

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
January 13, 2021  
Virtual**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, January 13, 2021, via the Zoom platform. Participating were Dave Gilbert (Chair), Denise Ricciardi (Vice Chair), Councilors Phil Greazzo, Melissa Stevens, Bill Duschatko, Lori Radke, and Bill Carter. Also present was Town Manager Rick Sawyer.

Chairman Gilbert opened the meeting at 7:00 PM and read the following statement:

As Chairman of the Council I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that: We are providing public access to the meeting by telephone, with additional access live on BCTV Comcast Channel 22 or streaming online by going to the Town website and choosing BCTV under "departments" and clicking on Channel 22. We are utilizing an online platform called Zoom for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through this platform. The public can call into this meeting via the instructions that are being shown on the BCTV broadcast. If anybody has a problem accessing the meeting via the phone please email us at: [councilors2@bedfordnh.org](mailto:councilors2@bedfordnh.org). In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Chairman Gilbert did roll call attendance.

**Roll call: Carter-alone, Duschatko-alone, Greazzo-alone, Radke-alone,  
Ricciardi-alone, Stevens-alone, Gilbert-alone.**

**2. PUBLIC COMMENTS** – None

**3. PUBLIC HEARING**

**a. First public hearing on the proposed 2021 budget**

Mr. Sawyer stated that the 2021 combined operating and Capital budget appropriation is 36,654,145, which represents a \$.53 increase over the 2020 tax rate for a new estimated tax rate of \$4.77.

Councilor Duschatko proposed that they reduce the Capital Reserve under Planning Department #10010426-57310. The budget has \$18k to fund a future Master Plan at an

expected rate of \$200k. He felt that that amount was much too high. He felt that way based on the experience of Derry, NH in preparing their Master Plan this year. Their total expenditure was \$105k including the printing of 500 full color plans with about 400 pages each. The actual expenditure on the planning was under \$100k. He felt the budget was in excess of what was required to produce a quality item and thought it merited discussion in future years, but this year he wanted to reduce the Capital Reserve to \$0 for this item.

**MOTION by Councilor Duschatko that the Bedford Town Council reduce the Capital Reserve of Planning Department #10010426-57310 from \$18k to zero. Seconded by Councilor Carter.**

Councilor Radke wanted to know if there is excess money in that account if it goes directly into the Unassigned Fund Balance. Mr. Sawyer responded no. As a Capital Reserve item, any funds not used out of that would remain in that Capital Reserve unless the Council or at Town Meeting it is re-appropriated to another need.

Councilor Stevens wanted to know how much money was in that line item. Mr. Sawyer stated that there may be a couple of thousand in there. It's starting over for the Master Plan they would be completing in 2032, so they would have 11 years to be saving for that. If they don't fund it this year, they still have 10 years if they started funding it next year.

Councilor Radke wanted to know the estimated cost 10 years from now. Mr. Sawyer stated that it would be about \$200k, which is similar to what they spent this year. The Master Plan 10 years ago was about \$170k. Ms. Radke though maybe the cost would be higher in the next 10 years. Mr. Sawyer stated that that is their concern and they stated that the last time this was discussed. It's hard to predict what consulting services will cost in 11 years, so their recommendation was to hold fast at the \$200k ballpark.

Councilor Stevens wanted to know if Becky Hebert, Planning Director, knew anything about the Derry Master Plan. Ms. Hebert stated that she was familiar with it. It's a traditional master plan. When they went out for an RFP for the current plan, they had a range of proposals come in. They ranged from around \$40k-\$50k to the one they selected, which was \$168k. The CIP allocated \$175k for the project and looking 10-12 years out, they were planning for the next update at \$200k. She is willing to re-evaluate and take a hard look at the budgeting for the next Master Plan. She hated to see monies come away from the project, but she understands that there are a lot of different ways to accomplish the same task and she didn't necessarily object to Councilor Duschatko's recommendation. She's open and the Planning, once they adopt the Plan they are finalizing, should take a close look at what they want to plan for, for the next update.

**Roll call: Duschatko-aye, Carter-aye, Radke-nay, Stevens-aye, Greazzo-aye, Ricciardi-aye, Gilbert-aye. Motion Passes 6-1.**

**MOTION by Councilor Greazzo to open the public hearing. Seconded by Councilor Duschatko.**

**Roll Call Vote: Carter-aye, Duschatko-aye, Radke-aye, Greazzo-aye, Stevens-aye, Ricciardi-aye, Gilbert-aye.**

Councilor Greazzo mentioned his email about making a reduction in Public Works for the road striping. He thought it fell under Local Road Maintenance #10050772. The last time they spoke with DPW Director Jeff Foote he mentioned that it was about \$200k-\$300k a year. Mr. Foote stated that in 2020, they put an award on the street and the lowest qualified bid for line striping Town wide was \$88,796.86. Every year they evaluate the roads. The collector roads are the ones that are striped. What they spent in 2020 for road lining striping was about \$64k. Councilor Greazzo wanted to know if it was something they could do on an as needed basis rather than just doing the Town every year regardless of whether it needs to be done or not. Mr. Foote thought it was important to realize that the Town only stripes collector roads and arterial roadways. Once in a while they will do a neighborhood road. He thought they were very judicious about what they do stripe. There were some roads this year that typically get a fog line and they didn't stripe them. Between their road programming and what the actual needs in the field are, there is about 93k lineal feet of edge line or fog line that the Department didn't stripe in 2020. He thought they did a good job recognizing what their needs are and determining what's best and how to use those resources. Councilor Greazzo agreed that they do a good job. He was glad to see that they used some discretion in not striping things that didn't need to be striped. He thought that was something they could expand into the future. He wanted to know if they do reduce the line item, what his bottom dollar to be able to continue to do this in the future. Mr. Foote stated that it would depend on which vendor gives them the bid. In 2020, they had several bids, but they didn't go with the lowest bid, which was about \$16k less than the bid they went with. The DOT banned them from the State of NH from contracting for three years based on performance issues they had, they followed suit. He thought it would be a mistake to not stripe the center line on every road they stripe today. He thought the center line was critical for public safety. The fog line is helpful at night; it's all about public safety. He thought everything they do, they are very cautious and judicious on what they assign values to for those roads. He thought they had a good, solid, and fiscally responsible line striping program. He would be happy to have a discussion about any road that they stripe or do not stripe. Councilor Greazzo wanted to know if there was any money saved in that line, where that money go. Mr. Sawyer explained that the particular line where the line striping comes out of is currently funded at \$960k in this budget, and that's because it's the local road rehab and reconstruction line. If they wanted to make a policy statement about not striping every road every year, that's great, but to make a budget change, they would ask that they leave the money, so that they could use it for road reconstruction. Their preference would be to leave the funds there and let the Public Works Director use them at his discretion for line striping and/or road reconstruction. Councilor Greazzo didn't have a problem adding them to another area of road reconstruction. He just hates to see them painting things that didn't need to be painted. If Mr. Foote could in the future be more judicious than he already is. Public safety is a concern and he didn't want to not stripe something and have somebody have an accident or not be able to see the road, but he sees year after year lines getting painted that don't need it. He's not a fan of wasting money, so that's why he brought it up. He won't make a motion to reduce the budget, but would like some sort of

policy that they don't necessarily stripe lines that don't need to be striped. Mr. Sawyer stated that they appreciate that and thought Mr. Foote outlined it pretty well that they can continue to update the Council on their program as they go through the years. Councilor Greazzo stated that it was fine with him then.

**MOTION by Councilor Duschatko to close the public hearing.  
Seconded by Councilor Radke.**

**Roll Call Vote: Greazzo-aye, Radke-aye, Carter-aye, Stevens-aye,  
Ricciardi-aye, Duschatko-aye, Gilbert-aye.**

Councilor Greazzo wanted to know if they were planning on opening the pool this year. Mr. Sawyer explained that they intend to open the pool if possible. He asked the Recreation Manager Jane O'Brien last week to do everything she can to find lifeguards and to get lifeguards trained and come up with a plan for how they would be open. It may be a reservation type program where families would have to reserve certain hours and be a little bit limited than they have in the past, but they absolutely intend to be open. Councilor Greazzo stated that was a concern of his. They all hope that's going to be the case, but he didn't hold out a lot of hope that that's going to be the case. Given the restrictions, he wanted to know what was going to be the utilization. He wanted to know if it was going to be worth spending the money to have a few people a day utilize the pool. He didn't want to take it away, but if it's the same cost but with limited use, it didn't seem to be beneficial to the community at that point. Mr. Sawyer stated that it's for the Council to decide. If they don't want the pool open, then they could make some recommended budget proposals for them for the next meeting to be included. Heh would need to hear from the Council if that's the direction they want them to go.

**b. First public hearing on the Conservation Fund warrant article**

Mr. Sawyer explained that during the 2021 budget process, the Town Council decided that all of the proceeds collected from the current use land change tax should be allocated to the Conservation Fund and propose this warrant article for further consideration at two public hearings scheduled for tonight and the second one being January 27, 2021. If the Council moves forward with voting on this article following the 2<sup>nd</sup> public hearing, voting would take place during the Budgetary Town Meeting on March 10<sup>th</sup>.

Councilor Duschatko wanted to know if they had an estimate of how much money they expect to gain from this in the next year or two and how much they had for this year. Mr. Sawyer stated that the 2021 budget included revenues of \$50k coming to the General Fund from this account, and that's the amount they've had in the budget the last couple of years. It's very hard to predict how much will actually come in, because it's totally dependent on what families and/or developers do with their land that is in current use. There are three that Assessor Bill Ingalls needs to bill for the 2021 year already, so that would generate revenue to that account. The amount of land in current use gets less and less every year. Councilor Duschatko stated that they have an inventory of single family lots and condominium lots that have been improved and they issue building permits on

them and they seem to be fairly consistent over the past four or five years. He wondered what the overall trend is and how much they would reduce their revenues for the General Fund by making this shift. Mr. Sawyer replied that the change would be \$50k or about \$0.01 on the tax rate. Councilor Duschatko wanted to know if they would forecast that in the future at the same rate. Mr. Sawyer stated that they've only forecasted for the 2021 budget, but beyond that it's very hard to say. Finance Director Tammy Penny stated that for 2020, their net collections after they send 70% over to Conservation is \$67,500. Mr. Sawyer stated that they try and be as conservative as they can be while still being appropriate in their revenue projections so they aren't overtaxing the taxpayer.

**MOTION by Councilor Radke to open the public hearing. Seconded by Councilor Carter.**

**Roll Call Vote: Greazzo-aye, Duschatko-aye, Stevens-aye, Radke-aye, Carter-aye, Ricciardi-aye, Gilbert-aye.**

Susan Tufts-Moore was in favor of this proposed warrant article. She stated that there were fewer and fewer lands come out of current use and thought it was a diminishing source of revenue for the Conservation Fund, so she supports it. Richard Moore echoed Ms. Tufts-Moore's comment and thought it was a good idea to go to 100%.

**MOTION by Councilor Carter to close the public hearing. Seconded by Councilor Radke.**

**Roll Call Vote: Duschatko-aye, Greazzo-aye, Stevens-aye, Ricciardi-aye, Radke-aye, Carter-aye, Gilbert-aye.**

### **c. Four proposed Charter amendments**

Mr. Sawyer explained that the Town Council formed a subcommittee to review the Charter and have recommended four amendments for consideration. The Town attorney has reviewed the amendments and has found them to be acceptable with State law. Should the Council vote to place the amendments on the ballot, it would still require review and approval by the Secretary of State, Attorney General, and the Commissioner of the Department of Revenue Administration. Those submissions have been made to those individuals. Following the public hearing, the Council is able to make any changes it would like including the purpose statements. The Council will need to vote to place any or all of the amendments on the ballot. He went through the following proposed amendments.

#### **Amendment 1.**

Shall the voters of Bedford approve the charter amendment as shown below? Items to be deleted shown in ~~strikethrough~~ and items to be added shown in **bold**:

Article XI, Section C11-1, Administrative Committees

A. Planning Board.

- (1) Membership. There shall be a Planning Board consisting of ~~nine~~ **seven (7)** members as provided by state statute. Six of these members shall be appointed by the Council for terms of three years, such terms to be staggered.
- (2) Ex officio members. ~~The Town Manager and the Town of Bedford Public Works Director shall serve as ex officio members,~~ and Two (2) Town Council members shall be appointed annually at the Council's first meeting to serve, respectively, as primary and alternate. These representatives shall have all the rights of membership including the right to hold office.

**PURPOSE:** *This Amendment would remove the Town Manager and Public Works Director as voting members of the Planning Board making it solely comprised of citizen members.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

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**Amendment 2.**

Shall the voters of Bedford approve the charter amendment as shown below? Items to be deleted shown in ~~strikethrough~~ and items to be added shown in **bold**:

Article III, Town Council, Section C3-3, Selection of Chairman and Vice Chairman

The Council shall, by the affirmative vote of at least four of its members, at its first regular meeting in March following each election, choose one of its members Chairman for a term of one year. The Council shall choose one of its members Vice Chairman for a term of one year, who shall act in the absence or disability of the Chairman. In the event of a vacancy occurring in the office of Chairman, the Vice Chairman shall serve out the unexpired term. The Chairman shall be the official head of the Town for all ceremonial purposes; ~~he~~ **and** shall preside at all meetings of the Council and may speak and vote at such meetings.

**PURPOSE:** *This Amendment would remove the assumption that the Chairman of the Town Council is male.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

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**Amendment 3.**

Shall the voters of Bedford approve the charter amendment as shown below? Items to be deleted shown in ~~strikethrough~~ and items to be added shown in **bold**:

Article III, Town Council, Section C3-4, Qualifications of Councilors

Only voters who at all times during the term of office are and remain residents of the Town shall be eligible to hold the office of Councilor. To be eligible for election to the office of Councilor a candidate must be of voting age and must have been a resident of the Town for at least ~~30~~ **90** days immediately before the election. The Council is the sole judge of qualification for office. The Council shall declare a vacancy in the event that a member is convicted of committing a federal or state crime punishable by imprisonment for more than one year.

**PURPOSE:** *This Amendment would increase the residency requirement for someone to serve on the Town Council from 30 to 90 days.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

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**Amendment 4.**

Shall the voters of Bedford approve a charter amendment to add a new section as shown below?

Article XI, Administrative and Judicial Boards, Section C11-5, Eligibility

To be eligible for a board or commission appointment the applicant must be a resident of the Town.

**PURPOSE:** *This Amendment would require that you must be a resident of Bedford to be appointed to an administrative or judicial board.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

**MOTION by Councilor Ricciardi to open the public hearing. Seconded by Councilor Radke.**

**Roll Call Vote: Ricciardi-aye, Stevens-aye, Carter-aye, Duschatko-aye, Greazzo-aye, Radke-aye, Gilbert-aye.**

Kelleigh Murphy, member of the Planning Board, mentioned that the first Charter amendment removing the Town Manager and Public Works Director as ex-officio members from the Planning Board had come up at the Planning Board meeting. She encouraged the Councilors to watch the broadcast of the Planning Board meeting, because all of the members weighed in with their comments and concerns. She was concerned that the Town Manager and Public Works Director bring a certain amount of integral and historical knowledge on various projects to the Planning Board. They are a wealth of information and an excellent resource in real time when questions come up from not only applicants, but members of the community as to how the Planning Board has historically dealt with various issues. She thought it was very important to have the Town Manager and the Public Works Director actively involved in Planning Board meetings, particularly where they can directly weigh in on impacts, traffic studies, environmental studies, their thoughts on how things are going to affect the community with a degree of knowledge that she didn't think anybody on the Planning Board possess. She thought it would be a travesty to have them not be active and involved as members of the Planning Board. She thought the Charter amendments was a mistake, she doesn't support it and she's speaking out against it.

Matt Sullivan, member of the Planning Board, echoed Ms. Murphy's comments. He found the Director of Public Works and the Town Manager's comments and input in these meetings invaluable to their decision-making process. Though they could provide comments through a staff report, there is that real time feedback and questioning, institutional and historical knowledge that is so valuable to them as members especially as a volunteer board. They don't have a lot of time to investigate and dive into the nuances of some of these proposals from the time that they get them to the Planning Board meeting. To have them ask relevant questions and give them more detail in those

meetings really helps with the decision making process. It would be a real loss to the Board and to the Town to no longer have them as part of the Planning Board.

Susan Tufts-Moore agreed with the previous two speakers. She was very much opposed to this proposed Charter Amendment. She thought that both the Town Manager and the Public Works Director do offer invaluable knowledge and expertise on the Planning Board. They have that institutional history that many of the members at the time for the Planning Board would possibly be lacking. She concurs with the two previous speakers and hopes that it will not end up being proposed.

Rich Moore agreed with all of the speakers before that the representatives of the Town were invaluable to the committees he's been involved with and is sure they are to the Planning Board too. Amendment #4 states that to be on a committee, you have to be a resident of Bedford wanted to know if that was a problem if they want Town employees on these boards and effectively does #4 take them off the board anyways in which case they would want to speak against that too. Chairman Gilbert didn't think an ex-officio would apply. Mr. Sawyer thought it might make sense to make a slight amendment to #4 to insert the words 'non-ex-officio member' into that amendment. Mr. Moore stated that that would meet his concern.

Hal Newberry, Nathan Cutler Drive, stated that he'd been on the Planning Board as a regular member, secretary, and vice chair, so he's had the pleasure of chairing a good number of meetings. He's been on long enough to have served with four or five Town Managers, at least three Public Works Directors and three Planning Directors. He thought each of these positions bring a unique professional perspective to Planning Board hearings that contributes to reaching well-founded plans and decisions. In his experience, all of the people that have sat on the board in these positions have provided valuable input during reviews and considerations and they did so, in his view, with the objectivity you would expect from a professional. In his experience, the Planning Board has been consistent with its ability to reach well-founded decisions even with difficult and controversial applications. He thought it was rare for one of their Planning Board decisions to be challenged in court and thought it was even rarer for a decision to be overturned and thought that speaks to the quality of the decisions that the Bedford Planning Board is able to consistently reach. He thought removing the Town Manager and Public Works Director from active participation on the Board would be an unforced error and that error would negatively impact a range of perspective and input that the Board can consider. He thought their participation helps support and guide good planning with specific plans and to reach founded decisions that promote quality development while still meeting all of the rules and regulations. He thought it would be significantly harder for the Board to maintain well-founded decisions without the active participation of the Town Manager and the Public Works Director. He thought the knowledge and experience that these positions bring should be utilized with no incremental cost to the Town and significant value to the Town and to the Planning Board's efforts.

**MOTION by Councilor Ricciardi to close the public hearing. Seconded by Councilor Carter.**

**Roll Call Vote: Greazzo-aye, Duschatko-aye, Ricciardi-aye, Carter-aye, Stevens-aye, Radke-aye, Gilbert-aye.**

Councilor Radke stated that after listening to the comments she agreed with them. Their knowledge and their expertise is invaluable, especially with they are in the minutia of it and they spend most of their time dealing with those issues. She stated that when they put this together, it was their voting rights they were concerned about. Having them vote on particular Planning Board applications. She didn't believe that their intent was that they don't attend; it was strictly that they don't vote, so perhaps they need to rewrite this to say so. It was her intent that they were attending the meetings, just not voting.

Councilor Duschatko stated that wanted to know if it was legal to do that. He thought the way it was written that way was because of the statutory limitation. Mr. Sawyer stated that given the Town Council/Town Manager form of government, RSA 673:2 only allows either a 9 member board or a 7 member board. There might be a hybrid combination in there that would say you would go to a 7 member board, and still ask those two positions to attend meetings, but statutorily you would have a 7 member Planning Board at that point. Councilor Duschatko wanted to know if they could use the ex-officio part, but the ex-officio is non-voting. Mr. Sawyer stated that his recommendation would be that they aren't Planning Board members in any manner to be compliant with the RSA, but they would direct them as a policy for their job assignments to attend those meetings.

Councilor Stevens stated that their intention was not that they not participate. She thought the assumption was participate much like the Planning Director participates in their meetings and like other staff participates in Conservation and BCTV, etc. They never said that they didn't want them there. They understand the importance of having them there. They just also knew that there were instances where Rick had to recuse himself from votes and it takes that debacle away from the Town Manager when voting on projects.

Chairman Gilbert wanted to know if they wanted to discuss the 4<sup>th</sup> amendment and the ex-officio portion of that. Mr. Sawyer stated that his recommendation would be to insert the words 'non ex-officio' after the word 'a' to read...

*'To be eligible for a non-ex-officio board or commission appointment the applicant must be a resident of the Town.'*

Councilor Duschatko agreed with that. Councilor Radke also agreed.

**MOTION by Chairman Gilbert that the Bedford Town Council change the 4<sup>th</sup> Charter Amendment to say, 'To be eligible for a non-ex-officio board or commission appointment the applicant must be a resident of the Town.'** [No second]

**Roll Call Vote: Carter-aye, Duschatko-aye, Stevens-aye, Radke-aye, Greazzo-aye, Ricciardi-aye, Gilbert-aye.**

Councilor Stevens stated that they had so many members that seemed to have a different understanding of the first change to the Planning Board membership. She wanted to know if they needed to edit the language on the purpose for that or are people more comfortable with the change they are looking to make now that they've heard their rationale and understand that they still anticipate Public Works and the Town Manager to be involved in this Board. Chairman Gilbert stated that all other boards function that way where you are going to have a representative of the Town involved or you could call one anytime you want on any board for any purpose. He thought it would be the same for the Planning Board. You could put something in there to say, 'This does not preclude the Town Manager or the Public Works Director from being called on to attend meetings.' To him they are going to be called on when needed just like every other board. If they want to say something different, that's fine with him.

Councilor Duschatko thought it might be a good idea to reword it, but doesn't think tonight's appropriate. They have another meeting they have to have, so perhaps they could do it offline and make a presentation for the next meeting. Mr. Sawyer stated that this was the only public hearing scheduled on the Charter amendments. You do not need a 2<sup>nd</sup> public hearing. They don't have to take action on this tonight, but the longer they wait, the harder it might be to get those reviews by the Secretary of State, DRA, and Attorney General. Councilor Duschatko wanted to know if they would be concerned about the explanation language. Mr. Sawyer stated that they review the entire article.

Councilor Ricciardi stated that given the testimony by the people today, she felt they should put a pause on this. Maybe not amend this particular Charter for now. Chairman Gilbert stated that then they would be waiting a year. Councilor Ricciardi felt that her belief was always listening to their constituents and she heard them loud and clear. She would like to put a pause and revisit it a year from now.

Councilor Stevens mentioned the conversation at the Planning Board and wanted to know if it seemed that their intention was just not understood or was it just that the purpose altogether was not liked. Councilor Duschatko stated that it was his impression and understanding that it wasn't clear that the intention was that they would be participating at meetings, but not voting members. The voting side never came up. Mr. Sawyer stated that he provided a memo to the Planning Board ahead of time that outlined that the Public Works Director and Town Manager would participate if this passed in the same manner that the Police Chief or Fire Chief or traffic engineer or sewer superintendent would participate in the planning review process and attend meetings at any point in time where they needed to be there and the Planning Board or any board always has the ability to table a project and ask for experts or staff to come to the next meeting.

Councilor Greazzo stated that he wouldn't strike the 2<sup>nd</sup> sentence in paragraph #2. He would just amend it to say, 'shall serve as non-voting ex-officio members.' Chairman Gilbert wanted to know if that met the statutory requirements. Councilor Greazzo thought it does both. It removes them from being voting members and it also directs that they will show up and be present. Councilor Radke liked it; non-voting. Chairman Gilbert didn't know if it was legal. Mr. Sawyer stated that he had already given his opinion that that

would not be a wise thing to do in the Charter in that fashion, but they can table it and have the Town attorney weigh in on it and they can act on it at their next meeting.

Councilor Radke stated that she put together a sentence under the Purpose adding the following sentence:

*‘...The Town Manager and Public Works Director will be expected to attend the meetings on an advisory role.’*

Chairman Gilbert thought about saying ‘...as required in an advisory role.’

Councilor Carter thought instead of trying wordsmith and try and squeeze and make it sound like it should be, he thought they should have those sentences put together and reviewed by their legal and allow them to vote on it at their meeting on the 27<sup>th</sup>.

Councilor Radke wanted to know if it would give them enough time for the people in Concord to review it. Mr. Sawyer stated that he wasn’t worried about the purpose statement being amended as has been discussed. He didn’t think it would make or break their reviews. If the review doesn’t come in until after the vote and somehow invalidates it, then that’s what they are stuck with. He didn’t expect the changes they are talking about to cause that problem.

Chairman Gilbert wanted to know if they wanted to go with what Councilor Radke said, and put in ‘as required’ like he suggested right before the ending of it, then have it run by legal and then look at it next time and vote on it at the next meeting.

**MOTION by Chairman Gilbert that the Bedford Town Council run their suggested language by legal and then vote on it at their next meeting.**  
[No second]

**Roll Call Vote: Carter-aye, Radke-aye, Stevens-aye, Duschatko-aye, Greazzo-aye, Ricciardi-aye, Gilbert-aye.**

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

##### **a. Approval of the Local Emergency Operations Plan**

Mr. Sawyer stated the Plan is updated every five years and is organized by emergency service functions and each category identifies a lead Town agency to organize our response to a number of different emergencies through at least the next five years or 2025. The Team will review or train on these recommendations that are in the document annually. It’s a comprehensive document that had input from all Town departments, members of the Town Council, School District and other agencies. He thanked the Councilors who were involved and everyone for their efforts in completing the plan.

Councilor Carter stated that he got to sit through a majority of these sessions and the level of expertise that went on between Fire, Police, DPW, and anyone that was involved in this really stepped up. The people that were putting this on were constantly saying how impressed they were with how together Bedford was compared to some of the other towns they dealt with in the State. He commended Police and Fire and all the departments who had come in on this and the great work that they did.

**MOTION by Councilor Carter that the Bedford Town Council approve the Bedford Local Emergency Operations Plan 2020 and authorize the Town Manager and Council Chair to sign all related documents. [No Second]**

**Roll Call Vote: Stevens-aye, Ricciardi-aye, Greazzo-aye, Duschatko-aye, Radke-aye, Carter-aye, Gilbert-aye.**

**b. Award of the ambulance billing contract**

Mr. Sawyer explained that the Town contracts with a vendor to provide ambulance billing services for the Town's more than 1,600 annual transports. The vendor also provides training, reporting and consultation with our staff. The current contract commenced in 2016 and can be terminated by either party for any reason after providing 60 days written notice. A request for proposals was sent out on November 4<sup>th</sup> with 10 companies responding. Proposals were reviewed and scored based on preset criteria. The review committee recommends the Town approve a 4-year contract with Quick Med Claims for reasons noted in the extensive staff report. He thanked Capt. Selleck and Assistant Finance Director Ellen Malatesta for their efforts in bringing this contract forward.

Councilor Carter was questioning the overlay between the time they stop with the present company and move to Quick Med. He wanted to know if there was there going to be any overlap on claims that needed to be chased down, because they aren't dealing with the one company versus the new company. Mr. Sawyer stated that companies are used to this kind of transfer between and there will be no lost claims between the two and any that our current vendor has in their books would continue to see those through. The rest would be turned over to the new contract.

Councilor Duschatko wanted to know who was responsible for setting up the collection company. He understands they need a third party collection company. Mr. Sawyer stated that the third party collection company would be a contract that the Town has to provide. They currently have a third party collection contract. They could amend that or go with a different vendor. That's something that would be independent of this particular vendor. They are separate contracts. Councilor Duschatko thought they were tied together. Mr. Sawyer stated that they work closely together, but it is a separate contract. His understanding is that it's a completely separate contract that they have with a vendor. They can look at amending that or going out to bid for those services as well. You wouldn't want the billing company and the collection company to be one and the same.

**MOTION by Councilor Ricciardi that the Bedford Town Council approve the contract with Quick Med Claims to provide ambulance billing services to the Town from April 1<sup>st</sup> 2021 through March 30<sup>th</sup> 2025. The Town Council authorizes the Town Manager to sign all documents related to the contract. Seconded by Councilor Carter.**

**Roll Call Vote: Radke-aye, Stevens-aye, Carter-aye, Greazzo-aye, Duschatko-aye, Ricciardi-aye, Gilbert-aye.**

c. **Other New Business – None.**

## **5. OLD BUSINESS**

a. **Old Business – None.**

## **6. APPROVAL OF MINUTES**

a. **Public Session – December 16, 2020**

**MOTION by Councilor Radke that the Bedford Town Council approve the minutes of the December 16, 2020 Public Session. Seconded by Councilor Duschatko.**

**Roll Call Vote: Stevens-aye, Ricciardi-abstained, Radke-aye, Carter-aye, Greazzo-aye, Duschatko-aye, Gilbert-aye.**

b. **Non-Public Session – December 16, 2020**

**MOTION by Councilor Duschatko that the Bedford Town Council approve the minutes of the December 16, 2020 Non-Public Session. Seconded by Councilor Ricciardi.**

**Roll Call Vote: Carter-aye, Greazzo-aye, Duschatko-aye, Ricciardi-abstained, Stevens-aye, Radke-aye, Gilbert-aye.**

## **7. TOWN MANAGER REPORT**

- 1) Motor Vehicle Registration is closed. Hope to open Tuesday, January 19<sup>th</sup> at 8 AM. When they do open, they may have reduced hours of 8-11:30 AM and 12:30 – 4 PM. Please use online or mail in options whenever possible. COVID is also impacting the Building and Fire Departments. The Safety Complex is no longer open to the public as of last week because of COVID staffing impacts in that building. He had appreciation to the firefighters who are working through some significant staffing shortages due to COVID to continue to provide those services to the community.
- 2) COVID-19 Pandemic – Bedford has **133 current COVID-19 cases**. He showed the phasing of the vaccine put out by the State. I strongly encourage all residents to follow

the CDC and State of NH recommendations for protecting yourself including wearing a face covering and washing hands as often as possible.

- 3) Bedford Cares – Continues to provide an incredible service to members of our community who are in need of assistance with such things as shopping and picking up of prescriptions. If you need their support or want to help please reach out to them at 792-1319 or on Facebook at: <https://www.facebook.com/bedfordnhcares/>
- 4) Drought – There is significant good news on the drought front as we are no longer in a “Moderate Drought” as a result of the recent snow and rain events. Bedford and a much of southern NH has been reduced one level but remains in the condition defined as “Abnormally Dry”. Much of NH no longer has any drought conditions.
- 5) The registration period for open elected positions is January 20, 2021 through 5 PM January 29, 2021.

Open Town Elected Positions:

- Three Town Council positions (3-year terms)
- Two Library Trustees (one 3-year term, one 2-year term)
- One Trustee of the Trust Fund (3-year term)
- One Supervisors of the Checklist (5-year term)

Open School District Positions:

- Two School Board positions (3-year terms)

Any Bedford registered voter wishing to file for Office must do so by contacting Town Clerk Sally Kellar at 472-3550. The clerk will be available during office hours at the Town Office Building, 24 North Amherst Road and until 5 PM on the last day of filing. As per RSA 669:19 candidates who file on the last day of the filing period shall do so in person before the Town Clerk.

- 6) Family Snowman Challenge – build a snowman in your own yard and submit a picture by January 31<sup>st</sup>. Be sure to challenge your friends and neighbors!
- 7) January 17<sup>th</sup> – Snowflake Shuffle – Expect delays 8:30 – 11 AM – Constitution Drive, Route 101, Liberty Hill Road, Meetinghouse Road, and Pilgrim Drive.
- 8) January 18<sup>th</sup> - The Town Office Building, Library, and Transfer Station will be closed for Martin Luther King, Jr. Civil Rights Day.
- 9) January 25<sup>th</sup> – The Planning Board will hold its second and final public hearing on 3 proposed zoning amendments at 7 PM.
- 10) February 2<sup>nd</sup> – School District Budget Deliberative Session – 7 PM, Bedford High School.

11) Departures:

- Police Lt. Michael Griswold, 27 years
- Firefighter Jonathan Strong, 24 years
- Edna Gerrans, Prosecutor’s Secretary, 20 years
- Karin Elmer, Planner 1, 19 years (Spring 2021)
- Gary Pariseau, Health Office, 15 years
- Fire Captain Thatcher Plante, 7 years
- Lee Boissonneault, Fund Accountant, 6 years

## 8. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Carter stated that the Conservation Commission met on November 24<sup>th</sup>. They had two Dredge & Fill permits, one for Wirebelt and one for Harvey Construction. They discussed the land use change tax and they had unanimous support for that. He talked about the Cub Road Club spring event on Saturday, April 17<sup>th</sup>, 9-3. He's sending a flyer out to social organizations and businesses in Town. This will give them the chance to go out and clean up the roads. You can pick up the blue bags at the Transfer Station, Town Office Building and the Safety Complex. They will be used to pick up road side trash. People who want to participate can reach out to him at [wcarter@bedfordnh.org](mailto:wcarter@bedfordnh.org). He asked everyone to support the local businesses and restaurants in Town.

Councilor Duschatko stated that at the Planning Board meeting they discussed two proposed Zoning amendments put forth by the Planning Board. One was a height limitation on buildings to 60 feet; currently the limitation is 80 feet. The 2<sup>nd</sup> amendment proposed by the Planning Board eliminates a district concept that was called the River Corridor Smart Growth District, which was adopted a number of years ago, but was never fully implemented by the Planning Board. It has caused more Planning Board confusion than it's worth. They are cleaning up the language by suggesting that River Corridor Smart District be eliminated from the zoning ordinances completely. The 3<sup>rd</sup> amendment they reviewed is a citizen's petition. It would eliminate the Planning Board's responsibility on variances and would turn it entirely over to the Zoning Board. This is very radical in terms of land use development, and the Planning Board does not recommend the adoption of this amendment. They feel it is designed to eliminate one of the major functions of the Planning Board. These will be presented at one more Planning Board public hearing and then will be on the March ballot.

Councilor Greazzo wished everyone a Happy New Year.

Councilor Radke wanted to know if the Budgetary Town Meeting would be taking place as planned inside the high school auditorium and are there any protocols being set in place. Mr. Sawyer stated that he's had limited discussions with the Chairman on this, but the alternatives put in place by the Legislature are unworkable in our community. They would be required to have drive-thru voting, two additional public hearings, and the opportunity for a default budget, which is last year's budget. After talking with the Chairman it did not seem like a workable solution for a community our size. They have been discussing with the School District and they believe they can make use of the auditorium as well as the commons area. The School District is pursuing the same in-person for their deliberative session and it will be simulcast into the commons area if necessary for those that want to attend the meeting without masks. The BCTV team has been working with the Moderator and the School District on those provisions. Given the number of people that typically attend the Budgetary Town Meeting, it's very possible to do that in the auditorium. Chairman Gilbert stated that that was his feeling also. Councilor Radke agreed. She thought the ice skating rink at the EFJH was awesome and a nice addition to the Town. She thanked Chairman Gilbert for all the work he's done and the entire EFJH group. They should be commended. She stated that she liked Councilor Carter's CUB logo.

Councilor Ricciardi stated that March will be a year that they've gone through this pandemic and she wanted all the departments, all the department heads and all of the employees to know how grateful she is. She knows how difficult it has been to work under these conditions and that they are truly appreciated.

Councilor Stevens stated that she would not be seeking re-election for the next term, because her seat is up. She is hoping to serve in another capacity. She really enjoyed all of her time on the Council and if she could give herself 48 hours in the day she would do this and that and everything else under the sun. She is only saying this, because if there are folks out there who are interested in running and if they think that she could be of help or any of the other Councilors could be of help in answering any questions, she is happy to chat with them. Send her an email, Facebook message, whatever it might be, but she just wanted to let folks know that it's a great spot to be. She's enjoyed her time and hopes to be back on the Council and encourages anyone who is looking for an opportunity to volunteer or to just get to know the Town a little more, this is an amazing spot to be in. She has nothing but great things to say about her time on the Council.

Chairman Gilbert thanked Murphy's Taphouse for letting the Bedford Men's Club have their tree sale there this year. They sold out 100% and it was a fantastic experience and he hopes they can do it again. He thanked Chief Scott Hunter and Josh Cresswell who helped out at the bonfire they had at the EFJH last Saturday. It was fantastic. He thanked Chief Hunter for also helping with the ice skating rink. Weather permitting and volunteer permitting, they are opening the rink as much as they can. You need to make a reservation, because they can only put a certain amount of people on the ice at the same time. Go to the EFJH website to sign up. You can pay online, sign the waiver and you'll be ready to go. They've also had some birthday parties out there too with masks and social distancing. They also have donated skates and helmets if you don't have them. They also have devices for the kids for them to learn and walk around.

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

**10. ADJOURNMENT**

**MOTION by Councilor Carter to adjourn. Seconded by Councilor Radke.**

**Roll Call Vote: Greazzo-aye, Duschatko-aye, Ricciardi-aye, Stevens-aye, Carter-aye, Radke-aye, Gilbert-aye.**

The meeting ended at 8:36 PM.

Respectfully submitted,

Dawn Boufford