

HUDSON, NH BOARD OF SELECTMEN

Minutes of the May 28, 2019 Meeting

1. CALL TO ORDER - by Chairman Morin the meeting of May 28, 2019 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Town Engineer Elvis Dhima.
3. ATTENDANCE

Board of Selectmen: David Morin, Kara Roy, Roger Coutu, Marilyn McGrath, Normand Martin

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Jess Forrence, Public Works Director; Elvis Dhima, Town Engineer; Chief Bill Avery; Randy Brownrigg; Gretchen Whiting, School Board Rep.

4. PUBLIC INPUT

Chairman Morin asked if anyone in the audience wished to address the Board on any issue which the Board has control of at this time. Seeing none.

5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS - None

6. CONSENT ITEMS

Chairman Morin asked does any Board member wish to remove any item for separate consideration. Seeing none.

Motion by Selectman Roy, seconded by Selectman McGrath, to approve consent items A, B, C, D, E and F as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) Settlement - BTLA Docket #29111-17PT - 8 & 12 Executive Drive, w/recommendation to approve
- 2) Elderly Exemptions - Map 190, Lot 073 - 2 Stanley Avenue; Map 168, Lot 033 - 6 Washington Street, w/recommendation to grant

B. Water/Sewer Items - None

C. Licenses & Permits & Policies

- 1) Raffle Permit - Saint Kathryn Parish

D. Donations - None

E. Acceptance of Minutes

- 1) Minutes of the May 14, 2019 Meeting

F. Calendar

06/05 7:00 Budget Cte - Buxton CD Meeting Room
06/06 6:30 Recreation Cte - BOS Meeting Room
06/06 7:00 Benson Park Cte - HCTV
06/10 7:00 Conservation Cmsn - Buxton CD Meeting Room
06/10 7:00 Cable Utility Cte - Cable Access Center

06/11 7:00 Board of Selectmen - BOS Meeting Room
06/12 7:00 Planning Bd - Buxton CD Meeting Room
06/18 7:00 Municipal Utility Cte - BOS Meeting Room
06/19 6:00 Library Trustees - Hills Memorial Library
06/20 7:00 Benson Park Cte - HCTV
06/24 7:00 Sustainability Cte - Buxton CD Meeting Room
06/25 7:00 Board of Selectmen - BOS Meeting Room
06/26 7:00 Planning Bd - Buxton CD Meeting Room
06/27 7:00 Zoning Bd of Adjustment - Buxton CD Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on May 14, 2019

- 1) *Motion by Selectman McGrath, seconded by Selectman Coutu, to promote Sergeant Mike Niven and Sergeant Mike Davis to Lieutenant each at a salary of \$82,154 (step 4) in accordance with the Hudson Police, Fire, Town Supervisors Association Contract. These elevations in rank would be effective Tuesday, May 21, 2019, carried 5-0.*
- 2) *Motion by Selectman McGrath, seconded by Selectman Martin, to award Animal Control Supervisor Jana McMillan, Attorney Joe Tessier, Lieutenant Dave Bianchi, Lieutenant Mike Gosselin, Executive Coordinator Sherrie Kimball with a merit award of \$200 each according to the Hudson Police, Fire, Town Supervisor's Association Contract, carried 5-0.*
- 3) *Motion by Selectman McGrath, seconded by Selectman Martin, to approve the hiring of Sydney Michaud, mechanical engineering student, for the position of Engineering Intern with a start day of May 28, 2019 working 40 hours per week at a rate of \$13.00 per hour using Account #4311-5585-103, carried 5-0.*
- 4) *Motion by Selectman McGrath, seconded by Selectman Martin, to hire Kristine Rowe as a Summer Counselor for the 2019 Summer Program at the hourly rate of \$11.25 per hour, carried 5-0.*
- 5) *Motion to adjourn at 12:07 a.m. by Selectman Coutu, seconded by Selectman McGrath, carried 5-0.*

8. NEW BUSINESS

A. Mansfield Drive Subdivision - 8" Water Main Extension

Chairman Morin recognized Town Engineer Elvis Dhima.

Thank you Mr. Chairman and good evening everyone. Elvis Dhima noted the first item for you tonight is the water line extension on Mansfield Drive. The Planning Board has approved an 8 lot subdivision off of Old Derry Lane. That was approved with water and sewer. Part of getting the water line extension is the approval by the Municipal Utility Committee and the Board of Selectmen. This was approved by MUC on May 21st. It's going to provide domestic and fire protection. We can accommodate this request and I'm in front of you tonight on their behalf to ask for this approval. I'll take any questions you may have.

Motion by Selectman Coutu, seconded by Selectman McGrath, to approve and sign the proposed 8 inch water line extension agreement for Mansfield Drive subdivision.

Selectman McGrath commented that there's no cost to the taxpayers for this. Elvis Dhima indicated this is 100 percent funded by the developer yes.

Vote: Motion carried 5-0.

B. Bid Recommendation - Engineering Services for .5 Million Gallons Per Day Wastewater treatment Facility Assessment

Chairman Morin recognized Town Engineer Elvis Dhima.

Thank you Mr. Chairman. Elvis Dhima indicated my second item with you tonight is the engineering services for .5 million gallon per day wastewater treatment facility assessment. In the past, the Board of Selectmen decided to look into the water and to the sewer capacity for the town. As you know, we have a sewer district in town. Anyone within the sewer district is allowed to connect to the sewer. Anyone aside of is not. We have an agreement with the City of Nashua for 2 million gallons per day. Currently right now we're doing about 1.1 to 1.3. As you can see on the board, one of the items is the sewer assessment. We budgeted at \$60,000. The budget starts in July of 2019. We went out to bid. We got 3 engineering firms. At the pre-bid meeting, only one of them submitted a bid. We budgeted at \$60,000 and we got a bid for less than half of that. The engineering firm is Weston & Sampson. They've done work for us in the past for water and sewer. With that said, I'll take any questions you might have and recommend this bid to move forward for a PO.

Chairman Morin asked if there were any questions. Seeing none.

Motion by Selectman McGrath, seconded by Selectman Martin, to award the bid for engineering services for .5 million gallons per day wastewater treatment facility assessment to Weston and Sampson, the only bidder, in an amount not to exceed \$29,777 with funds from the Sewer Operation and Maintenance, Other Professional Services Account 5562-252 as recommended by the Town Engineer and the Finance Director. The Town will not accept delivery or make payment prior to July 1, 2019, carried 5-0.

C. Hudson-Nashua Sewer Flume, 14 & 20-inch Siphon Project

Chairman Morin recognized Town Engineer Elvis Dhima.

The third item with you tonight is the Hudson-Nashua sewer flume - 14 & 20 inch siphon project. Elvis Dhima said as you know, we have a significant amount of sewer mains out there - about 80 linear feet, 80 miles. All this gets to a point on the Town of Hudson side we refer to it as the flume access point. From there, it goes to the Nashua side. There's a difference in elevation of 4 feet. That's what pushes the sewer from one side to the other. This particular siphon consists of 2 concrete pipes - 14 inch and 20 inch. They're basically adjacent to each other. On top of that, they poured a lot of concrete. This was done around 1970. The agreement we have with Nashua states that we have to check the condition of the flume at the 50 year mark which is basically 2020. We don't expect any issues but we need to get this done. It's never been done before. We reached out to one of our consultants Weston & Sampson. They have someone that does this specifically Barr Consulting. Their specialty is basically going in and cleaning these out, feeding a camera in to determine what assessment needs to be done.

Mr. Dhima indicated the DPW Director and the staff from DPW has had numerous meetings including with city staff in Nashua. We had a couple of them. We have inspected both sides. We are ready to go. Basically we have come up with a procedure protocol with what we need to do, how we need to do it, how we're going to tackle this. The City of Nashua seems to be comfortable with what needs to be done. With that said, I'm here in front of you tonight to recommend you to get this project done. I'll take any questions you might have.

Selectman Coutu asked to your knowledge Mr. Dhima have we had any problems with the intake and outflow valves on either side of the river. Mr. Dhima asked to repeat the question. Selectman Coutu explained have we had any problems with the intake and output valves that flows the sewerage from one side of the river to the other. Mr. Dhima indicated we don't have any valves but we have meters. We meter the flow. We don't have anything on our side. We have a meter but we don't have any issues with it. I know they used to have a meter on their end and they haven't replaces it. We do meter work we send out there and that's what they use. We calibrate that by a third party. We provide certifications

to the City of Nashua and they're okay with that. There's no valves of that sort. It's just simply a meter reading if you're referring to that. I'm assuming something like that.

With regard to the contract with Weston & Sampson, Selectman Coutu stated in the proposal that was proposed to us it states on the first page of the letter from Weston & Sampson the paragraph following the bullet points. The last sentence says, "The cost for completing the work in three days is \$65,000 and up to \$95,000 for six days." You're asking us to approve the \$95,000. Are you assuming that it's going to take up to six days? Elvis Dhima said yes in worst case scenario. I don't want to get the work started. I don't know exactly what we're getting into. I hope we don't use that money Selectman Coutu. I'm hoping we use the least amount of it. I just feel that if we go with worst case scenario there won't be a break into stopping the work out there, coming back for a change order, and then going back at it again. We can't afford to do that. I'm hoping we get in and out. We're hoping for the best but we're preparing for the worst case scenario.

Selectman Coutu was concerned about the language Mr. Dhima. \$65,000 for three days and up to \$95,000 for six days. What does "up to" mean? There's no legal interpretation of up to. Elvis Dhima noted basically they're providing a ceiling. They're saying we're hoping it's going to take three days basically on the existing conditions - the length, the size of the pipe. Not knowing exactly what we're going to get out of it, basically what this operation consists of is setting up 2, 3 big equipment on the Nashua side and start getting anything out basically. We're going to stop one pipe, clean it, and then we're going to switch. Depending on what we get out of it, I've heard they can get manhole covers out of there. I've heard boulders out of there. If it's nothing but debris or some sand or any buildup in the past 50 years, it should take no time. If we get into something that we're hoping not to, then basically they're giving us worst case scenario. They don't know how long it will take. They think it's going to take three days but they said it could take as long as six. They're giving us a limit.

Selectman Coutu had one observation to close my remarks. I've worked for two municipalities and this would be the third municipality that I have hands on. When you insert the language "up to", I can assure you it will be all of it regardless of what they find. Elvis Dhima stated we will be involved, DPW Director will be there, I'll be there. We'll still be 100 percent involved with it. We're going to keep an eye on the entire thing and we're going to hope for the best case scenario. Selectman Coutu asked you're going to be standing there both of you monitoring from the time they start until the time the end each day. Mr. Dhima noted someone will be covering from our end as well yes.

Motion by Selectman Martin, seconded by Selectman McGrath, to waive the bid process and sole source this work to Weston and Sampson, Inc., for the following reasons: 1) They successfully completed the Industrial Sewer Pump Station rehabilitation last year; 2) They have a working relationship with Ted Barry, Inc., which will perform similar cleaning services for the City of Nashua this upcoming season; and 3) They have a working relationship with City Nashua and to award this contract to Weston & Sampson Inc., using Account #43265562-239 not to exceed \$95,000.

Selectman Coutu expressed I will not be supporting the motion and I won't be supporting the motion because of the language. I'd like to have it clearer and more definitive.

Selectman McGrath asked if at some point if after three days they ran into an issue and you only had I the initial \$65,000 so if you had to stop and come back to this Board for additional funding what would happen? I know that there would be a delay but could there be a problem that you'd run into that would possibly cost us more. Elvis Dhima said the equipment will take a while to mobilize and line up. This particular vault is adjacent to a railroad track so we'll be working adjacent to Pan Am main corridor which is along the river. I do not see the contractor leaving the equipment there for a week or two or three adjacent to that because they simple won't allow us to begin with. I feel that there will be additional costs to basically get the equipment out and then coming back for two or three additional days. That's the only thing. That's the biggest concern I have with going in and then having to leave after three days instead of completing the work while we were out there. It's essential that if we go in, we get it done, and we get out. The way this operation is we had them come into us to do a presentation for us to understand. Basically they have a big vacuum that gets everything out. As they get it out, then they have another piece of equipment that they're basically dewatering everything. Then they keep the solids. Then they

compress the solids that are left and put the effluent back into the interceptor then it gets compressed to a certain amount, then it gets shipped, and goes to the landfill in Nashua while they're still open. There's a few things that need to be lined up perfectly while we have trains basically go by. There's not a lot of room to work with so it will probably take a while to set it up. We already went there and cleaned everything up. Basically the biggest thing is mobilizing the second time if we can avoid that.

Selectman McGrath indicated they take the equipment away until the additional funds were approved and then they'd have to come back. Mr. Dhima said there will probably be additional costs to set up the equipment again.

Selectman Roy said you just answered the question. If they had to bring it back, it would be another whatever time it needs. Mr. Dhima said it would take a while to set everything up because everything needs to go from A to B to C and then it gets out. This would probably take a while. It won't probably be an easy setup. There's no room there. You have the edge of the river - 30 feet drop - and then you have the railroad tracks on the other and 20 feet to work with. It's tough to get in. When we went out there, we ended up leaving the vehicle from City of Nashua and they had to jump into our vehicle to drive with me. That tells you a lot. It's very tough. We had to go back a couple of times to figure out what the best ways to get all our equipment in there because some of the big equipment is going to be tough to get in. We have to get in there and get it done.

Selectman McGrath stated if anyone has ever ridden with Elvis, it's an interesting trip.

Elvis Dhima indicated this will be no cost to the taxpayers. Selectman Coutu noted that is not true. Mr. Dhima said there will not be any additional costs to the fees for the sewer as well. This is coming out of the sewer funds.

Selectman Coutu said the sewer fund is paid for by the taxpayers - by the people who use the water and sewer service are paying the sewer fund. Taxpayers are footing this bill but they happen to be just those who are on the sewer system. Just because we're taking money out of sewer and water, don't think it doesn't come from taxpayers because I know it doesn't fall from the sky. Mr. Dhima let me ask you a question. We are asked to enter into a contract. You're going to buy a vehicle and the salesman says to you well this car is going to cost you \$30,000 but it could cost you up to \$45,000. Would you sign that contract? Yes or no. Elvis Dhima explained we're not buying goods. We're buying services. Selectman Coutu again said yes or no would you buy that car with the language it's going to cost you \$30,000 but it could cost you up to \$45,000? Mr. Dhima noted it's not the same thing. If they said you can have...Selectman Coutu said we're purchasing something whether it's a service or a vehicle. Let me change it Mr. Dhima. I'll play along. You want to hire a contractor to redo your kitchen. He comes in and gives you an estimate and he says it's going to cost you \$30,000 but it could cost you up to \$45,000. Would you sign that contract?

In the contract, Mr. Dhima said it says I don't know what I'm getting into when I open up the walls and have to do additional work. It's not additional. It's simply based on what they might be getting into. You're not paying extra. You're simply paying for what it could take to get to the finished product. No one knows what we're getting into. No one knows how bad it is. We can't get our robot there unless we clean and get to it. As I said, we're hoping to do three days. I wish we could get it done in two days. I don't know what we're getting into. If we tell everyone and if we say no it's only going to take three days, I'm not sure if anyone is going to sign up for this. In reality at the end of the day no one is here to lose any money. I totally get your side I do. We haven't done this in 50 years. From what I gather from the presentation, they don't know what they're getting into. As I said, I'm hoping we go for three days but we are planning for worst case scenario. I don't want to be in front of you tonight and say it's going to take \$60,000 and then come back two days into it and it's like it looks like it's going to take six sorry. We did the homework to figure out best case scenario and worst case scenario. We're simply planning for the worst case scenario that's all we're doing. It might not be 95. I wish I could tell you I can guarantee you that. We all know how we are about expenditures. I'm on your side but I simply can't get them to lock it in because they don't know what they're getting into. It's simply \$65,000 and if it's over that, then it's going to be X amount per day.

Selectman Coutu indicated my vote is going to reflect a position which protects the sewer user's money. Thank you Mr. Dhima.

Selectman Roy said if I understand the contract right, we won't have to do this again for another 50 years. Elvis Dhima stated it should be every 25 but I probably won't be around so I'll let the next guy worry about it. Selectman Roy said you won't need to do it for 25 to 50 years.

Although I understand where you're coming from Selectman Coutu and agree with this being the first time and knowing Mr. Dhima's work, Chairman Morin said he's pretty efficient in getting these things done and I understand why instead of the town being charged for two setup fees we're only getting charged for one.

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

C. (a). 68 Pelham Road Purchase Update

Chairman Morin recognized Town Engineer Elvis Dhima Randy Brownrigg, Chairman of Conservation Commission.

Thank you Mr. Chairman. Elvis Dhima explained as you remember two weeks ago, the Board of Selectmen requested two things from Mr. Brownrigg. The first one was to go back to the owner and see if the price could be renegotiated. The second was access from Benson Park to 68 Pelham Road. Per the Board's request, a meeting was set up with the Directors at Oak Ridge Association. Mr. Morin, Mr. Malizia, Mr. Brownrigg, and myself were at the meeting with all of them. It was a good meeting and they understand the request and understand what we need from them. They've provided an initial letter of intent that they will provide this easement. The entire Association membership is getting together June 18th and they will vote on it. We're hoping that it will be positive. Everyone in the room agreed to this. We're basically receiving or expecting to receive an access easement of 235 feet - 245 feet long by 10 feet wide. It will be marked. The second piece is going back to the owner and having a discussion about the price. I'll let Mr. Brownrigg go over that part.

Randy Brownrigg indicated when I met with you guys the last time on Tuesday, I spoke to Peter Noury on Wednesday and we actually had breakfast at Donna's just to kind of discuss what had happened on Tuesday's meeting. He was very firm at staying at his price. He wasn't going to come down. We both left the meeting and I told him that I could not make guarantees of anything and I told him that I had to work on an easement. He was fine with that and we would meet again if we get the opportunity to do a sales and purchase agreement. I wasn't able to bring it down. If I could have, I would have. I really would have but I couldn't.

Mr. Dhima noted what we can add though to the deal is the fact that Mr. Noury is willing to hand over all the electronic files for that. So the boundary plan, the topography, and the wetland delineation. There is a cost to that and a dollar value to it. It's worth mentioning. Mr. Brownrigg said I forgot to mention that. I apologize.

To Selectman Coutu's comments at the previous meeting about our assessment, Mr. Dhima said I talked to the Chief Assessor and he mentioned that the actual property value versus the market value from 2018 could be as much as 90 percent. If you do 291 divided by that, it's about 325. The 2019 market value hasn't come in yet but could be as low as 85 percent of the actual value. It could be as much as 350. While it's not exactly what you asked for, it appears that there seems to be some wiggle room as far as our assessment goes.

Selectman Coutu anticipate that type of answer about the assessment. The fact of the matter is that property has been on the market for three years. For three years, he got zero cents. That's the value of that property right now. Even though this money that is acquired by the Conservation Commission comes in various ways, I cannot in good conscious vote to spend \$400,000 of conservation funds that could probably go towards buying a larger piece of property somewhere. Regardless of how much money because that argument will come up, oh we got \$2 million so what's \$400,000. Every cent

matters regardless of where you're coming in municipal government. The fact is when you're appraising a parcel of land and you reach an assessed value and the assessed value is \$320,000 - \$325,000 and you can't get the \$400,000, maybe it's only worth \$325,000 or less. Just because property values have gone up doesn't necessarily mean that all parcels have gone up. That's why we assess each and every parcel individually because some parcels have better access, broader frontage so the value increases. You could have two acre parcels that have different values depending on where they're located. I am not going to waste - I would be willing to pay \$320,000. I said that the last time and I say it again this time. I'm not going to throw \$80,000 away. I will be voting no on the purchase of this property. Thank you Mr. Chairman.

Selectman Roy questioned is he willing to wait until June 19th for the easement. Mr. Brownrigg indicated we have until the end of June. We're pushing the envelope. Selectman Roy said the Association meets on the 18th so it was either that or ask for an amendment to the P&S to reflect the 19th and whether they approve the easement or not.

Elvis Dhima said we have it in writing that their intent to push for it. All the information has been provided. We did notify them. There is a cost associated with preparing the plans. That's for \$750 for it. We already got a quote from K&A the company that prepared it. We're ready to go. As you said hopefully it goes through. It should. There's a benefit to that. They need to understand that they will be surrounded by either conservation land or park the biggest one in town. There's a benefit to that. Selectman Roy agreed. Mr. Dhima hoped it goes well.

Selectman McGrath asked Mr. Dhima do you know off hand how many developable lots would be allowed on that property. I know that there's wetlands, ledge, topography. Elvis believed 28. I'll show you the layout real quick. Again this is not vested. It was approved but this is what we have on record. Single families were approved and it appears there is 31 spaces for single families. Also there is a conservation easement behind it and utility easements have not been utilized anymore if this doesn't happen obviously. So yeah 31.

The other question Selectman McGrath had is what is the total amount of the funds that are available to the Conservation Commission? Mr. Dhima thought approximately \$1.6 million. Selectman McGrath noted you'd be left with \$1.2 million. Thank you that's all I have.

Chairman Morin read the motion.

Motion to approve and sign the Purchase and Sales Agreement for 68 Pelham Road for the amount not to exceed \$400,000.

Selectman Roy said I honestly wouldn't approve that until after the meeting on the 18th. I guess my question is how critical is that easement to that property? Elvis Dhima said we'd like to get an access easement because that's what was presented to the Board. We're pretty confident. If you want to put a stipulation in, you can approve it but we can't sign it until the 19th and change the motion if you'd be okay with that.

Motion by Selectman Roy, seconded by Selectman McGrath, to amend by adding "contingent upon the approval of Oak Ridge Association's meeting on June 18, 2019".

Selectman Martin had a comment. I don't think I heard this come from anybody so I'm going to say it. Thank you for going out and doing what we asked. I appreciate you taking the time and doing this on behalf of the town, this Board, and the Conservation Commission. Thank you.

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

Motion by Selectman McGrath, seconded by Selectman Martin, to approve and sign the Purchase and Sales Agreement for 68 Pelham Road for the amount not to exceed \$400,000 upon consideration of approval by the Board of Directors of Oak Ridge Association, carried 4-1. A resounding NO by Selectman Coutu (in opposition).

Chairman Morin thanked Mr. Dhima and Mr. Brownrigg very much for all your work. I appreciate it. We also appreciate the Board of Directors assistance from Oak Ridge for their help at this.

Randy Brownrigg thanked everyone. I appreciate it. I really do.

D. Planning Department Fees - Advertising

Chairman Morin recognized Town Administrator Steve Malizia.

Steve Malizia indicated you have a document in front of you a recommendation from the Town Planner Brian Groth to increase the advertising fee for site plan and subdivisions from \$40 to \$80. This is a cost that's borne by developers or anybody who wishes to subdivide or prepare a site plan. Brian did an analysis of the fees and found that we're short so he's recommending going to \$80. You need to send this to a public hearing if you agree to bump this up to \$80. I recommend that you do and he recommends you do so that we're not losing money again. This is quite simply a pass through cost and we don't want to be subsidizing folks subdividing or preparing site plans.

Chairman Morin asked if there were any questions. Seeing none.

Motion by Selectman Martin, seconded by Selectman McGrath, to send the proposed fee increase for Chapter 205-7 Planning Department Fees, Advertising (from \$40 to \$80) to a public hearing on June 25, 2019, carried 5-0.

E. Reorganization of the Public Works Department

Chairman Morin recognized Public Works Director Jess Forrence.

Jess Forrence stated what we're asking for I've been talking with Steve for the last couple of months on this. I brought it up to the Chair a couple of months ago and to Selectman Roy on basically changing two people's title bringing him up to the same status as the Highway Supervisor we have now. Taking the Highway Supervisor title and changing it into "Sewer and Drain" versus the person I would bring up is Highway Dept. Supervisor - Street Dept. Like I said, it doesn't add anybody. It just moves around taking him and putting him where he should be in a supervisory position.

Selectman Martin said just to make sure I'm understanding that you're taking the Street Foreman and making him the Supervisor. Mr. Forrence agreed.

Selectman Coutu commented Mr. Forrence it's not too often we see a well-organized chart of employees. I commend you for putting that together with the Town Administrator. I read the job summary. It's quite apropos. The person we're moving have you sat down with him and had a real strong discussion about the conduct that is expected. I know how forceful you can be. I appreciate that. Thank you Sir. Mr. Forrence said correct.

So if I understand it, Selectman Roy stated technically you'll have a vacancy and do you have an intent to fill that vacancy. Jess Forrence said I'm going to look at it. I'm going to see where this goes and through negotiations upcoming this year there could be some more movement where that could get filled. We'll bring it up then. For right now, it's not going to be filled.

Selectman Coutu noted that raises another question. For the past several years your predecessor and I have had discussion relative to staffing. Over the years staffing has decreased that at times to the detriment of your department. Do you feel by not filling this position you're going to be adequately staffed? Mr. Forrence indicated no not adequately staffed. Maybe not another foreman. It could be as low as a truck driver/laborer. Traffic Technician could move up. There's different ways I'm looking at it. We're in kind of a tough position right now with union contracts and where it's going and everything. I wanted to leave something open for a little bit until that's settled so we're not trying to run and create a position if things go unfavorable for us.

Selectman Coutu asked to rephrase my question. In the interim while you're going through this processing, I don't disagree that you shouldn't do that because it's now your department and you want to restructure it to the way you feel comfortable with it. At the present time, you don't feel it would be a detriment to the Department until you...Mr. Forrence said we're not losing anybody. We're staying the same. Selectman Coutu said I'm good with that.

Chairman Morin asked if there were any other questions or comments. Seeing none.

Motion by Selectman Martin, seconded by Selectman Roy, to add and approve the job description for the position of Public Works Supervisor - Streets and amend the job description for the position of Public Works Supervisor to Public Works Supervisor - Sewer/Drains, carried 5-0.

F. Update on Liberty Field

Chairman Morin recognized Selectman Kara Roy.

Selectman Roy indicated I'm going to go through a little bit of history and such to see where we got to this point. Between September 21, 2017 and December 12, 2017, this Board allocated \$321,110 to build what is now known as "Liberty Field" including a practice field and a parking lot. The funds came from the Recreation Field Capital Reserve Fund and the Recreation Impact Fees. The field was completed in 2018 and it was anticipated that the field would be ready for use in spring of 2019. According to Weston & Sampson, which I believe was in all of your packages, it was reported that there was ponding in April or May of 2018 that was attributed to heavy rainfall in that season. They also reported that they had done for the town a ground water supply investigation in 2010. I'll quote from their letter. "Ground water was observed at depths ranging from approximately 1.4 to 2.8 feet at the time of the borings. In April of 2018, it was again reported that the field was flooded." Obviously there's a problem with groundwater coming onto that field. Weston & Sampson has quoted us \$9,900 to assess the flooding issue and give an evaluation and opinion of effectiveness of any proposed improvement. However according to their own letter, it is still expected that the field will be unusable during periods of heavy rain.

Selectman Roy further explained Mr. Dhima has given an initial estimate of approximately \$81,000 to fix the field. If the Public Works Department does the work as opposed to a contractor, however that does not take into account if there would be any overtime spent to do that. We've already spent \$321,000. We're looking at maybe another \$90,000 that would attempt to fix the problem with no guarantee that the field will be usable on a regular basis. There's a question of who does the work. Again, Public Works as opposed to a contractor and then where does the money come from. There's also an issue that right now that was intended to be a lacrosse field and they're renting a field. I'll open up for discussion and questions at this point.

Selectman Martin stated my first question is where is the original plan to do that field. Selectman Roy thought Mr. Dhima developed it if I remember correctly.

Chairman Morin called up Mr. Forrence.

Just a little bit of history. Elvis Dhima said in 2016 there was an assessment done for in need of a field. Different sizes were looked at. The only one that could fit the field to the size that was requested 230x365 was the only spot available was basically behind Freedom Field I. The field was assessed in 2016 and 2017 and seemed adequate. We were basically able to fit it in there. The 2010 assessment was looked at. That's basically ground water. What we have right now the water table underneath it is water coming through the surface. We did go through a drought from 2014 to 2016. In 2017 when we started the project grading it and all that, the major field was done in the back and then we added a practice field in the front for an additional \$8,000. Basically last year we started bleeding red at that spot. What I can tell you is that we tested the site. Prior to the grading, we dug a hole 13 feet deep and we could not find anything. We dug a well for irrigation 1,000 feet deep and we fracked. We couldn't find any water for irrigation. We had to run town water down there. Now we have water all in through the ground in a portion of it. We also have water coming from off site as well which is adjacent properties as well which

wasn't there before. Last year we had some of it and thought it was because of 20 additional inches of rain we got last year. It seems to be some consistency with ground water coming through. It was tested for chlorine thinking maybe it was a water main and that wasn't the case. The plans were prepared internally and the reason we did it that way is to save money. This is not a turf field. This is not 20 layers of sand, gravel, and all that. This is simply here's your site, we grated it, we give a percentage to get the water through. This is just bizarre. I was hoping to have this thing ready to go this year. It's been very frustrating to go in there and see this happening.

Per Selectman Roy, Mr. Dhima stated we did go out and got an evaluation, a second opinion. It seems that there will be \$9,900. Without destroying the field is set up different monitoring wells basically about 5 to 6 feet and see where that water comes at. Depending assuming worst case scenario what we're envisioning is two things. Let the ground water drop and use that for part of the year or determine what's causing this and figure out what that worst threshold is and basically raise the whole field to get over that. As you get further out into the end of it, the water drops. It's at the beginning.

Selectman Roy noted except for the back side of the fence which is also water. Mr. Dhima said it's not ours though it's private property. You're right there's water coming and its ponding there. The intent is if we raise it high enough and put a means to get the water, it's still going to pond on the sides but at least it's not going to stay on the field right now. If you open up the irrigation, you can see that as you get closer to the end that water drops. I've been going over and over this. In talking with people, it seems like it's happened to other people. I don't know if it was the drought that gave us a false reading on existing conditions. Is there something that's changed upstream that's causing it? They will be investigating including our GIS information to where is it a pipe discharging or all of a sudden there's something discharging into it.

Selectman Martin stated that was one of the things I was thinking of because when I sank down 6 inches in my work boots, I noticed coming down towards the field. There's a bunch of water coming right here. Is it a burst pipe? Were the pipes not drained for the winter and all of a sudden they burst and now it's on and flooding the field?

Elvis Dhima explained everyone has basement issues right now and ground water. I don't know if it's all discharging. I can't just say it's been wet. It's been beyond wet. The biggest thing right now is it's going to be consistent until June or July and is this going to drop or not. Do we have to make a decision on raising it or just seeing if this is normal? I don't know. I don't know if we hit a vein over there and all of a sudden it's just gushing out. It wasn't there during construction. If it was there, we would have stopped. It was dry as a bone and all of a sudden now.

Selectman McGrath asked do you know if there's any development in the area that could have caused drainage that wasn't anticipated. Mr. Dhima said not at that amount. There is a development happening next door to our field. It's on Mansfield Drive. It's only 8. They are aware it's wet. They actually had to put it off for about 2 to 3 months to do the tree clearing because it has been so wet and it hasn't been the case. There was no indication of wetlands or any of that sort. On their side, there's wetland. This is simply ground water coming through. We do have a pipe that's collecting water from Derry discharging in the back. I haven't had a chance to look at it. I'll probably take a ride tomorrow. There's no streams or anything that we have. Before we did this, we checked the GIS. We have a good idea of what we have out there to wet. We checked the ortho from 1998, 2005, 2010, and 2015. There was no indication of anything being wet out there ever. The vegetation didn't seem to indicate anything. It was rich soils. We put about 6 to 8 inches of loam. We had so much access loam that we ended up putting it all back and then whatever we had left, DPW ended up taking it away. It's sitting at the landfill right now. It was very rich. We could have probably mixed it up with some sand to make it go through. From what we could tell, you wouldn't even need irrigation. Once that water gets stuck on that loam, it will just sit there and just maintain it. It's just bizarre.

Selectman McGrath noted the winter was really wet. Mr. Dhima said last year was wet. We had a break. A record of 20 inches in April because we keep track of that for our community wells in Litchfield. We had about 6 inches of rain last month. It's usually about 3. It's not helping. I guess I'd like to know what the options are because obviously the easiest thing to do and obviously the most expensive is to raise

everything but is that really necessary and is that by how much. Is it 6 inches or a foot? Is it 2? It's hard because the weather has just been so unpredictable and it's been nonstop. That's kind of where we're at.

Selectman Roy stated one of my concerns is that even if we do that will the field be usable throughout the season from April/May to October/November. Elvis Dhima indicated if you raise it high enough, you will not have this problem right now. The way we are pitched right now without looking at it, most of the fields are like this. We did it more like this to keep basically the fill low but also not to have that weird crown in the middle. It's about 2 - 2 ½ percent. We can do a combination of keeping that slope like this so everything pitches in the back. The difference between the beginning of the field and the end is about 3 feet in elevation. So anyone going up stream. We don't want to have this either like the crown like you have on the road. We can do a combination of both. I know that the language there we had a discussion about what they say and I think basically saying that we'll try but there's no guarantees. It's like going under the knife and hoping it's going to work. Selectman Roy said it kind of concerns me. Mr. Dhima stated you won't get anyone to guarantee that 100 percent. From what we can tell if that's the worst case scenario, that's standing water. That's groundwater basically. If we can't get beyond that, there still will be water on the sides but it will be above that. I think that's kind of what we're looking at.

Chairman Morin said my concern is this spring was a lot wetter than last spring and we saw it last April and May. We didn't look into that at that point to figure out if we're having a problem then as soon as we get a heavy rain we're definitely going to have a problem which we're finding. Why wasn't it addressed then? Elvis noted it wasn't like this last year. It was only an isolated corner and was right at the field. Towards the end of the season we decided to basically raise the practice field. We hydro seeded everything and everything looked good by August. We were a little bit late in the season as well. We're trying to wrap this up.

Chairman Morin indicated you just said everything was good by August. That concerns me because now we're going to wait until August before we can use a field? Was the water there that long last year also? Mr. Dhima said the water was only in a certain spot which was at the very corner. Chairman Morin interrupted and said but it was there that long. Mr. Dhima said yes it was there that long actually until August. Chairman Morin asked that didn't cause a concern to anybody that maybe we have a problem where water went from the spring to August? It's pretty obvious that long that there's a problem. Mr. Dhima said it wasn't in the main field like it is right now. Therefore it was the worst case scenario is we're going to lose a portion of the practice field. You still have the main field. That was the intent to begin with. Chairman Morin appreciated what Mr. Dhima was saying but we built a practice field for a reason and we couldn't use that. See what I'm saying? Why are we building fields that we can't use? We should be building fields that we know we're going to be able to use as soon as the sport is ready to go. Where we had water until August is a concern that would kind of throw a flag.

Elvis Dhima explained the grading, and the digging, and the removal including the parking area was done. All we did in 2018 was basically the fine grading which is basically loam and seed everything. So were in the final stage. We didn't have water coming in and all of a sudden just keep digging. We're all set. The digging was done. The grading was done. The compaction was done. All we did last year was loam and seed.

Chairman Morin understood what Mr. Dhima was saying but if were in the final stages where we were going to finish this project and we still had a water issue, why would we seed it instead of fixing the problem first. If we didn't have that much rain last year as we did last year and we had water up to August, that's a flag. Elvis said we did take measures by putting a drain trench in there which seemed to divert most of it. Again I did not think that was basically a regular year. We thought we keep track of the water thinking that this was adding towards 20 inches of that year. We haven't had that in a long time. We thought that this was probably access water like everyone was having. Yes it do go into August when it all dried up but our thought was it's 20 inches more than usual. Do you really go back and raise everything because of one year or because of one abnormality? We are coming from the year that we dug 1,000 feet deep and we fracked the well and I couldn't find a drop of water. Do you go from one extreme to the other? It's hard. How do you do that? You based your design and your decision based on what you have in front of you. Maybe that would have been the right call. What do you do

then do you raise everything now a foot because there could be water for a year? How do you justify it? That's what it comes down to.

Chairman Morin appreciated that but how do we justify to the taxpayers that yeah we got a lot of rain this year so we can't use your field. Mr. Dhima said I get it. There's no one more frustrating with this situation than I am. Believe me I'm not here to justify it. I'm simply going through what the process was. I was really hoping that was a one-year fluke and that was the end of it. Going back there and seeing that there's water now at the end of it, it's not what I expected.

Chairman Morin asked if there were any further questions on this part of it. Before we move on where there was options of Public Works doing the work or a contractor, I would like to yield to Mr. Forrence. Are you crews going to be able to do this? It sounds like a major project. Mr. Forrence indicated it is a major project. I think Elvis is grossly underestimating the cost. If you look at raising the field a foot, that's all the irrigation has got to come out, all the fencing around it has got to come out, the loam has got to be taken off. I don't know if Mother Nature is going to keep us wet right through August. You never know what's going to happen. So you have to wait for the dry season. I can't dedicate what it would take for man hours, material, trucks this late into the year without really planning on it. I would have to say no DPW cannot do this. At this point, Chairman Morin said if you decide to do something, we're going to have to go through the bid process and we're looking at next year probably at this point due to the point of the season that we're in now. Jess said if it dries out like Elvis said, you'd probably have a good portion of the field but it's going to take quite a bit to get that so it's usable again this year. Realistically unless going through the investigation part of it and see what somebody comes up with or an alternative, something could be there we just haven't seen yet.

Selectman Martin thought it should be investigated whether those pipes are leaking or not. That's a lot of water. Mr. Forrence indicated there was a lot of water there before. The irrigation was turned on in the upper fields so it was still in the fall. Everything was blown out and done and the water was still coming out. I don't think there's a leak anywhere.

Motion by Selectman Roy, seconded by Selectman McGrath, to approve and authorize the scope of services to Weston & Sampson Engineering, Inc., for geotechnical engineering services related to Freedom Field 2 improvements in an amount not to exceed \$9,900, which includes \$2,600 for the boring subcontractor. Said funds are to be requested from the Planning Board using impact fees for recreation.

Selectman Coutu told Chairman Morin I'm sitting here seething. There was studies done on this land and apparently they decided not to pay attention. I've heard this comment by a couple of citizens who one most recently yesterday. There are some people that like to dance around problems and never get to the root of it and I'm sick of the dancing. We've spent a considerable amount of money on this field. I fought long and hard to get additional fields for the Town of Hudson and this is the second time we have a field that's gone awry. The first one is sitting on Industrial Park on 111 gathering dust and millions of dollars spent. Over a million dollars spent on that field. It's of no value to us because of engineering flaws. Here's a second field. Thank God this one didn't cost a million but it cost us almost a quarter of a million. It's going to sit there and it's going to just bath in that water that apparently a prior study would have indicated there was some sort of a problem. How much more taxpayer money are we going to waste. I'm not going to vote for \$9,000. I'm not going to vote for 9 cents. If they were to amend the motion and make it 9 cents, I'm going to vote no. Mr. Chairman I think it's time we bring all of this nonsense to a stop. We take careful consideration on how we spend the taxpayers' money and not pour more money into any projects without having an outside consultant come in here and tell us how to do it.

Selectman Coutu noted the Public Works Director just made a statement that we should have all just gone aback as I did after what he said. I think the estimate that's being given to us by the Engineer is grossly under rated. In other words, this could cost us another \$200,000 - \$300,000 to fix. To have an Engineer sit there and tell me well we can elevate the field and that's going to eliminate the problem but we're going to have water on the sides. So what do people have to swim to get to the field? I drove maybe a month before you did Selectman Martin down to that field with my wife. We had to get out of there quickly because my car was sinking in the mud and I didn't want to take any chances. I'm not like

one of these drivers you see on TV and they're going through a flooded area and the police are saying geez that's ill-advised for them to go through that water. You never know when you're going to get a deep hole and the car goes under and it gets taken away by a current.

Selectman Coutu felt right now it's a good analogy and a good Segway into what I'm going to say. I don't want this town taking down any more currents with the bad advice we're getting. The intent was good. We wanted to get the additional field. This would have met all of our needs. I was assured that this was the place, this was the time, the funds are there, let's do it. We did it and it's under water. Thank you Mr. Chairman. I am not going to vote for an additional cent! I'd just say let it sit there and maybe the sun will bake all the water away and we'll have a field.

Selectman Roy agreed with much of what Selectman Coutu said. I've struggled with because we've already put \$320,000 into it. How much more do we put into it without a guarantee that we don't have a useable field? I don't want to put any money into it if it's not going to fix the problem and it's got to be a permanent fix. It can't be oh we can't use it until July or August every year that it rains. I also think that there's another point that Selectman Coutu made is about the process that we use to do these kinds of projects. It should be a process that's written and is followed in every single project that we do. I also agree because that was my first question quite frankly when you called me is it's under water. Okay well let's talk to the contractor. Oh the contractor did it to spec. Okay then we do it to whoever developed the plan. Oh we did it internally and now here we are we don't have sort of anybody to go back on and say you didn't do it. I think that one of the lessons we need to take from here is that we need to have a very specific procedure for developing projects whether it's a field, or some building in town, or whatever it is so that we don't run into these problems. If we do, quite frankly we have somebody that we can look to and say hey why didn't you - oh do you have liability insurance. Thank you very much. I'm not sure that I want to spend the \$9,000.

Elvis Dhima stated I just want to say that even if we could go back and hire someone to do this, I'll say for \$40,000 or \$50,000, there's no guarantee that we're going to be here in the same situation. The answer would be a decision a design was made based on the existing conditions. The water you guys are referring to which is the water table 1.4 feet to 2.2 is the groundwater elevation is as high as it goes. Again it's still under water when we're dealing with the surface water. The study that was done was related to a community well. The town did a lot of those back in the old days. The reason they did the water test there is not because of the water there simply because of the 400 foot radius. That area is very long and they had 400 feet. You didn't have the width on that but the assumption was that they can get an easement for the 400 foot radius. That was the intent of that. That was why they did it back there. That's why they did testing at Alvirne High School. That's why they did testing throughout the site in Hudson to find water. They didn't find any. We're still using the wells in Litchfield. That's all I got.

Selectman McGrath said this is a discussion that should not have risen to this level. If we're going to assail our employees, we ought to give them the opportunity to do that in a nonpublic session as opposed to calling their credentials, and their ethics, and their honesty into question in a public session. This is outrageous! Mr. Dhima does the best that he can. He's been a reliable Engineer for this town. I think that this is beyond his - certainly not beyond his ability but certainly beyond - this is a condition that is out of the ordinary. This is something that we have no control over. Mr. Dhima doesn't have control over it. If anybody could control the weather, I think that they would be doing that out in the Midwest today. I know a few years ago, and I don't remember what year it was - but 2 or 3 years ago my well went dry. It was the second time that that's happened in all of the years that I've lived there. That's a lot of years. Now I'm drowning in water. I've talked to Mr. Forrence about the end of my driveway because when it's raining and in the winter time it's so deep that I don't walk to the end of the driveway because I'm concerned about - first of all I don't want it to be icy and I'm going to fall and have to call our emergency people. The weather conditions have changed. There may be development in the area that has caused some of this. I don't think that we should be sitting here and tearing our Town Engineer apart for things that are beyond his control. I support him. I think that he's done a great job for the Town of Hudson and I hope he continues to do a great job for us. We've had others in the past that haven't done so well. Mr. Dhima thank you.

The first thing Chairman Morin stated that I've got to say is that the addressing Mr. Dhima I personally don't see it as a general attack on him as I stated in my comments and then his answers to me was last year was a flag. Before moving on with the field, we should have dealt with that flag before we seeded and stuff we knew there was a problem in August. That is a very big concern to me. If we're seeing this in August and last year wasn't as bad as this year, we should have dealt with that before we moved on. The comment that it was just a practice field, then why did we build a practice field if it's going to be wet and we're not going to use it. That's my concerns. As Selectman Coutu stated, it was in the report and I was going to address that it was in the report until I hear myself that we saw this problem last year. Our own people saw this problem so why didn't our own people with the history that we had in the paperwork from the engineering company that looked at it first and our own people seeing it deal with it before we moved forward and spent the money to seed the fields and just hope that things are going to get away. Climate whether people believe climate change is happening or not. We are seeing it and there's this part of it and this is what's going to continue to happen, I don't know. So we do need to plan for that. The signs were there that we were going to have problems with these fields and it wasn't addressed and I agree with Selectman Coutu and Selectman Roy. I don't think I'm going to vote for it either and it's very unfortunate at this point for our taxpayers and our children who can't use the field but we need to figure out where we're going to go before we spend any more money if it's even going to be worth it. Anyone else? Seeing none.

Vote: Motion failed 1-4. Selectman McGrath in favor of.

G. Monthly Reports by Departments

Chairman Morin recognized Selectman Kara Roy.

Selectman Roy explained a couple of meetings ago we talked about having a monthly report by all the department heads. What I'm passing around is what I've drafted up as I guess a proposal to what they submit to us. I wouldn't look at it as anything extravagant and of course we would not talk about people. Raw numbers would be the only thing we would talk about. Any specific people would be talked about in nonpublic session if that was needed. I also excluded the Police Department and the Fire Department because they already give us a very extensive, complete report each month. It does help us to see what's kind of coming down the road. It helps the taxpayers see what's ongoing, how much money is being spent on what, and they can see what's coming down the road. I'll give you an example and it's strictly an example. If the Fire Department is continually talking about needing a new fire truck when it shows up on the ballot it's not kind of a surprise. I shouldn't say on the ballot but at election time. It's kind of a surprise because they've heard them talk about it before. I'll open it up for discussion I guess.

Chairman Morin stated I know there was some concerns when we first discussed this and it was going to add extra work to our employees. Doing a little bit of research, they already put this information together. It is just not distributed. It gets done every single month as it is now. We just don't see it. Instead of coming up that they have to sit there and type a written report, this could be put into the system as a general form that you would pull up - a PDF file or however they make it and the people can go in real quickly, add their information, and then it can be e-mailed so we don't have the paper trail and everything else and it just goes to whoever we decide it goes to and then gets disbursed to the Board. It shouldn't take much time because they're already putting this information together now. Finance puts together financial reports every month so they're already doing something. It's just a matter of us receiving the information so we know what's going on and it comes to us. Right now like Selectman Roy said, police and fire put a very extensive report down to what each group has done and all kinds of information that is very important for us to see and we understand what these departments are doing and the manpower it takes and the funds that it takes to run these departments. I think this is an important thing to do.

Selectman Coutu asked how many people are in the Zoning Department. Steve Malizia indicated two - an Administrative Aide and a Zoning Administrator. There are no vacancies. There are just two people. As far as budgets for each department, Selectman Coutu said we get a monthly report on every single department - total spent, total left in the budget. Mr. Malizia said yes we review it every month. Selectman Coutu said we get most of this information.

Selectman Martin commented is not anything specific to this but what is lacking is the fact that - I do see code enforcement happening but it's not happening at a rapid pace because we have one individual doing two jobs - code enforcement and Zoning Administrator. Code enforcement is really, really lacking in this town. We really need to think about making that staffed position again that was taken away from prior Boards and divvied up into where you now five hats or you wear three hats so on and so forth. I don't think yes it does work together zoning and code enforcement but you need an enforcer that can go out every single day, every day and catch the violations that are sitting out there that are blatant.

Selectman Martin stated I'll give you an example. My case approaches two years old next month. I don't know that he has the time to catch that case because he puts the signs after business hours on Friday and they stay up until Sunday. We don't have enforcement on the weekends. I believe a letter was sent to the property owner and that property owner hasn't responded to the complaint. That property owner being a former selectman should know the laws in this town. With a code enforcement case - and I don't complain about it I know it's there, its two years. I keep looking in on it and I continually see the signs up every single weekend because I travel the corridor. We get all the stuff in these reports. It's given to us in a different fashion than what's proposed here but I think this Board needs to look at a restructure of that one zoning and code enforcement.

Chairman Morin said I agree with you. That's kind of a little off topic where you're going with that right now. You just said it yourself, we received this information but in different fashions. This is an organized fashion that we would receive every single month no questions asked. We won't have to search for it. You said that zoning right now isn't getting anything done because they're too busy. How many has he done? We don't know that per say. This will give us that information. It will give us the backup. It will give us the information to give to our taxpayers if they ask and if they want to see it. We have hard, solid numbers. This is what's going on. This is why we need another person. It is all right here. Instead of having to dig for it when the time comes, we've already got it.

Selectman Coutu asked did we say or agree - and Selectman Roy can chime in - that if we were to implement this we'll do this on a trial period to see how effective. Selectman Roy said we did discuss that. The other thing that we discussed is they wouldn't necessarily come here every month to give the report. It would be filtered through the way the police report and the fire report is done. Chairman Morin indicated sent to us every month. I can't see bringing them in every single month absolutely not.

Selectman Martin agreed with you but we don't need to have them here. We can read it ourselves and track it. Obviously we have to start somewhere. This can be capitalized on. I think let's run with it and give it a try and see what it does.

Selectman Roy agreed with that because I would take any suggestions to what this format is. The other thing is I think that this would also help us if we see an issue developing where we did need to talk to a department head. If we see a project or an enforcement issue on for two years and we can ask them to join us and help us understand it's not moving forward.

Selectman Martin stated I'm in favor of this.

Motion by Selectman Martin, seconded by Selectman Roy, to adopt the new department monthly reports.

Selectman Coutu asked for a friendly amendment. In order to give it a fair assessment, it would be to approve it with a six month trial and to be reviewed in six months to consider its furtherance.

Selectmen Martin and Roy stated we'll add that to the motion.

Motion by Selectman Martin, seconded by Selectman Roy, to adopt the new department monthly reports with a six (6) month trial period with further discussion in six (6) months to see how the report is going.

Selectman McGrath stated with that amendment I will support this because it's for a trial period only.

Vote: Motion carried 5-0.

H. NHMA On-Demand Training

Chairman Morin recognized Town Administrator Steve Malizia.

Steve Malizia stated recently we had on demand training where I believe almost 40 elected, appointed, and town employees attended. The topic was Right to Know Law and Effective Public Meetings. It was well received. Just planning ahead, I'm thinking we ought to offer another one say the September timeframe. The summer time is very busy and people probably wouldn't be around. I thought perhaps a topic such as Conflict of Interest and Ethics for Local Officials just so that all of our people, and all of our committees, and all our boards have had exposure and training from NHMA. Again I just wanted to put it out there. There's other trainings here but they're very specific. I'm trying to look for something broad so that we have an educated and well-rounded group of volunteers.

Selectman McGrath though that was an excellent idea and the topic is timely.

Chairman Morin though the other training session that we held was very well received and they were looking forward to more training.

Selectman Roy thought this is an organization we tap into more often.

Steve Malizia indicated we get one free a year and every other one is \$550 regardless of 2, 3, 10, 50 people. Just pointing it out that we can certainly do another one.

Selectman McGrath pointed out they came into the Board of Selectmen. Steve Buckley came in a couple of years ago and gave us that training.

Steve Malizia said if it's a consensus, we'll do that in September. Do we have a consensus? The Board said yes.

Police Department - Part-Time Maintenance resignation

Chairman Morin asked the Board to yield. It's not on the agenda but I'd like to have the Police Chief come up because he's going to be going on vacation and he found out today he has someone who is resigning and would like to post for it.

Chief Avery explained the part-time maintenance gentleman Ryan Bianchi has given his notice. He works 15 hours a week. His function is to keep our cruisers, our fleet, and the facility in tip top condition. He's done a tremendous job for us over the years and I'm just asking for permission to advertise and try to find another individual. We tend to go towards the high school kids and we have them and are around us all the time. They learn a great amount and with the officers morning, noon, and night. I'm asking for permission. I'm sorry that it wasn't on the agenda. I just found out about 3 o'clock this afternoon.

Motion by Selectman Martin, seconded by Selectman McGrath, to authorize the Police Chief to post for the part-time maintenance position, carried 5-0.

9. REMARKS BY SCHOOL BOARD

Gretchen Whiting said first I just want to say thank you guys for going along with the collaboration and we have Selectman Roy coming to our meetings. I find it very helpful to understand what's happening from a Selectman's perspective and we appreciate the ability to bring forward our discussions to you.

We do have some items that we wanted to bring up and inform everyone. We are working with Eversource in regards to updating our lighting fixtures and lighting utilities within the different schools around Hudson. There is a return on investment that can range between 3 and 4 years up to I think 9 or 10 years as far as return on investment. We do not have to pay for this up front. It is something that we will include in our fees to Eversource over that year of return. It will alleviate the need for our building maintenance individuals to repair and replace these lighting pieces of equipment and to be able to focus

on the other pieces of the building. To do one building would take one individual the ten years versus doing it over a much shorter term of months that Eversource will be doing it. This was a project that was approved by the Board last week.

Our end of the school year is coming up soon. Our graduation for our seniors is on June 13th. We had a very successful prom with no incidents and we also had our academic night the other night with many individuals ranging from Freshman, Juniors, and Seniors that won awards at the academic awards night.

Selectman McGrath asked on the change of the lighting in the facilities. Was that recommended by the Sustainability Committee? I thought that I had read that they were promoting that as well. Ms. Whiting said yes it was. Selectman McGrath wanted to give them a thumbs up, or shout out, or something.

Selectman Roy understood but asked did Eversource come and do an assessment for you. How did you get it? Ms. Whiting said yes they did. They came to the Superintendent's Office and the building maintenance individuals and they did provide an assessment of every one of those schools. They did provide us - I don't have it with me - an assessment as to what needed to be done and the percentage of that return on investment over paying over that time. The return in investment ranged between 30 percent to 70 percent on the return.

10. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Roy - We had a very successful parade yesterday. I appreciate everybody coming out. It was great to see all the townspeople out and spend some time at the American Legion. It's really all I have.

Selectman Martin - Next week if you want to come in and join us at the Budget Committee, we'll have our Budget Committee meeting next week. It was a very nice, beautiful weekend that we had in weather. From what I could see, we had quite a few emergency calls go out over the weekend and I want to thank both the Police Department and Fire Department for being there for our citizens because without them, I won't feel safe. Thank you guys for being out there. It's a tough job to do and you have to be out there on holidays and so on and so forth. Thank you Mr. Chairman.

Selectman McGrath - I don't have anything this evening. Thank you.

Selectman Coutu - I apologize for turning on my phone. It made a little bit of a beep but I did it for a specific reason. I don't have my glasses and forgot them at home. I'll do the best I can with what I have. Mr. Malizia as I know you are aware and Mr. Forrence I know you are aware because you were involved. It's nothing bad guys. Not going to be slamming you. There's a property - without getting into names - Mr. Forrence that you got called out to. A duplex with a sewerage backup. It was ascertained that this is a citizen of Hudson. The duplex is conjoined by a brother and a sister. They own each side. They reached out to me because I've known the family for at least 55 years. The man was very involved in town - the American Legion baseball, he used to work for me part time when he was younger before he settled himself into the good position that he has. A considerable amount of damage was done to their property on each side. You made an apropos statement I think I would have said the same thing you said. This is our fault. Don't worry. We're covered with insurance. They'll take care of your costs. You didn't say that. You didn't say we're covered.

Jess Forrence explained I did not say the town would pick up the cost of the...Selectman Coutu said not the town the insurance company. Mr. Forrence said the town's insurance company is the town. I did not say the town...Selectman Coutu said they're not the town. They're a for profit organization. We aren't. That was apparent by what we gave away tonight for money. Okay be it as it may and I know that he reached out to you and you said to him...Steve Malizia noted I didn't speak to him. I spoke to her. Selectman Coutu stated "it's in the hands of the insurance". Mr. Malizia said that's the first step to go to the insurance company. Selectman Coutu said the insurance company is not denying their claim. They're going to give him \$3,500 regardless of what they have to spend which is going to be far in excess of the \$3,500. I don't want to do business with insurance companies that is not going to satisfy the damage that's caused in a private home because of something that went wrong on our side of the line.

I just think that's unreasonable to expect that these people should absorb all of those costs. I think that this Board should take that into consideration if - well obviously we're stuck with the insurance company. You can't go run out and find another insurance company that will cover them. I'm not faulting you and I'm not faulting you Mr. Forrence. You didn't go there and clog up the line. It's unreasonable to expect that these people had a lot of damage done to their home. They called the people you recommended. They called Service Pro, or whoever does it, and another company. Then they've got all kinds of damage to their rugs and everything. None of that is going to be covered because our insurance company says you take it or leave it \$3,500.

Selectman Coutu remarked you know I had a small fire in my house. A very small fire way back when. There was a fire in the walls. Captain Morin who I didn't know at the time and his crew come in. They're in there. They extinguish this thing in minutes and Captain Morin is showing my wife how you fill a bottle with soap and you squirt it in. So we called the insurance adjuster to come in. He says this is damaged. You're going to need a new air conditioner. No I don't need a new air conditioner. I'll put a plug on it. No we have to buy the whole thing because it's damaged. Oh that section of the wall is going to have to be replaced. I said no it doesn't. You can wash that down. No you see the little burn there, we have to replace it in order to make it match. What I thought was going to be below the deductible which was \$500 at the time, I got a check for \$2,800. My wife and I washed the walls, cleaned the rug, did everything ourselves. It took us around 6 to 8 hours and I put \$2,800 in my pocket. That's ridiculous.

Selectman Coutu stated all they want is to be reimbursed by invoice that they're willing to submit of all the damage and the insurance company I guess pretty much said take or leave \$3,500. That's all they're going to give them. I don't think that's fair. I don't think any one of us would feel there's any justification on that if that were our own homes. If you said well we're only going to give you this and say but I have all this damage. Could care less.

Steve Malizia indicated we had this happen two years ago just about the same scenario in a different location. They were offered the same \$3,500. That's the limit that Primex, which is the insurance, will pay for something that's not our fault even though it's our sewer line they look at it and that's how they evaluate that claim. They did this two years ago. The people got \$3,500. What I recommended the people do is after you talk to insurance and figure out what they're going to give you, you can come to the Board and ask the Board to authorize either additional funds or spend more money. Mr. Forrence and I don't typically do that. That would be a Board decision. The last time the Board was presented with this, the Board voted no.

Selectman Coutu stated well if they voted no it might have been some reasoning behind it and didn't have enough evidence to prove damages. Steve Malizia said no. Selectman Coutu noted if it happened two years ago, I was here and so was Selectman McGrath. Mr. Malizia stated I'm just saying what I advised these folks to do is send in correspondence so that the Board could evaluate...Selectman Coutu said "good enough". I think we ought to drop that insurance company. That's my opinion. We'll discuss that when it comes up again.

Selectman Coutu said the Amateur Radio Club which I believe donates money to us every year. Steve Malizia believed they give us a donation - are you talking the folks that use the landfill. They typically have given you a check for \$1,000. Selectman Coutu stated they're having their annual field day. They asked if I would attend and represent the Board of Selectmen. They want to take me through whatever their exposition. It will be held on June 22 and June 23 at the Memorial School. I will be attending.

If we could, again, Selectman Coutu asked Mr. Malizia to send a notice to our committees. The television recording crew is having a difficult time picking up people's voices because they're doing this and the microphone is way over there. There's only so much volume, so many decibels that they can pick up from some much distance and they're having a difficult time. They feel that they shouldn't be going out and telling the Chairman what to do. They asked if we could do it. If you could send them another notice because you've done it in the past. Steve Malizia said sure who asked just out of curiosity. Selectman Coutu said Hudson Cable Community Television. Mr. Malizia noted I saw Jim today and he didn't mention it to me that's why I'm wondering. Selectman Coutu said it was a camera operator.

Selectman Coutu thanked the American Legion for the parade yesterday. It was as well done as ever. The Field of Honor is quite beautiful and it was coincidental to the parade yesterday but it was quite significant that we had people memorialized for their terms of service in the military. Some are with us and some are not. I want all Veterans to know that this town appreciates the service that they've given to provide us an opportunity to be able to do the things that we do each and every day that we take for granted but without them we probably wouldn't be here and we wouldn't be a free nation. Thank you Mr. Chairman.

Selectman Morin - I just got a few things. The cemeteries that we had discussed last meeting have been taken care of. They have been mowed and on June 1st at 7 p.m. at the Roger's Library there will be a meeting held by Dave Alukonis from the Cemetery Trustees he's done some research on what needs to be done now that the people that took care of the cemeteries are no longer doing it so they will be looking for people to get that moving. I will be attending that and I believe Selectman Coutu you said you would also be there at that meeting. Selectman Coutu believed it's on a Thursday evening so I wouldn't be able to go. I'm going to communicate with Mr. Alukonis. Chairman Morin noted those have been mowed and taken care of to this point.

(Chairman Morin) We had discussed last week the Board meeting with the boards of the unions and as you had requested, I went back to get some further information on that and made it clear that this wouldn't be come in and complain and try to get information to us and going around their department heads. The promise that came to me was that when they put together the committee in reference to the health insurance and everybody was involved, that went very well and everybody worked together as a team from the town side and the unions. That's what they would like to work on. If there are things that we can sit here in the town that we can do as a committee as a whole throughout the town, that would be what they would be looking to do. I suggested there was still going to be some question and I can understand from the Board that if we bring everybody in in a nonpublic, we'll have basically to set the ground rules of what these meetings will entail. If we don't agree, then we won't hold them. We'll just get the discussion open, hear from both sides, and set some ground rules for the meeting and if we can't agree, we won't have it. That's up to this Board what you would like to do.

Selectman McGrath asked will department heads be included in that. Chairman Morin said if this Board feels that we should, absolutely. Selectman McGrath thought that we would want to give them that opportunity because they may be held to some agreements that they wouldn't agree with. Chairman Morin noted we have to be careful with that. I don't know if we could make agreements. It would be, again, just opening the door to conversation. We'd have to follow that very fine line. Selectman McGrath said it is a very fine line. That's why I would like to include the department heads.

Selectman Roy stated I would still be reluctant to do that. It sounds like a slippery slope. Chairman Morin said it absolutely could be. Again they asked us. We need to try to keep communications any way we can. What would the Board like to do?

Selectman McGrath thought it wouldn't hurt to sit down and hear what their thoughts are without coming to any kind of an agreement. I agree it's a very slippery slope. The other person if we do that is Mark Broth. Chairman Morin said if we could hold that thought until later on.

Just to Selectman McGrath's point, Selectman Roy thought it would be an absolute ground rule that we don't come to any agreement. Chairman Morin agreed. It's just basically what can we all work together on - not a specific union problem, not a specific contract problem, a town-wide like I said the healthcare thing was one of the samples that they gave me that you brought in (and this was before I was on the Board) the unions, had the town side, and everybody worked for a common cause and took a problem and worked on it and brought it to an end.

Selectman Coutu said I know you're as anxious as I am to qualify it. It wasn't done that way. The committee was formed. The committee studied. Steve Malizia explained every contract had language in it to establish a Joint Labor Management Healthcare Committee specifically to look at issues such as the Cadillac tax, the plans we offered, and how we would craft and/or construct plans that benefitted the union and benefitted the town. It was very specific, very specific and that language was negotiated. If

I'm not mistaken, we have four contracts that have been negotiated that are varying lengths. Highway is one year. The others are longer. Fire is I think six. I'm just sitting here kind of wondering what problems are we working on that I'm not aware of.

Chairman Morin indicated there's a lot of things that go on that we don't know about. That's a key here.

Selectman Coutu said I know that. I hear it a lot. It depends on who you speak to and what department they're in. I hear it but they don't rise to the level that it's a town-wide problem. It's specific to their particular departments is what I'm hearing. I'm not hearing town-wide problems.

Chairman Morin stated but we don't know. What we see as a problem they may see, again, this is for the Board.

Selectman Coutu noted its ill advised. That's my position. It's ill-advised on two fronts. Labor negotiation is strictly that - labor negotiation. Labor negotiates with management. We don't have management and labor in the same room discussing what we might want to negotiate later. That's not how negotiations are held and that could be in violation of the Labor Act.

Chairman Morin stated I didn't say anything about any negotiation and that's why...Selectman Coutu noted it might come up. Chairman Morin said it might come up but that would be the ground rules. If the Board doesn't want to entertain it, then we'll just drop it tonight.

Selectman Roy thought if it was a specific issue like the healthcare issue when we formed a committee that would be one thing. Just to have a general discussion, I'm not sure I'm comfortable with that.

Selectman Martin agreed. I'm not comfortable with it.

Selectman Coutu thought what would be beneficial to us only because you seem to think that there may be some related and it could very well be that there may be some issue, or matter, or matters for that matter that maybe worldly through our unions. I think what we should do or we could do is we could reach out to our union Presidents and ask them is there anything that they could suggest that the Board might want to have a discussion about that might affect the world of labor in Hudson as it is as a whole like healthcare. There may be other things. I can't think of any others at the top of my head. Healthcare is usually the most common because it really affects the pocketbook. I might suggest that you might want to do that. Sit down with them, bring them all in here.

Selectman McGrath thought it was a slippery slope.

Chairman Morin indicated the last thing is on the 7th, DOT will be here and there will be a discussion on the Haselton Barn and where we can go with that in the future. We will be meeting at the barn. At this point, there has been no time determined. Mr. Malizia has to get a hold of DOT and see what's available.

Steve Malizia explained this was a discussion we had. Selectman Coutu and Selectman Morin were going to attend and Mr. Empey and the Engineer.

Selectman Martin asked do you have the question written down for DOT. What happens if we let it fall? That question needs to be asked. Chairman Morin believed that's part of the conversation yes. That will be part of the conversation.

Selectman Coutu said we're not going to "let it" fall.

Selectman Roy had one other thing that I forgot. I apologize. The 7th, 8th, and 9th, the Library is celebrating their 10th anniversary at Rogers. They have a bunch of activities going on and you can go to their website. It will delineate those. I would hope everybody would go visit the Library.

Selectman Coutu noted I've deciphered what I had written. I want to clarify something that's been appearing in the paper of late. No fault of the Editor except that it's always in the Thumbs portion. I

want to clarify if I could the rumors that are circulating relative to the apartments on Lowell Road. They are not Section 8 or low income housing. That's a scare tactic. People think that it's going to be low income. I share the resident's concern about how it's going to affect traffic. That's a given. I've made that very clear with the Planning Board. I don't think the plan is going to work. The Town Planner tells me they are reluctant to do what's going to be need to be done once the whole section is built to alleviate the flow of traffic by putting in a light. I don't recommend lights. If there's ever a place on Lowell Road that that might be needed it's going to be there. Right in, right out. You're not going to get people to drive all the way down Executive Drive when they're coming north to get into their units. They're going to come up and they're going to try to cut across that traffic. The argument has been made well the traffic is kind of light, in opposite directions in the morning and in the afternoon.

To get to the point about the apartments, Selectman Coutu stated there is nothing to prohibit them from building those apartments there. They meet the code. There are going to be some conditions as Selectman McGrath can attest to and a lot of proposals. There are conditions applied and these people will be subject to I don't know what conditions but the Planning Board will decide. I know that you raised the aesthetics of the buildings and the engineer gave me a buildout of what's its going to look like. It's quite attractive colonial looking. It doesn't really blend in with - like a lot of the architecture we have on Lowell Road of late has been like the same color - that beige. It's attractive. It blends in comfortably and you suggested like Manny Sousa's development that kind of theme to blend in. It does look nice. It's going to set in off the road but it's a real nice colonial. It's more the architecture or the aesthetics of Fairview. It's quite attractive. What it is is workforce housing. In other words in order for them to qualify for a low mortgage from HUD, they have to provide and it's a minimal number of units at a lower rate than they would for what they're normally going to charge. What it does it provides people below the line which I think is below \$52,000 for a family for two will qualify them to get a lower rate. That lower rate is proposed to be \$1,100 for a single bedroom and \$1,200 for a two bedroom. The minimal rate for the average renter is going to be \$1,400. That's not quite low income. It's not going to be 50 units of Section 8 housing. There's no Section 8 and I don't think we'll ever see it in the Town of Hudson and in too many places in the State of New Hampshire. It's going to be workforce housing and we'll work out the details of the aesthetics and what it's going to look like and then we'll have to deal with the traffic woes at some point in time. I just wanted to clear the air. This is not a low income housing project. Thank you.

Selectman McGrath asked to add on to Selectman Coutu's remarks. If people are concerned which they ought to be, they should come to Planning Board meetings or go to Zoning Board meetings. Getting your information off of Facebook, or in the HLN, or any other - and I'm not picking on any particular newspaper. You get the information if you're sitting in the room and you're listening and you can participate, ask questions, make comments at the appropriate times. Trying to get the information about a major project that's going to affect everybody in town, I believe it's your duty and your responsibility to go to the meetings and participate in that process. Getting that information off of Facebook, its useless information. That particular project I have major concerns with. I haven't seen any of the revised plans. I will be there when it comes before the Board. I won't be voting but I will be there and I will make the comments that I think were appropriate. As far as the aesthetics what they originally had or in my opinion, they were sadly lacking in character. If they've updated them and taken some of my comments to heart, then maybe I'll be more in favor of what they're proposing. The traffic certainly is going to be a consideration and the right turn in and right turn out I've had extensive conversations with Mr. Dhima and Mr. Groth about those configurations. In order for it to work, they have to be designed in such a way that they can't possible take a left-hand turn in nor could they take a left-hand turn out if they design it properly and that's the only way that it would work. I have a keen eye about that. For people that are watching this meeting and people that are concerned about whether it's this project or any other project, you should go to the meetings. That's the only way you're really going to find out exactly what's going on and you'll be able to participate in the process. Thank you.

10. NONPUBLIC SESSION

Motion by Selectman Martin, seconded by Selectman Roy, to enter nonpublic session pursuant to RSA 91-A:2 (a) Strategy or negotiations with respect to collective bargaining; RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or

the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant; and (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, carried 5-0 by roll call.

Chairman Morin entered Nonpublic Session at 8:59 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.

Chairman Morin enter open session at 11:03 p.m.

Motion by Selectman Martin, seconded by Selectman Roy, to promote Public Works Street Foreman Jason Twardowsky to the position of Public Works Supervisor - Streets with an increase in salary to \$88,167 (Step 5) in accordance with the Hudson Police, Fire, Town Supervisors Association Contract. This elevation in rank would be effective June 1, 2019, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Roy, to list town owned tax deeded property located at 32 Cross Street with DiBernardo Real Estate for \$199,900 and authorize the Chairman of the Board of Selectmen to sign the Marketing Agreement with DiBernardo Real Estate for the sale of the property, carried 5-0.

Motion by Selectman McGrath, seconded by Selectman Roy, to accept an offer by Built Solid Homes, Ken Morgan for \$65,000 conveyed via Quit Claim Deed for tax deeded property located at 151 Robinson Road, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 11:05 p.m. by Selectman Martin, seconded by Selectman Roy, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Executive Assistant.

David S. Morin, Chairman

Kara Roy, Vice-Chairman

Roger E. Coutu, Selectman

Marilyn E. McGrath, Selectman

Normand G. Martin, Selectman