

TMMA Warrant Information Report



2018 Annual Town Meeting

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 the **Annual Town Meeting beginning March 26, 2018**. TMMA thanks town officials, town staff, and members of boards and committees for their assistance in providing information for this report.

The following Town Meeting Members participated in the preparation of this report:

Anil Ahuja	Gloria Bloom	Andy Friedlich	David Kaufman	Taylor Singh
Bob Avallone	Scott Bokun	Anoop Garg	Ben Moroze	Margaret Storch
Vicki Blier	Jeanne Canale	Fred Johnson	Jim Osten	

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

www.LexingtonTMMA.org

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.

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 11-point font. TMMA information appears in 12-point font.

This report provides brief summaries of the articles. Please refer to the Town Manager and School Superintendent's budget books and the reports of the Appropriation Committee, the Capital Expenditures Committee, the Planning Board and the Community Preservation Committee for complete information. Check on the "new" table for updated information.

Special thanks to:

Christopher Bing for the cover artwork

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ARTICLE 4**APPROPRIATE FY2019 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 most recent version of the FY2019 budget proposals posted at <http://lexingtonma.gov/budget>.

DESCRIPTION: This Article requests funds for the FY2019 (July 1, 2018 – June 30, 2019) 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.

TMMA REVIEW

TMMA Review (as of 03/8/18)

The information provided for this report is from the Town Manager’s “Fiscal Year 2019 Recommended Budget & Financing Plan, February 26, 2018” (the “Brown Book”). The operating budget is comprised of Education, Shared Expenses, Municipal expenses, cash capital and other revenue set-asides. The “Brown Book” Section I (I-3): Budget Overview Program Summary is:

<u>Program</u>	<u>FY2018 Appropriation</u>	<u>FY2019 Recommended</u>	<u>Dollar Change</u>	<u>% Change</u>
Education				
Lex. Public Schools	101,655,183	108,111,244	6,456,262	6.35%
Regional Schools	<u>1,670,351</u>	<u>2,126,217</u>	<u>455,866</u>	<u>27.29%</u>
Total Education	103,325,534	110,237,662	6,912,128	6.69%
Total Shared Expenses	56,999,638	59,610,193	2,610,666	4.58%
Total Municipal	34,485,563	38,229,823	2,744,260	7.73%
Total Capital	6,421,619	7,299,138	877,519	13.67%
<u>Total Other Articles</u>	<u>10,133,271</u>	<u>5,759,344</u>	<u>(4,373,927)</u>	<u>(43.16)%</u>
<u>General Fund Total</u>	<u>212,365,625</u>	<u>221,136,159</u>	<u>8,770,535</u>	<u>4.13%</u>

Lexington Public Schools - Major Changes, FY2018 to FY2019 (FY 2019 Superintendent's Recommended Budget): The components of the \$6,456,262 increase from FY 2018 include:

Contractual Increases - \$2,789,322 or 2.74% of the 6.35% increase

The major driver in this category is funding current staffing levels in FY2019 including step increases, anticipated collective bargaining and non-union wage settlements.

Legal/Mandates - \$2,004,304 or 1.97% of the 6.35% increase

Much of the increase is special education related. This funds an additional 5.94 FTE for positions needed due to IEP requirements. It also funds increases in Special Education Out-of-District placements and Special Education Transportation (in-district and out-of-district). It also funds contractual increases for the District's regular education transportation program.

Enrollment Increases - \$1,498,901 or 1.47% of the 6.35% increase

A significant portion of the change from FY 2018 is due to general education enrollment increases. This funds an additional 20.01 FTE for positions needed to maintain class sizes and current staff/student ratios and caseloads. It also funds per-pupil adjustments for expense budgets to account for enrollment shifts.

Program Improvements - \$163,736 or 0.16% of the 6.35% increase

A small part of the increase is due to limited/targeted program improvements. This funds 1.9 FTE in the area of special education to improve staffing support in our Intensive Learning Program. This also funds professional development for our Developmental Learning Program - a result of a program review conducted last year. It also provides diversity training for the District's leadership team as well as mental health initiatives.

Minuteman Vocational Technical High School - Major Changes, FY2018 to FY2019

(FY 2019 Superintendent's Budget)

- Exclusive of the building project debt service, the proposed FY 2019 Minuteman budget is \$693,102 over FY 2018, an increase of 3.78%.

- Assessments to member towns (excluding school project debt) are increasing by 7.4% due primarily to a decrease in the certified excess and deficiency (E&D) account and the proposed budget increase.

- The proposed FY 2019 budget includes debt service to meet the cash flow requirements of the construction project. To fund this debt service, the assessment will increase by \$1,467,559 in the FY 19 budget.

- Six of the nine-member towns supporting the building project (Belmont is exempt) voted a Proposition 2 1/2 debt exclusion override to fund their assessment share of the project. Lexington voted to pay its assessment from its operating budget.

- Lexington's Building Construction Debt Service Allocation is \$336,826.

- Lexington's assessment for all other debt service is \$140,025.

- The district is unable to collect capital fees from nonresident students in FY 19 to offset the debt assessment to member towns, because the fee does not take effect until the school year when the new building is occupied (projected to open in September 2019).

- Lexington's Total Assessment for FY 2019 is \$2,126,217. For FY 2018, it was \$1,670,351. The major increase is due to debt service of \$336,826 for the building project.

Shared Expense Major Changes, FY2018 to FY2019 (Brown Book, Program Summary I-3):

<u>Program</u>	<u>Reason</u>	<u>Change Amount</u>
• 2110 – Contributory Retirement	To meet actuarial valuation-base funding schedule mandated by State regulation	\$250,000
• 2120 – Non-Contrib. Retirement	For employees with pensions before Contributory Retirement System was established	450
• 2130 – Medicare, Health, Dental, Life Ins.	Based on 5.5% increase across all health insurance plans and the addition or change of 90 subscribers	672,521
• 2150 – Workers’ Comp.	Reflects an increase in cost based on FY2017 actual experience	75,244
• 2210 – Property & Liab. Insurance	Due to estimated 5% increase in premiums	30,946
• 2220 – Uninsured Losses	No increase in the continuing balance account. The account balance on Jan. 3, 2018 was \$1,032,225	0
• 2310 – Solar Producer Payments	Obligated payments for installation and operation of the solar array on Hartwell Ave.	410,000
• 2400 – Debt Service	Levy supported (non-exempt) debt	1,440,651
• 2500 – Reserve Fund	For unforeseen expenses	0
• 2600 – Facilities	Primarily due to compensation contract increases	140,742

Municipal Operating Budget Major Changes, FY2018 to FY2019 (Program Summary I-3):

Except where otherwise noted below, the FY2019 budget is level funded from FY2018. Those departments having significant increases above \$50,000 are (salaries do not include benefits reflected in Shared Expenses):

<u>Program</u>	<u>Reason</u>	<u>Increase Amount</u>
• 3000 – Public Works	Mainly refuse, recycle & snow removal incr.s contractual services increase is \$224,607	\$716,819
• 4200 – Fire & Rescue	Step and cost of living adj.s and adding 2 FTEs	373,415
• 6000 – Human Services	Add. staff for Youth and Family Services, add. hours of Senior Services Nurse	162,313
• 7100 – Land Use, Health & Development	Add. admin. support, add. summer interns for Conservation and Economic Development	77,267
• 8140 – LexMedia	Contract for PEG Access Spec. Reserve Fund	600,902
• 8200 – Town Manager	Add. of a Public Information Officer and an incr. of \$311,271 in the Salary Transfer Account	404,472
• 8600 – Info.Srvcs(exp)	Incr. cost of software maint. & support contracts, incr. mobile serv. costs, LAN for Library	345,151

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 \$877,519 from FY 2018 results from an increase of \$816,266 in Capital Requests, an increase of \$4,180 for the Building Envelope/Systems Set-Aside and an increase of \$57,073 for the Streets Set-Aside.

Total Other Articles has a decrease from FY 2018 of (\$4,373,927). The *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 (\$5,860) with the FY2018 allocation of \$214,292 being transferred to Article 5. The allocation for the *Capital Projects Stabilization Fund* decreases by (\$4,275,067). 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. There is no allocation to the *Comprehensive Plan Development*. The funding of the *OPEB Trust Fund* is level funded from FY 2018. The *Warrant Articles* account reflects an increase of \$9,000 from FY 2018.

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 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 9.

TMMA Questions

Question 1: Under Element 2220 - Uninsured Losses, the account balance has been increasing. What is covered under this appropriation and what has been the usage rate?

Question 2: Has the *Set-Aside for Unanticipated Current FY Needs* been used during FY 2018 and if so, for what?

For further information:

The FY2018 Recommended Budget and Financing Plan has been posted to the Town's website at:

<http://www.lexingtonma.gov/budget>

ARTICLE 5

APPROPRIATE FY2019 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 FY2019 from the operations of the related enterprise, by the tax levy, by transfer from available funds, including the retained earnings of 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	FY2017 Actual	FY2018 Appropriated	FY2019 Requested
a) Water			
Personal Services	\$631,564	\$701,128	\$771,886
Expenses	\$402,571	\$427,025	\$494,025
Debt Service	\$1,374,696	\$1,466,428	\$1,460,069
MWRA Assessment	\$7,376,976	\$7,246,531	\$7,971,184
Total Water Enterprise Fund	\$9,785,807	\$9,841,112	\$10,697,164
b) Wastewater			
Personal Services	\$261,525	\$308,749	\$359,312
Expenses	\$349,034	\$356,525	\$408,150
Debt Service	\$937,922	\$1,063,349	\$1,189,259
MWRA Assessment	\$7,265,870	\$7,402,979	\$8,143,277
Total Wastewater Enterprise Fund	\$8,814,352	\$9,131,602	\$10,099,998
c) Recreation and Community Programs			
Personal Services	\$1,189,073	\$1,308,669	\$1,397,448
Expenses	\$1,193,874	\$1,316,445	\$1,434,325
Subtotal-Pers.Servs./Exp.Debt Service	\$2,382,947	\$2,625,114	\$2,831,773
Total Recr. & Community Programs Enterprise Fund	\$100,000	\$100,000	\$0
	\$2,482,947	\$2,725,114	\$2,831,773

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

TMMA REVIEW

TMMA Summary - (as of 03/8/18)

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. FY2019 represents the thirteenth 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.

The major variations to the Water and Wastewater Enterprise funds budgets from FY2018 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 2019 Annual Town Meeting.

The FY2019 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 FY2019 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?

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 a Senior Services Program that provides more flexibility than the program established in state law assisting low-income seniors and disabled residents in reducing their property tax bills. This article requests funds to continue the program.

TMMA REVIEW

Administered by Human Services Department, the Senior Service Program allows a limited number of low-to-moderate income seniors with needed skills to provide services to the Town in exchange for a reduction to their property tax.

Participation in the program has steadily declined in recent years, possibly due to the low income threshold and the low wage rate. In response to this decline, the income threshold was increased in FY2018 to match the current maximum income threshold for the Senior Tax Deferral Program. The hourly wage was also increased to meet the new State minimum wage.

Eligible seniors are age 60 or older with a household income of up to \$70,000, married or single. The maximum credit that a household may earn is \$1,540., earned at a rate of \$11 per hour of service.

TMMA Question:

Question 1: In the past, what services/jobs have seniors done for the town?

ARTICLE 7

APPROPRIATE FOR ADVICE AND ANALYSIS – GETTING TO NET ZERO

To see if the Town will vote to raise and appropriate a sum of money 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: Buildings in Lexington are currently responsible for 66% of Lexington's greenhouse gas emissions. The Getting to Net Zero Task Force is exploring the possibility of reducing emissions from buildings Town-wide to net zero over the next 25 to 35 years. 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.

TMMA REVIEW

For the past two years, the Lexington Getting to Net Zero Task Force has been working on this plan to battle climate change. This is the third year that they have put in a request at Town Meeting. They are following the model and process set by Cambridge in their Getting to Net Zero process and have worked closely with Cambridge and their consultants to figure out how we could do the same thing for much less by utilizing some of their lessons learned and adopting some of their best practices.

TMMA Questions:

Question 1: Haven't we voted already to fund this task force?

Answer: Yes, in a way. Originally, three years ago, the task force wanted to request more than \$100,000 for this project. But the Town Manager advised them to request \$40,000 in each of the upcoming years, which was approved by Town Meeting.

Question 2: How much of the previous funding has been spent and on what?

Answer: The Task Force has spent approximately \$70,000 of the \$80,000. \$10,000 has been spent on creating an energy and emissions baseline report for all of Lexington's residential, commercial and municipal buildings. They will have spent about \$60,000 on consultants to create municipal, residential and commercial working groups to develop priorities and plans for each sector, to model each of those plans and to develop a final roadmap for moving forward.

Question 3: What is the next step?

Answer: They will be to go back to their consultant who developed the baseline to ask them to create a tracking tool that will allow us to measure our progress against the baseline. It will cost about \$20,000. They are also in the process of creating the final report / plan and expect to present that to the Board of Selectmen in late spring or early summer 2018.

Question 4: And the left-over funds?

Answer: Anything left over will go back to the general fund.

ARTICLE 8

APPROPRIATE TO CREATE DIVERSITY ADVISORY TASK FORCE

To see if the Town will vote to raise and appropriate a sum of money to support the activities of the Diversity Advisory Task Force; 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 and School Committee)

FUNDS REQUESTED: \$30,000

DESCRIPTION: The Diversity Advisory Task Force is a working group that advises the Town Manager and Superintendent of Schools of potential municipal and school actions and activities to promote a culture of diversity, foster civic engagement, ensure equitable access to resources and opportunities, and suggest programs or activities that will promote a culture of respect to all people.

TMMA REVIEW

The Diversity Advisory Task Force grew out of the 20/20 Vision Committee and was started in August 2017. It is a working group appointed by the Town Manager and the Superintendent of Schools with the charge to become a body of experts that will advise the Town Manager and Superintendent of Schools on potential municipal and school actions and activities that affect diversity.

TMMA Questions:

Question 1: How many members are on the Diversity Task Force?

Answer: There are about ten members appointed by Carl Valente and Dr. Mary Czajkowski. Names have not been made public yet.

Question 2: What has the Task Force done in the past?

Answer: The Task Force is relatively new. Their first meeting is scheduled for March 29, 2018.

Question 3: What specific activities or studies will be done with the \$30,000?

Answer: They would like to have a professional facilitate the meetings in order to brainstorm and help them come up with ideas for optimum inclusion in Lexington. Also, they would like to have funds available to support recommended initiatives in the near future, instead of having to wait for the next Town Meeting. However, at this point, there are no formal plans for action and activities.

Question 4: Does this task force advise only regarding the town’s employment and policies or the entire Lexington community.

ARTICLE 9

ESTABLISH AND CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote, pursuant to Chapter 44, Sections 53E½ and of the Massachusetts General Laws and Chapter 110 of the Code of the Town of Lexington, to continue existing revolving funds; to establish new revolving funds; to determine whether the maximum amounts that may be expended from such new and existing revolving fund accounts in FY2019 shall be the following amounts or any other amounts; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED:

<u>Program or Purpose for Revolving Funds</u>	<u>FY2019 Authorization</u>
School Bus Transportation	\$1,150,000
Building Rental Revolving Fund	\$535,000
DPW Burial Containers	\$50,000
Lexington Tree Fund	\$45,000
DPW Compost Operations	\$810,000
Minuteman, Household Hazardous Waste Program	\$190,000
Regional Cache-Hartwell Avenue	\$10,000
Senior Services Program	\$75,000
Health Programs	\$45,000
Tourism/Liberty Ride	\$285,000
Visitors Center	\$212,000

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

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 FY2019 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 2019 usage, some authorizations have changed from FY2018. These include:

	<u>FY 2018</u>	<u>FY2019</u>
Building Rental Revolving Fund	\$475,000	\$535,000
DPW Burial Containers	\$ 40,000	\$ 50,000
DPW Compost Operations	\$755,000	\$810,000
Minuteman Household Hazardous Waste	\$180,000	\$190,000

Council on Aging/now Senior Services	\$ 50,000	\$ 75,000
Health Programs	\$ 14,000	\$ 45,000
Visitor Center	\$202,000	\$212,000

**ARTICLE 10 APPROPRIATE THE FY2019 COMMUNITY PRESERVATION COMMITTEE
OPERATING BUDGET AND CPA PROJECTS**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY2019 Community Preservation budget and, pursuant to the recommendations of the Community Preservation Committee, to appropriate from the Community Preservation Fund, or to reserve amounts in the Community Preservation Fund for future appropriations, for the debt service on previously authorized financing; for the administrative expenses of the Community Preservation Committee for FY2019; for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation and restoration of open space and community housing that is acquired or created with moneys from the Community Preservation Fund; to appropriate funds for such projects and determine whether the money shall be provided by the tax levy, or from estimated Community Preservation Act surcharges and the State match for the upcoming fiscal year, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

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

FUNDS REQUESTED:

- a) Conservation Land Acquisition - TBD
- b) Community Center Sidewalk - TBD
- c) Archives & Records Management/Records Conservation & Preservation - \$20,000
- d) 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000
- e) Public Grounds Irrigation Improvements - \$100,000
- f) Playground Replacement Program- Bowman School - \$302,000
- g) Athletic Facility Lighting - \$975,000
- h) Center Track and Field Reconstruction - \$3,340,000
- i) Old Reservoir Bathhouse Design - \$75,000
- j) Lowell Street/Farmview Affordable Housing Supplemental Funds - TBD
- k) CPA Debt Service - TBD
- l) Administrative Budget - \$150,000

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

TMMA REVIEW

Community Preservation Act (CPA) funds are derived partly from a surcharge on Lexington Real Estate taxes, and partly by fees collected by the State on Registry of Deeds transactions, so some fees paid by residents of other municipalities that do not participate in the CPA are distributed as “matching funds” to help fund the CPA expenses of those communities that do participate, including Lexington. The following is a highlight of the specific individual items that Town Meeting is requested to fund this year in less detail than the CPC Report.

- a) Conservation Land Acquisition – TBD
This item will be indefinitely postponed since no potential conservation land is available for purchase at this time.
- b) Community Center Sidewalk – \$365,000
This funding provides for a sidewalk connecting Marrett Road to the Community Center. \$50,000 was appropriated at the 2015 ATM for the design phase.
- c) Archives & Records Management/Records Conservation & Preservation - \$20,000
This is an annual request to make Town paper documents publicly accessible via digital retrieval methods and also protect the originals. Documents to be conserved under this funding request include the remaining Old Town Papers, dating from 1722 to 1923.
- d) 9 Oakland Street- Renovation and Adaptive Re-Use - \$200,000
The building at 9 Oakland Street is a small historic building located on the grounds of the 7 Oakland “Douglas House” which provides supportive housing for survivors of brain injury and operated by non-profit Supportive Living Inc. Town Meeting previously helped fund the conversion of 7 Oakland for that use. This funding is to allow re-use of the small building at 9 for health and wellness programs and additional common areas for the residents of Douglas House and add some meeting and staff office spaces for SLI. The entire property, 7-9 Oakland Street, is located within the Battle Green Historic District and is listed on the National Register of Historic Places. It was previously home to the *Lexington Press* and originally housed M.H. Merriam & Company. Renovations will include an additional common area for resident use and wellness programs on the first floor and additional meeting and office space for SLI staff on the top floor. The CPA funds will be supplemented by \$225,000 in foundation grants, private donations and contributions by the SLI Board of Directors
- e) Public Grounds Irrigation Improvements - \$100,000
The turf areas targeted in this FY19 request include the Battle Green, Hastings Park, Emery Park, the Cary Memorial Building grounds and the Town Office Building complex. The project goal is to increase DPW staff efficiency, while also decreasing water consumption. \$40,000 of the \$100,00 total is requested from CPA recreation funds, and the remaining \$60,000 from free cash.

- f) **Playground Replacement Program- Bowman School - \$302,000**
 This FY19 request will fund the update and replacement of playground equipment and surfacing behind the Bowman Elementary School and playfields. The proposed improvements will renovate and rehabilitate existing safety surfacing and equipment so that the site will be in compliance with Consumer Product Safety Commission (CPSC), American Society for Testing and Materials (ASTM) and the American with Disabilities Act (ADA).
- g) **Athletic Facility Lighting - \$975,000**
 This FY19 request is for \$975,000 to replace the existing lighting system and structures at the Center #1 Baseball Field, Center # 2 Softball Field and the Center Basketball Courts with more cost efficient fixtures and bulbs. The existing lighting system and structures at the Gallagher Tennis Courts and the Irving H. Mabee Pool Complex will also be replaced. Currently, the system is just 66% operational with a failing infrastructure. Unsafe playing conditions exist due to some bulbs that don't work and others that project uneven and inconsistent illumination. The existing system (software and hardware) is no longer supported for repair. The number of lighted Gallagher Tennis Courts will also increase from four to ten to increase playability throughout the season. Financial savings to the Town are expected to result from reducing operating costs by approximately 53% over 25 years.
- h) **Center Track and Field Reconstruction - \$3,340,000**
 This FY19 funding request will completely reconstruct the track and include the addition of two lanes. The existing track base is over 30 years old. The project will also provide for a complete renovation to the athletic field, the installation of a new lighting system and the replacement of existing bleachers and fencing. A natural grass/synthetic turf hybrid field is proposed for the new athletic field and will provide more stability while looking, feeling and playing like a natural grass field. That portion of the project is ineligible for CPA funding. The total project cost is \$3,340,000.. \$2,829,000 is eligible for CPA funding. The synthetic turf portion of the project is estimated to cost \$511,000, which will be funded as General Fund Debt.
- i) **Old Reservoir Bathhouse Design - \$75,000**
 The Old Reservoir Bathhouse was built in 1975 and is in need of a complete renovation. FY19 funds are requested to complete a feasibility study for renovations to the building. The project is anticipated to include repairs to the plumbing system, installation of new fixtures (showers, toilets, sinks, drinking fountain) and aerators, replacement of the existing roof and the installation of a new shade structure. The bathhouse is not ADA compliant in its current condition and the project will address those accessibility issues in the bathhouse and the walkway surrounding the site. The construction phase is scheduled for FY20 funding.
- j) **Lowell Street/Farmview Affordable Housing Supplemental Funds - \$1,400,000**
 The 2014 Annual Town Meeting approved community housing funding to be used by LexHAB, which intends to create six new affordable housing units, for inclusion on the Subsidized Housing Inventory (SHI), on the former Busa Farm site off Lowell Street, acquired with CPA funds in 2009. LexHAB is now required to comply with the state's public bidding laws, which is anticipated to increase the original project cost by approximately 30%. LexHAB also plans to purchase solar panels for the units instead of leasing them. LexHAB will also provide full accessibility to the units, instead of just partial accessibility.

k) CPA Debt Service - \$2,314,516

This is an annual request to pay the obligated amounts for the following five CPA projects funded in previous years by debt.

- Wright Farm: \$380,550
- Community Center Acquisition: \$954,100
- Cary Memorial Building Upgrade: \$838,400
- Community Center Renovations: \$47,166
- Center Track Project: \$94,300:

l) Administrative Budget - \$150,000

The Community Preservation Act permits up to 5% of annual CPA funds to be spent on the operating and administrative costs of the Community Preservation Committee. The Committee is allowed to use this money to pay for staff salaries, mailings, public notices, overhead, legal fees, membership dues and other miscellaneous expenses related to CPA projects. This is an annual request unchanged for this FY.

ARTICLE 11 APPROPRIATE FOR WESTVIEW CEMETERY BUILDING CONSTRUCTION

To see if the Town will vote to raise and appropriate a sum of money for the design and construction of a new Westview Cemetery Building on the Westview Cemetery grounds including the payment of costs of demolition, architectural, and engineering services, original equipment, furnishings, landscaping, paving and other site and traffic improvements incidental or related to such construction; 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 Board of Selectmen)

FUNDS REQUESTED: \$ 3,040,000

DESCRIPTION: These funds will permit the design and construction work on a new building at the Westview Cemetery.

TMMA REVIEW

Based in an FY 2016 analysis of the cemetery building, \$270,000 was approved at the 2017 Annual Town Meeting to hire an architect to design and engineer a new building. As we saw on the 2017 TMMA bus tour, the building has deteriorated, does not meet current code requirements, lacks the space to house equipment and has inadequate space for grieving families to meet. The requested appropriation is for construction of the building which will be funded by cemetery fees. The new building will be erected in unused space by Westview Street. This will allow for more grave sites where the current building is.

TMMA Question

Question 1: Will funding first come from the General Fund with the fund being reimbursed by cemetery fees or has money been accrued for this purpose?

ARTICLE 12 APPROPRIATE FOR LEXINGTON CHILDREN’S PLACE CONSTRUCTION

To see if the Town will vote to raise and appropriate a sum of money for the design and construction of a new Lexington Children’s Place, located at 20 Pelham Road, including the payment of costs of demolition, architectural and engineering services, original equipment, furnishings, landscaping, paving and other site improvements incidental or related to such construction; 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; authorize the Selectmen to grant any easement or other interests in land necessary therefor; or act in any other manner in relation thereto.

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

FUNDS REQUESTED: \$11,997,842

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 buildings. With the Town’s purchase of the property at 20 Pelham Road, the former Armenian Elementary School, the School Committee has recommended the use of a portion of this property as a permanent location for the LCP. The funds requested by this Article will be for the design and construction of the LCP. A debt exclusion for this project was approved by the voters in December 2017.

TMMA REVIEW

Due to enrollment increase, the current site of Lexington Children’s Place (LCP) has become inadequate with space being split between Harrington Elementary School and the LPS Central Administration building (old Harrington). As a possible site for a new LCP, 20 Pelham Road was purchased by the Town. An appropriation was approved at the 2017 Annual Town Meeting for design and construction documents, a further appropriation of \$2,500,00 was approved at the October 2017 Special Town Meeting for further design and site work including removal of the building currently there. With the voters having approved a debt exclusion in December of 2017, the requested appropriation will allow for the final design and construction of the new LCP which will allow operations to begin in August of 2019. The position of the new building has been moved further from the wetlands which has added to siting costs. Bid packages have been given out.

TMMA Question:

Question 1: Should bids come back higher than what is being requested, will a Special Town Meeting be needed to approve the increased cost?

ARTICLE 13

**APPROPRIATE FOR 45 BEDFORD STREET/
FIRE STATION REPLACEMENT**

To see if the Town will vote to raise and appropriate a sum of money for the design and construction of a new Fire Headquarters, located at 45 Bedford St, including the payment of costs of demolition, architectural and engineering services, original equipment, furnishings, landscaping, paving and other site and traffic improvements incidental or related to such construction; 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 Board of Selectmen)

FUNDS REQUESTED: \$18,820,700

DESCRIPTION: The funds requested by this Article will used be for the design and construction of a new Fire Headquarters. A debt exclusion for this project was approved by the voters in December 2017.

TMMA REVIEW

At STM 2017-2, the motion to appropriate \$676,300 for design, engineering and architectural services for the new Fire Headquarters was adopted 151-0-1. The total scope of this project was estimated at \$19,947,000. This request for \$18,820,700 in funds is for the design and construction of the new Fire Headquarters. It should be noted that at the same STM, the motion to appropriate \$2,100,000 for the construction of the temporary Fire Headquarters at 173 Bedford Street, was also adopted 153-0-2.

Now \$18,820,700 in funds is requested for the actual design and construction. A debt exclusion for this project was approved by voters in December 2017.

TMMA Questions:

Question 1: Have there been any material changes or updates to Main Station Sustainable Design? What has contributed to the changes, if any?

Question 2: Are there any updates and/or changes to the overall project schedule?

ARTICLE 14

APPROPRIATE FOR POLICE STATION REBUILD-DESIGN

To see if the Town will vote to raise and appropriate a sum of money for design, engineering and architectural services for the renovation and expansion of the Police Station; 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 Board of Selectmen)

FUNDS REQUESTED: \$1,862,622

DESCRIPTION: These funds will permit the design work at the Police Station to proceed through the design development stage.

TMMA REVIEW

At STM 2017-1, 173 Bedford Street was suggested as a likely part of the Police Headquarters replacement, as either a temporary or permanent location, at the completion of the Fire Department temporary use of this site.

The Board of Selectmen has been reviewing, discussing and evaluating the pros and cons and the probable project costs of two options for the permanent & temporary Police Station designs options of either tearing down and rebuilding at the existing 1575 Massachusetts Avenue location (probable project costs \$25.4M) or building of a new facility at 173 Bedford Street (probable project costs \$22.13M).

The Board of Selectmen Preliminary FY2019 Capital Budget recommends \$1,862,622 in funds for schematic & design development for the renovation/expansion of the Police Station.

TMMA Question:

Question 1: What are the principal pros and cons of the two options?

ARTICLE 15

APPROPRIATE FOR RECREATION CAPITAL PROJECTS

To see if the Town will vote to appropriate a sum of money for recreation-related 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: \$60,000

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2019 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy19capital>

TMMA REVIEW

Per the “Brown Book”, Section XI:

Pine Meadows Equipment – \$60,000 (Recreation Retained Earnings): This request will fund the purchase of a new lawn mower, bunker rake and spreader. The new equipment will replace existing equipment which have all exceeded their useful lives. 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 eighty eight acres of property. The new equipment will ensure proper maintenance of the turf and bunkers, improved pace of play and superior playing conditions.

Old Reservoir Bathhouse Design – \$75,000 (CPA): FY2019 funds will be used to complete a feasibility study for renovations to the Old Reservoir bathhouse. The facility requires a complete renovation and the project entails repairing the plumbing system and installing all new fixtures including showers, toilets, sinks and drinking fountains. The recently completed Recreation and Facilities ADA Compliance Study identified areas of deficiencies within the facility. The accessible walkway, built in 2000, has settled and buckled in places and requires replacement. A rodent problem was also observed by staff and the renovation will ensure the safety and well-being of those who utilize the facility. Based on the results of the feasibility study, the construction phase of the project is scheduled for FY2020.

Athletic Facility Lighting – \$975,000 (CPA): The FY2019 request is for \$975,000 to replace the existing lighting systems and structures with more cost efficient fixtures and illuminants at the Center #1 Baseball Field, Center #2 Softball Field, Center Basketball Courts and the Gallagher Tennis Courts. Funds will also be used to upgrade the lighting system at the Irving H. Mabee Town Pool Complex. The current lighting system is outdated, requires constant repair and does not operate efficiently. The installation of newer energy and cost efficient systems will provide financial savings to the Town and allow for a safer environment in which to participate in night activities.

Center Track and Field Reconstruction – \$3,340,000 (\$2,829,000 CPA Debt & \$511,000 General Fund Debt): The Center Track area is one of the most heavily used facilities in Town. The existing track base is over 30 years old and the track surface was last re-surfaced in 2012, adding an additional 5-6 years to the life of the track. The track currently presents tripping hazards and is unsafe to host organized programming. This FY2019 request will completely reconstruct the track and provide for a complete renovation to the athletic field. Funding will also provide for the installation of a new lighting system and the replacement of existing bleachers and fencing. A natural grass/synthetic turf hybrid field is proposed for the new athletic field and will provide more stability while looking, feeling and playing like a natural grass field. The reconstruction will allow for continued use for a wide range of users and provide a safer and more comfortable track surface.

ARTICLE 16 APPROPRIATE FOR MUNICIPAL CAPITAL PROJECTS AND EQUIPMENT

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

- a) Hydrant Replacement Program;
- b) Storm Drainage Improvements and NPDES compliance;
- c) Comprehensive Watershed Stormwater Management Study and Implementation;
- d) Townwide Culvert Replacement;
- e) Center Streetscape Improvements- Design;
- f) Automatic Meter Reading System;
- g) Sidewalk Improvements;
- h) Equipment Replacement;
- i) Townwide Signalization Improvements;
- j) Pelham Road Sidewalk and Roadway Improvements;
- k) Street Improvements;
- l) Hartwell Area TMOD Plan Update;
- m) Transportation Mitigation;
- n) Municipal Technology Improvement Program;

- o) Application Implementation; and
- p) Network Core Equipment Replacement;
- q) Police Radio Console Equipment 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: \$10,899,500

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2019 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy19capital>.

TMMA REVIEW

Many of these subsections are continuations of regular annual maintenance projects for town infrastructure, and are described in more detail in the Budget White Book and Brown Book. The following summarizes the less routine portions of each project.

a) Hydrant Replacement Program- \$75,000 (Free Cash) \$75,000 (Water Enterprise Fund Retained Earnings)

This annual request replaces about 60 old hydrants per year.

b) Storm Drainage Improvements and NPDES compliance- \$340,000 (Free Cash)

This is an annual request to replace and supplement existing drainage structures, and correct 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. Areas of concern that are under investigation and analysis include the Oxbow/Constitution Road area, Wildwood Road/ Wood Street area, Augustus Road area and Webster Road area. Illicit discharge detection has been ongoing in the Vine Brook and Mill Brook areas where contamination has been identified.

c) Comprehensive Watershed Storm Water Management Study and Implementation - \$390,000 (Free Cash)

DPW, Engineering and Conservation collaborate on this annual capital request which addresses drainage/brook management issues. The Whipple Brook area design is ready for permitting and expected to go to construction in calendar year 2018. Significant progress has also been made in the evaluation of the Valleyfield area.

d) Townwide Culvert Replacement - \$390,000 (Free Cash)

This request is for an ongoing program to replace culverts that are at or near failure. This program is a companion effort with the ongoing Watershed Management Plan. The Oxbow/Constitution Road area is undergoing preliminary evaluations. Detailed design evaluation is complete for Valleyfield and Waltham Street at Clematis Brook.

e) Center Streetscape Improvements Design- \$450,000 (Free Cash)

This project intends to improve the center sidewalks, streetscape appearance, circulation, pedestrian safety and accessibility. An FY2015 request of \$600,000 provided funding to complete the design from 25% to 100% to prepare for bidding the project. The plans are being revised based on recommendations from the Center Streetscape Ad-Hoc Committee and Board of Selectmen. This additional funding will allow redevelopment of the 25% plans and **completion of 100% plans and specifications to prepare for construction bidding.**

f) Automatic Meter Reading System -\$375,000 (Water Debt), \$375,000 (Wastewater Debt)

The goal of the program is to install a Town-wide remote, radio, water meter reading system. This funds the first of three annual installation phases. Upon completion of the 3 phases water meters will no longer need to be read at the meter by water department staff reducing the need for staff time and energy to travel to the meters. The Town will then be able to implement quarterly billing for water use, and water consumers will get notification of excess water usage due to leakage much more rapidly, reducing their potential expense for wasted water.

g) Sidewalk Improvement - \$800,000 (General Fund Debt)

This request funds the rebuild and/or repair of existing sidewalks that are in poor condition. Sidewalks considered for FY2019 funding include:

- reconstruction of access ramps town-wide,
- Winchester Drive from Lowell Street to the Town Line,
- Massachusetts Ave. from Fottler Ave. to Ellen Dana-North Side,
- Oak Street from Massachusetts Ave. to Baker Ave.,
- Hibbert Street from Massachusetts Ave. to end,
- Carriage Drive from Grove Street to John Benson Road,
- John Benson Road from Skyview Road to Carriage Drive,
- Coach Road from Carriage Drive to Volunteer Way,
- Grove Street from Carriage Drive to Volunteer Way,
- Grove Street from Carriage Drive to McKeever Drive,
- Birch Hill Lane from Lincoln to end, and
- Gould Road from Grove Street to Turning Mill Road.

h) Equipment Replacement - \$1,039,500 (General Fund Debt), \$30,000 (Water Enterprise Retained Earnings)

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, water mains, sewers, and a variety of other projects.

i) Townwide Signalization Improvements- \$1,100,000 (General Fund Debt)

This is an annual request that seeks funds to update traffic and pedestrian signals in Lexington. The design for the intersection of Massachusetts Ave. at Worthen Road has progressed to 25% design and is currently moving toward 100% design. This FY2019 appropriation is anticipated to be used for the construction of those intersection improvements, including geometric improvements, full replacement of the traffic control equipment, signals, mast arms and Opticom. The Opticom infrared system allows faster, safer emergency vehicle preemption and more responsive transit signal priority.

j) Pelham Road Sidewalk and Roadway Improvements - \$1,400,000 (General Fund Debt)

This project proposes to install a new sidewalk and replace the existing short section of sidewalk on Pelham Road from Massachusetts Ave. to the recently acquired facility at 20 Pelham Road to be used for LCP (See Article 12). FY2019 funding will also be used to improve the sight distance at the intersection of Pelham Road and Massachusetts Ave and includes ancillary improvements such as drainage installation, road reconstruction curbing, and pavement markings. The sidewalk portion of the project is estimated to cost \$1,000,000 and the intersection improvements are estimated to cost approximately \$400,000.

k) Street Improvements - \$2,600,000 (Tax Levy) \$969,936 (Chapter 90)

This is an annual request for the street resurfacing and maintenance program. Lexington plans maintenance for a street useful life of about 20 years.

l) Hartwell Area TMOD Plan Update - \$50,000 (TMOD Stabilization Fund)

This requests funds to update the Planning Board's Traffic Mitigation Plan for the Hartwell Avenue Transportation Management Overlay District to more accurately reflect improvements that the Town has implemented and effects of potential zoning changes.

m) Transportation Mitigation - \$100,000 (Free Cash)

This annual request supports the ongoing work of the Transportation Safety Group (TSG). The TSG is staffed by the Planning, Engineering, School and Police Departments. FY2019 funds are 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.

n) Municipal Technology Improvement Program- \$200,000 (Free Cash)

This FY2019 capital request is part of a multi-phase program to enhance the Town's IT network storage capabilities. The FY2019 request will fund the replacement of an end-of-life blade server chassis and associated obsolescent servers, and provide additional mass data storage. The need for the equipment is driven by rapidly growing data sets and unstructured files due to email archiving requirements under State Public Records Laws.

o) Application Implementation - \$390,000 (Free Cash)

FY2019 funding will be used to acquire additional software and services for the MUNIS financial software system. The MUNIS software was developed over 10 years ago and needs updates. FY2019 funds will also be used to purchase and install automatic vehicle location systems for DPW vehicles. This technology will track a vehicle's movement and activity to allow DPW operations to better manage snow plowing, road treatments, and road maintenance and also provide real-time diagnostic data to better manage vehicle repairs and service.

p) Network Core Equipment Replacement- \$350,000 (Free Cash)

This FY2019 funding is for replacement of obsolete existing equipment and the addition of equipment recommended in recent network and cyber-security assessments to the Town's core voice and data network. In addition to the hardware this includes the services for network reprogramming, installation of the equipment and the additional software to address network, security monitoring, and IT management needs.

q) Police Radio Console Replacement - \$370,000 (Free Cash)

This funds the replacement of the 15 year old radio consoles and equipment in the Public Safety Dispatch Center at the Police station. It is used to transmit and receive communications for the Police and Fire Departments, Public Works and mutual aid agencies via the Metro Fire network and the Greater Boston Area Police Emergency Radio Network (PAPERN). The existing obsolete equipment's maintenance contract can no longer be renewed.

TMMA Questions:

Questions 1: Under project "e", Center Streetscape Improvements Design, what has been spent on this to date?

Questions 2: Given the Center Streetscape Design Review Ad Hoc Committee only discussed the sidewalk and its amenities, does the above request include roadway redesign and given the traffic problems created by the trial lane closures, will there be an opportunity for input?

ARTICLE 17

APPROPRIATE FOR WATER SYSTEM IMPROVEMENTS

To see if the Town will vote to make water distribution system improvements, including the installation of new water mains and replacement or cleaning and lining of existing water mains and standpipes, engineering studies and the purchase and installation of equipment in connection therewith, in such accepted or unaccepted streets or other land as the 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 projects, see Section XI: Capital Investment section of the FY2019 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy19capital>.

TMMA REVIEW

This has been an annual program for 3 decades or more that replaces unlined, inadequate, aged and vulnerable water mains and deteriorated service connections, and eliminates dead ends in the

water mains. To-date, both a hydraulic model for the entire distribution network and an asset management plan are near completion. The model will 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.

TMMA Questions:

Question 1: The town has approximately 100 miles of streets and consequently a similar mileage of water and sewer mains. What is the portion of the lines which have been relined?

Question 2: What is the expected cost of the long term capital plan?

ARTICLE 18 APPROPRIATE FOR WASTEWATER SYSTEM IMPROVEMENTS

To see if the Town will vote to install and line sanitary sewer mains and sewerage systems and replacements and upgrades to pump stations thereof, including engineering studies and the purchase of equipment in connection therewith; in such accepted or unaccepted streets or other land as the 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 FY2019 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy19capital>

TMMA REVIEW

This article appropriates \$800,000 from Wastewater debt to upgrade the Marshall Road Pump Station. Each year, one of the 10 pump stations is upgraded , based upon a 2013 evaluation and capital plan which was developed for the Town with the assistance of Wright-Pierce that

includes a detailed engineering survey of the pump stations. The survey helped determine current and future needs, timetable and probable costs for the proposed work.

The process of inspecting and rehabilitating the Sanitary Sewer System is relevant to Article 21. This article provides for the expenditure of \$1,000,000 from Wastewater Debt. 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. Engineering investigation and evaluation will continue on sewers throughout town, including those in remote, hard to access areas. A significant lining project is under construction in the Dunback Meadow area and the Bow Street area, expected to be completed this winter. Future rehabilitation is anticipated in sewer basins 2, 11 and 12 and investigations in basins 6, 7 and 10 will be performed next. 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.

TMMA Questions:

Question 1: How often do materials stuck in the sewer mains create partial blockages?

ARTICLE 19 APPROPRIATE FOR SCHOOL CAPITAL PROJECTS AND EQUIPMENT

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

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

FUNDS REQUESTED: \$1,715,300

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2019 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy19capital>.

TMMA REVIEW

This is the annual request for funds to replace old computers and peripheral devices, and to add additional capabilities to the school network to support evolving educational needs and increased enrollment. The following are condensed and edited highlights from the Brown Book description on page XI-10

LPS Technology Capital Request – \$1,715,300 (General Fund Debt)

This funding addresses the District’s strategic goal of using technology as an instructional and administrative tool.

Tech Workstations – \$252,000 is to replace iPads and Chromebooks used by teachers, students and staff. Laptops for existing teachers will be replaced and laptops for new staff will be purchased.

1:1 Middle School Program – \$204,600 will replace iPads with Chromebooks for one grade level.

Elementary Mobile Devices – \$177,600 will purchase additional carts of Chromebooks for Bowman, Bridge, Estabrook, Hastings and Harrington Elementary Schools. It will also fund the purchase of a Chromebook cart for the media center at the Fiske Elementary

School and additional district computer carts.

1:1 at LHS – \$412,500 will begin implementation of a 1:1 device program at LHS for two grade levels.

STEM/Computer Science – \$27,600 will purchase Kibo robotic kits for all elementary schools and Sphero robot kits for middle schools. After customizing and personalizing a two-wheeled Kibo base unit, the students can tell the robot what they want it to do by grabbing coded wooden blocks, putting them in order according to a specific function and scanning their bar codes into the base in sequence. Pressing a button will then start the program running and the robot creation springs to life. The Sphero is a ball that rolls and changes color under the control of smart phone apps via Bluetooth.

Upgrade District and Building Network Infrastructure – \$350,000 will (1) upgrade IT infrastructure to support the 1:1 program and handle increased numbers of devices at the K-8 level, (2) replace switches and wireless access points that have reached the end of their useful lives at Harrington, Clarke and Diamond, (3) implement a wireless project at the Central Office to bring enterprise level wireless access, and (4) purchase equipment to prepare for bandwidth increase from 1GB to a minimum of 5GB to handle expected increased device counts.

Interactive Projector/Whiteboard Units – \$216,000 is requested to replace 6 projectors in each school, or 54 total. This equips buildings with either a touch-activated interactive system with a new ceramic whiteboard and speakers, or an interactive TV. The annual replacements will begin with the oldest model per school until all systems are within a 4-year window of all having the same functionality.

Server/Storage Infrastructure – \$75,000 will upgrade the current storage and servers to keep up with the needs of the district including online testing.

ARTICLE 20

APPROPRIATE FOR PUBLIC FACILITIES CAPITAL PROJECTS

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

- a) Selectmen Meeting Room High Definition Broadcasting Upgrade;
- b) Public Facilities Bid Documents;
- c) Facility and Site Improvements
 - 1) Building Flooring Program;
 - 2) School Paving Program;
- d) Public Service Building Vehicle Storage Area-Floor Drainage System;
- e) Municipal Building Envelopes and Systems;
- f) Community Center Expansion-Design
- g) School Building Envelopes and Systems;
- h) LHS Security Upgrade; and
- i) Public Facilities Mechanical/Electrical System Replacements

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

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$2,223,438

DESCRIPTION: For a description of the proposed projects, see Section XI: Capital Investment section of the FY2019 budget. The most recent version of the capital section can be found at <http://www.lexingtonma.gov/fy19capital>.

TMMA REVIEW

This is an abbreviated description of the funding requests extracted from the Budget Brown Book.

a) Selectmen Meeting Room High Definition Broadcasting Upgrade;
Funding \$44,800 from the PEG Special Revenue Fund (Cable TV fees) The TV equipment upgrade will allow for high definition (HD) broadcasts of meetings replacing the current, standard broadcast equipment.

b) Public Facilities Bid Documents;
Funding \$ 100,000 Free Cash. 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 later requests for construction funding at a town meeting.

c) Facility and Site Improvements

1) Building Flooring Program
Funding \$ 125,000 Free Cash. Initiated in FY2011, this is an annual request for funds to be used for the replacement of flooring systems in municipal and school buildings. The FY2019 request will be used for continuing replacements in the Cary Memorial Library’s reading rooms.

2) School Paving Program

Funding \$ 236,890 Free Cash. The FY2019 request will specifically fund spot repaving at the Harrington Elementary School where pavement conditions have caused safety issues for pedestrians walking to the school.

d) Public Service Building Vehicle Storage Area-Floor Drainage System;

Funding \$ 157,000 Free Cash. Exposure to salt, grime and residual from petroleum products has caused deterioration of concrete around the floor drain system in the vehicle staging prep area in the Public Services Building. This FY2019 request includes analysis, design and repair of the floor drain system.

e) Municipal Building Envelopes and Systems;

Funding \$ 198,893 Tax Levy. This annual capital request, originally approved for funding in the 2006 Proposition 21/2 Override, includes repair/replacement projects for the maintenance and upgrade of municipal buildings and systems. The FY2019 request seeks to continue extraordinary repairs to the foundation and original drainage system of the Town Office Building.

f) Community Center Expansion-Design

Funding \$ 250,000 Recreation Retained Earnings. This FY2019 request is for the schematic design associated with the expansion of the Lexington Community Center campus and is the first phase of a proposed three-phased project. Approximately 8,000-10,000 people come to the Community Center each month so additional capacity would allow enhanced services including features such as a regulation size gymnasium, stage, cafeteria with a commercial kitchen, large multi-purpose rooms and locker rooms.

g) School Building Envelopes and Systems;

Funding \$ 227,755 Free Cash. This request will be used to address water infiltration issues, caulking, window lintels and translucent skylights that are delaminating over the front façade of the main entrance of the Harrington Elementary School.

h) LHS Security Upgrade;

Funding \$ 338,600 Free Cash. LHS still does not meet the district standard for security. The 2017-3 Special Town Meeting appropriated \$31,000 for the design and engineering for security enhancements, specifically building perimeter security, based on recommendations of a recent security assessment.

i) Public Facilities Mechanical/Electrical System Replacements

Funding \$ 544,500 GF Debt. This annual request will fund the replacement of HVAC and electrical systems that have exceeded their useful lives and require replacement before they fail. The FY2019 appropriation will be used to replace the HVAC systems that provide cooling and heating to the Selectmen's Meeting Room and the Main Server Room in the Town Office Building.

ARTICLE 21

**APPROPRIATE TO REIMBURSE RESIDENT FOR SEWER BACK UP
(Citizen Article)**

To see if the Town will vote to raise and appropriate a sum of money to compensate Robert Daniel McGrath, 11 Cherry St., Lexington, MA, for damages incurred due to a sewer back up resulting from a failure of the Cherry St. sewer main to drain on the 17th June 2017 that resulted in backing raw sewage from the main into his home; 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 Robert Daniel McGrath and 9 or more registered voters)

FUNDS REQUESTED: \$30,553

DESCRIPTION: This Article seeks funding to compensate Robert Daniel McGrath for damages incurred due to a sewer back up that resulted in backing raw sewage from the main in his home. He is appealing to Town Meeting to consider whether they will reimburse the direct damages of sewage mitigation and repair required to return his house to its previous condition.

TMMA REVIEW

This Article seeks funding to compensate Robert Daniel McGrath, 11 Cherry Street, Lexington, MA, for damages incurred due to the failure of the Cherry Street sewer main to drain on the 17th of June 2017 that resulted in backing raw sewage from the main into his home. He is appealing to Town Meeting to consider whether they will reimburse the direct damages of sewage mitigation and repair required to restore his house to its previous condition.

The sewer adjacent to his property became blocked by a piece of rubbish (Styrofoam) that normally would be too large to enter the sewer. The normal flow of waste in the sewer was blocked and resulted in a flow into the basement at 11 Cherry Street which is located on a hill with a sewer drain located a short distance and slightly downhill from the residence.

There is no known reason why this particular material was in the sewer. The town regularly inspects and upgrades the sewers, builds curbs on roads to minimize inflow of unwanted materials, cleans out junction boxes and continuously meters the flow of materials (see Article 18 of this Annual Town Meeting).

Most insurance companies would have a stipulation in the homeowners insurance policy that limits any payment for such an incident to perhaps as low as \$2500 if the incident is covered by the policy. Thus a large portion of the cost of remedying damage could be left to the homeowner. There is not a precedent for the town to accept liability for such instances of sewer backup, rather such instances have been settled between the homeowner and the homeowner's insurance company. Agreeing to this request could be a precedent for other claims on the town.

The town has experienced sewer backups during periods of high rain, snow melt and consequent flooding. Those homes in low lying areas with sewer connections in the basement are in danger from sewer backups. In these instances, the town has aided homeowners by pumping out the materials collected in basements but has not reimbursed homeowners for damages which are customarily covered by homeowners insurance for flooding. The town also purchases insurance that covers the town against liability claims. The town's expected cost for Property and Liability Insurance is \$1,019,839 for FY2019.

TMMA Questions:

Question 1: What is the established policy of the town with respect to liability for damages in past instances of failure of a town owned and operated system?

Question 2: Did the article sponsor have any homeowner insurance coverage and what reimbursement was provided by the insurance company if any?

ARTICLE 22

APPROPRIATE FOR VISITORS CENTER

To see if the Town will vote to raise and appropriate a sum of money for the design and construction of a new Visitor’s Center; including the costs of demolition, architectural and engineering services, original equipment, furnishings, exhibit design, landscaping, paving and other site improvements incidental or related to such construction; determine whether the money will be provided by the tax levy, by transfer from available funds, by borrowing, grants, donations, gifts, or other available monies or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectman)

FUNDS REQUESTED: Unknown at press time

DESCRIPTION: At the time of the printing of this warrant, the Board of Selectman are still evaluating whether the Article will be for design funds only or for design and construction funds.



TMMA REVIEW for ARTICLES 22 and 23

Both these articles address the continued funding of the Visitor Center replacement project. Prior Town Meeting has supported investment in design development. Conceptual design has been completed and revised with input from a wide range of stakeholders. There is a broad constituency of support for the project which acknowledges the obsolete character of the current Center and the need to replace it in time for the 250th anniversary of the Battle of Lexington in 2025.

As of the writing of this summary, under Article 22, the Selectmen have yet to define their funding desire for the project. Their options are to support investing only in finished design and preparation of construction documents, or in that plus actual construction costs. The Citizen’s Article (23) calls for both finished design and construction funding. Should the Selectmen recommend both, then the citizen’s article becomes moot and could be indefinitely postponed. Should the Selectmen fail to support construction under Article 22, Town Meeting may be asked to decide on Article 23.

ARTICLE 23

APPROPRIATE FOR VISITORS CENTER (Citizen Article)

To see if the Town will vote to raise and appropriate a sum of money for design, exhibit design, engineering, and architectural services for the Visitors Center and site work, including construction documents, and for constructing, originally equipping and furnishing a new Visitors Center, and all other costs incidental and related thereto; determine whether the money shall be provided by the tax levy, by transfer from available funds, including Community Preservation Funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

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

FUNDS REQUESTED: Unknown at press time

DESCRIPTION: This Article seeks funding to complete the Visitors Center construction project. The visitor-based economy provides tax revenues to Lexington including almost \$1 million in annual hotel taxes. Having the modern technology, tools and space necessary to educate visitors on all Lexington has to offer plays a role in the amount of time and money visitors spend in town. In 2025, Lexington and the nation will begin a celebration of the 250th anniversary of its independence. In part, to maximize the economic potential of that milestone, the Town seeks to build a new energy efficient, fully accessible Visitors Center. This article would fund the completion of a 21st century Visitors Center providing new economic growth opportunities.

ARTICLE 24 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 liability for post-employment benefits for Town of Lexington retirees. Beginning with the FY2007 audit, the Town was required to disclose this liability. The Town has special legislation establishing a trust fund for this purpose. This special legislation was approved in 2002.

TMMA REVIEW

The Appropriations Committee report from 2017 includes extensive analysis and commentary on the costs of providing health benefits to retirees which must be equivalent to those provided to current employees.

The town incurs obligations for current year health benefits for retirees and the future costs expected for providing health benefits for current employees when they retire; the total cost of which is more than \$11 million per year of which the current year benefits are fully funded while the future costs incurred during the current year are partially funded via this article. The town funds the full cost of the current fiscal year retiree health benefits within its annual operating benefits (\$6.8 million actual for FY2017 and \$7.5 million budgeted for FY2019) and has also contributed a portion of the future costs incurred for the current fiscal year to the PEIL trust fund. The future costs accrued during a recent fiscal year totaled \$3.8 million for FY2015 and the funds requested cover only a portion of the future costs expected to be incurred for FY2019.

The future costs depend upon actuarial assumptions including the number of retirees and health cost inflation and are estimated by the town's auditor. Funding for Other Post Employment Benefits(OPEB) provides health coverage for a growing number of retirees with 1243 retirees as of November 2016 and 1269 retirees as of November 2017 (Brown Book FY2019).

The policy of the Board of Selectmen is to contribute from 35 to 100 percent of the future costs into the PEIL fund. As of the end of FY2017, the balance in the PEIL account was \$9,869,875 (Brown Book FY2019). An actuarial analysis done at the end of FY2015 estimates the liability at \$129 million assuming a discount rate of 8% while earlier analysis estimated the liability at \$300 million assuming a discount rate of 2.5%. For a more detailed discussion, including the current funding policy for the PEIL Trust Fund formally adopted by the Board of Selectmen, please see "Appendix F: Other Post Employment Benefits" in the *Appropriation Committee Report to the March 2017 Annual Town Meeting* and an update in the Appropriation Committee March 2018 report.

For a discussion of the actuarial issues related to the liability calculation and the specific meaning of "Discount Rate" when applied to pensions and similar future benefits see, for example: http://www.actuary.org/files/IB_Measuring-Pension-Obligations_Nov-21-2013.pdf

TMMA Questions:

Question #1 In prior reports, the auditor has used a discount rate of 2.5% and 4.5% to estimate future costs while the town also had calculations with a discount rate of 8%. The discount rate should reflect the expected return on assets in the pension and PEIL. What has the return on invested retirement assets been?

ARTICLE 25

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.



TMMA REVIEW

TMMA Summary (as of 3/8/18)

This article is an annual place-holder asking Town Meeting to rescind unused debt authorized in prior years. Project amounts to be rescinded are not known at press time.

ARTICLE 26

ESTABLISH, DISSOLVE AND APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS

To see if the Town will vote to create, amend, dissolve, rename and/or appropriate sums of money to and from Stabilization Funds in accordance with 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; (k) Avalon Bay School Enrollment Mitigation Fund; (l) Visitor Center Capital Stabilization Fund; (m) Affordable Housing Capital Stabilization Fund; and (n) Water System Capital Stabilization Fund; determine whether the money shall be provided by the tax levy, by transfer from available funds, from fees, charges or gifts or by any combination of these methods; and further, to accept paragraph four of Section 5B of Chapter 40 of the Massachusetts General Laws, dedicating certain fees, charges, gifts or receipts to a stabilization fund; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: Unknown at press time

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

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.

This year, three new stabilization funds are being added. These are:

1. Affordable Housing Capital Stabilization Fund
2. Visitor Center Capital Stabilization Fund
3. Water System Capital Stabilization Fund

Two stabilization funds with zero balances are being dissolved:

1. School Bus Transportation Stabilization Fund
2. Avalon Bay School Enrollment Mitigation Fund

It is anticipated that \$3,415,331 will be appropriated into the Capital Stabilization Fund. Of this, \$2,883,246 will come from the tax levy and \$532,085 will come from the unreserved fund balance. An appropriation of \$4.5m will come out of the Capital Stabilization fund to reduce debt that has been issued thus reducing what is required from the tax levy.

TMMA Question

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

ARTICLE 27

APPROPRIATE TO GENERAL STABILIZATION FUND

To see if the Town will vote to appropriate a sum of money to the previously created general 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 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.

TMMA REVIEW

TMMA Summary (as of 03/8/18)

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

ARTICLE 28

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 FY2019 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.

TMMA REVIEW

TMMA Overview (as of 03/81/18)

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. This form of arbitrage is prohibited by DOR.

When the Massachusetts School Building Authority was established, it modified the way towns are paid 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. This article 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. To cover the debt for the bond issued in 2003 for the High School, Clarke Middle School and Diamond Middle School, \$124,057 is requested from the fund. It is anticipated that the Debt Service Stabilization Fund will be exhausted by 2023.

TMMA Questions

Question #1: Is the money in the Debt Service Stabilization Fund invested?

ARTICLE 29

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.

TMMA REVIEW

TMMA SUMMARY (as of 3/8/18)

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

ARTICLE 30

AMEND FY2018 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, 9 and 10 of the warrant for the 2017 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 (FY2018) appropriations.

TMMA REVIEW

TMMA Summary (as of 3/8/18)

This article is an annual place-holder should adjustments be needed to the current year’s budgets. Possible appropriations are known at press time.

ARTICLE 31

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.

TMMA REVIEW

TMMA Summary (as of 3/8/18)

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 32 AMEND GENERAL BYLAW- REGARDING FINANCIAL COMMITTEES
(Citizen Article)**

To see if the Town will vote to update its General By-laws related to the Appropriation Committee and the Capital Expenditures Committee to reflect current practice, consistent with state law and Lexington's Selectmen-Town Manager Act, or act in any other manner in relation thereto.

(Inserted by David Kanter and 9 or more registered voters)

DESCRIPTION: This Article proposes updates to the General Bylaws to more accurately reflect the two finance committees' activities and responsibilities throughout the year, including at all Town Meetings.

TMMA Review

This Article proposes updates to the General By-Laws to more accurately reflect the activities & responsibilities throughout the year, including at all Town Meetings, of the Town's two finance committees: Capital Expenditures Committee (CEC) and Appropriation Committee (AC).

TMMA Questions:

Question 1: Why hasn't this issue been addressed previously?

Answer: It has been a low priority to update the language of the By-Law to ensure it reflects what and how both finance committees actually do.

Question 2: How do our two finance committees feel about these proposed changes to the bylaw?

Answer: This Article has been unanimously endorsed by both of those committees, the Board of Selectmen, and was drafted in coordination with the Town Moderator. As the Motion under this Article has not yet been coordinated with any of those parties, they all are reserving final judgement until the specific changes are known.

Question 3: Are these changes legal?

Answer: As included in the text of the Article, it has been specifically constrained to stay consistent with state law and Lexington's Selectmen-Town Manager Act. As is routinely done, the actual Motion will have been reviewed by Town Counsel before it is brought to the floor of Town Meeting with the objective of ensuring all the proposed updates are viewed as legal.

Question 4: What would be the consequence of keeping the current By-Law unchanged?

Answer: The responsibilities and actions of one or both of the finance committees would remain inadequately represented in the Code of Lexington and, therefore, misleading to those relying on the Code.

ARTICLE 33

AMEND TOWN BYLAW- BAN PLASTIC BAGS (Citizen Article)

To see whether the Town will vote to amend the Town Bylaws of the Town of Lexington to ban the use of thin-film single-use plastic bags, or to act in any manner in relation thereto. The purpose of this bylaw is to ban the use of thin-film (less than 4.0 mil) single-use plastic checkout bags by business establishments in the town of Lexington.

(Inserted by Janet Moran and at least 9 or more registered voters)

DESCRIPTION: This Article bans the use of thin-film single-use plastics bags. These bags have a detrimental impact on the environment by blocking waterways and sewer systems; choking, poisoning and entangling wildlife and collecting in our bodies interfering with critical bio-functioning. This ban does not include bags for laundry, dry cleaning, newspapers, loose produce, pastry, or for wrapping frozen food, fish, or meat. Customers are encouraged to bring reusable bags.

TMMA REVIEW

This Article proposes a ban on single use plastic bags less than (4mil) which are those that are used at checkout counters, supermarkets, department stores, restaurants or takeout retail enterprises.

TMMA Questions:

Question 1: What would happen if customers go to check out at Stop and Shop, for example? Will they have to carry their items out in their arms?

Answer: Lexington customers are encouraged to bring reusable bags. Paper bags are still an option and some entities have switched from plastic to starch bags than are biodegradable.

Question 2: Why would we want this type of plastic bag banned?

Answer: Plastic bags have a detrimental impact on the environment by blocking waterways and sewer systems, hindering the efforts of solid waste collection and recycling facilities, and choking, poisoning and entangling birds, sea life and land animals. High levels of plastic in its many forms contribute to global warming and collect in our bodies interfering with critical bio-functioning.

Question 3: What have other cities and towns that have approved this ban experienced? Is there any feedback that Lexington should be sure to incorporate?

Question 4: What will be the enforcement and penalty for violation of this ban?

ARTICLE 34

TO MAKE LEXINGTON A “WELCOMING, INCLUSIVE, SAFE COMMUNITY” (Citizen Article)

To see if the town will vote to amend Part 1 of the general bylaws to include a chapter regarding the rights and relationships between town employees (including their agents) and undocumented immigrants, or act in any other manner relation thereto.

(Inserted by Todd Burger and 9 or more registered voters)

DESCRIPTION: The intent of this article is to make Lexington a more welcoming, inclusive, and safe community for immigrants, regardless of immigration status. The article seeks to establish safeguards that adhere to the principles set forth in the Safe Communities Act (SCA), Senate Bill # 1305, now before our state legislature. The SCA’s co-sponsors include State Representative Jay Kaufman, State Senator Mike Barrett and State Senator Cindy Friedman. Our proposed Lexington warrant article would give immigrants living, working or traveling through Lexington the confidence that they could approach police or other town officials for help of any manner, without threat of their immigration status being used against them in any way. Because that is not currently the case, the entire community is at risk, when a segment of the population is afraid to reach out for help.

TMMA REVIEW

This Article proposes to make our town a welcoming, inclusive and safe community by making clear we do not want our local police or town officials performing the functions of federal Immigration Officers with local tax dollars, thereby encouraging open communications between all residents and our police and town officials without fear.

TMMA Questions:

Question 1: The Safe Communities Act, S. 1305, is currently before our state legislature. If Town Meeting approves this motion and establishes this new By-Law, what would happen if the State of MA approves a similar law in the future?

Answer: The state’s wording would prevail.

Question 2: Is this legal?

Answer: More than 18 communities in the Commonwealth have passed similar statutes either as By-Laws or Resolutions that have gone unchallenged by the MA Attorney General. Since federal and state laws take precedence, nothing in this By-Law shall be construed to violate any valid federal or state law, or to prohibit any town agency or department from providing another law enforcement agency citizenship or information status, consistent with 8 U.S.C. § 1373.

Question 3: What is the difference between a “Safe Community” and a “Sanctuary City”?

Answer: There is no agreed upon definition of “Sanctuary City” nor “Welcoming, Inclusive, Safe Community” neither locally, state-wide nor nationally. In general, municipalities have passed a range of resolutions or By-Laws that make clear that they don’t want local police forces or town officials to be required to enforce immigration law except in criminal matters nor

have citizens or visitors to their municipalities be afraid of approaching or being approached by their local police forces or town officials. The reason these efforts have been piecemeal is because they have not been made into a state law as of yet.

Question 4: What is an “Illegal Immigrant”?

Answer: It is not appropriate to use the word “Illegal” when referring to an undocumented immigrant. Being in the US without documentation is a civil infraction, not criminal. People are not “illegal”. Simply being in this country without documentation is not a criminal offense.

Question 5: How does this affect the Lexington Police Department?

Answer: This would not constrain the police’s authority although it would not stop our police from arresting and stopping criminals. It means only that police will not ask about the immigration status of an individual in civil matters or when the matter involves criminal behavior by other people.

Question 6: What are the benefits to Lexington by adopting this article?

Answer: It protects the civil liberties of undocumented immigrants in our town and improves the safety of all residents. It also protects the Town from Civil Rights violation liabilities. It increases safety for everyone in the community, not just immigrants, when everyone can feel safe to come forward to the local officials and police force without fear.

Question 7: It has been suggested the Federal Government can deny funding to Sanctuary Cities. Can the Federal Government penalize the Town of Lexington for establishing this By-Law?

Answer: The 10th Amendment protects us from being penalized by the Federal Government. This amendment means that anything the Constitution does not mention can be considered by states as part of their powers if they wish to do so. The Bill of Rights gives Lexington and the State of MA the power to establish this new By-Law.

ARTICLE 35

RESOLUTION TO REQUEST WARRANT ARTICLES TO BE ACCOMPANIED BY FINANCIAL PROJECTIONS (Citizen Article)

To see if the Town will vote to pass a resolution strongly encouraging authors of warrant articles to present accompanying data with their motions showing the expected financial impact of their motion along with explicit assumptions to facilitate the evaluation of their motion by town meeting, or act in any other manner in relation thereto.

(Inserted by Mark Anderson and 9 or more registered voters)

DESCRIPTION: The purpose of this resolution is to establish an expectation that warrant articles should be presented with reasonably standard impact statements so Town Meeting Members can quickly and more completely assess related motions.

TMMA REVIEW

At Special Town Meeting (STM) 2017-3, Article 3 was offered to prohibit Marijuana establishments in the town of Lexington. Article 4 was offered so that if article 3 was not approved, Article 4 would provide an opportunity for a moratorium on recreational marijuana establishments until such time that the planning board could determine the most appropriate location for this type of facility. By adopting the moratorium, it also provided the town the time to react to state regulations once they are promulgated. At STM 2017-3, article 3 was not approved while article 4 was. While the article is written to repeal the prohibition of recreational marijuana establishments, given the vote at STM 2017-3, the understanding is that Lexington is under a moratorium, not a prohibition.

TMMA Questions:

Question 1: In repealing the moratorium, what areas of the town would be impacted?

Question 2: If Article 36 is passed, what guidelines are in place to regulate zoning issues?

Questions 3: Is there a specific timeframe for the moratorium?

ARTICLE 37 ACCEPT MASSACHUSETTS GENERAL LAWS CHAPTER 59, CLAUSE 5C½

To see if the Town will vote to accept Section 5C ½ of Chapter 59 of the Massachusetts General Laws relating to additional tax exemptions; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: Massachusetts General Laws Chapter 59 Clause 5C ½ allows the Town, by vote of Town Meeting, to increase the benefit amount of all personal property tax exemptions by any percentage up to 100%. This additional exemption is applied uniformly to all personal property tax exemptions and cannot be applied selectively.

TMMA REVIEW

This Article proposes the Town increase the benefit amount of most personal property tax exemptions. The Selectmen will choose the percentage, up to 100%. The exemptions that would increase are: MGL Chapter 59, Clause 41C, 17D (Elderly), Clauses 22 and 22A, A-F (Veterans), and Clause 37A, (Blind).

A brochure with more detail on those exemptions and information about all available property tax exemptions and deferrals is available on the Town website, on the Assessor's page. <https://www.lexingtonma.gov/assessor/pages/4-elderly-other-tax-relief>

Hardcopies are available in the Town Office Building and at the Community Center in the Human Services Department on the second floor.

TMMA Questions:

Questions 1: What is the purpose of increasing the benefit amount of these tax exemptions?

Answer: It will bring the benefit amounts closer in today's dollars to what the original intent was when these exemptions were adopted. These benefits go to disabled veterans, the blind and the very low-income elderly. These amounts have not been increased in many years

Question 2: What will be the fiscal impact to the Town if Town Meeting votes to increase the benefit amount of these personal property tax exemptions?

Answer: Increasing these exemption could cost as much as roughly \$90,000. That is the amount of tax revenue that will not be collected from those that qualify for personal property tax exemptions if the percentage is increased by 100%, which is the maximum allowed under this law.

ARTICLE 38 **AMEND ZONING BYLAW AND MAP IN COMMERCIAL DISTRICT/MARRETT RD (Citizen Article)**

To see if the Town will vote to amend the Zoning Bylaw and Map to allow additional uses and density in the commercial district along Marrett Road near Spring Street by creating a new zoning district replacing the existing CN and CS districts; or act in any other manner in relation thereto.

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

DESCRIPTION: There are seven parcels on both sides of Marrett Road near Spring Street. The northern parcels are in the CN zone and across the street the southern parcels are in the CS zone. The allowed uses are inconsistent between the two sides of the street. A new zoning district will better meet the needs of the surrounding neighborhood and unify these small commercial districts.

This Article would replace the current CN and CS commercial districts along Marrett Road near Spring Street with a new district reflecting modern commercial zoning practices, allowing more flexible uses, and allowing increased density.

TMMA REVIEW

This is proposed by one of the owners of properties on the south side of Marrett Road near Auto Engineering and will specifically affect the existing CS district in this area. This proposal this would create a new zoning district called CSX, Commercial Service Expanded. This new zone will modify/expand the CS zone with 15 added new uses and 5 new developmental standards. There will be no change in dimensional controls, no change in minimum yards for parking, no change in required depth or width of transition area. Some of the new added uses would be to allow medical and dental offices, small grocery stores, and retail stores.

TMMA Questions:

Question 1: How has the surrounding neighborhood responded?

Answer: Although the owner has made an effort to reach out to the neighborhood, there is a group of citizens, KeepOurLexington.Org, who oppose this article. They claim that the owner has not been transparent with the community and has tried to rush this proposal through Town Meeting by way of a Citizens Article, instead of coming through the Planning Board. The owner has revised his proposal several times to address concerns.

Question 2 :Some have described this proposal as an example of spot zoning. What does that mean?

Answer: Spot zoning is when several parcels of land are singled out and classified as a specific zone of use that is different from the surrounding neighborhood for the benefit of the owner of such property and to the detriment to other land owners in the area. The neighborhood citizens opposed to this article claim that this spot zoning will set a Lexington precedent in which other commercial property owners will be allowed to create their own unique, personally-tailored commercial zones.

Question 3: Would restaurants, fast-food services, and package liquor stores be allowed?

Answer: The CSX would allow these only by obtaining a Special Permit.

ARTICLE 39

**AMEND GENERAL BYLAWS- TURNING MILL
NEIGHBORHOOD CONSERVATION DISTRICT**

To see if the Town will vote to amend the Code of the of the Town of Lexington by adding a new Chapter 78A entitled “Turning Mill Neighborhood Conservation District,” or take any other action in relation thereto.

(Inserted by the Board of Selectmen at the request of the Planning Board and Historical Commission)

DESCRIPTION: This Article would create a neighborhood conservation district (“NCD”), as authorized by Chapter 78 of Town’s Code, to be known as the Turning Mill Neighborhood Conservation District. NCDs are designed to protect such areas’ “architectural, aesthetic, cultural, political, economic, social and/or historical qualities” or “the cohesiveness of the NCD Area in terms of scale, size, and type of construction, materials, style or age.” The findings of the Turning Mill study report are that the neighborhood fully meets both the criteria of significance and cohesiveness, resulting in a strong qualification for the designation of a Neighborhood Conservation District. As required by Chapter 78, all properties subject to regulation under this proposed bylaw were afforded the opportunity to opt-out of the district.

TMMA REVIEW

TMMA Questions:

Question 1: What effect does approval of this NCD have on Opted Out properties?

Answer: Opted Out properties will be excluded from the NCD and the NCD’s protections and restrictions. They retain all the rights and restrictions that currently hold: nothing will change as a result of the NCD creation for properties outside the NCD.

Question 2: What will prevent the NCD Commissions from overstepping their authority?

Answer: The NCD Commissions are part of Town government and are required to conduct themselves in a public and transparent manner. One member will be appointed by the Planning Board, one by the Historical Commission, and three residents of the NCD by the Town Manager for three-year terms. All NCD meetings will be public posted meetings.

Question #3: Why do the two proposed NCDs have different set of bylaws?

Answer: The Study Committees were required to determine the significance of the particular area and defining characteristics which should be conserved. The two areas are very different in their characteristics and residents have certain qualities they wish conserved. The two sets of bylaws capture those differences.

ARTICLE 40

**AMEND GENERAL BYLAWS- PIERCE-LOCKWOOD
NEIGHBORHOOD CONSERVATION DISTRICT**

To see if the Town will vote to amend the Code of the of the Town of Lexington by adding a new Chapter 78B entitled “Pierce-Lockwood Neighborhood Conservation District,” or take any other action in relation thereto.

(Inserted by the Board of Selectmen at the request of the Planning Board and Historical Commission)

DESCRIPTION: This Article would create a neighborhood conservation district (“NCD”), as authorized by Chapter 78 of Town’s Code, to be known as the Pierce-Lockwood Neighborhood Conservation District. NCDs are designed to protect such areas’ “architectural, aesthetic, cultural, political, economic, social and/or historical qualities” or “the cohesiveness of the NCD Area in terms of scale, size, and type of construction, materials, style or age.” The findings of the Pierce-Lockwood study report are that the neighborhood fully meets both the criteria of significance and cohesiveness, resulting in a strong qualification for the designation of a Neighborhood Conservation District. As required by Chapter 78, all properties subject to regulation under this proposed bylaw were afforded the opportunity to opt-out of the district.

TMMA REVIEW

TMMA Questions:

Question 1: What effect does approval of this NCD have on Opted Out properties?

Answer: Opted Out properties will be excluded from the NCD and the NCD’s protections and restrictions. They retain all the rights and restrictions that they currently hold. Nothing will change as a result of the NCD creation for properties outside the NCD.

Question 2: What will prevent the NCD Commissions from overstepping their authority?

Answer: The NCD Commissions are part of Town government and are required to conduct themselves in a public and transparent manner. One member will be appointed by the Planning Board, one by the Historical Commission, and three residents of the NCD by the Town Manager for three-year terms. All NCD meetings will be public posted meetings.

Question 3: Why do the two proposed NCDs have different set of bylaws?

Answer: The Study Committees were required to determine the significance of the particular area and defining characteristics which should be conserved. The two areas are very different in their characteristics and residents have certain qualities they wish conserved. The two sets of bylaws reflect those differences.

ARTICLE 41

WRIGHT FARM PARCEL SPLIT (241 GROVE STREET)

To see if the Town will vote to authorize the Board of Selectmen to convey the following portions of the land owned by the Town and shown as Parcel 1C on Lexington Assessor’s Map 91: (a) approximately +/-26,492 square feet in area shown as Parcel 2-B on a plan of land entitled, “241 Grove Street Plan of Land” prepared by Meridan Associates dated February 2, 2018 and on file at the Office of the Town Clerk, to the Conservation Commission, and to authorize the Conservation Commission to subsequently convey a conservation restriction on said Parcel 2-B; and (b) approximately +/-16,954 square feet in area, shown as Parcel 2-A on said plan of land entitled “241 Grove Street Plan of Land”, to LexHAB, and for LexHAB to subsequently convey an affordable housing restriction on said parcel 2-A; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of LexHab)

DESCRIPTION: This Article requests a revised rear lot line for the conveyance of land to the Conservation Commission and to LexHab, respectively, at 241 Grove Street, previously voted by Article 9 of Annual Town Meeting 2015, to provide a more regularly-shaped back yard for the affordable house.

TMMA REVIEW

Town Meeting approved the acquisition of the Wright Farm on Grove Street to provide both an affordable house by the renovation of an existing historic home by LexHab, and to preserve the associated barn, and the actual farm land, including meadows and woodlands for conservation use. Conservation use of the barn and open spaces will require some public parking. The use of

the historic home by LexHab will require some private parking for the occupants. The driveway may be shared by both uses. This facilitates both uses, and adjusts the lot dimensions to accommodate both uses. Assessors map 91 is accessible on the Assessors web page at https://www.lexingtonma.gov/sites/lexingtonma/files/uploads/sh-91_200.pdf but it does not show the proposed changes.

TMMA Question:

Question 1: Why does a search of the Town website for “241 Grove Street Plan of Land” with “Meridian” or the date “2/2/2018” find no results except for the reference to this article in this warrant?

ARTICLE 42 AMEND ZONING BYLAW FOR SPECIAL PERMITS (Citizen Article)

To see if the Town will vote to amend the Zoning Bylaw to alter the rules for special permit residential developments to require affordable and age restricted housing; to limit the developable site area, unit size, and number of units allowed; and to set the standards for the preservation of environmental features and other site attributes; or to act any other manner in relation thereto.

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

DESCRIPTION: This Article proposes revisions to the regulation of discretionary special permit residential developments, authorized under Chapter 135, Section 6.9 of the Zoning Bylaw. The intent of the proposal is to amend the Bylaw to better address specific residential development needs in Lexington that are not being met by the current regulatory framework.

TMMA REVIEW

Article 42 seeks to introduce guidelines for developers and the Planning Board to follow for Special Permit Residential Developments (SPRDs). SPRDs are an alternative to conventional "by right" subdivisions, and allow deviations from the zoning bylaw to enable different types and densities of housing that would otherwise not be allowed.

The intent of Article 42 is to both provide more certainty as to what the Town expects from developers applying for an SPRD, while at the same time having these developments address Town housing needs, as articulated by residents and town planning documents. Another goal of Article 42 is to streamline aspects of the SPRD process for the Planning Board and Town staff, as applicant proposals under the current bylaw can take months or years to come to a conclusion, occupying significant Planning Board and staff time.

TMMA Questions:

Question 1: What town housing needs would SPRDs help address if Article 42 is adopted?

Answer:

- Smaller, more attainable, housing than what is currently being produced in conventional subdivisions
- Affordable housing (in conjunction with the Lexington Housing Assistance Board)
- Accessible housing by requiring a portion of units be built to Massachusetts Architectural Access Board accessibility standards
- Open space, by limiting the developable area of sites

Question 2: Does Article 42 propose age-restricted housing requirements?

Answer: An earlier draft of Article 42 did propose age-restricted housing as a component of SPRDs. However, clarity on aspects of the interpretation of both state and Federal-level legal requirements surrounding age-restricted housing could not be reached by town staff in time for Town Meeting.

Question #3: How would Article 42 save the Planning Board and Town staff time?

Answer: By setting clear Town expectations for developers applying for an SPRD, the proponents of Article 42 hope that today's lengthy back-and-forth between developers and the Planning Board that occurs today might be shortened. Developers will have a clearer idea of what sort of goals their initial plans for an SPRD must meet.

Question 4: Why would developers want to apply for an SPRD with additional developmental requirements, vs. building a conventional "by right" subdivision?

Answer: The proponents claim that incentives for developers to build SPRDs would not be substantially hindered by the additional requirements proposed in the Article.

ARTICLE 43

AMEND CHAPTER 135 ZONING BYLAW (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, Medical Marijuana Distribution Centers, and/or Recreational Marijuana Establishments; or act in any other manner in relation thereto.

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

DESCRIPTION: The current zoning restrictions for non-profit medical cannabis cultivators, processors, and distributors have become outdated and need updating to reflect the changes in state law regarding all Medical and Recreational Marijuana Establishments. This article seeks to see if the Town will vote to amend Chapter 135 of the Zoning Bylaw to update the current restrictions.

TMMA REVIEW

This article seeks to expand the commercial areas where marijuana operations are allowed on the Zoning bylaw. From a vote of Town Meeting 3 years ago "medical marijuana treatment centers" are only allowed on Hartwell Ave.

TMMA Question:

Question 1: What areas of town would be impacted if this article is approved?

ARTICLE 44 AMEND THE GENERAL BYLAWS- DEMOLITION DELAY AMENDMENTS

To see if the Town will vote to amend Chapter 19 of the Code of the Town of Lexington, Demolition Delay, to ensure consistency with the adoption of Neighborhood Conservation Districts, Chapter 78 of the Code (adopted at Annual Town Meeting 2016), make certain technical changes with respect to the Historic Districts Commission bylaw, or act in any other related manner.

(Inserted by the Board of Selectmen at the request of the Historical Commission and Planning Board)

DESCRIPTION: This Article is to correct an internal discrepancy between Chapter 19, Demolition Delay, and Chapter 78, Neighborhood Conservation Districts, identified after the adoption of Chapter 78. Several amendments to the Demolition Delay Bylaw are suggested to ensure internal consistency between the two chapters. Additionally, references to the Historic Districts Commission Special Act (Chapter 447 of the Acts of 1956, as amended) are modified to refer to any successor governing statute.

TMMA REVIEW

TMMA Questions:

Question 1: Are the Historic District Commission, the Historical Society, and any NCD Commissions in favor of this change?

Answer: Since there are no NCDs yet established, there are no NCD Commissions. However, the Historic District Commission, the Historical Society, the two NCD Study Committees and the Planning Board have all expressed favorable action.

Question 2: How are Opt-Out properties affected?

Answer: Opt-Out properties are, by definition, excluded from the NCD. If any Opt-Out properties are subject to the Demolition Delay Bylaw, the Historical Commission will retain jurisdiction over demolition requests.

ARTICLE 45

AMEND CHAPTER 447 OF THE ACTS OF 1956

To see if the Town will vote to authorize the Board of Selectman to petition the Massachusetts General Court for an act to amend Chapter 447 of the Acts of 1956, "An Act establishing an Historic Districts Commission for the Town of Lexington and Defining its Powers and Duties, and Establishing Historic Districts in the Town of Lexington", as previously amended, as follows:

- (a) amend Section 3. Definitions, to add a definition of "person aggrieved", and to amend the definition of "Structure";
- (b) amend Section 4. Creation and Organization of Historic Districts Commission, to add Lexington's Design Advisory Committee and delete the Lexington Arts and Crafts Society and trustees of Cary Memorial Library as nominating organizations; add considerations for nominee review; and delete the requirement that the Historic Districts Commission elect a secretary;
- (c) amend Section 5(d), to delete an unnecessary reference to a note;
- (d) amend Section 6. Exclusions, to clarify the process for matters concerning public safety in subsection (a); clarify the process for approving temporary structures and signs, in subsection (b)(1); and delete the exclusion for changes of exterior color to white in subsection (c);
- (e) amend Section 8. Meetings, Hearings, Time for Making Determinations, to clarify the persons entitled to notice of HDC proceedings;
- (f) amend Section 9. Powers, Functions, and Duties of Commission, to clarify HDC regulation of new construction and additions and add a policy statement with respect to solar installations; and
- (g) amend Section 11. Enforcement, with respect to continuing offenses; or act in any other manner in relation thereto.

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

DESCRIPTION: Chapter 447, the governing legislation for Historic Districts regulation and review, has not been substantially revised or amended since its original passage in 1956 and has not been revised or amended at all in nearly two decades. In the intervening years, the Commonwealth has suggested standard language for regulating historic districts in the General Laws, and courts have interpreted these provisions. Drawing on these precedents, the Historic Districts Commission is proposing these amendments to clarify ambiguous terms by expressly defining them in accordance with generally applicable state law and codify longstanding practices of the HDC (subsection (a) above); streamline and strengthen the process of appointing members to the HDC, thus ensuring the availability of qualified, willing applicants to serve as HDC members, and delete the unnecessary requirement that a secretary be elected (subsection (b)); remove an unnecessary reference (subsection (c)); clarify procedures for review of public safety hazards and temporary signs and structures (subsection (d)); grant more certainty to those entitled to notice of proceedings (subsection (e)) and who have standing to appeal decisions (subsection (a) - definition of "person aggrieved"); conform the scope of HDC review and remedies to standards used by other historic district commissions throughout the Commonwealth (subsections (f) and (g)); and recognize the importance of alternative energy solutions (subsection (f)).

TMMA REVIEW

Section 1 of Chapter 447 Acts of 1956 is not directly addressed in this article, but it expresses the original purpose of creating the Historic District Commission “The purpose of this act is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of historic buildings, places and districts through the development of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as landmarks of historic interest.”

Creation of the HDC was controversial in 1956 and controversy over development within the Historic District continues. The original intent of this act was to create a process to balance the competing interests with the most prominent role that of preservation. The process established in 1956 and in force at present is to select HDC members with staggered terms from diverse sources. An alternative process is allowed in the section 40C Massachusetts Law (section 40C). This article proposes a third variation. Town meeting is being asked to approve this third process but should be aware of the alternatives and should weigh whether the proposed changes are consistent with the original purpose of creating an independent Historic District Commission. Thus there are three alternative approaches to selecting the HDC, the current practice, that allowed by Massachusetts General Law and that recommended by the committee.

Under Chapter 447, Acts of 1956, the Historic District Commission was set up with 5 members with staggered 5 year terms, appointed by a process that ensured diversity and resulted in independence from control by any one point of view. The Lexington Historical Society nominates 4 candidates for 2 positions with the Board of Selectmen the appointing authority. The trustees of Cary Memorial Library and the Lexington Arts and Craft Society each nominate 2 candidates for 1 position (a total of 4 nominees for which 2 positions are filled) and the Board of Selectmen appoints the fifth position. These organizations were designated in 1956, and represent important civic institutions with long standing Lexington traditions that could be entrusted to uphold Lexington’s place in history.

In Chapter 40C, Section 17 of Massachusetts General Laws (MGL), the procedure of appointing a HDC allows for the appointment of a committee with one from two nominees submitted by the local historical society (or the Society for the Preservation of New England Antiquities) and one from two submitted by the chapter of the American Institute of Architects covering the area, and one from two nominees of the board of realtors, if any, covering the area. Again, the Board of Selectmen would appoint the HDC with sole discretion over the other members. The HDC can be from 3 to 7 members.

In this article, the nominating authorities would also change. Two of the current nominating authorities would be removed, the trustees of Cary Memorial Library and the Lexington Arts and Craft Society. In their place, the Design Advisory Committee would provide 4 nominees for 2 positions with the same nominating authority as for the Lexington Historical Society.

Thus the major change in the proposed amendment of Chapter 447 of the Acts of 1956 is to remove the trustees of the Cary Memorial Library and the Arts and Craft Society from submitting nominees for the HDC and instead having the Design Advisory Committee provide

nominees. Consequently, the role of the Design Advisory Committee and its recent submissions regarding Lexington Center are relevant to discerning the effects of this amendment.

The Design Advisory Committee would provide input into the design of any historic district project and its members would also provide 2 of 5 votes for the HDC approval of projects, perhaps a duplicative input from a single point of view.

Recently, the Lexington Design Advisory Committee has weighed in on plans to rebuild the roads and sidewalks in Lexington Center. These plans have been controversial, particularly the sidewalk design to replace the existing red brick sidewalks with alternative materials. Also, there have been several resignations from the HDC associated with concerns over the qualifications of appointees to the HDC.

TMMA Questions:

Question 1: What is the position of the trustees of Cary Memorial Library and the Lexington Arts and Crafts Society on being removed from nominating members of the HDC?

Question 2: Have the issues which resulted in several resignations from the HDC been resolved by these changes to Chapter 447?

Question 3: Will the balance between historical preservation versus modernizing development be altered by these amendments?

Question 4: Is the original purpose of the Historic District Commission well served by the proposed change in its composition?

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

- A. **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.
- B. **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.
- C. **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.
- D. **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.

- E. **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

- A. **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.
- B. **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.
- C. **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.
- D. **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

- A. **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.
- B. **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.
- C. **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.

- D. **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.
- E. **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

- A. **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.
- B. **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.
- C. **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.
- D. **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

- A. **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.
- B. **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.
- C. **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.
- D. **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.