

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
June 14, 2023
10 Meetinghouse Road**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, June 14, 2023, 10 Meetinghouse Road. Participating were Bill Carter (Chair), Lori Radke (Vice Chair), and Councilors Phil Greazzo, Sue Thomas, Dave Gilbert, Kathleen Bemiss, and Michael Strand. Also present was Town Manager Rick Sawyer.

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. Civil Forfeiture Warrant for unlicensed dogs

Sally Kellar, Town Clerk, introduced Betty, Bedford's 2023 Top Dog, a 1.5-year-old black lab. She gave her a new collar, which included a Top Dog tag.

Ms. Kellar stated that she requests civil forfeiture fines to be sent out for all unlicensed dogs between June 1st and 20th. Dog licenses run from May 1st to April 30th. They have about 87 dogs that have never been licensed; they get the names from vets that they have vaccinated the dog. There are about 812 dogs that have not been renewed. She is requesting that civil forfeiture letters be sent out and to collect civil forfeiture fines from dog owners who do not license their dog by July 10th as the statute states.

Councilor Thomas wanted to know how the 812 compared to other years and Ms. Kellar stated that they are usually at about 910/915 every year. Mr. Sawyer wanted to know how many dogs they have and Ms. Kellar stated that they have about 4,300.

Councilor Greazzo wanted to know how many dog bites per year for unvaccinated dogs and Ms. Kellar didn't have that information, but thought the animal control officer might.

Councilor Bemiss wanted to know how many will be reregistered and how many have died out of the 812. She wanted to know if it was worth sending out the 800 letters and Ms. Kellar responded yes. After the first letter, a lot of them come in and register their dog. The lowest she ever had was about 100 unlicensed dogs. Councilor Bemiss wanted to know how much the fine was. Ms. Kellar stated that it's \$7 or \$10 to license their dog and as of June 1st they charge \$1 late fee each month its late, per the RSA and the fine is \$25; the same amount if the dog officer came across a dog that wasn't licensed.

MOTION by Councilor Gilbert that the Bedford Town Council, pursuant of RSA 466:14, authorize the Town Clerk and Animal Control Officer, on behalf of the Town Council, to send civil forfeiture letters and collect civil forfeiture fines to all dog owners of Bedford who have not licensed their dog as of July 10, 2023. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0-1 (Greazzo-nay).

b. Schedule a public hearing for the consideration of Ordinance 2023-01 amending Chapter 130 Fire Prevention, 130-3 Required Plans, 130-9 Fire Alarm Systems, and 130-14 Locations without Public Water Supply

Mr. Sawyer stated that this was to make changes to the Fire Prevention chapter 130 of the Code of Ordinances that don't reflect current industry standards for fire alarm systems and water supply for fire protection. There are four sections being amended that are detailed in the staff report. Captain Lavoie would be there for the public hearing.

MOTION by Councilor Radke that the Bedford Town Council schedule a public hearing for June 28, 2023 at 7:00 PM to discuss Ordinance 2023-01 amending Chapter 130, Fire Prevention, for various updates to code requirements. Seconded by Councilor Thomas. Vote taken – Motion Passed – 7-0.

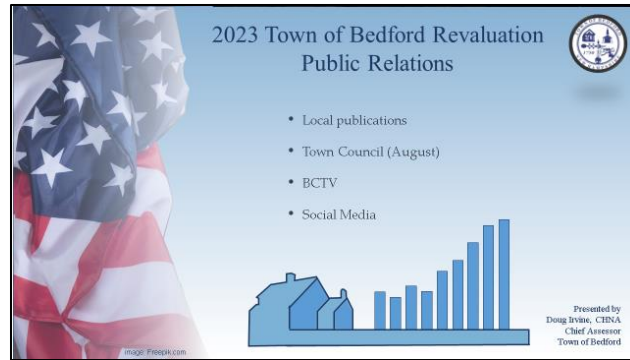
Mr. Sawyer stated that they would post the ordinance amendments online and in all the typical places as required if anybody is interested in reading them.

c. Update on the 2023 Revaluation Process

The presentation consists of four slides with an American flag background and the Town of Bedford seal. The top-left slide is the title slide: "2023 Town of Bedford Revaluation", presented by Doug Irvine, Chief Assessor. The top-right slide lists the contractor: "2023 Town of Bedford Revaluation Contracted with VISION GOVERNMENT SOLUTIONS", with Michael Tarello as Project Manager and Doug Irvine as Chief Assessor. The bottom-left slide is a "Revaluation Timeline" table:

TASK	FROM	TO
Sales Field Review	03/01/2023	04/01/2023
Land Study and Building Cost Study	03/15/2023	06/01/2023
Commercial Study of Market Rents, Expenses & Capitalization Factors	05/01/2023	07/01/2023
Preliminary Residential & Commercial Valuation model and values to Assessors		07/02/2023
Assessor review of values	07/02/2023	7/15/2023
Assessment hearing notices mailed		07/16/2023
Informal Hearings	07/19/2023	08/11/2023
Hearing Changes	08/11/2023	08/21/2023
Final Values to Assessor		08/22/2023
Final Report/Documentation		09/22/2023

The bottom-right slide is titled "2023 Town of Bedford Revaluation Public Relations" and features the "Market in Motion" logo. It includes the text: "Navigating Current Real Estate Trends for an Equitable 2023 Revaluation with Bedford Chief Assessor, Doug Irvine CNHA". It also provides the event details: "When: Tuesday July 18 6:00-7:30 PM" and "Where: Bedford Public Library". A bar chart shows an upward trend in real estate values.



Councilor Gilbert wanted to know if the commercial real estate market jumped up a lot. Mr. Irvine responded no; residential was driving the increases. The reason their revaluation cycle was two years was to re-proportion different classes of properties. If they have residential going up 20% and commercial going up 3%, they have to be able to capture the revalued properties to make everything equitable. There are a couple of areas that are accelerating; apartments and industrial property.

Councilor Strand wanted to know if there was growth in the commercial sector even if nominal. Mr. Irvine stated that there had been, but not like apartments and industrial. Councilor Strand wanted to know if it was over/under 5%. Mr. Irvine thought 2-5%; he didn't want to say anything specific yet. He talked about relying on income and expense information; there is no law in the State that requires anyone to do that.

Councilor Radke mentioned that interest rates drive sales, but interest rates weren't going up as much and sales were lagging. She wanted to know what happens to the value of their homes. With the reval, the value of homes were going up and will be that way for two years. A house valued at \$450K won't sell, because it's not going for that much anymore. She wanted to know how that market was going to affect the reval. Mr. Irvine stated that they can only talk about sales that happened April 1st of 2022 until the end of March of this year. That's the window they were going to use on residential. Councilor Radke stated that in that time period those sales were high. Mr. Irvine stated that 2021 to 2022 was on fire going upward and it's still happening. They are still increasing, but they aren't increasing at that same rate. The market isn't dropping. They have to deal with headlines versus reality. The headlines often make everything dramatic and then the story is about something very sensible. There is a perception from those that are aware of the market and what it is doing; those who think the market is coming down and it's not in Bedford. The rate of increase is slowing. They need to remember what their house was assessed for in 2021 and what it was going to be assessed for in 2023. They are still seeing an increase. It's important to do a revaluation to capture equity. In the past, they've had an occasional sale of a \$2M home once every several years; in the past year, they've had close to a dozen. That's good data and helps them to better understand and examine their high-end homes. The market was not slowing in terms of valuation. Inventory was under stress, so they weren't selling a lot of houses, and it's not going to get any better, because of interest rates and other pressures. Every month he'll give them the relationship between the median sale price and the median assessed value. They could reconsider the next revaluation; whether they wait two years or three years.

Councilor Thomas thought one of the big reasons why they went from 5-year to 2-year revaluations was so that if an evaluation was too low, it brings it up and it's equitable, but if something happens to the market in the next year, it's only two years and not five years that they are living with that valuation. Mr. Irvine stated that they can respond sooner to a hypothetical dip in their market. Councilor Thomas stated that some people wonder why they do it every two years. She thought it was a better valuation than every five years, because people could get stuck if one sector drops and it's five years. Mr. Irvine thought with their more frequent updates, they can respond to market conditions sooner.

Councilor Gilbert stated that he looked at the real estate listings today and there were approximately 45 homes for sale in Bedford. Mr. Irvine thought it included active and under contract listings and Councilor Gilbert agreed.

Councilor Strand wanted to know, regarding commercial property, if he was able to capture vacancies since a lot of those properties were subletting their units. Mr. Irvine stated that on the commercial side, there were three comparison approaches to value: sales, cost, and income. Vacancies tie into the income approach of valuation where they have to account for vacancy rates and they obtain those by the income and expense forms they obtain from local commercial property owners as well as general extracted market data. Mr. Strand stated that it's voluntary, not compulsory data.

Mr. Sawyer stated that they wanted to let residents know that the letter with their new valuation was coming in mid-July; don't throw it out. There's going to be a lot of important information in there. There was a short turnaround if they need a hearing or just need to talk to someone. The important thing was to look for a letter in mid-July. Mr. Irvine stated that when they get closer to a definitive date for those impact notices, he'll put something on the website, so they'll be various ways to get the word out.

d. Request for a \$15,000 transfer from unallocated reserves for continuation of the required PFAS investigation around the former fire station at 10 Meetinghouse Road

Mr. Sawyer stated that on June 29, 2021, the NHDES notified the Town that they were the potential responsible party for the apparent pollution of groundwater in and around 10 Meetinghouse Road from the use and storage of firefighting foam at the former fire station, now BCTV, and ordered them to complete an investigation. On March 29th of this year, NHDES indicated that based on the Town's Phase I & II reports that the Town of Bedford is the responsible party and has ordered them to do continued investigation and remediation of the contamination as well as paying any costs associated with the contamination for the review that the State of New Hampshire incurs as a result. NHDES has ordered that additional testing of soil and groundwater in the area and document previous site development and construction/reconstruction of Meetinghouse Road and the associated drainage systems. The consultant estimated the cost of the Phase III scope of work to be a little over \$47K. It is unknown how much the NHDES review and oversight will cost the Town in the next phase or in the years to come. NHDES requires that this work be completed by a professional engineer or geologist. The investigation will

include the installation of additional monitoring wells, testing of the water in those wells, analysis of groundwater flows at the time the fire station was in service as well as soil testing, and reporting/coordinating with NHDES. The monitoring wells they installed in the earlier phases were all in and around the former fire station and Town Hall. They now need to go across the street and beyond for additional testing and monitoring.

Mr. Sawyer stated that previous funding for this investigation was from the Town Manager's Professional Services budget line and the Council's Unallocated Reserve budget line. The 2023 budget reduced the Manager's Professional Services line by \$10,000; from \$55,000 to \$45,000 in the hopes that the most costly aspects of the PFAS investigation were behind us, but clearly it is not. Additionally, almost \$12,500 has been spent to date leaving a little over \$32K. The request is to transfer \$15,000 from the Town Council's Unallocated Fund, which is at \$35,000, to the Town Manager's Professional Services line. That would leave that unallocated account with \$20K for anything that might come up PFAS related or otherwise for the remainder of the year.

Councilor Radke wanted to know what the Town Manager Professional Services line was for. Mr. Sawyer stated that primarily it's been spent on PFAS remediation. Councilor Radke wanted to know what it was spent on before PFAS. Mr. Sawyer stated that there was almost no money in the Professional Services account. This year they used that fund for additional audit work that needed to be done. They also used it for the sound system at Town Meeting. To prepare the Phase III plan, they had to pay the consultant to do some work. All the spending from that account is spelled out in the Staff Report.

Councilor Bemiss referred to the map and there were no wells to the north. She wanted to know if that was because those properties were not affected or because they weren't required. Mr. Sawyer stated not affected and not required. There is an outline that the State has defined as the area; the groundwater flows to the south and to the east primarily. All of the homes north were tested with no significant readings. Councilor Bemiss thought that some of the new the wells and test pits would be in the middle of the new Library parking lot. Mr. Sawyer stated to the edge either in the pavement or in the grass. They try and put them right off the edge of the pavement, but there are a couple shown to be right on the edges of where that parking lot pavement is.

MOTION by Councilor Thomas that the Bedford Town Council authorize the transfer of \$15,000 from Town Council Unallocated Reserves (10010252-56910) to Town Manager Professional Services (10010204-53130) for the required Phase III PFAS investigation associated with contamination at the former fire station. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.

e. Other New Business

5. OLD BUSINESS

a. Composting and recycling

Mr. Sawyer stated that the DPW had a display at the Library. The Lions Club had done a great job with the recycling of plastics. There was a section on composting and what could be recycled. He thanked all of the employees who put it together, kept it going, and answered questions for people. The plan is to try and recreate it in a different fashion in the foyer of the Town Office Building. They've had some preliminary conversations with the School District about having it in the schools in the fall. There have been some questions about where the compost was going and how they were using it. The plan this year is to use it at the Educational Farm at Joppa Hill hay fields to see how the product works, test it, and refine their process for application. From there, the plan is to use it on Town parks, playgrounds, fields, cemeteries as they learn to how best to use the product. They weren't doing this for sale to the public. Mr. Foote wanted him to share that municipal solid waste was down 21% year-to-date, January through April, from last year. He thought that was a good sign and hopefully it means that people are recycling and composting.



3. APPROVAL OF MINUTES

a. Interviews – May 24, 2023

MOTION by Councilor Thomas that the Bedford Town Council approve the minutes of the May 24, 2023 Interviews. Seconded by Councilor Radke. Vote taken – Motion Passed – 5-0-2. (Gilbert and Strand abstained).

b. Public Session – May 24, 2023

MOTION by Councilor Thomas that the Bedford Town Council approve the minutes of the May 24, 2023 Public Session. Seconded by Councilor Radke. Vote taken – Motion Passed – 5-0-2 (Gilbert and Strand abstained).

4. TOWN MANAGER REPORT

- 1) Tax bills have been mailed with a July 3rd due date. Total tax rate is \$17.60
- 2) June 19 – Library Summer Reading Kick Off Concert, Mr. Aaron, 6:30 PM, Bedford Village Common. Register through the Library website.

- 3) June 19 – August 3 – Weekly Summer Programs at the Library, StoryWalk – ‘Dog’s Colorful Day’
- 4) The Bedford Farmers Market opens June 13th and continues on Tuesdays from 3-6 PM until October 11th at Murphy’s Taproom parking lot, 393 Route 101.
- 5) Bedford Town Pool – Opening on Father’s Day, June 18th. Seasonal passes: single \$100, family \$150, and family with baby sitter \$170. Over 60 years of age – free.
- 6) The Charter Commission Public Hearing – June 21, 2023 at 6 PM at BCTV, 10 Meetinghouse Road.
- 7) NHDES Public Hearing on draft permit for Saint-Gobain to operate – June 21, 2023 at 6:00 PM, at the Merrimack High School Little Theatre, 38 McElwain Street, Merrimack, NH and online. Interested parties may participate remotely by [registering for the Public Hearing on Microsoft Teams](#). Simulcast: BCTV.

Councilor Bemiss wanted to know what the permit was for. Mr. Sawyer stated that it was an air quality permit allowing their full operation to take place. He didn’t know why it was required or why they didn’t have one already. Councilor Bemiss wanted to know if this was a new permit they were trying to get. Councilor Strand stated that they are required to have a permit to omit a certain amount of PFAS/PFAS related chemicals in addition to regulation that enforces a mechanism that destroys the majority of the chemicals.

- 8) June 27 – Summer Reading Program Touch a Truck Event, 1:30-2:30 PM, Bedford Village Common Parking Lot. Please register through the Library [website](#).
- 9) The Summer Concert Series – Starts on June 28th and runs every Wednesday night through August 9th at 6 PM at the Bedford Village Common.
 - June 28 Dr. Harps Blues Revue Band
 - July 5 North River (Americana Band)
 - July 12 Judy Pancoast (Family friendly songwriter/signer)
 - July 19 Bel Airs (Doo Wop Vocal Quintet)
 - July 26 Roxanne & The Voodoo Rockers
 - August 2 Bedford Big Band (Swing Era)
 - August 9 Manchester Community Music School
- 10) July 15 – Household Hazardous Waste Day, 8:30 AM – 3 PM, Highway Garage, 19 Chubbuck Road.
- 11) PFAS POET Rebate Programs:
 - Town of Bedford
 - Up to \$6,500
 - Outside of the Saint-Gobain Consent Decree
 - Installed 9/30/2019 – 9/30/2026
 - State of NH
 - Up to \$5,000
 - Outside of the Consent Decree
 - Installed 9/30/2019 –
 - Saint-Gobain
 - Up to \$5,000
 - Inside of the Consent Decree
 - Installed 9/30/2019 – 5/10/2023

5. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Strand stated that BAC, the local soccer program, had 8 teams make the playoffs. The boys 12 & under and boys 13 & under were State champs. Boys 14 & under were State runners up and boys 17 & under were D2 champs. Teams who lost during the regular season came back and beat teams they lost to in the playoffs. Everyone worked hard and did a great job. They beat some big clubs that were well-funded, private and have been around for a longtime and theirs is just a community organization.

Councilor Strand thanked Rick for his persistence in securing funding for the Town PFAS grant program. Almost everybody is eligible for a POET system rebate if they put one in. That was a big win; Saint-Gobain came to the table and was now going to reimburse people who didn't want to wait and put it in themselves. He encouraged people to take advantage of that. If people have questions they can email the Town Manager, DES, or BedfordPFASCommission@gmail.com; they can help point you in the right direction. He mentioned the two public hearings next Wednesday. He's a big advocate of civic engagement and getting involved instead of sitting on the sidelines. He encouraged everyone to attend one of the two public hearings. The PFAS one was in Merrimack, but they could be heard in terms of feedback and learn about what the permit would mean in terms of Saint-Gobain being allowed a certain amount of air emissions going forward. They've taken big steps to clean up their act and the State has done a great job of holding them accountable, but there are a lot of PFAS chemicals and still some major concerns. He encouraged everybody to be vocal, because it affects Bedford. He acknowledged and recognized the effort of the Charter Commission members. They have done due diligence and a great job of researching every possible angle. He was confident that their work was objective and they're going to come to solid advisement for the Town and the voters. He mentioned Camp Witzel, the Bedford Rec Department camp and gave a shout out to Miss Jane. It's an awesome camp; it's affordable, they're in the pool every day, and the field trips are great. If you don't have child care for your kids, it's worth checking out. It goes up to age 13 and starts on the 26th. He congratulated all the graduates at all age levels.

Councilor Bemiss stated that they had an open space meeting for the Conservation Commission. They met with Chris Wells from the PLC and went over what the priority open spaces would be in Bedford. They met with the Chubbuck Road subcommittee; that's a work in progress. As far as composting, one of their committee members has been having a table at the Farmer's Market. It's a great place for people to get information, pick up bags, and ask questions. The Lions Club could make many benches based on how great Bedford was doing, but they need more non-profits in Bedford to call and say they want a bench. If you're a non-profit in Bedford, give the Lions Club a call, because they could get a bench and can donate it anywhere in Town. She had questions from community members about a noise ordinance, so that was going to come back around. She had questions about whether or not they could swap out the port-a-potty at the Village Common for a different color; a gray or brown would be better than the bright green one.

Councilor Radke thanked the representatives from the State, Town Administrator from Durham and Town Manager from Londonderry who were at the last Charter Commission

meeting. She strongly encouraged everybody to watch the meeting, because listening to the representatives from different towns puts it into a different perspective. The public hearing is on June 21st at 6:00 PM. That's the last public hearing before they start making decisions. She congratulated the class of 2023; you will do great things.

Councilor Thomas stated that the Facilities Communications committee met last week. They are looking forward to be able to get information out to the public. They are very committed to that and making sure the public is up to date on anything that their doing. There was a site walk yesterday at the proposed site. They are a good group of people.

Councilor Greazzo stated that the Planning Board met on Monday and approved a 2nd 1-year extension for the proposed hotel at 300 South River Road.

Chairman Carter stated that the last meeting with the student senate went well. He thanked everyone who came out for the Memorial Day parade. He congratulated the boys' lacrosse team for D1 championship. [There was corrected that the girls won, not the boys]. Councilor Radke mentioned that the boys' tennis team won the State Champs. Councilor Thomas thought Bedford had been a State champion in every single season since two years into the high school. Chairman Carter stated that tomorrow night he would be in Wilton. They have an open space meeting for Hillsborough County that he will be attending. He wants to see what's going on in other parts of Hillsborough County.

6. ADJOURNMENT

MOTION by Councilor Radke to adjourn. Seconded by Councilor Thomas. Vote taken – Motion Passed – 7-0.

Meeting adjourned at 8:06 PM

Respectfully submitted,

Dawn Boufford