

**Regular Session Minutes – Selectmen’s Meeting**  
**Selectmen’s Meeting Room, Town Hall**  
**Monday, May 20, 2013, 7:30 p.m.**

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

**ABSENT:** William S. Moonan, Chair

**ALSO PRESENT:** Captain Charles Stone, Bedford Fire Department; Chief David Grunes, Bedford Fire Department; Ben Thomas, Finance Committee; Mike Bolko, Entegris, Inc.; Sue Baldauf, Director of Youth and Family Services; Deb Garfield, Director of Eliot Community Human Services; Harshil Parikh and Niral Gandhi, Subway; James Shea, 30 Independence Road; Mary McBride, Press Representative

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Acting Chair Fleischman called the meeting to order at 7:35 p.m.

**13-267      Public Hearing – Aquifer Protection Special Permit Entegris, Inc., 9 Crosby Drive**

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

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

Mike Bolko, Corporate Environmental Health and Safety Manager from Entegris, Inc., gave an overview on Entegris, Inc. The company makes products that purify, protect and transport critical materials used in the manufacturing of micro-electronics and semi-conductors. Mr. Bolko went on to say that Entegris, Inc. was applying for an Aquifer Protection Special Permit as they would generate and temporarily store hazardous waste at the 9 Crosby Drive location. The majority of the hazardous waste would be stored inside a specially designed leak-proof room. The Department of Public Works and the Fire Department raised issues about possible spillage at the site’s loading docks. Mr. Bolko stated that there were only 55 gallon drums that would be associated with this facility. There will be a chemical resistant containment trench that runs the entire length of the loading dock. There is a wall at the low point of the trench and a valve in the event of a chemical spill at the loading dock. Mr. Bolko went on to state that there would be spill control equipment throughout the facility including the loading dock area. All of the employees have received emergency training in the event of a spill. This will be an on-going process. Also, key personnel are required to carry a cell phone at all times so they can be alerted if the alarm system should be activated. Mr. Bolko stated the Entegris, Inc., in keeping with OSHA regulations has a trained and equipped hazmat team in place. In accordance with the Town of Bedford’s Hazardous Material Bylaw, Entegris, Inc. will be submitting a contingency plan to the Board of Health for approval.

Mr. Rosenberg asked where the other Entegris, Inc. operations were located and if there had been any chemical releases at those facilities. Mr. Bolko stated that Entegris, Inc. currently had locations in Billerica and Burlington and a leased building in Bedford. All of these locations would combine at 9 Crosby Drive. Mr. Bolko went on to say that there had been chemical spills at these locations, but never outside the facilities which is what the Aquifer Protection Special Permit was addressing.

Ms. Fleischman raised the concern about the trench system located at the loading dock. She was concerned that since this is a manual system it might get overlooked in the event of an emergency. She wanted to know if Entegris, Inc. performed emergency drills to address this issue. Mr. Bolko said that there are annual mock drills and trainings at the facility to address this issue.

Ms. Fleischman opened the hearing to the public for any comments. There were none.

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

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

**13-268          Public Hearing – Flammable Storage License Entegris, Inc., 9 Crosby Drive**

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

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

Mr. Bolko discussed the fire safety systems that Entegris, Inc. had in place. They include water/fire sprinkler systems, smoke detectors, pull stations, fire extinguishers and 3 High Hazard H-2 rooms designed for larger volumes of flammable and combustible materials.

Chief Grunes informed the Selectmen that even though this license would be given in perpetuity, Entegris, Inc. would be subject to 3 annual reviews at the local level. Chief Grunes went on to say that Entegris, Inc. has worked very closely with Code Enforcement, Board of Health and the Fire Department over the past year and is very comfortable with the safety precautions they have in place.

Ms. Fleischman opened the hearing to the public for any comments. There were none.

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

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

**Mr. Siegenthaler made a motion to grant a Special Permit under Article 13 – Aquifer Protection Districts of the Zoning Bylaw to Entegris, Inc. at 9 Crosby Drive provided that all work shall be done in accordance with the plans entitled**

**“Entegris i2M Center for Advanced Materials Science Site Plan (dated June 16, 2012), Trench Drain Plan (dated February 18, 2013), and Power Plan Upper Level West Area W1 (dated January 29, 2013) by BSC Group, 15 Elkins Street, Boston, Massachusetts 02127,” as submitted. Mr. Rosenberg seconded the motion.**

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

**Mr. Rosenberg made a motion to grant approval for a license under M.G.L. Chapter 148 for above ground storage on land at 9 Crosby Drive owned by Entegris, Inc. referencing plans entitled “Entegris i2M Center for Advanced Materials Science Site Plan (dated June 16, 2012), Trench Drain Plan (dated February 18, 2013), and Power Plan Upper Level West Area W1 (dated January 29, 2013) by BSC Group, 15 Elkins Street, Boston, Massachusetts 02127,” as submitted subject to the following contingencies:**

- 1. Entegris will voluntarily surrender the license when they or a wholly owned subsidiary is no longer utilizing the property for its current purpose.**
- 2. There shall be no more than one loading or off-loading of hazardous materials operations on site at one time.**
- 3. The trench drain outlet valve and its manually activated remote switch shall be maintained in accordance with manufacturer’s recommendations and tested annually. Maintenance and testing shall be documented and made available for review upon request.**
- 4. The storage of flammable materials on the site shall be limited to the following amounts:**

	<b>Inside Storage</b>	<b>Outside Storage</b>
Class I Flammables	5000 Gallons	None
Class II, IIIA & IIIB Flammables	10,000 Gallons	500 Gallons
Flammable Gases	4000 Cubic Feet	22,000 Cubic Feet
Flammable Solids	16 pounds	300 Pounds

**Mr. Siegenthaler seconded the motion.**

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

**13-269 Contract Renewal – FY14 Elliott Human Services Contract**

Sue Baldauf, Director of Youth and Family Services presented the Selectmen with a contract renewal request between the Town of Bedford and Elliot Community Human Services. Ms. Baldauf stated the value that Elliot Community Human Services has brought to Bedford over the years. In the past, the contract has been for only one year. After discussing it with Town Manager Richard Reed as well as Town Counsel, it was determined that a two-year contract would be beneficial to Bedford. Deb Garfield, Director of Elliot Community Human Services stated she was grateful for the support

she has received from the Town of Bedford and looks forward to assisting the community and its residents in the years to come.

**Mr. Siegenthaler made a motion to approve the contract between the Town of Bedford and Elliot Community Human Services for a maximum of \$37,000 annually available for each Fiscal Year period beginning July 1, 2013 and ending June 30, 2015. Mr. Rosenberg seconded the motion.**

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

**13-270 Common Victualers License Requests – Wicked Good Frozen Yogurt LLC 80 Great Road and Subway 170 Great Road**

**Mr. Siegenthaler made a motion to approve a Common Victualers license for Wicked Good Frozen Yogurt. Mr. Rosenberg seconded the motion.**

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

Harshil Parikh and Niral Gandhi, co-owners of Subway on 170 Great Road in Bedford submitted their request for a Common Victualers license to the Selectmen. The application before the Selectmen had not been signed by the Building Inspector or the Board of Health. Mr. Reed stated that the Selectmen could make their motion contingent upon the signatures from both agencies. Mr. Rosenberg asked Mr. Parikh and Mr. Gandhi if they had any concerns regarding parking in such a congested area. Mr. Parikh stated that he was confident that there was sufficient parking and that their restaurant did more of a pickup business as opposed to dine in thus the turnover would be quicker.

**Mr. Rosenberg made a motion to approve a Common Victualers license for Subway contingent upon signatures from the Board of Health and the Building Inspector. Ms. Fedele seconded the motion.**

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

**13-271 Refuse Collection Program – Contractor Request to Change Collection Day**

Mr. Reed stated that Allied Waste Services, Bedford's refuse and recycling contractor, made a request to change collection day from Wednesday to Monday. The reason for this request was due to a change in the communities Allied Waste serves. Thus there is an opening for a community to move to Monday collection. If the Selectmen are interested in making this change, Mr. Reed said that staff would negotiate a contract amendment with Allied Waste Systems implementing the change effective July 1, 2013. Allied Waste stated that they would assume all costs related to notifying Bedford residents about the change. This would include a mailing to every home, providing a second pick up on the week the change goes into effect and visiting the Council on Aging as well. Mr. Reed also stated that the Reverse Code Red system would be used to remind residents of the change. Ms. Fleischman said that the change from

Wednesday would be helpful as this is the only day of the week that school children have a half-day. Therefore the garbage trucks and school buses would not be on the roads at the same time. Mr. Reed stated that no vote was needed until a new contract was negotiated with Allied Waste Services.

**13-272            Miscellaneous Action Items  
                     Request One-Day Special Liquor Licenses – Prince Street Café &  
                     Bakery – June 22, 2013 – Old Town Hall**

**Mr. Siegenthaler made a motion to grant a One Day Special Liquor License to Prince Street Café & Bakery at Old Town Hall on June 22, 2013. Mr. Rosenberg seconded the motion.**

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

**Neillio’s Gourmet Catering – June 7, 2013 – Old Town Hall**

**Mr. Rosenberg made a motion to grant a One Day Special Liquor License to Neillio’s Gourmet Catering at Old Town Hall on June 7, 2013. Mr. Siegenthaler seconded the motion.**

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

**Chapter 28A, Section 20(b) Exemption – Ariel Whitt, Kids Club substitute to Youth Center Staff**

**Mr. Rosenberg made a motion to waive requirements under Massachusetts General Law 268A, Section 20(b) for Ariel A. Whitt. Ms. Fedele seconded the motion.**

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

**13-273            Minutes – Regular Session – May 6, 2013**

**Mr. Rosenberg made a motion to approve the Regular Session Minutes from May 6, 2013 as amended. Mr. Siegenthaler seconded the motion.**

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

**13-274            Town Manager’s Report**

Mr. Reed presented the Selectmen with a list of Committee Reappointments. He hoped that this would be an agenda item for the June 3<sup>rd</sup> Selectmen’s meeting. Mr. Reed said that there was a major restructuring of the Bedford Housing Partnership due to the recent consolidation. They are looking to stagger the membership terms so they don’t all expire at once. Mr. Reed asked the Selectmen for any feedback they might have on the committee reappointments before the June 3<sup>rd</sup> meeting if possible. Mr. Rosenberg said that the Wilson Mill Park Planning Committee would be meeting again on June 5<sup>th</sup>.

He would try to get a sense from them when that committee would end as their work was complete.

Mr. Reed mentioned that the North Road Pedestrian Crosswalk was up and running. Mr. Siegenthaler and Ms. Fedele both commented on the height of the signals. Mr. Reed confirmed that Adrienne St. John from Public Works was aware of the issue and would be lowering the signals by 3 feet.

### **13-275      Open Discussion**

Ms. Fedele informed the Selectmen that she attended her first Volunteer Coordinating Committee (VCC) meeting. She stated that there were a lot of interested volunteers, new positions becoming available, and she anticipates that interviews will be forthcoming.

Mr. Rosenberg asked Mr. Reed about the housing developments at the V.A. Mr. Reed stated it was still under development and ground had not been broken as of yet but they were finalizing contracts.

Mr. Rosenberg also asked Mr. Reed about setting a target to make a sidewalk choice for the Concord Road extension and for Hemlock Lane. Mr. Reed said he would ask Adrienne St. John of Public Works to work on a conceptual idea of the cost of both projects.

Ms. Fleischman asked Mr. Reed about a timetable on choosing the next Public Works Director. Mr. Reed said that he didn't think they would have anything to present at the next Selectmen's meeting but was hopeful to have a decision by June 17<sup>th</sup>.

**Mr. Siegenthaler made a motion to adjourn the meeting. Mr. Rosenberg seconded the motion.**

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

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Lauren Sheytanian  
Recording Secretary

Minutes approved: June 3, 2013, as amended

Record Copy