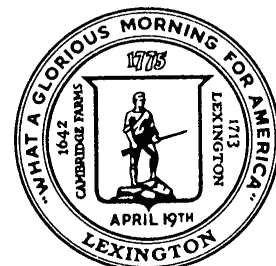


March 3, 2008: Annual Town Election

TOWN OF LEXINGTON WARRANT

TO THE

2008 ANNUAL TOWN MEETING



CALENDAR OF EVENTS

Monday, March 3	Town Elections Polls Open - 7:00 a.m.-8:00 p.m.
Wednesday, March 5 - 7:30 p.m. Cary Memorial Hall Auditorium	Precinct Meetings TMMA Meeting First Information Session (Municipal Budget)
Thursday, March 6 - 7:30 p.m. Cary Memorial Hall Auditorium	TMMA Second Information Session (School Budget)
Sunday, March 9 – Time TBD	TMMA Bus Tour (starts at TBD)
Tuesday, March 11 - 7:30 p.m. Cary Memorial Hall Auditorium	TMMA Third Information Meeting (Citizen and CPA Articles)
Wednesday, March 12- 7:30 p.m. Selectmen’s Meeting Room, Town Office Building	Moderator's Meeting with Article Sponsors
Thursday, March 13 – 7:30 p.m. Cary Memorial Hall Auditorium	TMMA Fourth Information Meeting (Planning and Citizen Zoning Articles)
Saturday, March 15 – 10:00 a.m. Selectmen’s Meeting Room, Town Office Building	Moderator's Workshop for New Town Meeting Members
Wednesday, March 19 - 7:30 p.m. Cary Memorial Hall Auditorium	Town Meeting begins - No Town Meeting during School Vacation Week (April 21-25)

Note: During Town Meeting, interpreters for the deaf or hard of hearing are available on request to Human Services Coordinator Dianne Snell at 781-861-0194.

2008
ANNUAL TOWN WARRANT
TABLE OF CONTENTS

	<u>Page</u>
Calendar	Inside Front Cover
Board of Selectmen’s Message	3
Summary of Revenues and Expenditures	4
 <u>WARRANT FOR ANNUAL TOWN MEETING</u>	
Article 1 Elections	5
Article 2 Reports of Town Boards, Officers, Committees	6
Article 3 Appointments to Cary Lecture Series	6
 <u>FINANCIAL ARTICLES</u>	
Article 4 Appropriate FY2009 Operating Budget	6
Article 5 Appropriate FY2009 Enterprise Funds Budgets	7
Article 6 Appropriate for Senior Service Program	8
Article 7 Appropriate for Street Trees	8
Article 8 Continue and Approve Departmental Revolving Funds	9
Article 9 Appropriate the FY2009 Community Preservation Committee Operating Budget and for CPA Projects	10
Article 10 Land Purchase – Off Marrett Road	11
Article 11 Land Purchase – Off Hartwell Avenue	11
Article 12 Land Purchase – Off Lowell Street	11
Article 13 Land Purchase – Off Cedar Street and Off Hartwell Avenue	12
Article 14 Appropriate for Recreation Capital Projects	12
Article 15 Appropriate for Municipal Capital Projects and Equipment	13
Article 16 Appropriate for Water Distribution Improvements	15
Article 17 Appropriate for Sewer Improvements	16
Article 18 Appropriate for School Capital Projects and Equipment	17
Article 19 Appropriate for Public Facilities Capital Projects	17
Article 20 Appropriate for Affordable Housing Purposes	19
Article 21 Appropriate Money – Laconia Street (Citizens’ Petition)	20
Article 22 Appropriate for Post Employment Benefits	20
Article 23 Rescind Prior Borrowing Authorizations	20
Article 24 Establish and Appropriate to Specified Stabilization Funds	21
Article 25 Appropriate to Stabilization Fund	21
Article 26 Appropriate for Prior Years’ Unpaid Bills	21
Article 27 Amend FY2008 Operating Budget	22
Article 28 Appropriate for Authorized Capital Improvements	22
Article 29 Use of Funds to Reduce the Tax Rate	22

GENERAL ARTICLES

Article 30 Amend General Bylaw - Stormwater 23
Article 30 Amend General Bylaw – Authority to Issue Trench Excavation Permits..... 23
Article 32 Amend General Bylaw – Abatement of Interest 23
Article 33 Amend General Bylaw – Terms for Certain Contracts 24
Article 34 Amend Non-Criminal Disposition Bylaw (Burglar And Other Alarms) 25
Article 35 Amend General Bylaw - Deputy Moderator 25
Article 36 Amend General Bylaw - Snow/Ice Removal (Citizens’ Petition) 25
Article 37 Amend Code for Fees to Remove Protected Trees (Citizens’ Petition) 26
Article 38 Moderator Rulings Subject to Appeal (Citizens’ Petition) 26
Article 39 Amend General Bylaw - Tourism Committee 26
Article 40 Double Utility Poles (Citizens’ Petition) 27
Article 41 Municipal Electric Utilities (Citizens’ Petition) 27
Article 42 Resolution – Climate Change (Citizens’ Petition) 28
Article 43 Resolution - Petroleum Supply Impacts (Citizens’ Petition) 28
Article 44 Reconfirm Votes Petitioning the General Court 28
Article 45 Sale of Land to Abutter 29
Article 46 Accept Gift of Land - Schumacher Family 29
Article 47 Accept Gift of Land – Wheaton Family 29
Article 48 Munroe School Disposition..... 30

ZONING/LAND USE ARTICLES

Article 49 Amend Zoning By-Law, Special Permit Residential Development 30
Article 50 Amend Zoning By-Law, Height of Buildings and Structures..... 31
Article 51 Associate Planning Board Member 32
Article 52 Amend Zoning By-Law, CRS Zone 303, 311-325 Woburn Street,
400 Lowell Street (Owners’ Petition) 32
Article 53 Amend Zoning By-Law, CM District Floor Area Ratio (Citizens’ Petition) 33
Article 54 Amend Zoning By-Law, Mixed Uses In CM District (Citizens’ Petition) 33
Article 55 Amend Zoning By-Law, CRO District Floor Area Ratio (Citizens’ Petition) 35
Article 56 Amend Zoning By-Law, Traffic By-Law (Citizens’ Petition) 35
Article 57 Amend Zoning By-Law, Development Standards (Citizens’ Petition) 40
Article 58 Amend Zoning By-Law, Transition Areas and Setbacks (Citizens’ Petition) 41
Article 59 Amend Zoning By-Law, Parking and Bicycle Facility Standards
For Office Use (Citizens’ Petition) 41
Article 60 Amend Zoning By-Laws – Parking Standards for Retail Sales
(Citizens’ Petition) 43

Appendix A - Program Summary – Article 4 Operating Budget..... 44
Map 46
List of Town Meeting Members 48
Town Finance Terminology..... 54
Election Information Inside Back Cover



Town of Lexington, Massachusetts

OFFICE OF SELECTMEN

JEANNE K. KRIEGER, CHAIRMAN
PETER C.J. KELLEY
NORMAN P. COHEN
HANK MANZ
GEORGE A. BURNELL

TEL: (781) 862-0500 x208
FAX: (781) 863-9468

February 4, 2008

To the Residents of Lexington:

The Warrant provides notification of the Annual Town Meeting and advises residents of the various issues being considered at the Meeting. Only articles listed in the Warrant may be discussed.

Articles are grouped in three categories: Zoning, Financial, and General. Descriptions are provided in an attempt to make the Warrant useful and understandable. A map is also provided linking certain articles to the particular sites they impact.

One of the most important votes that take place in the Annual Town Meeting is the budget. We urge citizens to read the budget, understand it, and help us find a way to foster excellence within the community. The Warrant includes the Town Manager's Proposed Budget for Fiscal Year 2009. Between now and Town Meeting there will be multiple public joint sessions between the Board of Selectmen, the School Committee and the Finance Committees to develop a comprehensive proposed budget for Town Meeting. The final proposal will be delivered to all Town Meeting members prior to the consideration of any financial articles by Town Meeting.

BOARD OF SELECTMEN

Jeanne K. Krieger, Chairman
Peter C.J. Kelley
Norman P. Cohen
Hank Manz
George A. Burnell

Summary of Revenues & Expenditures

The summary provided below shows revenues & expenses for the Town of Lexington FY 2007-2009. This summary reflects actual results of FY 2007, adjusted figures from FY 2008 and the recommendations of the Town Manager & Superintendent for FY 2009.

Revenue Summary	FY 2007		FY 2008		FY 2009		FY 2008-2009 Budget vs. Budget	
	Actual		Recap		Projected		Change (\$)	Change (%)
Tax Levy	\$ 95,306,611	\$	104,833,786	\$	109,181,083	\$	4,347,297	4.15%
State Aid	8,304,953		9,064,275		9,670,275		606,000	6.69%
Local Receipts	12,910,181		9,123,000		10,170,000		1,047,000	11.48%
Available Funds	4,923,000		4,215,347		5,620,918		1,405,571	33.34%
Revenue Offsets	-1,530,137		-1,897,006		-1,832,210		64,796	-3.42%
Enterprise Funds (Indirect)	1,772,313		1,752,885		1,710,887		-41,998	-2.40%
Total General Fund	\$ 121,686,920	\$	127,092,287	\$	134,520,953	\$	7,428,667	5.85%
Other Revenues								
Exempt Debt (Levy)	5,127,256		5,372,874		5,691,229		318,355	5.93%
Revolving Funds	635,992		976,742		1,819,000		842,258	86.23%
Grants	173,390		173,390		122,732		-50,658	-29.22%
CPA	409,906		1,491,199		3,018,386		1,527,187	102.41%
Enterprise Funds (Direct)	15,445,321		14,205,160		15,473,002		1,267,842	8.93%
Total Other Revenues	21,791,865		22,219,365		26,124,349		3,904,984	17.57%
Total Revenues	\$ 143,478,786	\$	149,311,652	\$	160,645,302	\$	11,333,650	7.59%
Expense Summary	FY 2007		FY 2008		FY 2009		FY 2008-2009 Budget vs. Budget	
	Actual		Adjusted		Projected		Change (\$)	Change (%)
Education								
Lexington Public Schools	56,722,529		61,469,961		65,097,299		3,627,338	5.90%
Minuteman Reg. School	1,024,817		1,200,438		1,510,598		310,160	25.84%
<i>sub-total Education</i>	<i>57,747,346</i>		<i>62,670,399</i>		<i>66,607,897</i>		<i>3,937,498</i>	<i>6.28%</i>
Municipal	22,551,154		24,450,067		25,759,310		1,309,243	5.35%
Shared Expenses								
Benefits & Insurance	21,720,931		24,669,043		26,562,541		1,893,498	7.68%
Debt (within-levy)	3,760,126		3,798,137		4,002,541		204,404	5.38%
Reserve Fund	0		469,868		550,000		80,132	17.05%
Facilities	8,139,593		8,639,773		8,687,464		47,691	0.55%
<i>sub-total Shared Expenses</i>	<i>33,620,650</i>		<i>37,576,821</i>		<i>39,802,546</i>		<i>2,225,725</i>	<i>5.92%</i>
Capital								
Cash Capital	1,195,000		1,355,000		1,525,750		170,750	12.60%
<i>sub-total Capital</i>	<i>1,195,000</i>		<i>1,355,000</i>		<i>1,525,750</i>		<i>170,750</i>	<i>12.60%</i>
Other								
Stabilization Fund	2,650,000		1,000,000		1,000,000		0	0.00%
Other	86,000		40,000		845,000		805,000	2012.50%
<i>sub-total Other</i>	<i>2,736,000</i>		<i>1,040,000</i>		<i>1,845,000</i>		<i>805,000</i>	<i>77.40%</i>
Total General Fund	\$ 117,850,150	\$	127,092,287	\$	135,540,503	\$	8,448,215	6.65%
Other Expenses								
Revolving Funds	585,874		976,742		1,819,000		842,258	86.23%
Grants	173,390		173,390		122,732		-50,658	-29.22%
CPA	409,906		1,491,199		3,018,386		1,527,187	102.41%
Enterprise Funds (Direct)								
Water	5,628,900		5,764,116		6,455,187		691,071	11.99%
Wastewater (Sewer)	6,681,282		6,779,913		7,341,732		561,819	8.29%
Recreation	1,637,103		1,636,131		1,676,083		39,952	2.44%
Cash Capital	75,000		25,000		0		-25,000	-100.00%
<i>sub-total Enterprise Funds</i>	<i>14,022,285</i>		<i>14,205,160</i>		<i>15,473,002</i>		<i>1,267,842</i>	<i>8.93%</i>
Exempt Debt								
Municipal	1,299,188		1,445,451		2,631,247		1,185,796	82.04%
School	3,828,068		3,927,423		3,059,982		-867,441	-22.09%
<i>sub-total Exempt Debt</i>	<i>5,127,256</i>		<i>5,372,874</i>		<i>5,691,229</i>		<i>318,355</i>	<i>5.93%</i>
Total Other Expenses	20,318,711		22,219,365		26,124,349		3,904,984	17.57%
Total Expenses	\$ 138,168,861	\$	149,311,652	\$	161,664,851	\$	12,353,199	8.27%
Surplus/(Deficit)	\$ 5,309,925	\$	-	\$	(1,019,550)			

**TOWN WARRANT
TOWN OF LEXINGTON
ANNUAL TOWN MEETING**

Commonwealth of Massachusetts

Middlesex, ss.

To either of the Constables of the Town of Lexington, or the Town Clerk, in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Lexington qualified to vote in elections and in Town affairs to meet in their respective voting places in said Town.

PRECINCT ONE, CARY MEMORIAL BUILDING; PRECINCT TWO, BOWMAN SCHOOL; PRECINCT THREE, JONAS CLARKE MIDDLE SCHOOL; PRECINCT FOUR, BRIDGE SCHOOL; PRECINCT FIVE, CARY MEMORIAL BUILDING; PRECINCT SIX, WILLIAM DIAMOND MIDDLE SCHOOL; PRECINCT SEVEN, ESTABROOK SCHOOL; PRECINCT EIGHT, FIRE HEADQUARTERS BUILDING; PRECINCT NINE, MARIA HASTINGS SCHOOL, on Monday, the third day of March 2008, at 7:00 a.m., then and there to act on the following articles:

ARTICLE 1

ELECTIONS

To choose by ballot the following Officers:

Two Selectmen for a term of three years;

One Moderator for a term of one year;

One member of the School Committee for a term of three years;

Two members of the Planning Board for a term of three years;

Eight Town Meeting Members in Precinct One, the seven receiving the highest number of votes to serve for terms of three years; the one receiving the next highest number of votes to fill an unexpired term ending March 2009;

Eight Town Meeting Members in Precinct Two, the seven receiving the highest number of votes to serve for terms of three years; the one receiving the next highest number of votes to fill an unexpired term ending March 2010;

Eight Town Meeting Members in Precinct Three, the seven receiving the highest number of votes to serve for terms of three years; the one receiving the next highest number of votes to fill an unexpired term ending March 2009;

Seven Town Meeting Members in Precinct Four, the seven receiving the highest number of votes to serve for terms of three years;

Eight Town Meeting Members in Precinct Five, the seven receiving the highest number of votes to serve for terms of three years; the one receiving the next highest number of votes to fill an unexpired term ending March 2009;

Seven Town Meeting Members in Precinct Six, the seven receiving the highest number of votes to serve for terms of three years;

Eight Town Meeting Members in Precinct Seven, the seven receiving the highest number of votes to serve for terms of three years; the one receiving the next highest number of votes to fill an unexpired term ending March 2010;

Seven Town Meeting Members in Precinct Eight, the seven receiving the highest number of votes to serve for terms of three years;

Eight Town Meeting Members in Precinct Nine, the seven receiving the highest number of votes to serve for terms of three years; the one receiving the next highest number of votes to fill an unexpired term ending March 2009.

You are also to notify the inhabitants aforesaid to meet at the Cary Memorial Building, 1605 Massachusetts Avenue, in said Town on Wednesday, the nineteenth day of March at 7:30 p.m., at which time and place the following articles are to be acted upon and determined exclusively by the Town Meeting Members in accordance with Chapter 215 of the Acts of 1929, as amended, and subject to the referendum provided for by Section eight of said Chapter, as amended.

ARTICLE 2 REPORTS OF TOWN BOARDS, OFFICERS, COMMITTEES

To receive the reports of any Board or Town Officer or of any Committee of the Town.

DESCRIPTION: This article remains open throughout Town Meeting and reports may be presented at any Town Meeting session by boards, officers, or committees.

ARTICLE 3 APPOINTMENTS TO CARY LECTURE SERIES

To see if the Town will authorize the appointment of the committee on lectures under the wills of Eliza Cary Farnham and Susanna E. Cary; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This is an annual article that provides for the appointment of three citizens to the Cary Lecture Series by the Moderator.

FINANCIAL ARTICLES

ARTICLE 4 APPROPRIATE FY2009 OPERATING BUDGET

To see if the Town will vote to make appropriations for expenditures by departments, officers, boards and committees of the Town for the ensuing fiscal year and determine whether the money shall be provided by the tax levy or by transfer from available funds, including any revolving or special funds, including enterprise funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Changes to the Water Enterprise fund budget from FY2008 reflect a \$125,000 reduction in the PILOT payment to the General Fund and an estimated increase for the MWRA assessment. Debt service includes projects previously approved by Town Meeting and the projects proposed at this Town Meeting (Article 16).

Changes to the Wastewater Enterprise fund budget from FY2008 reflect a \$62,500 reduction in the PILOT payment to the General Fund and an estimated increase for the MWRA assessment. Debt service includes projects previously approved by Town Meeting and the projects proposed at this Town Meeting (Article 17).

Changes to the Recreation Enterprise fund budget from FY2008 reflect contractual salary increases, utility increases and supplies and materials for recreation programs.

ARTICLE 6 **APPROPRIATE FOR SENIOR SERVICE PROGRAM**

To see if the Town will vote to raise and appropriate a sum of money for the purpose of conducting a Senior Service Program, to be spent under the direction of the Town Manager; to authorize the Board of Selectmen to establish and amend rules and regulations for the conduct of the program, determine whether the money shall be provided by the tax levy, by transfer from available funds or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$45,000

DESCRIPTION: In FY2007, the Town established its own Senior Tax Work Off Program which provided more flexibility than the state program in assisting low-income seniors and disabled residents in reducing their property tax bills. This article requests funds to continue the program.

ARTICLE 7 **APPROPRIATE FOR STREET TREES**

To see if the Town will vote to appropriate a sum of money to plant 70 street trees to replace those that are removed each year; determine whether the money shall be provided by the tax levy, by transfer from available funds or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Tree Committee)

FUNDS REQUESTED: \$24,000

DESCRIPTION: Each year the town loses on net about 70 public street trees. The funds requested would provide for the purchase and planting of 70 street trees to compensate for this loss of trees.

ARTICLE 8 CONTINUE AND APPROVE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote, pursuant to Chapter 44, Section 53E½, of the Massachusetts General Laws, to authorize the use of revolving fund accounts in FY2009 for the following programs and purposes, to determine whether such revolving fund accounts shall be credited with the following departmental receipts, to determine whether the following boards, departments or officers shall be authorized to expend amounts from such revolving fund accounts, and to determine whether the maximum amounts that may be expended from such revolving fund accounts in FY2009 shall be the following amounts or any other amounts; or act in any other manner in relation thereto:

(Inserted by the Board of Selectmen)

FUNDS REQUESTED:

Program or Purpose	Authorized Representative or Board to Spend	Departmental Receipts	FY2009 Authorization
DPW Burial Containers	Public Works Director	Sale of Grave Boxes and Burial Vaults	\$35,000
DPW Compost Operations	Public Works Director	Sale of compost and loam, yard waste permits	\$252,000
LexMedia Operations	Board of Selectmen and Town Manager	License fees from cable TV providers	\$400,000
Trees	Board of Selectmen	Gifts and fees	\$20,000
Minuteman Household Hazardous Waste Program	Public Works Director	Fees paid by consortium towns	\$175,000
Health Programs	Health Director	Medicare reimbursements	\$7,000
Council on Aging Programs	Social Services Director	Program fees and gifts	\$100,000
School Bus Transportation	School Committee	School bus fees	\$830,000
Public Facilities Revolving Fund	Director of Public Facilities	Building rental fees	Not available at press time

DESCRIPTION: A revolving fund established under the provisions of Massachusetts General Laws Chapter 44, Section 53E½ must be authorized annually by vote of the Town Meeting. The fund is credited with only the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation.

ARTICLE 9

APPROPRIATE THE FY2009 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET AND CPA PROJECTS

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY2009 Community Preservation budget and, pursuant to the recommendations of the Community Preservation Committee, to appropriate from the Community Preservation Fund, or to reserve amounts in the Community Preservation Fund for future appropriations, for the administrative expenses of the Community Preservation Committee for FY2009; for the acquisition, creation and preservation of open space – including land for recreational use; for the acquisition, preservation, rehabilitation and restoration of historic resources; and for the creation, preservation and support of community housing; to appropriate additional funds for such approved projects and determine whether the money shall be provided by the tax levy, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Community Preservation Committee)

FUNDS RECOMMENDED:

- a) Survey and Define Affordable Housing Assistance Programs - \$25,000;
- b) Belfry Hill Tree Restoration - \$9,850;
- c) Hancock-Clarke House Restoration - \$600,000;
- d) Old Reservoir Management - \$60,000 (\$55,000 from CPA funds and \$5,000 from Recreation Fund retained earnings);
- e) Vynebrook Village Windows - \$158,686;
- f) Archive Record Management and Conservation - \$150,000;
- g) Parker Manor Condo Purchases - \$652,800;
- h) Senior Center Design, Renovation and Expansion – unknown at press time;
- i) Harrington Pre-School Playground - \$75,000;
- j) School Administration Building/Old Harrington - \$400,000 (\$330,000 from CPA funds and \$70,000 from free cash);
- k) Town Office Complex Building Envelope - \$95,000;
- l) East Lexington Fire Station - \$47,500;
- m) ADA Accessible Bathrooms and Signs for Town Office Building - \$70,000;
- n) Town Office Building Use Study and Renovation Design - \$100,000;
- o) Stone Building Renovation – unknown at press time;
- p) Land Acquisition – unknown at press time;
- q) Munroe Fire Prevention System Replacement – \$579,550 (CPC vote pending); and
- r) Administrative Expenses - \$50,000.

DESCRIPTION: This article requests that Community Preservation Funds and other funds, as necessary, be appropriated for the projects recommended by the Community Preservation Committee and for administrative costs.

ARTICLE 10

LAND PURCHASE – OFF MARRETT ROAD

To see if the Town will vote to authorize the Conservation Commission to purchase or otherwise acquire, and authorize the Selectmen to take by eminent domain, upon the written request of the Conservation Commission, for conservation purposes including outdoor recreation as provided by Section 8C of Chapter 40 of the Massachusetts General Laws, as amended, any fee, easement, or conservation restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws, or other interest in all or any part of land shown as lots 90B and 60B on Assessors’ Property Map 31, now or formerly of Cataldo; and appropriate a sum of money therefor and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the Request of the Community Preservation Committee)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests Community Preservation funds to purchase open land off Marrett Road adjacent to currently owned Town land.

ARTICLE 11

LAND PURCHASE – OFF HARTWELL AVENUE

To see if the Town will vote to authorize the Conservation Commission to purchase or otherwise acquire, and authorize the Selectmen to take by eminent domain, upon the written request of the Conservation Commission, for conservation purposes including outdoor recreation as provided by Section 8C of Chapter 40 of the Massachusetts General Laws, as amended, any fee, easement, or conservation restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws, or other interest in all or any part of land shown as lot 2 on Assessors’ Property Map 80, now or formerly of Pacific Partners Realty Trust; and appropriate a sum of money therefor and determine whether the money shall be provided by tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the Request of the Community Preservation Committee)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests Community Preservation funds to purchase open land off Hartwell Avenue.

ARTICLE 12

LAND PURCHASE – OFF LOWELL STREET

To see if the Town will vote to authorize the Selectmen or the Conservation Commission to purchase or otherwise acquire, and authorize the Selectmen to take by eminent domain, upon the written request of the Conservation Commission, for conservation purposes including outdoor recreation as provided by Section 8C of Chapter 40 of the Massachusetts General Laws, as amended, or authorize the Selectmen to take by eminent domain for municipal purposes, any fee,

easement, or conservation restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws, or other interest in all or any part of land shown as lots 38, 40A and 43 on Assessors' Property Map 20, now or formerly of Busa; and appropriate a sum of money therefor and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Community Preservation Committee)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests Community Preservation funds to purchase property off Lowell Street currently used for farming purposes.

ARTICLE 13

**LAND PURCHASE – OFF CEDAR STREET
AND OFF HARTWELL AVENUE**

To see if the Town will vote to authorize the Conservation Commission to purchase or otherwise acquire, and authorize the Selectmen to take by eminent domain, upon the written request of the Conservation Commission, for conservation purposes including outdoor recreation as provided by Section 8C of Chapter 40 of the Massachusetts General Laws, as amended, any fee, easement, or conservation restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws, or other interest in all or any part of land shown as lots 6A and 8 on Assessors' Property Map 73, now or formerly of Goodwin; and appropriate a sum of money therefor and determine whether the money shall be provided by tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Community Preservation Committee)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests Community Preservation funds to purchase open land off Cedar Street and off Hartwell Avenue.

ARTICLE 14

APPROPRIATE FOR RECREATION CAPITAL PROJECTS

To see if the Town will vote to appropriate a sum of money for the following Recreation Department capital improvements:

- a) Center Complex Restroom Renovation; and
- b) Park Improvements – Athletic Fields;

and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Recreation Enterprise Fund, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Recreation Committee)

FUNDS REQUESTED: \$177,000

DESCRIPTION:

- a) Center Complex Restroom Renovation - \$77,000: To renovate the restroom facility at the Center Recreation Complex on Park Drive. The renovation will include replacing the building roof, interior and exterior painting, and installing new restroom fixtures, plumbing, interior lighting and interior and exterior doors.
- b) Park Improvements (Athletic Fields) - \$100,000: To improve the condition of the Bridge School athletic fields, including grading, improvement of drainage and replacement of backstops.

ARTICLE 15

**APPROPRIATE FOR MUNICIPAL CAPITAL PROJECTS
AND EQUIPMENT**

To see if the Town will vote to appropriate a sum of money for the following capital improvements:

- a) Woburn Street Reconstruction;
- b) DPW Equipment Replacement;
- c) Sidewalk Improvements;
- d) CBD Sidewalks;
- e) GIS Implementation Plan;
- f) Storm Drain Improvements;
- g) Hydrant Replacement Program;
- h) Street Improvements;
- i) Traffic Mitigation;
- j) Replacement of Rescue 2;
- k) Police/Fire Mobile Computerization;
- l) Permit Tracking Software;
- m) Town/School Phone Needs Assessment; and
- n) Head End Equipment Replacement;

and determine whether the money shall be provided by the tax levy, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; to determine if the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of State aid for such capital improvements; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$3,410,350 + amount to be determined

DESCRIPTION:

- a) Woburn Street Reconstruction - \$700,000: This project is for complete reconstruction of Woburn Street and new granite curb and sidewalks, for approximately 7,000 linear feet from Mass. Ave. to Lowell Street. Design of this project is in process as a result of \$120,000 approved at the 2007 annual town meeting. Total construction costs are projected at \$1.4 million of which \$700,000 requires appropriations by town meeting. The remaining \$700,000 will be funded with Chapter 90 grant funds.

- b) DPW Equipment Replacement - \$510,000: The Department of Public Works annually assesses its equipment needs which includes the identification of existing pieces that need replacement and the identification of new equipment needed to respond to changing operational demands. Funds for the following pieces of equipment are requested for FY09:
 1. Cat Loader - \$217,000;
 2. Two Holder tractors - \$144,000;
 3. Stump grinder - \$30,000;
 4. F450 dump truck with stainless steel sander body - \$75,000
 5. Toro Mower with snow package - \$44,000.
- c) Sidewalk Improvements - \$275,000: This request is to rebuild and/or repave as necessary existing asphalt sidewalks throughout town that are in poor condition, and to construct new bituminous sidewalks and granite curbing. Sidewalk projects will be chosen from the Selectmen's Sidewalk Committee's Master Plan each year. All work will be ADA compliant.
- d) CBD Sidewalks - \$370,000: This request will fund the third of five phases of sidewalk reconstruction in the Central Business District. Phase 3 will reconstruct sidewalks on both sides of Muzzey Street from Massachusetts Avenue to the municipal lot.
- e) Geographic Information System (GIS) - \$184,350: This request is the second year of a three-year plan to develop a GIS system for the Town of Lexington. The recommendations for the size, scope and cost of Lexington's system are the result of a Town-wide GIS needs assessment done in 2006 by Applied Geographic, a GIS consulting firm, that included a cost study for hardware, software, map and data inventories, and provided an implementation plan.
- f) Storm Drain Improvements - \$160,000: This request will provide funds to repair drainage systems associated with the annual street improvement program, and to repair/replace existing deteriorated drainage structures.
- g) Hydrant Replacement Program - \$50,000: Lexington has 1,500 fire hydrants in its fire protection system. Hydrants must be replaced periodically to ensure proper operation during fire suppression to protect buildings and infrastructure in Lexington. This is the second request in a replacement program to purchase and install 25 fire hydrants per year.
- h) Street Improvements- \$525,000: This request is for the annual street resurfacing program to maintain and repair Lexington's streets, increasing their quality and safety. The request includes funding for 13,000 linear feet of roadway, and also the resurfacing of the parking lot behind the Town Office Building. The following streets are on the preliminary list for FY09: Byron Avenue, Lockwood Road, Rhodes Road, Marshall Road, Fessenden Way, Bowker Avenue, Fern Street, Hibbert Street, Moon Hill Road, Moreland Avenue, Audubon Road, and Shade Street.
- i) Traffic Mitigation - \$50,000: This is the second of four requests planned to support activities of the Traffic Mitigation Group. These funds will be used to collect data, perform analyses, review proposals and make recommendations for traffic improvements town wide. There are 14 Town owned traffic signal installations, and several locations where signals may be considered in the future. Projects will be developed and construction costs will be estimated for future capital requests.

- j) Replacement of Rescue 2 - \$200,000: Funds are requested to replace Rescue 2, currently the backup ambulance for the community. Rescue 2 has gone more than 100,000 miles, operating continuously since being obtained by the Lexington Fire Department in 2002 as the primary ambulance. If approved for funding, this vehicle will become the primary ambulance and the other ambulance (currently Rescue 1) will become the secondary ambulance and be expected to respond to 750 calls per year.
- k) Police/Fire Mobile Computerization - \$156,000: This is a joint proposal by the Police and Fire/EMS Departments. The project is designed to improve the technology available to first-responder units. Most fire vehicles currently do not have access to computers, and police cruisers contain lightweight Dell laptops that cannot withstand constant use in a mobile environment. New durable, accessible laptops will allow all first-responders to have access to GIS and the Internet to aid the delivery of emergency services.
- l) Permit Tracking Software – \$100,000: This request is for a new software system that will provide the Town of Lexington with a cost-effective means of integrating, automating and managing the various permit, license, and development processes, and provide fast, easy access to all parcel and project information. Currently, there is no integrated system for managing and tracking of permit, license, and development processes, and each department maintains separate databases with no connectivity between departments. The Building, Planning, Zoning, Fire, DPW/Engineering, Conservation, and Health Department staff manage processes and functions independently, which makes tracking, information sharing, and internal/external communication difficult.
- m) Town/School Phone Needs Assessment - \$30,000: This project requests money to evaluate telephone system needs for the Town Office Building and the School Department. The existing TOB telephone system is over 10 years old, becoming increasingly unreliable and expensive to maintain. New phone technologies, specifically voice-over IP, could provide cost savings, be more reliable, and improve customer service.
- n) Head End Equipment Replacement - \$60,000: In the year 2000, the Town of Lexington, with the help of RCN, embarked on a project to connect all Town and School buildings with a high-speed data network. The network "head end" is located offsite at the Liberty Mutual Building on Massachusetts Ave. The head end equipment consists of firewalls, routers and switching devices that are currently approaching the end of their useful life, leaving the network subject to prolonged downtime. The proposed capital request is to replace some of the head end equipment in FY09.

ARTICLE 16 APPROPRIATE FOR WATER DISTRIBUTION IMPROVEMENTS

To see if the Town will vote to install new water mains and replace or clean and line existing water mains in such accepted or unaccepted streets or other land as the Selectmen may determine, subject to the assessment of betterments or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; appropriate money for such installation and land acquisition and determine whether the money shall be provided by the tax levy, by transfer from available funds, including any special water

funds, or by borrowing, or by any combination of these methods; to determine whether the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of federal and State aid for such projects; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$1,800,000

DESCRIPTION: This request is for the replacement of approximately 7,500 linear feet of unlined iron pipe and other pipe sections with high repair records. The preliminary goal for FY2009 is to replace 5,500 linear feet of pipe in Waltham Street from Forest Street to Marrett Road and other smaller sections of pipe town-wide.

ARTICLE 17

APPROPRIATE FOR SEWER IMPROVEMENTS

To see if the Town will vote to install sewer mains and sewerage systems and replacements thereof in such accepted or unaccepted streets or other land as the Selectmen may determine, subject to the assessment of betterments or otherwise, in accordance with Chapter 504 of the Acts of 1897, and acts in addition thereto and in amendment thereof, or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, appropriate money for such installation and land acquisition and determine whether the money shall be provided by the tax levy, by transfer from available funds, including any special sewer funds, by borrowing, or by any combination of these methods; to determine whether the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of federal and State aid for such sewer projects; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$1,300,000

DESCRIPTION:

- a) Wastewater System Improvements - \$1,200,000: This request is for rehabilitation of sewer lines within the Upper Vine Brook Basin along School Street from Massachusetts Avenue to Marrett Road and Middle Street. Approximately 2,500 linear feet of 8 inch relay in School Street is proposed along with spot repairs and smaller section relays throughout the sub-basin.
- b) Pump Station Upgrades - \$100,000: The request is for the replacement of aging motors and valves, and to modify station entryways to enhance safety of station operations. This request is for year two of a five-year program to replace aging equipment and bring stations into compliance with U.S. Occupational Safety and Health Administration (OSHA) standards.

ARTICLE 18

**APPROPRIATE FOR SCHOOL CAPITAL PROJECTS
AND EQUIPMENT**

To see if the Town will vote to appropriate a sum of money to purchase additional equipment for the schools and maintain and upgrade the schools' technology systems; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the School Committee)

FUNDS REQUESTED: \$835,000

DESCRIPTION: This article request funds for the following school projects:

- a) School Technology Plan - \$600,000. This request will fund equipment described in the department's long range technology capital plan, including network equipment, information delivery systems for administration and instruction programs, desktop and mobile computing, printers/peripherals and LCD projectors.
- b) PreK-12 Master Plan - \$155,000. Funds are requested to produce a comprehensive Pre-K through 12 Facility Master Plan. This plan will be produced through a complete assessment of the high school educational space and the adequacy of the schools utility systems and support spaces in providing a suitable learning environment. This plan will be useful for prioritizing and planning future capital projects to renovate schools and building systems in support of changing enrollment forecasts and changing building conditions.
- c) Food Service Equipment - \$55,000. Currently, some school kitchens function with unsafe and inappropriate household grade equipment. In addition, much of the commercial grade equipment has survived well beyond its useful life and needs to be replaced for safety reasons. This request is the first of a multi-year program to replace \$400,000 worth of food service equipment.
- d) Classroom Furniture - \$25,000. This is the second year of a multi-year request to replace classroom furnishings throughout the system, particularly at Bowman, Bridge, Hastings, Estabrook and the central office. Items to be replaced include cafeteria tables, desks, age appropriate chairs and teacher desks and chairs.

ARTICLE 19

APPROPRIATE FOR PUBLIC FACILITIES CAPITAL PROJECTS

To see if the Town will vote to appropriate a sum of money for the following capital improvements to public facilities:

- a) Extraordinary Repairs and Remodeling - Bowman/Estabrook;
- b) Phase 2 Mechanical System Replacement – Clarke;
- c) School Buildings Roof Renovations;
- d) Auditorium Remodeling – Diamond;
- e) Extraordinary Repairs – Clarke/Diamond;
- f) MST Department Construction;
- g) Safe Parent Pick Up and Parking;

- h) Remove Estabrook Oil Tank;
- i) Building Envelope;
- j) Munroe Fire Prevention System;
- k) Fire Headquarters Redesign; and
- l) Senior Center Design, Renovation and Expansion;

and determine whether the money shall be provided by the tax levy, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; to determine if the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of state aid for such capital improvements; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$2,188,750

DESCRIPTION:

- a) Extraordinary Repairs and Remodeling (Bowman/Estabrook) - \$160,000: This project will install student lockers in the corridors at the Bowman and Estabrook schools. This will complete the installation of lockers at all elementary schools before September 2008 as directed by the Lexington Fire Department to reduce flammables in the school corridors.
- b) Phase 2 Mechanical System Replacement (Clarke) - \$1,290,000: This project will continue the conversion of the Clarke Middle School from electric heat to natural gas. The 2007 annual town meeting funded the engineering and design of the new heating system and the installation of rooftop units.
- c) School Building Roof Renovations – \$200,000: This project will renovate approximately 20,000 square feet of roofing to extend the useful life of the system. A roofing assessment to be done in 2008 will benchmark all school building roofs, documents existing conditions, identify renovation efforts to extend the useful lives of the roofs, and determine when roofs will need replacement.
- d) Auditorium Remodeling (Diamond) – \$125,000: The stage lighting, curtains and pulley system are all beyond their useful life and require replacement. Both safety and aesthetics need to be addressed in the auditorium. The electrical system needs to be completely replaced. Classes held in the auditorium are dimly lit and parts are no longer available for the lighting system and fixtures. Lighting is minimal for productions and presentations on the stage. The drapery pulley system is chained in place due to age of the equipment and is no longer operable.
- e) Extraordinary Repairs (Clarke/Diamond) – \$65,00: The Clarke and Diamond Middle Schools are in need of extraordinary repairs.
- f) Multi-Disciplinary Support Team (MST) Construction (LHS) – \$80,000: The MST department currently uses a classroom area that lacks private spaces that are required for confidentiality. MST Therapy rooms are required for three full-time therapists. This project will construct three rooms for private consultations with students and families, provide a private work area to be shared by the three therapists and co-locate the therapists with the department director.

- g) Safe Parent Pick Up and Parking (Bridge) – \$65,000: This project would study the traffic patterns at the school and design improvements to improve the safety of the process. This project will also complete the implementation of the Estabrook Safe Parent Pick Up and Parking study and construction funded in FY2008 for \$50,000.
- h) Remove Estabrook Oil Tank – \$50,000: Estabrook, Hastings, and the old Harrington buildings each have single wall underground oil storage tanks over 45 years old. The aging tanks are an increased risk of leaking fuel oil. Massachusetts offers 50 percent reimbursement to remove one tank per year. Funding is requested to remove the Estabrook tank in 2009 during the repaving project.
- i) Building Envelope - \$153,750: The funds requested are for Westview Cemetery improvements - \$30,000; East Lexington Fire Station painting - \$10,000; Town Office Building, Cary Hall, Lexington Police Department exterior painting - \$30,000; Munroe Cemetery Building repairs - \$35,000; miscellaneous needs not yet identified - \$48,750.
- j) Munroe Fire Prevention System (if CPA funds are not approved, this project may be recommended for funding through General Fund Debt) - \$579,550: This project is a follow-up to Article 31K of the 2007 Annual Town Meeting, Munroe Center Fire Alarms, under which \$35,000 was appropriated to evaluate the building's fire sprinkler system and prepare a design and drawings to be used to solicit bids for repair. A professional review, completed by RDK Engineers, estimates that \$579,550 is needed to replace the fire sprinkler and alarm system.
- k) Fire Headquarters Renovation and Redesign - \$40,000: This request would fund a study of the building to make recommendations on how to better utilize the existing space and/or how to maximize benefits of an addition to the current structure. The current Fire Station HQ building at 45 Bedford Street, designed in the middle of the last century, meets the basic needs of emergency response but does not accommodate today's administrative and service demands. In addition, the existing bays are not sufficient to staff and maintain 2 ambulances at peak efficiency.
- l) Senior Center Design, Renovation and Expansion – Amount to be determined (if CPA funds are not approved for this project it may be proposed for funding in this article): This request is to fund design documents for a Senior Center including site, floor, and parking plans and cost estimates. The Council on Aging (COA) Board has defined programmatic space requirements and site needs for the Adult Supportive Day Care program and for the services and activities now located at the Senior Center. The COA recommends a study of both the "White House" site (former school administration building) and of the present facility at Muzzey to serve as a "two-campus" Senior Center.

ARTICLE 20

APPROPRIATE FOR AFFORDABLE HOUSING PURPOSES

To see if the Town will vote to appropriate a sum of money received from Brookhaven at Lexington as a contribution for affordable housing to LexHAB to support the provision of affordable housing within the Town; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$50,000

DESCRIPTION: This article requests that funds received from Brookhaven at Lexington for affordable housing purposes be transferred to LexHAB in accordance with the Brookhaven Development Plan approved by Town Meeting.

ARTICLE 21 APPROPRIATE MONEY – LACONIA STREET (CITIZEN ARTICLE)

To see if the Town will vote to appropriate a sum of money, in addition to the money appropriated under Article 24 of the Warrant for the 2004 Annual Town Meeting, for the construction of Laconia Street; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by James Lowry and nine or more registered voters)

FUNDS REQUESTED: \$3,650

DESCRIPTION: After Town Meeting approved the re-construction of Laconia Street in 2004, the Town needed a legal description of the land it was taking. The Town Engineer asked the sponsors of the original Laconia Street Town Meeting Article (James and Suzanne Lowry and Larry and Jacqueline Fiore) to arrange for a survey. Noonan & McDowell was hired to perform the survey, and it was provided to the Town. The cost for this survey (\$3,650) was not included in the betterment charged to the Laconia Street abutters in August. This article seeks reimbursement for that cost, through any means the Selectmen see fit.

ARTICLE 22 APPROPRIATE FOR POST EMPLOYMENT BENEFITS

To see if the Town will vote to appropriate a sum of money to the Town of Lexington Post Employment Insurance Liability Fund, as established by Chapter 317 of the Acts of 2002, determine whether the money shall be provided by the tax levy, by transfer from available funds, including enterprise funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$400,000

DESCRIPTION: This article will allow the Town to fund its unfunded liability for post employment benefits for Town of Lexington retirees. Beginning with the FY2007 audit, the Town is required to disclose this liability. In preparation for funding this liability, Town Meeting voted to request special legislation to establish a trust fund for this purpose. This special legislation was approved in 2002.

ARTICLE 23 RESCIND PRIOR BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind the unused borrowing authority voted under previous Town meeting articles; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: State law requires that Town Meeting vote to rescind authorized and unissued debt which is no longer required for its intended purpose.

ARTICLE 24 **APPROPRIATE TO SPECIFIED STABILIZATION FUNDS**

To see if the Town will vote to create and/or appropriate sums of money to Stabilization Funds in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws for the purposes of: (a) Section 131 Zoning By-Law, (b) Traffic Mitigation, (c) Transportation Demand Management, (d) School Bus Transportation, and (e) Special Education; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article proposes to establish and/or fund Stabilization funds for specific purposes. Money in those funds may be invested and the interest may then become a part of the particular fund. The use of these funds may be appropriated for the specific designated purpose by a two-thirds vote of Town Meeting.

ARTICLE 25 **APPROPRIATE FOR STABILIZATION FUND**

To see if the Town will vote to appropriate a sum of money to the previously created Stabilization Fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$1,000,000

DESCRIPTION: Money may be appropriated into the existing Stabilization Fund that may be invested and the interest may then become part of the fund. The use of these funds may later be appropriated, by a two-thirds vote of an Annual or Special Town Meeting, for any lawful purpose.

ARTICLE 26 **APPROPRIATE FOR PRIOR YEARS' UNPAID BILLS**

To see if the Town will vote to raise and appropriate money to pay any unpaid bills rendered to the Town for prior years; to determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time.

DESCRIPTION: This is an annual article to request funds to pay bills after the close of the fiscal year in which the goods were received or the services performed, and for which no money was encumbered.

ARTICLE 27

AMEND FY2008 OPERATING BUDGET

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Article 21 of the warrant for the 2007 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budget and appropriations that may be necessary; to determine whether the money shall be provided by transfer from available funds; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This is an annual article to permit adjustments to current fiscal year (FY2008) appropriations.

ARTICLE 28 APPROPRIATE FOR AUTHORIZED CAPITAL IMPROVEMENTS

To see if the Town will vote to make supplementary appropriations to be used in conjunction with money appropriated in prior years for the installation or construction of water mains, sewers and sewerage systems, drains, streets, buildings, recreational facilities, or other capital improvements and equipment that have heretofore been authorized; determine whether the money shall be provided by the tax levy, by transfer from the balances in other articles, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$60,000

DESCRIPTION: This is an annual article to request funds for capital improvement project expenditures that exceed the level of appropriation. Additional funds will be requested to complete the reconstruction of the Center Basketball Court.

ARTICLE 29

USE OF FUNDS TO REDUCE THE TAX RATE

To see if the Town will vote to appropriate a sum of money from available funds toward the reduction of the tax rate for FY2009; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests the use of available funds ("free cash") to reduce the tax rate. Subject to certain adjustments, "free cash" is surplus revenue less uncollected overdue real estate and personal property taxes from prior years.

GENERAL ARTICLES

ARTICLE 30

AMEND GENERAL BYLAW - STORMWATER

To see if the Town will vote to amend the Code of the Town of Lexington by adding a new Chapter 114 to the General Bylaws entitled "Stormwater Bylaw" as set forth in a document on file with the Board of Selectmen and Town Clerk and incorporated herein; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: The Stormwater Management Bylaw enables the Town to protect its pond and streams by monitoring and liming pollution flowing from development projects during rain events. It establishes minimum requirements and procedures for stormwater management. The implementation of this bylaw will satisfy some of the requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit, the federal permit by which the Town operates its storm drainage system.

ARTICLE 31

AMEND GENERAL BYLAWS - AUTHORITY TO ISSUE TRENCH EXCAVATION PERMITS

To see if the Town will vote to amend § 100-2.E of the Code of the Town of Lexington to authorize the Town Manager to designate a Board or Officer to issue permits to excavate a trench, pursuant to and as regulated by Chapter 82A of the Massachusetts General Laws and 520 CMR 14.00; or act in any other manner in relation thereto.

DESCRIPTION: Under Chapter 82A, § 2 of the Massachusetts General Laws and 520 CMR 14.00, the Town is required to have an officer or board designated as the local permitting authority to issue trench excavation permits. The officer or board will be responsible for issuing the required trench excavation permits for any trench that is greater than three feet in depth and is fifteen feet or less between soil walls as measured from the bottom. The local permitting authority may charge a reasonable fee to recover administrative costs. This article amends the General Bylaws to authorize the Town Manager to make such designation, as he determines appropriate.

ARTICLE 32

AMEND GENERAL BYLAW - ABATEMENT OF INTEREST

To see if the Town will vote to amend Chapter 107 of the Code of the Town of Lexington by adding the following at the end of § 107-4:

“The Board of Selectmen shall have the authority to abate any such interest charges, in whole or in part.”

or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article would give the Board of Selectmen the flexibility to waive interest charges which would otherwise be payable on overdue town charges if the circumstances should so warrant.

ARTICLE 33 AMEND GENERAL BYLAW – TERMS FOR CERTAIN CONTRACTS

To see if the Town will vote to amend Chapter 32 of the Code of the Town of Lexington by adding a new § 32-4 as follows:

§ 32-4. Unless otherwise prohibited by law, the Town and all of its departments, under the supervision of the Town Manager, are authorized to solicit, award and enter into certain types of contracts for periods shown below, including any renewal, extension or option provision, subject to annual appropriation and applicable state procurement laws:

	<u>Years</u>
Lease of public lands and buildings	20
Lease of any equipment	10
Lease purchase of any equipment	10
Maintenance agreements for equipment, buildings or grounds	5
Transportation services	10
Purchase of oil, fuel and electricity	5
Lighting maintenance	10
Waste Disposal and Recycling	20
Water Supply	20
All other contracts	5

or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article would provide flexibility in negotiating the lengths of contracts and would make it unnecessary to obtain town meeting approval for each contract that exceeds a specified limit set by the State statute. Town Meeting has previously approved contract terms for goods and services for five years, transportation contracts for 10 years and lease of buildings for 20 years.

ARTICLE 34

**AMEND NON-CRIMINAL DISPOSITION BYLAW
(BURGLAR AND OTHER ALARMS)**

To see if the Town will vote to amend § 1-6 of the General Bylaws (Non-Criminal Disposition) by adding thereto fines for violation of regulations §§ 187-87 (Automatic Voice Dialers), 187-88 (Alarm Registration), 187-89 (Duties of Alarm User – Proper Use) and 187-92 (Alarm Service Fee), or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Police Department)

DESCRIPTION: This article would establish fines for non-criminal disposition (ticketing) for violations of regulations of the Board of Selectmen governing burglar and other alarms that (1) prohibit the installation and use of automatic voice dialing to the police department in connection with alarms, (2) require the registration of alarms with the police department, (3) limit the length and frequency of an alarm, and (4) enforce payment of fees for police response to false alarms.

ARTICLE 35

AMEND GENERAL BYLAW - DEPUTY MODERATOR

To see if the Town will vote to amend § 118-11 of the Code of the Town of Lexington (Moderator) to provide for the appointment of a Deputy Moderator by the Moderator, subject to ratification by the Town Meeting, to act in the event of the Moderator’s absence, disability or recusal or a mid-term vacancy in the Moderator’s office, or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the Request of the Moderator)

DESCRIPTION: This article provides for the appointment of a Deputy Moderator who can exercise the power and duties of the Moderator during the term of the Moderator, in the event that the Moderator is unable to exercise such powers and duties.

ARTICLE 36

**AMEND GENERAL BYLAWS - SNOW/ICE REMOVAL
(CITIZENS’ PETITION)**

To see if the Town will vote to amend Article XXV, Section 11 of the Town of Lexington General Regulations to read “No owner or agent having charge of any building or lot of land abutting on a sidewalk within the Town of Lexington shall place or permit or suffer to remain for more than twelve hours between sunrise and sunset, or, in the case of any sidewalk within the commercial and industrial districts as defined in Section 4.2 of the Zoning Bylaws of the Town of Lexington, four hours between sunrise and sunset, any snow or ice upon such sidewalks which impedes the orderly flow or safety of pedestrian traffic upon such sidewalks, unless such ice is made even and covered with sand or some like material to prevent slipping.”

(Inserted by Jean Williams and nine or more registered voters)

DESCRIPTION: The intent of this warrant article is to extend the scope of the current Lexington bylaw to include all property owners, residential as well as business, in the directive to clear sidewalks abutting their property of snow and ice. The new bylaw would

give residential owners a longer period of time than business owners in which to comply (twelve hours as opposed to four), in recognition of the likelihood that homeowners may be away from home during daylight hours when storms may occur. The purpose of the warrant article is to improve public safety and to promote easier and more convenient walking on Lexington's sidewalks in the winter months.

ARTICLE 37 **AMEND TREE BYLAW (CITIZENS' PETITION)**

To see if the Town will vote to amend the Code of Lexington regarding the fee associated with an application to remove protected trees in conjunction with demolition or major construction; or to act in any other manner in relation thereto.

(Inserted by Patrick Mehr and nine or more registered voters)

DESCRIPTION: The Tree Bylaw states "The Selectmen shall set an application fee" (Code of the Town of Lexington, § 120-8 B. (1)). This article would clarify the level of the application fee.

ARTICLE 38 **MODERATOR RULINGS SUBJECT TO APPEAL (CITIZENS' PETITION)**

To see if the Town will vote to amend the Code of Lexington by amending section 118-11, Moderator, by adding the following section which shall be designated section 118-11; C as shown below.

Section 118-11. Moderator

- C. Rulings by the Moderator are subject to appeal, and can be reversed by a majority of the members present.

(Inserted by Loren Wood and nine or more registered voters)

DESCRIPTION: The Lexington bylaws say that Robert's Rules of Order apply to Town Meeting if the issue is not addressed directly in the bylaws. Appeals of moderator rulings are not addressed specifically in the bylaws, but Robert's Rules allow appeals. This Article would provide for a bylaw to address the issue.

ARTICLE 39 **AMEND GENERAL BYLAW- TOURISM COMMITTEE**

To see if the Town will vote to amend the vote passed under Article 14 of the warrant for the 2007 Annual Town Meeting (Tourism Committee) by changing the Article Number in Chapter 29 of the Code of the Town of Lexington from "VII" to "VIII" and the Section Numbers from "§ 29-23 and § 29-24" to "§ 29-28 and § 29-29"; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article is a housekeeping article to change the numbering of the Tourism Committee Bylaw to fit the numbering of the Code of the Town of Lexington.

ARTICLE 40

DOUBLE UTILITY POLES (CITIZENS' PETITION)

To hear reports from the Selectmen and from Verizon regarding whether the utilities are in compliance with MGL Chapter 164, section 34B (which requires that double poles be removed in 90 days) in Lexington; to see if the town will vote to approve a resolution regarding double utility poles; to see if the town will vote to authorize the Selectmen to petition the Department of Public Utilities to reopen docket 03-87 to recommend that the Great and General Court institute fines for non-compliance with MGL Chapter 164, section 34B; or to act in any other manner in relation thereto.

(Inserted by Patrick Mehr and nine or more registered voters)

DESCRIPTION: In Lexington, each utility pole is owned 50%-50% by Verizon and NStar, but Verizon is responsible for the removal of all utility poles throughout the town, which by State law (MGL Chapter 164, section 34B) must occur within 90 days. This article allows Town Meeting to hear reports from the Selectmen and the utilities on whether Verizon fulfilled its commitment made to the Selectmen on October 30, 2006 to "in a six-month time period be largely through our backlog of [then about 243] double poles", and to authorize the Selectmen to inform DPU (the Massachusetts Department of Public Utilities) of Lexington's experience with double poles and to suggest to DPU steps to help communities get rid of double poles within the 90 days required by State law.

ARTICLE 41

MUNICIPAL ELECTRIC UTILITIES (CITIZENS' PETITION)

To hear reports regarding the status of Bill H3319, An Act relative to the Establishment of Municipal Lighting Authorities; to hear reports regarding the status of other legislation related to municipal electric utilities; to see if the town will authorize the Selectmen to petition the Great and General Court to adopt a home rule petition substantially similar to Bill H3319; to see if the town will vote to approve a resolution regarding Bill H3319; to see if the town will appropriate funds to study the feasibility of a municipal electric utility in Lexington; or act in any other manner in relation thereto.

(Inserted by Patrick Mehr and nine or more registered voters)

DESCRIPTION: This Article would allow Town Meeting to endorse the legislation (Bill H3319, filed by 53 State legislators led by Representative Jay Kaufman) to facilitate the formation of municipal electric utilities. The 2005 Annual Town Meeting unanimously supported the predecessor to Bill H3319. If the legislation is enacted, future Town Meetings would have the opportunity to vote on whether to appropriate Town funds to advance the acquisition of NStar's distribution network in Lexington and create a new municipal electric utility. As with NStar, the municipal electric utility would purchase electricity wholesale and distribute electricity to customers. Customers may choose to purchase their wholesale electricity from other suppliers. The municipal electric utility would also maintain and improve the current network within the town.

ARTICLE 42 RESOLUTION – CLIMATE CHANGE (CITIZENS’ PETITION)

To see if the Town will vote to adopt a resolution requesting that the President of the United States, the Congress of the United States, and the Commonwealth of Massachusetts take effective actions to address the issue of climate change which is increasingly harmful to the environment and the economy of Massachusetts and the future well being of the people of Lexington; or act in any other manner in relation thereto.

(Inserted by Eileen Entin and nine or more registered voters)

DESCRIPTION: This resolution asks that Town Meeting pass a resolution directing the President of the United States, Congress, and the Commonwealth of Massachusetts to take immediate and effective actions to address the threat of rapid Climate Change. The resolution requests the Board of Selectmen to send letters to the President, the Massachusetts Congressional delegation, the Governor of the Commonwealth, and the state legislative leadership conveying this resolution. Said resolution shall call for actions to include, but not be limited to, the creation of a comprehensive national initiative to achieve rapid development of sustainable energy technologies in order to reduce our dependence on fossil fuels, reduce greenhouse gases, stimulate new jobs and investment opportunities, and enhance our national security.

**ARTICLE 43 RESOLUTION – PETROLEUM SUPPLY IMPACTS
(CITIZENS’ PETITION)**

To see if the Town will vote to adopt a resolution that economic development and planning projects undertaken by Town officials, committees or task forces explicitly consider in their proceedings and reports the impacts of climate change and dwindling supplies of petroleum (“peak oil”); or act in any other manner in relation thereto.

(Inserted by Adams Sacks and nine or more registered voters)

DESCRIPTION: This article requests that the Town resolve to address global warming and energy supply and costs in conjunction with economic development proposals.

ARTICLE 44 RECONFIRM VOTES PETITIONING THE GENERAL COURT

To see if the Town will vote to reconfirm the following votes authorizing the Selectmen to petition the General Court for certain Acts:

- a. Vote under Article 14 of the warrant for the 2005 Annual Town Meeting (Municipal Lighting Plant);
- b. Vote under Article 11 of the warrant for the 2006 Annual Town Meeting (Amend Referendum Provisions of Chapter 215 of the Acts of 1929);
- c. Vote under Article 8 of the warrant for the 2007 Annual Town Meeting (Amend Notice Provisions of Chapter 215 of the Acts of 1929);

d. Vote under Article 23 of the warrant for the 2007 Annual Town Meeting (Income Limits for Real Property Tax Deferrals);
or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: The General Court has adopted a rule that acts petitioned by municipalities, if not adopted within a specified time period, will no longer be considered. This article would allow previously authorized acts sent by the Board of Selectmen to the General Court to remain viable.

ARTICLE 45

SALE OF LAND TO ABUTTER

To see if the Town will authorize the Selectmen to convey a lot of land shown as Lot 63 on Assessors' Property Map 15 located on the corner of Moreland Avenue and Buckman Drive to the owner of the abutting property or another; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This lot was acquired by the Town in 1961 by eminent domain to facilitate the extension of Buckman Drive to Moreland Avenue. The lot cannot be built upon, as it does not meet the dimensional requirements of the Zoning Bylaw.

ARTICLE 46

ACCEPT GIFT OF LAND – SCHUMACHER FAMILY

To see if the Town will vote to accept a gift of a lot shown as Lot 84 on Assessors' Property Map 51 containing 300 square feet and bordering Route 128 from Ellen Schumacher Schadegg and Mary Schumacher Megson; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article would authorize the Town to accept the gift of a sliver of land on Route 128. The land was formerly part of a larger parcel that was taken by the State for road purposes.

ARTICLE 47

ACCEPT GIFT OF LAND – WHEATON FAMILY

To see if the Town will vote to accept a gift of a lot shown as Lot 59 on Assessors' Property Map 29 containing 4,000 square feet and bordering the paper street portion of Arcola Street from Graydon and Iris Wheaton; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article would authorize the Town to accept the gift of a parcel of land on the paper street portion of Arcola Street.

ARTICLE 48

MUNROE SCHOOL DISPOSITION

To see if the Town will vote to authorize the Selectmen to sell or lease the Munroe School building to a buyer or lessee approved by the Selectmen; or act in any other manner in relation thereto.

DESCRIPTION: This article is a placeholder to deal with the Munroe School in the event that an agreement relating to the disposition of the school can be reached.

ZONING/LAND USE ARTICLES

ARTICLE 49

AMEND ZONING BY-LAW, SPECIAL PERMIT RESIDENTIAL DEVELOPMENT

To see if the Town will vote to:

- 1) Amend Section 135, Article IX “Residential Development” of the Zoning By-Law by deleting the entire Article IX and replacing it with a new Article IX “Special Permit Residential Developments” that will simplify and clarify regulations concerning residential developments and amend provisions regulating developments commonly known as Cluster and Special Residential Developments, including increasing required common open space, eliminating limits to the number of projected occupants and projected vehicle trips, modifying the calculation of allowable Gross Floor Area, adding a standard to promote inclusion of dwelling units of variable sizes and streamlining permitting authority over such developments.
- 2) Move all references to the special zoning district “RD Planned Residential Development” from Article IX into Article VIII, which is the section of the bylaw dealing with Special Zoning Districts.
- 3) Make changes throughout the Zoning By-law as needed to maintain consistency with the amended articles.

or act in any manner in relation thereto.

(Inserted by the Planning Board)

DESCRIPTION: The article will simplify and clarify regulations concerning all residential developments, while still retaining the Planning Board’s oversight under the special permit with site plan review. It will amend the parts of the Zoning By-law regulating developments commonly known as Cluster and Special Residential Developments. These categories of developments will be replaced by a “Balanced Housing Development” which requires a certain number of houses of certain sizes. The existing reduced frontage subdivision will be folded into a category known as a “Site Sensitive Development” which permits the same number of dwellings as a conventional subdivision, but allows flexibility in siting and road standards. The existing “Development of Significant Public Benefit” will be renamed “Public Benefit Development” and will authorize a density bonus in return for providing affordable housing. The amount of required common open space will be increased while removing the requirement for useable open space. Currently there are five

impact measures considered in approving Cluster and Special Residential Developments - the total gross floor area, the total living area, the total site coverage, the projected total number of occupants, and the projected total number of vehicle trips. These will be replaced by total gross floor area, site coverage and impervious surface. In addition, the amendment allows the Planning Board, as the Special Permit Granting Authority, to grant special permits that are required for the Special Permit Residential Development, notwithstanding provisions of the Zoning By-law designating a different special permit granting authority.

A document, which has the full text of the draft amendment and which is too lengthy to reproduce in this notice, is on file and may be inspected in the office of the Planning Board, Room G-1, and in the Town Clerk's office, in the Town Office Building, 1625 Massachusetts Avenue, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. The full text of the draft amendment may also be found on the Town's Web Page at <http://ci.lexington.ma.us/Planning/PlanningDept.htm>.

ARTICLE 50

AMEND ZONING BY-LAW, HEIGHT OF BUILDINGS AND STRUCTURES

To see if the Town will vote to amend the Zoning By-Law of the Town of Lexington by: 1) modifying Table 2, the Schedule of Dimensional Controls, to decrease the allowed height in feet from 40 feet to 35 feet for non-public and non-institutional buildings in residential zones; 2) removing the phrase "from the average natural grade" in the first paragraph of Section 135-39A; and 3) modifying Section 135-39, Height of buildings and structures, to require measuring the average natural grade at the corners of the building, removing the option of using the natural grades at the four extreme corners of the lot; or act in any other manner in relation thereto.

(Inserted by the Planning Board)

DESCRIPTION: This article seeks to address the concerns raised by abutting property owners to new residential development projects, including teardowns, conventional and cluster subdivisions regarding the height of these new structures. The Planning is proposing three amendments toward this goal.

The first is an effort to curtail, to a small extent, the size and character of structures by reducing the allowed overall height, in feet, from forty (40) feet to thirty-five (35) feet. The second is a housekeeping change to eliminate a repetitive clause that obfuscates interpretation of the bylaw. The third change deletes language that allows a development to use the average height of the four corners of the lot as a means to determine the grade prior to disturbance for construction. All development would be required to calculate the average grade of the lot by using the grade at the proposed corners of the building. The deletion of the lot corners methodology would bring our bylaw more in keeping with the State building code.

ARTICLE 51

ASSOCIATE PLANNING BOARD MEMBER

To see if the Town will vote to amend the Zoning By-law to establish an associate member of the Planning Board, as provided under M.G.L. 40A, Section 9; or act in any other manner in relation thereto.

(Inserted by the Planning Board)

DESCRIPTION: By state law the Planning Board may have one associate member to sit when the Planning Board is the Special Permit Granting Authority. This article will amend the Zoning By-Law to allow the town to establish the position of associate member. The Town will then determine the procedure for filling the position. Once the provision for filling the position of associate member has been made, the chairman of the planning board may designate an associate member to sit on the board for the purposes of acting on a special permit application in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.

ARTICLE 52

AMEND ZONING BY-LAW – CRS ZONE - 303, 311-325 WOBURN STRTEET, 400 LOWELL STREET (OWNERS’ PETITION)

To see if the Town will vote to amend the Code of the Town of Lexington, Zoning By-Law and the Zoning Map of the Town of Lexington, by changing the zoning district designation of that property commonly known as 303 Woburn Street, Lexington, MA 02420, and more specifically described in the metes and bounds legal description shown in Exhibit A, on file with the Board of Selectmen and Town Clerk and incorporated herein, from the current RO Zoning District (one family dwelling) to a CRS Zoning District (retail shopping) to allow construction of commercial retail space, and also to amend the Code of the Town of Lexington and the Zoning Map of the Town of Lexington to change that portion of the property commonly known as 311-325 Woburn Street and 400 Lowell Street, currently partly within the RO Zoning District and partly within the CRS Zoning District and more specifically described in the legal description shown on said Exhibit A, to a CRS Zoning District such that all the property commonly known as 311-325 Woburn Street is located within the CRS Zoning District, and to take any other action or to act in any other manner relative thereto.

(Inserted by Vazken Melkistian et als Trustees, Property Owner)

DESCRIPTION: This proposal would: 1) rezone a part of the property on which Countryside Plaza (located at the corner of Woburn Street and Lowell Street, with an address of 311-325 Woburn Street) is currently built. 311-325 Woburn Street and 400 Lowell Street are partially within the RO zone and partially within the CRS Zone, so that the Countryside Plaza property is two different zoning districts. This rezoning would include all the current Countryside Plaza site within the CRS Zoning District; and 2) rezone the property immediately abutting the Countryside Plaza retail shopping complex (the abutting property to be rezoned now is occupied by a single family house). Thus, the rezoning would include the entire property on which Countryside Plaza currently is built

within the CRS Zoning District as well as the immediately abutting property on which a single family house now is located. This would allow additional retail shopping or additional parking for the Countryside Plaza retail stores or both.

**ARTICLE 53 AMEND ZONING BY-LAW – CM DISTRICT FLOOR AREA RATIO
(CITIZENS’ PETITION)**

In an effort to promote economic development in the Town of Lexington and specifically, to increase the commercial tax base in the outlying commercial CM district in the Town of Lexington, to see if the Town will vote to amend the Lexington Zoning By-law by undertaking the following action:

“In Table 2, Schedule of Dimensional Controls, on the line “Maximum Floor Area Ratio (FAR)”, under the column headed CM by striking out the number “0.15” and by inserting in place thereof the number “0.35” or take any other action relative thereto.

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: This is a ratio of the size of the sum of the net floor area (building size) to the developable site area of the property (Total lot size less wetlands). The Hartwell Avenue area is zoned with a FAR of 0.15 but is currently built-out to a FAR of 0.22. This article attempts to increase the floor area ratio from 0.15 to 0.35. This article would; 1) prevent a reduction in office space as older buildings are reconstructed to the required 0.15 FAR, and 2) provide an incentive for owners of substandard buildings to invest in their updating and expansion, thereby increasing the commercial tax base in Lexington.

**ARTICLE 54 AMEND ZONING BY-LAW – MIXED USES IN CM DISTRICT
(CITIZENS’ PETITION)**

In an effort to create more of a mixed-use environment that could help reduce the amount of mid-day car trips generated from the CM district by allowing certain uses within the Table 1: Permitted Use categories of Personal & Business Services, Sales of Goods, Eating, Drinking and Transient Accommodations and Commercial Recreation to occur in the CM District, to see if the Town will vote to amend the Lexington Zoning By-law by undertaking the following action:

“In Table 1: Permitted Uses and Development Standards, Part B: Commercial Uses under the column entitled CM change the “N” to “Y” on the following Lines:

- 7.11 Beauty Salon, Barber Shop
- 7.12 Laundry or dry cleaning pickup station with processing done elsewhere; laundry or dry cleaning with processing on the premises subject to the development standards for the district; self service Laundromat or dry cleaning
- 7.13 Tailor, dressmaker, shoe repair
- 7.25 Office of veterinarian

- 7.26 Kennel, boarding of household pets
- 7.27 Pet grooming service provided that it shall be conducted entirely within the principal building and no pets shall be boarded overnight; where conducted as accessory to a kennel (line 7.26), those restrictions shall not apply
- 8.11 Convenience goods often bought on a daily basis such as food, candy, newspapers, tobacco products
- 8.13 Food, but not that intended for consumption on the premises, includes delicatessen or bakery, but not a takeout or fast food service
- 8.14 Package liquor store, with no consumption of beverages on the premises
- 8.17 Other retail goods such as books, stationery, drugs, sporting goods, jewelry, photographic equipment and supplies, flowers, novelties, cards, footwear, and the like which are typically of a size that a customer can carry by hand
- 8.31 Stores with less than 2,000 square feet of floor area per establishment
- 8.32 Stores with more than 2,000 square feet of floor area per establishment
- 9.12 Fast-food or takeout service serving enough food to comprise a meal
- 9.13 Takeout or fast-food service serving food or beverages, such as coffee, snacks, ice cream, or donuts, but not enough to comprise a meal
- 9.14 Caterer or other establishment preparing meals for groups of people
- 10.12 Indoor athletic and exercise facilities, weight reduction salon

and by changing the numbering and inserting a new line to the Development Standards in Table 1:

Renumber existing line “8.33” to “8.34”

Renumber existing line “8.34” to “8.35”

Insert new a new line 8.33 with the following description:

“8.33 Stores with 7,500 square feet or more of floor area per establishment”

And insert in the column of each district with the following Permitted uses of Y=Yes and N=No:

CN-“N”, CRS-“Y”, CS-“Y”, CB-“Y”, CLO-“N”, CRO-“N”, CM-“N”

or take any other action relative thereto.”

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: This article would allow for certain mixed-use convenience retail uses in the Hartwell Avenue area that would curtail the mid-day traffic generated from Hartwell Avenue and enhance the usability of that area for its business occupants.

- (5) To promote cleaner air and to reduce automotive exhaust emissions caused by vehicles standing and idling for an excessive time;
 - (6) To promote the efficient use of the town's arterial and collector streets so that use of local and neighborhood streets as shortcuts can be discouraged;
 - (7) To avoid excessive traffic demand on Town streets that necessitates extraordinary Town expenditures to maintain adequate and safe traffic flow;
 - (8) To maintain a balance between the traffic-generating capacity of dwellings and businesses in the Town and the traffic-carrying capacity of streets and intersections;
 - (9) To encourage alternative methods of transporting people, through public transportation, car pools and van pools, bicycling and walking, rather than near exclusive reliance on single-occupant automobiles;
 - (10) To encourage the use of good traffic engineering principles and design standards consistent with a predominantly residential suburban town;
 - (11) To encourage the positive management of traffic flow consistent with the town's other stated objectives;
 - (12) To encourage private sector participation in dealing with the town's traffic problems;
 - (13) To expand the town's inventory of data about traffic conditions on Town streets.
- B. No building permit shall be granted for the erection of a new building or the enlargement or renovation of an existing building with the result that there is an increase of 50,000 square feet or more of gross floor area on the lot, but not including any floor area devoted to residential use or to off-street parking, or there is an increase of 50 or more dwelling units, or their equivalent, in a development, the number of parking spaces is increased by 125 or more spaces on the lot, unless a special permit with site plan review has been granted and the SPGA has made a determination that the streets and intersections affected by the proposed development have, or will have as a result of traffic improvements, adequate capacity to accommodate the increased traffic from the development.

The requirement for a special permit with site plan review (SPS) does not apply to a religious or nonprofit educational use, as described in § 135-9E(1).

§ 135-72. Traffic study required.

- A. A traffic study shall be submitted with each application for a building permit, special permit or special permit with site plan review to which 135-71B is applicable, or where required by any other provision of this By-Law.
- B. The traffic study shall be conducted by a traffic engineer who will certify that he/she qualifies for the position of member of the Institute of Transportation Engineers (ITE).
- C. For the purposes of this analysis, the terms below shall have the meaning indicated. The morning and evening "peak period" shall usually be the two hours between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. respectively. The morning and evening "peak hour" shall be that consecutive sixty-minute segment within the peak period in which the highest traffic count occurs as determined by traffic counts of the peak period divided

into fifteen-minute segments. For uses which have an exceptional hourly, daily or seasonal peak period, the SPGA may require that the analysis be conducted for that extraordinary peak period. A street or intersection "likely to be affected by the development" is one which has an average daily traffic (ADT) of 2,000 vehicles or more and either:

- (1) Carries 10% or more of the estimated trips generated by the development; or
- (2) In the case of an intersection only, traffic from the proposed development will add 5% or more to the approach volumes.

D. The traffic study shall include:

- (1) An estimate of trip generation for the proposed development showing the projected inbound and outbound vehicular trips for the morning and evening peak periods and a typical one hour not in the peak period. Where there is existing development of the same type of use on the site, actual counts of trip generation shall be submitted. Trip generation rates may be based on:
 - (a) The most recent edition of "The Trip Generation Manual" prepared by the Institute of Transportation Engineers that is on file in Lexington Town Engineer's office; and, if applicable,
 - (b) Data about similar developments in Massachusetts; or
 - (c) Data from professional planning or transportation publications, provided the methodology and relevance of the data from Subsection D(1)(b) or (c) is documented.
- (2) An estimate of the directional distribution of new trips by approach streets and an explanation of the basis of that estimate. Where there is existing development of the same type of use on the site, actual counts of trip directional distribution shall be submitted.
- (3) An assignment of the new trips to be generated by the proposed development to the segments of the Town street network, which shall include state highways in Lexington, which are likely to be affected by the proposed development (see Subsection C).
- (4) Average daily traffic (ADT) on the streets likely to be affected by the development (see Subsection C), counted for a twenty-four-hour period.
- (5) Intersection turning movement counts of the morning and evening peak periods at the intersections likely to be affected by the proposed development (see Subsection C). In special circumstances where the peak traffic impacts are likely to occur at times other than the usual morning and evening peak periods, the SPGA may require counts for those other peak periods.
- (6) An inventory of roadway characteristics of the principal approach streets adjacent to the development site and of the streets in the intersections at which turning movement counts are taken showing the width of the right-of-way and of the traveled way, traffic control devices, obstructions to adequate sight distance, the location of driveways or access drives within 500 feet of the entrance to the site for uses that are substantial trip generators, and the presence or absence of sidewalks and their condition.

- (7) In the case of a development in an abutting city or Town which will have a traffic impact on a street or intersection in Lexington which is one that is likely to be affected by the proposed development for which the traffic study is being prepared, the traffic impact of the development in the abutting city or Town shall be included in the traffic study provided:
 - (a) That traffic impact is equal to or greater than that set forth in the test in Subsection C;
 - (b) The development has been approved by official action of that abutting city or Town but has not opened for use prior to the date that the traffic counts required by this section were taken; and
 - (c) Data on the traffic impact of that development, comparable to that required by this section, is available.
- (8) An analysis of the effect on the capacity of those intersections in the Lexington street system likely to be affected by the development (see Subsection C) during peak periods of:
 - (a) The additional traffic generated by the development; and
 - (b) Additional traffic from other developments previously approved by the Town of Lexington for which a traffic study was required, or by an abutting city or Town as provided in Subsection D(7) above, which have not yet been opened for use prior to the date that the traffic counts required by this section were taken.

Analysis of the capacity of intersections shall be based on traffic levels of service as described in the "Highway Capacity Manual, 2000 Edition" published by the Transportation Research Board. This analysis may include an intersection of an access drive serving a development and a segment of the Lexington street system.
- (9) Where mitigating measures or trip reduction programs are proposed, they shall be proposed by the applicant and shall accompany the traffic study at the time of filing of the application. Where the proposed mitigating measure is the construction of a traffic engineering improvement, evidence, such as letters of support, or commitment, or approval, or the award of a contract, may be submitted to show that construction of the traffic improvement is likely to occur.
- (10) An estimate of the time and amount of peak accumulation of off-street parking. The counts referred to above shall have been taken within the 12 months prior to the filing of the application. Upon request, the traffic engineer shall furnish an explanation of the methodology of the traffic study and additional data, as needed.

§ 135-73. Adequate traffic capacity.

- A. Prior to granting a special permit or special permit with site plan review in those cases covered by 135-71B or as may be required elsewhere in this By-Law, the SPGA shall determine that the streets and intersections likely to be affected by the proposed development currently have, or will have as a result of traffic improvements, adequate capacity. In making its determination of adequate capacity, the SPGA shall consider at least the cumulative effect on a street or intersection likely to be affected by the development, as provided in 135-72C, of:

- (1) Existing traffic conditions;
- (2) Estimates of traffic from other proposed developments which have already been approved in part or in whole by the Town of Lexington for which a traffic study was required, or by official action of an abutting city or town, which have not yet been opened for use prior to the date that the traffic counts required by this article were taken; and
- (3) Estimates of traffic from the proposed development.

B. Mitigating measures to improve capacity.

- (1) The SPGA shall consider that various traffic engineering improvements, or other method of positive traffic control, such as a traffic control officer, can improve the traffic-carrying capacity of an intersection or street and improve the level of service rating to a higher and acceptable value. The SPGA shall consider such improvements, or other method of traffic control, in its determination and may make a conditional determination that adequate capacity is dependent upon the construction of the traffic engineering improvement, or other method of traffic control.
- (2) The SPGA may make a condition of its approval of the special permit or special permit with site plan review that the start, or any stage, of the construction of the development, or the occupancy thereof, is dependent upon the start or completion of the traffic engineering improvement or of the start of another method of positive traffic control, such as a traffic control officer, on a permanent basis. A conditional approval shall be dependent upon at least a start of the physical construction of the traffic engineering improvement or the execution of an agreement with the Town of Lexington for another method of traffic control. Letters of support, or commitment, or approval, or the award of a contract are not considered as a start of construction. However, as the basis for making a conditional determination of adequacy, the SPGA may consider as evidence that the traffic-carrying capacity will be improved to a higher level of service, such letters of support, or commitment, or approval, or the award of a contract for construction of the traffic engineering improvement, or a proposed agreement with the Town of Lexington for another method of traffic control.

C. Trip reduction requirements.

- (1) As a condition of its approval of a special permit or a special permit with site plan review, the SPGA may require actions and programs by the owner and/or manager of a development to reduce the number of single-occupant automobile trips made to a development, particularly during peak traffic hours. Such actions and programs may include:
 - (a) Providing a pass to employees for use on a public transportation system that serves the development site;
 - (b) Use of car pools and van pools with preferential designated parking;

- (c) Scheduling of hours of operation such as flex-time, staggered work hours, employee telecommuting and spread scheduling that reduces trips during peak traffic hours;
 - (d) Preferential parking locations and arrangements for bicycles and vehicles other than single occupant automobiles;
 - (e) Restrictions on access to, or egress from, off-street parking areas during peak traffic hours; or
 - (f) Preferential bicycle parking facilities and other measures such as locker and shower facilities to encourage bicycle commuting and a “jog to work” environment.
- (2) Where such conditions are included, they shall include a reporting system which monitors the effectiveness of the trip reduction program. The SPGA may make a condition of the granting of the special permit or special permit with site plan review that:
- (a) Such monitor be directly responsible to and report to the Building Commissioner or designee; and
 - (b) The applicant be responsible for the cost of providing such monitoring system.

or take any other action relative thereto.”

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: This article modifies the existing Traffic section and removes the specific language that gives the discretion to allow (or deny) a special permit from the Special Permit Granting Authority and the Lexington Building Commissioner.

**ARTICLE 57 AMEND ZONING BY-LAW – DEVELOPMENT STANDARDS
(CITIZEN’S PETITION)**

To see if the Town will vote to amend the Lexington Zoning By-law in amending the meaning of the symbol “Y” in the Use of Symbols in Table 1, Permitted Uses and Development Standards, by undertaking the following action:

“In Section 135-16 (B) in the first paragraph defining the symbol “Y” by deleting everything following the Y and inserting in its place the following “YES: Permitted as of right.”

In Table 1, Part B - Commercial Uses, in Line B.22 under the CRO and CM district columns change the “SPS” to a “Y” symbol

or take any other action relative thereto.”

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: The existing 1998 amendment to the Zoning By Law requires the granting of a special permit with Site Plan Review (SPS) for every non-residential project of over 10,000 square feet. This provision has not been enforced since its adoption in 1998. The adoption of this article would revert the Table of Use definitions to the standard definition where a “Y” in the table means: “Yes, permitted as a matter of right”.

**ARTICLE 58 AMEND ZONING BY-LAW – TRANSITION AREAS AND SETBACKS
(CITIZENS’ PETITION)**

To see if the Town will vote to amend the Lexington Zoning By-law in amending (1) the required depth or width (in feet) of transition area in the CM and CRO district; (2) the parking space, driveway and maneuvering aisle setback from street line in the CRO, CLO and CM district; and (3) minimum front yard in the CRO and CM district, by undertaking the following action:

“In Section 135-54 (C) by changing the required depth or width (in feet) from “50” to “25” of transition area under the column entitled “Street Line” in both the CRO and the CM district;

In Section 135-67 B. (2) by changing the distance in feet parking space, driveway and maneuvering aisle must be setback from the Street Line from “50” to “25” in the CRO, CLO and the CM districts;

In Table 2, Schedule of Dimensional Controls, on the line "Minimum front yard in feet", under the column headed CRO and CM by striking out the number “100” and “75” respectively, and by inserting in place thereof the number “50” or take any other action relative thereto.”

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: This article reduces expansive front-yard setback in the commercial districts. It also reduces the parking, maneuvering and transition setback from the street line from 50 to 25 feet. The “street line” often extends to well onto what looks like private property. In the case of Hartwell Avenue it is almost 25 feet from the street curb line.

**ARTICLE 59 AMEND ZONING BY-LAW – PARKING AND BICYCLE FACILITY
STANDARDS FOR OFFICE USE (CITIZENS’ PETITION)**

In an effort to (1) lower the office use parking requirement toward current Institute of Transportation Engineers (ITE) recommended standards of practice, (2) decrease the amount of impervious surfaces constructed on an office property, and (3) to encourage carpool, vanpool and bicycle use in office uses, to see if the Town will vote to amend the Lexington Zoning By-law in amending Section 135-64 “Number of parking spaces and loading bays”, by undertaking the following action:

“In Section 135-64 (A) in the Type of Use corresponding to “Office uses (except as otherwise classified)” by deleting “1/250 s.f.” and inserting in its place the following “A minimum of 3 parking spaces for each 1,000 square feet of net floor area shall be provided. A maximum of 3.5 parking spaces for each 1,000 square feet of net floor area. Preferential carpool and vanpool parking spaces shall be provided to encourage the use of other than single-occupant vehicles. Bicycle parking facilities shall be provided accordance with 135-64(F).”

“In Section 135-64 add a new subsection (F):

“ 135-64(F) Bicycle Parking Facilities

(1) Required Spaces

In an Office, Manufacturing, Research or Laboratory Use (as defined in 135-64(A)) one bicycle parking space is required for every 20 motor vehicle parking spaces, with a minimum of 2 and a maximum of 40. No bicycle parking is required where there are fewer than 20 motor vehicle parking spaces.

(2) Conversion of Automobile Parking Spaces

For properties having 100 automobile parking spaces or more, one automobile parking space as required by the preceding sections of this Parking Regulation may be converted to bicycle parking for up to 15 bicycles. For every 200 automobile parking spaces or portion thereof, one automobile parking space may be converted to bicycle parking and yet shall still be counted as a parking space for the purpose of meeting the requirement of section 135-64(F)(1) Required Spaces.

(3) Placement and Access of Bicycle Parking

Bicycle Parking shall be situated near the primary entrance(s) of the building. It is recommended that half of the bicycle parking spaces be provided as long-term parking, safe and secure from vandalism and theft, and protected from the elements. The other half shall be provided as short term (customer or visitor) parking, and it is recommended that these parking spaces be visible and convenient to the building entrance. Bicycle parking apparatus shall not be installed in a manner which will cause obstruction of pedestrian or motor vehicle traffic. Bicycle Parking shall be situated in such a way that normal snow removal activities and snow storage do not impact the bicycle parking facility.

(4) Security

Bicycle parking apparatus shall be of a high-security design to which the frame and wheel of a parked bicycle may be attached; installed in a visible location so as to deter vandalism and theft; and permanently mounted to the ground or to a building or other immovable structure.

(5) Dimensional Regulation

Each bicycle parking space shall be sufficient to accommodate a bicycle 6 feet in length and 2 feet in width. Inverted U frame or other racks approved by the Planning Board that support the bicycle at 2 or more points above the center of gravity are required.”

or take any other action relative thereto.”

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: This article reduces office parking space requirement from a mandated 4 spaces per 1,000 square feet to a ratio of between 3 and 3.5 spaces per 1,000 square feet. This ratio also reflects the current ratios recommended by the Institute of Transportation Engineers (ITE).

ARTICLE 60

**AMEND ZONING BY-LAW – PARKING STANDARDS
FOR RETAIL SALES (CITIZENS’ PETITION)**

To see if the Town will vote to amend the Lexington Zoning By-law in amending Section 135-64 (A) Number of parking spaces and loading bays, by undertaking the following action:

“In Section 135-64 (A) in the Type of Use corresponding to “Retail business” by separating out “retail sales” into its own Retail business subcategory and inserting the following parking requirements “1/500 on street level floors; 1/750 in a cellar; 1/600 on all other floors.”

or take any other action relative thereto.”

(Inserted by Michael Martignetti and nine or more registered voters)

DESCRIPTION: This article lowers the ratio of parking spaces required of retail sales uses in the Central Business (CB) district.

And you are directed to serve this warrant seven days at least before the time of said meeting as provided in the Bylaws of the Town.

Hereof fail not, and make due return on this warrant, with your doings thereon, to the Town Clerk, on or before the time of said meeting.

Given under our hands at Lexington this 4th day of February, A.D., 2008.

Jeanne K. Krieger, Chairman
Norman P. Cohen
Hank Manz
George Burnell

Board
of
Selectmen

A true copy, Attest:
Richard W. Ham, Jr.
Constable of Lexington

Appendix A - Program Summary - Article 4 (Operating Budget)

This spreadsheet presents the projected budget and financing plan by subprogram.

A	B	C	D	E	(E-D)	(E/D)
ELEMENT	DESCRIPTION	2007 Actual	2008 Adjusted	2009 Recommended	Projected 09' to 08' Change \$	Chg. %
Operating Budget - General Fund Expenses						
<u>Program 1000: Education</u>						
1100	Lexington Public Schools	\$ 56,722,529	\$ 61,469,961	\$ 65,097,299	\$ 3,627,338	5.90%
1200	Regional Schools	\$ 1,024,817	\$ 1,200,438	\$ 1,510,598	\$ 310,160	25.84%
Total Education		\$ 57,747,346	\$ 62,670,399	\$ 66,607,897	\$ 3,937,498	6.28%
<u>Program 2000: Shared Expenses</u>						
2110	Contributory Retirement	\$ 3,279,170	\$ 3,449,284	\$ 3,446,236	\$ (3,048)	-0.09%
2120	Non-Contributory Retirement	\$ 46,758	\$ 41,000	\$ 42,000	\$ 1,000	2.44%
2130	Health Insurance	\$ 17,293,355	\$ 19,869,487	\$ 21,895,038	\$ 2,025,551	10.19%
2140	Unemployment	\$ 74,263	\$ 375,445	\$ 100,000	\$ (275,445)	-73.36%
2150	Workers Compensation*	\$ 250,648	\$ 300,235	\$ 311,625	\$ 11,390	3.79%
2160	Property & Liability Insurance	\$ 726,486	\$ 583,592	\$ 629,240	\$ 45,648	7.82%
2170	Uninsured Losses*	\$ 50,251	\$ 50,000	\$ 138,402	\$ 88,402	176.80%
<i>sub-total 2100 Benefits</i>		<i>\$ 21,720,931</i>	<i>\$ 24,669,043</i>	<i>\$ 26,562,541</i>	<i>\$ 1,893,498</i>	<i>7.68%</i>
2210	Payment on Funded Debt	\$ 2,875,000	\$ 2,833,980	\$ 3,110,000	\$ 276,020	9.74%
2220	Interest on Funded Debt	\$ 533,428	\$ 703,832	\$ 663,723	\$ (40,110)	-5.70%
2230	Temporary Borrowing	\$ 351,698	\$ 260,325	\$ 228,818	\$ (31,507)	-12.10%
<i>sub-total 2200 Debt Service</i>		<i>\$ 3,760,126</i>	<i>\$ 3,798,137</i>	<i>\$ 4,002,541</i>	<i>\$ 204,404</i>	<i>5.38%</i>
2310	Reserve Fund	\$ -	\$ 469,868	\$ 550,000	\$ 80,132	17.05%
<i>sub-total 2300 Operating Articles</i>		<i>\$ -</i>	<i>\$ 469,868</i>	<i>\$ 550,000</i>	<i>\$ 80,132</i>	<i>17.05%</i>
2400	Facilities	\$ 8,139,593	\$ 8,639,773	\$ 8,687,464	\$ 47,691	0.55%
Total Shared Expenses		\$ 33,620,650	\$ 37,576,821	\$ 39,802,546	\$ 2,225,725	5.92%
<u>Program 3000: Community Services</u>						
3100-3500	DPW Personal Services	\$ 3,094,824	\$ 3,013,530	\$ 3,078,257	\$ 64,727	2.15%
3100-3500	DPW Expenses	\$ 4,213,971	\$ 4,413,420	\$ 4,586,601	\$ 173,181	3.92%
Total Community Services		\$ 7,308,795	\$ 7,426,950	\$ 7,664,858	\$ 237,908	3.20%
<u>Program 4000: Public Safety</u>						
4100	Law Enforcement Personal Services	\$ 4,165,092	\$ 4,220,929	\$ 4,526,606	\$ 305,677	7.24%
4100	Law Enforcement Expenses	\$ 447,941	\$ 465,997	\$ 494,176	\$ 28,180	6.05%
<i>sub-total 4100 Law Enforcement</i>		<i>\$ 4,613,033</i>	<i>\$ 4,686,926</i>	<i>\$ 5,020,782</i>	<i>\$ 333,857</i>	<i>7.12%</i>
4200	Fire Personal Services	\$ 4,057,339	\$ 4,270,221	\$ 4,268,656	\$ (1,565)	-0.04%
4200	Fire Expenses	\$ 418,337	\$ 435,562	\$ 481,781	\$ 46,219	10.61%
<i>sub-total 4200 EMS/Fire</i>		<i>\$ 4,475,676</i>	<i>\$ 4,705,783</i>	<i>\$ 4,750,437</i>	<i>\$ 44,654</i>	<i>0.95%</i>
Total Public Safety		\$ 9,088,709	\$ 9,392,709	\$ 9,771,219	\$ 378,511	4.03%
<u>Program 5000: Culture & Recreation</u>						
5100	Library Personal Services	\$ 1,463,666	\$ 1,644,193	\$ 1,608,985	\$ (35,208)	-2.14%
5100	Library Expenses	\$ 264,336	\$ 228,854	\$ 255,000	\$ 26,146	11.42%
Total Culture & Recreation		\$ 1,728,002	\$ 1,873,047	\$ 1,863,985	\$ (9,062)	-0.48%
<u>Program 6000: Social Services</u>						
6000	Social Services Personal Services	\$ 349,737	\$ 407,900	\$ 451,953	\$ 44,053	10.80%
6000	Social Services Expenses	\$ 154,060	\$ 211,486	\$ 211,088	\$ (398)	-0.19%
Total Social Services		\$ 503,797	\$ 619,386	\$ 663,041	\$ 43,655	7.05%

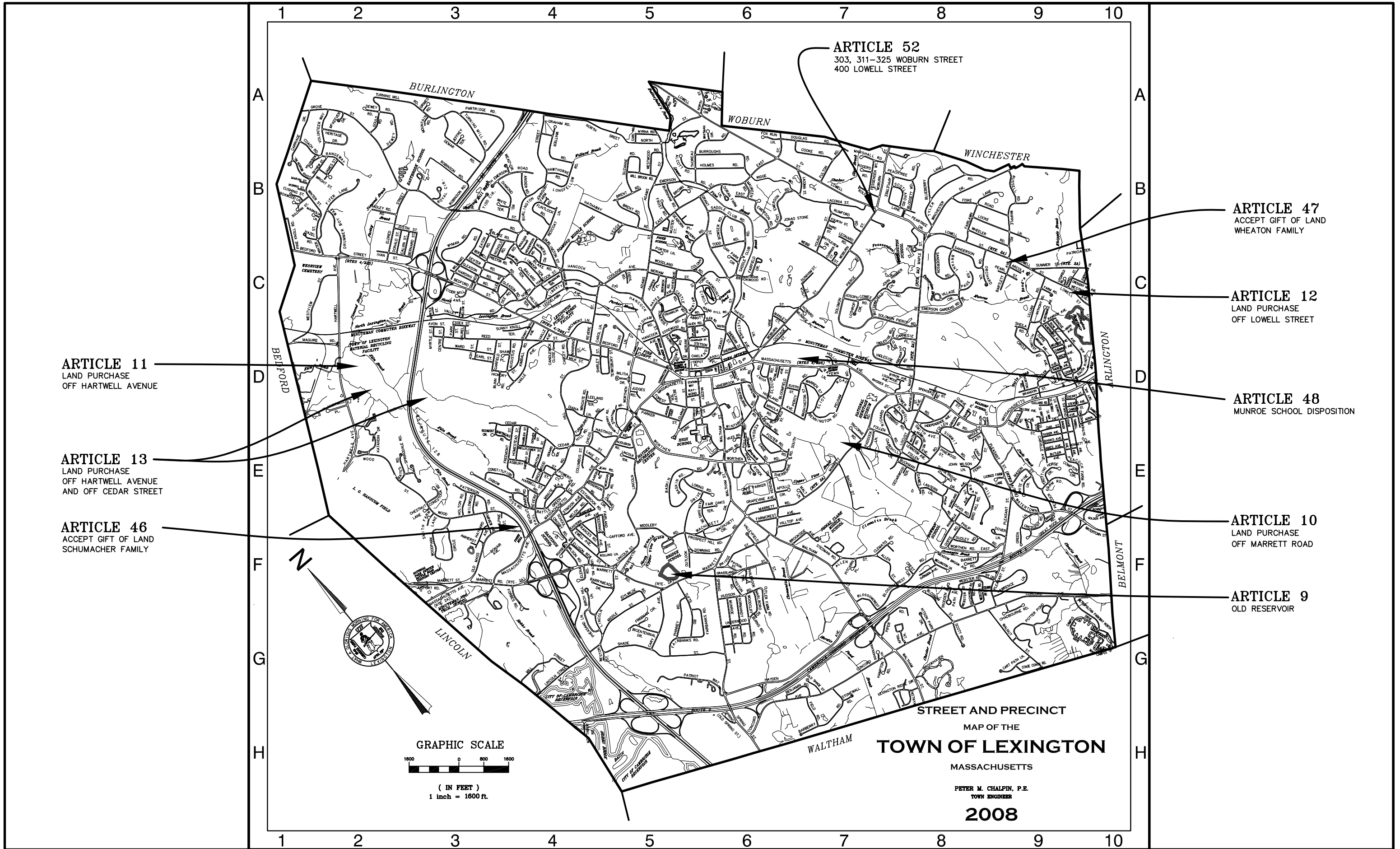
Note: Line-Items marked with an asterisk (*) will be presented at Town Meeting as continuing balance accounts.

Appendix A - Program Summary - Article 4 (Operating Budget)

This spreadsheet presents the projected budget and financing plan by subprogram.

A	B	C	D	E	(E-D)	(E/D)
ELEMENT	DESCRIPTION	2007 Actual	2008 Adjusted	2009 Recommended	Projected 09' to 08' Change \$	Chg. %
Operating Budget - General Fund Expenses						
<i>Program 7000: Community Development</i>						
7100	Comm. Devel. Personal Services	\$ 666,202	\$ 801,217	\$ 878,867	\$ 77,650	9.69%
7100	Comm. Devel. Expenses	\$ 77,176	\$ 71,689	\$ 99,472	\$ 27,783	38.75%
<i>sub-total 7100 Comm. Dev.</i>		<i>\$ 743,378</i>	<i>\$ 872,906</i>	<i>\$ 978,339</i>	<i>\$ 105,433</i>	<i>12.08%</i>
7200	Planning Personal Services	\$ 188,981	\$ 206,361	\$ 214,942	\$ 8,581	4.16%
7200	Planning Expenses	\$ 8,517	\$ 8,359	\$ 9,859	\$ 1,500	17.94%
<i>sub-total 7200 Planning</i>		<i>\$ 197,497</i>	<i>\$ 214,720</i>	<i>\$ 224,801</i>	<i>\$ 10,081</i>	<i>4.69%</i>
7300	Economic Devel. Personal Services	\$ 40,023	\$ 120,797	\$ 119,102	\$ (1,695)	-1.40%
7300	Economic Devel. Expenses	\$ 60,951	\$ 103,736	\$ 112,905	\$ 9,169	8.84%
<i>sub-total 7300 Eco. Devo.</i>		<i>\$ 100,974</i>	<i>\$ 224,533</i>	<i>\$ 232,007</i>	<i>\$ 7,474</i>	<i>3.33%</i>
Total Community Development		\$ 1,041,849	\$ 1,312,159	\$ 1,435,147	\$ 122,988	9.37%
<i>Program 8000: General Government</i>						
8110	Selectmen Personal Services	\$ 65,952	\$ 73,802	\$ 78,048	\$ 4,246	5.75%
8110	Selectmen Expenses	\$ 63,558	\$ 71,150	\$ 73,870	\$ 2,720	3.82%
8120	Legal	\$ 280,137	\$ 350,000	\$ 350,000	\$ -	0.00%
8130	Town Report	\$ 6,495	\$ 6,500	\$ 7,000	\$ 500	7.69%
<i>sub-total 8100 Board of Selectmen</i>		<i>\$ 416,142</i>	<i>\$ 501,452</i>	<i>\$ 508,918</i>	<i>\$ 7,466</i>	<i>1.49%</i>
8210-8220	Town Manager Personal Services	\$ 415,741	\$ 498,520	\$ 511,131	\$ 12,611	2.53%
8210-8220	Town Manager Expenses	\$ 196,704	\$ 143,550	\$ 151,250	\$ 7,700	5.36%
8230	Salary Transfer Account*	\$ -	\$ 457,415	\$ 870,000	\$ 412,585	90.20%
<i>sub-total 8200 Town Manager</i>		<i>\$ 612,445</i>	<i>\$ 1,099,485</i>	<i>\$ 1,532,381</i>	<i>\$ 432,896</i>	<i>39.37%</i>
8310	Appropriations Committee	\$ 126	\$ 1,500	\$ 1,500	\$ -	0.00%
8320	Misc. Towns and Committees	\$ 6,342	\$ 4,705	\$ 4,700	\$ (5)	-0.11%
8330	Public Celebrations Committee	\$ 7,240	\$ 29,000	\$ 29,500	\$ 500	1.72%
<i>sub-total 8300 Town Committees</i>		<i>\$ 13,708</i>	<i>\$ 35,205</i>	<i>\$ 35,700</i>	<i>\$ 495</i>	<i>1.41%</i>
8400	Finance Personal Services	\$ 936,662	\$ 1,015,469	\$ 1,055,828	\$ 40,359	3.97%
8400	Finance Expenses	\$ 204,234	\$ 283,894	\$ 282,490	\$ (1,404)	-0.49%
<i>sub-total 8400 Finance</i>		<i>\$ 1,140,896</i>	<i>\$ 1,299,363</i>	<i>\$ 1,338,318</i>	<i>\$ 38,955</i>	<i>3.00%</i>
8500	Town Clerk Personal Services	\$ 269,592	\$ 282,723	\$ 290,031	\$ 7,308	2.58%
8500	Town Clerk Expenses	\$ 73,957	\$ 121,759	\$ 106,114	\$ (15,645)	-12.85%
<i>sub-total 8500 Town Clerk</i>		<i>\$ 343,549</i>	<i>\$ 404,482</i>	<i>\$ 396,145</i>	<i>\$ (8,337)</i>	<i>-2.06%</i>
8600	MIS Personal Services	\$ 99,245	\$ 194,243	\$ 198,090	\$ 3,847	1.98%
8600	MIS Expenses	\$ 254,018	\$ 291,587	\$ 351,508	\$ 59,921	20.55%
<i>sub-total 8600 MIS</i>		<i>\$ 353,263</i>	<i>\$ 485,830</i>	<i>\$ 549,598</i>	<i>\$ 63,768</i>	<i>13.13%</i>
Total General Government		\$ 2,880,002	\$ 3,825,817	\$ 4,361,060	\$ 535,243	13.99%
Total Municipal		\$ 22,551,154	\$ 24,450,067	\$ 25,759,310	\$ 1,309,243	5.35%
Capital*						
	Capital Requests (Cash - GF)	\$ 235,000	\$ 655,000	\$ 847,000	\$ 192,000	29.31%
	Capital Requests (Cash - Other)	\$ 460,000	\$ 50,000	\$ -	\$ (50,000)	-100.00%
	Building Envelope Set Aside	\$ -	\$ 150,000	\$ 153,750	\$ 3,750	2.50%
	Streets Set Aside	\$ 500,000	\$ 500,000	\$ 525,000	\$ 25,000	5.00%
<i>*Does NOT include CPA funded projects</i>						
Total Capital		\$ 1,195,000	\$ 1,355,000	\$ 1,525,750	\$ 170,750	12.60%
Other						
	Stabilization Fund	\$ 2,650,000	\$ 1,000,000	\$ 1,000,000	\$ -	0.00%
	Senior Tax Work-Off Program	\$ 36,000	\$ 40,000	\$ 45,000	\$ 5,000	12.50%
	Brookhaven	\$ 50,000	\$ -	\$ 50,000	\$ 50,000	100.00%
	SPED Reserve	\$ -	\$ -	\$ 350,000	\$ 350,000	100.00%
	Post-Employment Benefits (OPEB)	\$ -	\$ -	\$ 400,000	\$ 400,000	100.00%
Total Other Articles		\$ 2,736,000	\$ 1,040,000	\$ 1,845,000	\$ 805,000	77.40%
General Fund Total		\$117,850,150	\$127,092,288	\$135,540,508	\$ 8,448,220	6.65%

Note: Line-Items marked with an asterisk (*) have been voted as continuing balance accounts.



ARTICLE 11
LAND PURCHASE
OFF HARTWELL AVENUE

ARTICLE 13
LAND PURCHASE
OFF HARTWELL AVENUE
AND OFF CEDAR STREET

ARTICLE 46
ACCEPT GIFT OF LAND
SCHUMACHER FAMILY

ARTICLE 52
303, 311-325 WOBURN STREET
400 LOWELL STREET

ARTICLE 47
ACCEPT GIFT OF LAND
WHEATON FAMILY

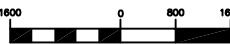
ARTICLE 12
LAND PURCHASE
OFF LOWELL STREET

ARTICLE 48
MUNROE SCHOOL DISPOSITION

ARTICLE 10
LAND PURCHASE
OFF MARRETT ROAD

ARTICLE 9
OLD RESERVOIR

GRAPHIC SCALE



(IN FEET)
1 inch = 1600 ft.

STREET AND PRECINCT
MAP OF THE
TOWN OF LEXINGTON
MASSACHUSETTS

PETER M. CHALPIN, P.E.
TOWN ENGINEER

2008

TOWN MEETING MEMBERS

At Large

Margery M. Battin 15 Paul Revere Road
George A. Burnell 4 Eaton Road
Norman P. Cohen 33 Forest Street
Donna M. Hooper 14 Lois Lane
Jay R. Kaufman 1 Childs Road
Peter C.J. Kelley 24 Forest Street
Jeanne K. Krieger 44 Webster Road
William L. Lahey 22 Fair Oaks Drive
Hank Manz 14 Ellison Road

Precinct 1

Term Expires 2010

John P. Breen 8 Crescent Hill Avenue
Jonathan G. Cole 23 Whipple Road
Iang Jeon 7 Litchfield Road
Eric Jay Michelson 45 Circle Road
Barry E. Sampson 8 Brandon Street
Carol J. Sampson 8 Brandon Street
Joel Steven Slotkin 7 Locke Lane

Term Expires 2009

Joel A. Adler 22 Village Circle
Jean W. Cole 23 Whipple Road
Scott W. Maloney 251 Massachusetts Avenue
Joseph S. Rancatore 21 Wheeler Road
Mary Ann Stewart 24 Rawson Avenue
Judith L. Zabin 1 Page Road

Term Expires 2008

Nancy M. Adler 22 Village Circle
James E. Barry 10 Crescent Hill Avenue
John C. Bartenstein 46 Sanderson Road
Ellen Basch 2 South Rindge Avenue
Mary Bowes 32 Arcola Street
John F. Rossi 40 Arcola Street
Albert P. Zabin 1 Page Road
*Colin R. Hamilton 28 Theresa Avenue
*James M. Murphy 96 Bow Street
*Douglas R. Orr 34 Bow Street

Precinct 2

Term Expires 2010

Rita B. Goldberg 10 Independence Avenue
Andrew McAleer 121 Follen Road
Nancy E. Nolan 200 Follen Road
John T. Sackton 8 White Pine Lane
Jennifer M. Vogelzang 8 Paddock Lane
Betsey Weiss 8 Dover Lane

Term Expires 2009

Marian A. O. Cohen 8 Plymouth Road
 Kenneth M. Kreutziger 14 Tower Road
 Steven A. Kropper 48 Pleasant Street
 Douglas M. Lucente 8 Great Rock Road
 Michael J. O'Sullivan 12 Aerial Street
 Donald D. Wilson 36 Fern Street
 James S. Wilson 43 Locust Avenue

Term Expires 2008

Robert W. Cunha 10 Stevens Road
 Robin B. DiGiammarino 2 Sunset Ridge
 Paul H. Lapointe 224 Follen Road
 Daniel A. Lucas 3 Tower Road
 Adam D. Sacks 12 Locust Avenue
 Jill E. Stein 17 Trotting Horse Drive
 Christina J. Welch 41 Locust Avenue
 *Kathryn Mayes Fields 9 Lexington Avenue
 *Lauren M. McSweeney 17 Sutherland Road
 *Barry Orenstein 132 Follen Road
 *Joseph N. Pato 900 Massachusetts Avenue
 *Colleen Bellock Smith 193 Follen Road

Precinct 3

Term Expires 2010

Nancy M. Cannalunga 942 Waltham Street
 Benjamin C. Cohen 87 Bridge Street
 Thomas R. Diaz 5303 Main Campus Drive
 Sherry L. Gordon 7 Stedman Road #408
 Peter B. Lee 770 Waltham Street
 Glenn P. Parker 186 Spring Street
 Loren Wood 14 Benjamin Road

Term Expires 2009

Darwin Adams 8 Field Road
 Samuel Berman 11 Barberry Road
 Nancy A. Bryant 56A Blossomcrest Road
 Richard L. Neumeier 2 Pitcairn Place
 Robert Rotberg 14 Barberry Road
 Reid E. Zurlo 42 Woodcliffe Road

Term Expires 2008

Bonnie E. Brodner 8 Trodden Path
 Nicholas A. Cannalunga 942 Waltham Street
 Dan H. Fenn, Jr. 59 Potter Pond
 Steven P. Heinrich 11 Potter Pond
 Arthur Katz 18 Barberry Road
 Patrick R. Mehr 31 Woodcliffe Road
 Robert V. Whitman 1010 Waltham Street #557
 *Steven N. Aaron 235 Concord Avenue
 *Robert N. Cohen 10 Grassland Street
 *Michelle Goddard 38 Munroe Road

Precinct 4

Term Expires 2010

Nyles Nathan Barnert..... 142 Worthen Road
Scott F. Burson 58 Sherburne Road South
Margaret B. Heitz..... 335 Marrett Road
John J. Krawczyk 78 Outlook Drive
Charles W. Lamb 55 Baskin Road
John M. Patrick 2030 Massachusetts Avenue
John S. Rosenberg..... 64 Bloomfield Street
Sandra J. Shaw 51 Wachusett Drive

Term Expires 2009

Gloria J. Bloom 17 Loring Road
Peter David Enrich 35 Clarke Street
Jill I. Hai 6 Highland Avenue
David J. Harris 5A Eliot Road
Ellen Jo McDonald 50 Bridge Street
Gerald Paul..... 43 Highland Avenue
Barrie Peltz..... 8 Jackson Court

Term Expires 2008

Lisa Baci 18 Fair Oaks Terrace
Timothy R. Counihan..... 27 Percy Road
John L. Davies 18 Prospect Hill Road
Beverly Kelley 24 Forest Street
John M. Patrick 2030 Massachusetts Avenue
Nicholas Santosuosso..... 2 Washington Street
Ruth S. Thomas..... 10 Parker Street
*Alessandro A. Alessandrini..... 32 Slocum Road
*Michael L. Gruber..... 16 Forest Street
*Tanya T. Morrisett 21 Valleyfield Street
*Vincent J. Pisegna 56 Sherburne Road South

Precinct 5

Term Expires 2010

Irene M. Dondley 22 Leonard Road
Marilyn M. Fenollosa..... 10 Marshall Road
Andrew J. Friedlich..... 22 Young Street
Gloria V. Holland..... 1475 Massachusetts Ave., #351
Carol A. Liff..... 19 Douglas Road
Jerold S. Michelson..... 3 Clyde Place
M. Masha Traber..... 106 Maple Street

Term Expires 2009

Elaine Dratch 2 Maureen Road
Ana H. Flaster 4 Fairfield Drive
Olga P. Gutttag..... 273 Emerson Road
Ann M. Kelly 6 Brookwood Road
James R. Lowry 21 Rumford Road
Sam Silverman 18 Ingleside Road

Term Expires 2008

Paul F. Barnes	500 Lowell Street
Marjorie M. Daggett	9 Burroughs Road
Anthony G. Galaitsis.....	7 Burroughs Road
John Hayward	358 Woburn Street
Loretta A. Porter	24 Fletcher Avenue #1
Ephraim Weiss	462 Lowell Street
David G. Williams	1433 Massachusetts Avenue
*David E. Burns.....	46 Ridge Road
*Nancy Corcoran-Ronchetti	344 Lowell Street
*Joseph G. Lahiff.....	318 Lowell Street

Precinct 6

Term Expires 2010

Florence A. Baturin.....	11 Alcott Road
Brian P. Kelley.....	44 Grant Street
Trisha P. Kennealy.....	4 Brent Road
Alan J. Lazarus.....	22 Woodland Road
Dawn E. McKenna.....	9 Hancock Street
Richard Pagett.....	10 Oakmount Circle
Deborah Strod.....	10 Thoreau Road

Term Expires 2009

Bebe H. Fallick	4 Diehl Road
Edmund C. Grant	27 Grove Street
Ann Forbes Kane	24 Adams Street
Jane Pagett	10 Oakmount Circle
Edith Sandy.....	353 North Emerson Road
Sheldon A. Spector	26 Suzanne Road
Sheila M. Watson.....	12 Oakland Street

Term Expires 2008

Jonathan A. Himmel	66 Hancock Street
Morton G. Kahan	44 Hancock Street
David L. Kaufman	152 Burlington Street
Gerald A. Lacey	18 Meriam Street
Laura M. Mahoney.....	119 Burlington Street
Ronald B. Pawliczek.....	25 Flintlock Road
Frank Sandy	353 North Emerson Road
*Osma Babson	21 Redcoat Lane
*John R. Holt	115 Burlington Street
*Ann S. Redmon.....	31 Woodland Road

Precinct 7

Term Expires 2010

Patricia Elen Costello.....	9 Preston Road
Margaret Counts-Klebe.....	94 Winter Street
Catherine Woodward Gill	43 Bertwell Road
Joyce A. Miller.....	23 Fifer Lane
Elizabeth B. Perry Wood	76 Gleason Road
Jane A. Trudeau	7 Volunteer Way

Term Expires 2009

Marsha E. Baker.....46 Burlington Street
Keith Hoffman4 Wright Street
William I. Leavitt..... 180 Grove Street
Sheryl R. Mahoney 65 Blake Road
Fred H. Martin 29 Dewey Road
James C. Wood, Jr. 51 Gleason Road
Alan A. Wrigley..... 205 Grove Street

Term Expires 2008

Deborah J. Brown 47 Robinson Road
James W. Courtemanche..... 88 Winter Street
Thomas V. Griffiths 7 Volunteer Way
Pam Hoffman 4 Rangeway
Sheryl T. Mason..... 33 Robinson Road
Robert D. Peters 43 Fifer Lane
Ravi K. Sakhuja 50 Turning Mill Road
Martha C. Wood..... 51 Gleason Road
*David G. Kanter 48 Fifer Lane

Precinct 8

Term Expires 2010

Nancy Bartlett..... 59 Ledgeawn Avenue
Elizabeth J. Bryant 18 Liberty Avenue
John T. Cunha 11 Homestead Street
David C. Horton..... 68 Paul Revere Road
Alan Mayer Levine 54 Reed Street
Alan V. Seferian..... 10 Augustus Road
Melinda M. Walker..... 14 Larchmont Lane

Term Expires 2009

Richard H. Battin 15 Paul Revere Road
Larry N. Belvin 10 Denver Street
William Herring 20 Ward Street
Ingrid H. Klimoff 75 Reed Street
Jessica G. Steigerwald..... 17 Hamblen Street
Shirley H. Stolz..... 2139 Massachusetts Avenue
Carolyn H. Tiffany..... 109 Reed Street

Term Expires 2008

Roger F. Borghesani 24 Hastings Road
Margaret Bradley 48 Bellflower Street
Charles Hornig..... 75 Reed Street
Stewart G. Kennedy 38 Liberty Avenue
Richard A. Michelson 54 Asbury Street
Charles L. Moore, Jr. 87 Cedar Street
James A. Osten 8 Revere Street
*Thomas W. Alspaugh..... 3 Gerard Terrace

Precinct 9

Term Expires 2010

Victoria Lawrence Blier 41 Shade Street
Rodney Cole 80 School Street
Margaret E. Coppe 12 Barrymeade Drive
Thomas O. Fenn 15 Shade Street
Laura J. Hussong 74 School Street
Jesse F. Segovia 7 Pheasant Lane
Francine Stieglitz 3 Amherst Street

Term Expires 2009

Narain D. Bhatia 8 Nickerson Road
Richard L. Canale 29 Shade Street
Helen L. Cohen 32 Patterson Road
Mollie K. Garberg 16 Cary Avenue
William P. Kennedy 135 Wood Street
Janet M. Perry 16 Ellison Road

Term Expires 2008

Alice J. Adler 10 Nickerson Road
Mary E. Donahue 3 Crosby Road
Emily R. Donovan 110 Wood Street
Janice A. Kennedy 135 Wood Street
Lawrence J. Link 2380 Massachusetts Avenue
Wendy Manz 14 Ellison Road
John Mazerall 40 Wood Street
Leo P. McSweeney 435 Lincoln Street
*Shireen Ahmed 393 Lincoln Street
*Daniel L. McDonough 61 School Street
*Dawn McDonough 61 School Street
*Lisah S. Rhodes 482 Marrett Road
*Damon M. Wirtanen 24 Tufts Road
*Justine A. Wirtanen 24 Tufts Road

TOWN FINANCE TERMINOLOGY

The following terms are frequently used in the annual town report and at the town meeting. In order to provide everyone with a better understanding of the meaning, the following definitions are provided.

AVAILABLE FUNDS - "FREE CASH"

The amount certified annually by the Bureau of Accounts, Department of Revenue. The certified amount is the Unreserved Fund Balance less all outstanding taxes. This fund may be used by a vote of the town meeting as available funds for appropriation.

AVAILABLE FUNDS - OTHER

Usually refers to balances in special funds or to balances remaining in specific articles previously appropriated. These balances become available for re-appropriation by Town Meeting (or are returned to the town's general fund balance).

"CHERRY SHEET"

A financial statement issued by the State on cherry-colored paper that itemizes state aid due to the town, and charges payable by the town to the state and county. The assessors need the Cherry Sheet to set a tax rate.

GENERAL FUND

The municipal fund accounts for most financial expenses and revenues approved by town meeting. The tax levy is the principal source of revenue in the general fund.

ENTERPRISE FUND

A self-supporting account for a specific service or program that the town operates as a separate "business." Enterprise funds do not depend on taxes for operating revenue. For example, water operations are funded through the water enterprise fund, which receives funds from a consumption based fee system. Ideally, enterprise resources and expenditures should balance over time. Funds in enterprise accounts do not revert to the general fund at the end of the fiscal year.

OVERLAY

The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements granted by the Board of Assessors.

RESERVE FUND

This appropriation is voted at the annual town meeting in an amount not to exceed 5% of the tax levy of the preceding year. Transfers from the reserve fund are approved by the Appropriation Committee and may only be used for "extraordinary or unforeseen expenditures."

REVOLVING FUND

Revolving funds are used for a particular service. They must be re-authorized each year by a vote of Town Meeting. An overall limit on spending is set by Town Meeting. The funds can be used for the service without appropriation up to the approved limit.

Notes

Notes

ELECTION INFORMATION

Local Election - Monday, March 3, 2008

Polling Hours - 7 a.m. to 8 p.m.

Polling Locations

Precinct 1	Cary Memorial Building, 1605 Massachusetts Avenue
Precinct 2	Bowman School, Philip Road
Precinct 3	Jonas Clarke Middle School, Stedman Road Enter off Waltham Street via Brookside Avenue
Precinct 4	Bridge School, Middleby Road
Precinct 5	Cary Memorial Building, 1605 Massachusetts Avenue
Precinct 6	Diamond Middle School - enter off Hancock Street at Burlington Street traffic circle
Precinct 7	Estabrook School, Grove Street -near Route 128
Precinct 8	Fire Headquarters Building, Bedford Street at Worthen Road
Precinct 9	Maria Hastings School, Crosby Road (off Massachusetts Avenue near Route 128)

For further information, call the Town Clerk's Office 781-862-0500, Ext. 270.

Town of Lexington
Lexington, MA 02420

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