

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
February 13, 2019
BEDFORD MEETING ROOM
10 MEETINGHOUSE ROAD**

ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, February 13, 2019 at the Bedford Meeting Room, 10 Meetinghouse Rd. Present were Bill Duschatko (Chairman), Melissa Stevens (Vice Chair) and Councilors Phil Greazzo, Dave Gilbert, Kelleigh Murphy, Chris Bandazian, and Catherine Rombeau. Also present was Town Manager Rick Sawyer.

Chairman Duschatko opened the meeting at 7:00 PM. He mentioned that Councilor Stevens was absent.

1. PLEDGE OF ALLEGIANCE – Led by Councilor Bandazian.

Councilor Stevens arrived at the meeting.

2. PUBLIC COMMENTS – None.

3. NEW BUSINESS

a. Veteran’s Tax Exemption Discussion

Mr. Sawyer stated that the Council wasn’t required to make any changes tonight. They thought it was important to make the Council aware of the changes.

Bill Ingalls, Assessor, went through a Powerpoint presentation.

<p style="text-align:center">Discussion of Veteran’s Tax Credit Changes and New Legislation</p>	<p>Background</p> <ul style="list-style-type: none">▶ Legislative changes have been made and credits have been added to the various Veteran’s Tax Credits that take effect for the 2019 tax year that will impact property taxes in Bedford if adopted.
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Changes

- ▶ There is now an increase to the maximum amount for the **Optional Standard Veteran's Tax Credit** under **RSA 72:28 II**. The maximum credit amount has been increased from **\$500 to \$750**.
- ▶ This change also applies to the **All Veteran's Tax Credit** under **RSA 72:28-b**, as adopted by the Bedford Twon Council for 2017 and going forward. This credit was adopted by the Council as soon as it was made available at the maximum amount of **\$500**, now optional up to **\$750**.

Changes cont'd

- ▶ There is now an increase to the maximum amount for the **Optional Tax Credit for Service-Connected Total Disability** under **RSA 72:35 I(a)**. The maximum credit amount has been increased from **\$2,000 to \$4,000**.

New Legislation

- ▶ For the 2019 tax year and going forward, there is now an **Optional Tax Credit for Combat Service** under **RSA 72:28-c**. The credit amount is optional from **\$50 to \$500**.

New Legislation cont'd

- ▶ To qualify for this credit, one must be "...engaged at any point during the taxable period in combat service as a member of the **New Hampshire National Guard** or a **Reserve Component** of the United States armed forces, called to active duty."
- ▶ The recipient would be called by **Executive Order**, not unlike those who qualified after being called to duty for the Bay of Pigs in the 60's.

Present Number of Recipients

- ▶ As of April 1, 2018 there are **824** taxpayers in Bedford receiving the Optional Standard Veterans' Tax Credit of \$500 under RSA 72:28 II. At present the Assessor's Office has sixteen (16) more applications for the credit not yet approved for 2019.
- ▶ As of 1, 2018 there are **35** taxpayers receiving the Optional All Veteran's Tax Credit under RSA 72:28-b. At preset we have five (5) more applications for the credit not yet approved for 2019.

Present Number of Recipients cont'd

- ▶ As of April 1, 2018 there are **39** taxpayers receiving the Optional Tax Credit For Service-Connected Total Disability under RSA 72:35I(a). At present we have 2 additional applications for the credit not yet approved for 2019.

Potential Fiscal Impact

- ▶ Taken together, there is a total of **859** Optional Standard Veteran Tax Credits and All Veteran's Tax Credits at \$500. Increasing the optional amount to \$750 results in **\$214,750** in re-distributed tax dollars ($859 \times \$250 = \$214,750$.)
- ▶ Increasing the Tax Credit for Service-Connected Total Disability to \$4,000 from \$2,000 results in **\$78,000** in re-distributed tax dollars ($39 \times \$2,000 = \$78,000$.)

Potential Fiscal Impact cont'd

- ▶ Concerning the Optional Tax Credit for Combat Service, it is a difficult task to estimate the number of potential recipients. It is believed however, the number will not be large. Any recipient **cannot receive another tax credit at the same time**, and the credit is **only for the tax year where the service occurred**. In the second year it would be pro-rated depending on length of service in that year.

Potential Fiscal Impact cont'd

- ▶ Based on the 2018 MS-1 report, the adoption of the increases to the Optional Standard Veteran's Tax Credit, the All Veteran's Tax Credit, and the Service-Connected Total Disability Credit **all at once** would add an estimated **(\$.10)** or **Ten Cents Per Thousand** to the tax rate.
- ▶ For a home assessed at **\$400,000**, this represents an additional **\$40** per year in property taxes.

Potential Fiscal Impact cont'd

- ▶ Any applications not yet approved as referenced earlier, are excluded from any calculations.
- ▶ The Council has the ability/authority to adopt any part or all of any of the credits listed.
- ▶ To assist at least in some small fashion, an example of a phase-in approach over several years was provided in the staff report from the Assessor's Office.

MOTION by Councilor Murphy that the Bedford Town Council adopt the increase to both the Standard Veterans Tax Credit under RSA 72:28 II and the Optional All Veterans Tax Credit under RSA 72:28-b from \$500 as previously adopted to \$750 per recent legislation. Said increases are to be phased in at \$50 per year beginning in 2019 and concluding in 2023. Seconded by Councilor Stevens.

Councilor Greazzo stated that he would be abstaining as he has paperwork to receive a veteran's exempt tax credit.

Mr. Ingalls stated that he would be doing public service announcements on BCTV soon.

Councilor Bandazian stated that he would like to get more information. There was a bill before the Legislature to reimburse municipalities for money the politicians in Concord pass out through the local property tax system. He didn't know if it would affect this, but that would lessen the tax impact. The bill may already be killed, he has no idea. He would be nice if NH joined the other states in reimbursing municipalities. He would also like to have a better sense of what the impact on elderly citizens living on social security would be. He thought if they knew how many people were collecting both the elderly exemption and veteran's tax credit if there was a high coincidence of that. He would feel

assured that the citizens most in need are getting benefitted by it. He would also be curious if they could plot on a line graph or something the assessed values of the homes where veterans are receiving the credits. It would give them a sense of whether this is having a disproportionate negative impact on people living on social security and that would be his concern. He thought fully phased in it is a very substantial tax impact on those people. There was a time many years ago when they had lots of WWII and Korean veterans living in Town who were elderly and living on limited incomes and would benefit from this. He just doesn't know if that's the case anymore. He would be in favor of tabling this and getting some additional information between now and the next meeting. That's his preference.

Chairman Duschatko shared Councilor Bandazian's concerns for the same reasons. He thought it would be a potential tremendous impact on people who are finding the tax burdens in the community a little too great.

Councilor Murphy withdrew her motion until the next meeting. Chairman Duschatko wanted to know if Mr. Ingalls could get them enough information by March 6th and Mr. Ingalls stated yes.

Mr. Ingalls explained that they are planning to update the values in 2019. The reason is because the last update was a large shock for people. The average increase was 16%, many were 25 or 30%. The market has been extremely strong since they updated the values. He doesn't know how long that will continue, however, he believes the Town's ratio was going to be back down to near 90 or 91. They were at 100% April 1st 2017, and believes they are already down to 90%. If they let it go and get below 90%, they could start to see disparities and gaps and can cost the Town money in the long run to prepare for those situations. Mr. Sawyer thought the timing for the 2019 update was perfect because of how good the economy has been. Mr. Ingalls stated that in 2021 if things are soft they would lower values or do nothing to keep them the same.

Mr. Sawyer stated that if they were to do the phased in approaches, they would be able to give the Council what those impacts would be year by year based on the Town's values and numbers. The full \$0.10 would be pretty hard in 2019 by itself, but they didn't break it down for them as the phased in approach.

Councilor Stevens withdrew her second.

The Council took no action.

b. Approval of BCTV Board of Overseers bylaw change, dissolving of the BCTV Board of Overseers and WBNH Board of Overseers and creation of a new board

Councilor Murphy wanted to know if the new board would still be meeting quarterly and Bill Jennings, BCTV Station Manager responded yes.

Councilor Bandazian stated that they discussed the different missions of the TV station and the radio station and felt that those distinctions could and should be made in rules of procedure.

Mr. Sawyer explained that if they take action tonight, they would advertise for the new board as part of the all of the appointments they would make at the Council's organizational meeting. They would notify all of the members of both boards now that they are welcome to reapply and that their terms were being terminated.

Mr. Jennings stated that they did this properly. They met with both boards and everybody agreed, so it was a smooth process. It was vetted by Councilor Bandazian and the Town attorney.

MOTION by Councilor Murphy that the Bedford Town Council dissolve the BCTV and WBNH boards and approve the by-laws for the BCTV-WBNH Board effective with the appointment of the new board members to take place as part of the Council's Organizational Meeting to be held on March 18, 2019. Seconded by Councilor Bandazian. Vote taken – Motion passed – 7-0.

c. Budget and warrant articles update

Mr. Sawyer stated that after the Council moved the warrant articles and the budget they were submitted to DRA and they came back with the following changes:

Article 3 – “Issuance of Long Term Debt for Parks and Recreation Improvements and Related Infrastructure”

DRA has required the change of the amount being raised and appropriated to indicate \$3.95M to account for the total being bonded (\$3.9M) plus the \$50k that would come from the interest earnings on the bond proceeds. This matches what was done in 2014 with the \$30M road bond article that read \$30.05M (insert below) and allows us to spend any interest earned on the bond for the project.

Article 4 – “Wastewater and Stormwater Asset Management Project”

The article originally included language indicating it required a three-fifths ballot vote to pass. However, the article actually requires a two-thirds approval to pass and has been updated accordingly.

Article 5 - “Capital Reserve Fund – Projects and Equipment” and **Article 6** “Town Operating Budget”

In past years, the total appropriations in the Town Operating Budget (Article 6) have included capital reserve deposits (Article 5). However, recent changes to RSA 35:5 dictate that capital reserve deposits must be raised and appropriated under a special warrant article and not also reflected in the Operating Budget. Historically we treated the capital reserve article as non-monetary but in reality it is a separate appropriation. The total of Articles 5 & 6 equal the \$31,214,259 moved to the Budgetary Town Meeting by the Council. The DRA has also indicated that the Town must list the individual deposit amounts within the language of Article 5 vs just having the table following the article.

The attached revised **2019 Town Meeting Warrant Articles and Municipal Budget Summary** reflect the all of changes to Articles 5 & 6 and the changes to Article 6 are also highlighted below.

Article 6. - Town Operating Budget

To see if the Town will vote to raise and appropriate such sums of money for municipal operations in the ensuing year. This article does not include appropriations contained in special or individual articles addressed separately.

	Original	Updated
General Fund	\$28,871,028	\$27,675,078
Special Revenue Funds	31,400	31,400
Recreation Day Camp	78,517	78,517
BCTV	469,131	469,131
Sewer Fund	1,764,183	1,734,783
Total Appropriation	\$31,214,259	\$29,988,909

Mr. Sawyer stated that DRA has said to remove the \$1.2m of capital items. The DRA has stated that the Council didn't need to move these articles again. The total appropriation is still \$31,214.259.

Councilor Murphy wanted to know if the Town Election date and Budgetary Town Meeting date and a link to the Town Meeting handout could be put on a banner on the website. Mr. Sawyer stated yes.

d. Telecommunications Subcommittee discussion

Chairman Duschatko stated that at their last meeting, they voted to request that the Council extend the sunset period be extended, because they would like to consider two things. One is a review of the current ordinances that cover right of ways and how they can deal with location of small cell equipment within those right of ways. The other is an opportunity that may or may not benefit the entire community. It involves discussion and consideration of establishing a municipally owned fiber optic network that would connect all aspects of the community. It wouldn't require any participation or risk from the taxpayers. They've invited one of the leaders in this movement to come and address the Master Plan group and also going to be here for similar meetings to be held at the Southern NH Regional Planning Commission, because there could be a possibility that a regional solution would work better. The goal is to provide the fastest internet connections at more reasonable costs. It's starting to become quite popular around the country. He thought it was being adopted in some towns/cities in ME, RI, and MA. In NH, the State has granted monopolies to major telecommunication providers and does not allow municipal bonding if a municipality of any size is served by one or more recognized provider.

Councilor Murphy wanted to know what it cost Hanover to do it. Chairman Duschatko stated that it hasn't been done, but their estimates overall work out to about \$1,200 per person for a hookup to each. Councilor Murphy stated that the Berkman Klein Center for Internet & Society at Harvard University did a study on this recently and they found that it was cost prohibitive and that the operating costs and the ongoing costs were such that it didn't make sense for long-term implementation until they could advance the technology to a point where it wasn't. Chairman Duschatko stated that was good to know. He wasn't aware of it. They are just in the informational stage.

Chairman Duschatko stated that they have a nucleus of a pretty good working committee, but have many that have not been able to attend meetings. He thought it was time to reshuffle the pile. He's asked everybody that is interested to reapply. They will try to reconstitute the committee when they do the other appointments.

Councilor Stevens wanted to know if the work that committee does be limited to those two issues. Chairman Duschatko responded that it could open it to anything. Those two were the ones they thought were most important. Councilor Stevens stated that she wasn't sure if the original committee's duties were outlined specifically as to what they were looking for them to do and if they had to do that again.

Mr. Sawyer believed that the intention was to have the committee come to a close on March 18th like the BCTV and WBNH boards, so they would want a motion. They all thought the committee had already sunsetted, but they still have three months remaining. In this case it would be the Council deciding to disband this committee and form a new Telecommunications Committee on March 18th. Councilor Bandazian wanted to know if the motion would be to extend and Chairman Duschatko responded to reconstitute. Mr. Sawyer suggested dissolving the current one. Councilor Bandazian didn't know the parameters of the reconstitution. Mr. Sawyer thought it would be to study these two items. Chairman Duschatko stated that the composition of the committee works best with nine.

MOTION by Councilor Bandazian that the Bedford Town Council dissolve the existing Telecommunications Committee and to reconstitute a Telecommunications Committee consisting of nine members to address the subject matter outlined in the memo dated February 7, 2019 and such other matters as the Committee may choose to take up. The Committee to be reconstituted on March 18, 2019 coinciding with the Town Council Organizational meeting.

Councilor Stevens wanted to know if they needed to establish how many regular members and how many alternates. Chairman Duschatko stated that they are all regular. Mr. Sawyer stated that the makeup of the committee consists of one Councilor and eight citizens at large. Councilor Bandazian continued his motion:

The composition of the Committee to consist of eight citizen members and one member of the Town Council all to serve as regular members. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 5-1-1. (Murphy-nay, Rombeau-abstained)

e. Other New Business – None

4. OLD BUSINESS

a. Other Old Business – None

5. APPROVAL OF MINUTES

a. Public Session – January 23, 2019

MOTION by Councilor Rombeau that the Bedford Town Council approve the minutes of the January 23, 2019 Public Session. Seconded by Councilor Murphy. Vote taken – Motion passed – 6-0-1 (Stevens abstained as she was not present for that meeting).

6. TOWN MANAGER REPORT

- 1) Bedford Citizen's Police Academy is accepting applications for this year's class which runs for 10 weeks on Tuesday evenings 6:30 – 9:30 PM starting March 19th. Applications are available on the Police website.
- 2) Public Hearings on the PFAS related drinking water standards have been set for:
 - a. March 4, 2019, 5:30 PM; All Purpose Room, James Masticola Upper Elementary School, Merrimack, NH
 - b. March 5, 2019, 1:00 PM; Auditorium, DES Offices, 29 Hazen Drive, Concord NH
 - c. March 12, 2019, 5:30 PM; NHDES Pease Field Office, Room A, 222 International Drive, Suite 175, Portsmouth, NH
 - d. Last day to file written comments: Friday, April 12, 2019 (4:00 PM)
- 3) NHDES & DHHS have announce a PFAS Health Fair to be held at the Merrimack High School, April 3, 2019, 5-8 PM.
- 4) February 14th – Adult & Senior Movie Matinee 2 PM "First Man" at the Library, 6 PM "Bohemian Rhapsody" at the Library.
- 5) February 17th – Adult & Senior Movie Matinee 2 PM "Still Mine" at the Library.
- 6) February 18th – The Town Office Building, Library, and Transfer Station will be closed for Presidents Day.
- 7) February 20th – School Board candidates forum at 7 PM. The debates are held at BCTV and also broadcast live.
- 8) February 20th – "Growing Resilience" Learn practice resilience strategies & teach your kids how to "bounce back" from life's challenges. Presented by BeBold, 7-8 PM, Bedford Library.
- 9) February 21st – The Bedford Men's Club will hold a forum for the Town Council race at 7 PM. The debates are held at BCTV and also broadcast live.
- 10) February 26th – Movie Matinee for Kids, "Lego Movie", 2-3:45 PM, Bedford Library.
- 11) March 10th – Sunday Library Concert Series, "NEIHO – Traditional Irish Harp", 2:30-4 PM, Bedford Library.
- 12) March 12th – Local Election Day, 7:00 AM – 7:00 PM, Bedford High School.
- 13) March 13th – Budgetary Town Meeting, 7:00 PM, Bedford High School.
- 14) There is information on the Town Clerk website under the Election information section. They will have a sample ballot up there next week.
- 15) The last day to register to vote or to make name and address changes prior to the March 12th Election is Saturday, March 2, 2019 at the Town Office Building from 11 AM – Noon only for the purpose of voter registration and changes. Residents may also register to vote at the polls on Election Day.

7. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Bandazian stated that the RFP has gone out again today for the solar land lease and the deadline is March 6th. The document management committee continues to work on the proposal and is looking at a hosted solution. The amount that is budgeted may or may not be adequate. Mr. Sawyer stated that they are working through the budget numbers. They are a little different than what they had anticipated.

Councilor Stevens mentioned that the ZBA meeting had been cancelled for this month. She wanted to know if they could make available the address either physical or email for DES for people to send their comments for the PFAS and Mr. Sawyer responded yes. DES has a decent announcement about the proposed limits that has the email address and the mailing address, so we can post that.

Councilor Gilbert stated that the Police Academy was a great experience and if you get a chance to do it, do it. It was fantastic.

Councilor Murphy stated that the Police Academy was the coolest thing she's ever done. She would recommend it to anybody. The Highway Safety Committee has been cancelled for this month. There are still tickets available for the EFJH Snow Ball. Councilor Bandazian added that they will be available at the door. Councilor Murphy mentioned some items at the silent and live auction including floor tickets at the Celtics and Cir du Soleil. It's being held at Murphy's Taproom and Carriage House and recommended that people show up and buy tickets. It is National Random Acts of Kindness week. The Bedford PD Facebook page has asked anyone to feel free to share stories of random acts of kindness with them.

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

MOTION by Councilor Bandazian to go into Non-Public Session under RSA 91-A:3 II (e) – Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against or by this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled. Seconded by Councilor Gilbert.

Roll Call Vote: Greazzo-aye, Gilbert-aye, Murphy-aye, Duschatko-aye, Stevens-aye, Bandazian-aye, Rombeau-aye.

The public meeting ended at 7:50 PM.

Respectfully submitted,

Dawn Boufford