

TMMA Warrant Information Report



March 2014

This report has been prepared by the Town Meeting Members Association to provide information to Town Meeting members concerning the articles of the warrant for the Annual Town Meeting and Special Town Meeting beginning March 24, 2014. TMMA thanks town officials, town staff, and members of boards and committees for their assistance in providing information for this report.

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For new and updated information, please refer to the
TMMA website at

www.LexingtonTMMA.org

Conflict of Interest Guideline for Town Meeting Members

In 1976, Town Meeting adopted the following non-binding Conflict of Interest Resolution:

Resolved, that Town Meeting Members abstain from voting in any particular matter in which to his knowledge, he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has any economic interest in the particular matter under consideration.

Please note that Town Meeting Members are specifically excluded from the responsibilities posed by the State conflict of interest statute, Chapter 268A.

Revisions:

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Special thanks to:

Christopher Bing for the cover artwork

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Notes

Please note that all dollar amounts listed in this report are NOT final. The final dollar amounts will be provided in motions presented at the Annual Town Meeting and Special Town Meeting starting on March 24.

Also note that the information provided in this report was current as of the publication date (see page ii); some circumstances may have changed since then. See the TMMA web site for new and updated information.

Also note that the entire text of the Annual Town Meeting Warrant is included in this report. The Warrant text appears at the beginning of the write-up for each article and appears in 10-point italicized font. TMMA information appears in 12-point normal font.

STM Article 2**Cary Memorial Building Upgrades**

To see if the Town will vote to appropriate a sum of money for the remodeling, reconstructing, and making extraordinary repairs to the Cary Memorial Building; and for equipment in connection therewith, and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$8,677,400 (\$235,230 Tax Levy and \$8,241,350 CPF)

Description: *This article requests funding to make upgrades to the Cary Memorial Building. A comprehensive review of the building systems concluded that improvements are needed in several areas: accessibility, support spaces, structural, electrical, mechanical, plumbing, stage and acoustical and audio visual.*

TMMA REVIEW**CARY UPGRADES****TMMA Overview (as of 03/01/14)**

The Cary Memorial Building is a significant and historical building in Lexington. Since its dedication in 1928, it has hosted a range of community events including Town Meeting, Town Elections, Cary Lecture Series and many performances. An authorization of \$60,000 in Community Preservation funds was approved at the 2010 Annual Town Meeting to perform a comprehensive review of the building systems, building and life safety codes, and theatrical and functional capabilities. This Building Evaluation concluded that though the building is well maintained, improvements are needed in several areas: accessibility, support spaces, structural, electrical, mechanical, plumbing, stage, and acoustical and audio visual improvements. The Ad Hoc Cary Memorial Building Program Committee (AHCMBPC) reviewed the recommended scope of work and issued its report to the Selectmen on January 14, 2013. At the 2013 Annual Town Meeting, \$550,000 was appropriated to continue the design process and begin the development of construction documents. In June, 2013, the Selectmen appointed the Ad hoc Cary Memorial Building Renovation Design Committee (ahCMBRDC) to oversee the development of design and construction documents and to oversee the implementation of the recommended design. This FY15 funding request is for the estimated cost of construction for improvements to the Cary Memorial Building.

TMMA Questions

Question #1: Can the work be done without taking the building out of service?

Answer #1: Some of the work can be done without taking the building out of service, but the hot water boilers, water chiller, central heating and cooling systems, and restroom room replacements all significantly impact the building and as a result the ad hoc committees recommends taking the building out of service for 15 months. Further, doing the work in stages is estimated to cost an additional 22%, or \$1.9 M. This was thoroughly evaluated two years ago and accepted by Town Meeting when the final design appropriation passed.

Question #2: What are the ramifications of taking the building out of service for 15 months?

Answer #2: It has taken a decade to rebuild the use of the building after it was used as a library. Organizations like the Lexington Symphony will have to find alternate facilities and, like the Masterworks Chorale, may not return.

STM Article 3 Amend Art 5 of 11/4/13 STM, Renovation to Comm Ctr

To see if the Town will vote to amend the vote taken under Article 5 of the warrant for the November 4, 2013 Special Town Meeting relating to design, engineering and remodeling, reconstructing and making extraordinary repairs to buildings at 39 Marrett Road in order to increase the appropriation therefor, and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$831,590 (\$155,896 General Fund Debt; \$675,693 CPA)

Description: This article would authorize additional funds for the renovation of the Community Center and provide for HVAC work.

TMMA REVIEW**COMMUNITY CENTER RENOVATION****TMMA Overview (as of 03/01/14)**

Funds were appropriated at the November 2013 Special Town Meeting for the new Community Center. These funds were for design and construction of Phase I improvements to facilitate occupancy of the building, the design of a sidewalk from Marrett Road to the Community Center, and to add the Carriage House to the study of long-term Phase II building improvements. It now appears much of Phase II will be postponed for longer than originally anticipated; therefore, the intention now is to complete certain of the Phase II items as part of Phase I to avoid disruption once the building is occupied, including the sidewalk and HVAC systems.

TMMA Questions

Question #1: Will this delay occupancy?

Answer #1: Occupancy is currently scheduled for December, 2014 and will be delayed to July 2015 (this is not yet decided - the Board of Selectmen will receive the committee's recommendation on March 10).

Question #2: How will this impact Cary Memorial Hall?

Answer #2: Consideration is being given to delay the Cary Memorial Building renovation until after the Community Center opens, thereby lessening the impact of losing the meeting room space and space for Recreation programs and storage.

Article 4**Appropriate FY2015 Operating Budget**

To see if the Town will vote to make appropriations for expenditures by departments, officers, boards and committees of the Town for the ensuing fiscal year and determine whether the money shall be provided by the tax levy, by transfer from available funds, by transfer from enterprise funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: See Appendix A - Town of Lexington Warrant

Description: This article requests funds for the FY2015 (July 1, 2014 – June 30, 2015) operating budget. The operating budget includes the school and municipal budgets. The operating budget also includes requests for funds to provide salary increases for employees, including salaries negotiated through collective bargaining negotiations. The budget also includes certain shared costs. Appendix A lists, by account, FY2012 and FY2013 actual expenditures, FY2014 current appropriations and the preliminary FY2015 recommended appropriations. Please note that figures for FY2014 have been restated to reflect the funding of negotiated salary agreements.

TMMA REVIEW OPERATING BUDGET

TMMA Overview (as of 03/01/14)

The information provided for this report is from the Town Manager's recommended budget dated January 13, 2014 and updated for any changes through February 27th. The operating budget is comprised of Education, Shared Expenses and Municipal expenses, cash capital and other revenue set-asides. The FY2015 Budget as reflected in the Town Manager's "Fiscal Year 2015 Recommended Budget & Financing Plan, March 3, 2014" (the "Brown Book"), Section I: Budget Overview Program Summary is:

	<u>FY2014</u> <u>Restated</u>	<u>FY2015</u> <u>Recommended</u>	<u>Dollar</u> <u>Change</u>	<u>%</u> <u>Change</u>
Education				
Lex. Public Schools	81,400,507	86,623,929	5,223,422	6.42%
Regional Schools	<u>1,474,266</u>	<u>1,244,384</u>	<u>(229,882)</u>	<u>-15.59%</u>
Total Education	82,874,773	87,868,313	4,993,540	6.03%
(The Education Operating Budget is further discussed in the next section)				
Total Shared Expenses	45,883,421	48,352,943	2,469,523	5.38%
Total Municipal	30,580,972	31,957,311	1,376,338	4.50%
Total Capital	6,919,202	5,238,117	(1,681,085)	-24.30%
<u>Total Other Articles</u>	<u>8,338,240</u>	<u>7,694,400</u>	<u>(643,840)</u>	<u>-7.72%</u>
<u>General Fund Total</u>	<u>174,596,608</u>	<u>181,111,084</u>	<u>6,514,476</u>	<u>3.73%</u>

Shared Expense Major Changes, FY2014 to FY2015 (Brown Book, Program Summary I-2):

<u>Program</u>	<u>Reason</u>	<u>Amount</u>
• 2110 – Contributory	To meet actual valuation-base funding schedule mandated by State regulation.	\$200,000
• 2130 – Empl. Benefits	Based on 6% increase across all health insurance plans and the addition or change of 45 subscribers.	823,324
• 2160 – Property & Liab. Insurance	A 6.86% increase due to projected market conditions.	49,835
• 2170 – Uninsured Losses	A 16.67% increase in the continuing balance account. The account balance on Jan. 7, 2014 was \$484,344.	25,000
• 2200 – Debt Service	The FY 2014 data is net of \$1.6 M appropriated from the Capital Projects/Debt Service/Building Renewal Fund. The FY 2015 data is the gross est. debt service cost. Article 17 recommends \$950,000 be appropriated from the Debt Service fund to offset FY 2015 costs.	1,195,818

Municipal Operating Budget Major Changes, FY2014 to FY2015 (Program Summary I-2):

Except where otherwise noted below, the FY2015 budget is level funded from FY2014. Of the \$1,376,338 increase from FY2014, \$386,294 is due to an increase in program 8230 – Salary Transfer Account used for anticipated municipal collective bargaining agreements. Those departments having significant program improvements above \$20,000 are (salaries do not include benefits reflected in Shared Expenses):

<u>Program</u>	<u>Program Improvements</u>	<u>Amount</u>
• 3000 – Public Works	Engineering Inspector, Tree Planting Program, Athletic Fields, Regulatory Sign Upgrades, Heavy Equipment Operator for Compost Revolving	\$166,682
• 7200 – Planning	Additional hours of part time planner and Scenic Byways Initiative	26,391
• 8200 – Town Manager	General Liability Consulting	24,000
• 8600 – Info. Tech.	Chief Information Officer, Town Website, ESRI Business Analyst Subscription	138,000

Total Capital includes “cash capital”, the Building Envelope Set-Aside and the Streets Set-Aside (see Section I: Program Summary on page, I-3 and Section XI: Capital Investment). The decrease of \$1,681,086 from FY 2014 results from a decrease of \$2,050,283 in Cash Capital and an increase of \$364,850 in the Set Aside for Streets.

Total Other Articles has a decrease of \$643,840 from FY 2014 appropriations. This results from FY 2014 having \$3,560,000 for the purchase of 33 Marrett Road not reflected in FY 2015. Increases include \$322,816 for 33 Marrett Road building improvements, a \$400,000 set-aside for potential decreases in Local Aid/Federal Aid, a \$200,000 set-aside for unanticipated current fiscal year needs, a \$1,649,344 increase in the amount appropriated to the Debt Service/Capital Projects/Building Renewal Stabilization Fund from FY 2014 and an increase of \$344,000 to the OPEB Stabilization Fund from FY 2014.

Under Shared Expenses, Employee Benefits and Debt Service figures include the expenses related to School Department employees and capital projects. The program expenses provided here do not reflect any salary and benefit adjustments that will result from ongoing collective bargaining negotiations. Because all associated costs must be incorporated into the Enterprise Funds budgets, projected salary and benefit increases are reflected in Article 5 numbers. The expenses related to the Water, Wastewater and Recreation Enterprise Funds have been separated from the municipal operating budget and will be approved by Town Meeting under Article 5. As has been done in prior years, Revolving Fund projected revenues have been offset against operating expenses from certain programs. This impacts line items 2400, 3300, 3400, 3500, 6100, 6200, 7100, 7300 and 8140 and is reflected under Article 7.

TMMA Questions

Question #1: How does our FY2014 Snow Removal actual cost to date compare with the budgeted cost, and if our actual costs exceed our budgeted costs, how might this impact FY2015?

Question #2: Since Uninsured Losses is a continuing balance account having a January 7, 2014 balance of \$484,344, what has been our experience drawing against this account?

For further information:

The FY2015 Recommended Budget and Financing Plan (“Brown Book”) is available in two locations on the Town’s web site:

<http://www.lexingtonma.gov/budget.cfm>

http://www.lexingtonma.gov/finance/budget/FY15_Brown_Book_for_Web.pdf

Program 1000, Education

The Education budget has two components: line item 1100 for the Lexington Public Schools (LPS) and line item 1200 for the Minuteman Regional School.

The FY2015 LPS budget is \$86,623,929. This is an increase of \$5,233,422 (6.4%) over the FY 2014 authorization of \$81,924,343.

Lexington’s share of the 2015 budget for Minuteman Tech is currently estimated at \$1,244,384. This is a decrease of \$163,595 or 11.6% from the 2014 budget of \$1,407,979.

The FY2015 LPS and Minuteman budgets add up to \$87,851,065. This represents an increase of \$4,452,456 (5.3%).

Total revenue allocated for the schools is \$87,563,488 from the tax levy and \$49,088 from the Avalon Bay Mitigation Fund (this will empty the Fund.) \$346,314 will be transferred to Unclassified (Health, Medicare, and Workers’ Comp) and \$642,332 remains unallocated.

Line item 1100 – Lexington Public Schools

The FY2015 LPS budget includes level service plus program improvements. “Level service” means replicating current services plus meeting legal requirements, including collective bargaining requirements and special education laws.

The main source of the budget increase is staffing costs. These rise by 7.5% (\$68.7M to \$73.9M, a difference of \$5.1M). Non-staffing expenses increased by \$462,444 (3.3%).

The key drivers of the increases in staffing costs are as follows. Total staffing is increasing by 27 (2.7%) from 963 to 990 (rounded to nearest Full Time Equivalent or FTE):

- **Negotiated Salary Increases.** Contractually negotiated salary and step increases account for a significant portion of the budget increase. These figures are not yet available, due in part to recently concluded and/or ongoing negotiations.
- **Increases in Enrollment** Expected increase of 97 students in 2014-15 require additional staffing. 9.33 FTE new positions are added in this budget to address enrollment. LPS is looking into the drivers of increased enrollment and a report on the subject is expected to be available before Town Meeting.
- **Special Education.** 2.84 FTE positions will be added due to an increase in the number of students needing special education services. These positions are legally required.
- **Program Needs.** 15.5 FTE’s are being added to address programmatic needs. For more information, see below.
- **Administration.** 2.0 FTE’s are being added to address administrative needs. These are mostly related to the implementation of Common Core, PARCC, and the state evaluation system.

Program Needs. Some of the more significant program needs / improvements are noted below. Note that these do not account for the full budget impact of program enhancements. Please see the superintendent’s budget document for full details. Note that similar items are grouped together here.

- **Curriculum Stipends, \$80,001.** Required to meet Department of Education standards.
- **Music Instruction, \$53,940.** Adding hours to music instruction plus symphony field trip for 3rd graders.
- **Director of Planning and Assessment, \$100,385.** Data analysis and support to administrators and programs in compliance with Massachusetts requirements to adopt teacher evaluation measures.
- **Fine Arts Instruction, \$57,237.** Adding hours to fine arts instruction.

- **Special Education, \$324,691.** This includes the therapeutic learning program at Bridge and Estabrook as well as items at Hastings, Clarke and Diamond.
- **Professional Learning, \$76,450.** Onsite staff development related to the implementation of Common Core writing instruction.

Expenses. In addition to staffing, certain categories of expenses are changing. The net contribution of expenses is relatively small compared to staffing costs. Note that expenses are offset by a projected \$470,253 reduction in tuition paid to other districts, mostly for out of district special education.

- **Special Education Transportation, \$230,000.** This includes scheduled rate increases as well as additional vehicles due to the increase in students served from 74 to 90.
- **Regular Education Transportation, \$128,254.** This includes scheduled rate increases as well as the addition of one bus due to increased ridership.
- **Per Pupil Expense Budget, \$80,860.** A recent review determined that parents were contributing items such as tissues, pens, etc. to classrooms through PTA/PTO organizations. LPS has increased this budget so that reasonable and approved classroom supplies such as this can be paid through this budget.
- **Math Textbooks, \$80,000.** Adoption of new math textbooks.
- **Legal Services, \$150,000.**
- **Language Arts, \$76,540.** One time literacy professional learning.

Line item 1200 – Minuteman Regional School

Lexington's share of the 2015 budget for Minuteman Tech is currently estimated at \$1,244,384. This is a decrease of \$163,595 or 11.6% from the restated 2014 budget figure of \$1,407,979. This is chiefly due to a decrease in Lexington students at Minuteman from 60 to 49.5.

Lexington only pays a portion of the Minuteman budget. This portion is an assessment based chiefly on the number and mix (general and special education) of students Lexington sends to Minuteman.

The Minuteman budget is a preliminary assessment. It may be further refined in advance of Town Meeting.

TMMA Questions

Question #1: Has this budget added any instructional programs?

Answer #1: No. The program additions are essentially supplements or enhancements to existing programs. No new instructional programs have been added.

Question #2: What is driving the increase in enrollment, and is it likely to slow down?

Answer #2: LPS is currently studying what drives increases in enrollment. However, the average annual growth in students is less than 1.5% per year.

Question #3: How much has the student body grown, and is this the reason why staffing levels have grown?

Answer #3: Since 2011, enrollment grew by 367 students, or 5.9% while FTE staff have increased by 119, or 13.7%. Unit A FTE teachers (classroom teachers; see below) grew 5.9% - exactly mirroring student population growth. Clearly, administrative staffing levels are growing faster than enrollment. Most of this higher growth is due to state mandates related to special education, reporting, and standardized testing. The increased reporting burden on administrators – again, mostly the result of state and federal mandates - drives additional growth in staffing.

The table below summarizes changes in enrollment and staffing since 2011. The Unit A - LEA staffing is broken out separately. Unit A includes licensed teachers, department heads, and coordinators; essentially, the change in Unit A is a reasonable proxy for the change in classroom teachers.

	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Projected	Number Growth	Percent Growth*
K-5 Enrollment	2830	2818	2834	2963	2985	155	5.5%
Middle School Enrollment	1515	1608	1644	1659	1619	104	6.9%
High School Enrollment	1995	1953	2007	2021	2103	108	5.4%
Total Enrollment	6340	6379	6502	6643	6707	367	5.8%
Unit A (LEA) Staff	620	616	625	649	662	37	5.9%
All LPS FTE Staff	871	885	917	964	990	119	13.7%

* Note, growth is calculated as the simple percent change from 2011 to 2015. It is not a compound rate of growth. FTE staff # is rounded to the nearest whole number.

Question #4: Why has the cost of legal services for the LPS increased substantially?**For Further Information:**

Superintendent's Budget Information: <http://lps.lexingtonma.org/Page/3787>

Town Budget Information: <http://www.lexingtonma.gov/budget.cfm>

Minuteman Tech Budget Information:

<http://minuteman.org/images/Supt/FY15BudgetBook20140203v2.pdf>

Article 5 Appropriate FY2014 Enterprise Fund Budgets

To see if the Town will vote to appropriate a sum of money to fund the operations of the DPW Water and Wastewater Divisions and the Recreation Department; determine whether the money shall be provided by the estimated income to be derived in FY2015 from the operations of the related enterprise, by the tax levy, by transfer from available funds, including the relevant enterprise fund, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested:

<i>Enterprise Fund</i>	<i>FY2013 Actual</i>	<i>FY2014 Appropriated</i>	<i>FY2015 Requested</i>
a) Water			
Personal Services	\$592,228	\$667,183	\$674,611
Expenses	\$336,857	\$395,200	\$389,400
Debt Service	\$1,249,336	\$1,260,655	\$1,285,009
MWRA Assessment	\$5,145,927	\$5,555,065	\$6,110,571
Total Water Enterprise Fund	\$7,324,348	\$7,878,103	\$8,459,591
b) Wastewater			
Personal Services	\$203,310	\$292,711	\$302,360
Expenses	\$334,019	\$337,100	\$345,650
Debt Service	\$927,193	\$1,131,673	\$1,236,184
MWRA Assessment	\$6,954,177	\$7,014,300	\$7,715,730
Total Wastewater Enterprise Fund	\$8,418,699	\$8,775,784	\$9,599,924
c) Recreation			
Personal Services	\$620,845	\$677,799	\$704,615
Expenses	\$907,366	\$1,008,041	\$1,036,319
Debt Service	\$130,600	\$100,000	\$100,000
Total Recreation Enterprise Fund	\$1,658,811	\$1,785,840	\$1,840,934

Description: Under Massachusetts General Laws Chapter 44, Section 53F½, towns may establish Enterprise Funds for a utility, health care, recreation and transportation facility, with its operation to receive related revenue and receipts and pay expenses of such operation. This article provides for the appropriation to and expenditure from three enterprise funds previously established by the Town.

TMMA REVIEW ENTERPRISE FUNDS

TMMA Summary - (as of 03/01/14)

Passage of this article appropriates money for the Water, Wastewater, and Recreation Enterprise Funds. Lexington has established individual Enterprise Funds for our water, wastewater (sewer) and recreation operations. These funds receive revenue from water and sewer bills and from recreation fees and pay expenses for those departments.

TMMA Overview

FY2015 represents the ninth year in which the enterprise fund budgets have been separated from the general expenses of the municipal operating budget. This change was made to allow for greater transparency and to improve accounting functions.

Changes to the Water and Wastewater Enterprise funds budgets from FY2014 reflect estimated increases for the MWRA assessments. Debt service includes actual debt service on bonds issued to date, estimated debt service on projects authorized by Town Meeting for which debt has yet to be issued and estimated debt service on projects proposed for consideration at the 2014 Annual Town Meeting. For FY2014, retained earnings (the enterprise fund equivalent of free cash) were appropriated to support the water and wastewater operating budgets in the amount of \$300,000 and \$100,000 respectively. For FY2015, \$250,000 is being used to support the Water operating budget while \$50,000 is being used to support the Wastewater operating budget.

While the level of the retained earnings have been drawn down from prior levels, proposed levels are adequate to serve as a cushion for cash flow reasons (to keep the enterprise funds independent from other Town funding sources) and to finance unanticipated revenue shortfalls and for emergency expenditures. The FY2015 MWRA assessments reflected in the recommended budgets are based on preliminary assessments issued by the MWRA. Final assessments will be voted by the MWRA Board of Directors later in the spring. Generally, there is little variance between the preliminary and final assessments. The budget adopted at the Annual Town Meeting plus indirect costs – those costs borne by the general fund operating budget that support the operations of the water and wastewater divisions – will serve as the basis for FY2015 rate recommendations to be made to the Board of Selectmen.

The FY2015 Recreation Enterprise Fund appropriation represents a 2.98% increase above that requested for FY2014. The Recreation Enterprise Fund debt service is related to the improvements made at Lincoln Field as approved under the debt exclusion in June of 2002. At that time, it was agreed that the Recreation Enterprise Fund would contribute \$100,000 towards the annual debt service payment for this project. The \$100,000 payment was previously an off-budget expense of the Recreation Enterprise Fund. Beginning in FY2009, this payment has been shown in the Recreation Enterprise Fund budget to clearly present to Town Meeting the total Recreation budget.

TMMA Questions

Question #1: What is an Enterprise Fund?

Answer #1: An enterprise fund is a self-supporting account for a specific service or program that the Town operates as a separate “business”. Enterprise funds do not depend on taxes for operating revenue. For example, water operations are funded through the Water Enterprise Fund, which receives funds from a consumption-based fee system. Ideally, enterprise revenues and expenditures should balance over time. Funds in enterprise accounts do not revert to the general fund at the end of the fiscal year. Only fee-based recreational activities receive funds from the Recreation Enterprise Fund.

Question #2: What are the retained earnings balances of each of the enterprise funds?

Answer #2: The retained earnings balances of the enterprise funds as of July 1, 2012 were \$2,066,566 for the Water Enterprise Fund, \$1,310,760 for the Wastewater Enterprise Fund and \$1,389,828 for the Recreation Enterprise Fund.

Article 6**Appropriate for Senior Service Program**

To see if the Town will vote to raise and appropriate a sum of money for the purpose of conducting a Senior Service Program, to be spent under the direction of the Town Manager; to authorize the Board of Selectmen to establish and amend rules and regulations for the conduct of the program, determine whether the money shall be provided by the tax levy, by transfer from available funds or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$20,000

Description: *In FY2007, the Town established its own Senior Tax Work-Off Program that provides more flexibility than the State program in assisting low-income seniors and disabled residents in reducing their property tax bills. This article requests funds to continue the program.*

TMMA REVIEW**SENIOR TAX WORK-OFF****TMMA Overview (as of 03/01/14)**

A vote of the 2006 Town Meeting rescinded the Town's acceptance of a State local option property tax law that allows low-income seniors to work for the Town in exchange for a property tax credit. Town Meeting replaced the State program with a Town program. This program, the Senior Tax Work-Off Program, enables both low income seniors and disabled residents to work for the municipality in exchange for a reduction in their real estate tax bills.

To be eligible to participate in the Town's program, the guidelines state that a participant must be 60 years of age or over, own property in Lexington which serves as his or her principal residence and whose gross income (including Social Security income) does not exceed \$53,000 for a single tax payer or \$55,000 for a couple. An eligible individual can earn a maximum credit of \$1,045. A two-person household eligible to participate in the program may receive a maximum credit amount of \$1,330.

The motion under this article will request funds of \$25,000 to continue the program (note that the Warrant stated \$20,000).

Article 7 Establish and Continue Departmental Revolving Funds

To see if the Town will vote, pursuant to Chapter 44, Section 53E½, of the Massachusetts General Laws, to re-authorize the use of existing revolving fund accounts in FY2015, and to establish new revolving fund accounts, for the following programs and purposes, to determine whether such revolving fund accounts shall be credited with the following departmental receipts, to determine whether the following boards, departments or officers shall be authorized to expend amounts from such revolving fund accounts and to determine whether the maximum amounts that may be expended from such revolving fund accounts in FY2015 shall be the following amounts or any other amounts; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested:

<i>Program or Purpose</i>	<i>Authorized Representative or Board to Spend</i>	<i>Departmental Receipts</i>	<i>FY2015 Authorization</i>
<i>Building Rental Revolving Fund</i>	<i>Public Facilities Director</i>	<i>Building Rental Fees</i>	<i>\$410,000</i>
<i>DPW Burial Containers</i>	<i>Public Works Director</i>	<i>Sale of Grave Boxes and Burial Vaults</i>	<i>\$40,000</i>
<i>DPW Compost Operations</i>	<i>Public Works Director</i>	<i>Sale of Compost and Loam, Yard Waste Permits</i>	<i>\$490,000</i>
<i>PEG Access</i>	<i>Board of Selectmen and Town Manager</i>	<i>License Fees from Cable TV Providers</i>	<i>\$671,000</i>
<i>Trees</i>	<i>Board of Selectmen</i>	<i>Gifts and Fees</i>	<i>\$25,000</i>
<i>Minuteman Household Hazardous Waste Program</i>	<i>Public Works Director</i>	<i>Fees Paid by Consortium Towns</i>	<i>\$180,000</i>
<i>Health Programs</i>	<i>Health Director</i>	<i>Medicare Reimbursements</i>	<i>\$14,000</i>
<i>Council on Aging Programs</i>	<i>Human Services Director</i>	<i>Program Fees and Gifts</i>	<i>\$100,000</i>

<i>Tourism/Liberty Ride</i>	<i>Town Manager and Tourism Committee</i>	<i>Liberty Ride Receipts, including ticket sales, advertising revenue and charter sales</i>	<i>\$275,000</i>
<i>School Bus Transportation</i>	<i>School Committee</i>	<i>School Bus Fees</i>	<i>\$830,000</i>
<i>Regional Cache – Hartwell Avenue</i>	<i>Public Works Director</i>	<i>User Fees from Participating Municipalities</i>	<i>\$20,000</i>

Description: A revolving fund established under the provisions of Massachusetts General Laws Chapter 44, Section 53E½ must be authorized annually by vote of the Town Meeting. The fund is credited with only the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation.

TMMA REVIEW

REVOLVING FUNDS

TMMA Overview (as of 03/01/14)

The amounts in the Warrant represent the projected revenue for each program. Since the expenses associated with the Revolving Funds are not reflected in the Article 4 Operating Budget, the FY2015 Authorizations are spending limits. A continuing balance in a revolving fund may be carried over to the next fiscal year. Expenditure ceilings are based on revenue projections; in no case can spending exceed revenues on hand. The Board of Selectmen, with approval by the Appropriation Committee, has the authority to increase a program's spending ceiling within expected receipts.

Based on experience to date and anticipated FY 2015 usage, some authorizations have changed from FY2014. These include:

	<u>FY 2014</u>	<u>FY 2015</u>
Building Rental Revolving Fund	\$405,000	\$410,000
DPW Compost Operations	\$465,000	\$490,000
Public, Education, Government Access (primarily LexMedia)	\$450,000	\$671,000
Minuteman Household Hazardous Waste	\$175,000	\$180,000
Health Programs	\$10,000	\$14,000
Tourism / Liberty Ride	\$290,000	\$275,000

Article 8 Appropriate the FY2015 Community Preservation Committee Operating Budget and CPA Projects

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY2015 Community Preservation budget and, pursuant to the recommendations of the Community Preservation Committee, to appropriate from the Community Preservation Fund, or to reserve amounts in the Community Preservation Fund for future appropriations, for the administrative expenses of the Community Preservation Committee for FY2015; for the acquisition, creation and preservation of open space; acquisition, creation, preservation, rehabilitation and restoration of recreational land including capital improvements or extraordinary repairs to make assets functional for intended use; for the acquisition, preservation, rehabilitation and restoration of historic resources; and for the acquisition, creation, preservation and support of community housing; to appropriate funds for such projects and determine whether the money shall be provided by the tax levy, or from estimated CPA surcharges and state match for the upcoming fiscal year, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Community Preservation Committee)

Funds Requested:

- a) 39 Marrett Road - Community Center Renovation D&E and Sidewalk Construction - \$ (unknown at press time)
- b) Visitor Center - Design Phase - \$59,332 (plus \$161,266 from the tax levy)
- c) Hastings Park Gazebo Renovations - \$120,000
- d) Historical Commission Inventory Forms for Listed Buildings - \$35,000
- e) Battle Green Streetscape Improvements - \$63,000 (plus \$27,000 from the tax levy)
- f) Vynebrooke Village Renovations - \$300,551
- g) LexHAB Set-Aside Funds for Development of Community Housing at the Busa Property - \$750,000
- h) Lincoln Park Field Improvements - \$200,000 (plus \$231,00 from free cash and \$189,000 from Recreation Fund retained earnings)
- i) Park and Playground Improvements - \$65,000
- j) Park Improvements - Athletic Fields - \$100,000
- k) Park Improvements - Hard Court Resurfacing - \$85,000
- l) Parker Meadow Accessible Trail D&E - \$34,500
- m) CPA Debt Service - \$1,492,000
- n) Administrative Budget - \$150,000

Description: *This article requests that Community Preservation Funds and other funds, as necessary, be appropriated for the projects recommended by the Community Preservation Committee and for administrative costs.*

TMMA REVIEW

CPA PROJECTS

TMMA Summary (as of 03/01/14)

This article presents projects to Town Meeting that have been qualified by the Community Preservation Committee (CPC) to be paid for by Community Preservation Funds. Town Meeting may accept, reject or reduce the funding for each individual program. Town Meeting does not have the ability to change any part of a CPC proposal through amendments.

TMMA Overview

Beginning in FY07, following voter approval at the Town elections on March 6, 2006, after initial adoption by the 2005 Town Meeting, the Town began to assess a Community Preservation Surcharge of 3% of the property tax levied against all taxable real property. For owners of residential property, the assessed value used to calculate the surcharge is net of a \$100,000 residential exemption. In addition, a full Community Preservation Act (CPA) exemption is available to qualifying moderate-income seniors and low-income residents.

Community Preservation funds can be used for those purposes defined by the Community Preservation Act, MGL Ch. 44B

(<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44B>). Such purposes include the acquisition and preservation of open space, the creation and support of community (affordable) housing, the acquisition and preservation of historic resources, and the creation, preservation, support, and rehabilitation of recreational facilities. Beginning in FY08, the Town began to receive State matching funds to supplement the local surcharge.

CPA provisions state that at least 10% of the funds must be allocated to affordable housing, 10% for open space, and 10% for historic preservation. The remaining 70% is allocated among these three areas and recreation. Funds not spent in the year received will be retained for use in future years.

For further information:

Lexington's Community Preservation Committee (CPC):

<http://www.lexingtonma.gov/committees/cpc.cfm>.

CPC Vote Summary for FY15 projects:

<http://www.lexingtonma.gov/committees/cpc/CPCprojectlist21014FinalVotes.pdf>

State Legislature web site for the Community Preservation statute:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44B>

Per-Project Information (a) – (n)

- a) **39 Marrett Road – Community Center Renovation D&E and Sidewalk Construction – \$ (unknown at press time)**

TMMA Comment: We expect this project to be covered in Article 3 of the preceding Special Town Meeting.

- b) **Visitor Center - \$220,605 (\$161,266 Tax Levy and \$59,332 CPA):**

The Tourism Committee, working in conjunction with the Public Facilities Department, requests funding to redesign and possibly expand the Visitors' Center to accommodate visitors to Historic Lexington. Originally opened in 1970 in anticipation of the nation's bicentennial, the Visitor Center has served as an information hub to Lexingtonians as well as millions of guests from around the world. Today's visitors seek a different kind of service than they did over five decades ago when this building was built. The programmatic changes being considered include visitor education, space for tour groups, a self-service kiosk, counter space for assisting visitors, a

veterans' display with visual connection to exterior memorials, retail space, a food vending area, new rest rooms, and office space. To realize these goals, a custom exhibit will be designed and constructed that captures Lexington's unique place in American History. The building will be made fully handicapped accessible and provide community meeting space. The last upgrade to the building was when the restrooms were made handicapped accessible 10 years ago, and these facilities suffer from overuse. FY2015 funding is requested for design development and construction documents. The Visitors' Center also contains the offices of the Lexington Chamber of Commerce on the second floor.

TMMA Questions

Question #1: Is there consensus on programmatic issues?

Answer #1: Most of the stakeholders expect the Tourism Committee to service our tourism stakeholders, promote our history and historic assets (Battle Green, historic houses, and other sites), Lexington Center and our hospitality facilities. The Tourism Committee sees the Visitor Center as a destination unto itself, rather than primarily a place to whet the appetite of visitors and quickly get them back out into the community. Meanwhile, The Lexington Historic Society and the Chamber of Commerce want the focus to be on informing visitors where and how they can learn our history and enjoy our community.

Question #2: What are the major conflicts?

Answer #2: The Historic Society, stewards of the Town's Historic Houses, needs to maximize traffic and revenue at those properties. Part of those efforts include bus tours hosted through the Depot. The newly renovated Buckman Tavern, abutting the visitor center, provides an educational venue for visitors. The question is how the visitor center can provide an overview of our historic role while encouraging visitations to the historic houses, other assets, and Center restaurants and businesses.

Question #3: What is the impact of the Liberty Ride?

Answer #3: The Liberty Ride is operated by the Tourism Committee. The Ride goes past our historic assets but riders only get off, as part of the ride, at the North Bridge in Concord. Proponents believe it gives an overview and whets appetites for lengthy visits following the tour. Others are concerned that it satisfies the need of visitors, competes with the historic houses and Center businesses and restaurants for tourist time and dollars and spends more time in Concord than Lexington.

Question #4: What is the path forward?

Answer #4: That is a subject of much debate and strong feelings. A collaborative consensus about the visitor center program (beyond improved toilet facilities, an enriched display, and a general spiffing up.) needs to be developed before design dollars are spent,

c) Hastings Park Gazebo Renovations - \$120,000 (CPA):

This request is for funding for repairs to the Levi Burnell Gazebo at Hastings Park, a well-used park that is used for community and private events such as concerts, weddings, picnics, and school and recreation activities. The Gazebo's railings, stairs and electrical system have been

deteriorating over the past few years creating unsafe conditions. Funding will be used to repair and replace the rails, bollards, stairs and electrical system and include painting and caulking as needed. It will also be used for improvements to make the structure handicapped accessible, as required by our building code and the State ADA.

d) Historical Commission Inventory Forms for Listed Buildings - \$35,000 (CPA):

This request is for funding to hire a professional preservationist consultant to complete the Massachusetts Historical Commission inventory forms for 157 properties that are listed as "priority" on the Lexington Historical Commission's master inventory of buildings. These properties are listed by the Lexington Historical Commission as significant based on visual review but are provisional since research and documentation have not been done. Under the general oversight of the Historical Commission, detailed research will be conducted and documentation prepared to verify that the structures are indeed historically significant and should be retained on the inventory, or in some cases to determine that a provisionally listed structure should be removed. This project will benefit property owners and/or potential buyers of buildings currently listed on the inventory by providing detailed documentation of the architectural and historical significance of the building and the importance of its preservation. For buildings that are eventually demolished, a permanent, detailed record of architectural and historical significant buildings in the Town will be preserved.

e) Battle Green Streetscape Improvements - \$90,000 (CPA):

The 2012 annual town meeting approved \$60,000 to undertake a parking, pedestrian and traffic study for the area around the Battle Green. The FY15 request is for engineering services to develop plans and specifications at the 25% design level for improvements in parking, pedestrian flow and traffic flow around the Battle Green. One engineer will be selected for the integrated design for the Center Streetscape and the Battle Green improvements. Funding for 100% design and construction will be requested in FY2016 to address traffic and pedestrian improvements. This is consistent with recommendation #7 of the Battle Green Master Plan.

TMMA Questions

Question #1: Is there consensus on what should be done?

Answer #1: The purpose of combining this work with the Streetscape project is to develop an integrated and comprehensive program throughout the entire center area at the 25% design level.

f) Vynebrooke Village Renovations - \$300,551 (CPA):

[Description from the 01/13/14 FY2015 White Book: The Lexington Housing Authority is requesting funding for the replacement of roofing, siding and exterior doors at Vynebrooke Village. The requested CPA grant is one third of the entire project cost of \$901,653. The remaining \$601,102 will be funded through a grant from the Department of Housing and Community Development. The project will preserve the deteriorating building envelope, improve energy costs and help create a safe and sustainable home for Lexington's low income residents.]

Vynebrooke Village is a 48 unit single bedroom low income development, operated by the Lexington Housing Authority (LHA), located several blocks from Lexington center, off

Waltham Street. It was built in 1973 and has not had major exterior renovations except for a window replacement project done over the last few years. It is in need of major envelope renovation. This will allow the buildings to remain serviceable for years to come, providing our community with affordable housing for our senior and young disabled population. The LHA, a public housing agency, was established to provide safe, decent and affordable housing to the elderly or disabled. Housing preference is offered to veterans and people who live or work in Lexington, who also meet income guidelines. The average annual income of residents currently is about \$13,440 and the average monthly rent including utilities is about \$307 at this development.

Currently the buildings are in need of work to stabilize the envelopes from deterioration and stop water infiltration under the siding and roofs. The units also will become more energy efficient, once the siding is replaced, as there will be a layer of rigid insulation added to the exterior. This project will replace the siding, roof, and exterior doors of the units. The CPA portion of the project will supplement the replacement of siding, roof, exterior doors, sheathing and substrate if needed. The DHCD grant will cover the portions of the project not adequately funded by the CPA and the parts of the project that cannot be covered under the Preservation Act; such as doorbells and exterior lighting fixtures. The project will also include some exterior work to the fascia, soffit and gutter areas and minor, interior, floor hallway adjustments to accommodate the new exterior doors and frames. The total project cost estimate of \$901,653.00 includes a contingency, contractor bond, architectural, and administrative fees

g) LexHAB Set-Aside Funds for Development of Community Housing at the Busa Property - \$750,000 (CPA):

[Description from the 01/13/14 FY2015 White Book: LexHAB is requesting FY15 funding for the construction of affordable housing on a designated section of the Busa property on Lowell Street. In FY12 and FY13, Town Meeting approved set-aside funds for LexHAB for affordable housing. The organization currently has access to \$535,000 from these two appropriations, and with its FY15 request of \$750,000 plans to build two separate houses, with 2-3 affordable units in each. The houses will face on Lowell Street and will each contain an accessible unit. Advertising and selection of renters for the units will be in compliance with current State requirements, and all units will be included on the Town's SHI (Subsidized Housing Inventory).]

LexHAB, whose board is appointed by the Selectmen, was established by vote of Town meeting and Special Legislation in 1983 to provide rental units to low and moderate income individuals and families, considering financial need, diversity, and possible Lexington connection, and following a lottery system and procedures required by the Commonwealth's Department of Housing and Community Development.

The Busa Farm located off Lowell Street was acquired for use as open space and affordable housing using CPA funds, as authorized by the 2009 Annual Town Meeting. An extensive investigation was conducted by a committee, appointed by the Selectmen, and after many hearings, this committee determined that most of the land be put under an open space restriction with the first use as a Community Farm, but a portion of the land on Lowell Street has been reserved for the construction of affordable housing units. This article seeks to set aside \$750,000 from CPA Housing reserves for the use of LexHAB in construction of the housing. LexHAB will provide additional funding previously set aside for the total project, which is expected to cost

about \$1,200,000. While a final decision is still to be made by the Selectmen, LexHAB intends to ask to construct a total of 6 living units in the two buildings.

h) Lincoln Park Field Improvements - \$620,000 (\$231,000 Free Cash, \$189,000 Recreation Fund Retained Earnings, \$200,000 CPA):

This request is the second of three phases for the reconditioning of fields at Lincoln Park necessitated by heavy use by the Lexington Public School athletic teams and physical education programs, youth leagues, adult leagues, and residents. Phase I funding was used to replace the synthetic turf field at Lincoln Park #1 which has reached the end of its useful life after having been installed in 2003 as part of the Lincoln Park reconstruction project. This FY15 funding request is for the replacement of the synthetic turf and in-fill materials at Lincoln Park Field #2. Phase III, the replacement of Field #3 is planned for FY2016.

i) Park and Playground Improvements - \$65,000 (CPA):

This project is part of an annual program to update and replace playground equipment at parks throughout Lexington. The goal is to renovate and rehabilitate existing safety surfacing and deteriorating equipment so that all sites will be in compliance with Consumer Product Safety Commission (CPSC), the American Society for Testing and Materials (ASTM) and the Americans with Disabilities Act (ADA) standards and guidelines. This FY15 request for funding is for the renovation of the playground equipment at the Garfield Playground. The improvements will include construction of a new play structure, a new swing set, installation of appropriate safety surfacing under and around the playground structure and swings, and new site amenities such as signage, park benches and trash barrels.

TMMA Questions

Question #1: How will replaced equipment be disposed of? In the trash? Sold? Donated or recycled?

j) Park Improvements - Athletic Fields - \$100,000 (CPA):

This is an ongoing multi-year capital program to provide adequate and safe field conditions. Town athletic fields are constantly used by neighborhood families, youth and adult groups, and recreation and school programs. Athletic fields see excessive use, and there are safety issues with faulty field safety, playability, and ease of maintenance of the fields is the major benefit to all users. This FY2015 funding request is for the multipurpose field at the Clarke Middle School, which was last renovated in 2000. The field will be laser graded and crowned for proper drainage, and site amenities such as signage, trash barrels and benches will be installed.

k) Park Improvements - Hard Court Resurfacing - \$85,000 (CPA):

The FY 2015 request is to resurface, paint and restripe the tennis courts at Gallagher (at the Center playground) and the Clarke Middle School. It will also replace some tennis equipment such as net posts and center anchors. If the Gallagher tennis courts continue to deteriorate, the Massachusetts Interscholastic Athletic Association (MIAA) could deem them to be unplayable, and the Lexington Public Schools athletic program would have to schedule matches away.

l) Parker Meadow Accessible Trail D&E - \$34,500 (CPA):

Parker Meadow is a popular town conservation area of about 17 acres, located east of the Minuteman Bikeway and west of Hancock Street with a small parking area on Revere Street. Entrances to the trail system are located on the bikeway, Hancock Street, and Revere Street. It has a number of trails with bridges over brooks and boardwalks in wet areas, but they are not all currently handicapped accessible. This requests funding for phase one of a project to make the trail system universally accessible, as much as possible, for members of the public with physical, vision, and auditory limitations. Phase I funding of \$34,500 is requested in FY 2015 to develop contract document level design plans and details needed to solicit bids for the construction of the accessible system and related disability aids. Phase II, which is expected to be started in FY2016, will be to actually construct the trail system, modify existing trails and install any disability aids. Funding needs for that will be determined, once Phase I is completed and the resulting plans are used to solicit bids.

Lexington currently has only very limited Americans with Disabilities Act (ADA) recreational access to its open spaces. This project will partially implement Goal 3, Section 8.1 of Lexington's *Open Space and Recreation Plan* of 2009 (<http://www.lexingtonma.gov/committees/busalanduse/OpenSpaceRecreationPlan2009.pdf>), which is to promote public use of recreational and open space among a wide variety of user types with an objective of providing access to programs and facilities in compliance with ADA standards. Parker Meadow is one of the best Lexington conservation areas for an ADA trail system because of its proximity to the town center, the bikeway, and parking, its level terrain, and relatively short half mile trail system. It includes forest, wetlands, an open meadow, brooks, and a scenic pond, which is occasionally visited by beavers.

TMMA Questions

Question #1: How frequently do people in wheel chairs use the handicap accessible fitness path at Lincoln Park?

m) CPA Debt Service - \$1,492,000 (CPA):

This section has four components of debt service - Wright Farm Conservation area, the Community Preservation Act (CPA) portion of the acquisition of the Community Center site at 33 Marrett Road, the first year of Cary Memorial Renovations, and the CPA share of any Community Center Renovations. The amount currently being requested does not reflect the current known amounts cited below and those amounts which may be affected by the Special Town Meeting actions.

Wright Farm Debt Service (Open Space) - \$434,633:

The Wright Farm, off Grove Street, was purchased for conservation open space, using CPA debt funding, under Article 9 of the 2012 Annual Town Meeting. Approval of the Wright Farm Debt service by Town Meeting is a required formality to satisfy the contractual obligation of the Town to pay interest on its debts. On February 6, 2013 the Town sold a one year, \$2.95 million bond anticipation note (BAN) that came due in February 2014. At that time the note was converted to a long-term bond bearing an interest rate of 1.665%.

33 Marrett Road Debt Service (Acquisition Community Center) - \$1,089,774:

Special Town Meeting on March 18, 2013 approved Article 2: Land Purchase - off Marrett Road, for the purchase of the Scottish Rite property for a Lexington Community Center partially using CPA debt funding, for historic resource purposes, for \$7,390,000. This item funds the debt service for the current year for that debt.

Cary Memorial Renovations (Fund requested unknown at this time):

Funding the renovation of the Cary Memorial Building, which is proposed in Article 2 of the 2014 Special Town Meeting this spring, may come from the Community Preservation Fund. This item would pay for that renovation using a short-term BAN for the first year rather than issuing a bond. Since short-term interest rates are very low, that amount would be small compared to bonding. It is unknown at this time if the funding request will come under this Article or under the Special Town Meeting Article.

Renovations to Community Center (Fund requested unknown at this time):

Funding of the renovation of the Community Center Buildings at 39 Marrett Road, which is proposed in Article 3 of the 2014 Spring Special Town Meeting, may come from the Community Preservation Fund. This item would fund the first year's debt service borrowing using a BAN rather than a bond. It is unknown at this time if the funding request will come under this Article or under the Special Town Meeting Article.

n) Administrative Budget - \$150,000 (CPA):

This budget covers the cost of salary and benefits of the Community Preservation Committee's administrative assistant (a part time position), as well as appraisals, legal fees, surveying and other expenses involved in the purchase of land with CPA funding. Any funds not expended in a given year are returned to the Community Preservation Fund.

Article 9**Appropriate for Recreation Capital Projects**

To see if the Town will vote to appropriate a sum of money for Pine Meadows equipment, and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Recreation Enterprise Fund, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Recreation Committee)

Funds Requested: \$51,000

Description: For a description of the proposed projects see Section XI: Capital Investment section of the FY2015 Town Manager's Preliminary Budget and Financing Plan dated January 13, 2014 found at http://lexingtonma.gov/finance/FY2015_White_Book_for_Web.pdf.

TMMA REVIEW**RECREATION CAPITAL****TMMA Overview (as of 03/01/14)**

This is an annual request for funding for improvements to the Town's recreation facilities.

This request is for funding to purchase two new pieces of equipment for the Pine Meadows Golf Course. The first piece of equipment would replace a 1990 three-wheeled Cushman utility vehicle which can be unstable carrying heavy loads over certain terrain. The vehicle is used on a daily basis for all golf course maintenance projects including top dressing of the greens, tees, collars and aprons, and spraying the greens, tees, collars and aprons and fairways, fertilizing the golf course fairways and rough, hauling material for bunker repair. The second piece of equipment would replace a turf aerator purchased in 2000 that is used to aerate the tees, greens, collars and aprons during the season.

TMMA Questions

Question #1: Do the Cushman utility vehicle and the turf aerator have any residual value and if so, will they be sold or traded?

Article 10 Appropriate for Municipal Capital Projects and Equipment

To see if the Town will vote to appropriate a sum of money for the following capital projects and equipment:

- a) Center Streetscape Improvements and Easements
- b) DPW Equipment
- c) Street Improvements and Easements
- d) Storm Drainage Improvements and NPDES Compliance
- e) Hydrant Replacement Program
- f) Comprehensive Watershed Storm Water Management Study and Implementation Measures
- g) Massachusetts Avenue Intersections' Improvements and Easements
- h) Sidewalk Improvements and Easements
- i) Dam Repair
- j) Town Wide Culvert Replacement
- k) Town Wide Signalization Improvements
- l) Traffic Island Renovation
- m) Ambulance Replacement
- n) Heart Monitors
- o) Replace Townwide Telephone Systems - Phase III
- p) Network Redundancy and Improvement Plan - Phase II

and authorize the Selectmen to take by eminent domain, purchase or otherwise acquire any fee, easement or other interests in land necessary therefor; determine whether the money shall be provided by the tax levy, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; determine if the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of state aid for such capital improvements; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$5,932,924

Description: For a description of the proposed projects see Section XI: Capital Investment section of the FY2015 Town Manager's Preliminary Budget and Financing Plan dated January 13, 2014 found at http://lexingtonma.gov/finance/FY2015_White_Book_for_Web.pdf.

TMMA REVIEW

MUNICIPAL CAPITAL

TMMA Summary

This article is an annual request for funding for improvements to the Town's public facilities.

TMMA Overview (as of 03/01/14)

Per-Project Information (a) – (p)

a) Center Streetscape Improvements and Easements - \$600,000 (General Fund Debt):

At the 2012 Town Meeting, funding was approved to bring the center streetscape design from conceptual design to the 25% design stage. The 25% design plans are currently in production and included numerous stakeholder meetings to help finalize the plan. This FY15 request is for detailed design and the development of plans and specifications necessary for bidding. The construction phase is likely to include the restoration, removal and replacement of the forty-year-

old brick sidewalk along the northerly side of Massachusetts Avenue from Depot Square to the Town Office Building, streetscape improvements, and improved lighting.

TMMA Questions

Question #1: How will this money be spent and who will receive the money (consultants, organizations, other)? What is the basis for the request?

- b) DPW Equipment - \$700,000 (\$428,440 General Fund Debt, \$216,500 Water Fund retained earnings, \$40,5000 Wastewater Fund retained earnings, and \$14,560 of unused balance of prior capital appropriation):**

This is an annual request to replace equipment that is beyond its useful life and whose mechanical condition no longer meets work requirements. The Department of Public Works has an inventory of 146 pieces of equipment including sedans, hybrid SUVs, construction vehicles and specialized equipment used to mow parks, plow snow, repair streets and complete a variety of other projects. Without regular equipment replacement, the efficiency and cost effectiveness of the DPW's operations would be handicapped due to equipment down time and excessive repair costs.

The FY2015 request, broken down by funding sources, is as follows:

	General Fund	Water	Sewer	Total
F450 w/ utility body, lift gate and plow	\$ 9,000	\$ 40,500	\$40,500	\$ 90,000
HD Rack Body Dump	\$ 150,000			\$ 150,000
10 Wheel Hook Bed Dump	\$ 275,000			\$ 275,000
10 Wheel Dump	\$ 9,000	\$ 176,000		\$ 185,000
	\$ 443,000	\$216,500	\$40,500	\$700,000

- c) Street Improvements and Easements: \$3,116,029 (\$2,154,924 tax levy, \$961,105 of Chapter 90 funds):**

This is an annual request for the street resurfacing and maintenance program. Funds will be used for design, inspections, planning, repair, patching, crack sealing and construction of roadways as well as repair and installation of sidewalks. Roadways are selected for work using a pavement management system which is updated on a regular basis. Funding is included for data collection, analyses, traffic calming requests, complete street evaluations, and developing plans for traffic mitigation and improvements town-wide. The components of funding are shown in the following table.

2001 Override Increased by 2.5% per year	\$	608,840
Maintenance of unallocated revenue from FY12 Revenue Allocation Model	\$	281,234
Maintenance of unallocated revenue from FY13 Revenue Allocation Model	\$	164,850
FY14 Health Insurance Savings	\$	1,100,000
Estimated Chapter 90 Aid	\$	961,105
	\$	3,116,029

TMMA Questions

Question #1: How has the condition of our streets changed over the past five years?

Answer #1: A Fay, Spofford & Thorndike report in 2010 rated our Pavement Condition Index (PCI) at 68 with a target PCI in the mid-80s for the most efficient maintenance cost and surface condition. We increased our annual budget and now audit 33% of our streets each year. In 2013 the audit indicated an improvement to 74 PCI.

Question #2: Which streets will be improved during FY15?

d) Storm Drainage Improvements and NPDES Compliance - \$340,000 (\$270,000 General Fund Debt, \$70,000 Free Cash):

This is an annual request to replace and supplement existing storm drain infrastructure. \$70,000 of the request is to fund the design of projects and programs that will meet requirements imposed on the Town by the US Environmental Protection Agency's NPDES illicit discharge detection and elimination program, and implement best management practices (BMPs), e.g., installations and retrofits. The remaining \$270,000 of the request is for the repair/replacement of drainage structures encountered during the road resurfacing program as well as repair of other drainage areas of concern in town including but not limited to trouble spots in the watersheds of the Vine Brook, Mill Brook, Beaver Brook, and Kiln Brook; and, other work identified during the NPDES investigation work.

e) Hydrant Replacement Program - \$100,000 (\$50,000 tax levy, \$50,00 Water Enterprise Fund):

This is an ongoing replacement program designed to maintain the integrity of the fire protection system by replacing faulty hydrants throughout town. A list of hydrants needing replacement each year is generated during the annual inspection and flushing of hydrants by the Water Department and the Fire Department. The target goal is to replace approximately 40 hydrants per year. A total of 191 hydrants of the total 1,500 in the system have been replaced to date. Hydrants typically have a 50 year life unless they are damaged.

f) Comprehensive Watershed Storm Water Management Implementation Measures - \$390,000 (General Fund Debt):

This is an annual request to fund watershed stormwater management projects. It is a product of collaboration between the Department of Public Works and the Conservation Commission Division in an effort to prevent damage to private property and Town infrastructure. Watershed studies have been completed for the three watersheds in the Town: Charles River, Shawsheen, and Mystic River. This capital request is for design of priority projects identified in these studies which may include Clematis Brook at Valleyfield Road and Whipple Brook areas.

TMMA Questions

Question #1: What is the difference in use between this funding and the funding under section d) Storm Drainage Improvements?

Answer #1: This section of the article is for design and implementation of water quality and quantity related issues that have been specifically identified in the Watershed studies, including brooks / streams and storm drains, rather than the municipal infrastructure.

g) Massachusetts Avenue Intersections' Improvements and Easements - \$500,000 (General Fund Debt):

At the 2010 annual town meeting, \$125,000 was authorized to fund 25% design of improvements at major intersections on Mass Ave at Marrett Road, Maple Street, and Pleasant Street to address traffic congestion and associated safety concerns for vehicles, cyclists, and pedestrians. In anticipation of state construction funding through the Transportation Improvement Plan (the TIP) of the Mass. Department of Transportation (DOT), \$500,000 is being requested for the remaining design and development of bid specifications as required by DOT for eligibility for state funding. In the absence of full or partial TIP funding, these projects will be deferred or scaled back.

TMMA Questions

Question #1: Is there a satisfactory level of consensus for the proposed changes?

Answer #1: There have been a number of meetings regarding the project and many of the attendees as well as those that have called our office were relieved to find out the town is looking to address this long-standing problem. There are high accident counts at these intersections as well as poor pedestrian accommodations for those looking to cross. We have heard from parents of students that were pleased to see that their kids may get a protected crossing. Additionally the traffic delays on Maple Street and Pleasant Street are tremendous and often exceed a 10 minute wait during peak hours. The proposed improvements will balance the movements better so that delays of that magnitude no longer occur.

Question #2: Why do we propose a rotary / roundabout at Hartwell & Bedford Sts but a light at Pleasant & Mass. Ave.?

Answer #2: These two intersections function very differently and therefore have different potential solutions. The roundabout solution at Hartwell and Bedford Street provides the opportunity to install a median on Bedford Street and along Hartwell Ave. This median would force the right turn movements out of the driveways as well as minimize the left-turns into driveways that result in delays as well as accidents. The roundabout provides a convenient turnaround that allows the installation of the median. Without the roundabouts the median installation would be troublesome and those movements would not be controlled. Additionally the median provides for a more protected crossing of a four lane, heavy volume cross-section.

The Pleasant Street intersection is uniquely different and has a dominant traffic movement that could reduce the efficiency of the roundabout. There are also issues with traffic backing out of the nearby school that could impact the flow of the roundabout. Roundabouts also create a unique difficulty when it comes to police detail traffic control which happens on a fairly regular basis due to church activities.

Question #3: Are there conceptual drawings of alternative designs that could be shown at Town Meeting?

h) Sidewalk Improvements and Easements - \$400,000 (General Fund Debt):

This is an annual request to rebuild and/or repave existing asphalt sidewalks that are deteriorated and to construct new sidewalks. Sidewalk improvements will support and enhance pedestrian safety and the Safe Routes to School Program. All work will be ADA compliant.

TMMA Questions

Question #1: Which sidewalks (locations) will be improved during FY15?

i) Dam Repair - \$150,000 (General Fund Debt):

Pursuant to dam inspection reports required by the Massachusetts Department of Conservation and Recreation's Office of Dam Safety, repairs to the dam at the Old Res are needed to insure the long term stability of the structure. Funds requested here are for design and cost estimates for these repairs. Construction funding will be requested for FY16 based on design estimates.

j) Town Wide Culvert Replacement - \$390,000 (General Fund Debt):

This is an annual program request. Ongoing culvert inspections indicate the need for a replacement program for many of the older culverts in town. Locations have been identified in the Charles, Shawsheen, and Mystic River watershed management plans. Replacing these culverts will allow for continuous and safe road access as well as proper storm water flow to avoid flooding. This funding request is for design, permitting, bidding, and construction.

k) Town Wide Signalization Improvements - \$125,000 (General Fund Debt):

This annual request is for funds to update traffic and pedestrian signals identified through a signal inventory and compliance study that was funded at the 2011 annual town meeting that included assessments of ADA compliance, signal condition and signal timing. Possible improvements may include the Brookside Avenue and Waltham Street intersection.

l) Traffic Island Renovation - \$83,000 (General Fund Debt):

The Town has been granted permission from the Massachusetts Department of Transportation to upgrade and maintain the landscaping at the intersection of Bedford Street and Hartwell Avenue which serves as a gateway into Lexington and, more importantly, the primary entrance to the Hartwell Avenue Bio-Pharma commercial area. The island is in disrepair and needs renovation in order to improve functionality and aesthetics. The proposed work will include re-grading and installing new pathways and landscaping, with a goal to enhance the gateways into Lexington and promote economic development in the Hartwell Avenue corridor. Ongoing maintenance is expected to be performed by a combination of in-house staff and volunteers.

TMMA Questions

Question #1: How will this work be coordinated with other work being done or contemplated at the Hartwell Avenue / Bedford Street intersection (such as a roundabout)?

m) Ambulance Replacement - \$250,000 (General Fund Debt):

The Fire Department maintains three (3) ambulances in its fleet. Each ambulance is rotated approximately every three years. The newest ambulance is run as the primary ambulance, responding to all calls from the Bedford Street Station. The second ambulance is used when the primary ambulance is committed to a call or as the primary ambulance from the East Lexington Station during peak hours (M-F 8am-6pm). The third ambulance is used as a mechanical backup, and staffed during special events (Patriots Day, July Fireworks, etc.). The oldest ambulance is typically replaced when it has accumulated more than 100,000 miles and performed more than 9,000 emergency transports. The ambulance to be retired from the Department is a 2006 model.

n) Heart Monitors - \$105,000 (tax levy):

This request is to replace three current 12-lead EKG monitors/Defibrillators that are 5-7 years old (the expected lifespan). The monitors have gone through a series of software updates over the last few months to increase their reliability, but the patient care software the Department uses is not fully compatible with the current monitors.

o) Replace Town Wide Phone Systems - Phase III - \$260,000 (General Fund Debt):

This is a request for Year 3 of a multi-year program to replace phone systems in town and school buildings as the systems reach their end of useful life with voice over internet protocol (VOIP) systems that operate on the Town's wide area fiber network. The FY2013 and FY2014 funding replaced equipment at Lexington High School, Cary Memorial Building, Westview Cemetery, the sewer pump station, the recycling building, Bowman, Bridge and Estabrook schools, the School Administration Building, Fire Headquarters, the East Lexington Fire Station, and the Human Services Department. This request for \$260,000 is for the replacement of the phone systems at the Clarke and Diamond Middle Schools.

p) Network Redundancy and Improvement Plan - Phase II - \$140,000 (\$38,913 General Fund Debt, \$13,856 Free Cash, \$87,231 tax levy):

This request is for funding of a multi-year program to improve the resiliency of the town wide fiber network and provide better networked services. FY14 funding was approved to provide wireless access to select municipal buildings (Town Hall, Police Dept. and the Public Services Building) including the purchase and installation of the access points, security reprogramming of the network, and the addition of network drops. This request of \$140,000 is for the design, engineering and installation of alternative fiber optic pathways and hardware needed to connect to the fiber.

TMMA Questions

Question #1: Why do we need redundant paths?

Answer #1: The town wide network is currently dependent on an RCN hub and spoke network topology. If a segment of our fiber network is damaged then at least one building will lose all connectivity. The installation of alternative pathways ensure that resources critical to the safety and daily operation of the Town can still function.

Article 11**Appropriate for Water System Improvements**

To see if the Town will vote to make water distribution system improvements, including the installation of new water mains and replace or clean and line existing water mains and standpipes, engineering studies and the purchase and installation of equipment in connection therewith, in such accepted or unaccepted streets or other land as the Selectmen may determine, subject to the assessment of betterments or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, appropriate money for such installation and land acquisition and determine whether the money shall be provided by the tax levy, by transfer from available funds, including any special water funds, or by borrowing, or by any combination of these methods; to determine whether the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of federal and state aid for such projects; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$900,000

Description: For a description of the proposed project see Section XI: Capital Investment section of the FY2015 Town Manager's Preliminary Budget and Financing Plan dated January 13, 2014 found at http://lexingtonma.gov/finance/FY2015_White_Book_for_Web.pdf.

TMMA REVIEW**WATER IMPROVEMENTS****TMMA Overview (as of 03/01/14)**

This is an annual request for funding of an on-going program to replace unlined or inadequate water mains and deteriorated service connections, and to eliminate dead ends in water mains and includes funding for design/engineering and construction. Unlined water mains are subject to corrosion which results in restricted flow and degradation of drinking water quality. Possible locations of water main repair and replacement include Massachusetts Avenue from the Arlington town line to Oak Street or the Prospect Hill Road area. Part of these project costs may be eligible for financing through an MWRA grant / loan program. A program of systematic repair, replacement and upgrade has been underway for the past 4 decades.

TMMA Questions

Question #1: How are priorities established?

Answer #1: Relining is the top priority. Other lines are chosen by break history, age, and calcification where staff anticipates imminent problems.

Question #2: What is the MWRA grant / loan program and how does Lexington participate?

Answer #2: The MWRA funds town water and sewer projects through allotments of a part grant, part loan program. Lexington has been very aggressive in using all of its allotment from the MWRA.

Article 12 **Appropriate for Wastewater System Improvements**

To see if the Town will vote to install sanitary sewer mains and sewerage systems and replacements thereof, including engineering studies and the purchase of equipment in connection therewith, in such accepted or unaccepted streets or other land as the Selectmen may determine, subject to the assessment of betterments or otherwise, in accordance with Chapter 504 of the Acts of 1897, and acts in addition thereto and in amendment thereof, or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, appropriate money for such installation and land acquisition and determine whether the money shall be provided by the tax levy, by transfer from available funds, including any special wastewater funds, by borrowing, or by any combination of these methods; to determine whether the Town will authorize the Selectmen to apply for, accept, expend and borrow in anticipation of federal and state aid for such wastewater projects; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$1,200,000

Description: For a description of the proposed projects see Section XI: Capital Investment section of the FY2015 Town Manager's Preliminary Budget and Financing Plan dated January 13, 2014 found at http://lexingtonma.gov/finance/FY2015_White_Book_for_Web.pdf.

TMMA REVIEW

WASTEWATER IMPROVEMENTS

TMMA Overview (as of 03/01/14)

This is an annual request for rehabilitation of sanitary sewer infrastructure. The funds requested consist of \$900,000 Wastewater Fund debt and \$300,000 Wastewater fund retained earnings.

Engineering investigation and evaluation will be done on sewers in various watersheds. Work will include replacement or repair of deteriorated sewers and manholes identified throughout Town. Sewage leaks and overflows present a direct danger to the health of the community through transmission of waterborne diseases. In addition, the Town's assessment by the MWRA for sewage treatment is based on total flow through the meter at the Arlington town line, so excessive flow of storm water in the sewer results in unnecessarily higher sewage bills. Projects may be eligible for MWRA grant / loan program funding.

Further identification, prioritization, and repair of sanitary sewer lines in the town to reduce inflow and infiltration into the system has been ongoing in several sewer basins in town that include, but are not limited, to the Kiln Brook Basin / Tophet Swamp area, the Stimson Ave. / Grandview Ave. area, the Parker Street / downtown area, and the Saddle Club area. Possible future areas of investigation and removal are the Bow Street area, the Maple Street area, the Woburn Street area, the Bloomfield Street area, the Waltham Street / Concord Ave. area, and the Adams Street area.

TMMA Questions

Question #1: How does Lexington compare with other MWRA communities in terms of infiltration?

Answer #1: Lexington's share of MWRA expenses reflects an intense effort to reduce infiltration and thus reduce costs to ratepayers.

Article 13 **Appropriate for School Capital Projects and Equipment**

To see if the Town will vote to appropriate a sum of money to purchase additional equipment for the schools, to maintain and upgrade the schools' technology systems, and for design funds for school safety mitigation or other programmatic needs; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the School Committee)

Funds Requested: \$1,432,094

Description: For a description of the proposed projects see Section XI: Capital Investment section of the FY2015 Town Manager's Preliminary Budget and Financing Plan dated January 13, 2014 found at http://lexingtonma.gov/finance/FY2015_White_Book_for_Web.pdf.

TMMA REVIEW **SCHOOL CAPITAL**

Project Descriptions from the January 13, 2014 Preliminary Budget

School Technology Capital Request - \$1,110,000 (General Fund Debt): This is an annual request for technology equipment to support the District's Strategic Goal of utilizing technology as an instructional and administrative tool. Technology equipment includes technology workstations (desktop computers, laptops, mobile devices), printers/peripherals, projection systems, network head-end equipment, and wireless network delivery systems. This capital request would provide the funding for:

Technology Workstations (Desktops, Laptops, Mobile Devices) - \$575,000: \$485,000 to replace approximately 520 aging computers that will be 5-6 years old during FY15 with up-to-date technology workstations, and \$90,000 allocated as part of a three year plan to equalize the allocation of technology in all six elementary schools.

Individualized iPad initiatives in Grades 8 and 9 - \$170,000: During the 2012-13 and 2013-14 school years, LPS piloted the use of iPads in the 9th and 10th grade. During each of these two years, a group of approximately 50 Grade 10 students and their teachers were provided iPads for use at school and at home. During the current year, 100 9th graders and their teachers were provided iPads for every day classroom use in history and English classrooms. In addition in the summer and fall of 2013, LPS purchased and deployed iPads for all of our Grade 9 teachers. The funding was provided both through the local budget and through an extensive LEF grant for professional development on the use of iPads in educational environments. The \$170,000 requested here is for the continuation of these pilot programs including as follows: (1) providing iPads to a second set of 100 9th graders and their teachers for every day classroom use in history and English classrooms, (2) providing a classroom set of iPads to every 8th grade team at Clarke and Diamond Middle Schools, and (3) providing two classroom sets of iPads for strategic use by two of our high school departments. These pilot programs will be subject to ongoing evaluation to determine their effectiveness and to guide decisions about expansion of the program in future years.

Technology Peripherals - \$35,000: To purchase and replace old printers, document readers, and projection systems throughout the district.

Maintenance and Updating of local area networks (LAN) - \$170,000: to replace end of life switches, upgrade server storage capacity; to provide additional backup and recovery hardware for the District's computer/network system; to upgrade the wireless network at the high school and middle schools through an additional controller and access points to address the increased use of the mobile devices (laptops, iPads, etc) in these schools.

Interactive Projector/Whiteboards Units - \$160,000: the FY15 request represents the third stage of four stages that will allow the Lexington School District to accomplish its goal by FY16 of having every Grade 3-12 classroom equipped with interactive projector / whiteboard units. Specifically, this request will allow the District to purchase and install interactive whiteboards/projection units in 50 classrooms in Grades 3-12.

System Wide School Furniture Request - \$261,594 (Free Cash): This is an annual request for replacement of furniture that has reached the end of its useful life. Many buildings have not been renovated and need to have classroom furnishings replaced. The schools need workstations, office furniture, folding chairs/tables, conference room furniture, bookshelves, storage units and cabinets, kidney tables, library furniture, staff room mailboxes, carts, corkboard and partitions.

Design Funds for School Traffic Safety Mitigation - \$30,000 (Free Cash): An initial Traffic Safety and Mitigation study of school sites was commissioned by the School Committee on February 26, 2013. This study identified the need for more detailed analyses including GIS mapping and inventory of topology, signs, crosswalks, and parking spaces at each site as it relates to School Committee policies and Manual on Uniform Traffic Control Devices (MUTCD) standards for schools. This request is year 1 of a three-year program to conduct these analyses and identify mitigation measures that may result in future requests for construction funding. The school sites to be reviewed include Bowman Elementary School, Bridge Elementary School, Estabrook Elementary School, Fiske Elementary School, Harrington Elementary School, Hastings Elementary School, Clarke Middle School, Diamond Middle School, Lexington High School and Central Administration.

School AED Replacement - \$30,500 (Free Cash): Fourteen Automatic External Defibrillators (AEDs) purchased in the year 2000 are reaching the end of their useful lives. Funding is requested to replace the 14 AEDs plus install one in the LHS Science building and equip the high and middle school coaches with portable AEDs for sports.

TMMA Overview (as of 03/01/14)

There are four project components to this request. School Technology and School Furniture are regular annual requests to replace outdated and broken equipment and the AED replacement is also in that category but is not expected to be a recurring annual item.

The Traffic Mitigation study is a follow on and will probably lead to specific implementation requests in future years. School traffic is an ongoing safety problem due to the large number of students being dropped off and picked up in personal vehicles rather than using the school busses.

TMMA Questions

Question #1: How many computers are there in the Lexington Public Schools system?

Answer #1: There are more approximately 5,000 computers - 2,300 laptops, 2,000 desktops, and 700 iPads. These totals do not include any of the additional technology workstations for Estabrook Elementary School as these workstations are currently being acquired and inventoried. Thus, 520 replacement computers are about 12% of the current laptop / desktop inventory. It would take about 8 years for a complete update cycle at this rate. Including 340 new iPads as computers, 860 new computers are requested (about a 6 year replacement cycle).

Question #2: How does the LPS compare with the state guidelines for students per computer?

Answer #2: For a school with three tested grades (i.e., K-5, 6-8, and 9-12), the recommended number of devices is one device per student for the largest tested grade. The state guidelines would require about 300 devices at the middle schools and 100 devices per school at the elementary schools. We have significantly more devices than the state guidelines at each of the schools.

Question #3: Do the iPads count as computers toward meeting the state guidelines?

Answer #3: Yes they do iPads and iPad minis are recognized by the Department of Elementary and Secondary Education (DESE) as devices that not only are appropriate for the on-line testing but also can be important tools to help us in accomplishing our learning goals for students. This budget item would allow for the purchase of 340 iPads for our grade 8 and 9 students.

Question #4: Do all classrooms in all schools now have wireless connectivity?

Answer #4: Yes, all classrooms in our 6 elementary schools, 2 middle schools, and high school have wireless connectivity through installed building wireless networks. The current FY14 capital budget provided funds for the summer 2013 installment wireless building network at Bridge and Bowman schools and the Estabrook Building Project provided for the wireless building network going on line in late February 2014. Additional funds being requested in FY15 capital budget for maintaining and updating the schools' LAN network will in part be used to upgrade the wireless building networks at the high school and middle schools to address the increased use of mobile devices in these schools.

For further information (school technology):

Thomas Plati, Director of Educational Technology and Assessment
tplati@lexingtonma.gov

For further information (other school projects):

Mary Ellen Dunn, Assistant Superintendent for Finance and Business Operations
mdunn@lexingtonma.gov

priorities include making extraordinary repairs as required to school buildings including acoustic treatments to meet the needs of students with hearing impairments, educational space modifications from enrollment changes, modifications to the School Finance Offices and the moisture / insulation barrier at Clarke Middle School and an improved moisture barrier for Diamond Middle School Library. Engineering design and preparation of bid documents are included in the project.

b) LHS Heating Systems Upgrade Phases 2 and 3 - \$75,000 (General Fund Debt):

In 2009, the need for a major upgrade to the High School Heating systems was identified by the Facilities Department at projected cost of \$3.65 million. Funds were appropriated at the 2009 annual town meeting to begin limited repairs, which have been completed. Given the shift in capital priorities brought on by the unanticipated need to replace the Estabrook School, the School Committee's stated priority to move the Hastings School reconstruction forward, and the pending need for the replacement of the High School in approximately 10 years, the recommended scope of the heating system upgrade at the High School has been reduced from initial estimates. This request for \$75,000 is for design and development of bid documents for the revised scope of work which will include improving system reliability and control through the replacement of unreliable pneumatic controls and unit ventilator valve and damper operators. Construction funding to be requested at the 2015 annual town meeting is preliminarily estimated at approximately \$900,000.

c) Municipal Building Envelope and Systems - \$178,302 (Tax Levy):

This ongoing capital request, originally approved for funding in the 2006 operating budget override, includes repair/replacement projects for the maintenance and upgrade of municipal buildings and systems. Repairs to roofs, windows, mechanical and electrical systems, and interior finishes are required on a continual basis to maintain town facilities for their intended function. The public building infrastructure will always need to be maintained, repaired, and upgraded to prevent structural deterioration and avoid safety hazards. The projects within this program do not increase the size of the public building stock and therefore do not result in increased utility usage or maintenance costs. One project already identified for funding in FY2015 is for extraordinary repairs to Cary Memorial Library, including ceiling system replacements and interior painting.

d) Repairs / Replacements / Upgrades:

School Building Flooring Program - \$125,000 (Free Cash): This is a multi-year project that will replace carpet, vinyl tile, and ceramic tile flooring systems that are beyond their useful life. Flooring systems must be replaced periodically to insure the surfaces are safe and cleanable. Worn or broken flooring creates a tripping hazard, can provide harborage for bacteria and water, and is difficult to clean. Smaller repairs of flooring components are funded through the operating budget.

School Window Treatments Extraordinary Repair - \$50,000 (Free Cash): This request is for the final year of a four year program to make extraordinary repairs to unreliable, high maintenance horizontal blinds or replace them with low maintenance solar shades to improve energy efficiency and also control sun glare in the educational space. Smaller repairs of window treatments components are funded through the operating budget.

School Interior Painting Program - \$153,750 (Free Cash): This is a multi-year project for a school building interior painting program with the intent of systematically repainting interior surfaces on a 7 to 10 year schedule. Elementary school interiors are occasionally painted through PTA organization of community volunteers. The Middle Schools and High School have not had interior painting done for many years. This painting program will enable the Department of Public Facilities (DPF) to plan for and implement annual summer painting projects that will improve maintenance and cleanliness of building interiors. Projects will be identified annually with input from school administrators. Small painting projects are funded through the operating budget.

Middle School Nurses Stations - \$45,000 (Free Cash): This request is for funds to modify the spaces allocated for nurses at both Middle Schools to better align them with the kinds of services provided. Both nurses' stations need to have an area for nurses to meet privately with students, but also allow the nurse to monitor other areas where students may be resting

Renovation & Update of Diamond Kitchen and Cafeteria - \$25,000 (Free Cash): The Diamond Middle School cafeteria and kitchen need to be redesigned and renovated to accommodate the number of students now attending the school. Funding for design documents is requested for FY2015, with construction funding anticipated in FY2016.

Clarke School Gymnasium Dividing Curtain - \$25,000 (Free Cash): A dividing wall in the Clarke School gymnasium - intended to create two separate activity spaces - had long been inoperable and was removed during the summer of 2012. In the absence of the dividing wall, physical education staff place gym mats and rolls, when needed, down the center line, creating an imperfect barrier when needed. The pseudo-wall keeps student activity and equipment (balls, pucks, etc.) isolated to one half of the gymnasium, while students in the other half are engaged in an alternate or mirror activity. With the student population at Clarke having grown from 750 students to 870 students over the past 3-4 years, there is a heightened need to install an operable dividing curtain. This request is for funding to purchase and install that curtain.

e) School Paving Program - \$100,000 (Free Cash):

This project requests funds for design and construction to maintain school parking and paved pedestrian surfaces in a condition suitable for public use. In the last seven years paving improvements have been implemented at Estabrook, Bridge, Bowman, Fiske, Hastings, Diamond, and Central Administration buildings. In addition, improvements were made to various school buildings to remove access barriers identified in the ADA Survey completed in 2011. In the absence of as yet identified needs, the FY15 request is likely to be used to perform extraordinary repairs to sidewalks on school grounds. Locations considered for work to be performed include the Harrington and Fiske Schools. This project also includes engineering design and development of construction bid documents. The Department of Public Facilities and the Department of Public Works Engineering partner on these projects to utilize the DPW paving bids.

f) East Lexington Fire Station Physical Fitness Room - \$75,000 (Free Cash):

This project is to build a room on the apparatus floor of the East Lexington Fire Station that is atmospherically controlled so firefighters can exercise in the station close to their emergency equipment for rapid response to calls. Physical fitness equipment at present is located on the apparatus floor, shared with trucks and the firefighting gear. This space is hot in the summer,

cold in the winter and smells of diesel exhaust and remnants of fire particulates on the members' protective gear after working fires. There needs to be an atmospherically-controlled space for firefighters to use to stay physically fit.

g) Public Facilities Bid Documents - \$75,000 (Free Cash):

This is an annual request for funding of professional services to produce design development, construction documents, and/or bid administration services for smaller school projects in anticipation of requests for construction funding at town meeting that have a high probability of approval. This will insure that the projects can be completed in the then-current construction season, which is particularly important for the timely completion of such projects given the short window between the end of school in June and the beginning of school the following August.

h) Middle School Science, Performing Arts and General Education Spaces - \$40,000 (Free Cash):

This request is for funding to evaluate the use of existing educational space in both middle schools to determine what opportunities exist for improving space utilization to better deliver educational programs and accommodate increasing enrollments. The two middle schools were renovated approximately 11 years ago. Currently there are concerns from the school administrators that the laboratories and auditoriums no longer adequately support the middle school science and performing arts programs, and that the systems, equipment, and space plan should be evaluated for alignment with the educational program. In addition, increasing enrollment in elementary schools indicate increased middle school enrollments in FY 2017. This request is for funding in FY 2015 to study space utilization and make a recommendation for FY 2016 funding to address identified space needs.

i) Clarke School Elevator Upgrade - \$275,000 (\$73,406 General Fund Debt, \$161,266 tax levy, and \$40,328 unused balances from prior capital appropriations):

This project would increase the interior dimensions of the Clarke Middle School elevator to make it compliant with current handicapped access codes. The elevator does not have the minimum dimensions that allow for a mobility-impaired individual to maneuver inside the cab. As a result, impaired individuals may require assistance to operate the elevator. The Lexington Commission on Disability has made the upgrade a priority.

j) Clarke School Auditorium Audio Visual System - \$69,300 (Free Cash):

The Clarke School auditorium is heavily used by students, staff and community members, including for School Committee meetings. The current sound system that serves this space is original to the building and has significant reliability problems. Given the condition of the system, there are concerns that the entire system may fail. Staff has been advised by contractors to avoid adjustments to the outdated wires and parts. A new sound system will enable meetings, performances, and presentations to be heard without excessive static, feedback and knocking. This funding request is for the replacement of the entire sound system and the addition of a projection system to facilitate visual presentations.

k) Fire Station Headquarters Replacement Design - \$300,000 (Free Cash):

This is a request for a feasibility study for a new fire station to replace the main station on Bedford Street that houses fire headquarters. The existing station was built in 1947 and is too small to house the apparatus and all the functions that are required to be staffed in the building.

A structure is needed that is large enough to safely house five pieces of fire apparatus, two ambulances and several auxiliary vehicles; living quarters for twelve personnel; areas to conduct interviews, plan reviews, meetings and training; office space for nine staff; and room for supplies and records. There is currently insufficient parking for staff and the public who come to the Fire Department for service or emergencies. The station is not energy efficient with leaking windows, doors and apparatus bay doors. Water leaks into the 2nd floor through the cornices at the roofline, and mold is growing in the basement from water infiltration. A water cleansing system was installed behind the station to filter contaminants from ground water leaking in from the old gas station that was located across the street.

TMMA Questions

Question #1: The D & S study of November, 2010 provided a concept for a new fire station at the present location. Has a different location been identified and agreed upon?

Answer #1: No.

Article 15 Appropriate to Post Employment Insurance Liability Fund

To see if the Town will vote to appropriate a sum of money to the Town of Lexington Post Employment Insurance Liability Fund, as established by Chapter 317 of the Acts of 2002, determine whether the money shall be provided by the tax levy, by transfer from available funds, including enterprise funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: \$1,119,000

Description: *This article will allow the Town to continue to fund its unfunded liability for post employment benefits for Town of Lexington retirees. Beginning with the FY2007 audit, the Town was required to disclose this liability. In preparation for funding this liability, Town Meeting voted to request special legislation to establish a trust fund for this purpose. This special legislation was approved in 2002.*

TMMA REVIEW

RETIREE HEALTH INSURANCE

TMMA Overview (as of 03/01/14)

At retirement, Lexington employees are eligible for health insurance and pension benefits. This article applies only to the health insurance component of benefits, referred to as Other Post Employment Benefits (OPEB), to distinguish them from the pension benefits. These benefits impose a future liability on the Town. The Town routinely assesses the amount of these liabilities using an actuarial analysis. The dollar amounts are large because they represent the sum of many years of benefits to be paid to many current and future retirees. The Town's current liability for retiree health benefits, based on actuarial analyses in June 2013, was estimated to be approximately \$131,000,000 over the next 30 years. The primary issue posed by this article is how much money to dedicate to this fund in this, and in each future year, considering the available sources of funding and the Town's priorities for other uses of the money.

This year the actuarial study dated June 30, 2013 identified that \$105,048 in Water and Waste Water Enterprise Fund receipts represented an OPEB liability which should be part of fully funding the obligation, but this is currently pending further review with the actuary and the Town's OPEB working group, so it is not part of current budget request, but may be in future years

By state law all Massachusetts municipalities are required to fund un-funded pension liabilities by the year 2040 according to a schedule approved by the Public Employee Retirement Commission. There is now no similar mandate to pre-fund the liability for retiree health insurance benefits (OPEB). Instead currently the Town covers the full annual cost of current retiree health benefits within its regular operating budget. As of FY2008, the Government Accounting Standards Board (GASB) began requiring municipalities to report the size of their unfunded OPEB liability as a long-term liability in the Town's annual financial statements.

The Town is in the process of developing a long-term plan to fund the Post Employment Insurance Liability Fund (PEIL), so that use of operating funds to pay current retiree benefits could end, and income earned from the invested trust fund balance would cover the costs of

OPEB payments when full funding is achieved. That would require regular, annual appropriations until full funding is achieved. The amount of the annual appropriation required depends on the target date adopted for achieving full funding and the actual return achieved on the invested fund balance. The appropriation proposed in this Article would be another step in that direction, and is considered a budget priority.

Appropriation to the Town's Post Employment Insurance Liability Fund (PEIL) started with Article 22 of the 2008 Annual Town Meeting. It has continued annually with the most recent appropriation of \$775,000 at the 2013 Annual Town Meeting under Article 18. (The 2012 Fall Special Town meeting did not vote to appropriate the additional funds requested at that time.) The balance in the PEIL Fund as of 1/15/14 was about \$3.96 million.

The Town receives reimbursements from the Federal Government to cover costs of the prescription drug insurance that would otherwise be covered under Medicare Part D. The Town was reimbursed approximately \$465,544 in FY2012, and in FY13 \$119,375 was received and is the source of \$119,000 included in this FY appropriation. The Town has been appropriating funds to the PEIL Fund that roughly match the Medicare reimbursements, but there is no direct linkage of PEIL Fund appropriations to these Federal reimbursements, except by Town Meeting action. The other source of funds for this appropriation is a recommendation that \$1,000,000 from the Town's Health Claims Trust Fund be appropriated to the FY15 Operating Budget under Article 4 Section 2100 for employee benefits, thus freeing up \$1 million of tax levy revenue to be applied to the OPEB liability via this article.

Under State Law, MGL Chapter 32B, the Town is required to provide a comparable level of health insurance coverage to its retirees as it offers to its active employees. Medicare, by itself, is not comparable to the Town's active employee insurance plans. Consequently, for retirees who participate in Medicare, the Town also provides a Medicare Supplement plan that includes certain health insurance coverage not provided by Medicare.

Retirees who do not have Medicare, either because they are under the age of 65 years old or over 65 but not Medicare-eligible, are permitted to continue on any one of the Town's health insurance plans that are offered to active employees. State and local government employees in Massachusetts hired prior to 1986 were not allowed to participate in Medicare, so they may not be eligible for Medicare unless they or their spouse had other private-sector employment that provides them with eligibility.

The following reference maybe helpful in understanding of the issues but is not necessarily a current reflection of the opinion of its author: An Analysis of Policy Issues concerning the Funding of Future Liabilities for Health Insurance for Retired Employees (OPEB) of the Town of Lexington, Alan M. Levine, April 17, 2012 (a TMMA Yahoo email list attachment)http://xa.yimg.com/kq/groups/7717354/1642793333/name/OPEB_aml_v2.pdf

TMMA Questions

Question #1: An earlier actuarial report was quoted last year as putting the OPEB obligation at \$300 million and the June 2013 number is only \$131 million. What has changed, and where are the reports available as public documents?

Article 16**Rescind Prior Borrowing Authorizations**

To see if the Town will vote to rescind the unused borrowing authority voted under previous Town Meeting articles; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Description: *State law requires that Town Meeting vote to rescind authorized and unissued debt which is no longer required for its intended purpose.*

TMMA REVIEW**RESCIND AUTHORIZATIONS****TMMA Summary (as of 03/01/14)**

This article allows Town Meeting to rescind unused debt authorized in prior years. The proposed rescissions are:

<u>Article</u>	<u>Description</u>	<u>Amount</u>
13b of 2010 ATM	Rehabilitating Standpipes	\$25,155.98
14 of 2011 ATM	Street Betterment (Frances Road)	\$33,000.00
11d of 2012 ATM	Park Improvements – Athletic Fields	\$7,173.34
12e of 2012 ATM	DPW Equipment	\$12,307.00
2 of Nov. 2011 STM	Bridge / Bowman Reconstruction	\$98,378.64*
3 of Apr. 2012 STM	Estabrook School Construction	\$147,815.82*

*The rescissions for the Bridge, Bowman and Estabrook school projects equal the premium received from the bond sale related to each project. It is proposed that these premiums be appropriated for these projects under Article 22. This will reduce the amounts to be borrowed and will result in the avoidance of interest costs.

Article 17**Establish and Appropriate to and from Specified Stabilization Funds**

To see if the Town will vote to create and/or appropriate sums of money to and from Stabilization Funds in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws for the purposes of: (a) Section 135 Zoning By-Law, (b) Traffic Mitigation, (c) Transportation Demand Management, (d) School Bus Transportation, (e) Special Education, (f) Center Improvement District; (g) Debt Service, (h) Transportation Management Overlay District (TMO-1), (i) Avalon Bay School Enrollment Mitigation Fund and (j) Capital Projects/Debt Service Reserve/Building Renewal Fund; and determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: *unknown at press time*

Description: *This article proposes to establish and/or fund Stabilization Funds for specific purposes and to appropriate funds therefrom. Money in those funds may be invested and the interest may then become a part of the particular fund. The use of these funds may be appropriated for the specific designated purpose by a two-thirds vote of an Annual or Special Town Meeting.*

TMMA REVIEW**SPECIFIED STABILIZATION FUNDS****TMMA Overview (as of 03/01/14)**

At the 2007 Annual Town Meeting, various stabilization funds were created as repositories for money to be reserved for later use as appropriated at subsequent Town Meetings. Any funds received by the Town since the last Town Meeting for purposes designated under any of the existing specified stabilization funds are recommended for appropriation into those funds under this Article. The Debt Service Stabilization Fund is covered under Article 19 and is not listed below. In 2008 Town Meeting approved a new fund for Special Education.

At the 2012 Annual Town Meeting, two new Funds were created. The Transportation Management Overlay District Fund will collect fees specified under the new zoning regulations. The Avalon Bay School Enrollment Mitigation Fund will collect money per the agreement with the developer. That agreement specifies that if actual school enrollment exceeds those projected at the time of the negotiation with the Town, payments are required to a maximum of \$700,000.

The 2012 Fall Special Town Meeting approved creation of the Debt Service / Capital Projects / Building Renewal Stabilization Fund. The Town is planning for a number of significant future capital projects over the next three to five years, potentially including a new fire station, police station, Center Streetscape improvements, Hartwell Avenue infrastructure improvements, expanded Visitor's Center and Community Center expansion. It is recommended that under Article 17, the Town appropriate \$5,632,584 to the Capital Projects / Debt Service Reserve / Building Renewal Stabilization Fund to be used to partially fund these future projects or to mitigate the debt service resulting from their debt financing. It is also recommended that funds be appropriated from the Capital Projects / Debt Service Reserve / Building Renewal Stabilization Fund to continue to mitigate the exempt debt service impacts of the Bridge / Bowman and Estabrook projects (\$1.6 million was appropriated from this fund last year for this purpose and it is recommended that \$950,000 be appropriated under Article 17 at the 2014 ATM

for mitigation of FY15 exempt debt service). It is also recommended that \$919,000 be appropriated from this Stabilization Fund under Article 4, the operating budget, to mitigate the debt service impacts of the financing of the LHS modular buildings construction approved at the November 2013 STM.

Balances available to appropriate to specific stabilization funds have not yet been identified at the time of printing.

The specific stabilization funds and the status of each are:

Section 135 Zoning By-Law: The fund has never been used.

Traffic Mitigation: Appropriation data will be available at Town Meeting. The balance as of one year ago was \$96,553.

Transportation Demand Management (TDM): Money accruing to the account is the result of negotiations between the Town and developers. The balance as of one year ago was \$305,528.

School Bus Transportation: The balance as of one year ago was \$18.

Special Education: This fund is used as a reserve against unanticipated special education costs. The balance as of one year ago was \$1,068,625.

Center Improvement District: Under the 2010 Annual Town Meeting Article 25, the fund was created to be the repository of payments received from the developers of Lexington Place. The funds were specified to be used for projects such as tree planting, sidewalk improvement or improvements to the abutting connector between the parking lot and the sidewalk. The balance as of one year ago was \$86,102.

Transportation Management Overlay District Fund: The fund collects fees specified under the new zoning regulations. The balance as of one year ago was \$10,724.

Avalon Bay School Enrollment Mitigation Fund: The Avalon Bay School Enrollment Mitigation Fund is used to retain money per the agreement with the developer. That agreement specifies that if actual school enrollment exceeds those projected at the time of the negotiation with the Town, payments are required to a maximum totaling \$700,000 which Avalon has already paid. The balance as of one year ago was \$298,804.

Debt Service / Capital Projects / Building Renewal Stabilization Fund: The balance as of one year ago was \$1,600,591.

Article 18**Appropriate to Stabilization Fund**

To see if the Town will vote to appropriate a sum of money to the previously created Stabilization Fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws; determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: *Unknown at press time.*

Description: *Money may be appropriated into the existing Stabilization Fund that may be invested and the interest may then become a part of the fund. These funds may later be appropriated, by a two-thirds vote of an Annual or Special Town Meeting, for any lawful purpose.*

TMMA REVIEW
STABILIZATION FUND

TMMA Summary (as of 03/01/14)

This article is an annual place-holder. No funds are anticipated to be appropriated as of press time. The balance of the Stabilization Fund as of one year ago was \$8,668,334.

Article 20**Appropriate for Prior Years' Unpaid Bills**

To see if the Town will vote to raise and appropriate money to pay any unpaid bills rendered to the Town for prior years; to determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: *Unknown at press time.*

Description: *This is an annual article to request funds to pay bills after the close of the fiscal year in which the goods were received or the services performed and for which no money was encumbered.*

TMMA REVIEW**UNPAID BILLS****TMMA Summary (as of 03/01/14)**

During the 2013 Annual Town Meeting, unpaid bills from Siemens for streetlight repairs performed in the prior fiscal year (FY12) were approved. The Director of Public Works was told at that time that there were no other invoices outstanding. This past fall, another invoice for work done in Fiscal Year 2013 was submitted by Siemens. The Director has verified that the work was completed and the amount of the invoice, \$30,940, should be paid.

The funds to be applied to pay the invoice have yet to be identified but will be referenced in the motion brought to Town Meeting.

Article 21 **Amend FY2014 Operating and Enterprise Budgets**

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Articles 4 and 5 of the warrant for the 2013 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budgets and appropriations that may be necessary; to determine whether the money shall be provided by transfer from available funds; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: *Unknown at press time.*

Description: *This is an annual article to permit adjustments to current fiscal year (FY2014) appropriations.*

TMMA REVIEW
FY14 BUDGET ADJUSTMENTS

TMMA Overview (as of 03/01/14)

This article is an annual place-holder should there be a need to fund unforeseen expenses in the current fiscal year (FY14). As has been the past practice, toward the end of Town Meeting, a budget analysis will be performed (with the then most current information available) to determine what, if any, adjustments need to be made to the current year's budgets.

Article 22 **Appropriate for Authorized Capital Improvements**

To see if the Town will vote to make supplementary appropriations to be used in conjunction with money appropriated in prior years for the installation or construction of water mains, sewers and sewerage systems, drains, streets, buildings, recreational facilities or other capital improvements and equipment that have heretofore been authorized; determine whether the money shall be provided by the tax levy, by transfer from the balances in other articles, by transfer from available funds, including enterprise funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Funds Requested: *Unknown at press time.*

Description: *This is an annual article to request funds for capital improvement project expenditures that exceed the level of appropriation.*

TMMA REVIEW

CAPITAL FUNDING SUPPLEMENTS

TMMA Overview (as of 03/01/14)

This article is an annual place-holder should a project approved by a prior year's Town Meeting need supplemental funding. Two items will be recommended under this article:

1. A supplemental appropriation to the Bridge / Bowman and Estabrook projects to be financed from the premium attributable to the bonds issued for these projects received at the February 5, 2014 bond sale.
2. Given the bids recently received for Phase 1 of the modular buildings construction at the High School (approved at the Nov. 2013 STM in the amount of \$7.7 million) came in above estimates, an additional \$495,000 is needed for Phase 1. Under this article, it will be recommended that this amount be voted as a supplemental appropriation to the November, 2013 authorization.

Article 23 Amendments to District Agreement of the Minuteman Regional-Vocational School District

To see if the Town will vote, consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a majority of the Regional School Committee and which have been submitted to the Board of Selectmen of each member town prior to its vote on this article.

(Inserted at the request of the Minuteman Regional Vocational School District)

DESCRIPTION: The School Committee for the Minuteman Regional School District is recommending that the District's Regional Agreement be amended. Amending the current Regional Agreement requires an affirmative vote from all 16 town meetings in the region.

In summary, the proposed amendments to the Regional Agreement provide for:

- *A four-year rolling average where student enrollment is a factor in determining the annual operating and capital assessment;*
- *A weighted voting methodology for most School Committee actions;*
- *A provision to authorize the School Committee to negotiate terms of the capital assessment for new member communities;*
- *A revised procedure for withdrawing from the District;*
- *A revision to the formula by which annual capital costs are assessed;*
- *A requirement that any income received by non-member communities for capital costs be used to offset the capital assessments of the member communities; and*
- *A change in the method for authorizing debt, which would allow a community not supporting the issuance of debt to withdraw from the District.*

TMMA REVIEW

MINUTEMAN DISTRICT AGREEMENT

TMMA Overview (as of 03/01/14)

This article is an annual place-holder should a project approved by a prior year's Town Meeting need supplemental funding. As of press time, it is anticipated that this article will be Indefinitely Postponed as no capital projects need supplemental funding.

A new Minuteman Regional Vocational District agreement is being submitted for approval to all 16 member towns. The main changes provide for a weighted formula for assessing annual operating and capital costs, as well as for a weighted vote in the Minuteman School Committee.

In the old agreement

(http://minuteman.org/images/About/School%20Committee/RATF/DistrictAgreement_20130304.pdf), each town had one vote in the Minuteman School Committee. Operating and capital costs were based on the most recent year's enrollment share. New debt could be blocked by a single community.

In the new agreement

(http://minuteman.org/images/About/School%20Committee/RATF/Updated_2.28.13_2011-

[2012RATF_20112208.pdf](#)), School Committee votes, operating and capital costs are generally weighted by a town's share of 4-year rolling average enrollments. Small member towns will find it easier to join or leave the district. New debt can still be blocked by a single community, but the School Committee can seek a second-round district wide vote, with the aggregate vote total determining debt approval. Communities that voted to disapprove of the debt may then seek to withdraw from the district without incurring part of the debt.

Out-of-district students comprise about 45% of the student population, and their tuition is established annually by the Commissioner of Education. The per-student tuition allowed has been higher than the marginal per student share of the operating budget, but not high enough to cover the per student portion of operating costs. An intergovernmental agreement is currently being negotiated with the hope to address that issue. In expectation of that, the new regional agreement specifies that tuition income identified as contribution to capital costs must be applied to reduce capital assessments to member towns.

For more detail, please refer to the following pamphlets: "Summary of changes" (http://lex-wiki.org/w/images/9/95/FINAL_CF_Summary_of_changes_updated_2-11-14.pdf), "Voting under the Revised Agreement" (http://lex-wiki.org/w/images/3/3b/FINAL_CF_Voting_Under_Revised_Agreement_2-11-14.pdf), and "Capital Assessment Model - Appendix A" (http://lex-wiki.org/w/images/0/03/Capital_Assessment_Model_-_Appendix_A.pdf).

If approved by all towns, the new agreement will take effect on July 1, 2014.

TMMA Questions

Question #1: Under current enrollment numbers, what would be the voting weight of the Lexington representative on the Minuteman SC?

Answer #1: See SECTION I: THE REGIONAL DISTRICT SCHOOL COMMITTEE, Part (H) Weighted Voting. Language in that section describes a "four year 'rolling average' of the school's enrollment from member communities." Also, "Capital Assessment Model - Appendix A" shows that for FY 14, Lexington's four-year rolling average is 54.1 students or 13.98% of the member town enrollment. That means that the weight of the Lexington vote would be 13.98% - and recalculated each year as of July 1. The Arlington representative's vote would count for 32.47%.

Question #2: Under current enrollment numbers, by how much will operating and capital costs to Lexington change?

Answer #2: See SECTION IV: APPORTIONMENT AND PAYMENT OF COSTS, Part (E) Apportionment of Operating Costs. The language in the amended version is essentially the same as it is in the present Agreement, i.e., the "formula" would neither favor nor "disfavor" Lexington. As for the new language's impact on Lexington's capital costs assessment, the last figures showed that, if the amended agreement had been in place for FY 14, Lexington's assessment for capital costs this year would have decreased by 5%.

Question #3: Among the 16 member towns, three towns (Dover, Lincoln, and Weston) have sent each around five students to Minuteman High in the past four years. What will be the impact if a

small town contributing few students to Minuteman High is withdrawing?

Answer #3: It would affect the assessments to the remaining communities, probably raising them, since even if a town sends fewer than five students, for capital costs assessment purposes, it is the minimum number utilized for each town. Additionally, the voting strength of other member community representatives in the School Committee would be marginally increased.

Question #4: The Warrant includes the following bullet item in the article description. Can you please give more details about this? “A requirement that any income received from non-member communities for capital costs be used to offset the capital assessments of the member communities”

Answer #4: See SECTION X: TUITION STUDENTS in the proposed amended Regional Agreement. Currently, under state law, non-member municipalities cannot be charged a capital assessment to help cover the costs of improvements to the facility. Thus, a portion of the tuition paid to Minuteman by non-member towns cannot be allocated to capital costs. The aforementioned provision has been added to the amended Regional Agreement in anticipation of receiving permission from the Commissioner of the Department of Elementary and Secondary Education that would allow Minuteman, through an intergovernmental agreement with a non-member district, to institute a capital assessment or "facilities fee."

Question #5: The annual budget approval requires a two-thirds School Committee vote, and also a majority vote by the appropriating authority (town meeting or city council) of at least two-thirds of the member communities. What happens when the appropriating authority of a town votes in the negative for the appropriation in one year?

Answer #5: Even if a single town does not approve the Minuteman budget, it is obligated to pay its assessment. In the amended Regional Agreement, SECTION V: BUDGET, Part (B) Final Operating and Management Budget, the last sentence of (B) that is on page 7 of the document indicates that if two-thirds of the member towns approve the budget, any town that did not approve it is still obligated to pay its share.

Question #6: What happens if fewer than two-thirds of the district towns approve the budget?

Answer #6: See Massachusetts General Laws (MGL) Chapter 71, § 16B (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section16B>). The process for a regional school committee to deal with a budget that has not been approved by at least two-thirds of the member towns is described in this section.

Article 24**Public Transportation in Lexington**

To see if the town will vote to adopt improvements requested in this resolution, individually or totally. It is requested that Town of Lexington to start soon to negotiate with the MBTA for bus service improvements that will benefit Lexington residents, businesses in Lexington, and those who visit or work in Lexington as well as tourists who help our economy.

The requested service improvements:

1. *Changing the last bus 62 hour from Alewife from 8 pm to 9 pm during the week.*
2. *Changing the last bus 76 hour from Alewife from 9:30 pm to 10:30 pm during the week.*
3. *Last bus hours going to Alewife during the week for bus 62 and 76 should also leave later by one hour.*
4. *The last bus 62/76 from Alewife on Saturdays should also change from 7 pm to 8 pm. The last bus going to Alewife should also leave one hour later.*
5. *In addition, some form of public transportation by MBTA, or by Lexington should be created for Sundays for at least Lexington and Bedford. Arlington and Belmont could be involved as well.*

(Inserted by Bijan Afshartous and nine or more registered voters)

Funds Requested: *Unknown at press time.*

Description: *The improvement requests in this article are listed separately so that each one can be considered by the MBTA or the Town of Lexington. A resolution in support of these requests will be sought.*

TMMA REVIEW**PUBLIC TRANSPORTATION IMPROVEMENTS****TMMA Summary (as of 03/01/14)**

This article presents a nonbinding resolution to have Town Officials request the MBTA to add public transportation to and from Lexington for late evenings and weekends. The final resolution could be simply: "It is resolved that selectmen explore possibilities of improvements in transportation in Lexington."

TMMA Overview

A very similar petition was started in 2010, and by 2011, 2,000 people had signed it. Per Dawn McKenna's request, Representative Jay Kaufman arranged a meeting with high-level MBTA managers in May 2011 in his office in the State House. Lexington and Bedford officials were present as well as Senator Ken Donnelly's chief of staff. Jay Kaufman and Sean Fitzgerald, his chief of staff who had arranged the meeting, were present. Petition results were also reported and discussed among other things.

Some business owners have stated that on Sundays they have trouble getting help. Some employees who work in Lexington and Bedford walk long distances on Sundays to get to work, or use taxis.

Much effort has been made to add public transportation to Lexington. Most commercial zoning proponents have contributed to expand Lexpress service or to cooperate in adding shuttle service within Lexington or to and from Alewife. Shire has a shuttle service and Avalon Bay supported expansion of Lexpress.

The MBTA has resisted past efforts to add bus service to Lexington due to budgetary constraints and a perceived lack of ridership beyond current hours of operation. The proponent's past efforts led to the MBTA installing indoor benches at Alewife for passengers awaiting buses on Routes 62 and 76, the addition of an East Lexington stop for Bus route 78, and a new stop for Bus route 76.

A show of support may be necessary to offset budgetary pressures that could threaten the existing bus routes and also assist in gaining the cooperation of others who also rely upon Route 62 and 76 buses – Arlington, Bedford, Belmont, VA Bedford and Middlesex Community College (MCC). Ridership could grow as the VA is adding 75 apartments for homeless veterans. Also MCC provides a shuttle to the VA for the convenience of its students using these bus routes, but the last bus is at 7:15pm, leaving evening students on their own.

Article 25**Establish Qualifications for Tax Deferrals**

To see if the Town will vote to adjust the current eligibility limits for property tax deferrals under Clause 41A of Section 5 of Chapter 59 of the Massachusetts General Laws as authorized by Chapter 190 of the Acts of 2008; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

Description: *Chapter 190 of the Acts of 2008 allows the Town Meeting, with the approval of the Board of Selectmen, to make adjustments to the current deferral eligibility limits.*

TMMA REVIEW
TAX DEFERRALS

TMMA Overview (as of 03/01/14)

The General Court (State Legislature) has granted the Town of Lexington latitude in setting qualifications for real property tax deferrals. This article may be indefinitely postponed.

TMMA Questions

Question #1: Do increases in eligibility limits increase the number of residents seeking deferral?

Answer #1: Records show that increases in eligibility limits have caused only minor increases in utilization.

For further information:

Pat Costello - pecostello@verizon.net, 781-862-6435

Article 26**Amend Chapter 130, Wetland Protection**

To see if the Town will vote to amend Chapter 130 of the Code of the Town of Lexington by adding an alternative procedure to permit minor work activities in a wetland without the requirement that an applicant file a complete Notice of Intent; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Conservation Commission)

Description: *This article will codify a practice of the Conservation Commission to accept and act upon a simplified application when minor work activities in wetland buffer zones are proposed.*

TMMA REVIEW**WETLAND MINOR WORK****TMMA Overview (as of 03/01/14)**

As is usual, any change to make things simpler results in complex changes to the wording of the Code of Lexington. The Warrant's Description paragraph, quoted above is a fair summary.

The complete proposed set of changes as of 2/27/14, including the old language to be deleted and new language to be added, is available on the TMMA web site:

http://www.lexingtontmma.org/uploads/Main/Article26Proposal_Chapter130_Wetlands.pdf

Article 27 Amend Zoning By-Law - Allow For-Profit Education Uses in Neighborhood Business and Residential Districts

To see if the Town will vote to amend Chapter 135 of the Code of the Town of Lexington to permit schools not exempt by statutes in the RO, RS, RT, and CN districts; or act in any other manner in relation thereto.

(Inserted by Inga Magid and nine or more registered voters)

***Description:** This article requests a change in the zoning to permit for-profit educational uses to operate in the neighborhood business district and residential districts. Currently state law allows certain non-profit educational facilities and day-care uses to locate in residential districts; this request would expand the types of educational uses permitted in the residential districts. However, this article did not include removing the square footage restriction for uses in the neighborhood business district.*

TMMA REVIEW

FOR-PROFIT EDUCATION ZONING CHANGE #1

Note that the motion under this article will require a two-thirds majority in order to pass.

TMMA Overview (as of 03/01/14)

Articles 27, 28, and 29 are citizens' articles proposed by Inga Magid, the owner of Keys for Kids, a commercial music school currently located on Militia Drive, in the CLO (Local Office) zoning district. The building's new owner does not want to renew her lease. She is proposing these zoning changes in order to create more possibilities for relocating within Lexington.

Commercial schools are now allowed by right in all of the commercial districts except the CN (Neighborhood Business) district. As required by state law, our zoning by-law allows non-profit schools, by right, in all residential districts. Unlike a CD rezoning which provides for a specific use in a specific new location, these articles as written could allow commercial schools anywhere in the residential (RO, RS, or RT) and / or CN districts.

However, the motion expected to be proposed under Article 27 restricts commercial schools to music and art schools to less than 3,500 square feet in area; that restricts them to the CN and RT (two-family dwelling) districts, but not permitting them in the RO or RS (one-family dwelling) districts; and that allows them only by special permit. This would allow the Board of Appeals to make sure there is adequate parking, landscaping and buffering from neighbors.

The RT districts are on Mass. Ave. in East Lexington. Most of the remainder of Mass. Ave. from Maple Street to the Arlington line is zoned commercially now.

The argument has been made that a commercial school has no more impact on a neighborhood than a non-profit school. However, Lexington has not voluntarily allowed non-profit schools throughout in the residential districts and does so only to comply with state laws.

**Article 28 Amend Zoning By-Law - Allow For-Profit Education
Uses in Neighborhood Business District and Remove
Size Limit**

To see if the Town will vote to amend the Zoning By-Law for Neighborhood Commercial (“CN”) uses, to allow for-profit educational uses and removal of the associated development standard from the same zone; or act in any other manner in relation thereto.

(Inserted by Inga Magid and nine or more registered voters)

Description: *This article requests a change in the zoning to permit for-profit educational uses to operate in the neighborhood business districts. In addition, this article also requests that the size or square footage limit be removed. The current zoning restricts the size of a business located in the neighborhood business district to 1,500SF; this article requests that the square footage limitation be removed to allow a business more flexibility.*

TMMA REVIEW**FOR-PROFIT EDUCATION ZONING CHANGE #2**

Note that the motion under this article will require a two-thirds majority in order to pass.

TMMA Overview (as of 03/01/14)

See the overview for article 27. Article 28 would allow commercial schools in the CN district and would eliminate the 1,500 square foot size restriction on all uses in that district. That allows any type of business to expand in size, subject only to other limits, such as height.

Article 29 **Amend Zoning By-Law - Allow For-Profit Education
Uses in Neighborhood Business District**

To see if the Town will vote to amend the Zoning By-Law for Neighborhood Commercial ("CN") uses, to allow for-profit educational uses within this designation.

(Inserted by Inga Magid and nine or more registered voters)

Description: *This article requests a change in the zoning to permit for-profit educational uses to operate in the neighborhood business districts. This request adds to the types of uses that would be allowed in a district created to provide resident-serving uses, such as convenience stores, dental offices, and hardware stores.*

TMMA REVIEW**FOR-PROFIT EDUCATION ZONING CHANGE #3**

Note that the motion under this article will require a two-thirds majority in order to pass.

TMMA Overview (as of 03/01/14)

It is anticipated that this article will be indefinitely postponed.

Article 29 would also allow commercial schools in the CN district, but would not change the development requirements which would limit the size of a commercial school to 1,500 sq. ft.

See the overviews for articles 27 and 28.

Article 30 Amend Zoning By-Law - Medical Marijuana Treatment Centers

To see if the Town will vote to amend Chapter 135 of the Code of the Town of Lexington to zone for Medical Marijuana Treatment Centers, also known as Registered Marijuana Dispensaries; or act in any other manner in relation thereto.

(Inserted at the request of the Planning Board)

Description: *This article would define where Medical Marijuana Treatment Centers will be allowed in the Town.*

TMMA REVIEW

MARIJUANA CENTERS ZONING BYLAW

Note that the motion under this article will require a two-thirds majority in order to pass.

TMMA Overview (as of 03/01/14)

The Planning Board is required to set up zones for Medical Marijuana in three areas: Growing, Production and Distribution. They are proposing that the Growing and Production be done in the Manufacturing Zone which is Hartwell Ave.

Distribution also will be allowed in the Manufacturing zone in case someone wants to do all activities in one location, but distribution will be allowed as well in the large retail district such as where Stop and Shop is. The Center also would be included.

The Board of Health may also weigh in with additional regulations. Please note that this is the Planning Board's current proposal. This may change by the time it is presented to Town Meeting.

TMMA Questions

Question #1: Why do we want Medical Marijuana Treatment Centers in Lexington?

Answer #1: According to state law which was passed by Initiative Petition in 2012, we are required to set up zones for Growing, Production and Manufacturing.

Question #2: What are the chances that we will have Medical Marijuana Treatment Centers in Lexington?

Answer #2: The State is allowing only five licenses in Middlesex County. At this time, no applications have been received for a site in Lexington.

Question #3: What are the consequences if the motion under this article is defeated by the Town Meeting?

Answer #3: Lexington's zoning enforcement officer would interpret current law, which would permit growing and production in the manufacturing (CM) zone, and distribution in all commercial zones.

Question #4: Why is the Planning Board proposing the motion under this article?

Answer #4: The Board wants to adopt a measured approach between encouraging and discouraging marijuana treatment centers in Lexington. The Board feels that distribution should be available in areas accessible via public transportation (for those who do not drive).

Article 31 Amend Zoning By-Law – Site Plan Review for Projects 10,000 Square Feet or Greater

To see if the Town will vote to amend Chapter 135 of the Code of the Town of Lexington to allow developments of 10,000 square feet or greater by right with Site Plan Review, removing the current special permit requirement; or act in any other manner in relation thereto.

(Inserted at the request of the Planning Board)

Description: *This article seeks to remove the requirement that all developments over 10,000 square feet require a special permit and instead will require that they go through Site Plan Review.*

TMMA REVIEW

SITE PLAN REVIEW ZONING CHANGE

Note that the motion under this article will require a two-thirds majority in order to pass.

TMMA Overview (as of 03/01/14)

The use table in the Zoning By-Law spells out allowed uses in each of the Town's zoning districts. For commercial uses, the use table also specifies development standards. For uses and structures over 10,000 square feet, the use table currently requires a Special Permit (SP) from the Special Permit Granting Authority (SPGA). The SPGA is the Board of Appeals for all districts except the CM (Manufacturing) district. The SPGA has latitude to deny a Special Permit if the adverse effects of the proposed use outweigh the beneficial impacts to the Town or the neighborhood.

This proposal would change the requirements for developments over 10,000 sq. ft. from Special Permit (SP) to Site Plan Review (R). Site Plan Reviews are conducted by the Planning Board or its designee (usually the planning staff). It provides for managing of aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. That is, trees can be preserved, driveways can be relocated, etc., but the overall project must be approved.

Public hearings are required for Special Permits, but are not required for Site Plan Reviews. However, the Planning Board holds a public meeting on all major site plans. Site Plan Reviews are already used instead of Special Permits for large developments in the CM (Manufacturing) district.

The main argument in favor of this proposal is that it reduces the permitting work a developer must submit and thus facilitates new large developments and increases real estate tax revenues to the Town.

The main argument against this proposal is that the Planning Board can only regulate details of the design and must approve the Site Plan Review if it complies with all requirements explicitly specified in the Zoning By-Law. A Special Permit, as is currently required, can be denied by the SPGA if it finds adverse impacts from a particular proposal that are not dealt with in the Zoning By-Law.

This proposal makes one further change. When a specific commercial use requires a Special Permit, regardless of size, the SPGA is generally the Board of Appeals. If the use were to require, in addition, a Site Plan Review by the Planning Board, then the Planning Board instead of the Board of Appeals would become the SPGA for the use and both permits would be processed together.

TMMA Questions

Question #1: It seems that the Planning Board's proposal would make it easier for developers to obtain permits for larger developments since they no longer would be subject to the additional scrutiny that a Special Permit requires. Is the Planning Board concerned about such a potential adverse result?

Article 32**Amend Zoning By-Law - Technical Corrections**

To see if the Town will vote to amend Chapter 135 of the Code of the Town of Lexington by correcting improperly alphabetized definitions, making internal references consistent, supplying missing definitions, correcting typographical errors and making other non-substantive corrections that will clarify the by-law; or act in any other manner in relation thereto.

(Inserted at the request of the Planning Board)

Description: *These are changes of a corrective nature and do not change the Bylaw in any substantive way. They clarify the interpretation of certain aspects of the Bylaw.*

TMMA REVIEW**ZONING BYLAW CORRECTIONS**

Note that the motion under this article will require a two-thirds majority in order to pass.

TMMA Overview (as of 03/01/14)

These are minor technical changes that hopefully will make by Zoning By-Law easier to read and understand. They do not change any substantive requirements.

A complete list of these changes is on the Town's web site:

<http://www.lexingtonma.gov/technical%20corrections%20table.pdf>

Town Meeting Members Association Bylaws

Approved March 8, 1978 and amended March 20, 1985; March 20, 1986; March 11, 1998;
March 17, 2005 and March 5, 2008

Article I - Purpose

The Town Meeting Members of Lexington, Massachusetts, in order better to fulfill the obligations of the representative form of government, have established this Association to acquaint themselves more fully with the facts necessary for intelligent decisions and to assist in any other constructive way in the government of Lexington.

Article II - General Organization

Section 1 - Name

This organization shall be known as the Lexington Town Meeting Members Association or TMMA.

Section 2- TMMA Membership

Membership shall be limited to elected Town Meeting Members and Town Meeting Members-at-Large.

Section 3 - Executive Committee

- A. **Membership.** There shall be an Executive Committee consisting of the TMMA Officers elected in accordance with the provisions of Article II, Sections 4 and 5, and the Precinct Officers elected in accordance with the provisions of Article III, Sections 1 and 2. In addition, any former TMMA Officer who remains a Town Meeting Member may elect to serve as an emeritus member of the Executive Committee for up to two years after leaving office.
- B. **Meetings.** The Executive Committee shall hold regular meetings during the year for the purpose of keeping abreast of Town affairs, particularly matters that may become the subject of future Town Meeting action, or for any other purpose relating to Town Meeting. The Executive Committee shall meet upon the call of the Chair, or at the request of five (5) Executive Committee members, with reasonable notice. The presence of nine (9) members, with at least five (5) precincts represented, shall constitute a quorum. Decisions shall be made by a majority of those members present and voting.
- C. **Attendance.** Executive Committee meetings shall be open to all TMMA members. Any TMMA member who is not a member of the Executive Committee may enter into Committee deliberations upon recognition by the Chair, but shall not vote.
- D. **Activities.** The Executive Committee shall undertake such activities as it deems appropriate to educate and inform Town Meeting Members and the public at large about

pending and upcoming Town Meeting issues, including but not limited to the preparation of a warrant information booklet, the conduct of warrant information meetings, the conduct of bus tours or on-site visits, and the maintenance of a TMMA web site and email list. To this end, the Executive Committee may appoint subcommittees, working groups or task forces from among the TMMA membership from time to time when considered appropriate to the purposes of the TMMA.

- E. **Political Activity.** When supporting or opposing candidates or ballot questions, or when engaged in any other political activity, Executive Committee Members shall not use their Executive Committee title, or otherwise hold themselves out as representing the TMMA, unless specifically authorized by vote of the Executive Committee.

Section 4- TMMA Officers

- A. **Officers.** The TMMA shall elect annually from among the members of the TMMA, in accordance with Article II, Section 5C, the following TMMA officers: a Chair, a Vice-Chair, a Treasurer, a Clerk, a Communications Officer, and an Email List Moderator. These officers shall perform the duties normally associated with such offices, or as further specified by vote of the Executive Committee.
- B. **Term.** The term of each office shall be for one year, commencing on the first day of the Annual Town Meeting. Outgoing Officers shall continue in office until this date, whether or not re-elected to Town Meeting. The Chair, Vice-Chair and Treasurer shall not serve in the same office for more than two consecutive terms.
- C. **Disqualifications.** The following individuals shall not serve as TMMA Officers: townwide elected officials; members of the Appropriation Committee and the Capital Expenditures Committee; salaried employees of the Town; and Town Meeting Members-at-Large.
- D. **Leaves and Vacancies.** A TMMA Officer shall take a leave of absence in order to run for townwide office, and may take a leave of absence for other exigent reasons with the consent of the Executive Committee. In the Chair's absence, the Vice-Chair shall perform the duties of Chair for such time as the absence shall continue. A permanent vacancy in any TMMA office, or an absence in any office other than Chair, shall be filled by vote of the Executive Committee.

Section 5- TMMA Meetings

- A. **Annual Meeting.** The Chair shall call an Annual Meeting of the TMMA to be held on a date after the annual town election, but before the commencement of the Annual Town Meeting.
- B. **Treasurer's Report.** At the Annual Meeting, the Treasurer shall present a Treasurer's report setting forth the TMMA's assets and liabilities as of December 31 of the previous calendar year, its income and expenditures during the previous calendar year, and a brief statement of major changes through the date of the Annual Meeting.
- C. **Election of Officers.** TMMA Officers shall be elected at the Annual Meeting as follows:
 - 1. Prior to the Annual Meeting, the Chair shall appoint a Nominating Committee consisting of three TMMA members who are not TMMA Officers, and at least

one of whom shall be a member of the Executive Committee. The Nominating Committee shall prepare a slate of proposed candidates for TMMA Officers for the ensuing year.

2. The Chair shall present to the Annual Meeting the slate prepared by the Nominating Committee. After entertaining any additional nominations from the floor, the Chair shall put the question of the election of TMMA Officers to a vote.
- D. **General Meetings.** Additional general meetings of the TMMA membership may be called by the Chair with reasonable notice when deemed appropriate. A general meeting shall be called upon the request in writing of twenty-five (25) TMMA members.
- E. **Quorum and Voting.** The presence of fifty (50) Members shall constitute a quorum at a general meeting. Except to amend these bylaws under Article IV, decisions of the TMMA membership, including the election of TMMA Officers at the Annual Meeting, shall be made by a majority of those present and voting, as determined in accordance with the voting procedures customarily used at Town Meeting.

Section 6 - Dues

The Executive Committee shall establish annually, prior to the TMMA Annual Meeting, dues in an amount sufficient to defray the reasonable expenses of the TMMA. Such dues shall be payable by voluntary contribution.

Article III - Precinct Organization

Section 1- Precinct Officers

- A. **Officers.** The TMMA Members of each precinct shall elect annually from among the precinct Town Meeting Members, in accordance with Article III, section 2(B), the following Precinct Officers: Precinct Chair, Precinct Vice-Chair and Precinct Clerk.
- B. **Duties.** The Precinct Officers shall represent their respective precincts at meetings of the TMMA Executive Committee, and shall participate to the best of their ability in the activities of the Executive Committee. In addition, the Precinct Officers shall have the following duties:
1. **Precinct Chair:** The Precinct Chair shall be the presiding Officer at TMMA precinct meetings; oversee the nomination of candidates for TMMA precinct offices and the conduct of TMMA precinct elections; assist in the distribution of information to precinct Town Meeting Members during the Annual Town Meeting or any special town meeting; encourage the attendance of precinct Town Meeting Members at TMMA informational meetings or other TMMA activities; promote discussions and contacts among precinct Town Meeting Members concerning Town Meeting business; and help to maintain civility and decorum during Town Meeting sessions.
 2. **Precinct Vice-Chair:** The Precinct Vice-Chair shall assist the Precinct Chair in the performance of the Precinct Chair's duties; stand in for the Precinct Chair at precinct meetings and Town Meeting sessions during the Precinct Chair's

absence; and stand in for the Precinct Clerk at Town Meeting during the Precinct Clerk's absence.

3. **Precinct Clerk:** The Precinct Clerk shall count and report precinct Town Meeting Members' votes when a standing vote is called at Town Meeting; collect TMMA dues from precinct Town Meeting Members; and stand in for or assist the Precinct Chair and Vice-Chair in the performance of their duties as may be necessary.
- C. **Term.** The term of each Precinct Officer shall be for one year. The Precinct Chair and Vice-Chair shall not serve in the same office for more than two consecutive terms.
- D. **Vacancies.** In the event of a vacancy in the office of Precinct Chair, the Precinct Vice-Chair shall assume the office of Precinct Chair. In the event of a vacancy in the office of Precinct Vice-Chair or Clerk, the remaining Precinct Officers shall appoint a replacement from among the precinct Town Meeting Members for the balance of the term.

Section 2- Precinct Meetings

- A. **Annual Meeting.** An Annual Precinct Meeting shall be held prior to the Annual Meeting of the TMMA, at such time and place as directed or approved by the TMMA Chair.
- B. **Election of Precinct Officers.** Precinct Officers shall be elected at the Annual Precinct Meeting as follows:
 1. Prior to the Annual Precinct Meeting, any precinct Town Meeting Member may notify the Precinct Chair of his or her desire to be a candidate, or to nominate another precinct Town Meeting Member, for a precinct office.
 2. The Precinct Chair shall present at the Annual Precinct Meeting the names of all candidates who have volunteered, or who have been nominated by others and consented to run, for precinct office. After entertaining any additional nominations from the floor, the Precinct Chair shall put the question of the election of Precinct Officers to a vote.
 3. Precinct Officers shall be chosen by majority vote of those present and voting at the Annual Precinct Meeting. They shall assume office immediately upon completion of the election and announcement of the results.
- C. **General Meetings.** Additional precinct meetings may be called by the Precinct Chair with reasonable notice when deemed appropriate, and shall be called upon the request of the Executive Committee or upon the written request of five (5) members from the precinct.
- D. **Quorum.** The presence of five (5) precinct Town Meeting Members shall constitute a quorum at a precinct meeting.

Article IV - Amendments

These bylaws may be amended, on the initiative of the Executive Committee or of any twenty-five (25) TMMA members, by a two-thirds vote of those present and voting at a duly called general meeting of the TMMA membership.

Summary of Parliamentary Procedures

Rules of order for the conduct of Town Meeting business are Article V of the Town Bylaws. Where rules are not dictated by statute, Bylaw or tradition, Roberts' Rules of Parliamentary Practice govern. The Town Moderator serves as Parliamentarian.

Rules of Debate

No person may speak more than once on a question if others who have not previously spoken desire to speak. No person may speak more than ten minutes at any one time without being again recognized by the Moderator.

Without first obtaining permission of the meeting, no member may speak more than twice on any issue except to correct a mistake or to make an explanation. If, however, a motion contains distinct sections dealing with dissimilar subjects which get discussed and amended separately (as is the case in Article 4) this rule of speaking once applies only to each new section and not the entire motion. Also, speaking to an amendment does not count as time toward speaking to the main motion.

Interrupting Debate

A speaker may be interrupted for:

1. a POINT OF ORDER where a member has a question about the procedures or the proceedings. The Moderator then rules on the question raised.
2. a NOTICE OF RECONSIDERATION of an article which has been previously debated and voted upon.
3. a PRIVILEGED MOTION which may be to recess, adjourn or a question of privilege.

Closing Debate

Debate may be closed by MOVING THE PREVIOUS QUESTION. It is NOT DEBATABLE. The Moderator then asks "Shall the main question now be put?" or "Shall the question on the amendment now be put?" If a majority is in favor, debate ends. (See Practices and Procedures)

The Main Motion

A main motion is made under each article by a Town Meeting member. The Moderator states "The motion is the one before you dated . . . and on file with the town clerk." The Moderator summarizes the motion; the proposing member then states I so move." Usually the wording of the motion differs from the wording of the article printed in the warrant in that more information is given, specific action requested and the amount and source of funding specified. The motion cannot exceed the scope of the warrant article. By custom no second is required. A copy of each main motion is provided to each Town Meeting member and projected on a screen for those in the audience and viewing at home on Cable TV.

Amending the Motion

A main motion may be amended, but the amendment cannot exceed the scope of the article. An amendment may be amended only once before being put to a vote. A substitute motion is an amendment which replaces the entire original motion. A simple majority carries an amendment, and it then becomes part of the main motion. An amendment is a subsidiary motion and is governed by the limits on debate as set forth below.

Subsidiary Motions

A person may speak only once for no longer than three minutes on a subsidiary motion. Debate is limited to ten minutes except for an amendment which may be debated for 30 minutes unless changed by vote of Town Meeting. Subsidiary motions are listed below in order of precedence.

1. TO LAY UPON THE TABLE or TO TAKE FROM THE TABLE—the former means to end debate on the question to such time as a member moves to “take from the table” and resume debate. Both are NOT DEBATABLE.
2. TO MOVE THE PREVIOUS QUESTION is used to close debate and put the main motion and, or, an amendment to a vote. NOT DEBATABLE.
3. TO CLOSE THE DEBATE AT A SPECIFIED TIME sets a limit to the length of debate. (To date this has been rarely used in Lexington.)
4. TO POSTPONE TO A TIME CERTAIN is to postpone action until a specified time or a specific article has been acted upon.
5. TO COMMIT, OR RECOMMEND, OR REFER sends the article to a specified Town board, committee or commission for further consideration, usually with directions to report to a future session of the meeting or to a future Town Meeting.
6. TO AMEND.
7. TO POSTPONE INDEFINITELY means to dismiss the article from consideration by the current Town Meeting. It ‘kills’ the article and is often used by the article sponsors when they have decided not to bring the matter up before the meeting.

Votes

A QUORUM (100 members) is assumed and all votes valid, unless a member rises to doubt the quorum before the results of the vote on a motion have been declared, and a count shows that fewer than 100 members are present.

If a MOTION is readily susceptible of DIVISION it may be divided and a vote taken on each part separately if the Moderator deems best or 25 members present so request.

A SIMPLE MAJORITY VOTE is required for most articles. The Moderator will announce when more is required, e.g., the two-thirds required for eminent-domain land takings, zoning Bylaws and bond-issue authorizations.

Usually a voice vote is called first. A standing vote is called if the Moderator is in doubt or if 20 members stand to question the Moderator’s interpretation of the voice vote for a question requiring a majority, or if seven members stand for a question requiring a two-thirds vote. The tellers (currently the precinct clerks) report the count to the Town Clerk and the Moderator who announces the votes as they are reported from each precinct.

A RECORDED VOTE is taken if requested by 50 or more members. The recorded vote may be by roll call or in writing. In the latter case a list of the members is circulated in each precinct. Members record their votes in the appropriate places and affix their signatures beside their names. The recorded votes are posted in the Town Office Building within 24 hours and remain there for two weeks.

Reconsideration of Motions

A member MUST SERVE NOTICE OF RECONSIDERATION OF AN ARTICLE AT THE SAME SESSION OF THE MEETING AND WITHIN 30 MINUTES OF THE VOTE. Any member may serve notice. The member stands at their seat and says “Mme./Mr. Moderator, I serve notice or reconsideration of Article . . .” and the Clerk records the fact and time. The Moderator usually allows the server of the notice to make the actual motion for reconsideration if he/she chooses, but any other member may do so if the server does not. Debate on a motion to reconsider is limited to 30 minutes, and no one may speak for more than FIVE minutes at one time nor more than once without leave of the meeting. When a motion of reconsideration is decided that decision shall not be reconsidered and no question shall be twice reconsidered. Reconsideration is not permitted for motions to ‘adjourn,’ ‘the previous question,’ ‘to lay’ or ‘take from the table,’ and to ‘close debate at a specified time.’

Dissolution of the Meeting

The motion to dissolve the meeting is made by the Selectmen after all the articles in the warrant have been acted upon.

Please consult the [Town Meeting in Lexington](#) handbook to review Lexington Town Meeting Practices and Procedures.