

**Regular Session Minutes - Selectmen's Meeting**  
**Selectmen's Meeting Room, Town Hall**  
**Monday, August 20, 2012, 7:30 p.m.**

**PRESENT:** Catherine B. Cordes, Chair, Margot R. Fleischman, William S. Moonan, Michael A. Rosenberg, and Town Manager Richard T. Reed

**ABSENT:** Mark Siegenthaler

**ALSO PRESENT:** NSTAR Representative Maureen Carroll; Anna and Stuart Trout; Bedford Historical Society members Frank Gicca and Jan van Steenwijk; Public Works Director Richard Warrington; MWRA Director of Water Operations and Maintenance Mark Johnson; Finance Committee members Stephen Steele and Barbara Perry; Capital Expenditure Committee member James O'Neil; and Press Representatives Kim Siebert and Mary McBride

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

**13-028      Public Hearing - NSTAR Electric Company, W. O. #1886054**  
**Grant of Location - Riverside Avenue, Pole 30/6**

Chair Cordes convened the public hearing.

NSTAR representative Maureen Carroll requested that the Selectmen issue a Grant of Location to allow NSTAR to install 34+/- feet of underground conduit to provide electrical service to a new dwelling on Riverside Avenue at pole 30/6. The owners of the residence Anna and Stuart Trout were present for the hearing.

Chair Cordes noted that NSTAR must file for a street opening permit with the Department of Public Works before any work is done. She then reminded Ms. Carroll that NSTAR has yet to remove the double poles in her neighborhood. Ms. Carroll apologized and will advise the office again.

The public hearing was closed.

**Mr. Moonan made a motion to approve the application for a Grant of Location for the installation of 34+/- feet of conduit on Riverside Avenue northerly at Pole 30/6 near Oakland Avenue, W. O. #1886054. Mr. Rosenberg seconded the motion.**

**The motion passed 4-0-0.**

**13-029 Common Victualers License Application - Compass Group USA, Inc. d/b/a Eurest Dining Services -35 Crosby Drive**

Chair Cordes noted that Epicurean Feast is moving out of the building at 35 Crosby Drive and that Eurest Dining Services will take their place. The Building Inspector and Board of Health have given their approvals.

**Mr. Rosenberg made a motion to approve the Common Victualers license for Eurest Dining Services at 35 Crosby Drive expiring on December 31, 2012. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

**13-030 Acceptance of Historic Preservation Commission Preservation Restriction**

Frank Gicca and Jan van Steenwijk were present to request the Selectmen's approval of the Preservation Restriction Agreement between the Town of Bedford acting by and through the Bedford Historic Preservation Commission and the Bedford Historical Society, Inc. to preserve the Lawrence W. Kimball and Wilhelmina R. Kimball home, 461-A and 463 North Road. Mr. Gicca noted that the home is now on the National Register of Historic Places and will forever preserve the external features of the home. He added that the home does need a lot of work. The deed goes with the house. Mr. Gicca noted that the only other home on the list in Bedford is the Job Lane House, built pre-1740. He further explained that the copies will be sent to the Massachusetts Historical Authority for their signatures and copies will be returned for the Town.

**Mr. Moonan made a motion that the Town adopt the Preservation Restriction on the Lawrence W. Kimball and Wilhelmina R. Kimball property to be administered by the Bedford Historical Society. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**13-032 Committee Appointment - ad hoc Energy Task Force Margot Fleischman, Selectmen Member**

Chair Cordes reported an oversight when the Selectmen appointed members to committees in June. At that time, Ms. Fleischman agreed to serve as liaison to the Energy Task Force, but staff realized that she needs to be appointed as a member of that committee rather than as liaison.

**Mr. Moonan made a motion to appoint Margot Fleischman to the ad hoc Energy Task Force effective August 20, 2012 to a term ending June 30, 2013. Mr. Rosenberg seconded the motion.**

**The motion passed 4-0-0.**

**13-033            Miscellaneous Action Items - Chapter 268A, Section 20(b) Exemption  
Jean Hale, Teaching Assistant to Program I Instructor**

Town Manager Reed noted that the Selectmen have a request before them for a Chapter 268A, Section 20(b) exemption for Jean Hale, teaching assistant, for the position of before school sports Program I Instructor.

**Mr. Rosenberg made a motion to grant a Chapter 268A, Section 20(b) Exemption to Jean Hale. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

**13-031            Discussion - Water Quality Issues**

Public Works Director Richard Warrington, accompanied by Mark Johnson, Director of Water Operations and Maintenance at the Massachusetts Water Resources Authority (MWRA) were present to discuss the ongoing problem with the Town's water that contains too much coliform bacteria and too little chlorine. Mr. Warrington stated that he has been working non-stop with the MWRA, the Department of Environmental Protection (DEP) and Camp, Dresser & McKee (CDM), the Town's water consultant, to try to address the situation, locate the source of the problem, and remedy it.

Mr. Warrington reported that when the water enters Bedford at the Lexington line, the chlorine is at level 1.8, but by the time the water reaches Town Hall, the level is down to the .08 range. He noted that the DPW has been aggressively flushing the hydrants in an effort to reduce the coliform and the stagnant water. Four different locations were used as mobile disinfection points – first by the Middle School, then heading up Concord Road to Hartwell Road to West Bedford, and up to the Davis School area. He added that they were successful in raising the chlorine levels by the schools. They have now cleared the Middle, Davis and Lane School areas. Eleven more samplings will be done on Thursday at scattered strategic locations. Mr. Warrington is looking at reprogramming the Supervisory Control and Data Acquisition (SCADA) system with CDM to allow for the water level in the tanks to drop further.

Mr. Warrington suspects that the unusually warm weather this summer has something to do with the problem because the temperature of the water exiting the pipes is 72 degrees – a lot higher than normal. He expects that if nothing was done, that it would correct itself by December in the cooler weather.

Mr. Warrington confirmed for Mr. Moonan that CDM is investigating whether or not to use a low voltage chlorinator. Mr. Moonan asked if Mr. Warrington thought the circumstances would be different next summer. He responded yes, because Fletcher Road's pipes should be lined by then and The Great Road should be well under construction at that point but The Great Road work between the Lexington town line and Fletcher Road will be a challenge. Mr. Warrington also noted that unfortunately, 38% of Bedford's water pipes are unlined which is enough to allow bacteria to grow. Mr. Warrington noted that there is evidence that lined pipes are better than unlined pipes.

Chair Cordes asked Mr. Warrington if he was still planning to put temporary chlorine machines in the public schools. At a follow up meeting with the DEP last Thursday, their Deputy Director of the Regional Office stated that he is not that keen on this and neither is Mr. Warrington. The DPW has been preparing permits and getting material so that everything gets approved, but he was reluctant to go forward unless he has to. Mr. Warrington would prefer using bottled water. The Town has not tested positive for e-coli, only coliform bacteria.

Chair Cordes also asked if flushing the hydrants is addressing the age of the water in the system. Mr. Warrington responded that it has, but that effort has been curtailed because of inadequate water pressure in certain areas of town.

Mr. Rosenberg asked how the DPW could disseminate information to residents more effectively. Mr. Reed offered that staff should update the website after each test result comes in, and that the DPW should outline the high points of what they are doing to address the issue.

Mr. Warrington noted that both the Pine Hill Road and Crosby Drive standpipes, each holding 1 million gallons, have been emptied. Both standpipes were drained, vacuumed, sanitized and the Crosby Drive standpipe is currently being refilled with highly chlorinated water. This was also done one year ago. He added that the standpipes can legally be put back on line after a water sample comes back clean. The DPW has an employee who offered to climb up the ladder to the top of the water towers on a weekly basis to add a 50-lb. bag of chlorine into the tank.

Chair Cordes asked if Mr. Warrington could give the Selectmen the cost estimates for overtime, water and the like. Mr. Warrington responded that they have put an extra 36 million gallons of water through the system over the last two weeks of July and the first two weeks in August. That is just under \$3,000/per million. Overall, budget for water could be about \$45,000 over barring any unforeseen circumstances. Mr. Warrington felt there was still a chance that he can still make the budget. Overtime for water and sewer has been utilized, but the overtime budget for the Water Department has been depleted for the year. The Town of Burlington sold Bedford 18 million gallons of water during this time and charges the same rate as Lexington.

Chair Cordes noted that lining pipes is already in the Capital Improvement Plan and asked if Mr. Warrington predicted any other capital projects. Mr. Warrington noted mixing of the three tanks and that Page Road is next on the list for cleaning and lining. Mr. Johnson commented that the Town of Lexington just added a mixer to their tanks. The town adds higher doses of chlorine to the water during the summer months and the MWRA consistently measures the levels themselves. Mr. Johnson continued by saying that there are 300 miles of pipe coming from the Quabbin Reservoir and 100 million gallons of storage.

James O'Neil, 21 Clark Road, asked if Mr. Warrington thought the Veterans Administration Hospital (VA) had the same issue with their water lines since their water

also comes through Lexington. Mr. Warrington was not sure if the government performs the same water testing, but noted that the VA's water main was replaced in the 1970's. Mr. O'Neil reminded Mr. Warrington of a discussion they had in October 2011 in which Mr. Warrington had concerns about the amount of chlorine in the water at that time. They also discussed whether there were available funds for lining other pipes starting in the spring or if he would have to ask for additional funds at Special Town Meeting.

Chair Cordes thanked Mr. Warrington and Mr. Johnson for staying on top of this and asked that the public is continually updated on the status of the issue.

### **13-034 Minutes**

**Mr. Rosenberg made a motion to approve the Regular Session Minutes of July 30, 2012, as amended. Ms. Fleischman seconded the motion.**

**The motion passed 4-0-0.**

**Mr. Rosenberg made a motion to approve the Executive Session Minutes of July 30, 2012, as written. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

### **13-035 Town Manager's Report**

Town Manager Reed distributed an article from *Banker & Tradesman* about the Middlesex 3 initiative affecting the Towns of Bedford, Burlington, Billerica, Chelmsford and Lowell. He added that they are geared up to reach out to the business community to participate with the organization.

Mr. Reed reported that the MPO election is coming up soon and each nominee must have five towns to nominate them. Mr. Reed was confident that Bedford would have enough nominations.

Mr. Reed referred to the draft letter Ms. Fleischman prepared for the Selectmen's signature addressed to the Zoning Board of Appeals regarding the Travelodge. Chair Cordes asked for an additional sentence to be included in the letter asking that the plans clearly identify an additional means of egress to the site. She would like the state to know that the Zoning Board of Appeals considered this issue. A second draft will be presented at the next meeting in order for Selectman Siegenthaler to have an opportunity to comment.

Mr. Reed announced the untimely death of the Town's Veterans Agent, Fredrick Gordon who passed away on August 16<sup>th</sup>. Mr. Reed noted the excellent job Mr. Gordon did for the Town's veterans and his leadership with the Memorial and Veterans' Day parades. He added that it was Mr. Gordon who was instrumental in obtaining the cooperation of the Veterans of Foreign Wars (VFW) when the Town was planning the Depot Park complex. Mr. Reed noted that he will be missed by all. Visiting hours at the Shawsheen Funeral Home will be on Wednesday from 5:00 p.m. to 8:00 p.m.

Chair Cordes commented that Fred was a wonderful man and totally committed to the veterans by helping them obtain the services they needed. She added that he went above and beyond what was expected of him and will be missed by many. Mr. Gordon's name will be included in the Memorial Resolutions at the next Annual Town Meeting. Chair Cordes asked the Town Manager to send a letter to his wife expressing the Selectmen's sympathy.

Chair Cordes asked if anyone from Bedford would be attending the Federal Emergency Management Agency (FEMA) meeting to review and ask questions about the new FEMA Flood maps. Mr. Reed responded that someone from Public Works will attend.

Chair Cordes noted that the Selectmen from Carlisle have asked for the Bedford Selectmen's support on their LAND Grant application to the Executive office of Energy and Environmental Affairs to protect a critical landscape on the wild and Scenic Concord River. After discussion, it was the general consensus of the Selectmen to send a letter of support.

**Ms. Fleischman made a motion to authorize the Town Manager to send a letter to the Executive Office of Energy and Environmental Affairs as per the suggested draft letter in support of the Town of Carlisle's LAND Grant application. Mr. Moonan seconded the motion.**

**The motion passed 4-0-0.**

### **13-036 Open Discussion**

Mr. Rosenberg inquired if the Selectmen had settled on a date for Special Town Meeting. Mr. Reed noted that due to the Veterans' Day holiday on Monday, Special Town Meeting is planned for Tuesday, November 13, 2012.

Mr. Rosenberg noted that due to Rosh Hashanah, he will miss the September 17<sup>th</sup> Selectmen's meeting.

Mr. Rosenberg reported that the ad hoc Outdoor Recreation Area Study Committee will not be meeting this month, but the committee is very busy doing research, including interviews with DPW officials on best practices. One variable they are trying to ascertain is whether it is possible for best practices to be achieved with the current staff and budget. They will address the issue later. Mr. Rosenberg announced that the Conservation Commission is supposed to be addressing the St. Michael's field at their next meeting. Mr. Reed noted that the Conservation Commission cannot obtain a quorum for their next meeting so it will have to be delayed to the first Thursday in September. The committee systematically reached the conclusion that there is a greater need of fields than there is supply by using actual demand figures.

Mr. Rosenberg mentioned that there is also concern about the condition of the new soccer field on South Road, but the committee does not want to bother the DPW with that issue at this time.

Mr. Moonan asked if the shared energy agreement indemnification clause had been corrected and if the agreement had been signed. Mr. Reed noted that there was not a problem with the indemnification clause, but he was waiting to see what the School Committee decided. Mr. Reed advised that at the moment some MAPC staff and the Arlington Town Manager are on vacation; therefore it will be signed within the next few weeks.

Because Chair Cordes felt that the Bedford Youth & Family Services Risk Youth Survey was a noteworthy survey, she requested that the Town Manager invite Ms. Baldauf to come to a meeting to discuss the results of the survey for a 10-minute time period.

The Selectmen will meet on Monday, August 27, 2012 at 6:00 p.m. for their annual goal setting meeting.

**Mr. Moonan made a motion to adjourn. Mr. Rosenberg seconded the motion.  
The motion passed 4-0-0.**

The meeting adjourned at 9:05 p.m.