

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
August 17, 2022  
10 Meetinghouse Road**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, August 17, 2022, 10 Meetinghouse Road. Participating were Bill Carter (Chair), Lori Radke (Vice Chair) and Councilors Sue Thomas, Chris Bandazian, Dave Gilbert, and Kathleen Bemiss. Also present was Town Manager Rick Sawyer.

Councilor Greazzo had an excused absence.

Chairman Carter opened the meeting at 7:00 PM.

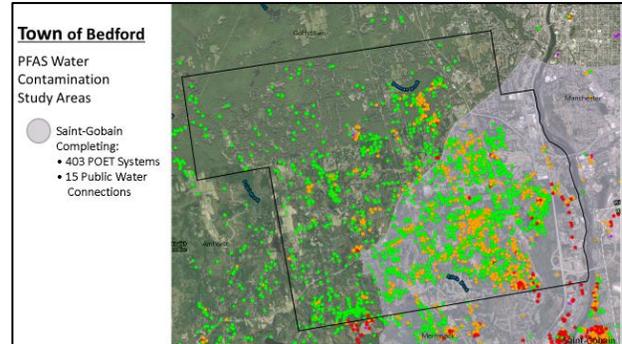
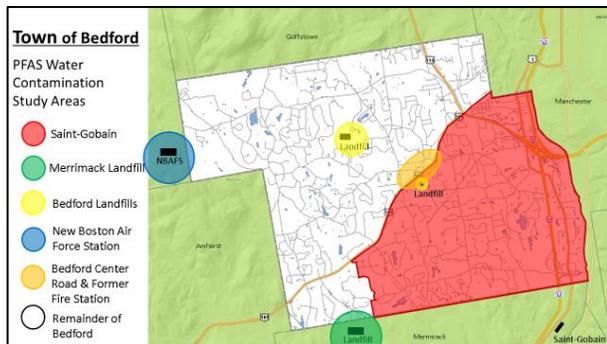
**2. PLEDGE OF ALLEGIANCE** – Led by Chairman Carter.

**3. PUBLIC COMMENTS** – None.

**4. NEW BUSINESS**

**a. PFAS public discussion**

Mr. Sawyer went through a Powerpoint presentation.



**PFAS Groundwater Contamination**

Please respond to any requests for well testing received from:

- WSP Golder Associates
- State of NH

Well Testing Letters

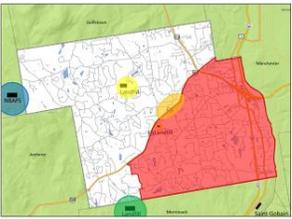
**NHDES PFAS Groundwater Contamination Reimbursement Program**  
**(Outside of Saint-Gobain Area)**

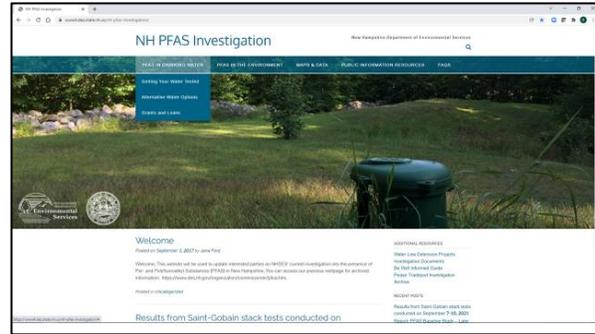
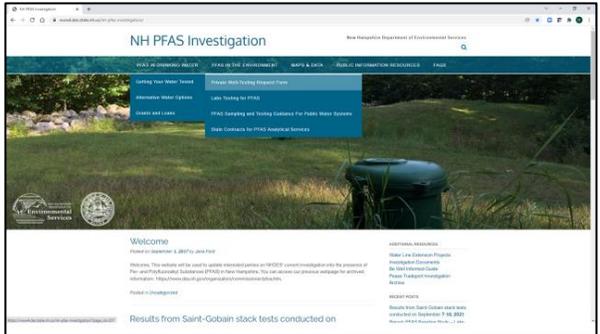
- \$5,000 POET system
- \$10,000 Public water connection
- Must Exceed NH PFAS standards
- Apply through NHDES website

### Town PFAS Grant Requests

**All Still Pending:**

- \$6,500 Reimbursements Non Saint-Gobain areas
- \$1.5M Bedford Center Road water main extension




### PFAS Drinking Water Standards: (Parts Per Trillion)

PFAS	NH MCL:	EPA Advisory
PFOA	12	0.004
PFOS	15	0.02
PFHxS	18	
PFNA	11	
GenX		10
PFBS		2,000

Councilor Gilbert wanted to clarify if you are outside of the consent decree area, you have to go to the NHDES site to see if you can get testing and you can't get a POET unless you have a test that shows that you've got a problem. Mr. Sawyer stated he was correct.

Chairman Carter stated that they have a subcommittee. He wanted to make sure people understand what's going on. The subcommittee would be meeting between now and the next meeting. He mentioned that Michael Strand was their citizen liaison for PFAS.

Michael Strand wanted to know if he should answer questions from the public and if his remarks should he wait until citizens speak. Chairman Carter stated that they should let the citizens speak and had no problem with him answering questions.

Norm Boisvert, 37 Camelot Drive, wanted to know why nobody was there and why the citizens of Bedford were not outraged that this company could do this to their health with no promise of long-term health impact liability. He wanted to know what the State was doing to ensure that the residents had a long-term commitment from Saint Gobain to protect their health and reimburse them for the potential devastating health impact of the chemicals; chemicals they didn't want or need. They never needed a filter system on their

house before Saint Gobain did this and now he's been exposed for 10 or 15 years. His children have been exposed. He takes a shower and he's breathing PFAS laced water; he's brushing his teeth with it. When people in Bedford start dropping from cancer and developmental problems, he didn't think Saint Gobain was going to be there for them.

Councilor Bandazian stated the State was enforcing a consent decree requiring Saint Gobain to do some remedial actions. For houses getting a POET, the bid with contractors should close this month. If they haven't been contacted yet, they should be once they have their contractors in place. The agreement between the State and Saint Gobain requires them to test both the water going into the filter and the water going until it is below standards; standards may be a moving target within the ground management zone. Up until three years ago, Saint Gobain was required to provide maintenance. Under the agreement with the State, that would then cease to be their responsibility; it would be the homeowner's or the homeowner could have the system decommissioned. There were areas of disagreement between the State and Saint Gobain about what their obligations still were within the consent decree area, so there was nothing that was final at this point. If not everybody on Mr. Boisvert's street has been tested, probably everybody had been offered an access agreement to do that. Health impacts were very challenging to address. The State hasn't compromised any of his rights as a private individual. Mr. Boisvert would still have the right to bring an action against Saint Gobain. Those rights were subject to time limitations and civil lawsuits. He wouldn't want to mislead him that he would have an indefinite amount of time. If he reasonably knows that there was some connection with Saint Gobain, he does have time limits to act on that. At least there's a potential defense to those actions, but private individual rights had not been compromised in any regard. Mr. Boisvert stated that their private individual rights to clean water had been compromised. Councilor Bandazian responded not by the State and not legally. Mr. Boisvert stated that he's been compromised by Saint Gobain and he didn't hear anyone talking about PFAS blood tests for residents in the higher concentrated levels, which could indicate a higher health risk. Councilor Bandazian stated that by law their insurance company had to pay for those tests. That's out of the legislative work that he was participating in. Part of the challenge was educating health professionals. It's not a common thing that he might be asked by his primary care doctor, but it was something that his insurance would pay for. Mr. Boisvert wanted to know if he was aware of whether or not they were pursuing 'polluter pays' legislation like other states have. Councilor Bandazian responded that there had been legislation; it had not passed. It's a new election and he has a voice in the democratic process. If that's a high priority to him and the citizens, those were things he would urge them to talk to candidates about.

Mr. Strand added that in the State PFAS Commission there had been discussion in the health subcommittee of encouraging education of primary care providers and citizens and individuals to inquire about that with their primary care provider and get tested.

Bob Goodale, 12 Carolina Lane, stated that his wife had spoken to Mr. Strand and he had received information in the past from the State and a letter from Golder letting them know that the process was there to do the POET, but he hasn't heard anything since. Councilor Bandazian stated that if they don't hear anything next month or so, he should let them know. Mr. Goodale stated that initially when they had the test done about two or three years ago, at that time their levels weren't within the range. Then about six months later they got a letter saying that now, because they changed the variance levels, they were

there and now they've got bottled water. They wanted to know whether or not the POET was going to be good for them or if there were other avenues that they would be able to go with. Councilor Bandazian stated that there were different POET systems; activated carbon and reverse osmosis. The cost of reverse osmosis was much higher, but there were indications that breakthrough occurs much later in the life cycle. Mr. Goodale wanted to know if he was aware of what Golder or Saint Gobain was looking at. Councilor Bandazian stated that he thought they were looking at granulated activated carbon; two vessels. As the lead vessel gets exhausted they move the trailing vessel to the lead vessel and put in a new trailing vessel. Mr. Goodale wanted to know if they do that until levels were good or standard. Councilor Bandazian stated if that ever happens, yes.

Chairman Carter stated that now that the State's given them the information, it was time to get the word out. He was expecting the room to be full. Michael Strand had been working hard to answer the questions. Between him, Councilor Bandazian, himself, Councilor Greazzo, and Rick Sawyer, they've been trying to work on this.

Councilor Bemiss wanted to know about the agreement between Saint Gobain and the homeowner when they were putting in the POET systems. She assumed that agreement was a boiler plate and that there were things that should be spelled out in that that weren't. She wanted to know how the homeowner would know what questions to ask before they agree. Councilor Bandazian stated that question should be directed to the Department of Environmental Services (DES), because they were the ones that were working out the terms with Saint Gobain for what those agreements say.

Mr. Strand stated that they defer back to the original language of the agreement between the State or DES and Saint Gobain. If they accept a POET treatment, which is a whole house filtration system which fixes the problem that legally, based on that agreement, means that Saint Gobain, according to the State, has honored their legal obligation. Saint Gobain hasn't been accessible in terms of the contact information available. His focus has been on feedback from people within the consent decree and in terms of bottled water delivery delays or how long it has taken to even get to the POET option. He thought they should definitely ask questions before they decide. DES had been pretty good about being accessible and answering those questions.

Chairman Carter thanked everyone for coming out and speaking. This was the first step. They are trying to be behind the residents to make sure they get this done right.

Mr. Strand stated that the majority of the feedback he's received had been residents in the consent decree where Saint Gobain was the responsible party and not yet receiving a long-term solution. A point of frustration he's heard was that there were concerns that the DES changed the State position within the last year. Initially, they had said that POETs did not represent a long-term solution. There was an increased focus on infrastructure water lines. Now, legally, POETs are, per the State and Saint Gobain's agreement, a long-term solution. He stated that from a science standpoint, the POETs do fix the problem. Anybody who had not sampled yet should do so whether inside the consent decree or not. If they have level at the MCL, they should pursue the immediate solution via the rebate program if they are not in the consent decree or via Saint Gobain if you are. If you are abutting an existing water line, they will do that. They would install it or you would be eligible for a rebate that will do that, but they have to be touching the water line.

He has heard that there were folks that were very close to existing water lines, but not abutting. He had been helping individuals, because none of the State agreements had prevented individual action or individual discussion with Saint Gobain to pursue that dialog with them to see if they would budge since the State agreement did not cover that. With the new Federal EPA guidance that has come out that lowers, it's not a binding legal MCL, it's just an advisory, and it puts it at .004 and .02 parts per trillion opposed to the NH legislated MCL, which was 12 parts per trillion. The good news could be that because there has been a groundwater management zone put in as part of the State agreement, that's one thing he thought would be beneficial. Saint Gobain long-term would be married to this issue and obligated potentially in ways beyond the way they were now.

Mr. Sawyer wanted to know if there had been any statements about retesting people within the consent decree area that were currently below standards and were tested two to four years ago. Councilor Bandazian stated that there was a resampling program that was ongoing for the ones that were close to the limit. The majority stay pretty much within a standard deviation, but there were extremes. Somebody who was below a 12 may be an 18. The State was working on a permit. They required Saint Gobain to submit a draft permit for continuing to manage this area. That detail would include a robust system of monitoring wells; not only a resampling of properties, but also a system of monitoring system of wells yet to be put down in concrete language. Mr. Sawyer stated that it seemed like they would be faced with this for a long time to come because of the solution that had been put in place. People would have to test and potentially get POET systems for years to come. Councilor Bandazian thought the new standard was going to dictate if it goes down below where it is or include some other chemicals. Groundwater movements were difficult to predict in bedrock areas. In Merrimack the municipal wells were sometimes taken offline for various purposes. They were seeing the PFAS levels go down and then when they start to draw, there has to be a plume in some aquifers. It would depend on drought and groundwater withdrawal and many other things for a long time to come.

Mr. Strand stated that the change chemical compound that Saint Gobain was still using, was GenX compound. He thought a 'pollute for pay' legislative solution was something that could be an answer for the long-term. To be clear they were still using a very similar chemical and the pollution was still occurring. He thought sampling numbers would increase if not stay the same. That's his personal opinion.

#### **b. Presentation of the Annual Comprehensive Financial Report**

Tammy Penny, Finance Director, stated that Bedford continued to have a strong financial position and the audit was a clean unmodified opinion. Highlights:

- Unrestricted net position increased by \$842k
- Unassigned Fund Balance – ended 2021 with a \$15.7m, which was 16% of the total tax effort.

The Unassigned Fund Balance Policy that says they would maintain a balance between 8% and 17%. She encouraged the Council to continue trying to reach the 17%, because that was only two months' worth of expenses. They are tasked with collecting taxes and there were periods during the year where the operating fund balance dips, particularly in

May. They still have to pay obligations like bond payments, the School District, etc. when they haven't collected those tax dollars.

- Fund Balance decreased, but it was expected. There was a decision made by the voters to use \$2m of the balance to fund a Capital Reserve deposit to Facilities. The increase was because the Town didn't spend all of the appropriations; mostly pay and benefits due to vacancies across many departments.
- Always anticipating unspent appropriations during the budget process to see how they could reduce the tax rate for Bedford taxpayers; those are conservative estimates.
- Anticipating a dip in the Unassigned Fund Balance, because they are anticipating using some Unassigned Fund Balance to fund some goals.

Councilor Radke mentioned that in May funds were low. She wanted to know when they do a financial plan, do they plan the fact that they were collecting so much revenue through taxes and their expenditures will match that per month. Ms. Penny responded that they were not budgeting monthly. There has been significant balances to cover and fund all of Bedford's costs, but they never want to find themselves in a position where they can't and have to issue a Tax Anticipation Note that costs money. Councilor Radke wanted to know if they've ever been to that point and Ms. Penny responded never. Mr. Sawyer stated that when he first started working here it was a general conversation fairly often that they might need to that. At the time, the Council was having to budget money into the Unassigned Fund Balance of \$400k a year for many years to bring the balance up and to make sure they had cash flow abilities. That was about 10 years ago. He thought it was a little understated that they have to collect all the taxes for the School District and the County, and they have to pay those out whether they were able to collect them or not, which was part of the reason the Fund Balance was shown the way it was.

Councilor Bandazian explained that in 2004 they passed their original Fund Balance Policy and in the years leading up to that, the balance in May was uncomfortably low. Ms. Penny stated she was the accountant back then and they would wait a couple of weeks to pay bills. They aren't doing that now, but there were indications that the balance drops at that time of year. Mr. Sawyer stated that they pay the School District monthly; over \$4m a month. By the time June rolls around they've paid them a lot of money already.

Councilor Bandazian hoped that tonight was Tammy's last late night in Bedford. He will feel good about not seeing her car at the Town Offices on nights and weekends. He appreciates all she has done for the Town.

Councilor Bandazian stated that one of the things that was introduced a few years ago in accounting standards was on other post-employment benefits. The accounting standards required them to include that as a liability five years ago and wondered if she had a take on where the Town was headed. Ms. Penny stated that the other post-employment benefits were the intrinsic cost of having the retirees on the same insurance plan that the current employees were on. There was a cost liability with that. They have an actuary do it every couple of years. That balance was going down. There were certain factors that could reduce that liability and that would be to change some of the assumptions that Bedford actually feeds the actuary. One of the assumptions they were looking at changing was the participation rate of retirees into the insurance plan. They used 90% which they

heard was an industry standard, but they've since learned that maybe they could investigate and see what the true participation rate was for the retirees and that might reduce the liability with the next year's audit.

### **c. Adoption of Purchasing Policy Update**

Ms. Penny stated that they haven't looked at the Purchasing Policy in quite some time. Inflation was hitting hard, so they increased the thresholds to keep pace with the current environment. They were trying to still require prudence and responsibility, but just to increase those thresholds a little bit. Those threshold changes were:

- Purchase Order is \$5,000 instead of \$2,500
- Purchase Orders requiring Town Manager approval is \$7,500 instead of \$5,000
- Advertised Competitive Bid is \$20,000 instead of \$10,000.
- Budgeted Contracts signed by the Town Manager is \$125,000 instead of \$100,000.
- Contracts that were not budgeted that can be signed by the Town Manager is \$50,000 instead of \$25,000.
- All contracts over \$125,000 require the vote of the Council instead of those over \$100,000.

She added clarity to the Emergency Purchasing section. There was some misunderstanding in people filling out bid waivers and lots of paperwork in time. If somebody had an emergency purchase, they know they can't stop and get a Purchase Order. All they need to do is communicate with the Town Manager that they've had an emergency, what that cost was, he concurs, and they just add that documentation to the Accounts Payable document so that Finance doesn't kick it back.

Mr. Sawyer noted that it had been six years since any changes had been made and the \$100k Council limit had been around for about 20 years.

Councilor Radke wanted to know how it compares to other towns our size. Ms. Penny stated that she didn't have a chance to go out and investigate. She looked at the reality of what they were seeing in Bedford and the cost of items. Councilor Radke stated that she compared it to the Town she works in and the numbers she presented were what they were doing now in a much smaller community. She thought it was a good move.

Councilor Radke wanted to know if the Charter had anything about having \$100k having to go to the Council and Mr. Sawyer didn't believe so. Councilor Bandazian stated that there was some borrowing authority that the Council has under the Municipal Finance Act that's in the Charter. Way back when it was \$100k and now it just goes with what the Municipal Finance Act allows. Mr. Sawyer stated that \$100k was not mentioned in the Purchasing procedure section, Chapter 12 of the Charter.

**MOTION by Councilor Thomas that the Bedford Town Council approve the revised Purchasing Policy as presented effective immediately. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 6-0.**

Mr. Sawyer stated that on behalf of the entire town and employees he thanked her for her over 18 years of service to the Town and the last 4.5 as Finance Director. There was nobody that knows the organization better than Tammy does having grown through the ranks. She started as an accountant and moved up to Finance Director. Her service to the community had been extraordinary. He wishes her well and a better work/life balance.

**d. Schedule a public hearing for the acceptance of Wheeler Farm Road**

**MOTION by Councilor Gilbert that the Bedford Town Council schedule a public hearing to formally accept Wheeler Farm Road with a length of 974 lineal feet on September 14, 2022 at 7 PM. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0.**

**e. Schedule a public hearing for the consideration of Ordinance 2022-02 amending Chapter 262-6, Speed Limits, to reduce the speed limit along Liberty Hill Road from 35 to 30 MPH between Edinburgh Road and Meetinghouse Road**

Mr. Sawyer stated that the Highway Safety Committee is recommending the change. He showed a map that showed where the speed limit already was 30 mph near the McKelvie Middle School. The request is to extend that speed limit from Edinburgh up to Meetinghouse Road. If this were to pass, the speed limit would be 30 MPH from Caron Road to Meetinghouse Road. This request came from residents.

**MOTION by Councilor Radke that the Bedford Town Council schedule a public hearing for Wednesday, September 14, 2022 at 7:00 PM to consider Ordinance 2022-02 amending Chapter 262-6, Speed Limits, to limit the maximum speed on Liberty Hill Road between Meetinghouse Road and Caron Road north and south to 30 MPH. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

**f. Schedule a public hearing for the consideration of Ordinance 2022-03 amending Chapter 262-7, Stop Signs, to add Stop Signs on Birkdale Road at Cambridge Road (4-way)**

Mr. Sawyer stated that this request came from residents to the Highway Safety Committee who reviewed it and made a favorable recommendation that the Council put the 4-way stop intersection in place. Chairman Carter stated that he spent about ½ hour sitting at the intersection and nobody drove by.

**MOTION by Councilor Radke that the Bedford Town Council schedule a public hearing for Wednesday, September 14, 2022 at 7:00 PM to consider Ordinance 2022-03 amending Chapter 262-7, Stop Signs, to reflect stop signs on Birkdale Road eastbound and westbound at the intersection of Cambridge Road. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

**g. Action to sunset the Telecommunications Committee**

Mr. Sawyer stated that the Telecommunications Subcommittee was formed in 2017 and had a built in sunset date of 18 months after their first meeting. Before that occurred, the Council reconstituted the subcommittee in 2019 with two focuses: to look at regulating telecommunications structures within Town public rights of way and reviewing the potential for municipal fiber networks. The subcommittee worked hard on an ordinance that the Council adopted. They created the Poles & Wires Committee and also put a number of regulations in place for structures within the right-of-way. The subcommittee spent significant amount of time reviewing the potential for a municipal fiber network, but given the financial constraints of how the State statutes were written for funding of such networks it was really difficult in a community like Bedford to be able to achieve that. It was also determined that there was high speed broadband available to the residents although it comes at a cost. They spent time reviewing and testifying and working on bills before the Legislature to try and change some of those funding opportunities that were prohibitive to the community. The work has come to an end. The last time they met, the subcommittee decided to meet on an as needed basis and at this time the recommendation was to sunset the subcommittee.

Councilor Bemiss stated that it was sad to sunset the subcommittee, because it was Bill's passion, but he would agree that its time had come.

Councilor Radke thanked Councilor Bemiss for putting her heart and soul into it including Bill and Denise. They did a nice job.

**MOTION by Councilor Bemiss that the Bedford Town Council sunset the Telecommunications Committee and we thank the members for their hard work and years of service to the community. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0.**

a. **Other New Business** – None

## **5. OLD BUSINESS**

a. **Councilor updates on retreat action items**

### **1. Facilities Master Plan implementation**

Mr. Sawyer noted that the architects had been working with Fire, Police, Public Works and Planning on all their space needs assessments. Fire and Police initially did their new station needs and were now focused on what would take place in the existing 55 Constitution Drive building. Those were all being wrapped up this week. They were still pursuing a property for the new construction.

### **2. PFAS education and avocation**

Chairman Carter thought they had hit on that tonight and were moving forward.

### **3. Support Clean Up Bedford**

Chairman Carter stated that it's moving forward. They had their spring day and their fall day will be October 15<sup>th</sup>.

#### **4. Consideration of a Town Forest designation at Chubbuck Road property**

Councilor Bemiss stated that they were working on that. They were going to be getting a formal commitment from the Conservation Commission and then it would come back to the Council. She was planning on meeting with Fire and Police this week to discuss preliminary things with them.

#### **5. Private Organization lease updates**

Councilor Gilbert stated that he had completed one of the four. He completed one with the Swap Shop at the Transfer Station. He would say they were 80-90% done with the Bedford Off Broadway lease. They still need to meet with them to finalize the agreement. He had not spoken to the Craftworker's Guild. They were very happy with the updates they've made this year. He needs to talk to them, but he didn't think that one was going to be a problem. Mr. Sawyer didn't think there would be any changes either. Theirs was written as more of a long-term status quo situation. He needs to speak to Town employees. The next one is the ski building up at Legacy Park. He put that one off to the end, because of winter being still away, but he's almost halfway done.

#### **6. Telecommunications Committee – review next steps/possible sunset**

Chairman Carter stated that they solved that one this evening.

#### **7. Town Website refresh**

Councilor Thomas stated that she's researched a bunch of town websites. They need to sit with the IT person. Not a major overhaul, but just make it a little bit more user friendly. There were a couple of towns in the area that have the same general format, but just their buttons were a little different on the front page. With summer ending, she would be able to get back into it. Councilor Radke stated that it was a fall project.

#### **8. Public Outreach – create board/commission videos**

Councilor Bemiss stated that that was going to happen again this week. She was going to make a list of what she proposes and then probably bring in the heads of those boards to do interviews.

#### **9. Identification of Town Charter revisions and process**

Chairman Carter thought they had gone through that process. Mr. Sawyer stated that they completed that.

#### **10. Consideration of a fee for non-transport medical calls**

Mr. Sawyer stated that this was on his desk. The Fire Department had completed that work and he just needed to find time to make it presentable to the Council.

## **11. Crime prevention program at overnight lodging locations**

Mr. Sawyer stated that the Police Department had completed that work, which was to document the statistics of what's been happening. It feels anecdotally that things had improved significantly over the last few months, but that report was on his desk and he would get it out to them as soon as he could.

## **12. Activate public portal of document management materials**

Mr. Sawyer stated that it's on the to-do list, but he reported that the various departments had done a tremendous job having materials available internally. They just need to make it available publicly. The Town Clerk this year completed the first round of scanning of historical documents that were sent out to the consultant to do that. He hadn't seen those scans himself, but the materials were back and he thought the electronic material was available, but if not, it would be very soon. She should be able to do the next phase of that this year as well. They still have money to do more.

Councilor Radke wanted to know if the Council minutes would be available and Mr. Sawyer stated that they would be. Councilor Radke was looking forward to reading them.

## **13. Employee appreciation**

Chairman Carter stated that he would take the lead and probably do something in late October. He thought maybe do a cider and donut kind of thing, either mobile or bring it to one site. If any Councilors have other ideas please get them to him. If someone would like to assist him on that just let him know. Councilor Radke stated that she had an idea. Chairman Carter stated that he's looking for something late October just to show their appreciation to all of the hard-working employees in the Town of Bedford.

## **14. Volunteer appreciation breakfast**

Councilor Radke stated that it was going to be in September, however, she had to change the date. It's October 29, 2022; it's a Saturday. It was going to be a breakfast appreciation. She was looking to get a local restaurant to cater that and invitations would go out to all of the volunteers that sit on boards and commissions. They will do a nice 'thank you' breakfast for their time and energy that they put into the lovely Town of Bedford. She's already reserved Town Hall. It will be a nice fall/Halloween theme.

## **6. APPROVAL OF MINUTES**

### **a. Interview Minutes – July 20,2022**

**MOTION by Councilor Gilbert that the Bedford Town Council approve the minutes of the July 20, 2022 Interviews. Seconded by Councilor Thomas. Vote taken – Motion Passed – 5-0-1. (Bandazian abstained)**

### **b. Public Session – July 20, 2022**

**MOTION by Councilor Thomas that the Bedford Town Council approve the minutes of the July 20, 2022 Public Session. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

**c. Non-Public Session – July 20, 2022**

**MOTION by Councilor Thomas that the Bedford Town Council approve the minutes of the July 20, 2022 Non-Public Session. Seconded by Councilor Radke. Vote taken – Motion Passed – 6-0.**

Councilor Bandazian wanted to know if they needed to move to seal those minutes in public again. Mr. Sawyer didn't believe so. They sealed them both in non-public and public sessions before and that's satisfactory.

**7. TOWN MANAGER REPORT**

- 1) Drought – Bedford is in the condition defined as “Moderate Drought” with “Severe Drought” being immediately along our southern border. That's historically when the Council contemplated putting in an outdoor watering ban. That was something they would have to monitor for upcoming meetings as to whether or not the Council would like to do that. He knows a number of people that are on public water systems had already been given some water restrictions. He encouraged all residents to implement water conservation measures now such as only watering vegetable garden crops, watering no more than every other day, and watering in the morning or evening where less water is lost to evaporation. Over the past week conditions have improved in central and northern NH but have remained the same in southern NH. It is expected that conditions will not improve for some time.
- 2) The State of NH will hold a Primary Election on Tuesday, September 13, 2022, 7 AM to 7 PM, at the Bedford High School Gymnasium. The last day to register to vote or to make name and address changes prior to the Primary is Tuesday, September 7, 2022 and the Town Office Building will be open an extra hour on that day from 5:30 to 6:30 PM. It is too late to change your party affiliation for this Primary. You can't change your party affiliation until after the election. There are contested races for all of the positions on the Republican side except State Senator, but only one for US Senator on the Democratic side.
- 3) PFAS Contamination Saint-Gobain Mitigation – Saint-Gobain has been required from the State DES to install 403 POET systems. Those residents should have received a letter from Golder Associates or the State of NH to coordinate the work. A handful of residents along existing water mains will be connected to public water.
- 4) PFAS Contamination State Reimbursement Program – NHDES has announced that residents outside of the Saint-Gobain consent decree area that have PFAS well water readings above State standards are eligible for a \$5,000 rebate for the installation of a POET system or \$10,000 for connecting to a public water system.
- 5) PFAS Contamination – We have been notified that the State has approved our grant request to construct a water main extension for those residents and businesses impacted by PFAS contamination along Bedford Center Road between North Amherst Road and Primary Plaza but it is unknown when work can begin.
- 6) The Bedford Memorial Pool and Splash Pad are open for the season with open swim between Noon-6:30 PM (6:30-7 PM adult lap swim) on week days and noon to 5 PM

weekends. Starting August 25<sup>th</sup> and running through Labor Day, September 5<sup>th</sup> the hours change to 4-6:30 PM (6:30-7 PM adult lap swim) on week days and noon to 5 PM weekends and holidays. The reduced hours are as a result of the loss of college student lifeguards who go back to school.

- 7) August 18 – Bedford Rotary, 5<sup>th</sup> Annual Trails to Ales 2K & 5K, 5:30 PM, Legacy Park.
- 8) September 3 – Transfer Station and Library will be closed in honor of Labor Day.
- 9) September 5 – Town Office, Library & Transfer Station closed in honor of Labor Day.
- 10) September 11 – Cinema Sunday – “The Godfather” (celebrating its 50<sup>th</sup> anniversary), Library, 1:30 PM. Register on the Library website.
- 11) September 22 – Fire & Police Department combined Open House, Safety Complex, 55 Constitution Drive, 5-7 PM.

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

Councilor Gilbert stated that the ZBA met last night and they approved two variance requests. There was a 3<sup>rd</sup>, but they did not show.

Councilor Radke stated that the HDC met on August 2<sup>nd</sup> and they had two applicants. 209 Routhe 101 Realty, LLC and Millennium Running requested some grading site alterations, which was approved. The Historical Society requested to change roofing materials for the carriage house and that was approved. She met with the Election Committee, which comprised of the moderator, Town Clerk, Deputy Town Clerk, and Assistant Moderator. They talked about the upcoming election and legislative changes that occurred this year that affect the elections. One of the biggest changes is ‘over votes’. It’s a change in the way the machines read the ballot. If there is someone who is voting and they ‘over voted’, which means if they can vote for up to 2 people and instead you vote for 3, that’s ‘over voting’. Previously the ballot would go through the machine and that ‘over voted’ race wouldn’t be counted. This year if that ballot were to hit the machine, the machine kicks it back and doesn’t count any of the races. A little sign will appear on the front of the machine that says ‘over vote’ and will tell the voter which race they ‘over voted’. The voter would have an opportunity to pick up the ballot and put it in a sleeve next to the ballot box and that entire ballot would be hand counted. Election workers at the voting machine can’t tell a voter that they have an ‘over vote’. The voter will say ‘it’s not going in I see ‘over vote’” Councilor Thomas clarified that the worker at the machine has to stand there and be silent. Councilor Bandazian stated that often times people would say they made a mistake on this ballot, which would include ‘over votes’. Councilor Radke stated that they have to go to you first. They can say, ‘I have an ‘over vote’, can I get a new ballot’ absolutely. It’s called a spoiled ballot. Go to the moderator and they would get you a new one. Councilor Thomas wanted to clarify that they would have the opportunity to fix it and not have to put it in a sleeve and hand count. Councilor Bandazian stated that they would have to think of that solution on their own. Councilor Gilbert wanted to know if he puts a ballot in and it kicks it back out and it says I ‘over voted’, so I need the moderator and have to start all over. Councilor Radke stated you as the voter can. Councilor Gilbert stated that he would have to give up that ballot. Council Radke stated that you do. You give it to the moderator and get a whole new ballot. Councilor Thomas stated that if you go through and make a mistake people spoil their ballots all the time and get a new one, but she found that fascinating. Councilor Radke stated that the reason was that absentee ballots don’t get that privilege. If someone votes absentee and they ‘over vote’, they don’t have someone telling them they ‘over voted’, they can get a new ballot. To make it fair for

same day voters as well as absentee, they can't be told they have an 'over vote' and to get a new ballot. Councilor Bandazian thought the repercussion would be that people would be unhappy that they could have had the opportunity to have their votes count for that particular race where they 'over voted' and they weren't informed of that. They were informed that they had an 'over vote', but they are not informed that they can call it a spoiled ballot and have their votes count for that race. Councilor Bemiss mentioned doing a PSA on BCTV in advance as an educational infomercial and Councilor Radke stated absolutely. Councilor Thomas stated that if the voter says 'It says I have an 'over vote', what can I do?' she wanted to know if they could then tell them. Councilor Radke stated yes, they have to initiate the conversation. Councilor Thomas stated that they get the ballot back and wanted to know how they would know to put it in the special sleeve. Councilor Radke stated that the moderator tells them that their ballot has an 'over vote' and tells them that they need to take their ballot and put it in the side sleeve so it could be hand counted. Councilor Bandazian thought that was misleading, because they have another option. Councilor Thomas thought that very misleading. Councilor Radke stated that the voter has to take their ballot and put it in there. It may change between now and then. The moderators were having issues with all of it so they were giving a hard time up at the AG's office, so it may change. They were also getting a monitor to be at the election. Mr. Sawyer clarified that this was a statewide change; it's not a Town of Bedford issue. Councilor Radke stated that it's a new statewide law that got passed.

Councilor Bandazian stated that at the Planning Board, the Millennium Running applications were postponed until September 12<sup>th</sup>. There would be another public hearing on September 12<sup>th</sup> on some minor changes proposed to Land Development Control Regulations. At the Energy Commission there was continuing discussion on how they could help them save money on their energy bills. At their October 27<sup>th</sup> meeting they will be able to do a Button-up NH presentation that's funded through NH Saves. People will learn how to get their properties audited and make energy improvements at very low cost. Also, time of date rates that Eversource will be coming out with sometime in the next five months or so. Everyone will get a letter from Eversource that will explain that their rates are higher from 1PM to 6PM and will be lower in the other part of the 24 hours.

Chairman Carter stated that he was at National Night Out and it was a great event. It was televised. He thanked the Planning Department, especially Kathleen Ports and the Conservation Commission for their work when it comes to trail stewardship. They were working on the trails. They are volunteers and going out and making sure all the trails in Bedford are kept up. They've been doing a lot of work up at Pulpit.

**9. NON-PUBLIC – RSA 91-A:3 II (if necessary)**

**10. ADJOURNMENT**

**MOTION by Councilor Gilbert to adjourn at 8:27pm. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

Respectfully submitted,

Dawn Boufford