

HUDSON, NH, BOARD OF SELECTMEN
Minutes of the September 7, 2010 Workshop Meeting

1. CALL TO ORDER by Chairman Massey at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE led by Selectman Maddox.

3. ATTENDANCE - Ken Massey, Roger Coutu, Ben Nadeau, Shawn Jasper, Rick Maddox

Staff/Others: Steve Malizia, Town Administrator; Town Clerk/Tax Collector Patti Barry; Recreation Director David Yates; Finance Director Kathy Carpentier, Jeremy Griffus, Len Lathrop, and Leo Bernard

4. MINUTES

- a) Minutes of the Board of Selectmen Meeting on July 27, 2010
- b) Minutes of the Board of Selectmen Workshop Meeting on August 3, 2010
- c) Minutes of the Board of Selectmen Meeting on August 10, 2010

Motion by Selectman Jasper, seconded by Selectman Coutu, to accept the minutes of the Board of Selectmen meetings on July 27, 2010, August 3, 2010, and August 10, 2010, carried 5-0.

5. OLD BUSINESS

A. Votes taken after Nonpublic Session on August 24, 2010

- 1) *Motion by Selectman Coutu, seconded by Selectman Jasper, to hire Gary Rodgers, Lisa Lyons, and Joseph Fleming at \$13.50 per hour as School Crossing Guards effective August 24, 2010, carried 5-0.*
- 2) *Motion by Selectman Coutu, seconded by Selectman Maddox, to hire Adam Nardelli at \$10.00 per hour as the Police Department's Alvirne High School Student Maintenance Assistant effective August 24, 2010 per the recommendation of Police Chief Lavoie, carried 5-0.*
- 3) *Motion by Selectman Jasper, seconded by Selectman Coutu, to seal the minutes of the nonpublic session, carried 4-1. Selectman Maddox in opposition.*
- 4) *Motion to adjourn at 9:55 p.m. by Selectman Coutu, seconded by Selectman Maddox, carried 5-0.*

6. DISCUSSION ITEMS

A. Town Clerk/Tax Collector's Department Review

Chairman Massey said that tonight they begin their final set of discussions with their department heads. He recognized Patti Barry, Town Clerk/Tax Collector.

Good evening and thank you. Patti Barry wanted to start with a quick overview of her department. Her department is largely governed by New Hampshire State Statute. Their main responsibilities are motor vehicle registrations, collection of property taxes, vital records, dog licensing, and town and state elections. They are also the keepers of the records. So they maintain the minutes of various town committees, pole and petition licenses, articles of agreements, scrap metal licenses, and drudge and fill applications.

Right now she has 5 full time positions - herself, Deputy Donna Melanson, Chrissy Curtin, Pam Bisbing, and Diane Morrisette. All positions are fully trained and certified by the State DMV. Right now she did not anticipate any need to add any more staffing.

Ms. Barry had a few quick numbers for fiscal year ending June 30th 2010. They registered just under 30,000 motor vehicles. They issued 3,900 dog licenses, 164 marriage licenses, and 455 vital records, which are birth, marriage, and death certificates. Right now as of Friday, September 3rd, they're at 25 percent collected of the July 2010 tax bills.

Ms. Barry said that Thursday evening hours has been a huge hit. They have been so busy this summer. A lot of marriage licenses. They're open until 7 p.m. every Thursday night and the reception that they've received from residents has been huge. Everyone thanks them all the time for coming in. It's been great. She believed a big part of their success was directly attributed to the 4 clerks in her office. They bring so much humor to difficult situations a lot of the times. They're a great group of women to work with, and she can't thank them enough. It's a pleasure having them in her office.

Ms. Barry's goals for the future are basically bringing a credit card program. She was working last year with the IT Department and Sewer Department. They've brought in a couple of vendors and they found that they weren't programs that really worked to their benefit. Then they found out last year MuniSmart, our software company, is now offering a credit card program. That was a new program and the Town of Newmarket was the first town in New Hampshire that brought on that program. She was taking to Becky the Town Clerk there. The residents were really receptive to it, but there were quite a few bumps with it being a new program. So she was waiting for that to smooth out. She needs to go back to MuniSmart now and get new figures for this current year. She really would like to push forward with this and work with Lisa Nute in bringing this in this current fiscal year, which they've already budgeted a good portion of it.

On the credit cards, Chairman Massey asked if the factor fee that the Town is going to have to pay going to be offset by any fee that the individuals would have to pay over and above the bill. Ms. Barry said the program is a two phase program. The first phase will be a point of sale at the counter credit card use. The residents will have to pay a 3.25 percent fee to use it. Right now it is only including American Express, Master Card, and Discover. Visa does not allow the fee to be put over to the customer. They want an across the board fee that would affect every single person in town whether or not you use that credit card. She didn't think that was appropriate. Phase 2 would be moving into the internet. That would be so many months down the road once they got past that point of sale and implemented.

Chairman Massey asked if it would be for more than just sewer. Would you be able to pay your dog license? Ms. Barry said it would be everything that you can do in the Town Clerk's office - motor vehicle registration, dog license and property tax bill. They are looking to include sewer for now. There are certain licenses that are restricted so each license from MuniSmart would have to be added on. So water would eventually have to pay that additional license fee. Once they go back and get the new numbers from MuniSmart, she will forward a packet to the Board and ask Lisa to attend the meeting and move forward.

Selectman Maddox thanked Ms. Barry and he actually did give her credit. Somebody went up to him and said "Wow you Selectmen thank you. The Town Hall is open until 8 p.m. That's so much more helpful." He told him that it wasn't the Board that was actually the Town Clerk/Tax Collector. So people are noticing that it is available. He knows for the longest time it took a while and kept putting it on Channel 20 so that people could see it and remember. Again, they were very pleased that they were able to come in and not have to take a half a day off to register their vehicle. They were pleased that that service is now available. As far as the credit cards, again, as long as everybody understands that they're going to be getting a fee of X. Selectman Maddox thought being able to register your dog on line is ultimately going to make it a lot easier for the citizens and the animal control officer rather than going out with hundreds of people that just can't get here whether it's Thursday night or whatever. This could be a benefit all the way around. As soon as Ms. Barry can get that to the Board.

One last thing. Chairman Massey had a question from a resident and he thought he knew the answer but since he didn't see it, can you buy hunting and fishing licenses at the Town Clerk's office. Ms. Barry said no you cannot. Chairman Massey asked where you could go to get those. Ms. Barry said the Fish and Game and there are a few local places. Mr. Malizia said sporting good stores. Selectman Nadeau said that you could get them on line.

One of the things that Ms. Barry didn't include, and she is working with the State in trying to bring it in, is the fact that they cannot register boats in their office. They can only do the trailers. She always thought that was crazy seeing they have Robinson Pond. She has applied to the State to become a boat agent. It's not something that's going to bring in a lot of extra revenue, but it is huge convenience for the Town. Right now they're not adding any more boat agents. She is continually pursuing that and hopefully one day they will bring that forward.

Selectman Coutu wanted to echo something that Patti said with regard to the staff. They've had discussion about it in the past and he's talked with all of the girls. All he can say is that job well done. The compliments they just keep flowing with regard to their attitude, their demeanor in the way they conduct themselves in front of people. He knows that every time that he's gone into that office the past year hasn't been the greatest. There's been some personal problems as some of them were attributable to Ms. Barry personally but yet the attitude has always been friendly. Everyone seems to have a smile on their face and when things seem down, they do seem to perk everything up. Personally when he walks by the office if they see him they holler out and tell him to come on in. It's just a very pleasant atmosphere and it's a far better attitude that has permeated in that office than what they hear in the news generally about public servants and the way they treat people. The Divisions of Motor Vehicles in Massachusetts would be a classical example. We're a far cry from that. He wanted Ms. Barry to please tell the girls how pleased they are. Generally they've seen a tremendous improvement over the past couple of years in that department. A lot of it is attributable to Ms. Barry because the buck stops at her desk. An outstanding job and thank you very much.

Now that it's starting to get darker, Selectman Maddox asked if there were any issues leaving at 7 p.m.? Concerns at all? Ms. Barry said they really haven't had any issues. In the winter months, the Police Department will make drive bys for them and check on them to make sure everything is okay. They don't have any issues.

On behalf of the Board Ms. Barry, Chairman Massey would echo what Selectman Maddox and Selectman Coutu have said. He's sure they all experience it. It is, he thought, one of the public meeting places where the public are seeing a group of individuals who do care. It's not always a pleasant thing to come in and pay your taxes, but he thought the girls make it a pleasant event. Thank everybody in the office on behalf of the Board and thank you.

B. Recreation Department Review

Chairman Massey recognized Recreation Director Dave Yates and Jeremy Griffus.

Good evening. Mr. Yates said there were members of the Recreation Department there as well – Keith Bowman, Bob Iannaco, and Sue LaRoche.

Mr. Yates said he had given them a package ahead of time. He did replace one of the pages tonight. When they had the Recreation Committee meeting last Thursday, Selectman Coutu had asked to see the overall budget and expenditures. So he's added those 2 columns to the programs so the Board could see the big picture. Page one is an overview of all of the programs they do. The number of attendance that they have. It's estimated that they have over 9,000 residents participating in their programs last year from soccer, basketball, and they do a lot of other community activities such as movie nights, tot play group, dances, comedy nights are a big hit. Revenue last year was over \$188,000. They have a couple of new programs. They've had some volunteers approach him and they'd like to do a Southern swing dance class and a Thai Chi class which will be free to the public. They're not going to charge them anything, and that will start in the fall. They're advertising for Thai Chi now and the Southern Swing will probably be in October. The gentleman that volunteered is going to have some minor surgery and he won't be available until October. Any questions at all on attendance or budgeting before we move on?

Selectman Jasper wanted a clarification. Mr. Yates said last year so those were as of June 30th. Mr. Yates said yes as of June 30th. Selectman Jasper said year to date expenditure was at the end of the year. Mr. Yates said was what it ended at the end of June.

Selectman Maddox asked what the revenue was for last year's summer supervised play. Mr. Yates said it was a tough one because you're doing registration in June and then you're also doing some registrations in July. So this was as of June but it was the previous July's with June of this year. It overlaps the fiscal year. This total that you're seeing is 2 years mixed. Selectman Maddox said comparable analysis the previous cycle. Is it up 20 percent? Down 20 percent? Mr. Yates said he didn't look at last year's. He'd have to look. He'll the Board know. Selectman Maddox thought they were closer to breaking even on that. That's why he was questioning it.

Mr. Yates said the members reviewed all of those at the Rec. Committee meeting last Thursday. This kind of gives a little mission statement and they've discussed a strategic plan. They did a 1, 3 and a 5 year. He thought for tonight the 1 year would be enough as the other things were a wish list down the road. The reimplementation of the capital reserve fund for future expansion projects – currently they did a capital reserve fund that was voted in by the voters in 2003. That reserve fund is for the purpose of purchasing and renovating land for future recreation facilities. It started with \$50,000 and they added to it for 4 years. They haven't added to it since 2006. The current balance is \$145,294.00. During budget season, Mr. Yates would like to look at that stronger because the only way they're going to get ahead is maybe perhaps add \$25,000 to it per year. He's hoping the Board takes that into consideration. He knows that they've started other capital reserve funds for other organizations. This one has been put aside the past few years. He would hope during budget season that they could maybe get that one going again so if they ever do want to purchase land or renovate land there would be a bigger number in there to do that.

The next item in the one-year plan is construction of playground at Benson Park. Mr. Yates said they do have a Benson Park playground subcommittee that is looking at possible sites out there right now. Hopefully they'll put a plan together, come back to the Recreation Committee, and then the Benson Committee to see if they can have something out there maybe by next spring or next summer.

Jeremy Griffus said they're still just in very preliminary stages. They do have one plan that a familiar company that's done quite a bit of work in the Town – O'Brian & Sons send them an idea. Basically they're looking to go through the next step and really start moving forward. They need a request for proposal (RFP) so they can jump through all the appropriate hoops. They really want to start moving forward with that and get some different quotes and plans together to move forward.

Mr. Griffus you said you were looking at several sites, Selectman Maddox thought the decision was to put it up where the train station is sitting now. Selectman Jasper said that Jeremy could speak to it a little better. One of the things in looking at handicapped facilities is you need to have a rise. If you start with a flat surface, it costs something like \$80,000 to get the 4 or 5 feet. So you want to have a place that you can come right off of either a side of a hill or a wall. So that side was not feasible for the handicapped. Again, Selectman Maddox thought they were looking at safety and security where it's right on the roadway.

Mr. Griffus said they were looking at several components. While yes saving money is always a benefit, he thought the Committee as a whole was pretty much set in their mindset that it should be at the focal part of the park. What they're gathering at the focal point of the park will be not so much the historic part towards the handicapped parking is but more towards where the grassy fields are, Swan Lake is, the A-frame area where the future restrooms will be. If they're going to be spending that kind of money, they want it to get the use it has the potential for. He believed that immediate area would be the focal point. They're still brainstorming.

Mr. Yates said the next item on the one-year plan, and it might seem trivial, but change Hudson Recreation to Hudson Parks and Recreation. They actually are doing parks and recreation and its on line with the State. The State is parks and recreation. If you look at their budget, all the parks are in his budget. He knows Kevin's guys maintain it and cut the grass however, they do all the managing. They coordinate with Kevin constantly. If anybody wants to use the fields, they're going through him and filing out the applications to use the fields and parks. He's also the Benson's liaison now for that park. So it would be simply Hudson Parks and Recreation as opposed to just Hudson Recreation. It's just something to consider.

Selectman Jasper's only concern on that is that there are some parks that Mr. Yates has absolutely nothing to do with. Library Park is probably the only one that really is a true park. Maybe that's insignificant but he was wondering if there isn't a better way of doing it. Again with Benson Park there certainly will be components there that, and as long as you're the liaison that's fine, but if that were to change some time down the road is that something that confuses people because if its Hudson Parks and Recreation would somebody automatically think Library Park I want to have a wedding there. I'm going to call Parks and Recreation and then you find out no. Should it be athletic fields and recreation? Is there a name that more accurately describes it without bringing things into it that really aren't under the purview of the committee?

Mr. Yates said the State association is parks and recreation. They are Greeley, Jette, Merrifield – they all go under his jurisdiction. Something to consider. Benson's might have been a bad example because he's just the liaison there. He would think that Benson's eventually the logical place for it to fall under would be the recreation department. Whether it's he or somebody else, it is a park now. Kevin's guys are still going to maintain them because they don't have the manpower or the equipment. They're still cutting the grass for them, but they do the dragging of the fields and if lights go out. They're in constant communication with Kevin. Robinson Pond is also under the recreation department. Just kind of a logical title of what it should be. That would be up to this board whether you want to go that route or not.

Chairman Massey thought rather than try and make a decision tonight on that that during the budget cycle when the Rec. Committee goes with their budget they can make a determination then unless Selectman Coutu has a different idea being the liaison. No Selectman Coutu doesn't.

Selectman Coutu concurred with Mr. Yates's proposal. He was somewhat concerned of what kind of ramifications they would encounter as a result such as that brought up by Selectman Jasper. His only concern would be how do you go about changing the name if they were to agree to do it. He would certainly support it. Despite some of the problems that might exist as Selectman Jasper presented, he thought that in the long term looking at the direction the Town has taken especially in light of the two major developments that are going to affect recreation at the town, which is Benson's obviously. Mostly passive but with the potential of building ball fields up by the barn. That could change. Then of course with the construction of the Zach Tompkins Memorial Park which is not just a memorial football field. It's going to be a baseball diamond, other recreational activities that are going to take place there. He would think that if somebody were to contact the Town and they were interested in something that would have to do with parks or recreation, Selectman Coutu thought the natural inclination would be to get a hold of the recreation director. He didn't see it causing any harm. He could certainly direct the person in the right direction if it was something he absolutely had no control over. In municipal language, most municipalities to his knowledge had a parks and recreation department. They have just a recreation department. He wondered how they go about changing the names. Is it something they vote to change it and they change it?

Chairman Massey said since it's the committee that the Board created, they could change it anything they wanted to change it to. It's not a statutory committee as far as he knew. Is that correct Selectman Jasper? Selectman Jasper said it wasn't statutory but it was created by Town Meeting. It wasn't a creation of the Board of Selectmen. It seemed to him it was created some time in the 1940s. Selectman Coutu just brought up something that is probably in the back of his mind that bothers him. Most towns do have a parks and recreation department, which is a division of the Highway Department. That's what they normally have. Kevin has the ground crews that maintain the parks and recreation. Selectman Jasper said this is a Recreation Committee that truly just has jurisdiction over the recreation in the parks. They don't really have jurisdiction over the parks themselves per say. When it comes to hours of operation, the Board sets that. He thought it needed a little bit more thought in terms of the ramifications. They truly do just deal with the recreation aspect of it. At least to the best of his knowledge. It's a lot different than having a parks and recreation department.

Selectman Maddox thought he was reading the Town Reports upstairs one day and he thought it was much later. He thought it was in the late 70s maybe as its configured today. He remembered reading something in one of the books. That's here nor there. The statement the Chairman made to decide that at budget season, no. They're going to have enough flies they're going to have to swat. They didn't want to spend time on what the name of this group is. He would think off line from their budget meetings, they should make a decision. The real key was to have the Rec. Committee give them the pros and cons as they see it, and then they can take a look at Selectman Jasper and some other things that they may see. He personally would like to see somebody take more follow through. Merrill Park. They have a park on the river that is absolutely abandoned. It would be nice to have somebody that was overseeing looking at that parcel. Again, he thought it was a real jewel that they have just let be buried under a lot of crap.

To that point Mr. Chairman. Selectman Coutu was glad Selectman Maddox brought that up. That was a topic of discussion at the last meeting. They're at a quandary themselves, and he's speaking not necessarily on behalf of the Committee, but the message that was expressed was that they all realize what a jewel that piece of property is. They had even considered at one point they took the seniors down there to look at that site potentially for a senior center. Right now it's a haven for hoodlums and whatever else is going on down there. They know it's a jewel. They know that it would be very, very expensive to rehab the property to make it a viable recreational facility. However, someone mentioned probably looking at it and trying to restore some semblance of order by putting in new picnic tables, fire pits and cleaning up the entrance area. Every time you mention something like that to the Police Department, they say it's a bad enough place hanging out now without making it an opportunity for them to do even more destruction.

One of the things Selectman Coutu said they recognized is that not only is it a jewel, it's an isolated jewel. It's off the beaten path in a sense. There are homes around it but he agreed with Selectman Maddox. That's a topic for future discussion. He thought the Recreation Committee would be very receptive to them doing something very positive with that piece of land. They talked about putting a boat ramp in but it's kind of tough dropping a boat ramp 20 feet down into the water. It's a pretty steep area over there. The grade is pretty steep from the top down into the river. It has potential. They need to look at it and they need to determine whether or not they want to spend any money because it's going to cost them some money to rejuvenate that parcel of land. Selectman Coutu thought it would be a tremendous investment. He didn't think now was the time to do it, but they certainly ought to keep that on the radar for the immediate future. Thank you.

Chairman Massey thought as you can see Dave, there's a lot of homework to be done on that one. In particular what does come to his mind is if that were to become the charter of the group he thought Mr. Yates would have to make some determinations of where the Benson Park Committee then fits. As it's constituted "they", they're responsible for what goes on in that park. When you're thinking about how this will all come about, he thought he'd have to pay attention to that in particular.

The next item Mr. Yates said was to create a new rental agreement for the Community Center for additional revenue. It wouldn't be dances like they've had in the past when Chief Gendron came in and said let's put an end to it. Come March and April, you don't believe the number of phone calls Mr. Yates gets from AAU basketball, set up for basketball at that point. They're done and are finished about mid March. They're looking for spaces to rent. Typically at \$30 or \$40 an hour is probably the going rate. For those two months, they could gain some revenue and they'd have to write up some kind of policy but that would be more revenue for that building that is pretty quiet. Those are the two quiet months of the year. Pretty much the only quiet months. March and April could bring in a couple thousand dollars of revenue to offset the cost of that building. If the Board would like, he could come up with some kind of agreement or a policy and see if they want to continue down that path. It wouldn't be for dances. It wouldn't be for any of the big events that were happening in the past. It would be strictly be on an hourly rate while it's set up for basketball for those two months. He gets a million phone calls come March. Just a thought.

Selectman Maddox would be reticent at this point Mr. Chairman until he worked out a plan with the seniors. Again they relocate them for the summer how is that going to impact them? If Mr. Yates came back with a plan and not only a rental agreement but how that issues is going to be handled of setting up, breaking down, and all the things that go on with the senior program. He thought the money gained might not be worth it by the time he spends setting up, breaking down, and all of the other things. Again, it's something to come back and give him some hard data on.

Mr. Yates said it wouldn't affect the seniors. It would be a continuation of their program. Their program is ongoing to that point. When they come in on Wednesday, they're ready to go. After Thursday they break down. The Boy Scouts are in there on Wednesday so they don't break down at all on Wednesday. It wouldn't affect them at all. He wouldn't do that. If the Board wants him to continue, he can come in and maybe talk with the Recreation Committee and they'll come up with a policy on it.

The last item in the one year and Mr. Yates said these were all items they thought they could obtain within the year, would be a feasibility study for possible development. They had put different areas in there –

Robinson Pond, Burns Hill, Joan Drive. Some of them are going to be taken off the radar. The resistance they had at Eayers Pond and Joan Drive doesn't seem to be the greatest location. Pretty much for the Recreation Committee to go around and look at those locations and see if it's a feasible place for a playground or a field. Their last item was a feasibility study to look at what they could possibly do in town. Mr. Yates said that was the one-year plan. They had put other items but they're not on the radar screen right now. That was pretty much the one year.

Selectman Maddox asked if the Committee was aware that there is that document somewhere in Town Hall the Rec. Plan 2000. Mr. Yates said he did have a copy of it. Again just so they don't reinvent the wheel, Selectman Maddox said there was a number of suggestions if they could take a look at it.

Selectman Coutu would like to clarify the issue of the rental agreement for the Community Center for additional revenue. He believed what Mr. Yates was seeking was a consensus that they pursue that coming in with a proposal and some sort of an agreement. When he heard that they had requests to use the facility at such a high rate they normally pay \$35 to \$40 to \$45 an hour for that, that would come in the way all requests come in that he would bring it in and say X, Y, Z organization would like to use it. They're willing to pay this. They'll be responsible for a deposit and liability insurance. They have that policy in place and then they could entertain either letting them using it or not letting him using it. He would like to more formally make a presentation in the near future in order to afford the Board an opportunity to pick up a couple thousand dollars to offset some of the expenses they have in terms of electricity and heat. If Mr. Chairman would try to ascertain a consensus whether or not the Board would like Mr. Yates to pursue that. Selectman Nadeau said yes and so did Selectman Maddox.

Three year plan. Mr. Yates had a couple of ideas. They're obviously three years away but concert series at Benson's Park. Once the electricity is installed maybe perhaps one week night a week for 8 weeks you get different bands at the amphitheater. A lot of towns do it. We just don't have the place for it right now. If electricity is ever put in there, he thought that would be a great addition for the park.

Reinstitute sticker program at Robinson Pond. Mr. Yates said that's in the Town Code and he didn't know when that went away. They do have people out there on the weekends. This maybe another revenue maker. A lot of towns charge for a beach pass - \$35 for the season. Then they have the people there checking IDs, they're not worried if they have a sticker you're in. If you don't have a sticker, then you don't get into the pond. He knows the gate people out there continuously get harassed. One of his gentlemen was talking to Selectman Massey about an issue he had this past weekend. If you reinstitute the sticker program, it makes their life a little easier and it's possibly more revenue to offset some of costs of the Rec. Department.

Third item, full-time maintenance person. Mr. Yates knows this is down the road and it's an issue he's going to be talking to the Board on the next agenda. Perhaps once they get the senior center done, you're going to need somebody to maintain the buildings. It would be a person that might maintain the Rec. Center, the Community Center, and the senior center. That's a ways down the road. He knows this is a thorn in some people but a full-time program director. They do an awful lot in their rec. program for the manpower they have. If you don't see what they do or you don't know what they do, then you might disagree. His staff includes Susan, a part-time administrator, himself, and a part-time custodian. All of their programs are run by volunteers. If it wasn't for volunteers, they wouldn't be able to run the quality programs that they do. You can only ask volunteers to do certain things. We are a big town. Most towns our size have program directors/recreation directors. Again, that's 3, 4 or 5 years down the road. It's something to look at if we're going to continue to grow.

Another item Mr. Yates was addition of Town sponsored programs for seniors. If they get their senior center, he didn't know what the plan was if they were going to have a senior coordinator. Perhaps that could be under this program too with the program director duties. For that right now just for information purposes, Chairman Massey said they were attempting to find a suitable candidate through the National Able Network to provide that program director's position. So far the Able Network has not been able to find a suitable candidate for them. That is the plan right now.

Selectman Maddox said he had to go back. Are we putting all of our eggs in one basket? Right now they have 20 different directors for softball, women's baseball, and whatever you have. Now you're putting them all into one program director. One of your rationalizations here is because now you'd have this position to institute new programming. He would think that that one person would be overburdened by all the programs that the Town already does. How would they ever be able to add new things as opposed to coming in and saying somebody wants to do lacrosse and it's going to be \$1,000 for a program director to see if it flies as opposed to hiring a full time program director? He didn't see where they're going to get any value with that expense.

Mr. Yates said there's a lot of value because we're hiring program directors now, part timers. They have their real jobs, their real careers, so they're doing this on the side. It's being done through his office during the days and we're not always able to give them the correct answer because the program director may know the answers. If they were there, there would be a lot more hands on between himself, Susan and that person. They have great people helping them, but they don't see them all the time. They have their real jobs. This is just a part time job. A lot of the programs aren't overlapping. Basketball and soccer don't overlap. You go from one season to the next. The dances and other things are added in. They would be able to because they'd have another person there that could assist with some of those things. Even if they did an after school program or something like that. Their hours would be very flexible depending on the season or what program they're doing. Again, they'd have to convince the Board. It just shows you really what they'd like to do.

A follow up question. Selectman Maddox heard one of Mr. Yates items was he didn't know the answers to that particular program. Maybe instituting a program of we'll get back to you, sending an e-mail off, and getting the correct answer so you're not giving them wrong information. Again, he thought Mr. Yates was putting all of his eggs in one basket. He couldn't see that rationalization spending X thousands of dollars when you look at your budget and your revenues. Again, something to look at in the future. They're maybe growing exponentially.

To that point when that was raised, Selectman Coutu suggested to the Recreation Director that perhaps he ought to take advantage of the Able Network program. Its 20 hours a week. It's a good testing ground. It would free up some of his time especially in light of the fact that he's taking on more responsibility as a result of Benson Park. If there were no disagreement amongst them about them taking advantage of the Able program, they know it's of no cost to the Town. Its 20 hours a week; a minimum 2 years. Selectman Coutu said it's more than likely going to be a senior teach them a new skill set in an office environment. They can handle and field a lot of those calls. He suggested that Mr. Yates take advantage of that program. Chairman Massey said the one caveat is it's not more likely, it will be somebody who's 55 or older. Because it's a federally funded program, it was geared to helping 55 and older individuals who are out of work find a new job. Selectman Coutu said they're just as if not more capable than younger people to tackle that kind of thing. Again Selectman Coutu suggested and said that Chairman Massey has a lot of information on the Able program. He's sure he'll work with him and give him the application process, and give him the contact person at the Able Network. You can get that in the works almost immediately. We're not going to say no to somebody that's offering the Town free help.

The last few items Mr. Yates had are implementation and development of additional field space. They put 90 foot baseball diamond. He knows all the baseball diamonds in town are all 60 foot. Youth baseball is going to 70 foot diamonds now. This was a recommendation from one of the Rec. Committee members Andrew. We need to look at a 90 foot diamond.

The last two – replace lights at Jette Field. Again, Mr. Yates said down the road. The lights there were always needing to be tinkered with and getting them fixed. They're not the greatest lights, but they're doing for now. Again that's down the road.

The last one, and it was brought up earlier, Mr. Yates said a plan to revitalize Merrill Park. That's the one in three years. They have some work to do, but the one year is definitely things that they feel they can accomplish within the next year.

Selectman Maddox said Mr. Yates might want to touch base with Mr. Pearson and/or the Green Team. Maybe there are energy monies. He didn't know how efficient those lights are but if they're 20 years old, maybe there's a way to utilize some grant money to take the lights into more green setups and save some money.

Chairman Massey asked if Mr. Yates wanted to think about his five year plan. He'd like to know what his thinking was. Mr. Yates said a recreation complex to include free standing recreation building to include offices, locker room, multipurpose courts for all citizens' use. He knows that's down the road and they've talked about it before. A possible site would be Robinson Pond. The Community Center isn't getting any younger. Its doing for now, a new recreation facility for a Town of 25,000 would be a great thing. Maybe include a pool or a track. He knows it's a long way away and maybe 5 years is even stretching it. They definitely would like to look at that for a possibility.

Chairman Massey had one question at the moment. The capital reserve fund which currently is for...Mr. Yates said, "for the purpose of purchasing and renovating land for future recreation facilities." Chairman Massey asked if Mr. Yates or the Board would see any difficulty in having that capital reserve fund amended to include capital improvements which would not be in the area of land acquisitions or land improvements. It could actually specify what the minimum amount of money that would qualify for a capital improvement.

Selectman Coutu said they might be looking at capital improvements in a different light. To him capital improvement does not include the construction of a building. Chairman Massey said in his mind it wouldn't. It would be the purchase of a different type of basketball stanchion for an example. Selectman Coutu said or going from sod to Astroturf or something like that. One of the things, and he hoped there's not a misconception with the Recreation Committee or its directed at this capital reserve fund, the language because he told him to try to get the language specific as what was passed by the voters. There was no money that he knew of a capital reserve that's set aside to build a recreation building. That money, based on the language of that warrant article, cannot be used to build a recreation building.

Chairman Massey said that was fine. It was just for acquisition of land or land improvement. That's why he said would it make sense to amend the language of the warrant article to permit capital improvements. Selectman Coutu thought was a great idea. A little more flexibility.

Selectman Jasper thought if they were going to go down that road, then it ought to be really for the whole gamut including construction of facilities. He didn't have a problem with capital improvements per say, but if you have to buy land or to make improvements to the land it ought to including buildings and make it a much broader tool. Selectman Coutu agreed. He thought it should be all inclusive. Chairman Massey asked during the budget cycle could they'd have to be doing it for the warrant article if they wanted to do it for this coming year. They'd have to have the warrant language ready to go to the Budget Committee by November. Mr. Yates said to amend this current article. Chairman Massey said the capital reserve fund would have to be another warrant article to amend its purpose to include, etc., etc. Mr. Malizia said it required a 2/3 vote to pass based on the sewer experience they had.

Selectman Maddox would put that into a 3-year plan. He didn't think that's the kind of thing they want to put on the warrant on this cycle. You need 2/3. He didn't see spending the effort to be honest. That's was his opinion.

Selectman Coutu said to go for it now. Selectman Jasper said it wouldn't necessarily cost any money but it would perhaps confuse people. Some people don't want to see the expansion of things in this economy. We have no plans to do any construction or renovations in this upcoming budget. It might be prudent just to wait. People do funny things when they're angry. Chairman Massey said he would concur too.

Chairman Massey thanked everybody for all of their programs. They obviously are well run because they don't often hear citizens coming to the Board complaining about Rec. programs. Thank everybody on the committee and all of the volunteers and paid part-timers for what they do to help the Town provide such a

varied and interesting set of programs. Selectman Coutu said also included all the work he's done with Benson's as well this year. He's done a commendable job with Benson's.

C. Finance Department Review

Chairman Massey recognized Finance Director Kathy Carpentier. Good evening Kathy.

Good evening. Ms. Carpentier said she had the privilege of being the last department on the Board's workshop for fiscal 2012 budget. She'd like to give a quick overview of her department. Thank you for the opportunity to speak to the Board this evening. She's worked for the Town of Hudson for 10 years. As the Finance Director, she manages 5 employees; Lisa Labrie the Town Accountant who's responsible for the general fund and 7 special revenue funds – water, sewer, conservation, and others. She's also responsible for weekly, monthly, quarterly, and annual payroll processing and also has a lead role in the annual audit. Kathy Wilson is the Human Services Specialist. She's the benefit administrator, the welfare program administrator, and does cash processing. Jennifer Riel is the Senior Accounting Clerk. She process payroll weekly, about 200 checks a week, and accounts payable once a week, about 130 checks a week. Valerie Marquez is the Water Utility Clerk. She's responsible for billing and collecting on 6,000 accounts per month. She also had a part-time position that is currently vacant who also assists in that process. Ms. Carpentier's budget is about \$380,000 and is mostly salary and benefits with the inclusion of annual audit and the mailroom upstairs, which is minimal expenses.

She brings before the Board 3 considerations to be included in the fiscal 2012 budget. Carpeting for the finance area. She's requested consideration of that item for the last 3 years. She didn't think it was a critical need, but she definitely believed it was a maintenance need that should be looked at. It would have less than \$.01 impact on the tax rate. Ms. Carpentier has a low quote of \$2,600 and a high quote of \$4,500 depending upon what type of material you'd want to use for the floor. This is a one-time expense.

Ms. Carpentier's second consideration is increasing the hours of the part-time water utility clerk. With the open vacancy she'll be requesting later on this evening to increase the hours from 20 to 30. This year, fiscal 2011, there will be no additional funds needed due to different insurance benefits that were taken. Next year it will be an increase to the water utility. Not the tax rate, it is based on water users that would be funding the increase.

The third one is quite exciting. Ms. Carpentier requested consideration to maybe create a Warrant Article this year. She knows it's been the position of this Board not to fund GASB 34 compliant but she knows that this Town takes great pride at having an accredited police department. She'd also like to take strides towards generally accounting accepted as other communities around us. They're also now going to be in default on GASB 45, which is post employment benefits which is a new standard. She does know that those 2 items come with a pretty penny. It will cost the Town about \$50,000 of additional annual expenses for the audit. She thought if they put it in front of the voters, they get the voter's opinions of whether that's important to them or not.

Other than that, Ms. Carpentier's department runs the day-to-day business. She has a great staff. They've been able to create some efficiencies, look at new policies, strengthen their controls but there's always a lot more to do. Those are her 3 recommendations.

The carpeting. Selectman Maddox asked Ms. Carpentier as she said she had a high and a low of \$2,000 delta. Ms. Carpentier said commercial carpeting was \$2,600 and was similar to what we have down now. The \$4,500 is 24 X 24 inch carpet tiles. So if something was to rip or tear they'd be able to replace that one square. Selectman Maddox was looking to see what they put upstairs. Ms. Malizia said in the halls it would be the tiles and in the Administration Office it would be rolls. Ms. Carpentier said she went to the same vendor. She got a quote from the same vendor. Selectman Maddox said apples to apples to what they're putting upstairs, he thought in the Town's history with some water issues sometimes the squares are a better deal based on not having to rip up all of the carpet if there's an issue. He knows they had a water drain in the back a couple years ago. Again if they're going to do it, they should go with the same thing that they're putting upstairs.

What Mr. Malizia planned on doing with Wayne is pricing out the different areas of Town so that the Board had a smorgasbord of choices. For example the areas that we're doing now, we'll be doing our office and the public areas upstairs. So we might want to look at the other offices that are remaining and determine which if any they want to do in the next fiscal year budget so that they're on some sort of a replacement program so that they don't get duct tape, tears, and rips and generally shoddy looking carpet. Again the public area was important and the Selectmen's office was important but equally important are some of the offices. She's sitting on duct tape right there right now. The carpet doesn't last forever obviously. This is just another way to look at how they might go about doing the various areas. Ms. Carpentier was only looking at the area within her closed doors and not the hallway. Mr. Malizia said from a scale from 1 to 5 is the worst and you might get into some replacement program every year or two doing areas so that they don't have to sit there and do it at the end of the year perhaps.

Chairman Masse's favorite subject. For those out there, the few people that are still watching, GASB 34 is the government accounting standards board that relates to how a governmental agency maintains a balance sheet. It's comparable to a standard for the Financial Accounting Standards Board better known as FASB, which has a comparable standard for business. Right now every time our auditor audits the Town's books, he puts a disclaimer in the audit statement that he cannot vouch for the – maybe Ms. Carpentier can read it because it's very explicit in what it says.

Ms. Carpentier said it's kind of long but it says, "The financial statement referred to above (meaning GASB 34) do not present fairly conformity with accounting principles generally accepted in the United States of America." What they call that is an adverse opinion on their financial statements. To date because the Town is a relatively debt-free town, Chairman Massey said it has not hurt them when they've gone to the bond markets to not be GASB 34 compliant. At some point down the road, this town will find itself in a position where it's going to have to pay a premium to borrow money because we are not. Also, the fact that the auditor every year feels legally bound to put in there that we are not compliant continues to be an issue. He's been thinking about it for the last couple of weeks because he figured they'd probably get to it tonight. Chairman Massey's thinking was it would probably not be very easy to sell a \$50,000 item. It might be possible to sell a capital reserve fund that they could build that fund to the point where they could do it. Make no mistake about it at some point in time this Town will have to do it.

A couple of things. Selectman Maddox asked if he knew or if the Finance Director know of the 234 communities in the State of New Hampshire how many are GASB 34. Chairman Maddox said he did not at this point. Ms. Carpentier did not know either but she could get that answer for them. They were phased in large, medium and small. She did know that some of the smaller ones were not. A lot of the large and medium sized communities are but she did not have a number for him.

Selectman Maddox was wondering and not to go down the capital reserve but maybe go into this, is there a university that teaches accounting that they could utilize either interns. What is that number based on? The accountant keeps telling us that we're not compliant doing something for \$35,000. Where does the \$35,000 come from? Chairman Massey said that's what the School Department paid to do their compliance. Selectman Maddox asked what they paid each year to then maintain it. Point of fact when the School Department paid the \$35,000, Chairman Massey said their auditor told them that had he known what he was getting into, he would have charged them a lot more money. Again, Selectman Maddox asked how much was it going to be maintain it the second year.

Ms. Carpentier said maintaining it will become an in-house responsibility but then there's additional audit expenses because they are more financial statements to audit. Selectman Maddox said is sounded like a self-generating money project to him. Is there a way that they could think outside the box whether they use the Able Network and accounting students from a college for the summer and do this entire thing for \$15,000 getting guidance from somewhere? He thought a lot of it was assessing of all of the materials within the Town. Chairman Massey said one of the things they had to do is you have to take all of your capital items and you have to put them on a replacement cost basis. It wouldn't be like a table but for all of their capital equipment, you'd have to put them on the books at their replacement costs and you'd have to have a depreciation schedule for them. That's just one example of what's in that. Plus you have to have a

balance sheet that shows your debits and your credits. You have to have a revenue and expense. Think of it as if you were going to go into a business, they produce every year two documents. They produce a balance sheet and they produce a revenue/expense document. They're fairly extensive. It's not a trivial exercise.

Selectman Jasper respectfully disagreed with his analysis. To make no mistake, they will have to do that some day. He didn't necessarily believe that they will have to do that someday. Frankly as long as they continue to manage this Town in the manner that they've managed it and probably on any given day this day in all the accounts, they probably have in excess of \$20 million in the banks between the general fund, the sewer fund, the water funds, and everything else. They maintain that in the manner that they have. What the replacement cost of this building, the fire stations, the Highway Department and the Police Station have no material affect on their ability to pay anything back. He didn't think it would ever cost the Town a dime in our bond rating. The County of Hillsborough also gets the same note on their financial statement for the same reasons that the County of Hillsborough does not have any debt. It is well managed. For this kind of one time expenditure and annual expense, the decision has been made that it doesn't make economic sense to do that. He thought if they were to go down the road, we only have one bond and that's the revenue bond for the water company. Maybe they'll have another one down the road. He thought that was something they will have enough time to plan for if that becomes a concern that you begin to look into the markets, begin to speak with bond counsel if they're doing that, and see if it's a concern of bond counsel. It certainly hasn't been when they refinanced the water bond and they were able to save a substantial amount of money. It's really irrelevant to most people when they're kind of looking at what are out water assets. Frankly the assets that they have are not going to generate any income to pay back any bonds. He'll take a whole bunch of footnotes over spending \$50,000 on time and god knows how much on an annual basis. The footnotes don't bother him in the least. Thank you.

Selectman Maddox didn't think they wanted to be the referees of deciding what its life expectancy is for most of the equipment. Somebody is going to have to make that determination. Chairman Massey said it was true. That's part of what the auditor or the person who would do this work would be doing. It would be putting an estimated value on replacement costs.

Again this year, Ms. Carpentier respected their opinions but she felt it was her responsibility of bringing it before the Board every single year to hear no. So no carpet, no GASB. Chairman Massey said he should be a little more precise with his language. The only reason why they ultimately would be forced to do it – actually he could think of 2 reasons. The first one is we do need to bond. We're going to pay a significantly higher premium on the bond interest for not being GASB compliant than they would if they were GASB compliant. That's one area that might cause them to want to do it. Selectman Jasper agreed.

Chairman Massey liked the idea that at that time, they would factor in the cost of GASB to the cost of the bond. The other one ultimately would be an auditor may not be willing to do the books for the Town. That one is a little more extreme he thought. He didn't think that he would want to support an article on the Warrant for \$35,000 or whatever but he did want to at least lay open the possibility of having a capital reserve fund.

Selectman Coutu asked why would this require a warrant article if its part of doing business. It wouldn't require a warrant article; it would be part of their budget. Chairman Massey said if you put it in as a line item in their budget, it would not require a warrant article. He's saying it would require a warrant article if you wanted to fund it over a period of years. Ms. Carpentier also maybe thought that they could give the voters a chance to weigh in on it. She mentioned warrant article also. Chairman Massey thought most voters' eyes on all honesty would glaze over this. They don't even know probably what their company's balance sheets look like. He didn't mean that disparaging, he just meant that it's not on everybody's radar.

Before you go Ms. Carpentier...Mr. Malizia said she had a couple more items. This was just an overview. There's a couple specifics she wants to bring to the Board's attention.

In summary, Steve Malizia, Wayne and herself (Kathy Carpentier) will look at carpets for Town Hall. She will shelve GASB for another year and will bring it back next year. In a little bit, they're going to talk about the water utility clerk, but she also wanted it to be part of her budget presentation.

Ms. Carpentier has two more agenda items. Before Ms. Carpentier continues, Chairman Massey wanted to really say was, again, he thought her department is another one of those departments that deals extensively with the public. It's been his experience with them that they do a very good job of managing expectations for some people who come to those windows. He thought it was a credit to them and to her leadership. Thank them for the Board.

To that end, Selectman Maddox was wondering if the Finance Director could take a look at maybe there's a way that they don't need to have the citizens going down to the window downstairs. Is there a way that could be paid where the sewer is and not have to have people go downstairs or could be paid at Town Clerk? Again, he was asking if there was a way that they wouldn't have to go down to that window. In a perfect world if they had a municipal center, yes Ms. Carpentier did believe that all cash should go to one central location. However the Town Clerk/Tax Collector has wanted to collect sewer funds and taxes but not water. They could have clerks up there also doing it. She believed that they have too many decentralized locations where cash is going in. Even sewer isn't with the Tax Collectors. They do have people who have trouble getting down to the locked area. That's Selectman Maddox's concern. He was looking to see if there was a better way to service their citizens than making them use the elevator to make payments or going down the stairs. Is there another avenue that they could look at to facilitate getting that on the main level?

Chairman Massey had a wild thought. Pardon him if they laugh him out of the room. What if they were to take the current copy room, make that into the water clerk's office, and put the copier downstairs? Ms. Carpentier thought it would be tight quarters for 1 and ½ people to sit. Chairman Massey said she may not want to put both of them downstairs. He wanted to put the person that's collecting the money. Mr. Malizia said then that person goes to lunch and then where do they go? Selectman Nadeau said the other person could go upstairs. Chairman Massey said you do the same thing you do with sewer. You put a sign there that says "out to lunch". Selectman Jasper thought when you divide your staff like that you always create inefficiencies in the operation. He thought trying to put the copy machine down in the Finance office would create utter and absolute chaos. So unless you had a different place to put that, he thought that would kill that idea.

Again, Selectman Maddox said it was something that the Town Administrator could look at. Is there another avenue that they could utilize? Selectman Jasper how great was that problem. Ms. Carpentier believed that all of their clerks in all the offices will run up and down and make payments for those that can't. They take sewer payments downstairs and run them up to Donna and vice versa all the time. They do get phone calls that so and so is upstairs and somebody will run up and go help them. It is a small percentage, but they do have some of them. His bigger concern would be security. They are fortunate to have a security system. Their once a month shut offs get pretty bad. Mr. Malizia said especially being a small room like that being confronted by somebody who's aggravated. Ms. Carpentier said they go through it monthly with numerous customers. It works well now that there's a bullet proof door between the two people sorry to say.

Chairman Massey said it was something they should look at. Ms. Carpentier said they have. Before they had moved the Welfare Office upstairs they did try to think that. They also need to have a place for the committees who have the little office in between sewer and welfare which the Treasury, Trustees of the Trust Fund use and Supervisors of the Checklist use. There's just not a nice layout in this building the way it's currently configured.

Selectman Coutu said to put Community Development downstairs and move Finance upstairs. Selectman Jasper said there were a lot more people going to Community Development he thought. Ms. Carpentier said they were more able bodied. Chairman Massey said they obviously have tight quarters here in this building. Some time down the road they probably are going to be looking at replacing this building. Selectman Jasper said no. They get a new fire station and then we'll have all the space we need.

Ms. Carpentier thanked the Board for their kind words and she'll pass it on to staff.

D. Revised Estimated Revenues

One of Ms. Carpentier's responsibilities was to fill out a form called "MS-4" which goes to the Department of Revenue. It's due on September 1st but that's a soft deadline. They do know that she is in front of the Board tonight. It's usually whatever is voted on in March and if the auditors find anything, they just report the revenues that they used when they went through the budget process and submit that. The second bite at the apple is when she comes back to set the tax rate, and the Board of Selectmen will decide what surplus to use to set the tax rate.

Ms. Carpentier thought it might be a good time to quickly touch on 3 big items that are kind of fluctuating and give them a change to make changes to the revenues at this point if the Board chooses. Her recommendations, and she's talked in length with the Town Administrator, is to decrease motor vehicles by \$100,000. The Highway Block Grant they already know is down approximately \$17,000. Interest on investments they're not going to hit the \$200,000 benchmark that they were looking for. By decreasing that and decreasing overlay. Because they are setting up a reserve and building on it every year at the end of the fiscal year, so she believed they could do all 4 of those changes with zero tax impact.

Mr. Malizia interjected. As the Board recalled last year when they were looking at the down side or looking at the negative in the motor vehicles and in the interest, one of the things they were able to compensate that was the overlay. Overlay is the amount of money they would raise for abatements and what not. Through the audit process and through Jim Michaud's identification of some big accounts, they've put a reserve in that would account for 50 percent of the 4 major tax cases they have now. The rest of it would be smaller cases – individual citizens, small homeowners, and what not. Mr. Michaud had originally put out a pretty significant number. If you look at the history in what they did last year because they reserved for 50 percent of those large cases, we would be comfortable taking the number down, i.e. the amount of overlay they're raising which would then allow them to lower the revenue forecast for those specific things that Ms. Carpentier said. Again, we had a \$500,000 interest budget last year which the Board already moved to 200. We're saying go to 60. Selectman Jasper asked if they would make the 60. Mr. Malizia didn't know what the climate is going to do. They're not going to make the 200 though. At the rate they're going, Selectman Jasper asked if 60 was even a realistic number. We made 20 last year.

Ms. Carpentier said they had \$9,000 in July. Some CD has matured and only 500 in August. That's hopefully 60,000. We only hit 18,000 last year in fiscal 10. She's optimistic. Again being at this point in the year though where Ms. Carpentier can send her revised MS-4, Mr. Malizia thought it was probably prudent for the Board to at least look at that and determine if that's the direction they want to give. Obviously we're not going to change it on our own volition, but at this point in time it probably would be prudent to trim those numbers so that when she does come back they talk about the tax rate setting, she sets the appointment with the DRA; all that has already been discussed and taken care of.

Motion by Selectman Jasper, seconded by Selectman Maddox, to authorize the Finance Director to make the recommended changes to the Estimated Revenues and Overlay for Fiscal Year 2011 by decreasing Motor Vehicle Permit Fees by \$100,000, Highway Block Grant by \$16,708, Interest on Investments by \$140,000 and decreasing Overlay \$240,538.

Selectman Maddox said the only question he had was on the overlay. If the Town Administrator was comfortable that that is the number that they will...based on the experience we had last year, Mr. Malizia said we raised far more overlay than was necessary. When he says far more, he means hundreds of thousands. We were able to mitigate a lot of the interest income and the motor vehicles. What assists them or what helps them in making that decision or recommendation is the reserve fund for the 4 major abatement cases that are out there has been increased to at least 50 percent. Ms. Carpentier said it was \$242,000. It's more than 50 percent. Mr. Malizia said it was more than 50 percent of the cases. So what that would basically mean is if the BTLA said we're going to split the baby, we've got it covered. If they said we're going to give the Town the win, then we've got more than we need. If they say they're going to

give all 4 of them the win, then we don't have enough. Selectman Jasper said they still have overlay, they just don't have enough in reserve but they have enough here. Selectman Maddox said this was the year you're going to see it get closer. That's his only concern though. Mr. Malizia said it was quite possible. Again we've been in tough economic times and for the individual property owner, there's been some abatement but there hasn't been that crescendo, that rush of large abatement filings. Again, you've had your major cases. In fact, one of them came off the list. There were 5 originally. One of them we got out for nothing. Again, it's up to the BTLA but we've reserved what's a prudent amount in excess of 50 percent closer to 60 percent. Ms. Carpentier said they have \$242,000 reserved and we'll be raising another \$230,000.

Vote: Motion carried 5-0.

E. Part Time Water Utility Clerk

Ms. Carpentier has received a resignation of the Part-Time Water Utility Clerk. It was a 20 hour position. It's with regret she accepts that resignation. At this point she needs to fill the position. She before the Board to ask them to post and hire the position. What Ms. Carpentier would also like the Board to consider is increasing the hours back up to 30 hours. We have become very efficient. We revisited policies with one and a half staff. However what's happening is the office coverage, phone coverage is becoming a burden on the other financial people. The general accountant and the accounts payable person at the detriment of their own job responsibilities are covering the water fund. So she thought it was a prudent decision to increase the hours back to 30. It was her decision a couple years back to move it down to 20 and they are managing. She thought her staff are taking the burden of the office coverage for the additional hours.

Chairman Massey you being the liaison to the Water Utility, Selectman Coutu asked if he had that discussion within the Committee. Chairman Massey said yes he has. He'll tell the Board a couple of things. One of the things that he's been looking at, the number is increasing by leaps and bounds. The number of delinquent water users this month he thought they started with about 175. They're down to about 134. That's before the actual shut off event occurs. There are habitual offenders. At the moment, the Water Utility Committee is going to be looking at whether or not it makes sense to recommend some type of a fee structure for habitual offenders. What's interesting to him is some of the habitual offenders are commercial establishments. They're not residential. It's not like once every six months. He sees some of the companies on the list every month. That alone has created a big burden in the department.

Chairman Massey knows the issue that Kathy raises about the phone coverage, they spend a lot of time on the phone with people, especially the ones that are about to get the shutoff notices. A lot of the phone calls are not as simple, gee when do I have to pay it. It's a lot of irate, upset, angry people on the other end of the line. They deal with it and he thought on the most part everything he's seen they've done an outstanding job of managing that number down. He thought for the month of August they had when it was all said and done only 3 people who actually had their water physically shut off. Selectman Maddox said no. At least the report didn't say that. There were probably 20. Chairman Massey said that's what they started with. By the time the day rolled around, there were only about 3. Mr. Malizia said they shut them off and they came and paid that same day. There may have been some that had been shut off like an overnight or two nights, but there were more than 3 shutoffs.

Ms. Carpentier said they start out with some number they can manage. They probably could select more, but they started out with about 150 to 200 and try to start with that amount - one month before shutoff. So they have a lot of labor intensive hours going to those 170 customers. Primarily by the time they get down to actual shutoff date, there might be 40 on the list. Those are the people that will be scurrying in on the day that we're trying to shut them off. Again, labor intensive. We have 101 percent collection rate, and she knows Selectman Jasper has asked in the past how can that be. It's because we're actually collecting more than we're billing out every month because we're getting some of the delinquent accounts that have aged over the years, and we are collecting the monies due for the actual shutoff fees and stuff.

Chairman Massey told Selectman Coutu that the answer to his question was yes. He thought that the department does need to have those additional hours. Selectman Coutu said if there's a recognition of that he didn't see any problem with doing it. He was like him somewhat aghast when he saw the last publication of the delinquents. He looked at it said, "Wow, this is a large number. It's increasing." He was concerned about the burden that might be placed on that department as a result. He didn't realize it was as serious as it was. He will certainly support an increase to 30 hours.

Selectman Jasper's only question was relative to the approximate \$8,000 you're going to need additional to cover this. Where's the money coming from? Ms. Carpentier asked in this current year and Selectman Jasper said yes. Ms. Carpentier said when they budgeted for fiscal 2011, they had to assume full insurance and then some COLA increases. So they way they budgeted for fiscal 2011, there's excess dollars in there to cover this year. She would have to have an increase for fiscal 2012 though. Selectman Jasper said that she had enough money in the rest of this budget.

Selectman Maddox said they do see an awful large list that comes out and that's great. Any idea how much money that is involved every month? Could they just put a total of what those accounts are? Are they \$40? Or are they \$400? Ms. Carpentier said they try to take anybody whose 90 days, which would be 3 bills but by the time you go through the process, it could be up to 5 bills past due. She believed it was \$200. They'll be revisiting that too. They're trying to increase how many they're attacking because if they're coming in before the shutoff, then they're not actually having to shut them off. They used to only target about 100 month. We've been inching it up to manage more. We're getting in cash flow. She thought just those accounts could be anywhere from \$100,000 to \$150,000 just managing that \$175,000. That's what Selectman Maddox was trying to find out is what kind of dollars they're talking about. If you're shutting off people that owe 5 months at \$20 a month, that's only \$100. Where are we as far as dollar value as far as collections? Do you say that anybody that's been late 3 months in a row or had 3 shutoff notices has to come in with 3 months in advance so that during that time when we don't shut off, we have something?

Chairman Massey said right now because the tariffs don't provide for that, all the tariffs they say if you are delinquent over 90 days, then if you don't come in and pay your bill or make arrangements to have a payment schedule to pay the bill down, they you'll be shut off and the shut off will cost you \$125. The issue that you're raising would require the Water Utility to add some additional tariffs in the fee schedule. That's what the Water Utility and the Water Utility Committee is currently looking at is whether to make any kind of a recommendation to the Board. The other piece of it is once you're delinquent the next time you're delinquent and your going to be shut off, you must pay your bill in its entirety. You don't have the option then to have a payment schedule. You have to pay it in its entirety in order not to be shut off. As he said before what's really been of concern to him, he's seeing the same commercial establishments in that potential monthly shut off customer list.

Selectman Jasper it is a tough economy out there. He couldn't imagine that too many people want to go through this whether they're businesses or not. He would be hesitant to say lets add to their burden too much. On the other hand, if there's nothing for a late payment then perhaps there should be something to recognize the time that the Town puts into it. For instance if a landlord gives an eviction notice to a tenant, they're only entitled to \$15. Fifteen dollars would cover an hours worth of clerk time. That might be something that would be appropriate. Obviously there are a lot of people out there struggling. He didn't think they should try to punish them because it's doubtful that that's going to help the situation. It may make it worse ultimately but \$15 is at least something that they recoup for the time. He'd ask the Committee to keep that in mind. It's not good times to be in business.

Ms. Carpentier did want to make a point. We do send out three bills, then you get a delinquent letter, then you get a shut off letter. So they've had 5 opportunities to contact them to make a payment plan. We do work with them. Whatever they can. Just tell me what you can do and do what you agreed to do. Even when that happens, they do courtesy calls. You said you were going to do \$50 a month. I'm not seeing anything. Then if they ignore all of our requests, then that's when they go right into the shut off.

Chairman Massey thought that was the key. The person that's delinquent does have the ability to work out a payment schedule. So even if they are hard times, and he knows at least 2 or 3 of the cases that he had to

get personally involved in, the Water Utility went over backwards to try and accommodate what these people could pay. It was a lot of time and effort to work these things out. He thought that right now there is no ability to do that because it's not listed in the published rates. He had just asked the Water Utility if they would look at that as a possibility to try and get some of those people who are habitual offenders off the habitual offender list.

Motion by Selectman Coutu, seconded by Selectman Jasper, to approve the posting and hiring process for the Part-time Water Utility Clerk for 30 hours per week at a starting pay of \$14.77 per hour in accordance with the first step of the current contract.

As the justification is the amount of backlog with all the delinquent issue, Selectman Maddox asked as the economy turns around will this number go back down to the 20. Chairman Massey said you'd probably have to look at it at that time. He didn't think that was just because of the delinquency. It's also because of the amount of office traffic and phone traffic that the entire office is getting as a result of the people calling in for help, and or service, and or, and or.

Ms. Carpentier said when you only have somebody here 4 hours a day backing up the full time person; it's the other 4 hours where her staff is backing up the Water Department. If the full time clerk is on the phone, then it's the other girls answering the door and answering the phone. She believed that was a taxpayer expense where it shouldn't be. Selectman Maddox said you can't answer every phone every minute. Ms. Carpentier said it's not only voice mail. It's when you have 2 or 3 customers lined up at the door and one person is on the phone. Somebody's got to get. You can't just walk by them and say, "She'll get to you when she's done". They're just trying to give customer service. She'd be more than happy to entertain going back to 20 but she didn't know at this point that they can do that.

Just for the record, Chairman Massey said this did not include benefits, correct. Ms. Carpentier said that's correct.

Vote: Motion carried 5-0.

Without any objections, Chairman Massey declared a 5 minute recess at 8:40 p.m. The Board was back in session at 8:46 p.m.

F. NHMA 2011-2012 Legislative Policy

Chairman Massey recognized Town Administrator Steve Malizia.

Mr. Malizia said it was sort of a cumbersome document to look at. He'll try to make it simple. NHMA, the New Hampshire Municipal Association, of which they're a member which represents towns, cities, and communities in the State of New Hampshire makes various legislative policy recommendations and/or takes input from communities. As you can see on the 8th and 9th pages in, he's tried to give the Board a score sheet that if the Board is interested in articulating a position or directing its representative to articulate a position for or opposed to some of the various legislative proposals that this would be the forum to do it. It's not something they would do by caveat. They may not do anything. He may just direct the Board's liaison to do what's in the best interest of the Town in his opinion. However, you may feel strongly about an issue in there. Mr. Malizia wanted to give them a forum to look at that document, look at what NHMA is possibly going to be doing in this legislative session to give the Board an opportunity to direct possible their delegate to vote. It's cumbersome. He didn't invent it. He was putting it in front of the Board if the Board had any hard and fast concerns. Again, there are all kinds of stuff over here.

Selectman Maddox said it would have been great Steve if on the page he had all the in favor, opposed, no position and showed what the municipal was recommending. Mr. Malizia said that's what all those other pages were. Selectman Maddox said it would have been easier just to go right down the line. They could have agreed, disagreed, agreed to disagree.

Chairman Massey thought since it is a large tone that rather than try to make a decision tonight, they could put it on the Board's decision for next Monday. However, he will not be able to go to that meeting. Since he's a voting delegate, he would have normally been the one that carried this Board's messages. If you want to weigh in with the vote on September 17th, you'd have to designate either one of the other Selectmen. At the very minimum the one that the Board should definitely if they want to make heard is the first item under the general government which is the actual retirement system the position that the Municipal Association wants to take for the upcoming legislative session.

Selectman Jasper said none of it makes any difference if they haven't got anybody who's going to go to the meeting. Chairman Massey said first of all before they decide whether to put this on the agenda next week is there anybody who would want to go and/or even Mr. Pearson could act in the Board's stead. Mr. Malizia said he could go too. The Board could pick anybody they want. You could pick anybody. His bigger concern was that if you had something adverse to what they're recommending. If they're recommending, or supporting, or opposed to something and you have an adverse opinion, that's the opinion you need to articulate. Other than that, just go with the flow.

Chairman Massey said last year he brought the Board's position. He didn't remember which one it was but he was one of the few people who got up and spoke up against the Municipal Association's position because the Board had that position. Unfortunately he was in a minority. At least the people there in the audience, the Delegate heard what Hudson's position was on that particular issue.

Again Mr. Malizia said it's more germane to articulate if you're opposed or if you're taking an adverse position. Frankly if you're in concurrence with the NHMA's position or State position, you're not going to be arguing for it. They're already going to do that for you. It's only if you want to cast a vote or weigh in and say the Town of Hudson doesn't think this is in their best efforts or the other community's best interest. Again it realizes a lot of stuff there. He didn't want to have it go unheated.

Selectman Jasper thought they ought to just do this now and delegate Steve or Mark depending on which one would like to go. If you'd rather not or if you can't, then Mark ought to go. He'd like to go through it quickly because none of them will take a lot of time to do it. Monday night is the night before the election. He's going through it quickly. The first one that he sees that he had a problem with is #6, Right to Know Costs and Specificity Required. This would put a real damper on Right to Know requests if municipalities had the right to recover the actual costs of retrieving, reviewing, and reproducing documents. That can get very, very expensive. You could say all right here's \$100 for this one page document because it took us 6 hours to find it. He would be very much opposed to having municipalities get all of those costs back. He thought the Right to Know is much more important.

Motion by Selectman Jasper, seconded by Selectman Maddox, to oppose #6 Right to Know Costs and Specificity Required.

Selectman Maddox said three sentences is tough to really decide where that falls. He thought the intent of it Mr. Chairman was to say frivolous. The problem is there's no way to easily define frivolous. While he didn't disagree with his fellow Selectmen on that side of the room, he was just concerned about people that go in and constantly just want to know stuff for whatever reason with no use for it. How do you say we're going to have to hire that water clerk for 40 hours so that they can look up whatever this may be. There has to be some limit.

Selectman Jasper said show him where that's been a real problem. People do have to pay the costs of reproducing. Most people don't have that much time. He didn't have a problem with saying the specificity. You should have subject matter at least, which is probably what they don't like is that they don't say well I want page 2 of the minutes of 1957. Selectman Maddox said if they wanted a copy of all of the minutes from 1957...Selectman Jasper said that with the Town would do pretty well because once you retrieve those, you're getting \$1 for the first page and then \$.25 each page thereafter. He's not aware in this Town, and that's all they had to worry about right now is this Town, he did not know that they have had any problem with people making multiple, unreasonable requests that have tied things up. He thought there is the right to get public documents by the public. He's already paying property taxes. Most of them

don't get a lot of services. They pay their property taxes and don't really get much back. If somebody wants some information, they should be able to get it reasonably.

Chairman Massey said there was another consideration too Selectman Maddox. That is that the Right to Know Law does not require you to produce – we're only required to produce a document that exists. They're not required to create a document. If you come in and say I want to know how much money you've spent on road construction, we could give them the actual document that shows it. We wouldn't have to create a document that didn't already exist. So when people come to ask for information, it has to be something that exists and not something that the Town would have to create.

Selectman Maddox asked why would the Municipal Association be in favor of this. Chairman Massey thought that they were concerned and this was the general concern of exactly what Selectman Jasper was talking about. There are people who would bury you with requests if they had the opportunity to. Without the ability to recover the costs especially if you have to go into archival storage, it's a significant cost to go retrieve a document from way back when. There was the general feeling that to do that kind of research ought to be compensated.

Selectman Jasper said the flip side of that was if he goes in and just wants a very simple thing, he's now going to be paying the secretarial rate and there's no control. It could be right there in the draw right in front of somebody's face and they could say it took them 4 hours to find it because they have sloppy record keeping. Now he has a one page and an \$80 bill. That's the great harm to do that to people. That is a greater harm. There will be people who do not like somebody who comes in looking. There's a lot of small towns. They've seen a lot of it won't happen here. Yes he just said they have to worry about here. Still regardless you could start even here having large bills because somebody has to go retrieve something. We have a responsibility to provide information to people and we shouldn't be charging to provide public information to the public.

Vote: Motion carried 5-0.

Selectman Coutu said unless you've been involved in the legislation, how can you make heads or tails out of 3 sentences that summarizes a position. For example, he would be very much concerned with #7. It appears that we're going to be subject...Chairman Massey said he'd tell the Board exactly what that is. Back 2 years ago, he believed it was, there was a piece of property either in Keene or near Keene that was in current use. The State bought the property for a liquor store. They argued that because they were the State they did not have to pay the land use change tax when that land changed from current use to the proposed use. The Municipal Association is arguing is that the land use change tax should be paid regardless of who buys the property and that a municipality shouldn't be able to escape that tax. That's what this was all about.

Selectman Maddox said he was going to have to differ with him. He believed RSA 674:54 says that a municipality is able to not follow their own land use requirements. Chairman Massey said Selectman Maddox was right. He misread that. What that was basically saying was that you can't exempt yourself under RSA 654:74. Selectman Coutu would oppose that. You can't exempt yourself. Chairman Massey said that's what this would do because they can exempt themselves now. Selectman Coutu thought they should stay that way.

Motion by Selectman Coutu, seconded by Selectman Maddox to oppose #7. Land Use Compliance by Government Entities.

Selectman Maddox said if they make their citizens jump through whatever flaming hoops that we as citizens require in Hudson, why does the Town get to say no unless its for an emergency or a very good reason why do then the citizens have to do it and the Town does not. If it's a good idea to have X zoning, X requirements, why should the Town not have to do that. He thought it was originally for just emergencies and something with wastewater. It's now kind of evolved into all things.

Selectman Jasper thought the answer to that is that when people do things for private purposes, they are for private benefit. When municipalities do things by definition, it is for the public benefit. Therefore it is a benefit to the public to see that the costs are kept as low as possible. Certainly in a town such as Hudson, we can't build anything without public approval. To put the public desires through those additional hurdles can be seen as a negative. You can argue that but he asked a question and Selectman Jasper gave him what he believed is the answer. It's public benefit versus private benefit.

For the record, Chairman Massey said they took advantage of that provision when they built the pump station on Wason Road. They simply went to the Planning Board with a conceptual plan and asked them for their inputs on the landscaping and egress. They did not take a full site plan application to them. He thought the thinking at the time was they knew they had to build this. They wanted to at least have the Planning Board know what they were doing. They felt that it was not appropriate to do a complete site plan. That was the reason. In one particular case where this Town chose not to go with a site plan route.

Just for the other side of that coin Mr. Chairman, Selectman Maddox said through all the processes the abutters are able to put in their piece. He thought that was the important part so that everybody gets heard. He knows when they did Memorial School there was a number of concerns. They made some adjustments based upon that input. Again he thought there's probably a half way point and he thought Hudson has tried to do that. He's just not sure what their position is in that paragraph with those 3 sentences and where they're headed with it.

Chairman Massey thought where they're headed to is exactly that the municipality would not be able to exempt itself under RSA 674. They'd have to go through the full site plan approval process. Today it's voluntary for a municipality to do that.

Vote: Motion carried 3-2. Selectman Maddox and Chairman Massey opposed. Selectman Maddox opposed because there wasn't enough information.

15. State Revenue Structure and State Educational Funding

Selectman Jasper had a problem with that in that it was them getting into really what the legislature is charged to do to address those things. He looked at A, B, C, D, and E and really doesn't mean a whole lot. It says to see if the New Hampshire Municipal Association will support asking the State to use the following principles when addressing the State's revenue structure in response to its responsibility to fund an adequate education. For instance, number C he didn't even know what it means. c) That changes to the revenue structure are least disruptive to the long-term economic health of the state. What does that even mean? That's not even a real sentence.

Selectman Coutu said it seemed to him they're trying to circumvent. Whoever proposed that legislation is trying to circumvent the Supreme Court ruling. Chairman Massey's guess on that one was they're trying to codify the Claremont decision.

Selectman Jasper quoted, e) That changes in the revenue structure are fair to people with lower to moderate incomes. Our Constitution requires that they treat everyone the same.

Motion by Selectman Jasper, seconded by Selectman Coutu, that the Board of Selectman opposed number 15. State Revenue Structure and State Education Funding, carried 5-0.

Unfortunately Selectman Jasper said they broke those up into 3 parts. There are some good things there on the other part of 15 but overall.

Selectman Jasper would like to have a discussion on number 16 and hopefully not a lengthy one. Utility Appraisal Method. As the Board all knows, Selectman Jasper is not a big fan of taxing the telephone phones because he thought it was going to end up costing us a lot. He actually thought if they're going to do a property tax that it should be a unit valuation that a telephone pole in Marlow, New Hampshire, should be the same as the telephone pole in Hudson, New Hampshire. What he sees is that they're going to raise

the cost to everyone if 239 communities decide that telephone poles have a different value in 239 different towns. We're going to make the utility appraisers very wealthy because everybody is going to set different rates. They'll be appealed. He would oppose it. He thought that having a unit value for something that certainly has a unit cost, telephone pole that put in Hudson and a foot of wire that they put in Hudson is going to have the same cost when they buy it as they put in Washington, New Hampshire. Unit valuation of those actually makes a great deal of sense.

Motion by Selectman Jasper, seconded by Selectman Nadeau, that the Board of Selectmen opposes 16. in favor of unit method valuation.

Selectman Maddox guessed one size fits all but not really. If you've been to Washington, if you look at their poles and they have a high tension, a secondary, and a phone bundle. Look at some of our poles versus theirs. There's all kinds of stuff on there. He didn't think all poles were the same. Selectman Jasper said it was the pole. Selectman Maddox said it was what was on it. It's what it's carrying. Selectman Jasper said no. Selectman Maddox said the pole carries X amount. Selectman Coutu said the value of the pole based on the assessments was based on the value of the pole.

Chairman Massey said it said "the appraisal of utility property". There's more than one property on those poles. Selectman Jasper said that was the thing. It has a different appraisal because we're now allowed to appraise each company using the right of way. So it's the wires, conduits, and poles that get appraised. It's not just the pole and it's not the income. If you have 5 wires, there are 5 people paying property taxes was his understanding.

Selectman Maddox said New England Telephone might have fiber in Hudson as opposed to 20 pair cables in Washington, New Hampshire. He thought capacity for lack of a better term. But what's on that pole, he thought was the unit. Selectman Jasper said that's what a unit is. A unit of a different type of wire versus same...Selectman Maddox said they just don't know the answers to those questions. We're debating on unknown.

Chairman Massey said if you vote yes, you would be supporting unit valuation. You would be taking the opposite position. To put it in a different way, if this motion were to pass tonight when this motion goes on the floor at the Municipal Association, the vote for this Town would be no to this motion. Selectman Maddox said no because they're opposed. Mr. Malizia said we're not opposed. Chairman Massey said the vote there would be no if the vote here is yes.

Vote: Motion carried 3-2. Selectman Maddox and Chairman Massey in opposition.

Selectman Coutu asked for a clarification on number 17. Are they suggesting, and not NHMA because they want to oppose it, that their legislation being proposed to increase. Chairman Massey said right now an SB2 town, which we are, only requires a 60 percent vote on a bond issue or similar things. If the legislature were to pass legislation, it would say no you now have to go to the 66 percent level. This would say that the NHMA would go before the committees that were proposing that change and say they opposed it. They want to leave it at 60 percent for SB2 towns.

Motion by Selectman Coutu to support New Hampshire Municipal Association's position on 17. Minimum Vote Required for Bond Issues.

Chairman Massey didn't think motions to support didn't need it. Selectman Coutu said they were just going to do it anyway. Mr. Malizia's point was if you're taking an adverse opinion, that's the one they need to know. The ones they agree with whether they oppose or support, you don't have to do that.

What Chairman Massey was referring to earlier on page 9 number 4. That's the one that arose out of the State claiming it was not subject to the Land Use Change Tax. The Municipal Association is saying they think that if a property is in current use, then it should have to pay the tax when it comes out because it was a benefit to the landowner that the town did not get the advantage of. Right now, Land Use Tax is your

property is taxed as if the value of the land is \$100 per acre. So in Hudson your tax would probably be \$1.50 per acre.

Chairman Massey said there was another one that a lot of thought went into and that's number 5 the exaction fees for improvements to State highways. Again, this was the committee that he served on.

Chairman Massey said a significant discussion occurred on 6. Conservation Investment. Unfortunately right now the LCHP program, the monies are being almost 100 percent diverted away from what they were intended for even though when the fund was created it was created with an express legislative intent that the monies only be used for LCHP purposes. It's much the same as the Highway Tax today. A significant portion of the Highway Tax is being used for non highway purposes so much so that if you were to cause it not to be used for non highway purposes, it would be a significant in the tens of millions of dollars additional revenue that the State would have to raise to cover that. He thought it was like \$27 million right now that's covering the cost of the courts and a couple of other major departments in the State. The group wanted to be on record that if you're going to create this fund and say that's what it's for, then it should be used only for that.

Looking at the floor policies, Selectman Jasper said...Chairman Massey said if he happened to see any and Selectman Jasper wanted to bring them up on Monday night in Other Business or if he wanted to do it because he knew by Thursday noontime that he wanted to do it, just put it on the agenda for next week if you see any others that you want.

7. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox – He's going to wait until next week for the few that he wanted to do. Thank you

Selectman Jasper – He had a couple of things. A number of weeks ago the Board talked about looking at the policy to amend the use of the meeting rooms. Currently we don't allow political organizations to meet here. He didn't know if anybody was actually tasks with bringing back a draft or looking at that. Chairman Massey said if Selectman Jasper would like to put it on, we'll include it for next month's workshop.

The other thing Selectman Jasper had were a couple of things related to the opening of Benson Park. He thought they should have a police detail officer on Kimball Hill Road that day. Can we see that that is taken care of? He thought they had offers from the Boy Scouts to actually do interior parking and the boulders will be removed to open up the lower parking. The invitations to those the Board approved those were going to be done through the Selectmen's office. Chairman Massey said they went out last week, including 2 personal letters to the Governor and to the DOT Commissioner.

The reason Selectman Jasper can say he's not sure that that's happened the way it was supposed to at least because it was supposed to go out to all the former members of the Benson Park Committee. His wife didn't get one. Chairman Massey said there were 2 different things. The Board of Selectmen was going to be responsible he understood for the formal invitations. All the other things were going to be handled via e-mail. Selectman Jasper said there were specific people who were going to be invited and the former members of the Benson Park Committee were on the list that he believed the Board of Selectmen were going to send out. Chairman Massey asked if we had that list. Selectman Jasper said they had it. He didn't have it with him now. But there was a list of people from his understanding. Chairman Massey said if they could reconstruct it, he thought they could do it.

Selectman Nadeau said when he spoke to Ester the other day she said she got it and some other members that she knew received them. Selectman Jasper said they were supposed to go out through the office. He forgot to check with Donna. The way things are going, he'd probably forget to check with her tomorrow. He just wanted to see where they were on that. Chairman Massey asked Mr. Malizia to check on that. Mr. Malizia said he never got the list either. He never saw it. Chairman Massey said the invitation that went to the Governor and to Commissioner Campbell, he did a cover letter and invited them to be the guest speaker rather than just them the invitation, there was a letter that was attached to it.

Selectman Nadeau – He wanted to remind everybody that the 9-11 observance will be out at Library Park Saturday morning at 10:30 a.m.

Another thing, the Highway Department is getting some of their trucks ready for the winter season. That's the excitement at the Highway Department. They're getting a lot of the cleanup and stuff done. They finished up the gutters and the edges of the roads. They're doing that type of maintenance. That's all he had this evening.

Selectman Coutu – Two things. First of all he wanted to thank everybody in the community who participated in the 5K race for the Tompkins Memorial Stadium. They had an excess of over 650 racers. He's alive and well. So he managed quite well. He came in the middle of the pack. So he was very pleased.

There was an item Mr. Chairman that Selectman Coutu had communicated to each of them requesting that an item be put on the agenda. Apparently there was some sort of confusion. He wanted it put on the agenda this evening. Donna probably thought he wanted it on at the regular meetings. Specifically Mr. Len Lathrop was there and with your permission Mr. Chairman, he and Len Lathrop attended the meeting with the federal EPA as well as the State EPS with regard to the environmental impact studies that needed to be done to the site at the Industrial park. If you'll indulge Mr. Lathrop, he can assist him in presenting the Board with a general overview in what they're proposing to do in terms to meet the compliances as set forth by the federal EPA and the State EPS with regards to providing them with a Phase II Environmental Study Assessment. Originally they submitted a study on the site and there was a Phase II submitted but its 6 years old and not acceptable to the State. They want us to do a new study. Obviously there's going to be a cost incurred with that. SO with that Mr. Lathrop is here. He and Mr. Lathrop both attended the meeting. They walked away favorably impressed with the coordinated effort that the State and the federal officials are willing to provide them in order to see this come to its fruition and the speed by which they anticipate that they're going to go forward with in order to help them get this done.

Mr. Lathrop went more of support tonight for an agenda item that he thought Selectman Coutu would be bringing before them. The bad news is that the 1988 study, that Credere who was the vendor that was hired by NRPC to do this study, was rejected last week so that a Phase II – in layman's terms that is actual site borings has to be done. Now the problem arises that Credere his diligence brought them a Phase I report that Steve has seen and Mark has seen. That has been submitted to the Department for review. October 15th is a drop dead date for the application for the granting process. As it stands right now, they are in line with many others to be reviewed for a \$200,000 grant from DES and another \$200,000 plus maybe more from the Rockingham Economic Development Corporation. However, this Phase II process for either of them has to be finished.

Talking to a second vendor today, a lot of those things occurred last week and they got into holiday phases that slowed them down, Mr. Lathrop just had to say in your application that it has been done and that there is a plan available in DES and the other reviewers will then ask for the plan. It creates a vacuum. The vacuum and all vacuums have a dollar value attached to it. From Credere's initial estimate, that dollar value is \$10,000 to \$12,000. There are 3 options in the Credere proposal. A there is \$8,000 left in the National Regional Planning pool of money for brownfields. We as Credere can submit a work plan to them which will be passed to DES and DES will approve the work plan. They will pay the \$8,000 to complete a portion of the Phase II development.

Mr. Lathrop said the second plan would be to use private funding and to go through either NRPC or REDC for this Phase II development. The third plan would be a combination of both. The problem arises in the timing of the whole issue. He's been working with Mark on Friday and today to see if they can get a firm hard price from Credere, a scope of the work, and a written guarantee of the outcome of that work. If there is a failure, we certainly would hope not to pay. There are 2 funding mechanisms and through the work of Selectman Coutu, he has sorted through the Recreation Committee to seek some more funding from our Planning Department from recreation impact fees that have been put away. The second funding source, of course, would be for the Tompkins family or the foundation to pay the money.

Mr. Lathrop guessed tonight they're doing two things. They're looking for your advice on both putting Credere's feet in the fire per say (a); (b) seeking a second vendor which the time frame might not allow. He spoke to a second vendor today and if we Fed Ex everything to him in Concord or got it to him in Concord tomorrow, the Phase I plan they would review and see what they could do on the Phase II plan to have a competitive bid. That's kind of the bailiwick that they're in sitting there this first week in September.

What Selectman Coutu was proposing was that they seek through the Planning Board an amount not to exceed \$12,000 to afford them an opportunity in the event that all else fails to engage the second phase of the environmental site assessment. This has to be submitted. We have to make this commitment by October 15th where the plan has to be done in hand. Mr. Lathrop said the plan has to be in Boston in hand by October 15th or we lose out on up to \$400,000. The reason why Selectman Coutu supported this, and he makes this recommendation, is primarily because we can't look at this complex as merely as a football stadium that's going to entertain one particular private organization in this town. The contract as he understood it is going to spell out quite clearly that if we lease them the property once this comes to fruition, if it ever does and he's sure it will, they will have it for a time span and would be inclusive of only the football season. The football season for them is from the day the start to practice to the end of the football season, which is somewhere just prior to Thanksgiving. The beginning of the season Selectman Coutu thought would be mid July beginning of August when they start practicing. Mr. Lathrop said they start the end of July. Selectman Coutu said the field is available for the Town's use after Thanksgiving all up through and including July, which we could use it for outdoor recreational programming through the Recreation Department. They could also use the field if they wanted to host a United States Air Force Band and raise some money. They can charge for tickets and have people come to the event. They can use the refreshment/snack bar. We can have nonprofits use it for different events to raise funds for their nonprofit agencies.

Selectman Coutu said they are also undertaking, assuming they can get all the land properly situated and the plan properly situated, a baseball diamond which will be available to our community. A playground area, which will be available to our community year round. A track around the entire property, which will be available to our community year round. So with that he's not reluctant to suggest that we have approximately a little more than \$140,000 he believed in that account to request an additional \$12,000 up to and not to exceed \$12,000 to see this Phase II done in a timely manner. We are now at September 7th. It's due October 15th, so we have a little less than 5 weeks to accomplish all of that.

Before Chairman Massey accepted a motion Selectman Coutu, could either he or Mr. Lathrop specify what it is the deliverables would be for the \$12,000. Mr. Lathrop said the deliverables would be a Phase II study that would actually duplicate the 1988 study with additional test pit borings to certify test pits that would delineate all the asbestos contamination in the area. What Chairman Massey didn't understand originally, and that's why he wanted to get some clarification, he thought he heard Selectman Coutu say that if they could fax a document to this company up in Concord tomorrow, and he assumed it was the Credere document...Mr. Lathrop said it would be a different vendor. They would deliver the Credere Phase I document to HTE who worked on the site under the Roger's direction. Chairman Massey said based on that document they would then put together the proposal for doing...Mr. Lathrop said possibly they would present them with a proposal or they would say they couldn't. They would say the time frame is too short. We just activated their radar this afternoon at about 3 p.m. when they finally called him back. There's a lot of second ifs, buts, and whens. He might look at it first thing and say they can't get it any closer or any farther along.

Chairman Massey asked what would be the fallback if they say no. Mr. Lathrop said Credere who is the first vendor, the vendor they've been working with, has made a commitment orally to them in the meeting on Tuesday that he could get this done. It is iffy if he has to present a work plan to the Department of Environmental Services and they approve the work plan for the release of the \$8,000 from NRPC. The work plan would have to go to DES. They would have to say yes. NRPC could pay him the \$8,000 and he could start on the project. That time frame with all kinds of promises from these very nice ladies that they met from DES is iffy at best.

Chairman Massey asked why wouldn't they just use the proposed \$12,000 for Credere, or \$8,000. Mr. Lathrop said the \$8,000 from NRPC can't be given to Credere until DES says...Chairman Massey said he understood. Why couldn't you use \$12,000 and not even to rely on...Mr. Malizia said from the Rec. fund. Selectman Coutu said they could do that. That would insure that it's going to get done. There's a possibility that if somehow or another they could get DES or EPS to put this altogether and give them the \$8,000, they can reimburse the fund. He just wanted to make sure that the money was there to get the project done. His intent was to get up to \$12,000 and give it to the selected vendor and get him started on it.

You ask why Mr. Chairman, Selectman Maddox said it's because Hudson is frugal. They try to squeeze as many dollars as they can out of their recreation monies for many projects. This was looked at as an opportunity. NRPC does have \$8,000. There are some hurdles that have to be done. If they have \$12,000 to which up to if they gave him \$4,000 to get him started, he'd manage to get that work project approved by the State, then NRPC would pick two-thirds of that \$8,000 - \$12,000. So it was really a function of trying to be as frugal as they could. They could pay the \$12,000 and not even go down that road. Again, they're trying to be as frugal as possible realizing that they do have \$8,000 still available to be able to be used for this purpose.

In terms of the deliverables to be a little more specific, Selectman Coutu said if Chairman Massey was satisfied with his answer he wouldn't go any further with it. Chairman Massey said he was.

Motion by Selectman Coutu, seconded by Selectman Maddox, that the Board of Selectmen authorize extend up to \$12,000 from the Recreation Impact Account 2050182 to be used for a Phase II environmental site assessment for the proposed field complex on Industrial Drive.

Selectman Jasper was going to support the motion. He's a little hesitant only because he recalled specifically the first presentation that they won't be asking for taxpayers funds. Those funds while technically not raised by the taxpayers are meant to offset an expense by the taxpayers in the future. So it's a little bit of a slippery slope they head down by doing that. He's also concerned because there is the potential for the \$8,000 through National Regional Planning which we don't seem to be trying to take advantage of by doing that. He's concerned that there's money that they could be using that it doesn't appear that they're going to try to use.

Chairman Massey thought what he heard Selectman Jasper was that because the time issue of the 15th they're going to go down both roads. If they can get Credere to agree to do it, the \$12,000 is committed and if they can get the \$8,000 from...Selectman Jasper said if there's one thing he's learned, discussion is wonderful. The only thing that matters is what's in the motion. Chairman Massey said the motion doesn't say who they work is going to be done by. Selectman Jasper said that the motion authorizes up to \$12,000. There's no modification to say that we will be applying for. So at the end of the day the only thing that matters is what's in the motion not what's in the discussion. We've learned that many, many times. So that's why he's hesitant about that even though he understands the intent. We all leave here and that's not necessarily part of it and not to cast aspersions or to say it won't, he's always much more comfortable when things are specified in the motions. He wanted to find out because there's all this money in this recreation fund and he thought a lot of it has been looked at to go towards playgrounds in Benson's. Are we going to be looking at coming back to the well again? Where does this end? He goes back to what the original presentation when all they were looking for was the authorization to use the land. We gave the \$12,000 because it had been spent on Robinson Pond. That didn't pan out. That's fine but now this is up to \$24,000. Selectman Jasper wanted to know where they were headed and be clear about that. It's one of those slippery slopes.

You've heard Selectman Maddox say this for the last 6 ½ years that government is glacial. Unfortunately they're trying to move it along. Sometimes that the slippery slope you do get stuck on. This land is owned by the Town and will continue to be owned by the Town. If they want to use for just about anything, they have to mitigate the asbestos. Tax money will not be used for the stadium. It is mitigating the asbestos that is on the Town's land that's being spent. They are going to try to get the \$8,000 back. Putting the \$12,000

in now at least gets that done. Unfortunately there are some real constraints for time inasmuch that if they don't make that October 15th deadline, he's now being told that the \$450,000 that they're trying to get through various sources will be in severe jeopardy. Mr. Lathrop said it wouldn't even be in jeopardy. If you don't submit, it would be gone in the next submission would be October 15th. Selectman Jasper understood that. He's predicated by saying he's voting for the motion. They didn't need to convince him of anything; he just had a couple of questions.

Again, Selectman Maddox said Selectman Jasper brings the same questions that almost all of them have. It's just a function of their land sitting there to really put any type of recreational facility needs that asbestos removed. This is the best way to go about it as they can see utilizing grant money.

Selectman Coutu appreciated Chairman Massey's willingness to support Selectman Jasper and he appreciated his concerns. He had some anxious moments in the past couple of weeks because he recollected clearly making the statement himself that they will not be using taxpayer's money to build the stadium. Selectman Maddox just touched on it. Selectman Coutu wanted to clarify it for the voters. He'll attribute most of those remarks being made by him inasmuch as other people within the committee have also made those statements. As a Town Father, he takes full responsibility for making those statements. Selectman Maddox just touched on it. Zach's dream was to build a football stadium. Not one dime of taxpayer's money will be used to build that football stadium. He said in his remarks prior to making the motion that he felt he had a clear conscience in recommending it because above and beyond the stadium which was Zach's dream and what they're raising the money for, the committee has agreed to use those portions of the land which will not be used for the stadium for recreational purposes for the entire town.

[Selectman Coutu] The baseball diamond is not part of the football program. That will be available 12 months a year. The playground will be available. It will be a state of the art playground based on the project that he saw. It will be a state of the art program available for our children on a year round basis. The track that's going to go around the perimeter of the property will be used. He would like to thank too Selectman Jasper that this is the end of the line in terms of coming to the well. We have this beautiful playground that he saw for handicapped people that they want to build at Benson's. They're going to need almost all of the rest of the money. He didn't want to put them in a position where it's almost all. He'd like to think that there's still enough money left over afterwards for other projects that they can commit so much to get that playground down at Benson's. Selectman Coutu fully understood where they're coming from. He fully understood but he did preface his remarks by saying that he was going to support it and he appreciated that. Thank you.

Chairman Massey had a couple of things. When they last left off, Credere was going to come back and tell the Board whether it made sense to subdivide this provide. Is that off the table? Mr. Malizia said it did not make sense. Selectman Maddox said there was not need to and it's off the table. Mr. Malizia said the EPA recommends against it.

Mr. Lathrop said no not necessarily. The foundation with the Ad Hoc Committee took the recommendations of this Board, Selectman Jasper's remarks, and said let's find another avenue versus subdividing. The DES is still saying subdividing is an option. We don't feel that it is the option that the Selectmen wanted them to follow. They went and sought a second funding source. It gets real complicated. Rockingham Economic Development Corporation on October 1st will receive \$1 million from the Department of Environmental Services to grant to community based projects such as theirs. They are very high on their project. However, they can only grant \$500,000 because they have to keep \$500,000 in bay. As they loan out money, the DES gives it back to them. It's a revolving fund. It is a pure grant. There is no match. They have been assured by their Director that they are first in line. She would like to commit \$200,000. When everything is said and done, its going to cost \$425,000, she is willing to come up with the other \$25,000 in their conversations in the meeting last Tuesday. They will seek \$200,000 from the Department of Environmental Services for the rest of that grant. Everything predicates itself on the Phase I and Phase II studies.

Chairman Massey is well aware that things can change. Positions that one might have taken at one point in time could change because circumstances change. He was not happy that they had to spend \$12,000

originally because it was correct. The Board was told when all this discussion occurred that no town money would be used to create the facility. He was especially concerned at the time that it was a piece of industrial property and that they were going to be foregoing forever the ability to use it for industrial use. We're being asked to come back again for another \$12,000. He understand Selectman Coutu all his rationales about what part of this property is going to be used for. He would say to Selectman Jasper that if this motion passes, now that they've spent \$24,000 on 2 separate occasions, \$12,000 each. There is no precedent for saying we will not have to ask the town for more money. The precedent has been set and it will be easy to continue to justify it on the basis that part of it is being used. In his mind if he wanted to spend \$500,000 on asbestos mitigation for that property, it suddenly becomes a very valuable industrial property for this town.

Chairman Massey said he could not support this motion on the basis that it is taking them away from what it was going to be a fully private operation to fund it. Again, he's well aware that things change. If they change, then the Town needs to have a more active and a co-equal interest in how this goes forward. It is no longer a Hudson Bears project. It's a Hudson town plus Bears project. Once they put that money into it, it's become part of them. It's no longer a private operation. He was reluctantly going to vote no on that proposal.

Selectman Jasper said the Chairman made some excellent points. He hoped those chickens didn't come home to roost. He did want to say that he didn't think that in the future he would be persuaded to vote any more money for any of the other things that don't have to do with the Hudson Bears project because those are part of the things they have decided to do, not that they're requiring to be done, and they may or may not happen. This is a lot of money that will be put into this project if all the grants come through – potentially \$400,000 - \$425,000. He thought at some point they needed to be sure that this was a viable project before that money goes into the ground. They needed to be sure that there is the where with all to create this dream because if they put \$420,000 of taxpayer money being all federal taxpayers, or in this case really borrowed money, into this to lay it out as the basis for a field and the where with all is not there to actually create it, then what have they done. They may not have done it in the same way they would have if they were looking to create an industrial base there. Selectman Jasper thought if the grants come through before they move any further, they need to review the finances of this project. They need to know before the monies are actually put into the ground that this is going to happen.

Selectman Jasper could justify the \$24,000 essentially for some of the reasons that you've said. Those are studies that needed to be done if they're ever going to do anything with that piece of land. So if 6 months down the line they find out this dream isn't going to come true, they've now at least have this to the point where they can create something else on that project and that was data that they need. He thought it was very, very important that they know exactly what's going to happen and what the financials are with that group. He knows it's still early but it will be, he assumed probably at this point, next year before those things started to happen. By that time, they needed to know that the commitments were there to actually create that dream so that they don't get halfway into it and have it fall apart. They've all seen those types of things happen and no necessarily in this town, but they've all seen them happen around the State and around the region.

Selectman Coutu said the Chairman appointed an Ad Hoc Committee of this Board to represent. He can think of no more fiscal conservative that Selectman Maddox. Selectman Maddox and he both serve on that Committee. He thought that he can speak for Selectman Maddox when they say that they take that responsibility very seriously. They're very mindful; again, he's mindful of the statements that he made and the statements that were presented by other people within the Committee or the organization with regard to the use of taxpayer money. He did state some reasons for his justification for doing it. He's added more plausible reasoning in that they're going to have to get the ground ready regardless. So it's a good investment for future use regardless of let's assume the dream does collapse, which he didn't think it will. He and Selectman Maddox their involvement is such that they can see on the faces of the people that are involved in this the outright determination to see this come to fruition. He's convinced at 67 years of age he wouldn't have run 3 ½ miles and raise a little more than \$1,000 just for the sake of running out there and running. To say he did something he never did, it's because he felt that he got draw in by the enthusiasm and by the willingness of this community and the community of the people who also live in Litchfield to

see this dream come to a reality. It's not just a vision. He thought they are going to be very, very proud as you are with Benson's because who would have every thought that they would be where they are with Benson's today considering the length of time it took them to get there. They don't want to fall into that trap with this project. The enthusiasm, the willingness, the determination, and the funds are coming in large numbers. We don't have a final number yet on everything. They'll have a financial report he's sure Mr. Lathrop who likes to keep everything public with the family and with them will sit down and release some numbers that will show how much money has been raised so far to see this dream come to fruition.

Chairman Massey, Selectman Coutu appreciated all that he's said. He knows that in his heart of hearts he would like to see this come to reality and he understood his reasoning for his position. He hoped that the people that were involved with it respected that and understood his position. He knows he's asking an awful lot to ask him to support it or asking his fellow Board members to support it. He knows it's not an easy decision in light of the statements that were made. He wanted them to know that he certainly respected Chairman Massey's position on this matter. Like them, he would like to see the Tompkins realize their dream and he'll be just as happy even if he's not on the Board to be there at the ribbon cutting. He'll make sure Chairman Massey gets an invitation. Thank you.

Vote: Motion carried 4-1. Selectman Massey in opposition.

With that Mr. Chairman, Selectman Coutu said that concluded his remarks for this evening and thank you very much.

Selectman Massey – Had two items tonight. The first one was that when last they left it which he believed was in July, they authorized the Town Engineer and the Town Road Agent to do test pits on the 2 sites at Benson's. It turns out that based on a conversation he had with Mr. Webster today that he and Mr. Burns agree that the Town wield excavator is not appropriate for either site. If they're going to do test pits, the only way they could do it was with a tract vehicle. They have talked to an individual whose willing to do the work at \$100 an hour. Gary Webster tells him that he believes they can do the entire job in a day. So if the Board is of a mind, he would entertain a motion to take an amount not to exceed \$1,000 from the Selectmen's contingency fund to perform the test pit activities on both sites.

Motion by Selectman Jasper, seconded by Selectman Coutu, to authorize an amount not to exceed \$1,000 from the Selectmen's Contingency Fund to perform the test pit activities on two sites at Benson Park.

The reason why Selectman Coutu is going to support it is that they have 2 viable sites. Like the other projects, we need to get moving on this. The seniors have waited an awful long time and they need to make an absolute determination if either of those sites is viable. If one has ledge and the other one doesn't, the decision is easily made and they'll get this mystery solved once and for all. He wholeheartedly supported the expenditure of up to \$1,000 to get a determination on whether or not theirs ledge on either piece of property.

Just for the record, Chairman Massey said the motion was made by Selectman Jasper and seconded by Selectman Coutu.

Vote: Motion carried 5-0.

The last item Chairman Massey had, and Selectman Jasper just had a copy of it tonight so he may not have had a chance to look at it, Mr. Lathrop forwarded to him an e-mail last week. The State is looking for 7 grants for historic preservation purposes for next year. The application deadline, unfortunately, is the 17th of this month. Haselton Barn strikes him as a prime candidate to ask for the monies and equally important we have a significant piece of the work already done, which is the work that was done back in 2001. So they have the volume that has the complete renovation record plan that could be part of that submission. He would ask the Board if they would support them moving forward to getting the grant application done between now and a week from Friday, the 17th. Selectman Coutu said absolutely. Selectman Maddox said yes. Chairman Massey thanked Mr. Lathrop for sending it to the Board. It was good information when he saw it.

8. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Coutu, to enter nonpublic session under 91-A:3 II (e) consideration or negotiation of pending claims or litigation, carried 5-0 by roll call.

Chairman Massey said that Nonpublic Session is being entered at 10:02 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

9. ADJOURNMENT

Motion to adjourn at 10:23 p.m. by Selectman Coutu, seconded by Selectman Jasper, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Kenneth J. Massey, Chairman

Richard J. Maddox, Vice-Chairman

Shawn N. Jasper, Selectman

Benjamin J. Nadeau, Selectman

Roger E. Coutu, Selectman