

**Regular Session Minutes – Selectmen’s Meeting
Selectmen’s Meeting Room, Town Hall
Monday, March 10, 2014, 7:30 p.m.**

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

ALSO PRESENT: Mary Kay Elloian, Steven Hagan, Jan Shephard, and Joanna Nickerson, Charter Review Committee candidates; Aubrey Jaffer, Mark Mullins and Brendan Welch, Energy Task Force candidates; Roy Sorenson, Director of Public Works; Town Engineer Adrienne St. John; James Shea, 30 Independence Road; Dave Ellis, 8 Hilltop Drive; Assistant Town Manager Jessica Porter; Ben Thomas, Finance Committee; Brian Dorrington, Cable TV; and Julie Turner, Joan Bowen and Mary McBride Press Representatives

Chair Moonan called the meeting to order at 7:34 p.m.

14-213 Oath of Office to Selectmen Newly Elected/ Re-elected

Town Clerk Doreen Tremblay was present to administer the Oath of Office to re-elected Selectmen Michael Rosenberg and Mark Siegenthaler.

14-214 Reorganization of the Selectmen – Election of Chair and Clerk

Chair Moonan opened the nominations for chair.

Mr. Siegenthaler made a motion to nominate Margot Fleischman as chair. Ms. Fedele seconded the motion. There were no other nominations.

The motion passed 5-0-0.

Ms. Fleischman was elected Chair of the Selectmen by a vote of 5-0-0.

Chair Fleischman opened the nominations for clerk.

Mr. Rosenberg made a motion to nominate Mark Siegenthaler as Clerk. Mr. Moonan seconded the motion.

Mr. Rosenberg made a motion to close the nominations. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Siegenthaler was elected Clerk of the Selectmen by a vote of 5-0-0.

14-215 Appointment Interviews – Charter Review Committee and Energy Task Force

Chair Fleischman welcomed Mary Kay Elloian, Steven Hagan, Jan Shephard, and Joanna Nickerson, for interviews for 5 at-large spots on the Charter Review Committee. She indicated that several more candidates had been interviewed at the last next meeting and the Selectmen would then choose five at-large candidates.

The Selectmen asked the four candidates why they would want to be on the Charter Review Committee, if they had any issues the way the Charter is currently written, their opinion on the frequency that this committee is set to reorganize under the Charter (every 5 years), to think about what their personal strategy would be to gather information about what the concerns of people are regarding the Charter and areas that might need to be addressed, use of media to get the citizen's input on Charter changes, and if chosen, whether they felt that they could regularly attend the meetings once they are set. Chair Moonan also asked the volunteers to think about serving as the committee's chair, if appointed.

Chair Fleischman relayed the Conflict of Interest Law, the Open Meeting Law and the Rules of Civil Discourse. Chair Fleischman also asked the volunteers to think about serving as the committee's chair, if appointed. She mentioned that the Selectmen would take their vote later this evening and that they will be advised of the Selectmen's choice. She thanked the candidates for coming in to be interviewed and for wanting to volunteer for the Town.

At this time, the Selectmen interviewed Aubrey Jaffer, Mark Mullins and Brendan Welch for the Energy Task Force.

Ms. Fleischman, Selectmen Liaison to the Energy Task Force explained the responsibilities of this committee that gathers information and makes recommendations for reducing municipal energy use. This committee works closely with the Facilities Director. The term will be to June 30, 2014 and then the member can be reappointed in June.

The candidates were asked what interested them in volunteering for this committee. Mr. Mullins moved to Town two years ago and wanted to get involved in Town government. He has over twenty years of experience with energy conservation. Mr. Jaffer hopes to increase the use of energy audits for businesses. Mr. Welch belongs to Transition Town of Bedford and has attended a meeting and had some ideas that he thought may be worthwhile.

Mr. Moonan made a motion to appoint Mark Mullins, Aubrey Jaffer and Brendan Welch to the Energy Task Force for a term ending June 30, 2014. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

14-216 Force Main Rehabilitation Design Agreement – Weston & Sampson Engineers, Inc. – Peabody, Massachusetts

Public Works Director Roy Sorenson and Town Engineer Adrienne St. John explained that this agreement was for the rehabilitation of the twenty inch sewer main on Bedford Street in Lexington. In January, a section of the pipe began leaking sewage. Weston & Sampson Engineers will be responsible for the field survey, evaluation, design and hydraulic modeling for three separate methods to replace this section.

The price of the work is \$93,000. There is currently \$50,000 in capital funding from Article 11 of the 2008 Annual Town Meeting. The rest of the funds will be voted on at the upcoming Town Meeting on March 24, 2014.

Mr. Rosenberg emphasized the importance of expediting this project before anything else goes wrong.

Mr. Siegenthaler made a motion to approve the contract between the Town of Bedford and Weston & Sampson Engineers, Inc., for the force main rehabilitation project on Bedford Street in Lexington in the amount of \$93,000 subject to the rest being approved at Annual Town Meeting. Ms. Fedele seconded the motion.

The motion passed 4-0-1, Mr. Moonan abstained.

14-217 2014 Annual Town Meeting – Article Recommendations

Mr. Reed explained that the Selectmen had the opportunity to amend or update any recommendation for warrant articles.

Article 13 – Proposed TIF agreement – Mr. Reed reported that some progress had been made with Aspen Technology. They settled on percentages of thirty percent for the first two years, fifteen percent for the third and fourth year and ten percent for the fifth year. Aspen Technology will be merging their Burlington, Massachusetts and Nashua, New Hampshire locations into the Crosby Drive location. Construction is set to begin this spring and will likely take a year. Some individuals will move into the space before construction is complete. The vote at Town Meeting would authorize the Selectmen to approve the agreement.

Mr. Rosenberg made a motion to recommend approval of Article 13 – Tax Increment Financing Agreement. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

Mr. Reed stated that the Finance Committee has recommended approval of Articles 27 and 29.

Mr. Rosenberg asked where the process was in reconciling the Finance Committee guideline with the School budget. The schools will hire two less two full-time employees which will save money on health insurance. There is still a \$90,000 difference. Mr. Moonan added that the School Committee is asking for a percentage that does not reflect the income of the Town.

14-220 Miscellaneous Action Items – Special One- Day Liquor License – Prince Street Café & Bakery f/b/o Timothy Ebacher Scholarship Fund

Since the applicant for the One-Day license was present, the Selectmen decided to discuss this item now. David Ellis is holding a fundraiser in memory of his high school friend Timothy Ebacher who passed away from cancer. The proceeds of the fundraiser will go to the scholarship fund set up in Mr. Ebacher's name. Mr. Moonan asked if they had a particular type of student to award the scholarship to. Mr. Ellis replied that there are many qualities that represent who Mr. Ebacher was so there is no one specific quality. Mr. Ellis is hoping to hold this fundraiser once a year.

Mr. Moonan made a motion to grant a one day wine and malt license to Prince Street Café and Bakery f/b/o of the Timothy Ebacher Scholarship Fund for an event at Old Town Hall on Friday, April 4, 2014. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

14-218 Ad Hoc Historical Museum Study Committee – Update on Draft Charge

Mr. Reed referenced an e-mail from Town Counsel's office concerning the appointment of a member of the Historical Society to the ad Hoc Historical Museum Study Committee. It was recommended that a member who is part of the ad hoc committee and the Historical Society should not discuss financial matters that affect both the Town and the Historical Society. The Selectmen discussed whether the potential member should act as a liaison and not have a vote; but it was decided that this decision should be made by the Historical Society.

14-219 Selectmen/ Town Manager's Goals Update

Mr. Reed had prepared an update on the Selectmen's goals that were prioritized at a Selectmen's meeting in August. Mr. Sorenson was present to answer any questions that pertained to Public Works projects.

Water Distribution System Upgrade: The Great Road from the Lexington town line to North Road was cleaned and relined. This summer the ten-inch main along Shawsheen Road onto Page Road will be cleaned and relined as well.

Recreation Field Development: The Town is waiting for the judge's ruling on the variance in connection with the St. Michael's property. At this time the process has been halted until that decision comes in. Mr. Sorenson is working on developing a field maintenance plan based on the work of the Outdoor Recreation Area Study Committee.

General Sidewalk Program: An easement has been obtained from a homeowner on North Road to complete that sidewalk project. The Concord Road sidewalk project design work and study will be conducted. Mr. Reed is hoping to have this project finished this year since the funding is already available. Mr. Reed also stated that minor temporary fixes will be done to Hartwell Road before beginning the larger reconstruction

project. After the Concord Road project, the Hemlock Lane sidewalk will be built on the west side because that it is more cost-effective.

Bedford Street Sewer Main Rehabilitation: This was discussed early in the meeting when approving the contract with Weston & Sampson Engineers.

Definitions of Thresholds for Considering Contracted services for DPW Projects: This project will be re-evaluated for the FY16 capital and budget season since the current DPW Director has only been with the Town for nine months.

Tri-Town/Middlesex Turnpike Project – Phase 3 Coordination: In 2014 the utility and paving work for Phase 2 will be completed and the permitting for Phase 3 will be continue.

School Way Project: This project's design is complete and will include Elm Street, Maple Street, Foster and Rodney Roads as well. The project will go out to bid in the spring and will be bid out with the Great Road/ Springs Road/ South Road Traffic Signal Update project to encourage interest.

Great Road/ Springs Road/ South Road Traffic Signal Update: This project will include the Fire Department pre-emption signal as well. This will be coming before the Selectmen once the design plan is finalized. It was suggested that the Historic District Commission be informed of this project.

Reformatory Branch Extension/ Railroad: There are three projects which have been discussed at a public meeting. The Town has to choose which one they will go forward with. A meeting has to be set up with Massachusetts Department of Transportation (MassDOT) to review the project. The Town has to go through this process with MassDOT to get state funding. Mr. Siegenthaler was concerned about the 12-foot travel lane option where past practice has been eleven feet. The Town has a ten foot easement that does not seem to be utilized in current plans. Mr. Sorenson commented that the Town is not committed to any of the options at this time.

Depot Park – Future Development/ Use Visioning: Two of the four tenants in the Depot Building have decided to vacate their rental units. No new tenants will be sought until most of the project is finished. Mr. Siegenthaler mentioned that it would make sense to find out the cost of removing the second floor of the building while these spaces are vacant.

Funding for Education of Hanscom Military Dependents: Representative Gordon and Senator Barrett filed legislation to amend Chapter 70 to add permanent funding for communities that educate military dependents. The Town will monitor the FY15 State Budget process.

Long Term Comprehensive Financial Planning for Capital Needs: There is a need to develop a long-term revenue plan. Mr. Reed plans to work with staff starting in the spring and into the summer to develop consensus on a long-term plan. He also wants staff to work with the Capital Expenditure Committee to re-examine the system

evaluation criteria so that a closer match-up can be produced from what the Capital Asset Management system is recommending.

Evaluate Implementation of Fire Department Paramedic Services: This was part of the recent contract negotiations with the Fire Department Union. Necessary budget funding will be secured at Fall Town Meeting.

Volunteer Recruitment Process and Bylaw: There has not been any progress with this goal.

Schedule Charter Review: The committee has been established and members with appointed later in this meeting.

Restaurant Alcohol License Policy Review: The Town Manager needs to incorporate the changes from the December 16, 2013 Selectmen's meeting and hopes to have this done for the April 7, 2014 Selectmen's meeting.

Community Survey: The survey was mailed out to a random selection of residents and the Town should have the results by mid-May.

Facilities Director Recruitment: Taissir Alani will be starting as Facilities Director on March 17, 2014.

Economic Development Coordinator Recruitment: Mr. Reed is in the process of finalizing an appointment.

14-221 Minutes – Regular Session March 3, 2014

Mr. Moonan made a motion to approve the Regular Session Minutes of March 3, 2014, as amended. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0

14-215 Committee Interviews – Charter Review Committee

There are seven candidates and five at-large spots. The Selectmen observed that some candidates seemed to be more interested in By-Law changes than Charter changes. The Selectmen briefly discussed the criteria for candidates and thought diversity in point of view was important.

Mr. Siegenthaler made a motion to appoint the Town Moderator Betsey Anderson to the Charter Review Committee. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to appoint Ed Pierce to represent the School Committee and Amy Lloyd to represent the Planning Board on the Charter Review Committee. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to appoint Michael Rosenberg as the Selectmen representative to the Charter Review Committee. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Siegenthaler made a motion to appoint Anne Bickford to the Charter Review Committee. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to appoint Bruce Murphy to the Charter Review Committee. Ms. Fedele seconded the motion.

The motion failed 2-3-0, Mr. Siegenthaler, Ms. Fleischman and Mr. Moonan voted against .

Mr. Siegenthaler made a motion to appoint Polly Herz to the Charter Review Committee. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to appoint Joanna Nickerson to the Charter Review Committee. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to appoint Steven Hagan to the Charter Review Committee. Mr. Siegenthaler seconded the motion.

The motion passed 3-2-0. Ms. Fedele and Mr. Rosenberg voted against.

Mr. Siegenthaler made a motion to appoint Jan Shepard to the Charter Review Committee. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

14-222 Town Manager's Report

Mr. Reed presented the Selectmen with a preliminary denial to sign for the Comcast License Renewal while the Town awaits final approval from Comcast.

Mr. Reed mentioned that there was a plan to extend the west end asphalt pad at Town Center so that it can be utilized for the summer concert series and larger play areas for the kids. The Town Center board unanimously voted to approve this project.

There will be a volunteer training workshop on April 16, 2014. Town Counsel is looking into the issue of quorums for various committees so that it can be discussed as part of the training.

14-223 Open Discussion

Mr. Rosenberg inquired about the Memorial Resolutions for Town Meeting. Mr. Reed replied that they would be included in the next packet.

Mr. Siegenthaler thought it might be worthwhile looking into different legal counsel practices since the current legal counsel is increasing the rates again this year.

Now that there is another opening on the Zoning Board of Appeals, Arthur Black Smith should be contacted to see if he was still interested as he was interviewed at the last Selectmen's meeting for a spot.

Mr. Moonan stated the he talked with the Zoning Board of Appeals Chair so that he could include their concerns in the letter to MassDOT concerning the old Travelodge site. A response from MassDOT is on its way and it that they did not wish to change the plans other than addressing the bicycle lane issue.

Mr. Moonan updated the Selectmen on the status of the charrette concerning the Pine Hill Housing. Dewing, Schmid ,Kearns, Architects and Planners are visiting the site and are holding a workshop on April 1, 2014 to gain feedback from the public. This will cost the Town approximately \$3,700 with the other half being covered by the Housing Authority.

Ms. Fedele made a motion to adjourn. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

The Regular Session meeting adjourned at 10:40 p.m.