

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
April 27, 2022
10 Meetinghouse Road**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, April 27, 2022, 10 Meetinghouse Road. Participating were Bill Carter (Chair) and Councilors Phil Greazzo, Sue Thomas, Bill Duschatko, Dave Gilbert, and Kathleen Bemiss. Also present was Town Manager Rick Sawyer. Councilor Radke had an excused absence.

Chairman Carter opened the meeting at 7:00 PM.

2. PLEDGE OF ALLEGIANCE – Led by Chairman Carter.

3. PUBLIC COMMENTS – None

4. NEW BUSINESS

a. Meeting with the Trustees of the Trust Funds

Ken Peterson, Chair of the Trustees of the Trust Funds, stated that there were three Trustees: himself, Mac McMahan and Joe Fahey. He gave a history of the Trustees of the Trust Funds. Each Trustee has a responsibility; they have an annual agenda for what they do each month; they have a website; they visit other trustees to see if they can learn something from them; they've tried to bring this up to a level where people can understand what they are doing. He thanked Rick Sawyer and Dawn Boufford for their support.

Mr. Peterson read the Attorney General's office handbook for Trustees of the Trust Funds:

Trustees of the Trust Funds are the custodian of the town's perpetual care funds, charitable trusts, private donations, and capital reserve/expendable trust funds. Trustees act in a fiduciary capacity and make the decisions regarding expenditure from these funds based on the wishes of the donor, in the case of privately donated funds, and release capital reserve funds and expendable trust funds to the appropriate government official upon request and make the decisions on how these funds are to be invested, based upon the statutes and the investment policy adopted by the Trustees.

Mr. Peterson read the genesis of the Trustees of the Trust Funds by Terry Knowles, formerly of the NH Attorney General's Office Charitable Trusts Division:

A municipal board of Trustees of the Trust Funds is more of a New England creature. The reason New Hampshire has Trustees of the Trust Funds is prior to 1916, town and city treasurers held privately donated trust funds. The Attorney General's office received complaints of trust funds being misused by public officials. A survey was undertaken and some towns just put the trust funds in a general fund completely ignoring donor intent. To correct this problem, the Legislature established the office of Trustees of the Trust Funds in 1916 and Trustees have been the custodians of private trust and capital improvement funds ever since.

Mr. Peterson stated that the private trusts are about \$124k. If anyone was raising money in the name of the Town, it has to go through the Trustees of the Trust Funds. The Capital

Reserve Improvement Funds are a little over \$8.5m. They invest those with Citizen's Bank. Their private wealth part is now called Clarfeld Investment Advisors, and is a wholly owned subsidiary of Citizens. They invest only in high grade, high quality investment grade bonds. They have a maximum length of five years out that they buy something. They try and ladder; they buy things at one, two, three, four and five years and when one matures, they buy another one to keep the ladder going. Last calendar year they made a little over \$65k in income for the Town.

Mr. Peterson went over the items they got done in 2021: Updated their investment policy; continued their continuity folder; maintained communications with the Director of Finance and the Town Manager to ensure enough annual liquidity to meet the Town's needs; and met quarterly with their investment advisors. They have about 50 trusts that were created in the late 1800's and they don't have paperwork for. They looked to a motion of cy-près with the Town attorney to see if they could get the courts to declare them in a different fashion so they could spend the money, but they have to have a piece of paper to begin with before they can change that piece of paper. Next year he is going to propose legislation through the the Senate and the House, because this was a State wide problem.

Charlie Nason, Clarfeld Citizens Bank, part of the private wealth division, has been at Clarfeld for six years and in the investment management field for 30 years. Mr. Nason stated that Clarfeld Citizens manages about \$8.5m for the Town. The vast majority of that are Capital Reserve Funds. Those investments were all in fixed income. The Town owns 34 individual bonds. They buy all high quality bonds and stagger the maturities. The Capital Reserve Funds as of the end of first quarter of 2022 were down 2.7%. The benchmark which they are judged against was down 3.5%. Those were marked market losses; they're not realized losses. The bonds would all mature at par, so there would never be a capital loss on the bonds. They try to shield the Town the best they can while complying with the investment policy statement that's crafted by the Trustees and agreed to by Citizens Bank and that's how they manage the money. The broadest measure of interest rates in the US is the Barclays Aggregate Bond Index, which was down 5.7% in the first quarter. It was the worst quarter for bonds since September of 1980. It's been a very difficult investing environment, but they've done what they can to shield the Town to make sure that they are managing both the returns and the risk. They do that in the Capital Reserve Fund by keeping maturities short, making sure they are all high credit quality instruments, in compliance with IPS and it mimics the benchmark index. In addition to the Capital Reserve Funds, they also manage the trust funds at about \$125k. Those funds are invested in both equities and fixed income. It's a smaller pool of money, so they are invested in low cost mutual funds or low cost exchange traded funds. That portion of the portfolio was also down in the first quarter minus 5.6% versus minus 5.5% for the benchmark. They have been able to shield the Town on the larger part of Capital Reserve outperforming by about 80 basis points over the first quarter; 80 basis points on \$8m helps. It's still negative, but it helps.

Mr. Peterson emphasized that although the theoretical value of their investments is down, it makes no difference. It's a snapshot in time; they are unrealized losses. Nothing was going to be sold; they are not going to be sold at a loss. They were going to come to par

and they will get all of the money at the end of that. Councilor Duschatko stated that that's only true of the reserve funds. Mr. Peterson stated that was correct. The trust funds, by law, have to be invested more aggressively. Councilor Duschatko thought they should look at the overall yield. He wasn't aware of a benchmark index, interest rate index. Mr. Nason stated that there is an index. The yield maturity of the portfolio right now is 2.76%. The interest rate of the benchmark is about 2.5%, so they've been able to get a little bit more yield. Councilor Greazzo wanted to know if they were saying that issues with the market was a result of inflation. Mr. Nason responded yes and explained.

b. Update from State PFAS Commission

Chris Bandazian, 19 Greeley Hill Road, PFAS Commission, stated that the State announced a settlement with Saint Gobain. He explained the map on the screen. The red area was the consent decree area where Saint Gobain took responsibility for testing and remediation of drinking water that was contaminated according to State standards. Throughout that entire area, there are yellow triangles indicating exceedances throughout that red area. The area that is addressed specifically in the settlement agreement is the dark red area with no explanation for the omission of those other properties in that region. The Legislative study commission has a meeting on May 13th and he may receive some explanation then. He also has an environmental subcommittee meeting May 6th and he may have more information. In the proposal, Litchfield and Merrimack have gotten water line extensions. In Bedford, the proposal was not to extend any water lines. There were a handful of connections to existing lines. The proposal was for the majority to get point of entry treatment systems (POET). He would have liked water line extensions. The proposal with regard to POET is vague in terms of testing of the systems. The proposal was for Saint Gobain or its agents to be responsible for annual maintenance, which may mean one or more visits to a property for upkeep on the equipment and then there is testing, because they are relieved of an obligation if for three consecutive years test results fall below State standards. The agreement is silent as to what happens with that annual testing; whose responsibility it falls on. Presumably it would be Saint Gobain, but it's silent on that. Presumably while they are performing operation and maintenance, they would have incentive to do annual testing, because they have an opportunity to get out of it. It is silent on what happens if they stop providing operation and maintenance. There was a big gap in terms of annual testing. There is movement to get people off of bottled water in those areas and some people might be happy with those point of entry systems, but they are not ideal in his view. It would require some intrusiveness for homeowners who have those systems on an annual basis. There would be more formalities in getting this approved. They would have to go to court to get it approved as part of a modification of the consent decree. They would hope to see more news about the whole area in the consent decree that has omitted from the plan.

Councilor Duschatko referred to the yellow markers on the map. Mr. Sawyer stated that those were the 15 properties that would be getting water line connections. Everything to the west of Liberty Hill Road was left out. Councilor Duschatko pointed out that the yellow marks indicated substandard and Mr. Sawyer responded yes. He didn't think there was a reason why they would be treated differently than the rest of the consent decree area.

Councilor Duschatko wanted to know what they do as a community to get some relief on that ridiculous type of settlement that had been trumpeted by the DES and Saint Gobain. They can't leave out half of the area. Mr. Sawyer stated that the agreement gives Saint Gobain until April 30th to come up with a proposal for the rest of the consent decree area. He thought it would be more treatment systems. Councilor Duschatko stated that he wasn't just referring to water line extensions; he was referring to any solution. Mr. Sawyer stated that he couldn't give an answer as to why the State would allow an answer for a portion of the entire area. Councilor Duschatko wanted to know if his advice was to wait a week and then figure out what to do. Mr. Sawyer thought they needed to wait and hear what the solution was for the entire area. He encouraged anyone who had concerns with the solution that was given or the lack of a solution for the rest of the area, to attend the virtual meeting on May 4th at 6:30 PM. You register for that on the DES website. There is a link under 'News' on the Town website. They will simulcast it on BCTV Channel 16, but you can't interact. If you want to be able to ask questions or submit questions, you need to be logged in and part of the virtual meeting. He's hoping for a lot more information to come out on May 4th and hopefully for DES to explain why they have made the decisions they've made. For the first phase of this, the State said that treatment systems weren't an acceptable long-term solution and required water line extension down Back River Road. He didn't know why that changed, but thought it needed to be explained to the public.

Councilor Duschatko was concerned that those that weren't part of the announcement were going to get the same story and it would be another two or three years before they deal with it. He was asking for advice or people's feelings about what they do about it. It's clearly not in the best interest of anybody. It's not fair and not acceptable.

Chairman Carter stated that he, Phil, Kathleen, Rick, and Chris met prior to the meeting discussing this and trying to put together what their next steps should be. They gave a list of points that Rick has to research so they have more information before they come in front of the whole Council to ask about what they were going to be doing.

Councilor Duschatko stated that there was an announcement by the EPA in Wisconsin and their standard is 70/ppt. He wanted to know if everything changes because one state decides to do this and another state does that. They weren't doing anything in NH until somebody woke up to the fact that Vermont said it was 12. He thought it was time for the populous that are led by the Council and its leaders and the representatives that are elected to do something. They shouldn't wait for answers; they should demand answers. Put this thing forward so they can get some resolution to a clear problem that wasn't getting better, but getting worse every single day. Chairman Carter stated that that's why they were looking towards what legal decisions they need to go for. Councilor Duschatko stated that it's not only a legal decision; it's a political decision.

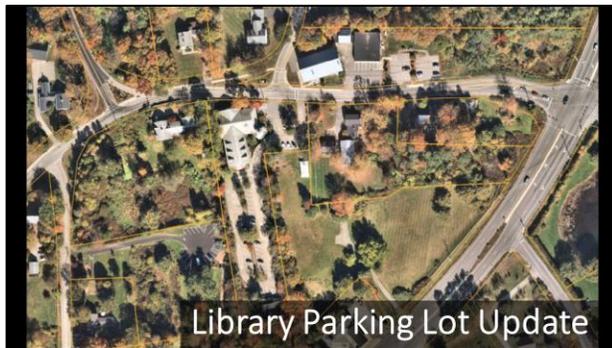
Councilor Thomas wanted to know why Bedford wasn't getting their water lines extended while Merrimack and Litchfield were. That was something that she thought as a town they needed to know. Saint Gobain is down the block from Bedford, so she wanted to know why they weren't going to public water, which would be the better solution.

Mr. Bandazian stated that some of it is ledge, and that Bedford was difficult and expensive to put water lines in, but that didn't explain Sebbins Pond Road, which was about as easy a location to extend a water line as they could hope for. If that was the principle being applied to why Merrimack and Litchfield were getting water line extensions, they would see it on Sebbins Pond Road. Councilor Duschatko stated that billions of dollars was spent to clean up the rivers and Bedford had a drinking supply that they can't drink.

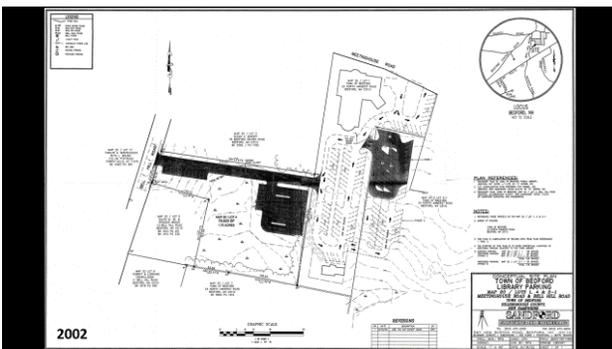
Chairman Carter stated that they put a list together that Rick has that they discussed that would be ready for their next Town Council meeting if not before.

c. Discussion on the Library parking lot expansion project

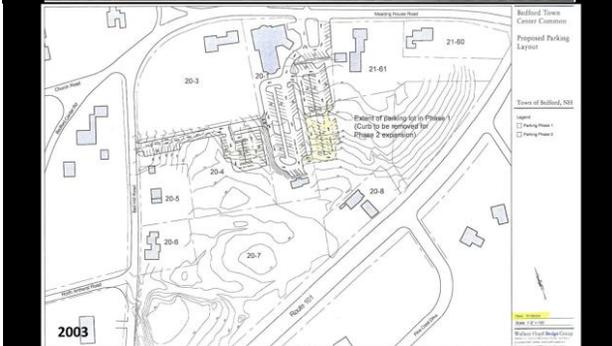
Mr. Sawyer went through a PowerPoint presentation explaining the history of the parking lot and where they were today.



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1995	Johnson property acquired
2002	Engineer hired and first plan produced, Phase I CIP \$80,000



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2004	CIP Worksheet to expand parking for Library & Town Center
2007	CIP Worksheet increases cost to \$150,000
2013	CIP Worksheet moves construction to 2021, states lack of parking
2016	Geothermal wells installed, CIP moves construction to 2018
2017	Facilities Plan shows Library and parking expansion



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2017	Facilities Plan shows Library and parking expansion
2021	CIP Worksheet increases cost to \$400,000
2021	Preliminary plan discussed with Library Trustees
2021	Council votes to use \$240,000 of ARPA funds to complete the project in 2022
2022	Team works to finalize design and complete construction



Pam VanArdsdale, 23 Church Road, Chair of the Library Trustees, stated that she remembered the discussions about the parking and how it's always been an issue. She told the abutters that were present that they've been heard and the Library Trustees took it upon themselves to hire a landscape architect and they were committed to the aesthetics of the parking lot. They are moving forward in a better direction. She stated that they are trying to work with the abutters, and the abutters need to work with them.

Miriam Johnson, Library Director, stated that they have been trying to articulate their experience. Most of them have been there from 12-16 years; that's the average for their management team. Part of their mission at the Library was to provide a meeting space for the residents of Bedford. She thought after the last two years people were seeking community and a place to gather. There had definitely been expression from people who had regularly met at the Library, to her, that when their members or the organizations that they are part of nationally recommend meeting more in person that they have every intent to do that. They would be back to the levels that they were and running into the parking issues that they have. She thought that Mr. Sawyer did an excellent job of summarizing

the history of the plan for the expansion and summarized some of the statistics. What the statistics don't say is what doesn't happen, because they are limited in parking. It the meetings that they can't have, because she needs to leave space for people who were coming to Library programs, transact, study, etc. Just looking at the parking as this much for this meeting and this much for that meeting; they have to account for the flow during the day, which varies. She told a story about having two children's events going on in the afternoon and a six year old girl came in alone. They inquired and she told that her mom couldn't find parking, she was dropped off, because she had a 15 minute slot with the dog. They were not at full capacity and it doesn't happen every day, but there were times of day when upstairs all the tables were full, because the high school kids come in.

Councilor Bemiss stated that she reviewed the documentation. She thought the 1990 documentation was interesting, because the quote was 'I wish we had the Johnson property', but there was no data. Since the HDC meeting, the question was 'where's the data'; like how many times in a month has the front lot, the back lot and the overflow by the park been full. Ms. Johnson stated that she doesn't watch the cameras 24 hours a day. She has a job to do and can't have somebody out there watching. She could have gone out and taken pictures numerous times when this lot was full or that lot was near capacity, but she can't answer that. Councilor Bemiss stated that coming from a business world, if she wants to do something she needs numbers to support and she didn't feel like they had those numbers. They've been asking for them. She stated that this had been going on since 2000 and wanted to know why it hadn't been pushed forward sooner. She apologized to the Council, because this came up before she was on. She would want more information and when the Library expansion was planned. That was mentioned in the facilities plan; the Library expansion and increasing the parking. She thought they were putting one step before the other and didn't know if that was the right way to do it. She thought there were ways to solve the parking issue. They could have a shuttle for events and meeting schedules. They could use the money to expand on Stevens-Buswell. She thought there were better ways to use this money than to put it towards parking.

Councilor Greazzo wanted to know if the money that was approved or earmarked in November was required to be used on this, if there was a deadline to use it, and could it be used in other areas. Mr. Sawyer stated that they could reallocate it. They've had some preliminary engineering, but they have Capital Reserve funds that could cover those costs, but without the ARPA funds this project wouldn't move forward. The Council allotted half of the ARPA funds that had been received, and they have additional funds coming this year that could be allotted for projects. If they pulled back this money, it could be allotted to other projects if that's what they choose to do.

Councilor Greazzo wanted to know if the size of the parking lot proposed would be full or would there be empty spaces and it wouldn't need it to be this large. Ms. Johnson stated that it wasn't just for the Library; they view it as a Town center. Many of them witnessed what the center of Town could look like pre-pandemic. She spends a lot of time in the Town center and has for years. She's not going to say it would be full constantly. Saturdays and Sundays can be very busy when they have events on the weekends. Look at their hourly traffic on Saturdays and Sundays and Sundays now exceed Saturdays.

They haven't had events on those days, because people who come to transact and can only come on the weekends can't be there. They recognize that there were people in Town who can't take advantage of their weekday programs and they've been making an effort to have more programs on the weekends so they could come with their children.

Nicholas Vestrelli (sp), 69 Bedford Center Road, thought what Councilor Bemiss said was correct. It wasn't a need, just if the Library in the future might want to do extension of the parking. He looked at all the documents and he was able to find some data in the annual Town reports. The Library publishes the number of visitors it had. In 2009 and 2010, it had 153k visitors. In 2019, it had \$133k, 20k fewer. This wasn't an isolated event. In 2018, they had 124k. There has been a constant decline in attendance. He thought the use of the Library had changed and using the Library in a different way. The same with the children's summer program. There was a 25% decrease from 2009 to 2019 in attendance. When he hears that they couldn't find parking, there's no data. The data that he finds is a very different story. He thought the Stevens-Buswell was going to relieve the congested area by relieving meetings, so they would have less worry about being too busy. He hadn't seen a time when the all the parking lots were full. They were using \$240k of the ARPA money, which was 10% of what Bedford received and thought that was a lot to just dedicate to a parking lot. He thought they could use it in more impactful ways. The issue, could be resolved in a more cost effective way. He suggested coordinating with the different buildings and they could find the time where they could have their meeting.

Elaine Tefft, 7 Meetinghouse Road, wanted to know if all of the gray on the map was asphalt and Mr. Sawyer replied yes. Ms. Tefft thought that was a lot of gray asphalt that was poisoning the land; it smells and it's destroying the environment. She found the blueprints when they did the fire station and all of the gorgeous landscaping that was going to be done. She can't find it anywhere outside, but she still has the landscaping map blueprint. She thought they needed to be environmentally conscience and make use of what they've got. They've got the Stevens-Buswell and they need money. They've got Town parking and the whole Town parking lot was available when the Town was not in session. They need to limit who gets to use Town Hall and the Town facilities. They've got an \$85m high school with meeting rooms and they've got other schools with meeting rooms. People are using the Library differently. She uses it a lot, but she has kept an eye on that lot and it's never been full. She wanted to know where the green was for the children to play on, the green picnic area; where was the green? She didn't think it was well thought out. It was a way of spending money. Just because they have the money, doesn't mean they have to spend it. They don't need that parking. They need green space and the fresh air it produces. She asked that they reconsider. If they've got a scheduling problem, no more out of town people can rent the place. She was appalled that she wasn't notified as an abutter when they started this project. As an abutter she should have been notified when they were starting to do this. She found out accidentally. She thought they should give the money to the Stevens-Buswell School; they could really use it.

Moe Redmond, 81 Bedford Center Road, stated that she was respectful of the Library and loves what it stands for and what it does. In this case, she didn't think if they build it they will come. Just because there's parking doesn't mean that people will come in

droves. She thought it would stand empty. Once they put asphalt all over that green; there's no getting it back. She suggested they expand where the tent was, make a playground, and make people want to come. If they do, then they can see where people should park. She believed that people didn't want to park farther away. She didn't think there was ever no parking; they don't want to walk a little bit farther. She thought it should be looked at again. She appreciates everything the Library does and supports the Library, but there was just too much black there. It's ugly and they live in historic downtown Bedford for a reason. They love their old homes, they have home pride, they take care of their land, and they expect the land around the Library to be taken care of as well.

David Clark, 62 Bedford Center Road, mentioned that someone that couldn't attend had sent in a letter and didn't know if that wasn't going to be read for the record or not. Chairman Carter stated that they received many emails and letters, but he's not going to read them into the record. They have received emails both for and against this. Mr. Clark wanted to know if he could hand the letter to someone who doesn't plan to talk and have them read it. Mr. Sawyer stated that the Council had a policy that emails had to be read by the person who sent them. Mr. Clark thanked Ms. VanArsdale for the landscape rendering. He had a problem with the number of spaces. He's been closely watching and visiting the parking lot at the Library and not once has the parking lot been more than 50% full. He walks every day and is in there all the time. At the last meeting somebody mentioned the children's programs that go on there and there was one there today from 10 am – 12 pm. He walked down at 11 am and counted 41 free spaces. If you add the 17 spaces at the gazebo and that makes 58 open spaces during a children's program; a time that they've been told it's a kids program, it's busy and they don't have room. Once greenspace is paved, it's gone. The Town owns the Johnson property and should they need more parking in the future, it's there. He came up with 12 additional spaces if they take the ugly white pines out they can get four more spaces in each one of those. There's a light post where they could get three or four more spaces as well. That's an extra 30 spaces if they add those 12 to that 18 at the gazebo. At the last meeting, somebody mentioned the Craftworkers Guild and he's only seen two cars parked there. Factoring that in was a weak argument. He stated that they were hearing about the BCTV parking lot overflows and how it goes into the parking lot. At the last meeting of the Town Council, there were 8 empty spaces. As they were leaving there were people leaving a meeting at BCTV and there was plenty of parking for both events at BCTV. Tonight, he counted 24 empty spaces, so overflow to the Library was not needed. Same thing goes with the supposed conflicts at Town Hall. He didn't see the problem there. He knows there were metrics for the number of parking spaces for commercial types of buildings, but these buildings don't fit retail or other parking uses. Many Library visitors were returning books, dropping kids off to study, and that counts as a visit. There is a difference between a five minute visit and a two hour stay at an office complex and other professional building. There was a difference between need and want. The Library and the engineering department were pushing to spend \$400k on a parking lot. He wanted to know if they as a Town needed something that would be 95% empty 95% of the time. He didn't think so. He thought they should spend the ARPA money on the Stevens-Buswell Community Center for the elderly or some other capital project. Don't just spend it to spend it. Also, an enlarged parking lot would require an enlarged budget to keep it plowed, landscaped,

lit, striped, and maintained. That meant raising taxes. Mr. Foote said that in the last two meetings that he was in with him, that it would require extra funding. He was tired of having his taxes raised every year after year after year.

Chris Bandazian, 16 Greeley Hill Road, stated that he felt he had some institutional memory and knowledge that he could share with the Council and the public having been on the Town Council for 13 out of the last 18 years, and on the Zoning Board and Planning Board for 30 years and being married to the Library Director who was a Library employee for 22 years. The reason they don't see traffic and parking impacts more often was because the Library staff and Recreation Director engage in strategies to suppress use of the building. Primarily, the use of the McAllister Room had been curtailed during the daytime. That happened about 10 years ago. At the time, there was not enough room for patrons to park and utilize the Library if during the day the McAllister Room was used. The McAllister Room holds about 100 people. First adult community organization use of the McAllister Room was terminated. That was not enough so they had to terminate community children organization use during the day. For most of that time it's been a successful strategy. However, when Jane O'Brien uses Town Hall, particular in the summer when she does outside events where inclement weather would require them to be moved indoors, there were often conflicts. They aren't going to see metrics, because there has been a successful strategy for a decade to suppress the use of that building. The Townspeople raised, on their own, 20% of the cost of that building to use it and they were imploring strategies to not use it. This Historical Society donated money for the Town Hall to put in period storm windows. The Bedford Off Broadway organization donated money to rewire it. The Town Council funded putting in a new floor a couple of years ago. Now they were exercising strategies not to use those buildings and they were paying Town staff to spend time to communicate with each other. Of course there are electronic meeting rooms, but they had to be controlled very carefully. Self-scheduling would be a nightmare. His point was the reason they don't see conflicts every day was because successful strategies had been employed to avoid it. As anybody who has been on the Planning Board on a busy meeting night knows, you go to BCTV and pull into the parking lot and there are no spaces. You have to back out onto Meetinghouse Road during commuting hours, circle the Library parking lot a couple of times, and as he has, he ended up in front of Mr. Clark's house along with some other people parking down Bedford Center Road, which wasn't a particularly safe place to park. There most certainly was need. If they want to spend staff time and taxpayer money finding strategies not to use buildings they could certainly do that. He didn't think that's what the community wanted when they donated money to build the Library and improve the Town Hall.

Councilor Bemiss wanted to know if they needed to make a decision or make a motion. Chairman Carter stated that there was no recommendation. Councilor Thomas stated that they already voted on it. Councilor Bemiss wanted to know who voted on it. She didn't vote. Councilor Thomas stated that Councilor Bemiss wasn't on the Council. Councilor Bemiss wanted to know if there was an option to put a hold on this at this point. She stated that Rick said that there was an option to explore that. Mr. Sawyer stated that if the Council intends to pull back that money they need to know sooner rather than later. They put the engineering on the project on hold until tonight's meeting based on the

conversations from two weeks ago. The intention was to move forward with the Library Trustees who were the representatives of the property and would continue to work with Public Works on a final design. Councilor Bemiss stated that as a new Councilor they all might not like her, but she would like to make a motion.

MOTION by Councilor Bemis that the Town Council put this on hold and spend the money in a more fruitful way.

Councilor Greazzo wanted Councilor Bemiss to clarify her motion. He didn't think she could make it so vague.

MOTION by Councilor Bemiss that the Bedford Town Council pull back the money from this parking lot project and use the ARPA funds on something else that the Town needs like the Fire Station and the Police Station or Public Works.

There was no second on the motion, so the motion fails.

d. Request to release a sewer easement on Lot 35-3-1 on South River Road by South River Road Ventures, LLC

Mr. Sawyer explained that the release of a sewer easement on Lot 35-3-1 was requested in order to allow the construction of an electric auto dealership. The Planning Board approved the project with a condition that requires the release of the sewer easement. DPW has no objection to the release. The easement they would be releasing was highlighted on the map shown on the screen. It was put in place a number of years ago to allow the possible future extension of sewer out to South River Road and as noted by the DPW, the sewer had been provided in an alternative arrangement. Councilor Duschatko stated that the Planning Board didn't have a problem with it.

MOTION by Councilor Thomas that the Bedford Town Council approve the release of the sewer easement on Lot 35-3-1 as requested by South River Road Ventures, LLC and authorize the Town Manager to execute any necessary documentation with the condition that any recording fees be paid by the applicant. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 6-0.

e. Appointments to Boards/Committees/Commissions

Planning Board

Matthew Sullivan	-	Regular	-	Term expires 2025
Steven Clough	-	Regular	-	Term expires 2025
John Nelson	-	Alternate	-	Term expires 2025

Zoning Board of Adjustment

Alex Kellermann	-	Regular	-	Term expires 2025
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Dave Gilbert - Regular - Term expires 2025
Sue Thomas - Alternate - Term expires 2025

Chairman Carter stated that there was anyone interested in joining the Zoning Board, there is an alternate vacancy that expires in 202.

Parks & Recreation Commission

Kelly Tope - Regular - Term expires 2025
Melissa Salmon - Alternate - Term expires 2025
Michael Strand - Alternate - Term expires 2023

Chairman Carter stated that they had no one for the Historic District Commission. They were looking for two regular and two alternates if anyone was interested. Councilor Greazzo stated that a few of the applicants said they would be willing to serve on other boards and Chairman Carter stated that he reached out to them and didn't have any interest. Councilor Bemiss wondered if people knew that they didn't have to live in the historic district. Chairman Carter thought they could put it on BCTV and they were stating it now. They had a bunch of people there tonight that live in the historic district. Councilor Greazzo stated that they know their names and addresses and they should contact them. Mr. Sawyer stated that the Planning Department sent a letter to everyone in the historic district asking them to participate and nobody came forward.

Conservation Commission

Julie Donovan - Regular - Term expires 2025
Peter Sullivan - Alternate - Term expires 2025
Grant Killian - Alternate - Term expires 2024

Chairman Carter stated that there is an alternate vacancy that expires in 2023.

Energy Commission

Chris Bandazian - Term expires 2025
Andrew Gillis - Term expires 2025
Charles Nettleship - Term expires 2025

Water & Sewer Advisory Committee

Scott Bourcier - Term expires 2025

Highway Safety Committee

Theodore Kitsis - Alternate - Term expires 2025

BCTV-WBNH Board

Richard Rawlings - Term expires 2025
Loren Foxx - Term expires 2025
Ed Bordeleau - Term expires 2025
Denise Ricciardi - Term expires 2023

Cemetery Trustees

Denise Ricciardi - Term expires 2025

Chairman Carter stated that they had no one for Town Treasurer. Councilor Bemiss wanted to know what that role looked like. Mr. Sawyer stated that predominately it was advisory to the Finance Director. It's the signature on all of the Town checks. In most recent years the treasurer has helped invest funds that the Trustless don't have. It's not a heavy lift job at all. There was a little more work to do when bonding takes place.

PFAS Commission

Michael Strand

Library Trustee Alternate

Catherine Rombeau - Term expires 2023

Lee Joyce - Term expires 2023

Mr. Sawyer pointed out that the appointment of Mr. Strand to the PFAS Commission wasn't in the hands of the Council. It's their recommendation and then it's the Senate president or the House Chair that needs to make that appointment, but that nomination would be forwarded to them.

MOTION by Chairman Carter that the Bedford Town Council move the slate of appointments as mentioned. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

f. **Other New Business – None**

5. OLD BUSINESS

a. **Other Old Business – None**

6. APPROVAL OF MINUTES

a. **Interview Minutes – April 13, 2022**

MOTION by Councilor Duschatko that the Bedford Town Council approve the minutes of the April 13, 2022 Interviews. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

b. **Public Session – April 13, 2022**

MOTION by Councilor Duschatko that the Bedford Town Council approve the minutes of the April 13, 2022 Public Session. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

7. TOWN MANAGER REPORT

- 1) PFAS Contamination – NHDES will hold a virtual public information meeting on May 4th at 6:30 PM. See the Town or DES website for the link to register in advance. It will also be simulcast on BCTV Channel 16. He showed a map and stated that the shaded area was known as the Saint Gobain consent decree area. The meeting is to talk to anyone south and east of Route 101. What's been announced so far was a solution for the darker red shaded area that was providing 181 treatment systems. This was part of the announcement that the State released as to their agreement with Saint Gobain to provide mediation for the people who have been on bottled water. The people in the area bordered by Liberty Hill Road on the west side and County Road to the north. If you are south of County Road and east of Liberty Hill Road, the State announced a solution for you if you have exceedance of PFAS about the State threshold. If you had your water tested and it's below the State standard, they were not proposing any treatment. Showing a map of the whole Saint Gobain area, which pointed out that there were 15 water line connections as part of that announcement. Those were for properties that front on a water line. Everybody else in the rest of the consent decree area there are no water line extensions proposed at this time. There is no solution proposed currently for the area west of Liberty Hill Road or north of County Road. Saint Gobain has until the end of the month to submit a proposed solution for the remainder of the properties.
- 2) Please respond to any requests for well testing received from Golder Associates, Nobis Group, or State of NH.
- 3) Dogs Licenses must be obtained from the Town Clerk by April 30th each year.
- 4) April 30 – National Prescription Drug Takeback Day, Safety Complex, 10 AM – 2 PM.
- 5) The Cinco de Miles 5K road race will take place on Sunday, May 1st 9:00-11:00 AM starting at the High School and ending at the Little League Complex. Traffic on Nashua Road, County Road, Liberty Hill Road, Meetinghouse Road, Mayflower Drive, Edinburgh Drive, and Gault Road will be impacted and motorists are encourage to seek alternate routes during the race.
- 6) Work on new traffic patterns at the High School has been completed.
- 7) Clean Up Bedford Day – On April 16th, collected 2,040 pounds of trash from our roadways. Thank-you to Town Council Chairman Bill Carter for spearheading the program and to all the many volunteers.
- 8) Registration for Camp Witzel summer camp and other summer camp programs are now open and information is available through the Recreation page of the Town Website.
- 9) May 8 – Bedford Library Closed for Mother's Day.
- 10) May 15 – Cinema Sunday, "Rear Window", 1:30-4:30 PM, Bedford Library. Please register in advance on the Library website.
- 11) May 22 - The Bedford PTG Color Blast Fun Run at the High School, 9:30 AM.
- 12) May 29 – Police Department Bicycle Rodeo at the High School, 10:00 – Noon
- 13) May 29 – Memorial Day Parade, 1 PM, Bedford High School to McKelvie Intermediate School via County Road with a theme of "Freedom through Unity". The sponsors of the parade were still looking for people to join in. There is a form available on the Recreation website. He encouraged people to sign up and be part of the parade or come out and watch. The Men's Club would be cooking at the end of the parade.
- 14) May 29 – Bedford Library Closed for Memorial Day.

- 15) May 30 – Bedford Town Offices, Library, Transfer Station, & BCTV Closed for Memorial Day.
- 16) June 4 – Bedford High School Graduation, 10 AM.
- 17) June 25 – Household Hazardous Waste Day, 8:30 AM – 3 PM, Highway Garage, 19 Chubbuck Road.
- 18) June 25 - The 100th Anniversary of the formation of the Bedford Fire Department is being celebrated with a traditional muster.

8. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Gilbert stated that the Zoning Board met and approved two applications and denied two applications over three hours. The EJFH was having a craft fair this Sunday, 9am – 3pm.

Councilor Greazzo stated that Councilor Bemiss and he were not there when they voted for the Library parking lot. He understands her frustration given all the calls and emails they received about this. He wanted to support her motion, but it was too broad. If it was more of a tabling motion or putting this on hold for some more information, but they've already voted on it. He wanted to know how it wound up on the agenda. Mr. Sawyer stated that he was asked to provide an update to the Council based on those questions. Chairman Carter stated that it came through Historic District to also. Councilor Bemiss stated that she asked for it to be on the agenda. Councilor Greazzo wanted to clarify that there was not action, because the action was already taken. The only action they could take now would be to hold the project and he didn't think the majority was interested in holding the project since they were the ones who voted for it in the previous year. Chairman Carter thought that was correct. Councilor Greazzo thought there was some balance that could be found with the folks in the neighborhood and the project. Since the Library was considering expanding, he would like to see what their plans were for when they plan to expand. He's been there for meetings when there has been no parking. The traffic flow was an issue. Incorporating the lot for the common looked like a good strategy. Noticing the map and noticing the lot that was going to be developed, there is a driveway that leads out to Route 101 and wanted to know why that wasn't being utilized to direct traffic out that way rather than back onto Meetinghouse Road alleviating some congestion. He shared Councilor Bemiss' concerns that the Council decided and they weren't part of the discussion, but he thought there were facets to look at it. The Highway Safety Committee met to discuss a blind driveway and approved that sign.

Councilor Duschatko stated that part of the history that didn't come out, because probably not too many people know it. When he met with Miriam for the Library budget, they discussed a number of things. One was the fact that they needed furniture, which was a \$25k expenditure. There was also an expenditure of \$80k in the CIP for the parking lot. He was aware that they had close to \$1.2m of ARPA money. He thought it was an appropriate use of those funds to finish a project that had been on the books for almost 20 years, which was the parking lot. He was first made aware of the parking lot problems when he served as an informal alternate to the Library Trustees in 2012 through 2014. He had many of the same questions that Councilor Bemiss brought up on data. He had

to admit that he shares the same concerns that were brought up tonight that the physical volume of people going to the Library was declining. There were no statistics for the Library that could have been captured years ago and should have been in hindsight. They've also been given a time limit, because of DPW contractual concerns and the fact that everything is probably going to double again in another year. That was some of his thinking back in November that they could get this out of the way. He was going by plans that he had seen, which had the original Library parking lot expansion, but it can't be expanded there, so the first original design was misleading. He did not second Councilor Bemiss' motion primarily because of the reasons that it was too vague. They should have worked longer and probably said they were going to table it or put it for new study. He's not sure they can't open that up again.

Councilor Bemiss apologized for not knowing all of the rules. She wanted to know if they could open it and table it.

Councilor Thomas stated that they don't have traffic studies. She wanted to know what else they were going to get in two weeks. It's very easy to count how many fire and police calls there were. Listening to the Library Director, she wanted to know who was going to count people in the parking lot, the usage. She had been there at night and hadn't found a parking space a lot of people have. She wanted to know what was going to change in two weeks. Councilor Bemiss stated that if in two weeks they realize that there might be one hour where there was overlap, then maybe they hire a shuttle van, which was a lot less costly for one time a month to park at the Town Offices. There were other ways to do this. Councilor Thomas stated that her frustration now was as a Council last year, the Council, whoever was on it, the Council voted to use ARPA funds to fund this. A new Council is seven people, not just the new people. Every new Council, if they always go back and revisit, and she's not saying they never do. Hiring a shuttle bus was not viable. She wanted to know who hires the shuttle bus. The motion would have to pass 4-2; 3-3 a motion loses. Chairman Carter stated that he would rather see the complete Council here to do that kind of a vote, because if it comes out 3-3, the motion fails.

Councilor Gilbert stated that at their last meeting they talked about the 3-phase power at the Transfer Station and the need for money for that. This falls under the same category. At that time they talked about the most important thing in Town that they needed to fund right now was the Police station and the Fire substation. That might come into play in terms of using the money instead of the parking lot. He thought they needed to talk about that at their next meeting.

Councilor Greazzo didn't disagree that they needed parking. It's something that's needed there, but to the scale, that's questionable. To take up all of the green space; he would like to see a little green space left where the tent currently is and not have the tent edging the parking lot. He thought there were some traffic flow issues that could be addressed. He supported Councilor Bemiss' thought process that this could be rethought. He knows they voted on it. They haven't. It's in front of them tonight. If it wasn't, he wouldn't be having these thoughts or questions. They weren't trying to undo what they've already done. They weren't trying to do what previous Councils have previously done. It's in front

of them and they were just putting their brains to it. They want to have their input on it as well. Councilor Bemiss stated that she meant no disrespect.

Councilor Gilbert stated that when they made that decision, they weren't as far down the road on the Police and Fire station as they were now. Councilor Thomas responded yes they were as far as moving forward with the plan. Councilor Gilbert stated that getting the money part of it was a problem. He didn't disagree with the need for parking and green space. Some of the people were getting wrapped up in what they see today. Others have said what has happened in two years. When they've got something at the Town Hall going on and something at BCTV, the Library, and Craftworker's Guild, you can't find a spot.

Councilor Greazzo thought they should have that discussion when the full board was there if they were inclined to do so.

Chairman Carter stated that if there were going to move forward, any vote they take, everyone should be sitting there. Since Councilor Radke was not there and not having the opportunity to do any speaking, he would rather not continue on with any motions at this present time. If there was anything further that needed to be discussed. Councilor Thomas thought Mr. Sawyer was looking for direction. Mr. Sawyer stated that the Library Trustees were, because they have a meeting on Monday. Chairman Carter stated that without Councilor Radke being there, he wanted to know if they put this decision on hold for two weeks. Councilor Greazzo stated that there was no decision to be put on hold. Councilor Thomas stated that they would have to make a decision.

Councilor Greazzo made a recommendation that they take this up again at their next meeting when the full board was present. The consensus of the Council was good with that recommendation.

Chairman Carter thanked everyone that came out to do CLUB clean-up day. It was amazing. It was a great thing to see everybody out there, and blue bags all over the place. It shows that they want to have a clean community.

9. ADJOURNMENT

MOTION by Councilor Greazzo to adjourn the meeting. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

The meeting ended at 9:07 PM.

Respectfully submitted,

Dawn Boufford