

**Regular Session Minutes – Selectmen’s Meeting  
Selectmen’s Meeting Room, Town Hall  
May 26, 2015, 7:30 p.m.**

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

**ABSENT:** William S. Moonan

**ALSO PRESENT:** Ben Thomas, Finance Committee; Town Engineer Adrienne St. John; DPW Director Roy Sorenson; Jeffrey Pollock; Greg Dolan and Julie Turner, Bedford Community Access Television; James Shea and Mildred Seaborn, Cable Television Committee; Meredith McCullough, the Bedford Citizen; Lindsey Bullen, Administrative Assistant

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

**15-262                      Water Main Cleaning and Lining Contract  
Loomis Street/South Road/Railroad Ave  
Biszko Contracting Corp. - Fall River, MA**

Town Engineer Adrienne St. John was present to explain the water main cleaning and lining contract for Loomis Street, South Road, and Railroad Avenue. Ms. St. John explained that this project is a continuation of the annual rehabilitation of the system. It will take 4 to 5 years to remove the tuberculation in the pipes. By cleaning and relining the pipes, the chlorine residual will be able to get further into system. This contract will cover Loomis Street, the upper portion of South Road, and the east section of Railroad Avenue up to the Middle School.

Ms. St. John also clarified that there are two other aspects of the contract. One aspect is removing the smaller, older water main at the westerly end of Loomis Street and replacing any iron water services.

Six companies submitted bids for the project. The Town has worked with Biszko Contracting Corp in the past.

There was a discussion about when the project would start. Ms. St. John stated that July 1<sup>st</sup> is the goal because school will be out. She said they would be conscious of the timing since other projects are going on at the same time, like the gas line on Page Road and the traffic lights on The Great Road. There was also discussion about the timing of the improvements to Railroad Avenue.

**Mr. Rosenberg moved to approve the contract with Biszko Contracting Corp. in the amount of \$904,290.29 for water main improvements along Loomis Street, South Road, and Railroad Avenue. Ms. Fedele seconded the motion.**

**The motion passed 4-0-0.**

**15-263      Roadway Reclamation  
              Nocella Landscaping and Paving – Woburn, MA**

Ms. St. John presented an Agreement with Nocella Paving & Landscaping for Roadway Reclamation as part of the Town's annual roadway reconstruction program. Potential roads for the project include Chelmsford Road, Harvard Drive, Neillian Street neighborhood, northerly section of Old Billerica Road, and Cot Hill/Balsam Drive.

Nocella Landscaping and Paving was the lowest bid. Ms. Fleischman asked whether such a range of bids is normal. Ms. St. John explained that the range could be due to travel time for the companies and their costs to get rid of the materials. The Bedford Housing Authority is part of the bid but the Town is only responsible for Town owned roads.

**Mr. Rosenberg moved to approve an agreement with Nocella Landscaping and Paving for roadway reclamation. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**15-264      Crosby Drive Wireless Communications Tower Project Update**

Department of Public Works Director Roy Sorenson and Paul Bergman of Bergman Associates presented an update on the Crosby Drive Wireless Communications Tower project. Mr. Bergman is a consultant for the project. Mr. Sorenson explained that currently all the cellular equipment and public safety antennas are on top of the water tank. The tank needs to be rehabilitated and painted, which is difficult with all of the equipment attached to it.

A separate tower is proposed to be built near the water tower because it is an established site already, which makes the permitting process easier. The tower would also represent a revenue source for the Town. The tower would have room for cellular equipment and would also have omnipoles on it for public safety communications. The DPW, Fire, Police, and Facilities all strongly endorse the project as it will improve communication in town.

Funding for the project would come from \$150,000 that was approved at 2008 Annual Town Meeting as Capital Project 9-17, \$260,000 approved at 2009 Annual Town Meeting as Capital Project 10-22, and \$170,000 approved at 2015 Annual Town Meeting Article 12. The equipment generated \$151,300 in revenue this year.

The tower has to be registered with the FAA and the Town has already submitted an application to them. The height requested for the tower is 220 feet. The tower itself would be 200 feet and the poles would be an additional 20 feet. There will be a public hearing held on June 22<sup>nd</sup> to request a special permit. The Town bylaw says it can only be 125' and has to be a monopole style but the application for the new tower is 220' lattice style.

Mr. Sorenson explained that in talking with the consultants and cellular companies, the 220 feet is necessary so that the radio waves don't hit the tank. The 220 feet is the max

potential height and the FAA may say it has to be lower. The lowest piece of equipment on the tower has to be higher than the tank.

Mr. Bergman then presented the photographic renderings prepared by Caron & Associates to show the visual impact of the tower. Caron & Associates flies a balloon to the height of what the tower would be and then drives to different sites around Town to see how visible it would be from there. They then impose a tower into the picture where the balloon was to make it look realistic.

Mr. Bergman explained that the property was surveyed and he believes the plan presented is the optimal choice for the site. He stated that while no one can see into the future to know what technology will look like, towers are a valuable commodity because companies bid for where they want to put the antennas.

The Selectmen asked Mr. Bergman why a freestanding tower was being considered and not a monopole. He explained that a freestanding tower is less costly and more efficient because more equipment can be mounted at different locations on the tower.

Ms. Fedele asked why the tower needs to be so close to the tank since that is the reason the tower has to be so tall. She wanted to know if there were locations where it could be located and be lower. Mr. Sorenson explained that the water tank is the highest point in town and the Town already owns the land. It is permitted already which is helpful because the permitting process for companies to put up a tower is difficult. Additionally, the tower is in a commercial area with limited visual impact as opposed to a residential area. He explained that there really is no other area that would be as suitable as this location. There are two similar towers located on Rt. 3 already.

### **15-265 Bedford Community Access Television FY16 Operating and Capital Budget Approval**

Mr. Reed explained that the Town's contract with Bedford Community Access Television has a provision in it that the access provider must submit a budget by May 1<sup>st</sup> for review by the Selectmen for approval and review by the Cable Television Committee.

Jim Shea, chair of the Bedford Cable Television Committee, was present to discuss the Cable Television Committee's review of the FY16 Operating and Capital Budget for Bedford Community Access Television.

Mr. Shea explained that there are two central pieces to the budget. One is the operating budget that is comprised of two subparts: funds that the town pays to BCAT and the funds the Town retains to pay for its expenses at Old Town Hall. The second piece is Town capital spending for equipment. He then explained all of the factors the Cable Television Committee considered in reviewing the budget. The Cable Television Committee recommended approval of BCAT's FY16 budget of \$181,430 minus \$1,000 BCAT plans to raise on their own in program revenue and subtracting any surplus Town funds that remain in BCAT's possession at the close of the current fiscal year. Mr. Shea then explained that the Facilities Department is in the process of developing an estimate

for FY16 expenses for the second floor of Old Town Hall and how those expenses will be funded.

Mr. Shea then went on to discuss the Cable Television Committee's recommendations for capital spending. The committee recommends that the Town purchase three pieces of equipment during the current FY15, which are an iMac computer, a camcorder, and a tripod. The committee also recommended that the Town purchase a video server for FY16 and the expense first be charged to the remaining balance of the Verizon PEG Access Technology sub-account of the Cable Television Revolving Fund and that the remainder of the expense be charged to the Comcast Cable-Related Equipment and Facilities sub-account.

Mr. Rosenberg asked if there have been any new cable subscribers considering the increase in residential units over the past year. Mr. Shea explained that the new subscribers offset the people cancelling their service, so the amount of subscriptions is flat.

The Selectmen questioned whether the current equipment could be sold or traded in. Mr. Shea explained that some equipment is traded in. BCAT Production Director Greg Dolan explained that the quote for the new video server includes a trade-in credit for the old one.

**Mr. Rosenberg moved to approve the following components of the Bedford Community Access Television budget: \$181,430 FY16 operating budget, \$5,802 capital purchases for the current fiscal year, and \$35,000 for FY16 capital purchases. Ms. Fedele seconded the motion.**

**The motion passed 4-0-0.**

**15-266 Proposed Class II Used Car Dealership License Amendment  
50 Concord Road**

Jeffrey Pollock explained to the Selectmen his desire to make the property at 50 Concord Road that is currently permitted for a towing operation by the Zoning Board of Appeals into a car dealership for newer, late model cars. Mr. Pollock explained that he has been buying and selling cars for 30 years. He believes that the site would look better as a small dealership with 15 cars out front than a towing company that has smashed up cars. Cars can be purchased the cheapest in November and December, yet sell the most in the spring and summer. As a result, he would want to have 100 cars parked in the back for storage. He explained that not a lot of people would be coming and going from the business.

Chair Siegenthaler explained to Mr. Pollock that the property owner would have to petition the Zoning Board of Appeals to amend the current use of the property. If they approved it, then he would go before the Selectmen to get approval of the Class II license.

Mr. Reed explained that Code Enforcement Director Chris Laskey calculated the size of the vehicles versus how large the space in the back is and estimated that 80 cars would

fit, opposed to the 100 cars Mr. Pollock suggested. The current zoning allows for 15 cars to be stored on the property.

The Selectmen discussed the impact this many cars would have on the look of the property.

Resident Jim O'Neil was recognized by Chair Siegenthaler to speak and said that dealerships are only allowed in business district C and thinks that the towing and repair will continue even once the dealership is there. He wanted to make sure there is publicity to the public about this proposed change.

**15-267      Miscellaneous Action Item  
One Day Special Liquor License – Methodist Weekday School – Red,  
White, and Blue Auction – 5/30/15 – Old Town Hall**

**Mr. Rosenberg moved to approve the one day special liquor license for the Methodist Weekday School for the Red, White, and Blue Auction on May 30, 2015 at Old Town Hall. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**Chapter 268A Section 20(b) Exemptions**

**Mr. Rosenberg moved to approve the 20(b) exemptions for Peter Lowell, Erik Smallenberger, Stacy Valley, Peter Laskaris, Alli Lua, Kari Lua, Meredith Roy, Christopher Wesinger, Marco Deperalta, and Gavin Heffernan. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**Auctioneer's Permit  
Public Auction – A-1 Restaurant Trader LLC – Peabody, MA f/b/o  
Bedford Coach d/b/a Sparta Restaurant – 321 Great Road – 6/2/15**

**Mr. Rosenberg moved to grant the Auctioneer's Permit under MGL Chapter 100 Section 10 for 6/2/15 to Michael C. Purcell. Ms. Fedele seconded the motion.**

**The motion passed 4-0-0.**

**15-268      Minutes  
Regular Session Minutes- May 11, 2015**

**Ms. Fleischman moved to approve the Regular Session Minutes of May 11, 2015 as amended. Ms. Rosenberg seconded the motion.**

**The motion passed 4-0-0.**

**15-269      Town Manager's Report**

Mr. Reed stated the final State Senate budget that was approved includes the funding for the mitigation for the educational costs for the Hanscom Air Force Base students

educated at Bedford High School. He believes that it looks promising that the final State budget will have it because the proposed House budget also has the Bedford allocation.

Mr. Reed also said the Town received designation once again as a Tree City USA.

### **15-270 Open Discussion and Selectmen Liaison Reports**

Ms. Fleischman updated the Selectmen on the Energy Task Force's activities. She stated that they voted to approve an updated energy reduction policy. As part of the Green Communities designation process, energy guidelines were drafted and adopted as policy by the Selectmen and School Committee. The updated policy makes some necessary alterations and has guidelines that can be updated with more frequency. She said that sometime in the near future the Energy Task Force will come before the Selectmen to ask for adoption of the policy.

Ms. Fleischman said that the other major item Energy Task Force discussed is the possibility of Bedford joining the Community Choice Aggregation program, which is a way a town could allow everyone in Town to switch their energy provider to a greener energy source. The Energy Task Force would like to come before the Selectmen to discuss the task force's desire to propose something to take to Town Meeting next year.

Mr. Rosenberg informed the Selectmen that Sunday May 31<sup>st</sup> is the one year anniversary of the fatal crash at Hanscom. He said the final report hasn't been released but it may be available at the next HATS meeting.

Mr. Siegenthaler reminded the Selectmen that the Volunteer Coordinating Committee is looking for new members and it needs to be decided how long they want to wait for applicants before voting on those who have already applied.

Mr. Siegenthaler explained that he went to a Selectmen Association Meeting. There was a presentation by Sean Cronin about Community Compacts which is a program focused on shared obligations and creating a better understanding between local and state governments about their needs.

**Mr. Rosenberg moved to adjourn the meeting and enter into executive session to discuss land acquisition and not to return to Open Session. Ms. Fleischman seconded the motion. The Selectmen were polled: Rosenberg, aye, Fleischman, aye, Fedele, aye, and Siegenthaler aye.**

The meeting adjourned into Executive Session at 9:34.