

**TOWN OF BEDFORD
TOWN COUNCIL MEETING MINUTES
September 28, 2022
10 Meetinghouse Road**

1. ROLL CALL: A meeting of the Bedford Town Council was held on Wednesday, September 28, 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 – None

4. PRESENTATION

a. APWA Accreditation Presentation

Jeff Foote, Public Works Director, introduced Richard Benevento who was the APWA national director for Region 1 and also the past president of the New England chapter of the APWA. He also introduced Tom Brady who was the lead APWA accreditation evaluator for the team during Bedford's evaluation and review process. He is also the conservation administrator for Brookline, MA. He read a letter he received soon after the Town Manager announced that the Department achieved APWA Accreditation. It was sent to him, but applies to all who made this happen including every person on the DPW team, Town Manager, other departments, the governing board, and the APWA accreditation team who spent a week on site reviewing the agency compliance.

Dear Jeff,

Please pass along my appreciation to all the employees and folks in the leadership roles that helped make this happen. It is a great achievement and makes us all proud. Just the other day, I was mentioning to one of my colleagues that as a community, we should not accept anything except for the very best and be careful not allow our standards and expectations to slip to meet political expediency. Knowing that we have dedicated and talented partners providing necessary services is the rewarding part of our jobs. Thanks for all you do for Bedford.

Bill Duschatko

Mr. Benevento, APWA, stated that this was a special occasion for Bedford and for raising Public Works awareness and why it's so important to the quality of life. APWA is the largest and oldest organization of its kind in the world. There are over 30k members representing 62 chapters and 96 branches throughout the US and Canada. NH is in the N.E. Chapter and they have about 1k members. It represents government agencies, consultants, contractors, suppliers, etc. that make up Public Works. The accreditation program has been around for two decades and continues to grow each year with the

number of accredited agencies coming on line. The process starts when a Public Works agency applies to APWA for accreditation. They conduct a self-assessment to see what they are working on and how their processes are working. They look at comparing policies, procedures and practices to the Public Works Management Practices manual. They do that self-assessment first and the outcome of that is the knowledge of where the agency can improve by updating some of those policies and procedures. The agency would then set up an evaluation with APWA staff. The evaluators are part of a pool of Public Works professionals from around the country that come and work with the agency. The evaluators make a recommendation to the accreditation council who then approves the accreditation. It's a process. The accredited agencies put a tremendous amount of time and work into this process to achieve accreditation. The process provides many benefits fostering a culture of continuous improvement, breaking down silos between departments and themselves, capturing institutional knowledge, improving succession planning, document control, and working to decrease insurance premiums, because they are looking to reduce risk. Accreditation is a mark of professionalism indicating a Public Works agency has made a commitment to continuous improvement in the delivery of Public Works operations and services in the community. Accreditation recognizes the agency's policies, procedures and practices, which have been evaluated by experienced Public Works professionals by comparing them against internationally recognized management practices. Management practices benefit the agency and the community by increasing efficiency, improving processes, succession planning, professional development and recognition, continuous improvement, but most importantly it enhances the services it provides to those people who live, work and play in Bedford. There are over 19,400 cities and towns in the US and another 3,700 in Canada, and there are only 176 accredited Public Works agencies, so this is quite an accomplishment; a very elite group that Bedford's DPW has joined. During the May site visit, accreditation evaluators reviewed 441 practices. There were five model practices that stood out and were recognized. Organization and Strategic Planning – the strategic plan was very well done; it was very clear and concise. Human Resources Management and Workplace Conduct – well crafted, concise and very comprehensive. Communications and Public Participation – their neighborhood concept was really good. Meeting with constituents and neighbors sometimes on their front lawn was also recognized. Safety and Evacuation and Confined Space Training – procedures were very detailed and thorough. Snow and Ice Control – snow and ice control and plowing operations was very well thought out.

Tom Brady stated that this was his 14th site visit that he had completed with APWA. He has been in Texas, Arizona, the Carolinas, Virginia, Illinois, Ohio, and Florida. He wanted everyone to send their best thoughts to all of the folks in Florida; the first responders including the Public Works folks have a hellacious job ahead of them for the next few weeks. He has done accreditations on county forms of government and communities that were smaller than Bedford. He found some similarities that caught his eye. He works for Brookline, MA, which is just outside of Boston and Bedford is just outside of Manchester. Brookline was one of the higher per capita incomes in MA and Bedford is one of the higher per capita incomes in NH. The expectations and level of service that comes with that is similar. Generally they have a 3-person team, but one of their team members had a family emergency and couldn't make it, so it brought it down to just two of them, so the schedule that Jeanne (Walker) had laid out very effectively and quickly had to be rearranged; she did a masterful job at that. Their job is to review with a critical eye, ask questions and see how things are going. The Bedford DPW has a very impressive team. They have strong

leadership, a cohesive team, and a consistent core feeling of service. As they were going through the process, questions would arise and they would assist each other on the spot. As mentioned, they had to shift gears in a hurry, so instead of having little blocks of time where they would have a very intense review session and take break, they pretty much went for 12 hours a day. He recognized Jess (Reade) who did a masterful job with navigating and working through. Part of the visit is they look at the DPW facilities; they are clean, clear, and the messaging is concise. They purposefully quietly, discreetly grabbed employees where they could to get a sense of what's going on. They were quietly and discreetly looking at workplace postings and communication issues. They were consistently some of the better ones that they've seen. Both Greg and he took several things back to their agencies. Bedford DPW is the first in NH and that is very hard to do. They couldn't call up another accredited agency in NH and ask questions. They didn't have that resource, but they found a way. One of the core principals is continual commitment to improvement; from the time they came in the door to the time they left it was clear that Bedford's DPW team had that. They were very grateful when they left and his response was just like you hear in life, they give back what they receive. Bedford was blessed with a professional effective, hardworking team. As soon as they sensed that, they were engaged and working hard at this process, so that's how he and his fellow team member responded and worked just as hard. To have the Town Manager in the room and the Chairman of the Town Council come to the dinner and show support for the agency. He thanked all of the members of DPW; it was clearly an effort across the board. He thanked them for their ability to adapt and overcome. He thanked them for their commitment to the accreditation. It was very, very well done.

Mr. Benevento stated that given the success of Bedford's Public Works Department and the leadership under Jeff Foote, on July 12th, the APWA Accreditation Council awarded full accreditation to the Town of Bedford Department of Public Works. On behalf of the APWA, it was his pleasure to award the accreditation plaque in recognition of the hard work, dedication of their Public Works professionals. They also hope they proudly display the accreditation Public Works agency symbol on their website and the DPW website. This was a tremendous accomplishment for the Bedford DPW and the Town. It's even extra special because they now have the distinction of being the first accredited agency in NH. They were setting the bar for other Public Works agencies in NH.

Mr. Benevento presented the accreditation plaque to Jeff Foote.

Mr. Foote stated that he couldn't thank his team enough and for all of the Council's support over the years. For all of them to get to this point and the continuous improvement was really something that they strive on and go through exercises almost daily to do that.

5. PUBLIC HEARINGS

a. Adoption of new Sewer Rates

Mr. Foote introduced John Jackman of Hoyle, Tanner & Associates.

Mr. Foote stated that in 2008, the Town completed an update to its Wastewater Facilities Plan, which included a rate sufficient analysis for the sewer user charge rates. Revenues from sewer user charges must be sufficient to cover not only the cost to operate and

maintain the sewer system in Bedford, but also the expenses and capital improvements for wastewater treatment plants in Manchester and Merrimack. Based on the 2008 rate evaluation, the Town implemented a sewer charge rate increase of 6% per year for 5 years, effective January 2009. Based on further evaluation and recommendations from the Water and Sewer Advisory Committee, the Town Council voted to increase the sewer user rates 10% annually for a 5-year period beginning in July 2010. The Town Council requested periodic review to ensure that the revenues from sewer rates were adequate to meet expenses and financial obligations of the sewer system and that it would not operate in a deficit. This is a Sewer Enterprise Fund, which has no effect on the taxpayer; it's all fee based. There have been no rate adjustments since 2014. The Town engaged the services of Hoyle, Tanner & Associates to complete a comprehensive review and analysis of the sewer user charge rates and expenses to determine if current rates are sufficient to meet not only current projected expenses but financial obligations. The analysis was completed and presented to the Water and Sewer Advisory Committee. John Jackman of Hoyle, Tanner & Associates created a sewer rate model in Excel format and worked closely with the Finance Department, Town staff, and the Water & Sewer Advisory Committee to develop a financial plan to ensure the Sewer Enterprise Fund was solvent and operational and future infrastructure obligations were met.

Mr. Jackman stated that they wanted to make sure that their income covered what their expenses were. A graph showed the net revenue going negative in 2023. The Town wouldn't be bringing in enough revenue to cover their operating expenses. They did a complex worksheet, which allows the staff to update it with newer information. They went through many different options and when they presented it to the Water & Sewer Advisory Committee, this was what was recommended. The sewer rate users that were billed based on water use would have an increase of 6% to year 2026. Greenfield Farms would have an increase of 40% and then 15%, 15%. The graph shows that they were starting to stabilize and stabilized until 2028 with the projected capital expenses. They may have a capital expenditure that they have to incorporate and the worksheet allows them to do that to see if they were continuing with the positive trend. After 2030, they start losing and having their income not meeting expenses. They had to project out far enough so that they could make adjustments and know what all the different loans were. Greenfield Farms had just been covering the expenses of what it was to discharge and go to Merrimack. Merrimack has increased their rates. They wanted to make sure the rates of Greenfield Farms would also help cover the administrative and operational costs of the whole sewer system the same as everyone else pays for. They brought their rates up to try and match the same rates as the rest of the residents in Bedford were paying.

Chairman Carter opened up the public hearing.

Travis Pierce, Greenfield Farms, stated that he appreciated the analysis and paying what's fair, but wanted them to realize that that's an 85% increase over three years. He wanted to see a little bit more justification. It was a tough pill to swallow.

Mr. Foote stated that for several years the Greenfield Farms contribution to the enterprise fund hadn't been keeping up with the expenses. At one of the Water & Sewer Advisory meetings they talked about equity. What's being presented tonight is makes the system equitable. They reached out to the Homeowners Association, so they would understand what was happening. The Water & Sewer Advisory Committee had numerous discussions

relative equity and this was a way to achieve equity for all system users at the most reasonable rate if they were to catch up and have this fund be self-sufficient.

Councilor Greazzo explained that the Greenfield Farms had been historically low when they started and hadn't caught up with the rest of the system, which was the reason for this correction. It is a tough pill to swallow, but for years that they hadn't been paying into it has to be made up somewhere and it couldn't be made up on the rest of the Town.

Mr. Pierce wanted to know if it would be possible to understand how much the services that were provided to Greenfield Farms cost on a per capita basis compared to the rest of the Town. Councilor Greazzo thought it had more to do with flow rates. Mr. Jackman explained that the driving cost just for Greenfield Farms was the cost that Merrimack charges to have those sewer connections and they were flat rate. They weren't metered by flow. That increase has occurred for the past three years. Greenfield Farms hasn't experienced any increase in their sewer rates, so it was being absorbed. At the same time, there was no money being set aside for capital or paying for the operations. It's a low pressure system, which was more difficult to maintain, so they felt this was a necessary step. One of the options they did not choose had a steeper increase than the 40, 15, 15; they wanted to spread it out a little bit more, but they couldn't spread it out too long, because it would be supplemented by the rest of the users. Mr. Foote stated that the entire Greenfield Farms development was on a low pressure system, which was far more costly to maintain than a gravity system. Merrimack tells them what they owe, so there wasn't a lot of conversation on their proration and contribution if they want to continue to provide a municipal sewer to Greenfield Farms. The Town is obligated. The equity part of this; it was a way to get to an equitable financial plan.

Chairman Carter closed the public session.

Councilor Bemiss thought it seemed that Greenfield Farms was being picked on. Greenfield Farms was one of the only housing developments that has sewer. Mr. Foote stated that it was the largest one that was strictly single family. There were many neighborhoods that have sewer that were on gravity. No one was being picked on. Councilor Bemiss stated that they weren't picking on them was her perspective. Mr. Foote stated that there was a lot of deliberation trying to make it so it worked for everyone. For the last several years, the people not in Greenfield Farms had been subsidizing the people in Greenfield Farms. That's what they were trying to neutralize.

Councilor Bandazian wanted to know about the capital planning for the system. It had been mentioned that the Greenfield Farms system was designed so that it builds up sulfuric acid, which caused a lot of corrosion in the Merrimack system and after a long negotiation, Public Works managed to work out a compromise that was much less expensive than Merrimack wanted. His long-term concern was the longevity of that repair. Mr. Foote stated that it was going to perpetuate, because of the reasons Councilor Bandazian had mentioned. That was the design and that was accepted 30 years ago as an acceptable alternative. They should all be leery of any person or entity that comes in trying to propose a similar system in the future. Public Works would be more vocal in its opposition if another low pressure system came before the Planning Board or any other government entity for approval. Councilor Bandazian clarified that that capital expense attributable to Greenfield Farms was spread across all rate payers.

Chairman Carter wanted to know if there was a thought to get to the final outcome by doing four years instead of three years. Councilor Greazzo stated that there were a few alternatives and this was the least repugnant. He doesn't like the 40%, but what else was there to do. It's got to catch up somewhere. They see what's happening in the current economy and thought 40% given the current doubling of utility rates was probably less objectionable. That's why they decided to make this recommendation to the Council rather than some of the others. Councilor Bandazian stated that it's a little less than \$10 a quarter increase. Jerome Spooner stated that it was actually \$12/month extra for the flat rate fee. He mentioned a capital project coming up for the Pearson Road project, which was \$225k. Councilor Greazzo explained that these rates weren't for Bedford itself. These were the rates that the surrounding towns charge us for our waste to go to them to be processed. A lot of it they don't have any control over at all. They just have to pay and figure out where they get the money from. To get it from everyone in Town rather than the area that needed to be stepping up to their obligation didn't seem appropriate.

Mr. Foote mentioned the \$225k. There were 255 units in Greenfield Farms and it doesn't take long to get to \$1k per unit/house/dwelling, and that doesn't include the money they have to pay Merrimack to treat the waste and pay for that capital improvement at their plan as well. It's more expensive to operate a low pressure system than other types.

MOTION by Councilor Gilbert that the Bedford Town Council increase the sewer user rate charge 6% annually effective January 1st of each year for the next 3 years (2023, 2024, 2025) for users on municipal metered water, and increases of 40% in 2023, 15% in 2024, and 15% in 2025 for the 255 sewer residential connections at Greenfield Farms who have a flat rate. Seconded by Councilor Bemiss. Vote taken – Motion Passed – 6-0.

b. Adoption of new Building Permit fees

Mr. Sawyer stated that the Town hadn't adjusted its building permit fees for the last 8 years. Bedford is tied with the lowest permit cost at \$0.14/SF for residential and \$0.18SF for commercial. The recommendation was to increase by 28% to \$0.18/SF for residential and \$0.23/SF for commercial.

Chairman Carter opened up the public hearing.
Chairman Carter closed the public hearing.

MOTION by Councilor Gilbert that the Bedford Town Council adopt the proposed building permit fee schedule dated September 28, 2022 as proposed effective October 3, 2022. Seconded by Councilor Thomas. Vote taken – Motion Passed – 5-1 (Greazzo-nay).

c. Acceptance of \$491,960.92 of unanticipated highway funds from the State of NH in accordance with NH RSA 31:95-b

Mr. Sawyer stated that those funds were a result of SB401 becoming law in July of this year, which provided \$30M in total funds to be distributed to all communities across NH.

These funds can be used to work on a road or bridge project and for equipment that maintains the bridges and roads. They learned today that these funds could also be used to construct sidewalks along those roads. They put forward projects that they could spend the money on. A similar allotment was made in 2017, and the Council chose to purchase dump trucks to be able to take them out of a future budget. The two 6-wheel dump trucks were estimated at \$450,000. His request was to accept the funds, but make a decision in the future on how to spend them. The sidewalk he would be interested in is where they have \$100k of developer contributions that would have to be returned in 2026 if it's not spent; from Route 101 to Memorial School along Old Bedford Road. He would like to get an updated cost estimate and make a recommendation as part of the budget. The Council was welcome to direct them how to spend the funds tonight if they so choose.

Chairman Carter opened up the public hearing.
Chairman Carter closed the public hearing.

Councilor Gilbert wanted to know if there was a time limit to spend them. Mr. Sawyer responded no, they were non-lapsing funds. That's specific in the statute that was adopted. They are in a dedicated account and could be spent as the Council desires.

MOTION by Councilor Thomas that the Bedford Town Council accept \$491,960.92 of unanticipated highway funds from the State of NH with expenditure of the funds to be determined at a later date. Seconded by Councilor Gilbert. Vote taken – Motion Passed – 6-0.

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

Mr. Sawyer apologized for his confusion at the last meeting where he was reading it as boat and trailer. It is just a trailer that is for boats and equipment. The current trailer would be transferred to the Town of Milford. Bedford, Milford and all the towns in the region work collaboratively for swiftwater and water rescue. It's not just a Bedford system, but they oversee this particular program. He was very proud of the employees who were swiftwater trained. This is just another tool for them to respond as needed in Bedford and the region.

Chairman Carter opened up the public hearing.
Chairman Carter closed the public hearing.

MOTION by Councilor Gilbert that the Bedford Town Council accept the 2020 & 2021 HSGP grant for purchase of a new trailer for rescue boats and equipment in the amount of \$25,000 and authorize the Town Manager to execute any necessary documentation. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

Mr. Sawyer thanked Chief Hunter and his team for going after grants like this.

6. NEW BUSINESS

- a. Approval municipal solid waste contract extension**

Mr. Foote stated that in the fall of 2014, the Town advertised for hauling and disposal of solid waste. Covanta Haverhill Associates was the lowest bidder and has been hauling and disposing of Bedford's waste for 8 years. The original contract was three years and the Town took advantage of every extension they could. This year their MSW (municipal solid waste) fees are \$77.13/ton with a proposed increase beginning the first of the year until the contract ends would be around the \$81/ton range. They are proposing to extend the existing contract for another year and a half, which would cause an increase from \$81/ton on the last day of February to \$115.52/ton on March 1st. They realize that it's a significant increase have been warning and warning that they would see a significant increase the MSW rates. He thought it was palatable considering some of the other comparables outlined in the staff report. Other communities were asked for any recent MSW contracts and they didn't get anything that was better than what this proposal was. For reasons such as the economy, uncertainty, inflation, and what's happening today, they recommend that they extend the contract for 18 months and hopefully they see some stabilization in the economy and inflation and then at that time let the contract out again for rebid. Another component was that they may move forward with improvements at the Transfer Station, which would help them be stable until they get to that point whether they make improvements to the Transfer Station or not. They've been working with Covanta for 8 years, they provide a good service, are dependable, and a good partnership.

Chairman Carter wanted to know if they put it out to bid the rates would be higher than what they have. Mr. Foote stated that he was looking at his 2019 staff memo and back then they were saying \$100-150/ton just for the disposal, not the trucking.

Councilor Gilbert stated to go from \$77 to \$115 was roughly \$38 times his projection of 7,600 tons, so they were talking about \$300k. Mr. Foote stated that there would be a fee increase on January 1st to the end of February and they were projecting that to go to \$81/ton. It was about a 40% increase. Councilor Gilbert stated that what they were really doing was putting this off for another year and a half, but they would have to take a look going forward. Mr. Foote stated that they could let a contract out right now, but he didn't know too many that want to commit to a five or eight year contract right now.

Councilor Bemiss mentioned possible mandatory recycling and wanted to know what effect that would have on the solid waste transportation in terms of volume. Mr. Foote stated that they were paying a premium for trash and now recycling and trash were about the same rate. The nice thing about going with Covanta was that waste was being incinerated and its generating electricity and they were reducing the volume by 90%. If they were to introduce mandatory recycling, the MSW would shrink and recycling would go up and today they are about equal.

Mr. Sawyer wanted Mr. Foote to discuss food waste and the tonnage of getting that out of the system. Mr. Foote stated that they were taking the food waste that folks were leaving in the blue bins at the Transfer Station and mixing it with existing leaves and making a compost that's viable for reuse on athletic fields, parks, etc. When the rain stops they were going to be mixing and screening some material up there and a portion of that was going to go on the Library improvements. Those are all great repurposed areas where they can take something that's a waste and able to reuse it in Town. They are working with the school trying to come up with a plan to possibly take the food waste generated at the schools and introduce it at the Transfer Station and make a product. They don't

have the data and the numbers yet to do that and they don't want to be overwhelmed, but they want to participate if they can. Councilor Bandazian thought it was an excellent program; it's in its early stages. It's a way citizens can cut their tax bill. For the first 8 months of the year, they had 280 tons more of MSW, so multiply that by 150% by \$77/ton and its \$30k that comes out of appropriations. Composting doesn't cost anything. Mr. Foote stated that they try to emphasize that. When entering the Transfer Station, at the bottom of the message board it always says, 'Food compost - \$0/ton'.

MOTION by Councilor Gilbert that the Bedford Town Council award “Second Amendment to Agreement For Solid Waste Transportation And Disposal Services” for Contract Award #11-14 Solid Waste Hauling and Disposal to Covanta Haverhill Associates of Haverhill, MA and authorize the Town Manager to execute the agreement. Seconded by Councilor Bandazian. Vote taken – Motion Passed – 6-0.

b. Discussion of a Chubbuck Road long range plan and possible Town Forest designation

Becky Hebert, Planning Director, stated that the Town owns approximately 163 acres along Chubbuck Road, including the Transfer Station and capped landfill, which was about 124 acres, and a couple of parcels known as the Spring Hill Open Space that were managed by the Conservation Commission. These parcels are contiguous with Legacy Park. The Chubbuck Road property was largely known for the Transfer Station and the capped landfill, but these uses only take up about 40% of that 124 acre parcel. The Conservation Commission along with a few Town residents have been asking about the management of the land and discussing options including the possible designation of a portion of the property as a Town Forest. In NH, the Town Forest designation was more than just a name; it's a legal designation outlined in NH RSA 31:110 as specific from of land management that towns can enact on Town owned property. The key aspect about Town Forest designation is that the Town Council would be delegating their authority to manage the land to an appointed committee or the Conservation Commission. The delegation is typically made to give special consideration to the land and its natural resources. It also allows communities flexibility to remove the Town Forest designation in the future; unlike a conservation easement or a deed restriction, which was meant to be in perpetuity. These properties, because of the location of the Transfer Station and the capped landfill and the proximity to Legacy Park, have multiple uses and there were multiple departments involved in the management of the land. There are trails the public uses on Spring Hill open space and they extend north through the Chubbuck Road property to Legacy Park and some of the trails are groomed in the winter for cross country skiing. She was there to offer support in this effort if the Council was interested in investigating the Town Forest designation or creating a long-range management plan for the Chubbuck Road properties. They would recommend that the Town Council consider appointing a subcommittee to take on the studying of the property and the possible Town Forest designation and have a committee that would have representation from various groups that utilize the land: Members from the Parks & Recreation Commission, Conservation Commission, DPW, and Planning.

Councilor Bemiss mentioned how the Marsden property could potentially be connected. Ms. Herbert showed on a map the screen and the potential to connect the Marsden lands

with the open space, Legacy Park and Chubbuck Road properties to the south of New Boston Road. Councilor Bemiss stated that there was a close possibility of connecting into Van Loan as well. They could have a very lengthy contiguous piece of area. Councilor Gilbert wanted to know how they would connect it. Councilor Bemiss stated that the Town owns certain lots in there. Ms. Hebert explained that there were some Town-owned parcels and there may be an on road section, but there was the possibility for connecting to Van Loan, Benedictine, and Mueller Park. The Chubbuck Road parcel was a key piece in the center of Town geographically.

Councilor Gilbert didn't understand what's different than what they do right now. He didn't see what the designation of a forest did other than what they were doing right now or could do without that designation. They could do everything she just said without the designation of a forest. He wanted to know what it buys them and what the purpose of it was. Chairman Carter thought the purpose of it was to form a committee to explain what that would be. Councilor Gilbert stated that he understood that, but they were going to have four entities get together and wanted to know who was going to be in charge. Ms. Hebert thought the Planning Department would lead the conversation. The idea would be to develop a plan. Councilor Gilbert wanted to clarify a plan to do what the committee decides to do, which wasn't necessarily make it a Town Forest. Ms. Hebert stated that he was correct. She thought if the Council was interested in the designation of the Town Forest and after further study and review, the committee may decide it was a wonderful idea and needed to be pursued or the committee may decide it's another added layer of protection that may not be needed for the properties. She thought it was premature to be making assumptions. Where there were a lot of different groups that use the land or could use the land, the idea would be to have a collaborative planning effort. It would involve a few meetings with the different groups of people to look at a map and talk about what Parks & Recreation hopes for trails and cross country ski trails on the property, what the Conservation Commission considers a priority for natural resources. They have a very active Trails Stewardship committee right now where trail connections could happen. DPW was looking at a solar array and 3-phase power at the Chubbuck Road property, so talking to DPW to make sure they understand what their needs were moving into the future and where the solar arrays would be located and how that might impact any planning for the property. Councilor Gilbert thought there were two other groups they would probably most definitely want to be involved in this, the people who were doing the cross country ski and the high school ski team. He thought it was a lofty goal to get them all connected, but it would be really cool. Chairman Carter stated that connectivity was big in the State and when it comes to grants to get to be able to link these properties together allow a natural resource connectivity across. The initial step is to form a committee. There was no time set for this to be completed. It's just to start the process.

Councilor Gilbert wanted to do know why it was a key aspect that the Town Council delegate the authority to someone else and why they would want to do that. Ms. Hebert explained that it was the key aspect of the Town Forest designation. It only applies if the Town Council decides to designate any land in Bedford as a Town Forest. They would be delegating their authority to manage the land to a separate Town Forest committee or to the Conservation Commission. Councilor Gilbert wanted to know if that was a 'must do'. Ms. Hebert stated that it was if the land is designated as a Town Forest per State law.

Mr. Sawyer stated that this was a Town Council request. It was an action item from their retreat, so the staff has organized this in this manner and has had preliminary conversations with the Conservation Commission. This was completely in the Council's hands if they want this to move forward for further study. The study may come back and say Town Forest wasn't needed, but some other planning should take place, or it might just say that it's been land banked for a while and remains land banked and the Council would make decisions as needed to be in the future. Ms. Hebert stated that they were offering help, assistance and available if the Council wanted to pursue investigating the Town Forest designation and a collaborative approach to managing the land.

Councilor Gilbert wanted to know if the designation of Town Forest held more weight in getting grants. Chairman Carter stated yes. He was familiar with this because he was in charge of the Town Forest in Salem, NH. Every five or six years they would do some cleaning out and that was called a lumber sale. The money made from that lumber sale would go back into conservation funds to keep up the Town Forest. The Town Forest at that point was 100 acres and now it's at 200 acres. That would be a way of raising some money for the conservation fund. Councilor Gilbert stated that they could do that now regardless of whether it was a Town Forest or not. Chairman Carter responded yes.

MOTION by Councilor Bemiss that the Bedford Town Council appoints a subcommittee consisting of representatives from the Planning Department, Public Works Department, Town Council, Parks and Recreation and Conservation Commission to develop a long-range plan for the Chubbuck Road properties and make a recommendation regarding the designation of a portion of the Chubbuck Road properties as a Town Forest. Seconded by Councilor Greazzo. Vote taken – Motion Passed – 6-0.

Councilor Gilbert wanted to know how many people they were going to have on the committee. Chairman Carter thought about a half dozen at best; an odd number. He Councilor Bemiss agreed to be the Council liaison. Councilor Gilbert stated that with so many groups involved with different agendas and everybody wants to be heard. Chairman Carter stated that it was just a start. Once the committee is put together they will set the timeframe and have periodic updates from Councilor Bemiss. Councilor Bemiss stated that her conversations with Chris Wells from the Land Trust; he helped her understand the Town Forest designation. Councilor Gilbert wanted to know if PLC had any interest in any of the property. Councilor Bemiss stated that they have management of the New Boston Town Forest, the Goffstown Town Forest, so they wouldn't necessarily hold the easement, but they would be helping them in terms of the process and how they validate what species were there and the benefits of the contiguous piece of property.

c. CIP Update

Mr. Sawyer stated that to be included in the CIP the project or piece of equipment needs to be valued at \$25k or more and have an extended lifespan of three years or more. The Plan was put forth in accordance with RSA 674 and the Town Charter. The Town Charter requires that the Plan be submitted to the Council one month prior to the budget submission. The Plan is also submitted to the Planning Board for review and comment especially on project rankings. The rankings are his proposal to the Town Council. The

rankings of projects can change and have no impact on when a project is done. The rankings and the entire CIP remain flexible all the way through the budget process until the Budgetary Town Meeting in March. The total CIP for the 10 years is \$82.5M with approximately \$10.3M in 2023 with \$4.58M of that \$10.3M being just debt service for the local roads program. An additional \$1.5M is proposed in the operating budget for local road maintenance bringing the total dedicated to local roads in the proposed CIP Plan and the budget of \$6M for next year. The local road maintenance fund moves to \$2m in 2024 as an existing road bond is paid off. The third road bond was sold in 2020 and completes the bonding authorization for the program. The CIP currently recommends two items to be bonded in 2023. First is their first phase of facilities improvements for the construction of police station and fire substation. The second is the installation of a solar array and electrical compactors at the Transfer Station. The first year costs are shown at \$300k for the interest and costs to sell the facilities bond and \$50,000 for the Transfer Station bond. The plan includes an additional bond for facilities in 2026. There was a lot to be discussed about those last two projects and a lot of decision to be made. The facilities portion and the solar project remain the most subject to change as his budget is further developed and decision are made on both projects in the coming weeks. The Plan also reflects a deposit of 1.5M to the facilities project to reflect the sale of 4 Sunset Lane in 2022. Those funds will follow the fund balance as part of his budget in the Capital Improvements Plan. He would be asking the Council to rededicate those to the facilities plan with the 2023 budget. The remaining Recreation Plan Improvements are shown to be completed over time by dedicating \$125k a year and completing the improvements every two or three years. They put a bond request forward a number of years ago to complete the entire Recreation Improvements Plan, but it didn't pass, so they've been taking this approach of setting aside a smaller amount each year and completing in pieces over time. 2023 is the second year of saving to replace the turf at Sportsman Field in 2031 estimated at \$800k. A new project requested to start in 2023 is a series of cisterns for public fire protection with a total project lifetime cost of \$800k and at this point he's carrying \$50k towards that project in the 2023 CIP. He's ranked that project as B, desirable, but the Council can weigh in on the rankings of any project. Included in the CIP as always is the replacement of their emergency response vehicles, their DPW vehicles and equipment, the Town valuation update done by the Assessing Department, other Plan updates and saving for furnace, roof and other building maintenance matters. The Plan is flexible all the way up to Town Meeting in March and is part of the budget, so the Council would make changes as part of their budget review, but he welcomes any comments they have before he submits his budget. There was no action required tonight.

d. Approval of 2023 Town Council Meeting Dates

Councilor Bemiss stated that she verified them against the Jewish holiday calendar.

Councilor Greazzo stated that given the initiative to try to make it a ballot vote, he wanted to know if it was possible to do the Budgetary Town Meeting the same day as voting day. Just move over to the auditorium after they're done voting. Councilor Thomas stated that it takes so long to count the votes and Councilor Greazzo stated to let them keep counting. Councilor Thomas stated that the people that count might want to be at the meeting. Councilor Gilbert stated that they have to do the boxes. Councilor Greazzo stated that he was just trying to see if they could do it all in one night.

Councilor Bemiss wanted to know if it was possible at voting day to have a postcard or something to hand to voters saying come to tomorrow night's budgetary meeting. Chairman Carter thought there was opportunity to do that. They get handed their ballot; there could be something handed with. Mr. Sawyer stated that he didn't believe they could; not with the ballot. The Councilors could stand in the hallway and hand them out. Councilor Bemiss stated that students could do it. Councilor Gilbert stated that they could put a board out there when they walk in saying 'Town Budgetary Town Meeting tomorrow night, 7:00 PM'. Everybody would see it. Handing out cards, they'll just throw them away. Chairman Carter thought the logistics could be worked on to make sure they get the word out. Councilor Greazzo thought a big sign board right as they enter the one door.

Councilor Bemiss stated that she's had several people comment that they liked it better in an open lighted area. It wasn't so dark; the board could see the audience and the audience could see the board. Councilor Thomas stated that it was better in McKelvie. The house lighting in the auditorium was not conducive to a meeting like that. Councilor Bemiss wanted to know if they put it back to McKelvie or a different environment. Councilor Greazzo mentioned the gym where they vote; they've got the bleacher seats. Mr. Sawyer stated that they would have to budget additional funds for sound systems. Councilor Greazzo stated that if it was in the gym they've got a sound system already. Councilor Thomas stated that when it used to be in there it was quite the undertaking. Mr. Sawyer stated that they would have to set up a stage and lighting. Councilor Bemiss wanted to know about the McKelvie gym where it used to be. Councilor Thomas stated that it would have to be set up. Also, in the cafeteria with a stage at McKelvie they would still need a speaker system. It used to be at McKelvie before they had an auditorium. Councilor Bemiss stated that if the high school auditorium was not conducive for that meeting, maybe they just need to look at other options. Councilor Thomas stated that she understands what people were saying; it's not conducive and it's not conducive to sitting up on the stage and looking out, because you see a thing. She didn't think that was keeping people from going to that meeting. That meeting had never been well attended. Councilor Bemiss stated that when it was at McKelvie it was packed. Councilor Greazzo stated because McKelvie was a lot smaller than the auditorium. Chairman Carter stated that further discussion could be done on this. Councilor Bandazian thought it was a great conversation last year on a day that it was snowy. Citizens came and asked good questions, added money to the budget for firefighter overtime; he thought it was a real good showing of how it's supposed to work. Councilor Thomas stated that a lot of people just don't know how things are done and they don't tune in until after the fact. Mr. Sawyer stated that he couldn't promise them that any other facilities were available. They book the auditorium in advance with the School District. If they were serious about this, they need to make a decision fairly quickly, because it had to be part of the warrant. Councilor Thomas thought it was more getting people to go than where they go.

MOTION by Councilor Gilbert that the Bedford Town Council approve the 2023 Town Council meeting dates as proposed. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

e. Other New Business – None.

7. OLD BUSINESS – None

8. APPROVAL OF MINUTES

a. Interview – September 14, 2022

MOTION by Councilor Gilbert that the Bedford Town Council approve the minutes of the September 14, 2022 Interview. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

b. Public Session – September 14, 2022

MOTION by Councilor Gilbert that the Bedford Town Council approve the minutes of the September 14, 2022 Public Session. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

c. Non-Public Session – September 14, 2022

MOTION by Councilor Gilbert that the Bedford Town Council approve the minutes of the September 14, 2022 Non-Public Session. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

9. TOWN MANAGER REPORT

- 1) Mr. Sawyer thanked the emergency responders, Police and Fire. They suffered a significant 3rd alarm structure fire at 15 Iron Horse Drive last week; a multi-family apartment building, which now has over 30 families displaced for a significant amount of time. The fire was still under investigation, but it's quite possible that it could have been a lightning strike, but that's not definite. He also thanked their mutual aid partners. They had about a dozen communities that responded and covered the numerous other calls that occurred in Town during this event. Everyone made is safely out. It is a building that can be rebuilt and not replaced. That goes to the efforts of the first responders and mutual aid partners.
- 2) As a result of the Iron Horse Drive fire, the Police and Fire Open House was rescheduled for Thursday, September 29, 2022 at 5 PM. It is no longer a combined open house, because of significantly reduce staffing levels within the Fire Department due to the number of employees and also a significant COVID situation. They don't have Fire Department participating in the event although the Fire Chief and others may be able to provide a few fire truck rides.
- 3) Police Department Annual Open House – Thursday, September 29th, 5-7 PM, 55 Constitution Drive
- 4) Fire Department Open House – October 19th, 5-7 PM, 55 Constitution Drive
- 5) The State Primary Election on September 13, 2022 in Bedford had 4,846 votes cast. Republican votes were: 3,001 at the polls and 250 absentee. Democratic Votes were: 1,376 at the polls and 219 absentee. There were 113 same day registrations, 16,036 registered voters. Thank-you to all of our election workers and elected officials that work very long hours overseeing the election.
- 6) The State of NH will hold a General Election on Tuesday, November 8, 2022, 7 AM to 7 PM, at the Bedford High School. Last day to register to vote prior to Election Day is Wednesday, November 2, 2022.
- 7) Fuel Assistance Program – NH Department of Energy – Done through the community assistant partners. In Rockingham County and Hillsborough County that is Southern

- NH Services. You would be eligible for a one-time grants of up to \$200 for electricity and \$450 for heating fuel based on certain income qualifications.
- 8) 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.
 - 9) October 2 – Fall Fest & Family Trail Run, Educational Farm at Joppa Hill, 10 AM trail run registration, 11 AM Race, Noon Fall Fest.
 - 10) October 2 – Library Concerts & Cookies Series, Rich Araldi: The Songs and Their Stories, 2:30-4:00 PM, please register through the Library website.
 - 11) October 7 – Fire Safety Storytime, 2:00 PM – Come down to the Bedford Common parking lot to hear a story, talk to a firefighter and see what these first responders are all about.
 - 12) October 9 – Cinema Sunday at the Library with discussion and viewing of Nosferatu, 1:30-4:30 PM, please register through the Library website.
 - 13) October 10 – Columbus Day, The Library will be closed to the public for staff training, all other facilities will open. The Transfer Station will be closed as typical on Mondays.
 - 14) October 13 – Thursday Theater at the Library, Mrs. Harris Goes to Paris, 2 PM and 6:30 PM, please register through the Library website.
 - 15) October 15 – Clean Up Bedford Fall Event, 9 AM – 1 PM.
 - 16) October 23 – Unlocking the Mystery of Pulpit Rock, 11 AM – 1:30 PM. Register at on the Piscataquog Land Conservancy website: <https://plcnh.org/event/unlocking-the-mystery-of-pulpit-rock-2/>

10. COUNCILOR COMMENTS AND COMMITTEE UPDATES

Councilor Bemiss thanked the Fire Department and Police Department for all the work they've done. She spoke with Chief Hunter and they spent several hours after the fire was out going in and retrieving personal belongings. The Conservation Commission met last night. They had a great presentation by Chris Wells from the PLC about the mission and conservation properties and what makes them good. Trail Stewardship goes on. They have a huge amount of volunteers going out and working really hard.

Councilor Gilbert stated that the facilities subcommittee wants to form a committee for public outreach. They wanted some suggestions of people in Town they thought would be good for that committee. They need it fairly quickly. Send names to Sue, Rick or himself. They were talking about a 9 person committee.

Councilor Thomas stated that after their meeting with the design/build team; they have to start getting the word that they were even doing this. There were a lot of people in Town that don't know that they were looking into a new Police Station and Fire Substation. They were looking for people that would have outreach in the community. They would learn about what they were doing and then they would be the ones to go out to spread the word and tamping down false rumors. They were looking to put this together by their next meeting. There was a Zoning meeting last week and they approved two zoning requests. One for a pool and one for a home-based business. She knew that many Bedford residents have family in Florida and 2nd homes in Florida. They were thinking about them and hoping they were all safe and get through the next few days.

Councilor Bandazian congratulated DPW and DPW employees on the accreditation. Coming in a year when they were short-staffed and to undergo that kind of scrutiny was

really amazing. There was nothing that goes on in Town that Public Works didn't have a hand in making successful. It was a really great accomplishment. He had no idea that they were the first in the State; that's something to be very proud of. They had a Planning Board workshop last night. There were a couple of bills that made it through the Legislature that may significantly affect what people consider the quality of life in Bedford. One they could do something about and one they couldn't do something about. One precludes the Town from doing any site plan review of an organization that calls itself a religious institution in any residential zone, which means signage of any size, lighting – as long and as bright as they want, no traffic control, no driveway permitting. Other than setbacks, the Town can't regulate anything based on its own regulations. That could have a major impact on some residential neighborhoods. The other bill was to apply any incentives that were available for elderly housing to workforce housing. Those were not in sync right now; they're broader elderly housing incentives in Town. Those would be studied over the next couple of meetings leading up to the election. At the Energy Commission meeting on October 27th, for the first 90 minutes they will have a Button Up Bedford program with a professor with expertise in building envelopes and incentives that were available to people to make improvements in their homes. It will be broadcast and available On Demand. Since the last time they talked about landfill photovoltaics, there's another \$960k available in grants to pay 40% of the photovoltaic side of it, so almost \$1.5m available in funding for the whole project. That was good news if the Town goes forward with that. He submitted his PFAS report to their Legislative group, so that final report would be coming out in the next month.

Chairman Carter thanked Councilor Bandazian for his work on PFAS. CUB Day is October 15th. The bins would be out by Saturday morning and bags will be inside. He echoed the comments from Councilor Thomas concerning all of those that might have relatives in Florida. Their thoughts and prayers are with them.

11. NON-PUBLIC – RSA 91-A:3

12. ADJOURNMENT

MOTION by Council Gilbert to adjourn at 8:55 PM. Seconded by Councilor Thomas. Vote taken – Motion Passed – 6-0.

Respectfully submitted,

Dawn Boufford