

Selectmen's Meeting  
July 17, 2006

A meeting of the Board of Selectmen was held on Monday, July 17, 2006, at 1:00 p.m. in the Selectmen's Meeting Room. Chairman Krieger, Mr. Kelley, Mr. Pagett, Mr. Cohen, Mr. Manz; Mr. Valente, Town Manager; Ms. Vine, Assistant Town Manager and Ms. Pease, Executive Clerk were present.

Goal Setting

Based on the Board's goal setting meeting on July 11, 2006, a list of goals was provided to the Selectmen and prioritized prior to the meeting. The Selectmen discussed what each goal involved, by what date the goals would be completed, and which Selectmen would work on the goal.

The following goals were discussed:

1. Establish guidelines for collective bargaining regarding employee compensation - Guidelines should be completed by October 31, 2006 and the entire Board will participate.
2. Make key decisions regarding Munroe School: determine whether and on what terms the Arts Council can continue operating there and develop a plan to resolve both immediate safety concerns and long-term capital improvements issues at Munroe School – Short-term concerns and long-term requirements to be resolved by October 31. Krieger and Pagett will continue as Selectmen leads.
3. Plan the FY2008 budget schedule to allow adequate time for gap-narrowing discussions – Attempt to get budget book to printer prior to February vacation. Krieger will be Selectmen lead and Tom Diaz will lead for the School Committee.
4. Obtain School Committee commitment to undertaking a collaborative, long-term program for energy conservation and outline plans for FY2007-2008. Selectmen requested regular updates. Expect reports late fall and before Town Meeting. Any budget obligations will be provided between the end of October and mid-November. Manz will be Selectmen lead and Krieger will be invited to the Energy Committee meetings.
5. Continue support for the planning process to bring the DPW building project before the voters. Selectmen requested additional information on timing of construction documents. The PBC will provide information to Selectmen at the August 8 meeting.
6. Work toward a new Senior Center and/or Community Center that serve the needs of community by obtaining consensus on the functional requirements and by following up on recommendations of the Senior Center Action Plan Committee - Manz and Cohen will put together a group to review all sites and recommend viable sites and agree what facility should be by the end of December 2006.

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7. Reopen conversations with the School Committee to explore a combined school/municipal public facilities maintenance department – Kelley and Krieger will plan a meeting within the next couple of weeks which will include the Town Manager, School Superintendent or designee from School Committee, Permanent Building Committee, DPW Director and Director of Facilities for the Schools to discuss a combined school/municipal public facilities maintenance department. Report back to Selectmen no later than October 1, 2006.
8. After reviewing cost estimates for installation and maintenance of sidewalks on the south side of Mass. Avenue, adopt a policy for Center sidewalks regarding construction, design and material – Selectmen requested that the Town Manager ask the DPW Director to report to the Selectmen at its meeting on August 8 regarding the cost analysis for sidewalk work in center.
9. Proactively communicate to residents on critical issues relating to Town finances, services and program – Selectmen will continue the “Lexington Selects” program, will do routine op eds regarding services and town finances and will make information readily available to citizens. Cohen and Valente will lead.
10. Continue consideration of ad hoc Water and Sewer Rate Study Committee recommendations regarding indirect cost analysis, retained earnings analysis, abatement policy and municipal rate structure and determine what follow-up action is needed before rate setting for FY2006, and implement changes including establishing an abatement review board. The Selectmen authorized the Town Manager to engage external auditor to complete the reserve fund audit prior to rate setting this fall – Mr. Valente suggests engaging the current auditor to look into the \$400,000 discrepancy in the retained earning calculation between now and November 2006. Mr. Valente will look at the indirect cost analysis. Selectmen would like a 3-person Abatement Policy Board appointed. Selectmen will work with the abatement board and staff to come up with policy for the Board to approve. Mr. Valente will provide the Board with a suggested charge. Selectmen would like the Abatement Board in place by the end of November 2006. Pagett will lead. Mr. Valente needs more time to think about the municipal rate structure and would like to put off until rate setting in 2007.

The remaining goals will be discussed at the Selectmen's Meeting on August 8, 2006.

### Ice Cream Trucks

Since approving a permit for an ice cream truck at the Town Pool, there have been problems with more than one vehicle being in the parking lot and concern for citizen and children's safety. Mrs. Krieger read the revised list of criteria:

1. Adhere to all Health Department Requirements for food service;
2. Vehicle inspection by the Police Department;
3. Driver history check by the Police Department;
4. Criminal Record (CORI) check by the Selectmen's Office;

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5. Provide a copy of the approved Health Department food permit;
6. Provide copy of State Hawkers/Peddlers License;
7. Provide proof of \$500,000 general liability insurance; \$500,000 vehicle insurance and the Town must be named as an additional insured on both general liability insurance and vehicle insurance;
8. Provide trash receptacle outside the vehicle when vehicle stopped and then remove trash receptacle when leaving;
9. Vehicle cannot park in any parking spaces, including the handicap spaces;
10. Only one vendor at a time is allowed to park at a recreation area;
11. A CORI-approved licensed driver must remain with the vehicle at all times;
12. No smoking is allowed in or outside of the vehicle; and
13. Must follow all requirements of Mass. General Laws Chapter 101.

The Selectmen also decided that a schedule was needed and would be provided to each ice cream truck vendor that would indicate which day they could be at the pool parking area. The designated spot to park in the pool lot is in the space in front of the basketball court. This does not preclude the ice cream trucks from parking on the street, but the location must be safe and the truck must comply with the restrictions on street parking. If the schedule is not followed the Selectmen may take the privilege of parking in the lot away from the ice cream truck vendors. The Selectmen made it clear to each ice cream truck owner that if necessary additional conditions would be added to the requirements for receiving an ice cream truck permit.

Each vendor must provide all criteria prior to the Selectmen's August 8 meeting in order to receive a permit for an ice cream truck to park on Town areas.

Upon motion duly made and seconded, it was voted to approve the criteria for an ice cream truck permit and to schedule days for each vendor to park in the pool lot and if schedule not followed the ice cream truck vendor could lose the privilege of parking in the lot. Vendors must provide proof of compliance prior to the August 8 Selectmen meeting.

Next year the Selectmen will consider sending out an RFP for ice cream vendors.

### Letter Regarding Surplus Land Disposition

Mrs. Krieger requested the Board's approval to send a letter to the Legislature's Surplus Land Conference Committee requesting that the final Bill include legislative approval of any sale of surplus land.

Upon motion duly made and seconded, it was voted send a letter to the Surplus Land Conference Committee and Lexington's Legislators asking that legislative approval in the disposition of surplus state land be required.

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Common Victualler License – Ixtapa Cantina Mexican Family Restaurant

On May 15, 2006 the Board approved a provisional Common Victualler License for Ixtapa to allow them time to receive a special permit from the Board of Appeals. The Board of Appeals has since approved a Special Permit for Ixtapa.

Upon motion duly made and seconded, it was voted to approve the application and sign a Common Victualler license for Green Pepper, Inc., d/b/a Ixtapa Cantina Mexican Family Restaurant.

Executive Session

Upon motion duly made and seconded, it was voted by roll call to go into executive session for the purpose of collective bargaining and litigation, with no intent to return to open session.

Upon motion duly made and seconded, it was voted to adjourn at 4:45 p.m.

A true record; Attest:

Lynne A. Pease  
Executive Clerk