

JOE PATO

LEXINGTON SELECT BOARD

ACTION SUMMARY

SELECTMEN'S MEETING NOTES – Mar 16, 2020

Notes by Joe Pato, not official minutes.

Full meeting packet materials are available here:

<https://lexington.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=570>

Meeting video available from LexMedia here: (posted when available)

Next meeting scheduled for Mar 23, 2020.

Updated information on COVID-19 in Lexington is available from the Office of Public Health at:
<https://lexingtonma.gov/COVID19>

An emergency meeting of the Board was called at 2:00PM to address the Town's COVID-19 response. The evening meeting's agenda was incorporated, and the second meeting canceled.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Emergency Response to Coronavirus (COVID-19)

Jim Malloy, Lexington Town Manager reported on the Town's response to the COVID-19 pandemic. See memo attached at the end of these notes.

As this situation changes daily, refer to updates at the Town's website:

<https://lexingtonma.gov/COVID19>

Town Meeting Planning

The Town Manager highlighted emergency legislation filed by the Governor that would make dealing with Town Meeting a little easier. Among the items of interest:

- A health emergency is added to the conditions that allow a Town Moderator to delay Town Meeting
- The Select Board can delay Town Meeting beyond the end of the Fiscal Year.

- If Town Meeting has not completed and approved a budget by the end of the Fiscal year, the Town can spend 1/12'th of the previous fiscal year's budget each month until the emergency ceases and Town Meeting can approve a budget.
- Expenses related to the outbreak of COVID-19 and the declaration of emergency can be paid for out of "free cash" until Town Meeting can pass a budget.

Should the Legislature adopt these changes, the pressure to hold Town Meeting and set the FY21 budget is relieved. As a result, the Board reached a consensus that they would prefer to see Town Meeting delayed. It is the Board's hope that Town Meeting will be able to be held before the end of June and requests that efforts to obtain appropriate remote participation technology continue in case it remains infeasible to hold a traditional in-person Town Meeting before July 2020.

The Moderator will issue a statement delaying Town Meeting and setting her expectations for next steps.

2. Items listed below (originally posted for March 16, 2020 7:00 p.m.) were addressed as the Board deemed necessary

3. 2020 Annual Town Meeting

This item was deferred based on the consensus to delay Town Meeting.

4. Accept Municipal Vulnerability Program (MVP) Report

Adoption of the plan by the Select Board is an eligibility requirement for certain grant programs.

Full plan:

<https://lexington.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=7260&ItemID=4952>

ACTION: Vote 5-0 to approve the Certificate of Adoption for the plan.

5. Discuss Statement of Interest (SOI) for Lexington High School Project

Dr. Julie Hackett, Superintendent of Schools, presented a request to file an SOI with the Massachusetts School Building Authority (MSBA). The MSBA had commented favorably on our submission last year and strongly recommended we submit again this year.

ACTION: Vote 5-0 Resolved: Having convened in an open meeting on March 16, 2020 prior to the SOI submission closing date, the Select Board of Lexington, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 16, 2020 for the Lexington High School located at 251 Waltham Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: PRIORITIES

1. Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.

2. Elimination of existing severe overcrowding.

3. Prevention of the loss of accreditation.

4. Prevention of severe overcrowding expected to result from increased enrollments.

5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating, and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility

7. Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.

and, hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town School District to filing an application for funding with the Massachusetts School Building Authority.

6. Purchase of Real Estate - Review and Authorize Town Manager to Sign Purchase and Sale Agreement for Edison Way Parking Spaces

The Historic Society owns all or a portion of parking spaces on Edison Way adjacent to the Minuteman Commuter Bike Path. The area designated for the Grain Mill Alley Bike Node project is partially on Historical Society Land. The Town and the Society have negotiated a sales price for this land that is the mid-point between appraisals commissioned by the Town and by the Society.

ACTION: Move to authorize the Town Manager to execute the Purchase and Sale Agreement between the Town of Lexington and the Lexington Historic Society to purchase the property identified as Map 48, Lot 96 for \$177,000.

7. Right of First Refusal - Belmont Country Club

The Board previously reviewed and discussed the original notice and a number of items were identified as needing to be corrected. The Attorney for the property owner made corrections and Town Counsel has reviewed the packet and indicated that it's properly prepared and can be voted on. Also in the packet are comment letters from the Planning Board and Conservation Commission, both indicating their recommendation that the Town not exercise its right of first refusal.

ACTION: Vote 5-0 to not exercise the Town's Right of First Refusal on the Belmont Country Club's property located as described in Exhibit A in the attached notice (Town of Lexington Map 1, Lot 2A & Map 3, Lot 2A).

8. LexHAB Request for Use of Affordable Housing Stabilization Funds Under 2020 ATM Warrant Article 19

This item was discussed at the last Select Board meeting and the Board indicated support of the Town Meeting article. It was discussed that this would be on this agenda for the Board to vote on the article.

ACTION: Vote 5-0 to recommend Article 19 appropriating \$111,000 from the Affordable Housing Capital Stabilization Fund to be used by LexHab for renovations to LexHab units.

9. Discuss 2020 Patriots' Day Scheduling

Many events are being cancelled or postponed due to the Coronavirus and with the Boston Marathon being postponed on Patriots Day, Lexington needs to consider whether to move forward with Patriots Day events or whether they should be postponed this year.

Given the state of emergency, the risk of an event that would bring crowds into close proximity, and the additional burden on staff who are currently working on responding to the health emergency, the Board agreed that this event should be cancelled for 2020.

ACTION: Vote 5-0 To cancel the 2020 Patriots' Day events.

ADJOURN

The next regularly scheduled meeting of the Select Board will be held on Monday, March 23, 2020 at 6:00pm. This meeting will be a virtual meeting that will be broadcast by LexMedia. Information for how the public may access the meeting will be forthcoming.

Covid-19 Update memo presented to the Board follows on next page.

COVID-19 UPDATE

Updated Public Health Information (as of 3/16/20):

- 6 Presumptive Positive cases in town
- 16 On Quarantine
- 3 Off Quarantine

Town Services Operations:

- Schools, Library and Community Center and Temporary Visitors Center are closed to the public for three weeks (so that their schedules correspond).
- As of today's date, we are posting that all playgrounds will be closed and that residents may use parks at their own risk, we are emphasizing that this is not a Spring Break and residents, parents and students need to understand the risk of playing group sports. The reason schools are closed, and many offices are closing is due to the risk of infection, created by close contact and group sports (note the MLB, NBA, NHL, NCAA, etc.) should not be played at this time. We will not be patrolling these areas; signage will be installed, and caution tape will be put up around all playgrounds. The golf course remains open at this time, since these are small groups, but this may also change as the situation continues changing.
- As the Board is aware, all restaurants and bars have been ordered to not provide on-site service by the state. Our Board of Health is drafting a notice for restaurants and we will add verbiage for establishments licensed to sell alcohol and the notice will be hand delivered later today by the Police Department. The Economic Development Department is developing a resource guide for local businesses with information on assistance they may be eligible for. As part of the restriction on on-site service to restaurants, these restaurants are now able to provide pick-up and delivery services and we support and encourage residents to continue supporting local businesses.
- Human Services —The Human Services Department is continuing to provide social services to seniors (meals on wheels), veterans and counseling services. Counseling services are provided by appointment only and with appropriate precautions.
- Town Offices — In order to protect the public and our Town staff, the following town buildings will be closed to the public beginning on March 17:
 - Library and Community Center (as stated above) through April 6 unless extended further.
 - Town Office Building, Public Services Building (201 Bedford), Fire Station (173 Bedford), and Carey Memorial Building through April 6 unless extended further. We are asking that residents and/or businesses that need to conduct business with any Town Department, do so via email, electronic bill pay or electronic permitting. Should a resident or business need to contact a Town Department on a specific issue, we ask that they call the department to discuss their specific issue and that in-person meetings be

the last option. Residents may register to vote electronically. These buildings will be locked and available only to Town staff using their swipe cards.

- The Visitors Center will remain on track to be completed and the ribbon—cutting may occur as planned, but the Visitors Center will remain closed to the public while all other Town Buildings are closed to the public.
- The Police Station will remain open to the Public for emergencies and staff will be physically separated from the public.
- All Public Bathrooms will be locked.
- Town Staff— in order to maintain safe distances between staff and minimize potential infection, non—essential emergency staff and facilities staff will begin working on a M-W-F/T-TH schedule with 50% of staff being off at any point in time. After discussing the impact on staff, it is my recommendation as the Town Manager that regular permanent full-time and part—time staff continue to be paid on their regular basis. Full-time employees that voluntarily self-quarantine may utilize sick leave or vacation leave; employees that are tested and have a presumptive positive test that are required to be quarantined will be provided paid administrative leave until they are cleared to return to work. The DPF staff will continue to work M—F until all the schools are cleaned. The town custodial staff will continue to work M—F since these buildings are still open to staff (library, LCC, etc.). When the school buildings are fully disinfected and sanitized, DPF will begin the M-W- F/T— TH schedule.
- Public Safety —The Town of Lexington has convened a group of municipal managers in the region to confer and agree upon a protocol to ensure that there is mutual aid available should any specific community not have sufficient staffing at any point to continue providing police, fire and EMS services.
- Town Meeting — The Governor has introduced legislation (attached) to provide guidance related to Town Meeting.
- Boards, Committees & Commissions —The following Boards, Committees & Commissions will continue to meet (virtual meetings):
 - Select Board
 - Appropriation Committee
 - Board of Assessors
 - Board of Health
 - Capital Expenditure Committee
 - Conservation Commission
 - Historic District Commission
 - Planning Board
 - School Committee
 - Zoning Board of Appeals
 - Retirement Board
 - Historic Commission

Thoughts on virtual public meetings:

- A separate zoom account will be created, and an invite will be created for each public meeting that is scheduled for all of the Boards/Committees/Commissions listed above.
- The Chair will need to have a laptop available during the meeting.

- The agenda for each public meeting will include the call-in number and meeting code for the
- public to access the meeting. During a public meeting, the public may/may not be allowed to speak and will be asked to have their microphone on mute. During public hearings, when the public has the right to speak, the public on the call will need to email the Chair of the Committee (who will need to provide an email address that callers can use) and the Chair will need to identify the individual.
- LexMedia will also be notified of the call-in number so that the meeting can be recorded and broadcast.