

SELECTMEN'S MEETING
Monday, November 9, 2015
Selectmen Meeting Room
6:30 PM

AGENDA

EXECUTIVE SESSION

1. Executive Session: Exemption 6 - Purchase, Sale, Lease of Real Estate (30 min.) 6:30 PM

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. Discussion Regarding Natural Gas Infrastructure (20 min.) 7:00 PM
 - a. Support HEET Request for Mapping Lexington Leaks
 - b. Endorse Proposed Legislation
2. Polling Location and Local Election Recommendations (10 min.) 7:20 PM
3. Set Dates for 2016 Annual Election and Annual Town Meeting (5 min.) 7:30 PM
 - a. Set Date for Closing Warrant for 2016 Annual Town Meeting
 - b. Set Date for Local Election in March 2016 (Combine with Presidential Primary)
 - c. Set Date for First Session of the 2016 Annual Town Meeting
 - d. Discuss Dates for Potential 2016 Debt Exclusion Vote
4. Discussion of School District Building Projects Financing Plan (15 min) 7:35 PM
5. Elks Request for Keno Screens/Liquor License Compliance (10 min.) 7:50 PM
6. Endorsement of Housing Court Legislation (5 min.) 8:00 PM
7. Increase Spending Limit-School - School Bus Transportation Revolving Fund (5 min.) 8:05 PM
8. Approve the Selectmen's 2015 Annual Town Report (5 min.) 8:10 PM
9. Selectmen Committee Appointment/Resignation (5 min.) 8:15 PM
 - a. Registrar of Voters/Community Center Advisory Committee Resignation
 - b. Town Report Committee
10. Future Meetings (5 min.) 8:20 PM

CONSENT AGENDA

1. One-Day Liquor Licenses 8:25 PM

- a. Spectacle Management - Vienna Boys Choir
 - b. Spectacle Management - Christmas Carol
 - c. Spectacle Management - A Celtic Christmas
2. Accept Donation - Solar Light for Dinesh Rajbhandary Memorial at Center Pool 8:25 PM

EXECUTIVE SESSION

1. Executive Session-Exemption 6: Consider Purchase, Sale, Lease of Real Estate, 8:30 PM
20 Pelham Road

ADJOURN

1. Approximate Adjourn Time 8:45 PM

The next meeting of the Board of Selectmen is scheduled for Monday, November 16, 2015, at 6:00 p.m. in the Selectmen Meeting Room. 1625 Massachusetts Avenue.

Summit 2 is scheduled for Thursday, November 12, 2015, at 7:00 p.m. in the Public Services Building Cafeteria at 201 Bedford Street.

*Hearing Assistance Devices Available on Request
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:

Executive Session: Exemption 6 - Purchase, Sale, Lease of Real Estate (30 min.)

PRESENTER:

Carl Valente, Melisa Tintocalis, Carol
Kowalski

ITEM NUMBER:

E.1

SUMMARY:

Consider parcel of land for municipal use/development.

SUGGESTED MOTION:

Suggested Motion: *Move that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property and to reconvene in Open Session. Further, that as Chairman, I declare that an open meeting may have a detrimental effect on the negotiating position of the Town.*

FOLLOW-UP:

Staff will follow-up with property owner.

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

6:30 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Project History	Backup Material
<input type="checkbox"/> Appraisal Excerpt	Exhibit

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Discussion Regarding Natural Gas Infrastructure (20 min.)

PRESENTER:

Mark Sandeen, Chair, Sustainable
Lexington Committee

ITEM NUMBER:

I.1

SUMMARY:

The Board will hear from Mark Sandeen, chair of Sustainable Lexington and Lisa Fitzgibbons and Judith Glixon of Lexington Mothers Out Front regarding issues with gas infrastructure leaks in Lexington. The Board will be asked to:

- * support H.2870 and S.1768 that protect ratepayers from paying the cost of lost or unaccounted for gas
- * support H.2871 and S.1767, that stipulate that gas pipelines are surveyed for leaks and those leaks are repaired whenever Lexington roads are opened.
- * explore the problem of gas leaks in Lexington through a public hearing.

SUGGESTED MOTION:

Motion to support passage of H.2870 / S.1768 and H.2871 / S.1767 and authorize the Chairman to send the letter in our packets to Lexington's statehouse delegation, the governor, and the sponsors of these bills.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

7:00 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Presentation by Mothers Out Front	Presentation

- | | |
|--|-----------------|
| ☐ Sustainable Lexington Committee Recommendations | Backup Material |
| ☐ Suggested Letter to Send to Governor and Legislature | Backup Material |
| ☐ Article-All Things Sustainable | Cover Memo |
| ☐ House Bill 2870-Paying for Leaked Gas | Backup Material |
| ☐ House Bill 2871-Repairing Roads with Gas Leaks | Backup Material |
| ☐ HEET 1-pager | Backup Material |

The Problem

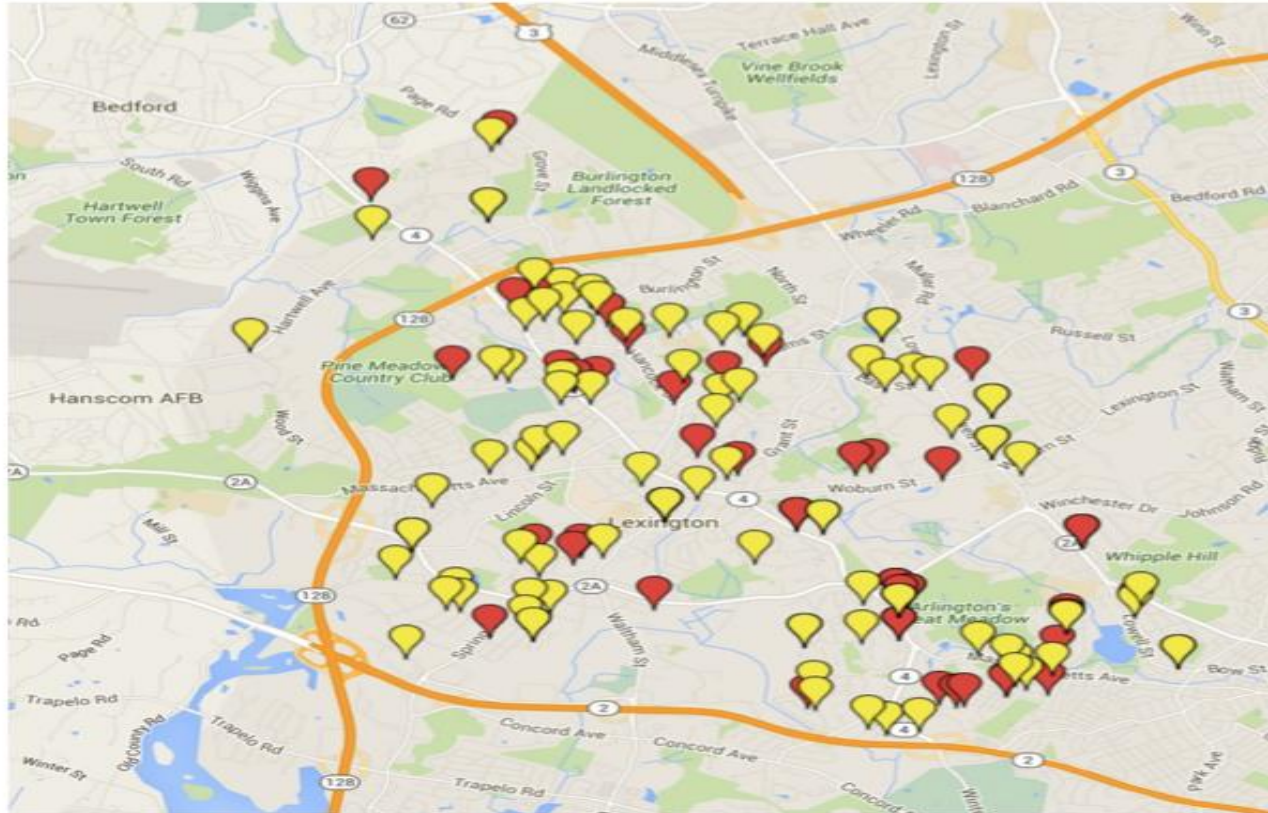
Lexington has 93 unrepaired, reported natural gas leaks. The oldest of these leaks has been issuing natural gas for 24 years. (HEET, Data from Utility Companies)



These slides are adapted from those created Boston Climate Action Network, Clean Water Action, & HEET for discussions with Boston area legislators and residents.

LEXINGTON

Repaired & Unrepaired Gas Leaks



- Repaired leak
- Unrepaired leak
- Oldest leak from 1991

Gas Leaks

- Can explode



April 2014: 12 hurt in Dorchester gas leak explosion
Lexington 2005: Hancock Ave. house explodes due to operator error and corroded pipes.

Gas Leaks

- **Contribute significantly to global warming**
 - Natural gas, aka methane, is 86X more potent than carbon dioxide over a 20 year period. (*IPCC report, September 2013*)
 - Lexington's higher pressure pipelines could discharge gas at 120X the rate of Boston's pipelines. (*Audrey Schulman, HEET*)



Gas Leaks

- Harm human health



Methane can aggravate asthma and other respiratory diseases.

Gas Leaks

- Kill trees

We are losing trees at a time when we need them most.



Gas Leaks

- Are paid for by the ratepayers!
- Gas companies have little incentive to fix leaks that they believe won't explode.

Gas Bill (SAMPLE)
Residential Gas Service

Detail of Charges for Gas Service

Charges for Residential - Rate 311

Gas Supply Charges	
Gas Commodity Charge	\$80.81
Interstate Transportation and Storage	\$6.47
Total	\$87.28
Delivery Charges	
Delivery Charge	\$45.76
Total	\$45.76
Indiana Sales Tax	\$7.98
Total Charges for Gas Service This Period	\$141.02

1 Gas Supply Charges
(option to be provided by NIPSCO or one of 12 Choice Suppliers)

2 NIPSCO Gas Delivery Charges
(this portion of your bill remains if you participated in Choice)

Findings from Boston Study

- Methane levels in the Boston urban area are two to three times larger than previously estimated and could heat 200,000 homes per year. *(Harvard Consortium Study)*
- More leaks were found than the utilities reported. *(HEET)*
- Gas distribution leaks are Boston's biggest source of GHG emissions, but are not included in the city's reported emissions total.
- Gas leaks cost Boston area ratepayers \$90 million dollars per year. *(Harvard Consortium Study)*

Lexington MOF's Desired Outcomes

1. That our Board of Selectmen will resolve to support of H.2870 and S.1768 that protect ratepayers from paying the cost of lost or unaccounted for gas.
2. That our Board of Selectmen will likewise endorse H.2871 and S.1767, that stipulate that gas pipelines are surveyed for leaks and those leaks are repaired whenever Lexington roads are opened.
3. That our Board of Selectmen will draft resolutions in support of these bills before the November 17th hearing.
4. That our Board of Selectmen explore the problem of gas leaks in Lexington through a public hearing.

Sustainable Lexington Committee Recommendations to Board of Selectmen
Subject: Natural Gas Leaks

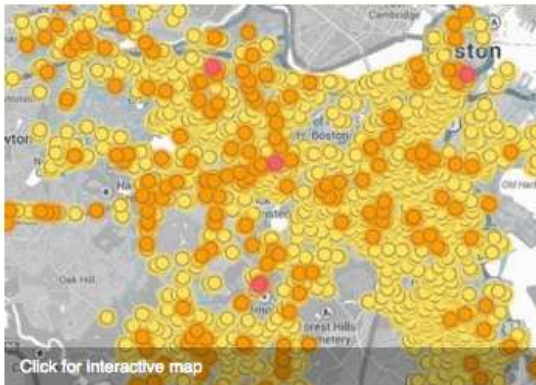
Background:

- 1) A recent study conducted by Boston University has determined that 2.7% of the natural gas in the Boston area is leaking out of the area's distribution pipeline.
- 2) That leakage rate will almost double the amount of Lexington's greenhouse gas emissions from natural gas, from 12% of total emissions with no leaks to 22% of total emissions.
- 3) Natural gas is primarily methane, a very powerful greenhouse gas with 86 times the Global Warming Potential of CO₂ over a twenty-year time frame.
- 4) The Boston area has 1 leak for every mile of road, while the Indianapolis area has 1 leak for every 200 miles of road. This is largely due to the age of the two pipelines.
- 5) The utility has documented 93 unrepaired leaks in Lexington. The oldest known leak in Lexington is 24 years old. Many gas leaks in Lexington are not included in this database.
- 6) Currently the utility is only required to fix leaks that it considers to be an explosion hazard. They do not need to fix leaks that they determine are not an immediate hazard. As a result, many leaks go unrepaired for years.
- 7) Consumers pay for the leaks. The utility has little incentive to fix leaks that are not an immediate hazard.
- 8) Natural gas leaks also have health impacts on humans and trees. Several towns are currently suing the utility to recover costs of street trees killed by natural gas leaks. The extent of natural gas leaks in Boston was discovered because the leaks were killing street trees.
- 9) Natural gas leaks also aggravate asthma and other respiratory conditions. Asthma is one of the leading causes of school absenteeism.
- 10) Reducing the leaks would also reduce the need for additional pipelines.

Recommendations:

- 1) Include natural gas emissions leaks in the Town's greenhouse gas inventory. This would include reports required under the Green Community Act and in the Town's Sustainability Action Plan.
- 2) Ask the utility to provide the Town with an inventory of the natural gas distribution pipeline in Lexington including:
 - a. Maps showing the location of all pipelines
 - b. Material and age of all pipelines
 - c. Maps showing leaks and leakage rates in the Town
- 3) Ask the utility to convene a working group to establish communication channels with the Town to coordinate natural gas pipeline repair with scheduled road & sewer replacement work.
- 4) Ask the utility to provide their estimate of lost and unaccounted natural gas in Lexington.
- 5) Ask Town's representatives to support legislation (HB 2870 & HB 2871) that would require the utilities to cover the cost of natural gas leaks and stop passing that cost on to ratepayers and that leaks are repaired whenever roads are opened for other repairs.
- 6) Assess whether the Town has found any damage to street trees from natural gas leaks
- 7) Hold a Public Hearing to raise public awareness of this issue

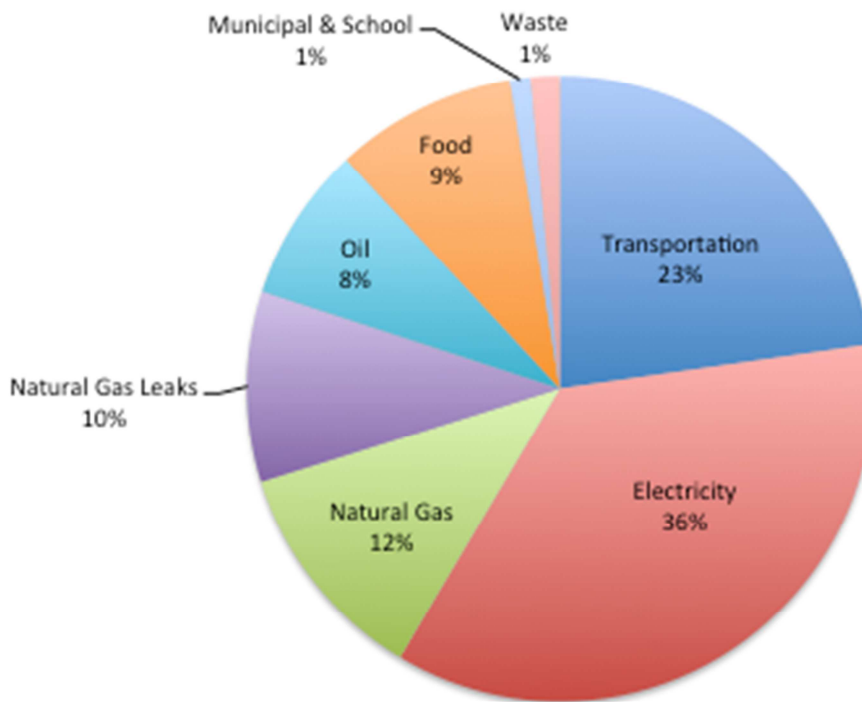
Boston: Older pipes, more leaks



Indianapolis: Newer pipes, fewer leaks



2012 Town of Lexington Emissions Breakdown



TO: Governor Charlie Baker
Senator Michael J. Barrett
Senator Kenneth J. Donnelly
Representative Jay R. Kaufmann
Representative Lori A. Ehrlich
Senator James B. Eldridge

From: Lexington Board of Selectmen

Subject: Addressing Natural Gas Leaks in the Commonwealth

Dear _____,

As local elected officials representing the Town of Lexington, we want to express our strong support for legislation filed by Representative Ehrlich and Senator Eldridge, which would have the effect of addressing the continuing problem of natural gas leaks in the Commonwealth and in Lexington.

Lexington's natural gas utility has documented 93 unrepaired leaks in Lexington. The oldest known leak in Lexington is 24 years old.

Natural gas leaks affect our citizens' health, aggravating asthma and other respiratory conditions. Asthma is one of the leading causes of school absenteeism. Natural gas leaks also have health impacts on trees.

Natural gas is primarily methane, a very powerful greenhouse gas with 86 times the Global Warming Potential of CO₂ over a twenty-year time frame according to the IPCC. Our leakage rate almost doubles the amount greenhouse gas emissions from natural gas, from 12% of Lexington's emissions with no leaks to 22% of our Town's total emissions counting the leaks.

Massachusetts utilities under current law are only required to fix leaks that they consider to be an explosion hazard. They do not need to fix leaks that they determine are not an immediate hazard. In addition, consumers pay for the leaked natural gas. Utilities have little incentive to fix leaks that are not an immediate hazard. As a result many leaks go unrepaired for years, while utilities can claim they are in full compliance with the law.

Therefore, we support H.2870 / S.1768, "An Act Relative to Protecting Consumers of Gas and Electricity from paying for Leaked and Unaccounted for Gas (UFG)" which would require the utilities to take responsibility for the cost of natural gas leaks and stop passing that cost on to ratepayers and H.2871 / S.1767, "An Act Relative to Gas Leak Repairs During Road Projects" which would require that leaks are repaired whenever roads are opened for other repairs.

We strongly encourage the House and Senate to approve this legislation and ask Governor Baker to support its rapid implementation.

Best regards,

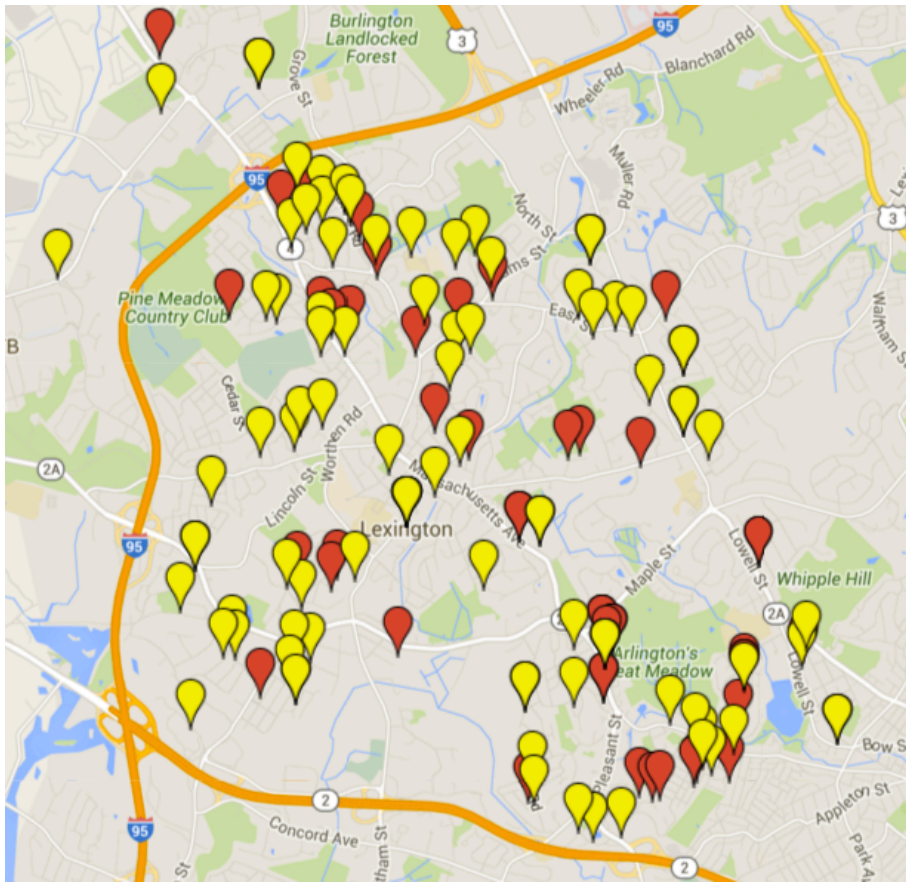
Lexington Board of Selectmen



All Things Sustainable

Q: I understand that the Boston area has a high rate of natural gas leaks. Is that a problem and what should we do about it?

A: Researchers from Boston University and Harvard published a study that found that 2.7% of the natural gas in the Boston area is leaking out of our pipelines. This turns out to be a very high leakage rate. The Boston area has 1 leak for every mile of road, while the Indianapolis area has 1 leak for every 200 miles of road. We have older pipelines and more leaks. Indianapolis has newer pipelines and very few leaks.



The utility has documented 93 unrepaired leaks in Lexington. The oldest known leak in Lexington is 24 years old. Many gas leaks in Lexington are not included in this database.

Q: How is this possible?

A: Massachusetts utilities by law are only required to fix leaks that they consider to be an explosion hazard. They do not need to fix leaks that they determine are not an immediate hazard.

On top of that, consumers pay for the leaked natural gas. Utilities have little incentive to fix leaks that are not an immediate hazard. As a result, many leaks go unrepaired for years, while utilities can claim they are fully complying with the law.

Q: Should I be concerned?

A: Yes. Natural gas is primarily methane, a very powerful greenhouse gas with 86 times the Global Warming Potential of CO₂ over a twenty-year time frame. Our leakage rate almost doubles the amount greenhouse gas emissions from natural gas, from 12% of Lexington's emissions with no leaks to 22% of total emissions counting the leaks.

Natural gas leaks also aggravate asthma and other respiratory conditions. Asthma is one of the leading causes of school absenteeism. Natural gas leaks also have health impacts on trees. Researchers discovered the extent of our natural gas leaks because they realized that natural gas was killing so many of Boston's street trees.

Q: What can we do about it?

Sustainable Lexington has recommended that the Town ask National Grid to supply the Town with a natural gas pipeline map showing the location, age and material of all the pipelines in Lexington, as well as the location and status of any leaks. Currently the utility does not provide this information to the Town.

We are recommending that the Town work with National Grid to coordinate natural gas pipeline repair with scheduled road & sewer replacement work. We expect this to both lower the cost of repair and accelerate repairs. The utility should be required to repair any leaks whenever the Town is conducting scheduled road and sewer repair work.

Ask your state representatives and senators to support legislation that would require the utilities to take responsibility for the cost of natural gas leaks and stop passing that cost on to ratepayers (H2870) and that leaks are repaired whenever roads are opened for other repairs (H2871).

We are currently paying for a system that provides no incentives to fix natural gas leaks, that adversely affects our health, kills our trees, and accelerates global warming. It is time for a change.

Send your sustainability questions to questions@sustainablelexington.org. We look forward to hearing from you.

HOUSE No. 2870

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich and James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>

<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>

HOUSE No. 2870

By Representative Ehrlich of Marblehead and Senator Eldridge, a joint petition (accompanied by bill, House, No. 2870) of Lori A. Ehrlich, James B. Eldridge and others relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The General Laws of the Commonwealth of Massachusetts are hereby amended as
2 follows:

3 SECTION 1 Chapter 164 of the General Laws, as appearing in the 2014 Official Edition,
4 is hereby amended by adding the following section:

5 Section 147. (a) As used in this Section, the following words shall have the following
6 meanings:

7 “Gas” - natural gas and any of its products, components or derivatives and methane,
8 whether produced by, or gathered from or collected as a result of exploration and production by
9 well, mining or otherwise, hydraulic fracturing, biomass gasification reactors, biogas reactors,

10 anaerobic digestion, methane emissions from landfills and liquid natural gas and whether mixed
11 with propane air or not or with synthetic natural gas or not.

12 “Hydraulic fracturing” - the process of pumping a fluid into or under the surface of the
13 ground in order to create or develop or enhance the flow through fractures in rock for the
14 purpose of the production or recovery of oil or gas.

15 "Liquefied natural gas " - a natural gas that has been changed into a liquid by cooling the
16 temperature at atmospheric pressure to approximately 260°F.

17 “Local Distribution Company” – includes a municipal distribution company, and is
18 referred to as an LDC.

19 “Local retail outlets” – Distributors of gas at retail to retail customers for individual
20 household use.

21 "Natural gas " - a type of gas which originates in the ground and is predominantly
22 methane.

23 "Propane air" - a type of gas produced by those facilities which add commercial grade
24 propane to air for mixture with natural gas .

25 “Provider” – anyone that purchases, acquires, transmits, barter, forfeits, exchanges,
26 transports, stores, processes, compresses or decompresses, distributes, sells or conveys gas for
27 resale or reuse and any Public Utility. A Provider may use one or more system types.

28 “Public Utility” – a gas or electric company as defined in section one of chapter one
29 hundred and sixty four, or any municipal corporation which owns or may acquire municipal
30 lighting plants as referred to in section two of said chapter one hundred and sixty four or any

31 person, firm, association, or private corporation which owns or operates works or a distribution
32 plant for the manufacture and sale or distribution and sale of gas for heating and illuminating
33 purposes, or of electricity, within the Commonwealth as referred to in section two of said chapter
34 one hundred and sixty four or any domestic electric utility or foreign electric utility as defined
35 in section one of chapter one hundred and sixty four A.

36 "Synthetic natural gas " - a type of gas which is made by a facility which produces a
37 gaseous fuel from the manufacture, conversion or reforming of liquid or solid hydrocarbons.

38 "System type" – any one of a gas distribution system, gas transmission or transportation
39 system, gas storage facility whether in liquefied or other state, gas production, gathering or
40 handling system. and a Public Utility.

41 Unaccounted-for-gas (UFG) —The difference between the total gas available from all
42 sources that is acquired by a system type and the total gas accounted for as sales, net interchange
43 and company use. This difference includes leakage or loss by other means, discrepancies due to
44 measuring or monitoring inaccuracies, variations of temperatures or pressures, or both, and other
45 variants .

46 (b). Calculation of UFG.

47 (1) When possible, UFG must be measured, computed and reported by system type.

48 (2) UFG for a system type equals Gas Received less Gas Delivered less Adjustments.

49 (3) Percent of UFG equals UFG divided by Gas Received times 100

50 (4) Gas received, gas delivered, and adjustments must represent actual gas quantities.

51 Measuring and monitoring equipment that meets current industry standards applicable in

52 Massachusetts must be installed. Estimates shall be treated as UFG unless clearly identified,
53 have supporting justification, assumptions and calculations and can be determined to be at least
54 as accurate as measured results. All records of acquisition by purchase or otherwise, sales and
55 internal usage must be made available and have been kept in the usual course of business.

56 (5) All lost and unaccounted for gas shall be presumed to be lost gas unless the portion
57 represented by unaccounted for gas, including but not limited to losses to company used gas,
58 liquids extraction, and meter errors due to inaccurate calibration or temperature and pressure
59 fluctuations, is proven by a preponderance of the evidence in a given ratemaking proceeding.

60 (6) A Provider shall be responsible for the UFG of each other Provider that is a source of
61 gas within the state that is not subject to ratemaking and the gas received for measuring UFG
62 shall be the gas received within the state by that Provider that it not subject to rate making.

63 (c). The cost of UFG in excess of the maximum allowable and all expenses for decreasing
64 UFG down to the maximum allowable shall be disallowed for ratemaking purposes.

65 (1) The maximum allowable loss is as shown in the following table.

66 Maximum Allowable Loss as a Percent of UFG per System Type

67 Year/ Distribution/ Transmission/ Storage/ Public utility/ Other

68 1/ 1.00%/ 0.50%/ 0.25%/ 0.25%/ 0.25%

69 2/ 0.750%/ 0.25%/ 0.10%/ 0.10%/ 0.10%

70 3/ 0.50%/ 0.10%/ 0.05%/ 0.05%/ 0.05%

71 4/ 0.25%/ 0.05%/ to/ to/ to

72 5/ 0.10%/ to

73 6/ 0.00%/ 0.00%/ 0.00%/ 0.00%/ 0.00%

74 (2) The calculation of the percentage of lost and unaccounted for gas shall be based on an
75 annual period. Notwithstanding the choice of test year for other aspects of ratemaking, and
76 unless a more appropriate period can be demonstrated by a preponderance of the evidence in a
77 given ratemaking proceeding, the annual period ends June 30, and is the most recent such period
78 for which data are available.

79 (3) Local retail outlets shall use best available technology and practices for preventing
80 leakage.

81 SECTION 2. Section 1 shall take effect on January 1, 2017.

HOUSE No. 2871

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to gas leak repairs during road projects.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>

<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>

HOUSE No. 2871

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 2871) of Lori A. Ehrlich and others relative to gas leak repairs during road projects. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to gas leak repairs during road projects.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 144 of chapter 164 of the General Laws, as appearing in the 2012 Official
2 Edition, is hereby amended by striking out section (c) and inserting, in place thereof, the
3 following:

4 (c) Upon the undertaking of a significant project involving the repair or paving of a
5 public way, the installation, replacement or repair of an underground water or sewer line or
6 underground electrical or other cable exposing confirmed natural gas infrastructure, a
7 municipality or the commonwealth or other entity responsible for the installation, replacement or
8 repair shall submit written notification of the project to a gas company. The gas company shall
9 survey the project area for the presence of gas leaks, and all leaks shall be repaired within 12
10 months of the date the leak was classified, with the exception of Grade 1 leaks, which shall be
11 repaired immediately, per Section 2 (b)(1). The repair and replacement schedule of gas leaks
12 shall be provided to the municipality or the commonwealth or other entity.

Natural Gas Leaks

Natural gas is sent to our homes and buildings primarily through pipes under the street. New England has some of the oldest infrastructure in the United States, including its natural gas pipes. As natural gas pipes age, the seams and material break down, and begin to leak natural gas. The resulting leaks:

- Can cause explosions
- Kill trees by suffocated them by their roots (since the gas can replace all the oxygen in the soil)
- Are harmful to human health
- Are an extraordinarily potent greenhouse gas

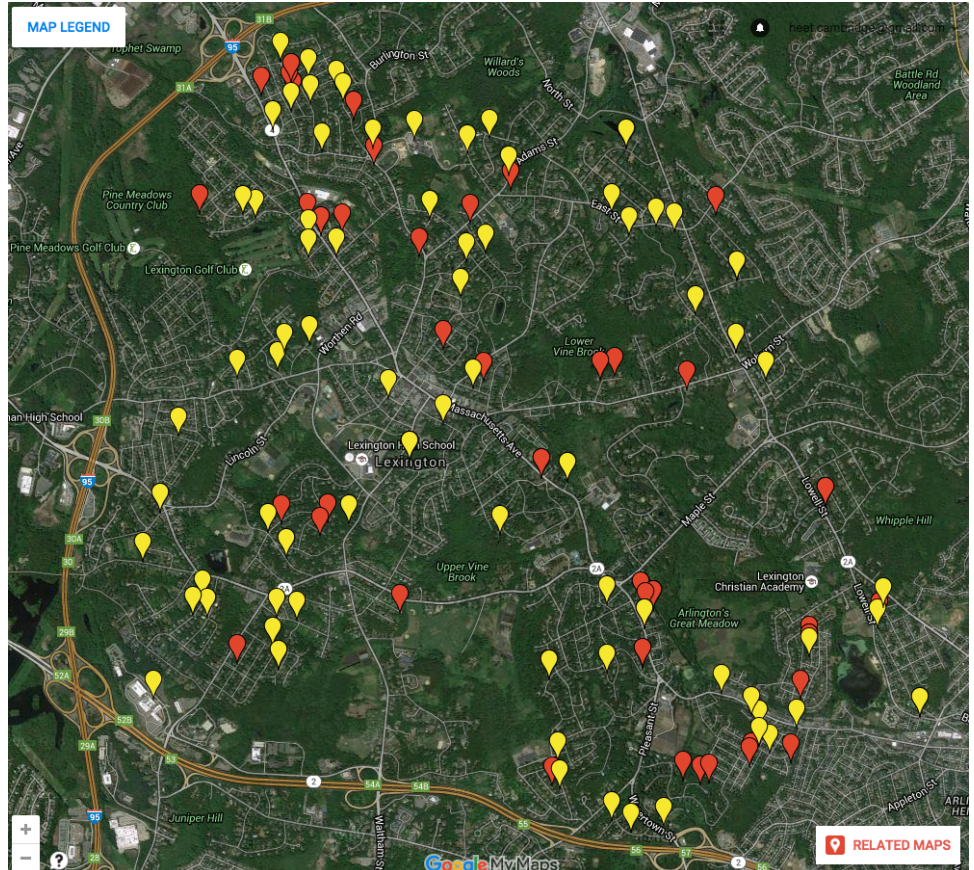
To add insult to injury, the utilities don't pay for the gas that is wasted through leaks, but pass that cost onto us ratepayers by factoring it into the price we pay per therm. Since the utilities aren't mandated to fix the leaks they consider non-explosive, some of the leaks in the Greater Boston area were first reported to the utilities decades ago and still have not been fixed.

In March 2015, for the first time, every utility in Massachusetts filed information with the Department of Public Utilities on the location of the natural gas leaks in their territory. HEET mapped the data to create maps of the gas leaks in over 200 towns and cities. Using these maps, you can zoom in to your home or school or business to see if there is a natural gas leak nearby and how old that leak is. See the maps at SqueakyLeak.org.

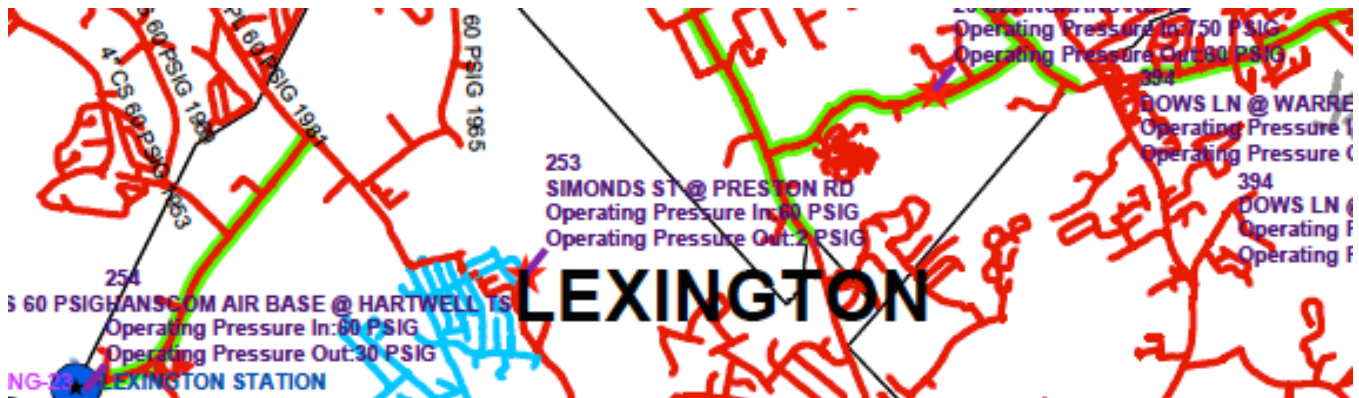
Lexington

Lexington has 93 unrepaired leaks. The oldest is from 1991. This map shows the leaks as reported by National Grid in March 2015. The yellow map pins are active leaks. The red map pins are unrepaired leaks.

Lexington has some high-pressure gas pipes running through it. In a city like Boston, the pressure in the pipes is primarily 0.5 pounds per square inch. From the 2010 National Grid map below, you can see that the pressure in the Lexington pipes is between 60 pounds per square inch (red lines) to 2 pounds per square inch



(light blue lines). Logically, this might mean that the increased pressure in the pipes is likely to push gas out of a leak in Lexington up to 120 times faster than any leak of the same size in Boston.



HEET has been awarded a grant to check the utility-supplied data about gas leaks by performing natural gas leak surveys. We have a variety of partners on this program, but we will try to talk them into doing a survey of Lexington today given Lexington's variety of high-pressure pipes.

If we can talk them into it, we would do a leaks survey late at night when there aren't cars on the road. We would drive a single car along approximately 15 linear miles of street in Lexington to double check the number and location of leaks on those roads against the utility data. In the car would be a high-precision natural-gas analyzer that is GIS-enabled. It samples the air to find elevated levels of natural gas and maps the result to a GIS map. We would share with you the data.

In order to have Lexington partake in the study, we would need to be able to meet with the DPW commissioner for about an hour to ask about policies and regulations in Lexington regarding working with the gas utility. This will help us crowd source the best practices in municipal policies and regulations in leak repair.

At that point we would also tell the commissioner whatever best practices we have been able to learn that will help Lexington reduce its gas leaks most quickly for the least cost and disruption.

Please contact me with any questions.

Thank you,

Audrey

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Polling Location and Local Election Recommendations (10 min.)

PRESENTER:

Nathalie Rice, Town Clerk

ITEM NUMBER:

I.2

SUMMARY:

Ms. Rice, Town Clerk, will be at your meeting to present recommendations on the date for the 2016 Annual Town Election and relocation of polling locations.

SUGGESTED MOTION:

Motion to: a) relocate Precinct 5 from the School Administration Building to the Cary Memorial Building; b) relocate Precinct 2 from the Bowman School to the School Administration Building; and c) relocate Precinct 3 from the Clarke Middle School to the Lexington Community Center.

FOLLOW-UP:

Town Clerk's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

7:20 PM

ATTACHMENTS:

Description	Type
□ Memo From Town Clerk on Polling Locations and Local Election Recommendations	Backup Material



Town of Lexington
Town Clerk's Office

Nathalie L. Rice, Town Clerk

Tel: (781) 698-4557
Fax: (781) 861-2754

TO: Joseph Pato, Chair, Board of Selectmen
FROM: Nathalie Rice, Town Clerk
DATE: November 5, 2015
RE: Date of 2016 Annual Town Election and Polling Locations

Upcoming Elections for 2016:

March 1, 2016 [Tuesday]	Presidential Primary
March 7, 2016 [Monday]	Annual Town Election
September 8, 2016 [Thursday]	State Primary
November 8, 2016 [Tuesday]	State Election

It is the purpose of this memo to make recommendations regarding the date of the 2016 Annual Town Election and the relocation of polling locations in 2016 in order to best serve Lexington's voters.

Date of 2016 Annual Town Election:

The Presidential Primary is six days prior to the Annual Town Election. It would be most advantageous from the standpoint of election administration, cost to the Town, voter convenience and minimization of school disruption to combine these two elections, and hold both on Tuesday, March 1, 2016.

***Recommendation:** That the Board of Selectmen vote to set the date of the Annual Town Election simultaneously with the State Primary on March 1, 2016.*

Relocation of Polling Locations:

Certain polling locations for voting in 2016 will need to be re-assigned due to anticipated school construction and to maximize the availability of municipal buildings, including the newly renovated Cary Memorial Building and the Lexington Community Center. Throughout 2016, polling locations will remain somewhat fluid due to possible fall construction at Maria Hastings School and Diamond Middle School.

The goal for recommending changes to polling locations hinges on several factors, including; reducing interruption at the schools, insuring safety and accessibility for all voters, reducing the frequency of moving polling locations, minimizing parking and traffic issues, and consolidating polling locations.

Current Polling Locations

Precinct 1: School Admin. Bldng.	Precinct 6: Diamond Middle School
Precinct 2: Bowman School	Precinct 7: Estabrook School
Precinct 3: Clarke Middle School	Precinct 8: Samuel Hadley P.S. Bldng.
Precinct 4: Bridge School	Precinct 9: Maria Hastings School
Precinct 5: School Admin. Bldng.	

Recommendation: That the Board of Selectmen vote to designate the following polling location changes to be effective January 1, 2016:

- (1) Relocate Precinct 5 from the School Administration Building to the Cary Memorial Building, 1605 Massachusetts Avenue.
- (2) Relocate Precinct 2 from the Bowman School to the School Administration Building, 146 Maple Street.
- (3) Relocate Precinct 3 from the Clarke Middle School to the Lexington Community Center, 39 Marrett Road.

Flexibility in 2016:

Should school construction/renovation at the Maria Hastings School (Pct. 9) or the Diamond Middle School (Pct. 6) during 2016 warrant changing polling locations, these polls could be relocated to other school or municipal buildings, including the Cary Memorial Building or the Lexington Community Center. Opportunities for “doubling-up” precincts will be pursued when possible.

The necessary notification of the relocation of Precincts 2, 3, and 5 polling locations will be undertaken by the Town Clerk’s Office in coordination with the Selectmen, in conformance with State statute.

Please let me know if I can be of further assistance to the Board regarding these recommendations. I look forward to reviewing these recommendations with the Board at your meeting on November 9th.

Thank you very much.



Nathalie Rice, Town Clerk
November 5, 2015

cc Carl Valente, Town Manager
Donna Hooper, CIO

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Set Dates for 2016 Annual Election and Annual Town Meeting (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.3

SUMMARY:

The suggested dates are:

December 29 for Closing the 2016 Annual Town Meeting Warrant
March 1 for the Combined Local Election and Presidential Primary for 2016
March 21 for the 1st Session of the 2016 Annual Town Meeting.
March 29, 2015 for a Debt Exclusion Vote

SUGGESTED MOTION:

Motion to close the warrant to citizen articles for the 2016 Annual Town Meeting on December 29, 2015.

Motion to set the date for a combined Local Election and Presidential Primary for Tuesday, March 1, 2016.

Motion to set the date for the 1st session of the 2016 Annual Town Meeting for Monday, March 21, 2016.

Motion to schedule a Debt Exclusion Vote for March 29, 2015

FOLLOW-UP:

Selectmen's Office/Town Clerk's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

7:30 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Discussion of School District Building Projects Financing Plan (15 min)

PRESENTER:

Joe Pato; Carl F. Valente; Rob
Addelson

ITEM NUMBER:

1.4

SUMMARY:

Following the discussion at Summit 1, staff and representatives from the Board of Selectmen, School Committee, Appropriation Committee and Capital Expenditures Committee have begun to develop a financial model projecting the debt service impacts for those capital projects scheduled over the next five years. Further, this model assumes that these projects will be considered for a Proposition 2 1/2 Debt Exclusion and, if approved, estimates the impact these projects will have on the average residential property tax bill.

Projects included in the financial model include:

- Fire station construction/renovation (while not a School Facility Project this is included as a likely project over the next five years)
- Police station construction/renovation (while not a School Facility Project this is included as a likely project over the next five years)
- School facilities design (previously approved by Town Meeting)
- Diamond Middle School expansion
- Clarke Middle School expansion
- Purchase of 20 Pelham Road school and renovation
- New Hastings School, assuming no MSBA funding
- Harrington School renovations to existing LCP (pre-K) classrooms
- Minuteman LCP renovations
- New LCP at Harrington School
- Lexington High School HVAC project

Most projects are modeled for 30 year debt.

The financial model includes use of the Capital Projects Stabilization Fund to mitigate taxpayer impact.

The financial model assumes a \$2,000,000 contribution to the Capital Stabilization Fund in FY17, but no further contributions to the Fund after that date.

SUGGESTED MOTION:

NA

FOLLOW-UP:

Discussion of the model/financing plan will continue at Summit 2 on November 12.

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

7:35 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Elks Request for Keno Screens/Liquor License Compliance (10 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.5

SUMMARY:

The Mass State Lottery informed us that the Elks requested permission to install Keno screens at 959 Waltham Street. A previous request to the Board in 2011 was denied.

The Elks is not in compliance with their new Manager and Officers and Directors. The Selectmen's office has been trying to help them fill out all the necessary paperwork since mid August hoping that we could get ABCC approval before the annual License Renewal, which is done during November each year. Representatives from the Elks will be at your meeting.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

7:50 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Email Re: Elks Request for Keno Screen	Backup Material
<input type="checkbox"/> 2011 Keno Response from Lexington Selectmen	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Endorsement of Housing Court Legislation (5 min.)

PRESENTER:

Michelle Ciccolo

ITEM NUMBER:

I.6

SUMMARY:

The Board has been asked to contact your legislators in support of House Bill 1656, An Act Relative to the Geographical Jurisdiction of the Housing Court.

This Bill would expand the housing court system to the remaining 20% of the state that does not have access to the housing court, including your town or city. This key change ensures that everyone in the Commonwealth has the same access to justice and a fair hearing on building and housing issues.

Attached is a proposed letter.

SUGGESTED MOTION:

Motion to send the proposed letter in support of House Bill 1656, An Act Relative to the Geographical Jurisdiction of the Housing Court.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:00 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Proposed Letter Regarding Housing Court Legislation	Backup Material
<input type="checkbox"/> Housing Court Bill	Backup Material

November 9, 2015

Senator William N. Brownsberger
Senate Chairman
Joint Committee on Judiciary
State House, Room 504
Boston, MA 02133

Representative John V. Fernandes
House Chairman
Joint Committee on Judiciary
State House, Room 136
Boston, MA 02133

RE: Housing Court Access

Dear Chairman Brownsberger, Chairman Fernandes and Members of the Judiciary Committee:

The Town of Lexington enthusiastically supports and endorses S. 901 and H. 1656 to expand the housing court statewide. Lexington is a community which actively engages in housing issues. We are a Community Preservation Act (CPA) community which regularly pursues affordable housing opportunities and we have a non-profit municipal corporation called Lexington Housing Assistance Board (LexHAB) which owns rental housing throughout the Town. We are at 11.21 % on our Subsidized Housing Inventory (SHI) and always working to maintain or improve that ratio. Given our involvement in housing issues, it would be immensely helpful if we had access to adequate housing expertise at the judicial level to help mediate cases and reduce the cost of litigation. Moreover, given the complexity and variability of housing regulations, State and Federal laws and deed restrictions, it is essential that Housing Court judges are available to Lexington to provide the expertise we need to navigate these housing issues.

It is also important to note that Housing Court has the lowest cost per case across all court departments. Since we are spending public money when we have to litigate housing issues, the less we spend, the more able we are to reinvest in critical public housing preservation and expansion opportunities. Thus, it is critical that we keep our costs low to provide us with the ability to better serve the public.

Finally, Housing Courts help protect the safety and well-being of tenants when there are code violations and other life-safety issues effecting the dwellings which they occupy. When our Building Commissioner or other municipal employee uncovers code violations, we need to be able to have a rapid and decisive response in order to protect tenants. Housing Court is more effective than other court departments at turning around cases in a timely fashion.

Senator William N. Brownsberger
Representative John V. Fernandes

November 9, 2015
Page Two

We believe that the proposed expansion of the Housing Court to Middlesex County communities will greatly enhance the housing and safety of the one-third of residents in the Commonwealth who do not have access to a housing court. We urge you to support S. 901 and H. 1656 and favorably report these bills out of Committee.

Thank you in advance for your support of this important issue.

Sincerely,

Joseph N Pato
Chairman

cc: Senator Kenneth Donnelly
Senator Mike Barrett
Representative Jay Kaufman

HOUSE No. 1656

The Commonwealth of Massachusetts

PRESENTED BY:

Chris Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Geographical jurisdiction of the Housing Court Department.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>

<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Brian R. Mannal</i>	<i>2nd Barnstable</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>

HOUSE No. 1656

By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 1656) of Chris Walsh and others relative to the jurisdiction of the courts within the Housing Court Department. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the Geographical jurisdiction of the Housing Court Department.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 1 of Chapter 185C of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out the first sentence and inserting in the place
3 thereof the following sentence: -- The housing court department, established under section 1 of
4 Chapter 211B, shall be composed of a western division, consisting of the municipalities in
5 Berkshire, Franklin, Hampden and Hampshire counties; a central division, consisting of the
6 municipalities in Worcester County and the municipalities of Ashland, Framingham, Hudson,
7 Holliston, Hopkinton, Marlborough, Natick, Sudbury, Wayland, and Sherborn in Middlesex
8 County; a northeastern division, including the municipalities in Essex county and the
9 municipalities of Acton, Ashby, Ayer, Bedford, Billerica, Boxborough, Burlington, Carlisle,
10 Chelmsford, Concord, Dracut, Dunstable, Everett, Groton, Lexington, Lincoln, Littleton, Lowell,
11 Malden, Maynard, Melrose, North Reading, Pepperell, Reading, Shirley, Stoneham, Stow,
12 Tewksbury, Townsend, Tyngsborough, Wakefield, Waltham, Watertown, Westford, Weston,
13 Wilmington, Winchester, and Woburn in Middlesex county, and the jurisdiction known as

14 Devens established under chapter 498 of the acts of 1993; a southeastern division consisting of
15 the municipalities in Barnstable, Bristol, Dukes, and Nantucket counties, and the municipalities
16 of Carver, Duxbury, Halifax, Hanson, Hanover, Hingham, Hull, Kingston, Lakeville, Marion,
17 Marshfield, Mattapoisett, Middleborough, Norwell, Pembroke, Plymouth, Plympton, Rochester,
18 Rockland, Scituate, and Wareham in Plymouth County; a metro south division consisting of the
19 municipalities in Norfolk County except Brookline, and the municipalities of Abington,
20 Bridgewater, Brockton, East Bridgewater, West Bridgewater, and Whitman in Plymouth County;
21 and an eastern division consisting of all municipalities in Suffolk County, and the municipalities
22 of Arlington, Belmont, Cambridge, Medford, Newton and Somerville in Middlesex County, and
23 the municipality of Brookline in Norfolk County.

24 SECTION 2: Section 4 of Chapter 185C of the General Laws, as appearing in the 2012
25 Official Edition, is hereby amended by striking the second, third, fourth and fifth paragraphs and
26 inserting in the place thereof the following paragraphs: --

27 The eastern division of the housing court department shall hold at least one sitting per
28 week in Suffolk county and at least one sitting per week in Middlesex county. The court, with
29 the consent of the chief justice of the trial court, shall also sit in such other courthouse facilities
30 as the chief justice of the housing court department may deem to be expedient or convenient.

31 The central division of the housing court department shall hold at least one sitting per
32 week in the City of Worcester, at least one sitting per week in Middlesex County, at least one
33 sitting per week in northern Worcester county, and at least one sitting per week in Southern
34 Worcester county. The court, with the consent of the chief justice of the trial court, shall also sit

35 in such other courthouse facilities as the chief justice of the housing court department may deem
36 to be expedient and convenient.

37 The northeastern division of the housing court department shall hold at least two sittings
38 per week in Essex County and at least two sittings per week in Middlesex county. The court,
39 with the consent of the chief justice of the trial court, shall also sit in such other courthouse
40 facilities as the chief justice of the housing court department may deem to be expedient or
41 convenient.

42 The southeastern division of the housing court department shall hold at least three sittings
43 per week in Bristol county, at least one sitting per week in Plymouth county, and at least one
44 sitting per week in Barnstable county. The court, with the consent of the chief justice of the trial
45 court, shall also sit in such other courthouse facilities as the chief justice of the housing court
46 department may deem to be expedient or convenient.

47 The metro south division of the housing court department shall hold at least one sitting
48 per week in Norfolk county and at least one sitting per week in Plymouth county. The court with
49 the consent of the chief justice of trial court, shall also sit in such other courthouse facilities as
50 the chief justice of the housing court department may deem to be expedient or convenient.

51 SECTION 3: Section 8 of chapter 185C of the General Laws, as appearing in the 2012
52 Official Edition, is hereby amended by striking the first sentence and inserting in the place
53 thereof the following: -- There shall be two justices appointed for the western division, two
54 justices appointed for the central division, two justices appointed for the northeastern division,
55 two justices appointed for the metro south division, two justices appointed for the southeastern

56 division, two justices appointed for the eastern division, and three circuit justices who shall sit in
57 any of the divisions as determined by the chief justice of the housing court department.

58 SECTION 4: Section 1 of Chapter 211B of the General Laws, as appearing in the 2012
59 Official Edition, is hereby amended by striking in line seven “378” and replacing it with “383.”

60 SECTION 5: Section 2 of Chapter 211B of the General Laws, as appearing in the 2012
61 Official Edition, is hereby amended by striking line two “10” and replacing it with “15.”

62 SECTION 6: These provisions of this act shall take effect on January 1, 2016.

Promoting Justice

Why Massachusetts Needs Housing Courts Statewide



MASSACHUSETTS ACCESS TO JUSTICE COMMISSION

Briefing Paper



Photo courtesy of the Boston Bar Association

Attorneys volunteer at the Boston Housing Court on Wednesday and Thursday mornings through the Boston Bar Association's Lawyer for the Day Program to provide legal assistance and representation to landlords and tenants. Since the program began 14 years ago, 12,000 volunteers have helped more than 15,000 individuals. The program is a collaboration between the Boston Bar Association, Boston Housing Court, Volunteer Lawyers Project of the Boston Bar Association, Greater Boston Legal Services, Harvard Legal Aid Bureau, and the Legal Services Center of Harvard Law School.

Cover Photos:

Before and after photos of 38 Leyfred Terrace in Springfield, Mass, a property placed into receivership by the Western Housing Court (Docket Number 11-CV-00152). On August 5, 2011, Lorilee Development LLC was appointed the receiver of 38 Leyfred Terrace. It was able to borrow funds from the Massachusetts Housing Investment Corporation's federal Neighborhood Stabilization Program and their Neighborhood Stabilization Loan Fund. After the work was completed, on August 21, 2012 the property was sold and the receivership was dissolved.

February 2014

Promoting Justice

Why Massachusetts Needs Housing Courts Statewide

The Massachusetts Access to Justice Commission unanimously endorses the expansion of the Housing Court Department to cover the remaining unserved areas of the state. Created by the Supreme Judicial Court, the Commission is a diverse group of judges, attorneys, low-income people, and agencies that serve low-income people.

The Housing Court effectively and efficiently provides the public with access to justice for the following reasons:

- **Housing Is the Priority:** Housing Courts are set up to handle code enforcement, evictions, and other housing issues on a daily basis.
- **Expertise:** Housing Court judges have the expertise to analyze the labyrinth of federal, state, and local laws on housing.
- **Housing Specialists:** Only the Housing Courts have Housing Specialists who mediate cases that save the time and expense of litigation. They also perform on-site reviews of property to resolve issues concerning housing conditions.
- **Code Enforcement:** Housing Court is set-up to quickly and efficiently respond to emergencies and building, fire, and sanitary code violations.
- **Tenancy Preservation Program (TPP):** Based in Housing Courts, TPP prevents homelessness among people with disabilities.
- **Efficient Problem Solving:** Housing Court expertise across the entire spectrum of residential housing law enables quick and efficient solutions to a broad range of cases.
- **User-Friendly:** Housing Court has been at the forefront in developing lawyer-for-the-day assistance and self-help forms to serve a large number of self-represented litigants.

As Co-chairs of the Access to Justice Housing Court Expansion Initiative, we **urge the Legislature to complete the expansion of the Housing Court statewide through a comprehensive bill.**

James T. Van Buren
James T. Van Buren
Commissioner
Access to Justice Commission

Georgia Katsoulomitis
Georgia Katsoulomitis
Executive Director
Massachusetts Law Reform Institute

Our city needs a Housing Court. Our residents are facing increasing gentrification. Investors are buying up foreclosed properties at bargain-basement prices, raising the rents, making no repairs, and displacing low-income tenants. We see evictions that are completely unfair of incredible tenants who care about their neighborhoods and who are displaced from their homes. Groups spend hours in Chelsea trying to avoid an eviction and are not successful because our district court does not have the resources, the staff, and the expertise necessary to avoid the displacement of tenants in our community. We need a Housing Court.

Gladys Vega, Executive Director of the Chelsea Collaborative

Housing Courts in Massachusetts

Housing Courts were created to provide landlords and tenants with a special legal forum with expertise in housing. They provide a forum that enforces the state and local health and fire codes, protects people from becoming homeless, brings abandoned property back into use, stabilizes neighborhoods, addresses mortgage fraud, and handles numerous complex housing matters.

In 1972, the Legislature passed Massachusetts General Law, Chapter 185C, Section 1 and established a Housing Court for the City of Boston. Since then local constituencies have successfully advocated for the expansion of the Housing Court Department into five divisions.

These five divisions currently cover about 80% of the state geographically. Over the years, individual municipalities have been added.

The Access to Justice Commission now recommends enacting comprehensive legislation to provide a Housing Court to the remaining 20% of the state geographically. This would provide housing court services to the 31% of the Commonwealth's citizens presently without access to any Housing Court.

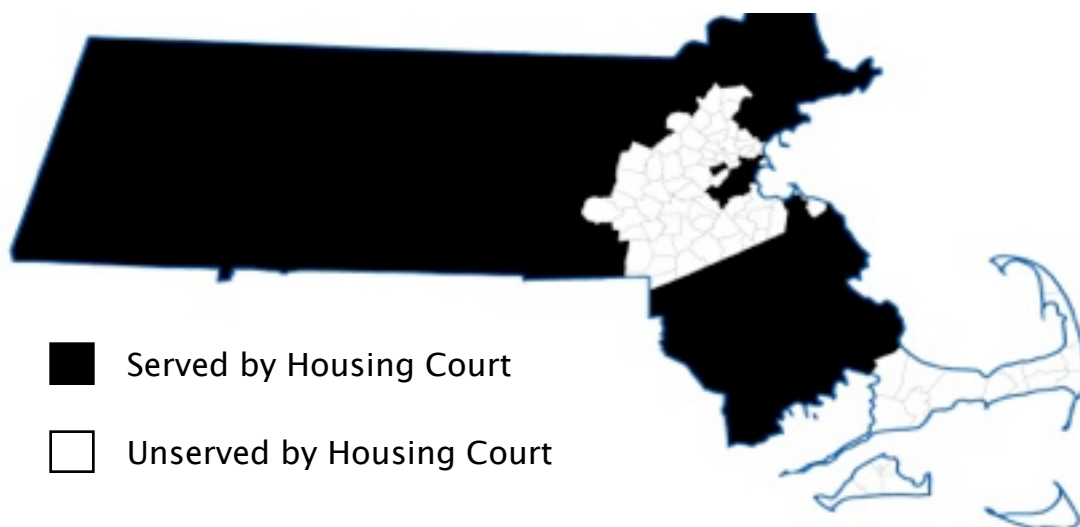
Who Does Not Have Access to a Housing Court?

Nearly one-third of the people in Massachusetts do not have access to a Housing Court.¹ There is no Housing Court for all of Barnstable, Dukes, and Nantucket Counties, most of Norfolk County, and much of Middlesex County. A complete list of municipalities with no Housing Court is on the back cover of this briefing paper.

Major areas of the state still do not have a Housing Court. Cities with some of the highest number of rental units, such as Chelsea, Framingham, Malden, Cambridge, Medford, Somerville, Watertown, Woburn, and Waltham, do not have a Housing Court. Barnstable County, which also does not have a Housing Court, has a significant number of rental units.

In areas unserved by a Housing Court, housing cases are heard in a District Court where they compete with a broad range of legal matters. Within their high volume caseload, the District Courts' obligation to give prompt and proper attention to abuse prevention hearings and criminal matters inevitably impacts priority of other matters – including housing cases. More importantly, District Courts lack the specialized staff and programs established in the Housing Court.

While 80% of the State Geographically Is Served 31% of the Population Has No Access to a Housing Court

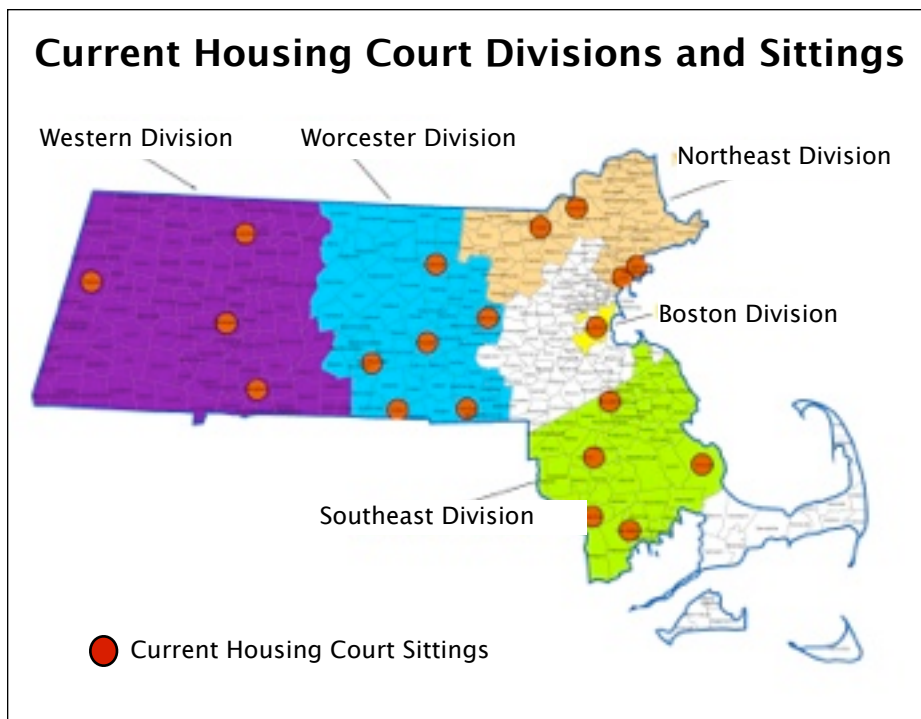


¹ The total population in the cities and towns not covered by a Housing Court is 2,047,000, which represents 31% of the state's total population of 6,547,629. Source: 2010 Census, Office of the Secretary of Commonwealth at <http://www.sec.state.ma.us/census/index.htm>.

Where Does the Housing Court Currently Sit?

The Housing Court Department has five divisions: Boston, Southeast, Northeast, Western, and Worcester. Each division, except for Boston, sits in different locations in its geographic area, and judges and other court personnel travel to hear cases. Ten judges ride circuit to cover these five divisions. The map below shows where the Housing Court hears cases.

Housing Courts have jurisdiction over all civil and criminal matters involving residential property. Housing Courts hear summary process actions (evictions), code enforcement, small claims, civil actions involving personal injury, property damage, breach of contract, discrimination, and other housing cases.



Where the Housing Court Sits

Northeast Housing Court

Lawrence
Lowell
Lynn
Salem

Southeast Housing Court

Brockton
Fall River
New Bedford
Plymouth
Taunton

Boston Housing Court

Boston

Worcester Housing Court

Worcester
Uxbridge
Leominster
Marlboro
East Brookfield
Dudley

Western Housing Court

Springfield
Pittsfield
Northampton
Greenfield

Approximately 75% of litigants who appear in the Housing Court are self-represented.

The 75% is the statewide average for both plaintiffs and defendants. When one breaks this down even further, those **defending a case are self-represented in 92.6% of the cases statewide.**

Source: Housing Court Department Statistics, Percent of Self-Represented Litigants in Cases Disposed in FY12 at: <http://www.mass.gov/courts/courtsandjudges/courts/housingcourt/2012-other-stats.html>.

Housing Courts Are Efficient Problem Solving Courts

The Housing Court Department efficiently and effectively resolves a large number of cases on a wide range of housing issues.

- In FY 2013, there were a total of 42,357 cases filed in Housing Courts statewide.²
- The number of eviction cases handled by the Housing Court has increased from 20,294 in FY 2004 to 27,380 in FY 2013.
- Where there are both Housing and District Courts, on average 80% of the eviction cases (4 out of 5) are filed in Housing Courts.
- The Housing Court Department has the lowest cost per case across all Trial Court departments.³
- The Housing Court Department has developed the expertise to address the multitude of housing issues that come to court.
- Housing Specialists are required by law to be knowledgeable about the maintenance, repair, and rehabilitation of housing, as well as funds and services available to assist landlords and tenants.
- Housing Courts have developed working relationships with municipal officials and housing advocates to address blight and resolve recurring concerns of both landlords and tenants.
- Housing Courts established the Tenancy Preservation Program (TPP) to help mentally disabled tenants retain their housing. TPP is highly successful at working with tenants and landlords to prevent some of most the vulnerable tenants from becoming homeless.
- Housing Courts provide access to services, financial assistance, and programs that help landlords and tenants stabilize tenancies and prevent tenants facing eviction from becoming homeless.
- All five divisions of the housing court work with the local bar and legal services to provide unrepresented tenants and landlords with the opportunity to work with a volunteer “lawyer for the day.”

² Housing Court, FY2013 Statistics, Total Number of Filings and Dispositions.

³ [Massachusetts Trial Court Strategic Plan](#) (June 2013) at p. 18.

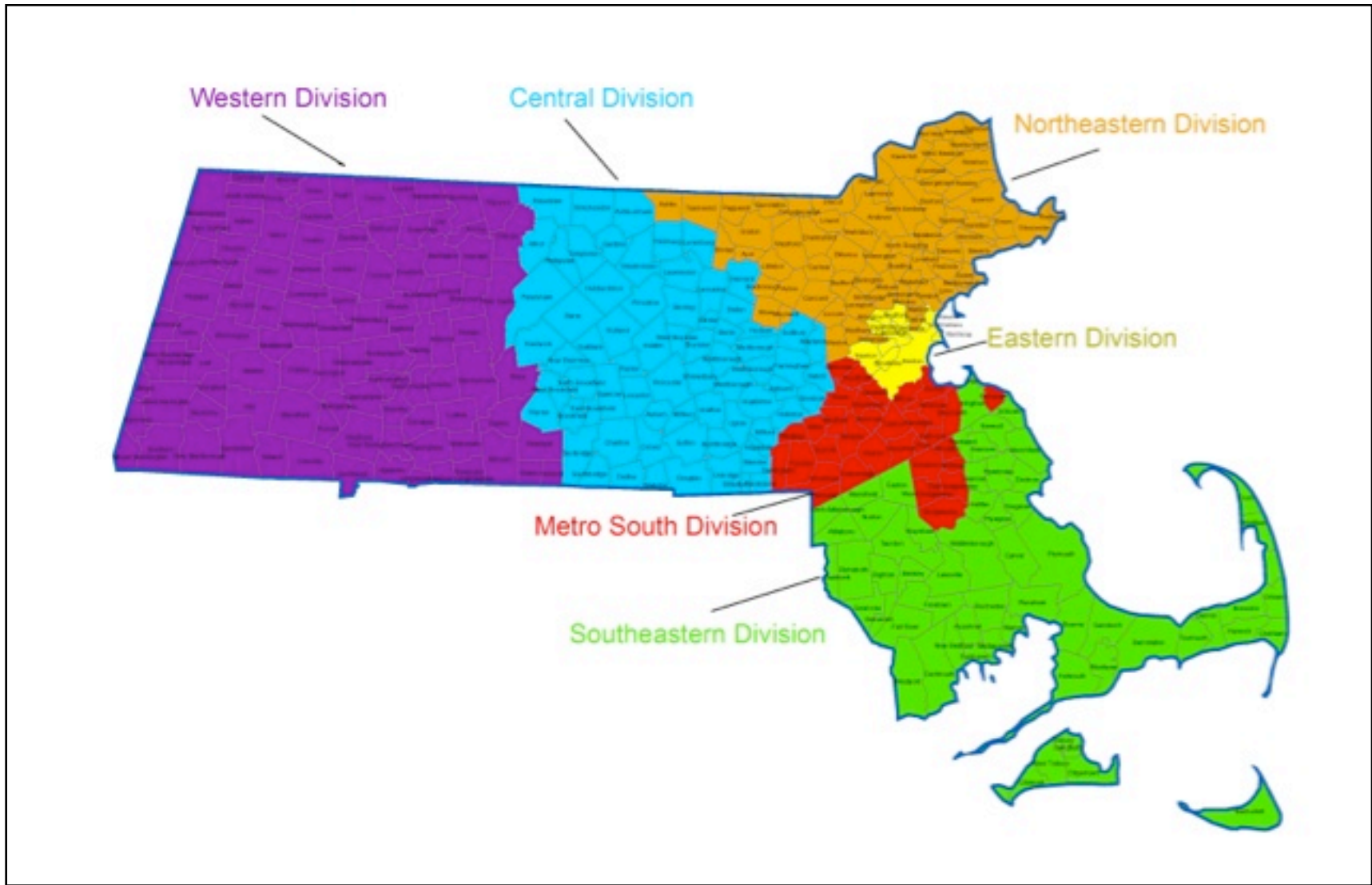
Statewide Housing Court Expansion

Given the current geography of the divisions within the Housing Court Department, the Commission proposes that a comprehensive expansion occur by expanding existing divisions and adding a sixth division.

Considering transportation and projected summary process case loads, the Commission proposes the following:

- Expand the Boston Housing Court to become the **Eastern Housing Court** and include the remaining parts of Suffolk County (Chelsea, Revere, and Winthrop) and areas in Middlesex and Norfolk county easily reachable into Boston by public transportation including Newton and Brookline.
- Expand the **Northeast Housing Court** to include Woburn, Malden, Melrose, Waltham, Watertown, and the surrounding areas.
- Expand Worcester Housing Court to become the **Central Housing Court** and include cities and towns in Middlesex County, including Framingham.
- Expand the **Southeast Housing Court** to include Barnstable, Dukes, and Nantucket counties.
- Create a new **Metro South Housing Court** that would include the existing Housing Court in Brockton and would cover Norfolk County and some areas of Plymouth County currently covered by the Southeast Housing Court.

New sittings will be established in the new areas and each division will continue to travel. Although new staff will be needed to handle the increased case load, expansion of existing divisions and the addition of only one new division is the most economical approach. The Massachusetts Trial Court is also currently engaged in implementing a strategic plan which will help to develop a staffing and budgeting plan to handle this expansion.



Comprehensive Housing Court Expansion Proposal

Benefits of a Housing Court

“Every year the City faces dozens of emergency cases where there is no or insufficient heat in rental units. The Housing Court has the capacity to schedule hearings on short notice and quickly respond to these emergencies. The Court also quickly responded to the tornado that struck Springfield, serving as a forum for the City, landlords, tenants and mortgagees, and as an effective conduit to offer displaced tenants and property owners information about FEMA, the Red Cross, and other resources. The Court has also effectively used receiverships to inspire the rehabilitation of uninhabitable properties. It is a crucial partner in preventing homelessness, combatting blight, and fighting the effects of the foreclosure crisis.”

Lisa deSousa, Associate City Solicitor, Legal Department in Springfield

“Part of my legal practice involves representing small landlords in both District and Housing Courts in Boston and surrounding communities such as Cambridge, Malden, Newton, Revere, and Watertown. I typically recommend to my clients that we bring their case in the Housing Courts, when possible. In numerous instances the Housing Court has helped devise a reasonable accommodation or a payment plan resulting in my client receiving his back rent while allowing the tenant to remain in the home. I have also saved my clients considerable money by taking advantage of the Housing Court’s trained Housing Specialists to reach settlement in cases that would otherwise have necessitated an expensive jury trial.”

Christopher T. Saccardi, Private Attorney in Somerville

“Metrowest Worker Center strongly supports efforts to create a separate housing court though out the state. Tenants need recourse to a court with expertise in housing issues that comes from an exclusive focus on housing. Substandard housing conditions, self-help evictions, and return of deposits are vital issues for tenant families that deserve real protection of the courts.”

Metrowest Worker Center in Framingham

Benefits of a Housing Court

“Housing Court has an understanding of the issues faced by fire service members responsible for public fire education, fire prevention, and code compliance. The court provides timely access and rapid resolution to issues of fire and life safety.”

Fire Prevention Association of Massachusetts

“Housing Courts keep both people and housing safe, while providing access to myriad options outside of eviction to landlords and tenants. One way is through the life-saving impact that the Tenancy Preservation Program (TPP) has on the most vulnerable users. TPP is based in the Housing Courts around the state. This program provides some of the most vulnerable tenants with the tools and resources to not only save their tenancy, but transform their lives. TPP along with the Housing Specialists, also only available in the Housing Court, resolve thousands of cases each year providing tremendous savings to landlords, tenants, communities and the Commonwealth.”

Brian O’ Connor, Justice Center of Southeast Massachusetts in Brockton

“The court is a vital partner in enforcing the state and local health and sanitary codes. Unlike District Court which deals with a vast number and variety of cases, the Housing Court focuses mainly on health and housing issues. The court has also been instrumental in helping Adams combat blighted and abandoned properties by allowing us to conduct a “clean and lien” on the property when we have an unresponsive property owner. The town is allowed to bring the property into compliance and then places the cost of such work against the property’s title. We also can place properties into receivership in which the court appoints a receiver to act as the manager to collect rents and make repairs, thus ensuring the safety of occupants.”

The court is a vital partner in enforcing the state and local health and sanitary codes.

Scott Koczela, Code Enforcement Officer in Adams

Cities and Towns **Without** a Housing Court

Suffolk County

Chelsea
Revere
Winthrop

Middlesex County

Arlington
Ashland
Bedford
Belmont
Burlington
Cambridge
Everett
Framingham
Holliston
Hopkinton
Lexington
Lincoln
Malden
Medford
Melrose
Natick
Newton
North Reading
Reading
Sherborn
Somerville
Stoneham
Sudbury
Wakefield
Waltham
Watertown

Wayland
Weston
Wilmington
Winchester
Woburn

Dukes County

Aquinnah
Chilmark
Edgartown
Gosnold
Oak Bluffs
Tisbury
West Tisbury

Nantucket County

Nantucket

Norfolk County

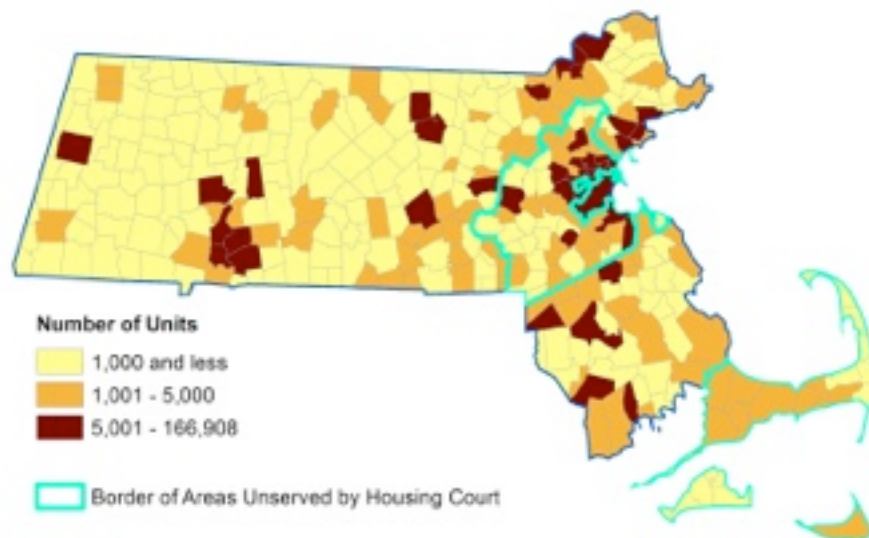
Avon
Braintree
Brookline
Canton
Cohasset
Dedham
Dover
Foxborough
Franklin
Holbrook
Medfield
Medway
Millis

Milton
Needham
Norfolk
Norwood
Plainville
Quincy
Randolph
Sharon
Stoughton
Walpole
Wellesley
Westwood
Weymouth
Wrentham

Barnstable County

Barnstable
Bourne
Brewster
Chatham
Dennis
Eastham
Falmouth
Harwich
Mashpee
Orleans
Provincetown
Sandwich
Truro
Wellfleet
Yarmouth

Density of Massachusetts Rental Housing Areas Presently Unserved by Housing Court



Source: U.S. Census Bureau, 2010 Decennial Census, Summary File 1.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Increase Spending Limit-School - School Bus Transportation Revolving Fund (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.7

SUMMARY:

Due to an increase in the number of students purchasing bus passes this year, the School Department has requested an increase in the spending limit for the School Bus Transportation Revolving Fund. Under State law, chapter 44, section 53E1/2, the amount that may be expended from a Revolving Fund may be increased, subject to a vote of the Board of Selectmen and Appropriation Committee. In no case, however, may the amount to be expended exceed the revenues of the fund.

SUGGESTED MOTION:

Move to increase the School Bus Transportation Revolving Fund spending limit to \$1,250,000.

FOLLOW-UP:

Comptroller's Office.

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:05 PM

ATTACHMENTS:

Description	Type
□ Request of School Department to Increase Limit on School Transportation Revolving Fund	Cover Memo



Lexington Public Schools

146 Maple Street ❖ Lexington, Massachusetts 02420

Ian L. Dailey
Interim Director of Finance and Operations

Tel: (781) 861-2580 x68061

Fax: (781) 781-861-2560

idailey@sch.ci.lexington.ma.us

To: Rob Addelson, Town Finance Director
From: Ian Dailey, Interim Director of Finance and Operations
Date: October 28, 2015
Re: FY2016 Transportation Revolving Fund Cap Increase

Annually a maximum is placed on the Transportation Revolving Fund pursuant to Chapter 44, Section 53E½. The FY2016 Budget included a cap on the Transportation Revolving Fund of \$850,000. The Transportation program has experienced significant growth this year and requires additional buses to handle increased participation. At the September 24, 2015 School Committee meeting, the School Committee voted in support to increase to the Transportation Revolving Fund cap to \$1,250,000 for FY2016. This will allow the School Department to add the needed buses for this year's increasing ridership base (over 3,400 students). There is a sufficient balance in the account to support this increased cap for FY2016. The School Department seeks approval from the Board of Selectman and Appropriations Committee to increase the cap placed on the Transportation Revolving Fund in FY2016 to \$1,250,000 for the purposes of supporting school bus transportation.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve the Selectmen's 2015 Annual Town Report (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.8

SUMMARY:

Joe will provide a draft copy of the proposed Selectmen's Report for the 2015 Town Report to each of you over the weekend for your review and approval at the meeting.

SUGGESTED MOTION:

Motion to approve the proposed Selectmen's Report for the 2015 Town Report, as presented.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:10 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Selectmen Committee Appointment/Resignation (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.9

SUMMARY:

Laura Hussong has submitted her resignation from the Registrar of Voters and the Community Center Advisory Committee.

The Town Report Committee requests that Suzanne Caton be appointed.

SUGGESTED MOTION:

Motion to accept the resignation of Laura Hussong from the Registrar of Voters, effective immediately.

Motion to accept the resignation of Laura Hussong from the Community Center Advisory Committee, effective immediately.

Motion to appoint Suzanne Caton to the Town Report Committee for a term to expire September 30, 2016.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:15 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Laura Hussong Resignation	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Future Meetings (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.10

SUMMARY:

The Board currently has scheduled the following meeting dates:

Thursday, November 12 - 7 PM (Summit 2)

Monday, November 16 - 6 PM

Monday, November 23 - 7 PM

Monday, November 30 - 8:30 AM (Department Budget Presentations)

Wednesday, December 2 - 6 PM (before Special Town Meeting #1)

Friday, December 4 - 8:30 AM (Department Budget Presentations)

Monday, December 7 - 8:30 AM (Department Budget Presentations)

Monday, December 14 - 7 PM

Please bring your calendars and be prepared to pick meeting dates through March or April.

SUGGESTED MOTION:

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:20 PM

ATTACHMENTS:

Description

- ☐ Schedule for Department Budget Presentations
- ☐ Calendars for November 2015 through April 2016

Type

- Backup Material
- Backup Material

November 2015

November 2015						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2015						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	Notes
Nov 1	2 <div>BOS-Tentative</div>	3	4	5	6	7	
8	9 <div>6:30pm BOS (SMR)</div>	10	11 <div>Veterans' Day</div>	12 <div>7:00pm Summit 2 (PSB Cafeteria)</div>	13	14	
15	16 <div>6:00pm BOS (SMR)</div> <div>7:00pm Schools Info Session (Battin Hall)</div>	17	18 <div>7:00pm Minuteman Statue/Monument Public Meeting (PSB Cafeteria)</div>	19	20	21	
22	23 <div>7:00pm BOS (SMR)</div>	24	25	26 <div>Thanksgiving</div>	27	28	
29	30 <div>8:30am Department Budget</div> <div>7:00pm BOS-Citizen Academy</div>	Dec 1	2	3	4	5	
							Notes

December 2015

December 2015							January 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30
							31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	Notes
Nov 29	30	Dec 1	2 6:00pm BOS (SMR) 7:30pm STM #1 (Battin Hall)	3	4 8:30am Department Budget Presentations (SMR)	5	
6	7 8:30am Department Budget Presentations (SMR)	8	9 7:00pm Summit 3-Tentative (PSB Cafeteria)	10 7:00pm Summit 3-Tentative (PSB Cafeteria)	11	12	
13	14 7:00pm BOS (SMR)	15	16	17	18	19	
20	21	22	23	24	25 Holiday	26	
27	28	29 Citizen Warrant Articles Deadline	30	31	Jan 1, 16	2	

April 2016

April 2016						
Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2016						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	Notes
Mar 27	28	29	30	31	Apr 1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18 Holiday	19	20	21	22	23	Notes
24	25	26	27	28	29	30	

Board of Selectmen Budget Hearings

Monday, November 30th

8:30 a.m.	DPW (60 minutes)
9:30 a.m.	Library (20 minutes)
9:50 a.m.	Information Services (20 minutes)
10:10 a.m.	Town Clerk (20 minutes)
10:30 a.m.	Fire (20 minutes)
10:50 a.m.	Police (20 minutes)
11:10 a.m.	Human Services (20 minutes)

Friday, December 4th

8:30 a.m.	Facilities (30 minutes)
9:00 a.m.	Recreation and Community Programs (30 minutes)
9:30 a.m.	Town Manager (15 minutes)
9:45 a.m.	Town Committees (15 minutes)
10:00 a.m.	Finance (15 minutes)
10:15 a.m.	BOS (15 minutes)

Monday, December 7th Office of Land Use, Inspectional Services and Economic Development

8:30 a.m.	Building and Zoning (15 minutes)
8:45 a.m.	Administration (15 minutes)
9:00 a.m.	Health (15 minutes)
9:15 a.m.	Conservation (15 minutes)
9:30 a.m.	Planning (15 minutes)
9:45 a.m.	Economic Development (15 minutes)

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

One-Day Liquor Licenses

PRESENTER:

Joe Pato

ITEM NUMBER:

C.1

SUMMARY:

Spectacle Management has requested a one-day liquor license to serve beer and wine at the Vienna Boys Choir Concert on Sunday, December 6, 2015, from 2:00 p.m. to 5:00 p.m. in the Cary Memorial Building lobby, 1605 Massachusetts Avenue.

Spectacle Management has requested a one-day liquor license to serve beer and wine at the Christmas Carol Play on Friday, December 11, 2015, from 6:00 p.m. to 9:00 p.m. in the Cary Memorial Building lobby, 1605 Massachusetts Avenue.

Spectacle Management has requested a one-day liquor license to serve beer and wine at the A Celtic Christmas Play on Sunday, December 13, 2015, from 2:00 p.m. to 5:00 p.m. in the Cary Memorial Building lobby, 1605 Massachusetts Avenue.

SUGGESTED MOTION:

Motion to approve the consent agenda.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:25 PM

ATTACHMENTS:

Description



Applications from Spectacle Management for 1-day liquor licenses in December

Type

Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Accept Donation - Solar Light for Dinesh Rajbhandary Memorial at Center Pool

PRESENTER:

Joe Pato

ITEM NUMBER:

C.2

SUMMARY:

In 1985, the Selectmen established a memorial (flagpole & flag) at the Center Pool Complex to Dinesh L. Rajbhandary a Lexington resident (LHS 1982) and member of the US Army who died in Grenada on November 23, 1983.

In 2013, the memorial was refurbished and rededicated.

The flag that flies on the flag pole flies 24 hours a day and is unlit. According to US Flag Code, American Flags flying 24 hours per day should be properly illuminated:

6. Time and Occasions for Display.

(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstuffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.

A Lexington resident who wishes to remain anonymous has offered to donate a specialized solar powered flag light that can be attached to the pole and resolve the issue of the flag being illuminated without having to go through the costly process of locating underground electricity to the memorial.

Public Works has reviewed the equipment to be donated and determined it is appropriate.

Public Works will take care of the installation of the light on the flagpole.

SUGGESTED MOTION:

Motion to accept, under MGL c. 44, section 53A, a solar powered flag pole light to be installed on the flagpole at the Dinesh L. Rajbhandary Memorial at the the Irving H. Mabee Town Pool Complex on Worthen Road.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:25 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Executive Session-Exemption 6: Consider Purchase, Sale, Lease of Real Estate, 20 Pelham Road

PRESENTER:

Board Discussion

ITEM NUMBER:

E.2

SUMMARY:

Continue discussion regarding purchase of property at 20 Pelham Road.

SUGGESTED MOTION:

Suggested Motion: *Move that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property, 20 Pelham Road, and to reconvene in Open Session only to adjourn. Further, that as Chairman, I declare that an open meeting may have a detrimental effect on the negotiating position of the Town.*

FOLLOW-UP:

NA

DATE AND APPROXIMATE TIME ON AGENDA:

11/9/2015

8:30 PM