

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
April 4, 2018  
BEDFORD MEETING ROOM  
10 MEETINGHOUSE ROAD**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, April 4, 2018 at the Bedford Meeting Room, 10 Meetinghouse Rd. Present were Bill Duschatko (Chairman), Melissa Stevens (Vice Chair) and Councilors Phil Greazzo, David Gilbert, Kelleigh Murphy, Chris Bandazian, and Catherine Rombeau. Also present was Town Manager Rick Sawyer.

Chairman Duschatko opened the meeting at 7:00pm.

**2. PLEDGE OF ALLEGIANCE** – Led by Councilor Greazzo.

**3. PUBLIC COMMENTS** – None.

Sam Spencer, Troop 5, was present to earn the ‘Citizenship in the Community’ badge.

**4. NEW BUSINESS**

**a. Award of Bid 5-2018 Six Wheel Dump Truck (x2)**

Jeff Foote, Public Works Director, explained that the bid was for a cab and chassis trucks. They opened bids up the middle of last month. The two new trucks are replacements for units T-15 and T-18 that were purchased in 2010. Two firms submitted bids and the lowest qualified submittal was Freightliner of NH. The cost and funding for this contract is from the SB38 monies that the Town received in 2017.

**b. Award of Bid 2-2018 Dump Body, Plow, & Sander (x2)**

Mr. Foote stated that they opened the bid in the middle of March and they had three firms that submit bids. The lowest qualified submittal was from Tenco Industries.

Mr. Foote stated that the total for both contracts is \$329,287.50, which is \$18,712.50 below the \$348k that was budgeted for those items.

Councilor Bandazian mentioned that since there would be surplus with the SB38 funds and wanted to know how the excess money would be spent. Mr. Sawyer stated that they have to use the SB38 monies for something not currently budgeted. They would have to look at a piece of road that isn’t currently in the plan or in the 2018 budget already or for other equipment that isn’t already in the budget. Councilor Bandazian also wanted to know if the Town had ever used Tenco Industries from Barre, VT before. He thought it seemed far if there was warranty work. Mr. Foote explained that they were the low bidder in 2017. He stated that for any warranty work, Tenco would perform it on site

and then they also may be adding another office in Manchester. There isn't typically a lot of warranty type work on this equipment.

Councilor Greazzo wanted to know if the six wheeled Dump truck came with the dump. Mr. Foote explained that it doesn't come with the dump body. They come with just the cab and the chassis then the Town fits it to how they think it best represents the Town. Councilor Greazzo wanted to know if Tenco had an option for the dump body. Mr. Foote stated that the vendors either sell the truck or they sell the equipment.

**MOTION by Councilor Murphy that the Bedford Town Council award Contract #05-2018 for two six-wheeled cab and chassis trucks to Freightliner of NH, Inc. of Londonderry, NH, with a purchase price of \$187,894.00 and to award Contract #02-2018 to Tenco Industries of Barre, Vt., in the amount of \$141,393.50 and to authorize the Town Manager to execute those contracts. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

**c. Special Event sign waiver request – Police Bike Rodeo**

Chief Bryfonski explained that the Police Bike Rodeo is being held on May 27<sup>th</sup>. They are asking for a waiver to put signs near all of the elementary schools, the high school, and at the Meetinghouse Road roundabout and at the Safety Complex, so they can get good public education awareness and a good turnout. Mr. Sawyer stated that this year it's being held on the same day as the Memorial Day parade.

**MOTION by Councilor Murphy that the Bedford Town Council waive the provisions of Bedford Town Ordinance Chapter 216 to permit the Bedford Police Department to place special event signs advising the public of the Department's Annual Bicycle Rodeo Safety Event at the locations specified by the Bedford Police Department. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

**d. Schedule a Public Hearing – Consideration of Ordinance 2018-02 to prohibit parking on a portion of Twin Brook Lane**

Chief Bryfonski stated that this was a recommendation from the Highway Safety Committee after residents on Twin Brook Lane brought their concerns of people parking on Twin Brook Lane.

**MOTION by Councilor Murphy that the Bedford Town Council schedule a public hearing for Wednesday, May 9, 2018 at 7:00 PM to consider Ordinance 2018-02 amending Chapter 262-1, Parking Prohibited, to prohibit parking on the bridge and the area adjacent to the Fire Department stand-pipes on Twin Brook Lane. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

**e. Schedule a Public Hearing – Consideration of Ordinance 2018-03 to reduce the speed on Huntington Ridge Road to 25 MPH**

Chief Bryfonski explained that this was a recommendation from the Highway Safety Committee after hearing testimony from Hampshire Ventures, which has conditional approval for a housing development of nine lots on Huntington Ridge Road. Because of a change in the horizontal and vertical sight alignment of the road, the Public Works engineer recommended a speed reduction to 25 mph. The Highway Safety Committee reviewed it and concurred with the recommendation.

Mr. Sawyer stated that the ordinance is drafted that it would take effect upon construction of the road as the road is not yet constructed.

**MOTION by Councilor Murphy that the Bedford Town Council schedule a public hearing for Wednesday, May 9, 2018 at 7:00 PM to consider Ordinance 2018-03 amending Chapter 262-6, Speed Limits, to limit the maximum speed on Huntington Ridge Road to 25 MPH. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 7-0.**

**f. Schedule a Public Hearing – Consideration of Ordinance 2018-04 to create a three way stop condition at South Hills Drive and South Hills Terrace**

Chief Bryfonski explained that the Highway Safety Committee received a complaint regarding cut-through traffic speed and other violations on Regency, which blends into South Hills Drive. The PD traffic division did some studies in addition to directed patrols and they determined that due to the traffic and the uncontrolled T-intersection of South Hills and South Hills Terrace, that it should be a controlled intersection. The Highway Safety Committee is recommending that it be a controlled intersection on all three sides, which would be a three-way stop.

**MOTION by Councilor Murphy that the Bedford Town Council schedule a public hearing for Wednesday, May 9, 2018 at 7:00 PM to consider Ordinance 2018-04 amending Chapter 262-7, Stop Signs, to create a three way stop condition at South Hills Drive and South Hills Terrace. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

**g. Recognition of Retired Board and Commission members**

Chairman Duschatko stated that the retired board and commission members would be receiving various certificates and plaques. He read and thanked the list of retired board members:

Jason Carrier – SNHPC – 1 year

Phil Cote – Planning Board – 6 years

Jonathan Benjamin – Conservation Commission – 2 years

Jeff Oxman – Historic District Commission – 3 years  
Scott Winslow – WBNH Board of Overseers – 1 year  
Chris Swiniarski – Zoning Board of Adjustment – 4 years  
Kevin Flynn – Energy Commission – 3 years  
Doug Pearson – BCTV Board of Overseers – 7 years

#### **h. Appointments to Boards & Commissions**

Chairman Duschatko stated that he provided some incorrect information regarding the position of Gerard Gagne as an alternate on the Highway Safety Committee. He apologized for the confusion that he caused.

**MOTION by Chairman Duschatko that the Bedford Town Council reappoint Gerard Gagne as an alternate member of the Highway Safety Committee with a term to expire in March 2021. Seconded by Councilor Murphy. Vote taken – Motion Passed – 7-0.**

**MOTION by Chairman Duschatko that the Bedford Town Council appoint Julio Nunez to fill the vacancy on the BCTV Board of Overseers with a term to expire in 2019. Seconded by Councilor Murphy. Vote taken – Motion Passed – 7-0.**

#### **i. Other New Business**

### **5. OLD BUSINESS**

#### **a. Approval of the Code of Conduct, Media Policy and Town Council Rules of Procedure**

There were no recommended changes by the Council.

**MOTION by Councilor Murphy that the Bedford Town Council reaffirm the Code of Conduct, Media Policy and Town Council Rules of Procedure. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 7-0.**

#### **b. PFC Update**

Mr. Sawyer gave some history and talked about slides being shown on the screen of the PFC affected areas in Bedford.

Mr. Sawyer stated that the State has reached an agreement with St. Gobain on a consent decree that would bring water to the impacted areas on and around Back River Road and showed them on the screen. He explained some areas that would be receiving point of entry treatment systems. He pointed out some affected areas on South River Road that would be connected as to the water line.

Mr. Sawyer explained that another piece of the consent decree is the establishment of a Groundwater Management Zone and an outer boundary and showed it on a slide. St. Gobain is required to be responsible for the groundwater in the Groundwater Management Zone. The areas outside of the outer boundary, St. Gobain would not be immediately responsible for PFOA levels in excess of 70/ppt.

Councilor Rombeau wanted to know what the course of action would be if there was a property that's not in a cluster that is outside of the boundaries that are over the limit. Mr. Sawyer explained that so far the readings inside the outer boundary haven't shown any indication that the PFOA levels have travelled further north and west. If there was another cluster, the State along with St. Gobain would have to look at extending the water line or put in a point of entry treatment.

Councilor Dave Gilbert wanted to know if the State could change the 70/ppt and then St. Gobain would have to move their mark down with it or are they stuck at 70/ppt. Councilor Murphy stated that they aren't stuck at 70/ppt. The State could change the minimum level. She has suggested that NH look into setting the limits lower. She thought that 70/ppt was obnoxiously high. She didn't think the 'good' news was the best news for the residents. While she's pleased that some solution has been reached, she doesn't think that she would tout it as a victory, because there are still so many residents that are really grappling with this and wondering if their water is safe. Councilor Dave Gilbert wanted to know if the minimum went down to 20/ppt, then St. Gobain would be responsible up to the outer border and the water line would be extended. Mr. Sawyer stated that that was his understanding. His understanding was that the outer boundary would likely not move. If there were readings beyond that, other parties might be responsible.

Councilor Bandazian wanted to know if Councilor Gilbert was asking under the consent decree if the standard goes lower if St. Gobain would be required to hook up homes that have the lower standard. Councilor Gilbert confirmed that was what he was asking. Councilor Bandazian stated that the answer is no, they would not be. They are protected by the consent decree. Mr. Sawyer agreed. St. Gobain would be responsible if it's 70/ppt or higher, but below that no.

Mr. Sawyer mentioned that in regard to Greenfield Farms and Cabot Preserve area, there is a separate agreement with Merrimack Village Water District, who supplies the water to Pennichuck for that portion of Town. The Merrimack Village Water District reached an agreement with St. Gobain to treat their wells 4 and 5, which have been offline and can't come back online without treatment. When treatment is provided, it will be providing at zero PFOA levels.

Councilor Stevens wanted to know if all of the Merrimack Valley Water District wells were being treated or just wells 4 & 5. Mr. Sawyer stated that the only agreement is on wells 4 and 5. Councilor Stevens wanted to know if the other wells were to go above 70/ppt would St. Gobain be responsible to treat those wells. Mr. Sawyer didn't believe

the agreement said anything about the other wells. Councilor Stevens mentioned the fluctuation of the levels. Mr. Sawyer stated that they can't predict it.

Mr. Sawyer pointed out that there is no obligation to connect to the water system. Residents can sign a waiver to not connect and stay on their well.

Councilor Rombeau mentioned if residents could be keeping their wells for irrigation and still connect to the public system for everything else. Mr. Sawyer stated that residents can keep their wells for irrigation, but if they are inside that red line, they are in the Groundwater Management Zone and if they have a well, they need to disclose that at the point of sale. If a new owner doesn't want to keep the well, there may be additional costs for that seller at a closing. If the buyer says I can't buy until it's hooked up to public water, then the seller is on the hook to pay for the hook up and decommissioning the well. Residents can keep their well for irrigation and still hook up to the public water. If residents don't have a well, they don't need to disclose that they are in the Groundwater Management Zone. The cost of decommissioning their well is only going to be covered at this time.

Chairman Duschatko stated that the cost of decommissioning a well could be quite high depending on how deep the well is. If residents don't take advantage of that now, it's up to the resident to pay for it later. Also, once they are on a public water supply, they have to have physical complete separation from the well from that water supply. If they also want to keep their well, they are going to have to duplicate their entire pumping effort and plumbing, so it's not going to be a cheap easy fix to keep both. Mr. Sawyer stated that St. Gobain will pay to do that plumbing inside their house right now and do it once, but after they come through, that's the last chance. They will have to sign away their rights to have them pay for it. If anyone wants the two separated plumbing situations in the home, they will do that right now at St. Gobain's cost.

Mr. Sawyer stated that he and the Public Works Director have met twice with Pennichuck. St. Gobain has given the green light to go ahead and get this out to the contractors as quickly as possible. The pre-bid package for contractors was supposed to be let out yesterday and there is a two week period for contractors to say they are qualified to do the work. There will be three weeks after the two week pre-selection for actual bid work and then they will award the bid one week after that. He's hoping that there will be a pipe contractor and road contractor would be doing some work in Bedford in June. Before that, there should be another public meeting held by Pennichuck especially for those 31 homes on Back River Road to get them signed up for the initial home inspections. The understanding from Pennichuck is there will be one contractor to do all of the road water main work and a separate contractor to do all of the connections from the road to the houses and the interior plumbing work. If they get started in June, they expect that they will go through the full construction season into November to get the water line done and hopefully get everybody on water this year. They will be back next year to do finish work on the roads and final top coat. If they get close to the end of the project and they are short, the Town will work with them to try and make sure everybody gets connected.

Councilor Gilbert wanted to know if that would affect the plan to do Liberty Hill Road. Mr. Sawyer stated that with the announcement, they will delay any construction on Liberty Hill Road in 2018. Councilor Gilbert thought they could use the \$18k to fill the potholes on Liberty Hill Road.

## **6. APPROVAL OF MINUTES**

### **a. Budgetary Town Meeting – March 14, 2018**

**MOTION by Councilor Bandazian that the Bedford Town Council approve the minutes of the March 14, 2018 Budgetary Town Meeting. Seconded by Councilor Gilbert. Vote taken – Motion Passed –6-0-1 (Greazzo abstained as he was not present).**

### **b. Interviews for Boards and Commissions – March 19, 2018**

**MOTION by Councilor Bandazian that the Bedford Town Council approve the minutes of the March 19, 2018 Candidate Interviews. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 5-0-2 (Duschatko and Stevens abstained).**

### **c. Organizational Meeting/Public Session – March 19, 2018**

**MOTION by Councilor Bandazian that the Bedford Town Council approve the minutes of the March 19, 2018 Organization Meeting and Public Session. Seconded by Councilor Stevens. Vote taken – Motion Passed –7-0.**

## **7. TOWN MANAGER REPORT**

- 1) Dog licenses must be obtained by April 30<sup>th</sup> to avoid extra fines or fees. The Top Dog for 2018 is Duke. Dogs can be registered and vaccinated at Bow Wow Bedford at the Animal Rescue League, Saturday, April 21<sup>st</sup>, 10am – 3pm and a rabies vaccination clinic 11am – 2pm for \$12. Cats are welcome too.
- 2) 2018 Roads Program –Public Works has started up Phase IV of the Campbell Road project and a detour has been put in place utilizing Rolling Woods Drive.
- 3) Registration for Camp Witzel summer camp and other summer camp programs are now open and information is available through the Recreation page of the Town Website <http://bedfordreonline.com/info/activities/>
- 4) April 8<sup>th</sup> – Sunday Concert Series, 2:30 PM, Library, “Permanent Vacation”-soft rock.
- 5) April 9<sup>th</sup> – “Hiding in Plain Sight” – A Social Media/Human Trafficking Summit, 6:30 PM, Manchester Christian Church, 56 Old Bedford Road.
- 6) April 13<sup>th</sup> – National Scrabble Day, 12-4 PM, Bedford Town Hall.
- 7) April 15<sup>th</sup> – Sunday Matinee Series, 2 PM, Bedford Library, “Hidden Figures”.

## 8. COUNCILOR COMMENTS

Councilor Gilbert stated that they've started working on Riley Field; they've done the backstop. They've reassigned all the ball fields and their usage for all of the teams over the springtime. They've also gone out to bid for the volleyball courts, which they will use impact fees for. Councilor Bandazian wanted to know if the School was partially funding the work on Riley Field. Mr. Sawyer stated that the School voted to fund up to \$50k.

Councilor Murphy mentioned IRS scam calls in Bedford, so residents be aware, especially if they are asking for money. She wished Gina at BPD well. She has stepped down as the Facebook administrator. She congratulated new firefighter/paramedic Mike Tierney. She mentioned a presentation she attended by BeBold and she thought it was one of the better presentations she's been to from a parenting perspective. They have some great speakers. She mentioned that on Monday, April 16<sup>th</sup> at 7:00pm in the McAllister Room at the Library BeBold will be doing a presentation entitled 'You've been served: social liability and teen alcohol use'.

Councilor Rombeau thanked Public Works who have a couple rough days doing the work on Campbell Road.

Chairman Duschatko stated that all of the speaker series is available on the BeBoldbedford.org website. He mentioned that Gregg Luster who retired after 29 years with the Public Works Department sent a thank you note.

## 4. NON-PUBLIC – RSA 91-A:3 II(a)

**MOTION by Councilor Murphy to go into non-public session pursuant to RSA 91-A:3 II (a) to discuss the dismissal, promotion or compensation of any public employee. Seconded by Councilor Bandazian.**

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

The public meeting ended at 8:10 PM.

Respectfully submitted,

Dawn Boufford