

Regular Session Minutes - Selectmen's Meeting
Selectmen's Meeting Room, Town Hall
Monday, November 5, 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; Jean and Ralph Hammond; Arthur Ellis; AnnaLisa and Richard Madison; Jim Shea; Finance Committee members Meredith McCulloch, Stephen Steele, and Rich Bowen; 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.

13-080 Committee Interviews – Affordable Housing Committee – Jean Hammond – Historic Preservation Commission – Arthur Ellis – Transportation Advisory Committee – AnnaLisa Madison

Jean Hammond, 6 Hemlock Lane, was present to be interviewed for a vacancy on the Affordable Housing Committee. As Selectmen liaison, Mr. Rosenberg explained the responsibilities of the committee as pursuing opportunities to increase Bedford's affordable housing inventory and promoting these opportunities in the community. He further noted that the Affordable Housing Committee works in tandem with the Fair Housing Committee and together they make up the Bedford Housing Partnership.

Ms. Hammond explained that she is interested in serving on the Affordable Housing Committee because she feels that the committee provides a great service to the Town as it provides opportunities for home ownership for a population that would not necessarily be able to afford living in Bedford. She further noted that providing this service also enriches the experience of existing residents as it brings new people to Bedford.

Mr. Siegenthaler asked Ms. Hammond about her thoughts regarding affordable rental opportunities in Bedford. Ms. Hammond responded that she believes that renting affordable units is the right path for some people and it is a legitimate housing solution.

At this time, Chair Cordes explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse for all candidates present for appointment interviews. She also encouraged the candidates to consider taking on a leadership role as chair in the future.

Mr. Rosenberg made a motion to appoint Jean Hammond to the Affordable Housing Committee to a term ending June 30, 2015. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Arthur Ellis, 3 Burlington Road, was present this evening to be interviewed for a vacancy on the Historic Preservation Commission. As Selectmen liaison, Chair Cordes explained the purpose of the commission as preserving the historic characteristics and sites of the Town, highlighting their oversight of the Demolition Delay Bylaw.

Mr. Ellis explained that he wishes to serve on the Historic Preservation Commission because of his strong interest in history. Mr. Ellis has been involved in several groups in town including the Bedford Historical Society, Friends of the Job Lane House, and Friends of Depot Park.

Chair Cordes noted that she is pleased Mr. Ellis is willing to serve the town in this capacity.

Mr. Moonan made a motion to appoint Arthur Ellis to the Historic Preservation Commission to a term ending June 30, 2014. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

AnnaLisa Madison, 29 Fox Run Road, was present this evening to be interviewed for a vacancy on the Transportation Advisory Committee. As Selectmen liaison, Ms. Fleischman explained the main responsibilities of the committee as advising the Selectmen on issues regarding traffic mitigation, trail networks, sidewalks, public transportation, and bicycle accommodations.

Ms. Madison explained that as a visually impaired person who is not able to drive, she has an interest in public transportation and sidewalk safety in town. She also noted that as Bedford's senior population continues to grow, these issues will become more pressing and she would like to contribute to the process of improving these aspects of transportation in Bedford.

The Selectmen agreed that Ms. Madison's life experiences will bring an important component to the Transportation Advisory Committee that has been missing. They further thanked her for her willingness to volunteer.

Ms. Fleischman made a motion to appoint AnnaLisa Madison to the Transportation Advisory Committee to a term ending June 30, 2013. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

13-081 Call of Annual Town Caucus – January 8, 2013

Chair Cordes stated that the Citizen's Caucus must be held at least seven days prior to the date that nomination papers for the Annual Town Election must be submitted, which is January 20, 2013. The Town Clerk has recommended the Caucus be held on Tuesday, January 8, 2013 with a storm postponement date of Wednesday, January 9, 2013.

Mr. Moonan made a motion to schedule the Annual Town Caucus for Tuesday, January 8, 2013 with a storm postponement date of Wednesday, January 9, 2013. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

13-082 Wilson Mill Dam Project – Change Order for New England Infrastructure, Inc.

Town Manager Richard Reed directed the Selectmen's attention to an amendment to the original agreement with New England Infrastructure, Inc. for the Wilson Mill Dam project. Mr. Reed explained that a portion of the original contract was contingent on funding awarded at Town Meeting in March 2012. The contract needs to be amended to authorize the original work that was contingent on the funding in the amount of \$71,540.

Chair Cordes noted that it is exciting that this project is almost finished and will be a nice addition to that side of town. Department of Public Works Direct Richard Warrington agreed and commented that during Hurricane Sandy the water only rose a foot. He believes that the Wilson Mill Dam project will affect the flood plain and some houses possibly might be removed from the flood plain the next time FEMA assesses the area.

Mr. Siegenthaler made a motion to approve the Contract Change Order with New England Infrastructure, Inc. for the Wilson Mill Dam Project in the amount of \$71,540. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

13-083 November 13th Special Town Meeting – Article Recommendations

Chair Cordes directed the Selectmen's attention to the proposed motions for Special Town Meeting, noting that some articles needed to be assigned presenters and some still required a recommendation from the Selectmen.

The Selectmen reviewed the articles that still required recommendations and assigned presenters as needed.

The discussion then turned to Article 6, Item 15 Athletic Fields Design of 9 Mudge Way and 7 Liljegren Way. Chair Cordes commented that the Community Preservation Committee (CPC) has been working towards this project for several years however

wetland delineation and permitting have held up the process. She stated that it is the CPC's opinion that a design is needed for these fields and now is the time to fund the design.

Mr. Moonan commented that the Outdoor Recreation Area Study Committee's (ORASC) field study is not yet completed and he would therefore be more inclined to wait until after the Town knows what needs to be designed at these locations before granting the funding. He agrees that the fields should be completed soon however there is no definitive plan for what will be designed.

Chair Cordes noted that \$150,000 was given as a top figure for the design services and most likely the actual amount needed will be under that estimate.

Mr. Rosenberg made a motion to recommend approval of Article 6, Item 15. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

Mr. Reed directed the Selectmen's attention to a funding analysis for Article 9 – Bond Authorization – Portions of School Way and Municipal Complex Access Roads and Parking Areas. In this analysis, three alternatives are presented which outline the components to the project, the associated costs, and potential funding mechanisms.

Chair Cordes inquired as to whether Mudge Way was on the pavement management plan. Department of Public Works Director Richard Warrington replied that the portion that is a public way is due to be replaced. He noted that the parking lots are not part of the pavement management plan but are also due to be redone.

A brief discussion then ensued regarding the concerns of the Capital Expenditure Committee and the Finance Committee regarding the School Way and municipal complex project. The pros and cons of piecing out the project were evaluated. In the end, the Selectmen agreed to pursue Alternative #3 as outlined in the Town Manager's analysis. This alternative eliminates Mudge Way from Great Road to the Northeast corner at Town Hall as well as the parking areas. When Chapter 90 funding is factored into the cost, the net cost of Alternative #3 is \$348,260. It was requested that for purposes of bonding, that the funding amount be rounded up to an even number.

Mr. Moonan made a motion to recommend approval of Alternative #3 of Article 9 in the amount of \$350,000, thus changing the scope of the project. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to recommend approval of Article 10. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to recommend approval of Article 11. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to recommend approval of Article 13. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

13-084 Vehicle Assignment Policy – Report

Mr. Moonan stated that the group assigned to review the Town's vehicle assignment policy met several times and relied on data compiled by the Town Manager along with interviews with personnel to create their report.

Mr. Moonan reviewed the results of the study, highlighting the fact that Bedford appears to have a larger inventory of take-home vehicles than the surrounding towns used in this survey. This is partially due to the fact that Bedford has a Facilities Department that has 7 take-home vehicles while most other towns did not have a Facilities Department. It was noted that when the Facilities Department was first created, vehicles were included in their union contract. The vehicles are therefore a negotiation point with the collective bargaining unit and would be up to the schools to discuss removing them if that ever wants to be pursued.

Mr. Moonan noted that some communities put a cap on the mileage that is absorbed by the town. It is the group's recommendation that the Town establish a similar cap on mileage and that the employee reimburse the Town for fuel costs for the additional commuting mileage. The group also recommends that those employees that do not receive a W-2 for this benefit should have the value of this perk reflected on the W-2 in accordance with IRS rules. Mr. Moonan noted that there is not a great deal that can be done immediately, but the Vehicle Assignment Policy should be considered as the positions that currently have vehicles turn over in the future.

Chair Cordes noted that she foresees that the Vehicle Assignment Policy will be more likely to come up at Annual Town Meeting in March. Mr. Siegenthaler suggested that in the meantime the Selectmen can look into implementing the two recommendations made by the group this evening.

Chair Cordes thanked the group for their efforts.

13-085 Miscellaneous Action Items – Chapter 268A, Section 20(b) Exemption – Kathleen Busa

Mr. Siegenthaler made a motion to grant a Chapter 268A, Section 20(b) exemption to Kathleen Busa. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

13-086 Minutes

Mr. Rosenberg made a motion to approve the Executive Session Minutes of September 4, 2012, as amended. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to approve the Executive Session Minutes of October 15, 2012, as amended. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to approve the Regular Session Minutes of October 15, 2012, as amended. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

Mr. Siegenthaler made a motion to approve the Emergency Session Minutes of October 29, 2012, as written. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

13-087 Town Manager's Report

Mr. Reed commented that he has been working on creating a regional veterans agent service and the Town of Lexington has indicated their interest in participating. Mr. Reed explained that this is still in the preliminary stages of implementation and that he will have to first notify the state.

Mr. Reed stated that last week was mostly spent on storm recovery efforts. Most neighborhoods in Bedford had power restored by Thursday evening. Although NSTAR improved some of their interfacing with Town staff, the information provided was not always accurate. Chair Cordes commended Town staff on their response to the emergency.

13-088 Open Discussion

Mr. Moonan noted the letter from Pulte Homes that was in the packet last week regarding performance bonds and inquired as to whether the Selectmen will be approving anything having to do with that issue. Mr. Reed indicated that at this point he is unsure if the Selectmen will have to take any action regarding the performance bonds, noting that he has to discuss it on the staff level first.

Mr. Rosenberg asked if anyone had followed up with Mr. Schwartz regarding his presentation given at a previous Selectmen's meeting. Mr. Moonan indicated that he had since spoken with him and they discussed the steps that would need to be taken next.

Mr. Reed requested that the Selectmen execute the two-year agreement with the A.F.S.C.M.E. for the period of July 1, 2011 to June 30, 2013. The Selectmen already signed the Memorandum of Understanding at a previous Selectmen's meeting.

Chair Cordes commented that the Fiscal Planning and Coordinating Committee met and the Financial Policies of the Town are now ready for approval. She further noted that the School Committee is in agreement with the policy but decided not to sign it as they feel that is not part of their responsibilities under their charge.

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

The meeting ended at 9:50 p.m.