

**Regular Session Minutes – Selectmen’s Meeting**  
**Selectmen’s Meeting Room, Town Hall**  
**Monday, September 22, 2014, 7:37 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:** Assistant Town Manager, Jessica Porter; Ben Thomas, Finance Committee; Victor Garofalo, Finance Director; Sue Baldauf, Youth and Family Services Director; Carla Olson, Health Bedford; Joe Piantedosi, Volunteer Coordinating Committee and Depot Park Advisory Committee; Jim O’Neil; Charter Review Committee members Betsey Anderson, Amy Lloyd, Polly Herz, Jan Shepard, Ed Pierce, Anne Bickford; Jim Shea, Cable Television Committee; Tassir Alani, Facilities Director; Julie Turner, Bedford TV; Sarah Buhler, HR/Management Analyst; Meredith McCulloch, The Bedford Citizen; Lindsey Bullen, Administrative Assistant; Mary McBride and Elizabeth Hacala, Press Representatives; Brian Dorrington, Bedford TV

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Chair Fleischman called the meeting to order at 7:37 p.m.

**15-60      Healthy Bedford Update**

Healthy Bedford Coordinator Carla Olson and Youth and Family Services Director Sue Baldauf were present to give an update on the work of Healthy Bedford. Ms. Baldauf explained that Ms. Olson has been working on Healthy Bedford since 2008 and started Safe Routes to School as well as the Healthy Bedford Healthier Dining Program, all of which were driven by community need. Ms. Olson has developed a brochure for the Healthy Bedford Healthier Dining and the program has eight partner restaurants. Ms. Olson reports that businesses and consumers have been pleased with the program. They are hoping that the Department of Public Health will release more funding down the road since the current grant is ending and they still have some great ideas to grow the program.

Ms. Olson’s work is also funded by a Community Health Network Alliance grant. The current grant ends in January. This project started in 2012 by surveying residents to see what positive things affect their quality of life in Bedford and what were obstacles to health. Residents said community, trails, and nature were positive factors but traffic, a lack of sidewalks and public transportation were obstacles to health.

Ms. Olson and Ms. Baldauf requested direction and feedback from the Selectmen about the transportation piece of Healthy Bedford. Ms. Olson surveyed other towns to find out how they address transportation needs. Mr. Moonan requested to see the comparison in a spreadsheet format. The Selectmen said that there needs to be a clearer focus on

which demographic new transportation options would serve. Ms. Fleischman reminded the Selectmen that Middlesex 3 is working on a shuttle to get workers to and from the corridor but there is still a substantial need among seniors and families for more transportation options. The Selectmen want to explore other transportation options while not reducing services offered to seniors. Assistant Town Manager Jessica Porter and Council on Aging Director Lori Dance are continuing to work on the taxi voucher program. Mr. Rosenberg suggested some research be done into getting residents to transportation hubs.

The Selectmen concluded that a next step should be to draft a proposal to expand the BLT to provide great access to transportation options for Bedford residents.

### **15-61 Charter Review Committee Presentation Recommended Charter Amendments**

Ms. Betsey Anderson explained that the Charter Review Committee started meeting in April to conduct a review of the Charter which is required every five years. There are two categories of recommendations, housekeeping and policy-related. The committee looked at the Charter to ensure that it is user friendly and residents can understand it. Ms. Anderson explained some of the housekeeping changes that were made to the charter. Some of the changes were just to simplify language, increase consistency of the language, and clarify.

Changes to the Charter that would affect policy were discussed in more depth. One of those changes includes the appointment of a Deputy Town Moderator who would be appointed by the Town Moderator from the floor of Town Meeting. She or He would serve until the next Annual Town Meeting and would have all of the power of the Town Moderator at Town Meeting, but no other powers or duties of the Moderator. Ms. Anderson explained that a Deputy Moderator would help with counting and would learn how the meeting works in case there was ever a conflict of interest that would require the Moderator to temporarily step down. The Deputy Moderator would be available in case of the Moderator's emergency absence.

A discussion ensued about increasing the Volunteer Coordinating Committee from three members to five members. At the Volunteer Coordinating Committee's meeting, the current members voted 2-1 in opposition of the increase. A major argument for increasing membership from three members to five members is that it would help outreach efforts to recruit residents to serve since five people would have a broader network than three members. A major point made against the increase was that it was hard to get three members to serve on the VCC and finding two additional would be even more challenging.

Another change that was discussed was changing how many days the Volunteer Coordinating Committee has to produce a list of names for a vacancy from thirty days to sixty days, as the Charter Review Committee believes that the current 30 days is too short and a suggested 90 days is too long.

The Charter Review Committee presented the Selectmen with a change that they had decided on at their meeting prior to the Selectmen's Meeting regarding the makeup of the Finance Committee Appointing Authority. Ms. Anne Bickford joined Ms. Anderson in discussing the change. Through the Charter Review Committee's research, they found that the majority of communities have the Moderator appoint members to the Finance Committee. The Charter Review Committee was concerned that this format would give a lot of authority to one person, which goes against the Town's constant effort to broaden the voices not reduce how many people help make decisions. The Charter Review Committee's current proposal would be to have the Finance Committee Appointing Authority consist of four members: the Moderator, the Chair of the Selectmen, the Chair of the Finance Committee, and a fourth member who would rotate annually, from among the Chair of the School Committee, the Chair of the Library Board of Trustees, and the Chair of the Planning Board. The vote for appointment would have to be by a 3 out of 4 majority. Ms. Fleischman was concerned that adding a person to the appointing authority but only requiring a 3 out of 4 majority vote cancels out having a fourth person since the current requirement is a unanimous vote. Mr. Siegenthaler asked if the committee had considered broadening the voice by having the votes be of the bodies themselves, rather than just the chair of the body.

A public hearing regarding the proposed changes to the Charter will be held at the next Selectmen's Meeting on October 6, 2014.

**15-62            Regional Housing Services Office  
Monitoring Update**

Elizabeth Rust of the Regional Housing Services Office provided a monitoring update on the Bedford Local Initiative Program (LIP) units. There are many regulated units in Bedford and some are monitored by other third party agencies. Ms. Rust stated that things are going well for the units. There are 30 ownership units and eight of those units have compliance issues that are monitored. No additional units that have fallen out of compliance since the last monitoring report. The Village at Taylor Pond, the Village at Concord Road, and Patriot Place are the three properties that have rental units under the LIP. The Village at Taylor Pond and the Village at Concord Road look to RHSO for support on how to perform monitoring responsibilities because these properties are the managers' only affordable housing units. RHSO hosted an income certification training to help the property managers learn how to properly recertify the tenants' income every year for rental units. RHSO did site visits of the units, looked at files about the units, and did some sampling to verify compliance.

Mr. Moonan asked if there was a methodology that gets the eight ownership units that are out of compliance back into compliance. Ms. Rust explained that most of those units are out of compliance because they have refinanced above the value of the unit. RHSO urges these units to pay down their loan. The owners cannot sell the units for more than the lien on the property.

**Mr. Moonan moved to accept the Regional Housing Services Office report for Local Initiative Programs for 2014. Ms. Fedele seconded the motion.**

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

**15-63 Proposed Elimination of the Affirmative Action Monitoring Committee**

Mr. Reed gave a brief overview of the history of the Affirmative Action Monitoring Committee. He explained that only one member remains of the committee and that member supports the idea of disbanding the committee but believes effort should still be made to recruit among diverse groups. Mr. Reed explained that the Affirmative Action Plan of the Town has the committee in it so the plan would need to be amended if the committee is disbanded. There are also other updates that can be made to the plan since it was last updated in 2002. The Selectmen agreed that the goal of the committee does not cease to be an important one, but the committee itself has outlived its useful life span because its function is now covered by Town staff with a mandatory reporting to the Equal Employment Opportunity Commission every two years. The current Affirmative Action Plan is just for the Town government side and not for the school system. The plan originated from an executive order from the Governor over thirty years ago. Following a discussion it was the consensus of the Selectmen not to disband the Affirmative Action Monitoring Committee until such time as a draft of the new Affirmative Action plan has been presented. However, the Volunteer Coordinating Committee should be informed that they no longer need to recruit members to serve on this committee. Mr. Reed said they can expect to see that draft by the end of the calendar year.

**15-64 Bedford Community Access Television  
Video Production Switcher Purchase Request**

Mr. Reed explained that Bedford TV recently asked for a new video production switcher to be purchased. The provisions of the agreement between Bedford TV and the Town stipulate that Bedford TV has to have all capital purchases exceeding \$5,000 approved by the Selectmen and the Cable Television Advisory Committee (CATC). Staff has done additional research to get quotes from three vendors, with the lowest quote being \$15,921. CATC chair Jim Shea explained that this switcher will replace a switcher purchased in 2008 because attempts to repair the original switcher have been unsuccessful. Bedford Cable Television Committee recommends the purchase because it is important equipment for the studio even though the timing of the purchase is out of phase with the contract. The existing switcher will be traded in for a credit. The funding will come from the Cable Television Revolving Fund.

**Mr. Moonan moved that the Selectmen approve the purchase of a Broadcast Pix model Mica studio production switcher as described in the attached memo for a price not to exceed \$20,000. Mr. Siegenthaler seconded the motion.**

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

**15-65 Proposed Depot Lease  
Scott Cahaly- Artist, Sculptor, and Painter**

Joseph Piantedosi of the Depot Park Advisory Committee and Facilities Director Tassir Alani introduced the Selectmen to a potential tenant for Unit 4 of the Depot Building which is a second floor unit on the left side. Mr. Cahaly is a sculptor and painter and teaches classes on traditional stone carving. He is a Lexington native who taught at the DeCordova School for 11 years. He is looking to grow his classes which he'll be able to do at this location since many of his students come from out of state and Bedford is accessible to major highways and the building has a sizeable parking lot.

Mr. Cahaly explained that traditional stone carving is a niche activity and you have to go to Vermont or Colorado to learn it this way. The Selectmen agreed that having this type of class in Town would be an asset culturally. His classes would consist of at most 15 students.

Mr. Cahaly assured the Selectmen that noise will not be an issue because each station has a green absorbent form under the setup which helps diminish the noise. Mr. Cahaly said he would like to eventually share the space with another artist who could use the same setups if they had a similar art medium. Mr. Cahaly said he is comfortable with a one-year lease with the option to renew for an additional one year and three months ending December 31, 2016. This is consistent with all of the other leases for the building.

**Mr. Moonan moved for the Selectmen to approve the lease between the Town and Scott Cahaly who will be the lessee at the Bedford Depot Building unit 4.**

**Ms. Fedele seconded the motion.**

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

**15-66 Bond Issuance Approval**

Finance Director Victor Garofalo explained that he conducted a bond sale this past week. As part of conducting a bond sale, a rating call with a rating agency needed to occur. The rating agency reaffirmed the Town's AAA rating and the status improved from good to strong. The agency was pleased with the Town's overall fiscal policy and capital planning for the future.

The bond sale covered 7 projects which were Sabourin Field synthetic turf, water quality system enhancements, School Way improvements, Emergency Communication Center upgrades, improvements to the Bedford Street Sewer Force Main, two dump trucks, and a fire ladder truck.

Under MA General Law, the vote taken needed to establish that the useful life of the dump trucks is at least ten years if the Town wanted to borrow for the dump trucks for more than five years.

The bond sale was for \$4 million and received a net interest cost of 2.04%. As part of that net interest cost, the Town received a premium of \$479,405.55. The premium can be used in three ways: let it fall to Free Cash so that it be available for the FY17 budget process for any future capital projects, record it on local receipt estimates for FY2015 and then appropriate it for a specific project, or it could be recorded as a local receipt and applied to the stabilization fund. Mr. Garofalo explained that how the Selectmen want to use the premium needs to be decided before Special Town Meeting. In order to use the premium, it needs to be appropriated by a Town Meeting vote.

**Mr. Siegenthaler moved the following:**

**Voted:** that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$440,000 borrowing authorized by the vote of the Town passed March 24, 2014 (Article 17, Project 17-39) is hereby determined pursuant to G.L. c.44, §7(9) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Purchase two dump trucks	\$410,000	10 years

**Further Voted:** that the sale of the \$4,030,000 General Obligation Municipal Purpose Loan of 2014 Bonds of the Town dated September 30, 2014 (the "Bonds"), to Fidelity Capital Markets, a division of National Financial Services LLC, at the price of \$4,509,405.55 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on October 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2015	\$395,000	5.00%	2021	\$355,000	5.00%
2016	370,000	5.00	2022	355,000	5.00
2017	365,000	5.00	2023	295,000	3.00
2018	360,000	5.00	2024	225,000	3.00
2019	355,000	5.00	2034	600,000	3.00
2020	355,000	5.00			

**Further Voted:** that the Bonds maturing on October 15, 2034 shall be subject to mandatory redemption or mature as follows:

<u>Year</u>	<u>Amount</u>
2025	\$60,000
2026	60,000
2027	60,000
2028	60,000
2029	60,000
2031	60,000
2032	60,000
2033	60,000
2034*	60,000

\*Final Maturity

**Further Voted:** that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 9, 2014, and a final Official Statement dated September 16, 2014 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

**Further Voted:** that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

**Further Voted:** that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

**Further Voted:** that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

**Mr. Rosenberg seconded the motion.**

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

**15-67            2014 Special Town Meeting  
                      Review of Draft Warrant**

The Selectmen reviewed of a draft of the Special Town Meeting Warrant. Due to the length of the warrant, there was discussion about Town Meeting going into a second night. The Selectmen asked why the MEP project was on this warrant and not the Annual Town Meeting warrant. Mr. Reed explained that the best time to carry out the project since it involves the heating and cooling systems is in the shoulder seasons to have the least amount of impact on the occupants of the building and the residents who use it. Mr. Rosenberg asked if there was a breakdown of the \$2.8 million projection for the MEP project. Mr. Alani explained that the breakdown is not part of this report, but they do have the prices for each component. Mr. Rosenberg informed the Selectmen that the ad hoc Museum Study Committee is looking at the multi-purpose room as a potential site for the museum and it would be affected by the MEP project. The MEP project will be presented to the Capital Expenditure Committee on Wednesday. Mr. Moonan requested more specifics about what the savings will be and reiterated Mr. Rosenberg's request for a breakdown of the costs. He also suggested that maybe not all parts of the project have to be done at once. He also expressed concern that this project would be done out of context with other capital projects. Ms. Fleischman asked for the project to be presented at a Community Preservation Committee meeting

because it is using some of CPC's money and CPC will have to give a recommendation before Town Meeting. The Selectmen noted minor editing issues that needed to be changed such as Mr. Moonan still being listed as the chairperson.

The Selectmen considered whether they want to include the ambulance enterprise account on the Special Town Meeting warrant as opposed to the Annual Town Meeting Warrant. Mr. Garofalo explained that it would cost more to delay the start until July 1<sup>st</sup> because all startup costs would then be captured in one year. It would also delay fee increases and delay the reduction in overtime costs. Mr. Reed explained that the current services offered to the Town by Armstrong will no longer be available in the near future. The current model is not sustainable for them. There will be an increased response time and the service residents are currently getting will not remain. Mr. Garofalo explains that the financial models he has regarding the ambulance enterprise account show that the Town can provide this service and pay for it. Mr. Rosenberg asked why the Town is ruling out participating in the Consortium system with Emerson. Chief Grunes explained that it was not financially responsible to join the consortium because they would not be able to provide an acceptable response time since their primary service area is Lincoln/Concord/Acton. Additionally, the rate used to fund the service is much higher than the rate that is in the current proposal. Armstrong is getting into the field of education and quality improvements by focusing on simulation labs. They recognize that the market is now in training municipalities, as opposed to providing the services directly. Mr. Garofalo stated that the proposed rate is still under the regional average and potential state guidelines.

The Selectmen requested to see the financial implications of putting the MEP Project and Ambulance Enterprise on the Annual Town Meeting Warrant versus this fall's Special Town Meeting Warrant. The warrant needs to be finalized at the next Selectmen's Meeting on October 6, 2014.

**15-68            Miscellaneous Action Items**  
**Chapter 268A, Section 20(b) Exemption- Mary Ann Kiely - Teaching Assistant to Morning Sports Monitor**

**Mr. Siegenthaler moved to approve the waiver from Chapter 268A, Section 20 (b) for Mary Ann Kiely. Mr. Rosenberg seconded the motion.**

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

**One Day Special Liquor License- Prince St. Cafe & Bakery f/b/o Bedford Minuteman Co. Memorial Scholarship Trust Inc. at Old Town Hall - October 11, 2014**

**Mr. Moonan moved to approve the one day special liquor license to Prince Street Café and Bakery at Old Town Hall for October 11, 2014. Mr. Rosenberg seconded the motion.**

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

**Committee Liaison Appointments  
Community Preservation Committee- Steve Hagan**

**Mr. Rosenberg moved the Selectmen appoint Steven Hagan as the Conservation Commission member of the Community Preservation Committee for a term ending June 30, 2016. Mr. Siegenthaler seconded the motion.**

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

**Historic District Commission Reorganization**

**Mr. Rosenberg moved that the Selectmen appoint Lorrie Dunham as a full member of the Historic District Commission for a term ending June 30, 2016. Mr. Siegenthaler seconded the motion.**

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

**15-69 Minutes  
Regular Session Minutes September 8, 2014**

**Mr. Moonan moved to approve the minutes from September 8, 2014 as amended. Ms. Fedele seconded the motion.**

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

**15-70 Town Manager's Report**

Mr. Reed had the Selectmen sign a new liquor license certificate for JM Liquors because the original one had the manager's nickname as opposed to formal name.

Mr. Reed explained that the scheduled executive session is no longer necessary as the matter has been resolved.

**15-71 Open Discussion and Selectmen Liaison Reports**

The Selectmen were reminded that the Bedford Cultural Council reception is Saturday September 27<sup>th</sup> and the Citizen of the Year party is Friday September 26<sup>th</sup>.

Mr. Siegenthaler explained that he attended a Massachusetts Municipal Association Legislative Briefing. The MMA is urging a "no" vote on Question 1 for November's election regarding the state's gas tax. Michael Widmer of Mass Taxpayers Association presented and suggested that communities be careful not to overestimate increases in local aid, stating that they should only assume a 2-4% increase a year because of long term economic conditions.

Ms. Fleischman attended a Metropolitan Area Planning Council meeting as an alternate to Sandra Hackman. At the meeting a change in their assessment formula for how they assess communities was made. The change increases the amount from \$.32 per capita

to \$.50 per capita. MAPC's goal is to use 75% of the increase in revenue to expand technical assistance grants to make them more widely available to communities.

**15-72 Executive Session**

An executive session was no longer needed as the matter had been resolved prior to the meeting.

**Mr. Moonan moved to adjourn the meeting. Ms. Fedele seconded the motion.**

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

The meeting adjourned at 10:47 p.m.