

**Regular Session Minutes - Selectmen's Meeting**  
**Selectmen's Meeting Room, Town Hall**  
**Monday, February 4, 2013 7:15 p.m.**

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

**ALSO PRESENT:** Youth & Family Services (YFS) Director Sue Baldauf; Town of Lexington Veterans Services Officer Ryan Lennon and YFS Director Charlotte Rodgers; Sign Bylaw Review Committee members Jeffrey Cohen and Lisa Mustapich; Business owners Pamela Brown, Jeff Goldberg, David Smerling, David Goldstone, Toni Bradley, Dana Strayton; Cable TV member James Shea; Finance Committee member Ben Thomas; Selectman candidate Caroline Fedele; Assistant Town Manager Jessica Porter; Finance Director Victor Garofalo; Press representatives Kim Siebert and Mary McBride

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Chair Cordes called the meeting to order at 7:15 p.m.

**13-173      Inter-municipal Agreement Approval – Lexington-Bedford  
Veterans Services District**

Town Manager Reed introduced Mr. Lennon, Lexington's Veterans Services Officer (VSO), to the Selectmen. Mr. Reed noted that both towns have been working together to set up a Veterans Services District to provide veterans services to Lexington and Bedford. Mr. Lennon is a full time employee of Lexington. Bedford will be seeking a part-time veteran's agent to fill the current vacancy. The new agent's salary and benefits will be paid for by Lexington. Bedford would receive an annual request for payment to help support the services provided. The VSO's would cover for each other in times of absence from work. Both towns feel this is a worthwhile venture. The state's Department of Veterans Services has looked at the agreement and approved it.

The Town of Lexington's Selectmen will vote on this agreement February 11, 2013 and the position will be posted after that. The agreement is effective until June 30, 2014.

Mr. Lennon acknowledged that he is very busy providing veteran's services from the young veterans to the very old. He also noted that the community in which a VA hospital is located will be 100% reimbursed for the benefit services it provides to the veterans, effective as of June 2012.

**Mr. Rosenberg made a motion that the Bedford Selectmen approve and execute an Inter-municipal Agreement between the Towns of Lexington and Bedford for a**

**Veterans Services District through the period of June 30, 2014. Mr. Siegenthaler seconded the motion.**

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

**13-174      Public Hearing – General Bylaw Amendments  
                 Article 40 – Sign Bylaw**

**Mr. Rosenberg made a motion to open the public hearing. Mr. Moonan seconded the motion.**

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

Sign Bylaw Review Committee members Jeffrey Cohen and Lisa Mustapich presented several proposed amendments to the Sign Bylaw under Section 40 to make it more clear and understandable to the Zoning Board of Appeals members, who need to enforce the bylaw, as well as to the business community that needs to reference and/or abide by such bylaws.

The Selectmen questioned various portions of the proposed bylaw amendments and made recommendations, as did local business owners. James O'Neil, Capital Expenditure Committee member, submitted several recommendations, which are incorporated and made a part of the record. Attorney Pamela Brown also offered opinions/recommendations to help with this effort. Restaurant owners Dana Strayton, David Goldstone, Jeff Goldberg, and Toni Bradley offered comments in support of making the Sign Bylaw more business friendly.

**Mr. Moonan made a motion to close the public hearing. Ms. Fleischman seconded the motion.**

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

**13-175      Public Hearing – General Bylaw Amendments – Affordable Housing  
                 Committee and Bedford Housing Partnership**

**Mr. Rosenberg made a motion to open the public hearing on the General Bylaw amendments for Articles 22 and 23. Ms. Fleischman seconded the motion.**

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

Town Manager Reed announced that Town Counsel reviewed the proposed housing consolidation bylaw amendments and endorsed it as drafted. Volunteer Coordinating Committee (VCC) Chair Carol Amick, 18 Crescent Ave, stated that the VCC supports the proposed language.

Ms. Fleischman sought clarification from the Town Manager in referencing Town Counsel's memo, that although that committee is referenced in the covenant, it is ok for the Selectmen to be changing the structure and rolling that responsibility into a new committee. Mr. Reed said it was.

Mr. Siegenthaler commented that he does not want to place an unnecessary burden on the Bedford Housing Partnership in determining eligible applicants for affordable housing. Mr. Rosenberg commented that the burden has been eased as the professional staff does most of the work.

Chair Cordes opened the hearing to the public for comments. No comments were received.

**Mr. Rosenberg made a motion to close the public hearing. Ms. Fleischman seconded the motion.**

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

**13-176 Public Hearing – General Bylaw Amendment – Article 59 – Salary Administration Plan Amendment – Classification and Wage Schedule**

**Mr. Rosenberg made a motion to open the public hearing for Article 59 - Classification and Wage Schedule. Ms. Fleischman seconded the motion.**

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

Assistant Town Manager Jessica Porter summarized that the wage schedule included an overall 2% increase for FY12 for Categories A, B, and C which is the management, clerical and Library Staff. She also noted that in Section A, staff added a few positions under M13 - the Plumbing and Gas Inspector and the Electrical Inspector which were formerly located under Category J – Miscellaneous. This was done to keep all the inspector positions together. Under Category M13, the Program Coordinator was reinstated as a regular season employee who is in charge of Springs Brook Park and Sumer Adventures. That position has been made permanent rather than temporary. We have had a consistent employee in that position. M12 – Assistant Planner was added to the salary scale because that person was hired last year in July. M11 is a new position - Data Collector who works in the Assessor's Office.

Town Manager Reed commented that the ability to pay in these ranges will be funded from the Operating Budget and later in the merit article for Sections A and B of the proposed salary plan. This schedule only sets the salary range.

Chair Cordes opened the hearing to the public for comments. No comments were received.

**Mr. Rosenberg made a motion to close the hearing. Mr. Moonan seconded the motion.**

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

**13-177 Public Hearing – General Bylaw Amendments – Article 59 – Salary Administration Plan Bylaw**

**Mr. Rosenberg made a motion to open the public hearing on Article 59 – Salary Administration Plan Bylaw. Ms. Fleischman seconded the motion.**

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

Mr. Reed explained that the Salary Bylaw has not had significant changes since the 1950's. Originally there was a three member Personnel Board. Since the adoption of the Town's Charter, that board no longer exists and the Town Manager is now considered the "Personnel Board". Staff would like to replace "Personnel Board" with "Town Manager" throughout Article 59 and delete Section 21 - Duties of the Personnel Board. Mr. Reed also explained the other proposed amendments to the Salary Administration Plan Bylaw.

Chair Cordes opened the hearing to the public for comments. No comments were received.

**Mr. Rosenberg made a motion to close the public hearing. Ms. Fleischman seconded the motion.**

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

**13-178 Bond Authorization and Refunding Approval**

Finance Director Victor Garofalo presented the most recent refunding bond sale including some new issues. Previously, we expected to save \$422,000 on the 2005 bonds, but we ended up savings over \$601,566 over the next ten years. We got a net interest cost of 1.28% and that's not all our bonds, so it included the 2005 DPW building, the Middlesex Turnpike tax taking and the first phase of the town center renovation. New bond sale projects include \$5,000 for Middlesex Turnpike that was granted from a previous authorization, \$50,000 for water mains, \$2,000 for the sewer system expansion, and \$450,000 for water main improvements on Concord Road.

Nine bids were received this time, rather than the usual few and he felt that receiving those nine bids says a lot about this community. Mr. Garofalo also mentioned that Bedford has received an AAA bond rating with Standard & Poor's.

**Ms. Fleischman made a motion that in order to reduce interests costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all or a portion of the Town's \$11,857,000 General Obligation Municipal Purpose Loan of 2005 bonds dated July 15, 2005 maturing on and after July 15, 2014 (collectively, the "Refunded Bonds" and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal and interest on the Refunded bonds and costs of issuance of the refunding bonds;**

And further, that the sale of the \$5,130,000 General Obligation Municipal Purpose Loan of 2013 Bonds of the Town dated February 7, 2013 (the “Bonds”), to Ross Sinclair & Associates, LLC at the price of \$5,380,059.45 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on July 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2013	\$100,000	2.00%	2019	\$510,000	2.00%
2014	570,000	2.00	2020	495,000	2.00
2015	565,000	2.00	2021	490,000	2.50
2016	550,000	2.00	2022	485,000	2.50
2017	540,000	2.00	2023	300,000	2.50
2018	525,000	2.00			

And further, that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 23, 2013, and a final official Statement dated January 31, 2013 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

And further, to authorize the execution and delivery of a Refunding Escrow Agreement to be dated February 7, 2013, between the Town and U.S. Bank National Association, as Escrow Agent and Paying Agent.

And further, that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Mr. Moonan seconded the motions.

The motions passed 5-0-0.

13-179            March 9, 2013 Election Warrant – Approval

Mr. Siegenthaler made a motion to approve the Warrant for the Annual Town Election. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

**13-180 2013 Annual Town Meeting Warrant – General Review of Warrant Articles**

Mr. Siegenthaler questioned if the Town Manager had any ballpark figures of what it would cost to put the utilities underground on Article 19 – Underground Utilities. Mr. Reed does not have an estimate yet; but could be in the range of \$1 to \$2 million per mile.

Ms. Cordes asked Mr. Reed to find out if the Town must install copper piping as opposed to metal piping in Article 18. Mr. Reed will check with the DPW, and added that a public hearing will be held on this article at the next meeting.

**RECOMMENDATIONS**

**Mr. Rosenberg made a motion to recommend approval of Article 2 – Debate Rules. Ms. Fleischman seconded the motion.**

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

**Mr. Rosenberg made a motion to recommend approval of Article 3 – Consent Article. Ms. Fleischman seconded the motion.**

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

**Mr. Siegenthaler made a motion to make recommendation at Town Meeting for Article 5 – Bills of Prior Years. Mr. Rosenberg seconded the motion.**

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

**Mr. Rosenberg made a motion to recommend approval of Article 17 – General Bylaw Amendments – Articles 22 and 23 Affordable Housing Committee and Bedford Housing Partnership. Mr. Moonan seconded the motion.**

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

**Mr. Rosenberg made a motion to recommend approval of Article 20 – Salary Administration Plan Bylaw. Ms. Fleischman seconded the motion.**

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

**Mr. Rosenberg made a motion to recommend approval of Article 21 – Bond Authorization - Water Main Improvements. Ms. Fleischman seconded the motion.**

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

**Mr. Rosenberg made a motion to recommend approval of Article 25 Salary Administration Plan Bylaw – Classification & Wage Schedule. Ms. Fleischman seconded the motion.**

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

**Mr. Moonan made a motion to approve Article 29 - Salary Plan Additional Funding. Ms. Fleischman seconded the motion.**

Mr. Siegenthaler asked the Town Manager to obtain a list of hours, whereupon Mr. Moonan withdrew his motion and Ms. Fleischman withdrew her second.

**13-181 Minutes**

**Ms. Fleischman made a motion to approve the Regular Session Minutes of January 7, 2013, as amended. Mr. Rosenberg seconded the motion.**

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

**Ms. Fleischman made a motion to approve the Regular Session Minutes of January 22, 2013, as amended. Mr. Siegenthaler seconded the motion.**

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

**13-182 Town Manager's Report**

Mr. Reed distributed a copy of the presentation that was made to the Finance Committee regarding the DPW Grounds Division Maintained Areas & Growth. Ms. Cordes mentioned that whichever Selectmen were at that meeting last week already saw this document.

Mr. Reed reported that in early January the Selectmen had approved motions regarding the Village at Taylor Pond. One such motion allowed the Town Manager to sign the Regulatory Agreement Estoppel on behalf of the Selectmen. He presented a copy of the changes noting that minor amendments were made to the document and he wanted to make the Selectmen aware before he signed it.

Mr. Reed distributed a list of proposed future Selectmen meeting dates. Mr. Siegenthaler and Mr. Reed will be unavailable for the February 25th meeting. March 11, 2013 will be the reorganization of the Selectmen. The March 25<sup>th</sup> meeting was eliminated from the list and March 18<sup>th</sup> was confirmed. The April 8<sup>th</sup> meeting would be before the continuation of Town Meeting, if needed. Mr. Moonan noted his absence for the June 17<sup>th</sup> meeting. Chair Cordes asked the Selectmen to review the list and send in their comments.

**13-183 Open Discussion**

Ms. Fleischman announced that the Bicycle Advisory Committee (BAC) is contemplating a Bicycle Master Plan for the Town. Chair Cordes added that the BAC is planning to attend a CPC public hearing on February 7<sup>th</sup> to ask for funding of this study. Ms. Fleischman offered to encourage the BAC to wait until the Fall Town Meeting. Chair Cordes reported estimates were originally for \$25,000, but now its \$40,000. The Selectmen would like to know what would be in that document. Mr. Warrington will be at the BAC meeting to give his input on the idea.

Mr. Moonan stated that he was pleased with Mr. Warrington's presentation on the DPW Grounds Division Maintained Areas & Growth at the Finance Committee (Fincom) because it contained more information than previously submitted to the Selectmen. He hoped that in the future more complete information would be available for this kind of thing.

Chair Cordes commented on the discussion at the Fincom meeting in which they discussed the Selectmen's budget. There was favorable sentiment for hiring an Economic Development Coordinator and lots of questions on adding two people to the grounds division as it is an enormous percentage increase going from 7 to 9. She distributed the information provided at the Fincom meeting to the Selectmen for their purview.

Mr. Rosenberg commented that the Finance Committee meeting was long and intense and the members pointed out they were looking at it from a financial standpoint and not questioning the validity of the data being presented.

Mr. Rosenberg announced that Special Elections are coming up in April and June. It was determined that the state will reimburse the Town for costs to hold the elections. Mr. Reed advised that the Selectmen may need to authorize a reserve fund transfer before we get reimbursed.

Mr. Rosenberg noted that State Representative Kenneth Gordon filed legislation regarding the formula used to educate the Bedford Hanscom students.

**Mr. Moonan made a motion to adjourn. Mr. Siegenthaler seconded the motion.  
The motion passed 5-0-0.**

The meeting adjourned at 10:25 p.m.