

**TOWN OF BEDFORD
BUDGETARY TOWN MEETING
March 15, 2023**

The Bedford Budgetary Town Meeting was held on Wednesday, March 15, 2023 at the Bedford High School auditorium. Present on the stage were Town Moderator Brian Shaughnessy, Bill Carter (TC Chairman), Lori Radke (TC Vice Chair), Councilors: Kathleen Bemiss, Phil Greazzo, Chris Bandazian, Sue Thomas, David Gilbert, and Rick Sawyer – Town Manager, Matthew Mannino – Finance Director, and Nathan Midolo – Town Attorney.

Moderator Shaughnessy opened the meeting at 7:00 PM with the Pledge of Allegiance.

Moderator Shaughnessy stated that Bedford has a Town Meeting that takes place in two sessions. One is the elections, which takes place every year on the 2nd Tuesday in March. The 2017 election was postponed due to weather. Legislation was passed in 2019, which spells out the steps taken to postpone the elections. On Monday, 16 Town and School officials gathered to listen to the press conference by the Department of Safety and the updated weather forecast from the National Weather Service. One of the preconditions for the Moderator to postpone a meeting was if the National Weather Service had a 'weather watch' and that was determined Monday morning. It was a unanimous opinion that they should postpone the Election portion of the Town Meeting. That meeting will take place on March 28th in the high school gym, 7:00 AM – 7:00 PM. The statute spells out that if the moderator postpones the election, it has to happen March 28th.

Moderator Shaughnessy stated there were five warrants to consider. The warrants contain appropriations for certain purposes to run the government. This was their opportunity to debate, discuss and ask questions. The Town Council and the Town Manager put a lot of work into the budget and he thanked each one of them for the work they've done for the Town and the time they served the Town of Bedford.

Moderator Shaughnessy introduced on the stage: Bill Carter – Town Council Chairman, Lori Radke – Town Council Vice Chairwoman, Rick Sawyer – Town Manager, Matthew Mannino – Finance Director, Nate Midolo – Town Attorney from Upton & Hatfield, Dave Gilbert – Town Councilor, Sue Thomas – Town Councilor, Chris Bandazian – Town Councilor, Phil Greazzo – Town Councilor, and Kathleen Bemiss – Town Councilor.

Moderator Shaughnessy thanked his assistant moderators Bill Klein, John Morrison, and Gloria MacVane. He thanked the Supervisors of the Checklist Barbara Chagnon, Hugh Donovan, and Becki Kuhns, and Town Clerk Sally Keller.

Moderator Shaughnessy stated if anyone doesn't like a ruling that he makes or announces, they get to overrule him. They can take a vote. Everything they do is by motion. Three of the warrants are collective bargaining agreements. If those motions don't pass, the collective bargaining agreement would have to be renegotiated. He will look to the Town Council Chairman to make the motions and they'll have a second. Then he will open up the floor to discussion. All questions are directed to the moderator and then he

can call on one of the Town Councilors to answer and may start with the Town Manager, Rick Sawyer who may defer to a Town Councilor. After the discussion has been completed, they have to take a vote on the motion. They will be voting by raising their yellow cards. If there isn't a clear majority, he may call for a count vote or a secret ballot if someone so moves. All of the articles are in the Town Meeting Handout.

Article 6. – Collective Bargaining Agreement – Department of Public Works

MOTION by Chairman Carter to move Article 6 as written in the Town Meeting Handout. Seconded by Councilor Radke.

Ed Comiskey, 40 Maple Drive, wanted to know if the budgetary impact was just the first year. Mr. Sawyer stated that was correct. The first year impact in 2023 was estimated at two cents per thousand.

Vote taken – Motion passes unanimously.

Article 7. – Collective Bargaining Agreement – Police

MOTION by Chairman Carter to move Article 7 as written in the Town Meeting Handout. Seconded by Councilor Radke.

Vote taken – Motion passes with one opposition.

Article 8. – Collective Bargaining Agreement – Fire

MOTION by Chairman Carter to move Article 8 as written in the Town Meeting Handout. Seconded by Councilor Radke.

Vote taken – Motion passes unanimously.

Article 9. – Capital Reserve Fund-Projects and Equipment

MOTION by Chairman Carter to move Article 9 as written in the Town Meeting Handout. Seconded by Councilor Radke.

Charlie Fairman, 243 Liberty Hill Road, stated that historic Town Hall was a landmark in the center of Town and it needs significant restoration to become a fully functional facility. The Town needs that facility for a variety of meetings and other functions.

MOTION by Charlie Fairman that they add a line item to the CIP titled 'Town Hall Restoration' and that the Town Council be charged with appointing a commission to review the work needed in the Town Hall, get estimates for that work, apply for grants if appropriate, and for that commission to report back in time to determine how much money next year they start putting in that line item in the CIP.

Mr. Fairman stated that he wasn't moving to add any money to the budget this year.

Moderator Shaughnessy wasn't sure that his motion was in order; would it be something that would be part of the reserves or something in the budget. When they have a motion tonight, they either add or subtract things from whatever the subject matter is. The subject matter right now is Article 9, putting monies into the Reserve Fund. His motion wasn't requesting any money to be added to the Reserves.

Mr. Fairman revised his motion to read:

MOTION by Charlie Fairman that they add a line item to the CIP titled 'Town Hall Restoration' and that there be \$5K added to this year's budget as the allocation to that Capital Reserve account.

Moderator Shaughnessy interpreted his motion to be to raise and appropriate an additional \$5K to the Capital Reserve Fund and that a new line item be created for 'Town Hall Restoration' where the \$5K would be placed and Mr. Fairman agreed.

Moderator Shaughnessy referred to the Town Attorney to see if that was in order. Attorney Midolo stated that the motion could not be an effective result tonight, because that subject matter had not been noticed in the warrant article. It could be voted on as an advisory motion before the Council, but that purpose and that money could not be added to the warrant, because it's not noticed in the warrant. Moderator Shaughnessy understood that to mean everything they vote on tonight had to be warranted in the article. The subject matter is Reserve, but 'Town Hall Restoration' was new and not in the warrant; it didn't alert the citizens that that would be going on tonight, that it would be a motion that would be improper and they wouldn't be able to do it. However, if he modifies his motion, he could file a motion that the Town Council consider adding a line item 'Town Hall Restoration' in the future for the Reserves. He wanted to know from the Town Attorney if that would be an appropriate motion that they consider as an advisory and Attorney Midolo responded yes; as an advisory request.

Mr. Fairman wondered why it was stated that they could revise the budget if his motion to revise the budget was not allowed. He thought that the Town Council got his point and they would take it under advisement and do something about the historic Town Hall. It's a landmark in the center of Town and needs to be restored. He wasn't going to make any further motions and thought it was wrong that they can't change the CIP at this meeting. Moderator Shaughnessy explained that they can have a motion to increase reserves by \$5K. Mr. Fairman stated that the attorney just said that he couldn't add a line item in the CIP. Moderator Shaughnessy stated that it's an appropriation and he may be able to add it to the Reserves. Mr. Fairman clarified that he couldn't add a line item. Moderator Shaughnessy stated that was correct. Mr. Fairman thought that defeated the purpose of the meeting. Moderator Shaughnessy interpreted that as the motion being withdrawn.

Mr. Sawyer explained that there were two capital improvement lines that already address all of the facilities. One is 'Municipal Facilities Improvements Reserve' and there is \$20K

being proposed in that budget. There is also 'Facilities Design Build' and there's \$1.5M being proposed to be added to that. He understands Mr. Fairman's request and he would indicate that the Council could take the advisement, but there's already money available to start that study and there had been study of the Town Hall needs that they could start to implement with funds currently proposed in this budget.

Ed Comiskey, 40 Maple Drive, wanted to clarify that for line item 'Facilities Build and Design', they could amend that number, because that was published and the notice was given. If they were to pick the 'Municipal Facilities Improvements Reserve', he wanted to know if he could make a motion to increase that particular line item by \$5K, which would be the full motion, and with further explanation and support, ask an advisory directive to the Town Council to use the additional funding for review of the needs of improvement to the Town Hall. Changing that one line from \$20K to \$25K. Moderator Shaughnessy responded yes. He tried to guide Mr. Fairman to make a motion to increase the Reserves by \$5K. That doesn't mean it's binding to the Town Council as to where that goes, but during the discussion of that motion, it could be the sense that he's sending a message to the Town Council that he really wants to have this for that purpose; not binding, but he can do exactly as he suggested.

MOTION by Mr. Comiskey to increase the line item 'Municipal Facilities Improvements Reserve' by \$5K changing that line from \$20K to \$25K and asking an advisory directive to the Town Council asking them to use the additional funding for review of the needs of improvement to the Town Hall.

Moderator Shaughnessy clarified that there is a motion to increase the Reserves; to raise and appropriate an additional \$5K to line item 'Municipal Facilities Improvements Reserve'. Mr. Comiskey stated that was correct. Moderator Shaughnessy asked that he put that in writing to the extent they have a second and vote on it, for the record.

Seconded by Charlie Fairman.

Mark Bartram, 21 Butterfield Lane, was concerned why they can't do it directly why they should do it indirectly. If the 'Municipal Facilities Improvements Reserve' was to address municipal facilities, he wanted to know if that was intended to cover any municipal facilities including, but not limited to, the historic Town Hall. Moderator Shaughnessy wanted Mr. Sawyer to explain what 'Municipal Facilities Improvements Reserve' was. Mr. Sawyer stated that it was exactly what the gentleman just said. It's money that could be used across any of the buildings that they have as part of the Town.

Moderator Shaughnessy explained that in terms of what they can and can't do tonight, they can increase the amount being appropriated to be put into the Reserve. That does not bind the Town Council to actually use it for the purpose of the Town Hall. That would be off the warrant as the Town attorney said. It can increase the amount, but you can't bind the Town Council to what it to be used for. It's advisory.

Mr. Bartram was concerned that they were giving the Town Council a blank check for Reserve to apply across any facility whereas the gentleman was trying to have it allocated directly to a particular facility, which may or may not accomplish his objective.

Moderator Shaughnessy stated that it wasn't going to 100% accomplish his objective as he understood it. He wants to restrict the \$5K for a specific purpose for a new line item. They can't add a line item; they can only increase an amount.

Mr. Bartram pointed out that some of the line items in the Capital Reserve are followed by 'reserve', but not all of them. He wanted to know if all of them were intended to be a line item within a reserve budget. He gave an example of the 'Planning Impact Fee Update' and wanted to know if that was a line item that would go into an update expense or was that an update reserve without being a reserve. Moderator Shaughnessy clarified that what they were voting on now was to appropriate for Capital Reserves \$3,275,325. There is a motion on the floor to increase that amount by \$5K. He asked Mr. Sawyer if all of the numbers next to the line items were binding and if the Council had to take out of the \$3,275,325 and put it into those line items, or can they reallocate among all of the reserves. Mr. Sawyer stated that only Town Meeting could reallocate Capital Reserves. Those funds would go into those accounts. He realizes that some say reserve and some don't, but they are all Capital Reserves only under the control of the Town Meeting.

Charlie Fairman, 243 Liberty Hill Road, stated that he trusted that the Town Council would take the advice of the Town Meeting to use that money appropriately. He wanted to know if the Town Council decides to add a line item in the next year's CIP for 'Town Hall Restoration', if the \$5K could be moved into that line item by the Town Council. Moderator Shaughnessy stated that it would be subject to another Town Meeting to change one reserve into another and Mr. Sawyer concurred. Moderator Shaughnessy stated that next year he could file a motion, because the line item would be there, to move \$5K from the 'Municipal Facilities Improvements Reserve' into the 'Town Hall Restoration' line.

Vote taken – Motion passes.

Moderator Shaughnessy stated that now Article 9 would be to move and appropriate \$3,280,325. The motion had already been made and seconded to move Article 9.

Vote taken – Motion passes.

Article 10. – Town Operating Budget

MOTION by Chairman Carter to move Article 10 as written in the Town Meeting Handout. Seconded by Councilor Radke.

Sue Labrie, 14 Jefferson Road, wanted to know what happens to money that's not used. The 2022 budget was \$38.4M and the expended was \$33.3M. After the purchase orders, there's a difference of \$2.7M that hadn't been used. The revised budget was \$40M, which was a difference of \$4.6M unused. She wanted to know where that money goes.

Moderator Shaughnessy clarified that the question was if there is a surplus at the end of the year what happens to that. He explained that when you are voting on the budget you are voting on a specific amount. Even though the budget will reflect a certain amount for a certain purpose, the Town Council can use that money for other purposes as long as the money has been appropriated. The only restriction is the Capital Reserves. At the end of the year if there is a surplus, the Town Council can do several things. Mr. Sawyer stated that it falls to the Unreserved Fund Balance and the Council can recommend to this body to offset taxes in the future. The numbers that were read leave out some details including \$2.3M in open purchase orders. Ms. Labrie stated that she included them.

Ms. Labrie stated that there was \$35K in Unallocated Funds in the appropriations for 2022. They already paid taxes on that. It has now moved into the 2023 budget. She's going to be taxed again on that amount of money. They are taxing twice. Moderator Shaughnessy stated that her observation was that a surplus from last year was now being moved into money being raised for this year so she believes she's being taxed twice, because it was taxed before and collected and now it's being incorporated in a budget this year. Mr. Sawyer stated that they were two entirely separate accounts. The Unreserved Fund Balance was money at the end of the year that falls to that balance. The \$35K that she's asking about is an Unallocated Reserve that is appropriated annually in the budget and was spent in 2022. The only way that money could be spent is if the Town Council holds a public meeting and decides to use that unallocated \$35K on something. It can be a bunch of small things or it could be one big thing. In 2022, he believes it was transferred to help pay for the purchase of Police vehicles that would otherwise be in the 2023 budget. Ms. Labrie stated that it was under Miscellaneous. Mr. Sawyer explained that it's because it's not designated to one specific item; it's listed as a miscellaneous \$35K. It's the only extra money should something happen. In the past few years it's been used twice for PFAS investigations and for the special election a couple of years ago. That's the only place with the Council can draw on money if some kind of emergency or unanticipated event that happens during the year.

Ms. Labrie stated that in the appropriations, it says 2022 budget – \$35K; used – \$0. Mr. Sawyer stated because it was transferred to other lines by the Council at a public meeting. Ms. Labrie wanted to know what meeting it was so she could look into it. Mr. Sawyer stated that it was the November Council meeting where that transfer took place. Ms. Labrie wanted to clarify that the \$35K was transferred somewhere else. Mr. Sawyer believes it was for the purchase of Police vehicles.

Vote taken – Motion passes with one opposition.

Vice Chair Radke stated that Chairman, Bill Carter, did a wonderful job the past year. He is a great leader and brought this group where they are today and they appreciate all of the efforts. She was honored to work beside him during the year. She presented Bill Carter with a plaque that read, 'William Carter – Town Council Chairman – 2022'.

Chairman Carter stated that last year they lost Councilor Bill Duschatko. He was a mentor and provided guidance and his passing left a big hole on the Council. They put the word

out and asked for someone to step in and Chris Bandazian graciously did. Chairman Carter presented him with a framed Certificate of Appreciation for serving the term out for Bill Duschatko. Chairman Carter stated that at a later date they would be presenting a plaque to Ann Duschatko for Bill's service on the Council from 2015 – 2022.

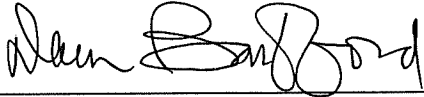
Bill Klein, Assistant Moderator, stated that they had 57 voters checked in. He recognized Gloria MacVane who would be moving out of State. Ms. MacVane worked on the elections for many years and has been instrumental in so many ways. Someone they could count on over and over again no matter how many hours went by.

Moderator Shaughnessy stated that Ms. MacVane had been an integral part of the Election team and he was going to miss her dearly.

Moderator Shaughnessy stated that the next session is the Election on March 28th at 7:00AM, which is the vote for Town officers and that is in the high school auditorium.

**MOTION by Councilor Carter at 7:37 PM to adjourn to March 28th.
Seconded by Councilor Radke.**

Submitted by:



Dawn Boufford, Executive Assistant



Sally Kellar, Town Clerk