

**SELECT BOARD MEETING MINUTES – Final**  
**Hybrid Meeting**  
**Pursuant to Governor Baker's March 12, 2020 Order**  
**Suspending Certain Provisions of**  
**Open Meeting Law.**  
**Zoom Meeting ID# 938 4860 9485**  
**Monday May 22, 2023**  
**6:30 P.M.**

**IN PERSON PARTICIPANTS:** Jim Hutchinson, Select Board Chair  
Jennifer Glass, Select Board Member  
Kim Bodnar, Select Board Member  
  
Tim Higgins, Town Administrator  
Lt. Sean Kennedy – Lincoln PD

**VIRTUAL PARTICIPANTS:** Peggy Elder, Administrative Assistant

**WELCOME & INTRODUCTIONS:**

Mr. Hutchinson opened the meeting at 6:30 pm and noted Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, as further extended most recently by Governor Healey’s March 29, 2023 signing of a bill extending said authorization to March 31, 2025, this meeting of the Lincoln Select Board will be conducted as a hybrid meeting, providing the public the opportunity to participate in-person or remotely.

Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Lincoln website, at [www.lincolntown.org](http://www.lincolntown.org).

**ANNOUNCEMENTS:**

**APPOINTMENTS:**

- Railroad Crossing Safety – Mr. Higgins began by explaining that there was a near-miss at the Route 117 train crossing in April of 2022, involving a Lincoln family that was returning from L-S to their home on Old Sudbury Road. The MBTA’s investigation concluded that the crew member who was performing routine maintenance at the crossing failed to follow proper procedures during the maintenance process, causing the gates to remain in the upright position as the train traveled through the crossing. There were multiple meetings with MBTA/Keolis officials to make sure the town understood the circumstances and causes, and to ensure that MBTA’s plan for corrective actions was appropriate. The Chief and Lieutenant have been Lincoln’s point people for follow-

up with the MBTA and their operations contractor, Keolis. They have also kept the Lincoln family that was involved in the incident updated.

Lt. Kennedy met with Ryan Coholan of the MBTA last Thursday. There were five confirmed formal recommendations outlined in a letter from Mr. Coholan. He added that all maintenance and signal staffers have been educated on the new protocols. These new protocols have been included in their training manuals. In addition, as part of their training staff is required to watch video of this near miss so that they can visualize what can happen. The Town requested signage warning motorists and pedestrians that work is being done at the crossing and that is now being used in Lincoln. They also requested extra flaggers when work is being done and the MBTA would handle that on a case-by-case basis and assess whether it would make any measurable impact on safety. Lt. Kennedy reported that according to Mr. Coholan, all the signals on the Fitchburg line are 8 years old. He added that they plan on replacing all of them over the next 5 years.

#### **OPEN FORUM:**

- None

#### **TOWN ADMINISTRATOR'S REPORT:**

- Public Comment Period Policy – Mr. Higgins reported that it is not uncommon for municipal boards to adopt policies providing structure for public comment periods they may offer as part of their regular meetings. Other than the School Committee, Lincoln has chosen not to adopt such a policy. The recent Massachusetts SJC decision in the Southborough Select Board case has prompted renewed interest in the topic. The SJC's ruling does not remove the Town's ability to have a policy that sets reasonable rules for public comment periods; however, it does prohibit "standards of civility" that require participants to act in a "courteous and civil manner". Mr. Hutchinson suggested that the Board come up with a draft policy and ask for feedback from other boards or committees. Mr. Higgins offered to come up with a draft policy and let the other boards and committees what they are thinking about regarding this issue.
- Special Town Meeting Date – Mr. Higgins reported that he had asked the Community Center Building Committee (CCBC) whether some additional time would be helpful before deciding whether to schedule the Special Town Meeting (STM) in early November, which is our customary date, or instead push out to December. He added that he also placed a call to The Commons for an update on their intentions. He and Assistant Town Administrator Dan Pereira recommend scheduling the STM for Saturday, December 2<sup>nd</sup> which would be more than one week after Thanksgiving, and one week prior to Hanukkah. Ms. Glass made a motion to set the date for the Fall Special Town Meeting for December 2, 2023. Ms. Bodnar seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.
- L-S Excess & Deficiency Funds – Mr. Higgins noted that the 45-day clock expires June 9<sup>th</sup>. This will be included on the Board's June 5<sup>th</sup> Retreat meeting agenda as an action item. Finance Committee Chair Andy Payne has been asked to accommodate the Board's schedule and to schedule a brief meeting prior to the Board's meeting on June 5<sup>th</sup>.

- Fossil Fuel-Free Demonstration Project – Mr. Higgins reported that the Department of Energy Resources (DOER) has filed its revised draft regulations. Planning & Land Use Director Paula Vaughn-McKenzie has requested comments in response to their updated draft. He added that it was the Town’s understanding that we should not submit our application until the final regs are issued in July. The materials are ready to submit.

**DISCUSSION:**

- State of the Town/Community Charrette/ Concept – Ms. Glass reported that she has sent a draft out to all four key boards that would be expected to present at SOTT. She added that she believes that the Boards/Committees will give it some thought and provide feedback. The Housing Choice Group has two public outreach meetings coming up in June and those will likely give the Board some idea of how September will go. Ms. Bodnar added that the execution of those 45-minute sessions is going to make or break how they do. Mr. Higgins noted that he has let the staff that support the boards/committees know to get this onto their agendas well in advance of the SOTT to start their planning. Ms. Glass suggested that the Finance Committee consider putting together a presentation that residents could watch ahead of the SOTT that could explain the financial aspects of the projects prior to attending the SOTT.
- Community Center Building Committee (CCBC) Update - CCBC attended this week’s Planning Board (PB) meeting to provide an update to the full Board. The PB is especially concerned about traffic circulation throughout the campus. PB wants to see site plans that separate traffic and parking from the areas where pedestrians are walking, and children are playing. The committee also had its regular meeting. The immediate focus is preparing for the May 23<sup>rd</sup> public forum when they will be introducing the site analysis and tradeoffs. In June they will begin to assemble the pieces (program, site, budget estimates) for an important forum on June 13<sup>th</sup> which will be the first presentation and discussion of the three project concepts. Outreach/Communication activities are increasing each week, including the publication of the committee’s Weekly Update. Ms. Bodnar added that she doesn’t think residents realize how tight the site is and suggested taking a drone video to show the site for a better visual.
- Pride Proclamation – Ms. Glass noted that last year was the first year that the Town proclaimed June as Pride Month. She drafted a revised Pride Month in Lincoln proclamation that includes “states and localities throughout the nation and the world continue to enact laws violating the rights of LGBTQIA+ individuals.” to highlight the continued challenges the LGBTQI+ community continues to face. Mr. Hutchinson made a motion to approve the Pride Proclamation as presented. Ms. Bodnar seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.
- Juneteenth Proclamation – Ms. Glass noted that this would be the third year that the Board has issued a Juneteenth proclamation. She drafted a revised proclamation for the Board’s consideration that provides information about the history of slavery in Massachusetts and Lincoln. She volunteered to reach out to First Parish, St. Ann’s, and St. Joseph’s to coordinate the bell ringing on Juneteenth. Ms. Bodnar made a motion to approve the Juneteenth Proclamation as amended. Mr. Hutchinson seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.

- Liaison Reports –

250<sup>th</sup> Celebration – Ms. Bodnar began her report with the following historical fact from Donald Hafner’s book, “Tales of the Battle Road, April 19, 1775”: *On April 19, 1775, more British soldiers were killed along their path through Lincoln than in the clashes in Lexington and Concord combined.*

The 250<sup>th</sup> Committee met on Friday. Members from the Historical Society, Bemis Trustees, Parks & Recreation, The Schools, Public Safety, Public Works, Town Administration, Lincoln Minutemen, and Ray Shepard the Lincoln representative for the Massachusetts Special Commission, joined Ms. Bodnar for the kickoff meeting. She noted that Mr. Hafner has volunteered to take the committee on a tour of the Battle Road, adding that she thought that making sure everyone knew what the events of April 19<sup>th</sup>, 1775, meant to the people of Lincoln would really help spark creativity and help make the celebration in 2025 a success. Mr. Higgins reported that the four towns were going to collectively hire an events coordinator and marketing firm with each town planning on using some of the funds they received from the latest economic development bill. Ms. Bodnar reported that she spoke with Senator Barrett’s aid last week regarding the proposed shuttle emphasizing how important this shuttle will be. It would be free for anyone to take and will bring visitors from sites in Lincoln, Concord, and Lexington. Currently, there is no funding for this shuttle.

Inclusion, Diversity, Equity, & Anti-Racism (IDEA) – Ms. Glass reported that she attended the latest training session that was about systems thinking versus linear thinking. Building town environment focused on IDEA is much more than just hiring some people; it is having multiple systems in place such as mentoring and making sure that there is a support network. She noted that there is another training session tomorrow. There will be a very detailed report of the results of the staff survey, community survey, as well as the focus groups.

Housing Choice Act – Ms. Glass reminded everyone of the multi-board meeting to be held on June 6<sup>th</sup>, public forum on June 16<sup>th</sup>, and public forum on June 20<sup>th</sup>. The forum on the 16<sup>th</sup> will be held in the Donaldson Room in Town Offices, and the Forum on the 20<sup>th</sup> will be virtual. She encouraged people to register ahead of time for that date.

Hanscom Area Towns Committee (HATS) – Mr. Hutchinson reported that the committee has met and has gotten back on track. He added that he would like to focus the group on tasks within the HATS charter that are not already well covered by staff or other committees.

## **ACTION ITEMS:**

- Planning Board Appointment - Ms. Glass made a motion to appoint Andy Bennett to the Planning Board as an associate member. Mr. Hutchinson seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.
- Conservation Commission Appointment - Ms. Bodnar made a motion to appoint Mark Masterson as a new member of the Conservation Commission. Mr. Hutchinson seconded the motion. With

no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.

- Municipal Relief Act – Mr. Hutchinson made a motion to accept the provisions of the Municipal Relief Act, Chapter 44, section 33b for FY23 authorizing the Finance Director and Town Accountant to make year-end transfers. Ms. Glass seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.

#### **CORRESPONDENCE:**

- Representative Peisch's Legislative Update

#### **WARRANTS:**

- Mr. Hutchinson made a motion to approve the Warrants dated May 29, 2023. Ms. Bodnar seconded the motion. With no further discussion, the motion was approved unanimously with a roll call vote: Bodnar: Aye; Glass: Aye; Hutchinson: Aye.

#### **MINUTES:**

- March 6, 2023 - Ms. Glass made a motion to approve the Minutes dated March 6, 2023. Mr. Hutchinson seconded the motion. With no further discussion, the motion was approved with a roll call vote: Bodnar: Abstain; Glass: Aye; Hutchinson: Aye.
- March 30, 2023 - Ms. Glass made a motion to approve the Minutes dated March 30, 2023. Mr. Hutchinson seconded the motion. With no further discussion, the motion was approved with a roll call vote: Bodnar: Abstain; Glass: Aye; Hutchinson: Aye.

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

The meeting adjourned at approximately 8:13 P.M.  
Submitted by Peggy Elder  
*Approved 06/26/23*