

SELECTMEN'S MEETING
Tuesday, March 8, 2016
Estabrook Hall, Cary Memorial Building
6:30 PM

AGENDA

EXECUTIVE SESSION

1. Exemption 6: Purchase of Land-20 Pelham Road (30 min.) 6:30 PM
2. Exemption 3: Shire - Potential Litigation (1 hour) 7:00 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. Article Presentation - Article 34 - Non-Binding Resolution - Guns (45 min.) 8:00 PM

EXECUTIVE SESSION

1. Exemption 4: Deployment of Security Personnel or Devises (30 min.) 8:45 PM

ADJOURN

1. Approximate Adjourn Time 9:15 PM

The next meeting of the Board of Selectmen is scheduled for Monday, March 14, 2016, in the Selectmen Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

*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 of Land-20 Pelham Road (30 min.)

PRESENTER:

John Livsey, Town Engineer

ITEM NUMBER:

E.1

SUMMARY:

Suggested motion for Executive Session: *Move that the Board of Selectmen go into Executive Session to consider the purchase, exchange, lease or value of real property, 20 Pelham Road, and to reconvene in Open Session at the conclusion of the Executive Session-Exemption 3. Further, that as Chairman, I declare that an open meeting may have a detrimental effect on the negotiating position of the Town.*

Continue discussion regarding negotiations/purchase of 20 Pelham Road.

SUGGESTED MOTION:

NA

FOLLOW-UP:

BOS and Town Manager

DATE AND APPROXIMATE TIME ON AGENDA:

3/8/2016

6:30 PM

ATTACHMENTS:

Description	Type
☐ Alternative 1	Exhibit
☐ Alternative 1	Exhibit
☐ Alternative 1A	Exhibit
☐ Alternative 1A	Exhibit
☐ Cross Section Analysis	Exhibit

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Exemption 3: Shire - Potential Litigation (1 hour)

PRESENTER:

Board of Selectmen

ITEM NUMBER:

E.2

SUMMARY:

Suggested motion for Executive Session: *Move that the Board of Selectmen go into Executive Session to consider potential litigation and to reconvene in Open Session . Further, that as Chairman, I declare that an open meeting may have a detrimental effect on the litigating position of the Town.*

Continue discussion regarding Shire's compliance with the Noise bylaw.

SUGGESTED MOTION:

NA

FOLLOW-UP:

NA

DATE AND APPROXIMATE TIME ON AGENDA:

3/8/2016

7:00 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Shire Covenant	Backup Material
<input type="checkbox"/> Noise Protocols	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Article Presentation - Article 34 - Non-Binding Resolution - Guns (45 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.1

SUMMARY:

Mr. Rotberg will join the Board to discuss his candidate motion for a non-binding resolution calling on the State Legislature to strengthen Massachusetts laws currently banning assault weapons within the Commonwealth (MGL c. 140, § 131M).

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/8/2016

8:00 PM

ATTACHMENTS:

Description	Type
□ Draft Resolution for Article 34	Exhibit

Article 34 - Banning Assault Weapons

RESOLVED: That Town Meeting requests the Board of Selectmen to urge the Great and General Court of Massachusetts to strengthen Massachusetts laws currently banning assault weapons within the Commonwealth (MGL c. 140, § 131M). In addition Town Meeting encourages other Towns and Cities in the Commonwealth to join us in asking for a material toughening of Massachusetts gun laws.

By this Resolution, Town Meeting supports a detailed ban on assault weapons that would be more specific and more complete than existing Massachusetts legislation in this area. Specifically, because such detail is not now part of Massachusetts law, Town Meeting proposes the following language and detailed definitions to the Great and General Court:

Assault Weapons Ban:

A) Intent.

That the manufacture, sale, or possession of assault weapons and large capacity ammunition magazines be prohibited within the Commonwealth of Massachusetts.

B) Definitions.

1) Assault weapon means

- a) A semiautomatic rifle that has the capacity to accept a large, detachable, magazine and one or more of the following properties:
 - Only a pistol grip without a stock attached
 - Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand
 - A folding, telescoping, or thumbhole stock
 - A shroud attached to the barrel that partially or completely encircles the barrel, allowing the shooter to hold the firearm with the non-trigger hand
 - A muzzle brake or muzzle compensator
- b) A semi-automatic pistol or any semi-automatic rifle that has a fixed magazine and the capacity to accept more than ten (10) rounds of ammunition.
- c) A semi-automatic pistol that has the capacity to accept a detachable magazine and has one or more of the following properties:
 - Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand.
 - A folding, telescoping, or thumbhole stock

- A shroud attached to the barrel that partially or completely encircles the barrel and that allows the bearer to hold the firearm with the non-trigger hand
 - A muzzle brake or muzzle compensator
 - The capacity to accept a detachable magazine outside of the pistol grip
- d) A semiautomatic shotgun that has one or more the following properties:
- Only a pistol grip without a stock attached
 - Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand
 - A folding, telescoping, or thumbhole stock
 - A fixed magazine capacity in excess of five rounds
 - An ability to accept a detachable magazine
- e) Any shotgun with a revolving cylinder
- f) Any conversion kit, part, or combination of parts from which an assault weapon can be assembled
- g) The above prohibitions shall include, but not be limited to, the following assault weapon models:
- AK, AKM, AKS, AK-47, ARM, MAK90, MISR, NHM 90, NHM 91, SA 85, SA 93, VEPR
 - AR-10
 - AR-15, BUSHMASTER XM 15, ARMALITE M15, OLYMPIC ARMS PCR
 - AR 70
 - CALICO LIBERTY
 - DRAGUNOV SVD SNIPER RIFLE, DRAGUNOV SVU
 - FABRIQUE NATIONAL FN/FAL, FN/LAR, FNC
 - HI-POINT CARBINE
 - HK-91, HK 93, HK 94, HK PSG 1
 - KEL-TEC SUB RIFLE
 - SAIGA
 - SAR 8, SAR 4800
 - SKS with detachable magazine
 - SLG 95
 - SLR 95, SLR 96
 - STEYR AUG
 - STURM, RUGER MINI-14

- TAVOR
- THOMPSON 1927, THOMPSON M1, THOMPSON 1927 Commando
- UZI, GALIL, UZI SPORTER, GALIL SPORTER, GALIL SNIPER RIFLE (GALATZ)
- BARRETT 50 mm.

And the following pistols, copies, or duplicates

- Calico M10
- MAC 10, MAC 11, MPA3
- OLYMPIC OA
- TEC 9, TEC d9, TEC 22 SCORPION, AB 10
- UZI

And the following shotguns, copies, or duplicates

- Armscor 30 BG
- SPAS 12, LAW 12
- STRIKER 12
- STREETSWEEPER

- 2) Detachable magazine means any ammunition feeding device, the function of which is to deliver one or more ammunition cartridges into a firing chamber and which can be removed from the firearm without the use of any tool or kind of tool, including a bullet or an ammunition cartridge
- 3) Large capacity magazine means any ammunition feeding device with the capacity to accept more than ten (10) rounds, but excluding a 22 caliber tube feeding device and a tubular magazine that is contained in a lever-action firearm
- 4) Muzzle brake means a device attached to the muzzle of a weapon so that it utilizes escaping gases to reduce recoil
- 5) Muzzle compensator means a device attached to the muzzle of a weapon so that it utilizes escaping gases to control muzzle movement

C) Exemptions

- 1) Assault weapon does not include any firearm that has been made permanently inoperable, or that satisfies the definition of an antique firearm (that is, manufactured before 1899)
- 2) These prohibitions against the manufacture, sale, and possession of assault weapons and high-capacity magazines within the Commonwealth of Massachusetts shall not apply to law enforcement officers or members of the armed forces of the United States acting within the scope of official duties.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Exemption 4: Deployment of Security Personnel or Devices (30 min.)

PRESENTER:

Joe Pato; Carl Valente; Chief Mark
Corr

ITEM NUMBER:

E.3

SUMMARY:

Suggested motion for Executive Session: *Move that the Board of Selectmen go into Executive Session to discuss the deployment of security devices or strategies and to reconvene in Open Session only to adjourn.*

Discussion regarding public safety planning for the Article 34 presentation at Town Meeting on April 6..

SUGGESTED MOTION:

NA

FOLLOW-UP:

NA

DATE AND APPROXIMATE TIME ON AGENDA:

3/8/2016

8:45 PM