

**Regular Session Minutes – Selectmen’s Meeting  
Selectmen’s Meeting Room, Town Hall  
Monday, February 1, 2016 - 7:30 p.m.**

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

**ALSO PRESENT:** Town Engineer Adrienne St. John; Recreation Director Amy Hamilton; Program Coordinators Nikki Taylor and Raeann Gembis; Recreation Commission members Mike O’Shaughnessy, Ron Richter and Tom Mulligan; Community Preservation Committee Chair and Recreation Commission member Robin Steele; Finance Director Victor Garofalo; Assistant Town Manager Michael Rosen; Finance Committee member Ben Thomas; Press Representatives Debra Parkhurst and John Ciampa; Brian Dorrington, Bedford TV

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

**16-181            Committee Appointment Interview – Energy Task Force**

Christine Rabinowitz was interviewed as a candidate for the vacancy on the Energy Task Force. Selectmen Liaison Margot Fleischman explained the purpose of the committee as making recommendations to the Town about municipal energy use, promoting energy conservation for the Town and residents. They have been working on Community Choice Aggregation.

Ms. Rabinowitz explained that she became interested in volunteering on this committee after becoming involved in the Mothers Out Front group and after attending a program at First Parish Church that discussed energy usage. She wanted to learn more so she decided to attend a meeting of the Energy Task Force and has been regularly attending meetings. She submitted a Volunteer Questionnaire in case an opening occurred.

Chair Siegenthaler explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse. He also encouraged Ms. Rabinowitz to consider taking on a leadership role as chair in the future.

**Mr. Rosenberg moved to appoint Christine Rabinowitz to the Energy Task Force for a term ending June 30, 2016. Ms. Fedele seconded the motion.**

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

**16-182            March 1, 2016 Presidential Primary Election Warrant – Approval**

**Mr. Rosenberg moved to approve the text of the Presidential Primary Election Warrant for March 1, 2016. Ms. Fedele seconded the motion.**

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

**16-183 March 12, 2016 Town Election Warrant – Approval**

**Mr. Rosenberg moved to approve the text of the Annual Town Election Warrant for March 12, 2016. Ms. Fleischman seconded the motion.**

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

**16-184 Sewer Force Main Rehabilitation Contract – Weston & Sampson – Change Order**

During the installation of the sewer bypass system, evidence of a past fuel spill was discovered at the Main Sewer Station. Previously Revoli Construction removed contaminated groundwater and 35 cubic yards of material from the site. Weston and Sampson is recommending that the Town obtain a Permanent Solution Statement to close out the environmental file on this project. This solution would require the collection of soil borings, ground water and river sampling to confirm the limits of the release and concentrations of the remaining fuel. Two rounds of sampling will occur over the next 3 months during times of high and low flow.

**Mr. Moonan moved that the Selectmen authorize Change Order #1 of the Weston & Sampson Construction Services Contract for the Bedford Sewer Force Main in the amount of \$41,800. Ms. Fleischman seconded the motion.**

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

Ms. Fleischman asked that Ms. St. John look into adjusting the timing of the traffic light at South Road and Great Road. Southbound traffic turning right onto Great Road is getting backed up. Ms. St. John replied that she will look into adjusting the phasing of the light.

**16-185 Springs Brook Park Recommendations – Recreation Commission**

Recreation Director Amy Hamilton and Recreation Commission chair Ron Richter were present to discuss the future of Springs Brook Park. Ms. Hamilton highlighted some of the main issues of the park including the poor water clarity and the fact the Park loses money every year. There was a deficit of \$36,000 in 2015. The poor water clarity forces periodic closures of the park and the deep end is not open to the public. The park was closed on the weekends last summer so that there would be better clarity for swim lessons. Non-residents make up the majority of walk-ins. Some non-resident walk-ins have been reported to not follow the rules and cause disturbances. Bedford residents have reported that the park is overcrowded with non-residents.

After taking all of this into consideration the Recreation Commission is recommending that the non-residents will have to buy a membership and can no longer be treated as walk-ins. It is the hope of the Recreation Commission that requiring non-residents to purchase a membership will decrease the overcrowded days mostly attended by non-members, thus in turn attract more Bedford residents to come to the park. This option however may result in the loss of \$91,000 - \$108,000.

Ms. Fleischman was concerned that this was not a fiscally responsible approach and was not sure that eliminating non-resident walk-ins would really attract more Bedford users.

Ms. Hamilton acknowledged those concerns and stated that there is a need to develop a long term plan for the park whether it will include a pool or be a park with other features. In the meantime the Recreation Commission needs to decide to do with the park this summer.

Mr. Moonan asked the Recreation Commission to provide, in the near future, a definition of, and a way to measure, the success of their newly proposed policy. For instance, was the goal of this policy financial in nature, and/or was it a way to effect attendance..

Mr. Rosenberg acknowledged the committee's analysis and supports their recommendation.

Ms. Hamilton will ask the Commission to meet again to discuss the Selectmen's concerns and will report back. The final decision will need to be made soon as they have to commit to staff for the summer.

### **16-186 Proposed FY2017 Operating Budget**

Town Manager Richard Reed explained that the Selectmen's discretionary operating budgets exceed the Finance Committee's guideline by \$138,550. Some items in Selectmen operating budgets contributing to not meeting the guideline are as follows:

- Finance Department expenses are increasing by \$35,000 for IT consulting services.
- Elections & Registration budget is increasing by \$13,223 (31.6%) in FY17 due the number of elections needing to be run next year.
- Fire Department requires a \$5,977 (20.9%) increase for vehicle maintenance due to increased frequency of repairs.
- Maintenance contract costs in the Police Department are increasing by \$13,634 (66.5%) for the dispatch recording system and other dispatch equipment and recently installed cruiser video recording equipment.
- The Bedford Local Transit (BLT) Service includes \$104,794 in extra funding for operating a pilot program to increase local transit service for Bedford residents and businesses.
- The Code Enforcement Department includes \$5,000 (\$4,000 in part-time assistance and \$1,000 in supplies) for increased emphasis on records and plan archival.

Mr. Moonan reported that the Finance Committee discussed the BLT pilot program and they are recommending that this be a separate warrant article. The Selectmen agreed that it should be its own article to provide more detail. The article will be placed before the Operating Budget in the warrant.

**Mr. Moonan moved that the Selectmen approve the Selectmen's Discretionary budget of \$42,648,352. Mr. Rosenberg seconded the motion.**

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

### **16-187 Refunding Bonds Issuance – Approval**

The current low interest rate environment has created an opportunity to refinance bonds issued on April 1, 2007 and July 15, 2009. This would result in a net savings of \$750,000.

**Mr. Moonan moved that in order to save interest costs, the Treasurer is authorized to provide for the sale and issuance of bonds under G.L. c. 44, Section 21A, to refund all or any portion of the remaining principal of and redemption premium and interest on the Town's General Obligation Bonds dated April 1, 2007 and July 15, 2009 and that for this purpose the Treasurer is authorized to provide for the preparation and distribution of a Preliminary Official Statement; provided, however, that no bonds shall be issued under this vote unless and until the final interest rates and other terms of the refunding bonds are approved by the Selectmen. Ms. Fleischman seconded the motion.**

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

**16-188      2016 Annual Town Meeting Warrant  
Review of Draft Warrant  
Proposed Community Preservation Budget**

**Article 7 – General Bylaw Amendment – Wetlands Protection**

Mr. Reed stated that the length of the proposed amendments to the Wetlands Protection Bylaw amendments is currently 16 pages. Mr. Reed will work with the Conservation Commission to shorten this. He is recommending that the bylaw be repealed in its entirety and the new text be displayed in the warrant. Conservation Commission chair Steven Hagan reported that he is fine with this proposed change.

A handout will be distributed at Town Meeting and on the Town's website that shows the current and proposed versions of the Bylaw. Ms. Fleischman cautioned that the handout should compare content sections since much of the Bylaw has been reorganized into different numerical sections.

**Article 20 – Community Preservation Budget – Fiscal Year 2017**

Community Preservation Committee (CPC) chair Robin Steele presented the proposed FY17 CPC budget. The CPC held a public hearing on January 26, 2016 and recommended approval of the following projects;

**Affordable Housing**

- a. Affordable Housing Consultant (\$30,000)
- b. Bedford Housing Authority Kitchen and Bathroom Replacement (\$375,000)

Funding these two projects covers the 10 percent that must be allocated annually for Affordable Housing.

**Historic Preservation**

- a. Historic Properties Preservation Fund (\$75,000)
- b. Job Lane House Fire Protection Sprinklers (65,790)
- c. Old Town Hall Exterior Stairs (\$43,500)

**Recreation**

- a. Athletic Field Development (\$1,000,000 bonded)
- b. Town/School Grounds Rehabilitation (\$26,469)
- c. Fawn Lake Design (100,000)
- d. Minuteman Bikeway Extension Design (\$225,000) – The original request was for \$435,325 but the CPC decided the project should be split between CP funds and

Chapter 90 funds since part of the proposed project includes the reconstruction of Railroad Avenue. Once this design work is finished it can be submitted to the state for construction funding.

**Administrative Costs (\$10,000)**

**Bond Payments**

- a. FY17 Town Center Bond Payment (\$184,750) – end date of FY2021
- b. FY17 350A Concord Road Bond Payment (\$456,038) – end date of FY2026
- c. Town Hall MEP Project Bond Payment (\$110,114) –
- d. Liljegren Field Bond Payment (\$38,000) This will be the first bond payment for the Liljegren Field project.

After funding the available projects there is \$276,000 left over. Ms. Steele added that \$100,000 was requested for the design of Wilson Field but the CPC did not think it was ready to be funded as they were hearing that it needed further discussion. The CPC anticipates that this project may be ready for funding by Special Town Meeting in the Fall.

The CPC also decided to not fund a request to replace the windows at the library because it was not clear whether it was a restoration or replacement project. Mr. Reed added that it may be more cost effective to completely replace the windows. This project could be added to the FY17 Capital Budget.

**Articles 8 – 15 Zoning Bylaw Articles**

Mr. Reed explained that the Planning Board will be holding public hearings for the proposed Zoning Bylaw amendments over the next few weeks and recommended that the Selectmen wait to take a position on these articles until after the public hearings.

**Article 18 – Contingent Bond Authorization – Job Lane School Addition**

The addition would add four to six classrooms to the Lane School to accommodate increased student enrollment. This project can be funded under proposition 2 ½. Finance Director Victor Garofalo added that the Finance Committee was discussing whether the Town should pay cash for a portion of the project so that it is not as much of a burden on the taxpayer now or whether the entire project should be bonded so the burden is spread out over 20 years for future taxpayers and users of the school.

**Article 26 & 27 – Other Post-Employment Benefits Liability Trust Fund Appropriation and Transfer of Health Claims Trust Fund Balance to OPEB Liability Trust Fund**

Article 26 proposes to appropriate \$579,502 to the Other Post-Employment Benefits (OPEB) fund for health and life insurance benefits of both current and future retired employees.

Article 27 proposes the transfer of \$700,000 from the old Health Claims Trust Fund to the (OPEB) Liability Trust Fund which was established in Article 21 of the 2011 Annual Town Meeting. The old trust fund cannot be used for any other purpose so it makes sense to transfer into this account. Chair Siegenthaler asked why the Town should double appropriate funds to OPEB since \$700,000 will be placed in this fund already. Mr. Reed replied that it would lower

the taxes for one year only but taxes would go back up in the following year would giving the appearance of the Town increasing taxes.

**Article 4 – Reauthorization of the Revolving Funds**

Mr. Reed explained that the Cable Television Revolving Fund increase will be used this year to help pay for the Town-wide communications project.

**Article 16 – Easement Acquisitions for Middlesex Turnpike and Great Road/Mudge Way Intersections**

This article would allow the Town to acquire by gift, purchase or eminent domain, any additional land and easements required for the widening of Middlesex Turnpike from Crosby Drive north to the Bedford/Billerica town line and any easements required for the Great Road/Mudge Way Safe Routes to School Project. Mr. Reed added that \$10,000 - \$20,000 may be put aside for this project.

**Article 17 – Mudge Way Street Acceptance**

A portion of Mudge Way has never been formally accepted as a public way.

**Article 19 – Proposed FY2017 Capital Projects Plan**

The library windows replacement project may be added to the FY2017 Capital Plan.

Mr. Reed stated that another article may be added for a proposed project to add solar panels to the roofs of some school buildings. A public forum about this will be held on Thursday, February 4, 2016.

**16-189      Town Manager’s Report**

Mr. Reed reported that the Request for Proposals (RFP) for the open office space vacated by Bedford Center for the Arts at Old Town Hall are due on February 12, 2016.

**16-190      Open Discussion and Selectmen Liaison Reports**

Mr. Moonan reported that the Depot Park Advisory Committee would like to contribute to the RFP for tenants at Depot Park. They discussed that it would be more desirable to have one tenant for the first floor. Also they discussed renting out the basement for storage. Mr. Reed added that he hopes to have the RFP finished by July 1, 2016.

Mr. Rosenberg stated that he heard that a restaurant will be going in at The Crossing at Bedford.

Mr. Moonan also explained that the Finance Committee was discussing having an override which would reduce the allowable tax levy. Mr. Garofalo added that the bonding agencies do not look favorably on overrides as this takes away the ability to raise money during economic downturns.

Mr. Rosenberg stated that HATS will be hosting the Lieutenant Governor at their next meeting. He asked the other Selectmen to let him know of any regional issues that they would like brought up.

Ms. Fleischman and Mr. Moonan attended the promotion ceremony for Lt. Colonel Dunklee.

Mr. Siegenthaler reminded the Selectmen that the MAGIC legislature event is scheduled for Friday, February 5, 2016.

**Mr. Moonan made a motion to adjourn. Ms. Fleischman seconded the motion.**

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

**The meeting adjourned at 10:41p.m.**