

**Regular Session Minutes – Selectmen’s Meeting**  
**Selectmen’s Meeting Room, Town Hall**  
**Monday December 21, 2015, 7:30 p.m.**

**PRESENT:** Mark Siegenthaler, Chair; William S. Moonan; Margot R. Fleischman; Caroline Fedele; Michael A. Rosenberg and Town Manager Richard T. Reed

**ALSO PRESENT:** Economic Development Coordinator Alyssa Sandoval; Chamber of Commerce President Adam Schwartz; Capital Expenditure Chair Brian Bartkus; Chamber of Commerce member Maureen Sullivan; Attorney Brian Coonradt; Indian Kitchen Restaurant owners Kishan and Baljit Singh; Town Engineer Adrienne St. John; Assistant Town Manager Michael Rosen; Attorney Pam Brown; Facilities Director Taissir Alani; Press Representative Meredith McCullouch; Ken Hill, Bedford TV.

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

**16-131 Chamber of Commerce Presentation**

Chamber of Commerce President Adam Schwartz provided the Selectmen with an update on the organization’s activities. Mr. Schwartz noted that the Town’s recent tree lighting and walk-about event was very well received. Mr. Schwartz stated that this was the first time that the Chamber of Commerce, Town Manager’s office and Recreation Department worked together with local businesses. All the businesses surveyed after the event reported it to be a positive experience and said they would participate again as it gave them the opportunity to showcase their business to the public in a different light.

Mr. Schwartz also mentioned feedback that the Chamber of Commerce has been receiving from local businesses as well as residents. Both groups expressed interest in updating the commercial zoning laws for the Town. The zoning laws are roughly 40-50 years old. By updating the zoning laws, it would potentially attract a more diverse group of businesses to Bedford thus creating jobs and offsetting the tax basis for residents.

Mr. Schwartz stated that the Zoning Board of Appeals (ZBA) would be proposing an amended bylaw in the spring that would increase retail space from 2,000 square feet to 4,000 square feet. The hope is that this would attract larger retailers to Bedford. The Chamber of Commerce is in favor of this bylaw amendment calling it a good short term solution.

Finally, Mr. Schwartz said that the Planning Board might be hiring a consultant to assist with its updates. The Chamber of Commerce is in favor of this as it will get the process done in a more timely fashion and it will allow input from businesses and residents alike.



**REGIONALIZATION/SHARED SERVICES Best Practices**

**Middlesex 3 Regional Transportation Community Compact**

The Middlesex 3 Coalition communities are faced with transportation challenges. We plan to enter into a regional community compact to address these challenges. Significant economic activities take place along the Route 3 corridor. Employees often come from the northern Middlesex 3 (M3) corridor to the southern M3 corridor. While these areas are close in proximity, public transportation is limited due to schedules and the funding structure. This is partly because there is an artificial boundary separating two regional transit authorities (RTAs). The result has been a public transportation system that is stymied by funding as it is focused on miles driven within each RTA and not on actual usage, demand, or regional needs across the two RTAs.

The Middlesex 3 Transportation Community Compact would tackle this interregional issue that has constrained our region's economy and public transportation system and usage. This would be accomplished through continued discussions with the two local RTAs, the Northern Middlesex Council of Governments, the Metropolitan Area Planning Council, the Central Transportation Planning staff and federal and private transportation resources. The Middlesex 3 Transportation Community Compact aims to address the real and current public transportation needs of the residents and employers in our region that are not currently being addressed.

Mr. Reed noted that all the towns that participate in the Middlesex 3 Coalition will submit the Regionalization/Shared Services Best Practices.

Mr. Moonan requested that language be added to the Housing and Economic Development section noting that the Town wishes to protect its historic and small town character. Ms. Sandoval agreed to make the amendment.

**Ms. Fedele moved that the Selectmen approve the three proposed compacts as amended in the memorandum and authorize the Town Manager to execute the application on behalf of the Selectmen. Ms. Fleischman seconded the motion.**

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

**16-133**

**Public Hearing**

**Transfer of All Alcohol License**

**Firebox BBQ to JR and JJ Inc. d/b/a Virsa de Punjab**

**Indian Kitchen and Bar**

**347 The Great Road**

**Mr. Rosenberg made a motion to open the Public Hearing. Ms. Fleischman seconded the motion.**

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

Attorney Brian Coonradt addressed the Selectmen. Mr. Coonradt represents Mr. Kishan and Baljit Singh the owners of the Virsa de Punjab Indian Kitchen. The applicants are seeking an All Alcohol license transfer from Firebox BBQ. Attorney Coonradt noted that both applicants have extensive restaurant experience.

Mr. Moonan inquired if the applicants would be amenable to modifying their name to omit "and bar," from their restaurant name. Chair Siegenthaler noted that the Town has a long history of not having establishments that are strictly bars. After consulting with his clients, it was determined that the change was agreeable.

**Mr. Rosenberg made a motion to close the Public Hearing. Ms. Fleischman seconded the motion.**

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

**Mr. Rosenberg moved that the Selectmen approve the transfer of the All Alcohol License from Firebox BBQ to JR and JJ Inc. d/b/a Virsa de Punjab Indian Kitchen at 347 Great Road pending proof that a valid Certificate of Occupancy has been issued. Ms. Fedele seconded the motion.**

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

**16-134 Common Victualers Application  
JR and JJ Inc. d/b/a Virsa de Punjab Indian Kitchen and Bar**

**Ms. Fleischman moved that the Selectmen grant the application for a Common Victualler's license to JR and JJ Inc. d/b/a Virsa de Punjab Indian Kitchen at 347 Great Road pending proof that a valid Certificate of Occupancy has been issued. Ms. Fedele seconded the motion.**

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

**16-135 Common Victualers Application  
158 Comella's Bedford Marketplace LLC d/b/a Comella's Restaurant**

Attorney Pam Brown presented the Selectmen with a Common Victualers application for Comella's Restaurant. Attorney Brown noted that Comella's is a family owned restaurant with several locations.

**Ms. Fleischman moved that the Selectmen grant the application for a Common Victualler's license to Comella's Restaurant at 158 Great Road pending approval from the Board of Health and the Building Inspector. Ms. Fedele seconded the motion.**

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



**16-138 Exercise of Option to Renew Lease  
Bedford Babe Ruth Baseball**

Mr. Alani presented the Selectmen with a lease renewal. Bedford Babe Ruth currently lease Unit #2 at the Depot station. They wish to renew the lease from January 1, 2016 through December 31, 2016.

**Ms. Fleischman moved that the Selectmen exercise the option to renew the lease at the Depot station to Bedford Babe Ruth Baseball through December 31, 2016. Ms. Fedele seconded the motion.**

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

**16-139 Capital Expenditures Committee Presentation  
Recommended FY17-FY22 Capital Expenditures Plan**

Capital Expenditures Chair Brian Bartkus discussed the recommended FY17 Capital Articles as well as the six-year Capital Expenditures Plan with the Selectmen.

Mr. Bartkus explained that the Committee has been meeting throughout the year rather than just in the fall. This has allowed them to meet with individual department heads to discuss their upcoming projects and needs. Mr. Bartkus noted that it was evident that the department heads had worked collaboratively to space out their requests so as not to overlap with another department. For example, the Fire Department asked for a new fire truck and the DPW held off for another year.

Next, Mr. Bartkus explained the rating system which the Committee uses for projects. A rating system of 0-3 was used: '0,' being a project that must be done and a rating of '3,' meant that the Committee either needed more information or the project did not pass the vetting process.

Mr. Bartkus and the Selectmen had an extended discussion about the proposed FY17 Capital Projects including a road resurfacing project which is eligible partially for Chapter 90 funds, athletic field construction at Liljegren which is eligible for Community Preservation funds and a Sewer Force Main replacement.

**16-140 Bedford Street Sewer Force Main Rehabilitation Contracts  
Revoli Construction Company Change Order**

Town Engineer Adrienne St. John presented the Selectmen with a Change Order from Revoli Construction Company. Evidence of a past fuel spill in both the soil and groundwater was discovered during the installation of the tapping sleeve for the by-pass sewer pipe on the east side of the Main Sewer Station. Ms. St. John noted that Weston & Sampson would be involved in this clean-up process as well. Revoli's cost to provide the additional work to rent equipment for cleaning the tank is \$6,972.

**Ms. Fleischman moved to approve the Change Order from Revoli Construction Company for the Bedford Street Sewer Force Main Rehabilitation project in the amount of \$6,972. Ms. Fedele seconded the motion.**

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

**16-141                      Vehicle Purchase**

**All-Wheel Drive Four Door Utility- Colonial Ford,  
Plymouth, MA**

Ms. St. John stated that the Vehicle Purchase request was for a Police SUV. The Town received a bid price of \$28,598 from Colonial Ford. The Town would be trading in a 2008 Ford Crown Victoria towards this purchase. The cost of the new SUV is \$27,098.

**Mr. Moonan made a motion to approve the purchase of one All-Wheel Drive Four Door Utility from Colonial Ford, 147 Samoset Street, Plymouth MA 02360 at the net bid price of \$27,098. Funding for this item exists in the FY2016 Vehicle and Equipment Replacement, Article 13-29/16, Account 001.4000.5780.8133. Ms. Fleischman seconded the motion.**

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

**16-142                      Acceptance of Jet Aviation Funds**

Mr. Rosenberg explained the events surrounding the donation of funds from Jet Aviation. Mr. Rosenberg stated that Jet Aviation is an international company located at Hanscom Field. In 2013, Jet Aviation issued a Public Notice regarding its plans to expand. Early in 2014, Jet Aviation filed a Notice of Intent with the Lincoln Conservation Commission (LCC) under the state Wetlands Act but not under Lincoln Wetlands Bylaw. A group of concerned Lincoln and Lexington residents and the LCC asked Jet Aviation if development within Lincoln's wetlands buffer could be reduced. Jet Aviation stated that would be impossible. The concerned citizens appealed to the State. In October of 2014, MassDEP issued a Superseding Order of Conditions affirming the citizen's Order of Condition under that Wetlands Act. The citizens filed a second appeal. In April of 2015, the Mass DEP approved a Settlement Agreement. One of the terms of the settlement is that Jet Aviation makes a donation to the Hanscom Area Towns "for the purpose of any environmental improvements and/or acquisitions of conservation land that the Town chooses in its sole discretion." The Town of Concord voted to accept the citizens-generated donation from Jet Aviation. The Town of Lincoln voted to defer acceptance of funds which would leave \$34,000 for Bedford. The funds are expected in March of 2016. Mr. Rosenberg was asked to seek approval from the Selectmen to accept these funds.

Mr. Moonan was pleased with the outcome and offered to draft a letter on behalf of the Selectmen to express the Town of Bedford's gratitude to the various organizations that made this possible.

**Mr. Rosenberg moved that Selectmen approve acceptance of a donation in the amount of \$34,000 from Jet Aviation for the use of environmental improvement or acquisition of conservation land. Mr. Rosenberg further authorized the Chair to send a letter of thanks to Save Our Heritage, Lexington-based ShhAir and the petitioners from the Town of Lincoln. Ms. Fleischman seconded the motion.**

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

**16-143                      2016 License Renewal  
   Unigon LLC d/b/a Prince Street Café and Bakery**

Mr. Reed noted that Prince Street Café and Bakery had until December 31, 2015 to pay their FY15 Personal Property taxes. Mr. Reed stated that the Selectmen could either approve the Common Victualers license pending payment of the taxes or delay until then next Selectmen's meeting.

**Ms. Fedele moved that the Selectmen approve the 2016 Common Victualers license for Unigon LLC d/b/a Prince Street Café pending receipt of the FY15 Personal Property taxes in the amount of \$264.81 by December 31, 2015. Ms. Fleischman seconded the motion.**

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

**16-144                      Miscellaneous Action Items  
   Chapter 268A, Section 20(b) Exemptions  
   Sena Changelian and Nick Salem**

**Mr. Rosenberg made a motion to approve the waiver from Chapter 268A, Section 20 (b) for Sena Changelian and Nick Salem. Ms. Fleischman seconded the motion.**

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

**16-145                      Minutes  
   Regular Session Minutes – December 7, 2015  
   Executive Session Minutes – November 16, 2015**

**Mr. Moonan made a motion to approve the Regular Session Minutes of December 7, 2015 as amended. Ms. Fleischman seconded the motion.**

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

**Mr. Moonan made a motion to approve the Executive Session Minutes of November 16, 2015 as presented. Ms. Fleischman seconded the motion.**

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

**16-146                      Town Manager's Report**

Mr. Reed informed the Selectmen that Shawsheen Tech had released a Master Plan for improvements to its Recreational facilities. As part of a Regional Agreement, Bedford is obligated to pay 10% toward this project. Shawsheen Tech will be securing a bond of \$6 million for the project. Mr. Reed noted that Bedford's enrollment in Shawsheen Tech would be decreasing by two students at the end of the year. Mr. Reed concluded by saying that if the Towns involved in the Regional Agreement had objections to the bond, they could call for a Special Town Meeting.

Finally, Mr. Reed asked the Selectmen to vote whether or not to forward the proposed Zoning Bylaw amendments to the Planning Board. The Zoning Board of Appeals (ZBA) submitted a set of proposed Zoning Bylaw Amendments to the Selectmen which are intended to allow retail and other stores to have up to 2,000 square feet by right but with a special permit of up to 4,000 square feet.

Mr. Moonan asked if the ZBA had to accept the Planning Board's suggestions. Mr. Reed said that he needed to ask Town Counsel who has the ability to make changes.

**Mr. Moonan moved that the Selectmen forward the Zoning Board of Appeals Bylaw amendments to the Planning Board. Ms. Fedele seconded the motion.  
The motion passed 5-0-0.**

**16-147                      Open Discussion and Selectmen Liaison Reports**

Mr. Rosenberg stated that the Hanscom Field Advisory Committee received a noise report from Port Authority stating that last year was the quietest year since the noise calculations began in the late seventies.

Ms. Fleischman noted that the Energy Task Force received information from MAPC about participating in a gas leak study.

Ms. Fedele confirmed that she would be running for reelection.

Chair Siegenthaler informed the Selectmen that he would not be available for the March 14<sup>th</sup> meeting.

**16-148                      Executive Session  
Contract Negotiations with Non-Union Personnel**

**Mr. Moonan made a motion to adjourn into Executive Session and to not return to Regular Session for the purposed of discussing Contract Negations with Non-Union Personnel. Ms. Fedele seconded the motion.**

**The Selectmen were polled individually: Siegenthaler, aye, Moonan, aye, Fleischman, aye, Rosenberg, aye and Fedele, aye.**

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

The meeting adjourned at 9:55 p.m.