

MEMORANDUM OF UNDERSTANDING

by and between

the **Town of Arlington**, the **Town of Lexington**,
the **Town of Lincoln**, the **Town of Concord**,
and the **Minute Man National Historical Park**

for the purpose of establishing a permanent management entity for
The Battle Road Scenic Byway: Road to Revolutions

WHEREAS, the Battle Road Scenic Byway: Road to Revolutions (the Byway) is a route through the towns of Arlington, Lexington, Lincoln, and Concord (the Towns) following the approximate path of British regulars on April 19, 1775 during the battles that marked the start of the American Revolution, and passing many sites of cultural and historical importance; and

WHEREAS, the Byway was officially designated a Massachusetts State Scenic Byway in 2006 with the intention of recognizing, protecting, and enhancing its unique resources, and this designation was expanded in 2012; and

WHEREAS, the Metropolitan Area Planning Council (MAPC) worked closely with the Towns, the Minute Man National Historical Park (the Park), and the Massachusetts Department of Transportation (MassDOT), to produce the Battle Road Scenic Byway Corridor Management Plan (the Corridor Management Plan), funded by the Federal Highway Administration's National Scenic Byway Program with a matching grant from the Massachusetts Highway Department, for the purpose of proposing strategies to manage transportation, land use, and tourism along the Byway, and was completed with the approval of the Towns in May, 2011; and

WHEREAS, the Towns and the Park seek to establish a permanent management entity for the Byway to carry out the Corridor Management Plan; and

WHEREAS, a task force with representation from the Towns and the Park was convened in the spring of 2013, with assistance from MAPC funded by the District Local Technical Assistance program, for the purpose of defining the structure and membership of such a management entity;

NOW THEREFORE, the Towns and the Park agree as follows:

I. ESTABLISHMENT OF A BYWAY MANAGEMENT ENTITY

1. The Towns and the Park shall form a permanent committee to be known as the Battle Road Scenic Byway Committee (the Byway Committee) with representation from each of the Towns and the Park for the purpose of carrying out the activities of the Corridor Management Plan and serving as the decision-making body for Byway-related issues. The Byway Committee as defined in this Agreement is not an independent legal entity.

2. The Byway Committee shall have a Fiscal Agent, to be selected by the Committee, which shall be responsible for receiving and disbursing funds, keeping financial records, and providing basic administrative services, as required. The Committee and Fiscal Agent shall specify the terms of services to be provided in a memorandum of understanding.

3. The Byway Committee shall create a Stakeholders Advisory Group comprising representatives from a broad range of interest groups involved in Byway-related activities. Members of the Stakeholders Advisory Group shall provide input to inform the Byway Committee's decisions, and shall support specific Byway-related tasks as directed by the Byway Committee.

II. PURPOSE

Byway Committee

1. The Byway Committee shall have functions and responsibilities including but not limited to:

- a. Developing and publishing an annual work plan and priorities for Byway management activities that advance the Corridor Management Plan
- b. Leading the effort to secure Byway funding from grants or other sources, including requesting funding from the Towns as necessary
- c. Developing an annual budget
- d. Convening regular meetings of the Stakeholders Advisory Group and encouraging broad participation to provide a public forum for the discussion of Byway management-related issues
- e. Establishing and directing sub-committees tasked with carrying out specific Byway management tasks
- f. Appointing members of the Stakeholders Advisory Group to sub-committees of the Committee
- g. Submitting an Annual Report to the four Town Boards of Selectmen; Town Planning/Redevelopment Boards or similar boards, the Superintendent of the Minute Man National Historical Park, the MassDOT Scenic Byway Coordinator, and the Fiscal Agent.

2. The Byway Committee shall have no independent authority to make regulatory changes or appropriate municipal funding. The Byway Committee's decisions and recommendations shall not supersede the existing authority of the Park, any other state or federal agency, or any Town board or committee, including but not limited to Boards of Selectmen, Planning/Redevelopment Boards, Historic District Commissions, Tourism Committees, and Conservation Commissions, unless such authority is expressly granted to the Byway Committee by the appropriate body.

Stakeholders Advisory Group

3. The Stakeholders Advisory Group shall serve as the forum for the public discussion of Byway-related issues. Its purpose is to ensure that the Byway Committee's actions are informed by the full range of parties with a stake in the Byway's management. Members of the Stakeholders Advisory Group shall have the opportunity to present their interests to the Byway Committee at regular meetings. Members of the Stakeholders Advisory Group may also be appointed to serve on ad-hoc working groups or sub-committees focused on specific Byway tasks, as directed by the Byway Committee.

III. MEMBERSHIP

Byway Committee

1. Each Town shall appoint up to three representatives to the Byway Committee. The appointment shall be made by the Town's Board of Selectmen, or its designee. The Towns are advised to consider appointing a balance of voices representing municipal interests including but not limited to planning, public works, tourism, and elected officials. The Superintendent of the Minute Man National Historical Park shall appoint one representative to the Byway Committee. The Byway Committee representatives shall be appointed for two year renewable terms. Each Town and the Park shall notify the Vice Chair of the Byway Committee of any changes to its representatives.

Stakeholders Advisory Group

2. Membership in the Stakeholders Advisory Group shall be open to all. The Byway Committee shall solicit interested parties and shall develop a method to actively notify members of upcoming meetings, inform them of Byway activities, and encourage their participation.

IV. METHOD OF OPERATION

Byway Committee

1. The Byway Committee shall meet at least three times per calendar year. Additional meetings may be called by the Chair or the Vice Chair, or by any two Byway Committee members from separate entities. Meetings shall be open to the public. A quorum of the Committee shall be present if at least four entities are represented at a duly called meeting.

2. Votes of the Byway Committee shall be taken with one vote per Town and one vote for the Minute Man National Historical Park. Each Town and the Park shall determine its own method for determining its vote among its representatives. Four affirmative votes are required to pass a motion.

3. The Byway Committee shall elect a Chair, a Vice Chair, and a Secretary from among its members. None of these officers shall be representatives from the same entity. Officers shall serve two-year terms. The Chair, Vice Chair, and Secretary shall not

serve in the same office for more than two consecutive terms. The Chair shall set meeting agendas and chair the meetings. The Vice Chair shall chair meetings in the absence of the Chair. The Vice Chair shall be responsible for keeping a current roster of Byway Committee members, and shall confirm the Committee appointments of each Town and the Park with their appointing bodies annually. The Secretary shall take meeting minutes and record votes taken.

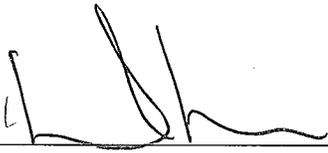
V. AMENDMENTS TO THIS AGREEMENT

1. This Memorandum of Understanding may be amended or canceled at any time by mutual written agreement of all participating parties. Any participating Town or the Park may withdraw from this Memorandum of Understanding upon 60 days written notice to the Byway Committee, signed by the Town's Board of Selectmen or the Park's Superintendent, as the case may be.

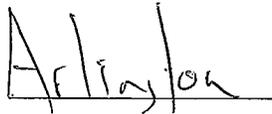
[Signature page follows]

SIGNATURES

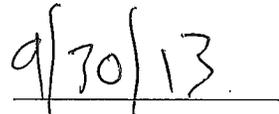
This Memorandum of Understanding is to be signed by the Chair of the Board of Selectmen of each Town, upon a vote of the Board authorizing the Chair to do so, and the Superintendent of the Minute Man National Historical Park.

X  _____

Chair, Board of Selectmen
or
Superintendent

 _____

Town
or
Minute Man NHP

 _____

Date

SIGNATURES

This Memorandum of Understanding is to be signed by the Chair of the Board of Selectmen of each Town, upon a vote of the Board authorizing the Chair to do so, and the Superintendent of the Minute Man National Historical Park.

X Richard N. Manger

Lexington

9-23-13

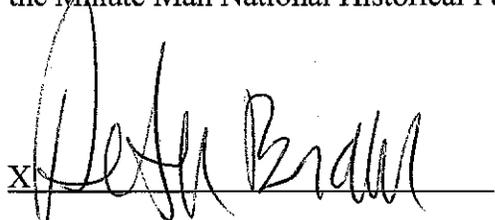
Chair, Board of Selectmen
or
Superintendent

Town
or
Minute Man NHP

Date

SIGNATURES

This Memorandum of Understanding is to be signed by the Chair of the Board of Selectmen of each Town, upon a vote of the Board authorizing the Chair to do so, and the Superintendent of the Minute Man National Historical Park.

X 	<u>Lincoln</u>	<u>10/7/13</u>
Peter Braun Chair, Board of Selectmen	Town	Date

SIGNATURES

This Memorandum of Understanding is to be signed by the Chair of the Board of Selectmen of each Town, upon a vote of the Board authorizing the Chair to do so, and the Superintendent of the Minute Man National Historical Park.

X 	Concord _____	Sept. 23, 2013 _____
Chair, Board of Selectmen or Superintendent	Town or Minute Man NHP	Date

