

**Regular Session Minutes - Selectmen's Meeting  
Selectmen's Meeting Room, Town Hall  
Monday, November 26, 2012, 7:30 p.m.**

**PRESENT:** Catherine B. Cordes, Chair, Margot R. Fleischman, William S. Moonan, Michael A. Rosenberg, Mark Siegenthaler, and Town Manager Richard T. Reed

**ALSO PRESENT:** Department of Public Works Director Richard Warrington; Board of Assessor Chair Bruce Murphy, Associate Assessor Bruce Morgan; Finance Committee Member Rich Bowen; Regional Housing Services representatives Beth Rust and Dan Gaulin; Criterion Representative Andrew Kaye; SCM Management Vice President Jim Regis and Operations Director Cheryl Nichols; James Shea; Caroline Fedele; Assistant Town Manager Jessica Porter; Finance Director Victor Garofalo; and Press Representatives Kim Siebert, Chris Gambon, and Mary McBride

---

Chair Cordes called the meeting to order at 7:30 p.m.

**13-098 Public Hearing – FY13 Property Tax Allocation Among Classifications**

**Mr. Rosenberg made a motion to open a public hearing. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

Board of Assessors Chair Bruce Murphy and Associate Assessor Bruce Morgan were present to explain the Fiscal Year 2013 Tax Classification. Mr. Murphy recommended that the Selectmen maintain the 175% residential and 25% open space discount. The Board of Assessors also recommended not to grant a residential or small business exemption to prevent the shifting of tax burdens.

Preliminary tax rate calculations indicate a single tax rate of \$19.31. A shift of 175% to the Commercial, Industrial and Personal Property Classes (CIP) and an Open Space discount of 25% would result in the following projected tax rates for FY13:

|             | <u>FY 12</u> | <u>FY 13</u> |
|-------------|--------------|--------------|
| Residential | \$15.21      | \$15.37      |
| Open Space  | \$11.40      | \$11.53      |
| CIP         | \$33.21      | \$33.80      |

Mr. Murphy reported that the valuation shift is moving in an opposite direction from previous years with a slight drop to 78.6% in FY13 from 79% in FY12 on the residential side and a slight increase in the commercial, industrial and personal property from 21% in FY12 to 21.4% in FY13. This small shift is good news for all residents because it signals that the commercial and industrial area is coming back. The shift is due to some big sales during 2011.

The average value of a single-family property decreased from \$518,300 in FY12 to \$518,100 for FY13; therefore, the annual tax for average home would change as follows:

|      | <u>Assessed Value</u> | <u>Tax Rate</u> | <u>Tax Amount</u> |
|------|-----------------------|-----------------|-------------------|
| FY12 | \$518,300             | \$15.21         | \$7,883.34        |
| FY13 | \$518,100             | \$15.37         | \$7,963.20        |

There also has been an increase in new growth in the residential area. Sales are down and renovations are increasing. About 2/3 of the new growth is residential which is expected to hold strong.

Chair Cordes asked that the FY12 and FY13 comparisons of the levies be discussed in more detail. The Tax Levy limit has increased from \$47,521,132 in FY12 to \$49,236,559 in FY13. Excluded debt increases the levy but it has decreased in FY13. Excess levy capacity has been calculated to be \$1,000,000.

Chair Cordes requested that an information sheet be drafted to distribute to residents detailing the many reasons that there is not a significant increase this year.

The estimated tax bills for the first and second quarter were higher than the current rate so the third and fourth quarter bills may be lower. Mr. Murphy pointed out that while most people will see a decrease in their tax bill some might actually see an increase because these numbers reflect the average single family home.

The Chair invited comments from the public.

**Mr. Rosenberg made a motion to close the public hearing. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

**Mr. Rosenberg made a motion to establish a residential factor so as to effect a 175% allocation of the tax burden from the Residential/Open Space property classes to the Commercial/Industrial/Personal Property classes. On the matter of an open space discount, to grant an open space discount of 25%. On the matter of a residential exemption, not to grant a Residential Exemption, so as not to shift the tax burden within the residential class from residents to non-residents. On the**

**matter of a Small Commercial Exemption, not to grant a Small Business Exemption, so as not to shift the tax burden within the Commercial/ Industrial/ Personal Property classes from certain small commercial properties to other commercial and industrial properties. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**13-099 Contract Amendment – Hydraulic Model/ Disinfection Report Study – CDM Smith Inc. – Cambridge MA**

Town Manager Richard Reed summarized the proposed contract amendment with CDM which is necessary in light of the total coliform present in the pipes over the summer. More services will be required of CDM to comply with the Administrative Consent Order issued by the Massachusetts Department of Environmental Protection (DEP). Funding for the additional services were approved at Special Town Meeting.

Chair Cordes inquired about the timeline of the project. Department of Public Works Director Richard Warrington replied that the actual work addresses the administrative consent order. The first submittal was given to the DEP and there would be a total of 175 days to complete the process and that the model should be online by the February deadline. He informed the Selectmen that CDM Smith would be available to answer any questions after the system was put in place. He also remarked that his staff is confident the model will work as designed.

**Mr. Moonan made a motion to accept Amendment #1 between CDM Smith Inc. and the Town of Bedford for \$60,100. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**13-100 Request for Affordable Housing Rent Adjustments – Village at Taylor Pond – Patriot Place**

Beth Rust from the Regional Housing Services Office was present to discuss the rent adjustments for Taylor Pond and Patriot Place. Andrew Kaye from Criterion Management for Taylor Pond presented the Affordable Rent Proposal. Ms. Rust began by giving a short update on the progress made by the developer. She had spoken with the Department of Housing and Community Development (DHCD) and it indicated that this proposal would be accepted and it is pleased that the developer is working to fix the situation. Ms. Rust also mentioned that 12 units would be added to the regulatory agreement.

Mr. Kaye began by explaining the proposed adjustments in calculating rent. Exhibit 1 and 2 detail the difference between the current methodology and the new methodology using the 30% of 80% of the published income limits. This new methodology will result in a decrease in total rent of \$84,756 for 2012.

Exhibit 4 details the proposed rent reimbursement for overcharged residents. An Escrow Account will be set up with the amount of \$166,619 to be paid out to current

residents of Taylor Pond. Every effort will be made to track down past residents; if they are not found within one year then those funds will be left to the Bedford Municipal Housing Trust.

Ms. Fleischman voiced her appreciation of the efforts made by Criterion to right the situation. She recommended that the methodology terminology be consistent throughout the document specially 80% of published income limits to prevent a misunderstanding in the future.

Ms. Fleischman inquired about the timetable for converting 12 units from proposed retail space to residential space. Mr. Kaye replied that the permits have already been pulled and the units would need to be approved as part of the Regulatory Agreement as well.

A formal proposal will be finalized along with the amended Regulatory Agreement for the Selectmen to sign at an upcoming meeting.

Senior Vice President Jim Regis and Director of Operations Cheryl Nichols of S-C Management were present to discuss their proposed 2013 rent schedule for Patriot Place. 7 out of the 10 units are affordable. They propose to use the 30% of 80% calculation with the Mass Housing Standard income limit of 1.5 persons per household. This calculation would decrease the rent in only 1 unit because the other 6 units have section 8 vouchers. The non-section 8 voucher resident is the only one who was overcharged and would be refunded an amount of \$1,413. One other resident was overcharged but has since moved out and would be owed \$363 if found. S-C Management is not proposing to reimburse the lending agency as it would provide a hardship to them. The vouchers are resident based so they would travel with the resident if they left.

Mr. Reed pointed out that since the total reimbursement is low there would be no need to establish an escrow fund to reimburse the two affected residents. Mr. Regis asked if it would be okay to reimburse the residents now, but it was recommended to wait to hear back from the DHCD.

**13-101      Miscellaneous Other – One-Day Special Alcohol License – Firebox BBQ f/b/o Charles River Wheelers – December 7, 2012 – Chapter 268A, Section 20 (b) Exemption- Matthew Timperio- Springs Brook Park Crew to Basketball Referee – Ryan Barnes - Springs Brook Park Crew to Basketball Referee – Request for Liquor License Extension of Hours on New Year’s Eve – VFW Post 1628 – Anthony Hunt Hamilton American Legion Post 221**

**Mr. Rosenberg made a motion to grant a One-Day Special Alcohol License to Firebox BBQ LLC for a function at Old Town Hall on December 7, 2012 for Charles River Wheelers. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**Mr. Moonan made a motion to grant a Chapter 268A, Section 20(b) exemption to Matthew Timperio and Ryan Barnes as Springs Brook Park Crew to become Basketball referees. Mr. Rosenberg seconded the motion.**

**The motion passed 5-0-0.**

The VFW and American Legion have requested an extension of hours to 1:00 a.m. on New Year's Eve. Mr. Siegenthaler inquired about the past years recommendation of the Selectmen for New Year's Eve requests. Mr. Reed excused himself to go and get the license. The Selectmen decided to move on to the Minutes in the meantime.

### **13-102 Minutes**

**Mr. Moonan made a motion to approve the Regular Session Minutes of November 5, 2012, as amended. Ms. Fleischman seconded the motion.**

**The motion passed 5-0-0.**

**Mr. Siegenthaler made a motion to approve the Regular Session Minutes of November 13, 2012, as amended. Mr. Rosenberg seconded the motion.**

**The motion passed 5-0-0.**

Mr. Reed returned and cited the regular hours of the VFW and American Legion. Chair Cordes indicated that 1:00 am is the hour to which the Selectmen traditionally extend operations. Mr. Reed read the clause addressing the extension of hours which allows them to serve alcohol to be served until 1:00 a.m., with the close of premises at 1:30 a.m.

**Mr. Siegenthaler made a motion to grant the ability for the VFW and American Legion to have extended hours on New Year's Eve and open for regular business hours on New Year's Day. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

### **13-103 Town Manager's Report**

Mr. Reed noted that Recreation Department is beginning to get requests for Bedford Day next year. In keeping with having Bedford Day occur on the third Saturday in September the suggested date would be on September 21, 2013. Chair Cordes said that was great since it was closer to the 23<sup>rd</sup> of September when Bedford was incorporated.

### **13-104 Open Discussion**

Mr. Siegenthaler stated that he would be attending the Sign Bylaw Review Committee meeting on Thursday where Town Counsel would also attend. The Planning Board is meeting on Tuesday night to discuss the special permit for a take-out Panera restaurant at 213 Burlington Road.

Mr. Rosenberg mentioned that he observed the progress being made on the North Road sidewalk and noted that there was still some cleanup work to be done. Mr. Reed explained that some of the earthwork needed to be done and that they would be checking for grass in the spring. Ms. Rosenberg inquired when the pedestrian activated light would be installed. Mr. Reed responded that the DPW has looked into buying the light but nothing further has been planned. Ms. Fleischman voiced concern that the light be installed as soon as possible.

Mr. Rosenberg also mentioned that in consultation with the Recreation Director, DPW and Athletic Director Keith Mangan will be determining the maximum demand on the synthetic field so that they can begin to line up commitments for advanced rentals. After this is determined Mr. Rosenberg would write a fee schedule proposal for the Selectmen to address. Chair Cordes recommended that some research be conducted to see what other towns are charging for rentals and youth sports.

Mr. Moonan asked whether the School Committee has agreed to the financial policies and believed it would be better to get an answer sooner rather than later.

Mr. Moonan wondered if any action needed to be taken by the Selectmen regarding a mandatory increase in the minimum number of cigars priced below \$2.50 that a consumer may purchase at one time. Mr. Reed advised that it would make sense to respond to the letter saying this issue is under the Board of Health's domain.

Mr. Moonan inquired if the consultants for Springs Brook Park have started. Recreation Commission member Caroline Fedele responded that they had started. Mr. Reed added that since the amount needed to fund the consultation was so low there was no need to come before the Selectmen.

Mr. Moonan asked about the next step in revising the Take Home Auto Policy. Chair Cordes asked if it would be a change made by management or the Selectmen. Mr. Reed replied that the current policy was approved by the Selectmen. The changes would include having employees log the mileage of the vehicles, having their W2 form reflect the value of the benefits they are receiving, and establishing a mileage limit. The changes would have to be effective to those hired after a certain period. Some action would need to be taken before Annual Town Meeting. Mr. Reed offered to make amendments to the policy for Selectmen to vote on individually.

Mr. Moonan asked about setting up a common email for all the Selectmen. Mr. Reed responded that he would look into it.

Ms. Fleischman reported that the Transportation Advisory Committee would be presenting their Concord Road sidewalk proposal to the Selectmen. In addition there has been much talk regarding the traffic and speeding problems on Hemlock Lane. Residents have been asking for a revival of a sidewalk project that was planned many years ago. Department of Public Works Engineer Adrienne St. John has been involved

concerning the drainage problem. Another memorandum will be coming before the Selectmen regarding Hemlock Lane.

Ms. Fleischman informed the Selectmen of the Volunteer Coordinating Committee's wish to unite the Housing Committees. The Bedford Housing Partnership would assume the responsibilities of the other committees. The VCC would be taking the proposal to the Affordable housing committee. Ms. Fleischman added that the chair of the VCC would be calling the state to look into it further. Combining the committees would require a bylaw change.

Ms. Fleischman added that she attended the Habitat for Humanity dedication and thought it was lovely.

Chair Cordes stated that she attended the opening of the Bedford Blueberry Goat Farm on Concord Road and sampled some of their products.

Chair Cordes announced that she would not be running for re-election next year. She added that she has enjoyed her time as a Selectmen but it is time to move on.

**Mr. Moonan made a motion to adjourn. Ms. Fleischman seconded the motion.  
The motion passed 5-0-0.**

The meeting ended at 9:15 p.m.