

HUDSON, NH BOARD OF SELECTMEN
Minutes of the October 24, 2017 Meeting

1. CALL TO ORDER - by Chairman Luszey the meeting of October 24, 2017 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman Coutu.
3. ATTENDANCE

Board of Selectmen: Ted Luszey, Marilyn McGrath, Roger Coutu, Angela Routsis, David Morin

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Captain Bill Avery

4. PUBLIC INPUT

Chairman Luszey asked does anyone in the audience wish to address the Board on any issue which the Board has control of at this time. Seeing none.

5. NOMINATIONS AND APPOINTMENTS

- a) Resignation of Call Firefighter Peter O'Sullivan

Motion by Selectman McGrath, seconded by Selectman Coutu, to accept the resignation of Call Firefighter Peter O'Sullivan effective October 25, 2017 with the Board's thanks and appreciation, carried 5-0.

6. CONSENT ITEMS

Chairman Luszey asked does any Board member wish to remove any item for separate consideration.

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

- A. Assessing Items

- 1) Veterans Tax Credit - Map 247 Lot 123 - 18 Philbrick Street, w/recommendation to grant

- B. Water/Sewer Items - None

- C. Licenses & Permits

- 1) Raffle Permit - GFWC Hudson Junior Woman's Club

- D. Donations - None

- E. Acceptance of Minutes

- 1) Minutes of the October 10, 2017 meeting

- F. Calendar

10/25 7:00 Benson Park Landscape Cte - BOS Meeting Room
10/25 7:00 Planning Brd - Buxton CD Meeting Room
10/26 3:00 Trustees of Trust Fund - Buxton CD Meeting Room
10/26 7:00 Board of Selectmen Budget Review - BOS Meeting Room
10/26 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
11/01 7:00 Budget Cte - Buxton CD Meeting Room
11/02 6:30 Recreation Cte - BOS Meeting Room
11/02 7:00 Benson Park Cte - HCTV Meeting Room
11/02 7:00 Zoning Brd of Adjustment - Buxton CD Meeting Room
11/07 7:00 Board of Selectmen - BOS Meeting Room
11/08 7:00 Planning Brd - Buxton CD Meeting Room
11/09 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
11/10 VETERAN'S DAY - TOWN HALL CLOSED
11/13 7:00 Conservation Cmsn - Buxton CD Meeting Room
11/13 7:00 Cable Utility Cte - HCTV Ctr.
11/14 7:00 Board of Selectmen - BOS Meeting Room
11/15 7:00 Planning Brd - Buxton CD Meeting Room
11/16 7:00 Benson Park Cte - HCTV Meeting Room

11/16 7:00 Budget Cte - Buxton CD Meeting Room
11/21 7:00 Budget Cte - Buxton CD Meeting Room
11/21 7:00 Municipal Utility Cte - BOS Meeting Room
11/22 7:00 Planning Brd - Buxton CD Meeting Room
11/23 THANKSGIVING - TOWN HALL CLOSED
11/24 FLOATING HOLIDAY - TOWN HALL CLOSED
11/27 7:00 Sustainability Cte - Buxton CD Meeting Room
11/28 7:00 Board of Selectmen Budget Review - BOS Meeting Room
11/29 7:00 Budget Cte - Buxton CD Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on October 10, 2017:

- 1) *Motion by Selectman Morin, seconded by Selectman Coutu, to hire James McIntosh as the Full-Time Director of Community Media at a salary of \$65,000. Salary and benefits to be funded from the Hudson Community Television Revolving Fund effective October 15, 2017, carried 4-0.*
- 2) *Motion by Selectman Coutu, seconded by Selectman Morin, to eliminate the HCTV Facilitator Contract position and cancel the HCTV Facilitator Contract as of October 14, 2017, carried 4-0.*
- 3) *Motion by Selectman Routsis, seconded by Selectman Morin, to hire Michael Johnson as a Full-Time HCTV Assistant at \$15 per hour, a non-exempt position, effective October 15, 2017. Wages and benefits to be funded from the Hudson Community Television Revolving Fund, carried 4-0.*
- 4) *Motion by Selectman Morin, seconded by Selectman Coutu, to hire Mary Ellis as a Regular Special Shift Employee (camera operator) at \$11 per hour effective October 11, 2017, carried 4-0.*
- 5) *Motion by Selectman Coutu, seconded by Selectman Routsis, to allow Patti Barry to buy out 80 hours of vacation time, carried 4-0.*
- 6) *Motion to adjourn at 8:06 p.m. by Selectman Morin, seconded by Selectman Routsis, carried 4-0.*

8. NEW BUSINESS

A. Zach Attack 5K Fun Run

Chairman Luszey recognized Mike Carbonneau.

Michael Carbonneau, 21 Lenny Lane, Hudson, NH. I'm looking for permission to hold the annual Zach Attack 5K road race that we've done now - this will be our 8th year over at Alvirne. I think we have it down pact this year. We actually changed the date from August to Thanksgiving hoping that we can get a bigger turnout. Last year's heat was pretty tough so we were down runners. Hopeful that we can pull it off. No snow hopefully.

Chairman Luszey asked if there were any comments, questions, or concerns. If not, I'll entertain a motion.

Motion by Selectman Coutu, seconded by Selectman Morin, to approve the Zach Attack 5K Fun Run which takes place at Alvirne High School on November 23, 2017 at 9:00 a.m., carried 5-0.

B. Current Use Tax Interest Abatement Request - 22 Senter Farm Road

Chairman Luszey to recognize Vinh Nguyen. Please state your name and address for the record please.

My name is Vinh Nguyen. We just moved into 22 Senter Farm Road in Hudson in mid-August. I'm requesting for the abatement. On the day that we moved to our new home, we received a letter from the Town of Hudson stating that there is current use unpaid to our home in Wilmington. We signed a contract with the builder July of last year to promise us to build our home, everything fully covered and he will pay taxes, and he promised us that the home would be built by March or April. It dragged on to August which many things were hacked. This was a huge shock for us. Our latest problem that we have right now is a month ago there was a cold night and our HVAC shut down due to poor design in the HVAC system. A house that size with 120,000 BTU going into a master suite zone of 3 vents which should have been 5 vents. Many things were hacked in our home and we're just going through litigation and having him fix what it should be. As of now, I believe that we will end up having to pay for the current use tax because he not only squandered our money but other homeowners as well and chances are he's going to file bankruptcy. There's no way he...

Selectman Coutu objected to the tone of the conversation. We're getting into matters which do not pertain to us. We have no control over civil litigation. He's borderline besmirching the contractor and I don't think we should be part and parcel to that conversation. Chairman Luszey agreed.

Mr. Nguyen said the fact is the bill went out to the developer. We have e-mails and conversation promising that the current use tax will be paid not be us and now we find out that is almost a year overdue. There's almost \$3,000 in interest.

Chairman Luszey said you and I did speak on the phone and that's how you got here. My one question I'll ask for the record is did you have a title attorney do a title search on this property prior to you taking occupancy. Vinh Nguyen said yes thank you that you point this out. I'm a little nervous. I forgot that fact. This is my last resort. We went to the bank. There was a title insurance company. The person that did the title search is no longer with the bank. They reached out to Patti and Patti also explained to them that the tax was sent out in late August. The closing on our property is on the 31st of October. So clearly this should have happened but the person that did the search did it in early August and she never followed up. That's how it was missed. Doing the contract, none of this current use tax was ever on paper or even declared by the seller and the bank is refusing. We went their route because what about title insurance company. They just said no.

Selectman McGrath had a couple of questions. It's not a question for Mr. Nguyen but it's a question for the town. I don't know if Steve can answer it or anyone here can answer it. Why do we not collect that money before they can transfer the property to somebody else? I thought that language would be not only within the Planning Board approval, although I'm not certain about that. Just within the actual approval for current use that the property owner and not the Nguyen but the original property owner must sign documents I would think that would be approved by our town counsel and perhaps his to ensure that we collect that money before they can ever transfer it. The language in those documents would be on file with the Registry of Deeds and others so that this wouldn't happen. In my opinion, the Nguyens have fallen into a catch 22 situation where now they're left holding the bag for trying to repay that current use fee and not getting much satisfaction.

Chairman Luszey indicated I actually asked that question before we got here. That's why I asked about the title search attorney. That's where this should have got caught. The bank should have never gave Mr. Nguyen a loan on this property because in essence there is a lien and it's stated like that. It's a current use lien on that property. So when the builder takes it out of that, they have to pay the town the money on that to get a clean deed if you will to it to resell it. Because the builder in this instant didn't do that and they title company whoever did this work or the bank failed to stop the sale of the property at that point put the issue in the owner's.

Selectman McGrath had another question. Did you say that you haven't closed on the property yet? You're closing...Mr. Nguyen said no we closed it on the 31st of last October. The bill came out before. Somehow this got missed. If I have the money, I would also go after the title insurance company but we just don't. They flat out denied their responsibility. Clearly this is the whole point of getting title insurance that they guarantee that there's no lien. There is a lien in motion.

Selectman McGrath suggested that we have our Town Attorney look into this and see what the language is within the current use documents not only for this family but for others that may follow. We don't want this to happen again. I think it is grossly unfair. That's number one. Number two, I think that it would be appropriate to at the very least stop incurring interest and penalties until this is resolved or at least our attorney can advise us whether or not it will ever be resolved that we can take action.

Selectman Coutu didn't disagree with what Selectman McGrath is suggesting here in her second statement but it's obvious to us that they filed for bankruptcy. I thing 1) it's appropriate that we discuss this with our attorney to see who they're going to file bankruptcy against whether it's against us for the \$17,000 or against them. Steve Malizia said I'm not sure whose filing bankruptcy. Selectman Coutu said there's a statement here about...Mr. Malizia said if I look at this invoice, this is an invoice. This is called "Land Use Change Tax". This invoice is dated October 13th predating the closing for the Nguyens. This was billed to Woodberry-Hudson Investments. Assuming they knew about it because they get this bill. This is pretty common over there. This is not the first bill they've gotten and they got a bill. Apparently they failed to pay this bill which was due November 15th. You can see they had a month to pay it. Unfortunately these folks closed right in the middle of that month. Selectman Coutu asked why did Mr. Nguyen inherit the bill. Mr. Malizia said at this point in time when the bill was unpaid, now he's the property owner. He gets the lien. When people don't pay taxes, it gets lien to the property. There's nothing else to lien but property.

For clarity, Chairman Luszey said when someone puts property into current use, it's an automatic lien. I spoke with the Assessor on this and the Tax Collector. The language on the deed is the Town of Hudson or any town that puts a property in current use has a lien on the property. From day one as soon as the builder started building on it, they had a lien against it and the builder knew that they were going to have to clean up that lien on order to transfer title to it.

Steve Malizia stated this has been under current use for many years as you recall. This was the Nadeau property - the former dairy farmers. So it's been in current use for quite a while. Someone else comes along and bought all that property and then has been selling lots off. Again that's the Woodberry Investment who triggered the current use

release because they were selling a property. They make an action to take it out of current use. If you look at the timing of it, they got a current use bill at the beginning of October. The Nguyens unfortunately closed on October 31st. This bill wouldn't have been due until November 15th. What should have happened is more than likely it should have been either disclosed at the closing and accounted for just like every other water bill, sewer bill, and tax bill that's outstanding. Things get pro-rated all the time. That's the right way to do it. So someone in the process - probably at the bank, or the title company, or someone at that level failed to do this. You could also argue that the person who got the bill failed to say anything either. I'm assuming they knew they had a bill for \$15,000. This isn't some minor \$50 water bill. This is a pretty significant bill. These folks unfortunately have gotten caught like you said in a catch 22. Unfortunately at this point in time the only thing to lien is property. I can't lien somebody. You have to lien a property. Unfortunately the Nguyens currently own the property right now. That's why they find themselves here. What they're asking for is to at least stay or waive the interest that's accumulated. Truly it's not really their fault. Unfortunately they're stuck with the bill. Left unpaid overtime...Chairman Luszey noted it becomes a huger bill...and Mr. Malizia said it potentially becomes subject to a take on the tax deed. That's not right now.

Selectman Coutu asked are you saying that what Mr. Nguyen is asking for is for us to waive the interest. Vinh Nguyen said yes. It's all we're asking. Our attorney basically said when there's a current use tax, the verbiage for lawyer term is "a lien is in motion". That's the day that the builder/developer they're supposed to pay. If we don't pay it and starting this Friday, the Town will put on record and one from year from that if we failed to pay our property will get cease. They advised us to pay it. I'm simply asking to give us time and also to waive the taxes. Currently we're looking at it. Woodberry Investment Property they refused to pay. Taschereau Investment Property refused to pay and I don't know what kind of dealings they had. The bank they don't want to deal with this nor does the title insurance company. Basically we are stuck with the bill.

Motion by Selectman Coutu, seconded by Selectman McGrath, to waive the interest on Map 111-068-000, 22 Senter Farm Road any interest due on the \$15,000 and he be rebilled at the amount of \$15,000.

For amount and clarity, Chairman Luszey indicated the amount is \$2,471.07 that you're waiving.

Motion by Selectman Coutu, seconded by Selectman McGrath, to waive \$2,471.07 in interest on Map 111-068-000, 22 Senter Farm Road, on the \$15,000 current tax use and to rebill the amount of \$15,000 and to stop all accrued interest.

Selectman Coutu agreed because I knew this number wasn't correct so yes.

For clarity, Chairman Luszey said the \$15,000 would be billed in the current billing cycle. Selectman Coutu and Selectman McGrath both said yes that's fine.

Donna Graham asked the Chairman are you also waiving all future interest as well because it's going to start accumulating again at 18 percent.

Selectman Coutu asked how much time do you need to pay this Mr. Nguyen. Mr. Nguyen said that's a good question. We are thinking about a few thousand every quarter or we have to go back to the bank. Right now we have a small amount of money that has yet to be disbursed but the bank is locking it because we have about 7 contractors that the builder failed to pay. They've been coming knocking on our door for the last three to four months. We're still trying to litigate this whole mess.

Just to jump in, Selectman McGrath stated if we put you on a payment plan that you could pay this and ensure that you pay it and come up with an amount with Patti Barry. That's the person to talk to and then we can approve that at our next meeting. That's what I would suggest but in the interim, we can at least say that the interest isn't going to accrue on this and we'll waive the interest that has already accrued to it. That's like a two-step process. It won't continue to have interest accrued to it plus we'll waive what's already been so it will be just the \$15,000. If you can come up with an agreement with Patti that can work for you and your family and make sure that when that comes back before us, we can talk about it and likely approve it. That's number one.

Let me just before you jump in, the other question that Selectman McGrath had didn't we just have the owner of the Senter Farm development come in a month or two ago. So that was a yes. That's another step to talk to our town attorney about because clearly he's still in control of that development. We want to make sure that anybody else if he sells property to them that they don't fall into this same trap that the fees are paid before there's any transference of property. If it's happened to this gentleman and his family, it's going to happen to someone else.

Selectman Coutu added to that if it might be possible in discussing this with our attorney to see whether or not - if it's inclusively defined that he still has control of the property, maybe we want to put a lien on his property for the interest that's accrued. We'll waive it for him but we'll attach it or put a lien on whatever that company is controlling. Chairman Luszey said we can ask the attorney but I think we're getting in the middle of a civil action there. Selectman Coutu didn't think so. Chairman Luszey said the interest isn't upon him. It's upon the owner now. Selectman Coutu noted he says he has an e-mail that says he's going to pay the bill. Chairman Luszey said the developer doesn't owe any interest.

He owed the tax. Now what you're saying is you're transferring the interest to him. Can you read the motion back so we make sure that we all understand what we're doing?

Motion by Selectman Coutu, seconded by Selectman McGrath, to waive \$2,471.07 in interest on Map 111-068-000, 22 Senter Farm Road, on the \$15,000 current tax use and to rebill the amount of \$15,000 and to stop all accrued interest.

Steve Malizia noted you might want to say upon acceptance of an acceptable payment arrangement just to cover yourselves. You want to make sure you have something that's agreeable to both parties.

Motion by Selectman Coutu, seconded by Selectman McGrath, to waive \$2,471.07 in interest on Map 111-068-000, 22 Senter Farm Road, on the \$15,000 current tax use and to rebill the amount of \$15,000 and to stop all accrued interest and upon acceptance of an acceptable payment arrangement with the Town Clerk/Tax Collector.

Vinh Nguyen said we have a property in Wilmington and we've been trying to sell it. If we can sell it, then we can have some funds to forth. We were hoping to move in in the spring and it was a perfect time to sell in the spring. Unfortunately by the time we moved, the market kind of went south in Massachusetts and now the winter is coming. It's pretty difficult for us.

Selectman McGrath said to come up with a reasonable payment plan with Patti. You know what your budget is and what your funds are. Come up with a reasonable plan. Just make sure that once that plan is approved that you keep up with the payments.

Vote: Motion carried 5-0.

- C. Request to apply for a 2018 Investigation Grant in the amount of \$25,000 with the Drug Enforcement Administration

Chairman Luszey recognized Captain Bill Avery. Good evening.

Good evening. As the letter from the Chief reads, Captain Avery said we are looking to enter a grant with the federal government in the tune of \$25,500. This will assist with the Detective Division with investigations. It is attached to the Drug Enforcement Agency as well. There is no match with this grant.

Selectman Coutu commented considering the successful enforcement activity that has taken place in the Town of Hudson, this will go a long way to assist them even further to get these culprits off our streets. Captain Avery noted we are working morning, noon, and night to keep drugs off the street. This will definitely assist us.

Motion by Selectman McGrath, seconded by Selectman Routsis, to allow the Hudson Police Department to apply for a \$25,500 2018 Investigation Grant through the Drug Enforcement Administration. This is a non-matching grant., carried 5-0.

- D. Acceptance of a Highway Safety Grant entitled "Hudson STEP Patrols" in the amount of \$16,069.30

Chairman Luszey recognized Captain Bill Avery.

Captain Avery stated we are looking to enter an agreement with the New Hampshire Highway Safety Agency in the amount of \$16,069.30 for the STEP Patrols. STEP Patrols are simply traffic enforcement, speeding motor vehicles, red light violations, cell phone use while operating a motor vehicle, or any other type of moving violation. This money definitely assists us in achieving these goals of enforcing motor vehicle activity.

Selectman Morin asked just like the other grants put extra people on the street at certain times is that what we're going to do. Captain Avery said exactly. They normally run between 7 a.m. and 11 a.m. during the morning rush hour or from 3 p.m. to 7 p.m. during the evening rush hour where we have the highest amount of traffic out there.

Chairman Luszey said I have I don't know if it's a question or a comment. I guess its kind a little bit of both. This one and the next one Exhibit A, item 2, it talks about seatbelt enforcement targeting 18 year olds. Why not cell phones? When I went through them, it doesn't talk about more enforcement of the hands free. Captain Avery said I'm not sure why it's not listed on the Highway Grant Mr. Chairman. However, the officers that are working these patrols they are focusing on all motor vehicle and violations. I know weekly I'm signing off on directed patrols that all the shifts - not the midnight shift because they can't see as well - but the say shift and second shift are working directed patrols focusing on the use of cell phones while operating a motor vehicle.

Steve Malizia pointed out that this grant along with the next one are already budgeted in our budget. So we know in advance and we've been doing these for the last several years. Just so everybody knows, you can find the backup for this in the budget so therefore you're allowed to accept these grants. They didn't have to come in to apply because you've already given them the pool through the budget process.

Motion by Selectman Morin, seconded by Selectman McGrath, to authorize the Hudson Police Department to accept the "Hudson STEP Patrols" Grant in the amount of \$16,069.30 through the State of New Hampshire Highway Safety Agency, carried 5-0.

- E. Acceptance of a Highway Safety Grant entitled "Hudson DWI Patrols" in the amount of \$12,624.49

Chairman Luszey recognized Captain Bill Avery.

Similar to the STEP Grant, Captain Avery indicated this adds patrols to our Patrol Division. These hours have obviously changed. They're not going to be working during the daylight hours. They will be out there normally starting around 9 p.m. and working until the early morning hours. We normally focus on the nights that we have seen a pattern of DWI arrests or lately unfortunately been accidents as everybody has seen on the news. We have been riddled with accidents - several of them are because of people operating under the influence of alcohol or drugs and we are looking to continue to step up patrols during these hours.

Motion by Selectman Routsis, seconded by Selectman Morin, to authorize the Hudson Police Department to accept the "Hudson DWI Patrols" Grant in the amount of \$12,624.49 through the New Hampshire Highway Safety Agency, carried 5-0.

- F. 2018 Meeting Schedule for the Board of Selectmen

Chairman Luszey recognized Town Administrator Steve Malizia.

Steve Malizia said it was pretty simple. This is your proposed schedule for next year. I think there are few adjustments based on Election Day activities. I believe Election Day is March 13th for the town and I believe there's a State Primary on the 11th. You'll see those to changed I believe to the day before. It's your schedule and you can amend it as you see fit.

Selectman Coutu asked isn't there an election in November. Mr. Malizia didn't believe you have a meeting that week in November. Selectman Coutu asked if there's an election on either of those days, would you take that one off please. It's fine.

Motion by Selectman McGrath, seconded by Selectman Coutu, to accept the 2018 Board of Selectmen Meeting Schedule, carried 5-0.

- G. 2018 Scheduled Holidays

Chairman Luszey recognized Town Administrator Steve Malizia.

Steve Malizia stated again following previous year's patterns, these are the holidays that are identified. Most of them are in the labor contracts and these are the recognized holidays.

Motion by Selectman Morin, seconded by Selectman McGrath, to accept the 2018 Scheduled Holidays, carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - I have nothing this evening.

Selectman Routsis - I have nothing this evening.

Selectman Morin - I have two things. First at your seats tonight there was a picture of the Alvirne proposed construction. When Mr. Beals came here, there was some concern about the students crossing 102 during the busy times of day. The Police Chief also expressed his concern as well as several citizens. So they looked at the project again and they will be moving the parking lot from across the street of the High School over to a - if you're looking at the picture, it's to the left-hand side. There's a big gray area. That's now a field. That's where they're going to put the parking lot instead of across the street. Proposed.

The second thing is I'd just like to again recognize our first responders as the Captain said. They've had some very serious motor vehicle accidents and they had one this weekend that the police and bystanders had to step in to do some life saving measures until the ambulance could arrive because they were very busy. I can tell you they did a very good job.

Selectman McGrath - I just have one thing. Just a reminder for any of the Board members and anyone watching. The ZBA meeting scheduled for Thursday evening the time has changed from their normal 7:30 p.m. to 7 p.m. That's all that I have. Thank you.

Selectman Coutu forgot to mention that you Mr. Chairman, and Selectman McGrath, my wife, and I attended the Fireman's Award Banquet the other evening. I wanted to thank the Fire Chief for inviting us. I wanted to congratulate all of the officers and firefighters who received awards and recognition that evening. It was well done, well put on, the meal was excellent, the company was great, and when my wife says she enjoyed herself, then I know it's a good night. I want to thank the Fire Chief and again congratulate everybody on their awards.

Selectman McGrath echoed that. It was the first time that I was able to attend and it was well attended and it's nice to see them being recognized.

Selectman Coutu said I'm picturing you standing in front of me with the camera. I am sorry. Selectman Morin you were there.

Selectman Luszey – I will just reiterate that it was great. I went for the first hour. Selectman Routsis and I were at another event - America Cares - over at the VHW. We had to split our time there. It was a good evening all around for not only our first responders but for our Veterans as well.

10. NONPUBLIC SESSION

Motion by Selectman McGrath, seconded by Selectman Routsis, to enter Nonpublic Session pursuant to 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; (b) The hiring of any person as a public employee; (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 (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph, carried 5-0 by roll call.

Chairman Luszey entered Nonpublic Session at 7:40 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 Luszey entered open session at 7:55 p.m.

Motion by Selectman Coutu, seconded by Selectman Morin, to hire Jeffrey Bacon to the position of Truck Driver/Laborer at a rate of \$18.02 per hour (Grade VIII, Step Minimum) of the Highway AFSCME Contract effective October 29, 2017, carried 5-0.

Motion by Selectman Routsis, seconded by Selectman Coutu, to allow Police Chief Jason Lavoie to buy out 120 hours of vacation time, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 7:57 p.m. by Selectman Coutu, seconded by Selectman Morin, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

Thaddeus Luszey, Chairman

Marilyn E. McGrath, Vice-Chairman

Roger E. Coutu, Selectman

Angela Routsis, Selectman

David S. Morin, Selectman