

**Regular Session Minutes—Select Board Meeting
Hybrid Participation Meeting
September 26, 2022**

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

ALSO PRESENT: Leanne Petto, Administrative Assistant, Town Manager’s Office; Amy Fidalgo, Assistant Town Manager of Operations; David Manugian, Director of Public Works; David Grunes, Fire Chief; Josh Smith, Recreation Director; Karen Kenney; Elaine Davis; Debbie Leeman; Norma Currie; Gail Green; Mark Sullivan; Mark Pearson; Tim Brown; Alice Sun; Jodie Giordano; Ed & Judith Gray; Robin Steele; Ron Presti; John Caban; William Moonan; M and M; Ben Thomas; Chip Roth; Joseph Piantedosi; dhinboston; Cathy P; J Gray; Gail Hartwell; Elizabeth Knox; Daniel Churella; Natalie, Bedford TV.

Ms. Mitchell called the meeting to order at 6:30pm

22-169 Executive session for purposes of conducting strategy sessions in preparation for negotiations with nonunion personnel or litigation, and approval of minutes.

Mr. Pierce moved to open Executive session for purposes of conducting strategy sessions in preparation for negotiations with nonunion personnel or litigation, and approval of minutes to return to open session. Ms. Fleischman seconded.

Mr. Hanegan moved to open the Public Session. Mr. Pierce seconded.

The motion passed 5-0-0.

Ms. Mitchell opened with a statement regarding public comments and the guidelines for civil discourse.

22-170 - Public Comment

Karen Kenney, 33 Evergreen Ave, expressed concerns regarding cemetery policies. She asked how many board members have family interred at Shawsheen Cemetery. Ms. Kenney noted that the cemetery rules changed in 2016, and asked who made the rules and whether residents were made aware of these changes. She also asked if the public

voted on the changes, and what the differences are among carving, etching, and sandblasting.

Ms. Mitchell responded for her to reach out by email and noted that the regulations do not get voted by Town Meeting, but by the Select Board.

22-171 Public Hearing – Flammable Storage License Amendment

Mr. Pierce moved to open the public hearing. Ms. Fleischman seconded.

The motion passed 5-0-0.

Captain Sullivan from the Fire Department explained that this is the applicant's second request to increase its storage volume: their license was originally 9,700 and was increased to 12,000 gallons; they are now seeking another increase to 13,500 gallons. The request is to allow for continuous production, as well as to manage supply chain issues. Captain Sullivan noted that Anika has complied with all Fire Department requirements and just completed a third-party review.

Mr. Hanegan moved to close the public hearing. Ms. Fleischman seconded.

The motion passed 5-0-0.

Ms. Malone moved that the Select Board grant approval for a license amendment under M.G.L Chapter 148 for above-ground storage on land at 32 Wiggins Avenue owned by First Camelot, LLC referenced in the application for an amended license dated July 1, 2022 as submitted subject to the following contingencies:

- 1. Anika 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. All safety devices shall be exercised and maintained to the manufacturer's recommended specifications.**
- 4. The storage of flammable material on the site shall be limited to:
No more than 13,500 gallons of flammable liquids
No more than 3,000 gallons of combustible liquids**
- 5. Anika will cause to have a qualified third party, approved by the Bedford Fire Department, review storage and process procedures to ensure compliance with this license and applicable laws, regulations and standards specific to the use of flammable and combustible liquids and gases. The review shall be conducted at a period not to exceed 36 months from issuance of the license and subsequently within**

every 36-month period following while the storage allowed by this license is in effect. Mr. Pierce seconded.

The motion passed 5-0-0.

Materials: Application for Amended Flammable License; Comments from the Fire Department; Memo to SB

22-172 Department of Public Works

Quarterly Update and Presentation

Mr. Manugian presented the Department of Public Works (DPW) Quarterly Report. He gave an update on the water quality treatment plant at Pine Hill, walkways at the Library, Fall collection events, and brush clearing process. Mr. Manugian noted that the Department of Public Works reaches out to residents annually about brush clearing of easements. DPW has built a database with the responses from individuals who will maintain it themselves, thus allowing DPW to address as many areas as possible to ensure a more efficient process.

Mr. Hanegan thanked Mr. Manugian for his efforts throughout the town. Mr. Hanegan noted that, according to the zoning bylaws, many properties are in violation of the requirement to maintain clear sightlines for vehicles and pedestrians. He asked how much of this can be addressed from DPW or code enforcement, with the understanding that Public Works was being mindful of private properties. Mr. Manugian stated that DPW and the Town Manager's office work with the Traffic Management group to determine the best course of action on a case-by-case basis.

Mr. Manugian moved to the residential water use app. There are 72 residents willing to volunteer for the program, where meter-by-meter installation would be implemented. DPW should have a vendor chosen by the end of year.

Mr. Manugian presented about Shawsheen Cemetery. Regulations were updated in 2016 to reflect an increased cost of plaques and increased demand for cremation. There is a new Grounds Operation Manager, who will be looking into the rules and regulations, as well as enforcement to include dog walking, noise levels, leaving expired decorations, and unapproved monument modifications.

Mr. Manugian commented that sandblasting is allowed on grave markers. This process alters the texture of the stone and preserves the historic integrity of the cemetery.

Residents can purchase graves up to four years after moving out of Bedford. DPW is looking to address a better parking plan to minimize impact to those using the cemetery. Further education for affected parties will be done regarding cemetery decorations and plantings. Reminders will begin November 1 with removal to start March 1.

Ms. Stanton commented that other local communities don't allow for etching of any variety. Staff understand the sensitive nature of these matters, and the goal is to have an empathetic, thoughtful process. However, the rules and regulations are in place to allow for equitable maintenance. The Town Manager's office and DPW are working closely to determine the next course of action to address etching companies working without authorization in the cemetery.

Mr. Manugian presented information about pickleball courts. DPW, Recreation, School Department, and Town Manager's office worked together to make sure that other services will not be affected. Two tennis courts at JGMS would be converted into four to six pickleball courts.

Ms. Stanton commented that repurposing the tennis courts would not require a large capital investment, compared to land acquisition and development for new courts.

Mr. Hanegan asked when converting the courts could be completed. Mr. Manugian said they hoped for this fall.

Ms. Stanton responded that lighting for the courts are subject to STM support for funding.

Materials: DPW Quarterly Report Presentation to the SB September 26, 2022

22-173 Dept. of Public Works Contracts

Ms. Stanton presented two contracts, a Fire Command Vehicle purchase and a change order from N. Granese & Sons for Water Main Cleaning and Lining.

Mr. Hanegan commented about the timeline of the change order, as the work was already completed. Ms. Stanton responded the change order is authorized by staff, and then work is completed and funding approved by the Select Board.

Ms. Malone moved the board to approve the purchase of one Fire Command Vehicle to MHQ, Inc. 401 Elm Street, Marlborough, MA 01752 at the net bid price of \$69,785.06. Mr. Pierce seconded.

The motion passed 5-0-0.

Materials: Motion to Approve Fire Command Vehicle

Ms. Malone moved that the Select Board approve the contract amendment for N. Granese & Sons, Inc. for the mater main work between Sweetwater Ave and Fawn Circle in the amount of \$54,900. Mr. Pierce seconded.

The motion passed 5-0-0.

Materials: Proposed Change Order from N. Granese; SB Memo for N. Granese Change Order

22-174 Hazard Mitigation Land and Municipal Vulnerability Preparedness Plan

Chief Grunes explained that in 2019 the Town received a grant from the Executive Office of Environmental Affairs to conduct a Municipal Vulnerability Study and were also able to tie in a Hazard Mitigation Plan. The Town must have an approved plan in order to be eligible for additional grants. There was a community meeting to get input. Flooding is the major concern; snow and windstorms were second highest priority. The plan's priorities are:

- 1.) Redundant electrical micro grid to be under control by the town
- 2.) Develop town emergency communication plan
- 3.) Work with local utility companies to have proactive maintenance
- 4.) Update comprehensive emergency plan
- 5.) Communicate with other downstream communities.

The plans were submitted to MEMA and FEMA, and the board is being asked tonight to accept the MVP and HMP.

Ms. Fleischman commented that there have been regional efforts regarding flood plains. She asked if Bedford's plans work in conjunction with neighboring communities.

Mr. Manugian said yes; communication among neighboring towns is ongoing.

Mr. Hanegan moved, In reference to the Memo dated September 26, 2022, Whereas the Town of Bedford, Select Board recognizes the threat that natural hazards pose to people and property within Bedford; and Whereas the Town of Bedford has prepared a multi-hazard mitigation plan, hereby known as the 2022 Bedford, MA Hazard Mitigation Plan Update and Municipal Vulnerability Preparedness Summary of Findings in accordance with the Disaster Mitigation Act of 2000; and Whereas the 2022 Bedford, MA Hazard Mitigation Plan Update and Municipal Vulnerability

Preparedness Summary of Findings dated April 25, 2022 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Bedford from the impacts of future hazards and disasters; and

Whereas adoption by the Town of Bedford Select Board demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the 2022 Bedford, MA Hazard Mitigation Plan Update and Municipal Vulnerability Preparedness Summary of Findings dated April 25, 2022.

NOW THEREFORE, BE IT RESOLVED BY THE SELECT BOARD OF BEDFORD, MASSACHUSETTS THAT: Section 1. The Town of Bedford, Select Board adopts the 2022 Hazard Mitigation Plan Update and Municipal Vulnerability Preparedness Summary of Findings dated April 25, 2022.

Ms. Malone seconded.

The motion passed 5-0-0.

Materials: 2022 Bedford Hazard Mitigation Plan

22-175 Board and Committee Interviews

Committee Interviews:

2. Transportation Advisory Committee – John McClain:

Ms. Fleischman reviewed the general responsibilities of the Transportation Advisory Committee.

Mr. McClain explained he has been working from home for two years and previously resided in Lexington. He stated he enjoys that Bedford is walkable for much of his needs, and wants to make walking and biking a viable approach for more people. He has a daughter who uses public transportation, which is something that he also mindful of.

Ms. Fleischman commented that a newcomer to Town would be able to bring a new perspective, and asked what he felt that he could bring to the Committee.

Mr. McClain has done considerable walking and enjoys the pedestrian network. He sees room for improvement, including making Wiggins Avenue more pedestrian friendly.

Ms. Fleischman moved that the Select Board appoint John McClain to the Transportation Advisory Commission for a term ending June 30, 2025, and

authorize the Town manager to sign the appointment letter on behalf of the Select Board. Ms. Malone seconded.

The motion passed 5-0-0.

Materials: John McClain questionnaire

22-176 Facilities Department Contracts (This item was taken out of order)

Municipal Space Need Study

Ms. Stanton gave a brief narrative about DRA and next steps.

Mr. Hanegan asked why DRA was selected. Ms. Stanton responded the two other firms were architectural. DRA was the only vendor with applicable experience.

Ms. Malone asked when the study will be finished. Ms. Stanton responded that it would take about 14 months to complete.

Mr. Hanegan moved, that the Select Board vote to approve and award the Municipal Buildings Space Study contract to DRA Inc. of Waltham Mass in the amount of \$141,800 payable from the funding as voted by the March 2022 Annual Town Meeting - Article 7, project #23-23. Mr. Pierce seconded.

The motion passed 5-0-0.

Materials: Contract for Design Services – DRA, Space Needs Study; Facilities Department Recommendation Letter Sept 21, 2022

Fire Station OPM

Ms. Stanton gave a brief narrative of PMA as the Owner's Project Manager for the Fire Station. They have solid municipal experience. Ryan Hayward, the Historic Preservation Consultant, is actively involved with research before he meets with the Historic District Commission.

Ms. Fleischman asked what the deliverable of the Historic Preservation consultant would be.

Ms. Stanton responded a report of historical significance, construction dates, and renovations to determine what components can be incorporated into the design.

Mr. Hanegan moved that the Select Board vote to approve PMA Consultants of Braintree, Massachusetts as the owner's project manager for the Fire Station project

for a negotiated fee of \$562,330, from the funding as voted by the March 2022 Annual Town Meeting – Article 9. Ms. Malone seconded.

The motion passed 5-0-0.

Materials: Contract for OPM Services – PMA Consultants, Fire Station Project; Facilities Department Recommendation Letter Sept 21, 2022

The Lease for the Bedford Historical Society – Old Town Hall has been postponed to October 11th.

22-177 Special Town Meeting (Item taken out of Order)

Ms. Mitchell noted that the article that previously covered two collective bargaining agreements has been split into two articles. Also, the language for Article 3, Supplemental Community Preservation Budget, has been updated by Town Counsel.

Ms. Stanton recommended that STM be located at the High School Gymnasium. This is the only location that will allow for 1,000 attendees. There may be a need for overflow in the cafeteria, but this will allow for more equity in terms of real-time participation. There will be additional screens sound systems and air filtration added in an effort to make the space welcoming.

Ms. Mitchell added this is in response to trying to get everyone together in one room. Ms. Fleischman was concerned that being in a gym would affect hearing-impaired attendees. Ms. Stanton responded that Hearing impairment Aids would be made available.

Mr. Hanegan wanted to make sure that the space would be a comfortable temperature. Ms. Stanton commented that Facilities felt confident that they would be able to make the space comfortable with regards to temperature and seating.

Ms. Stanton commented that there were two petitioners' articles submitted for STM relative to the Fire Station Project. The first article proposes to prohibit expenditures relative to the Design Appropriation from the 2022 Town Meeting. The second article proposed to establish a Fire Station Location Committee as appointed by the Moderator. Ms. Stanton asked that the Select Board make their recommendation this evening in advance of closing the warrant.

Ms. Fleischman asked if Town Counsel reviewed the two articles. Ms. Stanton commented yes, Town Counsel did review but cannot amend.

Mr. Hanegan asked if the two articles would require a majority vote. Ms. Stanton said yes, language would be put in the warrant.

Mr. Hanegan moved that the Select Board do not recommend approval of articles 4 and 5.

Ms. Malone seconded.

The motion passed 5-0-0.

Mr. Pierce move to close the warrant. Mr. Hanegan seconded.

The motion passed 5-0-0.

Materials: Draft STM November 14, 2022 Warrant

22-178 Consent Agenda

Ms. Stanton explained the three items: regular session minutes – September 12, 2022; Chapter 268A, Section 20(b) Disclosure for Cody Allat; One Day Liquor License – Tapped Beer Truck – October 6, 2022.

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

The motion passed 5-0-0.

Materials: Chapter 268A, Section 20(b) Disclosure – Allat; Application Tapped Beer Truck 140 South Rd Event Date October 6, 2022

22-179 Town Manager's Report

Ms. Stanton gave an update regarding two community Forums for the Minuteman Bikeway Extension. Housing and Economic Development Director Jeff King hosted a mix and mingle at Middlesex Community College in partnership with Middlesex 3. Ms. Stanton reminded the Select Board about the Photo Contest for the Annual Town Report Cover and Town Meeting Warrant Cover.

22-175 Board and Committee Interviews (item taken out of order)

Ms. Mitchell thanked everyone that applied for appointment. Ms. Mitchell reminded appointees prior to the commencement of their duties, they are required to visit the Town Clerk's office to take the oath of office. Appointees may not participate in any votes until they have taken the oath of office. At that time, they will receive a Certificate of Appointment and a copy of Chapter 268A, Section 23, the Conflict of Interest Law, and Chapter 39, Sections 23A-24, the Open Meeting Law. All members are expected to be familiar with and follow the Town's Civil Discourse Policy while serving. The Select Board suggests that Committees and Board rotate chairs annually.

Committee Interviews:

1. Trails Committee – Jodie Giordano and Tim Brown

Ms. Mitchell reviewed the general responsibilities of the Trails Committee.

Ms. Giordano moved to Bedford 5 years ago and actively uses the trails. Mr. Brown has been in Bedford for 15 years and wants to contribute to the community. Ms. Fleischmann asked the applicants how we can have better utilization of our trails. Mr. Brown suggested using social media to get better exposure. Ms. Giordano wants to remind residents that the trails are more accessible than they think. Mr. Pierce thanked everyone for their efforts of keeping the trails cleared.

Ms. Malone moved that the Select Board appoint Jodie Giordano and Tim Brown to the Trails Committee for terms ending June 30, 2023, and authorize the Town manager to sign the appointment letter on behalf of the Select Board. Mr. Pierce seconded.

The motion passed 5-0-0.

Materials: Jodie Giordano questionnaire; Tim Brown questionnaire

Committee Interviews:

3. Arbor Resources Committee – Elizabeth Knox

Ms. Malone reviewed the general responsibilities of the Arbor Resources Committee. Ms. Knox has always been interested in preservation of trees and has experience with planting plants and conducting citizens tree surveys.

Ms. Malone moved that the Select Board appoint Elizabeth Knox to the Arbor Resources Committee 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: Elizabeth Knox questionnaire

22-139 Open Discussion and Liaison Reports

Mr. Hanegan extended his condolences to the family of Jim Shea and noted his efforts for Depot Park. The Municipal Affordable Housing Trust recommend they move to

acquire 23 Winterberry Way. At the Bedford Housing Partnership meeting, the Planning Director was present to discuss two-family housing, promoting the use of accessory housing units, and multi-family housing.

Mr. Pierce commented that the Planning Board PRD Old Billerica Road meeting was continued. The Planning Board has another year to comply with MBTA. The Conservation Commission approved the Elm Brook Path as the cross-country course.

Ms. Fleischman commented that there is a low inventory of starter homes. Housing needs to look to diversify. The Moving Together Conference in Boston is coming up; members of TAC and Planning are interested in attending.

Ms. Malone noted that Allen Morgan is the new chair of COA. The Taxation Committee still needs to be formed. Ms. Malone attended the Citizen of the Year ceremony in celebration of Sarah Dorer.

Ms. Mitchell thanked everyone who made Bedford Day a success. The Minuteman Bikeway Extension Project team has had three meetings with abutters. The Library Trustees reported that children's librarian Elaine Garnache is retiring. At Hanscom Field Advisory Committee, Massport reported that the taxiway resurfacing project is complete. Massport has chosen a project manager for the 2022 ESPR. Paul Mortenson is the new Chair of the Finance Committee.

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

Meeting adjourned at 8:46 p.m.

Respectfully submitted by Leanne Petto