

**Minutes**  
**Town of Lexington Appropriation Committee**  
**March 3, 2005**

Members present: J. Bartenstein, D. Brown (Vice Chair), R. Cole, R. Eurich, P. Hamburger, D. Kanter, A. Levine (Chair), R. Pawliczek

Time and place: The meeting was called to order at 7:40 PM by Al Levine in Town Office Building Room 111.

Material Distributed:

- Agenda
- Community Preservation Coalition document dated November 2002
- Draft #5 of the Appropriation Committee Report by David Kanter

1. **Minutes:** Paul Hamburger agreed to take the minutes of this meeting.

2. **Discussion of Community Preservation Act (CPA):** Bob Bicknell, representing the Lexington Housing partnership, addressed the meeting. He focused on the advantages of CPA for affordable housing development. He discussed a Stow plan under CPA which pays homeowners a fixed fee for a home to remain affordable even after the homeowner leaves the property. Also, a Franklin School proposal was mentioned. Eric Michelson pointed out that Marshall Derby has said that LEXHAB has enough money to deal with the Franklin project should CPA not be enacted.

The motion from the Board of Selectmen is expected to be for 3%, to start in FY 07, and to use 2 exemptions, namely: (1) low and moderate income exemption, and (2) \$100,000 reduction in property valuation. The commercial/industrial exemption was not selected by the Board of Selectmen.

The committee asked that Bob co-ordinate with the other interest group players to supply a history of projects that would have applied were the CPA in effect then and a list of future projects that would apply. Each of these lists should have at least a rough dollar value associated with them.

3. **Proposed Tree Planting Expenditure:** John Frey, Chair of the Tree Committee addressed the meeting. He explained the three articles in the warrant relating to trees. He did not have an answer to where the proposed \$15,000 requested would come from. John allowed that he had had the opportunity to ask for this money before the warrant closed. It was suggested that there is \$5,000 in the budget for tree planting. It was pointed out that the Selectmen, aware of the request, had evidently prioritized the tree planting below other requests, and that is why it is not in the budget. John pointed out that the Town had lost over 200 trees in the past two years in excess of those few planted. This \$15,000 request would only pay for 30 trees. It would be a token, and not keep up with the public tree loss being experienced by the town.

Page VIII-22 of the budget book has information on the tree population of Lexington.

4. **Discuss/Approve Minutes:** Postponed

5. **Reports on other meetings:** Postponed

6. **Report and Town Meeting – Article by Article Discussion:**

*Article 7: Adoption of Community Preservation Act:*

The following excerpt of Al Levine’s email to Bob Bicknell sent Tuesday, March 08, 2005 9:59 PM, describes our discussion and action on this article.

“It was my sense that everyone on the Committee thought that two items are missing that would be extremely useful for determining what kind of backing the CPA deserves. The items are:

- 1) a list of projects that have either been completed or are presently in progress that would have been eligible to receive CPA funds, so as to help ascertain whether the CPA would be funding projects that are so high in priority that they would be done w/o CPA assistance, and
- 2) a *tentative* best-effort list of items to be funded by the CPA in the first few years, say 5 to be definite, that it is effective.

Some sentiment was expressed during your presence that the 3% surcharge received by the CPA will compete with other needs of the Town like schools and public safety services, and that the CPA should only receive support if the items to be funded by the CPA are to be judged of priority at least as high as these things that compete for this 3% margin. Item (1) above would give the best indication of the importance of the CPA items to be funded.

Given this sense, the Committee took a few minutes to make a motion that would properly express our sentiment. It was (with apologies in advance if I did not record this with perfect accuracy):

Moved that the Appropriation Committee is unable to support the adoption of the CPA at this time because of the absence of a tentative list of projects whose priorities can be evaluated relative to the other needs of the Town.

The Committee voted 8-1 in favor of this motion.”

*Article 8:* The consensus of the meeting was to not take a position and to not request that a member of the Appropriation Committee be appointed to the Community Preservation Committee.

*Article 11: Amend Selectmen-Town Manager Act regarding Town Manager Appointment:* Voted 8-1 not to address this article.

*Article 14: Municipal Lighting Plant:* Voted 9-0 to hold a place for this article but to take no position at this time.

*Article 15: Property Tax Exemptions:*

Voted 9-0 to approve this article pending a check with Town Manager/Town Finance to be sure there is sufficient money in the assessors' overlay fund to cover it. (Note: the assessors' overlay is funded at \$500,000 compared to \$450,000 in 2004, the last non-revaluation year. )

*Article 16: Amend Tree Bylaw:*

Voted 8-1 not to take a position on this article as it has no immediate financial implication and is basically a housekeeping article to bring the bylaw into compliance with the requirements of the Attorney General's office.

*Article 17: Tree Planting and Maintenance:* Voted 8-1 not to support the \$15,000 request.

*Article 18: Tree Revolving Fund:*

Voted 9-0 to approve the \$75,000 revolving fund to be funded through private contributions, with the stipulation that **no money should be spent before it is received.**

*Article 19: Conservation Land Transfer – North Street:* Voted 9-0 not to take a position on this article. It has no immediate financial implication.

*Article 20: Acquisition of Former Middlesex County Hospital Land:* Voted 9-0 to leave this pending.

*Article 21: Former Middlesex County Hospital Open Space:* Voted 9-0 to leave this pending.

*Article 22: Fast Track Auction Law:* Voted 9-0 to support the resolution in the warrant.

*Article 23: Acquisition of Franklin School Apartments:* Voted 9-0 to leave this pending for now. See also comments in the discussion of CPA above.

*Article 24 and 25: Water Distribution and Sanitary Sewer Improvements:* Voted 9-0 to leave these pending. There is no information.

*Article 26: Playgrounds and Recreation:* Deferred to next week.

*Articles 27-31:* Deferred till next week.

*Article 32:* David Kanter recommended we follow the CEC's recommendations on this article:

- a. ADA \$150K: Approved 9-0.
- b. Street Related Improvements \$960K including \$460K from the state: Approved 9-0.
- c1. Traffic Signal Upgrade at Concord Ave. and Waltham St. \$25,000: Voted 9-0 to disapprove.
- c2. Traffic Signal Upgrade at Lowell St. and Maple St.: Voted 9-0 to approve as described in David's version 5 of the AC report.
- d1. Replace Edison Way Sidewalk: Voted 6-3 to approve.
- d2. Make improvements to other sidewalks: Voted 6-3 to approve
- e. DPW equipment replacement \$485,000: Approved 9-0.
- f. Design of new DPW facility \$720,000: Deferred.
- g. Ambulance replacement \$165,000: Approved 9-0.
- h. Evaluate needs for updated and integrated communications systems \$50,000: Approved 9-0.

*Article 33: Traffic Control Signals upgrade and installation for Maple and Lowell Streets intersection and Maple St. and Massachusetts Ave. intersection:* Voted 8-1 to disapprove.

The meeting was adjourned at 11:30 PM.

Paul Hamburger, Acting Secretary

*Approved June 22, 2005*