

HUDSON, NH BOARD OF SELECTMEN
Minutes of the December 22, 2015 Meeting

1. CALL TO ORDER - by Chairman Maddox the meeting of December 22, 2015 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: Rick Maddox, Roger Coutu, Pat Nichols, Marilyn McGrath, Ted Luszey

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Elvis Dhima, Town Engineer; Kevin Burns, Road Agent; Fire Chief Rob Buxton

4. PUBLIC INPUT

Chairman Maddox asked if anyone in the audience wished to address the Board on any issue which the Board has control of at this time.

5. NOMINATIONS AND APPOINTMENTS - None

6. CONSENT ITEMS

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

Selectman McGrath asked to remove D. 2.

Steve Malizia wanted to point out on the calendar under F on the 11 of January the Budget Committee meeting is at the Community Center. That's a public hearing. Also on the 19th if needed that Budget Committee meeting would also be at the Community Center. Those are the public hearings for the annual budget.

Motion by Selectman Coutu, seconded by Selectman Luszey, to approve consent items A, B, C, D 1., E and F as amended and noted or appropriate, carried 5-0.

A. Acceptance of Minutes

- 1) Minutes of the October 26, 2015 meeting
- 2) Minutes of the October 27, 2015 meeting

B. Assessing Items

- 1) Current Use Lien Releases - Map 207, Lot 8-5, 8-6, 8-9 & 8-14 - 19, 27, 34 & 45 Moose Hill Road, w/recommendation to approve
- 2) Current Use Lien Release - Map 135, Lot 17 - 25 Griffin Road, w/recommendation to approve
- 3) Veteran Tax Credits - Map 184, Lot 032, Sub 043 - 95 Brody Lane; Map 184, Lot 032, Sub 066 - 88 Brody Lane; Map 156, Lot 019 - 7 Easy Street; Map 254, Lot 038 - 134 Dracut Road; Map 149, Lot 001, Sub 056 - 34 Glasgow Circle, w/recommendation to approve
- 4) Current Use Lien Release - Map 111, Lot 72 - 8 Senter Farm Road, w/recommendation to approve

C. Donations - None

D. Licenses & Permits

- 1) Raffle Permit - British Cars of New Hampshire (BCNH)
- 2) Hawker/Peddler/Itinerant Vendor's License - James Kubit a/k/a Jimmy's Catering

Selectman McGrath said the question that I had looking over this was the location of sales. It looks like it's not one precise area. It looks like he's planning to go all over town. Chairman Maddox said this is a mobile epicurean vehicle. They go to various businesses. This one actually comes into the one in the park that I'm in. They don't stay in one site for more than maybe 10 minutes. Selectman McGrath asked you've had experience with this one. Chairman Maddox said yes.

Motion by Selectman Coutu, seconded by Selectman Luszey to approve Consent Item D. 2., carried 4-1. Selectman McGrath opposed.

E. Water/Sewer Items

- 1) Water Abatements - W-UTL-15-06, 24 Glen Drive; W-UTL-15-07, 14 Hemlock Street, W-UTL-15-08, 142 Lowell Road, w/recommendation to approve

F. Calendar

- 12/25 CHRISTMAS - TOWN HALL CLOSED
- 12/28 7:00 Budget Cte - Buxton CD Meeting Room
- 12/28 7:00 Sustainability Cte - BOS Meeting Room
- 01/04 7:00 Budget Cte (School collective bargaining) - BOS Meeting Room
- 01/05 7:00 Board of Selectmen - BOS Meeting Room
- 01/06 7:00 Budget Cte (School & Town wrap up) - BOS Meeting Room
- 01/07 6:30 Recreation Cte - BOS Meeting Room
- 01/07 7:00 Benson Park Cte - HCTV Center
- 01/11 7:00 Conservation Cmsn - BOS Meeting Room
- 01/11 7:00 Budget Cte (public hearing) - ~~Buxton CD Meeting Room~~ Community Ctr.
- 01/12 7:00 Board of Selectmen - BOS Meeting Room
- 01/13 7:00 Planning Brd - Buxton CD Meeting Room
- 01/14 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
- 01/18 MARTIN LUTHER KING, JR. DAY - TOWN HALL CLOSED
- 01/19 7:00 Budget Cte - if necessary - ~~BOS Meeting Room~~ Community Ctr.
- 01/19 7:00 Cable Utility Cte - HCTV Center
- 01/20 5:00 Municipal Utility Cte - BOS Meeting Room
- 01/20 7:30 Senior Affairs Cte - Buxton CD Meeting Room
- 01/21 3:00 Trustees of the Trust Fund - Buxton CD Meeting Room
- 01/21 7:00 Benson Park Cte - HCTV Center
- 01/21 7:30 Budget Cte (sign forms) - Buxton CD Meeting Room
- 01/25 7:00 Sustainability Cte - BOS Meeting Room
- 01/26 7:00 Board of Selectmen - BOS Meeting Room
- 01/27 7:00 Planning Brd - Buxton CD Meeting Room
- 01/28 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on December 8, 2015

- 1) *Motion by Selectman Coutu, seconded by Selectman Luszey, to seal the minutes, carried 5-0.*
- 2) *Motion by Selectman Coutu, seconded by Selectman McGrath, to reduce the listing price for 5 Hopkins Drive from \$90,000 to \$84,900, carried 5-0.*
- 3) *Motion by Selectman Coutu, seconded by Selectman McGrath, to reduce the listing price for 11 Summer Avenue from \$95,000 to \$89,900, carried 5-0.*
- 4) *Motion by Selectman Coutu, seconded by Selectman McGrath, to reduce the listing price for 14 Adam Drive from \$99,000 to \$94,900, carried 5-0.*
- 5) *Motion by Selectman Coutu, seconded by Selectman McGrath, to reduce the listing price for 6A-B Catalpa Drive from \$140,000 to \$129,900, carried 5-0.*
- 6) *Motion by Selectman Coutu, seconded by Selectman McGrath, to reduce the listing price for 19 Merrimack Street from \$90,000 to \$79,900, carried 5-0.*
- 7) *Motion by Selectman Luszey, seconded by Selectman McGrath, to approve the Tentative Agreement with the Town of Hudson Support Staff, AFSCME Local 1801 for a successor contract, carried 5-0.*
- 8) *Motion by Selectman Coutu, seconded by Selectman Nichols, to approve the Tentative Agreement with the Town of Hudson Firefighters, IAFF Local 3154 for a successor contract, carried 5-0.*
- 9) *Motion by Selectman McGrath, seconded by Selectman Nichols, to approve the Tentative Agreement with the Hudson Police, Fire and Town Supervisors Association for a successor contract, carried 5-0.*
- 10) *Motion to adjourn at 11:02 p.m. by Selectman McGrath, seconded by Selectman Coutu, carried 5-0.*

B. Solar Exemption

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia indicated this is the exemption that the Board of Selectmen had two public hearings on. As you recall I believe over the last two Selectmen meetings you had a public hearings to take input from the public regarding the adoption of a solar energy system exemption. Basically what this would be is if someone installed solar equipment on their property they would be eligible for an exemption should we tax that actual solar equipment. We currently do not but this anticipates potentially down the road taxing the value. Again it's the value of the solar energy equipment. This ordinance if adopted would make that value or allow for an exemption for that value of 100 percent of the valuation. I would believe applicants would have to apply and I believe it would have to be passed by this Board as you do all the other exemptions.

Selectman Coutu said relative to the solar exemption, Mr. Chairman I'm going to speak in favor of the motion that we're proposing to do this evening. The State legislature proposed that under provision RSA 72:61 and RSA 72:62 that a solar energy system exemption which would allow for a solar energy system exemption can be adopted by municipalities in the State of New Hampshire. Mr. Chairman I understand that this question was put before the voters at the last election and it was voted down by the voters in the last election. I truly believe based on conversations that I have had with several people that there was a misunderstanding as to what the intent of the language that was in the proposed ordinance. I truly believe that it is unfair for any community to tax an individual who is trying to do what they can to conserve energy and to make this a greener community. For that reason and solely for that reason, I support us proposing an ordinance which would prohibit us from taxing those people or to assess and tax a value on those people who are installing solar systems for the purpose of saving money and making this a greener community. I hope my colleagues on the Board will support a motion to adopt the ordinance. Thank you Sir.

Chairman Maddox guessed the only question I have is you're making it sound like we are already doing the taxation and assessment when we are not. That's the crux of my argument but did you also read the memo about the DRA may not accept us doing it. It has to be done by Town Meeting.

Selectman Coutu said that our attorney contradicts that. I would say that I would rather resolve it here and now and deal with the DRA later and if they say we can't do it it has to go to Town Meeting, then they're going to undo the good will that we're trying to do for the community that's fine. When I read what our attorney's position was and he stands firmly not only on his recommendation that we can do this but he consulted with another attorney who has had dealings with based on what I read with this particular ordinance and how it was applied in other communities and he too felt very strongly that the DRA would be wrong to undo what the State law now allows us to do.

Selectman McGrath said I'm going to go counter to Selectman Coutu. As I expressed at the last meeting, I'm not going to support this. The reason I'm not going to support this is because this was just before the voters not more than 9 months ago and they voted it down. The town does not and while all of us are here for at least the next year or so have no intention of taxing people with solar energy and people that want to put solar energy in their homes. For the next two years that I'm here, I would oppose that as well. The voters have spoken and I am not willing at this point to take a vote that is contrary to what the voters said again not more than nine months ago. For that reason, I will not support this.

Selectman Luszey commented we caused this confusion. Last year when this item came before this Board we talked in terms of a tax credit. We confused the hell out of our voters. This is not a tax credit. We are exempting our assessors of assessing a tax against an asset that should not be taxed. Like I've said in the past, we do not assess furnaces that are high efficiency furnaces because they saved energy yet because of a unique system a solar energy system that the State government is trying to encourage people to install, they felt it necessary to protect those installations. If we don't do something to protect that, we will kill the solar installation incentives for people to do that. I am in the same boat as Selectman Coutu is. We should have adopted this right of the bat on the first one but we continually talked about a tax credit and when we did the warrant article, the discussion at the Town Meeting was around tax credits. We are not giving anyone a tax credit. This is an exemption. We are in our rights to put this into the town ordinances based on our attorney's review and I think the DRA would be hard pressed to take a stand against this and therefore I will vote in favor of this.

Motion by Selectman Coutu, seconded by Selectman Luszey, to adopt an ordinance amending Chapter 306, Taxation, of the Town Code by adding a new Article XI "Solar Energy System Exemption" and a new section, 306-6 "Exemption Adopted; Amount" which states, The Town of Hudson adopts the provisions of RSA 72:61 and RSA 72:62 for a "solar energy systems exemption" in an amount equal to one hundred (100) percent of the assessed value of qualifying equipment under the Statutes, for property tax purposes, for persons owning real property which is equipped with a solar energy system as defined in RSA 72:61, carried 4-1. Selectman McGrath in opposition.

C. 14 Brady Lane - 12" Water Main Extension

Chairman Maddox recognized Town Engineer Elvis Dhima.

Elvis Dhima thanked the Board. We have the applicant's agent Mr. Basso. He's been in contact with St. Joe's and he's going to provide us with an update and we'll go from there.

Good evening members of the Board Tony Basso with Keach-Nordstrom. Office is at 10 Commerce Park North in Bedford, New Hampshire. After the last meeting I did reach out again several times to Bob Demers. I did get a return call. He's the St. Joseph's Rep. who handles their real estate. I asked him if he'd be willing to sell rights to that easement and what the price would be. He checked with his CFO and they want \$150,000 for the easement. I provided that letter in the packet.

Selectman McGrath noted it's unsigned. Mr. Basso said he sent it via e-mail.

Selectman Coutu said we went through all of this exercise the last time they were before us. I don't want to belabor this. Considering the offer to allow the extension at \$150,000 is it therefore if you remember my comments at the time was I certainly don't want to put a roadblock for you getting water. It's a question of whether or not we cover our bases with St. Joseph's Hospital. Based on the \$150,000 that they're asking to make the connection is it still cheaper for you to come across. Tony Basso said absolutely Sir. We did a cost estimate for both routes which I'd be happy to provide for you. The delta is about \$75,000. It's more expensive by \$75,000 to go the St. Joseph's route as opposed to the other way.

Selectman McGrath asked Mr. Dhima do you concur with the estimate that Mr. Basso has arrived at. Mr. Dhima said I haven't had a chance to look at that but basically I'm assuming you used DOT items and basically on current construction which is standard procedure. I would say that that sounds about right.

Motion by Selectman Coutu, seconded by Selectman Nichols, to approve and sign the proposed water line extension agreement for 14 Brady Lane.

Selectman Coutu appreciated the work that you do for your clients Mr. Basso. I would hope that in the future that if there are other potentials that we have documentation readily made available to us. The St. Joseph thing was dangling out there. As a town, we have to protect our interests. We wanted to make sure that where that line was there why it didn't go all the way why it ended where it ended and it didn't go right up to the street is beyond me. I just wanted to make sure we covered our bases and that's exactly what we did with this letter. I appreciate your reaching out to St. Joseph's Hospital. Thank you Sir.

Chairman Maddox commented I'm not going to vote in favor. I think our Town Engineer and Pennichuck have said this is not the way to go. You've asked a question and you didn't counter proposal but that's completely independent of where I'm coming from as when the Town Engineer and Pennichuck say that this is not the favorable route, I don't think I want to go the other way.

Selectman McGrath agreed. I'm surprised at the letter from Mr. Demers. It's not a letter that I would accept. If I were in Mr. Basso's shoes, I wouldn't accept this. It's not signed. There's a whole lot of information missing. If my recollection is correct and I believe that it is, you said that when you contacted him a couple of years ago they price was \$300,000. That's a significant difference. Perhaps if you had countered you could have gotten it for less. In any event I'm with you Mr. Chairman.

Selectman Coutu asked what documentation were we provided as a Board that Pennichuck said this wasn't the preferred route. I never received anything like that. Elvis Dhima said it was a communication between myself and staff at Pennichuck regarding this particular crossing. Selectman Coutu asked why don't we have it. Mr. Dhima said it wasn't in writing. Selectman Coutu noted the Chairman knows about it. Chairman Maddox indicated he told us last meeting.

Tony Basso stated we started this process as you know quite a long time ago in 2014 and the beginning of 2014. Then this project was reviewed by Weston & Sampson the Town's consultant and it was not an issue then under the former Town Engineer and the Weston & Sampson the Town's consultant. We had conversation with Rich Philbrook at Pennichuck as well and he said they do these all the time and DBU does these borings who's the contractor that we're going to do. Pat from my office had a conversation with him at length about this. Between Weston & Sampson's favorable review letter dated September 17th which we did everything they asked with the 12 inch main, we were originally proposing 8. We upgraded it to 12 so if it was ever looped, we did everything in that letter. How could we know that someone wouldn't accept or doesn't accept a sleeve? Pennichuck does them all the time. They do happen. I'm shocked to hear Rich that he told Mr. Dhima that that doesn't happen or he doesn't like to do it because it's not the conversation at all.

Elvis Dhima noted it wasn't Rich and again just to clarify it did not say you shouldn't do this. It said that it should be the last option. What we were looking at in the previous meeting, we were looking at either go under 102 or go and get access to St. Joe's Hospital which is the same distance. What we were looking at originally was, and we still are, either go under 102 or have the same distance as connected through St. Joe's. Obviously that's not the case now. It's not that we shouldn't have. It shouldn't be our last option. Obviously the only other alternative for the applicant is to come all the way down to Christina Drive which would be an additional 1,000 feet. So it becomes a question of is that feasible now or is crossing under 102 more acceptable? Obviously you don't have to be a rocket scientist to see how difficult and expensive it will be if anything happens under that 102 crossing because it's a State road. Anything that will ever happen in the next 10, 20, 30, 40, 50 years? I don't know probably not but the cost of repairing that versus a town road is completely different. Now the equation has changed completely now because the applicant is saying that that can connect to St. Joe's. The other option if this Board doesn't want allow them to get on 102 would be Christina Drive and there would be additional costs.

Selectman Coutu remembered what Mr. Dhima said last week that you felt that the better option would be to go from St. Joseph's. I had asked them to explore the feasibility. I asked their engineer to explore the feasibility of attaching to St. Joseph and if it was an unreasonable expectation of money to connect that I felt that we're not trying to stop them from getting water we would go under 102. I know that you're an experienced and professional engineer. Also considering what St. Joseph's wants to make that connection would you now say that perhaps the best option for them as developers and contractors would be to come under 102. Elvis Dhima said financially for them it would make more sense to come under 102. There's still obviously obligations to the town once we take ownership of it but I guess the Board has a decision to make tonight. Do we make the applicant come through Christina Drive which is a significant cost to it now or do we allow them to go under 102 and take full responsibility of that line for maintenance or anything down the road if he ever needs it. That's what that is that's all. That decision is yours to make tonight.

Selectman Luszey didn't know what decision to make tonight based on the information that was presented at the last meeting and now this. It appears there's documentation that's missing from Pennichuck around what is the better route to go. Mr. Dhima said there was never any documentation. There's no documentation...Selectman Luszey indicated you made that statement prior that Pennichuck said going the other way was the better route. Mr. Dhima said no not the other way. It was just clearly stating that usually this kind of approach drilling 102 or any kind it's usually the last option. It doesn't mean it shouldn't be done. Right now the applicant is between do they go all the way down to Christina Drive or will this Board allow them to drill under 102 that's all. The system is ours. They only provide a recommendation or what their thoughts are but...with all due respect Mr. Dhima I don't see a package that has all the different alternatives laid out and what the financial impacts are, what the risks to the town are, and all of that. I mean I've got a thing there that says please accept this so that we can go connect. I period.

Elvis Dhima understood and I agree with you. I do not have the comparison in prices because that was not provided to me. Tony Basso noted I can give you that for the work but I don't know what the difference in cost for maintenance would be. I do want to say that the town's consultant for water systems is Weston & Sampson. They reviewed it. That is in writing on September 17, 2014 and they did not negatively review the bore. I didn't know we needed a document from Pennichuck. I didn't realize Pennichuck was reviewing this in this manner. Our discussion with Pennichuck was just because their conversation of last time where Pennichuck had communicated with Mr. Dhima that they don't like it. We checked with Rich Philbrook just to see what the deal was on that and they gave us a whole list of places they're doing it and they do it all the time. Rich Philbrook is the Director of like their engineering. The reason why I didn't get that in writing was because I didn't realize they were a consultant to this Board. I thought that was Weston & Sampson. That's why I have that letter.

Selectman McGrath said at the last meeting after hearing all of the information that was provided by Mr. Basso and by Mr. Dhima, I asked Mr. Dhima what the best method for the town would be. Mr. Basso is here for his client. He's not here to represent the Town of Hudson and what's best for the Town of Hudson. That's Mr. Dhima's position. Mr. Dhima told us, all of us, that the best option would be to go through Christine Drive and hook up to the St. Joseph's water main. That was the best option for the town. He's the one that I am going to rely on. If he's telling us that that's the best option, Mr. Basso has to make a decision about what the cost is for his client and whether or not he wants to push back. Maybe he needs to elevate that discussion up the chain at St. Joe's to see if he can get a better price. They cut it in half. He represented to us at the last meeting that it was going to be based on his discussions a couple of years ago that he didn't want to repeat that it was going to be \$300,000. Now we've got a letter in our packet that's not signed and it's not really even written in English - proper English anyway and the price now is \$150,000. If he wants to push back for his client, I'd say go for it but I'm not going to support this.

Chairman Maddox hoped that the Board would table this to our January workshop which is kind of light at this point. Mr. Dhima come up with the pros and cons of what this is in conjunction with the applicant. We're going to have this same discussion in a minute for 22 Brady Lane. I think at this point we can have information in front of us. Selectman Luszey I think hit it on the head. I'm going on what I heard. I'm sure that we all want to see a resolution to this but I'm not going to go against what our Town Engineer is saying as to the best way to do this.

Selectman Coutu asked Mr. Dhima before you became an employee of the Town of Hudson you were an engineer in the City of Nashua correct? Mr. Dhima agreed. Selectman Coutu asked what is your experience with water. Mr.

Dhima said the water was handled directly by Pennichuck. I was involved with either repairs or anything associated with other utilities like sewer and drainage but that was directly handled by Pennichuck. The City of Nashua as you know owns Pennichuck and Pennichuck maintains indirectly. No employee in the City of Nashua has direct access to either design, construction, or we have access for inspections for any utilities associated close to those but Pennichuck maintains and regulates water in Nashua.

Selectman Coutu had a follow up. If we're going to undertake a project of any kind that relates to water in the Town of Hudson, we rely on Weston & Sampson? Elvis Dhima relied on Weston & Sampson. I would rely on any information that I can get from people at Pennichuck and what's going on out there in other communities around us and what makes sense for us at the end of the day. Selectman Coutu asked should we get rid of Weston & Sampson as our consulting engineer and just rely on Pennichuck in the future. Mr. Dhima said no I would not recommend it. There's two different things to this review. There is a hydraulic analysis that was done by Weston & Sampson that clearly states that this approach is feasibly hydraulically wise. Construction wise you'd have a hard time having anyone telling you exactly what you need to do because you are the owner at the end of the day. They can provide recommendations and thoughts about different issues but at the end of the day it is our responsibility to make our decision to what's best for us and our system. That's what the issue is. If you ask for an opinion at Pennichuck or other municipalities around, they will tell you what they think its best or what they think its best based on their opinion. They'll never put it in writing to say oh yeah I'm going to be behind this. It's our job to look out for ourselves. We can't say someone is telling - you're not going to be able to do that especially in the 21st Century unfortunately. I don't know if it's because the lawyers, the liability, or any of that sort but eventually we accumulate what information is out there that's provided to us and then we make a decision based on that information.

Selectman Coutu said what you're telling me right now. What you're telling this Board right now that you do not recommend that the water line come in under Route 102 which is this access point right here. What you're recommending is that now that we know this is going to cost \$150,000 to get this out here, then we dig this all up for them, you're recommending we come up here as an alternative all the way up here, down here, all the way down there as opposed to this. Mr. Dhima said not all the way down. The best option which would be out of the St. Joseph would be that one up the road and then right into the site. Selectman Coutu asked your objection to going under 102 is? Elvis Dhima said the same that it was on the last meeting. If it ever broke it could be very costly.

Selectman Coutu asked do water lines break in the Town of Hudson. Elvis Dhima noted they do and we repair them by digging out the road and going from there. This particular one is a State road and we cannot do that. The only way to repair it would be to cut the line, get it out of the shaft, fix it, put it back in, and connect it. Again when we looked at it last week, we were looking at almost the same distance but we're saying is it under 102 or is it through this. Now that it has changed completely and now we're looking at Christine Drive versus 102, ultimately it's your decision to make.

Selectman Luszey indicated last week when we talked we weren't going up Christine we were going off that 12 inch. What happened? Elvis Dhima said they can't get access to this because the price is too high. Selectman Luszey asked isn't this the letter that says St. Joe's would let him connect 450 there. Steve Malizia said they'd grant them access to the easement. Mr. Dhima noted they're not proceeding with that. Basically tonight they're saying they will not proceed that way. The other option left is either go under 102 or going to the town right of way which his Christine Drive and then go up. So now they have two options if this Board approves it. Either get under 102 which is the shortest distance to the site or go further down another 1,000 feet approximately from Christine Drive all the way down to here. Those are the two options available.

Selectman McGrath asked we're talking about 14 Brady Drive and then the next one that's coming up right after this is 22. To bring the water to 22 Brady, they'd be going from Christine Drive in the opposite direction to their site correct? Elvis Dhima said if the water line extension for 14 Brady Lane doesn't happen, then 22 Brady Lane will not pursue this. It will be too expensive for them. They would probably be installing a fire cistern at the site versus doing it.

Vote: Motion failed 1-4. Selectman Coutu in favor.

Selectman Coutu commented this is ridiculous. Why don't we just tell all contractors to pack it up and leave?

Motion by Selectman Coutu, seconded by Selectman Luszey, to defer all other water matters before this Board this evening until somebody gets their act together.

Chairman Maddox asked you want more documentation when that comes to us. Selectman Coutu wanted more documentation on every single one of them. I want it from Weston & Sampson. To defer with our Engineering securing information on any water line extension that he's proposing from Pennichuck, whatever other consultant he deals with, and other towns that he deals with - he threw that in too that he deals with other towns and gets their opinion what they know about Hudson I don't know - as well as Pennichuck and Weston & Sampson. I want to see documentation from every single one of them. For me personally I'm speaking on the motion and I shouldn't. My motion is to defer all water matter on our agenda tonight and have our Town Engineer procure statements from

Weston & Sampson, Pennichuck, and whatever other consultants he wishes to provide us with information for on all of these proposed water line extensions.

Selectman McGrath said I'll support this motion but I think that it's wasted effort on the part of our town employee. Our town employee is a professional engineer. He has a PE after his name which means that he has an education. He can stamp plans. I would take that from our Engineer that we rely on that this town hired because of his background, because of his credentials, because of his experience, and because of the positive input that got him a positive recommendation to be hired. I would take that information from Mr. Dhima. I will support the motion but I think it's a waste of time.

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

Chairman Maddox thought we're starting to drill down here.

Selectman McGrath asked to make one quick comment just as a point that I have to make. Mr. Dhima I support your recommendations to us and I know that you're doing it in the best interests of the town and not for any other purpose. Thank you for that.

Selectman Nichols seconded Selectman McGrath's remarks.

8. NEW BUSINESS

- A. 22 Brady Lane - 8" Water Main Extension - DEFERRED
- B. 137 Belknap Road - 12" Water Main Extension - DEFERRED
- C. Proposed Policy for Water Shut Off and Sewer Clean Outs

Chairman Maddox recognized Road Agent Kevin Burns.

Good evening. Kevin Burns noted I'm here tonight to ask you ask the head of both the water and the sewer utilities to enact a policy to prohibit the installation of water services and sewer services in any residential construction to be placed in the driveways effective January 1st of 2016. I'd get into details but it seems pretty common sense.

Chairman Maddox said this started from a letter that I think we all received from a resident about his driveway was impacted by having to repair a shutoff or curb stop. Mr. Burns then sent something off to Selectman McGrath that the Planning Board hopefully would take note of this. I said it's really not the purview of the Planning Board. They basically sign off and say final engineering review and we always thought that that was being handled by engineering, DPW, or whoever. Mr. Burns informed me that that was not the case. He has numerous issues in the past with this. Again I said as the water and sewer commissioners, we could most likely fix this in a relatively easy manner. He is before us to say that - the only thing he didn't put in here that I asked is some sort of penalty if they do put it in the bituminous so that it's already there and it doesn't get moved. There's a \$500 fee that goes into a fund so that we have monies to repair pavement if it becomes a problem downstream but we can kick that around.

Selectman McGrath said the e-mail that I received and then I forwarded it to Kevin and his response I thought that in that responding e-mail that you had indicated that you had been advocating this for a number of years. In reading that e-mail, I thought that he meant he was advocating that to the Planning Board. I may have misread it. If I did, my apologies but I think that we're going to get it resolved anyway.

Kevin Burns was advocating that to the Engineering Department. It was something years ago would never happen. It just didn't happen. In the not too distance past all of a sudden it started to become a problem. We were not heavily involved in inspections. As more problems popped up, we get more involved in inspections. What we have done over the last few years is we would actually go out in the field and I would exert some pressure on the developers saying get these things out of the driveway. You're going to have a hard time getting me to sign off on street acceptance. So they would move them but then they would say well show me the rules that I have to. It would just be a lot easier for me if there was a rule in place. It's going to be very helpful and cost savings to not only the town but the residents. If a resident has to replace his water service and it's in his driveway now not only is he paying for example \$5,000 for a water service but now he's paying an additional \$5,000 to replace his driveway and there's no need for it. Just move it into the lawn. All it takes is a little bit of pre-planning. It's not even a burden to the contractors as long as they think before they install. There's no additional expense but it's going to save us and the homeowner's money. I don't see a downfall to it.

Chairman Maddox knows this was kind of a quick thing but you seem to have summed it up in his memo.

Motion by Selectman Nichols, seconded by Selectman McGrath to adopt a policy in the Town of Hudson Sewer and Water Utility Policies and Procedures to prohibit the installation of any water shut offs (curb stops) and sewer service clean outs in the driveways of any new residential units, effective January 1, 2016.

Selectman Coutu asked where is the language about a fine. Chairman Maddox was kind of saying where do we want to go with that. We'd probably have to do that under the...Steve Malizia didn't think you need a fine because he's not going to sign off on it. There's not going to be a need to be fine. He's going to make him rip it out and move it if they try it in the first place. Am I correct?

Kevin Burns said yes. I don't see any circumstance where if they know in advance they can't plan to not put it in the driveway.

Selectman McGrath reiterated that you are on sign off for all of that. Kevin Burns said I am for street acceptance. Chairman Maddox said then it's too late.

Selectman Luszey said this needs to be in the town engineering. I would propose we change the motion to have the policy written so that we can approve it at the workshop so that all the right language and stuff is there. It's too flim flam.

Chairman Maddox said there's probably not a lot of house construction going on right now even though it's nice and warm. To delay it and get your wording for the water utility...Selectman Coutu asked to have our attorney look at this. We want to make it stick so that he has...Chairman Maddox thought it would be another box in the building permit. I'm looking at the Fire Chief as Road Agent has approved water connections or something.

Chief Buxton thought it would be part of the driveway permit potentially. That's signed off by the Town Planner and myself, the Town Engineer, and the Road Agent.

Selectman Luszey thought it would be best if we deferred it for the right language and stuff.

Chairman Maddox thought we can defer this and kind of fill out the...do you with draw your motion.

Selectman Nichols and Selectman McGrath withdrew their motion.

Chairman Maddox told Kevin we'll defer this. I thought we could bang this out but I there's no immediate rush. It's something that, again, you thought somebody was handling and we thought somebody was handling so it needs to get done. I'm sure we're going to have more of those people upset that their driveway is being cut up to fix something with the water line.

Selectman Luszey noted we're not deferring. What we're asking is to have the policy created so that we can accept it. Selectman Coutu said language that gives teeth to whoever the Road Agent is.

D. Accepting the trail names at Hudson Town Forest

Selectman Coutu made a motion. We've had it in our packets. You're going to sit here and talk about names. As long as the Fire Chief signed off on it and I understand he did.

Motion by Selectman Coutu, seconded by Selectman Luszey, to accept the trail names (trail system) at Hudson Town Forest, carried 5-0.

E. Proposed new Trail at Musquash Conservation Area

Motion by Selectman Coutu, seconded by Selectman McGrath, to accept "Deacon Merrill Trail" as the name for the new trail at Musquash Conservation Area, carried 5-0.

F. Public Hearing - Bonding of a Proposed Warrant Article for \$2,281,458 for the construction of a new fire station

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia noted all this is quite simply is the financing part of it. If you recall last year you had a special meeting because we needed to get that on the agenda. You're required for any bond that you're proposing to actually hold a public hearing for that bond specifically for the bond or the (inaudible) that are financing it. So what you need to do tonight is actually hold that public hearing and take any input you get specifically on the financing. Again when we're looking at the financing, I believe this Board discussed a 10-year bond to pay for the new fire station on Lowell Road. I put a worksheet in here that basically summarizes the current rates which are approximately 3.5 percent. I think it's a slight decrease from last year's rate which I think was approximately 3.75 percent. In this case, the actual interest

rate would have gone down. Unfortunately the price goes up so in the end, it probably all works out to be about the same number. Nonetheless, you are required to have this bond hearing and because we kept this on our calendar we were able to have it tonight.

Selectman Luszey said this is prior to the voters approving the warrant to do this. Mr. Malizia said that's correct. I don't write the law I just follow them. We are required to have this hearing. Last year we had it on a Friday in January. Just so the general public knows, Selectman Luszey noted we're not bonding the new fire station. Steve Malizia said you are not. That is correct it has not passed yet however you are discussing and opening for public comment the proposed method of financing. You could take input from folks that said we want to pay cash. You could take input from folks that say we want to do a 20 year bond. That's their right to come up and tell you that. You do not obviously follow that but you do have to give the public the opportunity to speak on the bond.

Selectman Coutu asked if this was advertised. Mr. Malizia said yes it was. Selectman Coutu said I didn't see the ads anywhere for this. Selectman Luszey said I didn't either. I'm reasonably certain we put it in the HLN as we usually do.

Chairman Maddox opened the public hearing at 7:50 p.m. Does anyone in the audience wish to speak on this item? The public hearing was closed at 7:51 p.m.

Steve Malizia indicated that was it. You've satisfied the requirement of the law.

G. Rename Essex Street to Essex Avenue

Chairman Maddox recognized Fire Chief Rob Buxton.

Selectman Coutu said why. They did the same thing to my street and it was cut and dry.

Motion by Selectman Coutu, seconded by Selectman Luszey, to change the name of Essex Street to Essex Avenue and have it officially recorded in Hudson Town Code under the list of accepted streets, carried 5-0.

Selectman Coutu commented my street was Rita Street and I checked the deed and I checked everything and it was Rita Avenue. I checked the town tax code Rita Avenue. I went to the Town Clerk and next thing I know the Town Clerk asked me to come in. I came here - this is no exaggeration - I spent 15 minutes with the Town Clerk. I went home and Kevin's crew had already changed the sign on my street to Rita Avenue. I wasn't a Selectman. We're talking 19 years ago.

H. Request to apply for two Emergency Management Performance Grants through the Department of Homeland Security

Chairman Maddox recognized Fire Chief Rob Buxton.

Good evening Mr. Chairman. Chief Buxton was proposing the application of two emergency management performance grants through the Department of Homeland Security. These are federal grant programs. There's a 50 percent match for both of the grant programs. The first grant that we're asking permission to apply for would be to update our local emergency operation plan which needs to be updated and accepted every five years. The second one is for the replacement communication tower at the Central Fire Station which is part of the renovation proposal that we put forward.

Motion by Selectman Nichols, seconded by Selectman McGrath, to authorize the Fire Chief to apply for an Emergency Management Performance Grant (EMPG) for the purpose of obtaining funding for the update of the Town of Hudson Emergency Operations Plan, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman McGrath, to authorize the Fire Chief to utilize \$6,000 from the Hudson Fire Department operations budget for the purpose of meeting the 50% matching funds required of the EMPG grant program for the purpose of updating the Town of Hudson Emergency Operations Plan, carried 5-0.

Chief Buxton stated the radio tower on the top of Central Fire Station needs to be removed during the renovation project. We were put on notice by Homeland Security that we could apply for an additional grant to basically relocate that tower to the ground. The cost of that project is \$100,000 so we would have a \$50,000 offset that would come out of the renovation cost that we had budgeted during the renovation plan.

Motion by Selectman Luszey, seconded by Selectman Nichols, to authorize the Fire Chief to apply for an Emergency Management Performance Grant (EMPG) for the purpose of obtaining funding for a replacement radio tower located at the Lenny Smith Central Fire Station, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman Coutu, to authorize the Fire Chief to utilize \$50,000 from the Hudson Fire Department Central Station renovation funds for the purpose of meeting the 50% matching funds required of the EMPG grant program for the purpose of replacing the Central Fire Station radio tower, carried 5-0.

I. Request to apply for Assistance to Firefighters Grant through the Department of Homeland Security

Chairman Maddox recognized Fire Chief Rob Buxton.

Chief Buxton said we're coming forward again this year. Applications are now open to early January for the 2015 process. We'd like to move forward with the 4" supply line program that we had proposed last year. They ran short on funding. We didn't get notice until late summer that they ran out of money basically. We're pushing this program forward again this year and hopeful for a better outcome. It's still at the top of their priority list so it just goes to show you the amount of work that's being done countrywide.

Motion by Selectman Luszey, seconded by Selectman McGrath, to authorize the Fire Chief to apply for the FY15 Assistance to Firefighters Grant for the purpose of obtaining funding for the replacement of hose and to utilize \$5,400 from the Hudson Fire Department operations budget for the purpose of meeting the 15% matching fund requirement of the FY15 Assistance to Firefighters Grant Program.

Selectman Coutu opposed the motion as it is worded only because the purpose of meeting the 15 percent matching fund is a misnomer. We don't have to meet a 15 percent matching fund. We have to meet a 5 percent matching fund. So the language is incorrect number one. I will oppose a 15 percent. I understand where you're coming from Chief. I would go with a 10 percent. We're only required to match 5 which would be \$1,800. Chief Buxton said it actually puts us into a different category and a short funded grant program. So not only does it make us eligible for a full year authorization but if they run short on funds at the end of the year or if somebody turns money back, they offset. If you have additional monies that are put in to reduce the value of your program, you actually may get funding at the end of the year to make up so we try to make it as advantageous as possible for them to fund. That's why we moved forward with that.

Selectman McGrath commented it makes it more attractive. Chief Buxton reiterated it definitely makes it more attractive at the end of the year. The City of Massachusetts turned in \$100,000 for breathing apparatus at the end of last year and they ended up moving that program to a couple of different communities. Litchfield, NH, happened to be one of them. It got funded for breathing apparatus out of this program in particular.

To summarize, Chairman Maddox said you were telling us that they only required to match with 5 percent. By putting in 15 percent, it elevates our standing financially.

Selectman McGrath noted therefore you may actually get the additional 10 percent back. Chief Buxton said we could. We could negotiate that with them. I'm laying out the worst case scenario for you which we've done each year.

Selectman Coutu said none of this is making sense to me now. Selectman McGrath asked does the federal government ever make any sense. Selectman Coutu asked does the federal government ever award contracts that just match it with 5 percent. Chief Buxton said we have gotten funding at the 5 percent level.

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

J. Request to post for the part-time HCTV Assistant position

Chairman Maddox recognized Chairman Mike O'Keefe.

Mike O'Keefe said the person Rob Faye who is currently employed by the town as the HCTV Assistant has given his resignation notice. It's actually effective tomorrow. I am here to request permission from the Board to post that as an opening and recruit for a replacement.

Motion by Selectman McGrath, seconded by Selectman Coutu, to post for the part-time HCTV Assistant position, carried 5-0.

K. Hudson Firefighters (IAFF 3154) Tentative Contract

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia stated at the last meeting you approved the tentative agreement. At this meeting, you need to move it forward to the warrant. The Budget Committee will be reviewing this contract and hopefully the other two contracts on Monday the 28th. In order to get it on the warrant, you need a motion to actually forward it to the warrant. That's what I'm requesting this evening.

Motion by Selectman Coutu, seconded by Selectman Nichols, to forward the Hudson Firefighters, IAFF Local 3154 contract to the Fiscal Year 2017 Warrant, carried 5-0.

L. Hudson Support Staff Tentative Agreement

Motion by Selectman Coutu, seconded by Selectman Luszey, to forward the Town of Hudson Support Staff AFSCME Local 1801 contract to the Fiscal Year 2017 Warrant, carried 5-0.

M. Hudson Supervisors Association Tentative Contract

Motion by Selectman Coutu, seconded by Selectman Nichols, to forward the Hudson Police, Fire and Town Supervisors Association contract to the Fiscal Year 2017 Warrant, carried 5-0.

N. 2016 Health Trust Application and Membership Agreement

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia stated the Town of Hudson contracts with HealthTrust for the health insurance and the other benefits for the town employees. We've been asked to sign an updated membership agreement then an application. To that affect, I've had the agreement vetted and reviewed by our Town Attorney and also our Finance Director. It's my understanding that our Town Attorney is recommending that it is acceptable to sign this agreement. Basically by signing the agreement we'll still be able to utilize HealthTrust to provide for our health, dental, and other benefits that we provide the employees.

Selectman Coutu asked what would happen if we decided not to do this. Mr. Malizia said we wouldn't have health insurance for our employees. Selectman Coutu asked there's no other health insurance provider out there. Steve Malizia said there's Harvard Pilgrim. We'd have to go out and negotiate something petition with Harvard Pilgrim and all five unions. Selectman Coutu said we decide who we pay insurance for not the unions correct. Mr. Malizia said we've negotiated the benefits with the unions so I would assume they'd have some say in it. Selectman Coutu noted we decide as a governing body who is going to be our insurance provider. Mr. Malizia indicated obviously you have a significant say in it. Ultimately I don't know and I answer that question truthfully because I don't know. You've negotiated that benefit with the unions. I don't know if you can just unilaterally do that. On the assumption that they are the provider Selectman Coutu said but at any given time we could change the provider. Steve Malizia's understanding is you could change the provider provided you negotiated that with the unions. If you wanted to go to Harvard Pilgrim for example and offer a Harvard Pilgrim product. Selectman Coutu explained what you're saying is and I know Steve that it's not your field of expertise. The way I'm hearing it is that let's assume for a minute, I know it's hypothetical, that Harvard Pilgrim came in with something that matched what they offered and they offered to do it for less money than HealthTrust, we're just going to close the door and say we can't even listen to you because we have a contract with the unions. I beg to differ. I think we could entertain Pilgrim and if Pilgrim had a comparable plan and one that would save us money, we could tell HealthTrust to go do whatever and we're going to take on Pilgrim. I don't think the unions have a say in it. Do you disagree or do you think maybe we ought to talk to our attorney?

Steve Malizia said based on the fact that we have a Joint Labor Management Committee to look at healthcare options and based on the practice that we've had in the Town of Hudson, I'm not sure you can unilateral...I'm not saying you can't pursue that option which is what we've been doing with the health committee. I'm not saying you can't get to that point. I'm just not sure you can unilaterally say we're doing this. I'm just telling you that because that's how I understand it.

Selectman Luszey believed the whole thrust of our last negotiations because we were bound by specific wording and a plan was to get the language changed so it was comparable. As long as we're providing comparable benefits, we're not tied to a provider or a plan. If we didn't do that, then we failed at our mission. Steve Malizia said I'm also not certain that Harvard Pilgrim, and I don't know this, underwrites disability coverage, life insurance coverage which we also get from HealthTrust. Selectman Luszey said don't use any name because I'm agreeing with Selectman Coutu. If another provider comes in and says we can provide the comparable insurance at a lesser price, we have the ability to take that provider's choice. Did we not do that? If we didn't, then I'm saying I've got a real issue with the contracts we just negotiated for the last couple of years. Steve Malizia didn't believe we changed that language in the contract. Selectman Luszey noted we did it prior to that when they had Blue Cross Blue Shield whatever it was. We were stuck to that plan. We changed it so that we could get out of that. Those very specific so that it was a comparable insurance. As long as we were able to do that, we could take the lesser plan. Mr. Malizia said it does say through HealthTrust or other plans that provide comparable coverage. Selectman Luszey read public plans that provide comparable coverage so the answer is yes. Mr. Malizia didn't believe that they provide life insurance, disability insurance, or dental insurance. That is provided by HealthTrust.

Selectman Coutu asked did we get the rates this year yet. Steve Malizia said yes. They've already been in the budget. We want to leave somewhere around 8 percent for the HMO program. Selectman Coutu noted the school went up 8 percent as well. Selectman Luszey corrected him and said 10 percent. They got rid of their HMO and they

went to the highest deductible plan. It's unbelievable. Mr. Malizia said they're trying to do that. I'm not sure that's past yet.

Selectman McGrath asked shouldn't we have had this discussion before we had the negotiations that we just concluded. Selectman Coutu said we did. We just wanted to make sure it was in the language. Chairman Maddox stated our employees pay a percentage. Selectman McGrath was talking about this discussion that Selectman Coutu just brought up about looking at a different health insurance. Shouldn't we have had that discussion before? Selectman Coutu said we did. My question was should someone come along that offers comparable insurance can we as a Board make the decision to change it? It was a test to make sure that the language included that we are allowed to do so. Apparently the language is there. Selectman McGrath noted you just threw me for a...I'm okay.

Motion by Selectman Coutu, seconded by Selectman Nichols, - Resolved that the Town of Hudson shall participate as a Member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the "Application and Membership Agreement" and NH RSA 5-B, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman Coutu, - Resolved that Stephen Malizia, Town Administrator, is hereby authorized and directed to execute and deliver to HealthTrust, on behalf of the Town of Hudson, the "Application and Membership Agreement", the COBRA Administrative Services Agreement" and the "Retiree Billing Administrative Services Agreement" in substantially the form presented to this meeting, carried 5-0.

O. Benson Park Utilities Project Proposal

Chairman Maddox recognized Chairman Jim Barnes of the Benson Park Committee.

Good evening. As you will recall, Jim Barnes said we were before you a few weeks ago looking for authorization to conduct the engineering study. It did engage SFC Engineering Associates to do that study. They've provided us a base proposal along with a list of costs for each of the phases. I believe you have the chart that shows the costs as well. What we're looking for is the support of the Board of Selectmen to go forward with the request for the first phase on the next year's Town Warrant. I'll let Mr. Jasper speak to this.

Shawn Jasper noted you're looking at a number that shocked us all. I don't believe this is the number that would need to be voted on at Town Meeting. We needed to have a starting point. It's late in the process but this is of course the number that if we did everything the way the plan says and does it with outside forces, this is probably a reasonable number. At the meeting, one of the members brought up looking at a different way which I went out and paste off today for the sewer line because that's a very expensive portion of this. There is another way that it's 200 feet shorter. The engineer had some concerns about the slopes. I talked with Kevin who is familiar with the area. He's going to go out and look at that. Of course that area hasn't been tested for borings but I don't believe the area where the water line would come in would Kimball Hill would either. If you just look at the alternative route and you look at the numbers of \$255 per linear foot for sewer for 200 feet, that's about \$51,000 less going that route. The good thing about this whole project and phase in is sort of like mix and match. In talking with the Road Agent, obviously he doesn't ever have 6 weeks where he could come in and just devote his crews to it. We would have to go outside. If you look at the potential routes, he has the ability to come in, do a section, might be there for a week, might be there for two weeks, go away. This is a project that potentially is probably three years to complete even if you combined phase 1 and 2 because there would be absolutely no plan to do anything if we use town forces in '16. It wouldn't be until the beginning of '17 the end of the fiscal year to do anything.

Shawn Jasper said we have to start. I want to go back a little bit over the history. I'll never forget the day that we took over Benson Park simply because it was my 50th birthday the day that we actually got the deed. In January it will be 7 years that we have owned this park. It's remarkable what's gone on there with town forces and with volunteers. In that time, we've never gone forward to the voters to ask for any additional money. That money that we spent was all put away years before because we negotiated back and forth for quite a few years and the money was put aside which allowed us to do what we've done today. We all knew there was going to be money involved in getting there and I think there are a number of projects that are going to have to be done over a period of time and I'm just going to remind you of some of those. The Hazelton Barn is going to be the challenging one. That roof is over 30 years old at this point. I don't know when it went on but since Arthur Provencher closed the park about 30 years ago, that roof has a minimum of 30 years. We're going to have to figure that one out pretty quickly. The office building has some serious structural issues we're going to have to address that. There are a few things but they're very few. When we get through those things probably paving the parking lot at some point because that is a maintenance nightmare for the Highway Department. We get through these few things - construct a toilet facility which you see in red there which would be a very limited building and not expensive. I don't think any of us see anything elaborate but we need to get the utilities there.

Shawn Jasper noted we have to start making the investment we haven't made. While we look at the numbers and say this is a big number, I think it can come down by at least \$100,000 if the Board directs the Road Agent to work on this project. That's how it should be. We pay the Highway Department to do the work. They do the sewers, the drains, everything. If this isn't something that you direct to be done all at once, the Road Agent I think very clearly has

the ability to do this in phases. We can't come in with that number. The Road Agent doesn't work for us. We came in with a number that was here asking you to put this in as a placeholder so that we can move forward. I think if we get to February and there's no other number, I certainly wouldn't expect the Board necessarily to be supportive of that number. I don't think that a lot of us would necessarily be supportive of that number. I think we do have a responsibility to let the voters decide what they want to do. When we get elected, we don't get elected just to represent our views. We get elected to represent the people of the town. So far the people have been very supportive of this project. I don't think we should take away their options but I think we need to do our due diligence. We've got time until February to see if this number can come down.

Just so everybody outside has been waiting patiently to hear what that number is, Chairman Maddox said it \$745,000. Mr. Jasper said that's not what we're asking for tonight. Its \$375,000 for the first phase which as I said if we can do the alternative sewer route, that comes down to \$325,000. If the Board directs the Road Agent to develop a plan over probably two construction seasons to do this, that number can probably come down substantially more. I don't have that number in my head but I'm suspecting that the total number can come down by at least \$100,000 for this phase but that's not a number that's really available to me because that's something you need to direct him to look at. As I said, I did have the conversation with him tonight. I know he's willing to look at that and try to develop a plan to make that happen. I will remind the Board that when you leased the building to the Friends of Benson Park, there was the responsibility to provide them utilities. There was no time frame but the numbers aren't going to get better.

Chairman Maddox didn't think we were ever thinking that it would be \$375,000 to provide them utilities. Mr. Jasper said this does more than provide them utilities. It provides the utilities within the park. The reality is as I said I don't think it will cost that much. I'm asking you simply to put this as a placeholder. In February if you don't have a number you like, there's the ability to zero that number out. If we wait another year, everything gets put off. We could not develop you a better number. Why didn't you do a better number? Well we've been working on this for some time. We have the number that was provided to us by the engineer. It's now within the scope of the Board's ability to direct your people to see if there is a better number. You also I think have the ability to do really whatever you want with this but to do nothing doesn't get us any place and it doesn't change the fact that these are the numbers if we use all outside faces. You still have that obligation and it's never going to go away. We need to work. At some point to let the voters decide if you can't get those numbers down by using town forces. Your obligation remains and what do you do? What's the alternative to doing nothing?

Selectman Nichols looked at it and I've read everything I possibly can. I've been in the park. It says under historic structures that the town "may" install and maintain - MAY - lighting, plumbing, sound system, irrigation, sanitary facilities. As far as I can see, it's a park. It's a park for the town. If we put in toilet facilities and whatever, that means we have to hire someone to police these areas because they're not going to just sit there by themselves and take care of themselves. People are going to use them during the night when nobody is there. You have to have someone in the park. So far everybody seems to be happy enough with - I don't know of any parks that give water. I haven't found any so far.

Selectman Luszey noted Kearsarge.

Selectman Nichols indicated maybe there's a few I don't know too many. Our park is beautiful. It has everything. The port-o-johns seem to be working fine now that we have extras. They have the trails. We have the playground. I can't see putting more in. The more you put in, the more parking you have to have, the more people want to come in. Where are we going to put another parking lot? If we have to move it somewhere, buses are going to have to bring people in. I'm having a hard time with this. Maybe someone else can enlighten me but right now I'm having a hard time with this and the money I told people that I would try to keep their money down. Even paying \$375,000 on a warrant article, I don't know how...I couldn't sell that. I can't tell people that they have to pay more money. We need so many things in this town. So many important things that I'm having a hard time with the park. I love the park. I'll walk you around and if I can I just absolutely love it. I can't see spending this kind of money. Maybe I'm cheap I don't know but I'm trying to think of our voters and our taxpayers. If you can enlighten me.

Selectman McGrath repeated what you're asking for tonight is just to connect the elephant barn and it's to bring in water, sewer, gas, and electric lines. It's not going to connect to anything? It's just bringing those utilities into a point in the park where at some point they're going to connect up with...

Shawn Jasper said no. This phase 1 would connect all of those utilities to the elephant barn which there will be a toilet facility in there. That would give them what the town when they signed the agreement promised that they would give them utilities. It will then allow us to connect to other buildings as need be. If people decide they don't want to go forward with phase 2 or 3, you would have fulfilled your obligation with phase 1. That's what this does.

Selectman McGrath asked it's just for the elephant barn at this point. Mr. Jasper said at this point yes but it provides everything for an easy connection to the office building to the train station. At some point in the future, Selectman McGrath said right now what we're talking about is just for the elephant barn, bringing those utilities into the park to the elephant barn and they'd be able to at some point be extended to other buildings within the park. Right now it's just for the elephant barn and its \$375,000. Shawn Jasper indicated that is correct. However as I said, I think you

can work with the Road Agent and probably knock \$100,000 off if it goes the other way. If we don't start, we don't start. I will simply tell you that. If you don't start here, you never fulfill your obligations. I may not have said it correctly. I think that's bad faith because the town has now moved to the point and you look at what's gone on with the elephant barn. The town is responsible for the entire exterior of the elephant barn by contract. However if you have paid attention, the Friends of Benson Park have taken over the exterior of the building and internally have decided that they will be responsible for everything but the roof. Windows are being replaced and all of that. That obligation has been relieved of the town. The one thing the Friends of Benson Park can't do is provide the utilities. This also gives us fire protection in there which is important. There are no hydrants in the immediate vicinity of the park. So bringing water in to have hydrant in the park is extremely important. I know this is hard to swallow. I don't see what the alternative is. That's the problem. This is not a number that any of us were expecting.

Shawn Jasper explained there is one component here that I think we can also reduce and I will look at that and argue very strenuously with the State of New Hampshire. The engineer is understanding that the State is saying that we have to have an archeologist on site any time we put a shovel in the ground. I will argue that strenuously with the State that our agreement was in that area that's delineated is the only area that we have to have an archeologist on site. That's what we negotiate. That also is a substantial expense that I have time before February to explore. If this doesn't get on the warrant, then it all goes by the wayside.

Selectman McGrath said you're looking for phase 1 now which is \$365,000 and then phase 2 which is \$266,000. Shawn Jasper commented until there is a toilet facility design, there would be no sense in doing phase 2. I would like to address what Selectman Nichols said. I think it's very important to have a clean facility in there. I don't think you'll find anybody who is happy using those port-o-potties. They also get tipped over on a regular basis. It's very easy to deal with locking doors on a building but frankly I think if you build a building correctly and put some monitoring in there, you're not going to have problems. It's true they'll need to be cleaned. Again this is a choice for the people. We're not coming in here asking you to put this in the budget. I would not suggest we do it. This is a decision that the voters of the town need to make independently. That's really all we're asking you to do beyond trying to reduce the cost through working with a Road Agent is to let the people decide if this is a project that they think is worthy. Every time anything with Benson Park has gone to the warrant, the people have supported it even to the point where you'll recall a Selectman who felt that the people didn't support the project convinced the Board to put a warrant article on to see if they were still in support of it and that vote was overwhelming. It is the money. The money is going to be voted on by the people. This isn't a continuing obligation and any time that anything goes on in the park as a major project, I think that should go to the voters. It should never be included in the budget and let the voters decide. If they say no, then we have our answer and we continue along the way we are. I think the Friends of Benson Park don't have a complaint because they've had the opportunity to go out and sell to the voters the connection that was promised because the Selectmen can't deliver that. The Selectmen can stop that promise from even being acted on by the voters. I think that's wrong. I think when you make a commitment you say hey folks I don't think you should do it but the voters should have the option of how they want to spend their money. It shouldn't be stopped here in my opinion on this.

Chairman Maddox said I'm going to jump in here. You've poked me enough. I think I'm going to go back to my famous saying at the Planning Board - no good deed goes unpunished. I don't think I voted for the agreement because here it comes back. We rented a building for \$1 for 75 years and it's going to cost the taxpayers \$375,000 to keep that commitment. If we had had that number at that time, I think the outcome would have been different. With that said, I'm almost with you but I think that again without a firm plan like going to the State - I just saw Nancy Mayville the other night and she said are you planning on doing something. Again I think we need to go through all the steps. Again all of these things I'm sure are valuable but I'm just having a tough time \$375,000 to bring utilities.

Shawn Jasper agreed with Selectman Maddox. I'm asking you to give me until February to the Deliberative Session. If we don't have those answers, I'll make the motion to zero it out. We're very close. There are very few questions left that need to be answered. They can all be accomplished by February and if they're not, I'll give you my commitment that I'll be on the floor zeroing out that number if I can't answer.

Chairman Maddox asked what would that be. How are we going to make it cheaper? Mr. Jasper thought there were three things that are involved here. One can town forces accomplish a portion of this and how much will that reduce the project price. I think that's necessary. Two - can we use the alternative sewer route? That I think is a \$50,000 reduction. We won't know if we have to do any borings - we'll have to some borings but that may reduce the phase. The wonderful thing about this is you go as far as you can and you stop one year and you wait until you get more money. It's sort of like the train station but you have to make those steps forward. Three - we have to find out if the State will agree that the only area we need archeologists is in the historic district. I believe that's true. I was part of negotiations and that's all that was ever talked about. DOT does have to approve the plans. Can we revise those with that one line? If Kevin says yeah that's feasible with the slopes, we redo that. I bring that to DOT and say I need an approval of this in February. I can't do anything if this Board does nothing.

Selectman McGrath continued and tried to get all of my questions in at once so that you can answer them all at once as opposed to stopping and starting. With the numbers that we have now understanding that you want us to talk to Kevin Burns and see if the DPW can do some work in there that would reduce the cost which you're taking it from one

hand and putting it in the other. In any event, then the next thing is connecting the toilet facility for all of the sewer lines that we're putting in. That's another \$267,000 for a whopping \$642,000 to bring in utilities and to bring in toilets. That's not even looking at the other proposal of connecting the train depot that was just put on a foundation and bringing in an office and a kitchen for another \$104,000 which would bring the grand total to \$746,000. What did we pay to put the train depot on a foundation? Selectman Luszey said about half that. Selectman McGrath thought it was about a half a million. We just went through the budget process for the town. I'm kind of stunned. People are hurting. People are out of work and we're looking at spending this kind of money. It boggles my mind. I don't know. I really kind of think that it's unreasonable. We're looking at putting a fire station on the warrant for the people to vote for which is what \$2 million. Then we're looking at putting this on which is more than a half a million dollars. I think we're going too far with this. That's my personal opinion. I don't use the park. I have my own little park behind my house that I like. I understand people love this park, and I'm glad that they have it, and I'm glad that the children are using the playground and the Memorial that we have 9/11 that's there. I think it's beautiful. I think that we have to be realistic about the times that we're living in and what people are able and willing to do. I really think that this is going a little bit too far.

Jim Barnes asked to address one thing. What we're asking for is the first phase. We're not asking for the other phases at this point. For this warrant, it's the \$375,000.

Shawn Jasper noted in looking at this the cost of \$266,000 to put the toilet facility where we proposed it be located because that was central to the playground and that area probably doesn't make sense. If we redesign a toilet facility in the future up near all these central locations, and there is room to do that you just change your idea, you can eliminate that. Forget everything right now because there is no agreement on the part of the Selectmen or anybody else. This was a conceptual plan to see what the costs were. Please forget phase because I personally looking at that \$266,000 to run those utilities that far just to put that toilet facility down there does not make sense. You could put it right up at the top of the hill where the pavement ends near the elephant barn for no cost to extend any of the utilities. I think you just have to realize this was a conceptual plan. Nobody has ever suggested that we come in and fund phase 2 today and I would personally say that I couldn't support \$250,000 just because that's a nice location for the facility. I'd say okay I think people can walk to the top of the hill. Let's please move away from that because that's not part of what is being asked. What we're asking is we can't do anything without these utilities coming into the central hub. This brings them all in there and again this is for the voters to decide. I won't support it at 375. I'll make the motion to zero it out if we can't get that under \$300,000 and then let the voters decide. I am very confident this can come under \$300,000. You can zero it out if it comes to 275 and you don't like you could make that motion. I'm just telling you what I will personally commit to. We're not going to be in a different place in a year substantially if we don't move forward and we can get these answers at home.

Selectman Nichols said I would never object to anything being put on a warrant article for the town people to vote on. I don't like that number. I really don't. I talked to Kevin Burns and he has his own routine to cover. He's got to do streets. He's got his plowing to do for the winter but that's all right. This wouldn't be done in the winter anyhow. He does have his roads to do. His plate is pretty full. To have to take his men off jobs and to let the town streets go and to move over to the park for two or three weeks because once he starts he'd have to be there. You can't say well I'll do four shovels today and I'll wait. He would still have to continue on that plus he has his streets to take care of. I don't know if people will say oh well sure I'll give up my street. I won't have it fixed this year. I'll let the potholes be there and you can go to the park. I'm still having a hard time with this.

Selectman Luszey thought you have to realize or understand we use Kevin to build the senior center. We use Kevin to build parks for pickle ball. That's part of his day to day activities that we direct. We're paying him to manage the assets of the town. This is an asset of the town. If we can utilize his assets to do work a little less expensive than hiring out we should but not at the expense of letting roads deteriorate beyond repair. Most of my questions were answered but I have to agree with Speaker Jasper that the port-o-potties kind of work but they really don't work. I know a lot of people that won't use them because of the disarray of them. Am I for this number? No. I think we need to figure out how to fund it some way differently like we've talked in the past with the monies from the sale of properties that we have to support these types of items. We own this. We're going to be paying for this now and in the future or until we give it back to the State. I'm not thinking we're willing to do that. For me I'm in agreement that there should be a number there as a placeholder to go forward to the warrant and let the people decide how much they're willing to cough up on this one.

Shawn Jasper said to Selectman Nichols perhaps I wasn't very clear. I thought I was but I apologize if I wasn't. I had a conversation with the Road Agent tonight before this meeting started. We're talking roughly the two lines that he can do. We're talking about 500 feet of line. We're not talking about a great deal of lines. To get the water line into the junction area, the sewer line is about 500 feet. That's not a lot of work for Kevin. This is not going into streets. This is not going any place else. He did say yeah I could come in for a week go so far and stop. All you've got it is an end of a pipe and then you come back when you've got time. Absolutely not. He said he could not do this project if you told him to go in and do it all at once he could not. If you let him manage his schedule, he can get the 500 feet of line done. It probably would be over two construction seasons possibly. You got two lines and you can do it at two different times. There's no hurry. There's no emergency in getting this done all at once. That really shouldn't be a problem. I think you need to at least ask him what he thinks he can do his part of it for and look at that number.

\$375,000 is not an acceptable number. I don't believe the archeologist has to be any place except that little green part in the box to bring the water line in. That could be worked with. As Kevin said quite honestly if you told me I had to call up the archeologist and schedule him for the whole thing, no that won't work either. That's why I have to get that answer for you. I have to find out are they in agreement as I know I negotiated with the State that the only way we needed the archeologist was in that box. I will fight for that. I'll get that answer. That's what we negotiated in good faith and I'll get that answer and I'll get it to you in writing before March. That's what we're talking about. The other part of this is the gas and the electric line that need to come in over there. That is entirely outside of the Historic District. Again we shouldn't have to have an archeologist but that's not what our engineer has been told. Those numbers are figured in there. If I can get them, that number will come down again by a very large thing. There's a 50 percent contingency in the gas line built in for ledge. We can do borings next year and find if the ledge is there. If you want to say well we don't want to put the 50 percent, pull another \$20,000 out and if there's ledge there and we don't get the water and gas in. Just give us the opportunity please to put a reasonable number together for the people to let them decide so we can move forward. This is them deciding. That's all I'm asking. I'm sorry that we weren't able to be here a month ago. I really am but it seems unreasonable to say answers that we should be able to get in a month. We'd have to wait 13 months to move forward.

Chairman Maddox asked why don't we just use propane for the gas and eliminate \$70,000 of this expense. You put a tank in, put a fence around it. Shawn Jasper said you have three buildings here that potentially use that. I'm not sure we even need to do the gas right now. I just think having those tanks and having to have trucks come in particularly you look forward to the future. What are the uses going to be in the winter? There's a lot of opportunity to do that. Can you get the trucks in there to fill the propane tanks? Is that really what you want? I guess if it's outside, the elephant barn is probably no problem for that. The other two buildings there's no use right now. Is that a problem? Worst case scenario...Chairman Maddox was saying is again I know we have a commitment but again I don't think anybody had the vision that it was going to be these kinds of numbers to get the elephant barn the utilities. Given \$70,000 for natural gas as opposed to calling up and saying drop off a tank, it is a tough one for me to jump to.

Shawn Jasper apologized because my mind is going in too many - Liberty Utility has said they'll do the line for no cost if it's hooked and used within a certain period of time. That's the other thing that needs to be nailed down. I have no problem with pulling that out and if we find there's ledge there we go propane. So pull another \$69,000 out right off the top. If Liberty isn't willing to do the work, then we don't bring it in.

Chairman Maddox said I would be warmer and you know how warm I can be is to come in with a \$100,000 request to do all of the borings, the testing, the permits. This is going to take a while to go through the State. I'm just saying that the railroad station have taught us nothing. It is a challenge to get through all of that bureaucratic levels and I know you have a unique position but do we go and ask for monies that we can't spend because we are held up by not having our plans ready.

Shawn Jasper noted the borings is a day. That's not much money. The permitting again the problem that you have with the train station was you were using federal money administered by the State. We're not talking a dollar from the State here. I'm saying go forward. We can change wording in February if you're not satisfied. We can change dollars. If we can put this altogether by February, give us the opportunity. That's all I'm asking. Don't take away the opportunity please to move this forward. There are things that are going to have to be done. Again you're going to have to be thinking about how you need to deal with the Hazelton roof and you haven't got much time on that. If you put this off another year, do you then not do this at all? Do you move the Hazelton roof? We're using the opportunity without saving any money. I just don't think it's wise. We've gone 7 years without putting any real money into this.

Chairman Maddox stated we've put a half a million dollars into that park. We spent a half a million dollars at Benson's without blinking. Mr. Jasper was saying that we haven't asked the voters for any support other than the maintenance. Chairman Maddox said Kevin has spent hundreds of man hours, thousands of man hours in there never mind the volunteers. I think that's a misstatement inasmuch that there's been a lot of money spent there. You're right we have not asked the voters for new money. We spent old money. We've used town forces whatever but again the Hazelton Barn scares me. Again I would much rather see us do an analysis of that with the \$100,000 than this but again let's see where it takes us.

Selectman Luszey indicated Speaker Jasper mentioned Hazelton a number of times and he just brought it to a whole new level of urgency and that is we're running out of time. I'm not even clear on what our obligation is to that building and who is overseeing that and is there a plan to do anything with it.

Shawn Jasper said the obligation is, and this was a hard negotiation with them because they wanted us to commit to rehabbing the barn and the office building within a certain period of time. We essentially are in a situation where we can't allow the building to deteriorate any further. That's why the Tyvek works. If the Tyvek on the Hazelton barn comes off, you need to put new Tyvek on. When the roof leaks, you've got a problem. The big problem with the Hazelton barn is you've got a gap at the roof where that needs to be brought back together. That's an expensive proposition. However to keep it from not being any worse, there have been conversations. They may allow you to put a metal roof on there until the funds are available. That would be a lot cheaper by hundreds of thousands of dollars

just to have a metal roof put on. I believe we may be able to get to that point to say we don't have the funds to do this but we can put a metal roof on and give us the time. Those are discussions.

Chairman Maddox thought didn't we have to take off some layers because I've heard stories of there's like 4 or 5 layers on there. In Mr. Jasper's opinion and I have real experience with a similar barn, that one has been ply wooded over but then you have slab boards underneath it. The metal would actually take weight off because you're never going to get any snow load on the metal. It's going to slid right off. I was thinking about where the nails land but there is plywood so you're going to hit wood with every nail which was a problem we had when we didn't do that. I think you're actually in better shape. I don't think you'd have to strip anything off to put a metal roof on because you're not adding weight to the building surviving the winter and it has snow load in the winter because it's not sliding off a metal roof. It would allow it to slide off. That is something the Board needs to think about relatively soon and make sure that you're inspecting the inside of that building when there is torrential downpours to see if you're having leaks in there now.

Selectman Luszey asked what's the consequences if we don't do anything. Shawn Jasper said potentially losing the whole park if you let that barn deteriorate and the State says well we have to take it over. They'd take over the whole park. We try very hard to say okay we don't want the Haselton barn. You keep the Haselton barn and we'll subdivide that out how much land you want with it. We weren't able to do that. They told us we had to take it. That was part of the deal. If we don't live up to our end of the deal by contract we could lose the whole park. For clarity if that should happen, Selectman Luszey asked does that include the senior center because that's what's in the boundaries of the park. Mr. Jasper thought that was subdivided out. You're all right on the senior center. That's a separate piece of property. Steve Malizia said we paid for that.

Selectman McGrath asked if the State decided that they wanted to take it back, what are they going to do with it. Are they going to put padlocks on it and prevent Hudson residents from using it? Shawn Jasper said most likely. Selectman McGrath asked and you have pull with the State government you said. Mr. Jasper said there's a difference between pull and trying to budget to run an entire park that the State never desired to build or to run. There's a world of difference there Selectman McGrath and that's what you're talking about. You can't take it back and now you do what we're doing. That's not going to happen. That's budgeting. Pull is saying hey we had an agreement here and show me where it says this isn't that and pull is being able to say I need an approval in a month versus sit on it for three months. That's what I'm talking about.

Motion by Selectman Luszey, seconded by Selectman McGrath, to forward the proposal to provide funding in the amount of \$250,000 for Phase I of the proposed utility project (water, sewer electric) for the Elephant Barn at Benson Park and to forward to the FY17 Warrant

Chairman Maddox thought that you've told us we can take the gas out and \$50,000 by doing it a cheaper way. I'm not convinced I'm going to vote for it but I think we at least ought to give them the chance to go run and try to see if they can make it for the February Deliberative Session.

Selectman Luszey thought that's really what they're asking for is for us to put a placeholder and to see what actually comes about at the Town Meeting or before. If it's not there, then we won't recommend.

Selectman McGrath supported it in the interim but what I do in the ballot box is far different than what I'm doing tonight.

Chairman Maddox said we're going to vote on this again at some point. Again I think in deference I think something needs to be done at Benson's but I'm not convinced that I want to spend this kind of money without knowing the end result. Again shame on us we didn't ask the question when we signed an agreement for \$1.

Selectman Coutu said I've listened very attentively. I truly believe a gun has been put to our head. This was not ready for prime time no more than the water pipelines and yet I listened to you. We started this discussion at 8:10. I listened to almost an hour of discussion and we're talking about toilets which is not part of proposal one and other things that aren't even in proposal one. We're talking about 11 cents to 15 cents potentially per thousand increase in the tax rate for a plan that isn't really a plan at all. It's just an assumption of costs because the homework wasn't done. I don't think that there's anybody else that could come to the Board of Selectmen and say I want you to put a placeholder on this. I'll do all my homework and I'll come back and let you know in February. We would say no there's a deadline. We have to have it. We want to get it to the Budget Committee. We need to have it. That's just the first thing. I don't think the voters are going to support it. It's too expensive. Also besides being put under the gun, I've been to DOT I don't know how many times. You've been with me on several occasions Representative Jasper you've been to DOT with me. You know their ins and outs a lot better than I do. Mr. Chairman I don't know if you've come to DOT with me. Once DOT gets word of this, I suspect it's going to be two or three years before they give final approval to allow us to go into the Historical District which is what they're concerned with and say it's okay to do this. Their engineers are going to want to review this. I don't think the Speaker of the House can any more dictate or get someone to dictate to DOT you're going to treat Hudson any differently than you do Nashua, Londonderry, Keene, Woodstock, New Hampshire and you're going to get this done. I just don't see how you can do that. I don't

think it's fair to other communities in the State that because you're the Speaker of the House you can go in there and just...I don't see what the problem is here. I'm being candid and open about this. My dealings with DOT have been that they've delayed everything. This is not ready for prime time. You know it's not ready and I know it's not ready. You admitted so by saying we need to do some more work on the numbers and we need to bring it back to you. That's the problem I'm having. You can be upset with me but you're entitled to do that. I'm not upset. I'm just saying this wasn't ready. It's common sense. If somebody else came in with a plan like this, a contract, or something we'd say we're not ready to listen to this because you don't have everything put together. For you to say or suggest that in February we may or may not be able to do this and if we can't then we'll pull it just doesn't make sense to me as somebody who represents the taxpayers of this town. I'm done Mr. Chairman. I'm just aggravating him I guess.

Chairman Maddox was just sitting here looking at this and say if they came down lower on Bush Hill Road and stayed out of the Historic District, came into the back or the side of the elephant barn to meet that contractual agreement could we get that done for less. Those are the questions I think that we need to ask and I guess I'm going to go somewhat with Selectman Coutu inasmuch that we haven't looked at those because the time frame is being so compressed. You hired an engineering firm and maybe they know that there's ledge there that I'm just looking at a piece of paper. I would think that if we went to the bottom of the elephant barn as we look at this drawing, we would avoid the Historic District and all of the challenges that that presents. There are a number of questions and items that we need to take a look at to meet our obligation but in a cost effective manner. Again I still think the \$100,000 is the way to go and put monies towards any number of projects. This is the way the Benson Park Committee wants to go I'm kind of sitting on the edge and say let's at least give them the try.

Selectman Coutu said I will vote for it because the voters are ultimately going to decide and I side with Ms. McGrath. How I vote in the ballot box may be different than my initial support to let the voters decide. I've always said and I will continue to maintain that I never have an objection to allowing the voters an opportunity to make that decision. It is their money.

Vote: Motion carried 5-0.

Chairman Maddox told Speaker Jasper I'm looking at this and saying why would we not try to avoid the Historic District especially on phase one to get them water at a much cheaper price.

Shawn Jasper said because you were in the voting mode I kept my mouth shut. I am very angry at this particular time. I was not suggesting that Hudson be treated different than any other community. I'm suggesting that there is also a protocol that when the Speaker requests an expedited review and whether that be for another community or this community and that's what I was saying that I know how DOT operates. If I go in and say we have a deadline here could you review this and expedite it that would be the same thing that I could do for any other community. It wasn't looking for favors for Hudson over anybody else. It was saying this is a time emergency. This is a complete plan. This plan could be done for \$375,000. This is ready for prime time. The fact is I think we all agree the \$375,000 is too much money. That doesn't mean it's not ready for prime time. It's engineered. It's ready to go. We could do it. I think it's unfair to say that. I am looking at because of a suggestion of another member that there are alternatives. I will tell you the difference in the Historic District is the cost of the archeologist for that little piece and it's not a long stretch of line. If you go behind the elephant barn, that's all ledge. You see it. It's coming up out of the ground there. You're talking blasting to get the water line through there. That's just the reality if you look at the ground there. So the archeologist is going to be cheaper to go through the Historic District. I'm sorry that things what I felt got personal here. That isn't the intent of saying that I'm looking for something special and that nobody else could come in here. You all know me. I've served 17 years on the Board. I'd be in here with this much passion. You all know I've been passionate about this project and I am very, very proud of where we are in 7 years of ownership of that park. Very proud.

Shawn Jasper said I probably haven't told this Board this and I'm just going to take a minute to do it. The last time my Dad ever left the house before he died, I took him in the wheelchair to Benson Park and wheeled him around. He said this is the best thing you could have done for me. He said I am so happy to see that this town is still the town that I grew up in that there's still the sense of community and the pride. That was the last time he ever left the house.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Town Administrator - I'll be brief. I just want to remind everybody that the Town Clerk's office will be closing early one o'clock on Christmas Eve. If you're planning to come to the Town Clerk, they'll be closed at 1 o'clock. They will also be closing at 4:30 on New Year's Eve next week. So they will not be open until 7 next Thursday but instead they'll be closing at 4:30 just so everybody knows. The rest of Town Hall will be open. It will probably be a skeleton crew but we will be here but the Clerk's office will be closed. Other than that, Merry Christmas to everybody.

Selectman Nichols - I think I've said enough. Merry Christmas everyone and happy New Year.

Selectman McGrath - I have nothing to bring before the Board. I will just say that I hope everyone has a very Merry Christmas and all the best in 2016.

Selectman Luszey - Just one quick item. Sorry I didn't mention the Budget wrap up is Monday. The school budget we wrapped up. There were basically no major cuts. Everything pretty much went through with the exception of the funding of the library conference room use. Chairman Maddox asked so what are they coming in for an increase. Selectman Luszey said the default is about \$100,000 more than what they requested. They're over \$50 million now. I don't have the number right off the top of my head. They've got a couple of contracts that are in negotiations right now. I don't know where they're at right now. They're due to come in also. Other than that, Merry Christmas to everyone. Holiday wishes and I really truly hope everyone has a prosperous New Year - a safe and healthy one.

Selectman Coutu - Merry Christmas and Happy New Year everyone.

Selectman Maddox - A couple of things. The primary for NH has been set for February 9th. We meet on February 9th. I need a motion to move our meeting to February 8th Monday.

Motion by Selectman Coutu, seconded by Selectman Nichols, to move the Board of Selectmen's meeting from Tuesday, February 9th, to Tuesday, February 8th, carried 5-0.

Chairman Maddox said we need to get onto cable, get onto our web page, the plan for going around the building for elections. Ladies and gentlemen it happens every four years. 12,000 of you want to come into the Community Center to vote. We're going to try to make it as painless as possible. We're going to go one way around the building. We're going to have police officers directing traffic. If we get snow and I'm hoping we'd have none but if we have any hopefully we can as much out of the parking lot at the Community Center and some of those side streets so that it is safe to walk and get as many cars in as possible. We'll continue to update that as we go forward.

Chairman Maddox said the next workshop our water provider, our operations and maintenance vendor declined wanting to come in. I would ask that the Town Administrator convey that we would really like to speak to them. Is the Board in concurrence? Selectman Coutu said we demand them to be here. Chairman Maddox asked can we get a printout of how much money. Selectman McGrath commented they might withhold water.

Last - Chairman Maddox noted yesterday I got do to something and I want to thank all four of you for making it possible. As Chairman I got to swear in four new police officers. As a kid from Billerica, that is an unusual event. I want to thank Selectman Coutu and Selectman McGrath who also came. They're getting younger and younger or at least perception wise. A good group of people. We also promoted five officers due to some changes in the department. Ladies and gentlemen there was a good crowd there. Again I'll say here what I said there is they don't hear two words often enough and those are thank you. With the things that happen in a job that your decisions are split second and dealing with good people on their worst days must be a very difficult at times profession. I'm glad that these four officers decided to come to Hudson and I'm hoping that they will be here throughout their career.

Lastly Chairman Maddox said since I'm the old guy that's fat and has white hair, I must be Santa tonight. With that for all of you thank you and have a Merry Christmas.

10. NONPUBLIC SESSION

Motion by Selectman McGrath, seconded by Selectman Luszey, to enter Nonpublic Session pursuant to RSA 91-A:2 I. (a) Strategy or negotiations with respect to collective bargaining; RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; and (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, carried 5-0 by roll call.

Chairman Maddox noted Nonpublic Session was being entered at 9:17 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 Maddox entered Open session at 9:36 p.m.

Motion by Selectman Coutu, seconded by Selectman Nichols, to accept the Police Chief's Memo dated 12/10/15 request to reimburse employees who did not receive their Educational Incentive Stipend in accordance with the Agreement between the Town of Hudson and Police Union Local #3657 as outlined of the Police Union Contract (XVIII. Educational Incentive), carried 5-0.

Motion by Selectman McGrath, seconded by Selectman Coutu, to allow Kathy Carpentier to buy out 80 hours of vacation time, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 9:37 p.m. by Selectman McGrath, seconded by Selectman Nichols, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Richard J. Maddox, Chairman

Roger E. Coutu, Selectman

Pat Nichols, Selectman

Marilyn McGrath, Selectman

Ted Luszey, Selectman