

TOWN OF LEXINGTON

WARRANT



2020 ANNUAL TOWN ELECTION PRESIDENTIAL PRIMARY

March 3, 2020

2020 ANNUAL TOWN MEETING

March 23, 2020

*Detailed information on Town Meeting Warrant Articles can be found at
<http://www.lexingtonma.gov/town-meeting>*



EARLY VOTING FOR THE MARCH 3, 2020

PRESIDENTIAL PRIMARY AND ANNUAL TOWN ELECTION

at the CARY MEMORIAL BUILDING
1605 MASSACHUSETTS AVENUE

Early Voting will be held in Lexington on the dates and times below:

Mon. Feb. 24th 8:30 am – 4:30 pm Tues. Feb. 25th 8:30 am – 7:00 pm
Wed. Feb. 26th 8:30 am – 4:30 pm Thurs. Feb 27th 8:30 am – 4:30 pm
Friday Feb 28th 8:30 am – 1:00 pm

Questions, please call the Town Clerk's Office at 781-698-4558,
or email: townclerk@lexingtonma.gov

**WARRANT
2020 ANNUAL TOWN MEETING**

**Detailed information on these Town Meeting Warrant Articles can be found at
<https://www.lexingtonma.gov/town-meeting>
Wifi is available in Battin Hall**

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Town of Lexington, Massachusetts
Select Board

DOUGLAS M. LUCENTE, CHAIR
JOSEPH N. PATO
SUZANNE E. BARRY
JILL I. HAI
MARK D. SANDEEN

TEL: (781) 698-4580
FAX: (781) 863-9468

January 27, 2020

To the Residents of Lexington:

This warrant document provides notification of the 2020 Annual Town Meeting and advises residents of the various issues being considered at the meetings. Only Articles listed in this warrant may be discussed. The purpose of the Warrant is to inform citizens of the issues to be discussed and does not provide for detailed information about the Articles.

Articles for the Annual Town Meeting are grouped in three categories: Financial, General and Zoning. Descriptions are provided in an attempt to make the Warrant useful and understandable.

The most important votes that take place at the Annual Town Meeting are related to the budget. We urge citizens to read the budget, understand it, and help us find a way to foster excellence within the community. The Town website, <http://www.lexingtonma.gov/town-meeting> , includes the most recent version of the FY2021 Budget and other financial Articles as well as other relevant information for each Article.

Between now and Town Meeting there will be multiple meetings to develop a comprehensive recommended budget for fiscal year 2021. That budget will be delivered to all Town Meeting Members prior to the consideration of any financial articles by Town Meeting.

SELECT BOARD

Douglas M. Lucente, Chair
Joseph N. Pato
Suzanne E. Barry
Jill I. Hai
Mark D. Sandeen

**TOWN OF LEXINGTON WARRANT
2020 ANNUAL TOWN MEETING**

Commonwealth of Massachusetts

Middlesex, ss.

To either of the Constables or Town Clerk of the Town of Lexington, 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, SCHOOL ADMINISTRATION BUILDING; PRECINCT TWO, BOWMAN SCHOOL; PRECINCT THREE, LEXINGTON COMMUNITY CENTER; PRECINCT FOUR, CARY MEMORIAL BUILDING; PRECINCT FIVE, SCHOOL ADMINISTRATION BUILDING; PRECINCT SIX, CARY MEMORIAL BUILDING; PRECINCT SEVEN, ESTABROOK SCHOOL; PRECINCT EIGHT, SAMUEL HADLEY PUBLIC SERVICES BUILDING; PRECINCT NINE, KEILTY HALL, ST. BRIGID'S CHURCH,

On Tuesday, the third Day of March 2020

From 7:00 a.m. to 8:00 p.m., then and there to act on the following articles:

ARTICLE 1

NOTICE OF ELECTION

Two Select Board Members for a term of three years;

One Moderator for a term of one year;

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

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

One Lexington Housing Authority member; for a term of five 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 in March 2021;

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

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

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

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

Eight Town Meeting Members in Precinct Six, 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 in March 2021;

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 in March 2022;

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

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

You are also to notify the inhabitants aforesaid to meet at the Margery Milne Battin Hall in the Cary Memorial Building, 1605 Massachusetts Avenue, in said Town,

On Monday, the twenty-third day of March 2020 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 **ELECTION OF DEPUTY MODERATOR AND REPORTS OF TOWN BOARDS, OFFICERS AND COMMITTEES**

To see if the Town will vote to approve the Deputy Moderator nominated by the Moderator; receive the reports of any Board or Town Officer or of any Committee of the Town; or act in any other manner in relation thereto.

(Inserted by the Select Board)

DESCRIPTION: This article remains open throughout Town Meeting and reports may be presented at any Town Meeting session by boards, officers, or committees. In addition, the Town will consider the approval of the nomination of a Deputy Moderator as authorized under Section 118-11 of the Code of the Town of Lexington.

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 Select Board)

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

FINANCIAL ARTICLES

ARTICLE 4 **APPROPRIATE FY2021 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, by transfer from available funds, by transfer from enterprise funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: See the most recent version of the FY2021 budget proposals posted at <http://lexingtonma.gov/budget>.

DESCRIPTION: This article requests funds for the FY2021 (July 1, 2020 - June 30, 2021) operating budget. The operating budget includes the school and municipal budgets. The operating budget includes requests for funds to

provide prospective salary increases for employees, including salaries to be negotiated through collective bargaining negotiations. The budget also includes certain shared expenses.

ARTICLE 5

APPROPRIATE FY2021 ENTERPRISE FUNDS BUDGETS

To see if the Town will vote to appropriate a sum of money to fund the operations of the DPW Water and Wastewater Divisions and the Department of Recreation and Community Programs; determine whether the money shall be provided by the estimated income to be derived in FY2021 from the operations of the related enterprise, by the tax levy, by transfer from available funds, including the retained earnings of the relevant enterprise fund, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED:

Enterprise Fund	FY2019 Appropriated	FY2020 Requested	FY2021 Requested
a) Water			
Personal Services	\$684,682	\$785,010	\$804,234
Expenses	\$395,107	\$508,875	\$502,925
Debt Service	\$1,436,995	\$1,277,412	\$1,283,916
MWRA Assessment	\$7,128,006	\$7,413,364	\$8,154,700
Total Water Enterprise Fund	\$9,644,790	\$9,984,661	\$10,745,775
b) Wastewater			
Personal Services	\$208,773	\$355,614	\$366,568
Expenses	\$342,920	\$432,950	\$444,150
Debt Service	\$1,134,396	\$1,278,322	\$1,398,374
MWRA Assessment	\$7,572,486	\$7,851,947	\$8,637,142
Total Water Enterprise Fund	\$9,258,575	\$9,918,833	\$10,846,234
c) Recreation and Community Programs			
Personal Services	\$1,275,859	\$1,471,683	\$1,535,363
Expenses	\$1,233,393	\$1,481,895	\$1,480,045
Total Recreation and Community Programs Enterprise Fund	\$2,509,252	\$2,953,578	\$3,015,408

DESCRIPTION: Under Massachusetts General Laws Chapter 44, Section 53F½, towns may establish Enterprise Funds for a utility, health care, recreation or transportation operation, with the operation to receive related revenue and receipts and pay expenses of such operation. This article provides for the appropriation to and expenditure from three enterprise funds previously established by the Town. The Recreation and Community Programs Fund includes the operations and programs for the Community Center.

ARTICLE 6

ESTABLISH QUALIFICATIONS FOR TAX DEFERRALS

To see if the Town will vote to increase the current eligibility limits for property tax deferrals under Massachusetts General Laws Chapter 59, Section 5, Clause 41A as authorized by Chapter 190 of the Acts of 2008; or act in any other manner in relation thereto.

(Inserted by the Select Board)

DESCRIPTION: Chapter 190 of the Acts of 2008 allows Town Meeting, with the approval of the Select Board, to make adjustments to the current deferral eligibility limits.

ARTICLE 7

**PETITION GENERAL COURT TO AMEND LEGISLATION
REGARDING TAX DEFERRALS**

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court to enact legislation regarding real property tax deferrals in the Town of Lexington in substantially the form below, and further to authorize the Select Board to approve amendments to said act before its enactment by the General Court that are within the scope of the general objectives of the petition; or act in any other manner in relation thereto.

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

SECTION 1. Section 2 of Chapter 190 of the Acts of 2008, is hereby renumbered to be Section 3.

SECTION 2. A new Section 2 of Chapter 190 of the Acts of 2008, is hereby added as follows:

“Section 2. The imposition of interest required pursuant to section 62 of chapter 60 shall be delayed by one year in the case of a person whose taxes have been deferred pursuant to clause 41A of section 5 of chapter 59.”

SECTION 3. This act shall take effect upon its passage.

(Inserted by the Select Board)

DESCRIPTION: The senior property tax deferral program, known as Clause 41A, allows people 65 or over to defer their property taxes until their home is sold or conveyed, or until the death of the applicant. During the time property taxes are deferred, the interest rate charged on the deferral is a low rate tied to a government index that generally runs three percent below the Prime Rate, however upon the death of the applicant the rate increases to 16 percent per annum. This article would delay the interest rate increase of an estate with tax deferral for a year after the death of the applicant.

ARTICLE 8

SHORT TERM RENTAL IMPACT FEE

To see if the Town will vote to accept Massachusetts General Laws Chapter 64G, Sections 3A & 3D, Local Option Community Impact Fee of 3% on short term rental properties; or act in any other manner in relation thereto.

(Inserted by the Select Board)

DESCRIPTION: The article authorizes the Town to adopt a “community impact fee” of up to 3% on “professionally managed” units. These units are defined as accommodations where an operator runs more than one short-term rental in the same municipality with at least one of those units not located in a single-, two-, or three-family dwelling that includes the operator’s primary residence.

ARTICLE 9

ESTABLISH AND CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote, pursuant to the Massachusetts General Laws Chapter 44, Section 53E½ and Chapter 110 of the Code of the Town of Lexington, to continue existing revolving funds; to amend said Chapter 110 to establish new revolving funds; to determine whether the maximum amounts that may be expended from such new and existing revolving fund accounts in FY2021 shall be the following amounts or any other amounts; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED:

Program or Purpose for Revolving Funds	FY2021 Authorization
School Bus Transportation	\$1,150,000
Building Rental Revolving Fund	\$56,000
DPW Burial Containers	\$50,000
Lexington Tree Fund	\$45,000
DPW Compost Operations	\$790,000
Minuteman Household Hazardous Waste Program	\$250,000
Regional Cache -Hartwell Avenue	\$20,000
Senior Services Program	\$75,000
Health Programs	\$45,000
Tourism/Liberty Ride	\$200,000
Visitors Center	\$205,000
Residential Engineering Review	\$57,600
Lab Animal Permits	TBD

DESCRIPTION: The amount that may be spent from a revolving fund established under Massachusetts General Laws Chapter 44, Section 53E½ must be approved annually by Town Meeting. The Funds are credited with the receipts received in connection with the programs supported by such funds, and expenditures may be made from the revolving fund without further appropriation.

ARTICLE 10 APPROPRIATE THE FY2021 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 FY2021 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 debt service on previously authorized financing; for the administrative expenses of the Community Preservation Committee for FY2021; for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with moneys from the Community Preservation Fund; to appropriate funds for such projects and determine whether the money shall be provided by the tax levy, or from estimated Community Preservation Act surcharges and the state match for the upcoming fiscal year, 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 Select Board at the request of the Community Preservation Committee)

FUNDS REQUESTED:

- a) Archives & Records Management/Records Conservation & Preservation- \$20,000
- b) Restoration of Margaret Lady of Lexington Painting- \$9,000
- c) Battle Green Master Plan- Phase 3- \$317,044
- d) Conservation Land Acquisition- TBD
- e) Daisy Wilson Meadow Preservation- \$22,425
- f) Wright Farm Site Access Planning and Design- \$69,000

- g) Athletic Facility Lighting- \$450,000
- h) Park Improvements- Hard Court Resurfacing- Valley Tennis Courts- \$100,000
- i) Park and Playground Improvements- Sutherland Park- \$95,000
- j) Park Improvements- Athletic Fields- Harrington, Bowman, and Franklin Field- \$370,000
- k) Parker Meadow Accessible Trail Construction- \$551,026
- l) Lexington Housing Authority- Greeley Village Community Center Preservation- \$130,000
- m) LexHAB- 116 Vine Street Design Funds- \$100,000
- n) CPA Debt Service- \$3,016,730
- o) Administrative Budget- \$150,000

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 11

APPROPRIATE FOR RECREATION CAPITAL PROJECTS

To see if the Town will vote to appropriate a sum of money for recreation-related capital projects and equipment; and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Recreation and Community Programs Enterprise Fund, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

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

FUNDS REQUESTED: \$180,000

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2021 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy21capital>.

ARTICLE 12

APPROPRIATE FOR MUNICIPAL CAPITAL PROJECTS AND EQUIPMENT

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

- a) Ambulance Replacement;
- b) Athletic Fields Feasibility Study;
- c) Hydrant Replacement Program;
- d) Storm Drainage Improvements and NPDES compliance;
- e) Sidewalk Improvements;
- f) Equipment Replacement;
- g) Townwide Signalization Improvements;
- h) Street Improvements;
- i) New Sidewalk Installations;
- j) Transportation Mitigation;
- k) Municipal Technology Improvement Program;
- l) Application Implementation; and
- m) Phone Systems & Unified Communications

and authorize the Select Board to take by eminent domain, purchase or otherwise acquire any fee, easement or other interests in land necessary therefor; 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; determine if the Town will authorize the Select Board 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 Select Board)

FUNDS REQUESTED: \$6,842,022

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2021 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy21capital>.

ARTICLE 13

APPROPRIATE FOR WATER SYSTEM IMPROVEMENTS

To see if the Town will vote to make water distribution system improvements, including the installation of new water mains and replacement or cleaning and lining of existing water mains and standpipes, engineering studies and the purchase and installation of equipment in connection therewith, in such accepted or unaccepted streets or other land as the Select Board 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 improvements and land acquisition and determine whether the money shall be provided by the tax levy, water enterprise fund, 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 Select Board 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 Select Board)

FUNDS REQUESTED: \$2,200,000

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2021 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy21capital>.

ARTICLE 14

APPROPRIATE FOR WASTEWATER SYSTEM IMPROVEMENTS

To see if the Town will vote to install and line sanitary sewer mains and sewerage systems and replacements and upgrades to pump stations thereof, including engineering studies and the purchase of equipment in connection therewith; in such accepted or unaccepted streets or other land as the Select Board 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, wastewater enterprise fund, by transfer from available funds, including any special wastewater funds, by borrowing, or by any combination of these methods; to determine whether the Town will authorize the Select Board to apply for, accept, expend and borrow in anticipation of federal and state aid for such wastewater projects; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: \$1,401,200

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2021 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy21capital>.

ARTICLE 15 **APPROPRIATE FOR SCHOOL CAPITAL PROJECTS AND EQUIPMENT**

To see if the Town will vote to appropriate a sum of money to maintain and upgrade the schools' technology systems and equipment; 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 Select Board at the request of the School Committee)

FUNDS REQUESTED: \$1,299,246

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2021 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy21capital>.

ARTICLE 16 **APPROPRIATE FOR PUBLIC FACILITIES CAPITAL PROJECTS**

To see if the Town will vote to appropriate a sum of money for capital improvements and renovations, including new construction to public facilities for:

- a) Police Outdoor/Indoor Firing Range - Hartwell Avenue;
- b) Center Recreation Complex Bathrooms & Maintenance Building Renovation;
- c) Public Facilities Master Plan;
- d) LHS Science Classroom Space Mining;
- e) Townwide Roofing Program;
- f) School Building Envelopes and Systems;
- g) Municipal Building Envelopes and Systems;
- h) Facility and Site Improvements:
 - Building Flooring Program;
 - School Paving & Sidewalks Program;
- i) Public Facilities Bid Documents;
- j) Public Facilities Mechanical/Electrical System Replacements; and
- k) Westview Cemetery Building Construction

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 Select Board 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 Select Board)

FUNDS REQUESTED: \$7,245,399

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2021 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy21capital>.

ARTICLE 17 **APPROPRIATE TO POST EMPLOYMENT INSURANCE LIABILITY FUND**

To see if the Town will vote to appropriate a sum of money to the Town of Lexington Post Retirement 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 Select Board)

FUNDS REQUESTED: \$1,935,486

DESCRIPTION: This article will allow the Town to continue to fund its liability for post-employment benefits for Town of Lexington retirees. Beginning with the FY2007 audit, the Town was required to disclose this liability. Special legislation establishing a trust fund for this purpose was enacted in 2002.

ARTICLE 18

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 Select Board)

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

ARTICLE 19

ESTABLISH, DISSOLVE AND APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS

To see if the Town will vote to create, amend, dissolve, rename and/or appropriate sums of money to and from Stabilization Funds in accordance with Massachusetts General Laws, Section 5B of Chapter 40 for the purposes of: (a) Section 135 Zoning By-Law; (b) Traffic Mitigation; (c) Transportation Demand Management/Public Transportation; (d) Special Education; (e) Center Improvement District; (f) Debt Service; (g) Transportation Management Overlay District; (h) Capital; (i) Payment in Lieu of Parking; (j) Visitor Center Capital Stabilization Fund; (k) Affordable Housing Capital Stabilization Fund; (l) Water System Capital Stabilization Fund; and (m) Ambulance Stabilization Fund; determine whether such sums shall be provided by the tax levy, by transfer from available funds, from fees, charges or gifts or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: Unknown at press time

DESCRIPTION: This article proposes to establish, dissolve, and/or fund Stabilization Funds for specific purposes and to appropriate funds therefrom. Money in those funds may be invested and the interest may then become a part of the particular fund. These funds may later be appropriated for the specific designated purpose by a two-thirds vote of an Annual or Special Town Meeting, for any lawful purpose.

ARTICLE 20

APPROPRIATE FROM DEBT SERVICE STABILIZATION FUND

To see if the Town will vote to appropriate a sum of money from the Debt Service Stabilization Fund to offset the FY2021 debt service of the bond dated February 1, 2003, issued for additions and renovations to the Lexington High School, Clarke Middle School, and Diamond Middle School, as refunded with bonds dated December 8, 2011; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: \$124,057

DESCRIPTION: This article would allow the Town to pay a portion of the debt service on the 2003 School Bonds from the Debt Service Stabilization Fund set up for that specific purpose.

ARTICLE 21

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 Select Board)

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 22

AMEND FY2020 OPERATING, ENTERPRISE AND CPA BUDGETS

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Articles 11, 12, 13, and 14 of the warrant for the 2019 Annual Town Meeting and Article 4 of the warrant for the 2019 Special 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 transfer from available funds including Community Preservation Fund; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: Unknown at press time

DESCRIPTION: This is an annual article to permit adjustments to current fiscal year (FY2020) appropriations.

ARTICLE 23

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 and the Community Preservation Fund, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: Unknown at press time

DESCRIPTION: This is an annual article to request funds to supplement existing appropriations for certain capital projects in light of revised cost estimates that exceed such appropriations.

ARTICLE 24

**REDUCE LEGAL EXPENSES
(Citizen Petition)**

This citizen's proposal is to reduce the appropriation in the line item 8120 (legal expenses for the town) for fiscal year 2021 from the \$410,000 to \$110,000 and increase the amount appropriated for town in line item 8200 (town manager office and human resources) by \$100,000. During FY 14-18 the town (exclusive of the school department) has annually spent on average more than \$620,000 in legal expenses. More than 80% of this legal work is of a routine nature that could be done by in-house counsel.

(Inserted by Richard Neumeier and 9 or more registered voters)

DESCRIPTION: This article seeks Town Meeting approval to hire in-house counsel for legal services for the Town for fiscal year 2021. This proposal would reduce the appropriation in line item 8120, legal expenses for the Town,

from \$410,000 to \$110,000 and increase the appropriation in line item 8200 of the Town Manager's budget by \$100,000.

GENERAL ARTICLES

ARTICLE 25

PURCHASE OF LAND/EMINENT DOMAIN

To see if the Town will vote to authorize the Select Board to acquire by purchase, donation, eminent domain or otherwise for municipal purposes all or a portion of a parcel of land identified as Map 48 and Lot 96 on the Assessors' Map, and known as Eddison Way; and to appropriate a sum of money therefor and determine whether the money shall be provided by the tax levy, by transfer from available funds, or by borrowing, or, any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Select Board)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests funds to purchase or take by eminent domain land currently owned by the Historical Society.

ARTICLE 26

AMEND HISTORIC DISTRICTS COMMISSION ENABLING LEGISLATION

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for an act to amend Chapter 447 of the Acts of 1956, "AN ACT ESTABLISHING AN HISTORIC DISTRICTS COMMISSION FOR THE TOWN OF LEXINGTON AND DEFINING ITS POWERS AND DUTIES, AND ESTABLISHING HISTORIC DISTRICTS IN THE TOWN OF LEXINGTON", as previously amended, in substantially the below, and further to authorize the Select Board to approve amendments to the bill before enactment to the General Court that are within the scope of the general objectives of the petition, as follows:

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

Section 1. Chapter 447 of the Acts of 1956, as previously amended, is hereby amended by replacing the words "Arts and Crafts Society" with the words "Chamber of Commerce" wherever they appear, and by deleting the words "and a secretary" in section 4 of said Act.

(Inserted by the Select Board at the request of the Historic Districts Commission)

DESCRIPTION: Chapter 447, the governing legislation for Historic Districts regulation and review, has not been substantially revised or amended since its original passage in 1956 and has not been revised or amended at all in nearly two decades. The Historic Districts Commission is proposing this amendment to streamline and strengthen the process of appointing members to the Historic Districts Commission, thus broadening the availability of qualified, willing applicants to serve as Historic District Commission members, and delete the unnecessary requirement that a secretary be elected as that role is fulfilled by a staff member.

ARTICLE 27

AMEND GENERAL BYLAWS-NOISE CONSTRUCTION LIMITS

To see if the Town will vote to amend Chapter 80-4A of the Code of the Town of Lexington (Noise Control) to further restrict noise pollution from construction projects or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Noise Bylaw Committee)

DESCRIPTION: This article proposes revisions to the Noise Bylaw to better protect residents from noise pollution from construction projects.

ARTICLE 28

**AMEND GENERAL BYLAWS-NOISE CONTROL
(Citizen Petition)**

To see if the Town will vote to amend Chapter 80 of the Code of the Town of Lexington, Noise Control, to reduce the impact of construction noise, by requiring a noise mitigation plan for construction impacting residentially zoned areas as a condition for obtaining a building permit.

This article would require and enforce a noise mitigation plan as follows:

1. A noise mitigation plan will be required for construction projects which entail rock removal via heavy machinery and/or blasting, including ledge removal, rock pounding, rock crushing, rock drilling or rock cutting;
2. Such a plan will only be required for large projects where these activities are expected to be of extended duration;
3. Noise mitigation plans must include effective sound barriers surrounding the perimeter of the construction site;

or act in any other manner in relation thereto.

(Inserted by Varda Haimo and 9 or more registered voters)

DESCRIPTION: This article proposes revisions to the Noise Bylaw to better protect residents from noise pollution due to residential and other construction projects.

ARTICLE 29

DECLARE CLIMATE EMERGENCY (Citizen Petition)

To see if the Town will adopt a resolution endorsing the declaration of a climate emergency and requesting regional collaboration for an immediate transition from fossil fuels to clean, renewable energy and further to demonstrate our commitment to making Lexington a more sustainable and resilient town.

(Inserted by Lily Manhua Yan and 9 or more registered voters)

DESCRIPTION: This article seeks Town Meeting approval to adopt a resolution endorsing the declaration of a climate emergency and calls for regional collaboration to reverse global warming and to move towards a more sustainable economy.

ARTICLE 30

**LAND EXCHANGE
(Citizen Petition)**

To see if the Town will vote to approve the exchange of a portion of the lot located at 344 Lowell Street with a portion of the Town's adjoining land, see plan on file with the Town clerk, for the purpose of allowing the use of an existing structure that currently encroaches in part on Town property, or act in any other manner in relation thereto.

(Inserted by Mohammed Abdul Jaleel and 9 or more registered voters)

DESCRIPTION: This article requests the Town to swap a parcel of Town-owned land for a private parcel of land of equal size and value. The purpose of this land swap is to change the property lines to address a building on the private property where half the building was built on the town property, before it was town property.

ARTICLE 31

**AMEND GENERAL BYLAWS-DEMOLITION DELAY
(Citizen Petition)**

To protect the David A. Tuttle historic home at 53 Hancock Street Lexington, MA 02420 from demolition and other historically significant homes and edifices. No destruction of living history in Lexington, MA. No immediate resale of a historical home within a 2 year period. Nullification of the sale if a buyer misrepresents their intentions resulting in demolition of historic property.

(Inserted by Jean H. Winchester and 9 or more registered voters)

DESCRIPTION: This article seeks Town Meeting approval to adopt a demolition delay ordinance that ensures potentially historically significant homes and structures are not demolished without adequate notice to the public.

ARTICLE 32 **EXTEND HANCOCK-CLARK HISTORIC DISTRICT (Citizen Petition)**

Extend the Hancock-Clark Historic District district to Adams St-down Adams to Porter Lane.

(Inserted by Jean H. Winchester and 9 or more registered voters)

DESCRIPTION: This article seeks Town Meeting approval to extend the Hancock-Clark Historic District to Adams Street, and Adams Street down to Porter Lane, in order to further preserve the historic character and buildings in Lexington.

ARTICLE 33 **AMEND GENERAL BYLAWS-RUNNING BAMBOO CONTROL (Citizen Petition)**

To see if the Town will vote to amend the General Bylaw of the Town of Lexington by adding a chapter to control the planting and presence of Running Bamboo plants-any monopodial (running) tropical or semi-tropical bamboo grasses or bamboo species, or act in any other manner in relation thereto.

(Inserted by Michael Reamer and 9 or more registered voters)

DESCRIPTION: This purpose and intent of this bylaw is to preserve and protect private and Town owned property and Town owned rights of way from the spread of Running Bamboo and to protect indigenous biodiversity threatened by Running Bamboo. All Running Bamboo owners shall be required to confine Running Bamboo in a manner that will prevent the Running Bamboo from encroachment onto any other private or Town owned right of way. The proposed bylaw specifies requirements, enforcement and penalties.

ARTICLE 34 **AUTHORIZE SPECIAL LEGISLATION-DEVELOPMENT SURCHARGE FOR COMMUNITY HOUSING (Citizen Petition)**

To see if the Town will vote to establish a surcharge on specific residential development activities for the purpose of funding affordable and community housing construction, renovation, associated land acquisition or easements; and further to authorize the Select Board to petition the Massachusetts General Court to enact legislation to enable this surcharge in the Town of Lexington, and further to authorize the Select Board to approve amendments to said act before its enactment by the General Court that are within the scope of the general objectives of the petition, or act in any other manner in relation thereto.

(Inserted by Matt Daggett and 9 or more registered voters)

DESCRIPTION: The purpose of this article is to address the loss of moderate-income housing by developing a targeted and measured surcharge on specific residential development activities, that will fund the creation of community housing that will address identified housing gaps, such as housing attainable by Lexington municipal employees.

ZONING ARTICLES

ARTICLE 35 **AMEND ZONING BYLAW-DISTANCE FROM BASEMENT, SLAB OR CRAWL SPACE AND GROUNDWATER**

To see if the Town will vote to amend the Zoning Bylaw to regulate the distance between groundwater elevations and building basements, crawl space floors, or slab elevations; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: This zoning amendment is in response to residents' requests to address the impacts on their property of displaced groundwater from abutting new construction being built in the water table. This will also help prevent new illegal connections to the Town system from new construction in the water table.

ARTICLE 36 **AMEND ZONING BYLAW-SHORT TERM RENTALS**

To see if the Town will vote to amend the Zoning Bylaw to regulate short term rentals; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: This article would amend the Zoning Bylaw to regulate short term rentals.

ARTICLE 37 **AMEND ZONING BYLAW-SITE PLAN REVIEW**

To see if the Town will vote to amend the Zoning Bylaw of the Town of Lexington to amend applicability of, exceptions to, and notice requirements for site plan review; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: This article would adjust the existing exceptions to site plan review to require review when parking areas are significantly expanded, limit it for small changes to large buildings, and modernize notice requirements.

ARTICLE 38 **AMEND ZONING BYLAW-FINANCIAL SERVICES**

To see if the Town will vote to amend the Zoning Bylaw of the Town of Lexington regarding the regulation of financial, drive-up, and auto-oriented services; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: This article would adapt a variety of financial services regulations to be consistent with current industry practice and regulate drive-up and auto-oriented service uses consistently.

ARTICLE 39 **AMEND ZONING BYLAW-SOLAR ENERGY SYSTEMS**

To see if the Town will vote to amend the Zoning Bylaw to reduce restrictions on solar energy systems; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: This article would encourage construction of solar energy systems by exempting these systems from certain existing setback, height, site coverage, and roof coverage standards, and permitting them in all districts.

ARTICLE 40 **AMEND ZONING BYLAW-WIRELESS COMMUNICATION FACILITIES**

To see if the Town will vote to amend the Zoning Bylaw to conform to changes in Federal law and regulations regarding wireless communication facilities, including streamlining permitting processes and standards, adding design guidelines; or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: This article would update the Zoning Bylaw to reflect changes in federal law and regulations regarding wireless communication facilities. These changes include streamlining permitting of wireless facilities on private property to meet federal 'shot clock' deadlines by not requiring special permits and expanding acceptable justifications for adding new facilities.

ARTICLE 41

AMEND ZONING BYLAW-TECHNICAL CORRECTIONS

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

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION: These changes are clerical in nature and are not intended to change interpretation of the Zoning bylaw in any substantive way.

ARTICLE 42

AMEND ZONING BYLAW AND ZONING MAP, 1040-1050 WALTHAM STREET (Owner Petition)

To see if the Town will vote to amend the Zoning Map and Bylaw of the Town for the property commonly known as 1050 Waltham Street, shown on Town of Lexington Assessors' Map 5 as Parcel 14 (the "Property") and detailed in the metes and bounds description for the proposed PD-5 District included in the applicant's Preliminary Site Development and Use Plan ("PSDUP") on file with the Lexington Town Clerk and Planning Board, by changing the zoning district designation of the Property from the current Commercial Local Office (CLO) District to a Planned Development (PD) District, or to act in any other manner relative thereto.

(Inserted by BH GRP 1050 Waltham Owner LLC)

DESCRIPTION: This article requests rezoning and approval of a Preliminary Site Development and Use Plan (PSDUP) for the 1050 Waltham Street property identified in the article, and would allow for the removal of the existing buildings and the construction of a new building and parking garage. The general location of the property is shown on a plan entitled: "PD-5 District, Waltham Street, Lexington, Massachusetts (Middlesex County prepared by BSC Group dated December 16, 2019 and on file with the Lexington Town Clerk and Lexington Planning Board.

ARTICLE 43

AMEND ZONING BYLAW AND MAP-HARTWELL AVENUE AREA (Citizen Petition)

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map to alter and supplement dimensional and other standards for the CM district to permit additional development; rezone lots not used for residential purposes near Hartwell Avenue and southwest of Bedford Street into the CM or GC districts; or act in any other manner in relation thereto.

(Inserted by Charles Hornig and 9 or more registered voters)

DESCRIPTION: The changes proposed under this article would allow additional desirable commercial development along Hartwell Avenue and Bedford Street.

ARTICLE 44

AMEND THE ZONING BYLAW AND MAP- BEDFORD STREET NEAR HARTWELL AVENUE (Citizen Petition)

To see if the Town will vote to amend the Zoning Map to rezone lots not used for residential purposes northeast of Bedford Street near Hartwell Avenue into the CM and TMO-1 districts, or act in any other manner in relation thereto.

(Inserted by Charles Hornig and 9 or more registered voters)

DESCRIPTION: This article would expand the CM (manufacturing) and TMO-1 (transportation management overlay) districts by moving the #459 (National Guard Armory) and #475 (Boston Sports Club) Bedford Street properties into the existing CM and TMO-1 districts to allow additional commercial development.

ARTICLE 45

AMEND ZONING BYLAW-FRONT YARD, TRANSITION, AND SCREENING AREAS (Citizen Petition)

To see if the Town will vote to amend the Zoning Bylaw to regulate front yard, transition, and screening areas along streets consistently within each district, or act in any other manner in relation thereto.

(Inserted by Charles Hornig and 9 or more registered voters)

DESCRIPTION: The changes proposed under this article would allow consistent streetscapes within a zoning district by requiring consistent front yard, transition, and screening areas along a street independent of the zoning district of lots across the street.

ARTICLE 46

AMEND ZONING BYLAW-GROSS FLOOR AREA (Citizen Petition)

To see if the Town will vote to jointly amend both Section 135-10.1 of the Zoning Bylaw, to revise the definition of Gross Floor Area to remove the inclusion of basements, and Section 135-4.4.2, to reduce the maximum allowable residential Gross Floor Area, or act in any other manner in relation thereto.

(Inserted by Matt Daggett and 9 or more registered voters)

DESCRIPTION: The purpose of this article is to address issues identified during the implementation of the Gross Floor Area (GFA) requirements adopted under Article 41 of the 2016 Annual Town Meeting and associated definition changes adopted under Article 41 of the 2017 Annual Town Meeting. Specifically, the definition of GFA must be revised to remove the inclusion of basement areas, and in conjunction, the maximum allowable residential GFA table must be reduced accordingly.

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 27th day of January 2020.

Douglas M. Lucente, Chair	Select Board
Joseph N. Pato	
Suzanne E. Barry	of
Jill I. Hai	
Mark D. Sandeen	Lexington

A true copy, Attest:
Constable of Lexington

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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, at one time on cherry-colored paper, that itemizes state aid due to the town, and charges payable by the town to the state and county.

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 property tax abatements and exemptions 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. An overall limit on spending is set by Town Meeting but may be subsequently amended by vote of the Board of Selectmen and Appropriation Committee. The funds can be used for the service without appropriation up to the approved limit

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Detailed information on Town Meeting Warrant Articles as well as current Town Meeting members can be found at

<http://www.lexingtonma.gov/town-meeting>

Note: Hearing devices are available at Town Meeting. For other accommodations or special needs contact the Human Services Department at 781-698-4840