

Selectmen's Meeting
December 3, 2007

A regular meeting of the Board of Selectmen was held on Monday, December 3, 2007 at 7:30 p.m. in the Selectmen Meeting Room, Town Office Building. Chairman Krieger, Mr. Kelley, Mr. Cohen, Mr. Manz, Mr. Burnell; Mr. Valente, Town Manager; and Ms. Pease, Executive Clerk, were present.

Public Comment

Mr. Lazarus had a traffic safety concern on Woodland Road and was told to contact Michael O'Connell in the Police Department and/or fill out the Traffic Safety Request Form.

Selectmen Concerns and Liaison Reports

Mr. Burnell brought up a serious concern regarding proceeding with the build out of Kline Hall. Avalon Bay has not signed off necessary paperwork to let LexMedia proceed. The Selectmen agree that serious action needs to be taken. Mr. Valente will check to see if Avalon Bay is in violation of its Special Permit.

Mr. Cohen publicly acknowledge the retirement of John Ott as Director of the National Heritage Museum by thanking him for his leadership and participation in so many activities in Town and by bringing so many constituencies together in Lexington and beyond. Mr. Cohen thanked Mr. Ott for all he has done for Lexington.

Mr. Kelley announced that the DPW will make a sand/salt pile available to the citizens of Lexington near the swimming pool on Worthen Road by Tuesday morning.

Ad Hoc Budget Schedule Committee Report Discussion

The Selectmen asked for comments and concerns from those affected regarding the recommendation of the Ad Hoc Budget Schedule Committee to start the Annual Town Meeting earlier in order to have an earlier date for any necessary overrides.

Mr. Lamb, Chair of the Capital Expenditure Committee, was concerned that the change would affect capital projects. Selectmen assured him that it would not affect any capital projects.

Ms. Sandy, Chair of the Town Meeting Members Association, supports the budget being taken up as early as possible to avoid last minute decisions. Changing the start of Town Meeting would mean having to schedule one or two TMMA information sessions before the local election and possibly making a change to the TMMA bylaws regarding election of precinct officers. Most serious impact is the warrant information report which would have to be completed and on a more compressed schedule. She feels the most important change is having the budget article (Article 4) taken up as one of the first articles.

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Mr. Hornig, Planning Board Chair, stated that the Planning Board had no objections to the recommendations of the Ad Hoc Budget Schedule Committee, but wanted the Selectmen to be aware that there will be several land use and zoning articles for the Annual Town Meeting. It will be difficult for the Planning Board to be ready to go before Town Meeting any earlier than the last Monday in March due to the schedule that is followed after the closing of the warrant and the need to hold public hearings and prepare reports.

Mr. Levine, Chair of the Appropriation Committee, summarized the Committee's discussion regarding the budget schedule recommendations. The Committee would need four weeks from when the budget is sent out electronically on February 14 to prepare its report and would then distribute by March 17 and then another week should be provided for review of the report, with discussion of the budget not beginning before March 21. The Committee suggests that some articles should be put off to a Fall Town Meeting to take some burden off all parties. The Committee also is concerned with the compressed schedule and whether it would be conducive to good decision making. Another concern is calling an override early and having an effective override campaign at the same time Town Meeting is still going on. Discussions on the budget schedule should continue and if necessary should be flexible.

Mrs. Krieger spoke to Mrs. Battin regarding the schedule. Her concerns were being able to have a meeting with the article sponsors on March 6 and also scheduling a workshop for new Town Meeting Members prior to the start of Town Meeting.

Mrs. Krieger also spoke to several people who have previously worked on override campaigns. The Monday after spring school vacation is not a good date because doing outreach during vacation week does not work.

The concern of the Town Clerk is the need to close out the Town Election results prior to the beginning of Town Meeting. Also, the budget calendar suggests the 5th summit be held the third week of March.

The Selectmen asked the Ad Hoc Budget Schedule Committee to meet once more to take into consideration all of the suggestions/concerns heard at this meeting and come back to the Selectmen at its meeting on December 17 with a recommendation.

Tax Classification Hearing

Mr. Addelson, Assistant Town Manager of Finance introduced the Board of Assessors: Chairman William Jackson, Steven Foster, Edmund Grant; and Joe Nugent, Town Assessor.

Mr. Jackson reviewed the package of information and exhibits provided to the Selectmen to help them set the tax rate for FY2008 and reminded the Board that FY2007 was a reevaluation year, which is done every three years.

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Larry Smith, Cranberry Hill Associates, reminded the Board that the repeal of Chapter 3 of the Acts of 2004 was not intended to benefit Lexington and his hope was that the Selectmen would be business friendly and continue reducing the tax classification adjustment down to 1.70 by FY2009.

Mary Jo Bohart, Director of the Chamber of Commerce, stated that downtown businesses are struggling to continue their businesses in the center.

Citizen Frank Sandy urged the Selectmen to keep the tax classification adjustment at 1.74 to keep taxes down for the citizens whose taxes have skyrocketed.

Mrs. Krieger wants to see the commercial base grow because it would bring the commercial contribution to the tax levy back to what it was several years ago. But because this is a year in which residential values are down and commercial value is up and at same time Commercial valuations are also higher because it is a revaluation year, Mrs. Krieger recommends a CIP of 1.70.

Mr. Kelley agrees and feels it is a good compromise and the right direction to go and it is important for us to continue to show and send the message that we appreciate the commercial interest in Lexington.

Upon motion duly made and seconded, it was voted 5-0 to establish the residential factor of 1.70 for fiscal year 2008.

Upon motion duly made and seconded, it was voted 5-0 not to adopt the Open Space Discount for fiscal year 2008.

Upon motion duly made and seconded, it was voted 5-0 not to adopt the Residential Exemption for fiscal year 2008.

Upon motion duly made and seconded, it was voted 5-0 not to adopt the small commercial exemption for fiscal year 2008.

Communications Advisory Committee – LexMedia Performance

Mrs. Canale, Chair of the Communications Advisory Committee (CAC), stated that the CAC was in attendance to provide the Selectmen with a report of the LexMedia Yearly Performance Evaluation, which is a requirement of the contract with the Town. The process began in July with a letter from the Selectmen to LexMedia Board of Directors. The CAC appointed Jim Gonzalez and Linda Roemer to a subcommittee and charged them with facilitating the performance evaluation process. The CAC has approved the LexMedia Performance Evaluation report and recommends that the Selectmen formally accept the conclusions and recommendations of the report.

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Mr. Gonzalez stated that this is the 2nd annual review of LexMedia and that since October there have been some major changes in personnel. He reminded the Board that LexMedia is a business that has a contract with the Town and needs to be judged by the terms of the contract. We should expect a certain quality of service.

The CAC makes the following recommendations:

1. Develop and executive a plan to explain to residents what became of SCOLA, what will become of LIFT and LexMedia's plans for programming on the three channels. This information should be framed with a vision of the future of public television in Lexington.
2. Develop and act on a fundraising plan. LexMedia is expected to supplement its income from the Town with funds it raises on its own. What LexMedia has revealed to the CAC regarding its spending plans far exceeds what is provided under the contract or is available from other Town sources.
3. Develop and publicize a plan for the move to Kline Hall, detailing service interruptions, costs and plans to fill the gap between the capital LexMedia says it needs for equipment and what is available.
4. Complete the inventory, which must include the equipment put into LexMedia's care at the start of the contract. Fix the inventory control system and demonstrate its operation for the CAC.
5. Show evidence that it has worked to develop a relationship with the School Department, including trying to engage media students at Lexington High School.
6. Improve the complaint log. Eliminate handwritten entries and maintain a column for disposition. A simple spreadsheet may be sufficient.
7. Stabilize board membership, ensuring that the board is representative of the population of the Town and is able to work effectively on the challenges facing LexMedia.

The CAC suggests that LexMedia be directed to produce these items within 60 days of approval by the Selectmen.

Mr. Forsdick, acting Executive Director of LexMedia, stated that the evaluation was accurate and that the recommendations are constructive. He is working on the following actions and recommendations:

1. Change in attitude with operation and clearer and more frequent explanations;
2. Move to Kline Hall will give something to raise funds for;
3. Kline Hall move plan was presented to the Communications Advisory Committee on November 15, 2007;
4. Fixing the inventory control system;

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5. Revitalizing the education Channel which will include near-term relighting of LETV, longer-term effort to work with Schools and life-long learners to make LETV serve all of Lexington, and a new satellite disk at Kline Hall will be able to receive many sources of educational video;
6. Handling of comments and complaints will be handled differently as of December 1, 2007: new comments and complaints link on LexMedia.org, better tracking of complaints and better communication with customers;
7. Turmoil of the last year is now behind LexMedia. There is a new Board Member – Jim Baker and there will be more time to devote to issues of LexMedia.

LexMedia will be seeking a new Executive Director very soon. They will be looking for someone with knowledge and talent and who is organized and will be able to get the community excited and involved.

Mr. Forsdick is hoping that the Kline Hall issues can be resolved shortly; they are ready for the build out, which could hopefully be done in three months. Selectmen discussed with the Town Manager what is holding up the build out and how important it will be to finalize the agreement so that LexMedia will be able to move out of Kite's End in June and move into Kline Hall.

Consent Agenda

Closing of the Warrant for the 2008 Annual Town Meeting

Upon motion duly made and seconded, it was voted 5-0 to set the date for the closing of the Warrant for the 2008 Annual Town Meeting on Thursday, December 27, 2007.

Set Date for the Local Election

Upon motion duly made and seconded, it was voted 5-0 to set the date for the local election for Monday, March 3, 2008.

Appointment of Assistant Managers for Omni's Crushed Grapes and More

Upon motion duly made and seconded, it was voted 5-0 to approve Alec Der Avedisian and Roger Yelle as Assistant Managers serving liquor at the Omni Crushed Grapes and More Package Store, 411 Waltham Street.

Minutes

Upon motion duly made and seconded, it was voted 5-0 to approve the minutes of November 19, 2007.

Executive Session Minutes

Upon motion duly made and seconded, it was voted 5-0 to approve the executive session minutes of November 19, 2007.

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Executive Session

Upon motion duly made and seconded, it was voted by roll call vote 5-0 to go into executive session for the purpose of discussing the lease of real property, with no intent to return to open session.

Upon motion duly made and seconded, it was voted to adjourn at 10:05 p.m.

A true record; Attest:

Lynne A. Pease
Executive Clerk