

**Regular Session Minutes – Selectmen’s Meeting  
Selectmen’s Meeting Room, Town Hall  
Monday, June 23, 2014 7:30 p.m.**

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

**ABSENT:** Caroline Fedele

**ALSO PRESENT:** Dave Enos, BBAC; Barbara Perry, Finance Committee; Tassir Alani, Director of Facilities; Stephen Poulous, Assessors; Mildred Seaborn, Bedford Cable TV; Peter Ricci, Candidate for Appointment; Roy Sorenson, Director of Public Works; Julie Turner, Bedford TV; James Shea, Cable Television Committee; Joseph Serra, Bedford Cable TV, Assistant Town Manager Jessica Porter; Fire Chief David Grunes; Scott Counsell, Cable Television Committee; Alicia Tillman, Cable Television Committee; Brian Dorrington, Bedford TV; Elizabeth Hacala and Mary McBride, Press Representatives

---

**14-285      Committee Appointment Interview  
Youth and Family Services- Peter Ricci**

Mr. Rosenberg explained to Mr. Ricci the Youth and Family Services Committee charge in the absence of Ms. Fedele who is the liaison to the committee. Mr. Ricci is a cubmaster and youth baseball coach. His prior experience includes serving on the PTO, the ad hoc School Security Committee, and on numerous community service related committees associated with his job as a Lexington firefighter. When the Selectmen asked Mr. Ricci what he would like to see the committee doing, he discussed the merits of Bedford Unplugged and the importance of unstructured family time. Ms. Fleischman thanked Mr. Ricci for all his volunteer time and stated that she believes he’ll bring vitality and a new perspective to the committee. Chair Fleischman explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse. She also encouraged Mr. Ricci to consider taking on a leadership role as chair in the future.

**Mr. Rosenberg moved that the Selectmen appoint Peter Ricci for a position on the Youth and Family Services Committee for a term expiring June 30, 2017. The motion was seconded by Mr. Moonan.**

**Motion passed 4-0-0.**

**14-286      Assessors FY14 Budget Transfer Request**

Finance Director Victor Garofalo and Stephen Poulos of the Assessors requested an interdepartmental transfer of funds in the amount of \$6,607 from the Assessors salary account to the general expense account. The need for the transfer was connected to two matters. The first being that when an interim associate assessor was brought in, the fee was taken from the expenses account and money was left in the salary budget from

the previous Associate Assessor's resignation. The transfer was also needed to fulfill a contractual obligation with Patriot Properties for an annual fee associated with use of their WebPro software. The transfer was approved by the Board of Assessors at their May 7, 2014 meeting and the Finance Committee at their May 8, 2014 meeting.

**Mr. Moonan moved that the Selectmen authorize the transfer of funds in the amount of \$6,607 from the salary account of the Assessors to the general expense account. Mr. Siegenthaler seconded the motion.**

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

**14-287      Contract Award  
Town Wide Comprehensive Communications Study  
Entrada Communications, Bedford, MA**

Town Manager Reed explained that Town Counsel reviewed the contract and it has been updated to reflect the recommendations. The contract will help establish a master plan for the communications of the town that will include data, telephone, and video services. The Town wants to bring on a professional to help draft the master plan. The results of the communication study will help to establish a planned program for future capital budgets.

Mr. Reed stated that the funding for this study is coming from the telecommunications fund from the PEG access cable television providers.

Facilities Director Tassir Alani explained that the study has an aggressive schedule and is comprehensive. Ms. Fleishman added that the School Committee had input and that the technology upgrade will support new standardized testing systems.

Mr. Moonan stated that he is excited this is happening and believes it will be a benefit to the town.

The Selectmen wanted clarification of the schedule of the study and the scope of the work being done. Mr. Reed explained that the goal is to finish it by September so that the first requests can be made in the FY16 capital budget process. In terms of scope, Mr. Reed explained that the Town has already done some of the work and the study will just synthesize it all.

**Mr. Siegenthaler moved to approve a contract between the Town of Bedford and Entrada Communications, LLC for \$48,500. The motion was seconded by Mr. Rosenberg.**

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

**14-295      Arlington and Bedford Shared Energy Manager  
Inter-municipal Agreement Renewal**

Mr. Reed reminded the Selectmen that the Town of Bedford shares an Energy Manager position with the Town of Arlington. The Energy Manager traditionally spent two days in Arlington and one in Bedford. With this updated agreement, the percentage sharing will

now be a 75-25 split with three days in Arlington and one day in Bedford because Arlington would like to expand the hours of the energy manager for their town. The new rates will be effective July 1, 2014.

Mr. Moonan asked about the benefits we've seen from having the energy manager. Mr. Alani explained that the energy manager proposed several new projects, worked on new street and site lighting, helps with grant writing, collects data, and meets with new vendors.

The cost of the energy manager is shared between the school system and the Town. The energy manager is an employee of Arlington and Bedford will pay Arlington for the one day of work and for 25% of the cost of their benefits.

**Mr. Moonan moved that the Selectmen approve an agreement between the Town of Arlington and the Town of Bedford for a shared energy manager with a term expiring June 30, 2016 and authorize the Town Manager to execute the agreement. Mr. Siegenthaler seconded the motion.**

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

**14-288          Irrigation System Refurbishment  
Weed and Feed, Inc. – Plymouth, MA**

Department of Public Works Director Roy Sorenson explained the capital request for irrigation system refurbishment. The refurbishment would bring all the plumbing up to code and would bring it above ground. The software used can track water usage and allows for the water to be turned on and off more easily. This type of irrigation system is also good for turf fields. The Town will save labor because currently the irrigation system has to be turned on and off manually. The system will not be susceptible to vandalism because the controls will all be secure. The system can also be expanded in the future to more fields with a simple change to the software. The soccer field at the Davis School will also be a part of the irrigation system. The bid was less than the appropriation of \$130,000.

**Mr. Moonan moved that the Town award the contract to Weed & Feed Inc. for the amount of \$128,707 to refurbish the Town's seventeen irrigation systems. Mr. Rosenberg seconded the motion.**

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

**14-289          Proposed FY2015 Water and Sewer Rates**

Mr. Garofalo and Mr. Sorenson proposed an increase to the Water and Sewer Rates for FY15. Mr. Garofalo explained all the items that the water and sewer rates fund.

The Selectmen voiced concern over increasing the water rate 15.2% and the sewer rate 6% while keeping the irrigation rate the same. Mr. Garofalo stated that the irrigation rate has been the same since 2008. Mr. Moonan suggested raising the irrigation rate to help lessen the increase in water and sewer rates.

There was also concern about the funding for flushing the system being included in the water/sewer rates. As flushing appears to be a continual occurrence, Mr. Garofalo believes it makes sense to use revenue from the rates to help fund some of the cost.

The Selectmen asked about the usage breakdown between residential and commercial. Mr. Garofalo said the current residential usage is 38,648,000 gallons a year and commercial usage is 11,000,000 gallons a year. Mr. Sorenson explained that water usage is affected by many variables like the weather and the economy.

Mr. Garofalo will create a few more options for water and sewer rate increases based on the Selectmen's feedback and present them at the June 30, 2014 Selectmen's Meeting.

#### **14-290      BAN Sale Borrowing Authorization**

Mr. Garofalo asked the Selectmen to authorize the signing of a Bond Anticipation Note (BAN) in the amount of \$2,309,690. The BAN will mature on October 17, 2014. The reason for the short term note is that some projects have already been completed so there is a negative balance on the books and unless the Town borrows for those balances by June 30th, the negative balance will affect the free cash that is available. Another reason for the short term note is that there are ongoing projects happening over the summer and he would like to get some additional cash flow to fund them.

The projects for this BAN Sale include Sabourin Field synthetic turf, water quality system enhancements, School Way improvements, Emergency Communication Center upgrades, and improvements to the Bedford Street Sewer Force Main. He will then do a much larger bond sale in September.

**Mr. Siegenthaler moved the following:**

**Voted: to approve the sale of a \$2,309,690 0.50 percent General Obligation Bond Anticipation Note (the "Notes") of the Town dated June 26, 2014, and payable October 17, 2014, to TD Securities (USA) LLC at par and accrued interest plus a premium of \$2,332.79.**

**Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 6, 2014, and a final Official Statement dated June 17, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.**

**Further Voted: that the Town Treasurer and the Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.**

**Further Voted:** that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.

**Further Voted:** that each member of the Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Mr. Moonan seconded the motion.

The motion passed 4-0-0.

#### **14-291 Proposed Ambulance FY15 Rate**

Mr. Garofalo and Fire Chief Grunes proposed a 5% increase to ambulance rates effective July 1, 2014. The last rate raise occurred in October 2010. One of the goals of the Ambulance Enterprise Account adopted in 2013 was to give more transparency to the operations of the ambulance account and to capture all the costs related to the ambulances in order to better determine what rates are needed to pay these costs.

In past years, the tax rates subsidized the cost of ambulance operations but for FY15 the 5% increase in rates was built into the budget in anticipation of this proposal. The presentation included a comparison of current rates from many surrounding towns. Bedford's current rate is \$751 for Basic Life Support (BLS-E), \$1,055 for Advanced Life Support (ALS-E), and \$1,640 for a different type of Advanced Life Support (ALS-2). The new rates would be as follows: \$788.55 for (BLS-E), \$1,107.75 for (ALS-E), and \$1,722 for (ALS-2). The 5% increase was decided on because there are Massachusetts legislative proposals to cap rates and the 5% will keep the Town in the right range.

There was discussion about increasing the rates by more than 5%, but it was explained that funding may be adjusted once the paramedic proposal goes before Special Town Meeting.

**Mr. Siegenthaler moved that we adopt the ambulance fee schedule as of July 1, 2014 as presented. Mr. Rosenberg seconded the motion.**

**Motion passed 4-0-0.**

#### **14-292 Ambulance Billing Write-offs**

Mr. Garofalo and Fire Chief Grunes requested the Selectmen write off ambulance bills totaling \$153,464 as uncollectible from FY09-FY14. There are numerous reasons the bills cannot be collected such as bad addresses, no response, hardships, lack of insurance, the patient is deceased, or the social security number was not collected at time of service. HIPPA laws sometimes prohibit the Town from getting patient contact

information. The Town uses Coastal Medical Billing and First Financial to collect these bills. Once both companies have exhausted all avenues to collect and deem the bills uncollectible, the next step would be legal action but there is no guarantee that this would resolve the bills and legal action has a cost. The rate of collection on ambulance bills has been 93% over the last eight fiscal years.

The last write-off was requested in 2010. Mr. Moonan asked whether this write-off can be done annually. Mr. Garofalo said that doing a write-off every year is possible. Ms. Fleischman asked whether the bills from FY13 and FY14 are just as uncollectible as older ones. Mr. Garofalo explained that for all the bills to be written off, all collection options have been exhausted, and the only other step would be legal action. Chief Grunes clarified that this write-off does not include all of FY14 yet because there is usually a 6-9 month turnaround on collection attempts.

**Mr. Rosenberg moved that the Selectmen approve the write-off of uncollectible ambulance bills totaling \$153,464 occurring in the period of FY09 to FY14 as forwarded by the Finance Director. Mr. Moonan seconded the motion.**

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

#### **14-293      PEG Access Contract Procurement                  Status Update**

Mr. Reed updated the Selectmen on the status of the procurement process for the PEG Access Contract. The Town advertised for proposals in early spring and one proposal was received by the Town's current provider, Bedford Community Access Television (BCAT). A review panel consisting of two members from the Cable Television Committee, two staff members from the schools, and the Town's Information Systems Manager analyzed the proposal. The rating given to the proposal was advantageous to the Town. Mr. Reed then explained the steps involved with the close out of the current contract that expires on June 30, 2014. He hopes that final approval of the contract occurs at the June 30, 2014 Selectmen's Meeting.

Cable Television Committee Chair Jim Shea explained the process that occurred to resolve some of the discrepancies with BCAT before the current contract was closed out and a new contract awarded. This included reviewing missing bank account balances, submitting any outstanding invoices for equipment procured, providing a copy of a the auditor's report, and returning surplus funds to the Town. Mr. Shea explained that the return of surplus funds to the Town spurred a discussion about how much funding BCAT can retain from revenue associated with donations received, program underwriting, grants, membership dues, and sales of DVDs of access shows. He explained that it can be argued that this money should be returned to the town because it was raised with the purpose of providing PEG access services and membership dues were charged for the use of Town owned equipment. The current contract requires some fundraising by BCAT, but no amount of money was specified for what fulfills that requirement. The Cable Television Committee recommended that BCAT retain all donations and all program underwriting funds, membership dues, and half of the proceeds from merchandise sales. The committee along with BCAT came to the agreement to recommend to the Selectmen that BCAT retain \$25,154 of the surplus.

The surplus will go back into the revolving fund. The new contract requires fundraising to augment the funds and indicates that membership dues and donations can be retained. The new contract also requires a budget approval process.

**14-294          Regional Housing Services Office  
Inter-municipal Agreement Renewal**

Assistant Town Manager Jessica Porter presented a renewal of the Inter-municipal Agreement for the Regional Housing Services Office. This is the second three-year agreement. The biggest change is that the housing office will be based out of Concord not Sudbury. There is no expected change in services provided. Ms. Porter said she believes things will actually be more streamlined now with a central phone number and regional office email addresses.

The agreement has been reviewed by the Town Counsel of every town involved. The personnel are not changing at all, but they will now be contract employees. Chair Fleischman asked if there was any change to the fee structure since the last contract. Ms. Porter explained that there may be a small increase, but generally it has been consistent. The funding comes from the housing reserves, the Community Preservation Act, and HOME funds that the Town receives.

**Mr. Moonan moved to approve the Inter-municipal Agreement Renewal with the towns of Acton, Bedford, Concord, Lexington, Sudbury, and Weston for a Regional Housing Services Office effective July 1, 2014 through June 30, 2017. Mr. Siegenthaler seconded the motion.**

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

**14-296          Coast Guard Housing Disposition  
Update**

Ms. Porter also presented a rough draft of a report from the consultants about the possibilities for the Coast Guard Housing property. The report has been reviewed by the steering committee. It will be updated with corrections, published, put on the bid website, and shared with any other interested parties.

Chair Fleischman is in contact with Representative Tierney and Senator Warren's offices regarding the sale of this property. Both offices are coordinating and trying to find the name of the person at the Coast Guard who will be making a decision about the disposition of the property.

Mr. Reed explained that the Municipal Affordable Housing Trust met last week and discussed their potential involvement with the sale of the property. It was agreed that the Trust would not directly bid but would explore becoming a partner with a bidder or developer. The Trust also formulated questions to forward to Town Counsel for clarification.

Mr. Reed is also under the impression that any information the Town wants can be included on the bid website. The website is also interactive so it may be possible to update information on it during the 30-60 day bid period.

Mr. Rosenberg said that it is important to note the types of developments not suggested for the property, such as building a few large homes on the site. He also emphasized that the Town does not want to narrow the options down to the point where there is little freedom for the developer. Mr. Siegenthaler stated that he believes it needs to be clearer what the preference is out of the three options. Chair Fleischman agreed with this, saying that if all the options are presented as co-equivalents, it may be misleading. Mr. Moonan suggested that the report include parts of the Comprehensive Plan that show the preference for this type of housing.

Upon discussion of the timeline for this document, there was concern that there should be more input from the public before an option preference is chosen. Mr. Reed reminded the Selectmen that the project would require a zoning change so there would be many chances for public hearings and community input during that process. He also suggested that the Selectmen and Planning Board both agree to a statement outlining that options A and B would be preferred by the boards and that both boards acknowledge that an amendment to the zoning bylaw will be needed.

**14-297            Committee Reappointments  
                         Arbor Resources Committee – Carol Kelly**

**Mr. Rosenberg moved to reappoint Carol Kelly to the Arbor Resources Committee for a term commencing June 30, 2014. Mr. Siegenthaler seconded the motion.**

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

**14-298            Miscellaneous Action Items  
                         Chapter 268(A), Section 20(b) Exemptions  
                         Please see attached list**

**Mr. Rosenberg moved to approve the waivers under Chapter 268(A), Section 20(b) for William Eliason, Samantha Plumley, and Pasquale Witt. Mr. Siegenthaler seconded the motion.**

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

**14-299            Minutes  
                         Executive Session Minutes of May 27, 2014**

**Mr. Moonan moved that the Selectmen approve the minutes of the Executive Session on Tuesday, May 27, 2014 as written. Mr. Siegenthaler seconded the motion.**

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

---

**Regular Session Minutes of June 9, 2014**

**Mr. Moonan moved that the Selectmen approve the Regular Session minutes from Monday, June 9, 2014 as amended. Mr. Siegenthaler seconded the motion. The motion passed 4-0-0.**

**14-300      Town Manager's Report**

In response to a request from Mr. Moonan, Mr. Garofalo gave an update about the local receipts report. He will have a final report at the first Selectmen's Meeting in July.

**14-301      Open Discussion**

There was discussion about an invitation the Selectmen received to a reception.

**Mr. Moonan moved to adjourn the meeting. Mr. Siegenthaler seconded the motion. The motion passed 4-0-0.**

The meeting adjourned at 10:07 p.m.