

HUDSON, NH BOARD OF SELECTMEN  
Minutes of the April 12, 2016 Meeting

1. CALL TO ORDER - by Chairman Luszey the meeting of April 12, 2016 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Chief Lavoie.
3. ATTENDANCE

Board of Selectmen: Ted Luszey, Roger Coutu, Pat Nichols, Marilyn McGrath; Angela Saucier

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Jim Michaud, Asst. Assessor; Police Chief Jason Lavoie; Elvis Dhima, Town Engineer; Kevin Burns, Road Agent

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. Please state your name and address for the record.

Laura Lockhart, 14 Walnut Street in Hudson. I'm here because we know that the property at 3 Chestnut Street is for sale. I did contact all of the members of the Board. I don't know much about what's going on with the sale of it. I'm not sure how quickly you guys are going to move on accepting an offer but we have 5 properties on Walnut Street and Eayrs Pond that about that property. I know that a majority if not all of the neighbors are interested in buying a portion behind their homes because we all have less than a quarter acre I think. I'm not sure what the possibility is of that if we could buy some time then the neighbors and I could meet up, come up with a plan, and some kind of offer for you provided that you don't accept an offer quickly. I'm not really sure what I'm asking for other than to consider holding off on accepting an offer so that we can come up with something and offer something and increase the value of our homes. I think we're all a little worried about building there.

Selectman Coutu said approximately 4 or 5 years ago I met with the citizens as many who wanted to show up at the Hudson Fish and Game Club to discuss cleaning up the area and putting in a passive recreational field. It was unanimous that people did not want us to do anything with the property.

Laura Lockhart spoke and said actually I think I was the only one that said I did want the park there.

Selectman Coutu said then it wasn't unanimous. There were quite a few people there. From my perspective, and I read your e-mail as I have read several others. I know a lot of people in that neighborhood as you may or may not know. Here's where I'm going to come from. That wasn't the first time the Town of Hudson had suggested that we would be interested in putting in a passive recreation park there. We have offered it on two occasions and on both occasions that met with a lot of opposition. At that time the last meeting that we had at the Hudson Fish and Game Club, I believe I stated - and I'm on record of stating - that if we don't do something eventually we're going to sell this land. We have since put it on the market. Where I'm coming from is that all of the abutters of that property were aware that we would potentially sell this land. We've said it during this past campaign that we are going to sell parcels of land that have significant value to the Town. It's of no value to us just sitting there that could present a significant income resource because of the tax value by appreciating the properties by allowing contractors to go in there and build homes. Until we actually put it on the market and we started talking about it, now people are saying well we'd like to have an opportunity to buy the land. You're talking about buying chunks from a lot of parcels. What's going to happen is you're going to want a piece behind your property. Another abutter is going to want a small piece. I saw in the e-mail that you're willing to pay for the subdivisions of the land and then we're going to end up with a small little unused particle in the middle anyway that's of no value to anybody. Then what's to prohibit everybody else in that region to come in and say well you're selling the one behind our house. We want to do the same thing. We're going to have these little pockets of land and the value of the property what it's going to increase for us in terms of revenue for the whole town is going to be insignificant.

Ms. Lockhart was only referring to 3 Chestnut Street. I don't know anything about 4 Chestnut Street or the other property on Eayrs Pond. I know that 4 out of the 5 abutters to that specific property are interested in it. I think we could come together and come up with a plan to purchase it as a group and then subdivide it.

Just to make it clear, Selectman Coutu said when we offer a parcel of land for sale I believe that we have to go out to bid. We can't favor someone coming in and if we have a bid let's say \$150,000 to \$200,000 for that one parcel. I'm just throwing a number out there then we say in order to be fair and equitable if there was an avenue for us to circumvent going out to bid are you in a position with 4 neighbors to raise the \$200,000? The value of the land. Laura Lockhart asked how do we know what our competition is. Selectman Coutu said the value of the land is whatever somebody offers us for it. That now becomes the value. Ms. Lockhart asked do you already have offers. Can you confirm that? Selectman Coutu said I'm not at liberty to disclose at this time. Ms. Lockhart asked how soon would you accept an offer. Selectman Coutu was not at liberty to disclose that. Laura Lockhart said I'm not sure how we can even have the opportunity to come up with something and put something together and offer you something if we don't know what we're up against, what our timeline is.

Selectman Coutu asked how long have you known that the land was for sale. Laura Lockhart indicated a couple of weeks but I can't buy it all on my own. So we need to work as a team and get together and come up with something. I don't know that everybody knew that there was supposed to be a park back there. We've had a few different neighbors come in. Selectman Coutu noted you knew. You attended the meeting and said you wanted a park there and I was excited oh I got one but I couldn't get anybody else to agree to it. Laura Lockhart indicated now I definitely don't want somebody building right behind us. I just personally can't afford to purchase the entire lot if I can go in with some neighbors who are interested in the same thing.

Selectman Coutu said I understand and I sympathize. I'm going to end by saying what I said initially. In making this kind of decision, I can't think unless it was really an obtrusive type of development that somebody - we certainly wouldn't let an industry go in there. We're talking about I guess developers coming in and buying and potentially building homes. I have to think about the value and the return on that value to all of the taxpayers of the Town of Hudson.

Laura Lockhart stated if we purchase the land as a group and pay to subdivide it, you would still end up collecting taxes on it right? Selectman Coutu said minimum for the land value whatever it is. Ms. Lockhart knows you can't do us any favors or whatever but I don't know if you guys are familiar with that area. I know you are but where my house sits, it's only 20 feet to the end of my lot and it would be great to keep our privacy there. We don't even have any trees in our yard. We bought it that way. With our deck being raised up, we're going to have no privacy no matter if we put a fence there or not.

Selectman McGrath had a comment and then I have a couple of questions. I didn't receive an e-mail or correspondence from you. I didn't receive it so I can't comment about what you wrote. I will tell you that any e-mail that I get I generally respond to. It might not be immediate; it might be a day or two but I'll respond in some fashion. I just didn't get it. I guess the question for this Board. I can understand not revealing any of the offers that we've gotten or any of the information that we're going to be acting on. However can we disclose what the asking price was for the property? Steve Malizia stated that's public information. Selectman McGrath said we can tell Laura this evening what the asking price was and then when we have our discussions later, we can at least have discussions about what she's presented to us tonight. Are all of your neighbors that about that property are they interested in purchasing?

Adam Michaleas - 27 Eayrs Pond Road.

Selectman McGrath asked to go through my questions here. So are all of the abutters to that piece of property interested in joining with you to purchase the property, not portions of it, but the lot in question and then do you know that if you were successful in purchasing that property you'd not only have to subdivide it in order to join with your lots but you'd also have to do a lot consolidation. So it's a two-part process when you go before Planning. So you subdivide the initial lot and then you consolidate it with your lots. So it makes it a little more complex.

Adam Michaleas understood that piece of it. Now with it being a two-part process and potentially there's two lots involved, does that also mean - behind my house I'm on the corner of that street. I'm assuming the Town would approve these variances for whatever builder. Okay we're going to approve building a house of comparable size. If we buy it is it just we're going to pay the engineering costs and extend our lots and get a surveyor or is it we're approving two lots that you could potentially build on in the future? I'm relatively new in the neighborhood. I didn't move in until October 2014. Any of the meetings you may have had, I was not present. I wasn't even living there. I recently built an in-law. I followed all the rules. I went to the Town got my occupancy permits. I inquired on many occasions saying okay there's land behind me. I'd be interested in buying it. I talked to Kevin at the time. I said in the event that this goes up for sale, I want to know about it. I don't want a house behind me. I told Kevin look I moved out of Massachusetts for a reason to not have neighbors looking in my backyard. I said I know its town owned. I had gone to the front desk and asked who to speak with. I've gone to another office. I've talked to the Building Inspector and they said that they town may do sealed bids. There were multiple approaches they were considering. I had asked. I said look I'm interested and they wouldn't even talk to me. I called the realtor. Where I am on the corner, I understand your concern where you're saying okay we don't want to sell 4 lots, have one in the middle, and then we have this chunk we can't do anything with. I live on the corner. I never would have soured that deal. I was look I'll pay the engineering costs. I'll resurvey. I'll redraw the boundary line. No expense to the town and I was willing to pay market for it. No haggling. A fifth is \$30,000 - whatever, fine. It doesn't make sense for one person to buy it all because at the end of the day - if you look down the street, everyone is infringing on that property. Fences are too far and the lots are postage stamped lots. It used to be mobile homes. From the get go, I can't really say that anyone is going to be pleased. Nobody wants this.

Of the 5 abutters myself (Adam Michaleas) included, 4 people are like yes. If we could do this and split the legal and surveillance costs to subdivide, we would do that. I felt that I approached the town on many occasions and I was here routinely going through the process, pulling permits, building an in-law, notifying the abutters. I didn't cut corners and I didn't go without permits.

Chairman Luszey asked you said you contacted the realtor. Did you ask to submit a bid? Mr. Michaleas said she told me that the town was not interested. They wanted to sell it as a whole. I tried to reason with her. I was looking on the corner. I'm not in the middle. I'm not cutting you up into two lots. I want to buy it. I'm on the corner. I'll subdivide. I'll pay the surveying cost and I'll pay market. You divide that by 5 and I'll pay it. I'll pay my share of it. She wouldn't speak with me and people are angry. Literally and I'm going to say this on record. Someone literally ran your signs over. She called the police on me thinking it was me. I had a cop at my door. You can call the Hudson PD. It was a little ridiculous honestly. Someone literally knocked those signs over. I had a cop at my door last Friday. I was kind of confused. That's not something I would really do. That actually happened and they wouldn't even speak to me. She was like I'll let them know. I've heard nothing. All I got was a cop at the door and I offered to buy my piece behind my house at market and she wouldn't even talk to me. How's this. I know a builder is not paying you list. Her response verbatim was we have an offer on all 3 properties. I said great. Are they willing to deal with me? I said I can't speak for the other neighbors. I can speak for myself. I could buy it all but it doesn't benefit me because I have the same problem. If I buy it and try to work with the neighbors, what if one of them says no? I get it but I offered to buy the piece.

Chairman Luszey said quite frankly that's part of what we're up against is to make that parcel of land marketable. We're selling it all as a huge chunk. Adam Michaleas said you can make that argument too where you say all right what makes it marketable as a neighborhood is to say all right. You're giving people a bigger backyard. That's why people move to New Hampshire. We buy it. We pay taxes on the land anyway. It's not like there's escaping taxes. That's not a reasonable expectation. I offered to do that on many occasions even before all this started. I've been at Town Hall. I've called Kevin. I've called people in the Building Dept. I've talked to inspectors. Believe me if there was someone to talk to, I have and it was when we make a decision I'll let you know, or when we have an idea when they might go on sale, we'll let you know. I had no idea Kevin wasn't with the town for like a year.

Chairman Luszey noted we're going around in circles. Unless you have something new to add. Mr. Michaleas asked is that even an option or is the town - are they willing to work with the abutters? Chairman Luszey believed we have offers on that property that we'll have to review. Mr. Michaleas said for the whole lot. It's a bit cryptic because obviously you're not going to tell me what my options are right? Selectman Coutu said we have offers both ways. Mr. Michaleas said sure. I'm surprised that the abutters weren't even notified. We weren't given an opportunity. We were never notified. Chairman Luszey said you were given as much opportunity as anyone else in the town. It was posted in the paper. It was advertised by the realtor. You're opportunity to place a bid on that property is no different than the list of names that we have that we're reviewing. Mr. Michaleas stated it's either we get the neighbors to buy it all or...Chairman Luszey didn't know. We will discuss that but I don't know what the offers are until we look at it tonight. Adam said I'm on the end. I'm literally on the end not in the middle. I offered to survey and pay market. It's like the town won't even deal with me.

Laura Lockhart stated I'm on the other end. I'm in the same boat and my neighbor next door to me wanted to be here tonight but he had to stay home with his kids. He's all in if we decide to do something. We need the time to get together and work it out.

Selectman McGrath went back to my initial question. All of the abutters to that lot that you're talking about are they all interested in coming together and purchasing the lot as a whole and then you will individually - you'll have to subdivide it out and reconsolidate it with your property. You need to tell me whether you're all in or you're not because that makes a huge difference. We've got offers and we're going to be talking about it. If there's a glitch in that, if there's one person that isn't able to for whatever reason they don't have the finances, we need to know that.

Laura Lockhart indicated I haven't personally spoken to each and every one of those neighbors. We collectively have. You spoke to your next door neighbor and I spoke to the other two neighbors. One is on the fence. She's not 100 percent sure that she can do that or wants to do that but we did have a discussion about the neighbors next to her splitting the portion behind her. So we would need to the time to meet and work that out. We have had discussions to make sure that there isn't just an empty spot in the middle that nobody can use.

Selectman McGrath asked to jump ahead here because I understand the emotion of all of this. We have a decision that we're going to be having to make. Can we give them until the next meeting to come up with a plan, make an offer, and then we can consider all of the offers for that property at that time? It's giving them an opportunity to...Chairman Luszey said for me it would take much more than that. It's not a plan. It would have to be a commitment of funding to purchase. Basically what you're asking is for them to meet at least the highest bid that we have for those with a legal P&S which means funds in hand to be executed within 30 days. Selectman McGrath said if this Board can come to a decision to give them two weeks, hold off on our decision tonight on the offers that we've received for that one parcel or maybe on all of them I don't know. We'll have to talk about it. If we can give them the opportunity to come back in two weeks with either a firm offer with funding or coming back and saying we can't get it together.

Selectman Coutu indicated we're way ahead of ourselves here. We're getting a little bit into the weeds. I'm not faulting you for that. We're getting a little bit into the weeds. All of you have received your packets. The Chairman provided us with our packets for this evening. There is an additional packet that will be handed out relative to these particular parcels. Without disclosing too much, I think we need to conserve our conversation for nonpublic session

because that's the way we handle real estate transactions. My biggest concern would be, and that's the only thing I'm going to say and nothing beyond that, is that looking at - and I wasn't any more privy than you were, I asked Donna to look at the revised package - we could severely jeopardize a sizable offer if we delay this. That's a conversation we have to have in nonpublic. We're aware of what their request is. All it would take is one person not to be able to get finance and that will put this off for months. It will delay it for months because they'll be scrambling to try to salvage it and divide it maybe into four. So now it's a whole new plan, a revision, and how far out can we delay this. Granted they're individual homeowners and they're not aware of the machinations that go into putting together a plan to subdivide a property like a contractor would. They do it for a living. They were at a slight disadvantage but it was not unknown that these parcels were going up. What conversation they had with the realtor, we will find out tonight in nonpublic and we can deal with that then and we can make a decision then. We can't commit one way or another until the five of us go into nonpublic session which is a meeting we hold after because we're talking about individual contractors. We're talking about individual properties and because they were acquired through tax lien or whatever, we can't disclose any of that publicly. We have to go behind closed doors to air out all of that stuff and then we'll make a decision then. I don't want you to feel that because you walked in the door it's going to impact the decision we make but we certainly will give consideration because we want to hear from the real estate agent what conversation was had with anybody relative to these properties. We don't want to jeopardize a serious offer from somebody who's offered us far more than the asking price for the property.

Adam Michaleas said that was understandable. I was just hoping that we could sort this out. Obviously I like to just make an offer on what I want. I don't like to talk about injunctions or anything potential like that but you know we would try to file. At the end of the day, I understand you're trying to have some houses built but that's where we live. With all due respect, you don't have to live behind a construction zone. If you want to build 4 Chestnut Street, whatever, it's woods. On Eayrs Pond, fine. If any of you are familiar with that property, you know how dangerously close that is. I could literally trip and fall into that lot of property. I've looked at the parcel map. There's nothing there that's bigger than a third of an acre. It is not a lot of property. Again those were mobile lot homes that were converted. The town is doing whatever. I'm not trying to toss blame but it's the predicament we're in. That's a lot of construction I have to live with in clearing the land.

Selectman McGrath jumped in. I've lived in town all my life. I've lived in the south end all my life. I know that neighborhood well. I don't ever recall ever seeing a mobile home on any of those lots ever. Mr. Michaleas indicated those were mobile lots. A lot of the neighbors have told me that. Those used to all be mobile home lots. They were camp sites. I apologize. I misspoke.

Chairman Luszey asked to stay on track. We're going around in circles. Unless there is anything new to be had, I think this conversation is done. We'll take your input under advisement and we can go into nonpublic and address these offers that we have.

Laura Lockhart asked how do we know if you...Chairman Luszey indicated someone will be in touch with you as to what comes out of tonight if anything.

Chairman Luszey asked is there any other public input. Seeing none, we'll go onto item 5.

5. RECOGNITIONS, NOMINATIONS AND APPOINTMENTS - NONE

6. CONSENT ITEMS

Chairman Luszey asked if any Board member wished to remove any item for separate consideration.

Selectman McGrath said yes - under Item A. 7. and also under C. 3.

Motion by Selectman Coutu, seconded by Selectman McGrath, to approve consent items A 1 through 6, 8, 9 and 10, B, C 1 and 2, 4, 5, 6, and 7, D, E and F as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) Current Use Lien Releases - Map 207, Lot 8-7; 8-10; 8-12; 8-13; 8-15; 8-16 & 8-18 - 31, 47, 42, 38, 30, 26, 10 Moose Hill Road, w/recommendation to approve
- 2) Veteran Tax Credits - Map 174, Lot 143 - 9 Nottingham St.; Map 177, Lot 005, Sub 093 - 30B Shadowbrook Dr.; Map 156, Lot 006, Sub 027 - 20 Cricketfield Ln.; Map 183, Lot 057 - 13 Bond St., w/recommendation to grant
- 3) Regular and Disabled Veteran Tax Credit - Map 204, Lot 006, Sub 936 - 936 Fox Hollow Dr., w/recommendation to grant
- 4) Disabled Exemptions - Map 174, Lot 113 - 60 Highland St.; Map 190, Lot 082 - 44 Riverside Ave.; Map 157, Lot 066, Sub 011 - 12 Barbara Ln., w/recommendation to grant
- 5) Elderly Exemptions - Map 198, Lot 042 - 3 E St.; Map 197, Lot 142 - 11 Hemlock St., w/recommendation to grant

- 6) Requalification of Elderly Exemptions - Map 117, Lot 032 - 106 Robinson Rd.; Map 174, Lot 138 - 61 Highland St.; Map 168, Lot 041 - 5 Jackson Dr.; Map 182, Lot 117 - 9 Chase St.; Map 147, Lot 022, Sub 026 - 9 Westchester Ct.; Map 190, Lot 150 - 5 Clark St.; Map 147, Lot 017, Sub 002 - 47 Lexington Ct.; Map 182, Lot 200 - 86 Central St., w/recommendation to re-qualify
- 7) 2015 Tax Abatement - Map 223, Lot 39 - 5 Gregory St., w/recommendation to approve

Selectman McGrath indicated I wanted to discuss this because when I read this - I don't necessarily have a problem with approving what they're requesting; however in the body of this memo, it says that the property is challenged. It needs variances which were granted but have lapsed. Normally variances carry with the land. They don't expire. I'm questioning that and what the variance was for whether or not it really was a variance or if it was some other type of action by the Zoning Board as opposed to a variance. Variances typically carry with the property. Until we get that clarified, I'd...

*Motion by Selectman Coutu, seconded by Selectman McGrath, to defer Consent Item A. 7., carried 5-0.*

- 8) 2015 Tax Abatement - Map 203, Lot 119 - 20 Cottonwood Dr., w/recommendation to approve
- 9) 2015 Tax Abatement - Map 174, Lot 122 - 15 Gloria Ave., w/recommendation to approve
- 10) Charitable Property Tax Exemption - Map 222, Lot 41 - 9 Wason Rd., w/recommendation to deny

**B. Water/Sewer Items - None**

**C. Licenses & Permits**

- 1) License to Purchase Scrap Metals - Granite State Salvage Co., Inc.
- 2) Raffle Permit - Hudson Kiwanis/HGSL
- 3) Raffle Permit - Elliot's Little Dog Haven SOIC3

Selectman McGrath questioned that Mr. Chairman because that organization is located in Amherst, New Hampshire. I'm questioning why they'd be having a raffle that would benefit a business in another community as opposed to Hudson. Steve Malizia noted it's a charitable organization. A 501(c)3 is a charitable organization. I'm sure that when White Birch has events and they do things maybe for folks out of town, I'm sure they have raffles when they get their raffle permits. Not everybody is in town. This raffle is being held in town but it's for the benefit of some 501(c)3 in another town. If they want to do the raffle here, they have to get the permit. Your question is should we allow them to do it? That's up to this Board. Again it's a charitable organization as expressed by the 501(c) 3.

*Motion by Selectman Coutu, seconded by Selectman Saucier to approve Consent Item 6. C. 3., carried 4-0-1. Selectman McGrath abstained.*

- 4) Brox Industries - Night Trucking Permit
- 5) Request to Solicit Funds - Friends of Alvirne Lacrosse
- 6) Hudson Speedway License to Operate a Motor Vehicle Race Track for the 2016 season
- 7) Raffle Permit - Hudson Republican Committee

**D. Donations**

- 1) Southern NH Radio Control Club - \$1,000 for the Recreation Donation Account
- 2) Lifetouch National School Studios - \$778.78 for the Recreation Donation Account

**E. Acceptance of Minutes**

- 1) Minutes of the February 8, 2016 Meeting
- 2) Minutes of the March 7, 2016 Meeting

**F. Calendar**

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| 4/13 | 7:00 | Planning Brd - Buxton CD Meeting Room       |
| 4/19 | 7:00 | Cable Utility Cte - HCTV Ctr.               |
| 4/20 | 5:00 | Municipal Utility Cte - BOS Meeting Room    |
| 4/20 | 7:30 | Senior Affairs Cte - Buxton CD Meeting Room |
| 4/21 | 7:00 | Benson Park Cte - BOS Meeting Room          |
| 4/21 | 7:30 | Budget Cte - Buxton CD Meeting Room         |
| 4/25 | 7:00 | Sustainability Cte - BOS Meeting Room       |
| 4/26 | 7:00 | Board of Selectmen - BOS Meeting Room       |
| 4/27 | 7:00 | Planning Brd - Buxton CD Meeting Room       |
| 4/28 | 7:30 | Zoning Brd of Adjustment - CD Meeting Room  |

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on March 22, 2016

- 1) *Motion by Selectman McGrath, seconded by Selectman Nichols, to promote Master Patrol Officer Michael Davis to the position of Sergeant at \$33.24 per hour (Step 5) according to the Hudson Police Employee Association Contract. This elevation in rank would be effective on Sunday, April 10, 2016, carried 5-0.*
- 2) *Motion by Selectman Nichols, seconded by Selectman McGrath, to temporarily assign Lieutenant Allan Dube and Lieutenant Sean Mamone to the position of Acting Captain at a rate of \$32.27 per hour for a period not to exceed six months as recommended by the Fire Chief, carried 5-0.*
- 3) *Motion by Selectman McGrath, seconded by Selectman Nichols, to temporarily assign Firefighter Marty Conlon and Firefighter Toby Provençal to the position of Acting Lieutenant at a rate of \$24.26 per hour for a period not to exceed six (6) months as recommended by the Fire Chief, carried 5-0.*
- 4) *Motion by Selectman Luszey, seconded by Selectman McGrath, to list 4 Chestnut Street (Map 247, Lot 045) for \$297,000, 3 Chestnut Street (Map 247, Lot 051) for \$149,000 and 17R Eays Pond Road (Map 247, Lot 075) for \$149,000, carried 5-0.*
- 5) *Motion to adjourn at 9:47 p.m. by Selectman Nichols, seconded by Selectman McGrath, carried 5-0.*

B. Public Hearing - Amendment to Town Code Chapter 188 "Dogs and Other Animals", Section 188-4 "Fines and Fees"; and Chapter 205 Fees, Section 205-9 "Animal control fees"

Chairman Luszey opened the public hearing at 7:34 p.m. Does anyone in the audience wish to speak on this item and clearly articulate their name for the record? Seeing none, I will close the public hearing at 7:35 p.m.

*Motion by Selectman McGrath, seconded by Selectman Nichols, to adopt the amendments to Chapter 188 "Dogs and other Animals", Section 188-4 "Fines and fees", Section 188-5 "Failure to pay fines and fees", and Chapter 205 "Fees", Section 205-9 "Animal Control fees", carried 5-0.*

C. Employee Separation - Exit Interviews

Chairman Luszey recognized Town Administrator Steve Malizia.

At the last meeting, Steve Malizia said we reviewed this policy. There were some changes voted on by the Board. So what you have is now a document that has the original changes and then the changes that Board members asked for. I believe if I'm correct the original text is in black. The text that we had already approved previously was in blue and the new changes that you requested are in red so you can track them. When this document is done, we'll take all that out and it will just be a nice, clean document. For now, you can see the evolution.

Selectman McGrath stated I reviewed this in comparison to my notes from the last time. Everything that I had requested has been modified in this document. It matches up perfectly but I missed one. It's under "benefits" on page two. Change it to "shall". The Finance Department "shall" be notified...That's the only other change that I would request and I don't need to see it back.

Selectman Coutu noted that was one that I found. I would like to suggest one other. On the first page where the questions are, I believe that historically question #8 should be the very first question. Why are you leaving the job? I believe that should be the very first question and then you can put them in descending order after that.

Chairman Luszey had no objection.

Selectman McGrath didn't either. That's a simple move.

Selectman Coutu said other than that, you guys caught them all.

*Motion by Selectman Nichols, seconded by Selectman McGrath, to adopt the amendments as noted to the Hudson, NH, Personnel Policies, III Employment, G. Employee Separation, carried 5-0.*

Selectman McGrath asked now that we've adopted the changes and modified the policy, the two individuals that wanted to come in for an exit interview with the Board of Selectmen will we schedule those? Mr. Malizia said I'm aware of one. He'll be scheduled at the next meeting. Selectman Coutu didn't think the other employee is going to ask. Mr. Malizia indicated he hasn't been an employee for 9 months. The employee that requested it will be in at the next meeting.

Selectman McGrath said that employee that we're dancing around - the first one that retired - when he sent out the e-mail much later, he indicated - Steve Malizia note I've never seen it. I'm at a loss but that's okay. I'm sure everybody else did. Selectman McGrath meant to forward that to you and I keep forgetting. He indicated in that e-mail that he would have liked to have had an exit interview with the Board of Selectmen. Again I'd still like to give him that opportunity.

Chairman Luszey said he is scheduled because I talked to him and I told him we would schedule him after this policy was approved. He would come in on the last meeting of this month.

Selectman McGrath was explicit. Captain Hansen was the first one that retired and subsequently sent us an e-mail after Captain Morin retired. He indicated in that e-mail that he sent that Steve still hasn't seen. I will try to remember to forward that to you tomorrow.

Chairman Luszey noted I have not seen the Morin one. I have not seen that one.

Selectman McGrath said I don't know that. I get e-mails and I assume that I'm the only person and I go to respond and all of a sudden I find out that everybody else has gotten it.

Chairman Luszey apologized. I thought we were talking about the second person which I did get an e-mail and I thought we were on the same page. I did schedule him in.

Selectman McGrath said it's Captain Hansen that I'm referring to that if he wants to come in, I'd like to give him that opportunity.

Selectman Coutu noted Todd watches so Todd if you want to come in.

Selectman McGrath said I wouldn't know him if I fell over him. I don't know. Selectman Coutu stated he's a great guy. Great service to our community. Great guy.

8. NEW BUSINESS

A. Police Department - Request to advertise for Part-Time Victim Witness Advocate position

Chairman Luszey recognized Police Chief Jason Lavoie.

Good evening and thank you for allowing me to be here tonight. Chief Lavoie indicated the request before you is just that to advertise for a Victim Witness Advocate position. The one that we currently have has been with us since roughly July of 2006. She's moving on to new challenges as I had indicated in a previous e-mail. The position is a very valuable position in the department. There's a lot of coordinating with victims of crimes as well as witnesses to include case preparation as well as a lot of advice that goes onto residents within the community. That's why I'm here before the Board. If you have any further questions or need more detail about the position, I can certainly hear that.

Selectman Coutu asked Steve Malizia since the revision of what constitutes part time and full time, is 34 hours the accurate? At 35 they're full time; at 34 they're part time. Mr. Malizia thought it's 32 now. For pension purposes, for healthcare purposes, they can buy healthcare at 30 hours. Selectman Coutu agreed but they pay for it. We don't apportion the 80 percent. That was Mr. Malizia's understanding. For pension purposes, it's 32. Selectman Coutu said this person would be eligible if we were to allow the 34 hours. Based on and understanding the guidelines, Mr. Malizia said 32 is now the pension cutoff. The contract actually says working up to 34 hours. It doesn't guarantee this person 34 hours. It's up to the Chief but it says up to 34 hours in the contract. I can't change the contract but we don't have to hire them to work 34 hours.

Knowing how much work, Selectman Coutu said this is a valuable position. It's a tremendous asset to have this position within the Police Department. I'm surprised it's not a full time position. We're one of the few municipalities I think of our size that doesn't have a full time advocate. She did outstanding work. She's known in the public arena to those people who have been subjected to the need of an advocate having been victims. She's done television broadcasts about her availability and what resources there are in our community as well as our environs. Our environs mainly constitute nonprofits in the Nashua area but there are also some in the Merrimack and Manchester areas. She had worked in coordination with a lot of them. A victim of abuse whether they live in our community or they live outside of our community affects in many ways our community. It spills over from one community to another. You know yourself Chief you're chasing somebody that lives in Hudson and they're now in Nashua beating on

somebody over there. Then they're coming back here. It affects 2 or 3 communities that have to get totally involved in and we need to protect those people who are looking for an advocate to give them the resource to get them the kind of protection they need and any legal recourse that might be or sources that might be available to them to seek that protection and in some instances need housing for them and their children. I understand the need for the position. Do you know offhand did she partake in the retirement system or would she had to have been mandated? She did not partake in the retirement system. Mr. Malizia indicated she was not in the retirement system.

Selectman McGrath had sent an e-mail to Chief Lavoie after you notified us that she was taking another position. I had asked you in that e-mail whether or not a full time position would have enticed her to stay. I agree completely. I think that a full time position for an advocate in the Police Department is a necessary position and it's something that we really should consider upgrading that position to full time so that we get someone that's here on a regular basis, 40 hours a week, whatever time you'd want to schedule them for. Crime happens all hours of the day and night, 7 days a week and it's not always 9 to 5. It's not always women. It's men too and it's children. I think it's really a very important position that we should support as a full time position. I would assume that you would like to have a full time advocate on staff as opposed to a part time but that's my thought process. I think that's it's needed.

Chief Lavoie said I think I can hear my prosecutor right now jumping up and down screaming if that was the situation in support of that. Our prosecutors have been asking for a couple few years now. Looking at the limited amount of available funds in total, I've made decisions that I needed to take some other steps, taking bites of the elephant but certainly this is one that yes we could certainly use for your reasons that you've articulated and then some. It is an important position.

Chairman Luszey suggested that we add to my ongoing list of items is that we add to this year's budget cycle to move this position to a full time position and put it on the warrant. It's on 4 hours away from a full time position but the gotcha is the benefits. It adds a significant amount of money to that position hence why I think it should go - anytime we go from part time to full time, we owe it to the voters to approve that. Unless we have another part time position, we'd want to.

Selectman Coutu noted here's where I have difficulty with what has always transpired in the past. There's no mandate that we have to go to a warrant article. We're not talking here about maybe supplementing a laborer somewhere or throwing in another police officer. Here we have a position which the Police Chief just said that his prosecutor would be jumping up and down strongly supporting the need for this position. Obviously there is a need and there's a reluctance I believe and I'm not going to speak for our Road Agent who's here, our Police Chief, our Fire Chief, or any other department head who I think can strongly articulate need for additional personnel but are reluctant to do so only because we have been reluctant to allow them to want to put these things on warrant articles and when we do, we've been shut down so many times. My feeling is this - even though we manage by absentia, we put a lot of faith and trust in our department heads to accomplish an awful lot of things. When there's a position that a department head - in this case the Police Chief - feels there's a seriously a dire need to go full time - I know why he never asked for it to be full time is because they don't want to hear no. They'll just come in and its status quo because that's pretty much what we've told them to do all these years. It's going to be status quo. We don't want anything over 1 percent or 2 percent of the budget.

Selectman Coutu thought that we're talking here about a victim witness advocate. The crime rate in all communities is increasing and not decreasing and the need for manpower is dire. I think that based on my knowledge and the responsibilities who occupied this job, I think she could have worked 60 hours a week and still not be able to accomplish everything she felt she needed to accomplish to adequately serve the needs that were existing within our community. I'm a strong proponent of not waiting an additional 13 months to make the person full time when there's a need right now to do it.

Chairman Luszey thought talking about not wanting to hear no, the last couple of election cycles we've not heard a lot of nos. As a matter of fact this last past election cycle, the Recreation Department requested a position go from part time to full time and it was supported overwhelmingly. My concern right now is the taxpayer is not going to see the impact of this last election until December and it's going to be huge. We're talking about adding about a penny maybe a penny and a half on top of the current tax rate. If this Board wants to take a position from somewhere else to fill this role full time, I don't have an issue with that. I would strongly support that. Like we've done in the past when we had unfilled personnel within the Town, we used those open positions to basically support the opening of Robinson Road Fire Department with firefighters without adding to the incremental head count to the population of the town employees. If we want to do that here, I'm all for it. If we want to get that conversation going, I would ask the Chief to put together a package and come back at our next meeting to show exactly what it's going to cost the town to make this position go from a part time to a full time and incremental cost.

Selectman McGrath said in the interim, he needs to fill that position. We can't afford not have someone...Chairman Luszey was not asking to not...Selectman McGrath said but there's no point in advertising a part time position if we're going to authorize a full time position in a few weeks. I would rather authorize the full time position tonight and perhaps you can come back and give us some ideas of how we can - I am more than willing to donate the salary that I receive on this Board to supplement and ensure that we have a full time advocate. I'm more than willing to do that.



That's how important I think that it is. I've told you before I'm an avid newshound. I'm reading the news on a daily basis. I watch it almost all day every day. It's a little obsessive I know but I read something the other day that will haunt me for the rest of my life and I'm not going to tell you what it was but it involved a child in a different State and they needed a strong advocate. That child is no longer on this earth. She's in a far better place today. If we ever had suffered in this community that loss, I think we'd all recognize how important that position is and how crucial it is. I'm more than willing to donate what I earn from sitting on this Board to insure that we get that full time position.

Chairman Luszey appreciated the offer.

Selectman Saucier asked are we able to post the position as a part time position with the potential to go full time after you got your numbers and information together and present it to us? Chairman Luszey said you could but I think you would get a different response to a posting. The level of candidates would be very different. That's why I would much rather defer this. If we're serious about moving this to a full time position, have the Chief come back with the full proposal at our next meeting with the finances we're going with and how we're going to do that.

Motion by Selectman Coutu, seconded by Selectman McGrath, to defer to the next meeting.

Selectman McGrath indicated I'll second to allow a deferral so that the Chief can come back. I can tell you that when he does come back, I am going to be in full support of a full time advocate's position for that department.

Selectman Nichols asked on this part time person, are they still there? Are they doing their two week or are they gone? Chief Lavoie said she's still with us. She gave us a month notice.

Vote: Motion carried 5-0.

B. Request to purchase replacement brush chipper for the Highway Department

Chairman Luszey recognized Road Agent Kevin Burns.

Good evening. Kevin Burns noted I'm here tonight to replace a 31 year old brush chipper. Funds were approved in Fiscal '17 budget. While researching chippers and preparing specifications like I've done several times in the past, I found the chipper available through GSA which is a federal government bidding process. It's almost a \$2,300 savings going through GSA. It's a 12 inch brush chipper. Ours is definitely due for replacement. The vendor is aware that I cannot take delivery or make payment until after July 1<sup>st</sup>.

Selectman Coutu asked can we get anything for the old one. I know it's not a vehicle. It's not a trade in but will it go to our auction or to that other company that we send our stuff to? Mr. Burns said to be honest at 31 years old, I think the safest thing to do would be to scrap it and I would be afraid of someone getting hurt on it and I don't know the potential liability. Selectman Coutu said to sell the metal to our only scrap metal dealer in town and probably pick a couple of bucks there. Mr. Burns said its 31 years and it's not worth much.

Motion by Selectman Coutu, seconded by Selectman Nichols, to purchase a new RC1220-70 brush chipper from Rayco Manufacturing of Wooster, OH, under GSA contract GS-30F-0021N for \$42,194, carried 5-0.

C. Solid Waste Contract Extension

Chairman Luszey recognized Road Agent Kevin Burns.

Kevin Burns indicated this one is going to be a little bit longer. It's a little bit more money. Brief history for some. We've had Pinard in town now since 2007. Prior to that, we kind of really had an unregulated trash program. If you could get it out to the street, we took it. Our bills reflected that. We were getting into the plus \$2 million range. The Chairman of the Board of Selectmen at that time told me we have to do something to control our spiraling costs associated with solid waste. In 2007 the first time we went to the automated cart system with the 64 gallon barrels which limited everybody to a certain amount of trash that saved us a significant amount of money. Our costs dropped from \$2 million down to \$1.3 million the first year. Five years later in 2012, we added to the program with the single stream automated recycling. We've been able to really hold the line on our costs. Right now we're running under \$1.5 million because we have a few dollars coming back to us through some things we changed in the contract. Realistically I think over the first 10 years of this contract we have save \$6 to \$7 million and that's if we had been able to hold the price at \$2 million. That price would have escalated as well over the 10 years so it's been a significant savings to the taxpayer.

Now going forward, Kevin Burns said Pinard has been very, very good to us. As you know, I've been doing this a long time. I have dealt with the national and international companies. We never got the customer service that we have gotten from Pinard. So Pinard I've been speaking with them on this and they have offered a 5-year extension to the contract. To get into some of the details of the extension, in the final year of this contract which would be July of this year, they have agreed to waive the cost of living increase which is 2 percent which is a savings to us of in excess of

\$21,000. The only thing they cannot hold the escalation on is the disposal fee for the trash because that is set by a different company and have a contract with them through Pinard. It's a \$21,000 savings to us. The first year of the extension Pinard will again waive the 2 percent increase. So that's 2 years with no increase on the regular operating cost. The next phase of the extension is the first year of the extension in 2017; Pinard will roll back our disposal fee at the incinerator where our trash goes to the first year of our current contract. So we're rolling back the clock 5 years so we'd be dropping our disposal fee to \$65. Right now we're at \$70.36. We're going back \$5.36 which is a significant savings. They're also going to drop our disposal rate from the cleanup days at the landfill from \$68.45 to \$63.00.

Kevin Burns stated the one thing that is changing on the other end is recyclables. The days of zero tipping fees on recyclables are gone. China is where a lot of them went. Their economy is not doing well. Also when fuel and gasoline prices go down, tipping fees for recyclables go up because there's no market for the plastics or any of that stuff. Pinard has agreed to cap our disposal fee at \$25. Right now they are paying about \$38 to get rid of our stuff but they have agreed to cap it at \$25. If it goes up to \$50, if it goes up to \$75 for the life of this contract - so it's to 2022, the most we will pay is \$25. If recyclables turn around, we will pay whatever the gate fee is. If it's below \$25, we will pay that fee. If it goes down to \$10, we get it for \$10. If it happens to turn around where you get people buy the recyclables, then we will get the money. It's almost like I had set up in this contract with our fuel escalator. I had learned that if you don't give these companies a way to cover their losses on escalating fuel costs, they bid worse case scenario. I included that in the last contract but since then, fuel has gone down so much they are actually paying us \$30,000 a year with this fuel escalator. I thought okay it's going to go up a little bit every year. Well it's gone down to the point where we now have a \$30,000 credit for this year in fuel. So that's how the recycling would be set up. Cap to \$25 and anything below \$25 is what we pay. Anything below zero or a credit, we get the cash. On the bottom of the second page is what I estimate our annual cost will be for the 7 years counting Fiscal '16 but for the next 6 years, this is to be up front. This is worst case scenario. This is if recycling stays at \$25. We all of a sudden stop getting a fuel credit and we stop getting the \$15,000 for the sale of the yellow tops. If you have any questions on any of this, I know I deal with it every day and you don't. I think this is our worst case exposure is on page 2. Various credits that are built into the contract I think it will be below this. Through now until Fiscal Year 2022, we're going to be still within the 1.5 to 1.6 million range which is going to give us almost 15 straight years of flat fees for our trash which I think is pretty unheard of. I think we've done well and that's our biggest, single ticket item that the town has in a single contract.

Mr. Burns said Pinard was very good with working with me on this. They could have proposed just a simple hey here's an extension let's keep the contract rolling for the next 5 years. If they had done that well by doing these changes and not just simply offering a 5 year extension simple language, we're saving \$225,000. They're being very, very fair with us. They've been very good to work with and I think 15 years of not having any trash increase of any significance is worth accepting this offer.

Chairman Luszey thought there's something to be said about the continuity by the residents on what's going to happen. Basically there is no change. Mr. Burns noted most residents aren't going to know anything happened. Chairman Luszey said their tax bill is affectedly unaffected on this piece of it. So we get the same service, actually a little better service I think because over the last couple of years their service has improved.

Selectman McGrath had two questions. We talked about the gas prices and how they've been declining so we're going to realize some sort of an offset for that. However, they're starting to go back up again. I haven't really focused on that watching the news but I do know that they're starting to escalate again and I don't know what the long-range projection is. Have you considered that that might happen? Kevin Burns said yes. From talking to the people in the industry as fuel costs go up, recyclable/disposal costs go down because now there's value in the plastics that's in the single stream.

Selectman McGrath said they're proposing that we may get money back if the fuel cost continues to decline correct? Is that what you just said? Mr. Burns said no. If the recyclable costs decline, then our maximum exposure is \$60,000 a year. That's at \$25. If it goes below that, then our exposure goes down to the point of I don't know what's going to happen in 2022 but if somebody comes up with a use for glass, we'll probably make money.

Selectman McGrath's only comment that I have is that the letter from Pinard is not signed. I think that we need to get a signature. Mr. Burns said I this was approved, there would be a formal contract drawn up. Selectman McGrath picked up on things like that. I think it's important. I like to see signatures because it's assuring that they've read what they're proposing and that they agree with what's provided.

*Motion by Selectman Nichols, seconded by Selectman McGrath, to approve the five (5) year contract extension with Pinard Waste Systems of Manchester, NH, running from July 1, 2017 through June 20, 2022. The contract extension changes are defined in the Road Agent's Memo to the Board of Selectmen dated April 4, 2016, carried 5-0.*

Selectman Coutu stated we had a discussion a week ago. I think that Selectman McGrath may have been the one to bring it up and I jumped in. Kevin responded. I thought it was very generous of him and I was pleased. Selectman McGrath if you remember we discussed the entrance to our community via the bridge and how shameful that area is and it's a disgrace to have people coming across the bridge and they have to look at this unsightly mess. Kevin had

sent me an e-mail and I'm going to read the prefix. There's nothing here that I wouldn't disclose to all of you. He agreed with what was said and he was embarrassed by the how the area looks when you go off the Sagamore Bridget. So that's the prefix. We do not own the property. It's not owned by the State Kevin. It's actually managed by the Turnpike Authority. The Turnpike Authority is not going to show up there and do anything because they don't have any intention of doing anything with the land until they finally make a decision on whether or not they'll ever allow us to put an extension off the Sagamore. I noticed that in the south end of town the State picked up rubbish from Wal-Mart south and they stopped there. As I went by this weekend and I went by again tonight on my way to the Board of Selectmen's meeting, it's still unsightly. It's just overgrown. There's too much brush. Kevin feels that he can go in there - I believe you said Kevin with a crew of 3 men. You can cut it back. It would take you no more than a half a day. You'll clean it up, make it look good, and he'll even put up a sign that says "Welcome to Hudson, NH". We doubt very seriously - we had this discussion that the Turnpike Authority are going to take that sign down without first calling Kevin and say hey you've infringed on our properties and we want to have this sign removed. I think they'd offer him the opportunity. I personally would rather see the signs that are out there advertising furniture sales in Nashua, NH, removed than I would having a sign welcoming people to our community. He said to me just give me the green light and I told him I had no authority to give him the green light. I would bring it to the Board. He's willing to do it. It can be done. I'm sure that unless somebody is standing there from the Turnpike Authority right then and there when his men are clearing it, we'll have it cleared in a half a day and it will look a little more presentable. I think we're seeking consent from the Board to allow Kevin and it would just be a consensus to proceed with that project whenever he has time.

Chairman Luszey agreed with that and it might even get someone from the Turnpike Authority to come here and say who's developing this.

Selectman Coutu hoped it embarrasses them and they do act accordingly. Kevin you have consent to do it. Thank you. We appreciate it.

D. Request for Release of Impact Fees

Chairman Luszey recognized Town Administrator Steve Malizia.

Steve Malizia noted you have before you a request from the Hudson School District for the release of \$100,000 worth of school impact fees. These impact fees have been collected from various developments in town. They are used basically for population, additions, whatever to the school. It's been ruled in the past that they may be used for bond payments. Bond payments for the expansion we made to Memorial and I believe when they built Hills Garrison. This is an annual request. They're requesting \$100,000. It's my understanding from Mr. Cashell they've been to the Planning Board. The Planning Board unanimously recommended it. I recommend that you authorize release of \$100,000 from impact fees for the school.

Selectman McGrath indicated I wasn't at that Planning Board meeting when this was brought up so I don't have any of the background information. Do you happen to know how much we have in impact fees for the school? Steve Malizia noted it's the last page on this document. It indicates we have \$240,579.02. Selectman McGrath asked if that was going to be reduced by \$100,000. Mr. Malizia agreed.

Chairman Luszey asked do we know if there's any additional impact fees are going to be added to this for next year. Selectman McGrath stated we get impact fees if residential development comes in. I don't know if we have anything coming up. Chairman Luszey said I can't think of anything coming up. Selectman McGrath couldn't either but now its spring time and that's when they get busy and they start making plans to do other things. The potential is there. I just don't believe that we have anything in the immediate future but that doesn't mean...

Selectman Coutu said the project that was before us just recently. The pipeline project and whether to draw the water directly across the street or on the street. That's going to have impact fees attached to it and bring in some revenue.

Selectman McGrath asked is that a 62 and older community or 55 and older. Mr. Malizia said it was age qualified I believe. Selectman McGrath said the impact fees for schools shouldn't if it's a 62 and older community, that won't apply because there can't be any children associated with that. Mr. Malizia noted it doesn't say that. It says you have to be 62. Believe me I have kids and I'm getting there. Selectman McGrath said that's the purpose. When they come in for a development for 62 and older, they get a benefit for that. The lot size is smaller. The density is far different. They've got a larger density that's allowed for those developments because they're not going to be impacting the schools. The infrastructure that they are going to be impacting typically is fire for emergency vehicles, ambulance, and paramedics, and all of that. The 55 and older communities they are assessed in impact fees for schools because those developments they can have children. They're not designed for that but the density isn't as great so they do pay an impact fee for schools. The one that you're talking about Selectman Coutu if that's a 62 and older impacts fees I don't believe apply. If it's 55 and older, then they would be assigned impact fees for the schools but I don't know what the value would be.

Motion by Selectman Coutu, seconded by Selectman Saucier, to release \$100,000 from the Hudson School Impact Fee Account, 2080-051, in accordance with a written request for same from the Hudson School District Business Administrator Karen Burnell dated February 26, 2016. The Planning Board voted 6 to 0 to recommend the release of these funds at their March 23, 2016 meeting, carried 5-0.

E. Revenues and Expenditures

Chairman Luszey recognized Town Administrator Steve Malizia.

Steve Malizia noted these are through the end of March. If you divide that out, it's 75 percent of the year. We are basically through the first  $\frac{3}{4}$ . We've had obviously a fairly mild winter notwithstanding the last couple of weeks with some snow flurries. We are doing very well there. Overall I believe the town is going to end with probably a surplus on our expenditure side. Clearly on the motor vehicle registrations, we are doing very well. We're at 86.7 percent. We're probably going to hit \$4.8 million there which will flow to our surplus where you'll be able to make decisions if you want to reduce taxes, if you want to dedicate it to a project. You will have some choices in the very near future.

Selectman McGrath commented on hire a full time advocate for the Police Department. Steve Malizia said no. You can't exceed the appropriations so I can't give you the revenue. Sorry. Even the interest has done pretty well because that's three times what we thought it would be which is nominal but nonetheless doing better. As I remind everybody, ambulance is a month behind and I think that's definitely going to be on target to hit those numbers too. I don't see any cause for concern at this point in time. I think, again, we've had a very strong year. If you've witnessed the Town Clerk's office so far this month and the end of last month, there's been lines. There's been a lot of folks coming in. Hopefully there's some optimism out there and things seem to have improved for the majority of people.

Based on Selectman Coutu's calculations on the cable franchise fees, the anticipated revenue was \$60,000. To date, we will get it looks like \$58,020 with still three months to go.

Steve Malizia indicated we get a quarterly check from the cable franchise fees I believe. We get them quarterly. Selectman Coutu said we're at \$58,020 now where our anticipated revenue was 60. We're going to certainly exceed that with three months to go.

Steve Malizia said there's a lot of positiveness in these. Again from the expenditure side, I don't see any cause for alarm. Our major departments are tracking where they should be. As I've stated, we've encumbered the trash contract. You just heard from Kevin. They're paying us for the fuel at least. It's been a good year for that.

Chairman Luszey asked to follow up on Selectman Coutu on the cable utility. Given that we are going to exceed it I think by quite a bit, would this Board entertain looking at, and I'm not sure if we can, decreasing the franchise fee percentage to the cable users and still maintain what we budgeted for?

Steve Malizia believe starting in '17, we're going to have that as a revolving fund which the expense is going to be in there and 80 percent of it or the other 20 percent is going to bounce back to the town. So the relationship is going to change a bit here. It's going to be a separate revolving fund where expenses get paid out of, revenue goes into, and that's paying for that operation. I believe we've dedicated 20 percent back to the general fund. That will be starting in July.

F. Liaison Assignments

Chairman Luszey believed everybody has a copy in their packets. What I attempted to do this year is assign folks in areas that they haven't covered in the past. I also tried to make sure that at least everyone got one of the assignments that they requested. I hope everyone is okay. What I'm trying to do here is if you take a look at the assignments in the past, we tend to get comfortable in a particular assignment and we lose some of the flexibility among the boards to move around from department to department and to really understand the overall operations of the town. This is year one as I'm looking to begin to build that depth and breathe of experience of the Board so that as some of us move on, there is no holes in the institutional knowledge as this Board goes forward.

Motion by Selectman Coutu, seconded by Selectman Saucier, to approve the Board of Selectmen Liaison Assignments for the upcoming year, carried 5-0.

G. Appointment of Selectman Representative to Planning Board

Chairman Luszey explained as you know this is an appointment of one of us to represent this Board as a voting member to the Planning Board. I would recognize Town Administrator Steve Malizia.

Steve Malizia said per the Statute, the appointment runs with the officials term so whichever Selectman you appoint, that appointment would run to the end of their term on the Board of Selectmen. As you recall, Selectman Maddox had it for some number of years. So whoever you appoint, again, it runs to the end of their Selectmen term.

Chairman Luszey asked to the term or for a particular year. Selectman Coutu said no. It's the term of the Selectmen that's appointed.

Mr. Malizia read: "Except as provided in subparagraph b., the term of any ex-officio member serving on a local land use board shall coincide with the term for that other office except in the term of an administrative official." You could appoint me for example which would be for a specific for a year but anybody else it's for their term at this point.

Chairman Luszey said if it's a one-year term, it's a one year. If it's a three-year term, it's a three-year term. Selectman Coutu noted it's whatever is left in their term.

Motion by Selectman Coutu, seconded by Selectman Nichols, to appoint Selectman McGrath, as the Selectman Representative on the Planning Board

Selectman Coutu stated whether you like Ms. McGrath or not, it doesn't matter to me. I'm sure I'm going to hear some people say well what did you nominate her for. Then I'll have a lot of other people who will agree with me that there is no one individual that serves on this Board presently with more years of experience than she has serving our community both in Planning and in Zoning. I know that we both have history on this town as does probably all of us in some fashion. Whether you've lived here 6 years, or you've lived here 20 years, or you've lived here 21 years, we all have history with this town. My history goes way back to when George Ayotte first bought the farm stand when it was a farm stand and it is what it is today. The Stateline store that it is today. Selectman McGrath interjected and said it was Maddie's. Selectman Coutu said when my wife and I first looked at buying a house in this town, we looked on Par or Birdie Lane. They were just building them at the time and we couldn't get the developer to move \$5,000 and they couldn't get me to move \$5,000 so we bought elsewhere. It was always our first choice but you have the knowledge and you also grew up in this town. You were educated in this town. You know probably on the back of your hand more about this town than we all collectively will ever gather in knowledge. I think that I am honored to be the one to have made the motion to ask you to serve us and represent us because I know in my heart of hearts, and I'm not making this motion based on my heart. I'm making this motion on what I think is in the best interest of our community to have someone that is going to be committed, that's going to get it done right, and is going to vote with a great deal of intelligence and common sense at the same time. I have no reluctance to say I to appointing Selectman McGrath to that position.

Selectman McGrath thanked Selectman Coutu.

Vote: Motion carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - I have nothing.

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

Selectman Nichols - Nothing at this moment.

Selectman Saucier - Nothing at this moment.

Selectman Luszey - Unfortunately I have two items. I got a call from Speaker Jasper regarding the Benson Committee meeting. They're going to be coming in at our next meeting with a request for permitted parking up at the top and to make that part of the Town Code. I requested that Mr. Barnes come in with a drawing to show where that might be. The whole purpose of it is that there is a number of elderly that are not handicapped but it's difficult for them to bring their tools and stuff into the park because we're not allowing them in the park any more with the vehicles to go tend to their gardens. So what he's looking for is I believe its 5 designated parking spots up at the top that would be assigned by permits and there would be more than 5 people that would have the permits. They could apply and we would give them a permit to allow them to park up top versus way down the bottom. Think about that for our next meeting.

The other thing Chairman Luszey wanted to bring up is the workshops. I am not one that tends to like to attend meetings for the purpose of attending a meeting without having to be truly useful. I've been thinking about what I would like to see in terms of what we do with the workshop. I would ask that each of you think about that for our next meeting because I will have an item on our agenda to talk about what the structure and what we want to accomplish during a workshop if we even have workshops. For me, it's got to be meaningful. It's got to produce an outcome versus an extension of this meeting. If we want an extension of this meeting, let's declare it another Selectmen's meeting and so be it. If it's a workshop, let's declare what we want to do that's different in a workshop versus a Selectmen's meeting. I have some ideas and I'll share with you at our next meeting.

10. NONPUBLIC SESSION

Motion by Selectman Coutu, seconded by Selectman McGrath to enter RSA 91-A:2 I (a) Strategy or negotiations with respect to collective bargaining; RSA 91-A:3 II (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; (d) consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community; and (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 8:45 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 10:44 p.m.

Motion by Selectman Coutu, seconded by Selectman Saucier, to seal the minutes, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman McGrath, to promote Michael Johnson as the HCTV Assistant at a rate of pay of \$15 per hour for up to 28 hours per week effective April 13, 2016, carried 5-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to hire Erika LaRiviere for the position of Executive Secretary in the Fire Department effective May 1, 2016. This assignment will be a non-exempt position and in accordance with the Police, Fire and Town Supervisors' Association Contract with an annual salary of \$39,663 (Step 1) as recommended by the Fire Chief, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman McGrath, to amend the contract between the Town and Hudson Police Employees Association by striking out the words in Section 8 "Military Leave" under paragraph (b) "service of the State of New Hampshire" and inserting "service to any State of the Union as a member of their National Guard" and amend paragraph (c) by striking "service of the State" and inserting "service of any State", carried 5-0.

Motion by Selectman Saucier, seconded by Selectman Nichols to sell 6 Bear Path Lane to Vicki Provencher and David Provencher in the amount of \$260,000, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman Saucier, to sell 3 Chestnut Street to RPNT Properties, LLC, in the amount of \$160,000, carried 5-0.

Motion by Selectman Coutu, by Selectman McGrath, to sell 4 Chestnut Street to K & M Developers, LLC, in the amount of \$305,000, carried 5-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to sell 17R Eayrs Pond Road to Reginald Moreau in the amount of \$205,000, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman McGrath, to enter Nonpublic Session pursuant to RSA 91-A:2 I (a) Strategy or negotiations with respect to collective bargaining, carried 4-1 by roll call. Selectman Coutu in opposition.

11. ADJOURNMENT

Motion to adjourn at 10:51 p.m. by Selectman Coutu, seconded by Selectman Nichols, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

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Ted Luszey, Chairman

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Marilyn McGrath, Vice-Chairman

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Roger E. Coutu, Selectman

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Pat Nichols, Selectman

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Angela Saucier, Selectman