 2013, a copy of which is attached hereto as Exhibit A and incorporated herein, being the same premises conveyed to Grantor in a deed dated December 4, 2013 from the Trustees of the Supreme Council of Scottish Rite and Freemasonry for the Northern Masonic Jurisdiction of the United States of America, to Grantor recorded with the Registry in Book 63021, Page 356 (the "Deed").

WHEREAS, the Premises includes (i) a building originally constructed in 1901 that was formerly used as a residence comprising approximately 4,600 square feet (the "Historic Residence"), (ii) which was expanded by approximately 26,000 square feet in 2000 (the "Administration Building"), and (iii) a carriage house (the "Carriage House"). The Carriage House, the Historic Residence and the Administration Building shall collectively be referred to herein as the "Buildings." The Premises also includes approximately 10.3 acres of land.

WHEREAS, the Premises are architecturally, historically and culturally significant properties meriting the protections of a perpetual preservation restriction under M.G.L. c. 184, §§ 31, 32 and 33.

WHEREAS, the Premises' preservation values are documented in a series of reports, drawings and photographs (hereinafter, the "Baseline Documentation") incorporated herein by reference, which Baseline Documentation the parties agree provides an accurate representation of the Premises as of the date of this Preservation Restriction.

WHEREAS, the Baseline Documentation consists of the following:

- A) The legal description of the Premises attached hereto and incorporated herein as Exhibit B;
- B) Lexington Assessor's map showing the Premises attached hereto and incorporated herein as Exhibit C;
- C) Photographs of the Premises showing the condition of the Buildings and land as of the date hereof.

All of the foregoing Baseline Documentation is on file with the Facilities Department of the Town.

WHEREAS, the Grantee is interested in the preservation and conservation of sites, buildings, and objects of local, state and national significance in the Town of Lexington and is authorized to accept and hold preservation restrictions as defined under M.G.L. c. 184, § 31.

WHEREAS, as a condition to the grant of Community Preservation Funds for the acquisition of the Premises, Grantor is required to place a preservation restriction on the Premises, and Grantor wishes to grant the same to Grantee.

NOW, THEREFORE, in consideration of the foregoing, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby irrevocably grant and convey unto Grantee this Restriction, which shall apply in perpetuity to the Premises subject to the terms hereof.

1. Purpose. It is the purpose of this Restriction to protect the public investment in the restoration and rehabilitation of the historically significant Premises by ensuring that the architectural, historic, and cultural features of the Premises will be retained and maintained forever substantially in their current condition for preservation purposes, subject to the construction of improvements, as provided in Section 3 herein, and to prevent any use or change to the Premises that will materially impair or interfere with the Premises' preservation values, subject to the construction of improvements, as provided in Section 3 herein.

2. Grantor's Covenant to Maintain. Grantor agrees at all times to maintain the exterior of the Buildings in at least the same structural condition and state of repair as that existing on the date of this Restriction, subject to improvements, as provided in Section 3 herein,

and in accordance with applicable local, state and federal laws, rules, bylaws and regulations (collectively, “Legal Requirements”), and in accordance with *The Secretary of the Interior’s Standards for Rehabilitation* (36 C.F.R. 68.3), as they may be amended from time to time (the “Secretary’s Standards”). Grantee does not assume any obligation for maintaining, repairing or administering the Premises and/or the Buildings.

3. Maintenance, Improvements and Alterations.

3.1 Grantor shall be entitled to the following rights, uses and activities on, over, or under the Premises without approval from Grantee, provided, however that they are performed in a manner that results in the least amount of adverse impact on the architectural, archeological or historic characteristics of the Buildings or Premises. If there shall be any question or doubt with respect to such impact, Grantee shall make such determination within five (5) business days after notification by Grantor:

(a) the right to engage in all those activities and uses that are permitted by all applicable laws, codes and regulations and are not otherwise inconsistent with the terms and provisions of this Restriction;

(b) the right to make changes of any kind to the interior or exterior of the Administration Building that do not affect the structural integrity of the Administration Building or affect the characteristics that contribute to the architectural, archeological or historical integrity of the Carriage House or the Historic Residence;

(c) the right to maintain and repair the Buildings and Premises in accordance with the Secretary's Standards; and

(d) the right to conduct landscaping of the Premises.

3.2 Grantor shall be entitled to the following rights, uses and activities on, over or under the Premises, provided, however, that Grantee is consulted for input as to design and location, as applicable, which input must be consistent with the Secretary’s Standards:

(a) the right to demolish or relocate the brick wall constructed at the rear of the Administration Building along the southerly side of the Premises;

(b) the right to remove the interior doors within the Historic Residence, provided that Grantor preserves the doors;

(c) the right to install or upgrade heating, air-conditioning, electrical and plumbing systems, and security cameras serving the Administration Building and Carriage House, which may result in exterior appearance changes;

(d) the right to construct additions and related appurtenances on the western and/or southern portions of the Administration Building that will be used as a function room, gymnasium, multi-purpose room and/or greenhouse, which additions and

appurtenances will be compatible with the existing size and appearance of the Administration Building;

(e) the right to construct and install all necessary improvements and structures (as such term is defined in the Massachusetts Building Code) to bring the Administration Building and the Carriage House into compliance with the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq., and any state and local accessibility and zoning laws, codes, ordinances and rules;

(f) the right to construct additional access roads and sidewalks with related appurtenances to access the Administration Building and Carriage House running from Pelham Road or Marrett Road through a portion of the brick and fieldstone wall along Marrett Road and along the Premises; **[attach plan]**

(g) the right to install solar panels on the roofs of the Buildings, provided that they do not negatively impact the public view of the Buildings;

(h) the right to install exterior signage identifying such things as parking and building names on the Premises;

(i) the right to move the Carriage House to another location on the Premises near the Administration Building, provided that the Grantor uses its best efforts to retain the horse stalls in the basement of the Carriage House; and

(j) the right to construct a playground, provided it does not negatively impact the architectural, archeological or historic characteristics of the Historic Residence or Carriage House.

3.3 Grantor shall be prohibited from making any other alteration or improvement of the Premises not otherwise expressly provided for in Sections 3.1 or 3.2, including demolition or moving of the Buildings and construction of new buildings, roadways or sidewalks, other than as specified in Section 3.2(f), on the Premises, unless (a) Grantee determines in its reasonable discretion that such alteration or improvement will not impair the characteristics that contribute to the architectural, archeological or historical integrity of the exterior of the Buildings or Premises or interior of the Historic Residence and Carriage House after reviewing plans and specifications submitted by Grantor or (b) required by casualty or other emergency promptly reported to Grantee in accordance with Section 6. This Agreement shall not be construed to prohibit possible future buildings on the Premises, but the siting, construction and maintenance of such buildings shall be subject to the terms hereof.

4. Standards for Review. The Grantee shall apply the Secretary's Standards whenever exercising any authority, right or privilege created by this Restriction. If the Secretary's Standards are revoked, then the most recent version of the Secretary's Standards shall apply to this Restriction as if such version had not been revoked unless the revoked Secretary's Standards are replaced by successor guidelines or standards, in which event such successor guidelines or standards shall apply.

5. Notice and Approval. Wherever approval by the Grantee is required under this Restriction, Grantor shall request specific approval by the Grantee not less than thirty (30) days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Restriction. Within thirty (30) days of receipt of Grantor's reasonably sufficient request for said approval, the Grantee shall, in writing, grant or withhold its approval or request additional information relevant to the request and necessary to provide a basis for its decision. The Grantee's approval shall not be unreasonably withheld and shall take into account the financial impact on the Town and shall not result in the Town violating any legal requirements, and shall be granted upon a reasonable showing that the proposed activity shall not materially impair the purposes of this Restriction. Failure of the Grantee to make a decision within thirty (30) days from receipt of Grantor's notice shall constitute approval of the request as submitted.

6. Notice for Consultation. Wherever consultation with the Grantee is required under this Restriction, Grantor shall request consultation with the Grantee and provide conceptual plans in connection with said request. Within thirty (30) days of receipt of Grantor's request for consultation, Grantee must acknowledge receipt of notice and confirm with Grantor that it desires to be consulted. Within sixty (60) days of receipt of Grantor's request for said consultation, the Grantee shall complete the process of consultation, unless said period is extended upon mutual agreement in writing by Grantor and the Grantee. "Consultation" as used herein shall mean the seeking of advice, information and opinion, including formal discussion and collaboration.

7. Casualty Damage or Destruction. In the event that the Buildings or any part thereof shall be damaged or destroyed by fire or other casualty, Grantor shall promptly notify the Grantee in writing (but in no event later than seven (7) days after such casualty), such notification including what, if any, emergency work has been completed. Within ninety (90) days of the date of damage or destruction, Grantor, at Grantor's expense, shall obtain a written report prepared by a qualified restoration architect or an engineer or other qualified construction professional with experience in the restoration of historic buildings, which report shall include the following and which shall be delivered to Grantee:

- (a) an assessment of the nature and extent of the damage to the exterior and interior of the Buildings;
- (b) a determination of the feasibility of the repair and restoration of the exterior of the Buildings (or the damaged or destroyed exterior portions thereof); and
- (c) a detailed description of the repair and restoration work necessary to return the exterior of the Buildings to the condition existing at the date of this Restriction.

If, after reviewing the report, Grantor determines that it is economically feasible for Grantor to repair or restore the Buildings to the condition that it is in on the date of this Restriction, Grantor shall do so in accordance with the terms of this Restriction. Grantor shall submit to the Grantee plans and specifications for the repair or restoration of the Buildings along

with a construction schedule for such repair and restoration work. The Grantee shall have sixty (60) days to review such plans, specifications and schedule, and the parties shall proceed under this Restriction. If the Grantor determines, in its sole and absolute discretion, by written notice to Grantee, that it is not economically feasible to repair or reconstruct the Buildings or that the purpose of this Restriction would not be served by such repair or restoration, Grantor may alter, demolish, remove or raze the Building or construct new improvements on the Premises all in accordance with all applicable laws and regulations. In such event, Grantor and Grantee may agree to extinguish this Restriction in accordance with applicable laws.

8. Condemnation of the Premises. If the Buildings, or any substantial portion thereof, shall be made the subject of a procedure threatening a taking through eminent domain, or if Grantor shall receive notice from a governmental authority of the intent to institute such proceeding, Grantee shall immediately be given notice thereof by Grantor. Grantee shall have the right to enter its name as an additional party in eminent domain proceedings, pursuant to Massachusetts General Laws, Chapter 79, Section 5A, but shall not have the right to any monetary award which would diminish the award to be made to Grantor resulting from such taking. In the event of such taking, after Grantor has removed any items from the Building that it wishes to retain, Grantee shall have the right to enter the Buildings (or the portion thereof subject to such taking) for the purchase of choosing and removing for posterity any protected features, or portions thereof, together with the materials in which such features are set, that Grantee desires to salvage, prior to the effective date of such taking.

9. Insurance. Grantor shall keep the Buildings insured by an insurance company rated "A" or better by A.M. Best for the full replacement value against loss from the perils commonly insured under standard fire and extended coverage policies and comprehensive general liability insurance against claims for personal injury, death and property damage. Property damage insurance shall include change in condition and building ordinance coverage, in form and amount sufficient to fully replace the damaged Buildings without cost or expense to Grantor or contribution or coinsurance from Grantor except for a standard deductible. Grantor shall deliver to Grantee upon the execution and recording hereof certificates of such insurance coverage.

10. Archeological Activities. The conduct of archaeological activities on the Premises, including without limitation, survey, excavation and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by Grantor and approved in writing by the State Archaeologist of the Massachusetts Historical Commission (M.G.L. Ch. 9, Section 27C, 950 CMR 70.00).

11. Written Notice. Any notice which either Grantor or the Grantee may desire to give or be required to give to the other party shall be in writing and shall be delivered by overnight courier postage prepaid, registered or certified mail with return receipt requested, or hand delivery as follows:

If to Grantor: Town Manager
Town of Lexington
1625 Massachusetts Ave.
Lexington, MA 02420

If to Grantee: Executive Director
Lexington Historical Society
P.O. Box 514
Lexington, MA 02420

Each party may change its address set forth herein by written notice to the other party given pursuant to this section.

12. Inspection. Grantor agrees that the Grantee may inspect the Premises from time to time upon reasonable notice to determine whether Grantor is in compliance with the terms of this Restriction. [Annually] and at the expense of the Grantor, Grantee shall prepare a report with photos demonstrating whether the Grantor has complied with this Agreement, and said report shall be submitted to the Board of Selectmen of the Town of Lexington and to the Massachusetts Historical Commission (“MHC”), if applicable. The report shall be prepared by a qualified preservation professional. Grantee shall promptly provide an invoice to Grantor of all reasonable costs and expenses associated with Grantee’s annual inspection and report, and Grantor shall be responsible for reimbursement to Grantee of said costs. In connection with said reimbursement, Grantor has established an account to fund such costs pursuant to a separate agreement between Grantor and Grantee.

13. Remedies. Grantee may, following sixty (60) days prior written notice to Grantor, institute suits to enjoin any violation of the terms of this Restriction by *ex parte*, temporary, preliminary or permanent injunction. Grantee shall also have available all legal and other equitable remedies to enforce Grantor’s obligations hereunder.

14. Runs with the Land. This Restriction and all of the covenants, agreements and restrictions contained herein shall be deemed to be a preservation restriction as that term is defined in M.G.L. c. 184, § 31 and as that term is used in M.G.L. c. 184, §§ 26, 31, 32 and 33. Grantee shall fully cooperate with the Grantor in its efforts to obtain any government approvals necessary for the perpetual enforcement of this Restriction, including but not limited to the approval of the Commissioner of the MHC as provided under M.G.L. c. 184, § 32. In the event that this Restriction in its current form is not acceptable to MHC for purposes of said approval, Grantee shall cooperate with the Grantor in making any and all modifications that are necessary to obtain said approval. The term of this Restriction shall be perpetual, subject to the provisions of Sections 7, 8 and 16. To the extent required by applicable law, the Grantor is authorized to record or file any notices or instruments appropriate to assure the perpetual enforceability of this Restriction.

15. Assignment. The Grantee may, with prior written consent from Grantor, which consent may not be unreasonably withheld, convey, assign or transfer this Restriction to a unit of federal, state or local government, or to a charitable corporation or trust qualified under M.G. L. Chapter 184, § 32, whose purposes include preservation of buildings or sites of historical significance, provided that any such conveyance, assignment or transfer requires that the purpose for which the Restriction was granted will continue to be carried out.

16. Extinguishment. Grantor and Grantee hereby acknowledge that there are certain circumstances that may warrant extinguishment of the Restriction. Such circumstances may include, but are not limited to, partial or total destruction of the Buildings resulting from casualty. Such an extinguishment must meet all of the requirements of M.G.L. c. 184, sections 31, 32 and 33 for extinguishment.

17. Authority. Each signatory to this Restriction represents that he or she is duly authorized to execute this Restriction on behalf of the party or parties he or she represents and that he or she has obtained all approvals and consents, if any, necessary to take said actions.

18. Recording. Grantor shall do and perform at its own cost all acts necessary for the prompt recording of this Restriction in the Registry.

19. Amendment. This Restriction may only be amended by mutual agreement of the parties in a written instrument recorded in the Registry; provided, however, that no such amendment shall affect the duration of this Agreement or the priority hereof for title purposes or adversely impact the overall architectural, cultural and historic values protected by this Agreement

20. Entire Agreement. This Restriction reflects the entire agreement between the parties. Any prior or simultaneous correspondence, understandings, agreements, and representations are null and void upon execution hereof, unless set out in this Restriction.

21. Governing Law. This Restriction shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

22. Invalidity of Particular Provisions. If any term or provision of this Restriction, or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Restriction, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Restriction shall be valid and be enforceable to the fullest extent permitted by law.

23. Counterparts. This Restriction may be executed in several counterparts and by each party on a separate counterpart, each of which when so executed and delivered shall be an original, but all of which together shall constitute one instrument.

[Remainder of page intentionally left blank]

EXECUTED under seal as of the date first written above.

GRANTOR: TOWN OF LEXINGTON
BOARD OF SELECTMEN

Joseph Pato, Chairman

Peter C. J. Kelley

Norman P. Cohen

Michelle Ciccolo

Suzanne Barry

GRANTEE: LEXINGTON HISTORICAL SOCIETY

By: _____
Name:
Its:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF _____

On this ____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, Members of the Board of Selectmen for the Town of Lexington, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF _____

On this ____ day of _____, 2015, before me, the undersigned notary public, personally appeared _____, of the Lexington Historical Society, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public:

APPROVAL BY THE MASSACHUSETTS HISTORICAL COMMISSION

The undersigned hereby certifies that the foregoing preservation restrictions have been approved pursuant to M.G.L. Chapter 184, Section 32.

MASSACHUSETTS HISTORICAL COMMISSION

By: _____

Name: Brona Simon

Title: Executive Director and Clerk

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF _____

On this ____ day of _____, 2015, before me, the undersigned notary public, personally appeared Brona Simon, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document and acknowledged to me that she signed it voluntarily for its stated purpose, as Executive Director and Clerk of the Massachusetts Historical Commission.

Notary Public:

Exhibit A
Plan
(to be attached)

Exhibit B
Legal Description

The land with any improvements therein shown as “Lot 2” (comprising ‘Lot B1’ and ‘Lot A2’) on a plan entitled “Plan of Land in Lexington, MA”, dated January 15, 2013, prepared by Rober Survey, and recorded with the Middlesex South Registry of Deeds on June 19, 2013 as Plan Number 426 of 2013.

Exhibit C
Lexington Assessor's Map

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Waiver of Conflict for Anderson & Kreiger (Town Counsel) Regarding 20 Pelham Road Negotiations (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.9

SUMMARY:

As part of the School Committee's recommended School District Building Projects Plan, the Town will begin negotiations to purchase the property at 20 Pelham Road owned by the Armenian Sisters of the Immaculate Conception. Anderson and Kreiger (Town Counsel) would typically advise the Town in this matter and prepare many of the related legal documents. Anderson and Kreiger, however, also represents the International School of Boston (ISB), which has expressed interest in this property in the past. Under the Code of Professional Conduct for attorney's, it is possible for Anderson and Kreiger to represent both parties by creating a 'Conflict Screen' whereby the attorney representing the Town and the attorney representing the ISB will have no contact with one another over this matter. The Town and the ISB, however, would both have to agree to a waiver of this conflict. If the Town or ISB does not approve this waiver, we will identify another law firm to represent the Town. If the Board approves the waiver, but ISB does not, Anderson and Kreiger can choose not to represent ISB in this matter and to only represent the Town.

SUGGESTED MOTION:

Move to (approve) (not approve) a waiver of conflict for Anderson and Kreiger over the purchase of the 20 Pelham Road/Armenian Sisters School property.

FOLLOW-UP:

Town Manager's Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

9:00 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Selectmen Committee Appointment/Reappointments (10 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.10

SUMMARY:

Attached is a list of all committees that have members with terms that expire September 30, 2015. We sent e-mails to the Chairs of all your committees requesting that they let us know who wanted to be reappointed.

Below are the Committees that are ready for reappointments/appointments as indicated on the attached list:

2020 Vision Committee
Battle Road Scenic Byway Committee
Bicycle Advisory Committee
Board of Appeals and Associates
Center Committee
Communications Advisory Committee
Community Farming Committee
Council for the Arts
Design Advisory Committee and Associates
Economic Development Advisory Committee
Energy Conservation Committee
Fence Viewers
Gammel Legacy Trust
Greenways Corridor Committee
Housing Partnership Board
Human Rights Committee
Human Services Committee
Lex. Scholarship & Education Fund Board
Noise Advisory Committee
Police Manual Policy Committee
Sustainable Lexington Committee
Tourism Committee
Transportation Advisory Committee
Tree Committee
Water and Sewer Abatement Board

Any committee listing that indicates someone does not want to be reappointed needs to be added to the existing vacancies.

We will continue the reappointment process at your next meeting on October 5.

If you have any questions on this appointment/reappointment, please let me know.

SUGGESTED MOTION:

Motion to reappoint and appoint as indicated on the attached list of committees.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

9:05 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> List of Proposed Appointments/Reappointments	Backup Material
<input type="checkbox"/> Committee Application-BOA-NylesBarnert	Resolution Letter
<input type="checkbox"/> Committee Application-TCC-Diana Bishop	Backup Material
<input type="checkbox"/> Current Committee Member Lists	Backup Material

Committee Members with Terms Expiring - 2015

Term Expires			Service Start	Recommendation
2020 Vision Committee			13 members, including 3 elected Boards, 3 year term staggered	
9/2015	(1) vacancy			
9/2015	Margaret E. Coppe	member	8/2014	reappoint
9/2015	Ginna Johnson	member	8/2014	reappoint
9/2015	Bhumip Khasnabish		9/2009	reappoint
9/2015	Peter B. Lee		9/2003	reappoint
9/2015	Joseph N. Pato	member	8/2014	reappoint
9/2015	Fernando Quezada	Chair	4/2001	reappoint
9/2015	Alan Wrigley		11/2009	reappoint
Battle Road Scenic Byway Committee			3 Members, 2 year terms	
9/2015	Richard L. Canale	member	10/2013	reappoint
9/2015	Polly E. Kienle	member	11/2014	reappoint
9/2015	Maryann McCall-Taylor	member	10/2013	do not reappoint/appoint Aaron Henry
Bicycle Advisory Committee			13 Members, 3 Year Term (9 citizens plus Sel, PB, CC and Recreation), Sept. 30, staggered	
9/2015	Laurel Carpenter	member	12/2013	reappoint
9/2015	Robert Dangel	member	9/2012	reappoint
9/2015	John W. Frey	member	1993	reappoint
Board of Appeals			5 Members, 5 Year Term, Sept. 30 staggered, 10 year term limit	
9/2015	David G. Williams		6/2010	reappoint
Board of Appeals Associates			6 Members, 1 Year Term, Sept. 30	
9/2015	Ralph D. Clifford		10/2010	reappoint
9/2015	Laura Hussong	member	9/2014	do not reappoint/ appoint Nyles Barnert
9/2015	William P. Kennedy		9/2014	reappoint
9/2015	Richard A. Michelson		10/2012	reappoint
9/2015	James A. Osten		9/2014	reappoint
9/2015	Frederick D. Wells		12/2013	reappoint

Term Expires			Service Start	Recommendation
Center Committee			11 Members, 3 Year Staggered Term, Sept. 30	
9/2015	Richard L. Brown		9/2012	reappoint
9/2015	Pamela Lyons		9/2008	reappoint
9/2015	Jerold S. Michelson	Chair	9/2000	reappoint
9/2015	Pamela F. Shadley		9/2008	reappoint
9/2015	Peter Siy		6/2009	reappoint
Communications Advisory Committee			11 Members, 3 Year Term, Sept. 30	
9/2015	David S. Becker		12/1995	reappoint
9/2015	Smita Desai		2/2011	reappoint
9/2015	Linda Roemer		1/2007	do not reappoint
Community Farming Committee			5 members, 3 year staggered term, September 30	
9/2015	Michael D. Bliss	Chair	6/2013	reappoint
9/2015	Thomas T. Olivier	member	6/2013	reappoint
Condo Conversion Board			5 Members, 3 Year Term, Sept. 30	
9/2015	(2) vacancy			
Council for the Arts			11 Members, 3 Year Term, 2-term limit, Sept. 30, staggered	
9/2015	Cristina Burwell	Chair	5/2013	reappoint
9/2015	Regie Gibson		12/2010	do not reappoint
9/2015	Jean Hart		5/2013	reappoint
Design Advisory Committee			9 Members, 1 Year Term, Sept. 30	
9/2015	(2) vacancy			
9/2015	Richard Friedson		4/2009	reappoint
9/2015	Bahig A. Kaldas		6/2003	reappoint
9/2015	Timothy D. Lee	Chair	3/2006	reappoint
9/2015	Alenka Slezak		6/2003	reappoint
9/2015	Brigitte Steines		7/2010	reappoint
9/2015	Steven A. Vincent		4/2009	reappoint

Term Expires			Service Start	Recommendation
Design Advisory Committee Associates			8 Members, 1 Year Term, Sept. 30	
9/2015	(6) vacancy			
9/2015	Bruce Creager		4/2006	reappoint
9/2015	John W. Frey		1998	reappoint
Economic Development Advisory Committee			11 members, 3 year term, September 30	
9/2015	Frederick DeAngelis		7/2008	reappoint
9/2015	Kevin McGuire		6/2013	reappoint
9/2015	Lawrence P. Smith		7/2008	reappoint
9/2015	Sigmar H. Tullman		9/2008	reappoint
Energy Conservation Committee			9 members, Sept. 30	
9/2015	(1) vacancy			
9/2015	Joseph Musacchia	Chair	8/2009	reappoint
Fence Viewers			3 Members, 1 Year Term, Sept. 30	
9/2015	David J. Buczkowski	Chair	1/2002	reappoint
9/2015	Robert D. Warshawer	Secretary	1/2002	do not reappoint
Gammel Legacy Trust			2 Members, 1 Year Term, Sept. 30	
9/2015	Marie E. Hill	Chair	9/2009	reappoint/committee recommends reaching out to younger members of the community for future appointments
9/2015	Jacquelyn H. Ward		1995	reappoint
Greenways Corridor Committee			9 members, 3 year staggered, Sept. 30	
9/2015	Kevin Breunig		11/2014	reappoint
9/2015	Robert W. Hausslein		1/2011	reappoint
9/2015	Paul Knight		1/2011	reappoint
Historic Districts Commission			5 Members, 5 Year Term, Jan. 1, 2 Term Limit	
12/2015	Lynn Hopkins	Chair	4/2013	

Term Expires			Service Start	Recommendation
Housing Partnership Board			3 Year term, 15 Voting Members, 3 Liaisons (Selectmen appoint 12; designated 3 for LexHAB, Hous. Auth. & PB)	
9/2015	(6) vacancy			
9/2015	Nancy Corcoran-Ronchetti	member	3/2014	Planning Board appointment
9/2015	Paul Linton	member	12/2003	reappoint
9/2015	Melinda Walker	Chair	10/2006	Housing Authority appointment
Human Rights Committee			9 members including school, police and senior staff, Liaisons for School and BOS, 3-year staggered term, September 30	
9/2015	Melissa Buttaro		5/2009	do not reappoint
9/2015	Fuang-Ying Huang		4/2008	reappoint
9/2015	Sean D. Osborne	Chair	5/2012	reappoint
Human Services Committee			8 Members, 3 Year Term - staggered, Sept. 30	
9/2015	(3) vacancy			
9/2015	Eleanor G. Elkin	Chair	2/2007	reappoint
9/2015	Gail M. Fields		6/2010	reappoint
Lex. Scholarship & Education Fund Board			1-year term	
9/2015	Paul Ash		9/2005	do not reappoint/appoint Mary Czajkowski
9/2015	Ann Boese		9/2013	do not reappoint/appoint Riaz Adamiee
9/2015	Thomas O. Fenn, Jr.	Schol.	1997	reappoint
9/2015	Sharon Lawler		9/2013	do not reappoint/appoint Janice Latwin
9/2015	David Williams	Chair	1997	reappoint
Monuments and Memorials Committee			7 members, 3 year term staggered, 9/30 appt	
9/2015	Mike DaRu	member	3/2014	
9/2015	Linda J. Dixon	member/liaison	3/2014	
9/2015	Bebe Fallick	member	7/2014	
Noise Advisory Committee			5 Members, 3-year staggered term; Liaisons from BOS, PB BoH, HATS Env. Subc and Chamber	
9/2015	(1) vacancies		1/2004	
9/2015	John W. Maloney	member	2/2006	reappoint

Term Expires		Service Start	Recommendation
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Police Manual Policy Committee

Open Memb., 1 Year Term, Sept. 30

9/2015	Cleveland M. Coats, Jr.		9/1996	reappoint
9/2015	Mark Corr	Chair	6/2009	reappoint
9/2015	Edith E. Flynn		1984	reappoint
9/2015	William C. Hays		1976	reappoint
9/2015	Gerald L. McLeod		1979	do not reappoint/committee suggests reaching out to asian-american or indian-american community to fill vacancy

Sidewalk Committee

7 members, 3 year term

9/2015	(1) Vacancy			
9/2015	Jeanne Canale		10/2012	
9/2015	Mary Hosmer Franucci		10/2012	do not reappoint
9/2015	Sean Osborne		5/2013	
9/2015	Craig Weeks	Chair	6/2014	

Sustainable Lexington Committee

7 Members, 3 year staggered, Sept 30

9/2015	(1) Vacancy			
9/2015	Marcia Gens		12/2014	reappoint

Tax Deferral and Exemption Study Committee

5 Members, until Report-Feb 04

9/2015	(1) vacancy			
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Tourism Committee

9 members, one year term, Sept. 30

9/2015	(up to 4) vacancies			
9/2015	Kerry Brandin		11/2001	reappoint
9/2015	Margaret Coppe		12/2013	reappoint
9/2015	Bernice Fallick		10/2003	reappoint
9/2015	Roberta Carlton Hefferman		12/2013	do not reappoint
9/2015	Trisha Perez Kennealy		10/2012	
9/2015	Dawn E. McKenna	Chair	3/2005	reappoint
9/2015	Willem Nijenberg		1/2014	reappoint
9/2015	Leeying Wu	member	11/2014	

Term Expires		Service Start	Recommendation
Town Celebrations Subcommittee		up to 15 Members, 1 Year Term, June 30	
6/2016	(5) vacancies		appoint Diana Bishop
Town Report Committee		9 Members, 1 Year Term, Sept. 30	
9/2015	(3) vacancies		
9/2015	Gloria A. Amirault	member	12/2010
9/2015	Hank Manz	member	7/2014
9/2015	Tanya Morrisett	member	7/2014
9/2015	Elaine Quinlan	member	11/2011
9/2015	Margareth Sarmiento	member	10/2010
9/2015	David S. Tabeling	member	11/1998
Transportation Advisory Committee		7 Members, 3 Year Term, Sept. 30	
9/2015	Sara Arnold		1/2012 reappoint
9/2015	William H. Levison	Co-Chair	9/2000 reappoint
9/2015	Hank Manz		6/2014 reappoint
Tree Committee		7 Members, 3 year term	
9/2015	Karen R. Longeteig		11/2001 reappoint
9/2015	Nancy Sofen		1/2015 reappoint
Water and Sewer Abatement Board		3 members, 3-year term staggered	
9/2015	William Ribich		9/2013 reappoint

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve New Limousine License – Melodi Limo Service (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.11

SUMMARY:

Melodi Limo Service has requested a new Limousine License and has provided the necessary paperwork . A CORI check for came back with no information. The License will expire April 30, 2016. The license will be subject to receiving an Inspection Report from the Police Department.

SUGGESTED MOTION:

Motion to approve the application and issue one (1) Limousine License to Melodi Limo Service, 203 Lowell Street, subject to receiving a favorable Inspection Report from the Police Department.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

9:15 PM

ATTACHMENTS:

Description	Type
☐ Limo Application - Melodi Limo Service	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Use of the Battle Green - Battle Road Memorial March

PRESENTER:

Joe Pato

ITEM NUMBER:

C.1

SUMMARY:

The 3rd Legal Operations Detachment Army Reserve has requested permission to use the Battle Green on Sunday, October 4, beginning at 9:00 a.m., for a brief ceremony before the fifth annual Battle Road Memorial March to Minuteman Park at approximately 9:30 a.m.

SUGGESTED MOTION:

Motion to approve the request of the 3rd Legal Operations Detachment Army Reserve of Massachusetts to use the Battle Green on Sunday, October 4, 2015, from approximately 9:00 a.m. to 9:30 a.m. for ceremonies before the Battle Road Memorial March to Minuteman Park.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

9:40 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Army Reserve Road March Invite	Backup Material
<input type="checkbox"/> Email Request for Use of Battle Green-Army Reserve	Backup Material

DEPARTMENT OF THE ARMY
3RD LEGAL OPERATIONS DETACHMENT
CORPORAL GORDON M. CRAIG USARC
915 WEST CHESTNUT STREET
BROCKTON, MASSACHUSETTS 02301

REPLY TO
ATTENTION OF:

14 September 2015



Dear Sir/Ma'am:

It is my pleasure to request the honor of your company for the Third Legal Operations Detachment's fifth annual Battle Road Memorial March. This march is scheduled to take place along the historic Battle Road in Lexington, Massachusetts on Sunday, October 4, 2015. Battle Road is located in the Minuteman National Historic Park and traces the route of the patriots to the first battle of the American Revolution on the Lexington Green on April 19, 1775 and the "shot heard 'round the world."

The purpose of this march is to honor the sons and daughters of Massachusetts who have made the ultimate sacrifice during Operation Iraqi Freedom and Operation Enduring Freedom. Like the first patriots, these brave souls stepped forward when freedom was threatened and liberty required protection. They asked nothing but the opportunity to stand when they were needed. It is now our chance to stand for them. There will be a short speaking ceremony at 0900, followed by the march, which travels a course of approximately 6 miles. The rally point for this program is at the Lexington Green. It is anticipated that the march will last 4 hours, with 2 rest and briefing spots along the way.

The point of contact for military participation in this event is MSG Xoel Torres at 508-895-8822 or xoel.i.torres.mil@mail.mil. Please RSVP to MSG Torres or MAJ Jerald Parisella at gerald.a.parisella.mil@mail.mil.

Thank you for your interest in this event, and I look forward to seeing you on Sunday, October 4.

Sincerely,

Robert D. Gifford II
Colonel, U.S. Army
Commanding

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve One-Day Liquor Licenses - Spectacle Management

PRESENTER:

Joe Pato

ITEM NUMBER:

C.2

SUMMARY:

Spectacle Management has requested five (5) one-day liquor license to serve beer and wine at each of the concerts/musicals to be held in Battin Auditorium between October 16 and October 25, 2015 as follows:

Friday, October 16 - Livingston Taylor Concert - 7:00 p.m. to 10:30 p.m.
Saturday, October 17 - Bruce Hornsby Concert - 7:00 p.m. to 10:30 p.m.
Friday, October 23 - Menopause, The Musical - 7:00 p.m. to 10:30 p.m.
Saturday, October 24 - Menopause, The Musical - 1:00 p.m. to 4:00 p.m.
Saturday, October 24 - Menopause, The Musical - 7:00 p.m. to 10:30 p.m.
Sunday, October 24 - Menopause, the Musical - 1:00 p.m. to 4:00 p.m.

SUGGESTED MOTION:

Motion to approve the request of Spectacle Management for five (5) one-day liquor licenses to serve beer and wine at each of the October concerts/musicals to be held in Battin Auditorium, 1605 Massachusetts Avenue, as listed above.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

9:40 PM

ATTACHMENTS:

Description

One-Day Liquor Applications (5) for Spectacle Management

Type

Backup Material



**TOWN OF LEXINGTON
SELECTMEN'S OFFICE**

**APPLICATION FOR
ONE-DAY LIQUOR LICENSE**

The Board of Selectmen issues one-day liquor licenses to for-profit and non-profit organizations that serve liquor and charge either a cover charge or for each drink. Please fill in this form completely and return to the Selectmen's Office along with a check for \$25.00 made payable to the Town of Lexington.

BUSINESS/FUNDRAISING ORGANIZATION: Spectacle Management

CONTACT NAME AND NUMBER: Peter Lally, 508-740-0981

ADDRESS FOR MAILING: 4 Muzzey St. Lexington MA 02420

EMAIL ADDRESS: plally@spectaclemanagement.net

TITLE/PURPOSE OF EVENT: Livingston Taylor Concert

LOCATION AND ADDRESS: Cary Hall, 1605 Mass Ave

DATE OF FUNCTION: 10/16/15

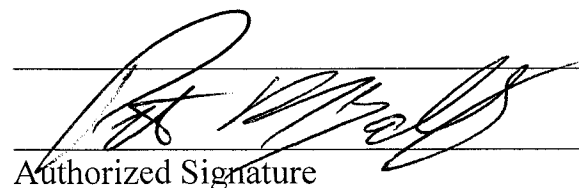
TIMES OF FUNCTION: 7PM to 10:30PM

TYPE OF LIQUOR TO BE SERVED: Beer and Wine

DATE AND TIME WHEN LIQUOR DELIVERED: 4PM on 10/16/15

DATE AND TIME WHEN LIQUOR REMOVED: 11PM on 10/16/15

ADDITIONAL INFORMATION: _____


Authorized Signature

46-0925207
Federal Identification No. or

Social Security Number



**TOWN OF LEXINGTON
SELECTMEN'S OFFICE**

**APPLICATION FOR
ONE-DAY LIQUOR LICENSE**

The Board of Selectmen issues one-day liquor licenses to for-profit and non-profit organizations that serve liquor and charge either a cover charge or for each drink. Please fill in this form completely and return to the Selectmen's Office along with a check for \$25.00 made payable to the Town of Lexington.

BUSINESS/FUNDRAISING ORGANIZATION: Spectacle Management

CONTACT NAME AND NUMBER: Peter Lally, 508-740-0981

ADDRESS FOR MAILING: 4 Muzzey St. Lexington MA 02420

EMAIL ADDRESS: plally@spectaclemanagement.net

TITLE/PURPOSE OF EVENT: Bruce Hornsby Concert

LOCATION AND ADDRESS: Cary Hall, 1605 Mass Ave

DATE OF FUNCTION: 10/17/15

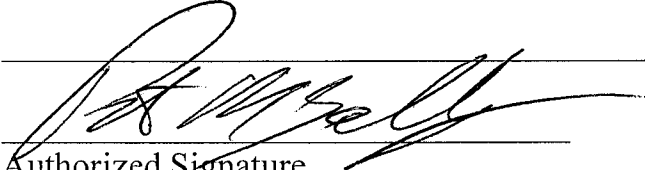
TIMES OF FUNCTION: 7PM to 10:30PM

TYPE OF LIQUOR TO BE SERVED: Beer and Wine

DATE AND TIME WHEN LIQUOR DELIVERED: 4PM on 10/17/15

DATE AND TIME WHEN LIQUOR REMOVED: 11PM on 10/17/15

ADDITIONAL INFORMATION: _____


Authorized Signature

46-0925207

Federal Identification No. or

Social Security Number



**TOWN OF LEXINGTON
SELECTMEN'S OFFICE**

**APPLICATION FOR
ONE-DAY LIQUOR LICENSE**

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BUSINESS/FUNDRAISING ORGANIZATION: Spectacle Management

CONTACT NAME AND NUMBER: Peter Lally, 508-740-0981

ADDRESS FOR MAILING: 4 Muzzey St. Lexington MA 02420

EMAIL ADDRESS: plally@spectaclemanagement.net

TITLE/PURPOSE OF EVENT: Menopause, The Musical

LOCATION AND ADDRESS: Cary Hall, 1605 Mass Ave

DATE OF FUNCTION: 10/23/15

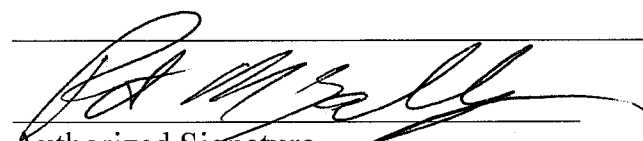
TIMES OF FUNCTION: 7PM to 10:30PM (8PM Performance)

TYPE OF LIQUOR TO BE SERVED: Beer and Wine

DATE AND TIME WHEN LIQUOR DELIVERED: 4PM on 10/23/15

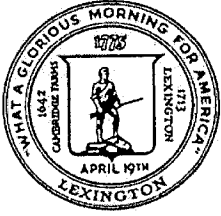
DATE AND TIME WHEN LIQUOR REMOVED: 11PM on 10/23/15

ADDITIONAL INFORMATION: _____


Authorized Signature

46-0925207
Federal Identification No. or

Social Security Number



**TOWN OF LEXINGTON
SELECTMEN'S OFFICE**

**APPLICATION FOR
ONE-DAY LIQUOR LICENSE**

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BUSINESS/FUNDRAISING ORGANIZATION: Spectacle Management

CONTACT NAME AND NUMBER: Peter Lally, 508-740-0981

ADDRESS FOR MAILING: 4 Muzzey St. Lexington MA 02420

EMAIL ADDRESS: plally@spectaclemanagement.net

TITLE/PURPOSE OF EVENT: Menopause, The Musical

LOCATION AND ADDRESS: Cary Hall, 1605 Mass Ave

DATE OF FUNCTION: 10/24/15

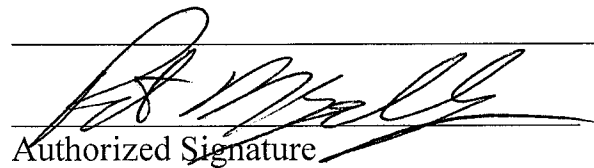
TIMES OF FUNCTION: 1PM to 4PM & 7PM to 10:30PM (2PM & 8PM Performances)

TYPE OF LIQUOR TO BE SERVED: Beer and Wine

DATE AND TIME WHEN LIQUOR DELIVERED: 11AM on 10/24/15

DATE AND TIME WHEN LIQUOR REMOVED: 11PM on 10/24/15

ADDITIONAL INFORMATION: _____


Authorized Signature

46-0925207
Federal Identification No. or

Social Security Number



**TOWN OF LEXINGTON
SELECTMEN'S OFFICE**

**APPLICATION FOR
ONE-DAY LIQUOR LICENSE**

The Board of Selectmen issues one-day liquor licenses to for-profit and non-profit organizations that serve liquor and charge either a cover charge or for each drink. Please fill in this form completely and return to the Selectmen's Office along with a check for \$25.00 made payable to the Town of Lexington.

BUSINESS/FUNDRAISING ORGANIZATION: Spectacle Management

CONTACT NAME AND NUMBER: Peter Lally, 508-740-0981

ADDRESS FOR MAILING: 4 Muzzey St. Lexington MA 02420

EMAIL ADDRESS: plally@spectaclemanagement.net

TITLE/PURPOSE OF EVENT: Menopause, The Musical

LOCATION AND ADDRESS: Cary Hall, 1605 Mass Ave

DATE OF FUNCTION: 10/25/15

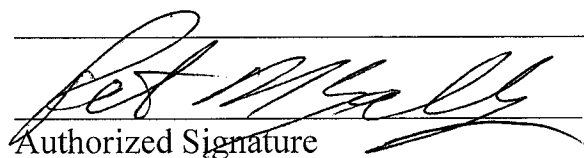
TIMES OF FUNCTION: 1PM to 4PM (2PM Performance)

TYPE OF LIQUOR TO BE SERVED: Beer and Wine

DATE AND TIME WHEN LIQUOR DELIVERED: 11AM on 10/24/15

DATE AND TIME WHEN LIQUOR REMOVED: 4:30PM on 10/24/15

ADDITIONAL INFORMATION: _____


Authorized Signature

46-0925207
Federal Identification No. or

Social Security Number

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Town Celebrations Committee Request for Veterans' Day Events

PRESENTER:

Joe Pato

ITEM NUMBER:

C.3

SUMMARY:

The Town Celebrations Committee has submitted a letter requesting approval for the Veterans' Day Parade and Ceremonies, as outlined in their letter dated September 14, 2015. They would like to hold the ceremonies in Battin Hall if it is available; if not they will hold the ceremonies in the Lexington High School Gym.

SUGGESTED MOTION:

Motion to approve the request of the Town Celebrations Committee for Veterans' Day Parade and Ceremonies, as presented in their letter dated September 14, 2015.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

9/21/2015

9:40 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Letter from Town Celebrations Regarding Veterans' Day Events	Backup Material