

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
April 28, 2021  
10 Meetinghouse Road**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, April 28, 2021, 10 Meetinghouse Road. Participating were Dave Gilbert (Chair), Bill Carter, (Vice Chair) and Councilors Bill Duschatko, Lori Radke, Kelleigh Murphy and Sue Thomas. Also present was Town Manager Rick Sawyer. Councilor Denise Ricciardi had an excused absence to celebrate a Greek religious observance.

Chairman Gilbert opened the meeting at 7:00 PM.

**2. PLEDGE OF ALLEGIANCE** – Led by Chairman Gilbert.

**3. PUBLIC COMMENTS** – None.

**4. NEW BUSINESS**

**a. Meeting with the Trustees of the Trust Funds**

Ken Peterson, Chairman of the Trustees of the Trust Funds, and Trustee Mac McMahan were present. Trustee Joe Fahey was unable to attend.

Mr. Peterson thanked the Council for letting them come every year. He thanked Dawn Boufford who helps them do things throughout the year and Rick for his help.

Mr. Peterson mentioned that if anyone was doing any fundraising on behalf of the Town and using the Town's tax id number, they have to go through the Trustees. He explained the duties of the Trustees of the Trust Funds. He also gave the background on the Trustees and explained what had been done since he became a Trustee. He mentioned their website and encouraged people to take a look at it.

He talked about the two types of accounts they have: private trusts and the capital reserve funds. The private trusts are such things as Cemetery, Library, Scholarships and the Presbyterian Church. Their private trusts are about 60% stocks and 40% in more conservative type investments. When they first took over it was worth about \$65k and now they've got it up to about \$120k. The Capital Reserve Funds, they are very conservative by law. The purpose is to maintain them, so don't put them anywhere where they could lose money. In 2020, they earned about \$120k. Right now they have about \$6.8m invested, which is invested in between 35 and 40 different vehicles, none of which is over \$250k. The Capital Reserves in 2020 had about \$125k in income and that's net of fees, which were about \$16k. The Trust Fund Capital Reserves has about 57 categories. One of their responsibilities at the end of the year is to be ready to disperse those funds to the Town as they need them. When the Town publishes their Capital Improvement Plan for the year, the Trustees read that and give to their investment advisors and they

read it and let the Trustees know that the Town is going to need and when, so the Trustees have that cash available ready to go on that date.

Mr. Peterson stated that their investment advisor is Citizen's Bank. Clarfeld is part of them and they help manage private wealth. They do many towns in NH. They went through 6 or 7 investment advisors through interviews before they selected them. They liked Clarfeld's approach, the way they put their money in, and they liked the fact that they had other towns under their purview, so they had a track record.

Mr. Peterson stated that for the last five years, the Capital Reserve return was 2%, for the last three years it was 3.2% and for the last one year it was 2.1%. For the last five years, the Private Trust Funds return was 9.9%, for the last three years was 10.6% and the last one year was 33.1%.

In 2020, they updated their investment policy, continued their continuity folder, maintained communication with the Director of Finance and the Town Manager to ensure enough money liquidity to meet the Town's needs, and met quarterly with their investment advisors.

Councilor Murphy wanted to know if the 120k in interest was including their gross or not including their gross, because if you are sitting at \$6.8m now and they back out the \$120k, then presumably they were sitting at \$6.68m before, which is a return of 1.79%, which seemed low to her. Mr. Peterson stated that wasn't the quarterly one as of today, the 31<sup>st</sup> of March that was for the year of 2020. Councilor Murphy wanted to know what the overall return was. Mr. Peterson stated that as of the 31<sup>st</sup> of March, 2.1% for the last 12 months, it was \$110k for the first quarter of 2021.

Councilor Radke wanted to know if any of the money that is invested could go towards other things like the Unassigned Fund Balance or was it restricted as to where it could be spent. Mr. Peterson stated that it was restricted to where it could be spent.

#### **b. Appointments to Boards/Committees/Commissions**

Chairman Gilbert stated they've talked about this at the last meeting, they've talked about this at their retreat, and he believed they are pretty much set for right now.

Councilor Thomas wanted to know about the vacancies, if they were just going to keep them open. Chairman Gilbert responded yes. They have two alternate Zoning Board of Adjustment vacancies, one alternate Parks & Recreation Commission vacancy, one regular and two alternate vacancies on the Historic District Commission, one vacancy on the Water & Sewer Advisory Committee, and one vacancy on the Telecommunications Subcommittee. If anyone in the public is interested, please apply with the Town Office and they will interview you.

**MOTION by Councilor Murphy that the Bedford Town Council approve the slate of appointments appended to the agenda and dated April 28, 2021. Seconded by Councilor Radke. Vote taken –Motion Passed–6-0.**

**c. Approval of bid waiver and purchase of 2021 John Deere mower**

Jeff Foote, Public Works Director, stated that the purchase of a new roadside mower was a scheduled replacement as part of the DPW heavy equipment CIP program and will be replacing a 2007 roadside mower, which has experienced several mechanical failures over the past few years. DPW staff researched various mowers on the market and have determined that the John Deere 6105E meets the Town's needs. While querying mower vendors, staff learned that H.P. Fairfield was the contracted vendor for the equipment through Sourcewell, which a national contract purchasing agency based in Minnesota. Sourcewell Cooperative Purchasing contracts this item at a 15% discount from manufacturer list price. Sourcewell is a no-cost public agency made up of over 50,000-member cities, counties, school districts, state colleges and universities, and other public agencies. As a result, the DPW is seeking to forgo the traditional advertising and bid process and purchase the mower from H.P. Fairfield using Sourcewell's pricing schedule. Many NH communities also use Sourcewell. They are recommending that the Town Council waive the competitive bidding process and approve the purchase of a 2021 John Deere mower from H.P. Fairfield of Hopkinton, NH in the amount of \$159,306.58 pursuant to the Sourcewell contract using Capital Reserve Account 2400-57311-28046.

Councilor Radke wanted clarification on how Sourcewell works. She wanted to know if Sourcewell goes out and connect with all these manufacturers, so they must have a huge buying power, which allows equipment to come in at a lower cost than if they were to go down the street. Mr. Foote stated that that was his understanding. They have been a Sourcewell member for two or three years, but really hadn't taken advantage of it. This was the first time that the Town has used them. It's common for municipalities to use this buying power to their advantage. Councilor Radke wanted to know if he thought this was something that more towns and municipalities would take advantage of. Mr. Foote stated that they would take advantage of it when they think it's in their best interest.

Councilor Duschatko mentioned that Sourcewell gets 15% discount of the manufacturer's list price and wanted to know who that list price gets produced for. Mr. Foote explained that the manufacturers list various items and apparently they contract and advertise as part of this 50k member group. Councilor Duschatko stated that he had no problem with whole concept, he was just trying to understand what the numbers mean, because you have Sourcewell, which is a buying thing, but you have to go through a dealer. Mr. Foote stated that was correct. Off the record, the vendor basically told them that they couldn't match that price if they bid it locally. Councilor Duschatko thought that's was what is confusing. Mr. Foote explained that Sourcewell has a contract with certain vendors in the country and if they think they could sell 100 of them versus selling two in NH. Councilor Duschatko wanted to know what does 'list price' means, because he thought they might have a bunch of different list prices depending. He was trying to understand the setup. Mr. Foote stated that he went on their website and learned as much as he could before

they drafted the report, and it seems to be a successful utilization of resources. Councilor Duschatko was just trying to understand it better.

Councilor Carter stated that from reading the report, the dealers they talked to, if that's their list, they've got to make money, so they are saving 15% plus whatever their dealer markup was to go through the State bid.

**MOTION by Councilor Murphy that the Bedford Town Council waive the competitive bidding process and approve the purchase of a 2021 John Deere Mower from H. P. Fairfield of Hopkinton, NH in the amount of \$159,306.58 pursuant to the Sourcewell contract and to authorize the Town Manager to execute the contract. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 6-0.**

Councilor Carter thanked Mr. Foote for his assistance on the CUB Road Club clean-up day. Mr. Foote appreciated it and thought it was a great day; he met a lot of people. He thought the students did a great job and the number of groups in the community. Chairman Gilbert stated that there was roughly 2,500 pounds of trash. Mr. Foote stated that he couldn't wait to do it again next year. Councilor Carter stated that they were doing it again this fall.

**d. Other New Business – None**

## **5. OLD BUSINESS**

**a. Amending/reaffirming of TC Rules of Procedure, Code of Conduct, Town Media Policy, Social Media Policy**

Chairman Gilbert mentioned that there were two changes to the Council Rules of Procedure. Councilor Radke liked the changes.

**MOTION by Councilor Radke that the Bedford Town Council amend the Town Council Rules of Procedure as discussed. Seconded by Councilor Murphy. Vote taken – Motion Passed – 6-0.**

**MOTION by Councilor Radke that the Bedford Town Council reaffirm the Code of Conduct, Town Media Policy, and Social Media Policy. Seconded by Councilor Murphy. Vote taken – Motion Passed – 6-0.**

**b. Other Old Business – None**

## **6. APPROVAL OF MINUTES**

**a. Interview Minutes – April 14, 2021**

**MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the April 14, 2021 Interviews. Seconded by Councilor Thomas. Vote taken – Motion Passed – 5-0-1 (Murphy abstained).**

**b. Public Session – April 14, 2021**

**MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the April 14, 2021 Public Session. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 5-0-1 (Murphy abstained).**

**c. Non-Public Session – April 14, 2021**

**MOTION by Councilor Thomas that the Bedford Town Council approve the minutes of the April 14, 2021 Non-Public Session. Seconded by Councilor Radke. Vote taken – Motion Passed – 5-0-1 (Murphy abstained).**

**d. Retreat – April 24, 2021**

**MOTION by Councilor Murphy that the Bedford Town Council approve the minutes of the April 24, 2021 Retreat. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 6-0.**

**7. TOWN MANAGER REPORT**

- 1) PFAS – NHDES will hold a virtual public information meeting on May 6th at 6:30 PM. It's a webinar and you are required to pre-register. The link to register is on the Town's website and Facebook pages.
- 2) Drought conditions in NH have worsened over the last two weeks. The State has indicated that for the past 12 months, the State has seen between 8 and 13 inches less rain than they should have had. Since January, they are down 3½ to 4½ inches. They are now in the category of "Moderate Drought". Reduce your watering if possible.
- 3) COVID-19 Pandemic – Bedford has seen a slight decrease in the number of cases with **39 current COVID-19 positive patients**. I strongly encourage all residents to follow the CDC and State of NH recommendations for protecting yourself including wearing a face covering, washing hands as often as possible when out in the public, and to get vaccinated.
- 4) Sportsman Field – Reconstruction remains on or ahead of schedule with the pad and turf expect to be placed next week.
- 5) Excellence in Financial Reporting – 2019 Comprehensive Annual Financial Report (CAFR) – 16<sup>th</sup> consecutive year for achieving this recognition.
- 6) Dogs Licenses must be obtained from the Town Clerk by April 30th each year.
- 7) Cinco de Miles 5k – May 2, 2021, 9-11:30 AM, High School – County Liberty Hill, Gault, Meetinghouse, Mayflower, Edinburgh, and Nashua Road – expect delays.

- 8) 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://www.bedfordreconline.com/info/activities/default.aspx>
- 9) He thanked Councilor Carter for his efforts in pulling together the 1<sup>st</sup> Annual Clean Up Bedford Day held on April 17<sup>th</sup>. It was a tremendous program and it was awesome to see all of the kids that got involved. It was through Councilor Carter's efforts and bringing in all of these organizations that made for a truly wonderful day.

## **8. COUNCILOR COMMENTS AND COMMITTEE UPDATES**

Councilor Carter stated that the CUB Clean Up Day was tremendous. He thanked everyone that participated. Over 2,500 pounds of roadside trash. It was a tremendous effort from all of the residents and organizations in Town. They are planning another clean-up day in the fall on October 16<sup>th</sup>. The next phase is the CUB Road adoption program where organizations, businesses, groups or individuals could adopt a road or street or a mile of any street and say they want to keep that street or mile of a street clean.

Councilor Duschatko wanted to know how many people participated in the clean-up day. Councilor Carter responded that just from the high school they had about 100 and maybe another 200 out there cleaning the streets.

Councilor Thomas mentioned the Energy Commission meeting where they had a guest speaker talking about electric vehicle charging stations and trying to come up with a plan for the Town. They put together a subcommittee to look at it and at some point they would like to come to the Town Council with their thoughts. They are going to run things by both the School and Town side of things. He thanked Chief Hunter for his time showing her the Fire station and the workings of the Fire Department.

Councilor Radke congratulated Councilor Carter, DPW, students and all of the people for their efforts on the CUB Clean-up Day. She mentioned the Highway Safety Committee meeting where they discussed speeding issues and concerns on Tirrell Road. Also, some speeding concerns on Ministerial and the DPW is going to look at a possible additional speed limit marker somewhere in the middle of that very long road. She wished everyone a happy May.

Councilor Murphy stated that the Bedford Police Department would like to remind everyone to park their phones while they are driving so that no one gets ticketed. Also, it is Autism Awareness month and the Bedford Police Department is selling Autism Awareness patches off of their website and Facebook page for \$10 a patch including shipping, so they are encouraging everyone to support Autism Awareness month and order the patch. The Bedford Fire Department congratulates Lt. Adam Parent and his wife Rachel on the arrival of their son.

Chairman Gilbert mentioned the ZBA meeting last week. There were two requests that were approved: one for a shed and one for a waiver for Safran Optics 1. On Saturday, May 22<sup>nd</sup> from 12-6PM they are going to have a grand opening of the EFJH farm stand.

**9. NON-PUBLIC – RSA 91-A:3 II (a)**

**MOTION by Councilor Murphy that the Bedford Town Council go into non-public session per RSA 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless the employee affected (1) has a right to a meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Seconded by Councilor Thomas.**

**Roll Call Vote: Murphy-aye, Radke-aye, Carter-aye, Thomas-aye, Duschatko-aye, Gilbert-aye.**

The public meeting ended at 7:45 PM.

Respectfully submitted,

Dawn Boufford