

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
January 27, 2021  
Virtual**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, January 27, 2021, via the Zoom platform. Participating were Dave Gilbert (Chair), Denise Ricciardi (Vice Chair), Councilors Phil Greazzo, Melissa Stevens, Bill Duschatko, Lori Radke, and Bill Carter. Also present was Town Manager Rick Sawyer.

Chairman Gilbert opened the meeting at 7:00 PM and read the following statement:

As Chairman of the Council I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that: We are providing public access to the meeting by telephone, with additional access live on BCTV Comcast Channel 22 or streaming online by going to the Town website and choosing BCTV under "departments" and clicking on Channel 22. We are utilizing an online platform called Zoom for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through this platform. The public can call into this meeting via the instructions that are being shown on the BCTV broadcast. If anybody has a problem accessing the meeting via the phone please email us at: [councilors2@bedfordnh.org](mailto:councilors2@bedfordnh.org). In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Chairman Gilbert did roll call attendance.

**Roll call: Carter-alone, Duschatko-alone, Greazzo-alone, Radke-alone,  
Ricciardi-alone, Stevens-alone, Gilbert-alone.**

## **2. PUBLIC COMMENTS**

Kathleen Bemiss, 37 Magazine Street, talked about a project that she's been working on regarding Chubbuck Road property, specifically 19 Chubbuck Road and 77 Chubbuck Road for a total of 140 acres. She was working to see if that open land would be appropriate for conservation. That parcel of land was specifically documented in the 2005 Prime Wetlands Study. It's also mentioned in the Open Space Study of 2009 and is referred to in the 2020 Master Plan as open space. She had conversations with Rick Sawyer and Becky Hebert as well as members of the Conservation Commission as well as Chris Wells who is the head of the Piscataquog Land Conservancy, which oversees all of the Town's easements. Mr. Wells thought it was a great idea to conserve whatever land they have possible. Heh also recommended that they look at the Chubbuck Road

property and come up with a cohesive plan for development for it if there's going to be development. She mentioned DPW's plan to expand so they need to put a plan together about what kind of land encroachment that's going to involve and what they think as a town is appropriate for that. That property would be contiguous so you could go from Legacy Park to Spring Hill, which is also an open area and very close to the Van Loan properties. If they weren't to put it into a conservation easement, Mr. Wells mentioned a Town forest on the spring ballot and the Town would vote on it. It puts it into conservation, but not it's not permanent. Being a Town forest would protect it, but also give the Town flexibility on what they could do with it in the future. The Town has spent a lot of money and raised a lot of money in the past to purchase Joppa Hill, the Benedictine property and they continue to look at other properties in Town to purchase to put into conservation. The Town already owns this property, which has open land, wetlands and some trails. It would make sense to put this into some sort of conservation to protect it for future generations. She is going to continue to work with the Town Council, the Town staff, and the Piscataquog Land Trust and would like the Town Council to work with her to protect this property. She intends on putting together a more formal presentation together, but just wanted to keep them apprised of where she's at in the planning process for that area.

Mark Murai, 15 Shaw Drive, stated that he's against their proposed Charter amendment #1 and is asking that they strike it from the March ballot. He thanked the Council members and Planning Board members who took the time to reply to his emails and phone calls. The purpose states that the amendment removes the Town Manager and Public Works Director as voting members of the Planning Board making it solely comprised of citizen members. He thought the purpose outlined was misleading. He stated that Public Works Director Jeff Foote was a Bedford resident and has been for close to 20 years. To insinuate that neither of these two current Board members that they are proposing to kick off the Planning Board are not citizens of Bedford is somewhat deceitful. He went through a list of reasons they've used for justification including Rick Sawyer wasn't a Bedford resident. He stated that the only reason that the Town was fortunate enough to have a Town Manager as outstanding as Rick Sawyer was because The Town Council eliminated the residency requirement. Another reason was that no other town has their town manager and public works director as voting members of their planning boards. He wanted to know since when did Bedford become a follower. Bedford prides themselves in their Aaa rating. They didn't achieve that rating because they follow what other towns do. They've earned and maintained that rating because they have Rick Sawyer as their town manager. Bedford doesn't look to other town on how to do things. Other towns look to Bedford for how to do things and how to do them right. Bedford is the gold standard when it comes to creating and maintaining a robust and thriving community. He's been actively viewing Town meetings including Planning Board meetings for close to five years and not once has he witnessed Rick Sawyer or Jeff Foote make a decision that was not in the best interest to the citizens of Bedford. He's also witnessed both Rick and Jeff catching things that certain developers were trying to sneak under the radar and had it not been for Rick or Jeff, they would have been successful at sneaking those things by. He reminded everyone that before serving as Town Manager, Rick Sawyer successfully served as the Planning Director for the Town, which he thought made him the most or one of the most qualified people to serve on the Planning Board as a voting member.

They will be required to attend meetings at the Planning Board's discretion and he wanted to know which of them would be happy with getting served a demotion at your place of employment, because that's exactly what this is; an unjustified and unsubstantiated demotion. Being forced to still sit there and attend Planning Board meetings just in case one of the remaining Board members had a question that could only be answered by Rick or Jeff. Based on his first-hand knowledge, he can say with some degree of certainty that they will be called upon at every meeting, because he has never seen a single Planning Board meeting where Board members didn't have questions that required the institutional knowledge that both Rick Sawyer and Jeff Foote possess. He asked them to think of a vote that Rick Sawyer or Jeff Foote had made where they were not representing the best interest of the Town. He didn't think that any of them could name a single time that that was the case. He thought the only ones benefitting from removing Rick Sawyer and Jeff Foote from the Planning Board were those who appear in front of the Planning Board with proposals. He thought to remove Rick Sawyer and Jeff Foote from the Planning Board would be a decision that would prove to be a detriment to the Bedford residents, which is the type of decision that Rick Sawyer and Jeff Foote have ever made in their time of serving as voting members on the Planning Board. Not only does he opposed this proposed amendment, but he will actively work to defeat Charter Amendment #1 by dedicating his personal time and energy to doing so. That's how big a mistake he believed this current Council's decision to be. He urging the Council to strike the proposal from the March ballot.

Chairman Gilbert asked Mr. Jeff Foote to clarify his residence. Mr. Foote stated that he was a resident of Concord, NH. Mr. Murai stated that it was his mistake and apologized. He didn't speak to Jeff or Rick for information; he did his own research and that's the information he pulled up on Jeff and he apologized.

Peter Sullivan, 41 Magazine Street, stated that he's appeared before the Town Council several times over the last few years voicing his agreement with some of the different projects that have come forward. He appreciated Kathleen Bemiss and the work she's doing and agreed with her on just how important the wetlands were and the Chubbuck Road property was for wildlife. His property abuts that land and he enjoys being outside and seeing the birds and the different wildlife. He spoke to someone from the UNH Cooperative Extension who had come out to his property and he was blown away by what an incredible habitat that wetlands area was in such a built up area. Hopefully his opinions have lent some weight to Kathleen Bemiss and what she was saying of how important this conservation area is. It is a little gem and it's definitely worth protecting and agreed that it made sense to have a coherent plan as far as how it's going to be used by the Town. A plan that involved input from the residents and all of the different parties and something that is going to be a good comprehensive plan going forward rather than just willy nilly. He would be happy to be involved and help out with that, because he knows it's going to take some leg work.

### **3. PUBLIC HEARINGS**

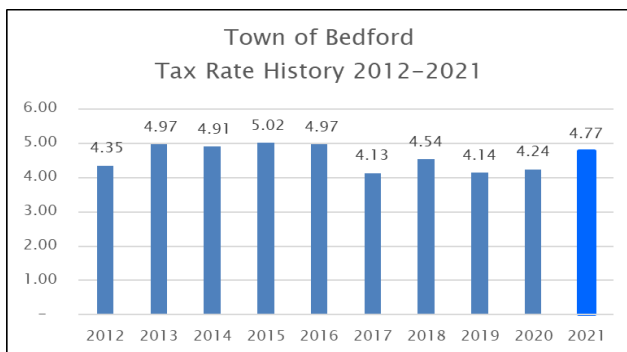
#### **a. Second public hearing on the proposed 2021 budget**

Mr. Sawyer explained that the Town Council held a Budget Workshop on the proposed budget on November 7<sup>th</sup> and also discussed and made changes to the budget at the November, December and January Council meetings that resulted in a total combined operating and capital budget appropriation of 36,636,145, which represents a \$0.53 cent increase over the 2020 tax rate for a new estimated rate of \$4.77. Two new items were presented in the staff reports that offer four potential motions. The first item was to request an increase to an Associate Planner position from 25 to 40 hours a week as a result of a long-time employee retiring and the ability to address additional goals of the Conservation Commission and the community. The 2<sup>nd</sup> item as a result of the ladder truck bid coming in a little lower than expected with some additional financing and equipment savings, he believed they could reallocate some of the funds set aside back in December for this purchase with the use of some additional 2020 year end funds to reduce the 2021 budget by purchasing the necessary Police vehicles that are included in the budget with 2020 funds. This change would reduce the tax rate by approximately \$0.035. Mr. Sawyer showed the following slides:

|                                   | 2020 Adopted GF Budget* | 2021 PROPOSED TOWN COUNCIL GF BUDGET |
|-----------------------------------|-------------------------|--------------------------------------|
| OPERATING BUDGET (GENERAL FUND)   | 31,071,678              | 33,732,278                           |
| Fund Balance Reserve Contribution | (2,300,000)             | (3,500,000)                          |
| TOTAL GROSS BUDGET                | 28,771,678              | 30,232,278                           |
| Increase to Overlay               | 13,406                  | -                                    |
| Plus Veterans' Exemptions         | 499,500                 | 499,500                              |
| Municipal Revenues                | (11,924,585)            | (11,128,834)                         |
| Net Budget/Tax Levy               | 17,359,999              | 19,602,944                           |
| Net Assessed Valuation            | 4,092,109,157           | 4,112,109,157                        |
| EST TAX RATE                      | 4.24                    | 4.77                                 |

\* Adjusted for \$27k in appropriation reductions voted by Council in August as authorized under State emergency order 56 that allows municipalities to reduce appropriations in order to offset lost revenues due to the pandemic.

**Tax Burden on a \$400k home:**



| Year | Rate | Increase\$ | Total (\$) |
|------|------|------------|------------|
| 2016 | 4.97 | -20        | 1,988      |
| 2017 | 4.13 | -336       | 1,652      |
| 2018 | 4.54 | 164        | 1,816      |
| 2019 | 4.14 | -160       | 1,656      |
| 2020 | 4.24 | 40         | 1,696      |
| 2021 | 4.77 | 212        | 1,908      |

**MOTION by Councilor Carter to open the public hearing. Seconded by Councilor Duschatko.**

**Roll call: Stevens-aye, Ricciardi-aye, Radke-aye, Greazzo-aye, Duschatko-aye, Carter-aye, Gilbert-aye.**

Pete Kujawski, 127 Gage Girls Road, thought it was the wrong year to raise taxes. There are a lot of them in Bedford that have experienced extreme hardships. He has a son and a wife who have been unemployed since March and he's been forced to take a 25% cut in pay because of the COVID-19 pandemic. He thought there had to be ways to decrease the tax burden, not increase it in this particular year. He thought they should defer maintenance, defer capital equipment purchases, they have to be able to find ways other than giving them the burden of the tax increase. It's not fair.

Steve Rizzo, 223 Pulpit Road, understands Mr. Kujawski and agreed that it's a tough year to do this. A lot of people are under lots of stress. He stated that he couldn't find the most recent annual report on the website and thought it should be there. He mentioned the Rooms & Meals tax and heard that the State was holding back money. He thought that was something that could be looked into. He mentioned DC and money trickling down to the towns. He knows some if it came down for PPE and school, but if the Town got some it would help; if they push back on the State and the State pushes back on the Federal government. He appreciates all they are doing and knows it's a tough time. He wanted to know the balance of the General Fund. Finance Director Tammy Penny stated that the balance for the end of 2019 was \$18,065,364, but they didn't have the numbers for 2020 yet, because they are still posting to 2020. Mr. Rizzo stated that they have basically one half of the budget in that fund. Ms. Penny stated that the yearly financials were posted on the Finance website and the annual reports were posted on the Town Clerk's website.

Mr. Sawyer mentioned potential COVID money. It helped them reduce the 2020 tax rate when they received some of those funds, but nothing has come forward that would be appropriate to put in the budget right now. If they do come in during the year and they are allowed to apply them to the 2021 tax rate, they would do that before the tax rate was set in October. Right now he can't recommend they include some kind of State or Federal contribution for COVID type relief.

Councilor and Senator Ricciardi stated that she was looking at how to fix issues with the property taxes where the problem was and the problem was from broken promises from the State. She explained that the State had done a Rooms & Meals bill that would enable the towns and municipalities to get 40% of all Rooms & Meals. She stated that 10 out of the last 12 years, the Rooms & Meals hasn't been giving those revenues back to the towns and municipalities. There is a catch-up formula that the municipalities could never recover from. The conservative increase in Rooms & Meals every year is about 4%. With that 4%, they would never catch up. She thought that the most important part of this was since 2008 and 2009 recession, when the State came back and recovered, the Rooms & Meals did not come back to the municipalities. In 2020, the total State aid was \$41m less than in 2009. The annual distribution to the towns and municipalities was \$68.8m, but the State took in \$306.8m. That's about 23.7% that they are getting; it's not 40%. Had her bill on the table, which is SB99, had already passed, then the municipalities would have gotten about \$122.7m. This would conceivably help every single person in NH with their property taxes. Her hope is that the bill will pass, but wanted people to understand that they are tight with the budget, but these are things that are beyond their control. A lot of the issue is a State issue trickling down to them as a town.

Bob McCue, 203 Liberty Hill Road, stated that it's been a really bad year for a lot of us and it's really hard to look at a tax increase on top of it. He didn't know what they had to do to tow the line, but every resident in Town has had to tow the line. Many people are living with far less than they were making a year ago and somehow having to make ends meet. The Town needs to understand that and suck it up a little bit. He gets upset when he sees developments and so forth being turned down by the Zoning Board, which would have brought in more tax dollars and then turn around and say they are going to increase the taxes again. He mentioned that since he's been here his taxes have gone up, the value on his house has gone up over and about what other properties in my neighborhood have gone up. To look at another 12% increase it's tough. He knows the Town doesn't get much, but he couldn't imagine what the School is going to want. Whatever the Town can do to put off or delay some projects to try and manage this would help out the residents of the Town.

Peter Kujawski, 127 Gage Girls Road, stated that he could think of no better year than to use that General Fund at a much higher level than the \$3.5m. He thought it seemed exceptionally wrong to keep that amount of money in the Fund when it could be used this year for all of the good reasons his other residents have said.

The following individuals sent emails to the Town Council regarding the proposed budget:

|                         |                      |                    |
|-------------------------|----------------------|--------------------|
| Dave & Jude Rattigan    | Richard Martin       | Lisa Pray          |
| Tome & Linda Browne     | Anne Grossi          | Martie & Joe Cuzzi |
| Melissa Muzrau & family | Deborah Evans        | Suzanne Rodrigue   |
| Chuck Berry             | Keith Rodrique       | Sandy Bell         |
| Pete Kujawski           | Sam & Kathy Phillips | Laurie Rilee       |
| Jon McCombs             | Tad Witkowicz        | Rus Rilee          |

**MOTION by Councilor Duschatko to close the public hearing. Seconded by Councilor Ricciardi.**

**Roll call: Carter-aye, Duschatko-aye, Greazzo-aye, Stevens-aye, Ricciardi-aye, Radke-aye, Gilbert-aye.**

Councilor Carter thanked all of the residents that had commented and those that had sent emails. He understands and is in the same boat as a lot of them are. He wanted to know from Chief Hunter on Page 16, Line 56162, if they had gotten any more funding to help with the PPE to help with their budget. Chief Hunter stated that they heard from FEMA that what they were being reimbursed through a public assistance grant was going to increase from 75% to 100% some of the funds in that line item were specific to PPE, but it's a very small margin of that particular line item.

**MOTION by Councilor Carter that the Bedford Town Council cut the Recreation Field Maintenance, Line 54210, from \$100k to \$50k for this year. Seconded by Councilor Radke.**

Jeff Foote, Public Works Director, stated that they increased that from \$17k to \$100k, and they've spent close to \$25k. He stated that there are several needs at these fields. On several fields they have irrigation lines, heads, system controls that are compromised. The small buildings that infrastructure's in, are in horrific condition. They have well pump issues, fencing issues and there was a major failure at Joppa Hill Farm. He and the Fire Chief were out there irrigating that with a pump truck and he would rather not do that in 2021. He hoped that they understand that if these needs aren't funded, there will be issues that will occur over the summer.

Chairman Gilbert mentioned the revaluation, and that they can't bank on that, but history tells them that the tax rate should go down. Also, they would hope that they have revenue increases from the State, but again, that's an 'if'. They do know that things are going to break and if they break they have to fix them. History tells them that they are going to be okay, but they can't say for sure that here's the number today. Looking back at what has happened with the budget, they increased the budget 1.2%. The \$0.53 on the tax rate has come from debt service from the road bond, retirement increases, health insurance increases, increases in State revenue, and a few small other items. If that wasn't there, they would be fine. All of that is out of their control. He thought cutting things here and there didn't seem very smart, because the effect will be that things are going to break and things are going to happen and they will have to deal with it.

Councilor Greazzo wanted to know why there was a \$75k increase in that line. Mr. Foote stated that the well, which has been in his monthly report for 5-6 months, is dry; it's failed. If that recovers over the course of the winter, they may dodge a bullet, but that well has failed. They could potentially spend most of it on that. There are a number of areas, because money hasn't been spent over a number of years on that where the needs are. He's been criticized for not coming up with an exact number on that, but looking at the staff report that the recreation grounds foreman came up with and there are a number of things: gates on fences for people to access fields are broken, so many things in disrepair. Each year they spend approximately \$12k on grass seed for the fields alone just to seed them and over-seed them. There are so many items that there are needs. He has a reasonable good track record of discerning between needs and wants and these are needs. If the Council chooses not to fund them, he respects that.

Councilor Ricciardi stated that the Public Works Department had a consistent level budget. It hasn't escalated. If you look through the reports it's validated in the budget and the budget needs. She wanted Mr. Sawyer to speak to the bond for the public. Mr. Sawyer stated that the bond was sold pre-pandemic, last January. They got a great rate, less than 1%. They didn't know a pandemic was about to hit or maybe they would have put it off. The approval for that bond was back in 2014 with over 72% support from the community to approve that \$30m bond authorization to improve the roads. He thought it was a great investment in the community and one of the reasons the property values are as strong as they are. Just today he authorized the last payment on a 2011 bond, so they are starting to get to a point where some of these bonds will expire starting with the 2022 budget. There is nothing they can do about the bond that was sold in 2020. The first payments are due this year and they are obligated to pay them.

Chairman Gilbert wanted to know if the motion gets approved, they still have to deal with the options and other aspects of the budget. Mr. Sawyer stated that that was correct. He stated that they should take action on the motion before they move on to any others.

Councilor Stevens stated that she was in favor of doing what they can to cut the budget. She thought before they go through and take items here and there, she was curious if they were instead to take the \$2m that they were appropriating for land acquisition and use that \$2m to offset taxes. She wanted to know what the tax rate would look like if they did that. Ms. Penny stated that that would reduce the tax rate by \$0.48.6. Chairman Gilbert stated that at the same time they would be kicking the can down the road again on their facilities study or facilities plans to acquire property and do the things they need to do to their facilities to move forward into the future. They need to start this now. They've been kicking this can down the road since he's been on the Board and they have to make some decisions. They may not be popular, but they need to do what they need to do to do the right thing for the Town as far as facilities. To take \$2m out is going to make it even more difficult in the near future to even consider getting any property or the right property to do what they need to do. He didn't see how this helps. He thought it was just like what happened with Riddle Brook School when they first built it. They built it and then 'oops' we didn't build it big enough; we need to do it again. That's the kind of thing that will happen with this. They are in the middle of looking into some things that are very interesting and would be good for the Town, but if they don't do it now, they are going to lose an opportunity. Why not do the things they want to do with their facilities. He's not saying they have to spend money, but it's a need, not a want. It's not inexpensive, but he thought it was appropriate for the future of the Town. He knows it's a tough year.

Councilor Stevens was curious if they took a portion of that instead. They have another property on the books that they are not utilizing that in turn could be sold and they could use the funds from that property in order to buy new property. It's not that she doesn't believe there is a need, it's just that if they are spending the money on the land now they are also agreeing to spend the money on building sooner rather than later. From what they are hearing from taxpayers, just this \$2m is hurting them. She just wanted to be cautious that they ensure people know that by allotting that \$2m they understand that other money will follow that. Chairman Gilbert didn't know what she meant by other money will follow that and wanted to know what that meant. Councilor Stevens explained that they spend the \$2m and by doing so they are also signing themselves up to spend money on a new building. Chairman Gilbert stated yes, that's the thought. You buy the land, you develop a plan that you want to build something and then you build it. That gets spread out over time; it's not going to be all in one year. They are talking about a bond. Councilor Stevens wasn't sure if the residents understand that that's what's happening with that land and that \$2m. She's afraid that they would have some folks that were pretty upset if they understood that seeing as they are looking for the Councilors to cut items here and there from the budget just to help them out. That's a significant purchase in a place where they could make a drastic change. She's not thinking they need to cut the whole \$2m for land. She's in favor of utilizing other land that they have whether it's using that land to build on or selling that land and using the money from that sale, but she thought they



needed to take a good look at that \$2m before they start looking at the budget line by line, because she felt they did a pretty good job of looking at the budget line by line and the Department Heads did as well.

Chairman Gilbert thought to look at the budget line by line now was not in the cards. They are way past that. He stated that the property they own is in the equation of which property they acquire and how they work through that. They just haven't gotten to that point yet where they are going to pull the trigger. Also, he thought people should know what's going on, because they have been talking about this for months in their meetings and said that they were going down this path and that's what they said when they started the budget process in October. If they don't move forward, they are going to lose opportunity and with the rates where they are right now, hopefully that will last. Couple that with the revaluation that will happen and hopefully they will get more revenue. He didn't think they should do anything other than what they are proposing right now.

Councilor Radke wanted to know how much was in the unassigned fund balance. Mr. Sawyer explained that back in December when they moved the budget to the public hearings, they said if they used \$3.5m of Fund Balance they would be in the 13% range, which equates to about \$13m. Councilor Radke stated that if they took another \$1m out of there that would bring them down to \$12m, which would put them at 12%, which is not optimal, but within the guidelines. She knows that the lower they go the closer they are to losing their AAa rating and other things. Taking that extra \$1m out and offsetting the tax rate would bring it down about \$0.20. Mr. Sawyer stated that every \$1m is \$0.24. Councilor Radke stated that it's taking another \$1m out of the Unassigned Fund Balance. The flip side to that is they rest on hopefully getting more revenue, they've got some more buildings coming on, and a bond coming off next year, so some money they could possibly increase that particular pot at the end of next year. They could take a bunch of that and put it back into the Unassigned Fund Balance and then eventually bring it back up.

Councilor Duschatko reminded everybody that with the Fund Balance, the purpose of those funds was to cover cash flow needs if for any reason the tax collection rate declines. They are on the hook to pay the School and the County their tax share; the Town collects them. The funds that are going into that are not 100% allocated to the Town. If you broke it down into percentages, the Town would have about 20%. The monies that are free and clear for the Town to deal with is maybe \$4 or \$5m maximum. Ms. Penny confirmed that he was spot on. Chairman Gilbert wanted to know if they took \$1m out of that, that's 25% of what they've got and thought it would affect their bond rating. Councilor Duschatko thought it would and probably the only other thing that would affect the bond rating is the fact that they default on their first payment on the 2020 bond, which has been suggested, and that's certainly not going to work. He thought they have to look at the overall long-term financial management. Because the monies are there in one accounting thing, it doesn't mean they are all available. If they are saying that people can't pay their taxes this year, they problem and then he would guess perhaps the forecasting of their tax collection rate would drop from as high as 98% to maybe the high 80's, low 90's. That would be really catastrophic, because then you would have to start reaching into the funds

that are invested just to meet the obligations to the School and the County. If they take it from one place then it has to be covered from another place.

**Roll call: Stevens-nay, Carter-aye, Ricciardi-nay, Greazzo-aye, Radke-nay, Duschatko-aye, Gilbert-nay. Motion fails 3-4.**

**MOTION by Councilor Carter that the Bedford Town Council use \$250k from Unassigned Fund Balance.**

Councilor Carter stated that he knows it's only \$0.06, but with all of the other savings that the Town Manager is trying to do it's going to drop down to around \$0.10. With the Fund Balance it's still going to put them at about 12.8% or right around \$13m.

**Seconded by Councilor Radke.**

Councilor Radke wanted to know if Councilor Carter's intent was to keep \$1m to put aside for any potential land purchases. Chairman Gilbert state no, its \$250k out of the Unallocated Fund Balance. Councilor Carter clarified that instead of \$1.5m, it would be \$1.75m to reduce taxes.

Chairman Gilbert renewed his objection to this line of thinking, because it's just going to hamstring them in acquiring property that they need to do their facilities plan with. They've got to look to the future. It's tough and he gets it, but if they lose out on prime property they could get now, they are going to be in a worse position going forward and they might lose something that would be appropriate for them. Councilor Carter clarified that this had nothing to do with the \$2m. This was an additional \$250k from the Unassigned Fund Balance, not from the \$2m for facilities. Councilor Chairman Gilbert stated that he misunderstood; he was confused. Councilor Duschatko stated that he thought it was imprudent given the potential use and the reason for those balances and the fact that they aren't all theirs. Chairman Gilbert wanted to know if that would affect their rate by \$0.10. Councilor Carter stated that it's \$0.06 and with the other parts that were given to them by the Town Manager of \$0.035, it puts them in that \$0.10 range. Chairman Gilbert wanted to know if that would adversely affect their potential bond rating by doing this. Ms. Penny stated that Moody's had a weighted rating table and the finance section is heavily weighted. That section of the rating looks at Fund Balance as a percentage of operating revenues. They are rated highly because of that and if they keep declining, she thought it would impact the rating. She didn't know if it would impact it enough to drop it from AAa, but possibly and she wouldn't recommend it. Chairman Gilbert stated that he wouldn't either. Bond rating is gold and they need to protect that. Councilor Radke wanted to know if even the \$250k would affect it. Chairman Gilbert thought that's what Ms. Penny was saying. She doesn't know how much. That bond rating is really important.

Councilor Stevens wanted to know if Councilor Carter would amend his motion so that the \$250k came out of the line item for land instead. Councilor Carter responded no. With all his research and the \$250k on top of that. He would not amend his motion to that.

Councilor Stevens wanted to know if the \$2m goes toward the purchase of land and the building design or just the purchase of the land. Councilor Greazzo responded both. Councilor Stevens wanted to know if they had numbers for how much some of this land would cost. Chairman Gilbert stated that they were in the process of getting that and hoping to bring it to the Council in the next meeting. Mr. Sawyer stated that the Council was looking at a number of properties still and the prices are going to range from what they can afford with \$2m to properties they can't buy for \$2m. They need to do the work to look at what their facility needs are on those properties and hopefully acquire some properties this year so they can move forward with some kind of construction proposal hopefully next year.

**Roll call: Ricciardi-aye, Carter-aye, Stevens-aye, Radke-aye, Greazzo-nay, Duschatko-nay, Gilbert-nay. Motion passes 4-3.**

Mr. Sawyer stated that the motion passed, so an additional \$250k from Unassigned Fund Balance would be used to offset the tax rate.

Councilor Greazzo wanted to know what a default budget would look like in the case that this gets voted down at the Budgetary Town Meeting. Mr. Sawyer explained that given their form of government, and where they have a traditional Town Meeting for the budget, they do not have a default budget. They need to stay at the Budgetary Town Meeting until the community passes a budget that evening. Councilor Greazzo stated wanted to clarify that it's not like the School side where if they don't vote for it, it becomes a default. Mr. Sawyer stated that was correct. They do a traditional Town Meeting for the budget. They show up on Wednesday after the Election at 7:00 PM at the high school and they stay there and debate until they have a budget that passes. Chairman Gilbert stated that someone could add to it or subtract from it.

Councilor Duschatko wanted to clarify if this was a line item budget or a total budget. Mr. Sawyer explained that the way the Town Meeting works is the Council has the ultimate authority to spend or not spend the items moved to Town Meeting. It's not line by line, but the history has been that if the will of the people is to not spend an item, the Council has typically honored that. Where it would come into a problem is where they have contractual obligations like for bonds or employee contracts. If those were cut significantly at Town Meeting he thought the Council would be forced to make other changes to the budget and pay those obligations. Councilor Duschatko stated that his point was that typically it's a total budget vote and they can't go line by line though it's happened in the past.

Councilor Stevens wanted to clarify that folks could vote to take items out of the budget, but can't ask for items to be put in the budget. Mr. Sawyer stated that that was not correct. People can make additions or subtractions at the floor of the meeting.

**MOTION by Councilor Radke that the Bedford Town Council move Article 5 the 2021 Capital Reserve Fund Projects and Equipment, total of \$3,049,050 to the Budgetary Town Meeting scheduled for March 10, 2021. Seconded by Councilor Ricciardi.**

**Roll call: Duschatko-aye, Greazzo-nay, Stevens-nay, Ricciardi-aye, Carter-aye, Radke-aye, Gilbert-aye. Motion passes 5-2.**

Chairman Gilbert wanted to know of the motions on the operating budget needed to be adjusted by \$250k. Mr. Sawyer stated that the motion didn't impact appropriations; it impacted the revenues, which is not included in those motions.

Councilor Radke referred to the Planning position and was concerned about adding positions year after year. They need to understand that the more they add positions, it impacts the budget the following years. She stated that in 2017, the Council funded 8 new positions for half a year, but the following year they had to fund them for a full year. Over the past 10 years, they've added a position almost every year. She cautioned the Council as they move forward about these positions. It's probably more important to replace a position than to add. She knows that this is an upgrade from a part-time position, but it's not about the salary; it's all about the benefits that full-time position carries with it. Each year health insurance goes up, the retirement goes up, and the towns have to pay more. These are two things they need to consider when adding positions. She understands it's a needed position and wondered if the Town Manager could look at other departments and find some positions there that could go part-time and then perhaps use the benefits from that position into the Planning. It's something they should think about moving forward. Mr. Sawyer stated that he reviews the Department Heads' requests for personnel harder than anything else they bring forward and every position that has ever been brought forward he has supported and felt they were needed by the community to provide the services that they think and believe the community wants and requests of them. He thought with this particular position, he thought they've been lucky that they've had an employee in that position who has been able to do full-time work on a part-time basis. They don't believe they would be able to obtain that with a replacement very easily if at all and would be able to do some additional work for the Conservation Commission, long-range planning, and code enforcement, which is the item they get the most requests from the public that they can't get to in a timely fashion. He thought the additional 15 hours a week would help them address that need.

Chairman Gilbert didn't think they had added a Planning position in a while. They are just changing a part-time to a full-time. Mr. Sawyer stated that this professional planner position was added 17 years ago. That was the last addition to the department other than the administrative help that was added about 10 years ago. Chairman Gilbert stated that based on the information he's seeing, the effect of this would be \$18k. Mr. Sawyer stated that the overall impact in the budget is \$30k for 2021, but they were trying to take credit for the \$18k that was reduced from the Planning Department at the last meeting showing that the overall impact for this budget as proposed was a little under \$11k for the year.

Councilor Carter wanted Planning Director Becky Hebert to discuss her department and what's going on in her department, so all of the Councilors could understand about what's going on currently in the Planning Department. Becky Hebert explained that the Planning Department found itself in a unique position at the end of December with the Assistant Planning Director stepping down from that position to take another professional

opportunity in NH. That position is currently vacant. Karin Elmer who has been Planner 1 or associate planner for about 18 years, has announced her retirement as of April 1. They are a very small department and they haven't had staffing changes or changes to personnel in quite some time. They are at a turning point where they are going to be filling two positions, which is 50% of their staff, in the next couple of months. She took a really hard look at their staffing and compared it to other communities and felt it was a prudent time to be upgrading the associate planner from a part-time position to a full-time position. Karin Elmer came to that position with a tremendous amount of experience. If they are able to reassign this position as a full-time position, they would be seeking a younger professional, newer professional planner with lesser experience to be able to commit to a full-time schedule. That position takes on a myriad of tasks in the department. The person who has that position, Karin right now, is uniquely qualified to do that work in a part-time schedule. Some things take a long time to get resolved, especially code enforcement. The way their schedule works, they staff all of the land use boards and they are on a cycle of prepping for these meetings, so one big code enforcement issue or one really big meeting can log-jam the department. She thought having an additional staff in terms of moving that position into full-time would give them more flexibility to really get to the bottom of code enforcement issues more efficiently. The associate planner also staffs the Conservation Commission. The Conservation Commission was unique in that they don't just review permits. They apply for grants, they manage the trail system, they manage and steward all of the open space in Town, and they have a list of things they would love to see happen. They slowly pick away at that list, but having the energy of a new person in this role under a full-time capacity, they would really be able to take on fulfilling some of those Conservation program items. She thought that would be a really huge benefit to the community. Their open space and trails have seen a big boost during the pandemic and it requires staff time and personnel and resources to manage and steward that land. Code enforcement complaints is the number one complaint from residents. Code enforcement requires someone going out and look at sites and a tremendous amount of follow-up. She thought having a full-time person in that position would be a huge benefit to residents who are dealing with code enforcement issues, neighbor issues, and that directly affects their quality of life. She hopes to be able to allocate some time towards long-range planning. They've always been a department that's pride themselves on being able to absorb changes in workload and job pressures without needing additional positions, but she thought the associate planner going to full-time just makes sense right now. Chairman Gilbert agree with what Becky was saying. He's talked with Chris Wells of the Piscataquog Land Conservancy and there are some items that they are looking for the Town to work on for them that they are going to need help with. Having a person full-time would be very beneficial.

Councilor Radke stated that her comments on the full-time position was no reflection on the Planning Department or the work that they do. Her comments were more to look better at other departments moving forward. She's worried that year after year more people come on and for them to understand that the more people they bring on the higher the costs were going to be in the future. That was her intent.

Chairman Gilbert wanted if this was the only personnel change this year. Mr. Sawyer stated that there were two others. There is one in the Building Department where the part-time Building Technician is proposed to go to full-time and an upgrade in the Police Department with a Sergeant going to a Lieutenant. There are no additional bodies, but there are those three upgrades proposed. Councilor Radke mentioned that they approved four fire personnel although they aren't paying for them this year or the next year, but they are going to be paying for them down the road.

Councilor Stevens wanted to know if Ms. Hebert had given thought to hiring someone who would work more hours than Karin, but not be a full-time employee. Ms. Hebert stated that she found it was hard when someone is hourly on a part-time schedule if that's what they've signed up for. They don't necessarily want to work the extra hours. It's hard to find part-time employees for professional work. It's a hard role to fill. She thought it was going to be hard to find somebody to work 30 hours a week. They are going to want the benefits, they are going to want to work full-time.

**MOTION by Councilor Carter that the Bedford Town Council move Article 6 the 2021 operating budget as presented forward to the Budgetary Town Meeting scheduled for March 10, 2021 in the following amounts:**

|                             |                     |
|-----------------------------|---------------------|
| <b>General Fund</b>         | <b>30,671,056</b>   |
| <b>Recreation Day Camp</b>  | <b>83,025</b>       |
| <b>Bedford Comm. TV</b>     | <b>456,073</b>      |
| <b>Sewer Fund</b>           | <b>2,262,769</b>    |
| <b>Total Appropriations</b> | <b>\$33,472,923</b> |

**Seconded by Councilor Ricciardi.**

**Roll call: Duschatko-aye, Ricciardi-aye, Carter-aye, Radke-aye, Greazzo-nay, Stevens-aye, Gilbert-aye. Motion passes 6-1.**

**b. Second public hearing on the Conservation Fund warrant article**

**MOTION by Councilor Duschatko to open the public hearing. Seconded by Councilor Carter.**

**Roll call: Stevens-aye, Ricciardi-aye, Radke-aye, Greazzo-aye, Duschatko-aye, Carter-aye, Gilbert-aye.**

Susan Tufts Moore, 27 Bedford Center Road, was in favor of this warrant article. With COVID, they've had a huge impact in the use of open space and trails in Town. Also, the land available for coming out of current use is decreasing every year.

Jeanene Procopis, 18 Rumford Lane, was in support of the warrant article. She thought there were fewer larger parcels in current use today and fewer in Bedford. It's just a matter

of time before there is no land coming out of current use. This is the time to increase the percentage going into the fund from 70% to 100%, because this funding source is going to dry up. They need to continue to acquire land for open space and passive recreation.

**MOTION by Councilor Duschatko to close the public hearing. Seconded by Councilor Ricciardi.**

**Roll call: Greazzo-aye, Carter-aye, Duschatko-aye, Radke-aye, Stevens-aye, Ricciardi-aye, Gilbert-aye.**

Mr. Sawyer stated that the Council received one email on this item from Marilyn and Paul Brock who were in complete support of moving the article forward.

**MOTION by Councilor Carter that the Bedford Town Council move warrant Article 4 Conservation Fund to the Budgetary Town Meeting on Wednesday, March 10, 2021 to see if the town will vote to authorize 100% of the Land Use Change Tax collected pursuant to RSA 79-A:25 to be deposited into the existing Conservation Fund in accordance with RSA 36-A:5, III, as authorized by RSA 79-A:25, II. If adopted, this article shall take effect April 1, 2021, and shall remain in effect until altered or rescinded by a future vote of the town meeting. Seconded by Councilor Duschatko.**

**Roll call: Stevens-aye, Greazzo-aye, Carter-aye, Duschatko-aye, Ricciardi-aye, Radke-aye, Gilbert-aye.**

## **1. NEW BUSINESS**

### **a. Action on a proposed Field/Facility Naming Policy**

Mr. Sawyer stated that the Parks & Recreation Commission unanimously approved the Town Parks, Fields and Recreational Facilities Naming Policy at their January 12, 2021 meeting. The policy includes criteria to be considered when naming a facility. Proposals would be reviewed by the Parks & Recreation Commission who would then forward the recommendation to the Council for action. Chairman Gilbert stated that they've been working on this for a while. It's a basic policy to cover the naming of the fields and facilities.

Councilor Radke wanted to clarify that any resident could come forward in front of the Parks & Recreation Commission if they had a suggestion. Chairman Gilbert stated that there is a form to fill out and then they would go before the Parks & Recreation Commission who would make a determination and if they approve it they would bring it to the Council for approval.

**MOTION by Councilor Stevens that the Bedford Town Council adopt the Town Parks, Fields and Recreational Facilities Naming Policy. Seconded by Councilor Radke.**

**Roll call: Radke-aye, Greazzo-aye, Stevens-aye, Carter-aye, Duschatko-aye, Ricciardi-aye, Gilbert-aye.**

**b. Other New Business – None.**

## **2. OLD BUSINESS**

### **a. Action on proposed Charter amendments**

Councilor Radke stated that she thought Amendment #1 should pass because neither the Public Works Director nor Town Manager are Bedford residents yet they vote on land issues that affect the Town. She also talked about staff security. She didn't think it was fair to put the staff in the position that voting a certain way could put their job in jeopardy. She thought there was conflict of interest. In many cases the applicants will contact the Town Manager or the DPW Director and have some interaction with them prior to going to the Planning Board so already that's been tainted. Those interactions could potentially put the staff member in a position where they have a conflict of interest. They do not have an economic development director. That role falls on the Town Manager. They would like the Town Manager to go out and welcome business to come to our Town and plant their roots in Bedford. It makes it difficult for the Town Manager to go on the Planning Board and make some decisions that could potentially hurt that business. Those three reasons are near and dear to her heart and why she believed this amendment should pass. She also believed that as Councilors, the Planning Board, outside of the Council, is probably the most important board that they have and they really need to do a really good job making sure they put people on there who can carry on leadership roles and provide opportunities for training.

Councilor Ricciardi respectfully disagreed with some of Councilor Radke's comments. She felt that Rick does go out and does the economic development. She also felt that Rick and Jeff Foote have always put the Town's priorities first and have the highest integrity. She appreciates Councilor Radke's opinion on feeling that they shouldn't be there, but she didn't agree with the comments.

Councilor Duschatko endorsed what Councilor Radke said. He disagreed with Councilor Ricciardi. He didn't think that Councilor Radke's comments were addressed to either the efforts or jobs that Mr. Foote and Mr. Sawyer have done. She's dealing in a general sense and not a specific sense. He thought the questions of staff security was something they overlook and it's a very important function that they have to look at. Particularly people that have high visibility. They can't put them in a position where there is the least bit of thought of conflict of interest or undue influence or undue prejudice shown by any of them. In his opinion, he thought the State statute instructs them to have residents as being members of land use boards.

Councilor Stevens echoed what Councilor Radke said. She also reaffirmed that this was in no way a slight to Rick or Jeff. They really appreciate all of their input and if nothing else the hope is that by removing them from the Planning Board in this manner that they



will actually be able to participate more in the plans that go before the Planning Board. That they will have more of a hand in giving their opinion there and weighing in, which in turn would benefit the Town. They are great professionals in their field, they know the Town well, and she thought they did a great job looking out for folks here. In no way was this ever a slight. They all appreciate them and just want to do what's right by them and what's right by the Town.

Councilor Radke hoped her comments didn't come across that Mr. Sawyer and Mr. Foote were not doing their job. It's just the opposite. They are amazing. They are almost too good. It wasn't about them, it was about the position.

Chairman Gilbert agreed that it's about the position, not the people.

**MOTION by Councilor Stevens that the Bedford Town Council place the proposed Charter amendments as proposed on the 2021 ballot. Seconded by Councilor Radke.**

Councilor Duschatko asked for a point of order. He wanted to know if they were voting on just the 1<sup>st</sup> amendment or all four amendments. Chairman Gilbert stated that it's all four amendments.

**Roll call: Carter-aye, Radke-aye, Greazzo-aye, Stevens-aye, Ricciardi-aye, Duschatko-aye, Gilbert-aye.**

### **3. APPROVAL OF MINUTES**

#### **a. Public Session – January 13, 2021**

**MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the January 13, 2021 Public Session. Seconded by Councilor Duschatko.**

**Roll call: Greazzo-aye, Ricciardi-aye, Stevens-aye, Duschatko-aye, Carter-aye, Radke-aye, Gilbert-aye.**

### **4. TOWN MANAGER REPORT**

- 1) Scam Alert – We are aware of calls showing “Town of Bedford” as the caller ID talking about interest rates on credit cards. Don't provide any information. Please report any scam calls to the Bedford PD at 472-5113.
- 2) The registration period for open elected positions is January 20, 2021 through 5 PM January 29, 2021.  
Open Town Elected Positions:
  - Three Town Council positions (3-year terms)
  - Two Library Trustees (one 3-year term, one 2-year term)
  - One Trustee of the Trust Fund (3-year term)

- One Supervisors of the Checklist (5-year term)

Open School District Positions:

- Two School Board positions (3-year terms)

Any Bedford registered voter wishing to file for Office must do so by contacting Town Clerk Sally Kellar at 472-3550. The clerk will be available during office hours at the Town Office Building, 24 North Amherst Road and until 5 PM on the last day of filing. As per RSA 669:19 candidates who file on the last day of the filing period shall do so in person before the Town Clerk.

- 3) COVID-19 Update – 108 current cases, 1,527 total cases. Continue to stay 6 feet apart, wear a face covering, wash your hands often, and use hand sanitizer.
- 4) Drought – Bedford and a much of southeastern NH remains in the condition defined as “Abnormally Dry”. Unfortunately northwestern NH has fallen back to abnormally dry conditions after having been cleared from the drought.
- 5) Family Snowman Challenge – build a snowman in your own yard and submit a picture by January 31<sup>st</sup>. Be sure to challenge your friends and neighbors!
- 6) February 2<sup>nd</sup> – School District Deliberative Session – 7:00 PM – Bedford High School
- 7) March 9<sup>th</sup> – Local Election Day – 7:00 AM – 7:00 PM – Bedford High School
- 8) March 10<sup>th</sup> – Budgetary Town Meeting – 7:00 PM – Bedford High School

## **5. COUNCILOR COMMENTS AND COMMITTEE UPDATES**

Councilor Duschatko mentioned the Telecommunications Subcommittee meeting where they discussed various options for hopefully finding a way to get improved internet services into Bedford. They seem to be stifled under current NH law. He’s getting a funding mechanism as sponsored by the Town. Now it’s a stage of looking at different types of organizations to become a provider of services in competition with the current providers, which are Comcast, Consolidated Communications, and a few others, which are more wholesale than retail. The idea is to get fiber availability to every household in the community at a reasonable price. Whether this can be done or not remains to be seen. They are a very enthusiastic, hard-working, and knowledgeable committee and they are pushing this stage cautiously, but hope to have a report within the next month. It’s a complicated situation, so a lot of steps need to be taken and be careful that they are covering all of the bases. He stated that there were no new applications to the Planning Board, so they reviewed the suggested changes in the Zoning ordinances suggested by the Planning Board and also the Citizen’s Petition. The Planning Board voted to put the Zoning ordinances as proposed on the ballot. The Citizen’s Petition goes on the ballot automatically, however the Planning Board recommended not to support that particular request. He hasn’t made a decision yet on whether he will be running for re-election.

Councilor Radke congratulated Mary Ann on her retirement and they will miss you at the Library. She has done an amazing job with the Library and she boasts to her out of town friends how special it is. She thought it was due to Mary Ann’s leadership and she will leave a very strong legacy behind her. Wished Councilor Stevens good luck on running for School Board.

Councilor Stevens echoed Councilor Radke's comments regarding Mary Ann. She hopes that she and Chris enjoy their retirement. She certainly will be missed. She also congratulated Karin Elmer as she departs the Planning Department. She always enjoyed working with her; she's a true professional. She hopes that she enjoys her retirement. She wanted to know if the new Transfer Station stickers were available. Mr. Sawyer stated that they are available, but they are not pursuing a big event to get them issued for a couple more weeks. They will issue you a new sticker if you want one or need one. They will get one to all residents that use the Transfer Station over the next several months. Councilor Stevens encouraged residents to get their new sticker to ensure that they have stickered people going into the Transfer Station, which helps keep their numbers down, because they don't have people who shouldn't be there dumping their waste.

Councilor Carter stated that the Conservation Commission met last night. There were two Eagle Scout projects that were completed: a bridge in the Pulpit Brook area and a couple of signs in the Sebbins Pond/Ash Bog preserve. They discussed some letters that were received from Mr. Hamilton's 8<sup>th</sup> grade science class talking about how things affect the environment. He sent an email to the Superintendent to make him aware about what was going on and he was very appreciative of that. He talked about the Cub Road Club and the event on April 17<sup>th</sup>. He's sent letters out and has received some feedback. He talked to the Rotary Club and they are going to work with the high school to develop a program. The Superintendent has expressed his support of wanting to partner with them.

Councilor Ricciardi wanted to make sure that every employee knows that she appreciates all the efforts of the Town employees and of the Departments who have been working very hard through these very challenging times and continue to do an outstanding job. They are greatly appreciated.

Chairman Gilbert encouraged people if they like to skate to come up to the EFJH and go ice skating. Check out their website on how to sign up. They've got the farm stand on certain days also.

#### **4. NON-PUBLIC – RSA 91-A:3 (if necessary)**

#### **5. ADJOURNMENT**

**MOTION by Councilor Ricciardi to adjourn. Seconded by Councilor Radke.**

**Roll Call Vote: Ricciardi-aye, Greazzo-aye, Radke-aye, Duschatko-aye, Stevens-aye, Carter-aye, Gilbert-aye.**

The meeting ended at 9:12 PM.

Respectfully submitted,

Dawn Boufford