

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
July 21, 2021
10 Meetinghouse Road**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, July 21, 2021, 10 Meetinghouse Road. Participating were Dave Gilbert (Chair), Bill Carter, (Vice Chair) and Councilors Denise Ricciardi, Bill Duschatko, Lori Radke, and Kelleigh Murphy and. Also present was Town Manager Rick Sawyer.

Councilor Thomas had an excused absence.

Chairman Gilbert opened the meeting at 7:00 PM.

The Police Honor Guard presented the flags.

2. PLEDGE OF ALLEGIANCE – Led by Chairman Gilbert.

3. PRESENTATION

a. Bedford Veterans of Foreign Wars presentation of Firefighter/EMT and Police Officer of the year

Commander Gary Backus, VFW, talked about the VFW's safety program that happens each year and awarding their Officer of the Year award. This year they worked with the Deputy Chief of the Police Department and the Chief of the Fire Department and they gave them the names of two outstanding public servants in Bedford. They understand service before self and know all that the Police and Firefighters have been through in the last year and a half with the pandemic being there every day and every night and they appreciate it. It is a privilege to honor the two awardees.

Police patrol officer Norman Frank was presented with a Certificate of Appreciation for the Police Officer of the Year, which read, *'In grateful recognition of unyielding adherence to the highest ideals of law enforcement and maintaining, preserving, and protecting the lawful rights of all citizens.'*

Mr. Backus stated that they talked about how they wanted to go about honoring the first responders. He contacted the chiefs wanted to know if there was something they need or something they could use that the VFW could offer to them. The VFW had a check for \$2,500 made out to the Town of Bedford with a note that it's for the Police Department to use at any community policing event of some kind or some kind of personal protective gear. He presented the check to Chairman Gilbert.

Firefighter/Paramedic Maurice Mailhot was presented with a Certificate of Appreciation for Firefighter/EMT of the Year, which read, *'In special recognition and highest praise for alertness, personal courage, and ever officiant guardianship of life and property.'*

Mr. Backus also wanted to know from the Fire Department if there was some piece of personal protective gear or something like that they need. They had a \$2,500 check for the Firefighter's Association to purchase a gas metering measuring system that they can use in fires when they go into homes; it can tell them if there's bad gases and will keep them safe as first responders as well as the residents.

The Police Honor Guard exited the meeting.

4. PUBLIC COMMENTS

Elaine Tefft, 7 Meetinghouse Road, stated that about two months ago, she accidentally found out that her well was ruined by toxic PFA's and PFOA's. Her water is no longer potable and hasn't been for about five years. The chemicals that caused this have been known for at least that period of time as well as the likelihood of where the contamination was probably occurring. No one at either the State or local level warned her. She has the highest level of PFA/PFOA ever detected. The PFO's acceptable level is 17 and in her well it is 410, 24 times the allowable limit. If the human temperature of 98.6 were 24 times that level, your temperature would be 2,378°. The NH DES has stated that the Town of Bedford is the responsible party. She stated that nothing was being done to help her other than giving her gallons and bottles of water. She wants two things from the Town: a point of entry self-flushing filtering system installed to screen out the contaminants along with a long-term contract from the Town to maintain it and add chemicals as needed. She can't wait months or years for this to happen; she needs this now. She also wants access under the Right-to-Know law to the Butler vs. Town of Bedford file. That suit involved toxic chemicals and water is running from that site onto her property. He wants proof that her well is not impacted from any runoff and if there is, it needs to be taken care of. The PFA's and PFOA's indiscriminately attack organs and accumulates. The longer you ingest them, the worse it gets. Eyes are also organs. Once the toxins are in your system, there is no known way to remove them. Medicine can only treat the cancer, which will eventually result from them. The medical profession has neither knowledge nor answers on how to remove the poison from your body. Only God can reverse that damage. She asked that they please help her. She addressed Rick Sawyer and stated, *'You have no idea what you bringing me water so she can have water to drink and brush her teeth and cook her food has meant to me. You have been a very caring, wonderful human being and I'm so lucky that you are here'*. She hoped that the Council appreciated him.

5. PUBLIC HEARING

- a. Acceptance of unanticipated revenues of \$2,368,917 or more of Fiscal Recovery Funds through the American Rescue Plan Act (ARPA) of 2021 in accordance with RSA 31:95-b**

Mr. Sawyer stated that ARPA funds are part of the American Rescue Plan known as the local fiscal recovery funds. The Town is able to apply for those funds and must apply for them through the State by August 18, 2021 or they will be forfeited back to the account and distributed to other municipalities and organizations. Bedford and most of the

municipalities are known as Non-Entitlement Units of Local Government (NEUs). Bedford is eligible for over \$2.3m with 50% of that being available in 2021 and the remaining coming in 2022. There are five categories that the funds can be used for:

- Public Health Expenditures
- Address the negative economic impacts of COVID-19
- Replace lost public sector revenue
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

Mr. Sawyer expects that they will be seeking Council support for water and sewer. It's also possible they can use the 'lost revenue' category for a broader area of public improvements and infrastructure projects and would come back to the Council in the future with a request on how these funds would be used. Tonight they are seeking the Council's approval for applying and accepting those funds. All of the funds must be obligated by 12/31/24 and must be expended by 12/31/26. The Town is obligated to file reports about these funds starting October 31st of this year and every year going forward.

Councilor Murphy wanted to know if the 'Public Health Expenditures' was just in regard to COVID expenditures or was it any public health issue. Mr. Sawyer stated that his understanding was that it would have to be public health expenditures related to COVID, but they can get that question answered. Councilor Murphy thought about the PFAS issue. Mr. Sawyer stated that they can use it for water contamination issues under the last bullet, and they are waiting for the final blessing that they could use those funds for the PFAS project that the Town was just made aware of that they are the likely responsible party for. The State of NH GOFER group has brought on a consultant that is answering those questions for everyone in the State.

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

Councilor Carter wanted to know if these were to be spent on one-time expenditures. Mr. Sawyer stated that that is the primary goal of some of those categories, but some of the programs could be ongoing like education type programs, but the infrastructure items are meant to be one-time expenditures.

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

MOTION by Councilor Murphy that the Bedford Town Council authorize the Town Manager to apply for, accept, and expend the Local Fiscal Recovery Funds through the American Rescue Plan Act of 2021 in the amount of \$2,368,917 subject to all terms and conditions, with the final approval for expenditure of the funds to be made by the Town Council at a future meeting(s). Seconded by Councilor Duschatko. Vote taken – Motion Passed – 6-0.

6. NEW BUSINESS

a. Presentation of the Comprehensive Annual Financial Report

Ms. Penny stated that the financial audit at the end of June. The Town continues to reflect a strong financial position and the Management's Discussion and Analysis section further explains reasons why.

Highlights

- The total assets of the Town exceeded total liabilities by \$80.2m, which is presented as net position. Of this amount, \$6.6 million was unrestricted. Unrestricted net position represents the amount available to be used to meet the Town's ongoing obligations.
- The unassigned fund balance of the general fund decreased by \$787k to \$17,278,280 during 2020. This is 18.09% of the total 2020 tax effort. This decrease is primarily due to the net impacts of the budgeted use of \$2.3m in fund balance and increased governmental revenues due to the CARES Act. Much of the CARES act revenue monies received could not be used to reduce the 2020 tax rate, but they were able to issue a 2020 tax rate to \$4.24, which is lower than the 2020 estimated of \$4.36.
- The Fund Balance Policy requires that unassigned fund balance range from 8 to 17% and should that balance exceed 17, the Town will consider such fund balance surpluses for one-time expenditures that are nonrecurring and will not require additional future expense outlays. While we are at 18.09%, the 2021 budget anticipates that they will use \$3,750,000 in unassigned fund balance to reduce the tax rate, and some of that \$2m is for the deposit to the Capital Reserve Fund. This will bring fund balance down to \$14,315,364, which is only 14.40% of the current 2021 estimated tax effort.

Ms. Penny stated that previous Finance Directors have recommended that the Council revisit the amount fund balance is used to reduce taxes prior to the tax rate setting process. Any deviations to budgeted fund balance use must be voted and approved by the governing body at a regular public meeting with no public hearing required. At this time, she is not recommending that the Council use additional fund balance to reduce the tax rate, since they anticipate being below the 17% target. Instead, she is recommending that the Council consider revisiting and updating the Fund Balance Policy at a future meeting. They haven't reviewed it since 2012. The discussion on the Fund Balance Policy should be revisited later in the year. She hopes they consider a plan that includes steps to maintain a minimum balance closer to 17% than the 8% cited in the existing policy. 17% is only two months of appropriations and the Government Finance Officers Association recommends no less than two months of regular general fund operating expenses be held. They should also address the Town's practice of encumbering anticipated unspent appropriations late in the year in order to offset the coming year's fiscal impact. The Town Charter, Section C-5 allows for this activity with the approval of the Council to transfer portions of unspent appropriations, this practice is not specifically identified in the Fund Balance Policy. The auditors have suggested that they take a look at that and revisit the policy.

b. Appointments to Boards and Commissions

Mr. Sawyer explained that a member of the Conservation Commission has applied for the open alternate position on the Zoning Board. If the Council chooses to appoint that person, it would open up a regular position on the Conservation Commission. There is also a person on the Historic District Commission that has left, so there is an opportunity to move an alternate up to fill that spot. They also have three appointments to the SNHPC based on recommendations from the Planning Board as required.

MOTION by Councilor Murphy that the Bedford Town Council appoint Robert MacPherson as an alternate member of the Zoning Board with a term to expire in 2024. Seconded by Councilor Carter. Vote taken – Motion Passed – 6-0.

MOTION by Councilor Murphy that the Bedford Town Council appoint Julie Donovan as a regular member of the Conservation Commission with a term to expire in 2022. Seconded by Councilor Carter. Vote taken – Motion Passed – 6-0.

MOTION by Councilor Murphy that the Bedford Town Council appoint Steve MacDougall as a regular member of the Historic District Commission with a term to expire in 2022. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0.

MOTION by Councilor Murphy that the Bedford Town Council reappoint Bill Duschatko as a regular member of the Southern NH Planning Commission with a term to expire in 2025. Seconded by Councilor Radke. Vote taken – Motion Passed – 5-0-1 (Duschatko recused himself).

MOTION by Councilor Murphy that the Bedford Town Council reappoint Bryan Lord as an alternate member of the Southern NH Planning Commission with a term to expire in 2025. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0.

MOTION by Councilor Murphy that the Bedford Town Council appoint Bill Jean as a regular member of the Southern NH Planning Commission with a term to expire in 2022. Seconded by Councilor Ricciardi. Vote taken – Motion Passed – 6-0.

c. Approval of revised Field Usage Fees

Mr. Sawyer explained that the Parks & Recreation Commission had met to discuss updated the fees, especially with the opening of Sportsman Field with a synthetic field that they needed to establish some rates for that field. The proposed amendment for all fields, except Sportsman, is to raise the rate from \$75 for a 2-hour block with no lights to \$150 and for fields with lights to raise it from \$150 for a 2-hour block to \$225. The rate for Sportsman Field would be \$200 for a 2-hour block with no lights and \$250 with lights.

Councilor Murphy clarified that these fees apply to non-Town sports teams and leagues and all for profit groups. It does not apply to Town organizations.

Councilor Duschatko wanted to know why the charge with lights at Sportsman is not the same as it is for the other fields at \$75/hour; it's only \$50/hour. Chairman Gilbert stated that they took a look at comparable high schools in the area and they thought it was appropriate to charge a little bit more for Sportsman, because it's a brand new field and it's going to be used a lot, and it's a better field than the other fields. Councilor Duschatko stated that he was talking about the fee for lights. Councilor Radke clarified that with Sportsman it looks like a \$50 increase for lights, but for other fields it looks like a \$75 increase for lights. Ms. Murphy wanted to know if it was because they thought if they go above \$250, they think they would be priced out of the market and Chairman Gilbert responded that was correct. He stated that there were other high schools that were looking into this and the Bedford School District is looking into changing their fees also. He stated that they haven't changed these fees in a long time, so they are bringing themselves up to market.

Councilor Murphy stated that she was going to recuse herself from voting on this issue, because she owns a for-profit sports league that rents from local towns throughout NH.

Mr. Sawyer wanted to know if Councilor Duschatko's point was for Sportsman Field to be equal should be \$275 and Councilor Duschatko stated that was correct. Chairman Gilbert stated that if they wanted to make a motion to change it they could do that.

Councilor Radke stated that the Commission already met and discussed this and this is what they came up with. Chairman Gilbert stated that that is what the Parks & Recreation Commission came up with. Councilor Radke stated that she didn't feel comfortable going against what they are recommending. Chairman Gilbert stated that if they wanted to go lower he would be against it, but if they want to go higher he's okay with that. Councilor Radke wished she had a better understanding of what their reasoning was behind it. Chairman Gilbert stated that they are at the high end of the market right now. Other high schools in the area that have turf fields are at the \$250 mark. Councilor Duschatko thought that Sportsman was a premium field and they should get a premium price and should be consistent on the lights. Chairman Gilbert didn't have a problem with that and didn't feel anyone on the Parks & Recreation Commission would have a problem with it.

Mr. Sawyer stated that this is the only Town field that is all LED lit, so there might be some less energy cost for it. Councilor Duschatko didn't think that was relevant.

Councilor Radke wanted to know what other towns were charging for turf fields without lights and Chairman Gilbert didn't have that information, but stated that they were in the ballpark with other high schools.

Councilor Murphy wanted to know who they compared Bedford with. Chairman Gilbert responded Derryfield, Memorial, Trinity, Back River Road fields, Bedford High School, Merrimack, and Bishop Guertin. Councilor Murphy stated that private school pricing for

field rentals was always going to be extraordinarily higher than municipal pricing for fields and Catholic school pricing is going to be more moderate. Trinity rents for \$100 less than what is being proposed for Sportsman. There are other municipal high schools that charge closer to \$150/\$200 mark and those would include Merrimack and Manchester. If they want to compare private school field pricing she understands where they are coming from, but private school fields are maintained at a level that far exceeds the level to which municipal fields are maintained. If Bedford intends to charge that amount, she hopes that they are going to maintain the fields at the same level that the Derryfield School maintains their field. Chairman Gilbert responded that that's the plan. They didn't build the field to not take care of it. Councilor Murphy stated that there are different levels of taking of a field. Chairman Gilbert stated that he was intimately involved with knowing what they did at West High and that was not the way to do it. He thought that Bedford has done a really good job of taking care of the high school field. He knows they are going to take care of Sportsman Field, because you don't build something and then just not take care of it, and they will if he has anything to say about it.

MOTION by Councilor Duschatko that the Bedford Town Council approve the field usage fees that they charge for the use of Sportsman Field at the rate of \$200 per 2-hour block with no lights and \$275 for a 2-hour block with lights. Field usage fees to be charged for the use of all other Bedford Town fields at the rate of \$150 per 2-hour block with no lights and \$225 for a 2-hour block with lights. Seconded by Councilor Carter. Vote taken – Motion Passed – 4-1-1 (Ricciardi, Duschatko, Gilbert, Carter-aye; Radke-nay; Murphy abstained)

Councilor Carter wanted to send their thoughts and prayers out to Jane O'Brien. She had an accident at her home and she's in a rehab facility right now, so from the Town Council he would like to send their thoughts and prayers out to her for a quick and speedy recovery. Chairman Gilbert stated that they all wish the best for Jane. Mr. Sawyer reported that she's doing much better this week and does hope to be home maybe as early as tomorrow.

d. Recommendation from Highway Safety Committee – Crosswalk/sidewalk on County Road

Mr. Sawyer showed a slide on the screen showing where the proposed crosswalk and sidewalk would be. He stated that the Highway Safety Committee met on June 22, 2021 to review a request from residents of Wright Acres and the Committee made a recommendation and determination that construction of a sidewalk along County Road and a crosswalk from Wright Acres would be beneficial for the community given the traffic, events and number of pedestrians in the area. The comments shared by the residents with the Highway Safety Committee are consistent with those that were provided by residents during the 2014 Bicycle and Pedestrian Connectivity Master Plan process. As noted in the Highway Safety Committee minutes, a crosswalk cannot be completed without receiving elements on either side of the crosswalk. In this case, there is no sidewalk on Wright Acres or County Road. Placement of a new sidewalk on County Road

would need to restrict parking along County Road. The recommendation brought forward to the Council is to advise staff as to how to proceed. They need to know if the Council want to pursue this sidewalk/crosswalk conversation by having the DPW proceed with survey, engineering, design, and construction estimates for inclusion in a future budget or would they rather this project be put on hold at this time.

Councilor Duschatko mentioned that they need a landing for the crosswalk and wanted to know if that was for both sides. Mr. Sawyer stated that Public Works would have to design something on the Wright Acres side of the road; a receiving element that could then transition the pedestrians into the pavement area, but they would have to have a receiving area on the other side of the crosswalk. Councilor Duschatko understood that they couldn't control traffic without having it with regards to speed and parking next to the crosswalk. Mr. Sawyer stated that as part of the plan if it were to move forward, there would be a recommendation for no parking within a certain distance of the crosswalk or crosswalks depending on what design comes forward. To maintain sight distance of the pedestrians for cars travelling, they can't have parking within so many feet of the crosswalk. If they put a sidewalk anywhere along that road, there wouldn't be parking adjacent on the sidewalk side of the road. They would have to restrict parking on the Wright Acres side of the road as well for a certain distance.

Councilor Ricciardi stated that she agreed with the recommendations from the Highway Safety Committee; it's a safety issue. She stated that they have other areas in Town that that would benefit from a sidewalk as well including over by Memorial School; that's a safety issue. The Town had some funds that have to be used specific for Old Bedford Road within a six-year period and two years has passed. Mr. Sawyer clarified that they are probably coming to the end of the first. Year. She wanted to know if it made sense to have a warrant article and put these on the ballot and get the safety issues rectified at one time. Mr. Sawyer thought it would be an excellent option to move sidewalks separate from the overall budget and have it as a warrant article. It wouldn't be on the ballot. The only thing that would go on the ballot would be for bonding items and he didn't expect those two sidewalks to get to the level where he would recommend bonding. It would be a warrant article voted on at the Budgetary Town Meeting. Councilor Radke clarified that it would be a one-time allocation for that year. Mr. Sawyer explained that the funds that Councilor Ricciardi referred to, which is the most recent assisted living complex on Old Bedford Road was required by the Planning Board to provide developer funds for the construction of the sidewalk or matching funds, which is \$100k. If they don't spend that within a six-year period from when it was paid, they would have to be returned to the developer. The total price for that project is in the \$300k range. Councilor Duschatko stated that the net for the Town would be \$200k. Mr. Sawyer stated that they submitted that as a \$500k sidewalk application with \$100k coming from the developer matching funds for an 80/20 grant, so 80% coming from the State Federal funds they receive and 20% being the local match, which they have in hand from the developer. Councilor Duschatko wanted to know if that had been finalized yet. Mr. Sawyer stated that it has not. All that has happened with that so far is the local regional planning commission has made its recommendations on all of the projects they receive, which are now at the State DOT for Statewide consideration. They were not at the top in the rankings for the SNHPC.

Mr. Sawyer stated that the State is getting a fair amount of infrastructure money from the Federal government, so maybe there's a way they can fund additional sidewalk projects, but he is not hopeful that they will receive those funds. Once a final decision is made, hopefully in time for this budget discussion, he and the staff would have some recommendations for them in the 2022 budget year for that project.

Councilor Carter wanted to know if there were other grants or anything they can do to put towards this. Mr. Sawyer stated that there is a potential that the infrastructure bills that are being talked about in Washington right now will make funds available. I has not seen any that are specific to local to have sidewalks. They are looking for much larger projects. The grant they applied for this year for the Old Bedford Road project through the State only becomes available every two years, so it would be at least two years out.

Councilor Radke was in support of putting some sidewalks there. She referred to the map on the screen and wanted to know what the dotted line was for. Mr. Sawyer stated that that's his interpretation of what was discussed by the Highway Safety Committee. If a crosswalk is put in, you would have to at minimum have a sidewalk that ties back to Liberty Hill Road. There was a lot of discussion and the recommendation from the Committee is to build a sidewalk all the way from the SAU driveway to McKelvie or Liberty Hill Road. That's why it's labeled 'recommended sidewalk'; for the entire piece. That would be his recommendation as well; to have Public Works develop the plan and cost estimate for the entire sidewalk for the Council to make a decision on how to move forward. Councilor Radke stated that at the Highway Safety Committee meeting they talked about unintended consequences that may occur if they have a crosswalk there. People may think they can park on Wright Acres. She mentioned posting 'no parking' on Wright Acres, because when you have a crosswalk, it says you can park there and cross over to the field. She thought maybe they need to think about maybe just doing the sidewalk and not the crosswalk.

Councilor Ricciardi didn't think that they could do one without the other. Mr. Sawyer stated that you aren't required to have the crosswalks. Councilor Duschatko added that you have to have a sidewalk or receiving area to do the crosswalk. Chairman Gilbert mentioned that the crosswalk had to be ADA compliant. Mr. Sawyer stressed that it was the crosswalk that was requested by the resident. It's the professional recommendation that you can't do the crosswalk without receiving elements on both sides and in this case, the only receiving element that makes sense is a sidewalk that connects to something. Councilor Duschatko stated that it's not as simple as just painting.

Chairman Gilbert wanted to know if they had talked to the School District about their thoughts. Mr. Sawyer stated that the School District was aware of the request from the resident and is aware of the recommendation from the Highway Safety Committee. They have not asked the School District to potentially fund this or anything like that. He thought Chairman Gilbert made a good observation that this is completely along the frontage of the SAU property, but they have no intention of building a sidewalk. It's not something they've been investigating. The Town could ask them to participate if the Council would like. Chairman Gilbert hoped that the people of Wright Acres understand that by putting

a sidewalk on that side of the road, you can't park on that side and you can't park on the other; people are going to park on their street, because people do not park in the SAU parking lot and go to baseball games or the track. They park right along that road. Councilor Radke stated that's why she mentioned a crosswalk is an invitation for them to do it. Mr. Sawyer hoped that by having the sidewalk they would be able to encourage people to park in those parking lots.

Councilor Duschatko suggesting dumping the crosswalk to avoid that parking issue. Councilor Radke stated that's what she would suggest, but she would like the support from the residents, because that was their initial request. If they do decide to move forward with this she hoped they would understand that having the crosswalk would enable cars to park there; giving them the signal to do that, and hoped they would be on board to eliminate the crosswalk and go with the sidewalk. Their initial request was just to put a crosswalk for safety; they did not come forward with the sidewalk. Mr. Sawyer stated that they cited 17 students that would be living in that neighborhood and being able to walk to the high school or middle school and being able to cross the road safely is their intent. Councilor Duschatko stated that they aren't concerned about having to walk to Peter Woodbury. Mr. Sawyer didn't know that students would potentially be able to walk to Peter Woodbury at that age given the no sidewalks for the rest of the length. Councilor Ducshatko thought that he read was a report saying that the population they are talking about ranges from 2 months to 10 years old and Mr. Sawyer stated that was correct. Councilor Duschatko stated that that didn't really call for the McKelvie and Mr. Sawyer stated not for the immediate years; in the future. Chairman Gilbert stated that a lot of students walk down there from baseball teams and teams that use the track; they walk from the high school down, so that might be beneficial. Mr. Sawyer stated that it's one of the few sidewalks that is recommended to be placed as part of the Master Plan.

Councilor Murphy was concerned about safety repercussions of not putting the crosswalk in. She understands the concerns about the parking situation, but she would be far more concerned that kids would be darting across the street at any given point and that there would be an accident that may have otherwise been preventable. Chairman Gilbert stated that if they put a sidewalk in, they really should put the crosswalks in. Councilor Murphy stated that that was her opinion. She wanted Chief Bryfonski's opinion on whether or not it made more sense or less sense with a sidewalk project in that area to add a crosswalk.

Chief Bryfonski stated that the residents were concerned about children crossing County Road and the crosswalks were their priority in bringing this forward. The sidewalk came up, because there needed to be a receiving portion on the County Road side. There was considerable amount of pedestrian traffic that transits to and from those fields. There are people that already park on Wright Acres Road to transit across the street to us those fields. He felt that when those fields are at maximum capacity and school is in session, the parking alongside the road it is unsafe. There are people that are parking partially on the pavement at times; there is crowding on the south side of County Road, which creates a significant safety problem for those pedestrians, youth, and children trying to transit up and back to the fields. He felt that a crosswalk was going to be needed. If there is a place to build a sidewalk in Bedford that would be the place to do it. Chairman Gilbert wanted

to know if there had been any incidents or accidents there. Chief Bryfonski responded no, but their focus on the Highway Safety Committee is to prevent injury and accident before it happens. This is an area that is close to schools and it ties in with another sidewalk complex on the other side of Liberty Hill Road that goes down to the pool and towards the high school and middle school; it makes total sense. Councilor Duschatko wanted to know if Chief Bryfonski thought it should go all the way down to the Peter Woodbury. Chief Bryfonski didn't think that there was the pedestrian volume to warrant that. He hadn't seen pedestrian traffic in that corridor. He does see a lot of pedestrian traffic in the field area. Going all the way down to the SAU complex would accommodate their intention and focus to have people park at McKelvie and/or the SAU parking lot when the fields are in use. There would probably be a necessity to modify the parking regulations in Town to put up 'No Parking' on Wright Acres and to enforce it.

Councilor Murphy mentioned that she sees the track teams run down from the high school all the way down County Road over to the McKelvie track, and they are sometimes forced to run in the road and that could be avoided if there was a sidewalk there.

Councilor Carter thought if they were going to move forward with this and put a sidewalk, another opportunity for a sidewalk would be on Gault Road.

Councilor Duschatko thought they should address the sidewalks all at once rather than this piece mail type of thing. Councilor Murphy stated that if they wanted to carve into that area of houses off of Gault Road, you don't need to run a sidewalk all the way up Liberty Hill to Gault, you can hook up into Dunnington and people can just cut across that way. Chairman Gilbert stated that he does it all the time. Councilor Murphy stated that as an elementary school parent, they all drive their kids. They either go on the bus or all the parents drive the kids. She never sees pedestrian traffic with the little ones at the elementary school level. Chairman Gilbert stated that if they went down to Peter Woodbury, it would triple the cost or more. Councilor Radke stated then it would become a bond issue. Chairman Gilbert didn't see the need for anybody to walk from the SAU building to the Peter Woodbury. He did see the need for people to walk from the high school to the SAU building and everything in between, because they are covering three different schools, the SAU and all of the fields in between.

Kathleen Bemiss, Magazine Street, mentioned the Master Plan and wanted to know if there was a map that lays out what streets have been identified as priority streets for sidewalks. Mr. Sawyer responded that there was and it's attached to the staff report. He thought it was a total of about 13 miles of total sidewalk that was recommended by the Master Plan. In a town with 200-300 miles of total roads, the Plan only calls out for a very small percentage of sidewalks to be added. A majority of that was done when the Route 101 project was done. Ms. Bemiss wanted to know if they could overlay the PFAS roads with the sidewalk recommendations, because it's very possible that you may be putting sidewalks on a road today that they are going to dig up and put water in tomorrow. Councilor Murphy stated that they've talked about it specifically. It came up several years ago at the Council in conjunction with Liberty Hill Road, because there was a discussion that if they know they are going to end up running water it doesn't make sense to put in

sidewalks, because you don't want to pay for the same work twice. It's something they are all cognizant of and something they do look at when they think about making these decisions. Ms. Bemiss told a story of when her kids were young and they couldn't wear floats at the pool, because it gives people a false sense of security. She thought the sidewalks in that area was a great idea, but a crosswalk is probably not. Statistically, people are more likely to get hit within a crosswalk during busy traffic.

Chairman Gilbert stated that along with the crosswalks, he thought they needed to talk about signage leading up to it on Country Road both ways. What kind of signage, speed limit, etc. Mr. Sawyer stated that Public Works would include that in their planning.

MOTION by Councilor Radke that the Bedford Town Council ask the Department of Public Works to complete engineering and a cost estimate for a sidewalk on County Road from Liberty Hill Road to the SAU Building with a crosswalk to Wright Acre Road for future construction consideration. Seconded by Councilor Murphy. Vote taken – Motion Passed – 6-0.

e. Requested letter of support for private acquisition of a State of NH parcel (Lot 36-98-44) on South River Road

Mr. Sawyer explained there is an email from Jeffrey Brooks, general manager of Botnik Acquisitions, who is seeking a letter of support from the Town. This letter is part of the request to the NH DOT to acquire Lot 36-98-44. A map was shown on the screen showing the location of the property on South River Road, which is only accessible from Merrimack. Botnik Acquisitions controls the abutting parcel in Merrimack and would like to acquire the State DOT parcel in Bedford and make a development on the two parcels combined. Right now there is no frontage for that parcel in Bedford on South River Road and it's been relayed to him that the State would not provide a curb cut through any of the other parcels that remain for that parcel in Bedford on South River Road given the proximity to the off ramp. They prefer to have no additional driveways in that area. The only access to the property would be through the property in Merrimack or one of the other parcels that the State controls. Mr. Sawyer showed the topography of the site and explained the different elements including a ravine that make the site unusable beyond the limited land that is abutting the Merrimack parcel. He didn't see any use of the site for Town purposes.

Councilor Radke wanted to know what they plan to develop on the land. Mr. Sawyer stated that everything he heard was commercially related; there were no proposed housing projects.

Councilor Duschatko wanted to know who had control over what goes on the Bedford portion of the parcel. Mr. Sawyer stated that any development of that parcel would require Planning Board approval by both Bedford and Merrimack.

Councilor Murphy was uncomfortable writing a letter of support for a company to acquire a piece of property for a use that they don't know anything about sometime in the future when they don't when it is. She didn't want to see this property then get used for a purpose and the whole town is looking at them saying 'what did you do', and they would say they gave them a blank check that they would support their acquisition of it for whatever.

Councilor Duschatko shared Councilor Murphy's concern. He wanted to know why the State would come to Bedford and say they have to do that. Mr. Sawyer stated that they haven't. Councilor Murphy stated that it is Botnick that is asking them to take that position on their behalf with the State.

Mr. Sawyer stated that if it goes through a State process he believed the NH DOT would give the Town the option for a first right of refusal.

MOTION by Councilor Murphy that the Bedford Town Council Receive and File* the request by Botnick Acquisitions. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 6-0.

*Councilor Murphy explained that a Receive and File is when they say thank you for your request, noted, and they take no action on it.

f. PFAS Update and transfer of unallocated reserves for required site investigation around the former fire station at 10 Meetinghouse Road

Mr. Sawyer explained that on June 29th, the NH Dept. of Environmental Services (DES) notified the Town that they were potential responsible party for the apparent pollution of groundwater in and around 10 Meetinghouse Road. The building used to have four bays of fire apparatus sitting in here. Certain firefighting foams are known to be a class of PFAS chemicals and is seen in well testing as high PFOS levels. We've talked a lot about PFOA, but PFOS is clearly the chemical signature for firefighting foams. PFAS in groundwater near fire stations is now common in NH and around the country. NHDES is requiring the Town to conduct a Focused Site Investigation that must be completed by a professional engineer or geologist or a combination. The investigation will include documenting the history of firefighting foam use and storage in the building and area. They will have to test abutting wells. They will likely have to install ground water monitoring wells and he's already talked to a potential engineer where those could go. They would have to look at potential solutions for those impacted. Bottled water is currently being provided to two residents immediately adjacent to the property that had well testing that had significantly high PFOS levels. These two homes have the highest PFAS levels in Bedford. They will also provide bottled water to any homes that they do test that come back above the limits. Several property owners have been proactive and had their wells tested and no additional wells have come up with levels exceeding the State standards. There is one additional property the State has identified, which is 124 Bedford Center Road that has elevated PFAS readings, but not near the levels of the two properties across from the former fire station. He referred to a map on the screen that showed some blue lines where water mains exist in the Meetinghouse Road area and the Town Hall, Library and BCTV were connected to the public water system approximately 10 years ago. They are continuing

to pursue a water main extension from Bell Hill Road to the lower Bedford Center Road area. It would run from Bell Hill Road to the former Harvest Market plaza where elevated PFAS readings have been found. It is hopeful that either State or Federal funds would be available to help the Town address the site investigation. They are pursuing to see if the Local Recovery Funds through ARPA program can be used for the investigation and solution. He's confident they can be used for the solution. He's seeking that written confirmation that they can be used for the site investigation, but at this time he is asking the Council to transfer the remaining unallocated funds that they have in their account of \$15,150 so that he can engage consulting services and proceed. Before the meeting he received a preliminary cost estimate from the engineer that they've selected to pursue that and that money would cover the first phase. There will be significant additional costs for the monitoring wells and long-term solutions, but that would cover the initial cost to make sure they could at least get started and answer the State's deadline, which is 60 days from the date of the receipt of the letter, which was June 29th.

Councilor Duschatko wanted to know if the Town was responsible for putting in monitoring wells. Mr. Sawyer responded yes, that will be part of the requirement and has been for all of the other fire station evaluations. Councilor Duschatko wanted to know what they were monitoring and Mr. Sawyer responded the levels of PFOS in the ground in the immediate area to identify the source of the chemicals and map out where it is. It's a full groundwater contamination study that needs to be completed. Councilor Duschatko wanted to know if they were trying to remedy it, but providing a water source. Mr. Sawyer stated that they still will want to identify the source and what the extent of the pollution is as part of it. The Council could tell him tonight to go ahead and put filtration systems in those two homes across the street; that is what those residents would like, but they would still need to satisfy the State requirements of analysis of the contamination.

Councilor Murphy wanted to know what the cost associated with putting filtration systems in those two homes. Mr. Sawyer stated that they don't have any analysis on that yet. They did have to install a system associated with a former landfill and it was less than \$5k for that one property. He would expect to spend about \$5k per home for a whole house treatment. There is a water line right outside the building and neither property owner would like to be connected to public water. They both would prefer treatment systems.

Councilor Ricciardi stated that water is so important and this does fall on the Town's responsibility. She thought they should take care of those two homes with the filtration systems, which is what they are asking for despite what the State is requiring thereafter. This is what they want, it's their home, they didn't contaminate their own water, the stress level for these residents is very high, and it would be her preference that they give them the proper point of entry and just take care of it. Mr. Sawyer stated that they can do that, and clarified that they are the potential responsible party at this point. They have not been proven to be the responsible party, but he expects they will be. He mentioned the earlier request to see some legal files that they have yet to find. It's a groundwater contamination case that was against the Town of Bedford when the Library was built. There was a spill of antifreeze from the heating ventilation and cooling systems associated with the construction of that building that ended up polluting wells. There used to be a home that

had to be taken down or was taken down. The question was could that have been it and if that's the case it's the Town of Bedford as well. There is also a gas station here and there is currently underground monitoring for MTBE contamination where these two property owners have had their wells quarterly for a decade or so. There are potential other responsible parties including St. Gobain.

Councilor Duschatko mentioned the MTBE and wanted to know if that came up that it would become the responsibility of the State fund. Mr. Sawyer responded it would. The State has been monitoring those two homes for that for a decade. Councilor Duschatko stated that the State funds occur, because they were successful in a lawsuit against Exxon, but they take no responsibility except for that lawsuit and Mr. Sawyer added and only that chemical. Councilor Duschatko wanted to know who manufactures the chemical of the foam. Mr. Sawyer stated that that's something the Town could take up. There are three major manufacturers that have been cited in lawsuits; civil actions and by states. Councilor Duschatko thought it made sense to bring together all of the communities that have fire stations and use the foam. Councilor Murphy stated that there might be contributors that they find in different levels of chemicals that are causing more or less or the same contamination from different people, businesses, forms between now and 100 years from now. She thought Councilor Duschatko's idea was a solid one. They could seek indemnification from who knows how many parties, businesses, people, etc., but that doesn't solve the homeowner's concern, which is immediate and one of urgency. Before they went down that road, she wanted to find the solution that works for the homeowner. She wanted to know how much it would cost to connect to the main line. Mr. Sawyer stated that it would be significantly more than the point of entry treatment system. Councilor Murphy stated that they have two homeowners that have requested the point of entry treatment systems. If they were to make a motion tonight and authorize the transfer of the funds to the Town Manager and if they wanted to expend \$10k to hook up those two homes and take care of that issue right away, what line item would that money come from. Mr. Sawyer responded that he would need to identify one and he hasn't identified any other funds at this point in time, but he believes they could find those funds. Councilor Murphy stated that they would authorize him to identify funds and move toward implementing and installing those systems. Mr. Sawyer stated that they could try and give him that broad approach or he could bring it back at their August meeting for action.

Chairman Gilbert stated that they might be able to get that money through the American Cares Rescue Plan Act. Mr. Sawyer responded yes, potentially. Chairman Gilbert wanted to know how long the Focused Site Investigation would go on and is there stop date. Councilor Murphy wanted to know if it was a radius question. Mr. Sawyer stated that currently it's identified as 500 feet from these three properties: 10 Meetinghouse Road, 7 Meetinghouse Road and 11 Meetinghouse Road. If they find it, they need to keep chasing it. Chairman Gilbert wanted to know if there was a timeframe. Mr. Sawyer stated that they have 60 days to respond. Chairman Gilbert clarified when they start the site investigation, he wanted to know how long it last and how long do they have to monitor it. Mr. Sawyer stated that they could be monitoring this for decades. He thought the Focused Site Investigation will come to an end, but the monitoring will go on for some time.

Councilor Ricciardi thought since it's problematic in other towns, would there be a way legally to pool together instead of reinvent the wheel and work collaboratively for these same issues throughout the other towns. Mr. Sawyer stated that in some ways they are working collaboratively, but each site is different and the extent of contamination is different, but they share the science and the solutions as to how to mediate these problems has definitely been shared between the communities. He's aware of several communities that have been studying their fire stations for at least three years and just now implementing the solutions. He believes they can move quicker for the immediate abutters. He wanted to be sure the DES would find those acceptable solutions; that they don't put treatment systems in homes and the DES order them to say no, they need something else other than that. He would want to get buy off from DES before they take the step of putting those treatment systems in. Councilor Murphy wanted to know if he could get a handle on that for the August meeting. Mr. Sawyer responded that he does.

Councilor Duschatko thought they were in agreement and want to solve the immediate problems with homeowners. He mentioned the point of does DES approve this and wanted to know if they should give Mr. Sawyer the authorization to concentrate on that. It's a municipal infrastructure and once they put in an onsite treatment system, he wanted to know if that still qualifies under all potential infrastructure funding from the Feds. Mr. Sawyer stated that infrastructure yes, but water quality was definitely a category that they are able to spend money on with ARPA funds.

Councilor Radke didn't know if the ARPA funds would actually pay for the filtration systems. Councilor Duschatko stated that it's a private benefit rather than a public benefit. Councilor Radke thought that those were questions that would have to ask the consultant who is working with the State. They would know whether or not those funds could be used for the private. Councilor Duschatko would hate to do something in haste right now that prohibits them or prevents them from recovering it from other sources. Mr. Sawyer stated that it was a small enough amount of money that he's comfortable that they should move forward and take that risk of not being able to back fill it at this time. He believes both property owners are looking for more than just the installation of the systems; they are also looking for the Town to be the responsible party for maintaining those systems at least until the property is transferred to another party.

Councilor Murphy stated that that one raises the red flag for her. If the Town of Bedford takes on legal responsibility for maintaining the systems, then they are also owning actions by the homeowners inside the home potentially that could have an effect on how those systems are functioning or being maintain and that makes her nervous. In addition to the existing liability scenario that would create potentially a further liability scenario such as what if the Town doesn't change the filters or doesn't do the appropriate things and it creates a radioactive scenario in the home. She wasn't saying that the Town would act in bad faith, but things happen and people lose sight of projects and who knows how many other homes they are going find out are affected, so that would be something that she would be more reluctant to commit to at this time. If they did commit to it, she would strongly encourage the Town to put a finite date on it. For example, the Town of Bedford would agree to maintain this particular system for 2-5 years and then have a hard cutoff

at which point the liability for maintenance would transfer to the homeowner and have that be very clear. Accepting liability in perpetuity is not something she thought would be a wise choice.

MOTION by Councilor Murphy that the Bedford Town Council authorize the transfer of the remaining funds in the Town Council Unallocated Reserve Fund to the Town Manager Professional Services line to support the response to the former fire station PFAS investigation. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0.

MOTION by Councilor Murphy that the Bedford Town Council authorize the Town Manager, Rick Sawyer, to do due diligence and investigate both the cost of potential systems at the two properties previously identified and whether installation of such a system would be appropriate and agreed upon by DES and to further authorize the Town Manager to put some thought into short-term and long-term maintenance of those systems, so they can have a meaningful discussion on the issue at their next Town Council meeting. Seconded by Councilor Carter. Vote taken – Motion Passed – 6-0.

g. Other New Business – None

7. OLD BUSINESS – None

8. APPROVAL OF MINUTES

a. Public Session June 9, 2021

MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the June 9, 2021 Public Session. Seconded by Councilor Duschatko. Vote taken – Motion Approved – 6-0.

9. TOWN MANAGER REPORT

- 1) A Special Election for State Representative will be held on September 7, 2021 from 7AM-7PM at the Bedford High School. This Special Election is being conducted to fill the seat vacated with the passing of former Representative Dave Danielson. There are two candidates Linda Rae Camarota (R) and Catherine A. Rombeau (D). Absentee ballots can be requested through the Town Clerk's office.
- 2) PFAS Contamination – They continue to monitor the situation between Saint Gobain and the State of NH for potential solutions and are in contact with the State on that regularly. They hope that there will be some movement this year for some people to be connected and that they hear about what the long-term solutions are for the rest of the area in Bedford. Also, the Town has been identified as a potential responsible party for PFAS contamination associated with the former fire station

- at 10 Meetinghouse Road that they will be investigating. If you have received a request for well testing from the State of NH, Golder Associates or Nobis Group, which is the consultant that will be working with the Town on the fire station investigation, it is critical that you sign the agreement and return the paperwork as soon as possible. If you feel you might be scammed, contact us at the Town Office.
- 3) COVID-19 Pandemic – Bedford currently has 9 current COVID-19 positive cases and has had a total of 2,076 cases. 55.2% of NH residents are currently vaccinated and when it was last reported on June 24, 2021 Bedford was shown to have 55.5% fully vaccinated residents and 61.2% with one dose.
 - 4) Drought – For the first time since May 19, 2020 (14 months) Bedford is no longer in any category of drought. Drought conditions persist in central and northern NH.
 - 5) Student Parking Program – 186 spaces available, 181 names from the lottery, 9 more names than last year. All 181 names will receive an email by Monday, July 26th with permit payment & pickup procedures. Remaining spaces will be issued to those on the waitlist. It is possible that there will not be enough spaces for all that want spaces on campus or in a Town lot at the start of school in the future.
 - 6) The Bedford Pool and Splash Pad are open for the season with open swim between 11 AM-7 PM on week days and noon to 5 PM on weekends and holidays.
 - 7) Summer Concert Series – Runs every Wednesday night at 6 PM at the Bedford Village Common.
 - July 21 NH Ukeladies
 - July 28 Knock on Wood (Family Fun Show)
 - August 4 Windham Swing Band (6:30 PM)
 - August 11 60's Invasion
 - August (TBD) Studio Two (Beatles Tribute)
 - 8) July 22nd – Educational Farm at Joppa Hill, Flower Arranging Workshop 5-6:30 pm.
 - 9) Educational Farm at Joppa Hill – Movie Night at the Farm, Friday night at 8:00 pm.
 - 10) The Bedford Farmers Market is moving – Tuesdays from 3-6 PM until October at Murphy's Taproom parking lot, 393 Route 101.
 - 11) August 3rd – National Night Out at 6 PM, Selvoski Field with a softball game between Bedford Fire and Police Departments.
 - 12) August 3rd – Hawks & Hawk Migration, a virtual event at the Library 6:30 – 8:00pm.
 - 13) August 15th – Friends of Aine, 9th Annual Kid's Try-Athlon, Bedford Recreation Complex & High School, 8 AM.
 - 14) August 19th – Rotary 4th Annual Trails to Ales 2K & 5K, 5:30 PM, Legacy Park.
 - 15) September 23rd – Fire & Police Department combined Open House, Safety Complex, 55 Constitution Drive, 5-7 PM.

10. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Ricciardi stated that the Conservation Commission didn't have a quorum. She congratulated Jon Levenstein on receiving the 2021 Citizen Planner of the Year. He has had 25 years of service as a citizen. They worked together about 18 years ago on the Conservation Commission.

Councilor Duschatko stated that at the Planning Board meeting, recognition was given to Becky Hebert and Jon Levenstein for winning their Planning awards by the Town Council. The Planning Board denied the Animal Rescue League's request for a new sign and asked them to come back. He stated that the Town's lease of land to the Historical Society for the Stevens Buswell building, and the Planning Board approved it. There was a change in the design of the Mega-X gas station, which is under construction and it was approved. The building that houses Nasar Jewelers had office space above the jewelry store that has been unoccupied and the owners want to convert that into four apartments and it requires a variance. It was a conceptual plan and they will be back to the Planning Board with a formal request. The Market & Main development presented a new concept and Councilor Duschatko gave specific details of that new concept. Councilor Radke wanted to know if there were a lot of people in the audience at the Planning Board meeting and Councilor Duschatko responded no. Councilor Carter stated that he was there.

Councilor Carter stated that he and Councilor Ricciardi were able to partake in the 10th anniversary of the Inside Scoop. They also visited the two new businesses in that plaza: Rigatonis and Gusto Italiano Market. He was also at the Flight Coffee opening and the Sweet Boutique on Kilton Road opened up. He encouraged people to visit those businesses. He was on a webinar called 'Green Grass, Clean Water'. He learned a lot about how to take care of your lawn. It was put on by the NH Sea Grant Extension and the UNH Cooperative Extension. The new DPW summer newsletter is out. He mentioned that they had a fatal at Pasture and New Boston Road and wanted to know if there were any recommendations to help people stop before they head out into New Boston. Mr. Sawyer stated that Public Works is looking at a new sign package and stop bar package. They will probably see an oversized stop sign. They are pursuing signage and painting markers and potentially including 'Stop Ahead'. There has also been one accident since that fatal, 10 days later. Councilor Carter stated that the Fall Cub Clean-up day will be October 16th from 9-3. He thought it was great to walk around Town and see how clean the Town is and to see how people are continuing to pick up the roads. There are bags at the Transfer Station. He will come before the Council with a sponsorship of roads and the first one on the list is Wallace Road. He mentioned a sign coming in to Bedford from Merrimack and Goffstown. He has an organization that would like to take that, but he has to do some research, because it's not an authorized sign. He'll do his homework and have that ready for the next meeting. He's looking at putting signs on the roads coming into Town. He mentioned all the support that went out for the Zink family.

Councilor Radke congratulated Norman Frank and Maurice Maillout on receiving their awards from the VFW. She was thrilled to see that Bedford is exploding with small businesses and refreshing to see people frequenting them. She was able to attend one of the openings, Gear Up, and it was nice to see all of the Bedford merchandise in there. She wished all the small businesses all the best. She mentioned the Employee Appreciation; they used to do a luncheon and last year they did an ice cream truck. She would be reaching out to all of the Councilors to see what direction they should go. She thought both were well received. As far as the Volunteer Appreciation, that is something they will need to budget for, maybe about \$1,500. Her thought was to do something next April or May when the terms end and do an appreciation for the volunteers. She wanted

to know who was responsible for mowing the sidewalk on Route 101. Mr. Sawyer stated that the State was responsible for the weeds that are taking over their sidewalks. The Town is responsible for snow removal and the islands in the middle of 101, but the State is responsible for roadside mowing. Councilor Ricciardi stated that she called someone at the State about it and they should probably be doing something in the next two weeks.

Councilor Murphy stated that her thoughts, prayers, and condolences go out to Alyssa, Eric, and the Zink/Pappas families on the loss of their son. That was extremely tragic. She congratulated Firefighter Kozacka on obtaining his paramedic license and to welcome Fire Inspector Jason Smedick who came from the Milford Fire Department. She echoed Councilor Radke's comments and congratulations to the two individuals who were recognized tonight as EMT and Police Officer of the Year. She is also excited about small businesses in Bedford. She walked into Ace in the Harvest Market plaza, which is now 3x the size as it was before.

Chairman Gilbert stated that last night the ZBA met. They had an application to split a less than 3-acre lot where the requirement is 1.5 acres and the ZBA denied that request.

11. NON-PUBLIC – RSA 91-A:3 II

MOTION by Councilor Carter to go into non-public session per RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted; and RSA 91-A:3 II (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Seconded by Councilor Radke.

Roll Call: Murphy-aye, Radke-aye, Carter-aye, Duschatko-aye, Ricciardi-aye, Gilbert-aye.

The public meeting ended at 9:15 PM.

Respectfully submitted,

Dawn Boufford