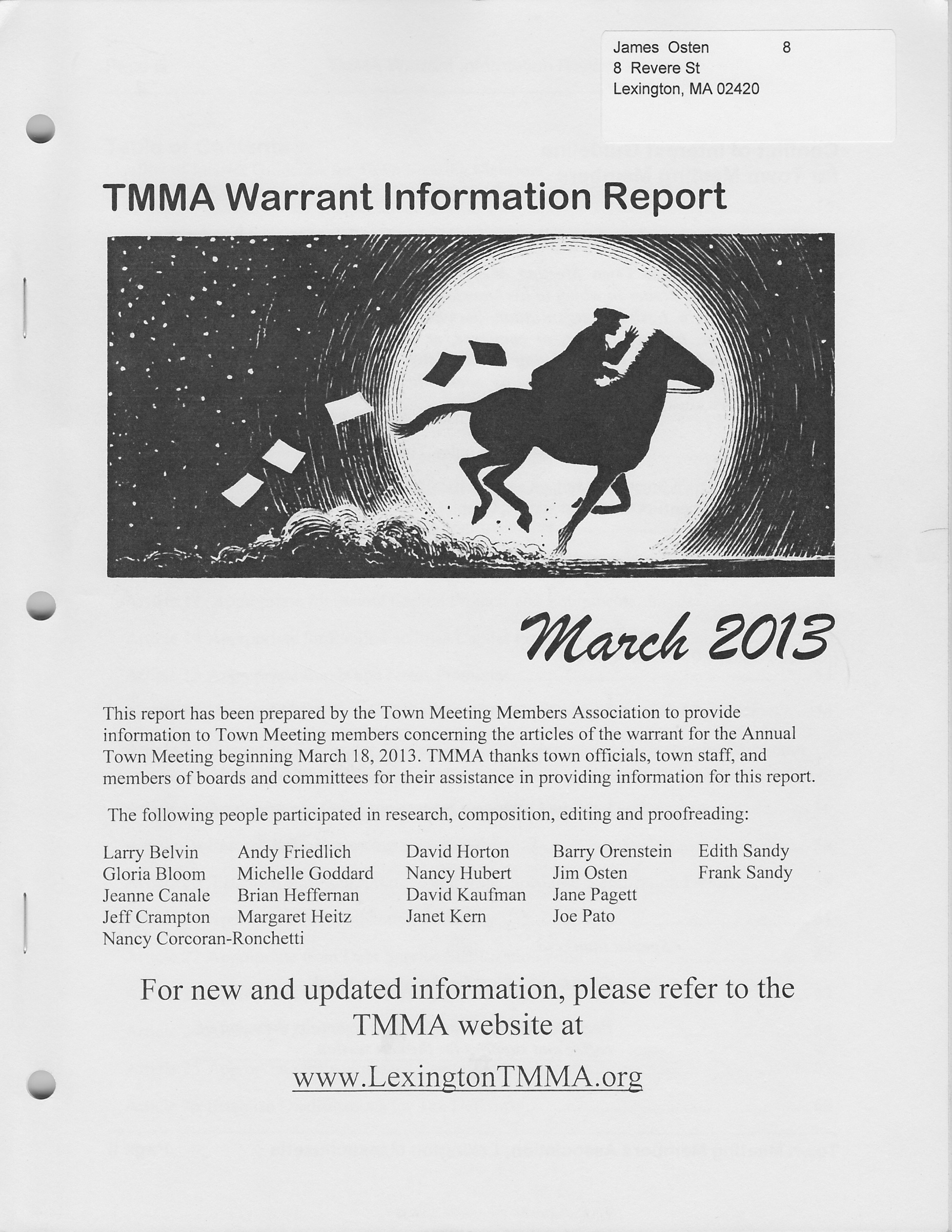
**TMMA Warrant Information Report**



**November 2013**

This report has been prepared by the Town Meeting Members Association to provide information to Town Meeting members concerning the articles of the warrant for the Special Town Meeting beginning November 4, 2013. TMMA thanks town officials, town staff and members of boards and committees for their assistance in providing information for this report.

The following people participated in research, composition, editing and proofreading:

Bob Avallone Andy Friedlich Jim Osten

George Burnell Laura Hussong Andrei Radulescu-Banu

Jeff Crampton Barry Orenstein

**For New and Updated Information, please refer to the**

**TMMA website at:**

**www.LexingtonTMMA.org**

**ARTICLE 2**

**AMEND FY2014 OPERATING, ENTERPRISE FUND AND**

**COMMUNITY PRESERVATION BUDGETS**

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Articles 4, 5 and 8 of the warrant for the 2013 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budgets and appropriations that may be necessary; to determine whether the money shall be provided by the tax levy, by transfer from available funds, from Community Preservation 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 article to permit adjustments to current fiscal year (FY2014)

appropriations of the general fund, enterprise funds and Community Preservation budgets.

**TMMA REVIEW**

Making adjustments to current year budgets has become a customary practice at fall Special Town Meetings. The article allows revenue sources used to support budgets appropriated at the Annual Town Meeting to be revised and specific line items to be amended. The revenue changes from the budget approved at the Annual Town Meeting (ATM) are:

Unallocated Revenue at the close of ATM $103,556 a

Revisions to Revenue Estimates:

Tax Levy (preliminary new growth estimate) 709,000

State Aid 791,660

Offsets 336,068

Total Revisions 1,836,728 b

Unallocated Revenue as of 10/17/13 (a+b) 1,940,284 c

Needed for Art. 2 Supplemental Appropriations 141,044 d

Net Unallocated Revenue (c-d) $1,799,240

It is proposed that the unallocated revenue of $1,799,240 be added to the current balance in the Capital Projects/ Debt Service Reserve/ Building Renewal Stabilization Fund in Article 3. This will enable $2.8 million to be appropriated from the Stabilization Fund in fiscal years 2015, 2016 and 2017 to reduce the debt service impacts resulting from the construction of the High School modular classrooms (Article 4).

The line item adjustments proposed under Article 2 include:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Line Item | Description | From | To | Change |
| 1100 | Lexington Public Schools | $81,313,963 | $81,400,507 | $86,544 |
| 8400 | Finance Personal Services | $1,263,064 | $1,223,064 | ($40,000) |
| 8500 | Finance Expenses | $438,945 | $478,945 | $40,000 |
| 8500 | Town Clerk Personal Services | $310,955 | $340,255 | $29,300 |
| 8500 | Town Clerk Expenses | $128,775 | $153,975 | $25,200 |
|  | |  |  |  |
| Total Supplemental Appropriations (d above) | |  |  | $141,044 |

|  |  |  |  |
| --- | --- | --- | --- |
| Water Enterprise MWRA Assessment | $5,565,492 | $5,555,055 | ($10,437) |
| Wastewater Enterprise MWRA Assessment | $7,039,266 | $7,014,300 | ($24,966) |

**TMMA Questions:**

1. *What is the reason for the supplemental Public School appropriation?*

Additional funding is needed to maintain programs impacted by cuts in federal grants that were affected by sequestration.

1. *Why is there a transfer from Finance Personal Services to Finance Expenses?*

At the ATM, funds were appropriated for additional personnel in the Assessing Office. It was determined that additional staff is not currently needed. A portion of the work the additional staff would have performed will now be carried out through contracted services.

1. *Why are changes needed to the Town Clerk appropriations?*

Additional funds are needed for the October and December elections needed to fill the seat vacated by Ed Markey.

1. *What is the reason for the MWRA assessment changes?*

The Enterprise Funds’ assessments in the budgets approved at the ATM were based on preliminary numbers given by the MWRA. The changes reflect the final assessments voted on by the MWRA Board in June.

**ARTICLE 3**

**APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS**

To see if the Town will vote to appropriate sums of money to and from Stabilization Funds in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws for the purposes of: (a) Section 135 Zoning By- Law, (b) Traffic Mitigation, (c) Transportation Demand Management, (d) School Bus Transportation, (e) Special Education, (f) Center Improvement District; (g) Debt Service, (h) Transportation Management Overlay District (TMO-1), (i) Avalon Bay School Enrollment Mitigation Fund, and (j) Capital Projects/Debt Service Reserve/Building Renewal Fund; and 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 fund Stabilization Funds for specific purposes and to appropriate funds there from. 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 an Annual or Special Town Meeting.

**TMMA REVIEW**

SPECIFIED STABILIZATION FUNDS

At the 2007 Town Meeting, various stabilization funds were created as repositories for money to be reserved for later use as appropriated at subsequent Town Meetings. Any funds received by the Town since the last Town Meeting for purposes designated under any of the existing specified stabilization funds are recommended for appropriation into those funds under this article.This article asks Town Meeting to appropriate funds into the three stabilization funds as follows

|  |  |  |
| --- | --- | --- |
| STABILIZATION FUND | CURRENT BALANCE | APPROPRIATE INTO FUND |
|  |  |  |
| Capital Projects/Debt Service | $2,186,567 | $1,799,240 |
| Reserve/Building Renewal S.F. |  |  |
|  |  |  |
| Transportation/Demand Management/ | $283,642 | $11,632 |
| Public Transportation S.F. |  |  |
|  |  |  |
| Traffic Mitigation S.F. | $10,736 | $28,500 |

Capital Projects Fund: The source of these funds is the expected increase in FY 2014 revenue (article 2 above) from the amount budgeted at the regular Town Meeting. This fund will mitigate future debt service costs to purchase and install modular classrooms at the High School that are requested under Article 4.

The total fund will become $3,985,807. Of this amount, $2,811,996 is committed from FY15 to FY17 to reduce existing non-exempt debt. Article 4 proposes to apply an additional $950,000 in FY15 to mitigate debt of the modular classrooms, leaving an uncommitted balance of $223,810.

Transportation Demand Management: This is a housekeeping action to accept $2,132 from the Lexington Place Condominium Trust and $9,500 from Cubist Pharmaceuticals as part of zoning agreements.

Traffic Mitigation: This is a housekeeping action for $28,500 collected from Cubist Pharmaceuticals as part of zoning agreements.

**ARTICLE 4**

**APPROPRIATE FOR MODULAR CLASSROOMS AT THE HIGH SCHOOL**

**Special Town Meeting**

**November 4, 2013**

To see if the Town will vote to raise and appropriate a sum of money for modular classrooms at the High School; 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.

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article would fund the purchase and installation of a number of modular

classrooms at the High School to alleviate overcrowding in the existing classrooms.

**TMMA REVIEW**

Lexington High School is looking to build new modular classrooms as a two phase project in the summers of 2014 and 2015.

Article 4 calls for an appropriation out of capital funds and other funds to cover the costs for the construction project, which will be completed over two years. The first phase includes 10 new rooms for general education classrooms and 5 spaces for special education. The second phase includes 2 general education classrooms and 7 special education spaces.

The estimated total project cost is 7.725 million dollars.

High School student enrollment was 2,007 in 2013, and is projected to rise to 2,154 in 2016.

**TMMA Questions:**

*1. When does the 10 Year Facility Master Plan estimate that a new High School is needed?*  
The Master Plan starts the process in 2019. According to the Facility Master Plan estimate, a high school would be constructed in 2021 at the cost of $196.5M.

*2. Was the alternative of a brick and mortar extension to the High School considered?*

Yes, in 2009. A brick and mortar project could not be completed in summer while classrooms are not in session.

*3. What other Lexington school buildings employ modular rooms?*

Hastings, Bowman, and Diamond. Diamond Middle School has 4 modular rooms, built before 2000, and Hastings Elementary School has 8, built in 1995. Bowman has 2 modular rooms, built 10-15 years ago.

*4. What is the life expectancy on the proposed modular rooms?*

Ten years is typical useful life for modular classrooms of wood construction.

*5. Will the new modular rooms be air conditioned in the summer?*

Yes, if occupied. All modular rooms will have air conditioning installed. Existing high school classrooms do not have air conditioning.

*6. What was the 2013 Independent Learning Program enrollment at the high school, and what is the projection to 2016?*

In 2013, 23 students were enrolled in an Independent Learning Program (ILP) out of a total of 2,007 High School students. The projection for 2016 is 45 students enrolled in an ILP, out of a projected 2,154 students.

*7. The High School has 78 rooms allocated for Administration and Guidance, for a total of 25,326 sq ft. The MSBA guidelines recommend 24 rooms for Administration and Guidance, for 5,798 sq ft. Is this space available for conversion to classrooms?*

In the past three years we have converted 4 spaces to classrooms and there are no more additional options to create classrooms.

**Article 5**

**Appropriate for Renovations, 39 Marrett Road**

**Special Town Meeting**

**November 4, 2013**

To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing and

making extraordinary repairs to buildings at 39 Marrett Road to be acquired by the Town; 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)

FUNDS REQUESTED: $3,169,000

DESCRIPTION: The closing for the acquisition of the property at 39 Marrett Road is scheduled

for December 3, 2013. The Town has engaged the services of an architect to work with the Community

Center Advisory Committee to identify short term improvements needed to facilitate occupancy as soon

as possible after closing and for long-term improvements to the property needed to support town

programs to be housed at 39 Marrett Road. This article is to request funds for the short-term

improvements.

**TMMA REVIEW**

Special Town Meeting on March 18, 2013 approved Article 2: Land Purchase - off Marrett Road, for the purchase of the Scottish Rite property for a Lexington Community Center (CC).

The 2013 Annual Town Meeting appropriated $100,000 in Community Preservation funds to evaluate the site for initial occupancy and to develop a plan, budget and schedule for the fully developed Community Center. The architectural firm Steffian Bradley Architects (SBA) is doing this work now.

Article 5 uses "short-term" to describe the minimal modifications required so that the Human Services (COA, Senior Services, Youth Services) and Recreation Departments can move into 39 Marrett quickly. This will entail moving the programs currently offered at the Muzzey Senior facility to the new Community Center. Additional community activities, and Recreation activities currently run in Cary Hall and elsewhere around town, may also begin to be offered at the new Center, given the increase in programming space that the facility allows.

After careful consideration, the architects, committee members, and Town liaisons agreed that performing major construction work while the building is unoccupied is more efficient, safer, and will result in better space once the building is occupied. Therefore the Team has approved a plan that includes in Phase 1 the modifications that are required to 1) avoid major disruptions to staff and programs; 2) replicate or improve the services currently provided by the departments moving into the building; and 3) make the facility more flexible by making changes to accommodate the larger groups of people that will use the building. This means that the building will not be occupied until the space is ready for all of the stated departments and programs.

Article 5 refers to "long-term improvements" to describe the planning and preliminary design effort underway to prepare for a Phase 2 expansion of the facility to incorporate a large, multi-purpose space, a commercial kitchen, and other possible building features.

Article 5 seeks an appropriation for the architect to prepare construction documents, and for funding to enable that construction to proceed. This work will constitute Phase 1. The construction will include:

* Reconfiguration of non-load bearing walls to create larger spaces for classrooms and activities
* Structural upgrades to accommodate the additional load of assembly use versus office use.
* Code, HVAC, and ADA modifications
* Phone, computer and security system changes to tie into Town networks
* Addition of bathrooms
* Designing a continuous sidewalk from the building to Marrett Road
* Audio/Visual systems, signage, lighting and painting

The project cost is $3,169,000. The Community Preservation Committee supports the Phase 1 project, with $2,846,184 approved for CPA funding. The remaining $322,816 (audio visual, phones, furniture) will be funded from another source, unknown as of this writing.

Taken from the *Appropriation Committee Report to the March 2013 Special Town Meeting*

**FUNDS ALREADY APPROPRIATED**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **STM 2013** | **CPA Debt** | **CPA Cash** | **General Fund** | **TOTAL** |
| **Purchase Price** | $7,390,000 |  | $3,560,000 | $10,950,000 |
| **First Year's Debt Service** |  | $115,000 |  | $115,000 |
| **Ancillary Costs** |  | $147,500 |  | $147,500 |
| **TOTAL** | **$7,390,000** | **$262,500** | **$3,560,000** | **$11,212,500** |
| **ATM 2013** |  |  |  |  |
| **Design & Engineering** |  | $100,000 |  | **$100,000** |

**Total to date: $11,312,500**

**TMMA Questions:**

1) *Why do we need more bathrooms...didn't they have enough?*

The building spaces are classified as "office space”, which means that small numbers of people are expected to be in the space at the same time. As a community center, the large multi-purpose space we are creating is classified as "assembly space", which means a large number of people can be in that space at the same time. The code requirements for assembly space include additional bathroom facilities in the assembly areas.

2) *Why do we need to make structural improvements? Is the building defective?*

This is related to the change from office to assembly space. We need to strengthen the floors in the multi-purpose space because we know that there will be more people in those spaces. The building conforms to code for office space, but not for the additional load requirements of assembly space.

3) *Why do we need to make HVAC changes?*

We are going to reconfigure parts of the building to make larger classroom spaces from smaller rooms. The ventilation requirements of larger spaces are not the same as for small spaces, so we need to modify the HVAC systems when we substantially change room sizes.

4) *Where does Phase 1 fit in with the final completion?*

Phase 1 is scheduled to be completed in the fall of 2014. Phase 2 may come to Annual Town Meeting for an appropriation request to begin design development for the expansion, and a timeline for that phase will accompany any such request. Current best estimates are that it would take two years for Phase 2 completion from the time of funding.

5) *What is the anticipated total project cost?*

The total project cost is not yet determined. A project estimate was developed by the Cecil Group, and presented to the Board of Selectmen on December 17 of 2012, that projected a project cost of $11,893,717 to renovate the facility and build a new half sized gym. It was projected that $9,495,306 of the project cost would be CPA funding eligible.

6) *Don't we need improvements in roads, parking, activity areas, and food service?*

Items under consideration for Phase 2 are being developed, but generally include a commercial kitchen, a large multipurpose room and/or a gymnasium, a secondary access road, and the possibility of additional space for a separate teen drop-in area.

7) *Will this contract go out to bid to the lowest bidder or be negotiated with a preferred contractor?*

Mass General Law Ch. 149 requires us to take the low-bid contractor for public construction.