

Selectmen's Meeting
October 15, 2007

A regular meeting of the Board of Selectmen was held on Monday, October 15, 2007 at 7:30 p.m. in Cary Auditorium, Cary Memorial Building. Chairman Krieger, Mr. Kelley, Mr. Cohen, Mr. Manz, Mr. Burnell; Mr. Valente, Town Manager; and Ms. Pease, Executive Clerk, were present.

Public Comment

Nairi Khachatourian, representing the Lexington High School Community, presented and read a petition that was signed by 286 students. The petition read:

“We the undersigned members of the Lexington High School community urge the Lexington Board of Selectmen to immediately sever ties with the Anti-Defamation League because the ADL has failed to unambiguously acknowledge the Armenian Genocide and has lobbied against Congressional affirmation of the Armenian Genocide.

“The ADL has not only failed to live up to its own charter to ‘secure justice and fair treatment to all’, it has also failed to live up to our own town’s standards and the quality education that we deserve in our school by choosing politics over human rights and tolerance.

“The ADL has disqualified itself as an effective spokesman for tolerance education. We deserve better.”

Selectmen Concerns and Liaison Reports

Mrs. Krieger will be attending the MAGIC Legislature Breakfast next Monday and will have an opportunity to ask our legislative delegation about pending legislation we are interested in. Mrs. Krieger will be asking about the municipal partnership act, education funding reform, and the life sciences bill. If there are other pieces of legislation a member of the Board is interested in let her know.

Town Manager Report

Mr. Valente presented the Selectmen with a flag and certificate that he received from the “Lexington, First Shot” unit from Wellesley, Massachusetts. The Town previously sent a Lexington Flag to the unit while it was serving in Iraq.

Mr. Burnell accepted the flag and stated: “On behalf of the Lexington Selectmen, the Town of Lexington, and my fellow Veterans, we accept this flag in recognition of the service and sacrifice of our armed forces in the pursuit of liberty wherever and whenever they are called to duty.”

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31 Waltham Street Proposed Sidewalk Closure & Safety Plan

Tim Sullivan, representing Citibank, came before the Selectmen to seek its approval of the proposed Sidewalk Closure and Safety Plan. They are planning to construct a temporary safety fence that will occupy approximately four feet of the sidewalk for one month and will leave four feet for pedestrians. They will need temporary and limited closure of the sidewalk a few times during the construction period for a maximum of five hours a day to allow for delivery of concrete. The concrete truck will park in pre-paid parking spaces in front of the building and a police detail will be present to ensure public safety. There will need to be temporary and limited closure of the alley adjacent to the building for a maximum of eight hours a day to provide access for pickup and delivery of material from the rear parking lot.

Mr. Cohen mentioned that there has been a buildup of water on that sidewalk and requested that if the sidewalk had to be torn up for any reason that the water problem be explored to see what was wrong and then fixed.

The Selectmen approved the proposed plan and asked that Mr. Sullivan contact the Engineering Department to apply for the necessary permits and to also contact the Police Department regarding the necessary police details.

Lexington Housing Partnership/Planning – HOME Funds

Mr. Bicknell, Chair of the Housing Partnership Board, came before the Board to request approval of the FY2008 Lexington Home Program Funding Plan.

Upon motion duly made and seconded, it was voted 5-0 to approve the FY2008 Lexington HOME Program Funding Plan presented by the Lexington Housing Partnership in their letter of September 27, 2007, including the allocation of \$52,615 of FY2008 monies and \$4,721 of FY2007 monies to LexHAB for the Parker School Affordable Housing Project, provided the WestMetro HOME Consortium confirms this project's eligibility for funding.

Grant of Locations for Keyspan

Harold Cooper, representing Keyspan, requested approval from the Selectmen on the following two items:

Grant of Location – Keyspan – Concord Avenue

Mr. Cooper stated that the work would not begin until Spring 2008.

Upon motion duly made and seconded, it was voted 5-0 to approve the petition of the Keyspan Energy Delivery to install and maintain approximately 1,800 feet of 6" gas main in Concord Avenue, from the existing 8" gas main in Spring Street at Concord Avenue East to the existing 4" gas main in Concord Avenue at Benjamin Road.

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Grant of Location – Keyspan – Fairlawn Avenue

Maria Kostorizos, 20 Wheeler Road, who requested this work, asked if the current drainage issue could be looked at and to install either a berm or curb as part of this project.

The Selectmen will ask Engineering if it is possible to install either a berm or curbing as part of this project.

Upon motion duly made and seconded, it was voted 5-0 to approve the petition of the Keyspan Energy Delivery to install and maintain approximately 275 feet of 4" gas main in Fairlawn Avenue, from the existing 6" gas main in Lowell Street @ Fairlawn Avenue easterly to house No. 20 Wheeler Road.

Liquor License – Change of Corporate Name – Vinny T's of Boston

Upon motion duly made and seconded, it was voted to approve the application for a Change of Corporate Name to Vinny T's Restaurant Corp., d/b/a Vinny T's of Boston, 20 Waltham Street, for a common victualler all alcohol liquor license.

LexMedia Agreement Amendment

Mr. Valente and Mr. Burnell have been working with LexMedia to address a cash flow problem caused by the way the Contract with LexMedia is structured. The existing contract provides that the Town will reimburse LexMedia monthly for PEG related expenses. Because of the normal Town procedure for processing reimbursement invoices from LexMedia, payments frequently are made 4-8 weeks after LexMedia incurs the expense. LexMedia does not have sufficient cash flow to bridge this gap, particularly for the larger equipment expenses. The proposed amendment to the contract provides for the Town to advance fund the \$50,000 in the LexMedia Contract for equipment purchases. This will provide LexMedia with sufficient cash flow to make their necessary capital purchases as well as cover operating expenses.

The Selectmen approved the contract change and the Town Manager will prepare the necessary contract amendment.

Bench Location Approvals

Upon motion duly made and seconded, it was voted 5-0 to approve the location of two benches: one in front of Via Lago and one on the traffic island at the end of Clarke Street that the Youth Commission maintains.

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Appointments/Reappointments/Resignations

Design Advisory Committee

Upon motion duly made and seconded, it was voted 5-0 to reappoint Bruce Creager, John Frey and Elizabeth Whitman to the Design Advisory Committee as associates for one-year terms to expire September 30, 2008.

Housing Partnership Board

The Fair Housing and Human Relations Committee had a designated member on the Housing Partnership Board. Since the Fair Housing and Human Relations Committee has been dissolved, the recommendation from the Housing Partnership Board is to include the Fair Housing designated member as an appointed member of the Board.

Upon motion duly made and seconded, it was voted to make a change to the Housing Partnership Board charge reflecting that the Selectmen appoint 18 members (instead of 17) and there will be 3 members designated (LexHAB, Lexington Housing Authority and Planning Board).

Upon motion duly made and seconded it was voted 5-0 to appoint Harriet Cohen to the Housing Partnership Board for a 3-year term to expire September 30, 2010.

LexMedia Board of Directors

Upon motion duly made and seconded, it was voted 5-0 to accept the resignation of Barry Orenstein, the Selectmen's representative, from the LexMedia Board of Directors, effective immediately.

Upon motion duly made and seconded, it was voted 5-0 to recommend that Tim Counihan be appointed to the LexMedia Board of Directors as the Selectmen's representative.

Tax Deferral and Exemption Study Committee

Upon motion duly made and seconded, it was voted 5-0 to accept the resignation of William Kennedy from the Tax Deferral and Exemption Study Committee, effective immediately.

Tourism Committee

Upon motion duly made and seconded, it was voted 5-0 to reappoint Richard Canale to the Tourism Committee for a one-year term to expire September 30, 2008.

Town Report Committee

Upon motion duly made and seconded, it was voted 5-0 to reappoint John Ayvazian, Cindy Anne Lewis, Robert Morrison, Zelda Sokal and David Tabeling to the Town Report Committee for one-year terms to expire September 30, 2008.

Upon motion duly made and seconded, it was voted 5-0 to appoint Anne Leary and Jeri Zeder to the Town Report Committee for one-year terms to expire September 30, 2008.

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The Selectmen thanked and praised Ann Redmon who edited last year's Town Report. She did a superb job and the Selectmen are very thankful.

Approve State Primary and Election Notice

The Town Clerk suggested that instead of sending two warrants to all residents that one postcard notice be sent with information on both the Special State Primary and Special State Election.

Upon motion duly made and seconded, it was voted 5-0 to send the special notice to all residents regarding the Special State Primary and Special State Election.

Common Victualler and Entertainment Licenses for Teppanyaki Asian Cuisine

Upon motion duly made and seconded, it was voted to approve and issue a Common Victualler License and Entertainment License to Fei Teng, Inc., d/b/a Teppanyaki Asian Cuisine, 27 Waltham Street.

Water/Sewer Rate Hearing

The purpose of this hearing was to take public comments and then vote to establish the rates.

Mr. Kelley congratulated the Ad Hoc Water and Sewer Rate Study Committee, Mr. Valente, Mr. Addelson and staff for all the work they have done to improve the water and sewer accounts and he looks forward to continuing the effort.

Mrs. Fournier asked the Selectmen if they would consider lowering the escalating rates this year to help large families.

Mrs. Krieger stated that the inclined rate structure policy was put in place to help conserve water. The recommendation at this time is to continue with that policy.

A resident of Whipple Road who has a large family suggested dividing the rate based on the number of people in the household.

Upon motion duly made and seconded, it was voted 5-0 to establish FY2008 water and wastewater rates as follows:

Type	Water/hcf	Wastewater/hcf
Residential/commercial		
Block 1	2.71	6.01
Block 2	4.06	9.82
Block 3	5.35	15.60
Irrigation	5.35	na
Municipal	1.47	2.09
Hanscom	3.92	na
VA Hospital	4.68	na
Bedford-water	1.82	na

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Water and Sewer Abatement Board

Mr. Valente presented the Selectmen with a proposed charge for a Water and Sewer Abatement Board. The Board would consist of three members appointed by the Selectmen. The duties would include, but not be limited to, the receipt of applications from ratepayers for abatement or adjustment of water/sewer charges due to disputes, hardship or error; and the establishment of policies and procedures to guide said Board in the determination of the amount of any adjustment or abatement of charges. Determinations and policies and procedures will be made as recommendations to the Selectmen for final approval. The Water and Sewer Abatement Board will include the Assistant Town Manager for Finance or his designee as staff.

Upon motion duly made and seconded, it was voted 5-0 to approve the proposed charge.

Lexington No Place for Hate Steering Committee Structure

Statement by Selectman Jeanne Krieger

“The Lexington NPFH Steering Committee has a sterling record, intervening and advising the Town on human rights issues. When the Town endorsed the NPFH program seven years ago, we deliberately kept the Steering Committee at arm's length to allow the committee to respond to crisis, without having to post meetings and to prevent the program from becoming politicized. Now we find that program subject to influences, unanticipated by those of us involved with the start of the program.

“One of the three sponsors of the NPFH program, the Anti Defamation League, has recently been criticized for its policy on the Armenian Genocide. At the October 1 meeting this concern was voiced by the Armenian community. At that meeting the Board of Selectmen instructed the NPFH Steering Committee to return tonight with a recommendation on how they can best continue to serve the community in light of the criticism of the policy of one of their parent organizations.

“The events up to tonight's meeting have undergone a lengthy process, at the October 1 meeting and in the press, both local and national.

“We are here now to listen and respond to the recommendation of the Steering Committee, not to continue to discuss the events of the last several weeks. I will attempt to keep the discussion focused tonight on the local issue of how the Town will continue to benefit from human rights leadership provided by the NPFH program.”

Statement by Selectman Norman Cohen

“Before we listen to more comments and before we make any decision on this matter I would like to briefly comment on the success that the No Place for Hate program has had in Lexington. No matter what has recently been said and what might be said tonight, nothing can erase that success. I feel compelled to make that statement because while over 90 percent of the e-mails, letters and telephone calls that I have received relating to this topic acknowledge the wonderful work that No Place for Hate has done, there have been a few statements made to the effect that

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the work of our local No Place for Hate Steering Committee has been tainted. In my opinion, nothing could be further from the truth and I am sure the other sponsors of this program feel the same way. Our local No Place for Hate Steering Committee has been in existence for seven years. While I was familiar with much of their early work, during the last two years as a Selectman, I have seen first hand how effective this program has been. Speaking only for myself at this point and based on the comments of a very small minority, I believe it is important for Lexington to have in place a group of caring citizens who can help us deal with problems when incidents of prejudice and hate arise in Lexington.”

Statement by No Place for Hate Steering Committee

An Open Letter to our Board of Selectmen and the Lexington Community Monday, October 15, 2007

“Many in Town are grappling with questions concerning the formation, functionality and future of Lexington’s *No Place For Hate* (LNPFH) Steering Committee. From the viewpoint of the Steering Committee, there are issues which must be resolved. Members understand that these concerns have an important impact on the perception of independence of our group and thus its activities. Therefore, we ask the Board of Selectmen to consider the following points in determining how to proceed.

The Mission Of Lexington *No Place For Hate*

“The work of the Steering Committee has always been considerate of and responsive to the issues and needs of Lexington. In all its activities, the Steering Committee seeks to advance its stated mission:

- To develop a shared vision for all citizens as a community free from prejudice and bias, where tolerance is the norm, where each individual is protected and respected for his/her unique characteristics, and where respect and civility govern public discourse.
- To recognize and celebrate diversity; to challenge bigotry, racism, discrimination, hate crimes, civil rights violations, and acts of bias; and to build inter-group respect and understanding.

Affirmation Of The Armenian Genocide

“Specifically, so there is no confusion at all, and as stated publicly at the Board of Selectmen Meeting September 24th, 2007, and at other meetings and conversations, we as individuals and as a Steering Committee reaffirm our full and unequivocal recognition and acknowledgement of the Armenian Genocide. By its very name and definition, the Armenian Genocide is one of the greatest atrocities of the early 20th Century, and we recognize the direct impact the Armenian Genocide has had on our Armenian-American neighbors and friends, both in Lexington and in the Armenian Diaspora.

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Examples Of NPFH Accomplishments In Lexington

“Established by the Board of Selectman in 2000, the Steering Committee is a unique body, made up of Town representatives including the Police, Town Manager's Office, Schools, Department of Social Services, the Board of Selectman, the School Committee, the Lexington Interfaith Clergy Association, as well as several town citizens. Many who live and work in Lexington have participated in a wide array of LNPFH initiatives and projects over the last seven years. Accomplishments include:

- **Guidelines for Civil Discourse** – used throughout Town at public and informal meetings to help create opportunities for productive dialogue among groups with differing viewpoints.
- **Lexington Listens Study Circles** – dozens of residents, professionals and elected officials participated in a program designed to foster understanding through small group dialogue.
- Proactive educational programs: **Lexington Reads The Namesake**, including forums on the power and importance of storytelling and personal story-sharing and the immigrant experience as well as an **Immigrant Film Series** in partnership with the Friends of Cary Library on similar themes.
- **The Incident Response Team (IRT)** – Police, Clergy, Social Services, Town Manager's Office, Schools, and LNPFH work as a team with individuals and groups in the community when a hate crime is alleged or when neighborhoods have challenging and divisive issues; most recently, worked quickly to effectively respond to a racially-motivated attack on one of our Asian-American neighbors.
- **CommUNITY Rally and The “Shield of Loving Kindness” Community Response To Hate** – Developed in partnership with the Lexington Interfaith Clergy Association and Respecting Differences and many community groups and professionals in response to multiple incursions of hate groups who came into our community whether through leafleting, or public demonstrations. Our police force received an award for its role and participation in the community response to the Westboro Baptist Church.
- **Dr. Martin Luther King, Jr. CommUNITY Walk and Celebration** – Created in partnership with many groups and individuals in the community a well-attended commemoration of Dr. Martin Luther King, Jr.

Relationship with the New England Anti-Defamation League (NEADL)

“The Lexington NPFH Steering Committee was established and empowered by the Board of Selectmen in 2000. The Board of Selectmen created the Steering Committee and brought the NEADL/Massachusetts Municipal Association co-sponsored state-wide *No Place for Hate*

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(NPFH) initiative to our community. Lexington's participation in *No Place for Hate* has brought many community and individual resources to bear on helping the Steering Committee fulfill its mission, through educational materials, NPFH community networking conferences and matching grant funding, all of which have been critical to the success of specific programs and activities. The NEADL and its NPFH staff have been reliable partners from the very start of the Lexington's NPFH Steering Committee's work, as well as for many other Commonwealth communities. Lexington would miss this collaboration with the NEADL and other NPFH communities, and the Steering Committee hopes that the Board of Selectmen will utilize, as appropriate, the excellent resources NEADL and NPFH have to offer. Even as we recognize the conflicts and criticisms swirling at the national and international levels, we also acknowledge the many personal efforts and contributions of NEADL Regional Director Andrew Tarsy and Community Outreach Director Jennifer Smith to local *No Place For Hate* communities.

The Current Crisis

“In the last few months, issues about the recognition and affirmation of the Armenian Genocide have triggered significant concerns about the relationship of local *No Place For Hate* programs to the national ADL. The Lexington NPFH Steering Committee has been deeply moved by the thoughts and feelings of many individuals in our Town. We have listened as well to the words of representatives of Armenian-American organizations in Massachusetts. The Lexington NPFH Steering Committee continues to believe that neither NEADL nor its No Place for Hate staff exerts inappropriate influence, financial, political or otherwise, over our work, activities or decisions. The Steering Committee has always charted its own course, in concert with our mission. Nonetheless, we acknowledge that the perception of the Steering Committee's lack of independence from national ADL, or from any single outside organization, is what is at issue. It is important that the Steering Committee be seen as operating completely free from outside influence, real or perceived. While the Steering Committee believes that the actual issues at play here are more about larger national and international aspects of the Armenian Genocide, we also acknowledge that this situation is now truly local, and divisive. The association with national ADL is causing fellow Town citizens to become adversely engaged in controversy, the very thing Lexington's *No Place For Hate* Steering Committee aims to dissipate. Thus, the downside of working with any one “supplier” of diversity, anti-bias and human rights programs and expertise needs to be addressed.

Structural Issues

“At its origin, the “articles of incorporation” and “operational aspects” of the Lexington NPFH Steering Committee's activities were never clearly articulated. While not technically an official Town Committee, its liaison with key employees, the Town Manager's Office, the Selectmen, its close partnership with the Lexington Police, Department of Social Services and Public Schools, plus the simple practice of using Town space for meetings, may perpetuate the misunderstanding of the Steering Committee's “official” status, thus triggering the expectation for full compliance of open meeting laws, for example. Yet, the sensitive nature of certain activities, involving hate crime allegations or an individual's privacy, demand confidentiality which no sunshine law

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would permit. There is no consistent, documented method by which appointments and succession occur. Yet, the Steering Committee has always operated in a welcoming manner, and it has *always* included the many citizens as members who have learned about its mission and who wanted to make contributions to programs and activities. Finally, there are no specific or clear regulations to determine scope or authorization of the Steering Committee's activities or actions. Yet, the assessment to date of the Steering Committee's programs and actions is overwhelmingly positive.

Conclusion And Recommendation

“In conclusion, the Lexington NPFH Steering Committee is very proud of its mission and its many accomplishments since it was formed by the Board of Selectmen in 2000. Most Town officials and citizens acknowledge that the Steering Committee has operated consistent with its mission over its seven years of existence. At this timely juncture, the Steering Committee respectfully defers to the wisdom of the Board of Selectmen concerning the formation, functionality and future of Lexington's *No Place For Hate* (LNPFH) Steering Committee.

“Sincerely, Members of the Lexington *No Place For Hate* Steering Committee:

Jill Smilow, Chair and founding member
 Rev. Judith B. Brain, founding member,
 and Lexington Inter-Faith Clergy
 liaison
 Olga P. Gutttag, member since 2004
 David C. Horton, founding member
 Mary Haskell, member since 2006
 Claudia Lach, member since 2005

Lawrence J. Link, member 2006
 Charles T. Martin, member since 2001
 Leona W. Martin, founding member
 Brenda Prusak, founding member
 Ravi Sakhuja, member since 2004
 Yukari Watanabe Scott, member since
 2004

“**NOTE:** We are deeply indebted for her leadership and hard work to our chair, Jill Smilow, who drew her passion and developed her skills for this work from her volunteer affiliation to and training by the New England ADL.

--Rev. Judith B. Brain, Olga P. Gutttag, David C. Horton, Mary Haskell, Claudia Lach,
 Lawrence J. Link, Charles T. Martin, Leona W. Martin, Brenda Prusak, Ravi Sakhuja,
 Yukari Watanabe Scott”

Statement by Selectman Hank Manz Presenting Two Motions

“Seven years ago, faced with problems difficult to handle by existing means, the Selectmen of Lexington asked what has come to be called No Place for Hate, but what is more correctly the Lexington No Place for Hate Steering Committee, to do a nearly impossible job. They were given almost no resources except our good wishes and a list of problems to solve. For seven years they have labored, often in obscurity, to deal with problems that many do not wish to admit exist in a town like Lexington. Some of their successes are well-known. The response to three hate groups which visited us in quick succession were just three of those accomplishments.

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There were many others, all of value to the town and most of which received no publicity because none was ever sought.

“The program chosen to address the problems before them was **No Place for Hate**, developed by the Anti-Defamation League, but endorsed by both the Massachusetts Municipal Association and BlueCross BlueShield. As with all national programs, there were some disconnects with local priorities, but it was still an excellent choice.

“Out of the work of the group grew programs like Study Circles and the Incident Response Team. Our Rules for Civil Discourse were part of their effort. The No Place for Hate Steering Committee is a key element of the training the Town offers to all committee chairs. They have assisted with training Town staff in customer service. They have mediated community conflicts.

“It is time for the Town to dedicate more resources to these important efforts.

“We have, frankly, placed too great a load on the Lexington No Place for Hate Steering Committee. We have not addressed how a non-government committee which assists the Town can handle the sometimes conflicting demands of open meetings and confidentiality. We have exposed them, at times, to negative feedback from citizens who did not understand that even Lexington has civil and human rights issues. We have not helped them develop the range of programs needed to deal with the issues they face.

“Therefore, I think the Selectmen must now move to create a structure which preserves what the Lexington No Place for Hate Steering Committee has created, and which uses that work as a bridge to an even stronger effort. I suggest that we do two things tonight.

1. Send a letter to the New England Anti-Defamation League rescinding our endorsement of the Town's formal relationship with the **No Place for Hate** program.

“Although we are asking the Anti-Defamation League to remove us from their list of No Place for Hate towns, we state emphatically that we will not retreat from the principles that allowed us to be named as such. Lexington has always been a place where hate is unwelcome and we must all do whatever is needed to keep it so.

2. Vote to establish an ad hoc committee to return, within one month, with an outline for an organizational structure, a name, and a charge for a renewed Lexington human rights effort.

“I suggest that once we vote to establish the ad hoc committee, we move aggressively to name the members of that committee within one week.

“I hope that current members of the Lexington No Place for Hate Steering Committee, already a diverse group, along with others, including those energized by the current debate, will be part of that renewed effort.

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“I think we should thank the community advocates who have reminded us so forcefully that committees like the Lexington No Place for Hate Steering Committee have many issues to deal with. Renewed emphasis on the Armenian Genocide and the Holocaust should remind all of us how urgently such efforts are needed, in our own country and communities. Moreover, we can find more than enough evidence within our own borders of where intolerance can lead. African-Americans, Japanese-Americans, and Native Americans all have a story to tell to which we should listen.

“As we move into this next phase, there are not enough words to thank Jill Smilow, who has turned a lifelong dedication to community service and human rights into seven years of chairing the Lexington No Place for Hate Steering Committee. She has sometimes seen the worst of Lexington, and has done so much to make it better. We are fortunate to be able to build on her efforts.”

Mr. Manz proposed two motions:

That a letter be sent to the New England ADL, over our signatures, rescinding our endorsement of the Town's formal relationship with the ADL's No Place for Hate program effective immediately.

That an ad hoc committee be named. Their charge will be to return in not more than one month with an outline for an organizational structure, a name, and a charge for a committee which reconstitutes what is now the Lexington No Place for Hate Steering Committee as a more formal body which can carry on the work being done by the current Lexington No Place for Hate Steering Committee. Further, although we are not prepared to name the members of the ad hoc committee tonight, we will do so within one week. Since the Steering Committee is not an official Town committee, we are not specifically dissolving it, but rather hope that with the establishment of the new structure there can be a smooth transition from the current committee to its successor.

Several Lexington residents spoke on both sides of this issue.

Statement by the Lexington Armenian Community Steering Committee read by Laura Boghosian

“We would like to begin by acknowledging, once again, the valuable work performed by the Lexington No Place for Hate steering committee. We have always honored their commitment to making Lexington a diverse, bias-free, and tolerant community over the past seven years, and we thank them.

“Our objective, rather, has been to disassociate Lexington from No Place for Hate's creator and sponsor, the Anti-Defamation League, an organization that purports “to secure justice and fair treatment to all citizens alike,” but in practice, denies the rights of many, including the Armenian community.

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“The ADL’s failure to recognize unambiguously the Armenian Genocide and its efforts, on behalf of Turkey’s denialist government, to oppose Congressional affirmation of this genocide is unconscionable.

“The ADL’s disingenuous August statement ostensibly recognizing the Armenian Genocide was carefully worded to ensure that the Turkish massacres and exile of Armenians from their homeland of over 2,500 years did not meet the international legal standard for genocide. This hypocrisy must not go unchallenged.

“As recently as three weeks ago, the ADL’s national director endorsed Turkey’s call for a joint commission to study the events of 1915, a proposal that the International Association of Genocide Scholars labeled a “red herring [that] would only serve the interests of Turkish genocide deniers.”

“As an organization that actively engages in genocide denial, the ADL simply does not have the moral authority to teach tolerance or combat hate in our cities and towns.

“Whether the ADL works “very hard at the local level” with “a lot of personal involvement” with local No Place for Hate committees, as stated by New England ADL Director Andrew Tarsy, or whether local committees are largely free of ADL influence as argued by Lexington’s No Place for Hate steering committee, is simply irrelevant.

“What is critical is the fact that No Place for Hate is a registered, trademarked program of the Anti-Defamation League and our local committees work under the ADL’s name. Indeed, they require regular recertification by the ADL. For Lexington’s local human rights body to perform anti-bias and anti-hate work through an organization engaging in genocide denial is contradictory and absurd.

“Thus, we ask that the No Place for Hate committee be reconstituted as a town-sponsored human rights commission, for it is vital that the work continue. We look forward to meeting with the town and the members of the steering committee to achieve this.

“The Armenian community thanks our friends and neighbors, numerous individual members of the Jewish community, organizations such as Jewish Voice for Peace, and local human rights commissions who voiced strong support for our call to sever ties with the ADL.

“By voting to rescind its endorsement of the ADL’s No Place for Hate program, Lexington’s Board of Selectmen will uphold the human rights and dignity not only of its Armenian residents, but of all people everywhere. Human rights are universal and should never be subordinated to political interests, whether on the local, state, national, or international level.

“For if one group is denied its rights, all groups are endangered - as evidenced by Hitler’s quote just prior to his invasion of Poland and unleashing of the Holocaust. ‘Who, after all,’ he asked, ‘speaks today of the annihilation of the Armenians?’

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“Let us speak tonight of the annihilation of the Armenians and take a principled stand against the ADL's denial of the Armenian Genocide. Lexington, Massachusetts has served as a symbol for justice and human rights since 1775. Let us honor that legacy now by ending our association with the Anti-Defamation League.”

Upon motion duly made and seconded, it was voted 5-0 to send a letter to the New England Anti-Defamation League rescinding our endorsement of the Town's formal relationship with the **No Place for Hate** program and to send a copy to the National Anti-Defamation League.

Mr. Kelley will support the proposed ad hoc committee and would like the new committee to be more officially sanctioned by the Selectmen and be more public. Mr. Cohen does not support the idea of the committee having to be more public in view of the issues that will come before it. Mr. Manz stated that he feels both issues can be handled by any legally constituted entity. The Ad Hoc Committee would have to see how other towns are dealing with the issue.

Upon motion duly made and seconded, it was voted 5-0 to establish an ad hoc committee to return, within one month, with an outline for an organizational structure, a name, and a charge for a renewed Lexington human rights effort.

Burlington Plan

The Selectmen briefly discussed how the Burlington Plan would work to help keep track of Special Education out of district costs. The School Committee recommends considering the Burlington Plan.

The Selectmen recommend that the School Committee meet with the Appropriations Committee and then discuss again at the November 13 Summit.

Review of TIF/EOA Documents

Mr. Valente presented the draft documents required by the State as part of the TIF application. The Board will be asked to approve and sign the documents at the meeting prior to Town Meeting on October 17. The documents include: Resolution authorizing the creation of the Patriot Way Economic Opportunity Area, resolution authorizing the designation of a certified project; and the Tax Increment Financing Agreement by and among the Town of Lexington, Shire Human Genetic Therapies, Inc., and Patriot Partners Lexington, LLC.

Consent Agenda

Adjustments of Water and Sewer Charges

Upon motion duly made and seconded, it was voted 5-0 to approve the following adjustments of water and sewer charges:

Adjustments of Water/Sewer Charges for the period 8/1/07 to 8/31/07	-\$42,215.65
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Ratify Poll Vote - One-Day Liquor License – Historical Society/Esther and Robert Isenberg

Upon motion duly made and seconded, it was voted to ratify a poll vote approving a one-day liquor license for the Lexington Historical Society/Esther and Robert Isenberg for a “By the Light of the Harvest Moon” Hospice Fundraiser on Saturday, October 13, 2007, from 7:30 p.m. to 11:00 p.m.

Ratify Poll Vote – Letters of Support for Hangar 24 Museum

Upon motion duly made and seconded, it was voted 5-0 to ratify a poll vote to send a letter to Hanscom Air Force Base supporting the plan to site an aerospace technology museum in Hangar 24.

Ratify Poll Vote – Letters of Support Sent to Director of Greenways and Trails

Upon motion duly made and seconded, it was voted 5-0 to ratify a poll vote to send letters to the Director of Greenways and Trails supporting the Western Greenway extension trail work in the Beaver Brook North Reservation and the trail improvement work in the Dunback Meadow, Hayden Woods and Willard's Woods conservation areas.

Ratify Poll Vote – Proclamation for George Mechem

Upon motion duly made and seconded, it was voted 5-0 to ratify a poll vote to sign a proclamation for George Mechem to proclaim October 9, 2007 as George Mechem Day in honor of his retiring from the Lexington Public Schools system after 37 years.

Minutes

Upon motion duly made and seconded, it was voted 5-0 to approve the minutes of September 24, 2007 and September 26, 2007.

Upon motion duly made and seconded, it was voted to adjourn at 10:20 p.m.

A true record; Attest:

Lynne A. Pease
Executive Clerk