

**Regular Session Minutes - Selectmen's Meeting  
Teacher's Lounge C-104, Bedford High School  
Tuesday, April 2, 2013 6:30 p.m.**

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

**ALSO PRESENT:** Town Counsel Robert Mangiaratti

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Chair Moonan called the meeting to order at 6:35 p.m.

**13-240 Preparation for 2013 Annual Town Meeting**

Town Manager Richard Reed informed Chair Moonan that the Chair generally answers questions regarding the operating budget article.

Mr. Reed explained that there may be questions regarding a higher Selectmen's reserve than last year. This higher number reflects open collective bargaining contracts with the police officers and fire fighters. If an agreement is reached then that money would be transferred out of the Selectmen's reserve into the appropriate account, possibly by Fall Town Meeting.

Mr. Rosenberg inquired about the way in which money is distributed for educating military dependents. Mr. Reed replied that sequestration already impacted the total this year. Mr. Reed hopes that the State government will make up the difference of what it will cost to educate the military dependents.

Mr. Reed briefly explained that a possible enforcement action will be taken against the owner of 44 North Road. It has been reported that the third floor is being occupied as a living space without an occupancy permit. They have not been granted an occupancy permit because of the lack of a second egress. The owner has been cited on previous occasions at the Concord District Court and the owner did have the people move out for a time but they then had it reoccupied.

At this time Town Counsel Robert Mangiaratti arrived and provided the Selectmen with some additional information. He plans to file with the Superior Court because they are better equipped to enjoin and fine the owner. Town Counsel believes they have enough evidence to win the case but will review the evidence one more time before filing an injunction.

Ms. Fleischman asked what outcome was expected; preventing anyone from living there or forcing compliance. Town Counsel answered that the owner would have to decide to add a second egress or not rent out the space.

**Mr. Rosenberg made a motion to move into Executive Session for the purpose of discussing litigation strategy for the Town of Bedford v. Massachusetts Port Authority because discussion in Open Session would compromise the strategic advantage of the Town, not to return to Open Session. Ms. Fleischman seconded the motion.**

**The Selectmen were polled individually: Fleischman, aye, Moonan, aye, Fedele, aye, Rosenberg, aye, and Siegenthaler, aye.**

The Regular Session meeting adjourned at 6:55 p.m.