

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
February 21, 2018
BEDFORD MEETING ROOM
10 MEETINGHOUSE ROAD**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, February 21, 2018 at the Bedford Meeting Room, 10 Meetinghouse Rd. Present were Kelleigh Murphy (Chairwoman), Chris Bandazian (Vice Chair) and Councilors John Schneller, Catherine Rombeau, David Gilbert, Melissa Stevens, and Bill Duschatko. Also present was Town Manager Rick Sawyer.

Chairwoman Murphy opened the meeting at 7:00pm.

2. PLEDGE OF ALLEGIANCE – Led by Councilor Duschatko.

Chairwoman Murphy asked that they observe a brief moment of silence in honor of the victims in Florida.

3. PUBLIC COMMENTS – None.

4. NEW BUSINESS

a. Award of Solid Waste Disposal Contract

Mr. Sawyer explained that this was to award the first of five potential 1-year extensions to the Town's municipal solid waste hauling contractor. It was first awarded in 2015 for three years. This is the first opportunity to extend it for one year. The contract calls out how compensation would be awarded and it's tied to CPI and it has served very well to protect the Town's interest and keep the cost low.

Chairwoman Murphy wanted to know where the Town was year over year as far as MSW generated.

Jeff Foote, Public Works Director, stated that from 2016 to 2017 the Town saw a decrease in the amount of municipal solid waste. However, there is a 2.6% increase to per tonnage from \$68.92 to \$70.71. The recycling tonnage increased approximately 2% from 2016 to 2017, but the total disposal cost went down about 2% in that time period, because of a strong commodity market earlier in the year. It's still much more beneficial to recycle than it is to simply dispose.

Councilor Duschatko wanted to know if the decrease in solid waste was attributed to more people going to private vendors. Mr. Foote wasn't sure what the cause was for the decrease.

Mr. Foote explained the efforts to crack down on out-of-towners using the Transfer Station and enforcing mandatory stickers for residents. To date, they've issued 6,031 stickers and last year they were under 3,000 for the year. The resident response has been overwhelmingly positive.

Councilor Rombeau wanted to know about the one year contract. Mr. Sawyer explained that they were only asking for the one year and a clause in the contract scares away everybody else, which states that 'the current contractor has the ability to match any price that comes in from anybody else.' All of the pricing they are seeing in other communities and what the current vendor would like to charge is much higher than the contract is tying them to. Councilor Rombeau wanted to know if they should be concerned about the limited capacity for landfill space discussion mentioned in the staff report. Mr. Foot explained that the material is going to Haverhill, MA to be incinerated. The other companies mentioned in the staff report dispose in Rochester and Bethlehem. They should be concerned four or five years from now, but the market changes and technologies evolve. When there is pressure like this, there is a mechanism to relieve it at some point.

Councilor Stevens wanted to know if they should start looking at pricing in the next three to four years so they know what they would need to budget for if it looks like the competitors are way above what the Town is paying now. Mr. Foote thought that next year when it comes up or later this year, they should reach out to the other companies and one of them says they can be at \$65 a ton, then they have some bargaining power, but at this point, they are in a good spot. Mr. Sawyer explained that if the contract were to go away at the end of five years, all of the industry would tell them that it would be much more expensive. They are currently at \$70.71 and have been told that a going rate is \$90 a ton.

Councilor Duschatko wanted to know Mr. Foot had any feeling on how sensitive the pricing was based on the energy costs or the energy revenue that could be gotten out of the waste energy plant. Mr. Foote had no idea, but the recycling market is so commodity based and driven. For one month they were paying more to recycling than to dispose of the municipal solid waste. For the year it was a considerable savings. Councilor Duschatko mentioned Covanta selling electricity and the Town might be able to get a benefit in the future.

MOTION by Councilor Bandazian that the Bedford Town Council extend contract #11-14 to haul and dispose of municipal solid waste for one year with Covanta Haverhill Associates in accordance with the terms and fees of the contract and to authorize the Town Manager to execute the extension. Seconded by Councilor Stevens. Vote taken – Motion Passed – 7-0.

b. Approval of Employee Compensation Wage Ranges for 2018

Chairwoman Murphy explained that the Council does this every year.

Mr. Sawyer explained that this year the only difference is the three union salary wages were all included in their contracts, so the range changes are for non-union positions. The Town has used the CPI-W Index for as long as we know and for 2017 it was 2.6%. Some other adjustments are based on the salary surveys that the Town Council authorized over the last couple of years, which include the head mechanic and Transfer Station assistant foreman. The proposal has no impact on the 2018 budget; all the potential salary increases were included in the budget.

Councilor Stevens wanted to know if other towns use the CPI-W. Mr. Sawyer found that other towns use a variety of things. He's not aware of another one that uses CPI-W, but it's not something he looks into every day. Councilor Bandazian explained that in olden times they surveyed other towns that they considered their peer towns and there was a big exercise to arrive at pretty much the same place. Mr. Sawyer stated that they did do those very large studies that are on Sharepoint for the Council to look at.

MOTION by Councilor Bandazian that the Bedford Town Council approve the "2018 Bedford Employee Compensation Plan" effective January 1, 2018 as described in the staff report dated February 14, 2018. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 7-0.

c. **Other New Business – None.**

5. OLD BUSINESS

a. PFC Update

Mr. Sawyer explained that his latest update from DES as of today is that negotiations have been ongoing with Saint Gobain including face to face meetings over the last several weeks. They are still confident that all the announcements that will be made will be made by the end of the month. They have indicated that the announcements will include all discussed areas in Bedford which are the original 61 properties on Green Meadow Road, Smith Road, Back River Road, the additional properties on Back River Road, and all of the properties on South River Road south of the hotel area that are on wells. They also said that negotiations between Merrimack Village Water District and Saint Gobain have been ongoing separately and they are also confident that decisions will be announced on treatment for wells 4 and 5, which helps out the Greenfield Farms/ Cabot Preserve area.

Chairwoman Murphy was feeling the frustration of the residents and was wondering if there was anything more they could be doing to put some pressure on to make sure it gets resolved and move it along faster. Mr. Sawyer encouraged them to call the Governor's office, DES, or our legislative representatives.

Councilor Rombeau wanted to know what the announcements were going to be. Mr. Sawyer explained that the State has demanded that Saint Gobain extend municipal

public water to all of those impacted properties in Bedford that are in that list of people getting bottled water. There are other people that are outside that area that might have elevated numbers, but below the 70/ppt that aren't going to get extensions, but DES has demanded municipal public water be extended by the end of 2018. Chairwoman Murphy wanted to know how they refute the fact that they've reached settlements with other communities where they have moved public water installation much faster than it's been moving in Bedford. Councilor Bandazian thought a key factor was the desire in Bedford not to connect to Merrimack Village District water. He suspects that they could have had in 2017 61 households connected to Merrimack Village District water. Through the negotiation process in September Saint Gobain agreed adding a significant increased cost to extend Manchester Water Works water, which comports with the citizens' desires as well as the Master Plan for extension of water lines, but not down Liberty Hill Road, which would have been the ideal solution. He thought there had been significant movement in 2017. DES had given an assurance to the extent that they could that they would have an answer at the end of the month. Councilor Rombeau wanted to know what an answer meant and if it meant a concrete plan or timeline. Councilor Bandazian's interpretation was that they expect the commitment of Saint Gobain to reach an agreement to treat that extended area including people on South River Road who haven't been connected yet. Councilor Rombeau thought an agreement was different than a timeline. Councilor Bandazian explained that once there is an agreement, then it goes out to bid and work gets under way. Councilor Rombeau gave credit to those that have been dealing with this to be as patient as they have been. Mr. Sawyer's understanding was that the State at all levels have made the decision that it cannot move past the end of this month or they will take a different tactic.

Councilor Stevens wanted to know if it would be out of line for the Town to provide the contact information for DES and the State Reps and State Senator on the Town's Facebook page and website so people know who they need to be talking to. Mr. Sawyer stated that they could do that. He agreed that there was significant delay, because they asked for a different solution than what Saint Gobain would have probably agreed to do right off the bat. The Town worked very hard to get them to a different solution. They fully anticipated that the announcement would have been made in the fall. They did make the statement that they had come to the preferred solution of being Back River Road and it was the Town's understanding that they were going to bid the work in January. Whatever happened with the contested areas, including those in Merrimack and Litchfield who are also waiting for an announcement by the end of the month, Bedford's water line extension got wrapped up in all of the bigger decisions that they were trying to get and make one announcement or agreement on all of the remaining pieces in the State of NH. Mr. Sawyer stated that they could put the names out there, but suggested that they wait seven more days and see where things end up.

b. Other Old Business –

Mr. Sawyer explained that back in May, Granite State Power Link presented a proposal to the Council that would increase the capacity of the power lines with some new taller towers. There would be no right-of-way takings and the entire system had very limited

new right-of-way needed throughout the additional line. They have requested that the Council authorize a letter of support for their project. He would make sure they have it for the next agenda and something for the Council to consider.

Councilor Rombeau wanted a report in the spring on the student parking. Mr. Sawyer explained that they sold out of the permits by Halloween. They found that over the winter, once the pool closed, they had extra spaces in the pool lot. The staff came to him with a recommendation to number nine more spaces. It made sense and would have covered everybody on the waiting list at the time. There are a family or two out there that weren't aware that there was a waiting list or they could have been put on a waiting list, but at the time it seemed like a win-win. The people on the waiting list were happy although they had two or three say that they no longer need the permit.

6. APPROVAL OF MINUTES

a. Public Session – January 24, 2018

MOTION by Councilor Bandazian that the Bedford Town Council approve the minutes of the January 24, 2018 Public Session. Seconded by Councilor Duschatko. Vote taken – Motion Passed –7-0.

7. TOWN MANAGER REPORT

- 1) Officer Danielle Nightingale was named "Law Enforcement Partner of the Year" by the NH Retail Assoc., which as presented by Attorney General Gordon MacDonald.
- 2) The Police Department had a pinning ceremony for Deputy Chief Dan Douidi, Captain Scott Plumer, and Detective Amy Champagne and for the newest officer Tony Tssonko from the State Police.
- 3) 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 20th. Applications are available on the Police website. Chairwoman Murphy stated that the Police Academy was the best experience she ever had. It was extremely informative and she loved every minute of it. The people in her class ranged in age from 20 – 70's.
- 4) LED Street Lighting – The conversion of our town's street lights to LED was completed this week. While you still may older fixtures along Route 101, Route 3, and the Turnpike those are operated by the State of NH. We expect that payback of the program to be approximately 2 years. There are a handful of fixtures that require coordination with Eversource which will be completed as soon as possible.
- 5) Reminder that Transfer Station stickers are required to access the facility and they can be picked up at the Transfer Station with a driver's license and car registration. Approximately 5,900 stickers have been issued through our recent ramped up enforcement program.
- 6) Robo Call Warning – We have been made aware that people may have received calls indicating that they are from the Town of Bedford and may be showing actual

Town phone numbers. Please know that the vast majority of these types of calls are scams and if you received one tied to the Town in any way it likely is a scam.

- 7) 2018 Roads Program – The Department of Public Works has received the bids for the next phase of the Roads Program and will be making a recommendation to award the contract at the March Council meeting.
- 8) Cable TV Franchise Agreement – The management team from BCTV has progressed a draft 10 year franchise agreement with Comcast as the current agreement expires at the end of 2018. We anticipate having a public hearing on the agreement at the next BCTV Board of Overseers meeting prior to directing the final agreement to the Council, but if anyone has questions about the process please feel free to reach out at any point.
- 9) Facilities Study – The committee has narrowed the overall concepts for the future of all of our facilities down to three options that will be presented to the Council once schematic floor plans are completed for the primary buildings and once more detailed cost estimates can be developed and reviewed by a third party. It is expected this next round of work will take approximately two months to complete and therefor will be presented following the March elections.
- 10) Riley Field reconstruction – backstops have been removed and fencing work has been started. They got a great proposal from a fencing company to do that work. They are waiting to secure the rest of the funding, hopefully through the SAU.
- 11) Bedford was notified that they were selected as one of the three communities to be part of the Age-Friendly program as presented by the SNHPC and AARP.
- 12) The last day to register to vote or to make name and address changes prior to the March 13th Election is Saturday, March 3, 2018. The Town Office Building will be open extra hours on Saturday, March 3, 2018 from 11-11:30 AM only for the purpose of voter registration and changes. Residents may also register to vote at the polls on Election Day.
- 13) Sample ballots for Election Day March 13th can be viewed on the Town website.
- 14) The Warrant and Budgetary Town Meeting handout have been completed and have been posted on the Town website for the public's review.
- 15) School Vacation Week – If you are looking for things to do during February school vacation week I encourage you to check out all the activities being put on at our Library. Everything from story time to Magformers, to candy science, to journaling, to a movie, to family pajama storytime with stuffed animal sleepover.
- 16) February 28th – Movie Matinee for Kids, “Coco”, 2-4 PM, Bedford Library.
- 17) March 4th – Sunday Library Concert Series, “Fonn, Irish Music”, 2:30-4 PM, Library.
- 18) March 6th – School Board Candidate Debates Forum, hosted by the Bedford Men's Club, 7 PM, BCTV Meeting Room.
- 19) March 7th – “Hiding in Plain Sight” – A Social Media/Human Trafficking Summit, 6:30 PM, Manchester Christian Church, 56 Old Bedford Road.
- 20) March 13th – Local Election Day, 7:00 AM – 7:00 PM, Bedford High School.
- 21) March 14th – Budgetary Town Meeting, 7:00 PM, Bedford High School.
- 22) March 18th – Adult & Senior Movie Matinee 2 PM “The Visitor” at the Library.
- 23) March 20th – “Until Help Arrives”, presented by Bedford CERT, 6:30-8:30 PM, Saint Elizabeth Seton Church, 190 Meetinghouse Road.

Mr. Sawyer mentioned that this was the last meeting before the elections. He thanked the three Councilors whose terms were up: Councilor Schneller, Councilor Stevens, and Councilor Duschatko for all of their support over the last three years. They have been great assets to the community and they appreciate all their time.

8. COUNCILOR COMMENTS

Councilor Rombeau thanked the community for productive conversations in light of the recent Florida shooting.

Councilor Gilbert thought the Citizens Police Academy was awesome. He learned a lot.

Councilor Duschatko thanked John Schneller for serving on the Council. He has been a great resource and has helped to put a lot of different ideas forward and accomplished them. He appreciates his service.

Councilor Stevens stated that she put up some signs. If she doesn't get re-elected, she wanted to thank the employees and Department Heads. They are so helpful and efficient. They couldn't do the work they do their time and commitment. She thanked her fellow Town Councilors. They all ask great questions and have been incredibly helpful to her. She can't thank Kelleigh and Mayor Bandazian enough, because their institutional knowledge is so helpful to everyone and they couldn't do the things they do without them. She thanked the residents. They have been so patient and so kind and can't thank them enough for their support. She hopes that she's been helpful to them. She thanked her family and her girls, because she could not be there without them. They are the reason why she gets to be there. She has a vested interest in ensuring what they have right now they have for years to come. If anyone would like to help out in Town, but did not run for office, they can apply to be on one of our boards or commissions. The information is on the Town Council page of the Town website. Applications are due March 2nd. If anyone has questions they can email the staff.

Councilor Bandazian thanked the staff, Department Heads, Rick (Sawyer), Dawn (Boufford), and Kathy (Nikitas) for being there and helping them throughout the year. This is the last regular business meeting of the seated Council and appreciates the year they have put in and 2018 looks to be a positive year for the Town. He thanked John Schneller and will remember him for his signature project, which is the parking lot on Nashua Road and the financial diligence that he did this time last year brought that project to fruition. It has proved to so far to be successful. He appreciates the time Councilor Schneller has given to the Town and the Council. He reminded residents who may qualify for elderly exemptions or tax credits that the deadline is April 1st. In January, the Council increased the asset limit for elderly citizens.

Chairwoman Murphy stated that the last three years with Bill (Duschatko), Melissa (Stevens) and John (Schneller), they should take great pride no matter what the outcome of the election is, because they've managed to deliver tax cuts to the taxpayers while expanding public safety. They've drilled down and found efficiencies in

government that they didn't previously have and it's due in large part to the work that all of them have done. She's very grateful to be part of the Council. She thought they have all worked very hard to make sure the Town is run in a manner that does it justice for what they offer in Bedford and for the legacy that they have created. She is grateful for all of them. This has been a very sad week for her and it's never a comfortable thing as a parent when they have to wonder if their child is safe walking into school in the morning and unfortunately it's something that she wonders every morning when she drops them off at school. She's hopeful that wherever you stand on this issue of gun control or anything else, that this just becomes a discussion about how they can better prepare and treat mental health issues and have a fruitful discussion on how to prevent this from happening in the future.

Councilor Schneller thanked his fellow Councilors; it's been a pleasure to work with such dedicated people. He thanked the staff of the Town who in some circumstances may punch a clock, but they are all very professional. He's always had excellent time working with them. The managers of each department work incredible hours, so there is nobody punching a clock at the management level. People in Town should recognize that they've got a very professional and hard-working staff working for them seven days a week. He thanked the Council and the people for electing him.

4. NON-PUBLIC – RSA 91-A:3

5. ADJOURNMENT

MOTION by Councilor Gilbert to adjourn. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 7-0.

The public meeting ended at 8:00 PM.

Respectfully submitted,

Dawn Boufford