

Selectmen's Meeting
March 20, 2006

A regular meeting of the Board of Selectmen was held Monday, March 20, 2006, at 7:30 p.m. in the Selectmen's Meeting Room. Chairman Krieger, Mr. Kelley, Mr. Pagett, Mr. Cohen, Mr. Manz; Mr. Valente, Town Manager; Mr. Lahey, Town Counsel; and Ms. Pease, Executive Clerk were present.

Public Comment

Jean Lee spoke about the need for a new senior center because existing space is cramped. She stated that she will vote no on any override until a new senior center is built.

Town Manager Report

There is a neighborhood meeting scheduled for Saturday, March 25, 2006 at 10:00 a.m. in Estabrook Hall in Cary Hall to discuss the DPW building project. The neighbors have been notified and an ad was put in the Lexington Minuteman.

There will be bonds issued in early April that the Board will need to sign at its meeting on April 5.

Municipal Lighting Plant

Representative Kaufman and Patrick Mehr, Electric Utility Ad Hoc Committee member, came before the Selectmen to discuss whether a proposed letter should be sent to the Joint Committee on Telecommunications, Utilities and Energy urging support for the passage of Lexington's home rule petition relating to establishing a "muni" (Bill H4204). Rep. Kaufman said four issues had emerged from the Department of Telecommunications and Energy: 1) fair market value; 2) due diligence from the Town; 3) if "muni" fails who bears the liability; and 4) economic savings.

It is time for Lexington to decide how much potential capital they want to invest to move the bill forward and whether it would be worth the effort. It was suggested a simple letter be written to suggest a meeting with the Chairs of the Joint Committee to discuss the Town's interest in pursuing the bill and our desire to engage in conversation. The letter should be sent to the Chairs of the Joint Committee on Telecommunications and copied to the DTE Chair, Speaker of the House and Senate President. When the meeting is scheduled it should include Chairs of the Joint Committee on Telecommunications, Rep. Kaufman, and the Town Manager and/or a Selectman.

Upon motion duly made and seconded, it was voted to send a letter to the Chairs of the Joint Committee on Telecommunications stating the Town's interest in discussing Bill H4204.

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Hearing – Change of Manager – Bertucci's

Upon motion duly made and seconded, it was voted to approve the application and issue a license for a change of manager for an all alcoholic common Victualler liquor license to Bertucci's Restaurant Corporation, d/b/a Bertucci's Brick Oven Ristorante, 1777 Massachusetts Avenue.

Selectmen's Ad Hoc Financial Policy Committee Report

Mr. Lapointe, Chair of the Selectmen's Ad Hoc Financial Policy Committee, presented the committee's report. He highlighted four themes of the committee: 1) recognize this is the beginning of the effort and it is critical to determine what is next and get some value from the report; 2) respect for the analysis of the recommendations and that there is a need for lots of homework to be done; 3) the need for intergenerational equity and understanding the differences and who pays for what and how (example: pension pay); and 4) need for long range financial planning.

The recommendations of the Selectmen's Ad Hoc Financial Policy Committee include:

1. Capital Financing Policies to preserve the Town's fixed asset base and ensure the Town's buildings, facilities, and equipment efficiently and effectively support the Town's programs and operations;
2. Reserve Policies to enable the Town to sustain service levels despite the adverse financial impacts of economic downturns and of unforeseen and extraordinary expenses;
3. Post Employment Benefit Policies to define and adequately fund the Town's pension and health benefit responsibilities and obligations to its retired employees;
4. Debt Management Policies to prudently use debt as a funding source for preserving, renewing, or adding to the Town's physical assets. Do not borrow to finance operations and ensure the lowest possible cost to the Town of short- and long-term borrowing;
5. Override Policies to ensure the voters the opportunity to choose the level of services and the scope and scale of significant capital projects, such as new buildings and major renovations, by proposing operating overrides and debt exclusions of the Proposition 2½ tax levy limitations.

Selectmen feel it is important to begin education and engage the citizens on Town finances. The Selectmen need to think about what needs to be communicated to the citizens. Selectmen need to make clear that the citizens need to decide what level of service they want and find ways to ask what maintenance accounts are needed and then build some reserves.

Mr. Pagett requested information on the general fund be sent via e-mail to the Selectmen for review.

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DPW Facility Architects

Mr. Hadley, DPW Director, introduced representatives from HKT Architects, Inc. and Gannett Fleming, who gave an update on the design process of the proposed DPW facility. Discussion began by asking if it made sense for other departments to be located at the new DPW facility. Suggestions were Community Development, Permanent Building Committee staff, maintenance staff and storage, and whether public restrooms should be considered. Mr. Hadley plans to discuss these suggestions with the senior staff as an internal discussion first to see what their thoughts are.

At the March 25 neighborhood meeting the hope is to receive input and address concerns from the abutters. It would also be helpful if the Selectmen could attend.

Phase I of the design process includes assessing existing conditions, necessary programs to be included in design, and a schematic design. The architect is in the process of interviewing individual staff for input. There are four pieces to the project: a 2-story administration building, central storage areas, vehicle storage, and vehicle maintenance.

Mr. Kelley feels the Board should look for opportunities to combine the school and municipal maintenance and facility functions and to have discussions with the school.

Mr. Himmel, Permanent Building Committee member, says now is the time to discuss other items for inclusion in the DPW facility prior to having the schematic drawings done.

It is important to pin down in the next couple of days what will be presented to Town Meeting under the current DPW Facility article.

FY2006 Exception Report

Mr. Valente presented the Board with a preliminary analysis of the FY2006 budget shortfalls as of March 15, 2006 totaling \$346,800, which includes Insurance (Police and Fire Medical, Unemployment Compensation, and Workers Compensation), Library Utilities, Fire Overtime, and Town Clerk salaries and expenses. To cover the shortfall the Town Manager plans to use approximately \$150,000 of budget surpluses, \$150,000 from the reserve fund, and free cash.

Article Positions

The Selectmen took positions on Articles 5, Zoning By-Law, Impervious Surface; Article 6, Zoning By-Law, Parking in CB District; Article 16, Amend Noise By-Law; Article 24, Accept Chapter 157 of the Acts of 2005; and Article 27, Appropriate for Recreation Capital Projects.

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Because Article 4, Zoning By-Law, Inclusionary Zoning, will be indefinitely postponed, the Selectmen decided that Mr. Pagett will make a short presentation to help in educating citizens at Town Meeting regarding the need to increase the Town's stock of affordable homes as new homes are built and ask what ways there may be to achieve that.

Selectmen had questions on Article 16, Amend Noise By-Law, regarding the language of the motion. Since the bylaw can now be enforced only by a complaint filed in the District Court, it was suggested that perhaps an amendment to provide for non-criminal disposition is all that is needed.

Article 25, Appropriate the FY2007 Community Preservation Committee Operating Budget, was discussed. The Selectmen will take a position after the public hearing to be held on March 30, 2006 at 7:30 p.m. in the Selectmen's Meeting Room.

Article 27, Appropriate for Recreation Capital Projects, items b) Engineering study/Center pool and c) equipment/Pine Meadows are supported by the Selectmen. Item a) Playground improvements, the Selectmen are waiting to see if CPA funds can be used.

Article 28a, Appropriate for Municipal Capital Projects (Sidewalk Improvements), was discussed. Mr. Kelley would like to include a question on the override for an annual sidewalk appropriation. The Sidewalk Committee needs time to prepare a multi-year plan for sidewalks; this year's request is for repair of sidewalks only.

The Selectmen need to see the Capital Expenditures Report prior to taking positions on the capital requests.

Appointments

Registrar of Voters

Upon motion duly made and seconded, it was voted to reappoint Gerald Abegg to the Registrars of Voters for a 3-year term to expire on March 31, 2009.

Lexington Center Committee

Upon motion duly made and seconded, it was voted to appoint Anne Cuervo to the Lexington Center Committee for a 3-year term to expire September 30, 2008.

Town Manager Appointment – Conservation Commission

Upon motion duly made and seconded, it was voted to approve the Town Manager's reappointment of Joyce Miller to the Conservation Commission for a 3-year term to expire of March 31, 2009.

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Future Meetings

Selectmen reviewed the meeting schedule for April. Selectmen will meet prior to Town Meeting from 6:30 p.m. to 7:30 p.m. on Monday and Wednesday until Town Meeting is over. There will be no town meeting on April 12 because of Passover and also during April vacation (April 17 to 21).

Consent Agenda

Minutes

Upon motion duly made and seconded, it was voted to approve the minutes of March 13, 2006.

Executive Session Minutes

Upon motion duly made and seconded, it was voted to approve the executive session minutes of March 13, 2006.

Upon motion duly made and seconded, it was voted to adjourn at 11:05 p.m.

A true record; Attest:

Lynne A. Pease
Executive Clerk