

Selectmen's Meeting
February 5, 2007

A regular meeting of the Board of Selectmen was held on Monday, February 5, 2007, at 7:30 p.m. in Cary Auditorium. Chairman Krieger, Mr. Cohen, Mr. Manz; Mr. Valente, Town Manager; and Ms. Chabot, Assistant to the Executive Clerk, were present.

Public Comment

Ashley Lieberman of 87 Cliffe Avenue is concerned about the crosswalk signs in the Center. As a driver, she has almost hit people on several occasions. She thinks that pedestrians feel entitled to cross without looking. When she is driving in the right lane she cannot see the sign if there are cars in the left lane. Mrs. Krieger said that Ms. Lieberman could address her concerns to the Police Department and the Traffic Safety Advisory Committee. By virtue of having spoken tonight, Ms. Lieberman's concerns will be conveyed to the appropriate people and will be considered.

Selectmen Concerns and Liaison Reports

Mrs. Krieger noted that the flag on the Battle Green is at half-mast in honor of Mary Miley, who passed away on Saturday, January 27, 2007. Ms. Miley was a Selectman from 1976 to 1983 and a member of the Appropriation Committee from 1993 to 1997.

Town Manager Report

Mr. Valente reported that Donna Hooper, the Town Clerk, has been working to upgrade our archives vault at Cary Hall and is also now working with the Massachusetts Board of Library Commissioners to see whether all of our archives have the right conditions. We will be part of a five-month monitoring process that will involve all of our vaults in the various departments at Town Hall. The result will be a database that gives us some understanding as to how well we are maintaining our historical records.

At the Board's last meeting Mr. Cohen asked if the Town Manager could pull together information regarding how the cost of benefits for new employees, presented at a recent Summit Meeting, was calculated. Michael Young presented a handout of the process by which they arrived at those figures. The first page of the handout is the FY 2008 average benefits calculation for new hires who are municipal employees, and the second page is the calculation for school employees. In preparing the calculations, the staff used data from FY 2007 to determine what the average cost per employee should be in FY 2007. That amount is multiplied by 12% to determine the increase in FY 2008. If the Board has no further comments this will be made available to Town Meeting Members on their website and on the Town's website.

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Hearing – Liquor License Change of d/b/a - Nikki's Liquors Fine Wine & Spirits

Upon motion duly made and seconded, it was voted 3-0 to approve the application for a change of d/b/a for a Package Store all-alcoholic liquor license for Nikita Industries, Inc., d/b/a Nikki's Liquors Fine Wine & Spirits.

Water/Sewer Commitments and Adjustments

Upon motion duly made and seconded, it was voted 3-0 to approve the following water and sewer Adjustment:

Adjustment of Water/Sewer Charges for the period 10/1/06 to 10/31/06 -\$38,392.01

Fiscal 2007 Exceptions Report

Michael Young, Budget Officer, presented the FY 2007 Second Quarter Exceptions Report. As of December 31, 2006 revenues are in line with expectations. Two notable positive exceptions are higher than anticipated licenses and permits attributable to building permit collections. Through the first half of FY 2007, the Town has collected \$1,253,401 versus a budget of \$1,375,000. In addition, the Town has collected investment income totaling more than \$770,000 versus a budget of \$395,000 through December 31. Expenditures throughout the second quarter are better than expected, with \$46,624,483 spent through December 31st, or 40.42% spent. When encumbrances are added, that amount increases to \$56,832,557, or 49.27% spent.

Although the municipal budget is performing as expected through the second quarter, there are exceptions, which require attention and further analysis. They are: DPW Overtime (80% spent), DPW Small Equipment Expenses (75.3% spent), Law Enforcement Overtime (66.4% spent), and Fire/EMS Overtime (60.5 % spent). Town Manager Legal Services Expenses (46.2% spent) have not exceeded 50%, however the need for use of labor attorneys will increase substantially throughout the rest of the year as collective bargaining and contract settlement negotiations continue. It should also be noted that there has been little spending posted against the Natural Gas budget due to the fact that bills for November and December have just been received and will be paid in the third quarter.

Regarding DPW Small Equipment Expenses, Mr. Manz asked whether we expect to get back 100% of the cost (over \$50,000 year to date) of renting a temporary chiller unit at the Library. Mr. Valente said that a claim has been filed with our insurance company, but it is unclear how much of the cost of the temporary unit insurance will cover. The Appropriation Committee has been put on notice to the potential need of a Reserve Fund Transfer prior to the close of the fiscal year. When asked by Mrs. Krieger about the increase in revenue from building permits, Mr. Young said that it can be attributed somewhat to larger projects such as Avalon Bay, the Sheraton, and Jefferson Union, but it has also been relatively healthy in the sheer number of receipts that we have seen.

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Budget Discussion

At the Summit III presentation, the FY 2008 general government budget gap of approximately \$625,000 was discussed. The Board directed the Town Manager and staff to come up with options for closing the budget gap. Since the Summit III meeting, the Town Manager and staff were able to reduce the gap to \$305,000, largely due to negotiating new contracts for recycling and solid waste collection. Mr. Valente discussed the methodology used for closing the budget gap and presented recommendations in two categories. Tier 1 budget reductions/fee increases, totaling \$305,000, are the first group of priorities recommended by the Town Manager and Senior Management Team. Tier 2 budget reductions, totaling an additional \$72,750, are lower priority options, but reflect alternatives for the Selectmen, should there be Tier 1 recommendations that are not acceptable to the Board.

The Selectmen discussed several budget reduction items including DPW Vehicle Replacement, DPW Disposal of Catch Basin Material, Police Administration Telephone, and Police Department False Alarm Fees.

Gerry Paul of the Tree Committee spoke about the reduction in street trees and asked the Board to find \$24,000 to replace some of the trees the Town loses each year.

Appointments – Lexington Council for the Arts

Upon motion duly made and seconded, it was voted 3-0 to appoint Louise Cady-Fernandes and Sirarpi Heghinian Walzer to the Lexington Council for the Arts to fill the unexpired terms of Marion Kilson and Alan Adolph to expire September 30, 2007.

Resignation – Sidewalk Committee

Upon motion duly made and seconded, it was voted 3-0 to accept the resignation of Jean Williams from the Sidewalk Committee, effective immediately.

Policy Approval – Sale of Land-Tax Title & Naming of Facilities and Placement of Memorials

Upon motion duly made and seconded, it was voted 3-0 to approve the Sale of Land Tax Title Policy and the Naming of Facilities and Placement of Memorials Policy.

Sign 2007 Annual Town Meeting Warrant

Mr. Cohen called the Board's attention to a change on the first page of the Warrant where it says "To either of the Constables of the Town of Lexington" and suggested that the words

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“or the Town Clerk” be added in the case, as is true this year, where a constable is not available on the date when we have to post the Warrant.

Upon motion duly made and seconded, it was voted 3-0 to sign the 2007 Annual Town Meeting Warrant as amended.

Consent Agenda

One-Day Liquor License – The Lexington Players

Upon motion duly made and seconded, it was voted 3-0 to approve the request for a one-day liquor license from The Lexington Players for Friday, February 9, 2007, from 7:00 p.m. to 8:00 p.m. at the Cary Memorial Building Hall for an opening night wine and cheese event.

Approval of Exemption for Special Municipal Employee

Upon motion duly made and seconded, it was voted 3-0 to approve the Exemption for Special Municipal Employee for Bahig Kaldas and Colin Smith as members of the Design Advisory Committee.

Ratify Poll Vote – Battle Green Scenic Byway Application

Upon motion duly made and seconded, it was voted 3-0 to send a draft Letter of Support for Funding to develop a corridor management plan for the Battle Road Scenic Byway in Arlington, Concord, Lexington, and Lincoln, Massachusetts.

Minutes

Upon motion duly made and seconded, it was voted 3-0 to approve the minutes of January 18, 2007 and January 22, 2007.

Executive Session Minutes

Upon motion duly made and seconded, it was voted 3-0 to approve the executive session minutes of January 22, 2007.

Upon motion duly made and seconded, it was voted to adjourn at 8:30 p.m.

A true record; Attest:

Diana B. Chabot
Assistant to the Executive Clerk