

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
January 9, 2019  
BEDFORD MEETING ROOM  
10 MEETINGHOUSE ROAD**

**ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, January 9, 2019 at the Bedford Meeting Room, 10 Meetinghouse Rd. Present were Bill Duschatko (Chairman), Melissa Stevens (Vice Chair), and Councilors Phil Greazzo, Kelleigh Murphy, Chris Bandazian, and Catherine Rombeau. Also present was Town Manager Rick Sawyer. Councilor Gilbert was absent.

Chairman Duschatko opened the meeting at 7:02 PM.

- 1. PLEDGE OF ALLEGIANCE** – Led by Councilor Murphy.
- 2. PUBLIC COMMENTS** – None.
- 3. PUBLIC HEARINGS**
  - a. First public hearing on the proposed 2019 budget**

**MOTION by Councilor Murphy to open the public hearing. Seconded by Councilor Rombeau. Vote taken – Motion Passed – 6-0.**

Chairman Duschatko read from the Town Meeting Handout.

**Important Dates**

*Public Hearings Held on the Town Budget*

Wednesday, January 9, 2019 at 7:00 p.m.

Wednesday, January 23, 2019 at 7:00 p.m.

Town Meeting Room - 10 Meetinghouse Road

*Election Day*

Tuesday, March 12, 2019, 7:00 a.m. - 7:00 p.m.

Bedford Middle/High School – 47 Nashua Road

*Budgetary Town Meeting*

Wednesday, March 13, 2019 at 7:00 p.m.

Bedford Middle/High School – 47 Nashua Road

**2019 MUNICIPAL WARRANT**

To the inhabitants of the Town of Bedford in the County of Hillsborough in the State of New Hampshire qualified to vote on Town Affairs:

You are hereby notified to meet at the Bedford High School on Tuesday, March 12, 2019 at 7 o'clock in the forenoon to act on the following Articles 1-4. Polls are to close no later than 7:00 p.m. Action on remaining Articles will be held at the Budgetary Town Meeting on Wednesday, March 13, 2019 at 7:00 p.m. at the Bedford High School (47 Nashua Road).

Article 1. Election of Town Officers

Article 2. Zoning Amendments

Article 3. \$3.9 million Bond Authorization for the Improvements to the Town’s Parks and Recreation

Article 4. Wastewater and Stormwater Asset Management Project

TOWN ARTICLES 5-6 WILL BE VOTED ON AT THE BUDGETARY TOWN MEETING ON MARCH 13, 2019 AT THE BEDFORD MIDDLE/HIGH SCHOOL (47 Nashua Road).

**2019 Town Meeting Warrant – ARTICLE 5**

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**Article 5. – Capital Reserve Fund-Projects and Equipment**

To see if the Town will vote to raise and appropriate **\$1,195,950** to be deposited into the Capital Reserve Fund all of which is to come from new taxation and is included in the proposed budget. An additional \$29,400 is also included in appropriations and accounted for in the Sewer fund for a total of **\$1,225,350**.

*NOTE: The specific equipment and projects are identified in the following report titled “2019 Recommended Capital Reserve Funding” and detailed in the Town’s written Capital Improvement Plan. Funding for the Capital Improvement Plan has been appropriated annually and has been included in the recommended budget as a result of estimates made during the budget preparation process. The Town voted in 2004 to establish the Town Council as authorized agents for the purpose of expending the funds. The agents have authorized the Town Manager to expend Funds for approved projects.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE.

PURPOSE OF TOWN MEETING VOTE:

In accordance with NH RSA 35:3; 35:5, town meeting action is needed to appropriate a specific dollar amount into the Capital Reserve Fund to the Capital Reserve Fund by Town vote.

**Article 6. - Town Operating Budget**

To see if the Town will vote to raise and appropriate such sums of money as may be necessary to defray the Town charges for the ensuing year.

General Fund	\$28,964,028
Special Revenue Funds	31,400
Recreation Day Camp	78,517
BCTV	469,131
Sewer Fund	1,764,183
<b>Total Appropriation</b>	<b>\$31,307,259</b>

Councilor Murphy pointed out that for purposes of discussion and public comment Article 5, which deals with Capital Improvement projects and Article 6, which deals with the budgetary appropriation are the two articles that are up for comment in this agenda item. Article 3, which addresses the Parks and Recreation Improvement Bond and Article 4, which addresses the Wastewater and Stormwater Asset Management Project are separate agenda items that come after.

Chairman Duschatko continued.

Highlighted below are the more significant projects and/or equipment included within departmental budgets:

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- ▶ **Parks & Recreation Improvements** - \$3.9M bond authorization which has a \$110K impact in 2019 that is being offset by the use of Recreation Impact Fees. (66.67% March 2019 voter approval required)
  - ▶ **Capital Improvements** – Investment in long term items (\$1.2M)
    - (Transfer Station Improvements & Library Parking Lot/Septic System to be funded out of existing Capital Reserves)
  - ▶ **Use of Fund Balance** - \$1M to reduce the amount needing to be raised by taxes.
    - There are 2018 unanticipated excess revenues of \$400K Motor Vehicles, \$120K Highway Block Grant, and \$80K Transfer Station
  - ▶ **2018 Year End Transfer** – of \$348K to reduce the 2019 budget for the annual purchase two dump trucks.
  - ▶ **Statistical Valuation Update** – to be completed in 2019 and every two years going forward.
  - ▶ **Increased Revenues** – in Motor vehicles, Ambulance, and Transfer Station.
  - ▶ **Health & Retirement:**
    - \$121K as a result of a 4.7% health & 2.3% dental insurance premium increase.
    - \$18K for Workers Compensation increase of 10%.
    - \$133 for NH Retirement System rates are down (-1.85% for Employees, -5.64% Fire, and -3.4% for Police) but amount owed increases.
  - ▶ **Personnel:**
    - Year two of collective bargaining agreements (\$355K) for Police, Fire, and Public Works
    - A dedicated Human Resources Director/Department which was previously shared with the Finance Director/Department
    - Full year of funding for the DPW Business Manager position created in 2018 (½ year)
    - Watch Commander in the Police Department
    - An additional Dispatcher to ensure two on duty at all times
    - Equipment Operator (1 full, 1 part time) in Public Works
    - Truck Driver in Public Works
    - Building/Health/Fire Administrative Technician (part time)
    - Assistant Children’s Librarian converted from part time to full time
    - Merit increase for non-union employees
    - Increases in training of our Police Officers and Firefighters

**Not Included in the 2019 Proposal:**

- ▶ **Roads Program 3<sup>rd</sup> Bond** – The savings achieved by the department with the previous bonds plus the delay caused by the PFAS impact is providing us with sufficient funds to complete the 2019 program.
- ▶ **Comprehensive Facility Improvements** - This remains a high priority for the administration and the development of a long term plan will be the focus of work with the Council in 2019.
- ▶ **2019 Statistical Update** - Potential valuation increases have not been assumed beyond our typical projection of \$20M in new construction.

Councilor Murphy stated that on page 6 of the handout, it details 2018 tax dollar breakdown. In 2018, the tax rate was \$20.40. Of that, 73% (\$14.64) represents the amount of money paid towards the School budget, the County budget was 6% (\$1.22) and the Municipal budget was 22% (\$4.54). The 2019 budget is contemplating an increase of \$0.11 per thousand.

Bill Greiner, 12 Aspen Lane, talked about the need for a Fire Substation including the volume of calls in the South River Road area where the Town had purchased a piece of property at 4 Sunset Lane for a possible Fire Substation. He thought if they are going to continue to grow that corridor, they have to provide central services and almost everybody down there needs EMS. They don't have kids in school and they don't have kids running up and down fields. They only thing they look for is emergency services. If people are going to invest down there, they Town needs to provide the one critical service they need and that's EMS access. He asked the Council to consider taking the Fire Substation off of the bigger proposal and moving it forward. He assumed there wasn't a lot of debate as to the need of a substation there, but there is the question of funding. He thought it was a safety issue. He mentioned leasing buildings as opposed to owning the buildings. He stated that if the Town was to build that substation today, it would cost about \$3.5m without personnel. If a private developer were to do it, it would be about \$2m for the same building. He thought it would be worthwhile looking to weigh the benefits of any of the buildings and see the numbers. It might make more sense to the taxpayer to go a different route as opposed to a traditional route. He asked that the Council consider doing something with the Fire substation this year. He also asked that the Town weigh both options: whether the Town does it or the Town has somebody else do it and partner in some way to save the taxpayers money.

Chairman Duschatko stated that they have had discussion on private developers providing facilities for Bedford. They haven't gotten a real cost benefit analysis, because he didn't think the Town was well prepared to offer a proposal. They have allocated monies this year and there is money in there to develop architectural and engineering packages to put out for a potential bid. They recognize the need to provide better emergency services in that area of Town and now it's a question of how to do it the best for the taxpayers and the Town and that's one of their major goal items for the upcoming year.

Councilor Murphy stated that the reason why they did the comprehensive facilities study was that they can show needs in a number of different areas. She mentioned that there is no good place for the plow drivers to sleep in between shifts, so they are looking at renovations to the public works building to make sure that they can provide necessary facilities for the people that are doing the hard work during the storms. She stated that the police department has almost no storage and limited training room for their people. She could go through each department and say why the current space isn't working, which is why they commissioned the comprehensive facilities study to begin with so they could get a handle on what the needs were and so they could tackle broad-based solutions that meet those needs at the same time. She's not arguing that the Fire substation is necessary, because it is, but her argument is that she thought they needed to tackle these things on a comprehensive basis rather than piecemealing them out. If they look at the big picture they might find that the global needs play out differently or just in a different combination than they could have previously anticipated at a lesser cost, because they are tackling it all at once.

**MOTION by Councilor Murphy to close the public hearing. Seconded by Councilor Stevens. Vote taken – Motion Passed – 6-0.**

**b. Public hearing on proposed Clean Water State Revolving Fund Loan Warrant Article**

**MOTION by Councilor Murphy to open the public hearing on Article 4 of the budget, which is the wastewater and stormwater asset management project, which asks if the Town residents with raise and appropriate a sum of sixty thousand dollars (\$60,000) for the purpose of defraying the cost of planning for public facilities for development and implementation of an Asset Manager Plan for the Town of Bedford's wastewater collection and conveyance system and the stormwater collection and conveyance system, such amount to come from the issuance of bonds or notes under an in compliance with the Municipal Finance Act in the amount of sixty thousand dollars (\$60,000). Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

Mr. Sawyer explained that its \$60k that they already have in the budget that would be a full reimbursement by the State if they were to adopt this warrant article. It's a loan program that the State uses and then completely rights off the payment. It's full reimbursement of an asset management plan that Public Works plans to do for stormwater and wastewater in 2019.

**MOTION by Councilor Murphy to close the public hearing. Seconded by Councilor Stevens. Vote taken – Motion Passed – 6-0.**

Councilor Murphy made a motion, but withdrew it as there is a 2<sup>nd</sup> public hearing on this.

**c. Public hearing on proposed Parks and Recreation Improvement Bond**

**MOTION by Councilor Murphy to open the public hearing for proposed warrant article for Parks and Recreation Improvements Bonds, which is Article 3 in the budget to see if the Town will vote to raise and appropriate the sum not to exceed three million nine hundred thousand dollars (\$3,900,000) for the purpose of improvements to the Town's Parks and Recreation and related infrastructure, such amount to come from the issuance of bonds or notes under and in compliance with the Municipal Finance Act, RSA 33 in the amount of three million nine hundred thousand dollars (\$3,900,000) and fifty thousand dollars (\$50,000) to come from interest earnings on the bond proceeds. In addition, authorize the Town Council to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and take such other action as may be necessary to effect the issuance, negotiation, sale and**

**delivery of such bonds or notes as shall be in the best interest of the Town of Bedford, and pass any vote relating thereto. This article would require a two-thirds vote on the ballot. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

Frank Sledjeski stated that he read the plan and thought what was missing was how it going to be taken care of going forward. He wanted to know if there was a portion of the money to maintain the fields. He thought other than mowing the lawn and fertilizing once a year, the Town had put zero dollars into the facilities. Without a comprehensive maintenance program, he didn't see how they could go and ask for \$4m. Councilor Murphy stated that it was impossible to answer the question without addressing the user fee issue, because that was one of the solutions that they specifically came up with to talk about how they are going to fund improvements long-term. She thought it was similar to the road bond when the roads were in disrepair. They looked at it and said the fields are in disrepair, because the work hasn't been done on an ongoing basis, because the Town doesn't have the manpower to be able to do the work. In order to bring them up to par they need to do a significant amount of improvements. They also need to be very focused on maintaining them going forward so they don't find themselves in this position again. She thought looking at turf instead of grass was one way to solve that problem and also lighting to maximize rental revenue so they can raise funds to further maintain fields and facilities. She thought it was something that was going to be addressed on an ongoing basis and thought the stakeholders that came to the table are very invested in making sure that that happens.

Charlie Fairman, 243 Liberty Hill Road, stated that what the Town does for the youth, school and recreation, is part of what makes this Town great, however, almost 60% of the homes that support the tax base have not youth or students in them. He thought it was wrong for the Town to appropriate a bond of \$3.9m without considering that 60%. The Town Council and the Town needs to step up and provide facilities for senior recreation. They have the opportunity and a building to do that and the only question is how that could be managed in the future. He suggested that they increase the Parks & Recreation Department budget as appropriate to manage the Stevens Buswell School. The Bedford Historical Society has done a great job in stabilizing that building and getting a lot done, but they need \$400k to get it over the threshold; 10% of the bond for seniors is not too much. He thought it was wrong to process \$3.9m for recreation and not include any recreation for that 60% that have no students and no youth. Councilor Murphy stated that some of the improvements that are anticipated in facilities involve lighting for the tennis court areas and areas of Town that are used by the seniors as well as high school athletes and people of all age ranges in between.

John Schneller, 86 Brick Mill Road, mentioned the Town considering adding turf and the School is replacing their turf field and he wanted to know if the Town has considered working with the School to try and lump the two together for efficiencies and cost savings. Chairman Duschatko responded that they were and the School has been helpful with advice. They've had cooperation and conversation with the appropriate

people at the schools and it was rewarding to know that they are starting to think about many of the same areas where they can save costs and improve performance.

**MOTION by Councilor Bandazian to close the public hearing. Seconded by Councilor Murphy. Vote taken – Motion Passed – 6-0.**

**d. Public hearing on proposed amendment to Bedford Parks and Recreation Field/Facility Use Policy for the addition of user fees**

**MOTION by Councilor Murphy to open the public hearing on the propose amendment to Bedford Parks & Recreation’s Field and Facility Use Policy for the addition of user fees. Seconded by Councilor Rombeau. Vote taken – Motion Passed – 6-0.**

Councilor Murphy explained that at the Town Council Retreat, one of the items was they wanted to spend money on field improvements and they want to make it all happen, but how are they going to fund it long-term. Councilor Gilbert and her worked hard and did a lot of research on what other towns were doing and gave examples of what other towns charge for field use and the rates vary greatly. They looked at what needed to be done on a long-term basis, because fields had been neglected and some of the leagues are putting in their own resources to upgrade fields and making improvements and some things aren’t getting done. They did an analysis of potential user fees in an effort to keep an ongoing stream of revenue. She wanted to explain how hours are tracked by sports and teams. She stated that she was a member of the Board of Mayor and Alderman in Manchester and sat on a subcommittee where they analyzed the parks and recreation fees in Manchester and decided whether to implement a user fee and they ended up setting a rate of \$20/hour. It benefited the fields, because it allowed for raising funds that could be directly put into improvement and maintenance of those fields. She explained that if groups aren’t paying for fields, they block off the field for longer than they need it. When groups are paying a user fee, they become more conservative in their estimation of the hours that are actually being used on the field, which allows the Town to rent that space to another group or organization providing and consistent stream of revenue that gets pumped back into the improvement of the parks.

Mr. Sawyer stated that the proposed fee was \$20/hour for all leagues using it. Councilor Murphy pointed out an error in the policy: under the definitions it defines adult Town team league as 80% of players being residents or being employed in Bedford and if they are going to apply the user fee to all leagues then they need to broaden the definition under the same policy that is on page one under subsection two.

Mr. Sledjeski stated that in the last 10 years they have never had problem in Town where they could give space to somebody else and somebody actually came in and said they wanted space on a Sunday. They left Joppa empty all last spring; people don’t come in and ask for field space. They work it out with the different clubs in Town and everyone’s allocated what they have. It could sit empty and no one is going to come to Town and ask for additional rental field space. Councilor Murphy stated that she took

the schedules last year and started driving around. The times that various teams and organizations were scheduled to be on the field, and there were lots of vacant fields at lots of times where they were supposedly rented out and actively used. Mr. Sledjeski stated that he supported the user fees and thought \$20/hour was sounded like a good number. She thought they should consider a higher rate when teams are using lighted fields, because it's infinitely more expensive. He also thought the schools should have to pay a user fee too to use Joppa Hill or Sportsman, because they are creating just as much damage to the fields and putting nothing into them just like all of the other clubs in Town and they should be treated as a club. Councilor Murphy stated that they discussed the potential of charging more for lighted fields and decided to hold back so they could assess the program for a year and see how it was working and then make a determination at that point. They would be able to track it against the electric bill. As far as the schools are concerned, when she was in Manchester the school district was charged back for the hours that it used on Town fields and at Town facilities. Councilor Bandazian stated that one of the big improvements was to convert to LED lighting so the cost for lighting will come way down.

Mr. Sledjeski mentioned the cross country ski team and the Barracuda swim team and noticed that they were absent from having any responsibility for any user fees. Councilor Murphy stated that some were missing intentionally. The ski club technically should be handled through their lease, which is up now and the Town Manager is trying to get together this month with the ski club to negotiate terms on that and they already pay for power. Mr. Sledjeski wanted to about the swim teams. Councilor Murphy stated that the Barracudas' were paying for life guards, but thought they should be added into the mix. Mr. Sledjeski know when the user fees would be implemented in conjunction with the bond. There were a lot of field repairs in the bond and wanted to know how many years do they expect it to take, because you can't close more than one field per season. Councilor Murphy stated that they didn't think it was feasible to do it for the spring, so for implementation they are looking at fall of 2019. Mr. Sledjeski hoped that they would consider that most of the groups have already sealed their 2019 budgets, so it would be helpful if they could graduate into the program over the course of a year.

Jeff Upton, 16 Winding Road, affiliated with BAC, wanted to know if they were voting on this some point down the road as a Council or is would it be something that goes to the Town for a vote. He wanted to know how much time as an organization they had to get their analysis together and figure out how much of an impact it would have on them. Councilor Murphy stated that they were hoping to take it to the Parks & Recreation Commission first, but the last meeting got cancelled. This is the first of two public hearings, so if they are able to rally their troops before the January 23<sup>rd</sup> meeting and come and specifically comment on what they feel the cost impact would be or what they expect in terms of maintenance and services in return for the user fees that would be a helpful discussion they could have at that time. It is not her understanding that the user fee would go on the ballot at all. It would strictly be a Town Council vote. If there are concerns and questions that are raised and it doesn't feel like this is ready for primetime by the time they get to January 23<sup>rd</sup>, she would be inclined to schedule an additional public hearing to continue to flush out the issue.



Chairman Duschatko encouraged them to attend the next Parks & Recreation Commission meeting, which is Wednesday, January 16<sup>th</sup>.

Mr. Sledjeski, affiliated with Global Premier Soccer and Bedford Soccer League, wanted to know if the user fees and the bond related in any way. Councilor Murphy stated only to the extent if they are going to justify spending this much money on field improvements, how are they going to make sure that they could fund the necessary work going forward. She would say they are certainly intertwined in that respect. Mr. Sledjeski wanted to know if there was any wording in the bond when it goes to the Town for a vote that says that some of the bond would be paid back. He wanted to know if the user fees would be going into a separate account for just maintenance. Councilor Murphy explained that they would have to make it an enterprise fund in order for it to solely be used for maintenance for budgeting. Mr. Sawyer stated that maintenance would have to be handled in the operating budget. The Public Works Director has identified \$65k in that line of additional funds that they would need to properly maintain the newly constructed fields over time. Councilor Murphy stated that the user fees would go into the general fund and there would be a line item allocation under the individual department. Mr. Sawyer stated that the warrant article is draft and if the Council chose at its next public hearing to insert language that said there was going to be a user fee to help offset the cost impacts, that language could be added to the warrant article before it gets placed on the ballot. That is why the timing is of the essence. They can have public hearings later on, but if they want the language to be on the ballot, they have to decide that in a shorter timeframe. They can't wait until mid-year. They can probably schedule one more public hearing, but he's not sure that the February meeting would meet the timeframes. The January 23<sup>rd</sup> meeting is the timeline for getting the language correct for the warrant article. Councilor Murphy stated that for those who are interested in this passing so that the money goes in to improving the fields, she thought it would be helpful to explain to the taxpayers that they intend to charge a user fee to raise money going forward to make necessary improvements and to maintain the fields.

Lori Radke, 50 McAfee Farm, mentioned that for tennis it states \$20 for 90 minutes without lights and \$40 with lights per court and wanted to know if that was for individual players or for teams. Councilor Murphy stated that it is per use. Mr. Sawyer clarified that it's not for an individual who just walks out and uses it on their own. It's for if you reserve it in advance and you sign up for it if you are giving lessons or any of the teams. Those are the current fees and those aren't changing.

Mr. Sledjeski mentioned that there are fees for playing tennis now and they are asking for money to fix tennis courts and wanted to know where all that money went. Mr. Sawyer stated that there is some money collected, but it wasn't a large number. The money went into the general fund and they have resealed the tennis courts and put new nets in, so they could say that the fee has gone to help offset those costs.

**MOTION by Councilor Rombeau to close the public hearing.  
Seconded by Councilor Murphy. Vote taken – Motion Passed – 6-0.**

Councilor Stevens stated that on page 3 of the Field and Facilities Policy, it almost looks as though that fee only applies to non-Town sports teams and leagues. Councilor Murphy explained that when she referenced the definitions, she's saying that they need to go through and make it look consistent, so it's very clear in the document that it applies across the board, because she doesn't think that's clear right now. There are a couple of references throughout the document so it needs a global read and everything needs to be cleaned up. Mr. Sawyer stated that they can move it to the general regulations. It's in the same spot where the previous reference to fees was, so that's why it's there, but they can move it to the general section of the document. Councilor Stevens thought they discussed a higher fee for non-Town organizations and wanted to know what happened to that. Councilor Murphy stated that they discussed a number of things as they were moving through the process. They discussed higher fees for organizations that were not primarily made up of Bedford residents, they discussed higher fees for lighting, so when she and Councilor Gilbert got together thought they should try and pilot this for a year, and they thought they should do it the simplest way possible at the \$20/hour rate and then move on from there. It's the will of the Council to charge different rates for different things. She thought it was the least confusing thing to put on the ballot to charge a single rate for at least the first year while they figure out whether or not it's working and how much revenue it's raising. Councilor Rombeau questioned if it needed to be put on the ballot. Councilor Murphy clarified that if they are going to make a comment in conjunction with the \$3.9m bond as to what they are charging, it would be far more confusing if they had a schedule of fees. Councilor Rombeau wasn't envisioning that level of detail in the comment added to the bond item other than to indicate that there was a mechanism in place for recouping some of the cost for maintenance going forward. Councilor Murphy thought if there was a single user fee it might make sense to say what the user fee was for the hourly rate. Councilor Rombeau understood and saw the value in not overcomplicating it, but having one fee for organizations that are less than 80% Town just in the sense of how that presents to the leagues that have been using it for so long. She would still be interested in possibly doing a two price point. Councilor Stevens stated that in some ways she could see how when they are looking to pilot it how if they make it easy and streamlined that it would be less of a headache on the other hand she knows that there are clubs and leagues in Town who have spent money on the fields so to her it would seem that if they have invested in the fields that then they would pay less than folks who are coming in to use the fields who have no skin in the game. Councilor Murphy stated that the counter argument is that if they look at the header on Non-Town Sports Teams/Leagues & All For-Profit Groups, it specifically says 'request for field use are considered on an individual basis and only after all Town groups have been scheduled.', so the out of town groups that are looking for space are getting the less ideal timeslots anyway, because the ideal timeslots are getting taken by the Town groups. Councilor Rombeau thought taking out from the equation what people have put into the fields wouldn't be complicated at the outset. Either a flat one fee or maybe two price points, but not necessarily doing a calculation of who has put what into it. Councilor Stevens agreed with that. She was just thinking that if they had any Town team they have put something into a field or facility versus a non-Town team. Councilor Rombeau wasn't thinking of doubling, but thought maybe a \$20 versus a \$25 difference and if that was supportable.

Councilor Murphy thought it was totally supportable by the data in surrounding communities. She thought for purposes of discussion, if all of the leagues come back and say for Town leagues they would like to see a phased implementation where they are only charging them \$10/hour the first year, maybe they do \$10 and \$20 and then go to \$20 and \$30 for purposes of in-Town leagues and out-Town leagues and then some sort of phased implementation that allows everyone to budget properly and understand what they are getting into. She thought there could be a lot of creative approaches that could be implemented based on the feedback that happens at the Parks & Recreation meeting next week and again at the 2<sup>nd</sup> public hearing on January 23<sup>rd</sup>. Councilor Stevens mentioned a notation about asking that if a group wants to cancel that they do so within 48 hours and there's also the weather policy and how the Town can prohibit a group from going on the field and wanted to know if the teams were still being charged the fees. Councilor Murphy didn't think that they should be. Councilor Stevens stated that on page 6, there is confusion about who is responsible for what and it looks like the leagues are responsible for bleachers, but then in another place it says that the Town is responsible for spectator areas. She thought bleachers would be a spectator area. Councilor Murphy stated that the spectator area is the grass and surrounding dirt around the bleachers and the bleachers are a fixture that belongs to the leagues because they are installed by them. Councilor Stevens wasn't aware that leagues pay for a lot of field maintenance, so it would be good to have that information when deciding the fee. It would nice for the Town to have an idea of what they are getting into budget wise if that would be the case that the Town would be responsible for taking care of the fields when things were previously taken care of by the leagues. Councilor Murphy agreed, but doesn't want to see an itemized list from the leagues. Councilor Stevens asked if the leagues could come next week with those bills with the estimates in hand of what they are spending on their fields, so the Town can have a better idea of who is doing what.

Mr. Sledjeski thought it would be an exercise where they would get almost zero receipts. Councilor Stevens thought that could be the case with his league, but she has heard that that's not the case with other leagues. Mr. Sledjeski stated that if they turf Sportsman Field and charge \$20/hour, it would be booked up 24 hours a day, so there should be special considerations. That's \$150/hour on the open market.

Mr. Sawyer noted that agenda item 5.a. is \$100k mowing contract that includes all of the recreation fields and the Town has been responsible for mowing the fields for a significantly long time. Councilor Murphy stated that the fields were never going to be mowed often enough for the leagues and players. Mr. Sawyer stated that if little league wants to mow their infield, technically they need approval from the Town to do it.

**e. Public Hearing on the acceptance of Cobtail Way and Powers Circle**

**MOTION by Councilor Murphy to open the public hearing on the street acceptances of Cobtail Way and Powers Circle. Seconded by Councilor Rombeau. Vote taken – Motion Passed – 6-0.**

Jeff Foote, Director of Public Works, explained that they are working with the school on putting out an RFP by the end of the month for both Sportsman Field and the refurbishment of their field, so hopefully it will save the Town some money.

Mr. Foote explained that Cobtail Way is 590 feet long and a portion of Powers Circle located in Bedford totals 580 feet. That's approximately 1170 linear feet of roadway to the Town's 187 lineal miles of Town owned and maintained roads. Both roads are complete and conform to Town road standards and construction requirements.

**MOTION by Councilor Rombeau to close the public hearing. Seconded by Councilor Stevens. Vote taken – Motion Passed – 5-0.**

**MOTION by Councilor Rombeau that the Bedford Town Council formally accept Cobtail way with a length of 590 feet and a 50 foot Right-of-Way and Powers Circle with a length of 580 feet and a 50 foot Right-of-Way. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 5-0.**

#### **4. NEW BUSINESS**

##### **a. Award of mowing contract**

Mr. Foote explained that this was a mowing and landscaping contract, Bid #17-2018 to Bradford Tree and Lawn, LLC who submitted the lowest qualified bid in the amount of \$100,300 for calendar year 2019 mowing of Town infrastructure. Public Works contracts the mowing and landscape maintenance for Town owned recreation fields, around public buildings, cemeteries, and other roadside features such as the Meetinghouse Road roundabout and the Burleigh Triangle.

Chairman Duschatko mentioned the landscaping at the Meetinghouse circle and wanted to know if that included the maintenance of the flowers. Mr. Foote stated that they do go out and prune and augment the bark mulch once a year. Chairman Duschatko wanted to know who provided the flowers. Mr. Foote stated that the Town did. It was part of the original landscape package as part of the design for the roundabout.

Councilor Greazzo wanted to know if the Town pays for plowing the schools. Mr. Foote stated that he didn't think they performed plowing, but they sand and salt all of the schools with the exception of the middle high school.

Mr. Sawyer noted that the Bedford Garden Club does the flowers in the rotary clock triangle and they supply all of the flowers at Town buildings and the wreaths in the holiday season.

**MOTION by Councilor Bandazian that the Bedford Town Council award Contract #17-2018 Mowing and Landscape Maintenance to Bradford Tree and Lawn Care, LLC in the amount of \$100,300 for**

**2019, and authorize the Town Manager execute the contract and to extend the contract for an additional two years should it be determined to be in the best interest of the Town. Seconded by Councilor Rombeau.**

Councilor Greazzo wanted to know if there were any other bidders. Mr. Foote stated that they received five bids.

**Vote taken – Motion Passed – 5-0.**

**b. Road Program update**

Mr. Foote explained that each year the Public Works Department submits a proposed road plan to the Town Council for discussion and comment. In addition to new road projects, the plan typically includes carryover work from the previous year. The 2019 program combines all available funding sources including the annual roads appropriation bond funding and any other developer offsite improvement fair share contributions that are available. This year's work will continue to be funded by the 2nd allocation (\$11,000,000) of the \$30m Road bond approved by voters in 2014. The road projects that are selected are consistent with the road bond list approved in 2014 and the Roads Program Update in September 2018. As noted in years past, there continues to be uncertainty in this year's program due to the completion schedule of the South River Road off-site improvements for the former Macy's site. DPW had proposed to complete this work in 2016 and with any luck that will come to a conclusion. The program is also influenced by the Saint-Gobain water line PFOA project on Back River Road and Smith Road and will be rectified and complete by early June. Potential projects that may influence the roads program is improvements at the Transfer Station and the recreation fields. A lot of it is based on the ability of personnel to manager all of the potential projects.

Mr. Foote showed a slide on the screen showing various road projects including a 2018 road construction summary that included:

- Campbell Road/North Amherst Road Project
- Pulpit Road and Three Corners Area Project
- High Street reclamation and paving project
- Holbrook Hill Road and New Boston Road intersection improvements

The slide also showed projects that were substantially completed in 2018 and scheduled for completion in 2019 and included:

- Sebbins Pond Drive/Sandy Pond Parkway Area Project (Continental Paving Inc.)
- Cider Mill Road Bridge replacement over McQuade Brook (Cold River Bridges)
- Gage Road/Pheasant Run/Olde English Area Project; Barrington Drive portion

Mr. Foote went over the plan for 2019, which is to have Continental Paving complete their carry over work on Sebbins/Sandy Pond and Gage Road Projects having those

complete by early June when the PFOA water line extension project is finishing up. The Liberty Hill Road Reconstruction Project will then move forward in June with a goal of having the road substantially complete when school opens.

Mr. Foote stated that those are the projects that have been funded and approved by the Town Council. The major projects for 2019 include the Donald Street project, which encompasses other side streets including: Savoie Street, Swan Avenue, Merry Street, Johnson Street, Hall Street, Woodlawn Avenue, Darling Street, Lawes Avenue, Dery Street, Gendron Street, Cote Lane, Sandstone Drive, and Olde Bedford Road (from Donald Street to Route 114 Bridge).

Mr. Foote stated that they recommend the proposed improvements to Gage Girls/Wentworth/Grafton Roads Area to the existing CPI Liberty Hill Road Project contract. They estimate the improvements in this are to be about \$1.65m. Assigning this work to CPI will allow a seamless transition from the Liberty Hill Road Area project to this project. They will save money on mobilization. The Department recommends that the Council approve an extension of work from the Liberty Hill Road project to this area of Gage Girls/Wentworth/Grafton Roads area. They are getting towards the end of the 2<sup>nd</sup> installment of the \$30m road bond and they don't think that they have enough to fund the entire amount of that work. They believe they've got about \$1.2m in available funds to perform the Gage Girls/Wentworth/Grafton Roads area work in 2019 and propose that the wearing course of asphalt would occur in 2020 when additional funding becomes available.

Chairman Duschatko wanted to know if the schedule for Liberty Hill Road aggressive. Ms. Walker stated that they've been talking with Continental and they have a plan of attack. They may start on the southern end of the project and when school lets out they would jump to the immediate area adjacent to the school, finish that up and then work south and then maybe work at it from both ends. They know the timeframe and they have been discussing the schedule. Councilor Bandazian mentioned that a substantial amount of Gage Girls is unpaved and wanted to know the plan for that. Mr. Foote stated that they've completed the survey and they are in a position to move forward with the engineering to bring that road up to standards and it would be paved as part of this proposal and it would only go to Beals. Councilor Rombeau wanted to know if they hear from residents a lot. Mr. Foote stated that Jeanne has heard from 4 or 5 on Gage Girls that were wondering what the surveyors were doing and were encouraged by it. Councilor Murphy wanted to know if they have had the concern specifically raised about paving and it becoming more of a cut-through to the Merrimack dump. Mr. Foote stated that as far as cut-through traffic, there could be, but there shouldn't be any trucks, because there is no thru trucking from Beals Road to the Merrimack line. He suggested that anyone on Gage should contact him or Jeanne with concerns. Mr. Sawyer mentioned that they would probably have a neighborhood meeting once they had some preliminary engineering done.

Councilor Greazzo mentioned the project of Pulpit Road and Three Corners and how they had to spend money to do drainage improvements and wanted to know how that

came about. Mr. Foote explained that all of the closed drainage in that area, the culverts, were constructed out of plastic pipe. They did a time and materials effort with Continental to replace plastic pipe that was either crushed since it's been constructed or crushed during construction. Ms. Walker stated that they found a couple of pipes that had large stones that had crushed the pipe. Part of their due diligence, they went out and videoed those drain lines knowing that they were making that investment of those dollars into the pavement and wanted to make sure that the catch basins and all of the drainage structures were properly constructed and operating properly. When they did it, they discovered that they had problems that they were not anticipating. Councilor Greazzo wanted to know who did the installation on those. Mr. Sawyer stated that it was the developer at the time, but that standard isn't in place anymore; you have to put in concrete now or get a waiver. Mr. Foote stated that they encourage that strongly and most developers had been adhering to concrete pipe in the last 15 years that he's been here. Councilor Greazzo wanted to know if they were recently installed. Mr. Foote stated that it had been 20 years or so. Mr. Sawyer that they were original to the subdivision. Councilor Greazzo wanted to know if it was outside of the scope of the requirement they would like it to meet and Mr. Foote responded yes.

**MOTION by Councilor Murphy that the Bedford Town Council support the 2019 Roads Program and authorize the Town Manager to advance the engineering, permitting, acquiring property easements, and executing of an additional work order based on previous bid documentation in an amount not to exceed \$1.2m to Continental Paving Incorporated of Londonderry NH for the Gage Girls / Wentworth / Grafton Roads Area contingent on the passage of the 2019 Town Budget. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

**c. Award of Donald Street Road construction contract**

Ms. Walker explained that the project was in line with the other projects. Donald Street and the surrounding streets have been on the roads program for a while. They went after a grant and the NHDES chose not to include the Donald Street project in their grant funding cycle, so they scaled back portions of the project including proposed property and conservation easement purchases. They had six firms that requested bid documents and they received four bids and Continental Paving was the low bidder. The Donald Street project includes a number of additional streets and all together totals about 2.6 miles of roads.

Councilor Greazzo wanted to know the scope of work; was it just paving. Ms. Walker stated that it's paving and drainage and there is some curbing included and same type of work they've been doing under the roads program. The majority of it is paving. Councilor Greazzo stated that he lives on Donald Street and it's a pretty good street and so is Sandstone, so paving those streets seems unusual. Mr. Foote explained that the drainage portion of it would cause the road to be torn up, but the only paving they are proposing other than trench patching is simply an overlay. Councilor Greazzo wanted

to know if the gas company was taking advantage of, because he has noticed that they have torn up the streets quite a bit. Mr. Foote stated that they worked with them and they've located the gas out of the Town's paths for closed drainage. The only paving that will occur on Donald Street is trench paving and then an overlay when they finish the project. Councilor Greazzo wanted to know the anticipated finish date and Ms. Walker responded October 2019. Mr. Foote added substantially complete.

Councilor Rombeau asked about the bidding process and if a bid is too low. Mr. Foote explained that they had three bids that were bunched up and Continental was low. The engineer's estimate was performed by the Town's consultant in-house. They thought it was a \$2.6m - \$2.7m project. McFarland Johnson did the estimate and the Town always goes in and comes up with their own range of what they think it is and the Town had it at \$2.6m - \$2.7m. Councilor Rombeau wanted to know if it was a typical process to have an outside consultant, because of the scale of the project. Mr. Foote stated that they can't do everything. Ms. Walker explained that one of the things they do when a bid comes in is they look at the individual bid items; it's not just the bottom line. Mr. Foote stated that there are always three items that Continental Paving is very competitive with including mobilization and fine grading.

Councilor Bandazian thought that some of the water main in that area is quite old and suggested that they reach out to Manchester Water Works. Ms. Walker stated thought that was an excellent suggestion and they've already been in contact with them and they are planning to do some work before they get started. Councilor Bandazian wanted to know if the door was open in another grant funding cycle to do the aquatic resources improvements that they were contemplating or is that opportunity foreclosed once they get the work done. Mr. Foote stated that the environmental regulatory people determined that this project wasn't worthy of funding so the funding was there, but they didn't think that the cost benefit analysis warranted them providing a grant to the Town. In this round of grant monies through the ARM program through DES, \$1m went into that program as a result of the Route 101 project and had some other developments that occurred within Bedford that added another \$130k, so there was over \$1m that was Bedford money that they didn't realize. It was very disappointing.

**MOTION by Councilor Rombeau that the Bedford Town Council award Contract #20-2018 the Donald Street and surrounding roads reconstruction project in the amount of \$2,533,003.50 to Continental Paving, Inc., of Londonderry, NH and to authorize the Town Manager to execute the contract and issue change orders as necessary to complete the project. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

Mr. Foote stated that they wanted to show where they've been and where they are going. He showed a slide on the screen and you could see the different bonds the Town has funded over the years. Each one of those bonds every year was complimented with \$1m that the Council has always appropriated. Many of the roads they were looking at had been reconstructed and improved. In the next cycle of bonding scheduled for 2020,



he showed the areas they were proposing to spend that money. Councilor Rombeau thought it was neat to see the layers over the years all in one place. Mr. Sawyer thought it showed they are getting to the end of the program, which is great news. He hoped that Mr. Foote added it to the roads website. It's a great resource for all of the projects that he has going on and thought this would be a great addition to that site. Councilor Murphy wanted to know after 2023 if the goal was to eventually hit all of the roads in Town and Mr. Foote responded absolutely and at that point, they've got to accelerate the yearly appropriation from \$1m to \$2m. Mr. Sawyer stated that are getting to the point where it's going to come to fruition where they would be at the end of the reconstruction and at the start of just the maintenance. It was pointed out that the Town of Bedford doesn't participate in the maintenance or construction of New Boston Road, Route 101, South River Road south of Target/Lowes, and Route 114 that goes by Demoulas (Market Basket). Mr. Sawyer stated that the State is still planning to repave New Boston Road in 2019, but they haven't given any kind of timeline. Councilor Stevens wanted to know when they expect Route 101 to be done. Mr. Foote thought they would be substantially complete by September/October of 2019. Mr. Foote stated that when Route 101 is finished, the Town will improve Bedford Center Road between Route 101 and the Old Town Hall.

**d. Schedule a Public Hearing for the acceptance of a Homeland Security Exercise and Evaluation Grant**

Chief Scott Wiggin thought there was a lot of work between Police Sgt. Monahan and Fire Capt. Ben Selleck getting the grant. This grant is an active threat type of a grant. It's very comprehensive and represents a lot of dollars and it backfills for people going to training and they have to fill a shift.

Deputy Chief Scott Hunter explained that Capt. Selleck and Sgt. Monahan would be at the Council meeting on the 23<sup>rd</sup> to answer any detailed or high level questions. The grant is worth \$350k from NH Homeland Security and Emergency Management to be used over the course of two years for an active threat type exercise. There would be some trainings in between culminating in a full scale exercise in September of 2020.

Chairman Duschatko wanted to know how many people were covered in the training and Deputy Chief Hunter responded that he didn't know, and thought it would be a question for Capt. Selleck or Sgt. Monahan when they come. Chief Wiggin stated that one of the trainings is a 3-day class just for Police and Fire management at a command function roles and responsibilities that the police officers and firefighters won't be involved with. Chairman Duschatko wanted to know the role of the consultant. Deputy Chief Hunter stated that the consultant puts the whole exercise and all of the trainings together. They have used consultants similarly in the past for the swiftwater exercise.

Councilor Murphy mentioned the 80% reference she saw in some of the grant paperwork and thought it wasn't that the grant fund is 80% and the Town picks up the 20%, it's just allocated funds and the way that they are distributing them and Deputy Chief Hunter responded that that was accurate. It's 100% grant, no matching funds.

Councilor Greazzo wanted to know how often the Fire Department collaborates with the Police Department in training. Chief Wiggin stated that they had an active shooter training at the high school two years ago and it's ongoing on a much smaller scale for the Fire personnel to interact with the Police Department. They have some type of activity with both departments at least once a year.

**MOTION by Councilor Murphy that the Bedford Town Council schedule a public hearing in accordance NH RSA 31:95-b for January 23, 2019 at 7:00 PM for consideration of accepting the 2019 & 2020 Homeland Security Exercise and Evaluation Grant. Seconded by Councilor Stevens.**

Councilor Rombeau wanted to know how it worked at the January 23<sup>rd</sup> meeting in terms of where it is placed on the agenda as there are other public hearings as well. Chairman Duschatko mentioned that they could give them a break and have them first.

Mr. Sawyer explained that the RSA reference is to unanticipated grant funds. They could add it into the budget and not necessarily hold the public hearing, but this is the safest way of doing it.

**Vote taken – Motion Passed – 7-0.**

**e. Other New Business**

**5. OLD BUSINESS**

**a. Old Business – None.**

**6. APPROVAL OF MINUTES**

**a. Budget Workshop – November 28, 2018**

**MOTION by Councilor Bandazian that the Bedford Town Council approve the minutes of the November 28, 2018 Budget Workshop. Seconded by Councilor Murphy. Vote taken – Motion Passed – 7-0.**

**b. Public Session – December 12, 2018**

**MOTION by Councilor Rombeau that the Bedford Town Council approve the minutes of the December 12, 2018 Public Session. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

**7. TOWN MANAGER REPORT**

- 1) The registration period for open elected positions is January 23<sup>rd</sup> through 5 PM February 1<sup>st</sup>.

Open Town Elected Positions:

- Two Town Council positions (3-year term)
- One Library Trustee (3-year term)
- One Trustee of the Trust Fund (3-year term)

Open School District Positions:

- One School Board positions (3-year term)
- One School District Moderator (3-year term)
- One School District Clerk (3-year term)
- One School District Treasurer (3-year term)

Any Bedford registered voter wishing to file for Office must do so by contacting Town Clerk Lori Radke 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.

- 2) The State has announced their new PFAS Drinking Water Standards for four compounds that are stated to be protective of the most sensitive populations over a lifetime as the following:

PFAS	Proposed MCL and AGQS
PFOA	38 ppt
PFOS	70 ppt
PFOA & PFOS (combined)	70 ppt
PFHxS	85 ppt
PFNA	23 ppt

The State has announced that they intend to hold at least three hearings on these new standards with one being in the Bedford, Litchfield, and Merrimack region (tentatively March 7<sup>th</sup> in Litchfield). The 38 ppt for PFOA will likely have an additional impact on those needing a long term water solution in the southeast portion of Bedford and potentially around our landfill. Data on the presence of PFHxS and PFNA compounds in our resident’s wells is not well known to me at this point, but I will be asking NHDES to supply new mapping based on these standards.

- 3) Family Snowman Challenge – build a snowman in your own yard and submit a picture by February 1<sup>st</sup>. Be sure to challenge your friends and neighbors!
- 4) January 10<sup>th</sup> – Thursday Theater 2-4 PM and 6:30-8:30 PM “Crazy Rich Asians” at the Library.
- 5) January 20<sup>th</sup> – Adult & Senior Movie Matinee 2 PM “The Lightkeepers” at the Library.
- 6) January 21<sup>st</sup> – The Town Office Building, Library, and Transfer Station will be closed for Martin Luther King, Jr. Civil Rights Day.
- 7) Today is Law Enforcement Appreciation Day.
- 8) Chief Bryfonski has informed me that Bedford experienced only one residential burglary during 2018 and although we wish there were none I am truly thankful for the work that our police officers put into driving this number towards zero and it also

speaks to the diligence our residents put into looking after each other and taking logical precautions to protect their homes.

- 9) Three responses for solar photovoltaic projects on town owned land have been received and are being reviewed to see if any meet the legal and general standards outlined in the RFP
- 10) The document management RFP responses are being reviewed by the committee and three vendor presentations are being completed this week.
- 11) Town Clerk Position – Lori Radke our Town Clerk has announced that she will be leaving her post to pursue another professional opportunity on February 1, 2019. RSA 669:65 indicates that the Deputy Town Clerk (Gloria MacVane) will assume the role of Town Clerk until the next election. The Secretary of State has made it clear that with Lori's last day being after the start of the filing period for the March 2019 election the permanent replacement can't be elected until March of 2020 (for a three year term) when Lori's current term would come to an end. Gloria does not want to remain as Town Clerk for the next year so she will resign her position and the Council can appoint someone following a typical advertisement, interview, and selection process.

Councilor Greazzo wanted to know if Ms. Radke adjusted her last day to be January 23<sup>rd</sup>. Mr. Sawyer stated that it would have to be the 22<sup>nd</sup> before the filing period. Councilor Murphy stated that then they could put it on the ballot. Chairman Duschatko stated that he talked to her about that and the last conversation he had with her, she was not interested. Mr. Sawyer suggested that they could talk about it further in non-public if they wanted to. Councilor Greazzo wanted to know if they could appeal the Secretary of States' decision. Mr. Sawyer stated that he spoke with the Town attorney and he said that he couldn't overrule what the Secretary of State had said. Councilor Greazzo wanted to know if they could challenge it. He thought it was ridiculous. They know that she is leaving and they could put it on the ballot no problem. Just because her last day is the end of the filing period that doesn't mean that they don't know that it's happening and that they need a new Town Clerk. Councilor Murphy suggested that they go into non-public under personnel.

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

Councilor Rombeau appreciated hearing the plows and thought they did a great job.

Councilor Stevens stated 'Go Patriots!'

Councilor Murphy echoed Councilor Rombeau's comments regarding the plowing. She also echoed the Town Manager's comments that it's National Law Enforcement Appreciation Day, which is a time to think about sending a card to support your local police department or share a positive story about law enforcement on your social media page or if you see a police officer, thank a police officer.

## **9. NON-PUBLIC – RSA 91-A:3**

**MOTION by Councilor Bandazian that they go into non-public under RSA 91-A:3, 11(a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him or her unless the employee affected has a right to a public meeting and requests that the meeting be open, in which case the request shall be granted. Seconded by Councilor Murphy.**

**Roll Call Vote: Greazzo-aye, Murphy-aye, Duschatko-aye, Stevens-aye, Bandazian-aye, Rombeau-aye.**

The public meeting ended at 9:20 PM.

Respectfully submitted,

Dawn Boufford