

**TOWN OF BEDFORD  
TOWN COUNCIL MEETING MINUTES  
September 14, 2022  
10 Meetinghouse Road**

**1. ROLL CALL:** A meeting of the Bedford Town Council was held on Wednesday, September 14, 2022, 10 Meetinghouse Road. Participating were Bill Carter (Chair) and Councilors Phil Greazzo, Sue Thomas, Chris Bandazian, Dave Gilbert, and Kathleen Bemiss. Also present was Town Manager Rick Sawyer.

Lori Radke (Vice Chair) had an excused absence.

Chairman Carter opened the meeting at 7:00 PM.

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

**3. PUBLIC COMMENTS** –

Dennis Tokac, 12 Butterfield Lane, read the following statement:

*I have been a Town resident since 2005. I have owned three residential properties during this time. I pay my property taxes and with that being said every time I do that I hope that my property value is protected by the quality of life that Bedford provides all of us. I live in a residential area called the Butterfields. I also have lived in two other residential areas such as Dunlap Woods and Baldwin Farms since 2005. I believe most of the Town is comprised of a number of residential developments like Butterfields with a handful, give her take, of subdivisions like Greenfield Farms, Atherstone, etc. The Town has grown since 2005 since I've first come here and there have been many new homes built on existing land and others in progress including the apartment complex near the high school. The reason why I am here is I am speaking to the Council tonight to pursue, hopefully, an ordinance that would protect us property owners who live in residential developments from the noise that livestock such as roosters and other animals like peacocks make. These animals do cause a major noise disturbance. I don't know if anyone has ever lived next door to a crowing rooster, but sometimes it's pretty annoying. Specific to roosters, which crow from sun-up to sun-down, so it's not like they are only going to crow in the morning and that's it. They crow all day long. I live next door to a homeowner who has a rooster very recently and also across the street from me another abutter who owns a rooster. They have them along with their pet chickens. In both cases these are not working farms; they are residential like my lot is. It's similar in size. According to a local realtor who we talked to recently, she said the most potential homebuyers will avoid a house that is next door to crowing roosters. We were also told that we would also have to lower our selling price in order to sell our home and potential be on the market longer than normal if we had to sell our house. This affects comparable home values in the neighborhood and also potentially lowering some property tax revenue. If our houses sold for a lower rate because of this, there is a cause and effect. I know that the Town is zoned as rural/residential, which provides a fair amount of freedom for property owners to own various animals and livestock. With this existing zoning of rural/residential, certain livestock are kept as pets, chickens, ducks, etc. There are not really working farms; they are just pets. The lot I live on is a little over two acres in size, but not all of it is usable. I would say half or a little bit more than half is wetlands or wooded area. So we live right next door to a similar type of property, but we are very close. We have not more than maybe a 60 foot space between the two of us. This is the one with the rooster. You can hear the rooster from the street actually. If you walked from where we live to the end of the street, we live on a cul-de-sac, you can hear that rooster. Other property*

*owners can hear it as well. It's difficult to keep our windows open during the day and even in the morning, especially now with the nicer weather, because you have to consider the fact that you are going to be hearing a rooster. Quite honestly this is affecting my well-being and also my sanity. I have kind of reached the end of my rope. I've spoken to animal control and as nice as they are, and as accommodating as they are to listen to me, they said there is really nothing we can do. However, if this was a dog barking, well then we have something we can help you with. I have a dog. I wouldn't like someone's dog to be barking all day either, but this is a rooster and it's just as annoying if not more than a barking dog sometimes. As for speaking to the abutters directly, one of them doesn't really care. They feel that they have the right to do whatever they want with no concern for us or for others. In the other case, the other neighbor states that they will take care of the problem, but quite honestly, they really never followed through on it. I think it's time that we enact a new noise disturbance ordinance to protect us property owners from those who may not care about being considerate to others. I know that's kind of a stretch of a statement, but we have to protect our property value and more importantly our quality of life. I would think that a working farm or property size that is much larger than 2 acres, maybe 4+ acres that has decent separation from its abutters would be reasonable to own a rooster if you needed one. With our growing population, I think we need to protect our quality of life here in this town and do what's in the best interest of us residential owners who are not farmers. We are working people like yourselves and we just want a nice peaceful life to live in the Town of Bedford.*

#### **4. PUBLIC HEARINGS**

##### **a. The acceptance of Wheeler Farm Road**

Jeff Foote, Public Works Director, stated that Wheeler Farm Road was constructed to applicable Town standards approved by the Planning Board. As part of the development process and to ensure that roads are built to Town standards, the Town contracts engineering review and construction inspection to private engineering firms. Wheeler Farm Road is 947 LF total length and is located off of N. Amherst Road. Once accepted by the Town Council, it will be added to the Town's road network, which will then total 190.41 miles. All easements required as part of the development will also become part of the Town's responsibility once accepted. For Wheeler Farm Road, there are drainage and slope easements that are part of the new roadway. This project is subject to the collection of a developer contribution for stormwater maintenance per Ordinance 236. This cost was calculated to be \$13,500 and includes an infiltration basin at the corner of Wheeler Farm and N. Amherst and the associated closed drainage in the stormwater collection system, which will be maintained by the Town as part of this process. Once the road has been accepted by the Town Council, it becomes the full responsibility of the Town.

**MOTION by Councilor Gilbert that the Bedford Town Council formally accept Wheeler Farm Road with a length of 974 LF and a 50-foot Right-of-Way. Further, to authorize the Public Works Director to release any outstanding surety on this development upon receipt/recording of the applicable deeds and payment of any out-standing fees.**

Mr. Sawyer stated that there might be a switch in the 974 versus the 947. The map says 947 and the text says 974. He suggested they stick with the motion as written and if there is a problem they would correct it later. It would better to accept more than less.

**Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

**b. 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**

Chief Bryfonski stated that there was information from residents that live on Liberty Hill Road regarding the segment between Caron Road and Edinburgh Road, which is posted at 30 MPH to accommodate the pedestrian and vehicle traffic around McKelvie School. Otherwise, Liberty Hill Road is posted at 35 MPH. The residents indicated that when the speed limit increases at Edinburgh heading towards Meetinghouse that there are speeding vehicles that take advantage of that increase in speed. There is also a change in elevation where folks pick up speed. The residents requested a change in the speed limit and make it consistently 30 MPH from Caron Road all the way to Meetinghouse Road and from Meetinghouse back to Caron Road. The Highway Safety Committee considered their request and concerns. They looked at speeds in the area. Back in July they measured more than 7k vehicles and almost half are split between north and southbound. A little bit over 49% were at 36 MPH or above, so that would make it almost 6 MPH over the posted 30 MPH limit. 35 MPH or lower were at 50%. Speeding causes a concern for the residents. The Highway Safety Committee recommended that the Council consider keeping Liberty Hill Road posted at 30 MPH between Caron and Meetinghouse Road.

**MOTION by Councilor Thomas that the Bedford Town Council approve 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 Bandazian. Vote taken – Motion Passed – 6-0.**

Mr. Sawyer stated that they didn't formally open the public hearing. Chairman Carter asked if there was anyone in the audience that wanted to comment. Mr. Sawyer stated that they don't necessarily have to have a formal motion to open a public hearing; the Chair can do that.

**c. Consideration of Ordinance 2022-03 amending Chapter 262-7, Stop Signs, to add Stop Signs on Birkdale Road at Cambridge Road (4-way)**

Chief Bryfonski stated that in June there was a request by residents on Birkdale to have a 4-way stop at the intersection of Cambridge and Birkdale, which is currently a 2-way stop. When the Highway Safety Committee held its meeting, there were several residents concerned about the speed on Cambridge and Birkdale. The residents also pointed out that there was a school bus stop at that intersection, and the Highway Safety Committee gave extra consideration as typically at school bus stops there are parents and children that congregate there and when it's a 2-way stop it allows traffic to continue through. The residents also spoke to the number of children and pedestrians that were in that area that use that road. After considering the residents' concerns, the Highway Safety Committee recommended that the intersection be converted from a 2-way stop to a 4-way stop.

Chairman Carter wanted to know what they were going to inform that there was going to be a new 4-way stop there. Chief Bryfonski beyond the posting of a sign, the DPW could post lead-in pavement markings, stop ahead signs that would indicate that there was a stop approaching. He was sure with the residents that live in that area, and most of it is

residential traffic, the number of residents that approach it that live on those streets would be fully aware of it. There were opportunities to be able to warn residents of the new placement. They would also consider using social media for alerting residents as well.

Chairman Carter wanted to know if the Chief saw any concern in the winter and drivers trying to stop at that intersection. Chief Bryfronski didn't see that as a concern. He thought the DPW did a great job salting the roads and didn't think the grade changed there at the approach to that intersection was that significant.

Chairman Carter opened the public session.

**MOTION by Councilor Gilbert that the Bedford Town Council approve 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 Bemiss. Vote taken – Motion Passed – 6-0.**

## **5. NEW BUSINESS**

### **a. Confirmation of the appointment of Finance Director and Tax Collector**

Mr. Sawyer stated that it was his pleasure to forward his appointment of Matthew Mannino as Finance Director and Tax Collector. He was confident that Mr. Mannino would excel in the position given his knowledge of how they operate having served as their Fund Accountant from 2016-2019 and his overall knowledge, energy, and excitement for the job. Mr. Mannino currently works as the Accountant for the Town of Goffstown where he has been since leaving Bedford. Before joining Bedford he served as an Accounting Clerk for Nantucket, MA. In 2021, Mr. Mannino completed his Masters of Accountancy in Governmental Accounting. During Mr. Mannino's time with the Town of Bedford he built strong relationships with members of the staff in all departments and earned their trust. This appointment comes following a formal selection process where the position was advertised over a 5 week period. A selection committee comprised of Town Councilors, employees, and himself completed interviews and supported offering the position to him. He believes his past experience has provided him with the foundation to be extremely successful in this new role.

**MOTION by Councilor Gilbert that the Bedford Town Council confirm the appointment of Matthew Mannino as Finance Director and Tax Collector for the Town of Bedford effective September 30, 2022. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

Mr. Mannino thanked the Council for the opportunity and looked forward to working with all of them.

### **b. Recognition of National Building and Code Staff Appreciation Day**

Chairman Carter read a proclamation:

***TOWN OF BEDFORD, NEW HAMPSHIRE RESOLUTION***

*WHEREAS, Annually, September 1<sup>st</sup> is recognized as National Building and Code Staff Appreciation Day; and*

*WHEREAS, The Bedford Building staff is comprised of Code Official Matthew Lavoie, Building Inspector Terry Carter, Permit Technician Peg Graveline, Health Inspector Brian Santiago, supported by Executive Assistant Liz Duclos; and*

*WHEREAS, These individuals possess the knowledge and expertise in commercial and residential building codes and processes to contribute accountability and measure of safety; and*

*WHEREAS, Their work is often behind the scenes and goes unnoticed, though we live every day within the safety net that they provide; and*

*WHEREAS, The work of the Building and Code staff requires attention to detail knowing that human lives depend on them; and*

*THEREFORE, Be it declared that we, the Bedford Town Council, wish to recognize Bedford's Building and Code staff that operate as a division of the Bedford Fire Department and acknowledge the importance of the work that they perform daily for the citizens of Bedford. We are grateful and appreciative of their contributions to the Town of Bedford.*

*PROCLAIMED BY THE Bedford, NH Town Council  
THIS 14th DAY OF SEPTEMBER 2022*

Mr. Sawyer thanked the Council on their behalf and would share the proclamation with them later in the week.

**c. Adoption of the Town Personnel Policy on the Prohibition of Discrimination, Harassment, Sexual Harassment and Retaliation**

Pam Hogan, HR Director, stated that this was to update their policies and procedures and ask that the new policy replace the existing policy. This would ensure compliance with all of the laws and to affirm the Town's commitment to providing a safe and inclusive work environment. The new policy was more expansive. She urged that the new policy be adopted as it was compliant with the new laws. They believe with training and that they could enhance the environment for the Town and the employees.

Councilor Bemiss wanted to know the major changes between the old policy and the new policy from. Mr. Hogan stated that one of the major changes was that it was more broad. Their other policy was targeting mostly sexual harassment. It didn't expand relating to all forms of harassment. It also allows them to have a more streamlined reporting capacity, so that all of the proposals would come through her office and they could have more uniformity on how they address the matter. Councilor Bemiss wanted to know if there would be mandatory annual training. Ms. Hogan stated yes, there would be and that the supervisors have already been going through their training. They are doing online training through Primex and it allows for a certificate to be printed at the end, so they know that everyone has completed it. She asked for it to be effective as of Monday, so they can start implementing the employee training as well.

Councilor Bandazian stated that it may have been 2004 when they passed the previous version. There were many more protected classifications and it's good to have them enumerated. Ms. Hogan stated that they had legal review of the policy, so that they know that it's compliant.

**MOTION by Councilor Gilbert that the Bedford Town Council adopt the Prohibition of Discrimination, Harassment, Sexual Harassment and Retaliation as presented and to authorize the Town Manager to incorporate such policy as a replacement policy in Section 1F of the Town of Bedford Personnel Policies Manual effective Monday, September 19, 2022. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

**d. Approval of 2023 Employee Compensation Wage Ranges**

Ms. Hogan stated that they were proposing new compensation wage ranges. It doesn't directly affect the employees' wages. It is the range that they would hire within for all new positions and consider when they are making wage changes for employees. As in the past, they use the CPI-W for their region. Last year they changed to a July to July average. This year as of July 1, the rate of the CPI-W was 8.1%, which was a lot higher than in previous years, and it's also affecting wage market. If they take the full year and average each of the two months that they report, that average comes up to 6.88%, so that was the amount they were proposing be adjusted to the 2022 wage ranges. In 2023, they would go up by 6.88%. She stated that this was for the non-union employees, because the union employees have their collective bargaining agreements.

Councilor Greazzo wanted to know if this was an automatic increase for the next budget; for the next pay rate. Mr. Sawyer explained that this wasn't their salaries; this was just the ranges. This was the range that the positions of people would sit within. A proposal from the manager would be part of the budget next month as to how much to give as potential merit increases.

**MOTION by Councilor Gilbert that the Bedford Town Council approve the “2023 Bedford Employee Compensation Plan Non-Union Wage Schedule” to be effective January 1, 2023. Seconded by Councilor Greazzo. Vote taken – Motion Passed – 6-0.**

**e. Schedule a public hearing for the adoption of new Sewer Rates**

Mr. Sawyer stated that at the public hearing they would have the consultants who have been working diligently on coming up with the proposed rates to present the information and answer any questions. The sewer system was operated as an enterprise fund where the revenues must be sufficient to meet expenditures including upgrades not just in Bedford, but for the Manchester and Merrimack Wastewater Treatment Facilities. The rates were last increased in 2014 and this comprehensive review and analysis has been completed over the last several months and has been presented to the Water & Sewer Advisory Committee, which favorably recommended the proposal. It was recommended that the Town Council, following a public hearing, increase the rates over a 3-year period. It would be 6% for each of the three years for municipally metered water and there is a part of Town that has flat rates and that proposal was significantly different, because they have been historically not keeping up with the rest of the system. Those rates would change 40% in the first year and then 15% in each of the following two years. They will be able to explain that in greater detail when the consultant is present.

Chairman Carter wanted to know if they would be sending notices out about the public hearing to people on sewer. Mr. Sawyer stated that they don't typically don't send out any notices to the community other than posting it in the newspapers where it's already been published in the Bedford Bulletin in advance of the meeting. The legal notice is there under the assumption that the Council would schedule the public hearing. Chairman Carter wanted to know if they were posting it on BCTV. Mr. Sawyer stated that they haven't historically posted any of their public hearings anywhere other than the agenda and the newspaper.

Councilor Thomas wanted to know if Chairman Carter wanted it posted just because of the big increase. Chairman Carter responded yes. It didn't affect everybody in Town; it just affects those on sewer. Where there haven't been any increases since 2014, he felt putting something out there that says there is a public hearing coming up that could affect them if they have sewer. Councilor Thomas stated that she could see putting a blurb on the Town's Facebook page or something.

Councilor Greazzo wanted to know if they had a section on the website for that sort of display. Mr. Sawyer responded just the agenda section. They would have to click on it to see it. They could put an alert up that says there's a public hearing, but they didn't do that for any of the other public hearings. Councilor Greazzo wanted to know if that might be something they want to consider for the future or just this special exception. Chairman Carter stated that he saw this as being a relative large increase for those that were on sewer and to just give them a little bit of a 'heads up'.

Mr. Foote stated that there were 288 people in Greenfield Farms that were going to experience the 40% increase and the rest of the Town is 6%. He didn't think it would be that difficult for the Department to send postcards to those 288 people. Councilor Bandazian pointed out that they also have a homeowner's association and suggested that a notice could be sent to the homeowners' association and have them distribute it. There was consensus to do it that way.

**MOTION by Councilor Thomas that the Bedford Town Council schedule a public hearing for September 28, 2022 at 7:00 PM to consider increasing the sewer user charge rate of 6% per year beginning January 1, 2023 for the next 3 years for users on municipal metered water, and increases of 40% in 2023, 15% in 2024, and 15% in 2025 for the next 3 years for the 255 sewer residential connections at Greenfield Farms who have a flat rate. Seconded by Councilor Gilbert.**

Councilor Greazzo wanted to know if the Town bills for sewer or did it come from Manchester or Merrimack. Mr. Sawyer responded that it comes from the Town of Bedford. They get the water flow rates from those two water companies and then the Town bills. Councilor Greazzo wanted to know why those two companies weren't billing themselves and Mr. Sawyer responded because it's the Town's sewer system; it's not theirs. It would be discussed in more detail. Part of what they'll see are the improvements that both Merrimack and Manchester had on the books as to why the fees needed to be increased to cover the cost of those capital items they were doing.

**Vote taken – Motion Passed – 6-0.**

**f. Schedule a public hearing for the adoption of new Building Permit fees**

Mr. Sawyer stated that they have not adjusted their building permit fees for at least eight years. A comparison analysis was conducted to show how Bedford is on the low end of permit fees tied with Milford and is the lowest commercial rate. It is recommended that the rates be adjusted approximately 28%. The staff would be able to answer more detailed questions at the public hearing, but the analysis was pretty clear that they should have been keeping up over the last eight years.

**MOTION by Councilor Gilbert that the Bedford Town Council schedule a public hearing for the consideration of increasing the building permit fees on September 28, 2022 at 7 PM. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

**g. Schedule a public hearing in accordance with NH RSA 31:95-b for acceptance of \$491,960.92 of unanticipated highway funds from the State of NH**

Mr. Sawyer stated that it was good positive news. Earlier this year, the Legislature passed SB401 and the Governor signed it in July, which provided an additional \$30M to be distributed to communities in New Hampshire. Bedford's disbursement was just under \$500k. They are required to hold a public hearing to accept the funds, because they were unanticipated revenues. The DPW Director and he would be developing a list of potential projects for the Council's consideration either at the public hearing or at a later date to spend those funds. They cannot be used to offset currently budgeted projects; it has to be additional work. The last time this happened was in 2017 and the Town Council chose to buy the two dump trucks that would have been needed in the next year. You can spend those funds on the equipment necessary to maintain the highways, not just building new roads or improving roads.

**MOTION by Councilor Gilbert that the Bedford Town Council schedule a public hearing for September 28, 2022 at 7:00 PM in accordance with NH RSA 31:95-b for acceptance of \$491,960.92 of unanticipated highway funds from the State of NH. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

**h. Schedule a public hearing in accordance with NH RSA 31:95-b for acceptance of the 2020 & 2021 HSGP grant for purchase of a new boat and equipment trailer in the amount of \$25,000**

Mr. Sawyer suggested that they should probably visit their policy of the Council meeting to set public hearings. It's not a requirement that the Council has to be the one to set the public hearing. Other communities allow the administration to schedule the public hearings, so they would have avoided these four agenda items tonight.

Mr. Sawyer stated that this was for acceptance of the 2020 & 2021 Homeland Security Grant Program for Water Related Catastrophic Events to Critical Infrastructure totaling \$25,000, which would be used to purchase of a new specialized two-tier boat and

equipment trailer. It's actually replacing an existing boat and trailer they acquired with a similar grant in 2013. The boat and trailer would be transferred to the Town of Milford Fire Department as part of the grant agreement. Councilor Gilbert wanted to know what 2-tier meant and Mr. Sawyer stated that he would leave that to the Fire Captain who would be there for the public hearing. Councilor Thomas didn't think it seemed like a lot of money for a boat and trailer. Mr. Sawyer stated that he would have them bring pictures.

Councilor Bemiss wanted to know if they could bring numbers in terms of how many times they've used the boat over the years. Mr. Sawyer thought part of their answer would be it matters that they have it when they need it, not how many times they've had to use it.

**MOTION by Councilor Thomas that the Bedford Town Council schedule a public hearing on September 28, 2022 at 7:00 PM to accept the 2020 & 2021 HSGP grant for purchase of a new boat and equipment trailer, in the amount of \$25,000. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 6-0.**

**i. Decision regarding participation in the State's opioid settlement with Janssen Pharmaceuticals and Johnson & Johnson**

Mr. Sawyer stated that the NH Attorney General's office reached out to communities that exceed 10k in population to ask them to sign on to the State's settlement with Janssen Pharmaceuticals and Johnson & Johnson in regards to their opioid litigation. The agreements from all of the communities are necessary as part of the settlement terms. This settlement would provide a \$31.5 million payment to the State Opioid Trust Fund and a total payment of \$39.605 million. In reviewing the agreement with the Town Attorney the only negative element to signing on to the agreement identified was that the Town would be releasing any claims we have against the defendants. As we have no pending litigation and none anticipated that concern appears moot. In December of 2021, the Town Council voted to participate in a similar fashion with the National Opioid Settlement. The Opioid Trust Fund was a fund that they could apply to for reimbursement of certain expenses the Town has including Narcan that Police and Fire need to use regularly. The request is to authorize the Town Attorney and or the Town Manager to join the State of NH Settlement with Janssen Pharmaceuticals and Johnson & Johnson and provide the necessary release. There is a requirement for this to be done by the end of September.

Councilor Greazzo wanted to know if the Town got a percentage of the funds or just reimbursed for expenditures in regard to opioids. Mr. Sawyer stated that the Town would not and even if they did sue themselves, they wouldn't receive the funds. There was a state law that would require any of those settlements to go to the Trust Fund and not to the municipality. Councilor Greazzo wanted to know if they had a number of what it cost the Town over the years to gage what they might be able to get back from the fund. Mr. Sawyer responded that he didn't have those numbers. There were a significant number of overdose calls. The Chief's monthly reports have shown that they have more overdoses half way through the year than they had all of last year. It's definitely a problem and is ongoing. He believed the Trust Fund could be used for educational resources as well, but primarily they would use it for reimbursement of Narcan and other drugs needed.

Chairman Carter wanted to know if the school would be able to tag onto it. Mr. Sawyer stated that he didn't know who was eligible to apply to the Trust Fund, but anybody who was eligible, it just provides more resources for them to be able to distribute.

Councilor Greazzo wanted to know if they could claim for the time that Fire Department had spent responding to opioids. Mr. Sawyer stated that he wasn't the expert on the Trust Fund, but he could try and get those answers. He didn't know whether that would impact if they moved forward with this or not, but he could follow-up with what the Trust Fund allows. It just opened recently for the first applications, but he didn't know if the Town had made an application yet, but he would follow-up.

Councilor Bemiss thought it would be interesting to know what kinds of things they were accepting for reimbursement, so they may be think about things they hadn't in the past.

**MOTION by Councilor Gilbert that the Bedford Town Council authorize the Town Attorney and or the Town Manager to join the State of NH Settlement with Janssen Pharmaceuticals and Johnson & Johnson and provide the necessary release. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

- j. In accordance with NH RSA 31:95-b, the acceptance of a \$1,035.00 donation for a park bench**

Mr. Sawyer stated that this was a request from the classmates at Riddle Brook School of Liam Bascle who passed away recently. They would like to honor Liam with a memorial bench that would be purchased and placed at the Ann DeNicola Memorial Playground. The School District has a policy where no memorials could be placed on School District property, so the Town becomes the receptor of these types of gifts in the community.

Chairman Carter wanted to see the quote and picture. Mr. Sawyer showed the quote and picture on the screen and stated that it was similar to the benches they already have in place at the pool and playground. The money would come to the Town and we would purchase it to make sure it matches and we would install it.

**MOTION by Councilor Thomas that the Bedford Town Council pursuant to RSA 31:95-b, accept the donation of \$1,035.00 from Nicole Peterson and Ms. Beatty's first grade class and authorize the expenditure in the same amount for the purchase of a memorial bench to be placed at the Ann DeNicola Memorial Playground in memory of Liam Bascle. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 6-0.**

- k. Appointment to the Southern NH Planning Commission**

**MOTION by Councilor Gilbert that the Bedford Town Council appoint Daniel Heath as an alternate member of the Southern NH Planning Commission with a term to expire in July 2025. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.**

**I. Other New Business – None**

**6. OLD BUSINESS – None**

**7. APPROVAL OF MINUTES**

**a. Public Session – August 17, 2022**

**MOTION by Councilor Thomas that the Bedford Town Council approve the minutes of the August 17, 2022 public session. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.**

**8. TOWN MANAGER REPORT**

- 1) The Town Office Building will be closed on Thursday, September 15, 2022 from 1-3 PM for required training of our employees.
- 2) Drought – Bedford is categorized as “Severe Drought”. NHDES urges limiting outdoor water use and only 8pm – 7am, only watering gardens, and only every other day.
- 3) PFAS Contamination State Reimbursement Program (outside of the Saint-Gobain consent decree area): \$5,000 POET system; \$10,000 public water connection; must exceed NH PFAS standards; apply through NHDES website.
- 4) September 22 – Fire & Police Department combined Open House, Safety Complex, 55 Constitution Drive, 5-7 PM.
- 5) September 23 – Bedford Firefighters Association Dance celebrating 100 years of the Bedford Fire Department, Derryfield Country Club, 7 PM. See the Bedford-NH-Firefighters-Association Facebook page to register, \$55 a ticket.
- 6) October 2 – Fall Fest & Family Trail Run, Educational Farm at Joppa Hill, 10 AM trail run registration, 11 AM Race, and Fall Fest 12 – 4.
- 7) October 15 – Clean Up Bedford Fall Event, 9 AM – 1 PM.

**9. COUNCILOR COMMENTS AND COMMITTEE UPDATES**

Councilor Greazzo stated that the Planning Board met on September 12<sup>th</sup>. Millennium Running applied for and approved for a lot line adjustment, construction of a vehicle storage warehouse and future pad site on their property. There was a change of use approved for a warehouse on Route 101 to do some light assembly. There was a request for removal of conditions on the property on Boynton Street that does consignments and had shed space. They wanted some general retail sales.

Councilor Bandazian stated that at the October Energy Commission meeting they would be presenting ButtonUp Bedford program and providing tips on how they could improve home energy performance and informing them of the many incentives that were available through NHSaves. They can partly fund a home energy audit fund improvements. Some could be put on the bill and spread over time at a very low rate.

Councilor Thomas stated that the facilities subcommittee met with the design/build team for the proposed safety complex and refurbishment of the current safety complex. The design/build team reported that they’ve met with all of the shareholders and have a very

good understanding of what Police and Fire need. The thing holding them back now is the site. There are a lot of timelines need to be met and the site is the big consideration.

Councilor Gilbert stated that it was a busy season for the EFJH. They are going to have spooky barn walks that you can check out on their website. There is a big trick or treat event on October 20<sup>th</sup>, 12-4pm, so sign up. They are going to be able to do their Snow Ball on February 4<sup>th</sup> at the Manchester Country Club. Check out their website.

Councilor Bemiss stated that at the last Conservation Commission meeting they talked about some problems going on with camping at one of the sites, the Chubbuck Road town forest, uniform signage within all of the Town parks and trails, and the Trail Stewardship. Kathleen was doing an amazing job with the Trail Stewardship.

Chairman Carter thanked all of the volunteers at the elections and the Councilors for being there. Composting is something they need to continue to talk more about. He's the Town Council rep on the School's Senate at the high school, non-voting. They were looking at taking all of their food waste at the high school. He urged people to watch out for walkers and runners when you are driving out on the roads. He talked about CUB clean-up day on October 15<sup>th</sup>. There are five areas to get the bags.

#### **10. NON-PUBLIC – RSA 91-A:3**

**MOTION by Councilor Bandazian at 8:14 PM to go into non-public session under RSA 91-A:3 II (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, and 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. Seconded by Councilor Thomas.**

**Roll Call Vote: Greazzo-aye, Bandazian-aye, Thomas-aye, Carter-aye, Gilbert-aye, Bemiss-aye – Motion passes.**

**MOTION by Councilor Bandazian to seal the minutes, because it is determined that divulgence of this information likely would render a proposed action ineffective. Seconded by Chairman Carter.**

**Roll Call Vote: Greazzo-aye, Bandazian-aye, Thomas-aye, Carter-aye, Gilbert-aye, Bemiss-aye – Motion passes.**

**MOTION by Councilor Thomas to adjourn public session at 9:05 PM. Seconded by Councilor Bemiss. Vote taken – Motion Passed – 6-0.**

Respectfully submitted,

Dawn Boufford