

**Regular Session Minutes – Bedford, MA Select Board Meeting
Hybrid Participation Meeting (Select Board Meeting Room and Zoom)
January 30, 2023**

PRESENT: Town Manager Sarah Stanton, Chair Emily Mitchell, Bopha Malone, Shawn Hanegan, Edward Pierce, Margot Fleischman.

ALSO PRESENT: Leanne Petto, Administrative Assistant, Town Manager’s Office; Taissir Alani, Director of Facilities; Lee Vorderer, Community Preservation Committee Chair; Erin Dorr, Community Preservation Committee Vice-Chair; Robin Steele, Community Preservation Committee; Chris Gittins, Community Preservation Committee; Paul Mortenson, Finance Committee; Ben Thomas, Finance Committee, Jacinda Barbehenn, Planning Board; Joseph Piantedosi, Depot Park Advisory Committee; Tom Rowan, Finance Committee; Stephen Steele, Finance Committee; Lisa Litchfield; John Litchfield; Joan Bowen; Julie Turner; Helen Litchfield; Karen Dunn, Finance Committee; David Williams; Tom Barnett; Mike Rosenberg, *The Bedford Citizen*.

Ms. Mitchell called the meeting to order at 7:00 pm.

23-21 Public Comment

Tom Barnett, 96 Carlisle Road, spoke on the Carlisle Road LIP. He stated this development would impact traffic and utilities. Mr. Barnett asked if a Select Board vote would be the only measure to stop the project from going forward.

Lisa Litchfield, 86 Carlisle Road, spoke on the Carlisle Road development. She believes having 80% of the units designated for rentals is too high. She feels the area proposed is rural, and three-story structures are out of character for the neighborhood. She is concerned that the Town has not posted any materials regarding this project and that direct abutters were not notified of a meeting. She stated that tenants in rental units are not typically social with each other, and this development would not bring a sense of community.

Mr. Hanegan responded that, though the developer made an initial proposal in April 2022, the Select Board did not endorse the project at that time.

Karen Dunn, 86 Carlisle Road, noted that this is an impactful, legacy project. She said there has been no outreach to the 14 residents that will feel the most direct impacts. She felt the developer misrepresented the project in a public forum by stating that only 50% of units would be rentals. She described the February 18th Bedford Housing Partnership

meeting as chaotic, and noted a vote was taken the meeting, but was not on the agenda. She believes there will be a steep impact in the school enrollment, and noted that traffic is a significant quality-of-life impact.

Jacinda Barbehenn, 10 Irene Road, stated that public engagement on the project has not been good. She believes there need to be public-private partnerships, where all the responsibility is not on the developer, but the Town is part of the process too.

23-22 Board and Committee Interview

Ms. Mitchell thanked the applicant for volunteering, and briefly reviewed the process and responsibilities for board service.

Committee Interview:

1. Cultural Council—J. Turner

Ms. Mitchell reviewed the general responsibilities of the Cultural Council. She noted that Ms. Turner previously served two consecutive terms, and since she has been off the council for more than one year, she is in compliance with Massachusetts regulations and eligible to serve another term (or two).

Ms. Turner said that she has been an active member of the Cultural Council and numerous other boards in Town.

Ms. Fleischman asked her thoughts, as a longtime resident, on what Bedford is missing for art in comparison to other communities. Ms. Turner responded that making people more aware of the support the Cultural Council provides is key.

Ms. Malone asked if she sees anything missing in terms of grants. Ms. Turner noted that there have been record applications and funding available from both the State and Town, and this alone is allowing for more arts activities.

Ms. Malone moved that the Select Board appoint Julie Turner to the Bedford Cultural Council for a term ending June 30, 2025, and authorize the Town Manager to sign the appointment letter on behalf of the Select Board. Ms. Fleischman seconded. The motion passed 5-0-0.

Materials: Julie Turner questionnaire.

23-23 Contracts

Ms. Stanton presented two Department of Public Works contracts and one Facilities contract. First is an agreement with Weston and Sampson for additional engineering services related to the Middlesex Turnpike sewer pump station force main. The second contract is for Woodard & Curran to provide support services for the MassDEP MS4 stormwater permit compliance. The third contract is with Edward Paige Corp. for deck replacement and painting at the Depot Park Station.

Mr. Hanegan moved that the Town approve the contract with Weston and Sampson for Middlesex Turnpike Pump Station Force Main Services in the amount of \$155,000 as described in the public works memo dated January 26, 2023. Mr. Pierce seconded. The motion passed 5-0-0.

Ms. Fleishman asked where this contract stands in relation to the ongoing stormwater permit compliance project. Ms. Stanton responded that this is still very much in progress, and as MassDEP regulations change, the scope may change as well. The Department of Public Works is continuing to take ownership of these projects and ensuring their compliance.

Ms. Malone asked when the project will start. Ms. Stanton responded that work will start immediately.

Ms. Fleischman moved that the Town approve the contract with Woodard & Curran in the amount of \$125,000 as described in the public works memo dated January 17, 2023. Mr. Pierce seconded. The motion passed 5-0-0.

Ms. Stanton presented the Edward Paige Depot Park Station contract, noting that the bid came in higher than initially estimated. There were three courses of action that could be taken.: reduce the scope of work or use less desirable products; put the project out to bid again for next fiscal year, when the deliverables are anticipated to come in higher; or ask the Depot Park Advisory Committee to fund the difference in cost from their revolving fund. The Facilities Department worked with the Depot Park Advisory Committee and determined that it would be in the best interest of the Town to pay the difference from DPAC's revolving fund.

Mr. Pierce asked if DPAC approved the use of funds for this project. Ms. Stanton confirmed that Facilities received approval from DPAC.

Mr. Hanegan moved that the Select Board vote to approve the Depot Station project between the Town of Bedford and Edward Paige Corp., in the amount of \$224,960 as per the referenced contract, and furthermore, that the Select Board authorize Town Manager, Sarah Stanton, to sign the attached contract. Mr. Pierce seconded. The motion passed 5-0-0.

Materials: Weston and Sampson Middlesex Turnpike Pump Station Force Main Agreement 2023-01-23, SB Cover Memo for W7C MS4 Contract, DepotStationDeckReplacement-AwardRecommendationLetter-Jan23-2023, Edward Paige A101 – Signed Contract, Town of Bedford AIA A201-2017.

23-24 FY24 Community Preservation Committee Budget

Lee Vorderer presented the proposed FY24 Community Preservation Committee projects in the areas of Affordable Housing, Historic Preservation, Open Space and Recreation, Administrative Expense and Bond Payments.

Ms. Stanton noted that the bond payment ending dates will be included in the warrant articles.

Mr. Hanegan asked about water clarity and regular maintenance at Springs Brook Park. Robin Steele, Recreation Commission Chair, noted that Springs Brook Park is a component of Summer Adventures. The maintenance of the Park is essential for safety and continued usability for the Recreation programs.

Ms. Fidalgo noted that Community Preservation Committee does not necessarily get to decide what the future projects will look like.

Mr. Hanegan asked if the Life Management Program was looking to expand past Bedford. Ms. Fidalgo responded that she believes the Bedford is one of the only communities that commits CPC funds towards the program, but other communities also do have a Life Management Program.

Mr. Hanegan asked about the larger budgets in the out years, and whether other projects have been discussed. Ms. Vorderer said the committee welcomes new project ideas to be presented, but could not speak to what they may look like.

Ms. Fleischman said the committee discussed adding a non-business CPC meeting to allow more open discussion in advance of Annual Town Meeting and Special Town Meeting proposals.

Mr. Pierce asked about the interest rate on the Bonds. Ms. Stanton commented that it varies on the year of issuance. Mr. Pierce asked if they can be prepaid in order to reduce the debt from interest. Ms. Stanton commented that there are different mechanisms, but she will consult with the Finance Director.

Ms. Mitchell noted that on one of the financial statement's debt is listed as a percentage of revenue, and asked whether the committee had a guideline for that percentage. Ms. Fidalgo responded that Finance Committee liked to see the percentage rates especially as they decrease, but it is not a policy.

Materials: FY24 CPC Presentation for Select Board

23-25 Annual Town Meeting Warrant

Article 2, Debate Rules - Previously Recommended Approval

Article 3, Consent Article - Mr. Hanegan moved to recommend approval of Article 3. Mr. Pierce seconded. The motion passed 5-0-0.

Article 4, Bills of Prior Year - Ms. Fleischman moved recommendation to be given at Annual Town Meeting on Article 4. Mr. Pierce seconded. The motion passed 5-0-0.

Article 5, General Bylaw Amendment—Revolving Funds - Ms. Fleischman moved to recommend approval of Article 5. Mr. Pierce seconded. The motion passed 5-0-0.

Article 6, Revolving Funds Expenditure Limits - Mr. Hanegan moved to recommend approval of Article 6. Ms. Malone seconded. The motion passed 5-0-0.

Article 7, Community Preservation Budget—Fiscal Year 2024 - Mr. Pierce moved to recommend approval of Article 7. Mr. Hanegan seconded. The motion passed 5-0-0.

Article 8, Proposed Fiscal Year 2024 Capital Projects Plan - Previously Recommended Approval

Article 9, PEG Access and Cable Expense Related Budget—Fiscal Year 2024 - Mr. Pierce moved to recommend approval of Article 9. Mr. Hanegan seconded. The motion passed 5-0-0.

Article 10, Land Acquisition for Evans Avenue Sewer Pump Station – HOLD pending advice from Town Counsel

Article 11, Supplemental Operating Budget for Fiscal Year 2023 and Articles of the 2022 Annual Town Meeting - Ms. Fleischman moved recommendation to be given at Annual Town Meeting on Article 11. Mr. Pierce seconded. The motion passed 5-0-0.

Article 12, Salary Administration Plan Bylaw Amendment—Classification & Wage Schedule - Ms. Fleischman moved to recommend approval of Article 12. Ms. Malone seconded. The motion passed 5-0-0.

Article 13, Operating Budgets—Fiscal Year 2024 – Previously Recommended Approval

Article 14, Supplement Accrued Leave Fund - HOLD pending further information

Article 15, Ambulance Enterprise Budget—Fiscal Year 2024 - Previously

Recommended Approval

Article 16, Salary Plan Additional Funding - Previously Recommended Approval

Article 17, Stabilization Fund - HOLD pending further information

Article 18, Other Post-Employment Benefits Liability Trust Fund Appropriation - Ms.

Fleischman moved to recommend approval of Article 18. Mr. Pierce seconded. The motion passed 5-0-0.

Article 19, Appropriate Funds for Transportation Infrastructure Fund - Ms.

Fleischman moved to recommend approval of Article 19. Mr. Hanegan seconded. The motion passed 5-0-0.

Article 20, 300th Anniversary Stabilization Fund Appropriation and Article 21, 300th

Anniversary Stabilization Fund Appropriation - Ms. Fleischman moved to recommend approval of Articles 20 and 21. Mr. Pierce seconded. The motion passed 5-0-0.

Article 22, Free Cash - Ms. Fleischman moved recommendation to be given at Annual Town Meeting on Article 22. Mr. Pierce seconded. The motion passed 5-0-0.

Article 23, Zoning Bylaw Amendment—Two-Family Dwellings - Mr. Hanegan

moved to recommend approval of Article 23. Ms. Malone seconded. The motion passed 4-1-0; Mr. Pierce opposed.

23-26 Consent Agenda

Chapter 268A, Section 20(b) Disclosure for Richard Lyons.

Mr. Hanegan moved to approve the Consent Agenda. Mr. Pierce seconded.

The motion passed 5-0-0.

Materials: Chapter 268A, Section 20(b) Disclosure – Lyons.

23-27 Town Manager's Report

Carlisle Road Proposed LIP—Project Update

Ms. Stanton explained the project was initially discussed with the Select Board in April 2022, including expectations for the developer and development team early on in the project. Since then, there have been numerous points of concern regarding outreach to departments and committees, as well as to abutting neighbors. The Select Board are requesting the developer address and provide the following information in advance of a presentation to the Board seeking their approval of the LIP:

- Mailings sent to all abutters within 300 feet of the property for the February 14, 2023, public forum – and copy of said abutter list, and proof of mailing, provided to the Select Board.
- Minutes of the two public forums (January 24, 2023, and February 14, 2023) with feedback captured and addressed.
- Detailed point by point description of how the LIP proposal meets actions identified in Housing Study and Comprehensive Plan.
- Site plan including street level perspectives of proposed development
- Proposals for what needs to be done to gain more affordability and/or affordable units at a different AMI.
- Identify requested funding from the Community Preservation Committee, and Municipal Affordable Housing Trust, if applicable.
- General narrative of traffic impact (at least comparison to similar projects).
- Evidence of discussions with relevant departmental staff where their concerns were solicited and addressed. Identify impacts identified – and proposals for mitigation.

Ms. Fleischman commented that prior developers of other projects have demonstrated a willingness to cooperate with the Town, and this has not been the case with the Carlisle Road development.

Ms. Mitchell noted that there were a considerable number of attendees at the first forum, which shows a desire for community input.

Ms. Malone noted that the Town's requests to the developer are not uncommon and are justified.

Mr. Pierce asked if there is an opportunity for the Town to take over the community engagement part of the project. Ms. Stanton responded that she does not want Town participation to create a perception that it has taken an official position on the project.

Mr. Hanegan commented that the responsibility is on the developer to present findings, whether it be traffic impacts or the quantity and type of dwelling units.

Ms. Mitchell asked for clarification on whether the Community Preservation Committee and Municipal Affordable Housing Trust have committed funding, and if not, if the language on that point could be clarified. Ms. Stanton noted that the request would cover any previous vote of funding or proposed funding in writing.

Materials: Carlisle Road - LIP - Select Board - January 30, 2023.

23-28 Liaison Reports

Ms. Mitchell asked that the Select Board meeting for February 13th start at 6:00pm, and that board members send questions in advance for the Fire Station Committee candidates.

Mr. Pierce reported that the Planning Board discussed 42–44 Hillside Road; they will meet to review two-family zoning on February 7th.

Mr. Hanegan had no report.

Ms. Malone will be taking over organizing the Select Board Team for the CSF trivia night. Bedford Arbor Resources Committee also reorganized, with Molly Haskell taking over as Chair.

Ms. Fleischman had no report.

Ms. Mitchell reported that the Cultural Council met and discussed the record year with 36 grants. The Historic District Commission will be meeting on February 1st to review the report on 139 Great Road from the Historic Preservation Consultant. The Massachusetts Environmental Notification Filing Form for the North Airfield development project at Hanscom was released last week; she would like to draft a public comment from the Select Board regarding the project. The Finance Committee discussed the FY24 Operating Budget and voted a new Chair, Ben Thomas, and Vice-Chair, Abbie Seibert.

**Ms. Fleischman moved to adjourn. Mr. Hanegan seconded.
The motion passed 5-0-0.**

**Meeting adjourned at 9:30 p.m.
Respectfully submitted by Leanne Petto**