

SELECTMEN'S MEETING  
Monday, January 4, 2016  
Selectmen Meeting Room  
6:30 PM

**AGENDA**

**EXECUTIVE SESSION**

1. Exemption 6: Purchase, Sale, Lease of Real Estate - Former Munroe School (15 min.) 6:30 PM
2. Exemption 6: Purchase, Sale, Lease of Real Estate - Historical Society Parking Parcel - Edison Way (15 min.) 6:45 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. Discuss Expectations for Center Streetscape Meetings for January 12 and 25 (10 min.) 7:00 PM
2. Discuss Expectations for East Massachusetts Avenue Project Meetings on January 11, 19 and 25 (15 min.) 7:10 PM
3. Discuss Planning Board Articles Proposed for the Annual Town Meeting (5 min.) 7:25 PM
4. Consider Community Compact Program (15 min.) 7:30 PM
5. Consider Flag Policy (10 min.) 7:45 PM
6. Selectmen Committee Appointment - Historic Districts Commission (5 min.) 7:55 PM
7. Establish and Vote Date for February Special Town Meeting, Open the Warrant and Set Date to Close Warrant (5 min.) 8:00 PM

**CONSENT AGENDA**

1. Adjustments to Water & Sewer Charges 8:05 PM
2. Approve One-Day Liquor Licenses - Spectacle Management 8:05 PM
3. Approve Selectmen Minutes 8:05 PM

**EXECUTIVE SESSION**

1. Exemption 3: Potential Litigation - Shire (15 min.) 8:10 PM
2. Exemption 6: Update on 20 Pelham Road Property (15 min.) 8:25 PM

## ADJOURN

1. Approximate Adjourn Time

8:40 PM

The next meeting of the Selectmen is scheduled for January 11, 2015 at 7:00 p.m. in the Selectmen Meeting Room, 1625 Massachusetts Avenue.

A public meeting on the Center Streetscape Project is scheduled for January 12, 2015, at 7:00 p.m. in Battin Hall, Cary Memorial Building, 1605 Massachusetts Avenue.

Summit 4 is scheduled for Thursday, January 14, 2015, at 7:00 p.m. in the Public Services Building Cafeteria, 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:

Exemption 6: Purchase, Sale, Lease of Real Estate - Former Munroe School (15 min.)

### PRESENTER:

Carl F. Valente, Town Manager; Carol Kowalski, Assistant Town Manager for Development

### ITEM NUMBER:

E.1

### SUMMARY:

Suggested Motion: *Move that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property (former Munroe School) 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.*

### SUGGESTED MOTION:

*Discuss status of the lease of this property.*

### FOLLOW-UP:

ATM for Development

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

6:30 PM

### ATTACHMENTS:

Description	Type
 Munroe Projects	Backup Material

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Exemption 6: Purchase, Sale, Lease of Real Estate - Historical Society Parking Parcel - Edison Way (15 min.)

### PRESENTER:

Carl F. Valente, Town Manager; Carol Kowalski, Assistant Town Manager for Development

### ITEM NUMBER:

E.2

### SUMMARY:

Suggested Motion: *Move that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property (Historical Society parcel on Edison Way-14 parking spaces) 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.*

Discuss the disposition of this parcel.

### SUGGESTED MOTION:

Not at this time.

### FOLLOW-UP:

ATM for Development will follow up with the Historical Society.

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

6:45 PM

### ATTACHMENTS:

Description	Type
□ Parking Map	Exhibit

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Discuss Expectations for Center Streetscape Meetings for January 12 and 25 (10 min.)

### PRESENTER:

Joe Pato

### ITEM NUMBER:

I.1

### SUMMARY:

The Board will have the opportunity to discuss what their expectations are for the Center Streetscape meetings planned for January 12 and 25. The January 12 meeting is a public meeting to discuss design plans. The meeting on January 25 will be to vote on a proposed plan.

The proposed format for the Jan 12 meeting is the same as the June 10 2015 public meeting.

### SUGGESTED MOTION:

### FOLLOW-UP:

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

7:00 PM

### ATTACHMENTS:

Description	Type
☐ Center Streetscape Meeting notice	Backup Material

## **Meeting on Massachusetts Avenue Center Streetscape Improvement Project**

There will be a public meeting on the proposed Massachusetts Avenue Center Streetscape project on Tuesday, January 12, 2016 at 7 p.m. at the Cary Memorial Building-Battin Hall, 1605 Massachusetts Avenue. The purpose of the meeting will be to hear comments and concerns regarding design details of the project from the Police Station to Meriam Street, including sidewalk materials, street lighting, sidewalk furniture, bicycle accommodations, trees and other plantings, pedestrian safety measures and historical displays. Engineers will also provide a summary of their November 30 presentation to the Board of Selectmen on the Massachusetts Avenue and Woburn Street intersection.

Documents and updated information regarding this project may be found on the Town's website at <http://www.lexingtonma.gov/streetscape>

Individuals who are unable to attend this meetings may forward their comments or questions, preferably by January 25, to the Board of Selectmen, 1625 Massachusetts Avenue, Lexington 02420 or to [selectmen@lexingtonma.gov](mailto:selectmen@lexingtonma.gov)

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Discuss Expectations for East Massachusetts Avenue Project Meetings on January 11, 19 and 25 (15 min.)

### PRESENTER:

Norman Cohen

### ITEM NUMBER:

I.2

### SUMMARY:

The Board will have the opportunity to discuss their expectations for the meetings planned for January 11, 19, and 25 to discuss the East Lexington Massachusetts Avenue Improvement Project. At the meeting on January 11 the Board will get a presentation from Kittleson. The Kittleson Presentation will be given at the January 19 public meeting. The January 25 meeting will be for voting a plan.

The proposed format for the January 19 meeting is the same as the October 14 2015 public meeting.

### SUGGESTED MOTION:

### FOLLOW-UP:

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

7:10 PM

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Notice - East Mass. Avenue Roadway Improvement Project	Backup Material

## Meetings on Massachusetts Avenue Roadway Improvements Project

There are three upcoming meetings on the proposed project to upgrade three intersections on Massachusetts Avenue. These intersections are at Pleasant Street, Maple Street and Marrett Road.

The meetings will be:

- **Monday, January 11 at 7 p.m. in the Town Office Building.** At this meeting the Board of Selectmen will hear the report from Kittleson Associates, the engineering firm that was retained by the Town to evaluate whether a round-about would be an appropriate traffic and pedestrian solution for any of these intersections. The Selectmen will not be taking public comments/questions at this meeting (see January 19 meeting).
- **Tuesday, January 19 at 7 p.m. at the High School Auditorium.** Kittleson Associates will present its report and respond to public comments/questions.
- **Monday, January 25 at 7 p.m. at the Diamond Middle School.** The Board of Selectmen is expected to deliberate and vote on the preferred solution for these three intersections and forward that recommendation to the Massachusetts Department of Transportation for its review and approval. The Board of Selectmen is not expected to take public comments/questions at this meeting.

Documents and updated information regarding this project may be found on the Town's website at [www.lexingtonma.gov/eastmassave](http://www.lexingtonma.gov/eastmassave)

Individuals who are unable to attend these meetings may forward their comments or questions, preferably by January 21, to the Board of Selectmen, 1625 Massachusetts Avenue, Lexington 02420 or to [selectmen@lexingtonma.gov](mailto:selectmen@lexingtonma.gov)



# **AGENDA ITEM SUMMARY**

## **LEXINGTON BOARD OF SELECTMEN MEETING**

### **AGENDA ITEM TITLE:**

Discuss Planning Board Articles Proposed for the Annual Town Meeting (5 min.)

### **PRESENTER:**

Joe Pato

### **ITEM NUMBER:**

I.3

### **SUMMARY:**

The Planning Board, at its meetings of December 9 and 16, voted to request that the Board of Selectmen place the following articles on the 2016 Annual Town Meeting warrant:

1. National Flood Insurance District
2. Technical Changes
3. Governmental – Civic Use District(s)
4. Neighborhood Conservation Districts (General Bylaw)
5. Maximum Height of Structures
6. Accessory Apartments
7. Floor Area Ratio (FAR)
8. Two-Family Homes
9. Banking & Real Estate Service Uses in the CB District
10. Planned Development Districts

In addition it is expected that a revision to RD-6, a planned development district, at Brookhaven will be brought forward.

### **SUGGESTED MOTION:**

### **FOLLOW-UP:**

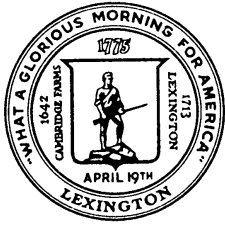
### **DATE AND APPROXIMATE TIME ON AGENDA:**

1/4/2016

7:25 PM

**ATTACHMENTS:**

Description	Type
☐ PB Warrant Article Request	Exhibit



## *TOWN OF LEXINGTON*

### **PLANNING BOARD**

1625 Massachusetts Avenue, Lexington,  
Massachusetts 02420

T. 781-698-4560 F. 781-861-2748

[www.lexingtonma.gov/planning.cfm](http://www.lexingtonma.gov/planning.cfm)

[planning@lexingtonma.gov](mailto:planning@lexingtonma.gov)

Nancy Corcoran-Ronchetti, Chair

Timothy Dunn, Vice Chair

Ginna Johnson, Clerk

Richard L. Canale

Charles Hornig

Michael Leon, Associate

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December 28, 2015

Joseph N. Pato, Chair  
Board of Selectmen  
1625 Massachusetts Avenue  
Lexington, Mass. 02420

Dear Mr. Pato:

As you know, the Planning Board has been working on several zoning initiatives that the Board wishes to bring to Town Meeting for further discussion and public process. The Planning Board, at its meetings of December 9 and 16, voted to request that the Board of Selectmen place the following articles on the 2016 Annual Town Meeting warrant:

1. National Flood Insurance District
2. Technical Changes
3. Governmental – Civic Use District(s)
4. Neighborhood Conservation Districts (General Bylaw)
5. Maximum Height of Structures
6. Accessory Apartments
7. Floor Area Ratio (FAR)
8. Two-Family Homes
9. Banking & Real Estate Service Uses in the CB District
10. Planned Development Districts

We are also aware of a citizen article seeking to revise RD-6, a planned development district, at Brookhaven.

Our suggested titles and warrant language is attached. They are written broadly to allow for adjustments to their scope based on anticipated public comment gathered at the public hearings and other public meetings that are likely to be held before Town Meeting. Staff is available to help, should there need to be any revisions before the printing deadline.

For the Board,

Aaron Henry, Planning Director



## *TOWN OF LEXINGTON*

### **PLANNING BOARD**

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Nancy Corcoran-Ronchetti, Chair

Timothy Dunn, Vice Chair

GINNA JOHNSON, Clerk

Richard L. Canale

Charles Hornig

Michael Leon, Associate

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### ***National Flood Insurance District***

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map to update the National Flood Insurance District, or act in any other manner in relation thereto.

DESCRIPTION: This article updates the National Flood Insurance District bylaw and map to reflect a recent update to the Shawsheen River watershed.

### ***Technical Corrections***

To see if the Town will amend the Zoning Bylaw to correct internal references, remove unreferenced definitions, and reformat sections of the Bylaw to help clarify the intent of the Bylaw to its readers, or act in any other manner in relation thereto.

DESCRIPTION: These changes are corrective in nature and are not intended to change interpretation in any substantive way.

### ***Governmental – Civic Use District(s)***

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map by defining a new district or districts, including establishing allowed uses, dimensional standards and transition and screening requirements and amend the Zoning Map by rezoning parcels owned by governmental bodies held for public use into the new district, or act in any other manner in relation thereto.

DESCRIPTION: The Governmental – Civic Use (GC) zoning district is proposed to recognize the public nature of particular parcels of land and provide standards and guidelines for their continued use while ensuring that the use of these properties is related to the policies of the community, and that any development in the district, if any, will be compatible with surrounding districts and uses.

### ***Neighborhood Conservation Districts (General Bylaw)***

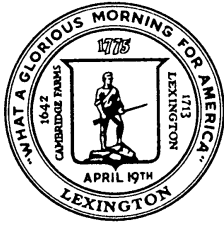
To see if the Town will vote to amend its General Bylaws to enable the creation of neighborhood conservation districts, or act in any other manner in relation thereto.

DESCRIPTION: A neighborhood conservation district (NCD) is a tool used to preserve, protect, and enhance significant areas within a community beyond what is specified in the zoning bylaw. The conservation regulations are applied in addition to standard zoning regulations and will usually take precedence. NCD regulations will differ from neighborhood to neighborhood depending on the area's character and needs. Because they do not regulate as strictly as historic districts, NCDs are typically used as an alternative to them in areas where alterations have already occurred but protection of the overall scale, streetscape, and significant buildings is necessary.

### ***Maximum Height of Structures***

To see if the Town will vote to amend the Zoning Bylaw to reduce the maximum height of one-family and two-family dwellings located near lot lines, or act in any other manner in relation thereto.

DESCRIPTION: This article would limit the height of new houses or additions located close to lot lines.



## *TOWN OF LEXINGTON*

### **PLANNING BOARD**

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Massachusetts 02420

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Nancy Corcoran-Ronchetti, Chair

Timothy Dunn, Vice Chair

GINNA JOHNSON, Clerk

Richard L. Canale

Charles Hornig

Michael Leon, Associate

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### ***Accessory Apartments***

To see if the Town will vote to amend the Zoning Bylaw to change the conditions and requirements for accessory apartments, or act in any other manner in relation thereto.

DESCRIPTION: This article would relax some existing conditions and requirements that limit the ability to construct accessory apartments. These requirements include lot area, presence of rooming units, connection to Town water and sewer, ownership, location of parking, and age of structure.

### ***Floor Area Ratio (FAR)***

To see if the Town will vote to amend the Zoning By-Law to limit the gross floor area of one-family and two-family dwellings, or act in any other manner in relation thereto.

DESCRIPTION: This article would limit the size of new houses or additions in relation to their lot size.

### ***Two-Family Homes***

To see if the Town will vote to amend the Zoning Bylaw to permit two-family dwellings wherever one-family dwellings are permitted, or act in any other manner in relation thereto.

DESCRIPTION: This article would permit construction of two-family dwellings by right in all districts where one-family dwellings are permitted.

### ***Banking & Real Estate Service Uses in the CB District***

To see if the Town will vote to amend the Zoning Bylaw to require special permits for banking and real estate service uses in the CB District and repeal the moratorium set to expire on July 31, 2016 on banks in center storefronts, or act in any other manner in relation thereto.

DESCRIPTION: This article would delete the sections of the bylaw related to the banking moratorium established by the 2015 Annual Town Meeting while proposing a special permit from the Zoning Board of Appeals to establish, move, or expand banking and real estate service business in center storefronts in the CB District.

### ***Planned Development Districts***

To see if the Town will vote to amend the Zoning By-Law and Zoning Map to simplify the standards, processes, and terminology for planned development districts, or act in any other manner in relation thereto.

DESCRIPTION: This article would make several changes to processes related to Planned Development, including:

1. Replacing the current RD and CD district types with a single district type with no predetermined standards (like the current CD);
2. Using normal Town Meeting processes for zoning changes involving planned development districts rather than special rules;
3. Using the site plan review process to review final plans rather than the special permit process; and
4. Renaming existing RD and CD districts.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Consider Community Compact Program (15 min.)

### PRESENTER:

Carl F. Valente, Town Manager

### ITEM NUMBER:

I.4

### SUMMARY:

The purpose of this agenda item is to gauge the Selectmen's interest in participating in the State's Community Compact program.

The Baker Administration recently developed the Community Compact program. The purpose of the program is to encourage municipalities to adopt best management practices. In exchange for their participation, Community Compact municipalities will receive additional points/consideration for discretionary State grant programs. Further, the State will, when appropriate, provide technical assistance to communities to support the implementation of a best management practice.

Staff has reviewed this program and, if supported by the Board of Selectmen, would recommend three possible best management practice areas to focus on over the next two years:

- Technology/cyber security;
- Regional transportation (in collaboration with the Middlesex 3 Economic Development consortium; and
- Complete Streets policy (to further the intent of the Citizen's Article 45 approved unanimously at the 2015 Annual Town Meeting).

If the Board is supportive of participating in this program, staff will bring a completed program application to a future meeting.

### SUGGESTED MOTION:

Not at this time.

### FOLLOW-UP:

TMO

**DATE AND APPROXIMATE TIME ON AGENDA:**

1/4/2016

7:30 PM

**ATTACHMENTS:**

Description	Type
☐ Community Compact Frequently Asked Questions	Backup Material
☐ Community Compact Middlesex 3 Project	Backup Material



The Official Website of the Governor of Massachusetts

## Governor Charlie Baker

Home > The Administration > Councils, Cabinets, Commissions, Panels, & Task Forces > Community Compact Cabinet > Community Compact FAQs

### Community Compact Frequently Asked Questions

Governor Charlie Baker

Lieutenant Governor Karyn  
Polito

Cabinet

Governor's Internship Program

Councils, Cabinets,  
Commissions, Panels, & Task  
ForcesChronic Unemployment Task  
Force

Community Compact Cabinet

Compact Application

#### ☑ Frequently Asked Questions

Commonwealth  
Commitments

Best Practice Areas

Signed Compacts

Governor's Council on Sexual  
Assault & Domestic ViolenceOffice of Access &  
Opportunity

Seaport Economic Council

Workforce Skills Cabinet

Judicial Nominating Commission

Staff

#### 1. What is a Community Compact?

The Community Compact is a voluntary, mutual agreement entered into between the Baker-Polito Administration and individual cities and towns of the Commonwealth. In a Community Compact, a community will agree to implement at least one best practice that they select from across a variety of areas. The community's chosen best practice(s) will be reviewed between the Commonwealth and the municipality to ensure that the best practice(s) chosen are unique to the municipality and reflect needed areas of improvement. Once approved, the written agreement will be generated and signed by both the municipality and the Commonwealth. The Compact also articulates the commitments the Commonwealth will make on behalf of all communities.

#### 2. When was the Community Compact program launched?

The first Executive Order, signed by the Governor in January 2015, established the Community Compacts. The Order creates a Community Compact Cabinet that will work toward mutual accountability, work to reduce red tape, promote best practices, and develop specific 'Community Compacts' with local governments. These Community Compacts create clear mutual standards, expectations, and accountability for both the state and municipalities as we seek to create better government for our citizens. The Baker-Polito Administration values input from the municipal leaders of the Commonwealth and will utilize the Community Compacts as a way to continue to engage them.

#### 3. What communities are eligible for a Community Compact? And are these optional?

The Community Compact agreement is open to all the cities and towns of the Commonwealth. While a great tool for cities and towns, Community Compacts are optional. All Compact agreements are subject to review by the Division of Local Services before they are signed.

#### 4. How does a Community Compact work? What is the obligation of my community?

Communities will self-identify the best practice(s) from the list on the Community Compact website. The community's chosen best practice(s) will be reviewed between the Commonwealth and the municipality to ensure that the best practice(s) chosen are unique to the municipality and reflect needed areas of improvement. Once approved, the written agreement will be generated and signed by both the municipality and the Commonwealth. The municipal leader will be required to sign and authorize the Compact for a community. Those communities participating in the Community Compact will, over a two year period, implement the best practice(s) they selected when entering into the Compact. Resources for technical assistance from the Commonwealth will be prioritized for those communities entered into a Compact and seeking to implement their best practice(s). The Division of Local Services serves as the primary point of entry for communities looking for resources in best practice development and implementation.

#### 5. What is the obligation of the Commonwealth?

The Commonwealth's commitments are found on the Community Compact website. In addition, the Commonwealth will offer incentives to communities for entering into a Community Compact, including prioritizing Commonwealth technical assistance resources to help reach your chosen best practice(s). Extra points on certain grants, and a grant program specifically for Compact communities are also incentives included for participation in the program.

#### 6. Is there a deadline to apply for the Compact? How do I access the application?

No. A community may choose to enter into the Community Compact at any time. Each Compact agreement will run for two years. During the two year period of each compact, the Division of Local Services will periodically check in with the communities to monitor progress towards the implementation of the selected best practice(s). The application can be found by visiting [www.mass.gov/ccc](http://www.mass.gov/ccc). You will need a passcode to fill out the Community Compact application. If you do not have a passcode, please contact DLS by sending an email to Daniel Bertrand at [bertrandd@dor.state.ma.us](mailto:bertrandd@dor.state.ma.us).

#### 7. Can communities have a joint Community Compact?

Yes, for smaller communities, regionalization of the Compact is an option. The Communities will individually fill out an application, choose the same best practice(s) and choose the regionalization option on the website.

#### 8. Where can I find out more information?

To find out more information please visit [www.mass.gov/ccc](http://www.mass.gov/ccc).

Did you find the information you were looking for on this page? \*

Yes

No



MEMORANDUM

To: Carl Valente, Town Manager  
From: Carol Kowalski, Assistant Town Manager for Development  
Date: December 29, 2015  
**RE: Request for Selectmen's Letter of Support, Community Compact, Middlesex 3**  
Cc: M. Tintocalis

This memorandum provides details on the Middlesex 3 Coalition's proposal to apply to the Governor's Community Compact initiative in order to address regional transportation issues. Melisa and I are available today until 3pm if you would like to discuss this further. The Coalition seeks a letter of support from the Lexington Board of Selectmen to accompany the application. Information on the Community Compact and the Middlesex 3 proposal follows.

**Community Compact**

The Community Compact initiative gives Massachusetts cities and towns the chance to make needed improvements through collaboration with and support from the Commonwealth. Each compact is a voluntary, mutual agreement between the Baker-Polito Administration and the local government

State incentives for communities include:

- A grant program for Compact Communities
- Extra points on certain grants
- Technical resources from the Commonwealth to help communities achieve their goals

Each community can apply for up to three compacts - each compact is about agreeing to uphold one of the outlined best practices listed by the Baker administration. Lexington would be a partner with Middlesex3 and the other communities for a "regionalization/shared services" compact. The advantages for Lexington's Middlesex3 compact are: 1. "Points" for Lexington when applying for MassWorks and other state grants; 2. Improving public and non-Single Occupant Vehicle (SOV) transportation options between Lexington and the greater Lowell area. Stephanie Cronin of Middlesex 3 has found that this objective is of interest for restaurants, retail and other industries.

**Middlesex 3 Regional Transportation Community Compact - REGIONALIZATION/SHARED SERVICES Best Practices**

The Middlesex 3 Coalition communities plan to enter into a regional community compact to address transportation challenges. Significant economic activities take place along the Route 3 corridor. Employees often come from the northern Middlesex 3 corridor to the southern M3 corridor. While these areas are close in proximity, public transportation is limited due to schedules and the funding structure. This is partly because there is an artificial boundary separating two regional transit authorities (RTAs). The result has been a public transportation system that is stymied by funding as it is focused on miles driven within each RTA and not on actual usage, demand, or regional needs across the two RTAs.

The Middlesex 3 Transportation Community Compact would tackle this interregional issue that has constrained our region's economy and public transportation system and usage. This would be accomplished through continued discussions with the two local RTAs, the Northern Middlesex Council of Governments, the Metropolitan Area Planning Council, the Central Transportation Planning staff and federal and private transportation resources. The Middlesex 3 Transportation Community Compact aims to address the real and current public transportation needs of the residents and employers in our region that are not currently being addressed.

Melisa and I are happy to discuss this further or to assist you and the Board in any way.

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Consider Flag Policy (10 min.)

### PRESENTER:

Carl F. Valente, Town Manager

### ITEM NUMBER:

I.5

### SUMMARY:

On occasion, the Board receives requests to fly the U.S. Flag at half-staff upon the death of a public official or prominent citizen. The Board does not have a policy for these situations. Attached, for the Selectmen's review and comment, is a draft policy along with the relevant section of the U.S. Flag Code.

### SUGGESTED MOTION:

### FOLLOW-UP:

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

7:45 PM

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Flag Policy	Bylaw/Regulation
<input type="checkbox"/> Flag Code	Bylaw/Regulation

**Policy:** Half-staff display of the United States flag on Town property is intended as a visible, public symbol of respect for the heroic service and sacrifice of public officials and military personnel upon their death.

**Flag on the Battle Green** - The United States flag on the Battle Green will be lowered to half-staff at the direction of the Board of Selectmen or its designee, or in accordance with an order issued by the President of the United States or the Governor of the Commonwealth.

**Flag at Municipal Buildings or Grounds** – The United State flag on municipal buildings and grounds under the jurisdiction of the Town Manager will be lowered to half-staff in accordance with the Memorial Events schedule set forth below, or in accordance with an order issued by the President of the United States or the Governor of the Commonwealth.

**Memorial Events:**

<b><u>On Death of</u></b>	<b><u>Flag Displayed at Half-Staff</u></b>
U.S. President or Former President	For 30 Days from the Date of Death
U.S. Vice President; Chief Justice or Retired Chief Justice of the U.S.; Speaker of the U.S. House of Representatives	For 10 Days from the Date of Death
Associate Justice of Supreme Court; Cabinet Member; Former Vice President; Governor of a State, territory or possession U. S. House; Minority Leader of U. S. House	From the day of Death until Interment
U.S. Senator from Massachusetts; U.S. Representative from Massachusetts Representing Lexington Member of Congress	From the day of Death and following day
Governor of Massachusetts	From the day of Death until Interment
Lexington Police Officer, Firefighter or military personnel killed in the line of Duty	From the day of Death until Interment
Peace Officers Memorial Day	This day unless that day is also Armed Forces Day
Lexington Elected Official	From the day of Death until Interment
Former Lexington Elected Official	On the day of Interment
Other individuals	As determined by the Board of Selectmen

## Patriot Day – American Flags to Half Staff

Wednesday, September 9th, 2009

**Title:** Patriot Day – Flags to Half Staff

**Location:** United States of America

**Description:** American Flags to Half Staff

**Start Time:** Sunrise

**Date:** 2009-09-11

**End Time:** Sunset

Tags: [American Flag Half Staff Mast US flags](#), [Mast](#), [Patriot Day](#), [Sept 11th](#), [September](#), [Staff](#), [USA](#)

Posted in [Half Staff Resources](#) | [No Comments](#) »

## When to Raise Flag to Half Staff?

Monday, February 2nd, 2009

According to the [United States Flag Code](#) Section 7.m:

M. The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. As used in this subsection —

1. the term “half-staff” means the position of the flag when it is one-half the distance between the top and bottom of the staff;
2. the term “executive or military department” means any agency listed under sections 101 and 102 of title 5, United States Code; and
3. the term “Member of Congress” means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.

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# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Selectmen Committee Appointment - Historic Districts Commission (5 min.)

### PRESENTER:

Joe Pato

### ITEM NUMBER:

I.6

### SUMMARY:

Lynn Hopkins' term on the Historic Districts Commission expired on December 31, 2015. The Historical Society has submitted the attached letter with nominations.

### SUGGESTED MOTION:

Motion to appoint \_\_\_\_\_ to the Historic Districts Commission, for a term to expire December 31, 2020.

### FOLLOW-UP:

Selectmen's Office

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

7:55 PM

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Historical Society Nominations for Historic Districts Commission	Backup Material

1/4



# LEXINGTON HISTORICAL SOCIETY

December 16, 2015

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

To the Selectmen:

Lynn Hopkins' term as a full member of the Historic Districts Commission expires on December 31, and we would like to forward her name as a nominee for re-appointment. Lynn's long-term HDC experience, currently in the capacity as Chair of the Commission, as well as her professional architectural experience make her well-qualified for another term.

As a second nominee, we submit Marilyn Fenollosa, currently an associate member of the HDC. Marilyn has extensive preservation experience as well as legal skills. She has fostered communication among the Historical Commission, the HDC and the Community Preservation Committee.

Resumes for these candidates are attached.

Sincerely,

William Poole  
President

# **AGENDA ITEM SUMMARY**

## **LEXINGTON BOARD OF SELECTMEN MEETING**

### **AGENDA ITEM TITLE:**

Establish and Vote Date for February Special Town Meeting, Open the Warrant and Set Date to Close Warrant (5 min.)

### **PRESENTER:**

Joe Pato

### **ITEM NUMBER:**

I.7

### **SUMMARY:**

Establish and vote a date for a February 2016 Special Town Meeting for the Minuteman School Project.

Also vote to open the warrant and close the warrant.

### **SUGGESTED MOTION:**

Motion to schedule a Special Town Meeting to begin on Monday, February \_\_, 2016.

Motion to open the warrant and close the warrant to citizen articles for the February 2016 Special Town Meeting on \_\_\_\_\_.

### **FOLLOW-UP:**

Selectmen's Office

### **DATE AND APPROXIMATE TIME ON AGENDA:**

1/4/2016

8:00 PM



# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Adjustments to Water & Sewer Charges

### PRESENTER:

William P Hadley, Director of Public  
Works

### ITEM NUMBER:

C.1

### SUMMARY:

Adjustments to Water & Sewer charges as recommended by WSAB 12/3/15 \$ (85,512.91)

### SUGGESTED MOTION:

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

### FOLLOW-UP:

Treasurer's Office

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

8:05 PM

### ATTACHMENTS:

Description	Type
☐ BOS 1-4-16	Cover Memo



FY2016

ADJUSTMENTS TO WATER/ SEWER

AS RECOMMENDED BY THE WATER AND SEWER ABATEMENT BOARD

PAGE 1 OF 2

WSAB 12/3/15/2015 BOS 1/4/2016

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR
0200597400	38	Adams Street	\$ (9,991.26)	\$ (50,050.76)	\$ (60,042.02)	834919	2016
0100236500	74	Blossomcrest Road	\$ (163.98)	\$ (480.16)	\$ (644.14)	829542	2016
0200463900	10	Boulder Road	\$15.39	\$ (203.67)	\$ (188.28)	833042	2016
0100019700	57	Bow Street	\$ (860.46)	\$ (2,024.46)	\$ (2,884.92)	826752	2016
0100035300	20	Cliffe Avenue	\$ (1.80)	\$ (4.26)	\$ (6.06)	826933	2016
0200991000	11	Courtyard Place	\$38.40	\$ (47.71)	\$ (9.31)	783889*	2015
0200991000	11	Courtyard Place	\$ (38.40)	\$ (98.48)	\$ (136.88)	783889*	2015
0300765900	13	Donald Street	\$ (32.87)	\$ (84.93)	\$ (117.80)	823060	2015
0100025400	5	Drew Avenue	\$ (12.60)	\$ (29.82)	\$ (42.42)	826816	2016
0100079900	17	Evergreen Lane		\$ (2,252.34)	\$ (2,252.34)	827478	2016
0100194302	208	Follen Road	\$ (122.85)		\$ (122.85)	829030	2016
0200530100	111	Grant Street	\$ (451.02)	\$ (1,739.22)	\$ (2,190.24)	819352*	2015
0300712600	10	Hill Street		\$2,624.31	\$2,624.31	822388	2015
0100033700	23	Lillian Road	\$ (748.69)	\$ (1,702.54)	\$ (2,451.23)	826913*	2016
0100033702	23	Lillian Road	\$1,025.15		\$1,025.15	826914*	2016
0100132100	14	Lisbeth Street	\$ (284.61)	\$ (546.84)	\$ (831.45)	828190*	2016
0100082800	294	Lowell Street	\$ (360.51)	\$ (792.94)	\$ (1,153.45)	827511	2016
0100306400	12	Luongo Farm Lane	\$ (372.58)	\$ (743.72)	\$ (1,116.30)	830416	2016
0100306502	12	Luongo Farm Lane	\$581.38		\$581.38	830417	2016
0200313400	1900	Massachusetts Avenue	\$ (1,002.15)	\$ (3,013.85)	\$ (4,016.00)	831014	2016
0100306202	32	Moreland Avenue	\$ (28.36)		\$ (28.36)	830412	2016
0200539002	6	Oak Park Circle	\$ (1,078.40)		\$ (1,078.40)	3093	2015
0200576400	6	Patriots Drive	\$ (358.40)	\$ (708.80)	\$ (1,067.20)	834596	2016
0100969000	82	Pleasant Street	\$42.75	\$ (693.79)	\$ (651.04)	830464	2016
0200494000	8	Rumford Road	\$ (487.89)	\$ (2,426.94)	\$ (2,914.83)	833410	2016
0300624800	18	Stratham Road		\$ (477.47)	\$ (477.47)	807125	2015
0200347700	2	Wallis Court	\$ (93.42)	\$ (1,186.08)	\$ (1,279.50)	817012	2015
0100286900	26	Watertown Street	\$29.07	\$ (1,094.75)	\$ (1,065.68)	830191	2016
0100106500	10	Wheeler Road	\$17.10	\$ (1,163.97)	\$ (1,146.87)	827849	2016
0100103902	29	Whipple Road	\$ (1,828.71)		\$ (1,828.71)	827813	2016
			\$ (16,569.72)	\$ (68,943.19)	\$ (85,512.91)		



**FY2016**  
**ADJUSTMENTS TO WATER/SEWER**  
**AS RECOMMENDED BY THE WATER AND SEWER ABATEMENT BOARD**  
**WSAB 12/3/15/2015 BOS 1/14/2016**

**PAGE 2 OF 2**

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR
Carried over from Page 1			\$ (16,569.72)	\$ (68,943.19)	\$ (85,512.91)		
			<b>\$ (16,569.72)</b>	<b>\$ (68,943.19)</b>	<b>\$ (85,512.91)</b>		

It is further recommended to waive all accumulated interest on disputed bills for which no abatement is recommended:

ACCOUNT	NBR	STREET	WATER	SEWER	TOTAL	BILL	YEAR

\* Although one bill will be adjusted, other bills are included in the calculation

It is the recommendation of the Water and Sewer Abatement Board that the Town Collector be authorized to waive interest that has accrued on the bills included herein, unless stated here otherwise, from the due date of the bill until 30 calendar days after the date of written notification to applicant of the Selectmen's action.

THE SUM SET AGAINST THE ABOVE ACCOUNTS IS HEREBY ADJUSTED.

<b>WATER</b>	<b>SEWER</b>	<b>TOTAL</b>
<b>\$ (16,569.72)</b>	<b>\$ (68,943.19)</b>	<b>\$ (85,512.91)</b>

*William D. Lacey*  
 \_\_\_\_\_  
 DIRECTOR OF PUBLIC WORKS

\_\_\_\_\_  
 BOARD OF SELECTMEN  
 1/4/2016

\* Indicates more than one bill is involved with this abatement

# 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:

Spectable Management has requested the following one-day liquor licenses to serve beer and wine in the Cary Memorial Building Lobby:

- January 23, 2016, 7:00 p.m. to 11:00 p.m. (Lenny Clarke)
- February 14, 2016, 7:00 p.m. to 11:00 p.m. (Phil Vassar)

### SUGGESTED MOTION:

Motion to approve the consent agenda.

### FOLLOW-UP:

Selectmen's Office

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

8:05 PM

### ATTACHMENTS:

Description	Type
☐ Spectable Management - Application for One-Day Liquor Licenses	Backup Material

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Approve Selectmen Minutes

### PRESENTER:

Joe Pato

### ITEM NUMBER:

C.3

### SUMMARY:

Attached are the following Selectmen Minutes for your review and approval:

- Minutes of October 5, October 8, October 14, October 19, and October 28.

### SUGGESTED MOTION:

Motion to approve the Consent Agenda.

### FOLLOW-UP:

Selectmen's Office

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

8:05 PM

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> October 2015 Selectmen Minutes for Approval	Backup Material

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Exemption 3: Potential Litigation - Shire (15 min.)

### PRESENTER:

Carl F. Valente, Town Manager

### ITEM NUMBER:

E.1

### SUMMARY:

*Suggested Motion: Move to go into Executive Session to consider potential litigation regarding Shire, and to reconvene in Open Session only to adjourn. Further, as Chairman I declare that an open meeting discussion may have a detrimental effect on the litigating position of the Town.  
Update the Board on Shire's compliance with Noise Bylaw and Covenant.*

### SUGGESTED MOTION:

Not at this time.

### FOLLOW-UP:

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

8:10 PM

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Release from Town Counsel	Backup Material

# AGENDA ITEM SUMMARY

## LEXINGTON BOARD OF SELECTMEN MEETING

### AGENDA ITEM TITLE:

Exemption 6: Update on 20 Pelham Road Property (15 min.)

### PRESENTER:

Carl F. Valente, Town Manager

### ITEM NUMBER:

E.2

### SUMMARY:

**Suggested motion for Executive Session:** *Move to 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, as Chairman I declare that an open meeting discussion may have a detrimental effect on the negotiating position of the Town.*

The Town Manager will provide the Board with an update on the Pelham Road property acquisition.

### SUGGESTED MOTION:

None

### FOLLOW-UP:

TMO

### DATE AND APPROXIMATE TIME ON AGENDA:

1/4/2016

8:25 PM