

**Regular Session Minutes – Selectmen’s Meeting
Selectmen’s Meeting Room, Town Hall
Monday, January 5, 2015, 7:30 p.m.**

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

ALSO PRESENT: Kevin Harron, Chief Officer of Burtons Grill; Attorney Gregory Demakis, Demakis Law Offices; Steven Arakelian, Manager of Red Heat Tavern; Carrie Penman; Jon Roseman; James Shea; Joe Guardino; Kara Cournoyer; Philippe Kelty; Robert Barkan; Town Engineer, Adrienne St. John; Public Works Director, Roy Sorenson; State Representative, Ken Gordon; Meredith McCullough and Mary McBride, Press Representatives; Brian Dorrington, Bedford TV.

Chair Fleischman called the meeting to order at 7:30 p.m.

**15-149 Public Hearing Request for All Alcohol License
Red Heat Tavern of Bedford, LLC dba Red Heat Tavern
150 The Great Road**

Mr. Rosenberg made a motion to open the Public Hearing to discuss the Request for an All Alcohol License for Red Heat Tavern of Bedford, LLC dba Red Heat Tavern 150 Great Road. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

Chief Officer Kevin Harron from Burtons Grill addressed the Selectmen. Mr. Harron explained that Burtons Grill was the parent company of Red Heat Tavern. Mr. Harron stated that the Red Heat Tavern is a moderately priced restaurant that would be located at the Bedford Marketplace on The Great Road. Mr. Harron went on to say that Red Heat Tavern would employ approximately 70-75 people and offer an outdoor seating area. Mr. Harron was before the Selectmen to obtain an All Alcohol license for this location.

Town Manager Richard Reed informed the Selectmen that since the restaurant is still under construction, it is subject to approval of a special permit from the Zoning Board of Appeals. Mr. Reed consulted Town Counsel to see if there would be an issue with the Selectmen granting an All Alcohol license to the Red Tavern while waiting for this special permit. Town Counsel advised Mr. Reed that the Selectmen could in fact grant the All Alcohol license contingent upon the special permit being granted.

Mr. Reed indicated that another applicant filed paperwork to receive an All Alcohol license from the Town. That applicant will have a Public Hearing in front of the Selectmen on January 12, 2015. Mr. Reed stated that the Town had no formal procedure for dealing with simultaneous

applications but indicated that the Selectmen had 30 days from Red Heat Tavern's initial application on December 15, 2014 to approve the All Alcohol license.

Attorney Gregory Demakis representing the Red Heat Tavern stated that they were scheduled to go before the Zoning Board of Appeals on February 12th. Attorney Demakis stated that the January 22nd meeting was full and thus the delay in obtaining the special permit from the Zoning Board of Appeals.

Mr. Rosenberg inquired when the restaurant would be opened. Mr. Harron stated that the opening date is subject to final construction and approval from the landlord. Mr. Harron hoped the restaurant would be opened by the fall of 2015.

Mr. Moonan asked Mr. Harron if he would continue with the restaurant in Bedford if he failed to obtain an All Alcohol license. Mr. Harron indicated that his lease agreement is contingent upon obtaining an All Alcohol license from the Town. Failing to secure one, Mr. Harron would back out of the deal.

Mr. Rosenberg asked how the Town of Bedford could obtain more All Alcohol licenses. Mr. Reed stated that he had begun dialog with the State Representative's office on this matter. The first step would be to go to Town Meeting to obtain authorization for the filing of special legislation. The next step would be to go through the hearing process with the State Legislature and hopefully obtain more All Alcohol licenses for the Town.

Ms. Fedele stated for the record that she has dined at the Red Heat Tavern and feels that a restaurant of this nature would be welcomed in Bedford. Ms. Fedele went on to say that she has heard from many residents since becoming a Selectman that the Town is lacking a variety of dining establishments.

Carrie Penman of 15 Hillside Avenue addressed the Selectmen and Mr. Harron. Ms. Penman's home is located next to the site for Red Heat Tavern. Ms. Penman stated that she was very much in favor of a restaurant of this nature coming to Bedford. Ms. Penman went on to say that it would be good to have a restaurant located in the center of Town as opposed to the outskirts. As a neighbor to the restaurant, Ms. Penman relayed her concern about potential noise and public drinking. Mr. Harron assured Ms. Penman that the Red Heat Tavern would be an establishment to have a good meal and beverage and would not cater to a loud, boisterous crowd. Mr. Harron went on to say that his restaurant is also concerned with noise level and potential intoxicated patrons, neither of which have been issues at any other Burtons Grill or Red Heat Tavern locations. Mr. Harron stated that he wanted his restaurant to be a positive influence on the community and would abide by any laws set forth by the Town.

After a lengthy discussion, it was determined that the Selectmen would wait until the January 12th meeting to hear from the other applicant before deciding on the issuance of an All Alcohol license.

Mr. Rosenberg made a motion to close the Public Hearing. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

**15-150 Request for Common Victualler License
Red Heat Tavern of Bedford, LLC dba Red Heat Tavern
150 The Great Road**

Mr. Reed suggested that the Selectmen delay the issuance of a Common Victualler license for Red Heat Tavern until it was determined if they would issue an All Alcohol license. Both the Selectmen and Mr. Harron agreed this would be the best course of action.

Chair Fleischman informed Mr. Harron that the Bedford Health Department has a Healthy Bedford initiative which urges eating establishments to offer healthy options for their patrons.

**15-151 Bedford Street Sewer Force Main Rehabilitation Contracts
Revoli Construction Company Change Order
Weston & Sampson Engineers, Inc. Change Order**

Public Works Director Roy Sorenson and Town Engineer Adrienne St. John presented the Selectmen with two change order requests. The first change order is for the purchase and installation of bypass pipes and valves for the existing Bedford Street Force Main Rehabilitation project. The second change order is for additional hours of inspection services and review from Weston & Sampson Engineers, Inc. for Phase 2 of the pipe system.

Mr. Moonan made a motion to approve Change Order Number 1 for Weston & Sampson Engineers, Inc. in the amount of \$49,750 for an additional 320 hours of inspectional services and review of proposed Phase 2 bypass pipe system. Mr. Rosenberg seconded the motion.

The motion passed 5-0-0.

Mr. Moonan made a motion to approve Change Order Number 1 for Revoli Construction Company, Inc. in the amount of \$185,200 to install approximately 1,700 linear feet of 12-inch bypass pipe with valves for \$150,000 and to purchase 1,700 linear feet of 12-inch bypass pipe for \$35,200. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

**15-152 Proposed MassDOT Maintenance Facility
Review Draft Letter to MassDOT**

Chair Fleischman presented the Selectmen with a letter drafted to the MassDOT regarding the proposed relocation of a salt shed facility to Burlington Road at the Route 3 interchange. Chair Fleischman drafted the letter and incorporated questions raised by the Selectmen and for MassDOT to address at a meeting scheduled for January 15th. State Representative Ken Gordon thanked the Selectmen for including him in this process and welcomed the opportunity to present a united front to the MassDOT.

Ms. Fedele wondered if the questions could be answered by MassDOT ahead of the January 15th meeting. Mr. Reed indicated that not all residents would be able to review the responses if they were given prior to the meeting. Representative Gordon agreed that the questions should be answered in a public forum.

It was decided that MassDOT should facilitate the meeting as they are the ones who called for it. Mr. Siegenthaler suggested having the letter posted on the Town's website. Chair Fleischman stated that the meeting should be well publicized to alert residents to the upcoming meeting.

**15-153 Minutes
 Regular Session Minutes – December 22, 2014**

Mr. Moonan made a motion to approve the Regular Session Minutes of December 22, 2014 as amended. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

15-154 Town Manager's Report

Mr. Reed gave the Selectmen the schedule for Annual Town Meeting 2015 Warrant Preparation. Mr. Reed indicated that the following week he would present the Finance Committee's Budgetary Guidelines for the Selectmen's Departments.

State Representative Ken Gordon addressed the Selectmen with a request for temporary signage. Mr. Gordon conducts office hours once a month for the public and attendance has been low. Mr. Gordon asked if he could place sandwich boards in front of the Police Station and Public Works building for the week prior to his office hours. The Selectmen applauded Mr. Gordon for making himself available to his constituents. It was determined that three days would be a sufficient amount of time for the signage to be displayed. In six months' time, the Selectmen and Mr. Gordon will revisit this issue to see if office hours attendance improved with the added signage.

15-155 Open Discussion and Selectmen Liaison Reports

Mr. Rosenberg asked Mr. Reed when the Selectmen's Budget would be available for review. Mr. Reed indicated that on the first Thursday in February the budget would be in front of the Finance Committee. One to two weeks later, the submitted budgets would be available for review. Mr. Reed stated that February 2nd would be the last night for the Selectmen to act on the budget. The Selectmen could begin work on their budget on February 12th.

Ms. Fedele gave an update on the Fields Partnership Committee (FPC). The FPC is looking at usage for the field at St. Michael's. Initially there were to be two new grass fields at this location. The FPC is exploring the option of one grass field at this location and an alternate location with the possibility of artificial turf. Field B near the high school has been discussed as a location for the turf field. Ms. Fedele noted that future capital expenditures are being planned for fields and

the FPC is looking to incorporate those expenditures within a long term plan for field developments. The FPC is exploring a multitude of options.

Mr. Rosenberg cautioned that the turf field at Sabourin Field met with resistance and Community Preservation money cannot be used for the surface of synthetic field.

Chair Fleischman stated that the Community Preservation Committee has been anticipating a proposal to replace two fields at St. Michael's for a while. Chair Fleischman said that a new proposal for two separate field replacements would have to be submitted by the beginning of February.

Ms. Fedele said that the FPC was aware of the many challenges they were facing. Ms. Fedele thanked the Selectmen for their feedback. The FPC would be meeting on January 9th to continue strategizing.

Mr. Moonan raised the issue of obtaining more alcohol licenses for the Town. Mr. Moonan voiced his concern that Bedford maintain its small town atmosphere and that the Selectmen needed to be judicious in approving alcohol licenses.

Chair Fleischman reiterated Ms. Fedele's comment about Bedford residents wanting to have more dining opportunities within the Town. Chair Fleischman noted that the Comprehensive Plan was addressing the issue of bringing more business to Bedford in the hopes of being economically vital.

After a lengthy discussion, the Selectmen agreed that this subject should be revisited in the future.

Mr. Moonan made a motion to adjourn. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

The meeting adjourned at 9:45 p.m.