

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
January 22, 2020  
BEDFORD MEETING ROOM  
10 MEETINGHOUSE ROAD**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, January 22, 2020 at the Bedford Meeting Room, 10 Meetinghouse Rd. Present were Bill Duschatko (Chair), Melissa Stevens (Vice Chair) and Councilors Denise Ricciardi, Phil Greazzo, Dave Gilbert, Chris Bandazian, and Catherine Rombeau. Also present was Town Manager Rick Sawyer.

Chairman Duschatko opened the meeting at 7:00 PM.

**2. PLEDGE OF ALLEGIANCE** – Led by Councilor Stevens.

**3. PUBLIC COMMENTS** – None.

**4. PUBLIC HEARINGS**

**a. Second public hearing on the proposed 2020 budget**

**MOTION by Councilor Rombeau to open the public hearing. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

Bill Carter, 100 New Boston Road, thanked the Town Manager, all of the departments and their staff, and the Town Council for very comprehensive paperwork on the Town website. It helps quite a bit and it is very clear to read. He mentioned the increase in contractual services, which is a \$205k increase, about a 17% increase, over the 2019 budget. Mr. Sawyer stated that some of the things that impacted contractual services this year included: \$50k for PFAS testing, \$51k to complete repairs to the basketball courts and tennis courts, \$15k for a survey and condominium plan to be able to sell the Stevens-Buswell building to the Historical Society, \$10k increase in attorney fees, \$6k for cemetery stone repair, \$5k increase for Opticom that controls traffic signals, \$7k for opening and closing the pool and splash pad, \$18k in maintenance contracts for two new programs Docstar and TimeClock Plus, \$7k in Police for radio communications networking. Mr. Carter thought that information should be put in the report. Mr. Sawyer stated that the full budget appropriation spreadsheet has notes under each line. The Council has access to that and after tonight's meeting it will be on the website. He explained that the budget summary that was presented to the Council in October broke down different categories including Personnel Services and Contractual Services and that highlighted the 17% change. Mr. Carter pointed out a grammatical error. Under Personnel Services, when they go to explain it, they call it Personal Services.

**MOTION by Councilor Bandazian to close the public hearing. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

Chairman Duschatko stated that the total appropriation for Article 5, Capital Reserve Fund, is \$2,377,875. There is approximately \$1m to redo Sportsman Field with a turf surface, new lighting, drainage, etc., which would allow extra months on both ends of the year for usage. The funds for those improvements would be provided through the use of Unallocated Reserves and Recreation Impact Fees. They show up as an appropriation, but it is not a direct hit on the tax base. He explained that they have added approximately \$350k towards the purchase of a new ladder truck for the Fire Department. They are trying to speed up the delivery of the truck, which takes about a year to build and they have to get the order in well in advance. The current ladder truck has untimely breakdowns and out of service situations. To offset that, they've taken funds out of other investments and Fire vehicles. They are also starting to put money away for a new sand and storage building for the DPW, which is a new item for this year. He explained that it shows up as an appropriation in the total, but the funds are then moved into investment accounts as they build up until they get a large enough balance to allow them to use those funds to pay for equipment when it's due. It's a very thoughtful schedule and in most cases it works out so they have enough money down the road to fund their investments in new equipment.

**MOTION by Councilor Bandazian that the Bedford Town Council move Article 5 the 2020 Capital Reserve Fund as presented forward to the Budgetary Town Meeting Scheduled for March 11, 2020 with a total appropriation of \$2,377,875. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

Councilor Stevens wanted to discuss the use of additional unassigned funds that was mentioned in the staff report. The projected funds have increased so they have the possibility of affecting the tax rate if they take more of those funds and applying them. When they last discussed it, they were taking \$2.3m and it would leave them at 15% unassigned fund balance and right now they are at 16%. If they want to stick to the 15%, there are funds there that they could take that would then lower the tax rate. She stated that she only brought it up because the taxpayers are looking at a tax increase on the School side, so it would make sense if they were able to use some of the unassigned funds to help offset some of those costs. Chairman Duschatko didn't think it was the role of the Town to offset anything the School does. They stand alone and they do their own thing. Councilor Bandazian agreed. He pointed out that only 22% of the unassigned fund balance secures the Town's tax obligation to itself to meet payroll and bond expenses. The other 78% of that number goes to secure obligations to the School District, the State of NH and the County. If they were operating as fiduciaries, they would have those monies in separate accounts rather than a general fund account and they would probably be hurting every May. Even at 17%, the amount of funds available to meet the State, School District, and County obligations was very low. They are fortunate to have a good collection rate on taxes, otherwise they would be doing tax anticipation notes. He would prefer to preserve some liquidity. They've talked about site acquisition and he thought it would be prudent to be disciplined and save that money and have it available if an opportunity came up. He's pleased that they have more revenue than they thought, but they have brought the level down below the 17% target doing what they are doing this year and it would

remain below the target. He didn't think it was a great situation to be below 17%, because that's the minimum under the Government Accounting Standards to get applied. They have invented the lower category in Bedford and they are lucky they have a good collection rate, but it's also a target, a minimum that applies to fiscal taxpayers. They are not a fiscal year entity; they collect taxes in arrears. When they consider that 78% of that money secures obligations to other government entities and the fact that they are not a fiscal year entity on the Town side, he thought 17% was a very prudent number to stay close to. Chairman Duschatko endorsed those comments.

Councilor Ricciardi agreed with the comments by Chairman Duschatko and Councilor Bandazian. She felt the Town side was low in comparison and they do a good job being Aaa bonded and they have the responsibility to get these things done in the Town.

Councilor Greazzo agreed with Councilor Stevens. He didn't think she was looking to offset what the School was doing, but as the responsible entity for spending the Town's money, if there was money that could be used to reduce the tax rate, he didn't see a problem doing that. Chairman Duschatko explained that it's not like they are spending it; it's being invested. He thought 17% may be a little bit high, but it's hard to balance. They are looking at stuff in the future, and he's being aware that they have obligations coming up in the future and thought they should reserve for them as they see fit.

Councilor Gilbert agreed with Chairman Duschatko, Councilor Bandazian, and Councilor Ricciardi. Their tax rate is going to be the same as 2012; you can't argue with that. Chairman Duschatko mentioned that of all their peer towns and cities, Bedford had the lowest tax rate except for Windham. Even if they raise it a little bit, they are still at the bottom and they are getting a lot of bang for their buck and they should keep it there. They spend it well and spend it prudently and that's the important thing.

Councilor Rombeau questioned if there were developments in the PFAS situation or more discoveries that needed to be treated in a short term, whether they could tap into those funds if they needed to deal with water issues. Councilor Bandazian thought they would probably need a special election to be able to do that. Mr. Sawyer clarified if they had to do it in 2020, otherwise if they had a plan put in place and in 2021 or 2022 they knew they needed to do something and pay for it themselves without insurance money or State or Federal grants, then they could budget for those in future years using fund balance. Councilor Stevens added that they could bond it.

Councilor Stevens thought it was unfortunate for folks to have the perception that they are only responsible for the Town side of the taxpayers' bill. At the end of the day, they are all paying the School side, the Town side, and the County and State. She thought they owed it to those who voted for them to do the best they can for them. She wasn't looking to go below what they previously agreed on. She thought it would be fair and prudent for them to do what they can, and it wouldn't be a lot of money they would be moving. If they decide not to move the money, she thought they were taking a stand against the School Board, which was not neighborly by any means and it doesn't do anything to help the taxpayer. Councilor Gilbert didn't think that was appropriate.

Councilor Rombeau disagreed with Councilor Stevens. She understands at the end of the day they are all paying the bill, and the average person isn't necessarily thinking about it in terms of where the breakdown line is between the two, but she didn't think that was a helpful characterization. Councilor Stevens thought if they could lower their end of the bill and perhaps that's easier for the taxpayers to swallow when they are looking at the increases from the School side, she didn't know why they wouldn't they do that. Unfortunately the School was left in a debacle, because their budget didn't pass last year. She didn't think they would be doing anything different than what they agreed upon a month ago. She thought since they had the information presented to them that it was worth discussing and letting folks know that it was an option on the table for them.

Councilor Bandazian agreed that what they committed to was taking out the \$1m for the facility and the extra money for the Fire Department. The actual balances aren't going to get determined until the audit is done. It might be higher or lower. They can make some projections and Tammy does a great job, but until the auditors audit the books, they really don't know what that number is going to be. He thought they were doing what they said they would do and that's kind of an unprecedented dent in the fund balance that they've made. Next year they are going to have an additional bond payment and he would much rather have the resilience in the budget next year if they have to do something and not just be reactive to the problems the School District is facing. Councilor Greazzo didn't consider the School Districts' issues in their deliberations and hoped the voters would do the same thing they did last year and give them the default budget. He understands Councilor Bandazian's position of having the padding for next year, extra bond payments, contingencies, things like that, but he also understands Councilor Stevens' position. If it's there and there's a possibility to move it, he didn't disagree with that either.

**MOTION by Councilor Bandazian that the Bedford Town Council move Article 6 the 2020 operating budget as presented at this evening's meeting forward to the Budgetary Town Meeting Scheduled for March 11, 2020 in the following amounts:**

<b>General Fund</b>	<b>\$29,005,563</b>
<b>Recreation Day Camp</b>	<b>83,006</b>
<b>Bedford Comm. TV</b>	<b>457,738</b>
<b>Sewer Fund</b>	<b>1,756,296</b>
<b>Total Appropriations</b>	<b>\$31,302,603</b>

**Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

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

Chairman Duschatko explained that this is setting up a contract with the State of NH that allows them to repay money that they are spending in to develop an asset management plan for the Town's wastewater collection and conveyance system as well as stormwater collection and conveyance systems. It is important that they get the money back.

**MOTION by Councilor Gilbert to open the public hearing. Seconded by Councilor Rombeau. Vote taken – Motion Passed – 7-0.**

**MOTION by Councilor Bandazian to close the public hearing. Seconded by Councilor Rombeau. Vote taken – Motion Passed – 7-0.**

**MOTION by Councilor Ricciardi that the Bedford Town Council approve the warrant article relative to seeking authorization to issue a bond or note up to \$60,000 for the purposes of defraying the cost of the Town's Asset Management Plan for wastewater and stormwater as presented and place the article on the ballot to be voted on by the public on Tuesday, March 10, 2020. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

Councilor Rombeau wanted to know if they could come up with a blurb to explain what it is and then share it on Facebook or on the Town website. Mr. Sawyer pointed out that the piece in italics under the warrant explains it in simple terms and will be on the ballot, but they can work together to do that. He stated that this is critical to get approved, because it would further reduce the tax rate by about a penny and a half or so. It is money that they have in the 2020 budget that they would be able to not have to spend and not have to raise by taxes. The \$60k offsets impacts to the residents so it would be great to be able to return that money to the community. If they don't use it, somebody else will. Councilor Bandazian thought they should add into the explanation that it's federally mandated. Mr. Sawyer thought it was unfortunate that it had to be on the ballot. It's a forgiveness program, but they have to apply for it as a loan, which means they need to get 2/3 approval. It's a grant from the State, but it's a crazy way to have to go through it.

**c. Consider change to Town Charter, Article XI, Section C11-3, Terms of Office**

Chairman Duschatko explained that the amendment discusses the procedures the Council talked about and waiting to adopt regarding the appointments to boards and commissions. Traditionally, they have made appointments to these boards at the meeting before the election, which means that any incoming Councilors that are running will not take part in the appointment process. They decided to move the appointments to May 1<sup>st</sup> and hope this works for everybody.

**MOTION by Councilor Bandazian to open the public hearing. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

**MOTION by Councilor Bandazian to close the public hearing. Seconded by Councilor Greazzo. Vote taken – Motion Passed – 7-0.**

**MOTION by Councilor Gilbert that the Bedford Town Council place the Charter amendment to Section C11-3, Terms of Office as proposed (or as revised) on the 2020 ballot. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

## 2. NEW BUSINESS

- a. **Other New Business** – None.

## 3. OLD BUSINESS

- a. **Appointment to the ZBA (tabled from the 1-8-2020 meeting)**

Mr. Sawyer stated that Mr. Green was fine with carrying over the Council's consideration of his appointment as a full member to the ZBA until they take it up with all of the other appointments in April. They can still do the appointment or they can table action until April.

This item was left on the table.

- b. **Other Old Business** – None.

## 4. APPROVAL OF MINUTES

- a. **Public Session – January 8, 2020**

**MOTION by Councilor Bandazian that the Bedford Town Council approve the minutes of the January 8, 2020 public session. Seconded by Councilor Stevens. Vote taken – Motion Passed – 7-0.**

## 5. TOWN MANAGER REPORT

Mr. Sawyer stated that they had their rating meeting with Moody's today in anticipation of the bond sale and he thought the meeting went fantastic. He wanted to thank Finance Director Tammy Penny, Planning Director Becky Hebert, and the Town Assessor Bill Ingalls for all of the work they did in the last two weeks or so. He was hopeful that they will retain their Aaa rating. They look forward to their bond rating on Monday or mid-week and then the bond is sold the week after that.

Mr. Sawyer mentioned that the information he presents at Council meetings are highlights from the Manager's report, but there is much more information in the Manager's Reports that are attached to the agendas and on the Town website and the Town Council Sharepoint site.

1. The registration period for open elected positions is January 22, 2020 through 5 PM January 31, 2020.

Open Town Elected Positions:

- Two Town Council positions (3-year terms)
- One Town Clerk (3-year term)
- One Town Moderator (2-year term)
- One Library Trustee (3-year term)
- One Trustee of the Trust Fund (3-year term)

- Three Supervisors of the Checklist (one 6-year term, one 4-year term, one 2-year term; you must choose which term you are running for)

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.

2. The Bedford Men's Club will hold a forum/debate for the Town Council on Thursday, February 13, 2020 at 7 PM and the School Board on Thursday, February 20<sup>th</sup> at 7 PM. The forum/debates are held at BCTV and also broadcast live.
3. As a reminder political signs are not permitted in any traffic island or on any Town owned land without approval of the Town Council.
4. February 4<sup>th</sup> – School System Deliberative Meeting, 7 PM, Bedford High School.
5. February 11<sup>th</sup> – Presidential Primary Election, 7 AM-7 PM, Bedford High School. Mr. Sawyer explained the traffic pattern. Traffic will be counter-clockwise. As you leave the high school, you may be directed to turn right, depending on the traffic.
6. March 10<sup>th</sup> – Local Election Day, 7:00 AM – 7:00 PM, Bedford High School.
7. March 11<sup>th</sup> – Budgetary Town Meeting, 7:00 PM, Bedford High School.
8. The last day to register to vote or to make name and address changes prior to the Primary is Monday, February 3, 2020, at 4:30 PM. You can always register to vote at the Primary.
9. Transfer Station - a recent letter to the editor pointed out a change we made this fall at the Transfer Station where we have added two handicap parking spaces for those with handicap plates or placards and are in need of assistance disposing of their trash or recycling. Those individuals should park in the designated space and wait for an employee to come to their aid. He recognized Director Foote and the team at the Transfer Station for being so willing to assist our residents in this manner.
10. 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!
11. January 23<sup>rd</sup> – Bedford Land Trust & Piscataquog Land Conservancy merger public information meeting, 6-8 PM, Bedford Library. The Bedford Land Trust has merged with the Piscataquog Land Conservancy releasing their financial assets and 704 acres of property as of January 1, 2020.
12. The Planning Board will hold its second and final public hearing on 3 proposed zoning amendments on January 27<sup>th</sup> at 7 PM at BCTV. The amendments can be viewed on the Town Website at:  
<https://www.bedfordnh.org/DocumentCenter/View/4232/2020-Proposed-Zoning-Amendments>
13. February 4<sup>th</sup> – “A History of the NH Primary” with John Gfroerer, 3:30-4:30 PM, Bedford Library.
14. January 25<sup>th</sup> – Stuff A Cruiser for the Bedford Community Food Panty, 10 AM-2 PM, Harvest Market.
15. February 1<sup>st</sup> – Educational Farm at Joppa Hill, 5<sup>th</sup> Annual Snow Ball Gala, 7 PM, Murphy's Taproom, Bedford, NH.

16. February 6<sup>th</sup> – Conversation with a Councilor, up to 3 Town Councilors will hold office hours for anyone interested in speaking with them, Noon-3 PM, Bedford Town Office Building, 24 North Amherst Road.

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

Chairman Duschatko stated that based on some feedback he got and that people would like to hear more about what's going on with the various committees and they wonder why they don't report more on it, he thought if the Councilors had anything important to bring up on any of the committees or commissions that they are on they could do that tonight. Next year they are going to go back to a more formal presentation from the board chairmen.

Councilor Gilbert stated that they had a Zoning Board meeting last night and they had one application that was granted. They will be holding another Parks & Recreation Commission meeting next week. The website to order tickets for the EFJH's annual Snow Ball is [www.theeducationalfarm.org](http://www.theeducationalfarm.org). Tickets are \$75/each. There will be a live band, silent and live auction items as well as heavy hors d'oeuvres and dancing.

Councilor Rombeau mentioned doing a Town clean-up day in conjunction with Earth Day and recognizing a Green Business Award winner.

Councilor Bandazian mentioned that some high school students would be coming to the Energy Commission to talk about plastic bags. If they have time he will go through Portfolio Manager to show electricity consumptions of the facilities they are monitoring. At the Planning Board meeting, the Market & Main proposal came back as design review. It's not an application; it ends with the Planning Board giving input. It's not binding, but it does vest them for changes in zoning that are not proposed this year. The next Market & Main presentation will be February 10<sup>th</sup> with a fiscal impact report where they will explain their projections of \$700k in net revenue after taking into account students as well as why they need to do 200 units of market rental apartments. The retail is back in and the theater is back in. The Master Plan Think Tank met after a long period of not meeting due to some turnover in the consultant firm. They mapped out what's going to happen as it gets rolled out over the next couple of months. The Think Tank's function was not to provide input or say what should be in it, it's to guide the presentation of it. He stated that Saint Gobain decided that they would only honor the existing 70/ppt standard going forward, but they would honor the commitments to residents in Bedford who have received a letter to try and schedule well testing and any commitments they had made for alternate water based on the lower standard. The standard is going in three different directions: one is in litigation and one is back to the Legislature. A bill to mandate the new lower standard passed in Senate Committee unanimously, so that will proceed through that pipeline. They are also looking at redoing the regulatory process to answer questions. As this has gone forward, DES is revising its estimates on cost for most water systems. The cost will be much lower than when they did the rule setting, because they can turn on and off well. The Pennichuck system can usually interconnect and avoid using wells seasonally. Most of the bigger water systems have inexpensive alternates to reduce levels.

Councilor Stevens stated that BCTV/WBNH met last week and they went over the policy and procedures manual. Coleen Richardson did mostly housekeeping items to the manual, which was quite a bit of work that she did to that. A lot of it was including the new HD channel.

Chairman Duschatko mentioned that the Telecommunications Committee met and they have two major items on their agenda. One is writing a new ordinance to deal with right-of-way situations within the Town. That task has been taken on by Becky Hebert and Councilor Ricciardi. They've spent hours on a very complicated subject and came up with a program he thought was understandable to most people reading it and it is fair to all people that are utilities or users of poles or potential users of the right-of-way. This is a first step in dealing with improved regulations on various wireless and other delivery systems. This is combined with a research effort to look into the feasibility of offering full fiber optic connectivity to all households in Bedford, This would be a locally owned fiber network; the formation of it could take many different directions, so it's conceptual right now. The concept is they would have a neutral base of fiber that would then be offered to any qualified ISP to join in and they can deal with rate setting and service setting to the various customers. This is a movement that's been going on for about seven years around the country with pretty good degrees of success in smaller to midsize communities. He mentioned some communities in MA and ME that have it. There has been an effort in the western part of the state to get similar types of things going, but none of it has been particularly successful, because of the peculiar NH laws they have to operate under in NH. Those have been pretty much cleared up, so it's open. They are going to begin this with a short online survey within next week and they will be handing out cards and information at the Primary and local elections for people to express their interest. The first part is the survey to see if there is enough demand for this type of service. If there is, they will move forward and make it a more concrete type of offer. It's big and it's complicated, but there are some good people to work with and learn from their experience and gain from it.

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

**8. ADJOURNMENT**

**MOTION by Councilor Bandazian to adjourn. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

Public Session ended at 8:08 PM.

Respectfully submitted,

Dawn Boufford