

## ANNUAL TOWN MEETING

**MARCH 22, 2010**

The Moderator called the Town Meeting to order. The Annual Town Meeting convened at 7:38 p.m. in the Bedford High School Auditorium. A quorum of one hundred and forty-two registered voters was present. The Town Clerk read the return of service. The Bedford Minutemen posted the colors. Reverend Frank Fornaro from St. Paul's Church gave the invocation. The Moderator stated that the Town Meeting rules are published in the back of the warrant starting on page fifty. A voter may not speak unless the Moderator recognizes them. The voter must stand at the microphone. Name and address are required to speak. A voter may not speak more than twice in debate unless they have permission from the Moderator or they have a question. Questions must be directed through the Moderator. Amendments must be in writing for the Town Clerk and Moderator. There is no clapping or booing. Local cable is taping the meeting. Local cable will not tape during the voting. Please turn off cellular phones. If you need to talk please go into the hallway. She said that the voter required a blue card for hand counts. If they did not pick one up, go out to check-in. The Moderator announced that section 4.4.9 of the charter was eliminated that required bonding votes at Town Meeting by secret ballot. The tellers for the evening are: Rosemary Dyer, Gloria Moll, Charles Rosenberg and Janet Schimelfenyg.

Michael Rosenberg read the memorial resolution for Annual Town Meeting 2010.

**Whereas**, since the Annual Town Meeting of 2009, employees and officers of the Town have passed away, having performed their duties faithfully, dedicating their time and skills to benefit the residents of Bedford, and

**Whereas** we gratefully recognize their public service to Bedford's citizens,

**Now therefore** be it resolved that we, the people of Bedford, assembled here in Annual Town Meeting on March 22, 2010, mourn their passing and extend sincere sympathy to the families of:

**Barbara Chase** – Election Officer 1978–1981

**Joseph Genetti** – Future School Building Needs 1962–1963 and Finance Committee 1963

**Sarah S. Getty** – Library Trustee 2007–2009.

**William L. Hennrikus** – Veteran's Agent and Burial Agent 1976–1996; Fuel & Chemical Storage Committee – 1986-1994; Wood, Bark and Manure – 1984

**Robert Hentz** – Teacher; Principal; and Assistant to the School Superintendent 1958-1997

**Thomas McNeany** – Police Officer 1965-2001; Sealer of Weights and Measures 1985– 1997; Ad Hoc Affordable Housing 1988–1991; Bedford Housing Authority 1989– 1991; Special Police Officer 2000-2009

**Louis Mercurio** – Custodian 1969-1986

**Patrick O'Donnell** – Custodian 1976-1987

**John F. Perkins, Jr.** – Planning Board 1960-1963; Future Building Needs 1962-1963; Building Board of Appeals 1964-1968; Special Police Officer 1964-1974; Transportation Coordinating Committee 1965-

1974; Selectman 1966-1969; Finance Committee 1966-1969; Hanscom Field Community Council 1966-1969; Regional Disposal Study Committee 1967; Home Rule Study Committee 1968-1973; Bedford Housing Authority 1971-1980; Historical Commission 1973; and Citizen of the Year 1985

**Pasquale Russo** – Center School Study Committee – 1981-1984; Fiscal Planning Committee – 1992; Capital Expenditure Committee – 1990-1992; Finance Committee 1990-1992; School Committee – 1971; Sidewalk Committee – 1968; Shawsheen Technical Committee 1989-1993

**Mary Ruetenik** – Personnel Board 1993-1999; Council on Aging – 1986-1989

**Maureen Warner** – Historic District Commission – 1983-1985; Sign Bylaw Committee – 1991; Fence Viewer – 1996.

And be it further resolved that this Resolution be inscribed in the permanent record of this meeting, and notification thereof be sent to members of their families.

Reports of Town Committees:

Alison Malkin presented the Youth and Family Services Report  
Beatrice Brunkhorst presented the Board of Health Report  
Thomas Busa presented the Finance Committee Report.

## *Article 2*

### **Debate Rules**

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that the Town adopt the following procedure for the current Annual Town Meeting:

- A. A speaker presenting an article or amendment to an article shall be limited to ten (10) minutes;
- B. Other speakers shall be limited to five (5) minutes;
- C. No article shall be presented after 10:45 p.m.;
- D. Town Meeting by majority vote may waive A, B, or C.

### **RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator stated this motion requires a two-thirds vote. Moderator declared motion adopted unanimously.

## *Article 3*

### **Consent Article**

William Moonan made the following motion and the motion was seconded.

Voted, that the Town:

- A. Authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2010 in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes therefore, payable

within one year, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of General Laws, Chapter 44, Section 17, or Section 17A, as may be appropriate;

- B. Raise and appropriate the sum of \$47,000 for an audit of Fiscal Year 2010 and related services;
- C. Accept the provisions of Chapter 184, Section 51 of the Acts of 2002, amending Massachusetts General Laws, Chapter 59, Section 5 (41C) as provided therein concerning a tax exemption of \$500.00 for the elderly so as to increase the gross receipts limitations to \$20,000.00 for a single person and \$30,000.00 for married persons and so as to increase the whole estate limitations to \$40,000.00 for a single person and \$55,000.00 for married persons, and further to increase the amount of property tax exemption granted to persons who qualify for said exemption under said Section 5 (41C) by 100% to \$1,000.00, effective in the Fiscal Year 2011;
- D. Accept the provisions of Chapter 73, Section 4 thereof of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988 so as to act under the aforesaid statute to increase the amount of property tax exemptions by 100% for persons who qualify for said exemptions under clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, and 37A of Section 5 of Chapter 59 of the General Laws, said increase to be 100% above the minimum exemption amounts otherwise provided in the aforementioned clauses of Section 5 of Chapter 59 of the General Laws, effective in the Fiscal Year 2011;
- E. Authorize the Selectmen, during Fiscal Year 2011, to accept any and all easements for sidewalk, drainage, or other utility purposes, as they may deem in the Town's best interests.

#### **RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator stated this motion requires a two-thirds vote. Moderator declared this motion adopted unanimously.

#### ***Article 4***

#### **Reauthorization of Revolving Funds**

Walter St. Onge made the following motion and the motion was seconded.

Voted, that the Town:

- A. Establish, pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½ for Fiscal Year 2011, a departmental revolving fund to be under the jurisdiction of the Board of Library Trustees, such fund to be used for the purchasing of library materials, and to be comprised of charges for lost or damaged library materials or cards, and late fines to the extent that such fines and charges exceed \$17,000, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$25,000 for said Fiscal Year 2011;
- B. Establish, pursuant to M.G.L., Chapter 44, Section 53E ½ for Fiscal Year 2011, a departmental revolving fund for the Conservation Commission, and to authorize the Conservation Commission to deposit into such fund any and all consultant fees from permit applicants, and to use such funds for the purchase of consultant services needed to fulfill the work of the commission, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$100,000 for said Fiscal Year 2011;
- C. Establish, pursuant to M.G.L., Chapter 44, Section 53E ½ for Fiscal Year 2011, a departmental revolving fund for cable television franchise fees and revenue to be under the jurisdiction of the Selectmen, such fund to be used for purchasing equipment, supplies, and services related to the operation of cable television municipal access channels, and to provide, moreover, that expenditures

- from such revolving fund shall not exceed a total of \$200,000 for said Fiscal Year 2011;
- D. Establish, pursuant to M.G.L., Chapter 44, Section 53E ½ for Fiscal Year 2011, a departmental revolving fund for fees and revenue received from the operation of Depot Park to be under the jurisdiction of the Selectmen, such fund to be used for the maintenance and improvements for Depot Park and purchasing equipment, supplies, and services related to the operation of Depot Park, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$75,000 for said Fiscal Year 2011;
  - E. Establish, pursuant to M.G.L., Chapter 44, Section 53E ½ for Fiscal Year 2011, a departmental revolving fund for fees and revenue received from the operation of Old Town Hall and Town Center to be under the jurisdiction of the Selectmen, such fund to be used for the operation and maintenance of Old Town Hall and Town Center, including utility expenses and purchasing equipment, supplies, and services related to Old Town Hall and Town Center, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$125,000 for said Fiscal Year 2011.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator declared this motion adopted unanimously.

**Article 5**  
**Bills of Prior Years**

Walter St. Onge made the following motion and the motion was seconded.

Voted, that Article 5 is indefinitely postponed.

**RECOMMENDATIONS**

Selectmen:	No position
Finance Committee:	Recommended indefinite postponement

The Moderator stated the motion requires a two-thirds vote. Moderator declared Article 5 indefinite postponement adopted unanimously.

Ruth Robinson of 38 Hillside Avenue made a motion to pass Article 6 as presented in the warrant. Michael Rosenberg stated that Town Counsel advised the postponement of the article due to the inconsistency with the provisions of State Law.

**Article 6**  
**General Bylaw Amendment – Hazardous Trees**

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that Article 6 is indefinitely postponed.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

The Moderator stated the motion requires a two-thirds vote and is not debatable. Moderator declared Article 6 indefinite postponement passed by two-thirds vote.

### **Article 7**

#### **Zoning Bylaw Amendments – Flood Plains**

Janet Powers made the following motion and the motion was seconded.

Voted, that the Town amend the Bedford Zoning Bylaws as follows:

1. Delete the following from Section 2.2:

- Flood Plain District, Town of Bedford Flood Insurance Rate Map (FIRM), Zone A, A1-30, and the Flood Boundary and Floodway Map, Effective date: June 15, 1983, as amended.

and replace it with the following:

- Flood Plain District--The district includes all special flood hazard areas within the Town of Bedford designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Bedford are panel numbers 25017C0264E, 25017C0268E, 25017C0269E, 25017C0288E, 20517C0377E, 25017C0381E, 25017C0382E, 25017C0383E, 25017C0384E, 25017C0401E dated June 4, 2010, as amended. The FIRMs and accompanying Flood Insurance Study report are incorporated herein by reference and are on file with the Code Enforcement Department.

2. Delete the following from Section 2.2:

- Wetland District, Town of Bedford, February 1982 (Scale 1"=100' consisting of 82 matched sheets including the index and designated as Wetlands Map, I.E.P. Inc.).

and replace it with the following:

- Wetland District, Town of Bedford, July 2007 (Scale 1" = 200', consisting of 81 matched sheets, Index Sheet, and guidelines page and designated as Wetlands Maps, prepared by Bedford GIS), subject to delineation as required in Zoning Bylaw Section 2.3.6.

1. Delete Section 2.3.5 and replace it with the following:

#### **2.3.5 Flood plain boundaries**

The exact boundaries of the Flood Plain District shall be located on the ground, as determined by an actual field survey, of the (100 year) flood contours shown for Zone A and AE on the Flood Insurance Rate Maps and further defined by the Flood Insurance Study, both with effective dates June 4, 2010, as amended.

2. Add new Section 2.3.5.1 with the following:

#### **2.3.5.1 Notification of watercourse alteration**

In a riverine situation, the Zoning Enforcement Officer shall notify the following of any alteration or

relocation of a watercourse:

Adjacent Communities

NFIP State Coordinator at Massachusetts Department of Conservation and Recreation

NFIP Program Specialist at Federal Emergency Management Agency, Region 1

3. Add the following to the end of the first sentence in Section 2.3.6:

and the current Department of Environmental Protection Wetlands Protection Regulations.

4. Delete Section 7.2.4 and replace it with the following:

#### 7.2.4 Floodway and Base Flood Elevation Data

In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available federal, state, local, or other floodway data shall be used by the board to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. Base flood elevation data is required for subdivision proposals or other developments.

### RECOMMENDATIONS

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Planning Board:	Recommended approval unanimously

Moderator stated this motion requires a two-thirds vote. Moderator declared motion adopted unanimously.

### *Article 8*

#### **General Bylaw Amendment – Clearing of Obstructions on Sidewalks, Placing Snow on Public Way or Town Property**

Catherine Cordes made the following motion and the motion was seconded.

Voted, that the Town amend the General Bylaws of the Town of Bedford under Article 47, Section 47.10 by deleting the existing sentence as follows:

“This section may be enforced by the Director of Public Works or designee thereof through the provisions of M.G.L. c40 S.21D, and the penalty for each violation shall be one hundred dollars (\$100.)”

and replacing it with the new sentence as follows:

“This section may be enforced by the Director of Public Works or designee, or the Chief of Police or designee, thereof through the provisions of M.G.L., C. 40, § 21D, and the penalty for each violation shall be one hundred dollars (\$100.00).

### RECOMMENDATIONS

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator declared the motion adopted.

**Article 9**

**General Bylaw Amendment – Placing of Refuse or Recycling Materials at Curb for Municipal Collection**

Walter St. Onge made the following motion and the motion was seconded.

Voted, that Article 9 is indefinitely postponed.

**RECOMMENDATIONS**

Selectmen: No position

Finance Committee: No position

The Moderator stated the motion is not debatable and requires a two-thirds vote. Moderator declared Article 9 indefinite postponement adopted by two-thirds vote.

**Article 10**

**General Bylaw Amendment – Sewer System**

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that the Town amend the General Bylaws of the Town of Bedford under Article 52, replacing it with the following revised Article 52 in its entirety:

**ARTICLE 52. SEWER SYSTEM**

The Town of Bedford Sewer System was established under Chapter 223 of the Acts of 1947, as amended by Chapter 131 of the Acts of 1952, and under M.G.L., Chapter 83.

**52.1 Massachusetts Water Resources Authority**

The Town is a member of the Massachusetts Water Resources Authority (MWRA) and is subject to the MWRA Sewer Use Regulations (360 CMR 10.000). No industrial discharge shall be allowed without permits from both the MWRA and the Town.

**52.2 Administration**

The sewer functions and services, including maintenance of the public sewers and sewerage systems, shall be performed by the Department of Public Works in accordance with these rules and regulations of the Town of Bedford and Massachusetts Water Resources Authority including, but not limited to, the requirements of 360 CMR 10.000 and regulations and amendments thereof.

**52.3 Definitions**

Authority - shall mean Massachusetts Water Resources Authority.

Authority Sewerage System - shall mean the sewerage works under the control of the Authority including sewers, pump stations, treatment plants, and all other works under the control of the Authority used in collection, storage, transport, treatment, and discharge of waters and wastes and in the operation of the residuals program.

BOD (Biochemical Oxygen Demand) - shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed

in milligrams per liter.

Building Sewer/Drain - shall mean that pipe which receives the discharge of wastewater from inside the walls of the building. The extension from the building to the public sewer or other place of disposal, also called house or building connection. The property owner owns the building sewer up to and including its intersection with the public sewer, and its maintenance, repair, and replacement are the sole responsibility of the property owner.

Commonwealth - shall mean the Commonwealth of Massachusetts and its regulatory departments.

Cooling Water - shall mean the water discharged from any system of condensation, air conditioning, cooling, refrigeration, or other system of heat transfer.

Contact Cooling Water - shall mean water used in a process for cooling purposes that has come in direct contact with a raw material, intermediate product, waste product, or finished product.

Easement - shall mean an acquired legal right for the specific use of land owned by others.

EPA - shall mean the United States Environmental Protection Agency.

DEP - shall mean the Massachusetts Department of Environmental Protection.

Department - shall mean the Department of Public Works.

Director - shall mean the Director of Public Works, who is the administrative authority for the wastewater collection system in the Town of Bedford. In the absence of the Director, the Director's designee shall be authorized to perform the Director's duties and responsibilities.

DPW - shall mean the Department of Public Works.

Floatable Oil - shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

Grease, Oil, and Sand Interceptors - shall mean devices used to prevent grease, oil, and sand from entering the wastewater stream.

Industrial Wastes - shall mean the wastewater from industrial processes, trade, or business as distinct from domestic (sanitary) wastes.

Infiltration - shall mean water other than wastewater that enters any sanitary sewer (including building sewers) from the ground through means which include, but are not limited to, defective pipes, pipe joints, service connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

Inflow - shall mean water other than wastewater that enters a sewer (including building sewers) from sources which include, but are not limited to, roof leaders, cellar drains, yard drains, area drains, sump pumps, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.

Infiltration and Inflow - (I/I) shall mean the quantity of water from both infiltration and inflow.

May - is permissive (see "Shall").

MWRA - shall mean Massachusetts Water Resources Authority.

Natural Outlet - shall mean any outlet, including storm sewers into a watercourse, pond, ditch, lake, or other body of surface or ground water, without any wastewater flow.

Non-Residential - includes agricultural, commercial, hospital, industrial, institutional, nursing care, school, and religious.

Person - shall mean any individual, firm, company, association, society, corporation, partnership, group, any political subdivision of the Commonwealth, or entity of any sort.

pH - shall mean the negative logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$ .

Private Sewer - shall mean the building drain and the building sewer, which shall be owned, operated, and maintained by the owner of the property on which the private sewer is located.

Properly Shredded Garbage - shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

Public Sewer - shall mean a common sewer controlled by a governmental agency or public entity. The public sewer extends to the property or easement line.

Residential Sewer - includes both single family and multiple family buildings. A mixed-use building is defined as a building with both residential and non-residential use. See non-residential use for "sewer unit" calculation.

(Sanitary) Sewer - shall mean a conduit that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of groundwater, stormwater, and surface waters that are not admitted intentionally.

Septage - shall mean the wastes from holding tanks such as chemical toilets, campers, or trailers, and wastes from septic tanks and cesspools.

Sewage - is the used water of a community. The preferred term is "wastewater" (see "wastewater").

Sewer - shall mean a pipe or conduit that carries wastewater.

Sewer Unit (Non-Residential) - each building not used for residential purposes shall be assessed for the total number of sewer units produced by the following formula: one sewer unit for the first 10,000 square feet or fraction of gross building floor area; one additional sewer unit for each additional 10,000 square feet or fraction of gross building floor area, up to a maximum of 50,000 square feet; and one additional sewer unit for each additional 25,000 square feet or fraction of gross building floor area in excess of 50,000 square feet.

Sewer Unit (Residential) - Each single family residence shall be assessed as one sewer unit. Each dwelling unit in a multiple family building shall be assessed as one sewer unit. As used herein, the term "multiple family building" shall include, without limitation, apartment houses, complexes, townhouses, condominiums, and other buildings or groups of buildings containing more than one single family dwelling unit.

Shall - is mandatory (see "May").

Sludge - shall mean solid and semi-solid residuals and concentrated contaminants removed by treatment of wastewater.

Slug - shall mean any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds five (5) times the average twenty-four (24) hour concentration of normal operating flow for more than fifteen (15) minutes and adversely affects the collection system and/or the performance of the wastewater treatment works.

Storm Drain - (“storm sewer” or “building storm drain” or “public storm drain”) shall mean a conduit for conveying stormwater, groundwater, subsurface water, or unpolluted water from any source.

Suspended Solids - shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as nonfilterable residue.

Town - shall mean the Town of Bedford, Massachusetts or any duly authorized officer, agent, or representative of the Town of Bedford.

Unpolluted Water - is water of quality equal to or better than the treated effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sewers and wastewater treatment facilities provided.

Users - shall include all persons connected to the Town of Bedford sewer system whether resident within the Town, or not, and all users of MWRA (see “MWRA”).

Wastewater - shall mean the used water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any groundwater, surface water, and stormwater that are not admitted intentionally.

Wastewater Facilities - shall mean the structures, equipment, and processes required to collect, transport, and treat domestic and industrial wastes and dispose of the effluent.

Wastewater Treatment Works - shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with “wastewater treatment facility” or “water pollution control facility.”

Watercourse - shall mean a natural or artificial channel for the passage of non-wastewater either continuously or intermittently.

#### **52.4 When Bills for Sewer Charges are to be Sent Out, etc.**

The Director of Public Works shall cause to be made out and placed in the hands of the Bedford Treasurer/Collector, bills for such charges at least twice in each year, and at the same time shall cause to be sent to the persons from whom such sewer charges are due a notice stating the amount due for payment thereof. The Director of Public Works shall also cause to be kept in suitable books the names of all persons from whom such sewer charges are payable, the name and number of the street, and the amount charged.

#### **52.5 Sewer Charges – Payable**

Such sewer charges shall be payable on or before the date published on each bill, and shall bear the assigned interest from said date, if they are not paid within 30 days after issuance.

#### **52.6 Rates for Use of Public Sewer**

The Selectmen shall establish a schedule of rates for use of the public sewer. In addition to all other betterment assessments and fees provided for in this bylaw, the Town shall charge each owner or designated tenant of a building or dwelling unit using the Town sewer system such fees as are in effect.

#### **52.7 Assessment on Uniform Unit Method**

The Town, through its Selectmen acting as the Sewer Commissioners, shall assess owners of land abutting a sewer line installed by the Town at a rate based upon a uniform unit method. Such

assessments shall be made regardless of whether an owner makes a connection to the sewer line. As used in this bylaw, the terms “uniform unit method,” “sewer unit,” “general benefit facilities,” and “special benefit facilities” shall have the same meanings as set forth in M.G.L., C. 83, § 515.

#### **52.8 Application/Inspection Fee**

Residential	\$ 200/unit
Non-Residential	\$1,000/service
Replacement/Repair/Abandonment	\$ 200/service

Such fees will apply to all connections to the public sewer system and to rebuilt, repaired, and replacement of existing connections as set annually by the Selectmen.

#### **52.9 Betterment Unit Cost**

The betterment assessment made under this bylaw shall be \$5,000.00 per sewer unit.

#### **52.10 Calculation of Assessment**

Existing sewer units shall be calculated with respect to existing buildings or any building for which a building permit has been issued as follows:

- a) Each single family residence shall be assessed as one sewer unit.
- b) Each dwelling unit in a multiple family building shall be assessed as one sewer unit. As used herein, the term “multiple family building” shall include, without limitation, apartment houses, complexes, townhouses, condominiums, and other buildings or groups of buildings containing more than one single family dwelling unit.
- c) Each building not used for residential purposes shall be assessed for the total number of sewer units produced by the following formula:

One sewer unit for the first 10,000 square feet or fraction of gross building floor area; one additional sewer unit for each additional 10,000 square feet or fraction of gross building floor area, up to a maximum of 50,000 square feet; and one additional sewer unit for each additional 25,000 square feet or fraction of gross building floor area in excess of 50,000 square feet.

#### **52.11 Collection of Assessments**

The provisions of the Massachusetts General Laws relative to the assessment, apportionment, division, re-assessment, abatement, and collection of sewer assessments, and collection of sewer assessment liens and interest, shall apply to assessments made under this bylaw. The Bedford Treasurer/Collector shall have all of the powers conveyed by the Massachusetts General Laws.

#### **52.12 Connection in Lieu of Betterment**

If a private developer or person other than the Town constructs sewer facilities in an approved subdivision, the Town shall charge a connection fee in lieu of a betterment assessment against each lot in such subdivision in an amount equal to one-half the amount that would have been assessed under Section 52.9. The assessments shall be made at the time of the installation of the sewer facilities.

#### **52.13 New Connections**

Where any property not previously bettered is connected to the public sewer, the Town shall charge a connection fee for one sewer unit in an amount equal to the betterment assessment under Section 52.9.

#### **52.14 I/I Mitigation Fee**

All new connections to the municipal sanitary system or changes in use that have an expected increase in wastewater discharge shall be charged a one-time I/I fee in accordance with the following fee schedule:

(Title 5 (310 CMR 15) shall be used to determine flow rates.)

<u>Use</u>	<u>Required Fee</u>
<b>Residential</b>	
Less than 2,201 gallons per day (20 bedrooms)	No Fee
<b>Non-Residential</b>	
Less than 2,201 gallons per day	\$10.00/gallons per day
<b>Residential/Non-Residential</b>	
2,201 gallons per day – 50,000 gallons per day	\$10.00/gallons per day

**Residential/Non-Residential**

Greater than 50,000 gallons per day - Applicant must remove four (4) gallons of I/I from the sewer for each one (1) gallon of wastewater flow requested in the permit. If DEP requires a different removal ratio, then the larger of the two (2) ratios shall be used. Any I/I removed from the sewer system as part of the I/I Mitigation Fee shall be the property of the Town of Bedford and may not be applied to future removal requirements without the written authorization of the Director.

**52.15 Undeveloped Land**

Potential sewer units with respect to undeveloped land shall be calculated as set forth in Section 52.10 based upon the maximum number and size of buildings that could be built on such land under the Zoning Bylaw then in effect, assuming no further subdivision of such land. However, the potential sewer units with respect to land having frontage on the street or way in which the sewer is installed shall be calculated on the basis of the number of lots into which such land could be divided without approval of the Planning Board.

**52.16 Building Sewers and Installation**

No person shall uncover (excavate), connect or cause to be connected to, or make any opening into, use, alter, or disturb any building sewer, public sewer, or appurtenances thereof except by written permit from the Director of Public Works. The permit shall be obtained in accordance with the current regulations. Any person proposing a new discharge into the public sewer or a substantial change in the volume or character of pollutants that are being discharged into the public sewer shall submit plans and calculations for the connection, stamped by a Massachusetts Registered Professional Engineer in accordance with these regulations. A permit must also be obtained for any repair work to existing building sewers.

Permits are not transferable and are valid for ninety (90) days from the date of issue. If no work commences within said ninety day period, a new permit must be obtained as described above.

For non-residential building sewers, the Director may require any or all of the following:

- A. Limits on rate, time, and characteristics of discharge or requirements for flow regulation and equalization;
- B. Installation of inspection, flow measurement, and sampling facilities, including access to such facilities;
- C. Monitoring programs which may include flow measurement, sampling, chemical and biological testing, recording of data, and a reporting schedule;
- D. Any other conditions as deemed appropriate by the Director to ensure compliance with these

regulations and with applicable requirements of federal or state law.

The Director may require an evaluation of a proposed sewer connection, performed by a Massachusetts Registered Professional Engineer selected by the Director, to assess the impact the additional flow or characteristics of the pollutants would have on the public sewer. The cost of said evaluation shall be borne by the applicant. A permit application may be denied if the additional flow is determined to have an adverse effect on the public sewer. The applicant shall make all recommended improvements to accommodate the proposed connection.

A separate and independent building sewer shall be provided for every building or dwelling unit except where one building stands at the rear of another on the same lot or a duplex condo unit. In this case, the front building sewer may be extended to the rear building and this shall be considered as one building sewer. No such connection shall be made without a connection permit. Any connection made without such a permit shall be discontinued and any fees paid shall be forfeited. The Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

Existing building sewers shall not be used in connection with new building sewer construction, except by written permission of the Director. New building sewers shall include a watertight connection to the public sewer.

Building sewers shall be of such size and material as the department shall determine on each application and built in accordance with department sewer construction standards. The building sewer shall be furnished and installed by a competent contractor who has been approved by the Director. The connection of the building sewer to the public sewer shall conform to the requirements of these regulations and the building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof, the materials and procedures as set forth in appropriate specifications of the American Society of Testing Materials (ASTM), the Water Pollution Control Federation (WPCF) Manual of Practice No. 7 "Operation and Maintenance of Wastewater Collection Systems," WPCF Manual of Practice No. FD-5, the American Society of Civil Engineers (ASCE) Manuals and Reports in Engineering Practice No. 60 "Gravity Sanitary Sewer Design and Construction," and WPCF Manual of Practice No. FD-4 "Design of Wastewater and Stormwater Pumping Stations" shall apply. All such connections shall be made gastight and watertight, and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Director before installation. Non-approved material will be required to be removed and replaced at the expense of the applicant.

Whenever possible, the building sewer shall be installed to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, the wastewater carried by such building drain shall be pumped by an approved means and discharged to the building sewer or public sewer. Shop drawings of proposed pumping equipment must be submitted for approval by the Director.

A proper manhole or clean-out must be installed at any change in the line or grade of a building sewer. A manhole must be installed if the sewer is longer than 100 feet. The manhole shall conform to department construction standards.

The applicant for the building sewer permit shall notify the Director when the sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Director, and no backfilling shall be permitted until all appropriate inspections are made. If the appropriate inspections are not completed, the Director may require an internal television inspection of the service connection or may require re-excavation of the building sewer. Any defects in the service shall be repaired prior to discharging wastewater.

All excavations for building sewer installation shall be adequately guarded with barricades and lights

so as to protect the public from hazard. Any person who, during the installation of a sewer connection, shall excavate or otherwise disturb the roadway and/or sidewalk shall obtain a street opening permit and trench permit from the department prior to the commencement of the work. A performance bond of \$5,000 or the cost of restoring said roadway and/or sidewalk to its prior condition, whichever is greater, shall be required before a permit is granted. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored to its original condition in a manner satisfactory to the Director. The bond amount shall be determined by the Director.

The DPW reserves the right to shut off the public sewer for the purpose of making alterations or repairs.

No person shall make connection of roof downspouts, foundation drains, sump pumps, area drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to the public sewer. Any persons found discharging said sources shall be subject to penalties as set forth in Section 52.21 of these regulations. The removal and rerouting of any of these types of sources shall be completed in accordance with the Department of Public Works.

The DPW reserves the right to internally inspect building sewers and internal building plumbing prior to the time of transfer of title. Inspection shall be performed to ensure the building sewer is in compliance with Town Bylaws and that illegal connections (e.g. sump pumps) to the sewer system do not exist. Any defects in the building sewer shall be repaired at the owner's sole expense. Any repairs made to building sewers shall be done in accordance with Section 52.16. The Director shall inspect and approve all repair methods and repairs in accordance with Department of Public Works standards.

#### **52.17 Use of the Public Sewers**

No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof or surface runoff, subsurface drainage, uncontaminated cooling water, unpolluted industrial process waters, non-contact cooling water, or non-contact industrial process waters to any public sanitary sewer.

No person shall discharge or cause to be discharged substances, materials, waters, or wastes if it appears likely, in the opinion of the Director, that such wastes can harm either the sewers, sewage treatment process, maintenance personnel, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance.

Unless otherwise stated herein, the provisions of 360 CMR 10 and any supplementary revisions shall govern all discharges to the sanitary sewer system.

A grease interceptor shall be installed in the waste line leading from sinks, drains, or other fixtures where grease can be introduced to the sewer system if, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing floatable oils and greases in excessive amounts.

Grease interceptors shall be properly sized and approved by the Director. Approved grease removal methods shall be within an interior automatic grease removal unit or a properly sized external underground tank complete with a passive point-of-use grease trap.

A manhole or other sampling part shall be installed on the discharge line of the grease trap for sampling of the grease trap effluent. Sampling shall be performed to ensure compliance with MWRA regulations.

Grease interceptors shall be equipped with devices to control the rate of water flow through the interceptors so that the flow rate does not exceed the rated design flow of the interceptors.

The waste from food and waste grinders shall not discharge to the sewer system through a grease interceptor.

The use of water-cooled grease interceptors is prohibited.

In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal, by appropriate means, of the captured material, and shall maintain records of the dates and means of disposal. These records shall be submitted to the Director annually. Licensed waste disposal firms must perform any removal and handling of the collected materials.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control structure provided, or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Director and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Director. Such records shall be made available, upon request by the Director, to other agencies having jurisdiction over discharges to the receiving waters.

#### **52.18 Protection from Damage**

No person(s) shall maliciously, willfully, wantonly, intentionally, or negligently break, damage, destroy, uncover, deface, or tamper with the structures, mains, or other appurtenances or equipment which is a part of the sewerage system or wastewater facilities or public storm drain. Any person(s) violating this provision shall be subject to all civil or criminal penalties as provided by Massachusetts General Laws or these regulations.

#### **52.19 Powers and Authority of Inspectors**

The Director and other duly authorized employees or agents of the Town bearing proper credentials and identification shall be permitted to enter, at reasonable times, all private properties connected with public sewers for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the wastewater facilities in accordance with the provisions of these regulations.

The Director or other duly authorized employees or agents are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater facilities.

While performing the necessary work on private properties, the Director or duly authorized employees or agents of the Town shall observe all safety rules applicable to the premises established by the companies.

#### **52.20 Validity**

The invalidity of any section, clause, sentence, or provisions of these regulations shall not affect the validity of any other part of these regulations, which can be given effect without such invalid part or parts.

#### **52.21 Penalties**

In addition to penalties provided under 360 CMR 2.00, any person found to be violating any provision of this bylaw shall be served by the Town with written notice stating the nature of the violation and a reasonable time limit for satisfactory correction.

Any person who shall continue any violation beyond the time limit provided shall be subject to enforcement of non-criminal penalties, as provided in M.G.L. Chapter 40, Section 21D. The penalty for such violation shall be \$100.00 for the first offense and each subsequent offense. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of this bylaw shall be liable to the Town for any expense, loss, or damage caused to the Town by reason of such violation.

All penalties, fines, or fees related to Article 52, Sewer System, shall be collected as described in Section 52.11 of this article, Charges to Constitute Lien Upon Real Estate.

## RECOMMENDATIONS

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator declared motion adopted.

### *Article 11*

#### **General Bylaw Amendments – Miscellaneous Bylaw Amendments**

Joan Bowen made the following motion and the motion was seconded.

Voted, that the Town propose the following amendments to the Town of Bedford Bylaws:

**A. Article 1, Town Elections - Section 2.2 - Delivery of printed warrant to voters**

*Current*

At least seven days prior to the date of the Annual Town Election or any Special Election, the Town Administrator shall cause a printed copy of the warrant to be delivered to each household in the Town.

*Proposed*

At least seven days prior to the date of the Annual Town Election or any Special Election, the Town ~~Administrator~~ **Manager** shall cause a printed copy of the Warrant to be delivered to each household in the Town.

**B. Article 3, Town Meeting - Section 3.4 - Delivery of printed warrant**

*Current*

At least seven days prior to the date of Annual Town Meeting, and 14 days for any Special Town Meeting, the Town Administrator shall cause a printed copy of the warrant to be delivered to each household in the Town.

*Proposed*

At least seven days prior to the date of Annual Town Meeting, and 14 days for any Special Town Meeting, the Town ~~Administrator~~ **Manager** shall cause a printed copy of the Warrant to be delivered to each household in the Town.

**C. Article 5, Officers of the Town - Section 5.9 - Annual Report**

*Current*

All boards, committees, commissions and officers of the Town shall annually submit a written report to the Town Administrator's office not later than September 15 following the close of the fiscal year. This report shall contain a statement of the activities of their department for the past fiscal year.

*Proposed*

All boards, committees, commissions, and officers of the Town shall annually submit a written report to the Town ~~Administrator's~~ **Manager's** office not later than September 15 following the close of the fiscal year. This report shall contain a statement of the activities of their department for the past fiscal year.

**D. Article 9, Planning Board - Section 9.3 - Responsibility**

*Current*

The duties of the Planning Board are outlined in M.G.L. Ch 40A and 41. The Board shall make rules and regulations relating to subdivision control, initiate Zoning Bylaws, hold public hearings on all Zoning Bylaws submitted to the Selectmen, and from time to time make studies of the resources and needs of the Town.

*Proposed*

The duties of the Planning Board are outlined in M.G.L., ~~Ch C.~~ 40A and 41. The ~~Board~~ **board** shall make rules and regulations relating to subdivision control, initiate Zoning Bylaws, hold public hearings on all Zoning Bylaws submitted to the Selectmen, ~~and~~ from time to time make studies of the resources and needs of the Town, **and revise and update the comprehensive plan.**

**E. Article 10, School Committee - Section 10.4.a - Responsibilities**

*Current*

The School Committee's responsibilities include but are not limited to the following:

- a. The School Committee shall establish educational policy and educational standards that are consistent with the requirements of the law and statewide goals and standards of the Massachusetts Board of Education.

*Proposed*

The School Committee's responsibilities include but are not limited to the following:

- a. The School Committee shall establish educational policy and educational standards that are consistent with the requirements of the law and statewide goals and standards of the Massachusetts ~~Board of Education~~ **Department of Elementary and Secondary Education.**

**F. Article 11, Selectmen - Section 11.11 - Traffic rules and regulations**

*Current*

The Selectmen, with the assistance of the Chief of Police, shall establish Traffic Rules and Regulations for the Town and such Traffic Rules and Regulations shall be filed with the Clerk of the Court having jurisdiction. The Clerk of the Selectmen or the Town Administrator shall keep up to date, in the office of the Selectmen, at least two copies of the Traffic Rules and Regulations, including all amendments.

*Proposed*

The Selectmen, with the assistance of the Chief of Police, shall establish Traffic Rules and Regulations for the Town and such Traffic Rules and Regulations shall be filed with the Clerk of the Court having jurisdiction. The Clerk of the Selectmen or the Town ~~Administrator~~ **Manager** shall keep up to date, in the office of the Selectmen, at least two copies of the Traffic Rules and Regulations, including all amendments.

**G. Article 12, Trustees of the Bedford Free Public Library - Section 12.4 - Responsibilities**

*Current*

- To establish policies with respect to the programs and services of the Library
- To receive and administer all funds and personal property bequeathed or donated to the Library

*Proposed*

- **To appoint a Library Director to supervise the operation of the library.**
- To establish policies with respect to the programs and services of the ~~Library~~ **library.**
- To receive and administer all funds and personal property bequeathed or donated to the ~~Library~~ **library.**

**H. Section 13, Finances - Section 13.1 - Finance Department**

*Current*

The Town Administrator shall appoint a Director of Finance. This Director shall oversee the general operations of the Finance Department, Treasurer, Town Collector, and Town Accountant. The offices of Treasurer and Town Collector may be held by the same person. The Town Administrator may appoint assistants to the offices as needed for continuity of operations within the appropriations for the various agencies.

*Proposed*

The Town ~~Administrator~~ **Manager** shall appoint a Director of Finance. This Director shall oversee the general operations of the Finance Department, Treasurer, Town Collector, and Town Accountant. The offices of Treasurer and Town Collector may be held by the same person. The Town ~~Administrator~~ **Manager** may appoint assistants to the offices as needed for continuity of operations within the appropriations for the various agencies.

**I. Section 19, Conservation Commission - Section 19.3 - Purpose**

*Current*

The purpose of the Commission is to protect the Town's environmental resources through enforcement of relevant State law and Town Bylaws and through management of properties acquired for conservation purposes.

*Proposed*

The purpose of the ~~Commission~~ **commission** is to protect the **environmental resources in the Town through administration and** ~~Town's environmental resources through~~ enforcement of relevant ~~State~~ **state** law and Town Bylaws and through management of properties acquired for conservation purposes.

**J. Article 43, Dog Regulations - Section 43.1(c) - Definitions**

*Current*

(c) "Dog Control Officer" means any person designated by the Town Administrator to enforce the requirements of this bylaw. Dog Control shall include all duties of the Dog Officer as listed in MGL and additional duties as specified by the Town Administrator.

*Proposed*

(c) "Dog Control Officer" means any person designated by the Town ~~Administrator~~ **Manager** to enforce the requirements of this bylaw. Dog Control shall include all duties of the Dog Officer as listed in MGL and additional duties as specified by the Town ~~Administrator~~ **Manager**.

**K. Article 46, Scenic Roads - Section 46.9 - Emergency and/or exempt work**

*Current*

Nothing in this Bylaw shall prevent any work being performed as the result of emergency conditions that threaten the lives and/or safety of the public.

*Proposed*

Nothing in this ~~Bylaw~~ **bylaw** shall prevent any work being performed as the result of emergency conditions that threaten the lives and/or safety of the public, **as determined by the Director of Public Works or his/her designee.**

**L. Article 46, Scenic Roads - Section 46.10.c - Enforcement**

*Current*

Non-criminal Disposition - In addition to the procedure for enforcement as described above, the provisions of this bylaw penalty for such violation shall be not more than \$300.00 per tree, or per incident may also be enforced by non-criminal disposition, as provided in M.G.L., Ch. 40, Sec. 21D. The resulting in the destruction of stone walls. No penalty shall be imposed for destruction of or damage to any tree of less than three inches caliper measured one foot from the ground.

*Proposed*

Non-criminal Disposition - In addition to the procedure for enforcement as described above, the ~~provisions of this bylaw~~ penalty for such violation shall be not more than \$300.00 per tree, or per incident **that results in the destruction of stone walls.** It may also be enforced by non-criminal disposition, as provided in M.G.L., ~~Ch. C. 40, Sec. § 21D.~~ **The resulting in the destruction of stone walls.**—No penalty shall be imposed for destruction of or damage to any tree of less than three inches caliper measured one foot from the ground.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Charter & Bylaw Review Comm.:	Recommended approval

Moderator declared motion adopted unanimously.

**Article 12**

**General Bylaw Amendments – Finances**

Joan Bowen made the following motion and the motion was seconded.

Voted, that the Town propose the following amendments to the Town of Bedford Bylaws:

**A. Article 13, Finances - Section 13.1.1 - Treasurer**

*Current*

The Treasurer shall be the custodian of all bonds and insurance policies belonging to the Town, except that the surety bonds of the Treasurer and Town Collector shall be in the custody of the Town Accountant.

*Proposed*

The Treasurer shall be the custodian of all **Town insurance policies, bonds related to municipal borrowings, and all public official surety bonds.** ~~bonds and insurance policies belonging to the Town, except that the surety bonds of the Treasurer and Town Collector shall be in the custody of the Town Accountant.~~

**B. Article 13, Finances - Section 13.1.2 - Town Collector**

*Current*

The Town Collector shall collect taxes when a tax list and warrant are furnished by the Assessors. The Collector shall transfer these receipts to the Treasurer and inform the Assessors of the tax collection status of all properties. The Collector shall perform all the duties of a Collector of Taxes established by the General Laws of the Commonwealth of Massachusetts.

*Proposed*

The Town Collector shall collect taxes when a tax list and warrant are furnished by the Assessors, **and revenue from water and sewer bills as generated by the Department of Public Works.** The Collector shall transfer these receipts to the Treasurer and inform the Assessors of the tax collection status of all properties. **The Collector shall inform the Department of Public Works of the collection status of water and sewer revenue.** The Collector shall perform all the duties of a Collector of Taxes established by the General Laws of the Commonwealth of Massachusetts.

**C. Article 13, Finances - Section 13.1.3 - Town Accountant**

*Current*

The Town Accountant shall have custody of all uncompleted contracts, agreements, and any attachments. Upon completion of a contract or agreement the Accountant shall maintain them as a part of the permanent records of the Town. A signed copy of an executed contract shall be filed with the Town Accountant promptly. This shall apply to all documents, including amendments and attachments.

*Proposed*

The Town Accountant shall have custody of all uncompleted contracts, agreements, and any attachments. Upon completion of a contract or agreement **for either the Town or School Department,** the Accountant shall maintain them as a part of the permanent records of the Town. A signed copy of an executed contract shall be filed with the Town Accountant promptly. This shall apply to all documents, including amendments and attachments.

**D. Article 17, Town Clerk - Section 17.4 - Custody of original documents**

*Current*

The Town Clerk shall keep all deeds, bonds and other original documents with their attachments relating to the affairs of the Town. The Town Clerk shall not allow deeds, bonds and other original documents of the Town to be taken from the Town Clerk's office except as they remain in the Town Clerk's custody or by authority of law.

*Proposed*

The Town Clerk shall keep all deeds, **surety bonds relating to developments,** and other original documents with their attachments relating to the affairs of the Town. The Town Clerk shall not allow deeds, bonds, and other original documents of the Town to be taken from the Town Clerk's office except as they remain in the Town Clerk's custody or by authority of law.

**RECOMMENDATIONS**

- |                               |                      |
|-------------------------------|----------------------|
| Selectmen:                    | Recommended approval |
| Finance Committee:            | Recommended approval |
| Charter & Bylaw Review Comm.: | Recommended approval |

Moderator declared this motion adopted unanimously.

**Article 13**

**General Bylaw Amendments – Housing Related**

Lisa Mustapich made the following motion and the motion was seconded.

Voted, that the Town propose the following amendments to the Town of Bedford Bylaws:

**A. Article 22, Affordable Housing Committee - Section 22.4 - Responsibilities**

*Current*

The Affordable Housing Committee shall develop criteria for eligibility and shall determine eligible applicants for affordable housing under the provisions of the Zoning Bylaw.

*Proposed*

The Affordable Housing Committee shall develop criteria for eligibility and shall determine eligible applicants for affordable housing ~~under the provisions of the Zoning Bylaw.~~

**B. Article 23, Bedford Housing Partnership - Section 23.4 - Responsibilities**

*Current*

The Housing Partnership shall:

- Develop criteria for eligibility and assist in the determination of eligible applicants for affordable housing under the provisions of the zoning Bylaw
- Investigate methods of land acquisition and affordable housing development
- Investigate sources of funding for land acquisition and affordable housing development.

*Proposed*

The Housing Partnership shall:

- Develop criteria for eligibility and assist in the determination of eligible applicants for affordable housing. ~~under the provisions of the zoning Bylaw~~
- Investigate methods of land acquisition and affordable housing development.
- Investigate sources of funding for land acquisition and affordable housing development.
- **Review all affordable housing proposals and make recommendations.**

**C. Article 41, Subsidized and/or Affordable Housing - Section 41.1.C - Option in lieu of reservation**

*Current*

- (1) As an alternative to reservation of land for Town purchase, the subdivider may elect to enter into partnership agreement with the Town, through the Board of Selectmen, to build subsidized and/or affordable housing units on the area of the tract which would have been reserved under Section 1/A. Provided that the Board of Selectmen agree to enter into such a partnership, Section 4 shall govern the maximum number of units which may be built.
- (2) As an alternative to reservation of land for Town purchase, the subdivider may elect to provide an alternate cash contribution to the Town or to a non-profit housing assistance corporation or trust designated by the Board of Selectmen to receive such funds in lieu of payment to the Town; such funds to be used to provide subsidized and/or affordable housing. The alternative cash contribution shall be calculated by multiplying five thousand dollars times each buildable acre or fraction thereof of the entire proposed subdivision.
- (3) The definition of "subsidized" and "affordable" housing shall be as follows:
  - a. "Subsidized" shall refer to dwelling units which are made available to the Bedford Housing Authority either for purchase within the price of limits allowed by the

Executive Office of Communities and Development, or for lease under federal or state rental assistance programs, through a long-term contractual agreement.

- b. "Affordable" shall refer to dwelling units which are available for rent or purchase to households earning up to one-hundred fifty (150) percent of the median income for the Boston Metropolitan Area as determined by the most recent calculation of the U.S. Department of Housing and Urban Development.

*Proposed*

- (1) As an alternative to reservation of land for Town purchase, the subdivider may elect to enter into partnership agreement with the Town, through the ~~Board~~ of Selectmen, to build subsidized and/or affordable housing units on the area of the tract which would have been reserved under Section 1/A. Provided that the ~~Board~~ of Selectmen agree to enter into such a partnership, Section 4 shall govern the maximum number of units which may be built.
- (2) As an alternative to reservation of land for Town purchase, the subdivider may elect to provide an alternate cash contribution to the Town or to a non-profit housing assistance corporation or trust designated by the ~~Board~~ of Selectmen to receive such funds in lieu of payment to the Town; such funds to be used to provide subsidized and/or affordable housing. The alternative cash contribution shall be calculated by multiplying five thousand dollars times each buildable acre or fraction thereof of the entire proposed subdivision.
- (3) The definition of "subsidized" and "affordable" housing shall be as follows:
  - a. "Subsidized" shall refer to dwelling units which are made available to the Bedford Housing Authority either for purchase within the price of limits allowed by the ~~Executive Office of Communities and Development~~ **Department of Housing and Community Development**, or for lease under federal or state rental assistance programs, through a long-term contractual agreement.
  - b. "Affordable" shall refer to dwelling units which are available for rent or purchase to households earning up to ~~one hundred fifty~~ **one hundred twenty (120)** percent of the median income for the Boston ~~Metropolitan Area~~ **metropolitan area** as determined by the most recent calculation of the U.S. Department of Housing and Urban Development.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Charter & Bylaw Review Comm.:	Recommended approval unanimously
Bedford Housing Partnership:	Recommended approval unanimously
Affordable Housing Comm.:	Recommended approval unanimously

Moderator declared motion adopted unanimously.

*Article 14*

**General Bylaw Amendments – Cable Television Committee**

Joan Bowen made the following motion and the motion was seconded.

Voted, that the Town propose the following amendments to the Town of Bedford Bylaw, Article 27 – Cable Television Committee:

**A. Article 27, Cable Television Committee - Section 27.3 - Purpose**

*Current*

The purpose of the Committee is to advise the Selectmen on licensing and operation of cable television in the Town.

*Proposed*

The purpose of the ~~Committee~~ **committee** is to advise the Selectmen on licensing and operation of cable television in the Town, **including matters pertaining to Public, Educational, and Governmental (PEG) access.**

**B. Article 27, Cable Television Committee - Section 27.4 - Responsibilities**

*Current*

The committee responsibilities are to:

- Monitor the Cable Operators' License
- Insure the Cable Operators' compliance with the license requirements
- Investigate any unresolved problems and complaints consumers have with the Cable Operator

*Proposed*

The committee responsibilities are to:

- Monitor the Cable Operators' ~~License~~ **license and the PEG Access Service Provider's contract for compliance;**
- **Inform relevant parties of instances of license or contract noncompliance;** ~~Insure the Cable Operators' compliance with the license requirements~~
- Investigate **and work to resolve any consumer unresolved problems relating to the operation of cable television.** ~~and complaints consumers have with the Cable Operator~~

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Charter & Bylaw Review Comm.:	Recommended approval

Moderator declared the motion adopted.

*Article 15*

**General Bylaw Amendments – Youth and Family Services Committee**

Joan Bowen made the following motion and the motion was seconded.

Voted, that the Town propose the following amendments to the Town of Bedford Bylaws:

**A. Article 35, Youth and Family Services Committee - Section 35.2 - Membership**

*Current*

The Youth and Family Services Committee shall consist of nine members appointed by the Selectmen for three year terms. At least four members shall be at-large and the remaining members should be representatives from constituent Town Departments such as Police, Schools, Public Health, Recreation or Selectmen.

*Proposed*

The Youth and Family Services Committee shall consist of nine members appointed by the Selectmen for three year terms: ~~At least~~ four members shall be at-large and the remaining **five** members ~~should~~ shall be representatives from constituent Town ~~Departments~~ **departments** such as Police, Schools, Public Health, Recreation, ~~or~~ **and** Selectmen.

**Additional advisory members from a broad base of constituencies such as parent associations, Hanscom Air Force Base, other community groups, youth, and veterans will be actively solicited. Such advisory members shall be non-voting members of the committee.**

**B. Article 35, Youth and Family Services Committee - Section 35.3 - Purpose**

*Current*

The purpose of Youth and Family Services is to coordinate and carry out programs designed to provide education and counseling about family development issues and to enhance community awareness about healthy lifestyles.

*Proposed*

~~The purpose of Youth and Family Services is to coordinate and carry out programs designed to provide education and counseling about family development issues and to enhance community awareness about healthy lifestyles.~~ **The purpose of the Youth and Family Services Committee is to advise the Town about programs and services in support of its mission, which is to identify and address the social, emotional, and developmental needs of children, youths, adults, and families in Bedford through programs and services that support and nurture.**

**C. Article 35, Youth and Family Services Committee - Section 35.4 - Responsibilities**

*Current*

Youth and Family Services shall

- Identify and assess the social and emotional concerns of youths, families, and adults, focusing on those in distress and with limited resources
- Develop and implement counseling services and educational programs for this population, coordinating with other town departments and the schools as well as other area resources
- Initiate educational programs for the public at-large about issues and choices related to a healthy family life, including the hazards of alcohol and drug use
- Solicit advisory members from a broad base of constituencies such as parent associations, Hanscom Air Force Base, other community groups, youth and veterans
- Provide linkage to entitlement programs such as veterans' benefits, fuel assistance, and medical assistance.

*Proposed*

**The Youth and Family Services Committee shall provide advice related to its primary functions:**

- ~~• Identify and assess the social and emotional concerns of youths, families, and adults, focusing on those in distress and with limited resources~~
- Develop and implement counseling services **for residents**, ~~and educational programs for this population~~, coordinating with other ~~town~~ **Town** departments and the schools, as well as other area resources.
- Initiate educational programs for the public at-large about issues and choices related to a healthy family life, including the hazards of alcohol and drug use.
- ~~• Solicit advisory members from a broad base of constituencies such as parent associations, Hanscom Air Force Base, other community groups, youth and veterans~~

- Provide **information about** linkage to **area resources, as well as** entitlement programs such as veterans’ benefits, fuel assistance, and medical assistance.
- **Promote youth empowerment through programs designed to educate in collaboration with Schools, Police, and other youth-serving organizations.**

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Charter & Bylaw Review Comm.:	Recommended approval

Moderator declared the motion adopted unanimously.

*Article 16*

**General Bylaw Amendment – Prohibition of Marihuana Use on Public Property**

Terence Cullen made the following motion and the motion was seconded.

Voted, that the Town approve the following amendments to the Town of Bedford Bylaws:

**Article 47, Streets, Sidewalks and Public Property - Section 47.18**

*Current*

Create new Section 47.18 entitled “Public Consumption of Marihuana or Tetrahydrocannabinol” and renumber remaining sections accordingly.

*Proposed*

**47.18.1 Public Consumption Forbidden**

No person shall smoke, ingest, otherwise use or consume marihuana or tetrahydrocannabinol (as defined in M.G.L., C. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the Town; or in any place accessible to the public.

**47.18.2 Enforcement**

The Police Department shall enforce this bylaw. This bylaw may be enforced, in the sole discretion of the enforcing agent, through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to M.G.L., C. 40, § 21, or by noncriminal disposition pursuant to M.G.L., C. 40, § 21D. The fine for violation of this bylaw shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this bylaw shall be in addition to any civil penalty imposed under M.G.L., C. 94C, § 32L.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Charter & Bylaw Review Comm.:	Recommended approval

Moderator requested the voters hold up the blue card for a hand count. Moderator declared motion adopted (In Favor-96, Opposed-93).

The Moderator stated the capital project article is similar to the budget article. The voter may call out a hold to place a hold on an item. The items that were not held would be voted on. The held items would be discussed and voted on separately. The Moderator announced that no secret ballot is required on the bonding articles but bond council wants a counted vote.

**Article 17**

**Capital Projects Plan – Fiscal Year 2011**

Mark Siegenthaler made the following motion and the motion was seconded.

Voted, that the Town appropriate the following sums for the items contained within the following proposed Fiscal Year 2011 Capital Projects Plan:

<b>Project</b>	<b>Project Name</b>	<b>Appropriation</b>
11-01	Equipment Vehicle Replacement	\$270,677.
11-02	School Facilities Capital Maintenance	\$80,000.
11-03	Wireless Networks – Lane and Davis Schools	\$33,000.
11-04	Computer Server and Network Equipment	\$23,000.
11-05	Road Resurfacing	\$250,000.
11-06	Public Safety Video Surveillance System Upgrade (Phase 2)	\$43,039.
11-07	Auto Scrubber – John Glenn Middle School	\$8,645.
11-08	Site Lighting – John Glenn Middle School	\$6,660.
11-09	School Furniture and Equipment Replacement	\$38,500.
11-10	Interior Painting – Fire Station	\$6,489.
11-11	Kitchen and Day Room Refurbishing – Fire Station	\$15,000.
11-12	HVAC Equipment Purchase – Facilities	\$5,000.
11-13	Soccer/Lacrosse Field Turf Replacement	\$10,000.
11-14	Sewer Force Main Evaluation	\$65,000.
11-15	Water Leak Detection	\$5,000.

And to fund said projects the sum of \$790,010 be raised from the tax levy for Projects 11-01 through 11-13; the additional sum of \$65,000 be transferred from the Sewer Fund for Project 11-14; and the additional sum of \$5,000 be raised in the water rates for Project 11-15;

And further that the Town appropriate the sum of \$170,000 for the rehabilitation of sewer pump stations as specified under Project 11-16 – Sewer Pump Station Rehabilitation; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$170,000 under Massachusetts General Laws, Chapter 44, Section 7(1), or any other enabling authority; and that the Selectmen are authorized to take any other action to carry out this project;

And further that the Town appropriate the sum of \$550,000 for water main improvements as specified under Project 11-17 – Water Main Improvements; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$550,000 under Massachusetts General Laws, Chapter 44, Section 8(5) or any other enabling authority; and that the Selectmen are authorized to take any other action to carry out this project;

And further that the Town appropriate the sum of \$204,500 for the purchase of an ambulance as specified under Project 11-18 – Ambulance Replacement; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$204,500 under Massachusetts General Laws, Chapter 44, Section 7(9) or any other enabling authority; and that the Selectmen are authorized to take any other action to carry out this project.

Selectmen: Recommended approval  
Finance Committee: Recommended approval

Capital Expenditure:

Recommended approval

Moderator declared those projects adopted unanimously: 11-02, 11-03, 11-04, 11-08, 11-10, 11-11, 11-12, 11-13- 11-14, 11-15. The held items were then voted on. Projects 11-01, 11-06, were adopted. Projects 11-05, 11-07 and 11-09 were adopted unanimously. Project 11-16 was adopted unanimously (In Favor-180, Opposed-0). Project 11-17 was adopted unanimously (In Favor-185, Opposed-0). Project 11-18 was adopted (In Favor-174, Opposed-8). The Moderator declared all three bonding articles to be adopted by two-thirds vote.

Walter St. Onge made a motion to pass Article 18 and the motion was seconded.

Joel Parks of 13 Ledgewood Drive made the following motion and the motion was seconded.

To amend Article 18 by adding after the words "1.67 miles" the words "from Concord Rd. to the town boundary with Town of Concord, a distance of less than 0.3 miles.

Jerome W. Pfeffer of 28 Battle Flagg Road made a motion to adjourn the Annual Town Meeting until tomorrow night at 7:30 PM in the High School Auditorium. The motion was seconded. The Annual Town Meeting adjourned at 11:01 PM.

Jerome Pfeffer gave a notice of reconsideration for Article 16.

## **ANNUAL TOWN MEETING**

**MARCH 23, 2010**

The Moderator called the Town Meeting to order at 7:35 p.m. A quorum of one hundred and sixty voters was present. The Moderator announced that Jerry Pfeffer gave a notice of reconsideration for Article 16.

The Town Meeting is the business meeting of the Town. The rules are in the back of the warrant. A voter may not speak unless the Moderator recognizes them. The voter must stand at the microphone. Name and address are required to speak. A voter may not speak more than twice in debate unless they have permission from the Moderator unless there is a question. Questions must be directed through the Moderator. Amendments must be in writing for the Town Clerk and Moderator. She said that the voter required a green card for hand counts. If they did not pick one up, go out to check-in. If the participant is not registered to vote they must sit in the taped off section behind the tellers. The tellers are the same election workers as last night. They did a great job. They will be required to assist with several hand counts tonight. The tellers for the evening are: Rosemary Dyer, Gloria Moll, Charles Rosenberg and Janet Schimelfenyg.

The Moderator updated the voters on where they are tonight. She said it is unusual to adjourn in the middle of an article. A motion is on the floor presented by Walter St. Onge to create an asphalt bike path.

Joel Parks of 13 Ledgewood Drive made the following motion and the motion was seconded.

To amend Article 18 by adding after the words "1.67 miles" the words "from Concord Rd. to the town boundary with Town of Concord, a distance of less than 0.3 miles.

The Moderator stated that before any other amendments are presented. A vote will be taken on the Joel Parks amendment. The amendment will amend the original motion. If you wish to present amendments, use the language in the warrant or create your own. We will vote on one amendment at a time which will determine whether the bike path will be asphalt, stone dust or as is earth and gravel.

The Moderator announced the vote on the Joel Parks amendment to extend the bike path to Concord. The Moderator declared the amendment defeated. Seven voters questioned the Moderator. A hand count was taken. The Moderator announced the amendment adopted (In favor-121, Opposed-80).

Rachel Field of 380 Concord Road made the following motion.

I move to amend article 18 to replace the original motion with the following language:

To determine whether the Town will vote to authorize the services for refurbishment of the former Reformatory Branch of the Middlesex Central Railroad bed from a point near Railroad Avenue to its intersection with Concord Road, a distance of 1.67 miles, said services being for the purpose of maintaining the property so as to foster its continued use as an unpaved trail, said services subject to later appropriation.

The Moderator declared the motion defeated (In favor-109, Opposed-125).

Jerome W. Pfeffer of 28 Battle Flagg Road made the following motion and the motion was seconded.

To amend the amendment to delete the following words:

“from Concord Rd. to the town boundary with Town of Concord, a distance of less than 0.3 miles.”

The Moderator declared the motion defeated (Yes-96, No-119).

The Moderator announced that after the Rachel Field and Jerome W. Pfeffer amendments we are back to the original motion.

Kenneth A. Hall of 7 Sheridan Road made the following motion and the motion was seconded:

I move to make the following changes to Article 18 as presented:

Change from: “...design services for the construction of bituminous asphalt paved bike path...:

Change to: “... design services for the construction of bituminous asphalt paved bike path or a stone dust surface bike path...”

Change from: “...and from Railroad Avenue to South Road, a distance of 0.30 miles...”

Change to: “...and from Railroad Avenue to South Road, a distance of 0.30 miles, and a connecting asphalt sidewalk from Sheridan Road to the bike path, a distance of 0.2 miles...”

The Moderator declared the motion defeated.

Janet L. Powers of 10 School Way made the following motion and the motion was seconded.

I move to amend article 18 to include the following wording:

That an adhoc committee, appointed by the Selectmen, be created to make recommendations to accommodate all users safely and to retain the rural nature of West Bedford. The committee shall be comprised of at least one member of the Selectmen, Transportation Advisory Committee, the Bicycle Advisory Committee, Community Preservation, Planning Board, and two members from the community at large who are concerned for pedestrian access and safety and upholding the goal of retaining the “Small Town Character” of the path.

The Moderator declared the motion defeated.

The Moderator stated we will now vote on the main motion adding the language to the Concord line. Moderator declared motion adopted.

### ***Article 18***

#### **Former Reformatory Branch Improvement**

Walter St. Onge made the following motion and the motion was seconded.

Voted, that the Town authorize the design services for the construction of a bituminous asphalt paved bike path upon the former Reformatory Branch of the Middlesex Central Railroad from a point near Railroad Avenue west to its intersection with Concord Road, a distance of 1.67 miles, from Concord Road to the Town boundary with the Town of Concord, a distance of less than 0.3 miles and from Railroad Avenue to South Road, a distance of 0.30 miles, said design services subject to later appropriation at this Town Meeting under Article 19 – Community Preservation Fund – Fiscal Year 2011, Item 2 – Reformatory Branch Trail Improvements.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Planning Board:	Recommended approval
Bicycle Advisory Committee:	Recommended approval
Transportation Advisory Comm.:	Recommended approval

The Moderator declared motion adopted (In favor-149, Opposed-80).

Catherine Cordes made the following motion and the motion was seconded.

Voted, that Article 20 is advanced for consideration so as to precede Article 19.

Moderator declared motion adopted unanimously.

***Article 20***

**Community Preservation Land Acquisition Fund Amendment & Bond Authorization**

Catherine Cordes made the following motion and the motion was seconded.

Voted, that the Town amend the vote taken under Article 10 - Community Preservation Land Acquisition Fund of the 2004 Annual Town Meeting as later amended by Article 8 - Community Preservation Land Acquisition Fund of the 2005 Special Town Meeting and further amended by Article 11 - Community Preservation Land Acquisition Fund of the 2006 Special Town Meeting by amending the real property specified for acquisition in said articles so as to add Parcel 54 on Assessors Map 48, located at 135 Old Burlington Road consisting of 1.7 acres +/-, and Parcel 93 on Assessors Map 68, located at 350 Concord Road consisting of 3.6 acres +/-, and, in so amending, thereby authorize the purchase of all or any portion of the parcels so specified, as well as any real property interest in the parcels so specified;

And further that the Town appropriate the sum of \$5,000,000 under the Community Preservation Program, including the cost of the issuance of bonds or notes, for the acquisition of any parcel or parcels of land specified for acquisition in said Community Preservation Land Acquisition Fund; that to meet this appropriation the Treasurer, with the approval of the Selectmen, be authorized to borrow said sum of \$5,000,000 under the General Laws, Chapter 44, Section 7(3) or Chapter 44B, Section 11, or any other enabling authority.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Community Preservation Comm.:	Recommended approval
Planning Board:	Recommended approval
Conservation Commission:	Recommended approval

Moderator stated this motion requires bonding which requires a two-thirds vote. A hand count was taken. Moderator declared motion adopted by two-thirds vote and unanimous vote (In favor-219, Opposed-0).

Catherine Cordes presented the Community Preservation Committee Report.

The Moderator announced the Community Preservation Budget is similar to the operating budget and capital budget. Indicate a hold to ask a question. The items not held will be voted on. The held items will be discussed and voted on separately.

**Article 19**

**Community Preservation Budget – Fiscal Year 2011**

Catherine Cordes made the following motion and the motion was seconded.

Voted, that the Town appropriate the following amounts from the Community Preservation Fund for the following purposes utilizing FY11 Community Preservation Funds unless otherwise specified:

1.	Administrative	\$25,000
2.	Reformatory Branch Trail Improvements	\$210,000
4.	Old Reservoir Dam - Preservation of Open Space	\$350,000
5.	Affordable Housing Consultant	\$10,000
6.	Land Acquisition Fund	\$533,185 with \$133,185 transferred from CPA Open Space reserves and \$400,000 transferred from the Community Preservation available fund balance
7.	National Registry Project (partial grant)	\$7,200
8.	New Trails on Conservation Land	\$36,583.89 transferred from Item G. within Article 12 of the 2004 Annual Town Meeting

9.	Old Town Hall (bond payment)	\$315,038
10.	Sidewalk Project	\$200,000
11.	Town Hall Mechanical, Engineering, and Plumbing (MEP) Study	\$25,000
12.	Town Center North Wing Project (bond payment)	\$4,984
13.	Affordable Housing Reserves	\$117,722
14.	Recreation Reserves (Field Creation)	\$150,000

**RECOMMENDATIONS**

Selectmen:	Recommended approval
Finance Committee:	Recommended approval
Capital Expenditure Comm:	Recommended approval

Moderator declared motion to vote on the unheld items to be adopted unanimously. Moderator declared that item 7 was adopted unanimously. Moderator declared that item 14 was adopted.

**Article 21**

**Supplement Operating Budgets for Fiscal Year 2010**

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that Article 21 is indefinitely postponed.

**RECOMMENDATIONS**

Selectmen:	No position
Finance Committee:	No position

The Moderator stated the motion requires a two-thirds vote and is not debatable. Moderator declared Article 21 indefinite postponement adopted unanimously.

**Article 22**

**Supplement Articles of Annual Town Meeting of 2009**

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that Article 22 is indefinitely postponed.

**RECOMMENDATIONS**

Selectmen:	Recommended approval
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Finance Committee:

Recommended approval

The Moderator stated the motion requires a two-thirds vote and is not debatable. Moderator declared Article 22 indefinite postponement adopted unanimously.

**Article 23**

**Salary Administration Plan Bylaw Amendment -  
Classification and Wage Schedule**

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that the Town amend the Salary Administration Plan Bylaw, as amended, by striking out the present Classification and Wage Schedule and inserting in place thereof a new Classification and Wage Schedule, hereinafter set forth, to become effective July 1, 2010, unless another effective date is set forth herein.

**A. Management / Professional Schedule (Annual)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
<b>M-21</b> DPW Director Fire Chief Police Chief	81,748	99,120	116,491
<b>M-20</b> Facilities Director Finance Director	77,855	94,400	110,944
<b>M-18</b> Capital Project Manager	70,013	84,015	98,018
<b>M-17</b> Code Enforcement Director / Building Inspector DPW Engineer Library Director	66,121	78,519	90,917
<b>M-16</b> Accountant Associate Assessor Health Director Information Systems Manager Planning Director Treasurer / Collector	61,796	73,382	84,969
<b>M-15</b> Assistant Town Manager Council on Aging Director DPW Business Manager Grounds Operations Manager Highway Operations Manager Human Resources/Management Analyst Recreation Director Town Clerk Water & Sewer Operations Manager	57,827	67,947	78,066

Youth & Family Services Director			
<b>M-14</b>	53,543	62,913	72,284
Assistant Library Director			
<b>M-13</b>	49,651	57,719	65,787
Civil / Environmental Engineer			
Community Nurse			
Conservation Administrator			
Facilities Information and Procurement Analyst			
Facilities Operations Manager			
GIS Analyst			
Local Building Inspector			
Assistant Recreation Director			
Senior Librarian			
Technical Support Specialist			
<b>M-12</b>	45,551	52,953	60,355
Assistant Assessor			
Building & Systems Superintendent			
Elder Services Coordinator			
Engineering Technician			
Health Agent			
Librarian			
Prevention Services Coordinator			
School-Age Child Care Director			
<b>M-11</b>	41,860	48,139	54,418
Archivist			
Assistant to the Accountant			
Assistant to the Treasurer / Collector			
Engineering Assistant			
Human Services Assistant			
Youth & Family Services Counselor			
<b>M-10</b>	38,055	43,763	49,471
Respite Care Coordinator			
Senior Library Technician			
Youth Worker			
<b>M-9</b>	34,660	39,426	44,192
Animal Control Officer			
School Traffic Supervisor			
<b>M-7</b>	28,190	31,713	35,237
Assistant Youth Worker			
<b>B. Secretarial Clerical (35 hr/wk)</b>	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Administrative Assistant II	722.58	821.93	921.29
Administrative Assistant I	669.26	761.29	853.31
Department Assistant III	627.22	705.62	784.02
Department Assistant II	580.52	653.09	725.65

Department Assistant I			544.03	605.24	666.44	
<b>C. Library (40 hr/wk)</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	
Library Assistant II	15.69	16.32	16.94	17.64	18.35	
Library Assistant I	14.53	15.11	15.69	16.33	16.99	
Library Page	8.51	8.83	9.14	9.46	9.77	
Custodian	14.47	15.03	15.65	16.28	16.91	
<b>D. Public Works (40 hr/wk)</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	
Chief Water System Operator (c.)	904.60	949.83	997.33	1,047.21	1,099.57	
Chief Sewer System Operator (c.)	904.60	949.83	997.33	1,047.21	1,099.57	
Working Foreman (c.)	904.60	949.83	997.33	1,047.21	1,099.57	
Electrician (c.)	889.32	924.92	961.90	1,000.39	1,040.40	
Maintenance Craftsman (c.)	873.37	908.31	944.65	982.44	1,021.74	
Mechanic (c.)	873.37	908.31	944.65	982.44	1,021.74	
Water System Operator (c.)	873.37	908.31	944.65	982.44	1,021.74	
Sewer System Operator (c.)	873.37	908.31	944.65	982.44	1,021.74	
Assistant Working Foreman (c.)	873.37	908.31	944.65	982.44	1,021.74	
Heavy Equipment Operator (c.)	791.81	823.48	856.42	890.68	926.31	
Summer Laborer (interim / seasonal)	11.60/hr					
<b>E. Public Health (c.)</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
School Registered Nurse - licensed (annual)	40,659	42,488	44,400	46,398	48,486	50,668
	<b>Step 7</b>	<b>Step 8</b>				
	52,948	55,331				
School Registered Nurse - unlicensed (annual)	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
	37,046	38,898	n/a	n/a	n/a	n/a
School Registered Nurse - licensed (PT hourly)	31.22	32.63	34.10	35.64	37.24	38.92
	<b>Step 7</b>	<b>Step 8</b>				
	40.67	42.50				
School Registered Nurse - unlicensed (PT hourly)	<b>Step 1</b>	<b>Step 2</b>				
	28.45	29.88				
<b>F. Public Safety - Fire (42 hr/wk)</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
Captain Fire Prep. (40 hr/wk) (c.)	1,232.03	1,265.02	1,358.65	1,394.05	1,429.96	1,465.07
Lieutenant - Fire (c.)	1,048.96	1,068.12	1,137.52	1,157.64	1,177.85	1,212.95
Private - Fire (c.)	893.77	910.05	968.86	985.90	1,003.02	1,038.12
Student Firefighter	659.53	/wk.				
Call Lieutenant	2,970.40	/yr. max	3,184.17	/yr. max with EMT		
	15.00	/hr.	15.77	/hr. Spec. Assign.		
Call Firefighter	2,531.78	/yr. max	2,687.24	/yr. max with EMT		
	13.62	/hr.	14.28	/hr. Spec. Assign.		
<b>G. Public Safety - Police (37.5 hr/wk)</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	
Lieutenant - Police (c.)			1,357.25	1,381.19	1,405.23	
Sergeant - Police (c.)			1,170.04	1,190.68	1,211.41	
Patrol Officer - Police (c.)	935.15	952.23	1,013.95	1,031.84	1,049.80	
Student Police Officer	659.53	/wk.				
Police Matron	18.50	/hr.	20.08	/hr. nights and weekends		
<b>H. Public Safety - Dispatch (40 hr/wk)</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
Emergency Communications Officer (c.)	678.91	712.85	748.49	785.92	825.21	866.47

**I. Recreation Programs**

**School-Age Child Care Program (40 hr/wk)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Assistant Director	16.00	18.50	21.00
Group Leader	12.00	15.93	19.86
Aide (High School)	8.00	9.00	10.00

**Youth Center Staff (Hourly - effective September 1, 2009)**

Supervisor	17.00
Adult Staff (H.S. Graduates)	15.00
Junior Staff (H.S. Students)	10.00

**Springs Brook Park Program (Hourly - effective May 15, 2010)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Director/Manager	20.55	27.76	34.96
Aquatics Director	18.00	21.50	25.00
Assistant Director	14.00	17.00	20.00
Supervisor	12.00	13.00	14.00

	<b>Level A</b>	<b>Level B</b>	<b>Level C</b>	<b>Level D</b>	<b>Level E</b>
Swimming Staff III	11.85	12.15	12.45	12.75	13.05
Swimming Staff II	10.54	10.76	10.98	11.25	11.55
Swimming Staff I	9.44	9.66	9.88	10.10	10.32
Crew IV	9.30	9.50	9.70	9.90	10.10
Crew III	8.30	8.50	8.70	8.90	9.10
Crew II	7.30	7.50	7.70	7.90	8.10
Crew I	6.50	6.65	6.80	6.95	7.10

**Summer Adventures/Summer Recreation Programs (Hourly - effective May 15, 2010)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Director	19.51	24.09	28.66
Program Leader	15.37	18.80	22.22
Assistant Director	17.70	19.64	21.59

	<b>Level A</b>	<b>Level B</b>	<b>Level C</b>	<b>Level D</b>	<b>Level E</b>
Supervisor	16.00	16.40	16.81	17.23	17.66
Administrative Coordinator	16.00	16.40	16.81	17.23	17.66
Program Staff	12.00	12.66	13.36	14.09	14.87
Counselor (HS Grad) *	8.50	9.00	9.50	10.00	10.50
Counselor (HS) *	7.50	7.75	8.00		
Assistant Counselor	7.25	7.50	7.75		
Aide	6.00	6.25			

Overnight Stipend 100.00 /night

\* Add for Certifications: \$.50/hr. CPR, \$.50/hr. First Aid, \$.50/hr. Life Guard Training

**Instructional Programs (hourly)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Program Instructor II	25.00	37.50	50.00
Program Instructor I	15.00	20.00	25.00

	<b>Level A</b>	<b>Level B</b>	<b>Level C</b>	<b>Level D</b>	<b>Level E</b>
Program Aide	10.00	11.25	12.50	13.75	15.00

**J. Miscellaneous**

	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
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Local Transportation Oper./Coord. (40 hr/wk)	832.97	848.31	863.54	877.95	892.59
Recording Secretary	15.47	/hr.	Alt. / Asst. Inspectors		26.87 /hr.
Temporary Clerk II	9.72	/hr.	Wiring Inspector		29.34 /hr.
Temporary Clerk I	8.51	/hr.	Plumbing & Gas Inspector		27.95 /hr.
Substitute Local Transportation Operator	17.48	/hr.			
Youth Leader	8.51	/hr.			
			<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Temporary Painter			22.60/hr.	23.49/hr.	24.38/hr.

**(c.) Per Labor Contract**

**RECOMMENDATIONS**

Selectmen: Recommended approval  
 Finance Committee: Recommended approval

Moderator declared the motion adopted unanimously.

The Moderator announced on the budget as items are read place a hold to ask a question. Vote on the items not held first. Discuss and vote on the held items individually.

**Article 24**

**Operating Budgets – FY11**

Thomas Busa made the following motion and the motion was seconded.

Voted, that the Town appropriate for expenditures in the fiscal year beginning July 1, 2010 the following sums to be raised in the tax levy unless otherwise herein specified:

**FISCAL YEAR 2011 OPERATING BUDGET MOTION**

#	Department	Account	FY 2011 Recommended	Segregations Description	Amount
1220	Selectmen		486,225	Salaries:	
				Chairman	2,000
				Clerk	1,500
				Other Selectmen, each	1,200
				Office	348,659
1300	Finance/Administrative Services		913,869	Salaries	673,044
				Capital Outlay	32,600
				From Sewer Fund	69,300
1301	Insurance & Benefits		9,459,367	From Sewer Fund	113,196
				From Pension Trust Fund	190,031





5001 Hazardous Waste	13,250		
5003 Mosquito Control	33,489		
5400 Bedford Local Transit	56,070	Salaries	55,388
5410 Council on Aging	166,158	Salaries	154,494
		MMHC	2,756
		Capital Outlay	1,332
5420 Youth & Family Services	340,183	Salaries	171,983
6100 Public Library	1,130,265	Salaries	767,428
		Capital Outlay	5,000
6300 Recreation Commission	150,720	Salaries	150,720
6910 Historic Preservation Commission	1,220		

**RECOMMENDATIONS**

Selectmen: Recommended approval  
 Finance Committee: Recommended approval

The Moderator declared the items not held that portion of the budget adopted unanimously. The following held items were adopted unanimously: 1220 Selectmen, 1301 Insurance & Benefits, 1303 Principal and Interest requires a two-thirds vote due to the Stabilization Fund, 2010 Police, 3001 Vocational Education, 5003 Mosquito Control, 5400 Bedford Local Transit, 6300 Recreation Commission and 3000 School Committee.

The Moderator announced the budget is complete.

The Moderator requested the voters stay to finish three articles.

**Article 25**

**Salary Plan Additional Funding**

Walter St. Onge made the following motion and the motion was seconded.

Voted, that the Town raise and appropriate the sum of \$141,318 to fund salary adjustments for employees assigned to positions within the Salary Administration Plan Bylaw Classification and

Wage Schedule, Sections A and B thereof.

RECOMMENDATIONS

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator declared motion adopted unanimously.

*Article 26*

**Fund Post Retirement Benefits Liability**

Thomas Busa made the following motion and the motion was seconded.

Voted, that the Town raise and appropriate the sum of \$150,000 for the Post Retirement Insurance Liability Fund as further specified in the printed Warrant.

RECOMMENDATIONS

Selectmen:	Recommended approval
Finance Committee:	Recommended approval strongly

Moderator declared motion passed unanimously.

Michael Rosenberg made a motion to waive item C of the debate rules and the motion was seconded. The Moderator declared the motion adopted.

*Article 27*

**Free Cash**

Thomas Busa made the following motion and the motion was seconded.

Voted, that the Town will transfer the sum of \$1,894,000 from surplus revenue to reduce the tax levy for the fiscal year commencing July 1, 2010.

RECOMMENDATIONS

Selectmen:	Recommended approval
Finance Committee:	Recommended approval

Moderator declared motion adopted unanimously.

Michael Rosenberg made a motion to adjourn the Annual Town Meeting sine die. The motion was seconded. The Annual Town Meeting adjourned at 10:49 PM.