**TMMA Warrant Information Report**



March 2017

This report has been prepared by the Town Meeting Members Association to provide information to Town Meeting members concerning the articles of the warrants for **Special Town Meeting 2017-1** and the **Annual Town Meeting beginning March 20, 2017**. TMMA thanks town officials, town staff, and members of boards and committees for their assistance in providing information for this report.

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For new and updated information, please refer to the TMMA website at

[www.LexingtonTMMA.org](http://www.LexingtonTMMA.org)

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# Conflict of Interest Guideline for Town Meeting Members

In 1976, Town Meeting adopted the following non-binding Conflict of Interest Resolution:

Resolved, that Town Meeting Members abstain from voting in any particular matter in which to his knowledge, he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner, or employee, or any person or or­ganization with whom he is negotiating or has any arrangement concerning prospective employment, has any economic interest in the particular matter under consideration.

Please note that Town Meeting Members are specifically excluded from the responsibili­ties posed by the State conflict of interest statute, Chapter 268A.

**Notes**

Please note that all dollar amounts listed in this report are NOT final. The final dollar amounts will be provided in motions presented at the Annual Town Meeting starting on March 21.

Also note that the information provided in this report was current as of the publication date; some circumstances may have changed since then. See the TMMA web site for new and updated information.

Also note that the entire text of the Annual Town Meeting Warrant is included in this report. The Warrant text appears at the beginning of the write-up for each article and appears in 10-point italicized font. TMMA information appears in 12-point font.

***Special thanks to:***

Christopher Bing for the cover artwork

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Town Meeting Members Association Bylaws

Summary of Parliamentary Procedures

**Please refer to the reports of the Appropriation Committeee, the Capital Expenditures Committee, the Planning Board and the Community Preservation Committeee for additional information.**

**ARTICLE 2 APPROPRIATE DESIGN FUNDS FOR FIRE HEADQUARTERS**

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

architectural services for a new or renovated Fire Headquarters; determine whether the money

will 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 Board of Selectmen)*

FUNDS REQUESTED: $450,000

DESCRIPTION: The Town has acquired 173 Bedford Street, the former Liberty Mutual

property, to use as a temporary location for the main Fire Station while this facility is rebuilt and upgraded. These funds, therefore, will permit the design work at the Fire Headquarters to proceed through the design development stage. Subsequent funding for construction documents, estimated at $550,000, will likely be requested at a Special Town Meeting in the Fall of 2017.

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**TMMA Review**

Funds to advance the new 45 Bedford Street Fire Station Design through design development are requested in the amount of $450,000. Subsequent funding of construction documents ($550,000) and remaining estimated project costs including construction ($18,300,000) as reported in the Brown Book will likely be requested at a special town meeting in the fall of 2017.

**TMMA Quesstions:**

**Question #1** What are the new features being built into the new fire Station design?

**Question #2** Since the current Fire station has suffered from water incursion, will the new Fire

Station be constructed at a slightly higher elevation or what other method may be

employed to limit water damage?

**Question #3** What contributed to the increase in the cost estimate from $17,800,000 to $18,300,000?

1

**ARTICLE 3 APPROPRIATE DESIGN FUNDS FOR FIRE STATION SWING SPACE**

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

architectural services for remodeling, reconstructing, making extraordinary repairs and additions

to the building at 173 Bedford Street, to provide swing space for the Fire Department; determine

whether the money will 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 Board of Selectmen)*

FUNDS REQUESTED: $50,000

DESCRIPTION: This Article is a companion to Article 2. $50,000 in design funds are

being requested for the property at 173 Bedford Street, that will serve as a temporary

location for the Fire Headquarters while the main station is being rebuilt and upgraded. It

is anticipated that an appropriation for construction documents and construction funds

will be requested at a Special Town Meeting in the Fall of 2017 so that this swing space

will be available to temporarily relocate the Fire Department in the Spring of 2018.

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**TMMA REVIEW**

This Article is a companion to Article 2. $50,000 in design funds are being requested for the property at 173 Bedford Street, that will serve as a temporary location for the Fire Headquarters while the main station is being rebuilt and upgraded. It is anticipated that an appropriation for construction documents and construction funds will be requested at a Special Town Meeting in the fall of 2017 so that this swing space will be available to temporarily relocate the Fire Department in the Spring of 2018.

DISCUSSION: This is the second step in the proposed sequence to renovate the 173 Bedford Street facility for Fire Department staff use and add a temporary heated structure for apparatus during the approximate 18 month construction period. In the first step, 2016 Special Town Meeting #5 appropriated $85,000 to evaluate requirements for facility renovation and identify traffic control requirements to operate from 173 Bedford Street. This evaluation is expected to be complete in advance of the 2017 Annual Town Meeting. $50,000 for design funds is being requested at 2017 Annual Town Meeting to progress the swing space design through design development. It is anticipated that an appropriation for construction documents and construction funds will be requested at a special town meeting in the fall of 2017 so that swing space can be available in the spring of 2018. The cost to implement the plan is anticipated to be

pproximately $2,093,000 which will be requested under separate FY2018 capital requests.

**TMMA Questions:**

**Question 1** What is the evaluation of the adequacy of 173 Bedford Street in terms of parking,

facilities for staff on 24 hour duty, communications. egress into traffic and

security of vehicles?

2

**Question 2** What will the impact on Fire Department response times be?

**Question 3** What will the impact on Fire Department staff be?

**Question 4** What will the impact on traffic be including new stoplights and coordination with

the stoplights on adjacent streets?

**Question 5** Will there be any integration with the adjacent facilities at the DPW?

**ARTICLE 4 APPROPRIATE DESIGN FUNDS FOR LEXINGTON CHILDREN’S PLACE/20 PELHAM ROAD**

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

architectural services for the Lexington Children’s Place to be located at 20 Pelham Road;

determine whether the money will 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 Board of Selectmen)*

FUNDS REQUESTED: $771,250

DESCRIPTION: Lexington Children’s Place (LCP), the pre-kindergarten program for

Lexington Public Schools, is outgrowing its locations in the Harrington School and

Central Administration building. With the Town’s anticipated purchase of the 20 Pelham

Road property, the former Armenian Elementary School, the School Committee has

recommended the use of a portion of this building as a permanent location for the LCP.

A portion of the 20 Pelham Road property, the gym and cafeteria, is anticipated to be

used for community space since this building is adjacent to the Lexington Community

Center. The funds requested by this Article will be for design development for the LCP

and community space. It is anticipated that continuation of design work and construction

funds will be requested at a subsequent Town Meeting.

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**TMMA REVIEW**

First, read the Appropriation Committee’s lengthy report on this article @ http://bit.ly/2ndT6Ll

The Lexington Children’s Place (LCP) program has been in need of a new home for several years due to enrollment outgrowing the space it currently uses in Harrington Elementary, leading to the use of several classrooms in Old Harrington/LPS Central Administration.

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***Why can’t the program use more classrooms in Old Harrington?***

Once the threshold of square footage is reached for educational activity, the entire Old Harrington building would need to be brought up to code which would be very costly.

***How much new capacity is being created in the Pelham Road facility?***

The current capacity of the program is 157 slots. A ‘slot’ is one child in one half-day program. A child can consume 2 slots if they are in a full-day program, ergo 157 slots represents a minimum 78 full-day 2-slot students or a maximum of 157 1-slot half-day students. Currently the program has 85 students enrolled.

The Pelham facility would provide an additional 30 slots, raising the total to 187 slots, representing a minimum of 15 full-day students and a maximum of 30 half-day students for a total capacity of 93 full-day 2-slot students or 187 half-day 1-slot students.

The increase in program space is estimated to be 3,549 square feet.

***How many classrooms will be available at Harrington Elementary once the LCP is relocated?***

Two to four classrooms will be available for general education at Harrington.

***What is the projected enrollment over the coming five years for the LCP?***

Unknown. The Enrollment Advisory Group hasn’t included the Pre-K students in their projections. LCP enrollment has increased from 52 in 2014 to 85 students in March 2017.

***What if enrollment exceeds capacity in a few years?***

Modular classrooms have been mentioned as a possible solution should the program require more space due to rising enrollment.

***When would it be ready for occupancy?***

Fall 2019.

***What would the program look like inside?***

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A proposed floor plan: 

**ARTICLE 5 APPROPRIATE BONDS AND NOTES PREMIUMS TO PAY PROJECT**

**COSTS**

To see if the Town will vote to (i) appropriate the premium paid to the Town upon the sale of

bonds issued on February 13, 2017 and notes issued on February 13, 2017 to pay costs of capital

projects and to reduce the amounts borrowed for such projects (if any) by the same amount, and

(ii) supplement each prior vote of the Town that authorizes the borrowing of money to pay costs

of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General

Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less

any such premium applied to the payment of the costs of issuance of such bond or notes, may be

applied to pay project costs and the amount authorized to be borrowed for each such project shall

be reduced by the amount of any such premium so applied: or act in any other manner in relation

thereto.

*(Inserted by the Board of Selectmen)*

DESCRIPTION: Passage of this article would permit premiums received upon the sale of

bonds or notes issued to finance projects to be appropriated to pay for project costs,

subject to guidelines promulgated by the Massachusetts Department of Revenue. Such

appropriations would be for the purpose of supplanting, not supplementing, bond

financing of the project in question.

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**TMMA REVIEW**

Historically, when the Town issues a bond, the bond issuer pays the Town a premium payment

when the bond is sold. That premium currently is not available for use until it is appropriated at a

later Town Meeting. Upon approval of the proposed Department of Revenue (DOR) regulatory

change, a bond premium payment can be directly applied to projects’ costs. For excluded debt, this

effectively reduces the amount that has to be borrowed and reduces excluded debt costs paid by the

tax payers. The change in no way increases the authorized project cost but reduces the debt service

cost. The alternative to this regulation requires the premium payment to be amortized over the life

of the bond.

The Municipal Modernization Act (MMA) allows the bond premium to be applied to both excluded

debt and tax levy debt. For tax levy debt, there are 2 options:

1. To segregate the money and apply it to reduce the project debt cost, or
2. To reserve the premium for a future capital project.

The Town recommends Option 1. Thus, if a project requires a $47m bond and the premium is $2m,

the bond would be resized so that $45m would be borrowed. The MMA allows that premiums may be applied to any previously approved projects for which the bonds have not yet been issued.

**TMMA Question:**

**Question #1:** Is the bond premium proposal included in the Article 36 request for amendments of

the bylaws?

**ARTICLE 4 APPROPRIATE FY2018 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 Board of Selectmen)*

FUNDS REQUESTED: See the FY2018 Town Manager's Preliminary Budget and

Financing Plan dated January 9, 2017 at http://www.lexingtonma.gov/budget

DESCRIPTION: This article requests funds for the FY2018 (July 1, 2017 – June 30,

2018) 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.

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TMMA OVERVIEW

TMMA Review (as of 03/10/17)

The information provided for this report is from the Town Manager’s “Fiscal Year 2018 Recommended Budget & Financing Plan, February 27, 2017” (the “Brown Book”). The operating budget is comprised of Education, Shared Expenses and Municipal expenses, cash capital and other revenue set-asides. The “Brown Book” Section I (I-3): Budget Overview Program Summary is:

**FY2017 FY2018 Dollar %**

**Program**  **Appropriation** **Recommended** **Change Change**

Education

Lex. Public Schools 97,293,299 101,655,183 4,361,884 4.48%

Regional Schools 1,377,449 1,670,351 292,902 21.26%

Total Education 98,670,748 103,325,534 4,654,786 4.72%

(The Education Operating Budget is discussed in the next section)

Total Shared Expenses 51,710,920 53,970,128 2,259,208 4.37%

Total Municipal 34,602,493 35,375,059 772,566 2.23%

Total Capital 5,619,429 6,182,099 562,670 10.01%

Total Other Articles 8,826,530 10,930,419 2,103,889 23.84%

**General Fund Total 199,430,120 209,783,239 10,353,119 5.19%**

Shared Expense Major Changes, FY2017 to FY2018 (Brown Book, Program Summary I-3):

Change

Program Reason Amount

* 2110 – Contributory To meet actuarial valuation-base funding schedule $250,000

Retirement mandated by State regulation

* 2130 – Medicare,Health, Based on 8.0% increase across all health insurance 1,532,525

Dental, Life Ins. plans and the addition or change of 90 subscribers

* 2150 – Workers’Comp. Reflects a 7.95% increase in cost based on FY2016 59,471

actual experience

* 2160 – Property & Due to estimated 5% increase in premiums 37,281

Liab. Insurance

* 2170 – Uninsured A 11.11% increase in the continuing balance account. 25,000

Losses The account balance on Dec. 15, 2016 was $834,292

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* 2200 –Debt Service Increases in Within Levy interest and Temp. Borrow. (46.423)

outweighed by decrease in Within Levy principal

* 2400 –Facilities Addition of 3 custodians, a correction from FY2017

and step and cost-of-living increases 400,571

Municipal Operating Budget Major Changes, FY2017 to FY2018 (Program Summary I-3):

Except where otherwise noted below, the FY2018 budget is level funded from FY2017. Those departments having significant increases above $50,000 are (salaries do not include benefits reflected in Shared Expenses):

Increase

Program Reason Amount

* 3000 – Public Works Step increases & cost of living incr. are $87,772, $347,194

contractual services increase is $224,607

* 5100 – Library Step increases, additional Sunday staffing, supplies 65,545
* 8230 – Salary Transfer Covers the potential cost of contract negotiations 203,835

to be finalized during the year.

* 8600 – Info.Srvc.s(exp) Incr. cost of software maint. & support contracts 127,175

Total Capital includes “cash capital”, the Building Envelope Set-Aside and the Streets Set-Aside (see Section I: Program Summary on page, I-6 and Section XI: Capital Investment). The increase of $562,670 from FY 2017 results from an increase of $539,194 in Capital Requests, an increase of $7,384 for the Building Envelope/Systems Set-Aside and an increase of $16,092 for the Streets Set-Aside.

Total Other Articles has an increase from FY 2017 of $2,103,889. Of the increase, $618,148 is *Unallocated* which is the revenue in excess of the allocated budget. A new *Set-Aside for Unanticipated Current FY Needs* is $200,000*.* The *Set-Aside for Tax Levy Support of Community Center Program* reflects a decrease of $32,855 with the FY2018 allocation of $220,152 being transferred to Article 5. The allocation for the *Capital Projects Stabilization Fund* increases by $699,193*.* The fund will be used in future periods to reduce demand on the tax levy as capital project payments come on line. The *Senior Service Program* is level funded at $30,000 while *Getting to Net Zero is* level funded at $40,000. A new allocation of $302,000 is to fund the *Comprehensive Plan Development.* The funding of the *OPEB Trust Fund* reflects an increase of $317, 403 over FY2017 pursuant to the Selectmen’s policy to fund the OPEB liability.

Under Shared Expenses, Employee Benefits and Debt Service figures include the expenses related to School Department employees and capital projects. The program expenses provided here do not reflect any salary and benefit adjustments that will result from ongoing collective bargaining negotiations. Because all associated costs must be incorporated into the Enterprise Funds budgets, projected salary and benefit increases are reflected in Article 5 numbers. The

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expenses related to the Water, Wastewater and Recreation Enterprise Funds have been

separated from the municipal operating budget and will be approved by Town Meeting under

Article 5. As has been done in prior years, Revolving Fund projected revenues have been offset against operating expenses from certain programs. This impacts line items 2400, 3300, 3400, 3500, 6100, 6200, 7100, 7300 and 8140 and is reflected under Article 7.

TMMA Questions:

**Question #1:** Under Element 2170 - Uninsured Losses, the requested appropriation of $250,000

represents $25,000 increase over FY2017. What is covered under this

appropriation and what has been the usage rate?

**Question #2:** Are there anticipated uses of the new *Set-Aside for Unanticipated Current FY Needs?*

**Question #3:** How many net new positions are there for the municipal and school budgets?

**Question #4:** What is the average shared benefits expense to head covered ratio?

**Question #5:** General fund debt is planned to be held in abeyance until the outcome of the fall

2017 debt exclusion vote(s). However, those projects to be held in abeyance are

not identifiable, please identify.

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| **For further information:**  The FY2018 Recommended Budget and Financing Plan has been posted to the Town's website at:  http://www.lexingtonma.gov/budget/pages/fy2018-recommended-budget-financing-plan |

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**Summary of FY 2018 Recommended School Operating Budget**

**Total revenue allocation request for FY 2018: $101,850,333**

FY17 Budget: $97,293,299

Additional funds requested over FY16: $4,557,034\*

\*(includes $195,151 to be transferred to the Town’s Unclassified Account for the purpose of benefits, Medicare, and worker’s comp insurance associated with new positions being requested)

Total funds available under the Summit III budget allocation model: $103,781,390

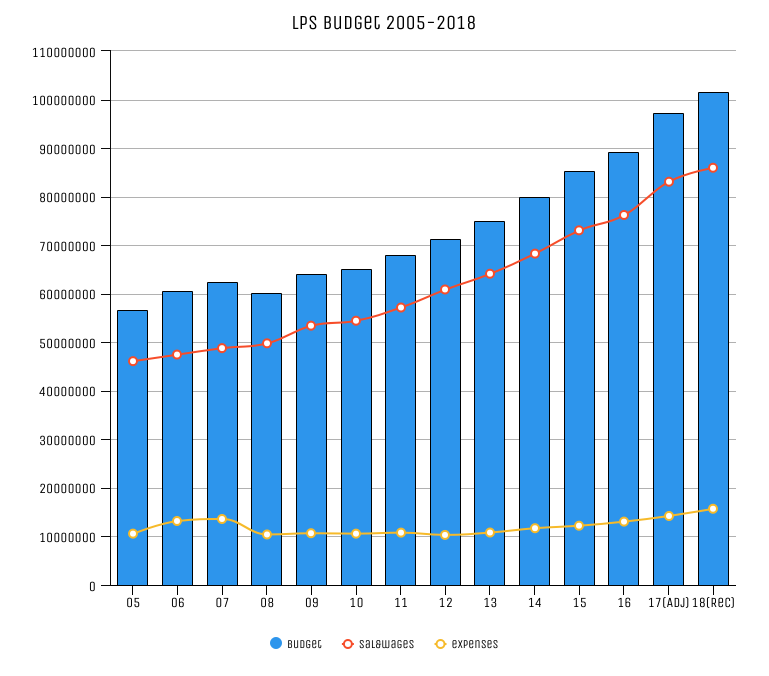
FY18 Budget Request: $101,850,333

Remaining revenue allocation: $1,931,057

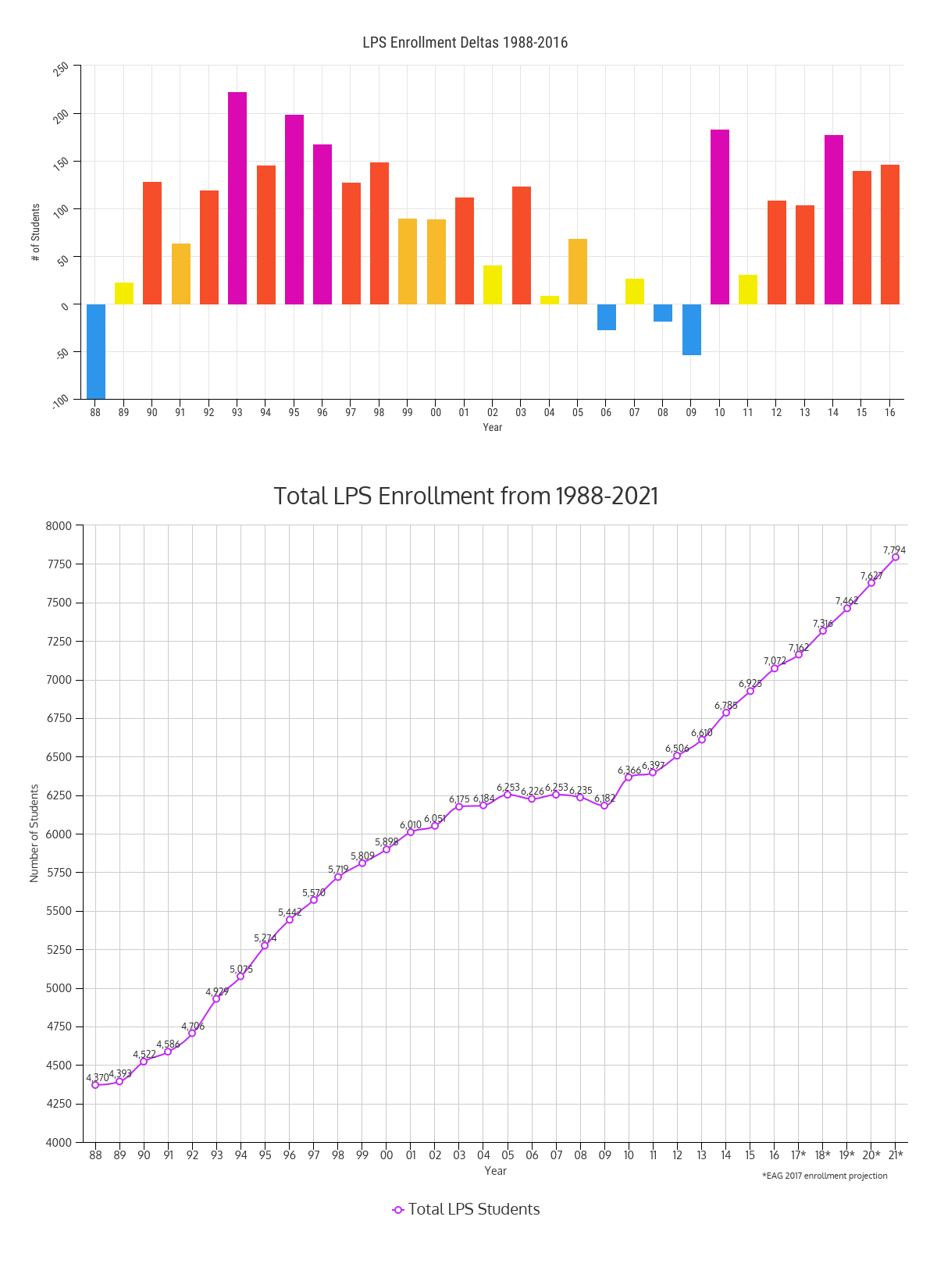
School Committee request FY18: $101,655,182

Percent Increase over FY17: 4.68%

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**Executive Summary**

As is illustrated by the LPS Budget graph, when compared to the Total LPS Enrollment graph, the budget increase correlates with growing enrollment which requires additional staff (salary and wages). Personnel, exclusive of benefits, account for 84% of the total FY18 LPS budget.

Much of the $4,557,034 budget increase is due to enrollment, mandated costs, or contractual costs.

Dr. Czajkowski’s 1/3/17 Budget Presentation @ <http://bit.ly/2i5wy8W>

**FY18 Budget Categories**

1. Contractual Requirements/Base  
    - Collective bargaining contracts  
    - Additional staff due to enrollment  
    - Cost of Living Adjustments
2. Legal/Mandates  
    - Special Education
3. Enrollment Increases  
    - Increasing transportations costs  
    - Capital projects
4. Program Improvements  
    - Negligible

|  |  |
| --- | --- |
| **Bargaining Unit** | **Contract Term** |
| LEA Unit A | 09/1/15‐8/31/18 |
| LEA Unit C | 09/01/15‐08/31/18 |
| LEA Unit D | 07/01/15‐06/30/18 |
| LEA Tech Unit | 07/01/15‐06/30/18 |
| ALA ‐ Administrators | 07/01/15‐06/30/17 |

1. **Contractual Requirements**  
    Negotiated Salary Increases.

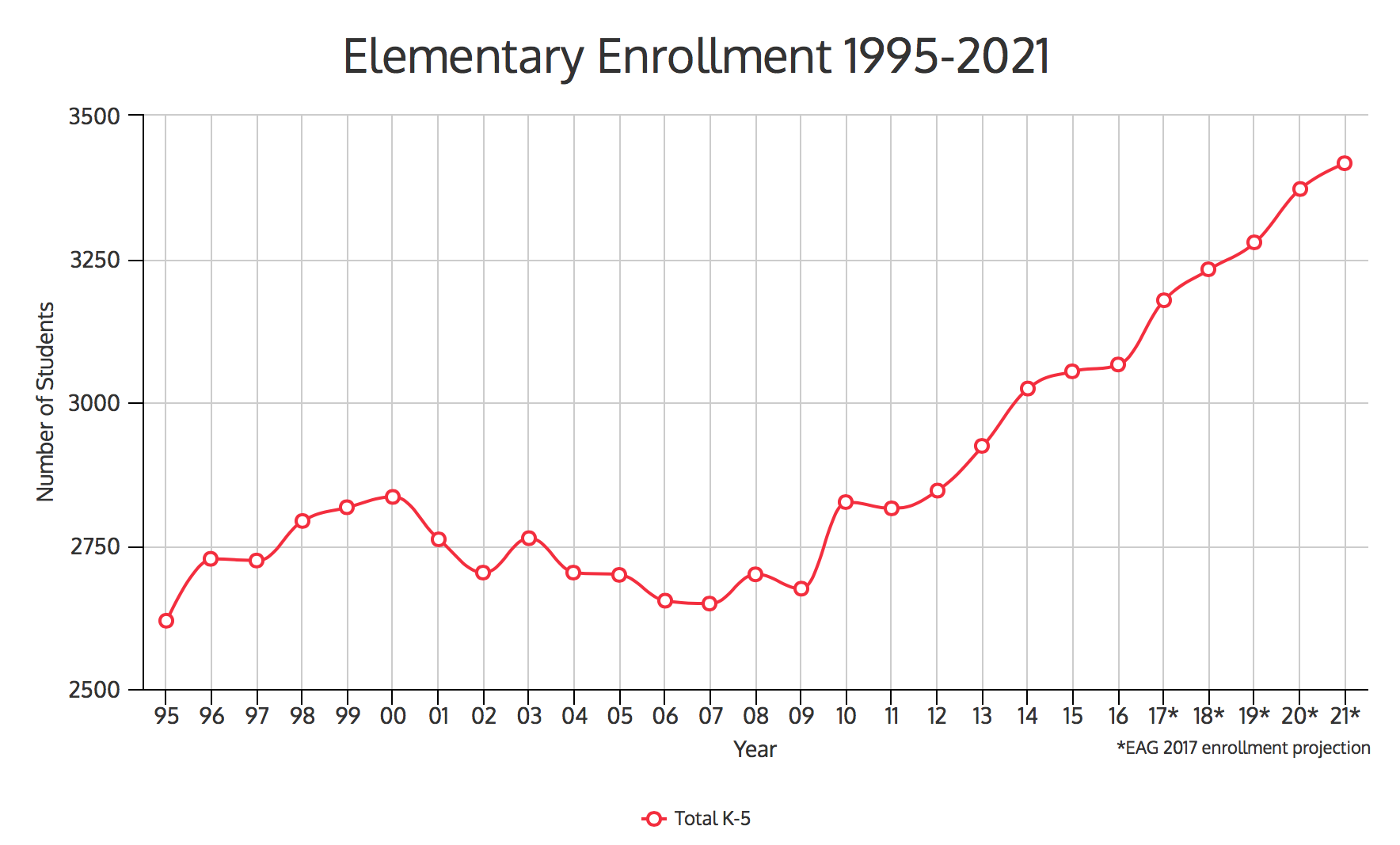
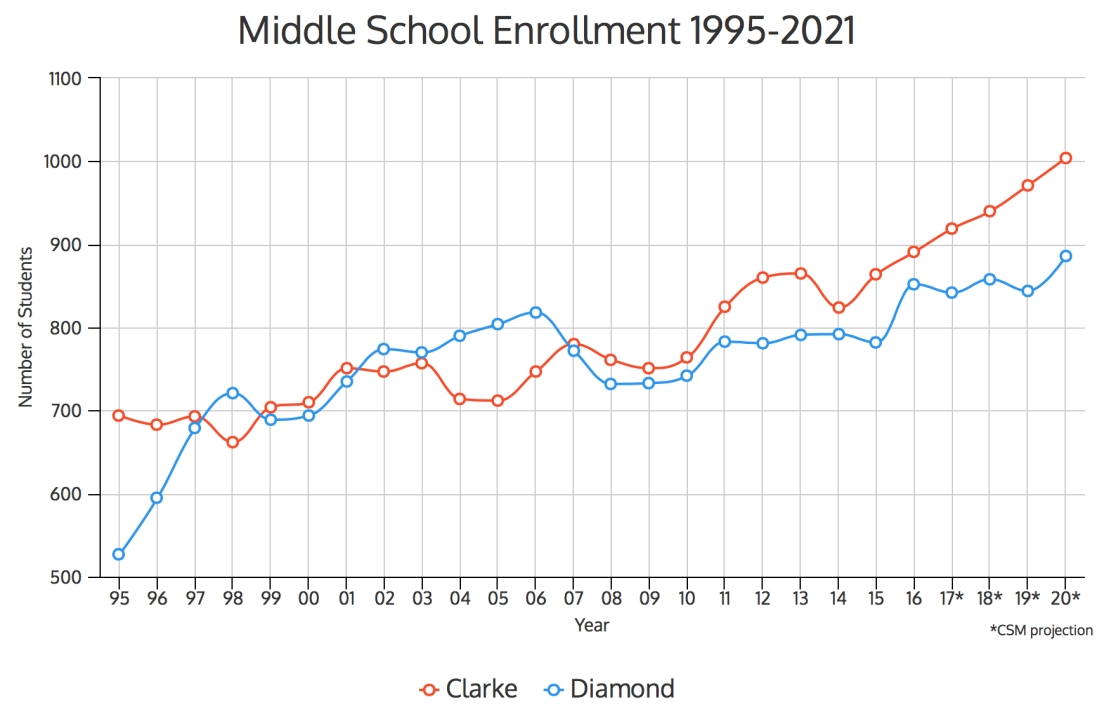
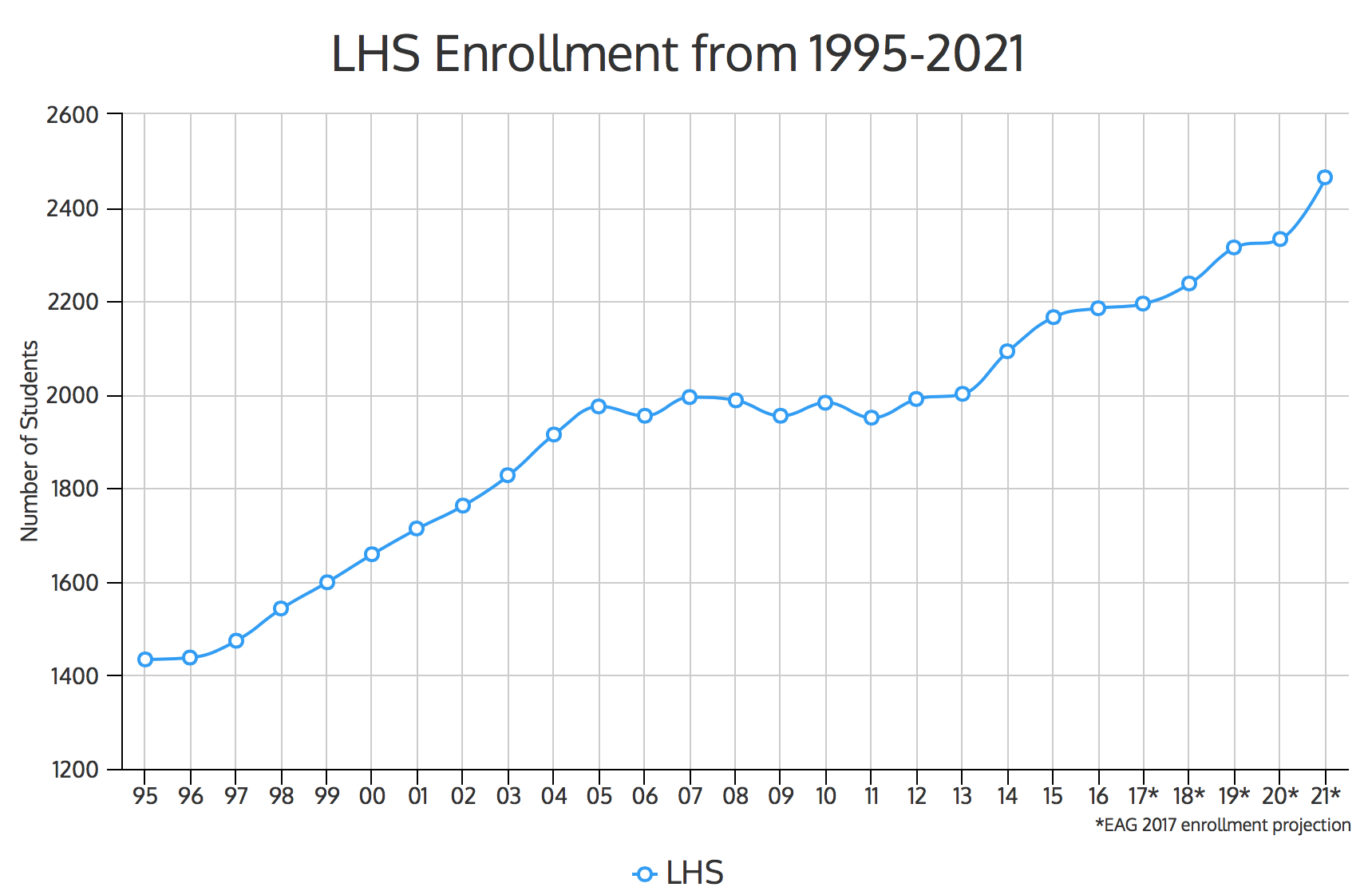
The budget includes projected amounts for all negotiated bargaining unit increases and non-union positions, including step increases, and COLA adjustments. Estimated amounts are used for contracts that remain unsettled and also for non-bargaining units.

Added Full-time Employees (FTE) Due to Increasing Enrollment.   
Over the past five years, enrollment in LPS has increased by 620 students (+9.7%), averaging about 124 students per year (1.9% per year). Enrollment is projected to increase by 169 students (2.42%) in FY18 and by 802 students (11.5%) over the next five years. There are 12.30 additional FTE staff positions in the budget to keep pace with rising enrollment at a cost of $2,667,041. This will bring the LPS FTE from 712.20(FY17) to 726.34.

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1. **Legal/Mandates**Special Education  
   The FY18 budget adds $762,240 for out-of-district tuition due to an increase in the number of students placed out-of-district rising from 133 to 138. Staff has been reduced by 1.49 FTE due to a review of staffing at all levels and finding ways to be more
2. efficient.
3. **Enrollment, Enrollment, and Enrollment**.  
   Enrollment continues to be a primary driver in both operating costs and capital needs and is expected, based on the projected enrollment into 2021, to continue. Enrollment growth exists at all educational levels; elementary, middle school and high school. From 2016 to 2021, the Enrollment Advisory Group’s projection shows an increase of 722 students, to a total of 7794 students in the LPS system.

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Increased Transportation Costs

Bus ridership increased 8.02% in FY17 to 3,702 (10/76/16) from a budgeted 3,182, a 66% increase from 2061 riders in FY12. The FY18 budget includes the potential for an addition of three more buses based on enrollment trends and contract rate increases. FY18 is also the first year of a five-year contract with C&W Transportation. The increase in cost to regular education transportation is $346,080. The transportation increases; Regular Ed and Special Ed, amount to $589,812, which is 34.8% of the $1,694,842 expense budget increase.

Capital Projects

Refer to Pg 31 of the CEC Report @ <http://bit.ly/2mbaH6Q> as there are too many to list and the CEC overview is excellent.

Central Registration

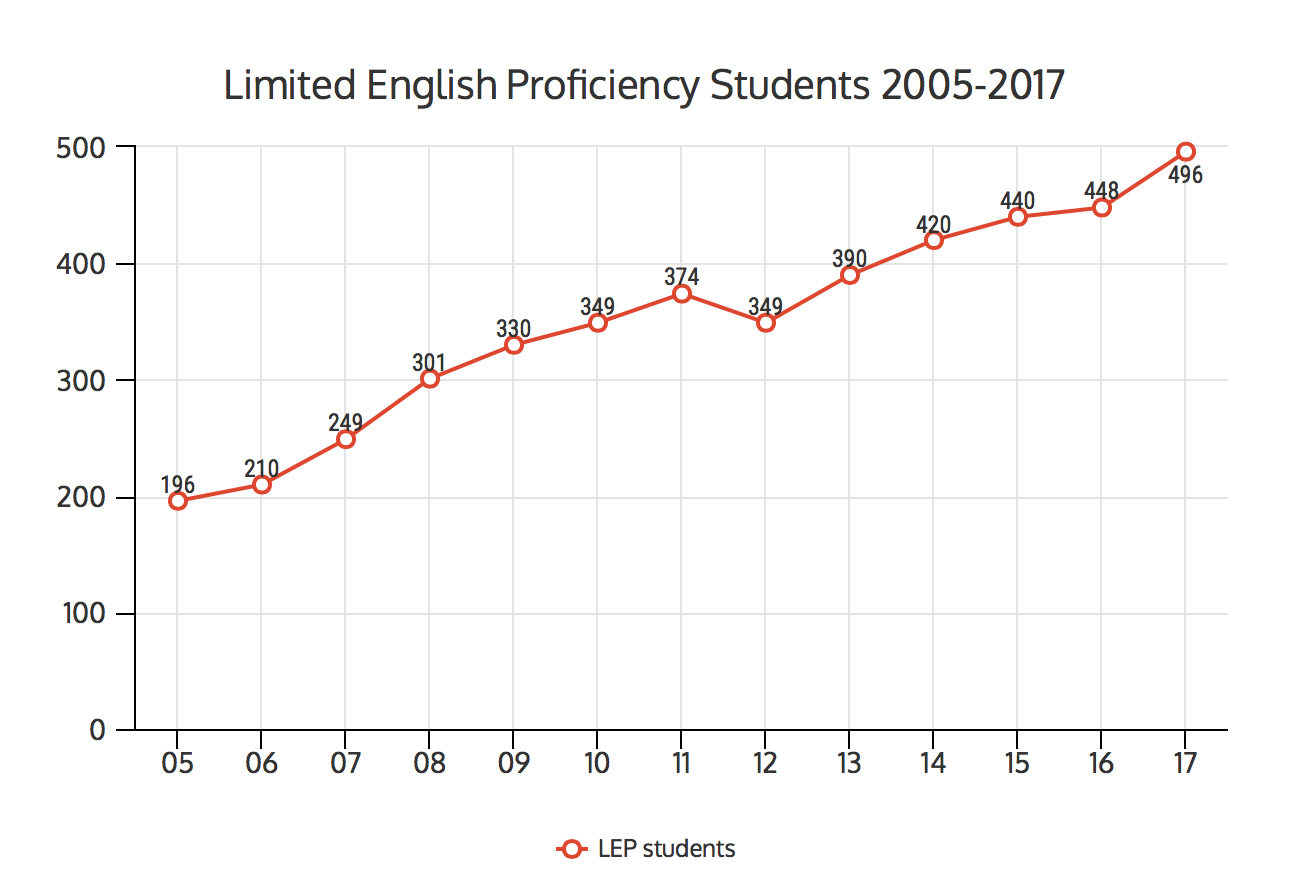
The FY2017‐18 School Department budget includes staffing for the full implementation of Central Registration district‐wide (PreK‐12). The FY2016‐17 budget dedicated 2.0 FTE to, including a 1.0 FTE Registration and Enrollment Specialist and a 1.0 FTE Administrative Assistant dedicated to Central Registration. These positions were funded within the approved FY2016‐17 budget allocation approved by School Committee. The FY2017‐18 budget includes an additional 1.50 FTE dedicated to Central Registration.

Central Registration will allow for a consistent registration process and residency verification to take place. Ensuring families are legal residents before enrolling in the Lexington Public School is critically important. The addition of a Residency Officer will help ensure that these requirements are met and monitored regularly. By centralizing the registration process for the whole district this will allow for improved data collection, data consistency, and data accuracy, which is critically important to operating an efficient and accountable school system.

16

Increase in ELL Demand

Since 2005, the number of students in LPS in the English Learner Education (ELE) program has increased from 196 to 496 in 2017, a 253% increase since 2005. As the diversity in Lexington continues to increase, the ELE program is expected to continue to grow.



1. **Program Improvements**  
   A negligible amount, $17,780 in program improvements are budgeted in the expense line for math curriculum and software at LHS.

**The LPS Budget Guidelines for FY 2018**, as voted by the School Committee on 9/6/2016 who requested that the Superintendent present a level‐service budget that addresses the twelve areas. For purposes of clarification, a level‐service budget is defined as the funds necessary to replicate the current level of services provided and to meet all legal requirements, including current collective bargaining requirements and special education laws.

In order to provide for the educational needs of Lexington students, the Superintendent will develop a fiscal year 2018 budget that will:

1. Ensure all legal and contractual mandates will be met.

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1. Include sufficient operating and capital funds to –
2. continue the current level of services;
3. be responsive to projected enrollment growth and corresponding needs: staffing, instructional supplies, and facility needs;
4. move the district forward in meeting the increasing demands for technology and technology services in our different educational settings.
5. Ensure professional staffing guidelines will be met.
6. Maintain capital assets in order to support the instructional program, protect the physical assets of the Town of Lexington, and ensure the health and safety of our students and staff.
7. Continue to identify and plan alternatives that will provide services in more cost‐effective ways.
8. Identify ways to reduce costs, if there are insufficient monies available to fund a level‐service budget.
9. Identify funds necessary to implement a central registration process that addresses space needs for all students including any future student assignments, as well as feeder patterns for our middle schools and special education programs.
10. Identify funds necessary to implement a new administrator induction program.
11. Identify funds to support effective special education programs Pre-K-12, including required program evaluations.
12. Identify funds necessary to address hardware and network impacts for phase-in plan for computer-based MCAS testing.
13. Identify funds necessary to support the implementation of H4406, Dyslexia screening bill.
14. Identify costs associated with changes in school start times.

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**ARTICLE 5 APPROPRIATE FY2018 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 FY2018 from the operations of the related enterprise, by the tax levy, by transfer from available funds, including the relevant enterprise fund, or by any combination of these methods; or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen)*

FUNDS REQUESTED:

|  |  |  |  |
| --- | --- | --- | --- |
| **Enterprise Fund** | **FY2016**  **Actual** | **FY2017**  **Appropriated** | **FY2018**  **Requested** |
| 1. **Water**   Personal Services  Expenses  Debt Service  MWRA Assessment  **Total Water Enterprise Fund** | $627,911  $373,934  $1,307,938  $6,695,144  **$9,004,927** | $699,218  $404,025  $1,408,576  $7,349,661  **$9,861,480** | $701,128  $427,025  $1,491,871  $8,116,484  **$10,736,508** |
| 1. **Wastewater**   Personal Services  Expenses  Debt Service  MWRA Assessment  **Total Wastewater Enterprise Fund** | $209,514  $296,176  $1,021,867  $6,970,176  **$8,497,733** | $298,234  $347,525  $981,220  $7,265,870  **$8,892,849** | $308,749  $356,525  $1,066,512  $8,042,213  **$9,773,999** |

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|  |  |  |  |
| --- | --- | --- | --- |
| 1. \**Recreation and Community Programs**   Personal Services  Expenses  **Subtotal**-Personal Services/Expenses  Debt Service  **Total Recreation and Community Programs Enterprise Fund** | $1,034,703  $1,075,722  $2,110,425  $100,000  **$2,210,425** | $1,190,742  $1,335,545  $2,526,287  $100,000  **$2,626,287** | $1,308,669  $1,316,445  $2,625,114  $100,000  **$2,725,114** |

DESCRIPTION: Under Massachusetts General Laws Chapter 44, Section 53F½, towns may establish Enterprise Funds for a utility, health care, recreation and transportation facility, with its 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, previously the Recreation Enterprise Fund, includes the operations and programs for the new Community Center.

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**TMMA OVERVIEW**

**TMMA Summary - (as of 03/11/17)**

Passage of this article appropriates money for the Water, Wastewater and Recreation and Community Programs Enterprise Funds. Lexington has established individual Enterprise Funds for our water, wastewater (sewer), recreation and now community programs operations. These funds receive revenue from water and sewer bills and from recreation fees and pay the expenses for those departments. FY2018 represents the twelfth year in which the enterprise fund budgets have been separated from the general expenses of the municipal operating budget. This change was made to allow for greater transparency and to improve accounting functions.

Based on new information, the FY 2018 expenses for the Water and Wastewater Enterprise Funds have changed from the data published in the Warrant. The revised expenses are:

**Water FY 2018**

Personal Services $ 701,128

Expenses 427,025

Debt Service 1,466,428

MWRA Assessment 7,275,204

Total 9,869,785

20

**Wastewater**

Personal Services 308,749

Expenses 356,525

Debt Service 1,063,349

MWRA Assessment 7,453,886

Total 9,182,509

**Recreation and**

**Community Programs**

Personal Services/Expenses 2,625,114

Debt Service 100,000

Total 2,725,114

The major variations to the Water and Wastewater Enterprise funds budgets from FY2017 reflect estimated changes for the MWRA assessments and debt service. Debt service includes actual debt service on bonds issued to date, estimated debt service on projects authorized by Town Meeting for which debt has yet to be issued and estimated debt service on projects proposed for consideration at the 2017 Annual Town Meeting.

The FY2017 MWRA assessments reflected in the recommended budgets are based on preliminary assessments issued by the MWRA. Final assessments will be voted by the MWRA Board of Directors later in the spring. Generally, there is little variance between the preliminary and final assessments. The budget adopted at the Annual Town Meeting plus indirect costs – those costs borne by the general fund operating budget that support the operations of the water and wastewater divisions – will serve as the basis for FY2018 rate recommendations to be made to the Board of Selectmen.

The Recreation Enterprise Fund debt service is related to the improvements made at Lincoln Field as approved under the debt exclusion in June of 2002. At that time, it was agreed that the Recreation Enterprise Fund would contribute $100,000 towards the annual debt service payment for this project. The $100,000 payment was previously an off-budget expense of the Recreation Enterprise Fund. Beginning in FY2009, this payment has been shown in the Recreation Enterprise Fund budget to clearly present to Town Meeting the total Recreation budget.

**TMMA Questions**

**Question #1:** What is an Enterprise Fund?

**Answer #1:** An enterprise fund is 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.

**Question #2:** What are the retained earnings balances of each of the enterprise funds?

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**ARTICLE 6 APPROPRIATE FOR SENIOR SERVICES PROGRAM**

To see if the Town will vote to raise and appropriate a sum of money for the purpose of conducting a Senior Services 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: $30,000

DESCRIPTION: In FY2007, the Town established its own Senior Services Program that provides 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.

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**TMMA REVIEW**

A vote of the 2006 Town Meeting rescinded the Town's acceptance of a State local option property tax law that allows low-income seniors to work for the Town in exchange for a property tax credit. Town Meeting replaced the State program with a Town program. This program, the Senior Tax Work Program, enables both low income seniors and disabled residents to work for the municipality in exchange for a reduction in their real estate tax bills.

To be eligible to participate in the Town's program, the guidelines state that a participant must be 60 years of age or over, own property in Lexington which serves as their principal residence and whose gross income (including Social Security income) does not exceed $50,000 for a single tax payer or $52,950 for a couple. An eligible individual can earn a maximum credit of $935. A two-person household eligible to participate in the program may receive a maximum credit amount of $1,190. This article requests funds of $30,000 to continue the program.

This article is on the consent agenda.

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**ARTICLE 7 APPROPRIATE FOR UPDATING THE TOWN’S COMPREHENSIVE PLAN**

To see if the Town will vote to raise and appropriate a sum of money for updating the Town’s comprehensive plan; 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 Planning Board)*

FUNDS REQUESTED: $302,000

DESCRIPTION: This request is to develop and update to the Town’s Comprehensive Plan, which was last updated in 2002-2003. The purpose of the Comprehensive Plan is to guide the Town’s land use and physical development for the next 10-20 years. A comprehensive plan gathers public input on a community’s strengths, opportunities, threats and values. It assesses existing conditions in the community’s land use, housing, transportation, economic development, open space and recreation, natural resources, historic resources, and public facilities and notes trends in each of these areas. Funds will cover contractual services for consulting and related services and limited administrative staff time. The Plan is anticipated to take up to three years to complete.

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**TMMA REVIEW**

The Comprehensive Plan is the policy document that drives what the Planning Department does. It was last revised in 2002/3. Given the changes in Lexington since then, the Planning Department feels an update reflecting current conditions is needed since the Comprehensive Plan should be considered a “living” document. The areas to be looked at include land use, transportation, housing, economic development, open space, natural resources, historic sites and public facilities. The update will project future trends and will look forward to 2030. The update is needed given Lexington’s demographic changes, the increasing cost of housing and zoning impacts on the Town’s fiscal condition and infrastructure adequacy. By focusing on physical development, the Comprehensive Plan will guide the changes to meet Lexington’s needs.

The update will be done in 2 phases, establishing the community’s goals and implementation. A Comprehensive Plan Advisory Committee will draft the public process since community engagement is critical. The process will look at existing conditions and there will be data and trend analysis to project forward. Being the public expression to the Town’s vision and goals, the update will generate reports on findings and will offer recommendations and the implementation steps needed. Finally, the Planning Board will vote to accept the update.

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**ARTICLE 8 ACCEPT PEG ACCESS AND CABLE RELATED FUNDS**

To see if the Town will accept General Laws Chapter 44, Section 53F¾, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2018, and to transfer any balance from the existing PEG Access Fund to this new special revenue fund; or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen)*

DESCRIPTION: A new State law (MGL Chapter 44, Section 53F¾) addresses the accounting for Public, Educational and Governmental (PEG) funds that will function in the same manner as the Revolving Fund that the Town has been using for many years. Further, Town Meeting must approve the transfer of the balance in the existing revolving fund to this new Fund.

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**TMMA REVIEW**

Approval of this article simply changes the characterization of the fund from a “revolving fund” to a “special revenue fund” and transfers the any current balance. There will be no change in how the Town accounts for the funds.

**ARTICLE 9 ESTABLISH AND CONTINUE DEPARTMENTAL REVOLVING FUNDS**

**AND SPECIAL REVENUE FUND**

To see if the Town will vote, pursuant to Chapter 44, Sections 53E½ and 53F¾ of the Massachusetts General Laws, to re-authorize the use of existing revolving fund accounts in FY2018; and to establish new revolving fund accounts, and to appropriate funds for the PEG Access special revenue account; to determine whether such revolving fund accounts shall be credited with the following departmental receipts; to determine which 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 FY2018 shall be the following amounts or any other amounts; or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen)*

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FUNDS REQUESTED:

|  |  |  |  |
| --- | --- | --- | --- |
| **Program or Purpose for Revolving Funds** | **Authorized Representative or Board to Spend** | **Departmental Receipts** | **FY2018**  **Authorization** |
| Building Rental Revolving Fund | Public Facilities Director | Building Rental Fees | $475,000 |
| DPW Burial Containers | Public Works Director | Sale of Grave Boxes and Burial Vaults | $40,000 | |
| DPW Compost Operations | Public Works Director | Sale of Compost and Loam, Yard Waste Permits | $755,000 | |
| Trees | Public Works Director | Gifts and Fees | $45,000 | |
| Minuteman Household Hazardous Waste Program | Public Works Director | Fees Paid by Consortium Towns | $180,000 | |
| Health Programs | Health Director | Medicare Reimbursements | $14,000 | |
| Senior Services (formerly Council on Aging Programs) | Human Services Director | Program Fees and Gifts | $50,000 | |
| Tourism/Liberty Ride | Economic Development Director | Liberty Ride Receipts, including ticket sales, advertising revenue and charter sales | $285,000 | |
| School Bus Transportation | School Committee | School Bus Fees | $1,150,000 | |
| Regional Cache – Hartwell Avenue | Public Works Director | User Fees for Participating Municipalities | $10,000 | |
| Visitors Center | Economic Development Director | Sale of Goods, Program Fees and Donations | $202,000 | |
| **Program and Purpose**  **Special Revenue Fund** | **Authorized Representative or Board to Spend** | **Receipts** | **FY2018 Appropriation** | |
| PEG Access | Board of Selectmen and Town Manager | License Fees from Cable TV Providers | $570,086 | |

DESCRIPTION: A revolving fund established under the provisions of Massachusetts General Laws Chapter 44, Section 53E½ and a special revenue fund under Chapter 44, Section 53F¾ must be authorized or appropriated annually by vote of the Town Meeting. The Funds are credited with only the receipts received in connection with the programs supported by such funds, and expenditures may be made from the revolving fund without further appropriation.

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TMMA REVIEW

The amounts above represent the projected revenue for each program. Since the expenses associated with the Revolving Funds are not reflected in the Article 4 Operating Budget, the FY2018 Authorizations are spending limits which cannot be exceeded. A continuing balance in a revolving fund may be carried over to the next fiscal year. Expenditure ceilings are based on revenue projections, in no case can spending exceed revenues on hand. The Board of Selectmen, with approval by the Appropriation Committee, has the authority to increase a program’s spending ceiling within expected receipts.

Based on experience to date and anticipated FY 2018 usage, some authorizations have changed from FY2017. These include:

FY 2017 FY 2018

Building Rental Revolving Fund $460,000 $475,000

DPW Compost Operations $615,000 $755,000

Council on Aging/now Senior Services $ 75,000 $ 50,000

Visitor Center $191,000 $202,000

PEG Access $500,000 $570,000

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**ARTICLE 10 APPROPRIATE FOR THE FY2018 COMMUNITY PRESERVATION**

**COMMITTEE OPERATING BUDGET AND CPA PROJECTS**

To see if the Town will vote to act on the report of the Community Preservation Committee on the FY2018 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 administrative expenses of the Community Preservation Committee for FY2018; for the acquisition, creation, and preservation and, if acquired with Community Preservation Act funds, the rehabilitation or restoration of open space; for the acquisition, creation, preservation, and rehabilitation and restoration of recreational land; for the acquisition, preservation, rehabilitation and restoration of historic resources; and for the acquisition, creation, preservation and support and, if acquired with Community Preservation Act funds, the restoration or rehabilitation of community housing; including, in all cases, rehabilitation or restoration that constitutes capital improvements or extraordinary repairs to make assets functional for their intended use; and to determine whether the money shall be provided by the tax levy, or from estimated Community Preservation Act surcharges and the estimated State match and supplement for the upcoming fiscal year, by available funds in the Community Preservation Fund, by transfer from other 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 REQUESTED:

1. Interpretive Signage Project - $38,400
2. Parker’s Revenge Interpretive and Public Education Signage & Displays - $41,350
3. Greeley Village Rear Door and Porch Supplemental Request - $56,712
4. Affordable Units Preservation – Pine Grove Village/Judges Road - TBD
5. Willard’s Woods and Wright Farm Meadow Preservation - $40,480
6. Cotton Farm Conservation Area Improvements - $301,300
7. Wright Farm Supplemental Funds - $37,900
8. Stone Building Feasibility Study - $25,000
9. Munroe School Window Restoration - $620,000
10. Center Streetscape Improvements - TBD
11. Community Center Sidewalk - $220,000
12. Park Improvements - Athletic Fields - $125,000
13. Town Pool Renovation - $1,620,000
14. Park and Playground Improvements - $60,000
15. CPA Debt Service – $2,404,259
16. Administrative Budget - $150,000

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DESCRIPTION: This Article requests that Community Preservation funds and other funds, as necessary, be appropriated for the projects recommended by the Community Preservation Committee, the debt service on previously authorized projects, and for administrative costs.

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**TMMA REVIEW**

1. Interpretive Signage Project - $38,400 (CPA –historic resources)

In 1975 the Lexington Historical Society, in cooperation with the Town’s Bicentennial Committee, established three historic walking trails in the historic districts of the Battle Green, Hancock Street and Lexington Center, the Munroe District, and East Lexington. A total of 32 interpretive signs were placed along those trails. Currently some markers are missing, some require replacement and all eventually need to be remounted. The signs are made of heavy aluminum, tinted brown, and many contain a graphic as well as text. The proposal also includes a modest expansion of signage, particularly in Lexington Center. FY2018 funds would allow for the replacement of four missing signs, the expansion of the trail with up to eight signs, the replacement of eight existing signs that are damaged and the re-mount of three signs currently in storage. Funds will also be used to update signage content where necessary, to replace current wooden mounts with heavy metal mounts, and to create a new laminated map for users of the trails. The Lexington Historical Society will oversee the design, production and installation process, of the signs, and production of the trail guide map, as an in-kind contribution to the funding.

b) Parker’s Revenge Interpretive and Public Education Signage & Displays -

$41,350 (CPA - historic resources)

As Phase I $36,790 in CPA funds was appropriated by the 2015 Annual Town Meeting to restore the battlefield on which the second battle of Lexington was fought on April 19, 1775. Phase I funded field studies and three metallic surveys that uncovered 29 musket balls from the Parker’s Revenge Battle. The Friends of Minuteman National Park submitted this FY2018 request to fund Phase II of the project for the design, fabrication and installation of a wall-mounted, museum quality exhibit case constructed to house the archaeological artifacts discovered during Phase I. It will also fund the design and installation of graphic wayside exhibits and the development of a solar powered audio explanatory enhancement to the new exhibit panels. This project’s goal is to preserve, restore and maintain the historic Parker’s Revenge site and to educate the public about the battle’s significance in the Revolutionary War.

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**TMMA Questions:**

**Questions #1**: Where will the museum quality exhibit be installed?

**Questions #2:** What additional funds have been provided by the National Park Service, federalgovernment, the Commonwealth or other volunteer groups?

**Answer:** There are no applicable or available funds from the state/federal government. Two-thirds of the funding will be provided by The Friends of the National Park.

c) Greeley Village Rear Door and Porch Supplemental Request - $56,712 (CPA- Community housing)

The Lexington Housing Authority requests this CPA funding to help finance the replacement of all rear porch decking at Greeley Village. For FY 17 the Town Meeting approved $263,250 to rehab the rear doors and decking support system. This additional $56,712 request is due to deterioration, unforeseen at that time, of the original old porch decking material. When the project was first scoped out, it did not include replacing the porch decking. It only called for reinforcing the porch railings and foundation system. The original FY17 scope also included demolition and installation of new storm doors, screen doors and frames, new porch railings, and new pre-cast concrete porch steps. The existing wood decking is original and has been found to be in poor condition; wood members are at the end of their useful life as cracking is occurring. This constitutes a potential safety problem if not corrected in time. The architect suggests removing the existing porch decking and replacing it with new composite decking. The Lexington Housing Authority believes it makes sense financially to complete this, together with the previously funded work, as one project. The construction of the new porch decking is estimated to cost $80,000.00. However, funding from the Commonwealth of Massachusetts Department of Housing and Community Development is expected to cover $23,288.00 of the project cost.

d) Affordable Units Preservation – Pine Grove Village/Judges Road –TBD (CPA – Community housing)

A motion under this article section will be presented but information on the amount and nature of the work is not going to become available until after the deadline for this booklet.

Pine Grove Village/Judges Road consists of a 16 unit cooperative with 5 affordable rental apartments located off of Worthen Road adjacent to the Saint Brigid Church parking lot. Affordable rental units are filled in cooperation with the Lexington Housing Authority and Metropolitan Boston Housing Partnership.

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e) Willard’s Wood and Wright Farm Meadow Preservation

Funds Requested $40,480 (CPA Open Space)

Many of Lexington’s meadows have received minimal maintenance since their acquisition by the Conservation Commission, resulting in the advancement of invasive plants, damage to historic stone walls, the obstruction of vistas and the loss of meadow habitat for native plant and animal species that depend on that habitat. A multi-year Conservation Meadow Preservation Program was implemented to protect and preserve meadows owned and managed by the Conservation Commission. The 2015 Annual Town Meeting appropriated $26,400, using CPA funding, for meadow preservation at Hennessey Field and Joyce Miller’s Meadow. The FY2018 request will fund restoration, preservation and protection of approximately 20 acres of conservation meadows at Willard’s Woods and Wright Farm. The project aims to provide enhanced wildlife and plant habitat, to repair stone walls, and to restore scenic vistas, while enhancing the use of the conservation areas for passive recreation activities such as bird watching, and hiking.

At Willards Woods, which was acquired by the Town for recreation use and later transferred to conservation, meadow areas that had been grazed by farm horses as recently as the mid nineteen sixties are now reverting to small trees and invasive plants, and the annual mowing since it became Conservation land, gradually leaves more trees around the periphery of each meadow each year. Japanese knotweed, bittersweet, multiflora rose, purple loosestrife, and other invasive foreign species are spreading, especially along the stone walls and among the many saplings that prevent mowing. At the Wright Farm conservation area, acquired partially by the 2012 Annual Town Meeting, and the remainder in 2015, the situation and need is similar.

f) Cotton Farm Conservation Area Improvements

Funds Requested $301,300 (CPA - Open space)

The 2010 ATM authorized the purchase of the 4 acre Cotton Farm Conservation area, located off Marrett Road, and adjacent to the Upper Vine Brook Conservation area. At that time the previous owners retained rights to use a driveway over the property. Since then a Land Management Plan, prepared for the Conservation Commission, has been adopted to set guidance and policies for the future uses of the land, and to enhance the recreational and conservation values. The 2018 funding is requested to accomplish several goals of the land management plan. Since the previous owner no longer has the right to use the existing driveway, major portions of that driveway and associated parking areas will be removed and returned to a natural vegetated state, while a new expanded relocated parking area will provide for access to users of the Conservation land, since there is no parking on Marrett Road, which is state Route 2A. In addition, the funding will provide for construction of an (ADA) Americans with Disabilities Act accessible trail and a pond viewing platform along the edge of the pond and wetlands located on the property. Some trail work will be accomplished with the aid of volunteer Conservation Stewards, but the materials will need to be purchased, and the bulk of the work will require hiring design and construction professionals.

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**TMMA Question:**

**Question #1:** Is the construction of the (ADA) accessible trail separate from the

driveway and parking work?

g) Wright Farm Supplemental Funds

Funds requested $37,900 (CPA - Open space)

Article 9 of 2015 Annual Town Meeting authorized the purchase of a second parcel of the Wright Farm property, including the existing farmhouse and barn. Following the purchase, an environmental site assessment revealed high concentrations of lead in the soil near the barn, likely from agricultural pesticide preparation. This resulted in higher remediation costs than originally anticipated. These FY2018 funds will be used to supplement the legal work, site assessment work and land management originally funded with the 2015 purchase of the property under Article 9. An appropriation of $35,000, authorized by 2016 Annual Town Meeting, for a needs assessment and feasibility study of conservation and educational uses for the barn remains unspent, pending completion of the site assessment and remediation.

h) Stone Building Feasibility Study - $25,000 (CPA –Historic resources)

Previous Town Meetings have appropriated funds for exterior stabilization and preservation, including recommendations for reuse of the structure in order to make the building functional. The Stone Building has been vacant since the library branch closed, and its uses are constrained by conditions associated with its gift to the town by Ellen Stone. FY2018 funds are requested in order to ascertain market interest among local and regional groups for use of the first floor space. $25,000 is requested to contract with an exhibit curator to research arts and cultural groups and to gauge the feasibility of, and interest in, using the first floor as a rotating exhibition space in a manner consistent with a 2009 Historic Structures Report by Spencer Vogt and historic preservation recommendations. The report financed this year would also identify the arts and cultural groups’ general security requirements, climate control needs and other physical conditions necessary to secure and protect any art and artifacts while on exhibition at the Stone Building.\

References

Exterior preservation <http://www.lexingtonma.gov/sites/lexingtonma/files/uploads/appendices_i_2011-2012_preservation_work_2012.3.5.pdf>

2009 Historic Structures Report

<http://records.lexingtonma.gov/weblink/DocView.aspx?id=142669&searchid=a102987e-750e-40ac-9c1c-41a00457dfd2&dbid=0>

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i) Munroe School Window Restoration - $620,000 (CPA –Historic resources)

At the 2016 Annual Town meeting Article 8 (b) appropriated $30,000 to study the best ways to replace or repair the windows of the school, now in use as the Munroe Center for the Arts, but owned by the Town, and establish cost estimates. The 117 windows at the Munroe School are believed to either be original to the 1904 building, or to its 1915 addition. The windows are in poor condition so the building is uncomfortable in cold weather, and energy inefficient.

The window study by Colin Smith Architects estimated a construction contract cost of $535,00 to restore the existing windows and equip them with exterior storm windows, versus an estimated construction cost of $607,000 for insulated replacement windows.

The following is a partial quotation from the Executive Summary of the architect’s study:

*The current windows are original to the building. There is little rot as is indicative of tight grain old growth wood. Window components such as glazing, glass, hardware and storm windows are in need of restoration or replacement. The existing wood sashes, frames and sills are in good condition, with limited areas of rot. Replacement sashes are not proven to be any more effective at preventing energy loss than restored sashes when storm windows are utilized. Restoring the existing windows and installing new storm windows can improve safety, energy performance, diverts waste from the landfills and preserves the original historic fabric of the building.*

*Sash replacements cannot match the exact detailing of the windows. Available wood species, even mahogany, are likely not going to be able to outperform the existing 100 year old, old growth wood. Jamb liners are made of vinyl and will not blend well visually with the stained wood trim, nor are they easy to repair over the long term and require replacement. Many of the window frames will require additional work to make them square in order to receive new replacements.*

*Restoring the windows and replacing the storm windows is more cost effective than replacing the sashes. Restoring the windows is consistent with good sustainable design practices, employs local skilled labor, creates maintainable windows and preserves a significant portion of the exterior appearance of this historic structure. Restoring the windows fulfills all the goals set by the User and Town of Lexington (Safety, Energy Efficiency, Cost Effectiveness-short & long term, Aesthetics, Sustainability & Historic Preservation).*

**TMMA Questions:**

**Question #1**: Are there sources of external funding for restoration of this historic buildings windows?

**Question #2**: After the restoration or replacement of the windows, can the Town increase the rent to recover some of the investments?

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j) Center Streetscape Improvements –TBD

This article section was a provision for alternate funding via CPA if the project was not funded under Article 12 (a) as a Municipal Capital Project. Both Article sections are expected to be Indefinitely Postponed, but final votes to do that may be after the deadline for this booklet.

k) Community Center Sidewalk - $220,000 (CPA – historic resources)

The 2014 March Special Town Meeting appropriated funds for renovations to the Community Center. At the time of that funding request, the design of the sidewalk from Marrett Road to the Community Center was not yet complete. The 2015 Annual Town Meeting appropriated $50,000 for additional design work. This FY2018 request represents an estimate for construction costs since the final design has not been selected. The Town continues to work with the proprietors of the adjacent Scottish Rite property and a tentative agreement on the location of the sidewalk has been reached. Once the location and design are finalized, the scope of the construction project will be specified and construction bids will be solicited. If the current estimate of $220,000 is correct, appropriating these funds will allow the construction to begin without further Town Meeting action.

l) Park Improvements - Athletic Fields - $125,000 (CPA-Recreation)

This FY2018 request seeks to fund improvements to the Town’s current irrigation systems. Proposed changes to the current systems will allow for improved water usage, efficiency and repairs. The updates will allow for the irrigation to be more targeted on the playing areas and will result in less water usage. Town athletic fields see excessive use and timely renovations and updates are critical for providing safe and playable fields for all user groups. This request is part on an ongoing, multi-year capital program aimed at addressing safety and playability concerns while providing adequate and safe field

conditions for neighborhood families, recreation and school programs.

Since school use of athletic fields does not create revenue for the Recreation Department improvements and renovations are not usually funded by the Recreation Enterprise Fund, if CPA Recreation funding is available.

**TMMA Question:**

**Question #1:** Which fields are to be improved under this year’s funding of a multiyear project?

**Answer:** Article 10(l) Park Improvements – Athletic Fields includes irrigation upgrades at the following 14 fields:

· Center #1 Baseball Field

· Center #2 Softball Field

· Center #3 JV Baseball Field

· Center #4 Little League Field (also known as Fitzgerald Field)

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Center Track Field

· LHS Football Field (Crumb Football Field)

· Worthen Road Practice Field

· Garfield Little League Field

· Lincoln Little League Field

· Lincoln Softball Field

· Fields at Clarke, Diamond, Estabrook, and Harrington.

**Question #2**: What are the nature of the proposed improvements to the irrigation systems?

Article 10 m) Town Pool Renovation - $1,620,000 (CPA Recreation)

FY2018 funds will be used for Phase III of the multi-phased program for renovations to the Irving H. Mabee Pool Complex. An FY2017 appropriation funded design and engineering costs, construction/ bid documents and a mini-audit resulting in updated recommendations for necessary improvements for the successful operation of the Town Pool Complex. The implementation of Phase III will include replacing the Filtration Systems, last updated in 1980, which are beyond their expected life, have decreased efficiency and effectiveness, and break down frequently. The 3 pools share a common filter system, which no longer meets current Public Health regulations, so the replacement system will have separate filters for each pool. The filter replacement requires expansion of the building housing the filters, replacement of piping under concrete decks and the decks themselves, and upgrades to the electrical service.

In addition to replacement of the filtration systems, the pool facility audit recommended the following:

· Reconfiguration of the wading pool and installation of new water spray features

· Replacement of the existing roof

· Re-plastering of the wading, main and dive pools

· Replacement of the three diving boards

· Reconfiguration of the three one-meter diving board rails

· Installation of new lifeguard chairs

· Replacement of the fencing with new black vinyl-coated chain link fencing and gates

· Resetting of the copings for the wading pool

· Installation of a new shade structure

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The pool complex is heavily used and attendance averages 75,000 people each summer.

The appropriation requested includes a $120,000 contingency amount. Pending approval of funds at the 2017 Annual Town Meeting, the contract for the project is to be awarded in May 2017 with construction beginning as soon as the facility closes in early September 2017. The project would continue through the fall and winter. It is scheduled to be completed in May 2018, ensuring that summertime pool operations are not interrupted. At this publication time a final decision as to whether this request will be funded by CPA debt or out of available CPA recreation cash, has not been made.

n) Park and Playground Improvements - $60,000 (CPA- Recreation)

This FY2018 request will fund the replacement of the swing sets and the installation of bike racks at Bow Street Park, Franklin Park and Munroe Park. These are heavily used park and playground areas and the old equipment requires replacement. The existing swing structures are not in compliance with current standards. Swings at Bow Street Park were last replaced in 1986 and swings at Franklin and Munroe Parks were last replaced in 1989. The proposed playground improvements will renovate and rehabilitate existing safety surfacing and equipment so that all sites will be in compliance with the Consumer

Product Safety Commission (CPSC), American Society for Testing and Materials (ASTM) and the Americans with Disabilities Act (ADA). Future appropriations requests are expected for updates to both Sutherland and Rindge Parks.

Because parks and playgrounds do not create revenue for the Recreation Department, improvements and renovations are not typically funded by the Recreation Enterprise Fund.

o) Community Preservation Fund Debt Service (On the consent agenda)

$2,390,998 (Community Preservation Fund)

The debt service on CPA borrowings from previous years must be appropriated annually, but it must be paid, or the debt will be in default. Default would seriously affect the Town’s Aaa credit rating.

This year there are 4 prior projects using borrowed CPA funds that require debt service appropriations. They are the Wright Farm Land Acquisition (ATM 2012 - $395,300 requested), 39 Marrett Road (Community Center) Land Acquisition (STM3 -2013-$991,100 requested), the Community Center renovations (STM Nov. -2013, STM 3-2014 -$38,478 requested) and Cary Memorial Building Upgrade (STM 3-2014-$869,800 +an amount not to exceed $96,320 requested).The debt service on funds already borrowed for these four projects will require payments of principal and interest in fiscal year 2018 totaling the recommended appropriation of $2,390,998 for Community Preservation Fund Debt Service.

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p) Administrative Budget - $150,000 (Community Preservation Fund) (On the consent

agenda)

This budget item covers the cost of salary and benefits of the Community Preservation Committee’s administrative assistant (a part time position), appraisals, legal fees, land planning, surveying and other expenses involved in the purchase of land with CPA funding, membership dues to the non-profit Community Preservation Coalition, and other miscellaneous legal and administrative expenses.

Any funds not expended in a given year are returned to the Community Preservation Fund.

**ARTICLE 11 APPROPRIATE FOR RECREATION CAPITAL PROJECTS**

To see if the Town will vote to appropriate a sum of money for capital projects or the purchase of 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 Board of Selectmen at the Request of the Recreation Committee)*

FUNDS REQUESTED: $55,000

DESCRIPTION: For a description of the proposed projects see Section XI: Capital Investment section of the FY2018 Town Manager's Preliminary Budget and Financing

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**TMMA REVIEW**

Per the “Brown Book”, Section XI, page XI-31, The Recreation Committee request will fund the purchase of a new lawn mower intended to replace an existing mower acquired in 2002. The new Toro Triplex mower has improved technology and specifications that will improve the quality of cut compared to the existing mower which has exceeded its useful life of ten years. Greens are mowed on a daily basis throughout the golf season and sufficient equipment is needed to properly set up a golf course and provide superior playing conditions on a consistent basis throughout the year. Past and future success at Pine Meadows can be attributed to the ongoing investment in golf course infrastructure and equipment to maintain the 88 acres of property. The new mower will ensure proper maintenance of the turf, improved pace of play and superior

playing conditions.

Plan dated January 9, 2017 and found at <http://www.lexingtonma.gov/fy18capital>.

This article is on the consent agenda.

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**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:

1. Center Streetscape Improvements and Easements;
2. Automatic Meter Reading System;
3. Equipment Replacement;
4. Street Improvements and Easements;
5. Storm Drainage Improvements and NPDES Compliance;
6. Hydrant Replacement Program;
7. Comprehensive Watershed Stormwater Management Study and Implementation;
8. Sidewalk Improvements, Additions, Design and Easements;
9. Dam Repair;
10. Townwide Culvert Replacement;
11. Townwide Signalization Improvements;
12. Hartwell Avenue Infrastructure Improvements – Supplemental Funds;
13. Bikeway Bridge Renovations;
14. Hartwell Avenue Compost Site Improvements;
15. Westview Cemetery Building Design;
16. Westview Cemetery Irrigation;
17. Highway Sign Machine;
18. Townwide Phone Systems-Phase VI;
19. Municipal Technology Improvement Program;
20. Network Redundancy & Improvement Plan;
21. Bedford Street at Eldred Street Safety Improvements;
22. Transportation Mitigation;
23. Hill Street Sidewalk Design; and
24. Ambulance Replacement

and authorize the Selectmen 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 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: $13,643,927

DESCRIPTION: For a description of the proposed projects see Section XI: Capital Investment section of the FY2018 Town Manager's Preliminary Budget and Financing Plan dated January 9, 2017 and found at <http://www.lexingtonma.gov/fy18capital>.

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**TMMA REVIEW**

Sources include the FY2018 Recommended Budget & Financing Plan February 27, 2017 and Section XI: Capital Investment section of the FY2018 Town Manager’s Preliminary Budget and Financing Plan dated January 9, 2017 and found at http://www.lexingtonma.gov/fy18capitalDESCRIPTION: For a

**A. Center Streetscape Improvements and Easements** (to be indefinitely postponed)

**B. Automatic Meter Reading System – $40,000 ($20,000 Water Retained**

**Earnings and $20,000 Wastewater Retained Earnings):** This FY2018 request will

provide funding to contract with a firm to evaluate the existing meter equipment for

compatibility with an Automatic Meter Reading (AMR) technology. The goal is to

research and install a town-wide radio read system that will provide the ability to read

meters from a remote location and provide the Town with more frequent meter readings

to improve the billing process. It is expected that the implementation of the automatic

meter reading system will be accomplished in three phases over a three-year time

period. The Water Division is currently working on prepping meters for acceptance of

the AMR equipment which requires the replacement of the water meter and installation

of a third radio read wire on existing meters.

**C. Equipment Replacement - $1,083,000 ($558,000 General Fund Debt &**

**$525,000 Compost Revolving Fund Debt):** This is an annual request to replace

equipment that is beyond its useful life and whose mechanical condition no longer meets

the requirements of the Department of Public Works (DPW). The DPW has an inventory

of 146 pieces of equipment including sedans, hybrid SUVs, construction vehicles and

specialized equipment used to mow parks, plow snow, repair streets and complete a

variety of other projects. Without regular equipment replacement, the efficiency and

cost effectiveness of the DPW’s operations would be handicapped due to equipment

down time and excessive repair costs.

Each piece of equipment is inventoried with original and current replacement cost, state

of condition and replacement time interval. Replacement intervals vary from five to 25

years and are based on manufacturer recommendations and use (type and duration).

The selection of vehicles to be replaced begins with the proposed replacement date.

Then each vehicle is assessed as to its mechanical condition and work requirements.

The systematic replacement program defines what equipment is expected to need

replacement during the next five years with the intent of preventing any unexpected

emergency purchases. Annual updates are conducted by the Road Machinery Division,

Division Superintendents and reviewed by the Manager of Operations and Director of

Public Works.

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**Material Screener ($525,000 Compost Revolving Fund Debt):**

This a component of the $1,083,000 DPW Equipment Replacement

The current composting operation at the landfill site on Hartwell operation involves the hiring of a contractor on an annual basis to screen compost and loam at cost of approximately $30,000 per year. Scheduling of this work is subject to the availability of the contractor which is often not at a time that is most efficient and effective for the operation of the compost site. In

addition, in recent years, DPW has rented a screener for a month annually at a cost of

$20,000 per month in order to ensure that material on site is managed efficiently and

effectively; but this has negative impacts on other DPW operations due to the need to

re-allocate staff to move material to the rented screener and to run it. The purchase of

a screener will allow DPW to screen compost, loam and other materials at optimal times

resulting in efficiencies, and the shedding of annual operating costs (contract screening

and screener rental). The screener requested will also do a better job of removing

plastics, wood and other undesirable materials, increasing the product quality.

Timeliness of screening various materials will be critical as we move forward with a

reduced site for storage.

**D. Street Improvements – $3,513,943 ($2,542,927 Tax Levy, $971,016**

**Chapter 90 funding):** This is an annual request for the street resurfacing and

maintenance program. In addition to the $2,542,827 appropriated from the tax levy,

$971,016 of Chapter 90 funds will be utilized. (Chapter 90 funding is based on

Lexington’s most recent allocation and on the current state allocation of $200 million

statewide). Funds will be used for design, inspections, planning, repair, patching, crack

sealing and construction of roadways and roadway related infrastructure including repair

and installation of sidewalks. A preliminary list of the streets to be repaired under this

article is currently being developed. A pavement management system is utilized to

assist in analyzing the road network and selecting roadways for repairs. This funding

will allow for the proper improvements and repair of Lexington’s streets and sidewalks,

increasing their quality and safety.

**E. Storm Drainage Improvements and NPDES Compliance – $340,000 (Free**

**Cash):** This is an annual request to replace and supplement existing drainage

structures, issues typically uncovered during roadway related construction activity.

Funds will also be used for continued compliance with the Environmental Protection

Agency (EPA) Phase II regulations which help improve the water quality of Lexington’s

streams and ponds. $70,000 is estimated for compliance with the construction related

portions of the National Pollutant Discharge and Elimination System (NPDES) minimum

control measures as mandated by the EPA in the storm water general permit. An

estimated $270,000 will be used to repair/replace drainage structures encountered

during road construction, repair other drainage areas of concern in the town and

improve storm water issues discovered during NPDES investigation work. Engineering

evaluations are underway in the Wheeler Road neighborhood and upcoming drainage

installations may include Allen Street and other areas identified needing improvement.

Illicit discharge detection has been ongoing in the Vine Brook and Mill Brook areas

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where contamination has been identified. The pre-emptive repair of existing drainage

structures will reduce damage to structures themselves, existing pavement and private

and public property.

**F. Hydrant Replacement Program – $150,000 ($75,000 Free Cash & $75,000**

**Water Retained Earnings):** This is an ongoing replacement program designed to

maintain the integrity of the fire protection system throughout town. Faulty hydrants

need to be replaced to meet safety requirements. A list of hydrants needing

replacement is generated each year during the annual inspection and flushing of

hydrants by the Water and Fire Departments. Based on discussions between the two

departments, the target goal is to replace approximately 60 hydrants per year at a cost

of $2,500 per hydrant. The Town of Lexington has 1,200 fire hydrants in its fire

protection system; a total of 380 hydrants have been replaced.

**G. Comprehensive Watershed Storm Water Management Study and**

**Implementation - $390,000 (General Fund Debt):** DPW, Engineering and

Conservation collaborate on this annual capital request which addresses drainage/brook

management issues. The request funds the continuing design and implementation of

watershed plans and the construction of priorities established in those plans. Staff has

reviewed three watershed plans already completed (Charles River, Shawsheen River and

Mystic River) and developed a prioritization schedule with built-in flexibility pending

unforeseen changes. Requested funding will be used to move forward with those

prioritized areas; in FY2018 it’s likely funds will be used to further the Valleyfield area

design (within the Clematis Brook area), Whipple Brook and Pleasant Street area

construction. Long-term benefits of the program include prevention of property

damage, reduction in liability and overall improvement to the health of Lexington’s

waterways.

**H. Sidewalk Improvement – $800,000 (General Fund Debt):** This request seeks

funds to rebuild and/or repair existing sidewalks that are in poor condition. DPW (in

conjunction with various committees and town departments) generates a list each year

of sidewalks most in need of repair/replacement, based on four determining factors:

1) Is the sidewalk unsafe for travel due to trip hazards, defects, etc.?

2) Is the sidewalk within the Safe Routes to School Program?

3) Is the volume of pedestrian traffic heavy, light or average?

4) Is the general condition of the sidewalk poor, fair or good which dictates treatments

such as full reconstruction, overlay or patching?

DPW successfully completed a sidewalk condition survey in early 2015 with the help of

an engineering firm, Fay, Spofford & Thorndike and is currently working from the

priority list that was compiled by the report. Sidewalks considered for FY2018 funding

include: Emerson Garden-North and South, Hathaway Road – north side, reconstruction

of ramps town-wide, Waltham Street from Brookside to Blossomcrest, Massachusetts

Ave. from Bow Street to Fottler Street – north and south, Charles Street, Daniels Street

and Ariel Street.

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**I. Dam Repair – $760,000 (General Fund Debt):** FY2018 funds are requested for

repairs and improvements to the Old Reservoir Dam based on inspection reports

performed by the Office of Dam Safety. $150,000 was approved by the 2014 Annual

Town Meeting for design and engineering services for the repairs; the design report has

been completed. CPA funds were also appropriated in previous funding cycles for

reconstruction of the gatehouse and dredging of the retention pond (FY2009) and storm

water mitigation and retention pond improvements (FY2010).

The total cost for design and construction services in FY2018 is noticeably higher than

standard civil design and construction projects due to the complex design of earth dams.

This project will also require a fair amount of environmental permitting through the

Office of Dam safety. Full-time construction oversight by a geotechnical engineer is

anticipated in addition to periodic monitoring for three years after the completion of the

project. The goal of this project is to maintain the dam’s structural integrity and ensure

its long-term stability.

**J. Townwide Culvert Replacement – $390,000 (General Fund Debt):** This request

is part of an ongoing program to replace culverts that are at or near failure. Of the

funding requested, $250,000 is estimated for construction costs necessary for culvert

replacement, $65,000 is for design, permitting and bidding and the remainder is for

contingency. On-going culvert inspections continue to reveal a need for the

replacement program as many older culverts are failing. This program is a companion

effort with the ongoing Watershed Management Plan. It’s anticipated that this and

future appropriations will fund further design and construction for Valleyfield and

Waltham Streets at the Clematis Brook (where early design evaluation is already

underway) and for the culvert at Curve Street. These locations have been identified in

the Charles, Shawsheen and Mystic Rivers Watershed Management Plans. Culverts at

Revere Street at North Lexington Brook, the Minuteman Bikeway near Camelia Place and

Concord Ave at Hardy’s Brook have all been constructed. Proactive replacement of

townwide culverts prior to failure will allow for proper design considerations and funding

while also minimizing the impact to residents through unexpected road closures and

flooding.

**K. Townwide Signalization Improvements – $125,000 (Free Cash):** This is an

annual request that seeks funds to update traffic and pedestrian signals in Lexington. A

signal inventory and compliance study has been completed which includes ADA

compliance, condition assessment, signal timing, delays and priority recommendations.

FY2018 funds will implement signals identified in the plan and other issues identified by

the Transportation Safety Group (TSG). Potential locations for FY2018 funding include

ongoing design and possible construction at the intersection of Bedford Street and

Worthen Road, pending reconstruction plans for the main Fire Station. Additional

locations include Lowell Street at East Street, and Lowell Street at North Road and

Bedford Street at Worthen Road. Data collection analysis and design is estimated to be

approximately 20% of the total cost. Replacement of signals at the Concord Ave and

Waltham Street intersection is complete with the exception of punch list items. The

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ongoing improvements will prevent equipment failure, improve traffic flow, decrease

energy consumption and allow for proper accessibility.

**L. Hartwell Avenue Infrastructure Improvements – Supplemental – $2,185,000**

**(General Fund Debt):** This FY2018 request represents an estimate of anticipated

supplemental funds needed for improvements to Hartwell Avenue. Proposed funding

will be used to replace or rehabilitate the Hartwell Ave Bridge crossing at Kiln Brook,

upgrade the Maguire Road intersection and potentially provide a protected pedestrian

crossing at the Bedford Street intersection. The proposed conceptual improvements

were developed as part of the Transportation Management Plan for the Hartwell Ave

area (developed by the Planning Board with assistance from TetraTech Rizzo

Transportation Consultants) but does not include funding for improvements to Bedford

Street. The FY2018 request will fund construction, construction oversight and potential

land acquisitions (easements, land takings, etc.).

The FY2018 estimate is highly variable due to anticipated difficulties with relocating the

large amount of utilities attached to the existing bridge. The request of $2.185 million is

seen as the upper limit of funding needed but will be refined as the design phase moves

forward. For example, there are also wetlands impacting the design and discussions

between the design team and the Conservation Commission are expected to help

determine the feasibility of the proposed plan options. Estimates for these refinements

will be better defined as the design phase moves forward. Due to these complications,

a revised construction schedule is being prepared and more precise cost estimates are

expected as alternatives are reviewed and the possibility of phasing is explored.

**M. Bikeway Bridge Renovations – $368,000 ($249,426 General Fund Debt &**

**$118,574 Free Cash):** The Grant Street Bridge along the Minuteman Bikeway is

showing signs of deterioration and the Engineering Division has received an evaluation

from a structural engineer. Costs for rehabilitation and maintenance are high due to

existing lead paint on the bridge. This adds substantial cost to the project since full

containment and proper disposal of the lead paint is required as part of its removal.

This work is essential to keeping a safe pathways for all users.

**N. Hartwell Ave Compost Site Improvements – $200,000 (Compost Revolving**

**Fund Debt):** This request would fund the installation of a new prefab trailer with

utilities to serve as administrative office space at the Hartwell Ave Compost Site. The

trailer would provide adequate space for computers, meetings, filing and educational

opportunities while ensuring a safer and more efficient administrative office.

**O. Westview Cemetery Building Design – $270,000 (General Fund Debt with**

**debt service funded from Sale of Cemetery Lots Special Revenue Fund):**

FY2018 funds are requested to hire an architect to design and engineer the building on

the Westview Cemetery grounds. The current building serves as the cemetery office,

meeting area for grieving families and work space for maintenance staff. An FY2016

appropriation funded an assessment of the current building and operation (burial services) to

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determine if the existing building could be renovated or if a new building was required. TBA

Architects is preparing the assessment report which will be used to determine the

project scope and cost.

The only significant upgrade to the building in the last 15 years has been the installation

of a new roof. The current facility has deteriorated and needs to be brought up to code.

Limited space does not permit private space for grieving families and the maintenance

area lacks adequate space for all equipment to be stored indoors. The renovation or

expansion of the building will enhance the cemetery operation by providing a welcoming

and private space for families and visitors and provide staff with more efficient and

adequate office space, storage space and maintenance space. It is expected that

construction funding will be requested in FY2019.

**P. Westview Cemetery Irrigation – $35,000 (Sale of Cemetery Lots Special**

**Revenue Fund):** There remains one section of Westview Cemetery that needs in ground

irrigation to help improve and maintain turf appearance, vigor and recovery.

FY2018 funds will be used to complete the irrigation system. Water is essential for turf

to grow, recover and thrive and is especially important for seed establishment and

aesthetics. Westview Cemetery is frequently visited by family and friends who expect to

see well-maintained turf. The completion of the in-ground irrigation system will allow

for those expectations to be met.

**Q. Highway Sign Machine – $40,000 (Free Cash):** This request would fund the

upgrade of the Highway Division’s Sign Shop digitizing machine. The current machine

limits which signs can be manufactured by in-house personnel. The new digital printer

would allow for the DPW to manufacture 95% of all signs with current DPW personnel.

Currently, the department manufactures about 95% of street signs and about 70% of

regulatory and custom signage. The remaining signs are fabricated through a vendor.

Every year, custom sign requests have increased and the requested technology will

provide the tools to make signs in the DPW sign shop with department personnel,

helping to reduce costs and improve efficiency.

**R. Townwide Phone Systems – Phase VI – $120,000 (Free Cash):**

The FY2018 request for this multi-phase project will fund Phase VI of the Townwide Telephone Replacement Project. At the 2008 Annual Town Meeting, $30,000 was appropriated to fund a needs assessment for the replacement of phone systems in all town and school buildings. The recommendation of the consultant was for the Town to replace existing municipal and school phone systems with VoIP phone systems. Subsequent Town Meetings have appropriated additional funds for the various phases of the project. Todate, the new VoIP phone systems have been installed in the Town Offices Building, Lexington High School, the School Administration Building, Clarke School, Diamond School and the Cary Memorial Library. VoIP phones have also been installed at the Community Center but only the Human Services Department installation was funded by capital requests; installation in the rest of the Community Center was funded by construction capital.

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Phase VI requests $120,000 to supplement $373,000 of unspent funds from Phases I-V. It is expected that the total amount ($493,000) will be sufficient to complete the project, including phone installations at the public safety facilities, upgrades to the remaining telecommunications core equipment and completion of the remaining upgrade installations at both Harrington and Fiske Elementary Schools.

**S. Municipal Technology Improvement Program – $100,000 (Free Cash):** This

FY2018 capital request is part of a multi-phase program to enhance the Town’s network

storage capabilities. Previous appropriations have funded the initial installation and

subsequent expansion of server area network (SAN) equipment in the server rooms at

both the Town Office Building and 201 Bedford Street. These appropriations also

funded the purchase of necessary software to assist with file storage, archiving and

discovery. The FY2018 request will fund additional storage space for the existing SANs

and expand server capacity. The need for the equipment is driven by rapidly growing

data sets and unstructured files due to email archiving. The project aims to reduce

financial burdens, staff time and power consumption while increasing management

efficiencies. An FY2019 request is expected to include funding for the installation of

servers and server infrastructure at the Community Center.

**T. Network Redundancy & Improvement Plan – $130,000 (Free Cash):** The

functionality of the Town’s computer network is critical for the efficient and effective

delivery of all municipal services. In an effort to decrease network downtime (occurring

beyond the Town’s control), the FY2018 request seeks to fund the pilot installation of a

single site wireless failover link as a redundant pathway for the fiber network, reducing

the risk for outages within the Town’s network. The project includes funding for

equipment, cabling, installation and network programming which will set-up and test the

network for future installations of the wireless redundant network. Pending successful

implementation of the pilot program, it is anticipated that general Town-wide

implementation would begin in FY2019 with completion in FY2020.

**U. Bedford Street at Eldred Street Safety Improvements – $175,000 (Free Cash):**

The intersection of Eldred Street at Bedford Street (also the location of two MBTA bus

stops) has been identified as a dangerous crossing for pedestrians trying to walk across

four lanes of traffic. This FY2018 request would fund the creation of a safe and

accessible pedestrian crossing and related infrastructure. More specifically, it would

finalize design and build the proposed crossing and related improvements. This

appropriation would ensure that the Town continues to advance and implement one of

several transportation system improvements that were identified as part of the Town’s

2010 Traffic Mitigation Plan for the Hartwell Avenue Transportation Management

Overlay District.

**V. Transportation Mitigation – $100,000 (Free Cash):** This capital request is to

support the ongoing work of the Transportation Safety Group (TSG). The TSG is staffed

by the Planning, Engineering, School and Police Departments. These FY2018 funds are

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proposed for evaluation and development of construction cost estimates for future

capital requests and to fund the design and construction of smaller scale safety-related

projects. Between FY08 and FY11, Town Meeting appropriated funds to collect data,

perform analyses, review citizen requests and recommendations for various townwide

transportation improvements in support of the Traffic Mitigation Group (dissolved in

2012 and later reconstituted as the TSG). Due to an increase in the number of citizen

requests received over the past few years, the TSG seeks to renew this funding for

FY2018 and anticipates the need to be ongoing in order to ensure that transportation

safety remains a critical part of Lexington’s quality of life.

**W. Hill Street New Sidewalk Project – $150,000 (Free Cash):** This request is for

design funds for the installation of a new sidewalk along the 0.7 mile stretch of road

from Bedford Street to Cedar Street which has poor sightlines due to the winding

character of the road, and abuts approximately 45 residences as well as the Lexington

Golf Club and Poor Farm Conservation Area. A survey of the roadway has been

conducted which included a preliminary evaluation of sidewalk locations along both sides

of the street. Funds will be used to finalize the design work (i.e., refine the placement

of sidewalks as well as retaining walls, drainage and other design elements) in order to

provide a more detailed cost estimate for the project.

**X. Ambulance Replacement – $280,000 (General Fund Debt):** The Fire

Department’s ambulance replacement program attempts to rotate ambulances every

three years. The new vehicle runs as the primary ambulance, moves to the secondary

position and finally to mechanical back-up status. At the end of the nine-year rotation,

the mechanical back-up vehicle has roughly 150,000 miles on it and completes more

than 9,000 medical transports. This FY2018 request will fund the purchase of a new

ambulance with the mechanical back-up ambulance being traded in.

**TMMA Questions:**

**Question 1:`** Given the large amount of free cash obtained from overestimating the costs of previous projects, could the cost estimates of any of these projects be reduced so as to reduce the General Fund Debt financing requirement?

**Question 2:** Given the override planned for Fall 2017 of over $100 million, cold any of these projects be postponed to reduce total borrowing costs?

**Question 3:** Given the use of water inflow into town buildings as rational for construction projects whereas the existence of underground water flow such as Vinebrook and past problems with flooding and replacement of dams and culverts, has anyone done a comprehensive study of Lexington’s water issues that could point to limitations on building such as less impervious surface, less underground construction, constructing buildings to be elevated above water levels, providing better drainage and generally to minimize future occurrences of flooding and water incursion?

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**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 replace or clean and line 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 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 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 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: $1,000,000

DESCRIPTION: For a description of the proposed project see Section XI: Capital Investment section of the FY2018 Town Manager's Preliminary Budget and Financing Plan dated January 9, 2017 found at <http://www.lexingtonma.gov/fy18capital>.

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**TMMA Review**

This is an annual request for funding of an on-going program to replace unlined or inadequate water mains and deteriorated service connections, and to eliminate dead ends in water mains and includes funding for design/engineering and construction. Unlined water mains are subject to corrosion which results in restricted flow and degradation of drinking water quality. A program of systematic repair, replacement and upgrade has been underway for the past 4 decades.

Per the “Brown Book”, Section XI, page XI-28: “This is an annual program that replaces unlined, inadequate, aged and vulnerable water mains, deteriorated service connections and eliminates dead ends in the water mains. Currently, a model is being developed which will identify areas of vulnerability and those areas with low volumes and pressures. Upon completion this winter, the plan is expected to guide in future water system capital improvement planning and may result in an adjustment of the annual requests. Water main replacement has been completed on Mass Ave (from Pleasant Street to Marrett Road) and in the Prospect Hill area. Work is nearing completion at the Woburn Street intersection. The model will also help evaluate the town’s water break history and its relation to pipe type and age. Combined with the replacement of the remaining unlined water mains, the model will help create a long-term capital plan and ensure a proactive approach for keeping Lexington’s water both safe and reliable.”

This article is on the consent agenda.

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**ARTICLE 14 APPROPRIATE FOR WASTEWATER SYSTEM IMPROVEMENTS**

To see if the Town will vote to install 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 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, 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 Selectmen 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 Board of Selectmen)*

FUNDS REQUESTED: $1,800,000

DESCRIPTION: For a description of the proposed projects see Section XI: Capital Investment section of the FY2018 Town Manager's Preliminary Budget and Financing Plan dated January 9, 2017 found at <http://www.lexingtonma.gov/fy18capital>.

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**TMMA REVIEW**

This is an annual request for rehabilitation of sanitary sewer infrastructure. The requested $1,000,000 will be funded from the Wastewater fund retained earnings.

Per the “Brown Book”, Section XI, pg. XI-28: This is an annual program that provides for

rehabilitation of sanitary sewer infrastructure. Work will include replacement or repair of

deteriorated sewers, force mains and manholes in order to improve flow and reduce

inflow and infiltration into the system. Work was recently completed in sewer basin

areas encompassing the northeasterly area of Lexington. Possible future areas of

removal include the North Hancock Street area, Locust Street and Follen Road area, and

the Peacock Farm, Pleasant Street and Worthen Road east area. It is also anticipated

that the lining of the 24” sewer main leading from the Clarke Middle School area to the

Bowman School area will be re-lined due to a collapse in the line earlier this year that

resulted in an emergency repair. These capital investments improve the operation of

the sewer system, reduce backups and potential overflows, prevent system malfunctions

and reduce the measured flows through the MWRA meter.

This article is on the consent agenda.

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**ARTICLE 15 APPROPRIATE FOR SCHOOL CAPITAL PROJECTS**

**AND EQUIPMENT**

To see if the Town will vote to appropriate a sum of money to purchase additional equipment, furniture and systems for the schools, and to 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: $1,454,900

DESCRIPTION: For a description of the proposed projects see Section XI: Capital Investment section of the FY2018 Town Manager's Preliminary Budget and Financing Plan dated January 9, 2017 found at <http://www.lexingtonma.gov/fy18capital>.

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**TMMA REVIEW**

**1. School Furniture, Equipment & Systems Program - $123,000 (Free Cash):** The

School Department submits annual requests for replacement of classroom and office

furniture, such as tables, desks and storage cabinets, that have reached the end of their useful life. Enrollment is also projected to increase, triggering the need for additional furniture for staff and students. FY2018 program also requests 35 Whiteboards/Bulletin Boards for Clarke, Estabrook, and Diamond, replacement of one teacher refrigerator, Classroom FM Soundfield Systems, and furniture moving & disposal. An FM Soundfield system improves the audibility for students, especially for those with hearing problems.

**2. LPS Technology Capital Request - $1,331,900 (General Fund Debt):**

This is an annual request to support the continued use of computing and internet related technology as an instructional and administrative tool. This year it funds the following:

Tech Workstations (Desktops, Laptops, Mobile Devices) - $426,500 to replace aging and broken computers with up-to-date devices. Devices are selected for continued use over a five to six year life cycle.

Enrollment Increases - $23,500 will be used to fund the purchase of new iPads for the middle schools due to increased enrollment.

Mobile Tech Initiative in Elementary Schools - $142,000 will be used to purchase technology to comply with mandated online testing and the recent adoption of new state learning standards which have accelerated the need for more students in the district to have access to a digital learning device while at school. Outmoded teacher devices and desktop computers will be replaced with Chromebooks. iPads will be purchased for 7th and 8th grade students and for a larger 7th grade class expected in FY2018.

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An Initiative to Increase Student Access to Digital Devices in Lexington High School -

$165,400 is requested for LHS. The majority of the new devices will be Chromebooks, but MacBook’s and iPad Pros will be purchased for classes that require specialized software and iPad pros will be purchased for visual arts classes.

Makerspace/ Digital Fabrication Initiative - $33,000 is requested for Makerspace and

Digital Fabrication equipment, which will provide students with the opportunity for hands-on Science, Technology, Engineering, Arts, and Math learning, experiences aligned with newly adopted state standards. FY2018 funds will purchase five 3-D printers and Arduino programmable microcontrollers for three classrooms per school.

Interactive Projector/ Whiteboard Units - $120,000 is requested for the replacement of outdated interactive projection systems and the installation of ceiling projection systems. Many K-2 classrooms currently do not have interactive projection systems but many teachers want them in their classrooms.

Upgrade District and Building Network Infrastructure - $259,000 is requested for head end upgrades to the school network, AP upgrades, Switch/LAN upgrades to support new mobile initiatives and a wireless controller ICE for Lexington High School. The overall purpose of the head end is to provide security and to manage network traffic. The upgrades support state mandated online testing, rich media digital learning, and the growing use of digital devices by students, teachers and administrators.

Server/Storage Infrastructure - $30,000 is requested for servers for each school to support next generation MCAS testing and to provide increased server capacity for a growing tech infrastructure.

Power - $85,000 is requested to connect the existing data cabinets to the existing circuits currently located on the emergency generators to prevent the loss of phone access when power is out.

Independent Digital Learning Center Equipment - $47,500 is requested for equipment to support all Lexington High School students using the newly established Independent Digital Learning Center. It funds the purchase of 15 MacBook’s, 15 iPads, 60 Chromebooks and three carts.

**TMMA Question:**

**Question #1**: What is the strategy for cloud versus physical server use for the schools?

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

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

1. School Building Envelopes and Systems Program;
2. Lexington High School Air Conditioning – Teacher Planning Offices and Library;
3. Municipal Building Envelopes and Systems;
4. Facility and Site Improvements
   * Building Flooring Program;
   * School Paving Program;
   * School Traffic Safety Improvements;
5. Public Facilities Bid Documents;
6. Public Facilities Mechanical/Electrical System Replacements;
7. LHS Security Evaluation and Upgrade;
8. LHS Guidance Space Mining;
9. LHS Nurse Office and Treatment Space; and
10. Parking Lot for Community Center

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: 3,098,439

DESCRIPTION: For a description of the proposed projects see Section XI: Capital Investment section of the FY2018 Town Manager's Preliminary Budget and Financing Plan dated January 9, 2017 found at <http://www.lexingtonma.gov/fy18capital>.

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TMMA REVIEW

Sources include the FY2018 Recommended Budget & Financing Plan February 27, 2017 and Section XI: Capital Investment section of the FY2018 Town Manager’s Preliminary Budget and Financing Plan dated January 9, 2017 and found at http://www.lexingtonma.gov/fy18capital

**Department of Public Facilities Projects**

**A. School Building Envelopes and Systems Program – $222,200 (Free Cash):**

FY2018 funds will be used to perform annual prioritized extraordinary repairs and

modifications to school buildings and systems. Specifically, this request will be used to

repair water infiltration issues on the main façade of the main entrance columns at

Harrington Elementary School. This project seeks to prevent continued deterioration of

the building’s exterior and discomfort to the building’s occupants due to air and water

infiltration.

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**B. Lexington High School (LHS) Air Conditioning – Teacher Planning Offices and**

**Library – $600,000 (General Fund Debt):** 2016 Annual Town Meeting, Article 15C,

funded $500,000 to produce design development and construction documents to replace

HVAC equipment that has operated beyond its useful life and to improve the educational

environment of Lexington High School's main building. After completing design

development, the construction estimate increased from $12 million to over $18 million.

With a major project at LHS likely in the next five years, to be initiated by the submittal

of a Statement of Interest to the Massachusetts School Building Authority, the School

Committee has voted to defer the major HVAC Upgrade. As an interim measure, the

School Committee is requesting funding for teacher planning offices and the library.

Adding air-conditioning to these spaces will provide areas for staff and students to work

with temperature control. The last several years has seen an increase in temperatures

during the spring and fall of the school year. The funds requested provide for installation.

**C. Municipal Building Envelopes and Systems – $194,713 (Tax Levy):** This ongoing

capital request, originally approved for funding in the 2006 Proposition 2½ Override,

includes repair/replacement projects for the maintenance and upgrade of municipal

buildings and systems. The FY2018 request seeks $194,713 of funding to implement

extraordinary repairs to the foundation and original drainage system of the Town Office

Building. A portion of the FY2017 appropriation will be utilized to supplement the

project cost. The Town Office Building experiences ongoing water infiltration issues in

the basement level due to holes, voids and failed seals through the existing foundation

walls. Conditions are further exacerbated by oversaturated soil from storm water runoff

due to roof and site grading conditions. This project would secure the health of

occupants who utilize the basement area and repair ongoing foundation deterioration.

**D. Facility and Site Improvements: Building Flooring Program, School Paving Program and School Traffic Safety Improvements**

**Building Flooring Program – $150,000 (Free Cash):** Initiated in FY11, this is an

annual request for funds to be used for the replacement of flooring systems in municipal

and school buildings. The FY2018 request will be used for continuing replacements at

the Cary Memorial Library and Lexington High School, including the floor of the dance

classroom. The goal of this program is to ensure floor surfaces remain clean and safe

for all users.

**School Paving Program – $172,226 (Free Cash):** This capital request would

address pedestrian, bicycle and driver safety on school grounds by funding the

replacement of deteriorated paving at the Bridge Elementary School. Pot holes have

impacted driving and walking conditions, causing unsafe conditions for pedestrians,

drivers and plowing equipment. The project is planned for implementation during the

summer of 2018. Extraordinary repairs for school paving areas are necessary to

maintain parking and pedestrian surfaces in a condition suitable for public safety and

Safe Routes to School.

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**School Traffic Safety Improvements - $45,000 (Free Cash):** This request is part

of a multi-year program to improve traffic flows and traffic-related safety at Lexington’s

schools. The School Committee commissioned a Traffic Safety and Mitigation study of

school sites on February 26, 2014 which identified site specific traffic improvements.

Prior years’ funding has been directed to improvements at the Clarke Middle School, the

Bridge Elementary School and the Lexington High School. This FY2018 request is

seeking funding for design of improvements for traffic and pedestrian flows at the

Bowman Elementary and also for construction of site signage and lot marking to help

with traffic calming at LHS.

**E. Public Facilities Bid Documents - $159,459 ($100,000 Free Cash, and $59,459**

**unused bond proceeds of prior years’ capital projects):** This is an annual request

for funding of professional services to produce design development, construction

documents and/or bid administration services for smaller school projects in anticipation

of requests for construction funding at town meeting that have a high probability of

approval. This will ensure that the projects can be completed in the then-current

construction season, which is particularly important for the timely completion of such

projects given the short window between the end of school in June and the beginning of

school the following August.

**F. Public Facilities Mechanical/Electrical System Replacements – $489,000 (Free**

**Cash):** This FY2018 request is part of an annual replacement of HVAC and electrical

systems that have exceeded their useful life and require replacement before excessive

failures occur. The bulk of the FY2018 appropriation would be used to replace the

chiller at the Cary Memorial Library; funds would also be spent to develop a plan for the

replacement of geothermal well pumps at both Fiske and Harrington Elementary

Schools. The existing chiller at the Cary Memorial Library has a higher rate of

component and structural failures that have been linked to manufacturing and

installation issues. Replacement of the chiller will ensure uninterrupted library

operations and prevent temporary cooling measures which come at a considerable cost.

**G. Lexington High School (LHS) Security Evaluation & Upgrade – $150,000 (Free**

**Cash):** At the 2016 Annual Town Meeting $25,000 was appropriated for a security

evaluation of the Lexington High School. The evaluation assessed the current security

systems, including the closed circuit television system (CCTV) and the feasibility to

upgrade/install electronic door access controls. Funding of this proposed project would

improve the reliability and functionality of the security cameras system by upgrading

from digital video recorders placed throughout the schools to a server based system in

the server room and add 30 cameras for more complete coverage.

**H. Lexington High School (LHS) Guidance Space Mining – $230,200 (General**

**Fund Debt):** The 2016 Annual Town Meeting appropriated funds for the design and

engineering portion of the proposed project, which seeks to make more efficient use of

existing guidance space at the high school by mining the existing counselor suites in the

Math Building and the World Language Building. The high school has an existing

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student support model that clusters each Dean/Counselor team in a specific location on

campus. The cluster model provides a ‘home base’ for students and student teams,

organized by homeroom location. Construction documents were developed with the

FY2017 appropriation and this FY2018 request is for the construction phase of the

project. The goal of the project is to create a calming, private space for counselors to

meet with students and maintain the student support cluster model by keeping Deans

and student counselors in proximity to one another. The construction phase of the

project is expected to go out for bid in spring 2017 with construction completed during

the summer of 2017.

**I. Lexington High School (LHS) Nurse Office and Treatment Space – $320,100**

**(General Fund Debt):** An appropriation made by the 2016 Annual Town Meeting

funded construction documents for the expansion and reconfiguration of the existing

high school Health Office space. If approved, the FY2018 appropriation would fund the

construction phase of the project. Higher enrollment and special programming have

caused student health care needs to increase and the current facility lacks the capability

to meet such demand. The expanded space would be able to accommodate more

treatment/rest beds and provide more confidential examination spaces. It’s expected

that the project would go out for bid in spring 2017 with construction completed by the

start of the 2017-2018 school year.

**J. Parking Lot for Community Center – $425,000 (Free Cash):** When the Town

purchased the Community Center property in 2013, most of the parking lot area was

retained by the Scottish Rite with the Town obtaining an easement to use those lots

when not in use by patrons of Scottish Rite programs. Shortly after the Community

Center purchase, the Scottish Rite expanded the parking lot area between the existing

lot and the Town’s lot adjacent to the front of the Community Center. The new lot is

regularly used by Community Center patrons even though it is not owned by the Town.

The Scottish Rite has indicated that they rarely have a need to use the new lot and have

offered to sell it to the Town for $400,000, an amount that covers the construction cost.

Additional funds of $25,000 are requested for legal costs, survey work and other

administrative expenses that may be required. The purchase of the parking lot would

expand parking for the Community Center to accommodate increasing demand as

programs expand. Ownership would also permit the Town to identify the lot as part of

the Community Center property, eliminating uncertainties about whether parking is

allowed for Community Center patronage.

**TMMA Questions:**

**Question 1:** Given the approximately $14 million of free cash that is to be used to fund many

of the capital projects resulted from overestimation of the project costs in the past,

is the town using significant overestimates of project costs in its capital planning

and could more of the specified free cash be used to reduce other borrowing?

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**Question 2:** Given the plans for a debt exclusion override during the Fall of 2017, are any of

these projects of lesser importance than those included in the $100 million

override such that debt service expenses could be reduced?

**ARTICLE 17 APPROPRIATE FOR HASTINGS SCHOOL REPLACEMENT DESIGN**

To see if the Town will vote to appropriate, borrow or transfer from available funds, any amount of money, to be expended under the direction of the Permanent Building Committee, for the costs for the Design Development phase of the detailed design relating to the Marie Hastings Elementary School located at 7 Crosby Road, in Lexington, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the Design Development phase in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen at the request of the School Committee)*

FUNDS REQUESTED: $720,000

DESCRIPTION: This funding will allow the design work for the Hastings School project to continue through the design development stage. While the appropriation is for $720,000, a partial reimbursement from the Massachusetts School Building Authority (MSBA) will bring the Town’s costs closer to $540,000. It is anticipated that financing for the completion of design work and construction will be requested at a Fall 2017 Special Town Meeting.

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**TMMA REVIEW**

The Massachusetts School Building Authority (MSBA) approved inviting Lexington to participate in a feasibility study for the new Hastings Elementary School project. The MSBA will fund a minimum of 3% of the cost, which means that in order to maximize the state funding, we need to stay within the range of approved program elements the MSBA will fund. The MSBA funded roughly 30% of Estabrook.

The current projected cost for the new Hastings Elementary School is $60 million, prior to MSBA reimbursement.

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**What happens if the requested funds are not appropriated for the feasibility study?**

Lexington Public Schools must notify the MSBA within 10 days of the failed vote, present the vote result, their understanding of how the vote failed and a plan to obtain a successful vote with a timeline. The MSBA also notes in such an event that, *“a failed local vote likely will result in the school district being required to submit a new Statement of Interest to the MSBA and await an invitation from the MSBA to enter the Eligibility Period phase of the MSBA’s process.”*

**What is a feasibility study?**

According to the MSBA documentation, it is:

**“Feasibility Study**: Upon successful conclusion of procurement of Owner's Project Management (“OPM”) and Designer services a Kick-Off meeting is held to begin collaboration with the MSBA to document their educational program, generate an initial space summary, document existing conditions, establish design parameters, develop and evaluate alternatives, and recommend the most cost effective and educationally appropriate preferred solution to the MSBA Board of Directors for its consideration. During this phase, the Owner's Project Manager will submit on behalf of the District and its Designer a Preliminary Design Program and a Preferred Schematic Report. Approval by the MSBA Board of Directors is required for all projects to proceed into schematic design. “

A laborious guide to the MSBA feasibility study may be found at <http://bit.ly/1QxENXG> .

**What is an SOI?**

It is the Statement of Interest to the MSBA which details the need for support of the project. The March 2015 SOI for Hastings may be read at <http://bit.ly/1SOCrHr> .

**What happens after the study is completed?**

Once the feasibility study has been completed, the MSBA Board of Directors must approve the project design before it may advance into the schematic design stage.

**Will the MSBA process delay the completion of the new Hastings?**

Yes, by approximately one year to September 2019.

**Who does the feasibility study?**

The Permanent Building Committee, the Owner’s Project Manager (OPM), others may be involved as well.

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**Is this really necessary?**

Yes, it’s required by the MSBA as part of the funding process: “To qualify for any funding from the MSBA, local communities must follow the MSBA’s statute and regulations, which require MSBA collaboration and approval at each step of the process.

**What happens to the funds appropriated in December for continuing design for Hastings Elementary if the MSBA didn’t invite Lexington into the program this year? (See** [**http://bit.ly/1N3iyre**](http://bit.ly/1N3iyre) **for the 2015 STM #1 article)**

The $520,000 of appropriated funds for Hastings design *may* be rescinded, but it may not be if the cost of the modulars is higher than anticipated and those funds could be used towards that expense due to the broad scope of the article in which the funds were appropriated.

**ARTICLE 18 APPROPRIATE FOR VISITORS CENTER**

**(Citizen Article)**

To see if the Town will vote to raise and appropriate a sum of money for planning, constructing, originally equipping and furnishing a new Visitors Center, or for planning, remodeling, reconstructing and making extraordinary repairs to the existing Visitors Center, and for the payment of all other costs incidental and related thereto; 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 thereof.

*(Inserted by Dawn McKenna and 9 or more registered voters)*

FUNDS REQUESTED: Unknown at press time.

DESCRIPTION: The Visitors Center was built over 50 years ago for the Battle of Lexington Bicentennial visitors. It is the information gateway for tourists, residents, newcomers, and corporations considering locating in Lexington. Last year 120,000 people entered the building, making it one of the most heavily used buildings in Lexington; they spent $190,000 in the shop underwriting the cost of operations. Lexington collects $1.4 million in annual hotel and meals taxes. The building has become outdated and is not fully accessible. When originally built, it was staffed by the Chamber of Commerce. Today the Town occupies, manages and staffs the Visitors Center; it has become the hub of the Liberty Ride. Many who use the Minuteman Commuter Bikeway benefit from the facility as well. As we approach the 250th Anniversary of the Battle of Lexington, and implement the Battle Green Masterplan, this article would fund the design and construction of a 21st century Visitors Center providing new economic growth opportunities.

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TMMA REVIEW

Discussion about the need to expand the Visitors Center has been ongoing for the past few years. The current configuration does not allow all the visitors from a tour bus to fit into the first floor. Visitor statistics and economic impact analysis are provided as further justification for the expansion. The upcoming 2020 Plymouth 400th anniversary and the 2925 250th anniversary of the Battle of Lexington are given as the need to move forward with a project. The anticipated cost of schematic design services is $153,000. With remaining funding from prior appropriations being $131,000, another $21,000 is needed for completion of a schematic design.

**TMMA Question:**

**Questions 1** To date, what conceptual designs have been considered and what are the related cost?

**ARTICLE 19 APPROPRIATE FOR ADVICE AND ANALYSIS –**

**GETTING TO NET ZERO**

To see if the Town will vote to raise and appropriate a sum of money necessary to hire consultants to provide advice and analysis to the Getting to Net Zero Task Force and Town staff, determine whether the money shall be provided by the tax levy, by transfer from available funds or by any combination of these methods, or to act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen at the request of the Sustainable Lexington Committee)*

FUNDS REQUESTED: $40,000

DESCRIPTION: The Getting to Net Zero Task Force is exploring the possibility of reducing our buildings’ emissions to net zero over the next 25 to 35 years. Lexington’s buildings are currently responsible for 66% of Lexington’s greenhouse gas emissions. The task force is composed of a broad range of stakeholders including local businesses, commercial and residential property owners, subject matter experts, Town staff, and appropriate Town committee members. The task force, with the assistance of consultants will develop strategies, plans and recommendations to achieve an annual balance of zero greenhouse gas emissions from building operations for approval by the Town.

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TMMA REVIEW

"Net Zero” refers to buildings, and other infrastructure that are either not producing any greenhouse gas emissions, or that produce enough extra clean, emissions free energy for use elsewhere to compensate for all the greenhouse gasses that they do emit. There is considerable scientific consensus that manmade greenhouse gas emissions are a cause of global warming which, if unchecked, will cause many adverse environmental effects, including sea level rise and costal flooding, extremely damaging weather, droughts, changes to agricultural crop productivity, extinction of various animal and plant species, as well as direct effects of heat on populations. Displacement of populations, resulting from adverse weather effects are likely to cause significant social and economic challenges, even for those in communities not directly affected. Coastal parts of Massachusetts, and other states, are already experiencing increased tidal flooding. Lexington Town Meeting endorsed actions to support environmental sustainability, including article 44 at the 2015 ATM, and Article 16 of the 2016 Annual Town Meeting, which appropriated $40,000 for phase one of this process. The Sustainable Lexington Committee requests this funding to continue with phase 2 of making local progress toward a sustainable environment.

References:

*The Getting to Net Zero Framework* Prepared for the Cambridge Getting to Net Zero Task Force --April 29, 2015<https://www.cambridgema.gov/cdd/projects/climate/~/media/d74193af8dac4a57ac96e2a53946b96b.ashx>

**ARTICLE 20 ACCEPT HARBELL STREET**

To see if the Town will vote to establish as a Town way and accept the layout of as a Town way Harbell Street from Paul Revere Road a distance of 645 feet, more or less, to end of Harbell Street, as laid out by the Selectmen and to take by eminent domain, purchase or otherwise acquire any fee, easement, or other interest in land necessary therefor; and raise and appropriate money for the construction of said street and for land acquisition; determine whether the money shall be provided in 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 Board of Selectmen)*

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FUNDS REQUESTED:  $147,000

DESCRIPTION:  This article has been requested by residents of Harbell Street to have the street brought up to Town standards and accepted by the Town. The total cost of bringing the street up to Town standards will be borne by the residents through the assessment of betterments.

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TMMA REVIEW

Acceptance is the formal process by which a private street (owned by the abutters) becomes a public street. After the street is accepted, the Town takes responsibility for all future upkeep of the street. Since this street does not meet all current Town standards, the requested $147,000 is the projected cost of bringing the street up to current standards. The cost will be assessed to the abutters as betterments. The Town acquires the land the road occupies, so when the road needs repair or reconstruction after a number of years, those costs will be part of the regular road budget.

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**ARTICLE 21 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 Board of Selectmen)*

FUNDS REQUESTED: $1,842,895

DESCRIPTION: This article will allow the Town to continue to fund its unfunded liability for post-employment benefits for Town of Lexington retirees. Beginning with the FY2007 audit, the Town was 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.

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**TMMA REVIEW**

The funds to be appropriated are $1,829,721 from the general fund, $9,089 from the Water Enterprise Fund, and $4,085 from the Sewer Enterprise Fund.

At retirement, Lexington employees are eligible for health insurance and pension benefits. This article applies only to the health insurance component of benefits, referred to as Other Post Employment Benefits (OPEB) to distinguish them from pension benefits. The obligation to pay these benefits imposes a future liability on the Town. The Town routinely assesses the size of this liability using an actuarial analysis. These large dollar amounts represent the sum of many years of benefits to be paid to many current and future retirees.

Appropriation to the Town’s Post Employment Insurance Liability Fund (PEIL) started with Article 22 of the 2008 Annual Town Meeting. The 2012 Fall Special Town meeting did not vote to appropriate the additional funds requested then, but later requests during subsequent Town Meetings have all passed including the most recent appropriation of $1,512,318 at the 2016 Annual Town Meeting for FY 2017.

The Town receives reimbursements from the Federal Government to cover costs of the prescription drug insurance that would otherwise be covered under Medicare Part D. This Town reimbursement will be used to partially fund this request.

The balance in the PEIL Fund as of 12/31/16 was $9,308,872. As of the date of the last actuarial study, the total liability was approximately $195,000,000 and the unfunded liability was approximately $189,700,000. The estimated unfunded liability fluctuates from year to year, as

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expected rates of return on the invested balance in the PEIL vary, and the numbers of retirees, current employees and health care costs change with time.

This estimate used a blended “discount rate” of 5%, which assumes the Town may *never* fully fund the PEIL Trust Fund. The determination of discount rate has a major impact on the size of the estimated liability, and on the size of the appropriation recommended to achieve full funding.

By state law all Massachusetts municipalities are required to fully fund pension liabilities by the year 2040 following a schedule determined by the Public Employee Retirement Commission (PERC). There is, as yet, no legal mandate to pre-fund the liability for retiree health insurance benefits. However, as of FY2008, the Government Accounting Standards Board (GASB) began requiring municipalities to report the size of their unfunded OPEB liability as a long-term liability in the Town’s annual financial statements. The primary issue posed by this article is how much money to dedicate to this fund, considering the available sources of funding and the Town’s priorities for other uses of the money. Changes to the GASB requirements last year were that an estimate of the $6.5 million liability for the Affordable Health Care Act’s “Cadillac Tax” must be included while the previous valuation did not include that.

Currently, the Town covers the full cost of current retiree health benefits within its annual operating budget. The Town has a long-term goal of funding the PEIL Trust Fund, thus lowering or eliminating the use of the operating budget to pay OPEB costs once the PEIL Trust Fund achieves significant investment earnings. Achieving that goal will require annual appropriations to the PEIL Trust Fund that cover the “normal cost” (the amount of future liability generated during the current fiscal year), and ideally an additional amount above the “normal cost” to reduce the accumulated liability from past years when no appropriations were made. The amount of the recommended annual appropriation depends on the target date adopted for achieving full funding, the actuarial assumptions used to estimate the size of the future liability (including retiree longevity and the investment discount rate), the anticipated cost of health care in the future, and the number of Town employees eligible for OPEB.

For a more detailed discussion, including the funding policy for the PEIL Trust Fund formally adopted by the Board of Selectmen in 2014, please see “Appendix F: Other Post Employment Benefits” in the *Appropriation Committee Report to the March 2016 Annual Town Meeting*. The 2017 Appropriation Committee Report was not yet available at the time this summary was prepared, but the Appropriation Committee has historically approved this policy.

Also see <http://www.gasb.org/project_pages/opeb_summary.pdf>

**TMMA Questions:**

**Question #1:** How is the decision made to use the blended “discount rate” of 5% for the estimate of unfunded liability? How does it compare to neighboring Towns?

**Question #2:** Does the requested $1,842,895 appropriation follow the schedule determined by the PERC? How many years does it take to achieve full funding?

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**ARTICLE 22 APPROPRIATE BONDS AND NOTES PREMIUMS TO PAY PROJECT COSTS**

To see if the Town will vote to (i) appropriate the premium paid to the Town upon the sale of bonds issued on February 13, 2017 and notes issued on February 13, 2017 to pay costs of capital projects and to reduce the amounts borrowed for such projects (if any) by the same amount, and (ii) supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied: or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen)*

DESCRIPTION: Passage of this article would permit premiums received upon the sale of bonds or notes issued to finance projects to be appropriated to pay for project costs, subject to guidelines promulgated by the Massachusetts Department of Revenue. Such appropriations would be for the purpose of supplanting, not supplementing, bond financing of the project in question.

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TMMA REVIEW

TMMA Summary (as of 03/11/17)

Based on Town Meeting approving Special Town Meeting 2017-1, Article 5, this article will be indefinitely postponed (IPed) on the consent agenda.

**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 that is no longer required for its intended purpose.

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**TMMA REVIEW**

TMMA Summary (as of 3/11/17)

This article is an annual place-holder asking Town Meeting to rescind unused debt authorized in prior years. There are 4 projects to be rescinded this year. These are:

Year Art. Project Appropriation Borrowed Rescind

2013 14l Print Shop Renovation $312,000 $273,930 $38,070

2015 16a School Furniture & Equip. 117,500 89,000 28,500

2015 18f High School Heating Syst. Design 150,000 142,500 7,500

2016 15c High School Heating Syst. Upgrade 500,000 258,000 242,000

Total $316,070

This article is on the consent agenda.

**ARTICLE 24 ESTABLISH AND APPROPRIATE TO AND FROM**

**SPECIFIED STABILIZATION FUNDS**

To see if the Town will vote to create, amend, rename and/or 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/Public Transportation, (d) School Bus Transportation; (e) Special Education, (f) Center Improvement District; (g) Debt Service, (h)Transportation Management Overlay District, (i) Capital; (j) Payment in Lieu of Parking; and (k) Avalon Bay School Enrollment Mitigation 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)*

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FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article proposes to establish 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.

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**TMMA REVIEW**

At the 2007 Annual Town Meeting, various stabilization funds were created as repositories for money to be reserved for later use as appropriated at subsequent Town Meetings. 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. The Debt Service Stabilization Fund is covered under Article 26 and is not listed below. In 2008 Town Meeting approved a new fund for Special Education.

At the 2012 Annual Town Meeting, two new Funds were created. The Transportation Management Overlay District Fund will collect fees specified under the new zoning regulations. The Avalon Bay School Enrollment Mitigation Fund collects money per the agreement with the developer. That agreement specifies that if actual school enrollment exceeds those projected at the time of the negotiation with the Town, payments are required up to a maximum of $700,000. The fund has been depleted.

The 2012 Fall Special Town Meeting approved creation of the Capital Projects / Debt Service Reserve / Building Renewal Stabilization Fund now known as the Debt Service Stabilization Fund. The Town is planning for a number of significant future capital projects over the next few years potentially including schools, a new fire station, police station, Center Streetscape improvements, Hartwell Avenue infrastructure improvements, expanded Visitor’s Center and Community Center expansion.

For FY 2018 it is recommended that under this article, the Town appropriate $7,690,398 to the Capital Stabilization Fund to be used to partially fund these future projects or to mitigate the debt service resulting from their debt financing. It is also recommended that $24,527 be appropriated to the Transportation Demand Stabilization Fund from the Transportation Demand Management Special Revenue Fund. When an entity makes payment to the Town, it is deposited to the Revenue Fund, Town Meeting approval is needed to transfer the funds to the stabilization fund.

A new Payment in Lieu of Parking Stabilization Fund (PILOP) is proposed under this article. When a business expands, it’s necessary to either supply additional parking for the added employees or pay into the fund.

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**TMMA Question**

**Question #1:** What are the current balances of the individual stabilization funds?

**Answer #1:** Transportation Demand Management (TDM): $213,181

School Bus Transportation: 18

Traffic Mitigation Stabilization Fund: 118,068

Special Education: 1,082,274

Center Improvement District: 87,202

Transportation Management Overlay District Fund: 98,205

Avalon Bay School Enrollment Mitigation Fund: 45

Capital Stabilization Fund: 23,083,108

(Balances as of 12/31/16)

**ARTICLE 25 APPROPRIATE TO 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: unknown at press time

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

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TMMA REVIEW

This article is an annual place-holder. It is anticipated that this article will be indefinitely postponed (IPed) on the consent agenda.

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**ARTICLE 26 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 FY2018 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 Board of Selectmen)*

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.

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TMMA REVIEW

TMMA Overview (as of 03/11/17)

The Debt Service Stabilization Fund was established by the 2009 Town Meeting on the advice of bond counsel to comply with Department of Revenue (DOR) regulations related to excess school building reimbursements from the State to the Town. Municipal bonds are tax-exempt and thus pay lower interest rates. Theoretically, the town could borrow money via municipal bonds and then invest the money to obtain a higher return but this form of arbitrage is prohibited by DOR.

When the Massachusetts School Building Authority was established, it modified the way the State pays towns for new or renovated school buildings, resulting in towns getting reimbursed more quickly. The Town thus received money in excess of that necessary to make payments on short-term debt incurred by the project. The excess money was put into the Stabilization Fund with the principal and interest thereon used to reimburse payments made on long-term debt. Article 23 appropriates the same sum of money this year from the Fund as was requested and appropriated last year to offset payments on the long-term debt accrued for building construction, renovations and other major capital expenditures. It is anticipated that the Debt Service Stabilization Fund will be exhausted by 2023.

This article is on the consent agenda.

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**ARTICLE 27 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.

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**TMMA REVIEW**

It is anticipated this article will be indefinitely postponed since nothing is known at the time of printing.

**ARTICLE 28 AMEND FY2017 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 4, 5 and 8 of the warrant for the 2016 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 transfer from available funds including Community Preservation Fund; 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 (FY2017) appropriations.

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TMMA REVIEW

At the 2007 Annual Town Meeting, various stabilization funds were created as repositories for money to be reserved for later use as appropriated at subsequent Town Meetings. 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. The Debt Service Stabilization Fund is covered under Article 26 and is not listed below. In 2008 Town Meeting approved a new fund for Special Education.

At the 2012 Annual Town Meeting, two new Funds were created. The Transportation Management Overlay District Fund will collect fees specified under the new zoning regulations. The Avalon Bay School Enrollment Mitigation Fund collects money per the agreement with the developer. That agreement specifies that if actual school enrollment exceeds those projected at the time of the negotiation with the Town, payments are required up to a maximum of $700,000.

The 2012 Fall Special Town Meeting approved creation of the Capital Projects / Debt Service Reserve / Building Renewal Stabilization Fund now known as the Capital Stabilization Fund. The Town is planning for a number of significant future capital projects over the next three to five years potentially including schools, a new fire station, police station, Center Streetscape improvements, Hartwell Avenue infrastructure improvements, expanded Visitor’s Center and Community Center expansion.

Appropriations to and from the Specified Stabilization Funds are not known at print time.

**TMMA Question**

**Question #1:** What are the current balances of the individual stabilization funds?

**Answer #1:** Transportation Demand Management (TDM): $213,181

School Bus Transportation: 18

Traffic Mitigation Stabilization Fund: 118,068

Special Education: 1,082,274

Center Improvement District: 87,202

Transportation Management Overlay District Fund: 98,205

Avalon Bay School Enrollment Mitigation Fund: 45

Capital Stabilization Fund: 23,083,108

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**ARTICLE 29 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 Board of Selectmen)*

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.

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**TMMA REVIEW**

TMMA Summary (as of 3/11/17)

This article is an annual place-holder should a project approved by a prior year’s Town Meeting need supplemental funding. No appropriation is known at press time.

**ARTICLE 30 ADJUST RETIREMENT COLA BASE FOR RETIREES**

To see if the Town will vote to raise the base amount upon which cost of living adjustments are calculated for retirees from $13,000 to $14,000 as authorized by Section 103(j) of Chapter 32 of the Massachusetts General Laws, or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen at the Request of the Retirement Board)*

DESCRIPTION: This article requests town meeting to approve the acceptance by the Retirement Board of a $1,000 increase in the maximum base amount upon which a retiree’s cost-of-living adjustment is calculated.

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TMMA REVIEW

This article requests town meeting to approve the acceptance by the Retirement Board of an

increase from $13,000 to $14,000 in the maximum base amount upon which a retiree’s pension

cost-of- living adjustment (“COLA”) is calculated.

Retirees currently receive a cost-of-living adjustment on the first $13,000 in pension. This article proposes to change the base amount to the first $14,000 in pension. State law requires increases in increments of $1,000.

For pensioners making less than $13,000/year, there is no effect of this change, as their COLA would be multiplied by the amount of their pension.

For pensioners at levels above $14,000/year, the effect of this change is to increase their effective COLA base by $1,000/year. The Lexington Retirement Board has set the COLA rate at 3% in recent years, so if this practice continued this $1,000/year base increase would translate into $30/year for affected individuals.

Once passed, this increase cannot be retracted.

Passing this bill is expected to increase cash outlays in certain years (see the appropriations report), and also increase the total pension obligation for Lexington.

COLA Rates for Neighboring and Peer Communities (year effective in parentheses)

Arlington: $15,000 (2014)

Brookline: $13,000 (2013)

Lexington: $13,000 (2016)

Waltham: $14,000 (2012)

Wellesley: $15,000 (2015)

Bedford, Belmont, Burlington, Concord, Newton, Winchester, Woburn are not listed as having voted increases from the initial $12,000.

Above information retrieved from <http://www.mass.gov/perac/board-info/boardopt-17.html#L>.

**TMMA Questions:**

**Question #1:** Please review which retirees are impacted v. unimpacted by the proposed change.

(Teachers v. non-teachers, and the # of retirees above the $13,000 threshold.)

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**Question #2:** If approved, the appropriations committee points out a significant cash

impact in FY2024. Please explain why this occurs and how it is related to this

article. (Relatedly, why is there zero cash impact in the next few years?)

**Question #3:** If passed, does this article take away from the collective bargaining process a tool

available to the Selectmen?

**Question #4:** The Lexington Retirement Board has provided retirees a COLA of 3% even when

the CPI is below 3%. Would passing this article change that practice?

**Questions #5:** What advantage is obtained to Lexington by offering a higher base than peer

communities?

**ARTICLE 31 Resolution To Reduce The Influence Of Money In**

**Politics (Citizen Article)**

To see if the town will vote to pass a resolution declaring that:

Whereas, the current and increasing role of money in politics threatens the democratic ideals upon which our republic was founded; and

Whereas, the Town holds an important position in the historical development of this republic; and,

Whereas, it is incumbent upon the heirs of this history to speak out when the republic is threatened by the accelerated advance of oligarchy – in place of government of the people, by the people and for the people;

Now therefore, be it resolved it is the position of the Town of Lexington, Massachusetts, that in order to ensure that our elected officials represent all citizens, tough new anti-corruption laws must be passed by Congress and the Massachusetts General Court, including legislation to prohibit politicians from taking campaign money from industries they regulate; put limits on unregulated SuperPACs and other groups; increase transparency for campaign funding; stop elected representatives and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; empower all voters through a $100 or more tax rebate to contribute to the candidates they support; and strengthen agencies and ethics committees to enforce the rules against politicians and special interests that break campaign finance law.

*(Inserted by Dan Alden and 9 or more registered voters)*

DESCRIPTION: The purpose of this resolution is to help fix our broken political system by supporting tough new state and federal anti-corruption legislation. The purpose of the legislation is to remove temptations which could cause our elected officials to represent a minority of wealthy interests over the interests of the majority of citizens. The resolution does not call for the passage of legislation which has been drafted in detail at this time. However, it recognizes that we have a serious problem and that it needs to be addressed by the type of legislation listed.

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**TMMA REVIEW**

The resolution proposed under the article has two sections. First, it recognizes the problem of money in politics, then garners support for legislation to address the problem through implementation of lobbying and conflict of interest laws. The legislation will define what campaign contributions are allowed and what aren’t as well as put limits on super PACs. The article is part of a national effort to impact money in politics, similar resolutions are being offered in other Massachusetts towns.

**TMMA Question**

**Question 1** When is the legislation anticipated?

**ARTICLE 32 ESTABLISH CANNABIS COMMITTEE (Citizen Article)**

To see if the Town will vote to establish a Cannabis Committee; or act in any other manner in relation thereto.

*(Inserted by Ethan Handwerker and 9 or more registered voters)*

DESCRIPTION: The Committee shall make recommendations to the Board of Selectmen about any changes to be made to any aspect of medical or adult-use of cannabis regulation that could further benefit the community.

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TMMA REVIEW

With proposing the establishment of a Cannabis Committee, the article sponsor has defined the make-up of the committee, meeting frequency, process and the topics to be covered. It is intended that “The Committee shall make regular reports to the Board of Selectmen (the `Board') that include an evaluation of existing and proposed state and local rules and regulations…” and will propose goals for implementation based on State regulations . At print time, no Board had taken a position on the article.

**TMMA Question**

**Question 1:** Does it make sense to appoint a Cannabis Committee before the State has

promulgated regulations?

72

**ARTICLE 33 AMEND GENERAL BYLAWS – SCENIC ROADS**

To see if the Town will vote to designate certain public roads as scenic roads in accordance with M.G.L. c. 40, § 15C, commonly referred to as the Scenic Roads Act, and amend Section 1-6 of the General Bylaws to provide for a fine for violations of the act, or act in any other manner in relation thereto.

*(Inserted at the request of the Planning Board)*

DESCRIPTION: The purpose of adopting this law is to provide the community, through the Planning Board, an opportunity to review the repair, maintenance, reconstruction, or paving work done with respect to scenic roads, including work that involves the destruction of stone walls incidental to roadwork on accepted town roads that have been designated scenic roads. The Board intends to draft regulations after Town Meeting giving guidance to applicants, should Town Meeting approve this article.

Scenic road designation does not give the Planning Board authority over tree work, which remains with the Tree Warden. However, the law does require that projects affecting both stone walls and public shade trees on scenic roads must combine the public hearing required by both statutes.

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TMMA REVIEW

The Board intends to draft regulations after Town Meeting giving guidance to applicants, should Town Meeting approve this article. Scenic road designation does not give the Planning Board authority over tree work, which remains with the Tree Warden. However, the law does require that projects affecting both stone walls and public shade trees on scenic roads must combine the public hearing required by both statutes.

M.G.L. c. 40, § 15C states in part

“*After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, … after a public hearing duly advertised … , however, that when a public hearing must be held under the provisions of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board …. Any city or town making said scenic road designation may make an ordinance or by-law establishing that a violation of this paragraph shall be punished by a fine not to exceed three hundred dollars.*”

Roads to be designated as Scenic Roads in Lexington,

Fern Street (entire length)

Shade Street (entire length)

Vine Street (entire length)

73

**TMMA Questions:**

**Question #1:** How does this bylaw affect me as a home owner on a street that has been designated as a “Scenic Road”? and what restrictions are placed on me if I should want to remove a tree in front of my house?

**Answer:** If it is on private property, there is no effect. If it is the public right-of-way, the only change occurs if the removal also requires destruction/removal of a portion of a wall; in that case, the only change is that the already-required tree hearing would be combined with the request to remove a portion of the wall, and there are no additional requirements for tree removal.

**Question #2:** The Warrant article notes “The Board intends to draft regulations after Town Meeting giving guidance to applicants, should Town Meeting approve this article.” How will the Board involve residents of the designated street in drafting these regulations?

**Answer:** Regulations will be formulated at public Planning Board meetings, and the property owners on the designated roads will be invited to participate.

**Question #3**: Some Towns have regulations included in the bylaw that regulates what occurs on adjacent private property including landscape plan to do anything with their property. Does this bylaw before Town Meeting enable restricting anything on private property?

**Answer:** No. Some towns have added separate Town Meeting approved bylaws or districts that protect viewscapes adjacent to scenic roads. Article 33 does not allow the Planning Board to restrict anything on private property, it only allows Planning Board review on walls within the right-of-way.

**Question #4:** Does this bylaw constrain only private work on roads, or does it also affect Town repair, maintenance, reconstruction or paving?

**Answer:**  Both

**Question #5:** By what process will specific roads be designated as scenic in the future?

**Answer:** If Town Meeting accepts the State statute, only Town Meeting can designate additional roads. Like any General Bylaw, 10 or more citizens, the Planning Board, or other entities may seek designation of additional roads for Town Meeting approval.

**Question #6:** Does the Planning Board expect to issue guidelines so that citizens will understand how roads can/will be designated as “scenic”?

**Answer:** That is expected to be included as part of the Regulations.

74

**ARTICLE 34 AMEND GENERAL BYLAWS – BLASTING PROHIBITION**

To see if the Town will vote to amend the Town code to prohibit the use of explosives in construction site work, with exceptions granted by the Board of Selectmen for municipal utility work and other municipal projects.

*(Inserted at the request of the Planning Board)*

DESCRIPTION**:** The use of explosives to remove ledge and facilitate the significant change of grade in landscape construction significantly alters the characteristic New England topography of the Town and may impact subsurface geomorphology and drainage patterns. The use of explosives, commonly referred to as “blasting,” creates vibrations that can impact the foundations and structural integrity of buildings as well as impact technical devices, including laboratory research. The soil and vegetative cover in blast sites is removed, impacting local ecological systems and surface drainage. The explosions and subsequent removal of blasted stone creates a factory-like conditions for abutters with the impact of dust, noise (including “sound warnings,” or sirens and trucking), and vibrations of the explosions and heavy machinery.

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**TMMA REVIEW**

This article will prohibit all use of explosives for construction anywhere in Lexington, except where authorized by the Town for municipal purposes.

Currently the use of blasting in excavation is covered by portions of the Massachusetts General Laws, the Code of Lexington, and by regulations and conditions on permits issued by the Town for excavations. Under MGL Part I, TitleXX Chapter 148, Section 20C, “Any person engaged in a blasting operation shall be liable for direct damages to the person or property of another without proof of negligence.”

Chapter 43 of the Code of Lexington currently regulates Earth Fill and Removal and requires a permit if the amount of material to be removed exceeds 25 cubic yards.

The Code of Lexington in § 181-25 Protection of adjoining property states, “A. The permittee shall at all times and at his own expense preserve and protect from injury any adjoining property by providing proper foundations and by taking such other precautions as may be necessary for the purpose. The permittee shall, at his own expense, shore up and protect buildings (note: all protective work carried out or deemed necessary affecting buildings must be approved by the Building Commissioner), trees, walls, fences or other property likely to be damaged during the progress of the excavation work and shall be responsible for all damage to public or private property or highways resulting from its failure properly to protect and carry out said work.”

Town regulations and policies for permits currently require notice to abutters and monitoring of the impacts on the abutters within a 500-ft. radius of any permitted blasting operations.

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**TMMA Questions**

**Question #1:** Will this affect the ability of utility companies to install underground electrical, communications, or gas services in areas with ledge under new or accepted roads, and to connect the services to resident’s properties, which may be on or beyond subterranean ledge?

**Question #2:** What will be regulated, or allowed by right, under this proposed amendment, if the volume to be removed is less than 25 cubic yards of ledge?

**Question #3:** How does this regulate the use of explosives on a location that is not a “Construction Site?”

**Question #4:** What is meant by “construction site work”?

**Question #5:** Has or will the Board of Selectmen issue any guidelines that specify under what conditions the Board will make exceptions to waive the blasting prohibition?

**ARTICLE 35 AMEND GENERAL BYLAWS – NCD TECHNICAL CHANGES**

To see if the Town will vote to amend its General Bylaws to address several issues identified with the recently adopted Neighborhood Conservation Districts (NCD) Bylaw, or act in any other manner in relation thereto.

*(Inserted at the request of the Planning Board)*

DESCRIPTION: This article is to correct three minor issues identified with the NCD Bylaw adopted by Town Meeting at the 2016 Annual Town Meeting. The first involves several minor amendments to the Demolition Delay Bylaw (Article 19 of the Code of Lexington) in order to ensure internally consistency with the Neighborhood Conservation District bylaw. The second, identified by the Attorney General’s review, addresses an inconsistency with M.G.L. c. 40, § 21 which limits the maximum penalty for bylaw of $300. This warrant article corrects the issue, by reinserting the maximum fine amount from $500 to $300. The third issue addresses concerns identified by a group of residents looking to create a district with exactly 10 homes in it. As the article currently exists, the requirement of 10 property owners to sign the request for study in this situation is almost impossible as it requires unanimity. This article proposes a threshold requirement of two-thirds of the property owners’ consent for proposed study areas of 10 or fewer properties.

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**TMMA REVIEW**

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Demolition Delay Bylaw (Article 19 of the Code of Lexington) in order to ensure internally consistency with the Neighborhood Conservation District bylaw. The second, identified by the Attorney General’s review, addresses an inconsistency with M.G.L. c. 40, § 21 which limits the maximum penalty for bylaw of $300. This warrant article corrects the issue, by reinserting the maximum fine amount from $500 to $300. The third issue addresses concerns identified by a group of residents looking to create a district with exactly 10 homes in it. As the article currently exists, the requirement of 10 property owners to sign the request for study in this situation is almost impossible as it requires unanimity. This article proposes a threshold requirement of two thirds of the property owners’ consent for proposed study areas of 10 or fewer properties.

**TMMA Question:**

**Question 1** Are any of these proposed changes substantive?

**Answer** The first change was discussed at last year’s Town Meeting, and this change

makes the current wording clearer as to the intent of the TM vote. Last year,

Town Meeting approved a fine structure at $ 500. The Attorney General struck

this out as the maximum fine cannot be more than $ 300. The second change is to

set the fine at an allowable $ 300. In the case of a potential small NCD, the

present requirement of 10 minimum signatures could prevent a potentially

appropriate NCD from petitioning the Historical Commission. This change will

allow such petitions to be made.

**ARTICLE 36 AMEND GENERAL BYLAWS – MUNICIPAL MODERNIZATION ACT**

To see if the Town will vote to accept the following sections of the Massachusetts General Laws which were amended by Chapter 218 of the Acts of 2016, known as an Act Modernizing Municipal Finance Act:

* 1. MGL Chapter 40, Section 22A, 22B and 22C (Parking Meter receipts and uses),
  2. MGL Chapter 90, Section 17C and 18B (Speed Limit),
  3. MGL Chapter 40, Section 3, second paragraph proviso (Rental Revolving Funds),
  4. MGL Chapter 41, Section 111F, last paragraph (Special Fund for Injured Police and Firefighters),
  5. MGL Chapter 59, Section 57A (Tax Bills under $100)

or act in any other manner in relation thereto.

*(Inserted by the Board of Selectmen)*

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DESCRIPTION: The recent State law known as the Municipal Modernization Act includes a number of provisions that require local acceptance. That is, for a municipality to avail itself of the provision it must first be accepted by Town Meeting. The Board of Selectmen are recommending the following provisions of the Act be accepted:

* Chapter 40, section 22A, 22B and 22C: These provisions will allow the Town to: 1) continue treating parking revenues as ‘receipts reserved for appropriation’. Otherwise parking revenues will be considered general fund revenues. As receipts reserved for appropriation the Town will continue to use parking revenues to support the parking management program in the Center; 2) allow the Town to continue to acquire off-street parking areas and facilities with receipts of the parking meter fund; and 3) allow the Town to continue to purchase and install parking meters with receipts of the parking meter fund.
* Chapter 90, sections 17C and 18B: These provisions will allow the Board of Selectmen to establish 25 mph speed limits on Town roadways that currently have no posted speed limits and 20 mph speed limits in areas designated as safety zones.
* Chapter 40, section 3: This provision will allow the Town to establish a rental revolving fund for both school and non-school (municipal) properties.
* Chapter 41, Section 111F: This provision will allow the Town to continue to appropriate funds (see line item 2150) for the payment of police officer and firefighter injury leave and medical bills.
* Chapter 59, Section 57A: This provision allows property tax bills less than $100 to be billed in a single payment rather than quarterly.

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**TMMA REVIEW**

The impacts of accepting these portions of the Municipal Modernization Act are:

* Formalizes what Lexington has been doing with parking receipts by accepting the MGL language.
* Allows the Town to establish a 20 mph speed limit in safety zones and a 25 mph speed limit town-wide on streets where the speed limit signs aren’t posted. This is particularly important on neighborhood longer straight streets and streets used as “cut throughs” to other streets.
* Town meeting will no longer have to “establish” the rental revolving fund annually but will still be setting the spending limit (see Article 9).
* The Town already has a special fund for injured police and firefighters.
* Tax bills under $100 applies to some extremely small lots and some companies not having much “personal property”

78

**TMMA Question:**

**Question 1:** Will the town post signage stating the town-wide speed limit on streets with

no speed limit signs is 25 MPH?

**ARTICLE 37 AMEND GENERAL BYLAWS – TREES**

To see if the Town will vote to amend the Tree Bylaw to provide incentives to preserve large trees and to replant large shade tree species, or act in any other manner in relation thereto.

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

DESCRIPTION: Because of the time invested in its growth, a large tree is proportionally more valuable than many small trees. Also, large shade tree species in general provide greater environmental benefits than small ornamental tree species. This article seeks to amend the Tree Bylaw to encourage the preservation of existing large trees in setback areas during major construction, and to encourage the planting of large shade tree species for mitigation of removed trees.

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**TMMA REVIEW**

The intent of the article is to provide a way to protect larger trees across town. With no current mechanism to protect trees, the bylaw applies to protect trees in setbacks during construction. Diameter specifications are given to determine the trees to be covered. The loss of larger trees results in proportional mitigation which may be addressed by replanting or payment to the tree fund. Incentives will be provided for planting larger shade trees listed in the Lexington Tree Management Manual.

**TMMA Question**

**Question 1** Will those trees to be covered by the bylaw be marked prior to construction?

**ARTICLE 38 AMEND GENERAL BYLAWS – REVOLVING FUNDS**

To see if the Town will vote to amend the Code of the Town of Lexington by adding a new Chapter 110 titled “Revolving Funds” in order to establish and authorize revolving funds for use by town departments, boards, committees, agencies or officers under Massachusetts General Laws, Chapter 44, Section 53E 1/2, or act in any other manner in relation thereto.

*(Inserted at the request of the Board of Selectmen)*

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DESCRIPTION: Included in the recent State law known as the Municipal Modernization Act is a section that allows town’s to establish Revolving Funds by bylaw rather than have Town Meeting establish these funds each year. Town Meeting will continue to approve the amount authorized for each fund.

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**TMMA REVIEW**

Acceptance of this article means that rather than having to reestablish each revolving fund annually and then setting the spending limit, Town Meeting will only have to approve the spending limit. (See Article 9)

**ARTICLE 39 AMEND GENERAL BYLAWS – RIGHT TO FARM**

**(Citizen Article)**

To see if the Town will vote to amend the General Bylaws by adopting a Right to Farm Bylaw; or act in any other manner in relation thereto.

*(Inserted by Ethan Handwerker and 9 or more registered voters)*

DESCRIPTION: This “Right to Farm” Bylaw establishes a process by which the Town of Lexington will provide information to all present and future residents regarding existing state law pertaining to agriculture. The mechanism for providing notice is to be determined by the town.

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**TMMA REVIEW**

The article sponsor states that:

“This By-law provides no new benefits or protections beyond those already contained in the Massachusetts State laws. The purpose and intent of this By-law is to embrace and explain the rights to farm accorded to all citizens of the Commonwealth under Article 97, of the Articles of Amendment of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9; Chapter 111, Section 125A; and Chapter 128, Section 1A. We the citizens of Lexington restate and republish these rights pursuant to the Town’s authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution,

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("Home Rule Amendment”). This By-law shall apply to all jurisdictional areas within the Town. “

With respect to notification, the bylaw would:

“Within 30 days after this By-law becomes effective, the Board of Selectmen shall post the following disclosure on the official bulletin board and website of the Town, at any other location at its discretion, and make such disclosure available for distribution upon request in the offices of the Board of Selectmen, Board of Assessors, and the Town Clerk…

“It is the policy of the Town of Lexington to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food and agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers and occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust, and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for agricultural use under certain circumstances.”

The Bylaw includes language to provide notice to all residents and prospective residents.

**TMMA Questions:**

**Question 1:** If this is part of State law, why is there a need for the Town to approve a bylaw

change?

**Question 2:** What would the cost to the Town be for having to notify all residents?

81

**ARTICLE 40 AMEND ZONING BYLAW –**

**SPECIAL PERMITS RESIDENTIAL DEVELOPMENTS**

To see if the Town will vote to amend the Zoning Bylaw to alter the rules for special permit residential developments, or act in any other manner in relation thereto.

*(Inserted at the request of the Planning Board)*

DESCRIPTION: This article proposes a revision to the way the Town regulates discretionary residential development, authorized under Section 6.9 of the Zoning Bylaw.  The principal concern with the current scheme stems from the treatment of Balanced Housing Developments (BHDs), a development option that regulates the overall square footage of a development rather than the number of units.

The proposal amends the bylaw in three key ways; the first is a requirement to include affordable housing units in BHDs (which will be renamed); the second is a reduction to the maximum amount of square footage that will be allowed on site; and the third is to address concerns about the size of individual units, introducing a smaller unit size then the current bylaw.

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**TMMA REVIEW**

Article 40 proposes alterations to Section 6.9 of the Zoning Bylaw, relating to the Balanced Housing Development option, by regulating the overall gross floor area (GFA) of a development rather than the number of dwelling units.

One special permit type would now replace the existing Site Sensitive, Balanced Housing and Public Benefit Developments.

PROPOSED MOTION

The Zoning Bylaws will be amended, redefining a Special Permit Residential Development as one that supports sensitivity to the development site; minimizes disturbances to existing topography; permits different types of structures and residential uses to promote a harmonious balance between buildings, open space and neighborhood land use; encourages a greater diversity of housing opportunities in Lexington with regard to household size, stage of life, and income.

Dwelling Unit Restrictions.

* The sizes of the proposed units are limited by #6.9.2.2.
* No unit may have GFA greater than 7,030 SF in RS or RT districts, or 9,350 SF in RO.
* Rounding rules. Any remainder in the dwelling unit breakdown is rounded up.

Affordable Housing Units.

* At least 11.5% of dwelling units in an SPRD must be eligible for inclusion on the Massachusetts SHI. If this calculation results in a fractional unit, the applicant may provide an eligible unit or make a contribution of a corresponding amount to the Town’s housing fund.

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* The development may not be phased so that the affordable units are the last to receive a Certificate of Occupancy.

Common Open Space Standards

* Minimum open space requirements are governed by # 6.9.22. A maximum of 20% of common open space may be devoted to parking or structures related to active outdoor recreation.
* Common open space, where provided, must be appropriate and available for use by anyone.
* To ensure its perpetual use as open space, Common open space may be conveyed to the Town; a legal association comprising the owners of the development, or a nonprofit organization.

Streets and Drives

* Adequate access for all emergency services must be provided from the public street to each dwelling unit.

**ARTICLE 41 AMEND ZONING BYLAW – REVISE DEFINITIONS**

To see if the Town will vote to amend Section 135-10.0 of the Zoning Bylaw to revise a number of definitions regarding development requirements therein, or act in any other manner in relation thereto.

*(Inserted at the request of the Planning Board)*

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. Given the attention to floor area the development process now requires, it is now evident that a number of definitions must be clarified, revised, updated, or deleted to better reflect the intent of last year’s article.

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**TMMA Questions:**

**Question #1:** Do these changes reflect the intent of last year’s article, or is this intended to be a

new restriction?

**Answer**: The purpose of these definition changes is to ensure that the approval of new

building permits and the subsequent construction meets the intent of what was

approved by Town Meeting last year. Because of discrepancy between the State’s

Building Code and the Town’s Zoning Bylaw, defining the same term differently,

and because of unintended loopholes, some construction has been completed that

might not meet the intent of Town Meeting.

**Question #2:** Has the Planning Department collaborated with the Building Department to

ensure that the Building Department believes it can issue permits and inspect

construction according to Town Meeting’s intent?

**Answer:** Yes

**Question #3:** Will applicants for building permits have a clearer understanding of what is

permissible?

**Answer:** The Planning Board believes so.

**ARTICLE 42 AMEND ZONING BYLAW – TWO-FAMILY HOMES**

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

*(Inserted at the request of the Planning Board)*

DESCRIPTION: This article would allow two-family homes in one principal structure, restricting one of the units as either senior housing or affordable housing, and create site performance standards specific to two-family homes. The goal is to encourage a diversity of more attainable housing types, specifically senior and affordable housing units not readily available in Lexington, with minimal impacts on existing neighborhoods or project abutters.

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**TMMA REVIEW**

This article would amend the Zoning Bylaw to allow by special permit, the construction of two-family homes across town. Given housing trends in Lexington, a goal has been to increase the housing stock that is affordable and opportunities for seniors. A restriction will be made that the affordable unit satisfy the requirements to be on the Lexington’s Subsidized Housing Inventory (SHI) as defined by the State. An “in perpetuity” clause would be places on both types of units to insure they remain as designated.

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**TMMA QUESTION:**

**Question 1:** How would the Town maintain the affordable / senior designations when one a unit

is sold?

**ARTICLE 43 AMEND ZONING BYLAW – ECONOMIC DEVELOPMENT REFINEMENTS**

To see if the Town will vote to amend the Zoning Bylaw to permit additional uses in the CM and CRO Districts, amend the dimensional standards of the CRO District, amend the Zoning Map to modify zoning district lines to coincide with parcel lines, move residentially-zoned parcels into the GC District or the CRO District, and create two new Transportation Management Overlay Districts, one around the Forbes Road – Marrett Road area and a second around the South Lexington commercial area (Spring Street and Hayden Avenue), or act in any other manner in relation thereto.

*(Inserted at the request of the Planning Board)*

DESCRIPTION: This three part article would make changes to the permitted uses and dimensional standards of the CRO District similar to the ones made for the CM District in 2009, as well as add a new use, Biotech Manufacturing, in both the CM (by right) and the CRO (by special permit). Part of the article would adjust the boundaries of existing CRO districts to coincide with lot lines and move some adjoining residential parcels into the GC or CRO districts. The final part of the article would create two new TMO districts similar to the one around Hartwell Avenue. One would be located in the Forbes Road – Marrett Road area, the other in the South Lexington area (Spring St. and Hayden Ave.).

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**TMMA REVIEW**

This three-part article would make changes to the permitted uses and dimensional standards of the CRO District similar to the ones made for the CM District in 2009, as well as add a new use, Biotech Manufacturing, in both the CM (by right) and the CRO (by special permit). Part of the article would adjust the boundaries of existing CRO districts to coincide with lot lines and move some adjoining residential parcels into the GC or CRO districts. The final part of the article would create two new TMO districts similar to the one around Hartwell Avenue. One would be in the Forbes Road –Marrett Road area, the other in the South Lexington area (Spring St. and Hayden Ave.).

**TMMA Questions:**

**Question #1**: How can I find which new uses will be allowed by right or special permit?

**Answer** As of press time, the Planning Board has not yet voted on these new uses and the circumstances of whether permission is by-right or by special permit, but the current proposal and proposed use table can be viewed on the Planning Department web site.

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**Questions #2:** How much new development potential will be afforded by these changes?

**Answer** The estimate is that not a significant amount of new development will be likely, but that this would send a signal to the development community that Lexington is more development-friendly.

**Questions #3:** How much money has the existing TMO district generated so far?

**Question #4:** What is the cost and timetable to implement the recommendations of the Town’s “South Lexington Transportation Study”, and how much of that is expected to be financed through mitigation money by commercial entities, through the tax levy, or other means?

**ARTICLE 44 AMEND ZONING BYLAW – BROOKHAVEN (Owner Article)**

To see if the Town votes to amend the Code of the Town of Lexington, Zoning Bylaw Sections and the Zoning Map of the Town of Lexington, by changing the zoning district designation of the land described in a certain written metes and bounds description and certain plans on file with the Planning Board, from the current RO One Family Dwelling District to a PD Planned Development District, said property being commonly known as Town of Lexington Assessors’ Map 5 Parcels 19C, 20, 21A at 960-990 Waltham Street, in order to allow the construction of a new building on the property of approximately 119,000 square feet, together with parking and other improvements, to be known as Brookhaven at Lexington; and to add it to the adjoining RD Planned Residential District Brookhaven at Lexington at 990-1010 Waltham Street as one composite PD Planned Development District and to approve the preliminary site development and use plan entitled “Preliminary Site Development and Use Plan for the RD Planned Residential District at 960-1010 Waltham Street, Lexington,” (“the PSDUP”) on file with Lexington Town Clerk and Lexington Planning Board for said parcels, and to approve standards for development, uses permitted, dimensional standards and other provisions contained within the PSDUP, or to act in any other manner relative thereto.

*(Inserted by James M. Freehling, CEO/President Symmes Life Care, Inc.,*

*d/b/a Brookhaven at Lexington)*

DESCRIPTION: The article requests rezoning and approval of a Preliminary Site Development and Use Plan (PSDUP for the adjacent 990-1010 Waltham Street Parcel). The general location of the property is shown on a plan entitled: “Property Rights & Dimensional Standards Plan, 960 & 990 Waltham St., prepared for Brookhaven at Lexington, in Lexington, Mass.” Dated December 24, 2015, prepared by GPR Inc., job # 151067, Drawing A-2” which is on file with the Lexington Town Clerk and Lexington Planning Board.

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**TMMA REVIEW**

Brookhaven, a life care retirement community owned by Symmes Life Care, Inc. d/b/a Brookhaven at Lexington, wants to expand its facility, and requests that Town Meeting approve this article in order to add 49 Independent Living Units, and to expand/improve its existing facility.

In 2012 Brookhaven bought adjoining parcels at 960 and 990 Waltham St.  These 2 parcels (6.11 acres) are currently in the RO Residential District.  A 2/3 vote by town meeting is needed to

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rezone from RO Residential District to Planned Development (PD).    This has to happen in order to legally allow Brookhaven to expand.

The PSDUP, Preliminary Site Development and Use Plan, is a detailed plan brought to the Planning board by Brookhaven, to make improvements to the existing facility, to build the 49 Independent Living Units, and to include the adjoining parcels it as one complete PD.

**TMMA Questions:**

**Questions #1:** Why is this being proposed?

**Answer:**   There is a great demand for senior housing.

**Questions #2:** Will there be additional traffic on Waltham St.?

**Answer:** "The minimal additional traffic is well within normal daily variation and is not

expected to impact traffic conditions in the area.”  (OHI Engineering Inc.,

 Impact Analysis on Public Services)

**ARTICLE 45 AMEND ZONING BYLAW – BALANCED HOUSING DEVELOPMENTS**

**(Citizen Article)**

To see if the Town will vote to amend the Zoning Bylaw related to balanced housing developments in order to return greater oversight to Town Meeting, or act in any other manner in relation thereto.

*(Inserted at the request of William Rhodes and nine residents)*

DESCRIPTION: This article proposes changes to improve the rigor of the review process of BHDs that have multi-faceted impacts to the town, including infrastructure, traffic, fiscal/budgetary and environmental, which are in some cases outside the purview of the Planning Board. As a result, these proposals should be studied with scrutiny by a larger town-wide body more representative of the voters’ interests before approval. In addition much of the balanced housing, town houses and smaller housing that have been developed using special or balanced permits are unaffordable by state standards. We believe if the current permitting trend is allowed to continue, it will negatively impact the residential, conservation, historical and economic environment of Lexington.

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**TMMA REVIEW**

The intent of the article is to have Town Meeting approval for any Balanced Housing (BHD) Development. The motion as of print time states:

“….No special permit shall be issued for a balanced housing development (BHD), as defined below, unless the preliminary site development and use plan for the proposed BHD have first been approved by vote of town meeting….The purpose of the special permit is to provide detailed review of residential developments that have a substantial impact upon the character of the Town, adjacent residential areas and the provision of public facilities and services.”

Town counsel has ruled that Town Meeting cannot be the Special Permit Granting Authority. For commercial developments, Town Meeting rezones the land and approves the preliminary plan. The Zoning Board (ZBA) of appeals then issues the special permit. The article sponsor seeks similar treatment of BHDs but rather than going to the ZBA for the special permit, it would go to the Planning Board.

**TMMA Question:**

**Question 1:** How many BHD projects does the Planning Board see in a year?

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**ARTICLE 46 AMEND ZONING BYLAW – CHAPTER 135 MEDICAL MARIJUANA**

**(Citizen Article)**

To see if the Town will vote to amend Chapter 135 of the Zoning Bylaw to zone for Medical Marijuana Cultivation Centers, Medical Marijuana Processing Centers, and Medical Marijuana Distribution Centers; or act in any other manner in relation thereto.

*(Inserted at the request of Ethan Handwerker and 9 or more registered voters)*

DESCRIPTION: This article seeks to improve the town zoning bylaw by allowing more appropriate local siting of state-registered medical marijuana dispensaries for each of their three distinct organizational processes. It would delete the definition of “Medical Marijuana Treatment Centers” and insert definitions for “Medical Marijuana Cultivation Center” and “Medical Marijuana Processing Center.” Table 1 would be amended to provide for these uses and for “Medical Marijuana Distributions Center” in certain districts.

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TMMA REVIEW

This article does 2 things, it changes Zoning bylaw definitions and seeks to expand the commercial areas where marijuana operations are allowed on the Zoning bylaw use table. Per a vote of Town Meeting 2 years ago, “medical marijuana treatment centers” are only allowed on Harwell Ave. While the Planning Board agrees with the definition changes, it intends to amend the article so that Hartwell Ave. retains the only “Y” on the use table.

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**Town Meeting Members Association Bylaws**

Approved March 8, 1978 and amended March 20, 1985; March 20, 1986; March 11, 1998; March 17, 2005 and March 5, 2008

**Article I - Purpose**

The Town Meeting Members of Lexington, Massachusetts, in order better to fulfill the obligations of the representative form of government, have established this Association to acquaint themselves more fully with the facts necessary for intelligent decisions and to assist in any other constructive way in the government of Lexington.

**Article II - General Organization**

**Section 1 - Name**

This organization shall be known as the Lexington Town Meeting Members Association or TMMA.

**Section 2- TMMA Membership**

Membership shall be limited to elected Town Meeting Members and Town Meeting Members-at-Large.

**Section 3 - Executive Committee**

1. **Membership.** There shall be an Executive Committee consisting of the TMMA Officers elected in accordance with the provisions of Article II, Sections 4 and 5, and the Precinct Officers elected in accordance with the provisions of Article III, Sections 1 and 2. In addition, any former TMMA Officer who remains a Town Meeting Member may elect to serve as an emeritus member of the Executive Committee for up to two years after leaving office.
2. **Meetings.** The Executive Committee shall hold regular meetings during the year for the purpose of keeping abreast of Town affairs, particularly matters that may become the subject of future Town Meeting action, or for any other purpose relating to Town Meeting. The Executive Committee shall meet upon the call of the Chair, or at the request of five (5) Executive Committee members, with reasonable notice. The presence of nine (9) members, with at least five (5) precincts represented, shall constitute a quorum. Decisions shall be made by a majority of those members present and voting.
3. **Attendance.** Executive Committee meetings shall be open to all TMMA members. Any TMMA member who is not a member of the Executive Committee may enter into Committee deliberations upon recognition by the Chair, but shall not vote.
4. **Activities.** The Executive Committee shall undertake such activities as it deems appropriate to educate and inform Town Meeting Members and the public at large about pending and upcoming Town Meeting issues, including but not limited to the preparation of a warrant information booklet, the conduct of warrant information meetings, the conduct of bus tours or on-site visits, and the maintenance of a TMMA web site and email list. To this end, the Executive Committee may appoint subcommittees, working groups or task forces from among the TMMA membership from time to time when considered appropriate to the purposes of the TMMA.
5. **Political Activity.** When supporting or opposing candidates or ballot questions, or when engaged in any other political activity, Executive Committee Members shall not use their Executive Committee title, or otherwise hold themselves out as representing the TMMA, unless specifically authorized by vote of the Executive Committee.

**Section 4- TMMA Officers**

1. **Officers.** The TMMA shall elect annually from among the members of the TMMA, in accordance with Article II, Section 5C, the following TMMA officers: a Chair, a Vice-Chair, a Treasurer, a Clerk, a Communications Officer, and an Email List Moderator. These officers shall perform the duties normally associated with such offices, or as further specified by vote of the Executive Committee.
2. **Term.** The term of each office shall be for one year, commencing on the first day of the Annual Town Meeting. Outgoing Officers shall continue in office until this date, whether or not re-elected to Town Meeting. The Chair, Vice-Chair and Treasurer shall not serve in the same office for more than two consecutive terms.
3. **Disqualifications.** The following individuals shall not serve as TMMA Officers: town-wide elected officials; members of the Appropriation Committee and the Capital Expenditures Committee; salaried employees of the Town; and Town Meeting Members-at-Large.
4. **Leaves and Vacancies.** A TMMA Officer shall take a leave of absence in order to run for town-wide office, and may take a leave of absence for other exigent reasons with the consent of the Executive Committee. In the Chair's absence, the Vice-Chair shall perform the duties of Chair for such time as the absence shall continue. A permanent vacancy in any TMMA office, or an absence in any office other than Chair, shall be filled by vote of the Executive Committee.

**Section 5- TMMA Meetings**

1. **Annual Meeting.** The Chair shall call an Annual Meeting of the TMMA to be held on a date after the annual town election, but before the commencement of the Annual Town Meeting.
2. **Treasurer's Report.** At the Annual Meeting, the Treasurer shall present a Treasurer's report setting forth the TMMA's assets and liabilities as of December 31 of the previous calendar year, its income and expenditures during the previous calendar year, and a brief statement of major changes through the date of the Annual Meeting.
3. **Election of Officers.** TMMA Officers shall be elected at the Annual Meeting as follows:
   1. Prior to the Annual Meeting, the Chair shall appoint a Nominating Committee consisting of three TMMA members who are not TMMA Officers, and at least one of whom shall be a member of the Executive Committee. The Nominating Committee shall prepare a slate of proposed candidates for TMMA Officers for the ensuing year.
   2. The Chair shall present to the Annual Meeting the slate prepared by the Nominating Committee. After entertaining any additional nominations from the floor, the Chair shall put the question of the election of TMMA Officers to a vote.
4. **General Meetings.** Additional general meetings of the TMMA membership may be called by the Chair with reasonable notice when deemed appropriate. A general meeting shall be called upon the request in writing of twenty-five (25) TMMA members.
5. **Quorum and Voting.** The presence of fifty (50) Members shall constitute a quorum at a general meeting. Except to amend these bylaws under Article IV, decisions of the TMMA membership, including the election of TMMA Officers at the Annual Meeting, shall be made by a majority of those present and voting, as determined in accordance with the voting procedures customarily used at Town Meeting.

**Section 6 - Dues**

The Executive Committee shall establish annually, prior to the TMMA Annual Meeting, dues in an amount sufficient to defray the reasonable expenses of the TMMA. Such dues shall be payable by voluntary contribution.

**Article III - Precinct Organization**

**Section 1- Precinct Officers**

1. **Officers.** The TMMA Members of each precinct shall elect annually from among the precinct Town Meeting Members, in accordance with Article III, section 2(B), the following Precinct Officers: Precinct Chair, Precinct Vice-Chair and Precinct Clerk.
2. **Duties.** The Precinct Officers shall represent their respective precincts at meetings of the TMMA Executive Committee, and shall participate to the best of their ability in the activities of the Executive Committee. In addition, the Precinct Officers shall have the following duties:
   1. **Precinct Chair:** The Precinct Chair shall be the presiding Officer at TMMA precinct meetings; oversee the nomination of candidates for TMMA precinct offices and the conduct of TMMA precinct elections; assist in the distribution of information to precinct Town Meeting Members during the Annual Town Meeting or any special town meeting; encourage the attendance of precinct Town Meeting Members at TMMA informational meetings or other TMMA activities; promote discussions and contacts among precinct Town Meeting Members concerning Town Meeting business; and help to maintain civility and decorum during Town Meeting sessions.
   2. **Precinct Vice-Chair:** The Precinct Vice-Chair shall assist the Precinct Chair in the performance of the Precinct Chair's duties; stand in for the Precinct Chair at precinct meetings and Town Meeting sessions during the Precinct Chair's absence; and stand in for the Precinct Clerk at Town Meeting during the Precinct Clerk's absence.
   3. **Precinct Clerk:** The Precinct Clerk shall count and report precinct Town Meeting Members' votes when a standing vote is called at Town Meeting; collect TMMA dues from precinct Town Meeting Members; and stand in for or assist the Precinct Chair and Vice-Chair in the performance of their duties as may be necessary.
3. **Term.** The term of each Precinct Officer shall be for one year. The Precinct Chair and Vice- Chair shall not serve in the same office for more than two consecutive terms.
4. **Vacancies.** In the event of a vacancy in the office of Precinct Chair, the Precinct Vice-Chair shall assume the office of Precinct Chair. In the event of a vacancy in the office of Precinct Vice-Chair or Clerk, the remaining Precinct Officers shall appoint a replacement from among the precinct Town Meeting Members for the balance of the term.

**Section 2- Precinct Meetings**

1. **Annual Meeting.** An Annual Precinct Meeting shall be held prior to the Annual Meeting of the TMMA, at such time and place as directed or approved by the TMMA Chair.
2. **Election of Precinct Officers.** Precinct Officers shall be elected at the Annual Precinct Meeting as follows:
   1. Prior to the Annual Precinct Meeting, any precinct Town Meeting Member may notify the Precinct Chair of his or her desire to be a candidate, or to nominate another precinct Town Meeting Member, for a precinct office.
   2. The Precinct Chair shall present at the Annual Precinct Meeting the names of all candidates who have volunteered, or who have been nominated by others and consented to run, for precinct office. After entertaining any additional nominations from the floor, the Precinct Chair shall put the question of the election of Precinct Officers to a vote.
   3. Precinct Officers shall be chosen by majority vote of those present and voting at the Annual Precinct Meeting. They shall assume office immediately upon completion of the election and announcement of the results.
3. **General Meetings.** Additional precinct meetings may be called by the Precinct Chair with reasonable notice when deemed appropriate, and shall be called upon the request of the Executive Committee or upon the written request of five (5) members from the precinct.
4. **Quorum.** The presence of five (5) precinct Town Meeting Members shall constitute a quorum at a precinct meeting.

**Article IV - Amendments**

These bylaws may be amended, on the initiative of the Executive Committee or of any twenty-five (25) TMMA members, by a two-thirds vote of those present and voting at a duly called general meeting of the TMMA membership.

Summary of Parliamentary Procedures

Rules of order for the conduct of Town Meet­ing business are Article V of the Town Bylaws. Where rules are not dictated by statute, Bylaw or tradition, Roberts’ Rules of Parliamentary Practice govern. The Town Moderator serves as Parliamentarian.

**Rules of Debate**

No person may speak more than once on a question if others who have not previously spoken desire to speak. No person may speak more than ten minutes at any one time with­out being again recognized by the Moderator.

Without first obtaining permission of the meeting, no member may speak more than twice on any issue except to correct a mistake or to make an explanation. If, however, a mo­tion contains distinct sections dealing with dissimilar subjects which get discussed and amended separately (as is the case in Article 4) this rule of speaking once applies only to each new section and not the entire motion. Also, speaking to an amendment does not count as time toward speaking to the main motion.

**Interrupting Debate**

A speaker may be interrupted for:

1. a POINT OF ORDER where a member has a question about the procedures or the proceedings. The Moderator then rules on the question raised.

2. a NOTICE OF RECONSIDERATION of an article which has been previously de­bated and voted upon.

3. a PRIVILEGED MOTION which may be to recess, adjourn or a question of privi­lege.

**Closing Debate**

Debate may be closed by MOVING THE PRE­VIOUS QUESTION. It is NOT DEBATABLE. The Moderator then asks “Shall the main question now be put?” or “Shall the question on the amendment now be put?” If a major­ity is in favor, debate ends. (See Practices and Procedures)

**The Main Motion**

A main motion is made under each article by a Town Meeting member. The Moderator states “The motion is the one before you dated . . . and on file with the town clerk.” The Mod­erator summarizes the motion; the proposing member then states I so move.” Usually the wording of the motion differs from the word­ing of the article printed in the warrant in that more information is given, specific action re­quested and the amount and source of fund­ing specified. The motion cannot exceed the scope of the warrant article. By custom no sec­ond is required. A copy of each main motion is provided to each Town Meeting member and projected on a screen for those in the audience and viewing at home on Cable TV.

**Amending the Motion**

A main motion may be amended, but the amendment cannot exceed the scope of the article. An amendment may be amended only once before being put to a vote. A substitute motion is an amendment which replaces the entire original motion. A simple majority car­ries an amendment, and it then becomes part of the main motion. An amendment is a sub­sidiary motion and is governed by the limits on debate as set forth below.

**Subsidiary Motions**

A person may speak only once for no longer than three minutes on a subsidiary motion. Debate is limited to ten minutes except for an amendment which may be debated for 30 minutes unless changed by vote of Town Meeting. Subsidiary motions are listed below in order of precedence.

1. TO LAY UPON THE TABLE or TO TAKE FROM THE TABLE––the former means to end debate on the question to such time as a member moves to “take from the table” and resume debate. Both are NOT DEBATABLE.

2. TO MOVE THE PREVIOUS QUESTION is used to close debate and put the main motion and, or, an amendment to a vote. NOT DEBATABLE.

3. TO CLOSE THE DEBATE AT A SPECI­FIED TIME sets a limit to the length of debate. To date this has been rarely used in Lexington.)

4. TO POSTPONE TO A TIME CERTAIN is to postpone action until a specified time or a specific article has been acted upon.

5. TO COMMIT, OR RECOMMIT, OR RE­FER sends the article to a specified Town board, committee or commission for fur­ther consideration, usually with directions to report to a future session of the meeting or to a future Town Meeting.

6. TO AMEND.

7. TO POSTPONE INDEFINITELY means to dismiss the article from consideration by the current Town Meeting. It ‘kills’ the article and is often used by the article sponsors when they have decided not to bring the matter up before the meeting.

**Votes**

A QUORUM (100 members) is assumed and all votes valid, unless a member rises to doubt the quorum before the results of the vote on a motion have been declared, and a count shows that fewer than 100 members are present.

If a MOTION is readily susceptible of DIVI­SION it may be divided and a vote taken on each part separately if the Moderator deems best or 25 members present so request.

A SIMPLE MAJORITY VOTE is required for most articles. The Moderator will announce when more is required, e.g., the two-thirds re­quired for eminent-domain land takings, zon­ing Bylaws and bond-issue authorizations.

Usually a voice vote is called first. A standing vote is called if the Moderator is in doubt or if 20 members stand to question the Moderator’s interpretation of the voice vote for a question requiring a majority, or if seven members stand for a question requiring a two-thirds vote. The tellers (currently the precinct clerks) report the count to the Town Clerk and the Moderator who announces the votes as they are reported from each precinct.

A RECORDED VOTE is taken if requested by 50 or more members. The recorded vote may be by roll call or in writing. In the latter case a list of the members is circulated in each pre­cinct. Members record their votes in the appro­priate places and affix their signatures beside their names. The recorded votes are posted in the Town Office Building within 24 hours and remain there for two weeks.

**Reconsideration of Motions**

A member MUST SERVE NOTICE OF RE­CONSIDERATION OF AN ARTICLE AT THE SAME SESSION OF THE MEETING AND WITHIN 30 MINUTES OF THE VOTE. Any member may serve notice. The member stands at their seat and says “Mme./Mr. Moderator, I serve notice or reconsideration of Article . . .” and the Clerk records the fact and time. The Moderator usually allows the server of the no­tice to make the actual motion for reconsidera­tion if he/she chooses, but any other member may do so if the server does not. Debate on a motion to reconsider is limited to 30 minutes, and no one may speak for more than FIVE minutes at one time nor more than once with­out leave of the meeting. When a motion of reconsideration is decided that decision shall not be reconsidered and no question shall be twice reconsidered. Reconsideration is not permitted for motions to ‘adjourn,’ ‘the previ­ous question,’ ‘to lay’ or ‘take from the table,’ and to ‘close debate at a specified time.’

**Dissolution of the Meeting**

The motion to dissolve the meeting is made by the Selectmen after all the articles in the warrant have been acted upon.

Please consult the Town Meeting in Lex­ington handbook to review Lexington Town Meeting Practices and Procedures.