

**TOWN OF BEDFORD
TOWN COUNCIL MEETING
May 25, 2016
BEDFORD MEETING ROOM
10 MEETINGHOUSE ROAD**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, May 25, 2016 at the Bedford Meeting Room, 10 Meetinghouse Road. Present were Kelleigh Murphy (Chairwoman), Councilors Jim Aguiar, John Schneller, Bill Duschatko, Chris Bandazian, Melissa Stevens, and David Gilbert. Also present was Town Manager Rick Sawyer.

Chairwoman Murphy opened the meeting at 7:00 PM.

2. PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Chairwoman Murphy.

3. PUBLIC COMMENTS – None.

4. NEW BUSINESS

a. Proclamation for Building Safety Month

Chairwoman Murphy read the proclamation into the record:

Proclamation

Building Safety Month – May, 2016

Whereas, our Town's continuing efforts to address the critical issues of safety, energy efficiency, water conservation, and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

Whereas, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas these guardians—dedicated members of the International Code Council—use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play and;

Whereas, the International Codes, the most widely adapted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

Whereas, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings, and;

Whereas, "Building Codes: Driving Growth through Innovation, Resilience and Safety" the theme for Building Safety Month 2016, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy

efficiency and new technologies in the construction industry. Building Safety Month 2016 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and;

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, The Bedford Town Council does hereby proclaim the month of May 2106 as Building Safety Month. Accordingly, we encourage our citizens to join with their communities in participation in Building Safety Month activities.

Wayne Richardson, Code Official, thanked the Council for their continued support the Building Department has had for the last 20 years he's been working for the Town.

b. Energy Commission reorganization

Councilor Bandazian explained that when the Energy Commission was established six years ago, the statute allowed up to 10 members and the Commission was structured with alternates and included the School Board liaison as well as having staff liaison members. He thought it was beneficial to make some changes to the structure. He explained that alternates really didn't have a different role than regular members and they should all be regular members with no alternates. Also, because the Council and School Board terms are officially 3-year terms, where the custom is to make them 1-year terms, it throws off the stagger. He suggested making the alternates regular members and having no alternates. That would make it a seven member staggered board with the School Board liaison and the Town Council liaison's having a 1-year term. With the resignation of Rob Grogan, he suggested moving Christine Donati to a regular member with a term to expire in 2019 to fill his seat and moving Matthew Pitaro to a regular member with a term to expire in 2018. This would leave a regular vacancy expiring in 2017. He proposed to continue to have Town Council alternates, which now is Jim Aguiar. They removed the staff liaison involvement.

MOTION by Councilor Bandazian that the Bedford Town Council approve the changes to the Energy Commission as outlined in the memo dated May 19th with the exception of changing the years of appointment and appoint Christine Donati and Matt Pitaro to serve as regular members with terms expiring in 2019 and 2018 respectively. Seconded by Councilor Stevens. Vote taken – Motion Passed – 7-0.

c. Other New Business – None.

5. OLD BUSINESS

a. MS4 Update

Councilor Bandazian explained that they had a meeting with legal counsel. The Massachusetts permit has been out since the last time it was discussed. It has been

reviewed. Jim Stanford has been at some meetings. He found out that there are four states in the US that do not regulate their own stormwater: New Mexico, Idaho, Massachusetts and New Hampshire. Mass. and NH are in region 1 and are subject to the new permit that is coming out. NH is on schedule to have theirs released sometime this summer and there will be a little window before it becomes effective when they will have to adjust their budget. Of concern at a state level, it is important for the legislature and governor to think about having the Department of Environmental Services do what is done in 46 other states and is now proposed to happen in Massachusetts. They have to make sure that their proposals and standards meet the minimums of the Clean Water Act. Those permits have to get reviewed and approved by the EPA. He talked about the impacts and implications regarding projects and development in Town. The cost of remediation of stormwater will continue to fall on the existing tax base. They are part of a coalition of communities in Southern NH. They need to take action and their options are limited.

Councilor Schneller wanted to know if all of the communities in Senator Sanborn's district represented in the group. Councilor Bandazian responded that there were several small ones in the western part of the state that may not have enough density to be affected by it, but the majority of the population he serves is affected by it. He has been helpful in working with DES.

Councilor Duschatko wanted to know about the acre and the disturbance of the acre. Jim Stanford, Public Works Director stated that they are concerned with the interpretation of the definitions that are set within the document.

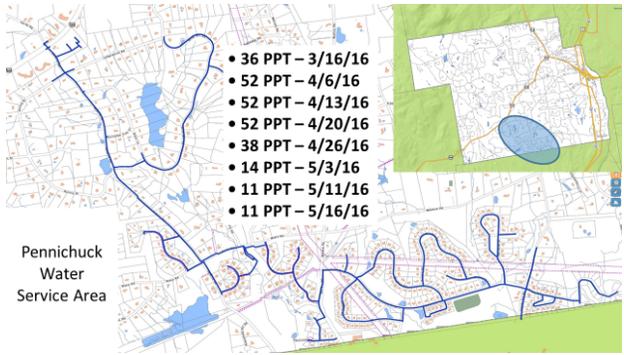
Chairwoman Murphy wanted to know if there were other communities that had formed roundtables with developers, real estate agents, etc. Councilor Bandazian responded not to his knowledge.

b. PFOA Water Contamination Update

Mr. Sawyer stated that they've had a number of new issues come up since their last meeting. Bottled water was now being supplied to a portion of Town and he's updated the Powerpoint he presented about a month ago with the most recent changes.



EPA has set their long term health advisory at 70 PPT for combined PFOA & PFOS.



PFOA Sampling Results for Merrimack Village District Water Works
data for April 14 is preliminary
**MVD 7&8 TP – is a blend of MVD wells 7 and 8 after green sand treatment*

Well Name:	MVD-2	MVD-3	MVD-4 (offline)	MVD-5	MVD-7	MVD-8	MVD-7&8 TP*
5/12/16	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending
5/5/16	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending
4/28/16	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending	Results Pending
4/21/16	26	26	93	56	25	9.9	16
4/14/16 ¹	31	32	94	67	30	10	18
4/7/16	28	Not Available – Scheduled Maintenance	94	52	28	8.6	Not Sampled
3/31/16	27	Not Available – Scheduled Maintenance	90	56	26	8.5 (3.7 duplicate)	Not Sampled
3/9/16	17	Not Available – Scheduled Maintenance	90	54 (52 duplicate)	Not Available – Scheduled Maintenance	Not Available – Scheduled Maintenance	Not Sampled



- Next Steps:**
- Bottled Water
 - Additional Public Meeting
 - Continued Water Testing / Await Results
 - Await Soil Testing Results
 - Consider Treatment Options (Short & Long Term)
 - Implement Short Term Solutions
 - NH Set Enforceable Standard
 - Implement Long Term Solutions
 - Treat Groundwater – “Public Trust” = Drinking Water Standard

Mr. Sawyer stated that on May 19th the EPA set their long-term health advisory at 70ppt. He pointed out that it is not straight PFOA; it's a combined standard for both PFOA and PFOS. There has been a request from Merrimack and himself to have an additional public meeting with DES. The focus would be on the area around the landfill and the additional testing area. There was a consensus that more residents would attend than those focused on and it should be opened up to anyone that is concerned.

Councilor Stevens questioned if St. Gobain had been talking with DES or giving residents some resolve that they are involved. Mr. Sawyer stated that St. Gobain has been very cooperative and they meet with DES frequently and have shared all of their information and they are paying for the bottled water. They've also agreed to pay for the design work for the extension of municipal water in Litchfield and Bedford would be asking for the same.

Councilor Schneller referred to the six wells in Merrimack and if those levels will be the highest levels that they are going to see and do they dissipate as they move through the system. Mr. Sawyer explained that the number that leaves the well is the number that they are going to receive at their tap if they are on Pennichuck water.

Councilor Duschatko referred to the new areas impacted because of the landfill and assuming they will come back at a high level and wanted to know if there is anything they can do to be proactive; maybe push to get them bottled water. Mr. Sawyer stated that he could ask, but doubted that St. Gobain would pay for it. They've identified at least 8 potential contributors to the Merrimack landfill for that contaminant.

Councilor Bandazian asked about a status update on the interceptor between Pennichuck and Merrimack Valley. Mr. Sawyer stated that there is an interconnection from Nashua. They could use that Pennichuck water out of Nashua to dilute the Merrimack Village Water District water even more.

Chairwoman Murphy asked about the original NH standard of 100 ppt, which Mr. Sawyer stated was a temporary number. The 70 ppt is the permanent standard. She wanted to know if all of the wells in the 1.5 mile radius have been tested or are going to be tested. Mr. Sawyer stated that they all have been tested. For those outside of that area or those with questions, Mr. Sawyer referred them to the link to the DES website via the front page of the Town of Bedford website and also mentioned the DES hotline, which is 603-271-9461. Chairwoman Murphy wanted to know if at one point they will have access to the test results for all of the wells in that radius. Mr. Sawyer stated that it takes a few days for DES to update their website with the results, but they have been coming in weekly. He believes they will have all of the results by the end of next week or the week after that. Chairwoman Murphy wanted to know if there had been further discussion with St. Gobain about putting in a large scale charcoal filter like they did in NY. Mr. Sawyer stated that the system they have here is different than NY and VT, because Merrimack has six wells and would have to treat the water at each of those six locations. Chairwoman Murphy mentioned the landfill contamination issue and that

they've identified eight contributors and wanted to know if they have been publicly identified. Mr. Sawyer responded yes, they are on the DES website.

Councilor Gilbert wanted to know if any of the landfill issue had anything that could potentially happen to Bedford's landfill. Mr. Sawyer didn't think so, but they have taken steps to have the Bedford monitoring wells tested. Chairwoman Murphy wanted to know if they have been reviewing hazardous waste disposal records and Mr. Sawyer stated that they had not taken those steps, but they could ask the consultant to look into that.

c. Other Old Business

Chairwoman mentioned that at the retreat they came up with a list of 2016 goals that they were going to attempt to accomplish in the short-term in the year 2016 into early 2017 as well as long-range planning goals. She went through the 2016 goals and tasked each one for an update with the Councilors responsible for it for the upcoming summer meetings.

Town Council 2016 Goals:

1. Complete a comprehensive pay and benefit review and analysis for all positions within the Town of Bedford (update to be provided in the 2nd June meeting).
 - a. Rick Sawyer
2. Analyze the Town Manager review process and update the review forms as necessary (update to be provided in the 2nd June meeting).
 - a. Jim Aguiar
 - b. Kelleigh Murphy
3. Encourage volunteerism by the public on boards and commissions (update to be provided in the 1st June meeting).
 - a. Dave Gilbert
 - b. Melissa Stevens
4. Explore the best means for dissemination of information concerning the Town to the public, especially where it concerns future plans (update to be provided in the 2nd June meeting).
 - a. Dave Gilbert
 - b. Melissa Stevens
5. Monitor all legislation that may impact the Town of Bedford, and serve as the council point person for all external advocacy (Ongoing. Updates as they come).
 - a. Chris Bandazian
6. Develop and implement a Commission and Board tracking process for ease of appointments (update to be provided in the 1st June meeting).
 - a. Jim Aguiar
 - b. John Schneller
7. Study any parking issues around schools and make recommendations regarding same for consideration by the appropriate departments and the Town Manager (update to be provided in the 2nd June meeting).
 - a. Jim Aguiar

- b. Bill Duschatko
 - c. John Schneller
8. Review the process by which zoning ordinances are amended, added and modified and consider whether to change that process (Update to be provided in the August meeting).
- a. Jim Aguiar
 - b. John Schneller

6. APPROVAL OF MINUTES

a. Public Session – May 11, 2016

MOTION by Councilor Bandazian to approve the minutes of the public session of May 11, 2016. Seconded by Councilor Aguiar. Vote taken – Motion Passed – 7-0.

7. TOWN MANAGER REPORT

- 1) The County Road Traffic Test started on Monday, May 16th, and continues through Friday, May 27th. The intersections of Nashua Road and County Road in front of Bedford High School and Liberty Hill Road and County Road in front of McKelvie School became temporary 4-way stop intersections. The Bedford Highway Safety Committee has been studying both of these intersections after numerous concerns raised by the community regarding traffic delays and crashes. Engineering studies were recommended for both intersections and after review of the initial traffic data it was determined by staff that a test of one of the potential solutions before school gets out would be important before the final recommendations were made. The preliminary impressions of the tests are favorable, however there has been a complaint about the delay northbound on Liberty Hill Road during peak school times. Town and School staff will be meeting next week to review the preliminary results and to make a determination about continuing the test through the end of the school year.
- 2) The NH Retirement System Board of Trustees has voted to adopt revised actuarial assumptions based on a five-year experience study reducing the assumed rate of investment return from 7.75 to 7.25 percent. The Board will vote in the fall on new July 1, 2017 employer contribution rates, but preliminary information (see table below) would indicate a financial impact of approximately \$155,000 to the town and \$300,000 to the school system.
- 3) On May 13, 2016 BCTV was presented with the VFW Loyalty Award from Post 8401 for all of their continued support and coverage of our veterans.
- 4) All of your favorite programs on WBNH 105.1 are now available online as podcasts.
- 5) June 6, 7, & 8th the town's basketball and tennis courts will be closed for annual crack sealing maintenance.

- 6) The last day to make party affiliation changes prior to the September Primary is May 31, 2016. If you are currently registered as one party or the other you will need to vote in that party's primary unless you make a change before May 31st.
- 7) Those interested in running for the NH House of Representatives need to file between June 1st thru 10th, 2016.
- 8) Please register your dog(s) prior to June 1st in order to avoid any late fees. Civil forfeiture letters and fines will be issued in June.
- 9) Registration for Camp Witzel, our 7 week Summer Day Camp for children 6-13 years old is open. Camp will be located at Riddle Brook School this year, June 20 – August 5. Many other programs are also available during the summer including, Let Go Your Mind – LEGO and Robotics Camp, and Wicked Cool For Kids Summer Camps.
- 10) The Bedford Pool is tentatively scheduled to open June 19th (Father's Day) and single \$75, family \$125, and family with baby sitter passes are available.
- 11) The summer hours for the Library start in June and will be closed on Sundays.

Project Updates:

- 1) Library HVAC/Geothermal – It is anticipated starting May 31st that the upstairs will be closed for approximately 3 weeks.
- 2) The Town Hall Roof replacement is underway and continues with chimney rebuilding May 16-27, roof shingle abatement the week of June 1st, and new shingles starting the week of June 6th. We expect the building to be closed the first two weeks of June, and during the day for several weeks in June.
- 3) Staff training on use of the new town website took place over a three day period May 10-12. Final design changes on the aesthetics and function of the page have been requested and a mid to late June publication is anticipated. Work on the associated mobile application has been initiated.
- 4) They are working to get tax bills out on time by the end of May and will be due on July 1st, but if that does slide, the date they will be due will slide.
- 5) May 29th – 5th Annual Bicycle Rodeo supported by the Bedford Police Department, 10:00-Noon, at the Upper Parking Lot of Bedford High School.
- 6) May 29th – Memorial Day Parade, 1:00 PM followed by a MIA Medal Award Ceremony and a NH National Guard Alumni Band Concert at 2 PM in the McKelvie School Cafeteria.
- 7) May 29th – Bedford Library Closed for Memorial Day.
- 8) May 30th – Bedford Town Offices, Library, Transfer Station, & BCTV Closed for Memorial Day.
- 9) May 28th – Police Department Citizen Academy Class of 2016 Graduation, 6:30 PM, Bedford Safety Complex.
- 10) June 11th – Bedford High School Class of 2016 Graduation, 10 AM.

8. COUNCILOR COMMENTS

Councilor Gilbert hoped to see everybody at the parade.

Councilor Stevens 'Go Sox!'

Councilor Aguiar wanted everyone to take time and spend it with your friends and family.

Councilor Bandazian stated that June 5th is the Educational Farm at Joppa Hill's spring fair. It begins at 2:00 and continues until 6:00pm. Tomorrow evening at the Energy Commission meeting they will be presenting Green Business of the Month award to Beals Insurance as one of the early adopters of closed cell phone insulation that they later installed at the Library. He and Rick Sawyer met with School Superintendent Chip McGee and their chair Bill Kessler on the 16th and discussed many subjects. He thanked the Garden Club for the amazing job they did at the Veteran's Memorial and other public spaces in Town. He mentioned the telecommunication pole subsidy and they lost on that issue in the Legislature. Old telecommunication poles and conduits will be subsidized by local taxpayers.

Councilor Schneller encouraged residents to attend the Strawberry Festival on June 18th. The bulk of the proceeds from that contributes to upgrading and repairing the cemeteries. He mentioned that Alexander Mullen passed his board of review for Eagle Scout and his court of honor is on June 3rd at 7:00pm at the Presbyterian Church.

Chairwoman Murphy mentioned the Joppa Hill fair. She and Councilor Stevens attended the Fireman's Ball last Friday. She mentioned the Joppa Hill Farm Snowball held in February too.

9. NON-PUBLIC – RSA 91-A:3 (if necessary)

MOTION by Councilor Aguiar to go into non-public session pursuant to RSA 91-A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against or by this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled. Seconded by Councilor Duschatko.

Roll Call vote: Schneller-aye, Duschatko-aye, Bandazian-aye, Murphy-aye, Aguiar-aye, Stevens-aye, Gilbert-aye.

The public meeting adjourned at 8:29 PM.

Respectfully submitted,

Dawn Boufford