

Selectmen's Meeting
June 6, 2006

A regular meeting of the Board of Selectmen was held on Tuesday, June 6, 2006, at 7:00 p.m. in the Selectmen's Meeting Room. Chairman Krieger, Mr. Kelley, Mr. Pagett, Mr. Cohen, Mr. Manz; Ms. Vine, Assistant Town Manager; Mr. Lahey, Town Counsel; and Ms. Pease, Executive Clerk were present.

Executive Session

Upon motion duly made and seconded, it was voted by roll call to go into executive session for litigation discussion with the intent to return to open session at approximately 7:30 p.m.

Selectmen Concerns and Liaison Reports

Mr. Kelley has received several calls regarding the condition of the roads since the Keyspan incident. He requested an update of the plan for repair of the roads.

Commitment of Water/Sewer Charges

Upon motion duly made and seconded, it was voted to approve the following commitment:

Commitment of Water/Sewer Charges for Cycle 9 for month of May 2006 \$178,260.43

Communications Advisory Committee – RCN Amendment/DTE Response

RCN Amendment

Dave Buczkowski, member of the Communications Advisory Committee, requested the Board approve the Amendment to the RCN license relating to the failure of RCN to wire the entire Town.

There are 615 homes that are affected. The Amendment, which provides for a monetary payment to the Town, will be in place until the end of RCN's current license, which expires in approximately 3 years.

Upon motion duly made and seconded, it was voted 3-2 (Kelley and Pagett against) to approve the RCN Amendment dated June 1, 2006.

DTE Response Regarding Verizon

Upon motion duly made and seconded, it was voted to send the proposed response letter protesting the petition by Verizon to eliminate local control to the Massachusetts Department of Telecommunications and Energy.

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Memorandum of Agreement First Amendment – Met State Hospital

Upon motion duly made and seconded, it was voted to approve and have the Chairman sign the First Amendment to Memorandum of Agreement regarding the Metropolitan State Hospital.

Legal Services Review Committee II – Charge and Membership

Upon motion duly made and seconded, it was voted to adopt the charge for the Legal Services Review Committee II.

Mr. Kelley requested that Steve Politi be a member of the committee and questioned why Mr. Enrich would be chair instead of letting the committee vote a chair. There have been some committees that the Selectmen have appointed the chair, like the Selectmen's Ad Hoc Financial Review Committee. Mr. Kelley also requested that he be named as the Selectmen's liaison to the committee.

Upon motion duly made and seconded, it was voted 3-2 (Krieger/Cohen against) to increase the Legal Services Review Committee II membership to 10 with Steve Politi being the additional member.

Upon motion duly made and seconded, it was voted 4-1 (Kelley abstained) to appoint the following to the Legal Services Review Committee II:

Peter Enrich, Chair
Margery Battin
William J. Dailey
Daniel J. Griffin, Jr.
Thomas V. Griffiths
Philip K. Hamilton
Marilyn Kolb
Stephen M. Politi
Jeffrey S. Robbins
Alan Wrigley
Carl Valente – Staff
Hank Manz – Selectmen Liaison

Upon motion duly made and seconded, it was voted to designate the Legal Services Review Committee II as Special Municipal Employees.

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Appointments/Resignations

Lexington Council for the Arts

Upon motion duly made and seconded, it was voted to appoint Bill Janovitz to the Lexington Council for the Arts for a 3-year term to expire September 30, 2009.

Historic Districts Commission

Upon motion duly made and seconded, it was voted to accept the resignation of Greta Rothman from the Historic Districts Commission as an associate representing the Arts and Crafts Society, effective immediately.

Upon motion duly made and seconded, it was voted to appoint Robert Warshawer to the Historic Districts Commission as an associate representing the Arts and Crafts Society for a term to expire December 31, 2009 to fill the unexpired term of Greta Rothman.

Human Services Committee

Upon motion duly made and seconded, it was voted to accept the resignation of Matthew Cohen from the Human Services Committee, effective immediately.

Sidewalk Committee

Upon motion duly made and seconded, it was voted to accept the resignation of Steve Kropper from the Sidewalk Committee, effective immediately.

Limousine License Renewal – Boyadjian Limousine Service

Upon motion duly made and seconded, it was voted to approve the application and issue two (2) limousine licenses to Boyadjian Limousine Service, 447 Lowell Street, with the same conditions as the previous year, for the following two vehicles:

1999 Lincoln Town Car, LV 33090 (1LNHM81W5XY617524)

2000 Ford Excursion, LV 12360 (1FMNU4359YEE51422)

Common Victualler License – Lexington Café

Upon motion duly made and seconded, it was voted to approve the application and sign a Common Victualler license for Realty Resources, d/b/a Lexington Café, 438 Bedford Street.

Future Meetings/Goal Setting

The Selectmen will schedule meetings for Monday, July 10, 2006, Tuesday, July 11, 2006 (Goal Setting), August 8, 2006, August 28 or 29, 2006, September 7, 2006 (tentative), and September 18, 2006.

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Reserve Fund Transfer Request – Elections

Upon motion duly made and seconded, it was voted to recommend a reserve fund transfer for the Election account in the amount of \$25,000.

Consent Agenda

Use of Battle Green – Change of Command

Upon motion duly made and seconded, it was voted to approve the use of the Battle Green for a Change of Command on Friday, July 7, 2006 at 10:00 a.m. for approximately one hour.

Minutes

Upon motion duly made and seconded, it was voted to approve the minutes of May 15, 2006.

Starwood Covenant

Upon motion duly made and seconded, it was voted to approve and sign the Covenant by Starwood Lexington Realty to the Town of Lexington.

Minuteman Regional Vocational School District – Revolving Funds

Upon motion duly made and seconded, it was voted to approve the action of the Minuteman Regional School Committee in its acceptance of the provisions of MGL Chapter 74 Section 14B with regard to the reauthorization of vocational technical program revolving funds held by the Minuteman Regional Vocational Technical School District.

Education Trust Fund Escrow Agreement – Avalon Bay

Upon motion duly made and seconded, it was voted to authorize the Town Manager to sign the Avalon Bay Education Trust Fund Escrow Agreement.

Fiske School Project Funding Agreement – Authorization of Signatory

Upon motion duly made and seconded, it was voted to authorize the Town Manager to sign the Fiske School Project Funding Agreement on behalf of the Town.

Acting Town Manager

Upon motion duly made and seconded, it was voted to approve the Town Manager's designation of Linda Vine as Acting Town Manager during the period between June 12, 2006 and June 16, 2006.

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Executive Session

Upon motion duly made and seconded, it was voted by roll call to return to Executive Session regarding litigation, not to return to open session.

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

A true record, Attest:

Lynne A. Pease
Executive Clerk