

Selectmen's Meeting
January 8, 2007

A regular meeting of the Board of Selectmen was held on Monday, January 8, 2007, at 7:30 p.m. in Cary Auditorium. Chairman Krieger, Mr. Kelley, Mr. Pagett, Mr. Manz; Mr. Valente, Town Manager; and Ms. Pease, Executive Clerk, were present.

Selectmen Concerns and Liaison Reports

Mr. Pagett had three questions regarding information in the FYI packet.

1. Letter from Peter Bowman, Verizon – letter referred to double poles and how many have been removed in the last 2 months. A letter should be sent thanking them for the plan and letting them know that the Town will be following the progress. The Electric Utility Committee will be responding to the Verizon letter and plans to keep track of the progress.
2. The Dam report for Butterfield Pond Dam lists it as a significant hazard – what does that mean. Chief Middlemiss, Fire Chief, stated that if the dam failed it would affect property and lives.
3. The Transportation Management Plan regarding the Board of Appeals Permit for 191 Spring Street includes a ridership table at the end – Mr. Pagett requested that the Transportation Coordinator explain the report and provide some comparable information at a future Selectmen's Meeting.

Charged the energy committee with coming up with more information regarding DPW a month ago, any interim report? Hear on the 29th to present findings.

Jed Snyder, Precinct 5, submitted to the Selectmen questions regarding the proposed DPW facility; the questions have been forwarded to the DPW study Group for consideration.

The Selectmen welcomed the new Lexington Minuteman reporter, Ian Murphy, who will be covering Selectmen's meetings and others.

Town Manager Report

Mr. Valente updated the Board on the Munroe School oil spill. On January 2, 2007 the tenant notified the Town that there was a problem with the heat. The Fire Department was the initial responder and initial cleanup; it appeared there was a leak from oil line from tank to boiler. An environmental cleanup firm was called to do some cleanup of 15-30 gallons of oil in the well. During cleanup it was discovered that the boiler is insulated with asbestos, some of which was damaged. Before cleanup work could continue an asbestos abatement firm was hired to cleanup and wrap the asbestos as needed; that work was to be completed on Tuesday, January 9, 2007. Then the boiler maintenance company can come in to replace the leaking line and pressure test the old line to see where the leak was under the review of Fire Department and the Town's insurance company. Hopefully the boiler can be restarted on Thursday and the tenants can return to the building on Friday after the repairs and the air

Selectmen's Meeting – January 8, 2007

quality has been tested. Lastly a Licensed Site Professional has been hired to manage the process and will do some coring the floor to see if any oil seeped below the cement floor. If necessary the LSP will prepare a mitigation plan. Mr. Hadley, DPW Director, and Chief Middlemiss, Fire Department, have managed the process from the start.

Mr. Pagett asked about financial liability or financial exposure that the Town has with this building by allowing occupants to use it without any lease arrangement or financial return to the Town while at the same time we continue to provide these kinds of building services. There was a small group working with Munroe to develop a lease and a reasonable return to the Town, but they have not met since August 9 and the reason given is that Munroe representatives have not been available. Mr. Pagett requested that the Town Manager work to get a meeting scheduled soon and a lease finalized. Mr. Valente spoke to the Executive Director last week about scheduling another meeting.

Because the Town had to act quickly on repair and cleanup, we applied to the state for a waiver for procurement and received that approval today. The asbestos work is expected to be around \$10,000; cleanup work was limited to 3 or 4 hours and the LSP will have costs for services and coring. Waiting to hear from insurance whether the loss or any part of it is covered.

Approve Martin Luther King Walk

Sam Zales, representing the No Place for Hate Steering committee, requested to use the Battle Green and walk along Massachusetts Avenue for a Unity Walk. The Police will close the eastbound side of Massachusetts Avenue to traffic during the walk and will completely stop traffic at Cary Hall to allow walkers to cross the street.

Upon motion duly made and seconded, it was voted 4-0 to approve the request of the Lexington No Place for Hate Steering Committee to use the Battle Green and to walk along Massachusetts Avenue to the Cary Memorial Building on Sunday, January 14, 2007, beginning at 1:45 p.m. and ending at approximately 2:15 p.m. for a Unity Walk to commemorate Martin Luther King's Birthday.

Approval of Term of Bonds

Upon motion duly made and seconded, it was voted 4-0 that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the borrowings authorized by the following votes of the Town is hereby determined pursuant to G.L. c.44, §7(9) to be as follows:

Selectmen's Meeting – January 8, 2007

<u>Purpose</u>	<u>Vote</u>	<u>Amount Authorized</u>	<u>Maximum Useful Life</u>
DPW Equipment	April 11, 2005 (Article 32E)	\$485,000	10 years
DPW Equipment	April 26, 2006 (Article 28D)	\$435,000	10 years
Fire Engine	April 26, 2006 (Article 28H)	\$380,000	10 years
School Remodeling and Equipment	May 2, 2005 (Article 30A)	\$215,000	15 years

Budget Discussion

Mr. Valente presented the FY2008 General Government and Capital Budget to the Selectmen. The general government budget is a level service budget. Significant increase changes in costs include health insurance, debt service, program improvements, cash capital, appropriations to stabilization fund and appropriations to reserve fund.

Revenue projections for FY2008 are \$2.9 million, which includes \$246,127 in new construction and school fees. Open issues include state aid, which is currently level funded; but we will have a better idea of the real number in February.

Selectmen's Financial/Budget Priorities that have been included in this budget are: reduce PILOT payments, reduce indirect water/sewer charges, increase reserves, maintain infrastructure and increase cash capital. Selectmen priorities not included in this budget, but that are being worked on for the future are: manage increase in health insurance costs and begin funding of post employment benefits.

Major components of the operating budget include the following increases: health insurance for all employees - \$1,701,515, program improvements for Town services - \$118,094, debt service – 22,087, fire overtime - \$88,092, snow/ice - \$35,000, utilities for Town - \$90,269, reserve/contingency accounts - \$100,000, other - \$1,032,860 and cash capital - \$595,000. All these components add up to a \$3.8 million increase.

Mr. Valente recommends that the Reserve Fund be increased by \$450,000; Continuing Balance Reserve by \$85,000 and the Stabilization fund by \$1 million to \$5.266 million.

Of all the program restoration and improvements requested by the departments, (\$955,035), the Town Manager has recommended \$118,094 in program restoration and improvements to maintain critical service demands.

Selectmen's Meeting – January 8, 2007

The Town Manager recommends the following funding for capital items: General Fund Debt of \$4,005,100, Water Enterprise Fund Debt of \$1,847,900, Wastewater Enterprise Fund Debt of \$1,341,900, Recreation of \$130,000 and Cash Capital of \$1,330,000. Currently waiting for recommendations from the Community Preservation Committee.

Outstanding issues include: submission of school budget, state aid, health insurance, minuteman voc-tech assessment, salary adjustment, financing of DPW facility and town-wide Facility Department.

Next steps include: continue to “scrub” the budget; respond to Selectmen, Appropriations Committee and Capital Expenditures Committee questions and propose “sharing of revenues” between General Government and Schools (at January 18 Summit).

Mr. Valente acknowledged the extra work of Rob Addelson, Michael Young and Steve Hodson for pulling together the budget and analysis.

Mr. Pagett asked when the Town expects results of the post employment actuarial study. It is expected by the end of February and is expected to be a large number. The actuarial report will also include an overall liability and funding plan (30 year). One potential source for beginning to fund this liability is the Medicare reimbursement. These numbers will be revised every 2 years.

Mrs. Krieger feels it is clear with \$2.9 million in new revenue and the budget total gap at \$3.8 million without the schools, that there will be lots of work to be done to reduce the budget.

Regarding reserves for stabilization, the Selectmen may want to consider specific stabilization funds for Special Education, equipment and post employment, rather than generic stabilization funds.

Mr. Kelley had questions regarding health insurance and how the claims are tracked; he considers it a significant budget problem. The Town Manager is reviewing expenses monthly and is starting to monitor who is enrolled. More monitoring will be done when Human Resources position is filled and we will begin to build on the data we currently have.

Selectmen discussed whether they were prepared to say there would not be an override this year. It was suggested to wait for a couple of weeks to see what the School budget recommendation would be. The Selectmen would then look at possible cuts and what to put at risk.

Gerry Paul, Tree Committee, asked about the Tree Committee's request for \$24,000 which did not show up on the recommended budget and whether there would be a time for the item to be reconsidered. Selectmen agreed they would schedule time to discuss the non-recommended budget items and for residents and committees input.

Selectmen's Meeting – January 8, 2007

2006 Civil Rights Recognition Award

The Civil Rights Committee of the International Association of Chiefs of Police awarded a certificate of recognition dated October 13, 2006 to the Lexington Police department for its efforts to protect and promote civil rights through the “No Place for Hate” Program.

Chief Casey, along with Captain Corr, Captain Sargent, Lieutenant O’Leary and Jill Smilow, representing No Place for Hate, all participated in brainstorming, with the help of many community groups, to come up with a way of not confronting the two hate groups that came to Lexington in 2005 to protest.

Chief Casey was very proud of the way the community and public safety personnel responded.

Ms. Smilow is grateful for the leadership of the Police Department and thanks everyone who volunteered to help during the hate events and the Town and the Police Department for its support.

The Selectmen thanked the Police and the No Place for Hate Committee for working together to solve problems.

Dissolve the Selectmen's Ad Hoc Financial Policy Committee

The Selectmen thanked the committee for their recommendations and efforts regarding increasing stabilization reserves and asset management.

Mr. Pagett requested that a discussion of the report take place at a Selectmen's Meeting in the near future.

Upon motion duly made and seconded, it was voted 3-1 (Kelly opposed) to dissolve the Selectmen's Ad Hoc Financial Policy Committee and rescind the designation as Special Municipal Employees.

Appointments

Upon motion duly made and seconded, it was voted 4-0 to appoint Linda Roemer to the Communications Advisory Committee for a 3-year term to expire on September 30, 2009.

Upon motion duly made and seconded, it was voted 4-0 to appoint Paul Ross and Marilyn Fenollosa to the Historic Districts Commission as Associate Members representing the Lexington Historical Society for 5-year terms to expire December 31, 2011.

Upon motion duly made and seconded, it was voted 4-0 to appoint Roe Rancatore to the Lexington Center Committee for a 3-year term to expire September 30, 2009.

Selectmen's Meeting – January 8, 2007

Innkeeper License – Battle Green Inn

Upon motion duly made and seconded, it was voted 4-0 to approve the request to renew the Innkeeper License for the Battle Green Inn, LLC, d/b/a Battle Green Inn, 1720 Massachusetts Avenue, for 2007.

Approval of Assistant Managers – Elks

Upon motion duly made and seconded, it was voted 4-0 to approve the appointment of the following Assistant Managers at the Lexington Elks:

Paul Christerson
William Christerson
Frederick Disanzo
Cynthia Kaloustian
Tammy Lapoote
Gordon Osgood
Paul Remeika

Adopt Charge and Appoint Members of Lexington's 300th Anniversary Celebration Committee

Susan Rockwell has agreed to Chair this committee. Her first effort will be to sound out the community for help and to see what they would like the celebration to include. Donna Hooper, Town Clerk, has requested that she become a member.

Mr. Kelley suggests the Committee speak to the new Lexington Minuteman reporter, Ian Murphy, regarding saving the date, possibly getting contributions, and announcing the importance of the event.

Dawn McKenna, precinct 6, suggested that the 300th committee be set up as a Subcommittee of the Town Celebrations Committee per the Code of Lexington.

The process for the 300th Committee will be worked out as they go along. They are currently compiling a list of who should be involved.

Upon motion duly made and seconded, it was voted 4-0 to adopt the charge for Lexington's 300th Anniversary Celebration Committee and to designate all members as Special Municipal Employees and that the Committee will act as a Subcommittee of the Town Celebrations Committee per the Code of Lexington.

Upon motion duly made and seconded, it was voted to appoint Susan Rockwell, Richard Kollen, Cindy Savage and Donna Hooper, Town Clerk, to Lexington's 300th Anniversary Celebration Committee.

Selectmen's Meeting – January 8, 2007

Consent Agenda

One-Day Liquor License – Bowman School PTA

Upon motion duly made and seconded, it was voted to approve a one-day liquor license for Bowman School PTA for Saturday, January 27, 2007, from 7:00 p.m. to 10:00 p.m. at the Lexington Depot for the Bowman Blizzard dinner and silent auction fundraiser.

Authorize Chairman to Send Letter to MWRA Re: Debt Service Assistance

Upon motion duly made and seconded, it was voted 4-0 to authorize the Chairman to send a letter to MWRA regarding debt service assistance if needed.

Authorize Town Manager to Vote at MMA Annual Business Meeting

Upon motion duly made and seconded it was voted to authorize the Town Manager to vote at the Massachusetts Municipal Association Annual Business Meeting in place of the Board of Selectmen Chairman.

Minutes

Upon motion duly made and seconded, it was voted 4-0 to approve the minutes of December 18, 2006.

Executive Session Minutes

Upon motion duly made and seconded, it was voted 4-0 to approve the executive session minutes of December 18, 2006.

Executive Session

Upon motion duly made and seconded, it was voted by roll call 4-0 to go into executive session for the purpose of collective bargaining with no intent to return to open session.

Upon motion duly made and seconded, it was voted to adjourn at 9:20 p.m.

A true record; Attest:

Lynne A. Pease
Executive Clerk