

Minutes
Town of Lexington Appropriation Committee
April 22, 2009

Place and time: Ellen Stone Room, Cary Memorial Building, 7:48 PM

Members present: Alan Levine (Chair), John Bartenstein (Vice Chair), Richard Eurich, Mollie Garberg, Susan McLeish (Secretary), Glenn Parker, Rob Addelson (*ex officio*, non-voting)

Also present: Edith Sandy, Dawn McKenna

1. **Report from Rob Addelson.** Patriot Partners is still in negotiations regarding the traffic mitigation fee for their rezoning request. They would like to conclude this by next week, which would be one week in advance of the Special Town Meeting where the rezoning proposal will be considered.

The Town will meet with the owners (or representatives thereof) of the Busa property tomorrow to conduct further negotiations.

Rob stated that the motions for Articles 25 and 30 will not be available until Monday, 4/27/2009. This means the committee will be unable to vote on them before the committee's second report is published.

2. **Discuss Article 31 (Appropriate for Authorized Capital Improvements).** Rob Addelson provided history and details for the motion on Article 31.

To cover potential additional expenses related to the methane mitigation project at Lincoln Fields that was approved under Article 31(a) of the 2007 Annual Town Meeting, the Town is proposing to transfer a portion (\$100,000 to \$150,000) of the unused balance of Article 8(i) of the 2003 Annual Town Meeting (\$450,000 borrowed for landfill closure costs, of which approximately \$219,600 has been expended or encumbered) as a supplemental funding source to cover the potential additional cost of this project.

The Committee approved the request by a vote of 6-0.

3. **Proposed Amendment to Article 45.** Edith Sandy described an amendment she plans to offer when Town Meeting takes up Article 45.

The committee did not take a position on the proposed amendment.

4. **Discuss Articles 44, 45, 46, and 9 (rezoning for Hartwell Ave.).** John commented that the report should make note of the volatility of tax revenue derived from commercial real estate, and that the report should indicate the connection between certain revenues and their offsetting expenses (resulting in no net revenue to the Town).

Glenn will assist in assembling and publishing the second report by Saturday, 4/25/09.

The committee recommended approval of Articles 44, 45, 46, and 9 by a vote of 6-0.

5. **Discuss Article 49 (Beal/Ledgemont Rezoning).** The Committee was unable to reach a firm consensus on the best way to report on Article 49, a rezoning article for the Beal Company. The following statement was approved by a vote of 5-1 (Richard opposed):

“The Appropriation Committee has limited its analysis to the projected financial benefits and costs of the proposed rezoning and we believe that the rezoning will provide a net financial benefit to the town and that the fiscal impact study presented by the proponents is sound.”

6. **Discuss Article 48 (Financial Support for Transportation).** Dawn McKenna described her motion for Article 48, which has been revised based on discussions with Town Counsel. The Committee expressed many concerns about the motion, including whether it might be interpreted as a tax and thus rejected by the State Attorney General. Another concern centered on the need to provide town-wide transportation to all owners who are affected by the proposed fee system.

The committee took no position on this Article.

The meeting was adjourned at 10:54 PM.

Respectfully submitted,

Glenn Parker

Approved July 6, 2009