

JOE PATO

LEXINGTON SELECT BOARD

ACTION SUMMARY

SELECTMEN'S MEETING NOTES – Jun 29, 2020

Notes by Joe Pato, not official minutes.

The video time signatures are based on my recording of the Zoom meeting and may be slightly off what LexMedia posts.

Full meeting packet materials are available here:

<https://lexington.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=612>

Meeting video available from LexMedia here: link to be updated when video is available

Next meeting scheduled for July 13, 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>

Note

The Board Met on Tuesday, June 23, 2020 at 3:00pm via a virtual meeting to interview three finalist firms for Town Counsel. At the conclusion of the interviews the Board deliberated and appointed Mina Makarios of Anderson Krieger as Town Counsel for a one-year term.

<https://videoplayer.telvue.com/player/c0gKv9ZUF0uiidDaffESDZA5EkkJp7L/playlists/7975/media/572202>

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Covid-19 Update

[Video at time signature 00:09:55]

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

Updated public Health Information (as of 6/25/20):

- 321 Confirmed (cumulative) Cases in Town of which 4 are active cases. Please note there are two days on the attached table that show declines in the total number of cases in Lexington, these are likely due to individuals being reclassified in the MAVEN database.

Town/School/Community:

- All Town Departments have partially returned to work with staff working in the offices 25% of the time and 75% working remotely. With total cases down significantly, we will be assessing the impact of the current re-openings of various public facilities, restaurants, retail, etc. and in the first half of July will begin planning for staff to return to work on a full-time regular basis (following the recommended protocols of MDPH and the Industrial Hygienist). Our plan has been to have employees in the building for two weeks before re-opening to the public, which we will continue to pursue.
- We continue to have a regular, conference call every Wednesday morning at 8 AM with the Senior Management Team and Health Officials to review the change in the number of local cases and discuss actions the Town is taking and to discuss any issues or concerns of various departments.
- The following establishments have been approved for outdoor dining with alcohol service:
 - Il Casale
 - Via Lago
 - Ixtapa
 - Marios

More detailed information about cases in Lexington may be found in the packet:

<https://lexington.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=7815&ItemID=5191>

Ms Hai pointed out that Lexington's testing rate is the second lowest of 8 geographically adjacent communities (down from 3rd lowest last week, meaning fewer Lexington residents are seeking testing). She requested that information about testing be made more generally available to residents.

Action: a news item was posted on the Town web site informing residents how and when to get testing for Covid-19.

<https://www.lexingtonma.gov/home/news/where-and-when-you-should-be-tested-covid-19>

2. Grant of Location for Verizon Pole: Lincoln Street - Revised Petition

[Video at time signature 00:14:05]

The Board considered a revised petition as well as the last approval by the Select Board in November 2019 for adjusting utility poles on Lincoln Street. After the Select Board approved the last petition, one of the neighbors (who had been sent received the certified mail but hadn't commented) complained to Verizon about the location in which pole 55/16 had been approved. The new location was 42 feet from pole 55/16A. After Verizon worked with the parties involved, the parties agreed to locate pole an additional 11 feet further from the northeast property line between #45 and #43. The pole is now proposed to be 31 feet from pole 55/16A.

Action: Vote (5-0) to approve the relocation of one (1) JO pole, P.55/16, on the northerly side of Lincoln Street to a point approximately 31' easterly from its current location on the northerly side of Lincoln Street contingent that Verizon identify the owners of any unused wires or poles and any unused wires or poles be removed.

3. Presentation to the Chinese American Association of Lexington (CAAL) and the Chinese Americans of Lexington (CALex) - Thank You for Donations

[Video at time signature 00:34:00]

Both the Chinese American Association of Lexington (CAAL) and Chinese Americans of Lexington (CaLex) generously donated personal protective equipment to the Town and the community which were dispensed through the Lexington Fire Department and this is an opportunity to recognize their generosity.

Each organization was thanked by members of the Board and plaques were presented.

“In sincere appreciation for your generous donation of Personal Protective Equipment and other donations during the 2020 Covid-19 pandemic to the Town of Lexington and to members of the community.”

Action: No action at this time.

4. Voluntary Water Use Restrictions

[Video at time signature 00:48:45]

For the past several years the DPW has requested a voluntary water use restriction. In order to maintain regulatory water pressure in Town to ensure delivery into homes and businesses and proper fire protection during this high use time frame the Department of Public Works would like to institute a voluntary water restriction from July 1, 2020 to October 1, 2020. We urge residents and businesses to refrain from any outdoor water use between the peak demand hours of 5:30am – 8:30am daily. This includes restricting all irrigation and other outdoor landscape/turf watering, washing vehicles, rinsing driveways, filling pools etc.

<https://www.lexingtonma.gov/home/news/voluntary-outdoor-water-use-restriction-between-530-am-and-830-am-daily-please-help-us>

Action: Vote (5-0) to approve instituting a voluntary water restriction on any outdoor water use as recommend by DPW between the hours of 5:30am and 8:30am daily from July 1, 2020 to October 1, 2020.

5. Approve the Creation of 20mph Safety Zone in the Area of Lexington Center

[Video at time signature 00:53:12]

At its meeting of June 15, the Board requested updates to the proposed safety zone in Lexington Center and asked for a recommendation from the Center Committee. The Board's packet includes the updated map and report that adjusted for the additional areas the Select Board discussed at the last meeting. The Center Committee unanimously supported this updated proposal.

Action: Vote (5-0) Move that in accordance with the provisions of Massachusetts General Laws, Chapter 90, Section 18B adopted by Town Meeting at ATM 2017 and later accepted by the Board of Selectmen on May 8, 2017, the Select Board hereby implement the following special speed regulation: 20 MPH Safety Zone in Lexington Center

STREET LOCATION:

Massachusetts Avenue From Harrington Road to Slocum Road
Hancock Street From Bikeway Crossing to Bedford Street
Harrington Road From Massachusetts Avenue to Hancock Street
Meriam Street From Bikeway Crossing to Massachusetts Avenue
Waltham Street From Massachusetts Avenue to Vine Brook Road
Woburn Street From Hayes Lane to Massachusetts Avenue

Action: Vote to approve (5-0) the agreement between the Town of Lexington and the Regional Housing Services Office for 90 days as attached and authorize the Town Manager to sign the agreement.

6. Presentation on Shared Streets and Spaces Grant

[Video at time signature 01:04:10]

Staff submitted a grant application on 6/23 to the MASS DOT Shared Streets and Spaces Grant Program. The packet includes an area map of Lexington Center showing the areas that are proposed to be blocked off to provide additional space for outdoor dining and creating wider pedestrian lanes between restaurants and the outdoor dining. The proposal is for water filled jersey barriers that can be drained and moved around as appropriate. Please note the attached plan is proposed and can be modified at any time as we move forward.

Some preliminary community feedback on the idea of closing off areas to allow for greater outdoor dining opportunities has been obtained and was included in the packet. The Board was generally

supportive but a little concerned that the some of the locations identified in the center need to be checked for safety and appropriateness. The Board also encouraged consideration for other locations in Town in particular the East Lexington commercial area.

Action: Vote (5-0) to support the grant application and general plan to block off parking areas as shown on the attached plan of Lexington Center.

7. Update on Age-Friendly Needs Assessment Results & Recommendations

[Video at time signature 01:23:00]

Jan Mutchler, Center for Social and Demographic Research on Aging, Gerontology Institute University of Massachusetts Boston presented a summary of the findings from the age-friendly study. In addition, Julie Ann Shapiro, Lexington Council on Aging, presented the top 4 priority proposed action items.

HOUSING:

- 1) Home Modification Assistance - Timeframe: July, 2020 – July, 2021
- 2) Affordable Housing Advocacy

TRANSPORTATION:

- 1) Senior Parking Sticker Program - Timeframe: September, 2020 – September, 2021
- 2) Senior-Only Parking Advocacy
- 3) Increased Transportation Advocacy

SOCIAL PARTICIPATION:

- 1) Neighborhood Postcard Program - Timeframe: July, 2020 - ongoing
- 2) Technology Program

RESPECT AND SOCIAL INCLUSION:

- 1) Senior Specific Commerce Program - Timeframe: July/August 2020 – ongoing
- 2) COA Mobile Forums
- 3) Increased Partnerships

Action: None at this time.

8. Determination of Tree Hearing - 497 Concord Avenue

[Video at time signature 02:01:30]

This is a continuation of the hearing begun on May 18 and continued on June 15. The Board had previously requested that the applicant and neighbors meet again to try to reach a consensus on direction.

Action: Vote (4-1) to authorize the removal of the non-hazardous public shade tree at 497 Concord Avenue, with the property owner paying \$16,800 for the value of the tree..

9. Fiscal Year 2020 Year-End Budget Adjustments

[Video at time signature 2:44:09]

Staff presented current year-end revenue and expense projections and the end-of-year FY2020 budget adjustments – see meeting packet for details.

Action: Vote 4-0 (Ms Barry recused) to approve and sign the end-of-year salary adjustment account transfers, reserve fund transfers and budget transfer as presented in the attached memo.

10. LexMedia Contract Renewal

[Video at time signature 2:56:50]

Ken Pogran, chair of the Communication Advisory Committee (CAC), reviewed the proposed the agreement between the Town of Lexington and Lexington Community Media Center (LexMedia) to continue providing community television services for the period 7/1/20 to 6/30/22 with two 2-year extensions for a total of six years. This recommendation is to provide flexibility to deal with revenue changes expected over the next several years. Of note are declining fees from cable carriers as more residents “cut the cord” and move away from cable service. While the accumulated surplus will buffer this decline in revenue, the CAC projects that at some point – possibly in about 5-7 years – the Town will have to supplement funding for public access cable with other revenues. The CAC remains confident that they will be able to look out 2 years at a time for budgeting.

Action: Vote (5-0) to approve the agreement between Lexington Community Media Center and the Town of Lexington as attached and further to authorize the Town Manager to execute the agreement on behalf of the Town of Lexington.

11. Review Request for Donor Plaque - Lexington Visitors Center

[Video at time signature 3:21:35]

The Tourism Committee is seeking permission to recognize donors who have contributed to the new Visitors Center. They propose to eventually have in place a plaque that will complement the exhibits within the building.

The draft language included in the meeting packet was developed and voted by the Tourism Committee. If approved, the template would be stylized on temporary materials to hang upon the opening. This template can be reprinted periodically to reflect new donations. When the time is right to make it permanent, the Committee would return to the Select Board for final approval.

The Tourism Committee indicated they have consulted both the Economic Development Coordinator and the Visitors Center Manager.

Action: Vote (5-0) to approve the request for a temporary donor sign as presented for display at the Lexington Visitor Center.

12. Discuss Next Steps for Social and Racial Equity Initiatives

[Video at time signature 3:28:50]

Note: Ms Barry recused herself from the portion of the discussion related to policing issues whether or not there is a financial interest for any portion of the deliberation that directly related to the police department as her husband is an employee of the department

Ms Hai, the Board's liaison to the Human Rights Committee, discussed progress in this area. She pointed out that the concept of creating a racial equity plan is to help us create a theory of change. What we are trying to do is to figure out how to look at who we are and what we want to do to figure out how to do it.

Reviewing actions for the past week she summarized that we are working with NLC REAL (National League of Cities, Racial Equity and Leadership) and GARE (Government Alliance on Race and Equity). We have reached out to the REAL program but have not yet received feedback from the NLC. We applied for membership with GARE program last week and participation in the program was confirmed by e-mail during the Board's meeting of 6/29. Ms Hai also explored possible programs being launched by the MAPC. Prior to the COVID-19 pandemic MAPC planned to have a three-year program but given current uncertainties the MAPC has created a shorter 1-year program which Ms Hai recommends we apply to for participation. These programs are not mutually exclusive and are being explored in parallel with establishing facilitated community conversations.

Mr. Lucente updated the Board on discussions with ABCL (Association of Black Citizens of Lexington) over the past week. This was largely a listening session for Mr. Lucente, Mr. Malloy, and Chief Corr. The group promised feedback on those questions after Mr. Malloy's return from vacation.

The packet also includes a copy of the Lexington Police Department's use of force policy and an analysis comparing Lexington's Police Policies with the "#cantwait" Initiative.

(<https://lexington.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=7824&ItemID=5214>)

Action: Continued development of the plan and response to the questions raised by members of ABCL.

13. Approve Collective Bargaining Agreement - DPW Union

[Video at time signature 3:59:00]

Note: Ms Barry recused herself from deliberation as her husband is an employee of the Town.

The Town and DPW Union have reached agreement for the contract period FY19-21 and FY22-24. As per previous discussions with the Board, this maintains a 2.0% COLA each year and makes other adjustments to the pay as indicated in the MOU's so that by the end of FY24, the Lexington DPW staff will be at the median of the comparable communities. All the provisions of the contract are as authorized by the Board.

Action: Vote (4-0 Ms Barry recused) to authorize the Town Manager to execute the MOUs with the DPW Union and subsequent contract documents for the contract periods FY19-21 & FY22-24.

14. Application: Common Victualler License - Lex Donuts LLC d/b/a Dunkin Donuts, 373 Waltham Street

[Video at time signature 4:02:25]

Action: Vote (5-0) to approve a Common Victualler License for Lex Donuts LLC d/b/a Dunkin Donuts, 373 Waltham Street for the hours of 5:00 a.m. to 10:00 p.m. Monday - Sunday.

15. Select Board Committee Appointments/Reappointments

[Video at time signature 4:03:39]

Action: Vote (5-0) to appoint Melissa Talal to the Lexington Council for the Arts with a term expiration date of September 30, 2022.

16. Select Board Meeting Minutes

[Video at time signature 4:05:04]

The Board reviewed the status of Select Board minutes and a proposal for a new abbreviated format that would include an automatically generated transcript as an appendix. There was a large number of draft minutes included in the packet (242 pages reaching back to September 2019).

There was general support for the more abbreviated format, but several members pointed out that there were some significant items omitted from the summary. In particular, action items as a category should be included when they pertain to an item.

There was also some discomfort with the transcript. Some members felt more comfortable with linkages to the timestamp in the video or audio recording rather than just the machine generated transcript. Having the transcript is useful when researching a topic (e.g., using a search engine) but there was concern that the absence of inflection in spoken words can lead to misinterpretation in the machine-generated transcriptions. Some members felt that having the transcriptions would be helpful but for them not to be considered part of the official minutes.

Action: The Board to review minutes for September and October minutes for the next meeting.

ADJOURN

The next regularly scheduled meeting of the Select Board will be held on Monday, July 13, 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>