

Regular Session Minutes - Selectmen's Meeting
Selectmen's Meeting Room, Town Hall
Monday, July 30, 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: Facilities Director Richard Jones; Department of Public Works Director Richard Warrington; Town Engineer Adrienne St. John; Assistant Town Manager Jessica Porter and Press Representatives Kim Siebert and Eileen Kennedy

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

13-018 State Primary Election Warrant – Approval

Chair Cordes noted that the first item on the agenda is the Warrant for the upcoming State Primary. The State Primary is to take place on September 6, 2012 and the Warrant must be posted at least seven days prior to the election.

Mr. Siegenthaler made a motion to approve the Warrant for the 2012 State Primary. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

13-019 Public Access Sign Requests – Major Rivers and Streams Demarcation

Town Manager Richard Reed directed the Selectmen's attention to a memorandum outlining the work being done by Conservation Administrator Elizabeth Bagdonas and Town Engineer Adrienne St. John in regards to identifying and marking the major rivers and streams in Bedford. As part of a requirement under the NPDES Phase II Permit to educate the public, staff is requesting that signs denoting the rivers be installed along the public rights-of-way. The Selectmen are being asked to approve this public access sign request under Article 40.6.G of the Sign Bylaw.

Mr. Moonan voiced his concern regarding the numerous signs that already exist along The Great Road. He noted that he is not displeased with the objective of this request, but the method chosen will be contributing to a growing problem. Chair Cordes commented that she shares Mr. Moonan's concerns; however, in her opinion there are other signs that should be taken down along The Great Road before the river signs.

Mr. Reed stated that staff can install the river signs on a pre-existing post if there is a sign located nearby the proposed location in an effort to consolidate the amount of signage posted along the roads.

Mr. Siegenthaler made a motion to authorize the installation of up to 26 signs on public rights-of-way in the Town as delineated in a Memorandum from Town Manager Reed to the Selectmen dated July 17, 2012 to demark the major rivers and streams within the Town of Bedford. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

13-020 Contract Awards – Fletcher Road Water Main Cleaning and Lining Project - W. Walsh Co. Inc. – Attleboro, MA – Old Reservoir Dam Rehabilitation Project Construction Services – New England Infrastructure, Inc. – Hudson, MA – Construction Administration Services – Weston & Sampson Engineers, Inc. – Peabody, MA – Hydraulic Model/Disinfection Report and Study – CDM Smith, Inc. – Cambridge, MA

Department of Public Works (DPW) Director Richard Warrington and Town Engineer Adrienne St. John were present this evening to discuss four project contracts.

Ms. St. John explained that the water main on Fletcher Road from The Great Road to the Pine Hill standpipe needs to be cleaned and lined to remove deposits along the main and to prevent further corrosion. She noted that this project will require an above-ground bypass water system to supply homes and hydrants along this road with water throughout construction.

Ms. St. John stated that the lowest bidder was W. Walsh Co. Inc. and that this company has successfully performed similar work on other roads in Bedford in the past. She added that letters to the abutters have already been drafted and staff hopes the project to be completed by October.

Mr. Moonan made a motion to approve the contract between the Town of Bedford and W. Walsh Co. Inc. for the Fletcher Road Cleaning and Lining Project in the amount of \$237,131.44. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

Ms. St. John commented that there are two contracts on the agenda this evening that are associated with the Old Water Supply Dam Rehabilitation Project located off of Shawsheen Road. The first contract is in regards to the construction services for rebuilding the dam and adding a pedestrian bridge. At a previous meeting the Selectmen voted to reject the lowest bidder for the project. Since then staff has not received a bid protest and is therefore requesting that the contract be awarded to the next lowest bidder, New England Infrastructure, Inc. This company is currently working on the Wilson Mill Dam and staff has been pleased with their work. This company also has a good working relationship with Weston & Sampson Engineers, Inc., the lowest bidder of the construction phase services for the rehabilitation project.

Chair Cordes commented that she is pleased that this project is moving forward.

Mr. Moonan made a motion to approve the agreement between the Town of Bedford and New England Infrastructure, Inc. dated July 30, 2012 for the Old Water Supply Dam Rehabilitation Project in the amount of \$539,762 and authorize the Selectmen Chair to execute the agreement on behalf of the Selectmen. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to approve the agreement between the Town of Bedford and Weston & Sampson Engineers, Inc. in the amount of \$59,860 for construction phase services for the Old Water Supply Dam Rehabilitation Project. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Warrington explained that the last contract on the agenda this evening is for engineering services related to the development of a hydraulic computer model of the water distribution system and for disinfection and water quality consulting. The contract is with CDM Smith, Inc. and funding will come from an appropriation from Project 13-24 at the 2012 Annual Town Meeting.

Mr. Warrington noted that the last model was created in 1980 and had to be abandoned about 20 years ago. Thus far, the Town has been getting by without a model but with the recent water issues, staff feels this project is important to pursue. It was noted that initial data for the model will be collected by CDM Smith and then will be collected by staff going forward.

Mr. Moonan inquired about the percentage of water pipes that are still not lined in Bedford. Mr. Warrington indicated that currently about 38% of water pipes in Town are not lined, noting that the goal is to get all water pipes lined in the distant future.

Mr. Moonan made a motion to approve the agreement between the Town of Bedford and CDM Smith, Inc. in the amount of \$102,800 for engineering services relating to preparing a hydraulic model of the water distribution system and evaluation of disinfection procedures. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

13-021 Proposed Redevelopment of 285 The Great Road – Traffic Study Review

Mr. Reed stated that the traffic study review of the proposed redevelopment of 285 The Great Road is on the agenda this evening at the request of the Selectmen.

Chair Cordes inquired as to whether there is a process to submit input to the State regarding this project. Mr. Warrington replied that the Planning Board has finished the site plan review and the BSC Group informally met with the Massachusetts Department of Transportation (MassDOT) to discuss several suggestions regarding this stretch of road. At this point, the developer is preparing to formally submit the plans to MassDOT

and Mr. Warrington believes that they will not accept comments from the Town. He added that MassDOT will be mostly concerned with whether the specifications are acceptable and will not be seeking further input. It was noted that although the Selectmen are the local road commissioners, they do not have any authority over this stretch of The Great Road as it is a state road.

A brief discussion then occurred regarding the DPW's role throughout the entire process and whether they had the opportunity to raise their concerns. Staff did review the original plans that were submitted and made comments early on in the process. Mr. Warrington added that the current plans are 100% better than what was originally proposed, however he noted that they are not ideal by any means.

The Selectmen then discussed several concerns that they have with the traffic plans currently proposed. Ms. Fleischman questioned whether the traffic counts used in the traffic study were an accurate reflection of this area in Town. Mr. Rosenberg asked who would be responsible for maintaining the lane striping as this was a state road. Mr. Warrington replied that the responsibility officially falls to the state to maintain the road striping, but that the DPW does it more often than not.

Ms. Fleischman noted that according to the material in the meeting packet, it seems that the Bedford Police Department still has safety concerns with the current plans. Ms. Fleischman asserted that she believes that the Zoning Board of Appeals (ZBA) should be made aware of the Selectmen's and Police Department's outstanding safety concerns. The Selectmen agreed to send a letter noting these concerns to the ZBA prior to their hearing on the matter. Ms. Fleischman offered to write such a letter.

13-022 Old Town Hall Lease Renewal – Bedford Center for the Arts

Mr. Reed directed the Selectmen's attention to a proposed two-year lease with Bedford Center for the Arts, Inc. commencing on September 1, 2012 and ending on August 31, 2014. This lease would allow Bedford Center for the Arts to continue to lease the space on the first floor of Old Town Hall located at 16 South Road. Mr. Reed noted that last year's annual lease payment was \$10,000 and the proposed annual lease payment would increase by 3% effective September 1, 2012 to \$10,300.

Mr. Rosenberg made a motion to approve the Old Town Hall Lease Agreement between the Town of Bedford and Bedford Center for the Arts, Inc. commencing September 1, 2012 and ending on August 31, 2014. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

13-023 Proposed Intermunicipal Agreement with the Town of Arlington – Municipal Energy Planner

Facilities Director Richard Jones stated that last spring the Metropolitan Area Planning Commission (MAPC) started discussing the possibility of multiple towns sharing an

energy manager to alleviate some of the work associated with the Green Communities Program. After several months of discussion, an agreement has been drafted between the Town of Bedford and the Town of Arlington to share a Municipal Energy Manager. The Agreement proposes that the manager will work two days per week for Arlington and one day per week for Bedford. The annual estimated cost for Bedford is \$24,406.49, 70% of which will be paid by the Schools. Mr. Jones suggests that the Town's share could potentially be paid using some of the anticipated savings from two energy efficiency projects scheduled for completion within the next few months.

A brief discussion then occurred regarding the tasks the energy manager would be expected to perform, highlighting their role in seeking out and applying for grants and assisting the Town in a possible re-adoption of the Stretch Code in the future. The probability of finding qualified candidates to fill such a role was also discussed, with Mr. Jones asserting that he is hopeful that a good candidate will be found.

Mr. Siegenthaler noted his concern with the Indemnification Clause in the agreement where it refers to negligent acts on behalf of the energy manager. He noted that he would like that language removed.

Mr. Siegenthaler made a motion to authorize the Town Manager to sign the Shared Energy Manager Agreement with the Town of Arlington subject to the change in the Indemnification Clause regarding negligent acts on behalf of the Energy Manager. Mr. Moonan seconded the motion.

Mr. Reed commented that the School Committee will be discussing their portion of the funding for this agreement and will be taking a vote at their meeting this week. Mr. Reed agreed to not execute this agreement until he gets word that the School Committee has agreed to pay their portion.

The motion passed 5-0-0.

13-024 Minutes

Mr. Moonan made a motion to approve the Regular Session Minutes of July 16, 2012, as amended. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

13-025 Town Manager's Report

Mr. Reed introduced Colleen Doyle, the new Administrative Assistant I for the Town Manager's Office. The Selectmen welcomed Ms. Doyle to the Town of Bedford.

Mr. Reed stated that staff is preparing to file a Notice of Intent to alter wetlands for the development of athletic fields on the land formerly owned by St. Michael's Church. As part of this process, staff is proposing to offer significant mitigation for altering wetlands in this location. This mitigation includes placing conservation restrictions on the

wetlands portion of the former Princeton property and the former Pickman land and expanding wetlands on an unused portion of Page Field.

Mr. Reed commented that the Conservation Commission is concerned that allowing the wetlands to be altered for this project might create a precedent. Therefore, staff wanted to present a mitigation plan that is extraordinary and most likely will not be able to be duplicated in the future. Staff is requesting the Selectmen's opinion of this proposal.

It was noted that two full-sized fields would be able to be built on this property if the Conservation Commission allows the wetlands to be altered. The Selectmen agreed that the mitigation package is acceptable for this purpose.

13-026 Open Discussion

Mr. Rosenberg commented that the Outdoor Recreation Area Study Committee would like the Selectmen to post a special meeting on an upcoming Saturday afternoon to walk the fields to view and discuss some areas of concern.

Ms. Fleischman noted that the Transportation Advisory Committee will be forwarding the Selectmen a recommendation for another sidewalk project in the near future.

Mr. Siegenthaler made a motion to enter into Executive Session to discuss Collective Bargaining Strategy, not to return to Open Session. Mr. Rosenberg seconded the motion.

The Selectmen were polled: Fleischman, aye, Moonan, aye, Cordes, aye, Rosenberg, aye, and Siegenthaler, aye.

The Regular Session meeting adjourned at 9:10 p.m.