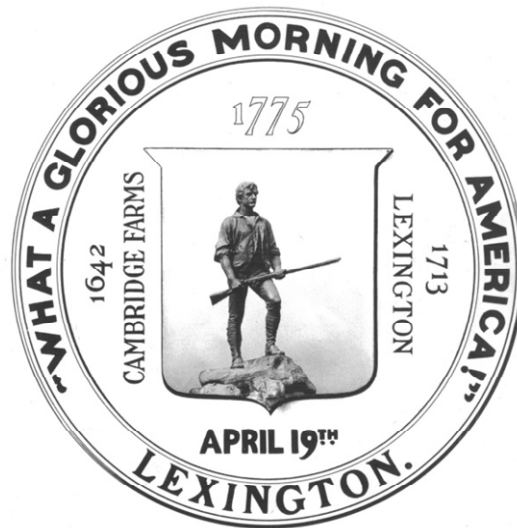


SELECT BOARD TOWN OF LEXINGTON



SELECT BOARD REPORT TO THE 2023 ANNUAL TOWN MEETING

MARCH 20, 2023

Select Board:

Jill I. Hai, Chair ; Douglas M. Lucente, Vice-Chair,
Joseph N. Pato, Suzanne E. Barry, Mark D. Sandeen
Kim Katzenback, Executive Clerk

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March 2023

Message from the Select Board

The Select Board has prepared this written report to Annual Town Meeting 2023 under Article 2. This report contains an update to Town Meeting on issues and topics the Board felt would be of interest to Town Meeting Members. This year we have included a summary of the Select Board's Goals, as set bi-annually and the progress which is being made toward them. Additional topics include updates on the Town's use of and balance remaining from American Rescue Plan Act (ARPA) funds and other municipal finance initiatives, continuing efforts to move forward with our Social Racial Equity Initiatives, an update on Municipal Building Projects, an update on the status of recent actions at Town Meeting regarding Home Rule Petitions and the progress on the Semiquincentennial (250th) Celebration of the Battle of Lexington coming in 2025.

Should you have any questions or comments regarding this report, the Board encourages you to get in touch with any member of the Board. Select Board meetings are generally held Monday evenings at 6:30pm in the Select Board meeting room of the Town Office building, and via zoom. Board members' office hours, as well as the Select Board meeting packets are posted at <https://www.lexingtonma.gov/755/Select-Board>. We can be reached via email (below) or by calling the Select Board Office (781-698-4580) to schedule a phone conversation or meeting.

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Respectfully submitted,
Lexington Select Board

*Jill I. Hai, Chair
Douglas M. Lucente, Vice-Chair
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Select Board Goals

The Select Board established the following five strategic outcome areas for FY2022 & FY2023 to use as road map to help guide the collaborative work of the Board, Staff and Committees.

Community Compass

Lexington is a visionary and sustainable community that values and respects all people, history, and community assets, by:

- Celebrating and fostering our differences in belief, culture, and ability
- Creating effective, respectful two-way communication
- Continuing opportunities to create and share history
- Maintaining and improving our physical assets

Livable Lexington

Lexington provides opportunities for all people to participate in community activities and benefit from Town services that are affordable, accessible, and responsive, by:

- Increasing opportunities for and utilization of safe multimodal transportation
- Actively seeking development of affordable and accessible housing
- Providing financial opportunities and support to enable lifelong residency

Quality Services

Lexington delivers quality municipal services, infrastructure, and amenities for all by:

- Ensuring the health, safety, and well-being of our community
- Balancing the financial impact of existing services and infrastructure with planning for future needs
- Valuing and respecting Town staff
- Effectively engaging Boards and Committees
- Maximizing sustainability and resilience while mitigating negative climate impacts

Fiscal Stewardship

Lexington is committed to fiscal stewardship, which includes:

- Long-term capital and fiscal planning
- Responsible financing and debt management
- Providing staff and resources necessary to deliver quality services
- Ensuring strategic priorities are met

Budget Challenges FY2024 and Beyond

Developing the FY2024 budget for the Town of Lexington presented several challenges for the Select Board. One of our primary concerns was balancing the needs of the community with the available resources while also addressing critical infrastructure and capital projects. We are committed to ensuring that the budget we develop reflects the priorities and values of our community, and we worked closely with Town Departments and Committees to identify areas where we could make strategic investments while also controlling costs.

One of the major challenges we faced this budget cycle was dealing with inflation and the resulting increased expenses in the areas of energy costs, waste management increases, and employee health benefits. We continue to budget cautiously and conservatively, taking these increased expenses into account. Given our limitations, we allocated funds toward a few new initiatives this year including funding to support our public access television, LexMedia, due to decreased Public Educational Government access channel (PEG) revenue, ongoing maintenance for the new Center Streetscape and

sidewalk infrastructure, and additional support to our Human Resources Department to help service the needs of all municipal and school employees.

Additionally, we recognized that while we have made great strides in recent years, there is still much work to be done to maintain and improve our Town's infrastructure. This is a priority for the Select Board, and our FY2024 budget reflects this commitment. We have allocated funds for a number of road and sidewalk projects. We also allocated funds to support our excellent school system and special education needs, and we are continuing our efforts to promote sustainability and environmental stewardship, including expanding our recycling program and investing in renewable energy projects. In addition to these initiatives, we are also committed to maintaining our AAA bond rating and avoiding operating overrides. We recognize the importance of continuing our building reserves in the Capital Stabilization Fund to ensure that larger capital projects and future debt service do not place an unmanageable burden on taxpayers, and we are working to identify opportunities for cost savings and revenue growth to ensure the long-term financial health of our Town.

Budgeting can be a complex and difficult process, and we are grateful for the support and engagement of our colleagues on the School Committee, the Appropriation Committee and the Capital Expenditures Committee as well as residents as we work through these challenges. We are grateful to the municipal and school staff who work diligently to help bring this budget to Town Meeting. We are committed to ongoing evaluation and refinement of our budgeting process, with a focus on identifying areas for cost savings and revenue growth. We believe that with collaboration and careful planning, we can continue to meet the needs of our community while also maintaining our fiscal responsibility.

The Select Board recognizes the challenges we face in developing the FY2024 budget and beyond, but we are committed to addressing these challenges. We appreciate the support of our residents, and we look forward to continuing to serve Lexington in the year ahead.

American Rescue Plan Act (ARPA) Funding

In 2021, the Town of Lexington received \$9,903,381 in funding through the American Rescue Plan Act (ARPA) to help the community recover from the COVID-19 pandemic. The federal government has specified several objectives for the use of ARPA funds, such as supporting COVID-19 response efforts, economic stabilization, and investing in infrastructure, including water, sewer, and broadband. Certain uses of funds are not eligible, such as replenishing reserves and reducing tax revenues. .

To ensure that the ARPA funds are used to address the immediate needs of residents and businesses in areas such as housing, food insecurity, public health and safety, and economic stimulus, the Select Board has identified priorities for ARPA spending and a participatory budgeting process.

As of December 5, 2022, the Select Board has approved for use \$5.4 million of Lexington's \$9.9 million in ARPA funds. Additionally, \$1.1 million of the Town's ARPA funds are set aside for Participatory Budgeting. The current unallocated balance of the Town's ARPA funds is \$3.3 million, which is available to be spent until the end of 2024.

A top priority of the Select Board was spending in the area of Economic Stimulus & Resiliency. To that end, the Select Board has approved a total of \$2.4 million in funding for various cultural organizations, events, park improvements, small business assistance, pop-up business incubators, website rebuilds, non-profit business assistance, and landscape improvements to the East Lexington bike path. In addition, the Select Board has allocated \$1.1 million for public safety and health, including funding for equipment like respirator protection, electronic sign boards, AED devices, and an ATV ambulance, as well as additional overtime and mental health services to aid in COVID-related issues. To address food insecurity, \$50,000 has also been allocated.

The Select Board further allocated \$875,000 for housing-related projects, including funds for LexHAB to purchase houses, funds to develop a Municipal Housing Trust and Development Corporation proposal, and funds for Vine Street Affordable Housing Design. The Select Board has also approved \$321,609 for pandemic-related expenses, including additional staffing for the Human Resources Department, solutions for remote/hybrid meetings, and outdoor shelters for the Recreation Department.

To ensure that the community has a voice in the allocation of the ARPA funds, the Select Board has implemented a Participatory Budgeting (PB) process. This democratic process allows residents to propose and vote on projects that will be funded using a portion of the ARPA funds. The PB process for FY2023 in Lexington has taken place over the past several months and is currently in the Voting Phase. The Town received 136 project submissions. The Select Board narrowed the list down to 13 projects that met the criteria, including being able to be completed within a year, benefiting the community, and being able to be funded within the allocated budget. These projects range across various categories, including Transportation, Streets, and Sidewalks; Arts & Culture; Parks and Recreation; Environment & Sustainability; and Public Health.

Social Racial Equity Initiatives

The Select Board recognizes that social and racial injustice has deep roots. The Board has made a proactive and ongoing commitment to engage in comprehensive and ongoing community conversations to better understand community needs and to consider diversity, equity, and inclusion in policies and plans, all with the goal of making Lexington a truly equitable community for all.

The Select Board has adopted Diversity, Equity & Inclusion as one of its top priority goals, including a commitment to develop and implement a comprehensive racial equity plan, consider racial and other equity impacts in all decisions and planning processes, and incorporate the goals of Town Meeting's systemic racism resolution in each department's goals and objectives. The Select Board recognizes that accomplishing these goals will require and budgetary commitment to training and continuous improvement.

The Chief Equity Officer (CEO) leads the Town in achieving these goals while prioritizing community engagement. The CEO is currently actively focused on expanding the applicant pool for Town staff positions, with the goal of hiring and retaining staff of diverse backgrounds and identities. The CEO also secured a \$50,000 Community Compact grant to conduct an internal equity audit to better understand the gaps and barriers that create inequities. The audit will also review policies, survey focus groups, and work with senior staff to assess their readiness to implement the recommendations of the audit.

The Chief Equity Officer also facilitates a series of community engagement and communication initiatives designed to build relationships with cultural groups including:

- Forming the Strategic Equity Advisory Team (SEAT) with representatives from as many communities as possible,
- Launching the Coffee with the [Police] Chief program to foster better understanding and communications between the community and the Police Department.

The CEO facilitated the first Coffee with the Chief session attended by 20 highly engaged residents who were able to ask questions of Chief McLean and other Police Department staff. The CEO is also developing a joint grant application to fund community training and conversation around diversity, equity, and inclusion.

The Lexington Police Department (LPD) continues to review the recommended policy changes submitted by Lexington Town Counsel (Anderson & Kreiger LLP). LPD has completed the implementation of 30 of

the 32 policy change recommendations. The LPD is awaiting decisions from the POST Commission that will allow our Accreditation Team to collaborate with the CEO to implement the remaining 2 policy change recommendations. The Police Chief and the entire department are committed to implementing the recommendations of the report and to continuous and ongoing improvement in this areas of DEL, community engagement and transparency.

Update on Municipal and School Building Projects

The Board continues to address the issues of maintaining and improving our municipal and school building infrastructure. The following is the current status of Lexington’s building projects.

Westview Cemetery Administration Building

Start Date: April 2022

Estimated Project Completion Date: May 2023

Project Budget: \$4,330,000

Funding: ATM 2017 Article 12o / ATM 2020 Article 16k / STM 2021-1 Article 7

Design funding of \$270,000 was approved at ATM 2017. Initial construction funding of \$3,290,000 was approved at ATM 2020 under Article 16k. Initial construction bids came in higher than the appropriated amount. As a result, Town Meeting approved additional construction funding of \$770,000 at STM 2021-1 under Article 7.

The Westview project is in the final phases of construction. Rough HVAC, electrical and plumbing work has been completed. The Department of Public Facilities expects project completion by the end of May 2023.

Lexington Police Station

Appropriation: \$34,517,622

Status: Construction start September 2022

Estimated Project Completion Date: Mid 2024

Funding: ATM 2018 Article 14 / STM 2021-1 Article 5a / STM 2022-1 Article 2 / Pending ATM 2023 Article 16i

The new Police Station facility is being constructed in compliance with the Town’s Integrated Building Design and Construction Policy to be solar ready in furtherance of the Town’s Net Zero goals. The current solar ready police station building design and construction includes all infrastructure including handholes, underground conduit, duct banks, two switch gears (one for the building operations including solar generation and one for electric fleet vehicle charging), automatic transfer switches, a room within the facility for the equipment necessary to support solar power generation, reinforced roof systems for rooftop solar and onsite battery storage.

The Select Board voted unanimously to support bringing whatever project is found to be satisfactory to the stakeholders to Town Meeting, with a goal to have the solar project constructed at the same time as the Police Station to maximize efficiencies with the site contractor. The Historic Districts Commission has approved an appropriate solar design for review by ATM 2023.

Hosmer House

Appropriation: \$50,000

Funding: STM1 2018 Article 5 / ATM 2020 Article 10m(2) Not approved

The Historic District Commission and Select Board approved moving the Hosmer House to an alternate location within Lexington, prior to commencement of the Police Station construction project. The Hosmer House was moved in November 2022 by a private party and relocated to Blossomcrest Road where it is being redeveloped as a home

Lexington Fire Department Headquarters

Construction Start Date: November 2018

Project Completion Date: October 2020

Project Budget: \$19,943,700

Funding: STM 1 2017 Article 2 / STM 4 2017 Article 4 / ATM 2018 Article 13

The Town has completed the installation of a 41.7 kW solar energy system on the roof of the Fire Station.

Old Reservoir Bath House Renovation

Appropriation: \$620,000

Funding: ATM 2019 Article 14g

All initial bids received by the Town exceeded the appropriation approved by Town Meeting. The Department of Public Facilities and Recreation Department staff have developed procurement alternatives required to complete the project. Final engineering work is being completed now with the expectation that the project will be advertised for bid this spring. If those bids are within appropriation, the construction project is expected to begin this fall.

Center Bathroom & Maintenance Building Renovation

Appropriation: \$1,180,000

Funding: ATM 2020 Article 16b / ATM 2021 Article 16g / ATM 2022 Article 10e / STM 2022-3 Article 5

2020 Annual Town Meeting approved \$100,000 in design and engineering funds for the Center Bathroom building renovation project. At the 2021 Annual Town Meeting, the Select Board recommended indefinite postponement of warrant article 16g requesting \$915,000 in construction funding to a future Town Meeting. 2022 ATM approved warrant article 10e requesting \$680,000 in additional funding for this project. STM 2022-3 approved warrant article 5 requesting \$400,000 in additional funding for this project.

The Town recently received a successful general contractor bid of \$815,000 for this project. A meeting with the contractor, Recreation Department and DPW staff has been set to establish the construction schedule. The project is expected to take 6 months to complete.

Lexington High School Feasibility Study

Appropriation: \$1,825,000

Funding: STM 2022-2 Article 2

The Massachusetts School Building Authority (MSBA) invited Lexington to participate in the MSBA's eligibility period for the Lexington High School in March 2022. Lexington has formed a School Building Committee to manage the MSBA process for the Lexington High School Project. The Town completed the preliminary requirements defined by the MSBA. Lexington received our design enrollment certification from the MSBA stating that the Lexington High School proposed project will be based on an enrollment of no more than 2,395 students in grades 9-12.

On March 1, 2023, the Lexington High School project was invited by the MSBA Board of Directors into the next Module, the Feasibility Study. The School Building Committee will partner with the MSBA on

the process of selecting the Owners Project Manager and the Designer for the project beginning immediately. The expectation would be to have these two important pieces of the team in place by October 2023, whereupon the formal Feasibility Study work will commence. The Feasibility study is expected to be completed by October 2024.

The Town of Lexington is currently estimating a total cost for the Lexington High School project of \$400 million.

Update on recent Home Rule Petitions

There are six home rule petition requests approved at recent Town Meetings that remain under consideration by the legislature. No final action has been taken by the legislature on any of these petitions.

- *STM 2020-2: Article 6* - Authorize Special Legislation Development Surcharge for Community Housing (Citizen Petition)

[Bill H.4314 \(malegislature.gov\)](https://malegislature.gov) An Act authorizing a development surcharge for community housing in the town of Lexington

Status: Reported favorably by the Joint Committee on Municipalities and Regional Government. Referred to the committee on House Steering, Policy and Scheduling, reported out for second reading. Second reading on 7/31/2022 and ordered to a third reading. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.3088.

<https://malegislature.gov/Bills/193/HD3088>

- *ATM 2021: Article 26* - Petition General Court to Amend Legislation Regarding Permanent Transportation Funding

[Bill H.3892 \(malegislature.gov\)](https://malegislature.gov) An Act authorizing the town of Lexington to establish transit improvement districts

Status: Referred to Joint Committee on Transportation, reported favorably after study. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.2481.

<https://malegislature.gov/Bills/193/HD2481>

- *ATM 2021: Article 29* - Clean Heat-Authorize Special Legislation to Regulate Fossil Fuel Infrastructure and Adopt Bylaw Amendment Enabling Legislation

[Bill H.3893 \(malegislature.gov\)](https://malegislature.gov) An Act authorizing the town of Lexington to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction

Status: Referred to Joint Committee on Telecommunications, Utilities and Energy
No further action by the end of the legislative session.

The need for this home rule petition has been largely made moot by Chapter 179 of the Acts of 2022 authorizing a demonstration program for municipal regulation of fossil fuels in new construction. Lexington is one of the ten communities identified as eligible to participate in the Department of Energy Resources regulations implementing these provisions in the Climate Bill.

- **ATM 2021: Article 36** – Authorize Special Legislation-Development Surcharge for Affordable Housing (Citizen Petition)

[Bill H.3891 \(malegislature.gov\)](https://malegislature.gov) An Act to establish a surcharge on specific commercial development activities for the purpose of funding the creation of community housing

Status: Passed by the House but did not reach a third reading in the Senate. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.3085.

<https://malegislature.gov/Bills/193/HD3085>

- **STM 2022-2: Article 3** – Amend General Bylaw to Allow Remote Participation at Hybrid Town Meetings

[Bill H.4876 \(malegislature.gov\)](https://malegislature.gov) An Act authorizing the town of Lexington to allow remote participation at town meetings

Status: Reported favorably by the committee on Election Laws and the committee on House Steering, Policy and Scheduling. Concluded a second reading and ordered for a third reading. No further action by the end of the legislative session.

Refiled in the 193rd (Current) session of the legislature as Bill HD.118.

<https://malegislature.gov/Bills/193/HD118>

- **STM 2022-3: Article 14** – LEXHAB Reorganization

Filed in the 193rd (Current) session of the legislature as Bill HD.119. An Act reorganizing the Lexington Housing Assistance Board, Inc <https://malegislature.gov/Bills/193/HD119>

Status: No action yet taken.

2025: The 250th Anniversary of the Battle of Lexington

The Semiquincentennial Commission (Lex 250) continued their work on helping the Town of Lexington plan events for the 250th Anniversary of the Battle of Lexington and Concord. Accomplishments in the past year included a jury selecting a logo for the 250th from student submitted artwork, producing a video in collaboration with LexMedia that is shown on a monitor at the Visitor’s Center, working with Town Counsel on securing trademark protections, working on preliminary public relations guidelines, holding two community kickoff meetings to make residents aware of the events and encourage groups and residents to get involved, secured \$75,000 in initial funding from Special Town Meeting in November 2022 to be used towards a dedicated website, memberships, printing and promotional materials.