

TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
June 24, 2020
Zoom Meeting

1. ROLL CALL: A meeting of the Bedford Town Council was conducted Wednesday, June 24, 2020 virtually without a physical location in compliance with Governor Sununu's Emergency Orders #12. Participating were Dave Gilbert (Chair), Denise Ricciardi (Vice Chair) and Councilors, Phil Greazzo, Bill Duschatko, Melissa Stevens, Bill Carter and Lori Radke. Also participating virtually was Town Manager Rick Sawyer, Planning Director Becky Hebert, and Public Works Director Jeff Foote.

7:00 PM

Chairman Gilbert stated I'd like to call the June 24, 2020 meeting of the Bedford Town Council to order and as Chairman of the Council I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that they are providing public access to the meeting by telephone, with additional access live on BCTV Comcast Channel 22 or streaming online by going to the Town website and choosing BCTV under "departments" and clicking on Channel 22. They are utilizing an online platform called Zoom for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through this platform. If interested, the public can call into this meeting by contacting the Town Manager rsawyer@bedfordnh.org or calling 603-792-1300 to receive the call-in information. If anybody has a problem accessing the meeting via the phone please email us at: councilors2@bedfordnh.org. In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Chairman Gilbert took a roll call attendance and called on the Councilors and they responded: Bill Carter-here, Bill Duschatko-here, Phil Greazzo-here, Lori Radke-here, Denise Ricciardi-here, and Melissa Stevens-here. Town Manager Rick Sawyer was also joining the meeting.

2. PUBLIC COMMENTS

Chairman Gilbert stated that public comments can be made now if you are on the phone by dialing *9 and then wait until we call on you. We will also read any comments that have been sent to councilors2@bedfordnh.org. Chairman Gilbert asked Mr. Sawyer if any comments had been received through our email address or if there was anyone on the phone who have dialed *9. Mr. Sawyer responded that no one was on the phone and no comments had been received.

3. PUBLIC HEARING

a. Petition for the discontinuance of a portion of Harvey Road

Mr. Sawyer explained and pointed out on a map the portion of Harvey Road to be discontinued. After reviewing it with staff, the recommendation was that they had no issue with discontinuing the cul-de-sac portion of the road, but they would recommend keeping the right-of-way in place up until that point should there ever be a need to access the property from Harvey Road or for utilities or pedestrian access into the property. He believed that was acceptable to the petitioner. This was being done in conjunction with a conceptual plan that had been seen by the Planning Board that would have 144 multi-family units for workforce housing. Located on the property as well was 96 units of senior housing 55 and older. There was nothing that binds the project from moving forward. It may not move forward. They are proposing to have access to South River Road through a new driveway and hopefully signalized access in the future, but they need agreements with the abutting property to the south to be able to do that.

Chairman Gilbert opened the Public Hearing.

Chairman Gilbert asked Mr. Sawyer if any comments had been received through their email address or if there was anyone on the phone who had dialed *9. Mr. Sawyer responded that no one had called and no comments were received, but there was a letter of support from one of the abutters, Haigh-Farr.

Jon Levenstein was now participating in the meeting and explained that the applicant, Circle Drive Associates, is proposing a development. The cul-de-sac, which is a paper street, gets rid of a huge portion of land they can use because of the setbacks that would have to go to that cul-de-sac. By discontinuing the cul-de-sac, they can do the plan shown tonight, which was the plan that was going to be submitted to the Planning Board in the next couple of weeks. He mentioned that they had been in touch with DES a number of times about actually whether they would even grant a permit to cross the brook in that area and DES has indicated that will not allow a crossing in that area: it's too steep and too much of a disturbance. Even if they wanted to build that road and connect up to Harvey Road and get out that way, the State won't let them do it.

Chairman Gilbert closed the Public Hearing.

MOTION by Councilor Ricciardi that the Bedford Town Council approve the release of all public servitude of the cul-de-sac portion of Harvey Road Extension on Lot 35-98-5, as shown on Subdivision Plan HCRD #29453 and authorize the Town Manager to sign any required documentation in regards to this matter. The approval is contingent upon the owner receiving final Planning Board site plan approval for the proposed development, which has been under review by the Planning Board. Seconded by Councilor Carter.

Roll Call Vote: Bill Carter-aye, Denise Ricciardi-aye, Melissa Stevens-aye, Phil Greazzo-aye, Bill Duschatko-aye, Lori Radke-aye, Dave Gilbert-aye. Motion Passes – 7-0.

4. NEW BUSINESS

a. Interview/Appointment to Telecommunications Committee

Chairman Gilbert stated that Peter Michaleas had applied to the Telecommunications Committee.

Councilor Ricciardi thanked Mr. Michaleas for stepping up and wanted to know if meeting during the day would be a problem for him. Mr. Michaleas stated that he could generally make time. Virtual was easy. When they move towards in-person meetings, it would be something he would have to manage. He wished he could say absolutely he would be there every time they need him, but he would make his best effort. Generally he should be able to make it. He does run an operation for the United States government, and defense was going to take priority, but he should be able to make it most times.

Councilor Duschatko wanted to know how Mr. Michaleas got interested in this and what he does now. Mr. Michaleas stated that he's been at MIT's Lincoln Laboratory since August of 2004. Lincoln is MIT's defense lab and he's currently the deputy manager of the super computing center. Councilor Duschatko thought they were fortunate to add him to the committee. They need some professional help. Mr. Michaleas stated that he would be happy to provide any technical expertise he can.

MOTION by Councilor Duschatko that the Bedford Town Council appoint Peter Michaleas as a full-time member of the Telecommunications Committee. Seconded by Councilor Radke.

Roll Call Vote: Bill Carter-aye, Bill Duschatko-aye, Phil Greazzo-nay, Denise Ricciardi-aye, Melissa Stevens-aye, Lori Radke-aye, Dave Gilbert-aye. Motion Passes – 6-1.

b. Schedule a public hearing for street acceptances – Pulpit Road, Sprague Mill Road and Lilac Court

Jeff Foote, Public Works Director joined the meeting. Mr. Foote showed the three roads on a map. All three roads have been approved by the Planning Board and deemed worthy by the Department of Public Works to be accepted as Class 5 highways, owned and maintained by the Town.

MOTION by Councilor Radke that the Bedford Town Council schedule a public hearing for July 15, 2020 at 7:00 PM to consider acceptance of Sprague Mill Road, Lilac Court, and 7,190 LF of Pulpit Road. Seconded by Councilor Carter.

Roll Call Vote: Lori Radke-aye, Denise Ricciardi-aye, Bill Duschatko-aye, Melissa Stevens-aye, Phil Greazzo-aye, Bill Carter-aye, Dave Gilbert-aye. Motion Passes – 7-0.

Mr. Foote reminded everyone that Hazardous Waste Day was Saturday and also mentioned a new Public Works newsletter now available on the Public Works website.

c. Appointment to the Southern NH Planning Commission

Mr. Sawyer stated that the Planning Board had made two recommendations. First is Mr. Charlie Fairman, a longtime member of the Planning Board and a member of the Southern NH Planning Commission. The Planning Board recommended moving him up to a full member with a term to expire in 2024. Secondly, the Planning Board recommended Bryan Lord be appointed to fill the remainder of Mr. Fairman's alternate position, which would expire in June of 2021.

Councilor Ricciardi wanted to know if Bryan Lord was the same gentleman who ran for Town Council. She was asking, because she wanted to make sure that he would be available and attend with this appointment. Mr. Sawyer stated that Mr. Lord indicated that he would be available to attend the meetings.

MOTION by Councilor Carter that the Bedford Town Council vote to appoint Charlie Fairman as a full member of the Southern NH Planning Commission to a term which expires on June 30, 2024 and Bryan Lord as an alternate member with a term to expire June 30, 2021. Seconded by Councilor Radke.

Roll Call Vote: Bill Carter-aye, Lori Radke-aye.

Councilor Duschatko wanted to have a discussion on it. Chairman Gilbert explained that he asked for discussion and nobody said anything except Councilor Ricciardi. Councilor Duschatko stated that he didn't think that they should deal with it as a package. They are two separate positions. It's not a group vote.

Councilor Carter rescinded his motion. Chairman Gilbert stated that they will do them separately.

MOTION by Councilor Radke that the Bedford Town Council vote to appoint Charlie Fairman as a full member to the Southern NH Planning Commission to a term which expires on June 30, 2024. Seconded by Councilor Duschatko.

Roll Call Vote: Denise Ricciardi-aye, Melissa Stevens-aye, Phil Greazzo-aye, Bill Duschatko-aye, Lori Radke-aye, Bill Carter-aye, Dave Gilbert-aye. Motion Passes – 7-0.

MOTION by Councilor Radke that the Bedford Town Council vote to appoint Bryan Lord as an alternate member to the Southern NH Planning Commission to a term to expire June 30, 2021. Seconded by Councilor Stevens.

Roll Call Vote: Melissa Stevens-aye, Bill Carter-nay, Denise Ricciardi-nay, Lori Radke-aye, Phil Greazzo-aye, Bill Duschatko-nay, Dave Gilbert-aye. Motion Passes – 4-3.

a. **Other New Business – None.**

5. OLD BUSINESS

a. **Other Old Business – None.**

6. APPROVAL OF MINUTES

a. **Public Session – June 10, 2020**

MOTION by Councilor Carter that the Bedford Town Council approve the minutes of the meeting of June 10, 2020 as printed. Seconded by Councilor Duschatko.

Roll Call Vote: Denise Ricciardi-aye, Phil Greazzo-aye, Bill Duschatko-aye, Melissa Stevens-aye, Lori Radke-aye, Bill Carter-aye, Dave Gilbert-aye. Motion Passed – 7-0.

8. TOWN MANAGER REPORT

- 1) COVID-19 Pandemic Update – Bedford remains one of most impacted communities with 100 current COVID-19 positive patients with impacts in some of our long term care facilities as well as the general community. I strongly encourage all residents to follow the CDC and State of NH recommendations for protecting yourself. Those recommendations include staying 6 feet apart, wearing a face covering and washing hands as often as possible.
- 2) The Town Office Building is open 8 AM – 4 PM. Taxes are due July 1st and you can pay taxes outside on Friday, Monday, Tuesday & Wednesday. Payments can also be dropped off in the drop box in the foyer.
- 3) Public Library – The Library is offering contactless pickup of library materials for cardholders 10 AM – 2 PM, Monday – Saturday and Wednesdays 5-7 PM.
- 4) Bedford Cares –If you need their support please reach out to them at 792-1319 or on <https://www.facebook.com/bedfordnhcares/>.
- 5) Boston Post Cane – Nominations. Submit name, address, location of birth & date, and years of Bedford residency (10 year minimum). Deadline is July 24, 2020.
- 6) Drought – NH has been categorized as “abnormally dry”. 3-month seasonal drought outlook predicts that drought development was likely. NHDES urges: limit outdoor

water use, limit watering to 7pm – 8am, suspend power washing, suspend washing cars, and suspend washing surfaces. Merrimack Village Water District has issued a Level 3 restriction for no outside water use. In Bedford that means: Greenfield Farms, Cabot Preserve, Jenkins Road, and Brick Mill Road.

- 7) License your dog – Civil forfeiture fines of \$25.00 will be issued. Contact the Town Clerk at 472-3550 ext. 2 or skellar@bedfordnh.org.
- 8) Household Hazardous Waste Day – Saturday, June 27th @Bedford Highway Garage, 29 Chubbuck Road, 8:30 am – 3:00 pm.
- 9) Transfer Station Sticker Required – The Town's Transfer Station is for Bedford residents only. Proof of residency and vehicle registration is required.
- 10) Public Works has issued their first newsletter available on their website.
- 11) Summer Concert Series – Starts on July 1st and runs every Wednesday night through August 12th at 6 PM at the Bedford Village Common.
 - July 8 - Tatoo (American Roots Dance Music)
 - July 15 - Paul Bordeleau Reunion Trio
 - July 22 - Sixties Invasion (Show band featuring music of the 60's)
 - July 29 - Bel Airs (Doo Wop Vocal Quintet)
 - August 5 - Amherst Town Band
 - August 12 - Timmy Brown
- 12) Independence Day closures: Town Office Building closed July 3rd, Library closed July 3rd & 4th, and Transfer Station closed July 3-6. Extended hours Thursday, July 2nd and Tuesday, July 7th, 7 am - 7 pm.
- 13) 2020 Census – Bedford response rate of 80.1% which is 3rd in the State. He would love to see Bedford be the first community to reach 100%. Please complete the Census by going to <https://my2020census.gov/>. It takes less than 10 minutes.

11. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Carter thanked the DPW. He and his wife walked up New Boston Road and collected about seven bags of trash and DPW came and picked them up. He suggested that residents go to the Transfer Station and pick up the blue bags, fill them with road side trash and then call DPW after and they will pick them up. The Conservation Commission met and got an update on trail improvements at Pulpit Rock Conservation Area. They got an update on the Pulpit Rock Stewardship Plan. They had a review of an Eagle Scout proposal to put a new bridge in the Pulpit Rock Area. They got updates concerning a bridge replacement in the Van Loan Preserve. They also reviewed and approved their updated Rules of Procedure. There will be a public session coming up on those. He wished all of the residents a Happy 4th weekend and be safe.

Councilor Duschatko stated that the Planning Board approved a small subdivision of one lot into two lots on Pinecrest. They also approved an industrial building off Bellmore Drive to be used by Eckman Construction. He mentioned the Market & Main development that consists of an 11 screen movie theater, parking garages, and 200 market rate apartment units. The discussion started last Monday and was continued to the next Planning Board meeting, which is in July. He wished everyone a healthy and safe holiday weekend.

Councilor Greazzo wished everyone a happy Independence Day.

Councilor Radke wanted to know what the tax collection rate was and how it compared to last year at this time. Mr. Sawyer stated that they are down this year compared to last year. Through yesterday, about 7% down, which equates to about \$3m down. It didn't include what they collected today. It was June 24th to June 24th. They are anxious to see how the next five days go. Councilor Radke gave kudos for having tax payments collected outside. She wished everyone a happy and safe 4th.

Councilor Ricciardi had no committee reports. She stated that Bedford Cares was still serving people in Town. She has reached out to all of the volunteers and they are not going to remove Bedford Cares. They are going to keep it alive forever for any emergencies in Town or anyone who just happens to get sick and needs some assistance. She was happy to say that the volunteers gave her their input and it will stay as a community outreach.

Councilor Stevens stated that the Zoning Board met. They had three requests from residents and those variances were approved. They had one that came from a company on Bellmore Drive and that application was tabled until their next meeting. She wished everyone a happy 4th, enjoy and be safe.

Chairman Gilbert thanked Public Works for building the catch basin at the Educational Farm. He's been told it should be done by the end of the week. Also, they are breaking ground on the farm stand on Friday. He wished everyone a safe and happy 4th.

12. NON-PUBLIC – RSA 91-A:3 (if necessary)

Chairman Gilbert stated that the Bedford Town Council was going into Non-Public Session under RSA 91-A: 3, II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against or by this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.

Roll Call Vote: Denise Ricciardi-aye, Bill Duschatko-aye, Melissa Stevens-aye, Phil Greazzo-aye, Lori Radke-aye, Bill Carter-aye, Dave Gilbert-aye. Motion passed – 7-0.

Public Meeting ended at 7:48 PM.

Respectfully submitted,

Dawn Boufford