

**Town of Lexington**

**Motion**

**2023 Annual Town Meeting**

**(Articles 10d, 10h, 10j, 10k, 10l, 10n, 10p, 10q, 10r, 11, 12c, 12e, 12f, 12g, 12h, 12i, 12j, 12k, 12n, 12o, 12q, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 17, 18, 20, 22, 24, 30, 35)**

**ARTICLE 10 APPROPRIATE THE FY2022 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET AND CPA PROJECTS**

**MOTION:** That the Town hear and act on the report of the Community Preservation Committee on the FY2024 Community Preservation budget and, pursuant to the recommendations of the Community Preservation Committee, take the following actions:

That the Town reserve for appropriation the following amounts from estimated FY2024 receipts as recommended by the Community Preservation Committee:

1. \$807,500 for the acquisition, creation and preservation of open space, and the rehabilitation and restoration of open space acquired or created with CPA funds;
  2. \$807,500 for the acquisition, preservation, rehabilitation and restoration of historic resources;
  3. \$807,500 for the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of community housing acquired or created with CPA funds; and
  4. \$5,652,500 to the Unbudgeted Reserve.
- d) That \$35,000 be appropriated for Archives and Records Management, and to meet this appropriation \$35,000 be appropriated from the Historic Resources Reserve of the Community Preservation Fund;
- h) That \$300,000 be appropriated for Whipple Hill Trail Repair, Fire Access, and to meet this appropriation \$250,000 be appropriated from the Open Space Reserve and \$50,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- j) That \$285,000 be appropriated for Park and Playground Improvements-Bridge School, and to meet this appropriation \$285,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- k) That \$155,000 be appropriated for Park and Playground Improvements-Justin Park, and to meet this appropriation \$155,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- l) That \$200,000 be appropriated for Public Grounds Irrigation Improvements, and to meet this appropriation \$80,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund and \$120,000 be appropriated from the General Fund unreserved fund balance;
- n) That \$1,500,000 be appropriated for Affordable Housing Trust Funding, and to meet this appropriation \$1,500,000 be appropriated from the Community Housing Reserve of the Community Preservation Fund;
- p) That \$345,125 be appropriated for LexHAB Rehabilitation/Preservation and Installation of Solar Panels, and to meet this appropriation \$345,125 be appropriated from the Community

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Housing Reserve of the Community Preservation Fund;

- q) That \$1,788,900 be appropriated for CPA Debt Service and related costs, and to meet this appropriation \$309,750 be appropriated from the Open Space Reserve, \$771,750 be appropriated from the Historic Resources Reserve and \$707,400 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- r) That \$150,000 be appropriated for Administrative Expenses and all other necessary and proper expenses of the Community Preservation Committee for FY2024, and to meet this appropriation \$150,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund.

(Revised 03/10/2023)

**ARTICLE 11**

**APPROPRIATE FOR RECREATION CAPITAL PROJECTS**

- MOTION:**
- a) That \$150,000 be appropriated for Pine Meadows Golf Course improvements, and all incidental costs related thereto; and that to meet this appropriation \$150,000 be appropriated from Recreation Enterprise Fund Retained Earnings;
  - b) That \$124,000 be appropriated for Pine Meadows Golf Course equipment, and all incidental costs related thereto; and that to meet this appropriation \$124,000 be appropriated from Recreation Enterprise Fund Retained Earnings;
  - c) That \$35,000 be appropriated for the replacement of the Pool Water Chemistry Automated Controllers at the Irving H. Mabee Town Pool Complex, and all incidental costs related thereto; and that to meet this \$35,000 be appropriated from the Recreation Enterprise Fund Retained Earnings.

(03/03/2023)

**ARTICLE 12 APPROPRIATE FOR MUNICIPAL CAPITAL PROJECTS AND EQUIPMENT**

- MOTION:** That the following amounts be appropriated for the following municipal capital improvements and that each amount be appropriated as follows:
- c) Transportation Mitigation \$87,685 for the Transportation Safety Group for certain traffic, pedestrian and bike safety improvements, including the design and construction of smaller scale safety related projects and education programs related to alternative transportation and bike safety, and all incidental costs related thereto, and that to meet this appropriation \$7,685 be appropriated from the Transportation Network Company Special Revenue Fund and \$80,000 be appropriated from the Traffic Mitigation Stabilization Fund;
  - e) Townwide Culvert Replacement - \$390,000 for the repair and replacement of culverts, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and all incidental costs related thereto; and that to meet this appropriation \$390,000 be appropriated from the General Fund unreserved fund balance;

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- f) Equipment Replacement - \$1,755,000 for the cost of equipment for the Department of Public Works and all incidental costs related thereto, and that to meet this appropriation, \$1,755,000 be appropriated from the General Fund unreserved fund balance;
- g) Sidewalk Improvements - \$800,000 for rebuilding and repaving existing sidewalks, and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation \$800,000 be appropriated from the General Fund unreserved fund balance;
- h) Storm Drainage Improvements and NPDES compliance - \$570,000 for constructing and reconstructing storm drains and all incidental costs related thereto, and that to meet this appropriation \$570,000 be appropriated from the General Fund unreserved fund balance;
- i) Comprehensive Watershed Stormwater Management - \$390,000 to fund watershed storm management projects and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation, \$390,000 be appropriated from the General Fund unreserved fund balance;
- j) Street Improvements - \$2,688,312 for road reconstruction, repairs and resurfacing and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, and that to meet this appropriation \$2,688,312 be raised in the tax levy, and authorize the Town to accept and expend any additional funds provided or to be provided by The Commonwealth of Massachusetts through the Massachusetts Department of Transportation;
- k) Hydrant Replacement Program - \$150,000 for the replacement of fire hydrants and all incidental costs related thereto, and that to meet this appropriation \$75,000 be appropriated from Water Fund Retained Earnings and \$75,000 be appropriated from the General Fund unreserved fund balance;
- n) Network Core Equipment Replacement - \$980,000 to replace aging equipment at the core or head end of the Town network, and that to meet this appropriation \$980,000 be appropriated from the General Fund unreserved fund balance;
- o) Network Redundancy and Improvement Plan - \$988,094 to build a stand-alone fiber network for town computing and communications, and all the incidental costs thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, and that to meet this appropriation \$988,094 be appropriated from the General Fund unreserved fund balance; and

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- q) Scanning - Electronic Document Management - \$110,000 to scan existing paper documents into the Town's document management systems, and that to meet this appropriation \$110,000 be appropriated from the General Fund unreserved fund balance.

(03/03/2023)

**ARTICLE 14 APPROPRIATE FOR WASTEWATER SYSTEM IMPROVEMENTS**

**MOTION:** That the following be authorized, and that the following amounts be appropriated for the following capital improvements and that each amount be raised as indicated:

(a) the Select Board be authorized to install sanitary sewer mains and sewerage systems and replacements thereof, and pay all incidental costs related thereto, in such accepted or unaccepted streets or other land as the Select Board may determine, subject to the assessment of betterments or otherwise, in accordance with Chapter 504 of the Acts of 1897, as amended, or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; to appropriate for such installation and land acquisition the sum of \$1,040,404; and that to meet this appropriation, \$400,000 shall be raised through wastewater user fees, and \$640,404 be appropriated from Wastewater Fund Retained Earnings; and

(b)\$75,000 be appropriated for an evaluation of the Town's pump stations and for an update of the asset management plan to provide guidance for future pump station improvements, and all incidental costs related thereto, and to raise such amount \$75,000 be appropriated from Wastewater Fund Retained Earnings.

(03/07/2023)

**ARTICLE 15 APPROPRIATE FOR SCHOOL CAPITAL PROJECTS AND EQUIPMENT**

**MOTION:** That \$1,465,488 be appropriated for maintaining and upgrading the Lexington Public School technology systems, including the acquisition of new equipment in connection therewith, and all incidental costs related thereto, and that to meet this appropriation \$1,465,488 be appropriated from the General Fund unreserved fund balance.

(03/03/2023)

**ARTICLE 16 APPROPRIATE FOR PUBLIC FACILITIES CAPITAL PROJECTS**

**MOTION:** That the following amounts be appropriated for the following capital improvements to public facilities and that each amount be raised as follows:

- a) Public Facilities Bid Documents - \$125,000 for professional services to produce design development, construction documents, and bid administration services for capital projects and all incidental costs related thereto, and that to meet this

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appropriation \$125,000 be appropriated from the General Fund unreserved fund balance;

- b) Public Facilities Interior Finishes - \$\$407,200 for interior finishes in municipal and school buildings, and all incidental costs related thereto, and that to meet this appropriation \$407,200 be appropriated from the General Fund unreserved fund balance;
- c) Public Facilities Mechanical/Electrical/Plumbing Replacements - \$849,200 for replacement of HVAC, plumbing, electrical, and related components and systems that have exceeded their useful life, and all incidental costs related thereto, that to meet this appropriation \$849,200 be appropriated from the General Fund unreserved fund balance;
- d) School Paving and Sidewalks - \$265,000 for school paving and sidewalk improvement programs, including traffic safety improvements, and all incidental costs related thereto, and that to meet this appropriation \$265,000 be appropriated from the General Fund unreserved fund balance;
- e) Municipal Building Envelopes and Associated Systems - \$225,029 for extraordinary repairs and modifications to municipal buildings and systems, and that to meet this appropriation \$225,029 be raised in the tax levy;
- f) School Building Envelopes and Associated Systems - \$1,457,684 for extraordinary repairs and modifications to school buildings and systems, and that to meet this appropriation \$1,457,684 be appropriated from the General Fund unreserved fund balance;

(03/06/2023)

**ARTICLE 17 APPROPRIATE TO POST EMPLOYMENT INSURANCE LIABILITY FUND**

**MOTION:** That \$1,985,486 be appropriated to the town of Lexington Post Employment Insurance Liability Fund established pursuant to Chapter 317 of the Acts of 2002, and that to meet this appropriation, \$2,761 be appropriated from Water Fund receipts, \$3,004 be appropriated from Wastewater Fund receipts, \$240,000 be raised in the tax levy, and \$1,739,721 be appropriated from the General Fund unreserved fund balance.

(03/03/2023)

**ARTICLE 18 RESCIND PRIOR BORROWING AUTHORIZATIONS**

**MOTION:** That this article be indefinitely postponed.

(03/10/2023)

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**ARTICLE 20 APPROPRIATE FOR PRIOR YEARS' UNPAID BILLS**

**MOTION:** That this article be indefinitely postponed.  
(03/07/2023)

**ARTICLE 22 APPROPRIATE FOR AUTHORIZED CAPITAL IMPROVEMENTS**

**MOTION:** That this article be indefinitely postponed.  
(03/03/2023)

**ARTICLE 24 SELECT BOARD TO ACCEPT EASEMENTS**

**MOTION:** That, until July 1, 2024, the Select Board be authorized to acquire on behalf of the Town easements for the following purposes: roads, sidewalks, vehicular, bicycle or pedestrian access or passage, water, drainage and other utilities, where such easements are acquired at no cost to the Town; and are required pursuant to a land use permit, site plan review, or memorandum of understanding.  
(01/24/2023)

**ARTICLE 30 HUMANE PET STORE BYLAW CORRECTION**

**MOTION:** That the Town replace Chapter 9-7(C) of the Code of the Town of Lexington (Human Pet Store Bylaw) with the following:

**C. Enforcement and Severability**

(1) Section 9-7 of this Bylaw shall be enforced by the Town Manager or the Town Manager's designee pursuant to G.L. c. 40, § 21D according to the following schedule:

- 1<sup>st</sup> Offense: \$50
- 2<sup>nd</sup> Offense: \$100
- 3<sup>rd</sup> & Each subsequent Offense: \$300

b. Each unlawful sale or offer for sale shall constitute a separate violation.

(2) This Chapter may also be enforced through any other means available in law or equity. Nothing in this Chapter may be construed to alter or amend any other legal obligations applicable to the sale of fur, or any other entities, under any other law or regulation.

(3) The invalidity of any section or provision of this Chapter shall not invalidate any other section or provision thereof.

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And further that, the Town amend Section 1-6 of the Code of the Town of Lexington by adding under Chapter 9 the following:

**§ 9-7:**

1<sup>st</sup> Offense: \$50

2<sup>nd</sup> Offense: \$100

3<sup>rd</sup> & Each subsequent Offense: \$300

(01/24/2023)

**ARTICLE 35 AMEND ZONING BYLAW SUPPLEMENTAL INCLUSIONARY HOUSING REQUIREMENTS**

**MOTION:** The Planning Board recommends Town Meeting refer this article to the Planning Board.  
(02/24/2023)