

Selectmen's Meeting
April 5, 2006

A regular meeting of the Board of Selectmen was held on Monday, April 5, 2006, at 6:30 p.m. in the Selectmen's Meeting Room. Chairman Krieger, Mr. Pagett, Mr. Cohen, Mr. Manz; Mr. Valente, Town Manager; Mr. Lahey, Town Counsel; and Ms. Pease, Executive Clerk were present.

Mr. Kelley was unable to attend the meeting due to an illness.

Commitment and Adjustments of Water and Sewer Charges

Upon motion duly made and seconded, it was voted 3-0-1 (Cohen abstained) to approve the following commitment/ adjustments:

Commitment of Water/Sewer Charges for December 2005 (Finals)	\$81.78
Commitment of Water/Sewer Charges for January 2006 (Finals)	-\$2,737.94
Adjustments of Water/Sewer Charges for period from 2/1/06 to 2/28/06	-\$174,060.40

Sign Bonds

Upon motion duly made and seconded, it was voted that the sale of the \$9,403,000 Municipal Purpose Loan of 2006 Bonds of the Town dated April 1, 2006, to UBS Securities, LLC at the price of \$9,449,617.05 and accrued interest is hereby confirmed. The bonds shall be payable on April 1 of the years and in the principal amounts and bear interest at the respective rates, as follows, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated March 28, 2006:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2007	\$1,178,000	3.75%	2015	\$725,000	4.00
2008	1,100,000	3.75	2016	650,000	4.00
2009	1,075,000	3.75	2017	100,000	4.00
2010	1,075,000	3.75	2018	100,000	4.00
2011	950,000	3.75	2019	100,000	4.00
2012	725,000	4.00	2020	100,000	4.10
2013	725,000	4.00	2021	75,000	4.125
2014	725,000	4.00			

and further that the consent dated April 5, 2006 to the financial advisor bidding for the bonds is hereby confirmed.

DPW Facility

There will be a meeting scheduled for Wednesday, April 19, 2006 at 9:30 a.m. to discuss the new DPW Facility with the Senior Management Team.

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Traffic Mitigation Agreement – Starwood

Mrs. Krieger explained that this is the first traffic mitigation agreement that the Traffic Mitigation Group has prepared and feels it is a sound agreement that will serve all parties well.

The Transportation Advisory Committee requested that an endowment be started. Mr. Manz asked if that was possible and what would prevent it from happening. Mr. Valente believes the state statutes provide options and it was agreed that the language in the agreement is broad enough to allow. The Selectmen agreed this would be a good idea, but cautioned that the payment will not be received for some time and it would be up to the Board in place at the time to take the necessary action to accomplish this.

Upon motion duly made and seconded, it was voted to approve and sign the Traffic Mitigation Agreement between Starwood Hotels and Resorts, and the Town of Lexington.

Article Positions/Budget

Article 7 - Zoning By-Law, Amend CD-7 to CD-13, Starwood Hotels & Resorts, 727 Marrett Road

The Selectmen agreed that it is an appropriate project and that they would support the article.

Article 15 – Amend General By-Laws to Create Energy Committee

The Selectmen discussed Mr. Weiss' amended motion, which is a resolution in two parts. The Selectmen support Part 1, which urges the Selectmen to direct the Energy Conservation Committee to initiate and pursue development of a plan for prudent energy management of school and municipal buildings and to report to Town Meeting.

Part 2 requests that an ad hoc Institutional Task Force be appointed to explore alternative means for ensuring that funds appropriated by Town Meeting for maintenance, repair and energy conservation in the Town's public schools are used only for the purpose intended.

The School Committee conveyed its concern to Selectmen that Part 2 of this article will take away the autonomy of the school budget. Mr. Weiss explained that his resolution deals only with the schools because when money is appropriated on the municipal side it has to be used as appropriated. He wants to find a way to separate the Buildings budget from the School budget so the money will be used for needed maintenance.

Selectmen support Part 2 of the motion and believe there needs to be a plan for maintenance of all Town buildings.

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Town Manager Appointments – Conservation Commission

Upon motion duly made and seconded, it was voted to approve the Town Manager's reappointment of Philip Hamilton and Ralph Bitsko to the Conservation Commission for three-year terms to expire March 31, 2009.

Resignation/Appointment – Design Advisory Committee

Upon motion duly made and seconded, it was voted to accept the resignation of Bruce Creager from the Design Advisory Committee as a full member, effective immediately, and to appoint Mr. Creager to the Design Advisory Committee as an Associate Member for a 1-year term to expire September 30, 2006.

Future Meetings

The Selectmen decided to schedule meetings for May 8, 2006, May 22, 2006, June 12, 2006, and June 26, 2006.

Consent Agenda

Minutes

Upon motion duly made and seconded, it was voted to approve the minutes of March 27, 2006 and March 29, 2006.

Upon motion duly made and seconded, it was voted to adjourn at 7:05 p.m.

A true record; Attest:

Lynne A. Pease
Executive Clerk