

Regular Session Minutes - Selectmen's Meeting
Selectmen's Meeting Room, Town Hall
Monday, March 4, 2013 7:30 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: Public Works Director Richard Warrington; Facilities Director Richard Jones; Depot Park members James Shea and John Peterson; Finance Committee members Barbara Perry and Ben Thomas; Selectman candidate Caroline Fedele; Assistant Town Manager Jessica Porter; Town Treasurer Victor Garofalo; Press representatives Kim Siebert and Mary McBride

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

13-204 Contract Award - Synthetic Turf, Sabourin Field

Public Works Director Richard Warrington reviewed the bid process with the Selectmen citing that he received very good bids for the Sabourin Field Restoration Project but only had sufficient funds for Alternates one and two. Awarding the bid to Heimlich Landscaping and Construction Company for \$1,004,750 will leave enough funds for any contingency items. Mr. Warrington stated that the Town previously hired Heimlich Landscaping for the construction of the new "C" field and that Gale Associates and Mr. Warrington were pleased with their past performance.

Mr. Warrington estimated that the start date of the project is estimated to be June 3rd and the opening is anticipated for September 3rd. The loam, valued at \$45,000, will be removed from the Railroad Avenue entrance. Mr. Warrington added that unfortunately Bedford does not have any place to store that amount of loam.

Discussion ensued on the anticipated need of a vacuum machine. Mr. Warrington hoped to either borrow a machine from Lexington, or be able to purchase one at a later date, but the need for a vacuum machine won't be necessary for at least one year. He indicated that the vacuum would generally be used once per month. He added that a separate bidding process will be needed to purchase this type of machine.

Mr. Warrington felt that he may be able to replace the existing bleachers with bleachers that would seat 220 if there were remaining funds.

Town Manager Reed asked what the effective date of the contract would be. Mr. Warrington will determine the date and fill it in, but he thinks it might be June 3, 2013.

Ms. Fleischman made a motion to award the bid for the Sabourin Field Renovation Project to Heimlich Landscaping and Construction Company for a total bid price of \$1,004,750 for the Base Bid and alternate Bids #1 and #2. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

13-205 Shawsheen Cemetery – Amendment to Rules and Regulations

Town Manager Reed explained that staff identified a typographical error on the Shawsheen Cemetery Rules & Regulations and Mr. Warrington would like to have that corrected. The error occurred in Section 13. Flush Markers, which inadvertently states: “Morningside 4 Rows A & D”. The sentence should state “Morningside 4 Row D”.

Mr. Warrington also noted that he surprisingly found that a large number of people prefer the ground monuments rather than flush markers.

Mr. Rosenberg made a motion to amend the Shawsheen Cemetery Rules & Regulations so that Section 13. Flush Markers citing Morningside 4 Rows A & D is amended to read Morningside 4 Row D. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

13-206 Bedford Depot Station Grant Approval - Consent to Proposed Preservation Restriction Project Authorization Votes

Facilities Director Richard Jones noted that he has been working on a grant application with the Depot Park Advisory Committee and the Historic Preservation Commission to submit to the Massachusetts Historical Commission for the exterior renovation of the depot building. Mr. Jones stated that the grant application is consistent with the Selectmen’s directive. The renovations will need to keep the accessibility to less than 30%. Mr. Jones asked the Selectmen to sign a letter of support for the project which will be included with the grant application.

Chair Cordes noted that the motion must include 3 topics for approval (1) statement of assurance; (2) letter of intent; and (3) deed restriction. Mr. Reed added that the motion should authorize the Chair to execute the documents. The application needs to be submitted March 8, 2013 and the decision will be made as to whether or not the Town receives the grant by June.

The renovation project will include the front and left side of the building. The grant, if approved, would be for \$100,000 with some matching funds by the Community Preservation Committee. If approved, the timeline indicates that work cannot commence before September.

Ms. Cordes restated what needs to be done: sign the letter of intent, execute the restriction, and authorize the Town Manager and Facilities Director to execute the contract.

Mr. Siegenthaler made a motion to approve and authorize all three items for the grant with the Mass. Historical Commission for the Depot building project and to authorize the chair to execute the grant documents. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

13-207 Town Counsel Legal Service - Proposed Fee Increase

Town Manager Reed noted that Town Counsel has requested a \$5 across the board increase effective July 1, 2013 for legal services and asked for the Selectmen to consider his request and render a decision. The last time rates were raised was January 1, 2012 and prior to that it had been 18 months since the previous increase. At that time the increase was \$10 across the board. That increase had been the first increase in three years. Mr. Reed also noted that Town Counsel does not have a contract with the Town and is reappointed annually effective July 1st.

The Selectmen reviewed a recent survey that was prepared by another community detailing the fees municipalities pay for legal services. The survey showed that Murphy, Hesse, Toomey and Lehane are charging the least amount. Mr. Moonan suggested that it would not hurt to ask for prices from other counsels. Chair Cordes disagreed citing the survey was evidence enough that Bedford was receiving a good and fair rate for legal services.

Mr. Reed noted that the Town has consistently been under budget for legal services. It was the consensus of the Selectmen to delay deciding on this matter as Town Counsel does not get reappointed until June and the new rate would also become effective July 1, 2013.

13-208 2013 Annual Town Meeting Preparation

Mr. Reed noted that the updated spreadsheet includes the Finance Committee's article assignments. He asked if any of the Selectmen had any questions or need assistance with their presentations for Town Meeting. Chair Cordes asked the Finance Director to give the Selectmen his reports as soon as they are final rather than wait until the last week before Town Meeting. Mr. Siegenthaler stated that he will contact the Town Moderator to determine what approach to take in presenting all of the Sign Bylaw amendments.

13-209 Miscellaneous Action Items - Review of Committee Members with terms expiring 6/30/13

Chair Cordes noted that she asked to have this list put back on the agenda to determine whether any of the ad hoc committees should be continued or dissolved.

Arbor Resources: The Selectmen considered making the Arbor Resource Committee a permanent committee and, as such, will be added to the General Bylaws.

Depot Park: Chair Cordes commented that at the last meeting, the Selectmen were trying to determine whether this committee is still necessary and what tasks this committee is responsible for, noting that staff takes care of the rental of the property and maintenance of the buildings. She added that the Selectmen established this committee as an ad hoc committee to advise the Selectmen about matters related to the Depot Park. She noted that there is a committee charge in existence and asked staff to provide the Selectmen with a copy. Mr. Siegenthaler also wanted to see the charge so that everyone is on the same page as far as what the committee is responsible for providing.

The original group of citizens formed The Friends of the Depot Park (Friends) with James Shea as President. The Depot Park Advisory Committee (DPAC) was created thereafter. DPAC consists of one member of the Friends, one citizen-at-large, one Selectman and two staff members.

James Shea offered that the Friends of Depot Park's role is to run the welcome center on the bikeway, provide refreshments, and provide information on the historical past of the Depot Park. Revenues raised from the refreshments are deposited in the revolving fund. The Friends is more focused on the welcome center and operations on the weekends.

Mr. Shea then added that DPAC has a broader focus, i.e. to become financially neutral, seek tenants for the Depot building, rent the rail car, historic restoration of the Depot building and finding grants and external funding sources to accomplish their goals.

John Peterson shared his perspective that this committee is in constant motion. He felt with the pending retirement of DPW Director Richard Warrington, this committee would be losing one of their assets. He then praised the leadership of Messrs. Shea and Joseph Piantedosi. Mr. Peterson said that DPAC members have attended the meetings of the 54 Loomis Street project and have been interfacing with the abutters and developer to get the project going. He felt it is critical to develop this corridor of Bedford.

Energy Task Force: Ms. Fleischman offered that the committee is enthusiastic and has applied for Green Communities grants for important capital projects. She noted that Facilities Director Richard Jones is an active part of this group and that they wish to continue.

Land Acquisition: Chair Cordes noted that they are in the midst of looking at easements (not for purchase). They have been made an official Town committee with an official charge with appointed personnel. She reported they are doing very well.

Outdoor Recreation: Mr. Rosenberg stated that he has every expectation that this committee will be finished by the end of the fiscal year. The committee will make its final presentation and intends to ask the Selectmen to establish a Fields Monitoring Committee to work with staff in that area.

Patriotic Holiday: Chair Cordes noted the Selectmen may want to consider making this a permanent committee.

Sign Bylaw: Mr. Siegenthaler stated that he expects the committee needs another year to complete their task.

Trails: Chair Cordes said she was not sure what to do with this committee, but they have spearheaded some of the work on the trails and have connected trails to easements.

Transportation Advisory: Ms. Fleischman offered that it makes sense to maintain this committee as they want to branch out to accomplish other things beyond making sidewalk recommendations. Mr. Siegenthaler thought it would also be beneficial to look at their charge to see if it should be amended.

Wilson Mill: Mr. Rosenberg expects that this committee should continue for another year in order to oversee removal of invasive species. Maintenance of the park will then be assigned to the land stewards after its completion. The committee is aware that their mission is almost complete.

13-210 Minutes

Mr. Moonan made a motion to approve the Minutes of January 28, 2013, as amended. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

Ms. Fleischman made a motion to approve the Minutes of February 11, 2013, as amended. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Mr. Rosenberg made a motion to approve the minutes of February 19, 2013, as amended. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

13-211 Town Manager's Report

Mr. Reed had nothing to report as he had been away on vacation.

12-212 Open Discussion

Chair Cordes noted that since this would be her last full meeting, she distributed a list of loose ends that the Violence Prevention Committee has been working on and wanted to make sure the Selectmen continued to oversee their mission. The committee has been working on creating signs to be posted on Bedford's playing fields to ensure proper conduct on the field. She added that Mr. Warrington will have the signs posted.

Mr. Rosenberg asked that the Town Manager for the status of the snow and ice removal budget. Mr. Reed anticipates a \$200,000 deficit at this point in time, and will provide the Selectmen with an update at the next meeting.

Mr. Moonan asked if anyone had applied for the vacancy on the School Committee. Mr. Reed remarked that no one has applied at this point, but he is aware of one person who is interested.

Mr. Moonan asked for a status report on the new website. Mr. Reed commented that a purchase order has been signed with Virtual Town Hall and the website will be undergoing changes over the next three months and will be up and running by July 1st. The Selectmen were impressed with their work on other communities' websites.

Mr. Moonan also commented that a lot of Bedford residents are unaware that there is an election this weekend and asked if a Reverse 911 call might help bring attention to that fact. Mr. Reed commented that it won't be necessary as every residence received an election warrant card, that is it is posted on the Town's website, and that it will be on sandwich board signs at the usual authorized locations.

Mr. Moonan mentioned that he watched "Chronicle" the other evening in which they discussed cultural districts and what towns are doing. He thought about the exterior renovations of the Depot building and the possibility of the museum being relocated to the Depot building which would be larger and more active. The museum may be interested in contributing to the cost if the cultural district is established. Mr. Moonan thought that it might be something the Selectmen would like to consider in the future. Mr. Moonan distributed paperwork from the Massachusetts Cultural Council relating to this topic.

Ms. Fleishman noted that the Transportation Advisory Committee voted to ask the Selectmen for a preliminary engineering and cost analysis from the Department of Public Works for both the Concord Road and Hemlock Lane sidewalk projects so that they determine what the next steps will be. It will help them decide which project to go forth with or if they have enough funds to do both projects.

Chair Cordes announced that this being her last meeting, she wanted to thank her colleagues for their wonderful camaraderie throughout the years. She added that it was wonderful to work with them. She praised the outstanding Town staff from the top to the bottom and was very proud of the fact that the people who work here stay here, and that it is not a revolving door. She went on to say that this applies to Mr. Warrington and Mr. Reed who has been here almost 25 years. She credited the Town Manager for

running Bedford as well as he does. Chair Cordes commented that she appreciates all of the staff and the dedication and commitment that staff gives to the Selectmen. She went on to say that it has been a joy to work with all of you.

Mr. Siegenthaler thanked Chair Cordes for her service noting that she has been through a lot of very difficult issues over the years and has dealt with them in a very professional manner. He noted how much he appreciated being her colleague and for the work she has done as a member of the Selectmen for the past 12 years.

Mr. Reed commented that he appreciates Chair Cordes' long-term service to the Town, adding that she also served on the Capital Expenditure Committee and the Finance Committee before becoming a Selectman. Mr. Reed also stated that Ms. Cordes has been an outstanding elected and appointed official and has been a great role model in a lot of ways especially since she served on the Community Preservation Committee since its inception. He thanked her for her support of the staff during this time period and noted that she has made staff's job easier.

Mr. Rosenberg noted that he will give more accolades at the next meeting, but he seconded everything that has been said, especially for her time, effort and diligence and her true affection for the place we live.

Mr. Moonan hoped Chair Cordes would be available to the Selectmen as she has a wealth of corporate knowledge and would be a great resource. He also thanked Chair Cordes for her service to the Town.

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

The regular session meeting ended at 9:06 p.m.