

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
June 9, 2021
10 Meetinghouse Road**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, June 9, 2021, 10 Meetinghouse Road. Participating were Dave Gilbert (Chair), Bill Carter, (Vice Chair) and Councilors Sue Thomas, Denise Ricciardi, Bill Duschatko, Lori Radke, and Kelleigh Murphy and. Also present was Town Manager Rick Sawyer.

Chairman Gilbert opened the meeting at 7:00 PM.

2. PLEDGE OF ALLEGIANCE – Led by Chairman Gilbert.

3. PUBLIC COMMENTS

John Cohen, 17 Bartlett Drive, stated that the reason the bulldog item was on the agenda was that Mr. Duschatko filed a formal or informal complaint about his wife's company, Cohen Closing and Title for having a bulldog. He stated that the bulldogs in Town were considered a sign and not considered artwork. With the sign ordinance you aren't allowed to have words on it. They were unaware of this and so was the high school. It's a fundraiser for the athletic department and an art student at the high school designs them. He explained that when the art student proposed the bulldog, they showed them a couple of versions and one of them happened to say 'Cohen' on it. It's very small; about 3.5 inches tall by 14 inches wide. You can see if from the street if you are looking for it, but it is not obnoxious by any means. His wife wanted to be there, but she had a previous obligation in coaching soccer and she does a lot for the community. She felt very targeted when Mr. Duschatko only filed a complaint against Cohen Closing and Title and not the other bulldogs in Town where there were words on them as well and have been around a lot longer than at Cohen, which has only been around for about 7 months. They feel targeted, because Mr. Duschatko's wife either is or was a partner in Absolute Title, which is a competitor in Town. They feel it's a misuse of power. Absolute Title has a large RV in the parking lot on and off saying Absolute Title. He's curious why Mr. Duschatko targets a bulldog with small lettering and not very concerned with his wife's company that has a large RV in the parking lot. He stated that he will do whatever the Council decides. If it is required to be removed, they will pay the cost in getting it fixed.

4. NEW BUSINESS

a. Appointment of Town Assessor

Mr. Sawyer stated that it was his pleasure to submit his appointment of Doug Irvine, the current Assistant Assessor, for Council confirmation as Chief Assessor. He's convinced that Doug is the best person for the job given his knowledge of Bedford and proven skills over his 13 years as our Assistant Assessor and as a result of his overall professional experience. Bill Ingalls also believed Doug would be the best person to succeed him and

starting in 2019 they set in motion a succession plan for Doug to be ready to take over when Bill would be retiring. Doug joined the Town as our Assistant Assessor in 2008 and now has 18 years of professional assessing experience in both the municipal and private sectors. Doug has a great working relationship with the many realtors and appraisers that interact with the department regularly and he has always had a great rapport with our residents. Doug has all the necessary certifications for the position and Doug and he would be happy to answer any questions you have.

MOTION by Councilor Murphy that the Bedford Town Council confirm the appointment of Doug Irvine as Chief Assessor for the Town of Bedford effective June 10, 2021. Seconded by Councilor Radke. Vote taken – Motion Passed – 7-0.

Doug Irvine thanked the Council and reassured them that in this difficult time at the passing of his predecessor, Bill Ingalls, it is his full intention to continue to keep the bar set high for the department in terms of their commitment and the quality of work and the attitude that they bring every day and the great working relationship that he hopes to maintain with his coworkers and other colleagues. His door is open any time, so feel free to come in and he looks forward to working with them.

b. Civil Forfeiture Warrant for unlicensed dogs

Sally Kellar, Town Clerk, came forward to present. She stated that they've been pretty good this year with people licensing their dogs. Of over 4,200 dogs, they have about 900 dogs whose licenses have not been renewed or have never been licensed. They get the rabies vaccinations from the vets as it is required by law. She explained that this time of year it is up to the Council to decide whether or not, due to the RSA, they should have a civil forfeiture fine for dogs that are not licensed by July 6th.

Chairman Gilbert wanted to know the cost of the fine. Ms. Kellar stated that it's the cost of the license, which is either \$7 or \$10 and the civil forfeiture fine of \$25.

MOTION by Councilor Radke that the Bedford Town Council pursuant of RSA 466:14, authorize the Town Clerk and Animal Control Officer, on behalf of the Town Council, to send civil forfeiture letters and collect civil forfeiture fines to all dog owners of Bedford who have not licensed their dog as of July 06, 2021. Seconded by Councilor Murphy. Vote taken – Motion Passed – 7-0.

c. Discussion of a Special Election

Ms. Kellar stated that the last time they had this discussion about a special election was in 2019 when one of the state reps moved out of state. This time they have another opportunity, if they so choose, to have a special election due to the passing of Dave Danielson, so his seat is now vacant. She referred to her staff report and stated that they have a window of 120-124 days that the election would have to take place according to

the law. If they were to get immediate Executive Council approval, they have some wiggle room. They have to have a primary and a General Election unless there are only two candidates running, one from each party. Then they would only have to have the one election, which would be the date of what would be the primary. The two dates that look best are having a primary on August 24th as school is not in session yet, and the election would take place on Tuesday, October 12th, which is the day after the Columbus Day holiday. Students would not be in school that day as it is a district wide workshop day. Councilor Radke clarified that if there is no primary, the election would be August 24th if they choose that particular date and the response was yes.

Ms. Kellar stated that if they decide to hold a special election, they notify the Secretary of State's office who then notifies the Executive Council to have it placed on their agenda. She mentioned that Bow and Dunbarton just held a special election and the primary was pretty low with about 400 people and about 3,300 people showed up at the election.

Councilor Murphy wanted to know if they wait until school was back in session, because a lot of people in town travel, have second homes, and they aren't in Town on August 24th; if they were to wait until August 31st to have the primary, would that set the general election for October 19th. Ms. Kellar responded yes. School starts August 26th.

Chairman Gilbert opened up discussion and comments to the public.

Caity Cutshall, 42 Strafford Lane, was speaking as a resident and voter, and as co-chair of the Bedford Democrats. She expressed condolences to the friends and family of State Rep. Dave Danielson and also recognize Dave's long-term commitment to the Town as a public servant and our appreciation. On behalf of the Bedford Dems, she was asking the Town Council to request a special election to fill the vacated State Rep seat. They believe with a year and a half remaining in the legislative term, it was important to fill this State Rep seat to ensure that Bedford's residents receive proper representation. Their hope is that a primary would not be needed to fill the vacancy and to save taxpayer dollars, but speaking on behalf of their party, they don't have control over that. She read Sally Kellar's report and about the Bow/Dunbarton election, which represented 36% turnout. She stated that Bedford went through their 10-year voter clean-up, which significantly dropped the voter rolls, which will increase voter roll turnout percentage.

Bart Formuth, Chair of the Bedford Republicans, lives at 19 Beaver Lane and was also a 2-term State Rep in 2014 and 2018. As the Chair of the GOP as well as a taxpayer, he encouraged the Town Council to look at the precedent that was set during the last term where they lost Rep. Trento during a similar timeframe. From their standpoint, it didn't make sense to call upon the taxpayers to fund a one versus one special election when it's really not going to have any outcome in terms of the make-up of the House of Representatives, which is a 212 to 187 split. Bedford has been effectively operating with one less State Rep for the majority of this term. Dave was unfortunately very sick since the beginning of his term and he thought given the costs that are factored in it makes little sense to proceed with something that's so costly and time consuming. As far as the Republicans, they do anticipate that there would be a primary involved.

Linda Rae Camarota, Weymouth Drive, former House Rep. when Mike Trento moved out of State. At that time she came before the Town Council and asked them to consider filling that seat, because she felt like they needed that for representation. The Council chose not to do that. She was asking for consistent approach to the same issue. Mike Trento left around January/February of their first session and they chose not to fill that seat. This time, they've done one full cycle of the year. She's been watching the dynamics between how it was when they were a minority and then how it is when the Republicans are a majority right now. The numbers are very similar in that it's not going to make a significant difference for Bedford or the House if they leave the seat unfilled. She asked the Town Council to be consistent and vote as they did when Mike Trento left Town.

Sue Mullen, State Rep, 13 Privet Hedge Lane, gave her condolences to the community and the Danielson's for the loss of Dave who was a good and honest man and a dear hearted friend to lots of us. She understands that it's going to cost come money to run an election, that Sally Kellar could do a lot with the time she's going to devote to a special election, the math of 212 Republican representatives to 187 Democratic representatives and it doesn't look like there's going to be any kind of a shift in terms of power or representation. She stated that after Mike Trento left the State, they voted not to have a special election. The Governor's veto of the death penalty was repealed in NH and it was repealed by one vote. The idea of not needing representation or one vote not being important has not proven to be true. This past week they had two votes that ended in a tie. The idea that even with a 212 to 186 at the time, could tie two votes, gives them reason to pause and to think about whether or not they really do want to uphold our principles. There's a reason why laws are written about holding special elections. It's because special elections are important enough to have and important enough to write legislation over. She asked that the Council think about it not just from a financial point of view, but from the point of view that there's a reason why they want to do this and that is because they have the privilege and the responsibility of doing the right thing.

John Graham, 8 Ministerial Circle, in his 10th term at the State House, stated that this was the 3rd time they've lost a member from Bedford mid-term. First was in 2003 when Maurice Goulet passed away in August and the Town Council elected not to have a special election. He mentioned that there was a tie last week and the speaker broke the tie, but there were only approximately 370 out of 398 people there. It was a vote of 182 – 182 and is a factor of who doesn't show up and who does show up. All of the Bedford reps show up, but it is imperative that they look at both sides; is it going to gain them anything, what's the cost, and he didn't envy the Council for the decision they have to make.

Valerie Earnshaw, 34 Juniper Drive, stated that having gone through COVID and all of the financial difficulties they have and the things they have to deal with, and what people have to deal with in their taxes, she asked that they consider the lower cost alternative of not having a special election. She felt that they were well represented in Bedford by all of their representatives. She feels she has access to people, to talk to them, to give them her opinions, and feels like she's represented. If you look at special elections, they tend to be very low turnout and they tend to be very high cost, so if they do the special election it's not going to be so much the voice of the people, it's going to be the voice of the money,

and she didn't think that's what they are about in Bedford. They are about the people and having representation and she felt like they had that.

Councilor Murphy stated that she couldn't speak to her predecessors on the Council and their decision-making process or the reasons behind it. Listening to all of them speak tonight, Katie and Sue are very active in the Democratic Party in Town; Bart, Linda, John have been elected officials as Republicans, and Valerie has been involved in the Republican Party in Town as has her husband and her son. For her, this was not about politics. This was about whether or not they have representation and a final seat in Bedford. It doesn't matter to her what the vote comes down on. When the housing market crashed in 2008/2009, she was fortunate enough to be able to afford to move to Bedford from Manchester. It required her to step down as a sitting alderman in Manchester and to take a public position on whether or not she supported a special election to elect what she knew was going to be an opposing party opponent. She came out in favor of that election even though it was going to flip the seat, because she thinks they live in a democratic republic and she thinks that representation regardless of political party affiliation is far more important than standing on party lines. She had been a State Representative representing Bedford before. She has sat at the State House and has seen many elected official cross party lines on varying issues. She has sat on the Town Council, this is her 7th year, and she sat with a number of individuals on the current Council and she has seen them come down about as many combinations as humanly imaginable on a variety of issues that faced the Town. When she thinks about representation, she is going to flip it and turn the challenge to those who spoke, because if they are worried about whether or not people are going to come out and vote, take all of this energy that they are speaking for and against the election with, and use it to turn out their people. That's the whole point of what they do. She can't justify not having an election and not filling a seat where there's this much time left in the term. She didn't think it was ever justifiable. She thought that Bedford deserved all of its representatives sitting in Concord and they need to do everything they can to make that happen.

Councilor Thomas concurred with everything Councilor Murphy said. She's a republican, but she believes in the sanctity and the ability for them to vote and she will never turn down the ability to hold an election. Dave was a great representative for the Town and thought they needed to replace him with someone else who she also thought would be great, whether they agree with all the State Reps or not. She and Rep. Mullen have discussions and don't agree on most things, but they acknowledge that and that's important. She didn't want it to come down along party lines. She wants it to come down along the fact that they have the ability to vote in this country and they should take it.

Councilor Radke agreed with her colleagues. When the thought of having a special election came out with the passing of Dave, it was an easy decision for her. She knew that she would support this, because she could hear Dave in her head saying 'representation', and she would vote yes because of Dave and thought if he was sitting in that seat he would be in support of having a special election. She hoped that the parties would bring forth just one candidate so they could have it early enough, so that the person that gets elected can right there at the beginning of the sessions.

Chairman Gilbert stated that his own personal opinion was that it was not political. It's about taxpayers in Bedford and encumbering them to pay for this. He voted against it last time and he's against it now because of that. He didn't think it was fair of them pay for this without their vote for it. To him it's also not a worthwhile investment, because by the time someone would be elected, they've only got one year. By that time, that particular representative won't be able to propose legislation. When Trento left it was pretty much the same timeframe. With the small turnout that they will get and how effective one person can be in the 400 people up there, he's against it only because of the taxpayers. He didn't want to encumber their money.

Councilor Duschatko echoed the Chairman's comments. He also voted against having a special election when Trento resigned for the very same reasons. It was an imposition on the taxpayers for very little reward on the terms of representation. The simple fact was they couldn't join until January of the following year. The Legislative session this year effectively ends in June. He stated that another thing that came to mind was the talk about eliminating the primary and just have one person chosen from each party. That sort of goes against the idea of democracy, participation of everybody in the community. They should get to choose their representatives in a primary issue, not just necessarily accept somebody that a party comes up with. They may also have the potential of a 3rd party or 4th party candidates. They've had them before and they may raise again. He's all for having the votes, but thought they had to weigh it against what they have to spend for it in terms of administrative time, the Council's time, Sally's (Kellar) time, Rick's (Sawyer) time, and other people involved and what they get for it for a very short period of time. If this occurred in January, he would feel totally different.

Chairman Gilbert thought Councilor Duschatko brought up a good point about time. That means the Councilors would need to be at potentially two, a primary and general election.

Councilor Murphy made a correction to a statement that was made. It's not true that you can't propose any legislation your 2nd year. That's not factually correct. You can't bring a bill that is the same or similar to a bill that you proposed in your 1st term in your 2nd year and there are varying rules that apply to that. She also thought that it was political, because she's finding this fall on exact party lines. She was a Democrat when she was elected to the Board of Mayor and Aldermen. She was a Republican when she was elected as a State Rep in Bedford. She came to terms that she cannot choose, so she's a registered Undeclared. She doesn't have a dog in this fight, she just thought that it's the right thing to do.

Chairman Gilbert wanted to know from the representatives present what the last day was to propose legislation. Rep. John Graham stated that they haven't set it, but it will be in the September timeframe. That will be for bills to be taken up starting in January of 2022. There's a 10-day window in late September/early October as soon as the rules are written for next year that a sitting Legislator can file bills for the following year. It's a short period and you have to be there in the seat when that happens. Depending on Primary and General Election Day, if they go forward with it, whomever is elected may or may not be able to file bills. That's problematic, because he thought there would be a primary.

Chairman Gilbert stated that that's what he was thinking. That's what he remembered when Mike Trento left. The particular person that came in wouldn't have the time to do that. That's what he was thinking. He's sorry if he got the dates mixed up.

Rep. Sue Mullen, clarified that a Legislator might not have an opportunity to be a prime sponsor on legislation. She was not a prime sponsor on any legislation her first year. That Legislator would get to vote on every bill that came before them. With regards to the calendar they work, while the session itself may be over on June 20th, they are actually in office until their replacements are signed in and that's the first week in December. The person that would be elected in this election would serve until December of 2022.

Councilor Ricciardi didn't believe that anyone sitting on the Council was about politics. When they wear the hat of a Town Councilor, you are bipartisan, and that's how she sits in that seat.

MOTION by Councilor Murphy that the Bedford Town Council request that the Governor and Executive Council call for a special election to fill the State Representative seat vacated by David J. Danielson and authorize the transfer of \$9,850 from Town Council Unallocated Reserves to nine accounts as outlined in Exhibit B. Seconded by Councilor Thomas. Vote taken.

Roll Call: Murphy – aye, Radke – aye, Ricciardi – aye, Thomas – aye, Duschatko – nay, Gilbert – nay, Carter – nay. Motion Passes – 4-3.

d. Special Event Sign Waiver – Bedford High School Bulldog Program

Becky Hebert, Planning Director, stated that she was there to speak about the Bedford Bulldogs and the sign waiver that was granted by the Council in 2017. The Bedford Bulldogs program was originally established by Bedford High School's 10th year anniversary committee as a fundraiser for their anniversary event. The program involved the School spearheading a community art program to solicit these fiberglass bulldogs, large and small, that may be purchase by local businesses, organizations, and students paint the bulldogs and then the bulldogs have a clear coat applied to them to make them weather safe and durable for outside placement. The Town Council originally approved the waiver to allow the bulldogs to be installed in March of 2017. They allowed 10 large fiberglass bulldogs to be placed around Town. The School came back and asked that the permit be expanded in 2019 to include 10 additional bulldogs. The permit was allowed to be in place for three years, and the current approval expires in December 11, 2022. The bulldogs are an unusual topic when it comes to signs. They cross that blurry line between art and signage. The Town's Zoning Ordinance has a very broad definition for signs. A sign is defined as any object, device, display, or structure or part thereof situated outdoors or indoors within 18" of a window pane and visible from the exterior building, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means including words, letters, figures, design symbols, fixtures, colors, illumination, and

projected images. It's a very broad definition. That is why they are there talking about the bulldogs, because they do fit under that classification of a sign. The School has been running this program for several years now, and it's been successful. They add a lot of color and life to the community. It was brought to the Planning and Zoning Department's attention that a few of the bulldogs were painted with lettering on the body of the bulldog. When the School approached the Town Council back in 2017 and 2019, there was a specific restriction asked of the School that they not paint words that would advertise businesses on the bulldogs. She's there to talk about that restriction. She's looked at the bulldogs that have lettering on them and they don't overpower the bulldogs; they add to the design in her opinion. Those bulldogs are generally sited off the public roadway; they are not serving as typical freestanding monument signs. The recommendation from her is that the Town Council revise their approval to allow for a small amount of lettering on the bulldogs to allow for letters that are not larger than 4 inches tall and lettering that doesn't cover more than 10% of the bulldogs. If the Council chooses not to approve that, she will work with the School District to bring the bulldogs that are not in compliance into compliance with their previous approval, which restricted the lettering. She has talked with School Superintendent Mike Fournier about this and he has agreed that moving forward they would be working with the School more closely to make sure the designs are suitable before the bulldogs are painted.

Chairman Gilbert mentioned that the recommendation is to 'allow words advertising businesses' and wanted to know if that meant you could only put the business name on it or if a business has a slogan they could put that on there and do they need to define that. Ms. Hebert stated that from her standpoint, using the Friendly Toast bulldog, it has some decorative tattoos on the bulldog, but she didn't consider those words advertising the business, but they are on the bulldog and they are words. Some of the bulldogs have the actual business names painted on them and she would consider that to be the words advertising the business. She felt comfortable interpreting that.

Chairman Gilbert wanted to know if there was anything that says the bulldog had to be a certain proximity to the building and Ms. Hebert responded no. It has to be on the property of the business and has to meet the Town's setbacks for signs, so it can't be within 10 feet of the property line.

Councilor Thomas stated that she was assuming since it was originally approved in 2017, teachers change, students change, and somehow it fell through as to what could be going on the bulldogs. She knows Ms. Hebert worked with Mike (Fournier), but they'll actually review now the bulldogs before they get painted. Ms. Hebert thought that over time things just fell through the cracks and the students doing the design work were unaware of the restriction, so that message fell apart over time. Councilor Thomas stated that when she drives by, she really looks at the bulldogs and she saw the Cohen bulldog and she really had to look at; you really have to tune in to the ones that have words on them. It's very subtle and these kids are very creative. As long as it's not a big blowup she thought it made sense.

Councilor Radke stated that she loves the bulldogs and thought they added to the community. She didn't have a problem with the words, and is sure that Ms. Hebert and the School will make sure it doesn't fall through the cracks again. One of her concerns was over time if there is no end date to it, they will end up looking shabby and there's no oversight and there's nothing they could do to get rid of them. She thought maybe they could scale it back a little bit and instead of three year time limit, say a 'five-year limitation with an additional five-years with the approval from the Planning staff' just to look at them and make sure they still look good. It doesn't put it in the hands of the future Councils in a position where they have to make some tough decisions. Ms. Hebert thought that made sense and stated that she was just thinking that they wouldn't want to be back here in December 2022 talking about the permitting again. Mr. Sawyer wanted to clarify that Councilor Radke was suggesting that they extend the permit five years and then the staff can extend it another five years, but after 10 years it's over. Councilor Radke clarified that it can go on for another five and then another five; every five years it has to be reviewed by the staff. Chairman Gilbert stated that she wanted oversight by the Planning Department to make sure the bulldogs are in compliance with the way they look. Councilor Radke stated that she would hate for a bulldog to get chipped and the business does nothing about it and they don't have to remove them. Chairman Gilbert stated that they could put that in the motion.

Councilor Murphy thought that if they say 'in compliance', because even if the bulldog is rundown it could still be in compliance if it passes the criteria they set in the initial requirements and then whatever it gets modified to. She thought maybe something in the motion that the Planning Board had the authority to ask a business to update the bulldog if no longer aesthetically pleasing to make sure they don't look rundown. If it's in the minutes the reasoning behind it she's got to think that it would stand up at a subsequent meeting. She stated that in 2017 she was a Councilor in Bedford and she was sitting on the sign subcommittee that rewrote the sign regulations in Bedford and hindsight being 2020, she would have done it differently, because there's been a number of issues that have cropped up since then. When Jessie Gilcreast came before the Council with the request for the initial bulldogs to be out before the businesses, there was a discussion about logos and the concept at the time was they didn't want bulldogs, for example, to have a big C and D for the Copper Door as advertising. She thought it was pretty clear from the request here that that's not what the case is and it would be rather small and un-intrusive. She mentioned that Councilor Duschatko was sitting at the table and not in the audience and was assuming that he would recuse himself from this vote, because there is a clear conflict here and he should not be voting on this at all.

Councilor Duschatko stated that his wife had nothing to do with Absolute Title and has not had anything to do with Absolute Title for five years. Councilor Murphy maintained that there was a clear conflict of interest and that he should not be voting on this issue.

Councilor Ricciardi made a point that Councilor Duschatko was contacted by a constituent that was bothered by the bulldog and was asked to go forward with it.

Chairman Gilbert wanted to clarify that they authorized 10 in 2017 and another 10 in 2019 and wanted to know how many they had now. Ms. Hebert thought there were 15 or 16

bulldogs; some are small and some are large. Chairman Gilbert wanted to know if they were coming up on a numbers issue again. Ms. Hebert stated that some are small and some are large so they could increase it by five if they wanted to give them more flexibility. She talked to the School and they didn't come forward with this request; it was really coming from her department as they consider enforcement action. Chairman Gilbert stated that when they get closer to 20 then they would have to come back. They'll cross that bridge when they get to it. Ms. Hebert thought there were 10 or 11 big ones. Chairman Gilbert stated that then there isn't an immediate need.

MOTION by Councilor Murphy that the Bedford Town Council modify a previously approved waiver of Article 216 as requested by Bedford High School, to allow words advertising businesses provided the words do not cover more than 10% of the bulldog surface and the letters are not larger than 4 inches tall and to remove the three year time limitation allowing the bulldogs to remain in place at the discretion of the owners. Further, that the bulldogs may remain in place for up to five years with a five year renewal period to be granted at the discretion of the Planning Board, but on the basis that the bulldogs be properly maintained. Seconded by Councilor Carter.

Councilor Murphy amended her motion to remove 'Planning Board' and replace with 'Planning Director'.

MOTION by Councilor Murphy that the Bedford Town Council modify a previously approved waiver of Article 216 as requested by Bedford High School to allow words advertising businesses provided the words do not cover more than 10% of the bulldog surface and the letters are not larger than 4 inches tall and to remove the three year time limitation allowing the bulldogs to remain in place at the discretion of the owners. Further, that the bulldogs may remain in place for up to five years with a five year renewal period to be granted at the discretion of the Planning Director, but on the basis that the bulldogs be properly maintained. Seconded by Councilor Carter.

Chairman Gilbert wanted to know if they add the five years onto December 2022 or add two more years to that to make five. Councilor Murphy stated that the 3-year period would be a 5-year period. Chairman Gilbert clarified that they would be adding two more years making it 2024 and then five years after that.

Vote taken – Motion Passed – 7-0.

Mr. Sawyer stated that Becky was named Professional Planner of the Year by the NH Planners Association. She's receiving this award for not only her years here in Bedford, but all of her years in planning in NH including the towns of Windham and Concord. Her excellent work in open space planning and long range planning being a collaborative long range planner by guiding excellent improvements in the built environment, being an

empathetic and supportive leader providing well-detailed and developed recommendations to all of the boards and always ensuring that every voice is heard. As a result of her exhaustive giving of her time over the past years, when the pandemic hit, quickly Becky figured out a way to hold meetings virtually and trained every board member and many citizens on how to attend those meetings and then herself attended every land use board meeting they've had since the pandemic hit to ensure staff that would be serving those boards wouldn't be left alone and could just deal with the issues on the agenda and she could focus on the technology or at least just support the staff.

e. Board Appointment

Chairman Gilbert stated that there are two alternate positions open on the Zoning Board of Adjustment. They spoke with an applicant two weeks ago.

Rebecca Soule, 327 New Boston Road, stated that she received a memo from Bedford Town Council, Town Manager's Office, recommending that Bill Greiner be appointed as an alternate to the Bedford Zoning Board and she as well as many other Bedford residents are going to very strongly object to that. Over the last several years Bill Greiner has shown himself to be a bully when it comes to certain projects and people speaking out against development in Bedford. It would be a direct conflict of interest for Bill Greiner who is a Bedford developer to be appointed to the Board.

Councilor Murphy addressed Ms. Soule's comment and stated that if this was an application or appointment that was pending before the Planning Board, she would be with her 2000 percent and would be the most vehement person objecting to the appointment, because Mr. Greiner had come before the Planning Board so many times and he's had so many projects before the Planning Board so many times. Her frustration is two-fold. One, they didn't have any other applicants for these alternate positions. She would love to be able to fill all of the positions on all the boards and commissions. She would love to have a plethora of people throughout Town that want to volunteer their time and that want to be involved, but that hasn't been the case and they've been struggling to fill some of these positions over the course of that last several years. They did the research and Mr. Greiner has not had more than one or two, in the history of the past whole bunch of years, applications that have come before the Zoning Board. She stated that seven out of seven people on this Council grilled him pretty hard when he came in for an interview about the Social Media Policy, about whether or not he would be able to refrain from commenting on a pending application, about the level of decorum they, as a Council, expect from appointees on board and commissions in this Town, and on a number of other factors. She wanted to make that clear on the record before they take a vote that this is not something that she thought anyone's thought process happened in an expedited manner on. She thought everybody put a lot of thought into this and should he be appointed, Mr. Greiner will be held quite frankly to a higher standard than your average Town person, because at this point, he's been put on notice and he knows better.

Ms. Soule wanted to remind the Board that Mr. Greiner tried to get a man fired from his job for objecting to a development that he had before the Planning Board, so that needs

to be kept in mind. She didn't believe that Mr. Greiner could control himself and hold himself to the level of respect that he needs to. She didn't feel that he could be objective if projects come before him as a member of the Zoning Board if he, as an alternate, would be seated.

Councilor Murphy stated that she would make a personal promise on the record right now that if he attacks anyone bringing forward an application in front of the Zoning Board or any member of the Zoning Board for the way that they vote, she would be the first person to call for his resignation.

Chairman Gilbert stated that the Council has that capability and it's not just him; it's anyone who would do that. This is not just about Bill (Greiner). They have rules and regulations, Social Media Policy and other policies that people follow. Of all the boards and Committees in Town, the Zoning Board is the most stringent and strict. There are guidelines, there are rules and regulations that the Planning Board doesn't have. It's very cut and dry.

Ms. Soule wanted to go on record citing her objection and saying that she would rather see the seat left vacant. As it's a seat for an alternate, and there would be a full seat with occasional absences.

MOTION by Councilor Thomas that the Bedford Town Council appoint Bill Greiner as an alternate member of the Zoning Board with a term to expire in 2023. Seconded by Councilor Duschatko. Vote taken – Motion Passed – 6-0 (Carter-nay).

Councilor Thomas stated that they do need people to step up to boards. She's the Town Council alternate on the Zoning Board with Chairman Gilbert and people can't make every meeting. They need alternates to step in and nobody is stepping up. She understands that this last year life has been crazy for a lot of people, but if you want to be on a board, apply. They would love to have people.

Chairman Gilbert stated that they need a Conservation person, another alternate position for the Zoning Board, another alternate for Parks & Rec, and for the Water district. They do need people to commit and get involved, and they would appreciate that so they don't have shortfalls.

f. Other New Business

5. OLD BUSINESS

a. Other Old Business

6. APPROVAL OF MINUTES

a. Interview Minutes – May 26, 2021

MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the May 26, 2021 Public Session. Seconded by Councilor Murphy. Vote taken – Motion Approved – 7-0.

b. Public Session – May 26, 2021

MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the May 26, 2021 Public Session. Seconded by Councilor Murphy. Vote taken – Motion Approved – 7-0.

7. TOWN MANAGER REPORT

- 1) COVID-19 Pandemic – Bedford has 0 **COVID-19 positive cases**. This is a reflection of the community taking common sense precautions and getting vaccinated and I applaud the public's efforts and patience throughout the pandemic.
- 2) Drought conditions in NH have declined slightly over the last two weeks with Bedford and almost all of the state now being in the area that is defined as "Abnormally Dry". We ask Bedford residents to be mindful of their water consumption.
- 3) PFAS – NHDES and Saint Gobain are testing a large number of private wells in southeastern Bedford, but they have not announced any remediation steps yet while they wait for more data. If you have received a request for well testing from Golder Associates or the State of NH it is critical that you sign the agreement and return the paperwork. Councilor Radke wanted to know the Town's liability regarding the chemical contamination from the foam used by the Fire Department and Mr. Sawyer stated to be determined. If the Town is named the responsible party, they would have to disprove that they aren't. It could be quite expensive and quite lengthy. Councilor Duschatko wanted to know if this help in any way to getting funding form the wastewater funds. Mr. Sawyer stated that potentially there could be funds for this for extending water lines. The good thing is there is a water line outside the door, the Town Hall, Library, and BCTV are all on municipal water and there are water lines right here if they needed to connect homes to water lines, but they don't go very far.
- 4) The voter checklist purge is complete and 3,326 names were removed (17.3%). There remains 15,910 registered voters down from 19,236: 38% Republican, 26% Undeclared, and 26% Democrat.
- 5) Sportsman Field – Reconstruction is completed and there will be a ribbon cutting at 6 PM on Wednesday, June 16th and hopefully there will be a game; there are two teams lined up to play a game right after the ribbon cutting ceremony. He congratulated the Public Works team that worked very hard over the last 18 months to pull this off.
- 6) 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.
- 7) Library – Summer Reading Challenge June 12 – July 30. Summer read kick-off dance party on Saturday, June 12, 3-4 PM in the library lower level parking lot.
- 8) The Bedford Farmers Market opens June 15th and continues on Tuesdays from 3-6 PM until October at Primary Plaza parking lot.

- 9) June 19th – Household Hazardous Waste Day, 8:30 AM – 3 PM, Highway Garage, 19 Chubbuck Road.
- 10) Bedford Memorial Pool – The pool is scheduled to open on Father’s Day, June 20th. Seasonal pool passes are available through the Recreation Department at single \$75, family \$125, and family with baby sitter \$145. Passes are free for those over 60 years of age. Due to COVID protocols, use of the pool will be restricted to those who have signed up in advance through the recreation website.
- 11) Independence Day closures: Transfer Station closed July 3-5. Extended hours Friday, July 2nd 8:30 am – 6:00 pm. Reopens Tuesday, July 6th at 7:00 am. Library and Town Office Building will be closed Monday, July 5th.
- 12) Concerts in the Park at the Bedford Village Common – Wednesday evenings at 6 PM,

5. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Murphy congratulated Lt. Adam Parent of the Fire Department on his 5-year anniversary with the Department. His service is appreciated. She thanked the Fire Department and Police Department for their continued involvement in the community. When there are events in Town, they are always the first ones to step up and lend a hand and most recently the Fire Department lent a hand at the Peter Woodbury egg drop. Detective Champagne and Officers Cross and Gray for chaperoning Ross Lurgio 8th grade field trip to Mt. Cardigan. She mentioned the Police Department’s rescue of five ducklings from a storm drain recently, which warmed the heart of her children and many mothers throughout this Town. She congratulated the Bedford Bulldogs senior graduating class. She hopes they soar high, and in the future accomplish many things. She congratulated Doug Irvine on his appointment to Town Assessor and to Becky Hebert on Town Planner of the Year. She thanked Chief Bryfonski for navigating a really difficult course with the recent issues with the Bedford Police Department and the TikTok incident. She knows he invested a lot of time, weekends, evenings, into completing the investigation and making sure everything was done in a thoroughly vetted manner. She appreciates the time that he took and the attention he gave this investigation. She thanked Councilor and State Senator Denise Ricciardi. Sometimes they agree and sometimes they agree to disagree on various issues, but she always evaluates every single issue from a non-partisan, highly objective standpoint and she always does her homework and her research. She is grateful to have her serving this community as a member of the State Senate and serving this Town as a member of the Town Council and for her well-reasoned, rational and calm guidance. She wished everyone a safe and happy 4th of July and remember all of those whose sacrifices allow us to live in the land of the free and home of the brave.

Councilor Radke stated that they had a Historic District Commission meeting where they approved a roof-mounted solar array at 62 Bedford Center Road and an addition of a screened in porch at 13 Bell Hill Road. She was excited to walk in and see all of the chairs put back; it was a light at the end of this tunnel that this pandemic was hopefully going to be over soon. She congratulated Doug Irvine; he will do great things as the new Assessor. She congratulated Becky Hebert as NH Professional Planner of the Year. They are both

great employees and she had the pleasure of working with both of them while she was Town Clerk. She congratulated the Class of 2021; you will go on to do great things.

Councilor Carter stated that the BCTV-WBNH Board meeting was moved to the 16th of June. He congratulated Capt. Plumer as his last full day as Captain in the Police Department will be next Friday; he's retiring. He's known Scott (Plumer) for many years through other organizations and he has really shone well in this Town when it came to our law enforcement, and he wished him the best on being away on retirement. He has noticed on his walks that the Town is a lot cleaner. They are starting to develop plans for October 16th for their Fall event. He was with the Men's Club on Monday night and brought up the idea about putting up signs on the main roads that this is a CUB community, that they are here to clean this community, and that they are clean community. He got the support to put some signs together and they will find roads like Wallace Road and roads that come in from other towns. They can't do anything with the State roads. He wished everyone a happy 4th of July and have a safe summer.

Councilor Duschatko was pleased to announce that the Planning Board would be meeting in person for the first time in over a year next week. He hopes there is a good public attendance. He congratulated Becky (Hebert) for her award of Planner of the Year and wished Doug Irvine well in his new job as Assessor. He's sure he will do a great job. It will be difficult to replace Bill, but he thought Doug was more than capable of doing so.

Chairman Gilbert stated that the Zoning Board was planning to meet next week in person.

6. NON-PUBLIC – RSA 91-A:3 II

MOTION by Councilor Carter to go into non-public session per RSA 91-A:3 II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board unless such person requests an open meeting. This exception shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant. Seconded by Councilor Thomas.

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

The public meeting ended at 8:30 PM.

Respectfully submitted,

Dawn Boufford