

Selectmen's Meeting
February 26, 2007

A regular meeting of the Board of Selectmen was held on Monday, February 26, 2007, at 7:30 p.m. in Cary Auditorium. Chairman Krieger, Mr. Kelley, Mr. Pagett, Mr. Cohen, Mr. Manz; Mr. Valente, Town Manager; and Ms. Chabot, Assistant to the Executive Clerk, were present.

Selectmen Concerns and Liaison Reports

Mr. Pagett wanted to call attention to the fact that the subcommittee dealing with the license for the Munroe Center was formed a year ago, but they have not met since last September. As he leaves the Board, he hopes this issue does not fall by the wayside, and urges the Town Manager to push the Munroe Center to at least talk to us.

Mrs. Krieger reported that Hanscom Air Force Base has two events going on in early March that will probably lead to more noise than we are used to. She also recognized that this is Mr. Pagett's last meeting, and said that he has been the voice of fiscal responsibility, a champion for the Senior Center, and for the NSTAR Parking Lot. All the Selectmen and the Town Manager thanked Mr. Pagett for his service and agreed that it has been a pleasure working with him.

Water/Sewer Commitments and Adjustments

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

Adjustments of Water/Sewer charges for the period 12/1/06 – 12/31/06	-\$129,326.51
Adjustments of Water/Sewer charges for the period 1/1/07 – 1/31/07	-\$18,587.21

Verizon – Extension of PEG Activation Date

Jill Reddish, Franchise Service Manager for Massachusetts and Rhode Island, reported on behalf of Verizon that the Lexington PEG Access Channels would be on the network by the end of the day on February 27, 2007, per the final license. Verizon would no longer need the 10-day extension, due to "unforeseen construction issues," as requested in their letter to the Board dated February 16, 2007.

In response to questions from the Board, Pat Hardy, Public Affairs Director, gave an update on the issue of double poles. Since November 1, 2006 Verizon has removed 60 double poles and completed 330 transfers. They have been in contact with Comcast and RCN to complete 50 transfers. Verizon will then complete their transfers and remove those 50 poles within the month of March. Ms. Hardy will provide a monthly status report to the Board as promised by Mr. Bowman of Verizon.

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Jeanne Canale, Chair of the Communications Advisory Committee, updated the Board on a temporary solution regarding LexMedia's move. Comcast's INET Hub will be moved from Waltham Street to Bowman School by April 30, 2007, and remain there until long term plans can be made for LexMedia's move.

Upon motion duly made and seconded, it was voted to ratify a poll vote on Friday, February 23, 2007, to send a letter via fax and regular mail to Jill Reddish at Verizon regarding the request for an extension of the PEG activation date.

Tourism Committee – Sign Removal

Dawn McKenna, Chair of the Tourism Committee, reported that they have been working with various interested parties to minimize signage in Lexington Center. An inventory of all existing traffic signs has been completed. The group has come to a consensus in requesting the removal of over 100 of the 333 traffic signs in Lexington Center. They also request approval of new signs, including 16 anti-idling signs. The group is scheduled to appear before the Historic Districts Commission on Thursday, March 1, 2007, for final approval of the recommendations.

Mr. Manz, Mr. Pagett, and Mr. Kelley are concerned about a loading zone on Meriam Street. Mr. Cohen and Mr. Kelley discussed the proposal to implement a 20 mph speed zone in Lexington Center. Mr. Valente reported that he contacted the Lexington Police and the DPW Director and they did work with Mrs. McKenna. At the next meeting, Mr. Valente will give an estimate for when the DPW could have the work done.

Upon motion duly made and seconded, it was voted 5-0 to approve the following policies regarding signage in Lexington Center between Harrington Road and Woburn Street: no signs should be posted in Lexington Center without the affirmative vote of the Board of Selectmen; similar signs should have consistent wording, fonts, colors and styles; when possible, signs should be written in the affirmative; prior to bringing signage requests to the Board of Selectmen, the Lexington Center Committee and Tourism Committee should be consulted, as should the Traffic Safety Advisory Committee when needed; one style of poles should be used for signs in the Center.

Upon motion duly made and seconded, it was voted 5-0 to rescind conflicting warrants and adopt the warrants and regulations necessary to implement the full plan contained in the sign removal inventory dated February 22, 2007.

Upon motion duly made and seconded, it was voted 5-0 to add one parking meter in front of the Police Station on Massachusetts Avenue, exact location to be determined by the Police Department.

Upon motion duly made and seconded, it was voted 5-0 to implement a 20 mph speed zone in Lexington Center beginning at Harrington Road and continuing on Bedford Street to the

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Minute Man Statue, and continuing from Harrington Road on Massachusetts Avenue through Lexington Center to the corner of Winthrop Road and Woburn Street. Said zone to also run along Waltham Street from Massachusetts Avenue past the intersection with Vinebrook Road and the Municipal Parking Lot entrance.

Upon motion duly made and seconded, it was voted 5-0 to remove the empty meter poles behind the Town Hall complex.

Upon motion duly made and seconded, it was voted 5-0 to take one more No Parking sign out of the inventory with the recommendation that the Tourism Committee continue to study the issue of providing a loading zone along Meriam Street.

Upon motion duly made and seconded, it was voted 5-0 to discontinue the painting of granite curbing in Lexington Center between Woburn Street and Harrington Road.

Upon motion duly made and seconded, it was voted 5-0 to approve the installation of one anti-idling sign in the rear of Muzzy Condos (subject to the approval of the Condo Association) and one in the loop at the East Lexington Library branch and subject to Historic Districts Commission approval.

Upon motion duly made and seconded, it was voted 5-0 to remove the Battle Road sign on Massachusetts Avenue across from the Dana Home.

Upon motion duly made and seconded, it was voted 5-0 to encourage the Tourism Committee to engage Mass. Highway in removing the Bedford Street / Rte 128 marker near Buckman Tavern.

Baby Safe Haven Resolution

Michael Morrissey asked the Board to support a resolution to reaffirm the Massachusetts Baby Safe Haven law, due to expire on June 30, 2008 because of a sunset clause attached by the Legislature. He requested that the media departments of both Lexington High School and Minuteman Regional Technical High School work on public service announcements, to be aired on area cable access stations. He will also be donating a 24-inch by 30-inch street sign to the Town of Lexington to affix on a signpost in front of the main Fire Station at 45 Bedford Street.

With regard to public service announcements, Mrs. Krieger suggested that Mr. Morrissey contact LexMedia. Mr. Pagett said that in light of the Town's efforts to reduce the number of street signs in Lexington Center, he would not be supportive of adding another sign, especially one of that size.

Upon motion duly made and seconded, it was voted 5-0 to approve a resolution recommending the elimination of the sunset clause for the Baby Safe Haven Law.

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Article Positions – Presentation Requests

A majority of Selectmen were supportive of the following Articles:

- Article 8 Amend Notice Provisions: Chapter 215 of the Acts of 1929
- Article 9 Amend General Bylaws – State Election Warrants
- Article 10 Amend General Bylaws – Community Preservation Surcharge Exemption
- Article 11 Authorize Terms for Certain Contracts
- Article 12 Transfer of Barnes Property (White House) to Selectmen
- Article 17 Accept MGL Chapter 32, Section 7 (2)(a)(iii) and 9(2)(d)(ii) – Dependent Children Payments
- Article 18 Accept MGL Chapter 32B, Section 18 (Medicare Extension Plans)
- Article 19 Accept MGL Chapter 71, Section 37M (Joint Facilities Department)

Mr. Kelley was not supportive of Article 9 and Article 12. Mr. Pagett did not take a position on any of the articles.

The Selectmen requested presentations on the following Articles:

- Article 7 Zoning By-Law, Amend RO to CRS at 303 Woburn Street (Owners' Petition)
- Article 13 Amend Tree Bylaw
- Article 15 Amend Demolition Delay Bylaw
- Article 16 Amend General Bylaws – Engine Operation of Stopped Vehicles
- Article 20 Resolution Requesting School Committee Policy on Safe Transport of Special Education Children (Citizens' Petition)
- Article 23 Petition General Court to Increase Income Limits for Property Tax Deferrals (Citizens' Petition)

Mr. Cohen asked Mr. Pagett to answer any questions from the Board regarding Article 26 Appropriate for FY 2008 Community Preservation Committee Operating Budget and for CPA Projects.

Dawn McKenna, Chair of the Tourism Committee, presented the request for Article 30, Appropriate for Battle Green Flagpole Maintenance (Citizens' Petition). She is requesting approximately \$20,000 to restore the flagpole, and approximately \$3,500 per year for annual maintenance. Betsey Weiss, Chair of the Community Preservation Committee said that the flagpole is probably eligible for CPA funds. She will check. Mrs. Krieger and Mr. Cohen will wait to take a position on this article until there is a better understanding of where the funds will come from. Mr. Manz supports the article.

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Appointments – Human Services Committee / Town Celebrations Committee

Upon motion duly made and seconded, it was voted 5-0 to appoint Eleanor Elkin to the Human Services Committee for a three-year term to expire September 30, 2009.

Upon motion duly made and seconded, it was voted 5-0 to appoint Gresh Lattimore to the Town Celebrations Subcommittee for a one-year term to expire June 30, 2007.

PILOT Payments – CPA Funds

Mr. Valente spoke about the Community Preservation Committee's recommendation that \$300,000 of CPA funds (affordable housing category) be appropriated for the Douglas House Project. In return, the Town will receive a deed restriction that 15 of the units will meet the criteria to be considered affordable housing. The Capital Expenditures Committee will support this recommendation if the Douglas House pays property taxes or makes PILOT payments to the Town. The Douglas House may be exempt from taxes. The Community Preservation Committee has been in contact with the Town's Finance Director about negotiating a PILOT payment with the Douglas House. This raises broader policy issues regarding PILOT payments that should be addressed by the Selectmen.

There was general consensus among the Board that the Douglas House should pay a PILOT if it is taking property off the tax rolls. The Board did not agree on implementing an overall policy, but did recommend that the Town Manager's Office be involved in negotiating a PILOT agreement with the Douglas House.

Consent Agenda

Use of Battle Green – The Pastors Fellowship

Upon motion duly made and seconded, it was voted 5-0 to approve the request of the Pastors Fellowship to use the Battle Green on Thursday, May 3, 2007, from 11:30 a.m. to 1:30 p.m. for a National Day of Prayer.

Muzzy Street/Waltham Street Parking Lot – Lexington Retailers

Upon motion duly made and seconded, it was voted 5-0 to approve the request of the Lexington Retailers to have exclusive use of the Muzzy Street / Waltham Street parking lot on Saturday, May 26, 2007 (rain date June 2), from 5:00 a.m. to 5:00 p.m. for the annual Discovery Day celebration. The approval includes permission for the following: erect seven temporary signs; park flat bed trailer in Lexington Center; and provide free parking.

Minutes

Upon motion duly made and seconded, it was voted 5-0 to approve the minutes of February 12, 2007.

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Executive Session Minutes

Upon motion duly made and seconded, it was voted 5-0 to approve the executive session minutes of February 20, 2007.

Executive Session

Upon motion duly made and seconded, it was voted by roll call vote 5-0 to go into executive session for the discussion of labor contract matters with no intent to return to open session.

Upon motion duly made and seconded, it was voted to adjourn at 9:40 p.m.

A true record; Attest:

Diana B. Chabot
Assistant to the Executive Clerk