

JOE PATO

LEXINGTON SELECT BOARD

ACTION SUMMARY

SELECTMEN'S MEETING NOTES – Apr 27, 2020

Notes by Joe Pato, not official minutes.

Full meeting packet materials are available here:

<https://lexington.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=594>

Meeting video available from LexMedia here:

<https://videoplayer.telvue.com/player/c0gKv9ZUF0uiidDaffFESDZA5EkkJp7L/media/559054>

Next meeting scheduled for May 5, 2020.

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

Required public meetings and hearing will be held virtually, using LexMedia and phone and/or online technology to allow public participation as necessary*. This was the Board's fifth regular meeting using the Zoom platform for virtual meetings. We will be using this platform until further notice.

***as per Executive Order regarding remote participation:**

<https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

Ms Barry was absent due to a long-standing personal commitment.

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Covid-19 Update

[Video at time signature 00:13:00]

Mr. Malloy presented information on the Town's strategies, implementation and community response actions related to Covid-19 guidelines and directives.

Notable items discussed include:

- The Governor has cancelled school through the end of this academic year. There is a potential that the state of emergency will be extended as well – right now the expectation is that it would be extended through Memorial Day (the Governor has extended through May 18).
- There will be a drive-through COVID-19 testing at the Elks Lodge on Friday May 1. Residents must pre-register and qualify for this service.
- Construction activity continues to wind down. The Visitors’ Center was scheduled to be complete but is running a little behind. The project is progressing very well. The Fire Headquarters is progressing well and looks very good.
- A potential fiscal impact memo is included in the packet. This is an informational only document – it is very early in the crisis and the situation is changing dramatically quickly. For example, the memo assumes a 15% cut in state aid but recent discussions suggest that the state will work to keep state aid at higher levels. The issue will really be a revenue shortfall primarily from state funding sources rather than an expense issue. Unlike municipal budgets in other regions of the country, we are mostly dependent on property taxes that will not see much change – for example, during the 2008 fiscal downturn property tax receipts remained at 99% of target. Local receipts like hotel/motel and meals taxes will be the primary local revenue that is expected to fall short. The Board’s decision to hold back appropriations to certain stabilization funds and Other Post-Employment Benefit (OPEB) funds will provide the Town with more options for meeting budget revenue shortfalls later in the year. The Town Manager is confident we will be able to address any shortfall issues at a Fall Special Town Meeting.

2. Discuss Scheduling of May Events

- Memorial Day; Discovery Day

[Video at time signature 00:32:05]

The Lexington Retailers Association has decided to cancel the Discovery Day activities in May. There is a possibility for an event later in the year, possibly in the fall – but it will not occur in May.

The Board discussed the need to cancel all public events through the end of May including the Memorial Day celebrations to maintain public safety. The Town Manager confirmed that his office has or will be cancelling all events under his purview through the end of May.

Action: Vote 5-0 to cancel all public events under the Board’s purview through the end of the Month of May due to the Corona virus.

3. Accept and Sign Conservation Easement - Liberty Ridge (Grove Street Development)

[Video at time signature 00:32:05]

The Town Manager presented an amended and restated Grant of Easement as a result of recently discovering that North Shore Development recorded the Grant of Easement to the Town of Lexington, acting by and through its Conservation Commission, without having the Select Board and Conservation

Commission approve/accept it. The Grant of Easement was a requirement of the Planning Board's Liberty Ridge Balanced Housing Development Special Permit and is shown on the enclosed referenced plan titled "Property Rights & Dimensional Standards Plan" dated 9/12/2017 and recorded as Plan 1009 of 2017. The easement goes down the new Jefferson Drive sidewalk and crosses Jefferson Drive and travels between units 4 and 5, and then along the wetland buffer zone connecting to the narrow strip of land owned by the Lexington Conservation Commission along the Burlington Town-line/Burlington's Landlocked Forest Parcel.

A memo describing this more fully as well as the plan and easement documents are included in the meeting packet.

Action: Vote 5-0 to approve the Amended and Restated Grant of Easement between North Shore Residential Development, Inc., as grantor, and the Town of Lexington, acting by and through its Conservation Commission, as grantee, substantially in the form presented at the April 27, 2020 meeting of the Select Board, with final changes to be approved by the Town Manager in his reasonable discretion in consultation with town counsel; and further to authorize the Town Manager to execute and accept said Amended and Restated Grant of Easement on behalf of the Select Board.

4. 2020 Annual Town Meeting

- **Discuss and Call Special Town Meeting**
- **Update on Town Meeting Plans**
- **Articles/Positions**

[Video at time signature 00:48:20]

The Meeting packet includes information on the Annual Town Meeting and the draft warrant for a Special Town Meeting that would provide the authority for the Select Board to submit a Home Rule Petition for special legislation to confirm the validity of any action of the Annual Town Meeting. This special legislation would only be necessary if the bill that Representative Ciccolo does not pass or does not pass in time.

Action: Vote 5-0 to set a Special Town Meeting on June 1, 2020 and to close the Town Meeting warrant with the one article as per the attached warrant.

[Video at time signature 00:51:38]

Mr. Pato reported on the state of the technology/operational plan for a virtual town meeting. He then proceeded to demonstrate the current state of the Virtual Town Meeting portal and responded to questions.

The plan remains to begin small group testing the first week of May followed by larger per-precinct meetings the following week and finally a full mock town meeting with all members attending to provide the Moderator and staff practice with a large-scale meeting with around 200 attendees later in May.

Action: none.

5. Discuss Food Waste Working Group

[Video at time signature 01:10:42]

In response to the food waste discussion at a previous Select Board meeting, Mr. Malloy is planning to create a Town Manager Working Group to discuss the issue and bring back recommendations to the Board. The Working Group would consist of:

- Robert Beaudoin (DPW)
- David Pinsonneault (DPW Director)
- Sustainable Lexington Waster Reduction Task Force & Green Team Members (2)
- At large Citizens (2)
- SB Member
- Sean Dugan

The charge would be:

1. Determine what educational material and information is needed
2. Develop the avenues for getting the material and information to the public
3. Discuss home composting and curbside food waste collection and make recommendations
4. Report back to the SB

The Board concurred with this proposal.

6. Discuss Pole Hearing Process

[Video at time signature 01:18:54]

At a previous meeting there was a significant discussion during the pole hearing on Lincoln Street about developing a guideline for the Board to follow. Town Counsel is working on a guideline that will be available before the next pole hearing which is on May 4. As we have a couple of pole hearings coming up next month and a gas line extension, the Mr. Malloy believed it would be good for the Board to have this discussion. The meeting packet includes background material on MGL Ch. 166, Sec. 22 which is the statute that is the basis for pole hearings.

The Board discussed the usefulness of guidelines for how to respond to pole requests. For example, setting expectations for resolving double pole issues, old wires left hanging or wrapped around a pole, safety of nearby poles, and possibly aesthetics of the requested pole installation. In the past the zone around the requested pole that is subject to considerations has been unclear.

The Board is looking to set expectations for the utility companies and for developers – rather than having surprises when late in a project the pole (or gas hookup) hearing occurs.

7. Approve Letter of Support of the Application to the All-American Road Scenic Byway Designation

[Video at time signature 1:40:31]

Edits suggested at the Board's review of the 1st draft letter at the April 13, 2020 meeting have been incorporated for review. The Board is being asked to review and approve the attached letter to be sent to the Federal Highway Administration in support of the application being submitted for designation of the Battle Road Scenic Byway as an All-American Road Scenic Byway.

Action: Vote 5-0 to approve and sign the letter as proposed to be sent to Federal Highway Administration in support of the application being submitted for designation of the Battle Road Scenic Byway as an All-American Road Scenic Byway.

8. Approve Limousine License Renewals

[Video at time signature 1:44:24]

The necessary paperwork and favorable inspection report from the Police Department have been received and the CORI checks for the applicants have been performed to renew (2) Limousine Licenses for Boyadjian Limousine Service, (1) Limousine License for D&O Limo LLC, and (1) Limousine License for Fusco Enterprises LLC.

Action: Vote 5-0 to approve the applications and issue two (2) renewed Limousine Licenses to Boyadjian Limousine Service, 447 Lowell Street, one (1) renewed Limousine License to D&O Limo LLC, 3402 Main Campus Drive., and one (1) renewed Limousine License to Fusco Enterprises LLC, 37 Woburn Street.

9. Approve and Sign Proclamations

- International Compost Awareness Week
- Mental Health Month

[Video at time signature 1:46:04]

International Compost Awareness Week

The Board is being asked to approve and sign proclamation for International Compost Awareness Week to be May 3 - 9, 2020 to recognize the efforts of the soil conservation stewards, householders, landscapers, farmers, recyclers, public workers, composters, gardeners, and plant growers everywhere.

Mental Health Month

Melissa Interest, Director of Human Services, is requesting that the Select Board approve and sign a proclamation recognizing the month of May 2020 as Mental Health Month. Mental health is an important factor in every individual's overall physical health and emotional well-being. The Town of Lexington strives to highlight the importance of mental health awareness by reducing stigma, providing support, educating the public, and advocating for equal care.

Action: Vote 5-0 to approve and sign the International Compost Awareness Week proclamation and Mental Health Month proclamation.

ADJOURN

The next regularly scheduled meeting of the Select Board will be held on Monday, May 4, 2020 at 7:00pm. This meeting will be a virtual meeting that will be broadcast by LexMedia. Information for how the public may access the meeting will be included in the agenda posting on the Town web site.

Note

Join me for casual drop-in office hours on Wednesdays via “Zoom”. Information on how to connect is at <https://joepato.org>

Joe’s Virtual Office Hours
Wednesdays 2-3PM via Zoom



<https://zoom.us/j/623099257>