

**Regular Session Minutes—Select Board Meeting  
Hybrid Participation Meeting  
June 27, 2022**

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

ALSO PRESENT: Michael Sprague, Town Engineer; Stephen C. Carluccio, Finance Committee Chair; Eileen Blanchette, Administrative Assistant, Town Manager’s Office; Amy Fidalgo, Assistant Town Manager of Operations; Charlie Ticotsky, Special Assistant to the Town Manager; George Hall and Nina Pickering-Cook, Anderson Krieger; Patty Carluccio, Volunteer Coordinating Committee; Robin Steele, Recreation Commission; David Grunes, Fire Chief; Bedford TV; Mike Rosenberg, *The Bedford Citizen*; Josh Smith, Recreation Director.

**22-129 Executive session to consider the purchase, exchange, taking, lease, or value of real property.**

**Ms. Fleischman moved to open Executive session to consider the purchase, exchange, taking, lease, or value of real property. Mr. Pierce seconded.**

**Mr. Hanegan moved to close the Executive Session. Mr. Pierce seconded.  
The motion passed 5-0-0.**

**Ms. Fleischman moved to open the Public Session. Ms. Malone seconded.  
The motion passed 5-0-0.**

*Materials: MITRE-Bedford FY23 PILOT Agreement(1426658.2)v2(Clean).*

**22-130 - Public Comment**

There was no Public Comment.

**22-131 Appointment of Town Counsel**

George Hall and Nina Pickering-Cook, Anderson & Kreiger LLP

**Mr. Hanegan moved that the Select Board appoint George Hall and Nina Pickering-Cook of Anderson & Kreiger LLP as Town Co-Counsels for a term ending June 30, 2023, and authorize Town Manager Sarah Stanton to sign the appointment letters on behalf of the Select Board. Ms. Malone seconded. The motion passed 5-0-0.**

*Materials: Town Counsel Reappt 6-27-22 Meeting*

**22-132 Confirmation of Appointment of Recreation Director Josh Smith**

**Ms. Malone moved to confirm the appointment of Josh Smith as the Recreation Director. Ms. Fleischman seconded.**

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

*Materials: Josh Smith Resume redacted*

**22-133 Board and Committee Reappointments**

**Ms. Malone moved that the Select Board reappoint Lewis Putney to the Council on Aging Board for a term ending June 30, 2025 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. Pierce seconded.**

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

**Ms. Malone moved that the Select Board reappoint Paul Purchia, Barbara Purchia, John Monahan, Joseph Piantedosi, John Cooper, James Burton, Roberta Ennis to the Patriotic Holiday Committee with term end dates that are listed in the memo:**

**Committee Reappointments for June 27, 2022 Meeting, and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. Pierce seconded.**

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

**Ms. Malone moved that the Select Board reappoint Robin Steele to Recreation Commission for a term ending June 30, 2025 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. Hanegan seconded.**

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

**Ms. Mitchell moved that the Select Board reappoint William Speciale as Registrars of Voters for a term ending June 30, 2025 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. Pierce seconded.**

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

**Ms. Mitchell moved that the Select Board reappoint Michael Barbehenn, Mark Levine, John Campos, Daniel Hurwitz, and Peter Desjardins to the Trails Committee for a term ending June 30, 2023 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. Pierce seconded.**

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

**Ms. Mitchell moved that the Select Board reappoint Paul Purchia as Veterans' Graves Officer for a term ending June 30, 2023 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Ms. Malone seconded. The motion passed 5-0-0.**

**Mr. Hanegan moved that the Select Board reappoint Patricia Carluccio to the Volunteer Coordinating Committee for a term ending June 30, 2025 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. seconded. The motion passed 5-0-0.**

**Ms. Fleischman moved that the Select Board reappoint Angelo Colasante as a full member, and Kay Hamilton as an associate member, of the Zoning Board of Appeals for a term ending June 30, 2025 and authorize the Town Manager to sign the reappointment letter on behalf of the Select Board. Mr. Pierce seconded. The motion passed 5-0-0.**

*Materials: Board and Committee reappointment form 2022PP Patriotic; BPurchia Board and Committee reappointment form 2022; Burton reappointment form 2022; Cooper Patriotic Holliday Committee 06.21.2022; Ennis Patriotic Holiday Committee; Monahan reappointment form 2022; Piantedosi Patriotic Holiday reappointment form 2022; steele Board and Committee reappointment form 2022 rec commission; Campos Reappointment Form; Hurwitz Trails Town of Bedford Board and Committee Reappointment Form 2022; Levine trails Board and Committee reappointment form 2022; michael barbehenn Board and Committee reappointment form 2022; pdesjardins-trails-committee-reappointment-2022; Board and Committee reappointment form 2022PPVGO; PCarluccio VCC Board and Committee reappointment form May 2022; Board and Committee Reappointment Form 2022; Angelo Colasante; Kay Hamilton reappointment form ZBA; Committee Reappointments Memo for 6.27.22 SB Meeting.*

## **22-134 Department of Public Works Contracts and Fee Schedules:**

### **Materials/Services Bids Contracts**

Ms. Stanton stated that the Town renews these contracts on a yearly basis.

**Mr. Pierce moved that the Board vote to approve the following bidders:**

#### **ITEM**

Water Treatment Chemicals  
Sodium Fluoride

#### **BIDDER**

Univar Solutions USA, Inc.

Sodium Hydroxide	Univar Solutions USA, Inc.
Sodium Hypochlorite	Puraqua Pool Service, Inc.
Fire Hydrants	Billerica Winwater Works, Co.
Water Quality Testing	
VOC, SOC, IO, Sodium, Lead & Copper	Pace Analytical Services, LLC
SMC, Nitrate and Nitrite	Melport Enterprises dba Chemserve
Radionuclides and Perchlorate	Eurofins Eaton Analytical, LLC
TTHM & HAA5	Microbac Laboratories, Inc.
Ductile Iron Pipe	No Award, conditional bid
Plastic Drainage Pipe	Billerica Winwater Works, Co.
Road Castings	Billerica Winwater Works, Co.
Gasoline & Diesel Fuel	Dennis K. Burke, Inc.
Athletic Field Paint	Pioneer Athletics
Tree Services-Routine & Emergency	Marquis Tree Service, Inc.
Traffic Signal Maintenance	Electric Light Company, Inc.
Catch Basin Repair	Tasco Construction, Inc.
Guardrail/Fencing Installation	Premier Fence, LLC
Equipment Rental & Services (Catch Basin Cleaning)	New England Storm Water Management
Resurfacing and Reconstruction Paving	Sunshine Paving Corp.
Pavement Preservation	Sealcoating, Inc. d/b/a indus
Bituminous Sidewalks	McIver Brothers

**to supply materials and/ or services for the period July 1, 2022 through June 30, 2023. Funding exists in the DPW operating budget approved at the 2022 Annual Town Meeting. The Town shall have the option to renew the Contracts for an additional two years in one-year increments. Materials and services are provided on a unit price basis and purchases from the successful bidders in future fiscal years are contingent upon the availability of appropriated funds as referenced in the memo: Material-Service Bids Select Board Mtg. June 27, 2022. Ms. Malone seconded. The motion passed 5-0-0..**

FY23 Solid Waste and Recycling Fees:

Ms. Stanton recognized that fact that there have been issues with Republic Services picking up refuse and recyclables, due to the company's struggles with staffing. The DPW is working diligently to solve the issues with Republic Services. Ms. Stanton reviewed the changes to the refuse and recycling fees.

White Goods/Bulky Items

Per the Town's contract with Republic Services the fees for bulk waste and white goods will be increasing 6.50% starting July 1, 2022 through June 30, 2023. These fees are a

pass-through cost; residents contact Republic directly to coordinate, and pay them for the pickup. The table below shows the current fees and the new fees as of July 1.

	<b>FY 2022</b>	<b>FY 2023</b>
Large Metal Items (up to 48", 50LBS)	\$34.03	\$36.24
Tires	\$17.02	\$18.12
Appliances (with freon)	\$39.70	\$42.28
Appliances (without freon)	\$28.36	\$30.20
CRTs/TVs – Small (smaller than 24")	\$34.03	\$36.24
CRTs/TVs -- Medium (25"-49")	\$45.37	\$48.32
CRTs/TVs – Large (50+")	\$141.78	\$151.00
Small Electronics	\$17.02	\$18.12

### Increase in Cart Fees

Bedford’s curbside Refuse & Recycling program allows each resident one 48-gallon black trash cart for the disposal of household trash. Residents may request additional trash carts or opt to use official overflow bags for any material that does not fit in the provided cart. As the Select Board is aware, the Town’s contractual rate for disposal of refuse has increased significantly in the last few years. The current fee for additional trash carts was set in 2017, when the disposal rate was \$70.70/ton. Beginning July 1, 2022, the new disposal rate will increase to \$93.60/ton.

Liz Antanavica, Refuse & Recycling Administrator is proposing increasing the fees for additional refuse cart requests, effective July 1. Any new requests for additional trash carts after that time would be honored at the new rate. Residents currently enrolled in the program would be assessed the new annual rate at the start of the next billing cycle, on or about October 1. She is also proposing a replacement cart fee to cover the costs associated with materials and staff time to replace lost or stolen carts. Damaged carts will be assessed for replacement at no charge, while vanity replacements will incur a replacement fee.

	<b>Current</b>	<b>Proposed FY23</b>
Overflow Trash Cart – Administrative Fee	\$50	\$75
Overflow Trash Cart – Annual Fee	\$132	\$185
Replacement Cart (lost or stolen)	No Fee	\$75

\*Many carts are lost during demo/renovation projects. In an effort to protect the new resident experience, developers will be responsible for replacement costs of carts lost during construction. Fees will be assessed as part of the permit process.

### Hardship Policy

In tandem with any fee increase, Ms. Antanavica is proposing establishing a hardship fee-waiver policy. Residents experiencing financial hardship would be able to request a waiver for certain disposal fees, such as curbside appliance collection, overflow bags or short-term use of additional trash carts under such a policy, up to a maximum budget impact of \$600 per year.

MassDEP recently added a new category to the Recycling Dividends Program that would provide \$600 per year in grant funding, should Bedford establish such a policy. The funds received as part of this annual grant would cover the costs of hardship requests. MassDEP does not require review of resident financial data in order to grant a hardship waiver. Applications would be reviewed on a case-by-case basis, as funds allow, and honored on the condition that residents are actively participating in the curbside recycling program.

Ms. Malone asked if residents will be notified of the new rates. Ms. Stanton said that they will be notified.

**Mr. Hanegan moved that the Select Board approve the changes to refuse and recycling fees as described in the DPW director's memo. Ms. Malone seconded. The motion passed 5-0-0.**

### Moratorium Street Opening Fees

Ms. Stanton explained that the Department of Public Works (DPW) spends approximately \$2 million per year to improve our roads. In order to prolong the life of our roads and reduce the overall maintenance costs associated with repaving them, a moratorium on cuts and openings in the road has been in place. This moratorium prevents Street Opening permits from being issued for roads paved within the last 5 years. Ms. Fleischman and Mr. Pierce asked about the process for publicizing the list of roads covered by the moratorium, to ensure residents had that information before pursuing a renovation or other project that may require street opening. Ms. Fleischman suggested amending the proposed policy to reflect that the DPW Director *may* impose such a fee.

**Mr. Hanegan moved that the Select Board approve the creation of a new moratorium fee in the amount of \$5000 that may be applied at the discretion of the DPW, only to Street Opening permits on roads on the moratorium list, which will be updated annually to**

**reflect the current list of roads resurfaced in the previous 5-year period. Ms. Malone seconded.**

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

#### Sewer Connection Fee Deferral - 240 South Road

Ms. Stanton provided an overview of the request for Delay of Sewer Fee Payments at 240 South Rd. She stated that LCB Bedford MA, LLC is redeveloping the property at 240 South Road into a senior living/assisted care facility. They are requesting the deferral of sewer-related connection fees until prior to the issuance of certificates of occupancy. The Department of Public Works recognizes the significant upfront expense, and recommends approval of this request for deferral of the sewer connection fees, residential I/I mitigation fees, with the condition that all fees be paid prior to the issuance of any certificates of occupancy.

**Ms. Fleischman moved that the Town approve deferral of sewer connection and sewer 1/1 fees for 240 South Road in accordance with the memo from Public Works dated June 6, 2022, with all fees to be paid prior to any issuance of certificates of occupancy. Mr. Pierce seconded.**

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

*Materials: 240 South Rd Sewer Fee Payment Deferral; Letter to Select Board with DPW permit fees 6.3.22; FY23 Refuse & Recycling Fee Increases Updated; Material-Service Bids Select Board Mtg. June 27, 2022; SB Cover Memo for Moratorium Fee; Proposed motion.*

#### 22-135 FY23 Ambulance Rates

Fire Chief David Grunes provided an overview of the annual review and recommended cost adjustments for ambulance services. He said that this review has been conducted since 2013. Chief Grunes is recommending an increase of two percent (2%) to the base rates. It should be noted that this increase only applies to the non-federal and state mandated rates. It is estimated that it would provide an additional \$15,000 of revenue, which has been projected into the FY23 budget, along with an additional two percent (2%) of new growth. The Town will be participating in a federal audit for Medicare through FY23 of expenses and revenue associated with the ambulance service. It is expected that the Town will be able to move away from the tax levy subsidy in FY24 for the direct expenses.

**Ms. Fleischman moved that the Select Board adopt the FY2023 Ambulance Rates as outlined in the memo dated June 13, 2022 from Chief David Grunes and Finance Director David Castellarin:**

BLS \$1,594.43  
ALS-1 \$1,935.08  
ALS-2 \$2,845.25  
Mileage \$34.47

**Mr. Pierce seconded.**

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

*Materials: FY23 Ambulance Rate Adjustment*

**22-136 MITRE Corporation—Proposed PILOT Agreement**

Ms. Stanton reviewed the terms of the proposed 5-year PILOT Agreement with MITRE Corporation. The agreement reflects shared and agreed upon terms between MITRE and the Town of Bedford.

**Mr. Pierce moved that the Select Board approve the MITRE Corporation—Proposed PILOT Agreement substantially in the form as presented to the Board, and delegate the Town Manager and Town Counsel to negotiate the final execution copy. Ms. Malone seconded.**

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

**22-137—Consent Agenda**

AP/Expense Warrants

Regular Session Meeting Minutes: June 9, June 13

One Day Liquor License—Tapped Beer Truck

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

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

*Materials: 06092022 Select Board Meeting Minutes - Draft, 06132022 Select Board Meeting Minutes. Draft. COITAPPED Bedford, Tapped Beer Truck - ConRes 175 Middlesex Turnpike, AP GL Distribution School ck date 06.16.22 DC signed, AP GL Distribution Town ck date 06.16.22 DC signed.*

**22-138 Town Manager's Report**

Town Manager—Vacation Rollover—2022

Ms. Stanton stated that per her employment contract, she is requesting the Select Board vote to allow her to roll over 183.041 hours of vacation time from fiscal year 2022, to fiscal year 2023.



**Ms. Malone moved that the Select Board approve the Town Manager's request to roll over 183.041 hours of vacation time from fiscal year 2022, to fiscal year 2023. Mr. Hanegan seconded.**  
**The motion passed 5-0-0.**

### **22-139 Open Discussion and Liaison Reports**

Ms. Fleischman reported that she attended the Transportation Advisory Committee (TAC) meeting. They provided updates on the North Road project, as well as the changes in the bus stops. She also attended the Board of Health (BOH) meeting where they discussed goal setting. Ms. Fleischman agreed to sit on the MBTA Executive Committee.

Mr. Hanegan reported that the Planning Board approved a Life Sciences company to replace the soon to be demolished Doubletree Hotel. The Chamber of Commerce is excited about the new Cultural District and are considering creating a "restaurant row" consisting of possibly 6 restaurants. They would also like to continue support for small business in Town.

Ms. Malone reported the Council on Aging (COA) met. They have reorganized their Committee: Alan Morgan is now Chair, Cindy Tulimieri is now Vice-Chair. They also discussed potential goals for next year. Ms. Malone mentioned some of the accomplishments of the COA.

Mr. Pierce said that Mr. Hanegan covered the Planning Board.

Ms. Mitchell reported that the Library Trustees met and voted to maintain the suspension of fines on overdue materials. She also reported that the Finance Committee met to review and approved five of six reserve fund transfer requests. The Cultural Council reviewed the results of its annual community survey. They are also working on a directory of local artists, and confirmed their preference to stay at eleven members. At the HFAC meeting, Massport announced that the winning bidder for the North Airfield development project is North Air Field Ventures.

Ms. Stanton noted that a Finance Committee member asked whether ARPA funds could be used to cover the outstanding reserve fund transfer request for legal services. She advised the Board that Town Counsel cannot opine on the use of ARPA monies for legal services; such advice can only come from the state treasurer. She recommended that Board continue with the previously approved plan for the use of ARPA funds.

**Mr. Pierce moved to affirm the ARPA plan originally approved by the Select Board in July 2021 and amended in June 2022. Ms. Malone seconded.  
The motion passed 5-0-0.**

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

**Meeting adjourned at 8:30 p.m.  
Approved as Record Copy  
Respectfully submitted by Eileen Blanchette**