

**BOARD OF SELECTMEN MEETING MINUTES – Final
Public Health Emergency Response Update Virtual Meeting
Pursuant to Governor Baker's March 12, 2020 Order
Suspending Certain Provisions of
Open Meeting Law.
Zoom Meeting ID# 918 3237 5325
Monday April 26, 2021
6:30 P.M.**

PARTICIPANTS: James Craig, Selectmen Chair
(Virtually) Jennifer Glass, Selectman
Jonathan Dwyer, Selectman
Tim Higgins – Town Administrator
Peggy Elder – Administrative Assistant

WELCOME & INTRODUCTIONS:

- Mr. Craig opened the meeting at 6:30 pm and noted that this meeting is being held remotely in a way that is consistent with Governor Baker’s Executive Order of March 12, 2020 in order to mitigate the transmission of COVID-19 virus. The order suspends the requirement to hold meetings in a publicly accessible physical location and it allows bodies to meet entirely remotely so long as there is reasonable public access. Mr. Craig noted that this evening a public comment portion has been built into the meeting that will take place after they have gone through the discussion items on the agenda. He respectfully asked that the public participants keep their video and microphones off until that time. Mr. Craig reported that in addition to Zoom, this meeting is being broadcast on Comcast channel 8, Verizon channel 33, and is available through the Town website at www.lincolntown.org. He noted that this meeting is being recorded and that attendees are participating via video conference.

ANNOUNCEMENTS:

- None

APPOINTMENTS:

- Citizens’ Petition: Mothers Out Front & the L-S Environmental Club –
 - Emily Haslett, Trish O’Hagan, and Staci Montori from Mothers Out Front (MOF) have been working in partnership with the L-S Environmental Club to develop the two proposed bylaws and a proposed legislative petition to be presented for votes at the Annual Town Meeting:

Their Proposed Bylaws Are:

Article #37 (Polystyrene Restriction Bylaw): Proposed General Bylaw; majority vote required.

- Would prohibit the sale of polystyrene products in restaurants and retail establishments. Bylaw includes list of banned products.
- Exempts polystyrene purchased outside Lincoln for personal use. BOH may exempt if determines hardship.
- Enforcement by Board of Health. Fine of up to \$300.
- Town Counsel is in the process of reviewing. Comments are expected next week.

Article #38 (Plastic Checkout Bag Fee): Proposed Legislative Petition/Special Act; majority vote required.

- If approved by Legislature, this would give the Town authority to require retailers to charge a 10-cent fee for nonreusable checkout bags. The funds generated would be retained by the retailer.
- This petition was modeled after a similar petition that was approved in Sudbury.
- As drafted by the petitioners, the measure would become effective when approved by the Legislature and signed by the Governor. There is no requirement that the measure come back to Town Meeting for ratification.

Article #39 (Prohibition on Disposable Plastics: straws, stirrers and splash sticks): Proposed General Bylaw; majority vote required.

- Would prohibit the sale of plastic straws, stirrers and splash sticks in any retail establishment – defined broadly to include grocers, merchandise retailers, pharmacies, etc.
- Exempts disposable plastics that are carried in by patrons; those needed for medical reasons; and by determination of BOH.
- Enforcement by Board of Health. Fine of up to \$300.
- Town Counsel is in the process of reviewing. His comments are expected next week.

Mr. Craig took a moment to thank MOF for their work to get the Swap Table back up and running at the transfer station.

- Property Tax Study Committee (PTSC) – Ms. Glass made a presentation on behalf of PTSC. The full Committee roster is comprised of: Ms. Glass, Gina Halsted, Kenny Mitchell, Sara Mattes, Brendan Coughlin, Ellen Meadors, David Levington, Abigail Butt, and Tim Higgins. The PTSC Recommendation:
 - Ask Town Meeting to authorize submission of a legislative petition that would allow the Town to create a property tax circuit breaker extension program for qualified homeowners. The legislative petition appears as Article/Motion #33. As drafted by

PTSC, the petition would require a ratification vote by Town Meeting after legislative approval.

- Key provisions:
 - Would provide an additional benefit to qualifying homeowners, over and above their eligibility for the State's property tax circuit breaker.
 - Eligibility Criteria:
 - Goal: To keep real estate taxes below 10% of income
 - Age: 65 and over
 - Income: Consistent with State Circuit Breaker (\$60,000 single and \$90,000 married in 2021)
 - Residency: Has owned property for a minimum of 5 years
 - Asset Test: Max assessed value of home may not exceed the mean value of all owned single-family units in the town.
 - Funding Source: The cost will be absorbed through a slightly higher property tax rate for the majority of the Town's taxpayers. This funding mechanism will effectively shift the burden from those who will receive the financial benefit to the remaining taxpayer base. No additional revenue generated – again, a burden shift.
 - Budget Predictability: Predictability is achieved via a program cap of .5% of levy in year #1, increasing to a cap of 1% of levy in year 2 and beyond.
 - Sunset: Must be renewed by vote of Town Meeting every three years.
 - Frame of Reference (Sudbury Experience):
 - 100 applicants approved
 - Average benefit \$4,400
 - Total budget \$429,000 (FY 21)
 - Average tax increase \$75.00
 - The PTSC presented its Report to the Board last March. A few of the recommended program elements have changed.
- Council on Aging Name Change - Abigail Butt, Council on Aging Director – Ms. Butt joined the meeting to briefly discuss the logic for the proposed name change under Article #26 from COA to “Council on Aging and Human Services.” Dilla Tingley, COA Board Chair, is also going to participate. Using a short series of slides, Ms. Butt showed COA is now providing services to a broad cross-section of the population – not just to Lincoln's seniors. The proposal is in the form of a General Bylaw amendment and it requires a majority vote. The relevant Bylaw section is Article XV which outlines the role and membership of the COA board.
- Board of Selectmen/Citizen Petitioners: Article #24, BOS Name Change/Gender Neutral Bylaws; general bylaw; majority vote required.
 - Peter Von Mertens joined the meeting representing the initial group supporting the name change.
 - Language of the motion was approved by Town Counsel and makes clear that any and all references in the bylaws will be changed from Board of Selectmen and Selectman/men to

Select Board and Select Board Member/s respectively. Also includes a clause to avoid any conflict with state law.

TOWN ADMINISTRATOR'S REPORT:

- COVID Vaccination Planning – Mr. Higgins reported that local clinics are being discontinued for the time being. Awaiting state response to Lincoln's proposal for regional clinic in partnership with eight area towns.
- Annual Town Meeting – Mr. Higgins reported that the Warrant has been signed and posted as required by town bylaw, well before the deadline. He added that the Board has the most current version of the Article List in their meeting packet. He reported that the Motions are currently 95% complete. He expects Town Counsel's comments next week. Mr. Higgins said that all key presenters have been scheduled for an April/May discussion with the Board. In preparation for the virtual presentations, instructions have been sent to all boards and presenters who are in the process of recording and posting their virtual presentations. He added that he, Sarah Cannon-Holden, and Jennifer Glass are planning to record their overview of Town Meeting next week. It will have very similar content to the presentation that they posted last year.
- Swap Shed Reopening Plan – Mr. Higgins reported that he is working with Department of Public Works and Mothers Out Front (MOF) to rejuvenate the volunteer program. MOF has agreed to take lead. They have placed a call for volunteers. He added that if a sufficient number of volunteers emerges, the plan is to reopen on May 8th subject to health and safety protocols.

DISCUSSION:

- Liaison Reports:

Roadway and Traffic Committee (RTC) – Mr. Dwyer reported that the RTC met and discussed historic markers on signs around town. Mr. Dwyer referenced the type of signs that are seen on the tops of some road signs in Concord. They are typically white oval signs and denote some historical significance of the road/area or the historical name for that road. He added that the Historical Society is proposing 4 or 5 signs.

Mr. Dwyer reported that the RTC also discussed the proposed Rte. 2A resurfacing project. The Minute Man Historical National Park is pursuing funding through the Federal Highway Funding Administration for additional footpaths as well as an extension of the footpath on the Concord side of Bedford Rd. toward Rte. 2A which currently ends roughly 150 feet before Rte. 2A. This is part of the National Park, and they are taking on the task of connecting that path to Rte. 2A where the crosswalk will be and to the paths leading to the Park.

Battle Road 250 – Mr. Dwyer reported that he has been working with Lincoln Historical Society, Lincoln Minute Men, Parks & Recreation, and Lincoln Police Department to make sure that everyone is aware that Battle Road 250 exists, and they will be formalizing plans to meet with those groups. He has not spoken with Lincoln Fire Department or the DPW yet, but he will. He

noted that these groups make up the nucleus for logistics, parking, transportation, crowd control, and regional ideas for safety and how to celebrate this event.

School Building Committee (SBC) – Ms. Glass reported that the SBC met since the last Board meeting. She noted that those who have not been on the campus since the last Town Meeting will notice lots of changes.

Board of Selectmen Listening Session – Ms. Glass reported that she has a listening session scheduled for May 7th at 1:00 and she noted that she will be joined by members of the Green Energy Committee (GEC) to answer questions about aggregation and the Lincoln Green Energy Choice program.

South Lincoln Planning Advisory Committee (SLPAC) – Mr. Craig reported that SLPAC met last week, noting that they had approved a survey that will be released soon which seeks input from the public on what they may or may not want to see in terms of zoning changes in the Lincoln Station area. He added that SLPAC will be focusing on the Lincoln Station side of that area, along with businesses that are on the opposite side of Lincoln Road.

OPEN FORUM:

- None

ACTION ITEMS:

- Board of Selectmen Newsletter - Mr. Dwyer made a motion to approve the newsletter. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.
- Battle Road Scenic Byway Appointment - Ms. Glass made a motion to appoint Jennifer Curtin, Assistant Director of Planning & Land Use, as the staff representative to the Battle Road Scenic Byway Committee. Mr. Dwyer seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.
- Council on Aging Board Appointment - Mr. Dwyer made a motion to appoint Kathy Ramon to the COA Board. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.
- Articles #37, #38, and #39 - Mr. Dwyer made a motion that the Board not take a position on Articles #37, #38, and #39. Mr. Craig seconded the motion. With no further discussion, the motion was approved with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Nay.
- Article #35 - Mr. Dwyer made a motion that the Board support Article #33 as presented tonight. Ms. Glass seconded the motion. With no further discussion, the motion was unanimously approved with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.
- Article #26 - Ms. Glass made a motion that the Board support Article #26. Mr. Dwyer seconded the motion. With no further discussion, the motion was approved with a roll call vote: Craig: Aye; Dwyer: Abstain; Glass: Aye.

- Article #24 - Ms. Glass made a motion that the Board support Article #24. Mr. Dwyer seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

CORRESPONDENCE:

- None

WARRANTS:

- Mr. Dwyer made a motion to approve the warrants dated April 19, 2021. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.
- Ms. Glass made a motion to approve the warrants dated May 3, 2021. Mr. Dwyer seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

MINUTES:

- Minutes for April 5, 2021 - Ms. Glass made a motion to approve the minutes of April 5, 2021. Mr. Dwyer seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

Ms. Glass made a motion to adjourn. Mr. Dwyer seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Craig: Aye; Dwyer: Aye; Glass: Aye.

The meeting adjourned at approximately 9:06 P.M.

Submitted by Peggy Elder
Approved 09/13/21