

HUDSON, NH BOARD OF SELECTMEN
Minutes of the December 8, 2015 Meeting

1. CALL TO ORDER - by Chairman Maddox the meeting of December 8, 2015 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE - led by Selectman McGrath.

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

4. PUBLIC INPUT

Chairman Maddox said with the Board's indulgence, a moment of personal privilege. I want to thank all four of you of course and members of the town staff and citizens of Hudson for the kind words on the passing of my mother. Again thank you all and it was greatly appreciated. All the actions, the drives to Billerica, and all the kind things that have been said thank you.

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

5. NOMINATIONS AND APPOINTMENTS

A. Appointment

- 1) Conservation Commission - (4 vacancies - 1 member term to expire 12/31/2018; 1 alternate term to expire 12/31/2016; 1 alternate term to expire 12/31/2017; 1 alternate term to expire 12/31/2018)

Randall S. Brownrigg, Jr.

Chairman Maddox said unfortunately Mr. Brownrigg could not be here this evening. He is a sitting member of that now. Does the Board wish to waive the rules and appoint.

Motion by Selectman McGrath, seconded by Selectman Nichols, to suspend the rules and nominate and appoint Randall S. Brownrigg, Jr. as a member to the Conservation Commission with a term to expire 12/31/2018.

Selectman McGrath asked to make a comment. As liaison to the Conservation Commission, I've had an opportunity to work with Mr. Brownrigg. He's a good member and I feel very comfortable endorsing him for that position.

Vote: Motion carried 5-0.

6. CONSENT ITEMS

Chairman Maddox asked does any Board member wish to remove any item for separate consideration. B. 1. that I would like us to take a look at.

Motion by Selectman Coutu, seconded by Selectman Luszey, to approve consent items A, B, C, D, E, 2 and F as noted or appropriate, carried 5-0.

A. Acceptance of Minutes

- 1) Minutes of the October 20, 2015 meeting

B. Assessing Items

- 1) Blind Exemption - Map 216, Lot 014, Sub 047 - 19 Oblate Drive, w/recommendation to approve
- 2) Disabled Veteran Tax Credits - Map 177, Lot 040 - 20 Jump Lane; Map 205, Lot 101 - 21 Glen Drive, w/recommendation to approve
- 3) Veteran Tax Credits - Map 187, Lot 011 - 23 Hawkview Road; Map 147, Lot 002, Sub 014 - 28 Shoreline Drive; Map 252, Lot 038 - 56 Pine Road; Map 149, Lot 066 - 39 Sutherland Drive; Map 147, Lot 022, Sub 009 - 10 Westchester Court; Map 156, Lot 006, Sub 008 - 17 Cricketfield Lane; Map 133, Lot 061 - 8 Beechwood Road, w/recommendation to grant

C. Donations

- 1) Donation of \$479.73 from Lifetouch National School Studios for the Recreation Donation Account

D. Licenses & Permits

- 1) Hawker/Peddler/Itinerant Vendor's License - Michael Bevins a/k/a B & B Catering

E. Water/Sewer Items

Chairman Maddox noted the two that I had were in the Water Utility. One was for an amount of \$46,621. I know it was a clerical error by wouldn't that be caught by something. If somebody's water bill is over \$10,000, I would think the computer could spit out saying something isn't right here. Imagine the poor person who opens their water bill and gets the water bill for \$46,000. I know we're going to approve it, I'm just questioning how does that still get by Steve. Steve Malizia said I don't know. I don't review the water bills every month. There's approximately 6,000 a month. I'm not sure. Chairman Maddox asked why wouldn't our software say you've used \$47 for the last 20 years why would a \$46,000 not raise a flag. Mr. Malizia was not an expert on the software. I wouldn't know. Chairman Maddox said its more of a question of isn't there something the software or somebody would say this thing is out of character. Selectman McGrath had the same thought.

Chairman Maddox said the other one that I had was the one for the - it says on the paperwork and this is the third sheet in "somebody forgot to remove the disconnection charge after his disconnection on 6/25". Well why would you remove the disconnection charge if he was disconnected? Steve Malizia indicated they might have carried over more than one month. That's my assumption. That was a carryover. There was already a charge and then there was an additional charge which shouldn't have been an additional.

Motion by Selectman Coutu, seconded by Selectman McGrath, to approve Consent Item E. 1., carried 5-0.

Chairman Maddox asked could we maybe get an answer on at least the \$46,000. Is there something else that could be done?

- 1) Water Abatements - W-UTL-15-03, 9A Canterbury Court; W-UTL-15-05, 25 Parkhurst Drive, both w/recommendation to approve W-UTL-15-04, 5 Madison Drive, w/recommendation to deny
- 2) Sewer Abatements - S-UTL-16-09, 10 Tolles Street; S-UTL-16-10, 57 Rangers Drive; S-UTL-16-11, 6 Clifton Street; S-UTL-16-12, 10 Forest Road, w/recommendation to approve

F. Calendar

12/09 7:00 Budget Cte - BOS Meeting Room
12/09 7:00 Planning Brd - Buxton CD Meeting Room
12/10 3:00 Trustees of the Trust Fund - Buxton CD Meeting Room
12/10 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
12/14 7:00 Conservation Cmsn - BOS Meeting Room
12/14 7:00 Budget Cte - Buxton CD Meeting Room
12/15 7:00 Cable Utility Cte - HCTV Center
12/16 5:00 Municipal Utility Cte - BOS Meeting Room
12/17 7:00 Benson Park Cte - HCTV
12/21 7:00 Budget Cte - Buxton CD Meeting Room
12/22 7:00 Board of Selectmen - BOS Meeting Room
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

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on November 24, 2015

- 1) *Motion by Selectman McGrath, seconded by Selectman Nichols, to authorize the Fire Chief to hire Bruce Buttrick for the position of Zoning Administrator/Code Enforcement Officer, effective January 3, 2016. This assignment will be an exempt position and in accordance with the Police, Fire and Town Supervisors Association Contract, with an annual salary of \$70,499 (Step 1), as recommended by the Fire Chief, carried 4-0.*
- 2) *Motion to adjourn at 9:00 p.m. by Selectman McGrath, seconded by Selectman Nichols, carried 4-0.*

B. Public Hearing - Solar Exemption

Chairman Maddox recognized the Town Administrator Steve Malizia.

Steve Malizia noted this is the second required hearing of two. Obviously you had one I believe at the last meeting. This is to take input from the public regarding the proposed solar property tax exemption. I think we've talked about this issue before. I know the Board has and basically this is to discuss or to take input on the exemption itself. The exemption would be anybody who installs solar would then be able to exempt that portion if we were to assess it from their property. We currently do not assess it but that is a potential. Right now it is public input to take comment from the public.

Chairman Maddox opened the public hearing at 7:07 p.m. Does anyone in the audience wish to speak on this item? Come on down and state your name and address for the record.

My name is Tim Wyatt. I live at 139 Barretts Hill Road. I would like to speak in favor of the exemption. We've owned for a couple of years now and we'd like to consider adding solar energy to our property. We expect that the cost of electricity will just go up. We have friends in town who have solar now and feel that they should also have that exemption.

Hi everyone. My name is Dr. Joan Zinkawich. I live at 79 Greeley Street and I hope that we will adopt NH RSA 72:62 which is the exemption from assessed value for property taxes for persons owning real property which is equipped with solar energy. Most towns in New Hampshire have already adopted this. I looked on line and whatever. It's across the board. I think we should stay in step with modernarity and do it ourselves. I have a system in place. I hope other people will think about it also. It helps to decrease our carbon footprint and we're using the sun's energy. Thank you. I also want to make a point. Insurance companies do not increase your insurance for having this solar energy on your house as I would if you put in a new room, or a patio, or other things like this. It's not considered an increase in your insurance policy.

Surprise, surprise. Linda Kipnes, 23 Nathaniel Drive. I'm the Chairman of the Sustainability Committee. The Sustainability Committee is very much in favor of this solar exemption. We would like to support people and encourage people to put install solar systems and we think that this will make people comfortable that they will not be assessed for the value of their system. Whatever savings they can get from the solar system, they will be able to keep and apply to their electricity usage.

Also while Ms. Kipnes was here if I could put in a plug for our talk about solar tomorrow night. The Sustainability Committee is sponsoring a talk about solar systems. We will be talking about the technology of them and the finances of them - the buying versus leasing of them. The talk will be at the Rodger's Library tomorrow night starting at 7. We hope a number of people will come. We are hoping that maybe some Selectmen or people from town will come because we would like to start maybe thinking about solar installations on some town buildings. If there are some ways that we could do that, we would like to start looking into that. You will be hearing from us about that.

Chairman Maddox had a question. Since we don't assess now is your thought process that we would assess people and then credit it? Again now they're not seeing a credit because they're not getting charged. I think that that's been my dilemma from this from the beginning is we're not charging now. We're not raising the value of the homes today. Linda Kipnes thought the value of this is to assure people that we will not assess in the future. This is a policy. Right now we don't do it because we don't do it. It just hasn't never been done and so it's not part of any policy. If we explicitly say our policy is we do not assess, that it will not be included in the assessment that that will give assurance to people that it won't be.

Hello my name is Justine Camire and I live on Sanders Road. I've been a resident of Hudson for 35 years and we just installed some solar panels on the house because we wanted to help the environment and we knew that Hudson was not taxing the residents for that. That was one of the reasons why we said we're going to take this step to help going green. I hope all the Selectmen will go and adopt the exemption for tax purposes on the assessment.

Selectman McGrath had a question. Currently we're not taxing any property that has solar panels installed. Their taxes aren't increased or the valuation of their property isn't increased because of solar panels. Last March during the March elections the voters voted not to adopt that RSA for exemptions. However, we're not currently increasing their valuations anyway. If this Board decides that they will adopt the RSA concerning the exemptions, what would prevent a future Board of Selectmen from reversing that? Taking a vote and saying we don't think that that was a correct decision or we think that there's value in the solar panels and therefore we should be raising their valuations. Is there anything that would prevent that from happening?

Chairman Maddox said no. It's a different board. They can vote...Selectman McGrath knew the answer but I think that it needs to be clear for everybody that is sitting here thinking that if we adopt that tonight, or at the next meeting, or whatever that it won't prevent another Board of Selectmen that's comprised of different members from taking a different stance on that in the future. Chairman Maddox noted that's with any ordinance that we pass.

Just to be real clear, Selectman Luszey said use the word "credit". This has nothing to do with tax credits. This is an example from the assessing of the value of the installation. The federal government does provide and the State government does provide tax credits for installations to help offset the costs. We're not into that business. All we're doing is saying that to promote the installation of solar energy on one's property, we will exempt that from being assessed which is very different. We're not providing any monetary assistance to anyone that installs the units. That's up to the federal government and the State government to do. What we are doing is hopefully promoting green technology by saying that we will not assess the value of that which to me, and I made this statement the last time, is no different than we don't assess the value of someone's high efficiency furnace when they put one in. No different except this is on the outside.

Selectman Coutu thought it was clear to the Chairman as it has been to a few members of this Board where I stand on this matter. I know Selectman McGrath again brought up the fact that the ballot was on the question last year. I appreciate where she's coming from relative to that. Again I reiterate what I said the last time was that when I reread that warrant article, I read it twice. I can see the confusion as to what a yes vote or a no vote would mean and there was no definition of what the RSA was. I feel very strongly that though a future board can overturn our decision and we know that. All it takes is three votes. We have approximately presently 75 to 100 installations that have taken place in the Town of Hudson. We have a large number of people who have indicated an interest in wanting to go solar but there is that eminent fear that there's no assurance that they're not going to be taxed. We as a governing will be promoting a greener environment by adopting the RSA and encouraging more people who are on the edge thinking about installing solar but are withholding a final decision pending our decision. They want some assurance at least for the present that they won't be taxed. I can tell you here and now that if I'm alive and that some future board were to overturn our decision tonight if we decide to adopt the RSA, I will join and I'm sure Linda Kipnes and other members of the Sustainability Committee will join and we will go back to the ballot with a citizen's petition to overturn that board's decision. I'm sure that as long as I live and breathe I will continue to do so each and every time a Board of Selectmen overturns the decision to adopt the RSA. I will support it because I think it's the right thing for Hudson and I think it's the best thing we can do for our environment at the present. Thank you Mr. Chairman.

Chairman Maddox thought that some of the confusion at the Deliberative Session and with the last one was again we're just exemption which we have been doing all along from assessment these solar arrays and the equipment. As long as people aren't expecting that there will be a credit because what you don't tax it, you can't credit something you didn't tax for. I think that's the kind of the missing link. I guess I agree. This makes sense why shouldn't we do it. The only question I had and I think you looked into is no means no only on financial. Steve Malizia agreed. We've already got that opinion. Chairman Maddox said that was my concern the last time is the voters said no but this is a different animal.

Selectman McGrath commented about my position on this. I'd like to make it abundantly clear if that's at all possible that I support green energy, and solar panels, and that the assessment shouldn't be increased to encourage people to do that. However I'm not in support of this Board taking a vote to overturn what the voters just voted on barely nine months ago. They made it clear in their vote that they weren't in favor of that. Now there may have been misunderstandings but let me remind all of the members of the Board of Selectmen that there was a Selectman not too many years ago that interpreted on his own votes by the voters and it caused some problems for him. You can't get into the mind of what people were thinking when they go into the voting booth. They look at the ballots and you assume that they read them. If they descriptions are adequate and you assume that they know what they're doing. If they vote no on something, that's how they feel. I'm not at this point willing to do anything that's contrary to that vote. If it had been two years ago, I would have been more comfortable. I could have said well two years have passed, we've seen what the affects are, and I could support it then. This isn't even a year ago. We haven't even gone to a second round. I think the Sustainability Committee can easily come up with more adequate language that would clearly explain what they're looking to achieve and what the people with solar panels are looking to achieve. It's not any different than what we're doing now. We're not assessing them for having those solar panels on their homes or on their businesses. They're not being assessed for that. They're not being taxed for that. I wouldn't be in favor of taxing them for those panels. Until we go through at least another second round of allowing the voters to speak on something that maybe it wasn't clear enough for them. Maybe they didn't understand what was really trying to be achieved but I'm not willing to take a position saying that they didn't know what they were doing.

Chairman Maddox said I'm going to vote for this because it's just reaffirming what we have done over the last ten years. I don't see this as any different. I don't disagree with your thought process but I think that all we're doing here is reaffirming what we have been doing which is not to tax solar facilities. I don't see this as contrary. It's just consistent with what we have done. Yes the vote was there but at this point I think it's just reaffirming what we had already done. The next meeting at the December 22nd is when we can make the motion to adopt this.

Chairman Maddox closed the public hearing at 7:23 p.m.

Steve Malizia noted at the next meeting is when you can actually adopt an ordinance to exempt this. You can't do it at this meeting. You have to wait until the meeting after the two hearings.

C. 14 Brady Lane - 12" Water Main Extension

Chairman Maddox recognized Town Engineer Elvis Dhima.

Good evening Mr. Chairman and members of the Board. Elvis Dhima said as you remember from the last meeting basically I introduced a project that's going on right now on Robinson and West. This project was approved in 2014 by the Planning Board and introduced the water line extension alongside Robinson Road to Brady Lane. I'm going to put that on the screen right now to refresh your memory. There were a few questions from the Board members and I have here with me tonight Mr. Basso, Mr. Colburn to answer any of the questions that the Board might have regarding this project layout - water line extension. Basically what you're seeing on the screen is Derry Road and Robinson Road. As I said earlier, this intersection there is a site currently being developed. The building has two units. One of them is a Dunkin Donuts. Brady Lane is a private road. They're proposed a 12 inch line under Derry Road. They're going to achieve that by drilling under Derry Road which is currently a State road. Within that shaft if you want to call it, they will be inserting a 12 inch line and going to Robinson Road to a 12 inch and then installing an 8 inch line on Brady Drive. From that initial line, they're going to tap to provide water services, fire, and domestic for this building.

Chairman Maddox asked does this proposal also include going up to the self storage units. Mr. Dhima said they would be coming in front of this Board later on. There is another project currently taking place right now. It's a self storage and thank you for bringing that up Mr. Chairman. Currently there is an application being processed for additional units at this particular location which is 22 Brady Drive. In 2010 when this project was approved, there was a stipulation regarding providing a fire cistern or town water. Now they're on Phase II and the Fire Department has made that request. Currently they're proposing it's the same firm K & A proposing that. That's being reviewed right now. Basically they're going to extend another 300 feet to the entrance of the Hudson Self Storage right now and install a fire hydrant there. Obviously that's pending based on tonight's decision on this water line extension.

Chairman Maddox asked Mr. Dhima did you have a chance to go back to the records and see - again, I know we talked at our last meeting about anything on the Robinson Road side of 102 in regards to water coming off of the St. Joseph's pipe.

For the record, Tony Basso with Keach Nordstrom with offices at 10 Commerce Park North in Bedford, New Hampshire. I permitted St. Joe's years ago through this Board and we extended a water main up 102 and then cross country through Tate's property to St. Joe's and then continued on to Chase E. Welding and the other Tate property there on Christine Drive. It was a 12 inch water main extension back then. The easement was left short on St. Joseph's. There is no easement so there's no way to access. Just so you guys know, I heard about this meeting and I watched it so I know what your questions were and the issues. I called Bob Demers still the development guy and I left him a detailed message last Wednesday after watching this meeting. I never got a call back about seeing if it was even possible to and would they even sell or grant any kind of access there. He never called me back so I don't know what their interest is. I had spoken to him years back and there was little interest in extending that granting an easement at all to Robinson Road. There's some history to that as you all know. The water main got brought up anyway beyond and it's right across the intersection from us. We were proposing to bore under and bring it over to the site. It's still the same source and everything just a different leg of the line. I couldn't get any call back or any interest from St. Joe's. I don't know if they would do it or not. This is in the public road now and there is a significant cost associated with boring. As you can imagine it's ledge so it will be boring through rock. It's not inexpensive but they're going to put a sleeve in so it wouldn't have to ever be re-dug in the future. If anything happened, it will be a 16 inch sleeve. The pipe will be slide through the sleeve. If anything happens to the pipe and any damage ever occurred, they'd be able to pull that back out and reinsert a new main.

Mr. Basso knew there was some concern over boring and that process. A couple of things you should know. Two years ago when they brought the gas main roughly - that 8 inch - that's how they did it. They bored right through that exact same intersection and across. It took them a day and they were done. They did a sleeve there as well. This is a State road so we were required to get a permit which we did obtain. Of course the State requires a sleeve because they don't want to have to if anything ever happens they don't want to have to have it redone.

Chairman Maddox asked what is the sleeve made out of. Mr. Basso said it's plastic. It's polyethylene pipe. What they actually do is they drill horizontally. It looks not too dissimilar from a well drilling rig and they drill horizontally. The bit is computer controlled with GPS so they know where it's going and the bit goes through and then what they do is they latch onto PVC. The reason why they do that is because they can do a continuous pull. Its welded plastic and they actually pull it back through with the bit. So they go through, drill the hole, then they grab onto with that same bit the plastic, and then draw it right back through, and then it's done. Then you actually slide the water main into the plastic. The advent of being able to control this technology has been around forever but until GPS and all this stuff, you couldn't control the bit so you didn't know where it was going to go. It could come right up through the road, and it could down, it could go sideways. They never knew. Now they can actually control the location of the bit. We actually did this very thing under the Soucook River for Continental Paving for one of those gas mains 15 feet under the river and actually poured down and up the other side and up a 200 foot high embankment. You could actually follow the bit right up and pull the sleeve. It was a 500 foot long sleeve in that case. It's done very frequently. It's a good way to go where you're not actually digging up the road. You're not causing any traffic issues, and you're not

causing a patch to have to be repaired in the road. Until the last few years, you also couldn't drill through rock. That had to be a jacking. Now you can actually bore horizontally through ledge which that's what we're going to do here. They did encounter rock under the road. They're anticipating that they will be boring right through rock. It's a system that works. It's not inexpensive but it's effective for getting it there. We've been through MUC. We've been through Weston & Sampson review. We bring the water up and a hydrant on to Brady past our site and then Mr. Noury would take it the next distance up to his site where that next plan for fire service really because he doesn't need domestic.

Chairman Maddox asked if there was a house up there. Mr. Basso said there is a residence in that but they have a well.

Selectman McGrath had a few questions. On the sleeve that you talked about is it possible that that could have crushing damage which would then be compressed onto the water line that you wouldn't be able to just easily pull it through if there were that type of damage in the future? Tony Basso said no because the sleeve even though it's plastic that you're pulling through its H₂O loading which means it is meant to handle truckloads and traffic under. It's the same plastic polyethylene pipe that you would use for a gas main, or drainage and stuff that's currently under roads. So it's meant to be used in that application and so no it would not. The water main inside that is ductile iron. The whole thing is very solid.

Selectman McGrath said you talked about trying to get in touch with St. Joseph's representative. Is it possible that that person is no longer associated with St. Joe's? Mr. Basso said no. I actually asked that question when I called. I made sure of that. I'd seen recently they've done another project in some other town and I had seen his name anyway. I called and I asked the person I spoke with if he was still involved in that stuff and yes he is. He was the right person to talk to but he did not return my call. Selectman McGrath thought it seemed odd to me that they wouldn't try to recoup some of their costs by allowing you to tap into their easement. Even with that, Mr. Basso still thought boring that way - rather than digging up a trench cross Robinson or whatever, I think this is still the way we're going is a great way to do this. There's no benefit to going the other way as far as it's a trade off as far as we're not talking dollars and cents here but I don't see a benefit to going one way or another over as far as water systems go. I don't know if there's a huge benefit one way or another.

Selectman Nichols had gone by the place a couple of times looking and St. Joseph's does have a hydrant on their property. Is that where it would come from to go across? Mr. Basso said yes near there. The easement is about 30 feet short of the property line. The water main is short of it. Selectman Nichols said I would love to know what they would charge to go from there to there just to the edge to get you out without it costing. I would love to know what that cost would be. I have seen it. We've gone for a coffee run in the morning to check these things out. I have seen that hydrant so I was wondering if that's where that water line was and then it would have to come out to the road which is quite a distance. Tony Basso said it is pretty far from there up and over. There's wetland and wetland buffer along there. I think if you were in the right of way it's irrelevant but it's still there.

Elvis Dhima said the one thing to keep in mind and I think it goes along the question you had Selectman McGrath, there is a case where that pipeline fails the only disadvantage you have when you have this in a shaft setup is you have to take that whole section out and you have to replace it in its entirety. You can't get access to that point alone if you had that on the right of way or you could dig it out. That's the only difference. Could it happen? Probably not but if it does, the disadvantage would be that now both sides have to be shut off. The line has to be drained because they take that section out because they can't just take one section. They have to take that whole length out and insert a new line in within this shaft.

In response to that, Tony Basso said this is a welded plastic unit shaft so if you do have a water main failure, it is going to come out the ends and not blow out the whole road. So yes you're right. You would have to pull the whole sleeve out - the piece out of the sleeve but you're not going to have lost the whole road in the process. The water would have shot out. It's a plastic drain pipe essentially. When the water main breaks, it's going to go out the ends and that is beyond the road. You're not actually going to lose the entire paved surface. It's going to be beyond.

Chairman Maddox noted you're drilling through rocks so the chances of the road failing are probably slim.

Selectman McGrath said you're talking about welding a plastic pipe. How do you weld plastic? Tony Basso said it's welded with heat fused thing. Gas main is welded that way and tested and everything. It's actually you put pieces together and there's a plastic welding. Selectman McGrath never heard of welding plastic but I don't weld so. Mr. Basso noted it's not like welding like we know with a stick and heat. It's a system. I know they're tested and everything.

Selectman Coutu too went up to the property. As a matter of fact I went up Monday and looked. As a layman, it is very difficult to do measuring with the eye. Has anyone taken a measurement from St. Joseph's to your entry point onto the proposed site? Elvis Dhima noted we can do it through the GPS. Selectman Coutu said I asked if it had been done not if we're going to do it now. Mr. Basso said I think we looked. Selectman Coutu noted I didn't ask if it was looked at, I asked if it was measured. Mr. Basso recalled somewhere around 275. Selectman Coutu asked your proposal is how much? Mr. Basso said it depends where you're measuring from. To our site, it's not very far but 296

plus 220 for the crossing. 220 takes us to our site and then 296 up Robinson because we're doing that to get to Brady Drive. My client clearly didn't need to do that for Dunkin Donuts. Dunkins could come right up from there and go to our site. This was Weston & Sampson.

Elvis Dhima said it was you coming back to us an asking for the water line.

Based on what Selectman Coutu has in front of me, am I to add 220, 296, and 288 to come up with the exact number of how much piping you're going to lay to get to the building. Mr. Dhima said 804. Selectman Coutu repeated 804. If you came from St. Joe's it would be 275. I would have thought Mr. Chairman if there was a serious consideration to try to save the contractor money especially where an engineering...Mr. Dhima said it was 460 feet to the driveway plus another 288 feet. It's about the same. About 50 feet more than going the other way around. We're talking about 50 feet. Selectman Coutu said you're going across the street pretty much and it's going to be almost the same distance from going around in a big circle. That doesn't make sense to me. Mr. Basso said we're centered if you look at that ortho though between them. We're nearly in the middle. Chairman Maddox said it's going to be close to the same amount of pipe either way. Let's just concede to that.

Selectman Coutu said it would be a lot cheaper to go the other way. Mr. Basso said we can't get an easement. Selectman Coutu said you don't know that. Now you're contradicting what you said earlier. Mr. Basso noted I called and asked but I get no response. To me that's a no. If you wanted to make a deal, we would get called back I'd imagine. If someone wants to sell something, they call you. Chairman Maddox said he could have been on vacation in all fairness. We don't know. He didn't call you back and say no we're not interested. He just didn't get back to you. That is slightly different then they're not interested. Mr. Basso said I did ask if there's a way.

Chairman Maddox noted its 6 and one half a dozen of the other I guess. I'm just having a tough time. I thought the idea was that anything that was going to go on the Robinson Road side of 102 would be done by the line that's coming through St. Joe's. That's again how I remember it. Anything that was going to be West Road side would be done off the pipe on the other side of the highway. You've sat here for public consumption that you tried to reach St. Joe's and they did not respond. I guess from there we need to make a decision.

Selectman McGrath said I'm going to ask our Town Engineer. Out of the two scenarios if they could obtain an easement from St. Joseph's property assuming that which of these proposals would you recommend for the Town. Which would be the preferred? Elvis Dhima would prefer to have access to the line all times which means not boring under 102. We already have a crossing about 800 feet away with that. It's one of those cases where we don't need another one. If I have the water line available, there's already a crossing right over here. What they're proposing is another crossing right over here because they don't want to get access from this 12 inch line to whatever reason there might be done in the past. It doesn't make sense to have another crossing 800 feet away where we can't get access to this. It will be easier and cheaper for us. We can't do this job in house so we have to sub it out if we have a defect or a break. I would say I'd rather based on what I've seen, I'd rather have access to it right there and then from St. Joe's. Some of the defects can be done live without having to shut off the main. They can either put a sleeve on there or anything versus you need to take off the sleeve now entirely. That calls for shutting off the system entirely. That's my preference but it doesn't mean - it depends who you ask. I like to be hands on and to have access to it right there and then versus having something underneath it they have to get into. If there was no other crossing and it was really necessary I guess it would be a different story but we already crossed 102 to cross it again because it can get access to it. If they really can get an easement from this, it is what it is.

Selectman McGrath noted and there's no other alternative.

Mr. Dhima completely see it but obviously his was done at the last second too as well. I'm not sure. It would be preferred to have access to it at all times. That would be ideal.

Selectman McGrath made a suggestion to Mr. Basso that he attempt to contact St. Joseph's by letter and whoever Mr. Demers reports to. Chairman Maddox suggested that we tie both of them together rather than you coming back another time. Let's do that line all the way up to the Noury property at the same time so we'll just do an approval. Again as much as you love coming here we could tie both of these together. If we go to the next meeting and we have an answer one way or the other and you're also tying into that extension up to the self storage spaces so they don't have to come back again in January or whatever for that extension. We could tie it all into one.

Tony Basso had a couple of questions. I'm going to have to get this in writing I assume because you're not going to take my word for a phone call I assume or a letter. I'm going to need it in writing back number one. Is that what you want? Number two what is the price for which we can. If they say its \$1 million do we have to buy it or can we go the other way? Where is the line drawn? We're crossing all kinds of territory here. You're putting a gun to my client's head in a sense to go make a deal with someone who I don't know if it can be done and at what price point? Where is that breaking point?

Chairman Maddox said we're not going to give you that number because again at least come back and say that you tried, you contacted him. Again I would believe if you said you talked to him but you just left a message and he did not get back.

Selectman Coutu said let me gather my composure. This is not the Planning Board. We're not putting a gun to your head. Please I'm not done. We're not putting a gun to your head. We want to see your client get water. There's nobody here that doesn't want him to get water. I feel as does the Chairman I think he's made that statement in the past and he reiterated it again tonight. We feel that a commitment was made to St. Joe's. We want to make sure that all avenues have been exhausted with St. Joe's and they don't come back and bite us in the behind later on and saying hey what did you just do. We have a line right here that has immediate access. We were assured that if there was a probability of us being able to get somebody to tie in that we would be given that option. It's not a question of trust. It's a question of us having in writing from them that they're not interested in tying in. If they were interested in tying in and they said but however it's going to cost you half a million dollars, that's unreasonable. We're reasonable people. We want your client to be able to get water. Tony Basso stated that's why I'm asking that question and like I said...

Selectman Coutu said it was a fair question and you interrupted me again. It's a fair question. I'll vote no regardless if you keep it up. We're the ones making the decision based on information that we've had prior to this and based on information that we have now. We don't have substantive evidence that St. Joseph's won't allow you to tie in. Our Engineer says that based on his knowledge and I trust that he knows perhaps maybe not as much as you. I'm not going to give either side credit here but he said that he would prefer that he would think that the best route would be from St. Joseph's. Based on my observations as a layman when I went up there Monday if I were the owner of this property, the developer of this property because he's the one that's footing the bill until they occupy it, I would think that going to St. Joseph's made more sense to me than putting a sleeve under the roadway and digging through ledge which is probably what you're going to have to do. We know that there's a solid fill of bedrock under the road based on borings that have been done in the past and perhaps prior to paving repaving the road. We are not trying to deny your client access to water. We just want to make sure that we don't have St. Joseph's coming back to us later. I think that's a reasonable request. Yes your question about well what if he says they say St. Joseph's that they'll do it but there's a fee associated with it. That's unreasonable. There's no fees associated coming across Derry Road correct? There's no fee to tie in there. Tony Basso said there's a \$15,000...Selectman Coutu asked so who owns that line? So it goes to them. If they were to say yeah we'll let you do it but we want \$15,000...

Chairman Maddox noted you said it was \$100,000 to bore under 102. Again we don't want to get into the negotiations here on TV because that's not ours. All we're asking is to have something from St. Joe's that says that they are not interested and you and your client and St. Joe's couldn't come to an equitable agreement. That's all I think I'm looking for is again.

Selectman Coutu wanted to clarify for me what you're attempting to do so that they don't have to come back. Are you saying that should we approve it, it would be with the condition that we would allow the expansion to the storage facility? Right when they come back the next time so that they would be done. Selectman Coutu said the storage facility would have to pay them to tie in correct? Not him but the developer. Elvis Dhima stated it would be a one-time fee and when they tab into the main based on disagreement but it won't be significant.

Tony Basso thought what Mr. Coutu is speaking to is because of water line extension agreement would they have to pay? No because it's beyond at the end of the line. No. It's only if you hook in along the line on the service. Can I have a second? Just a couple of things with that. Its winter and you can't open Robinson Road. If that has to be the way in order for my client to get a CO at Dunkins which is not Peter Noury by the way just to let you know. We would have to bore under Robinson Road because we're not going to be allowed to open cut. So for them to be able to finish and hook up, we're going to have to do the same thing except under Robinson Road instead of 102 unless you're going to let us open cut in winter which I don't think will happen. That is an issue there. I did speak to Bob Demers in 2010ish two years after they did it. I don't remember who we were asking to connect for at all but I said would you consider. He said \$300,000. That's why we never went down that road at all. I did call to see if that's still the case. I figured I would put that out there. It was 2010 and I can't remember who I asked for to tell you the truth. I gave him a call and he said \$300,000. It never went any further and I never bothered calling until a week ago this time because it just wasn't even a consideration at that kind of number.

Chairman Maddox said if that was the number, the Chair would think that that was unreasonable for the record. We're going to defer this hopefully to our next meeting which is the 22nd. Hopefully we can just put this to be from all the way up.

Motion by Selectman McGrath, seconded by Selectman Luszey, to defer the proposed water line extension agreement for 14 Brady Lane until December 22, carried 5-0.

Elvis Dhima said the self storage water line extension will be going in front of the MUC the 16th so it will be perfect timing for the 22nd for both of these to be done.

8. NEW BUSINESS

A. Sale of Town Owned Property - 6 Bear Path Lane

Chairman Maddox recognized Town Administrator Steve Malizia.

As you recall, Steve Malizia said we've recently talked about this. This was a vacant house. It's actually an improved property. It's a house on Bear Path. The Board has agreed to sell that tax deeded property and has awarded the listing to DiBernardo Real Estate. This evening Ms. DiBernardo is here to talk about her recommended listing price. As you are well aware, we have not listed or put a listing price on it yet. Ms. DiBernardo has done a market analysis for you and has a suggested listing price for your consideration.

I am Lisa DiBernardo of DiBernardo Real Estate. I live at 100 Derry Street, Hudson.

Chairman Maddox noted you've given us some ideas. I guess my question to you as I've looked at that property, it's an interesting property. It has a brilliant view of the Rockies. The second floor windows are looking at just a granite hill. It has no garage. It is a challenging property. It's probably a very nice house. I understand that we've cleaned it out quite a bit, made it safe, and removed the illegal apartment in the basement.

Steve Malizia said that's true. We had our Inspectional Services team go over and dictate or tell us what needed to be done to do that. I've had our maintenance guy actually do that work.

Selectman McGrath said I looked at that as well and when I looked at your valuations, I don't know that you took that into consideration that they removed the...Lisa DiBernardo wasn't aware that they had...Steve Malizia asked let's qualify what's down there. It was a two cabinet sink. There's no appliances. There was a door leading to a separate room. The door was removed. The cabinet has been removed. The plumbing has been capped and there were deadbolts at the top of the stairs have been removed. That then takes it out of the apartment and back into a finished space and a basement like a lot of other people.

Selectman McGrath was happy about that because it didn't belong there in the first place. They had no approvals for it. In reading this paperwork, I just wanted to ensure that Ms. DiBernardo took that into account that it's a single family home and that that removal had taken place. Lisa DiBernardo said in the industry we aren't really allowed to include the finished basement space in our advertising, marketing, calculating. Selectman McGrath noted its odd how many cases come before the Zoning Board and they say the real estate agent told us that this was perfectly okay. Ms. DiBernardo said this definitely was an illegal finished space. I actually spoke to somebody in Community Development group. I did not include that finished square footage or anything. I just used the comps and compared it to equal properties right there in the neighborhood. I also considered the condition of the property and I'm sorry if this is very lengthy but I did try to lay out for you the amount of repairs and things that will be needed to the property and I adjusted for that in my recommendation so that it's a fair price in its condition when it gets out to the market.

Selectman Coutu said in another life had an invested in property and looking at valuations like I looked at these. Based on the neighborhood and I've been up there once. It's a beautiful neighborhood. There's some beautiful homes up there. This one here compared to the others is a little tattered. I think based on what you did and the research that you did on establishing a market value when you look at all of the other homes in that area and similar homes relatively adjacent, I think that these are within a three mile radius. Mr. Malizia indicated they're all within the same neighborhood. Selectman Coutu said they're within the two mile radius anyway. At \$265,900 to \$269,900 we could flip a coin. I would certainly support going for listing it at \$269,900 unless you have a compelling argument against it. You're recommending between 265 and 269. I would go for the \$269,900 because I know that no matter where we live and no matter who we are when you own property you're sensitive to what your neighbors sell their homes for because it appreciates or depreciates your value. I would suspect that I'm taking into consideration the fact that you said that you're basing your estimate on the fact that it does need repairs. Had it been in a pristine condition, we probably could have been in the same market or pretty close to the market of all of the other homes at Bear Path which would be between \$279,000 and a high of \$360,000. Somewhere in there, that home could have sold for except that it doesn't have a garage which that's something that a lot of people look for. I think that asking for \$269,900 is reasonable. We know why we're selling the property because we want to recoup our money. We don't want to give it away and we don't want to depreciate the value of the other properties. I think that asking for \$269,900 is reasonable. If we get an offer lower than that or close to, I certainly would entertain accepting that. I think that the \$269,900 is fair market for that property.

Selectman McGrath agreed.

Chairman Maddox was going to go down to \$259,000 and get rid of it. It's just sitting there.

Selectman Luszey said well that will be the first offer made so I think you will.

Selectman Coutu said you're going to come back with any offer that's made. Lisa DiBernardo said any offer I need to present yes.

Motion by Selectman Coutu, seconded by Selectman Nichols, to approve a list price of \$269,900 for the sale of tax deeded property located at 6 Bear Path Lane, carried 5-0.

B. Sale of Additional Town Owned Property

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia noted we staff have identified three additional properties. They're down in the Eayrs Pond area. One is on 4 Chestnut, one is 3 Chestnut, one is on 17R Eayrs Pond. These are all surplus to the town's needs. These are all tax deeded property in excess of three years. They're all unimproved properties. It's an area of water. There is no sewer. It's outside the Sewer District. Potentially you can get somewhere between the three of them possibly 14 maybe lots out of this but somebody would obviously have to go in and make sure they meet all the requirements. We originally thought 22 but because there's no sewer, you probably have to scale it back.

Chairman Maddox said, again, the things you're going to list for sale here says the higher number it looks like. Steve Malizia said what we would be doing is selling three lots. We just have to look at what the potential of those three lots is. In other words, we're not subdividing it. I'm not recommending we spend any money doing anything other than putting it out to a realtor and having that realtor come back with the analysis that says hey I've looked at all the regulations, the rules. I've looked at the town records. You can more than likely get X amount of lots onto this property. I would presume someone in the building trade might be interested in buying this property or properties.

Selectman Coutu said having familiarity with that neighborhood and that property having been there many times, I want to make sure that I'm clear. I've read, reread and looked at the map and what's being provided. I know where we have to work from tax property. I always thought this was one lot. Apparently they're three lots and they adjoin each other. Mr. Malizia said there are three lots. I believe two are approximate to each other. The third one I'm not sure it abuts the other two but it's in proximity to. Selectman Coutu noted it's contiguous. Mr. Malizia noted it's bisected by that street. It's a separate lot for tax purposes. Selectman Coutu was wondering where they came up with a proposal of 12 here. There's where you get the additional potentially 6 more. Mr. Malizia thought that was probably stretching it because in that area without sewer you're going to probably have a reduction of a lot size. Even though it's a TR zone, I don't think you're going to be able to do \$10,000. You're probably going to have to do 20,000 square foot lots.

Selectman Coutu asked would we then consider packaging the two or would somebody have to offer to buy. Steve Malizia wasn't sure if you would go...Selectman Coutu said if a developer wanted to buy...Mr. Malizia said different people might want to buy different lots and might be willing to pay different prices. The third one is in proximity to but I don't believe it abuts it. It's in that same general vicinity.

Selectman Luszey had a general question. These are owned by the town for a number of years now. Why would we not have someone take a look at what would be the best strategy to use to maximize the return on these properties. Steve Malizia asked are you saying we want to subdivide them and do that or are you saying that...Selectman Luszey said we may want to combine them all into one big lot. Mr. Malizia was not sure you could combine all three. I'm not sure from a map perspective it's back to the other two.

Chairman Maddox didn't think this is ready for prime time. I think that it is tough for all of us to understand what the question is I can see where you've broken out these lots but the Town Administrator is now saying that that conceptual is not realistic. Steve Malizia agreed. This was just our attempt to figure out what you might get on there. It's probably not going to be this ambitious because you need to have 20,000 square feet with that.

Selectman Luszey said that drives the price. If I'm a developer and I could do that, that means one thing versus well I can only do 6. Mr. Malizia noted we're not asking for price right now. We're just asking if you'd like to sell these. The price will come later.

Chairman Maddox said yes we would but I think we have to know what we're selling. I think first off we need real clarification of is it 20,000 square feet. If that be the case, then you're only going to get X amount. This is not correct. What we've got sitting here is saying you're going to sell these proposed 12 lots is not the case. Mr. Malizia said right now it's one big lot. There are no 12 lots. It's just one. Selectman Coutu said it shows the potential. Chairman Coutu said it's not the potential. That was Selectman Luszey's point. It's not the potential. What is the potential because that's what drives the price? Again, Mr. Malizia said we're not trying to set the price right now. We're just trying to say do you want to sell these three lots. Chairman Maddox said yes we do. I think the Board is in agreement on that but. Selectman Coutu thought now we should send it out to have somebody develop a plan on how to sell these.

Selectman McGrath was pretty clear on what we're being asked to do. Yes we want to sell these three lots. It's in a TR zone which limits the size of the buildable lot. The number of houses that can go in there based on the size and then there maybe conditions on the lots. I don't know. I haven't been down there in a long time but there may be some water issues. I doubt it but it's close to the pond so there could be that may take away from whoever buys it or however it's reconfigured then it will adjust the number of houses that they can get in there. That's the only thing that can go in there is houses. Single family houses. They can't put a business. They can't put anything commercial, industrial. They can't put a farm. The only thing that they can put in there is a single-family home.

Chairman Maddox thought if the right side of all of these three pages weren't here we would probably be a much better place. I think that again the proposed conditions is where I'm going astray. Selectman McGrath thought all we need to do tonight is agree whether or not we want to sell these and who we want to represent us to sell those properties. Then they'll come back based on an analysis of the buildable area for those three properties and what the ultimate potential is for the number of lots that they can get on each of those three lots. That will come back to us. Tonight it's just a matter of making a decision about whether or not we want to sell them at least in my opinion.

Selectman Coutu asked there's no money due on these properties. Steve Malizia said we've owned these more than three years. Any proceeds would be accrued to the town. I believe they were taken in the 1980/1981 time frame so it's well past any three year statute. Selectman Coutu noticed when I look at the proposed motion it's saying to list them. I don't think they're ready to be listed. I think there's a consensus that we should sell them. I think that we need to come up with a strategy on what is the best way to mark it and some of the questions maybe that Selectman McGrath answering to some of the things that she mentioned was to assure that somebody buys this and they're going to say oh by the way did you know there's a pond in the middle of this land. I don't think there is. I've walked though those woods. It's a little worse now than it was 8 years ago when I did my first walk. Right now there's a lot of underbrush and growth in there. I don't think there's water problems. Make sure that this is completely marketable. We know that they can be subdivided. We know that it can only be single family homes. I just think somebody needs to develop a strategy before we go ahead and list it. List it is a pretty firm commitment. How do we go about doing that? Should we ask our Town Assessor and Engineer to get together to go out there and look at it?

Steve Malizia said if the Board wants to sell it what we would do is get the team together and re-evaluate and say okay what do we think the potential is? We're not going to design something for somebody because somebody can do something totally different. You have to look at the potential that might get an idea and I'm assuming you'd want to work with a realtor who's in the business of pricing things based on market conditions and what not. The second part of the motion was to hire DiBernardo Real Estate. If you don't want to hire DiBernardo, you can hire somebody else. The bottom line is you'd have to work together as we have on all the other properties we've marketed. When the Board has chosen to put those properties up, we all got together and said okay what do we think its worth and we came back with a value for the Board to list it at. That's pretty much how the process has worked in the past. If you recall I think there were 8 other properties I believe we listed and we came back with the value for them all.

Again Chairman Maddox thought the right-hand side is what tipped us off the rails. Selectman Coutu said it derailed me for a while. Chairman Maddox said it shouldn't be our decision what we're going to put there. If somebody wants to put a single house on it and is willing to pay the price for one of these lots that's up to them. I guess we have a consensus that we want to sell the properties. If we made a motion as it's written here to list these three properties for sale and through the real estate agent, again we'd list it like anybody else that owned a parcel of land. I just don't want to get into...

Selectman Luszey said the nuances. If I owned this parcel of land, I would know what the develop ability of it would be and that has a value associated to it. That is where I would be setting my price versus just putting it out there as a single lot. Totally different.

Chairman Maddox didn't disagree. Why don't we do this then kick it back to staff authorize the sale but let's not put a price to it. Between our realtor and staff, come back to us with a price for the three individual lots based on some input from staff as to what could be put there.

Selectman McGrath said reading this motion there is nothing in this motion that indicates a price or a value. Chairman Maddox said the only thing is the list is the thing that takes me off. Steve Malizia noted I should have probably said "to sell" because it's not our intention to do anything other than get your authority to sell it.

Motion by Selectman McGrath, seconded by Selectman Nichols, to sell Town owned properties located at 4 Chestnut Street (Map 247, Lot 045), 3 Chestnut Street (Map 247, Lot 051) and 17R Eayrs Pond Road (Map 247, Lot 075) and to hire DiBernardo Real Estate for the sale of the tax deeded properties located at 4 Chestnut Street, 3 Chestnut Street and 17R Eayrs Pond Road.

Selectman Coutu deferred to what Selectman Luszey stated. If I own this property and I were going to sell it, I'd want to know what the potential of that property is before I would go ahead and sell the property. I want more information before we're putting...Steve Malizia said that is the intention. You've given us permission to sell it but we're not going to sell it until we come back to you to get a list price which is how we've done all the other ones.

Selectman Luszey indicated that's the nuance. I don't want to give permission to sell. I want to have someone go off and develop a marketing plan for this. Very different. When you give permission to sell, you're telling them go sell it versus coming back with a plan that says here is some options that you have and how you can market this to make different revenues off it is - different margins from it. Very different in my mind.

Selectman Coutu was on the same page.

Steve Malizia noted it is the intention but if this doesn't accomplish that then we'll probably need to get rid of the first part and just say award it to DiBernardo Real Estate and we'll come back with the list price and the sale plan because that's what we've done on all the other properties.

Chairman Maddox said as you'll see later, we're going to adjust some of those potentially.

Selectman Coutu indicated I could support the motion if it's amended. Coming up with the language to amend it is - and I think that Selectman Luszey and I are on the same page with the marketability of this property and what our approach should be. I would like to have some reference in there that yeah we can sell, and yes we can list it but conditional upon this Board reviewing...Chairman Maddox said setting the price because that's going to revolve around...Selectman Coutu noted it's not just setting a price. I want to know what the potential is for this property. A developer would want to know the potential for this property. To make sure we research that if we say you said that - you're obviously paraphrasing but you said that the layout of the proposed development is subjective. It might be small, it might be bigger, it might be fewer. It could potentially be more but I don't see how. Mr. Malizia said it's not going to be more I can tell you that. It's not going to be more. Selectman Coutu would like to know that before we sell it. We own it. I want to make sure that this isn't like tax deeded property. This is our property and there's a lot of other things we could with this property. We could throw a municipal building down there. Mr. Malizia said it is tax deeded property just so you know. We get to keep all the revenues that's the difference it's been so long at this point.

Selectman Coutu said the point is is that I want to make sure we get maximum of this particular piece of property.

Chairman Maddox thought we're on the same page. I think its how we're going to get there. Do you want to give it a stab? Selectman McGrath said to leave the motion as it is but adding at the end of the sentence "based on the marketability and the concurrence by the Board of Selectmen prior to listing".

Selectman Luszey noted I'll let it go and see what comes back.

Selectman Coutu said we can't sell it without us approving the plan based on that. That's where I am at this point. I don't know if the seconder would agree to the language. Selectman Nichols said I will.

Motion by Selectman McGrath, seconded by Selectman Nichols, to sell Town owned properties located at 4 Chestnut Street (Map 247, Lot 045), 3 Chestnut Street (Map 247, Lot 051) and 17R Eayrs Pond Road (Map 247, Lot 075) and to hire DiBernardo Real Estate for the sale of the tax deeded properties located at 4 Chestnut Street, 3 Chestnut Street and 17R Eayrs Pond Road based on the marketability and the concurrence by the Board of Selectmen prior to listing, carried 5-0.

C. Bid Award - Hudson Recreation Center Roof Replacement

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia stated the Board directed me to solicit bids for the replacement of the asphalt roof at the Recreation Center at 2 Oakwood Street with the funds to come from the major repairs for town buildings capital reserve fund. Basically I solicited those bids. I mailed them directly to seven local roofing contractors, advertised in the HLN, the town web site, Facebook, HCTV. We received 6 bids. Two were disqualified as one was faxed after the bid opening and the other was received via mail after the bid opening so I couldn't take those. The bid was already open. Based on the four remaining bids which were opened by the Town Clerk, I'm recommending that the award be given to Granite State Roofing in the amount of \$10,400 the lowest bidder in compliance with the spec. and actually they were lowest bidder overall. I did have those bids reviewed by the Inspectional Services folks just to make sure they knew of the quality of the bidder and they concurred that that would be appropriate.

Selectman McGrath asked I recognize that it's the lowest bid but it's also a local business located in Hudson. My question is and reading that tonight, who approves the ultimate bid that gets presented to us? I'm conflicted because I want to make sure that there's no relationship between...Mr. Malizia said I'm not related to anybody that does roofing. Selectman McGrath said that was the question that I had when I was looking at it. Not that you want to preclude local businesses from participating in the bidding process. Mr. Malizia had no idea who these people are frankly. Selectman McGrath wasn't either. I'm just looking at the list and they're located in Hudson. I'm just trying to understand the process that's all. I don't think that that's an unreasonable thing to try and understand.

Selectman Coutu understood this is her first time going through the bid. I think that if you sat down - the bids go to the Town Clerk. You sat down with Town Clerk and you explained the whole process how we get to this point. I'm very satisfied but I know that this is the first time we've done a bid with you sitting as a Selectman. It's by the book.

Selectman McGrath said that was my issue. I just wanted to make sure that there's no relationship issues with approving those bids just as it would be with anything else that we do.

Chairman Maddox thought it was a good question. Again because we've done it maybe a couple more years, I didn't even think of that knowing how they system works but good question.

Give that I did the bid, Steve Malizia said if I had a relationship issue I would have identified.

Selectman Coutu was looking at the bids. It's from the low of \$10,400 to a high of \$18,700. I think \$10,400 when I looked at the size of the roof and what I've seen bid on other roofs is a bargain. Has anyone vetted this company? Mr. Malizia said yes. I asked the Inspectional Services specifically the Building Inspector have you seen this work? Can you vouch for this vendor? Are you aware of this vendor? Can you check this vendor out? They came back and Inspectional Services said yeah. It looks legitimate. It looks like a vendor that has a decent reputation. That's about as far as I went.

Selectman McGrath commented I actually looked them up on the Better Business Bureau and there were no complaints.

Steve Malizia also asked our maintenance guy here who has some roofing experience to take a look at those bids too. I'm not qualified because I don't do roofing.

Motion by Selectman Luszey, seconded by Selectman Nichols, to award the bid for the Hudson Recreation Center Roof Replacement to Granite State Roofing in the amount of \$10,400.00 with the funds to come from the Major Repair for Town Buildings Capital Reserve Fund, carried 5-0.

D. Revenues and Expenditures

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia said we are 42 percent of the way through the year which is basically 5/12 due in November. Things still continue to look pretty good. Obviously the longer we can go into the winter without expending any of our winter money is great. Overall I think we're in very decent shape. I took a look at it when I take out some of the encumbrances for legal and for trash. We basically are tracking to that percentage which means I don't see any issues. I will say on the other side, the revenue side, I think motor vehicles are at 48 percent which is outstanding. We're doing pretty well so far. Knock on wood the winter stays off a little bit. It appears that we are on track.

Selectman Coutu asked to go to the fourth page warrant articles. On the Pelham Dam the negative balance of 597 is that with the State. Mr. Malizia said that will come back from the State. Selectman Coutu asked we're assured we're going to get all of that. Mr. Malizia said yes the State is committed to that.

Selectman Coutu asked to go down to the sewer fund. The 111 percent on the capital projects is there money coming back to cover that 455? Steve Malizia believed money comes back through the budget from the capital reserve fund. I believe there's money coming back through there. It should be a revenue coming for that. One of their reserve funds is covering that.

On revenue, page 6, Selectman Coutu asked about grants other. What throws that off? What is that we went from \$10,000 to a budgeted - well we estimated a \$10,000 revenue. Mr. Malizia believed the grant money we got from Nashua to keep the Zach's Field was recognized in this year but I'll double check that. It's a little bit over \$100,000 something. I believe we put the reimbursement in this fiscal year.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Town Administrator - We are finishing up on three projects. There's guardrail that still needs to be finalized on Pelham Road. There's one small piece they're working out today on the boxes for the project for Library Street lights. I believe from my speaking to the Engineer today that the train station should be done within the next week and a half. By done I mean the exterior over there. I'm also under the understanding that the Benson Committee was working with an engineer to maybe possibly get an estimate here for the utilities. I have not seen that yet. I think they're expecting to bring that in at the next meeting just to give you a heads up.

Selectman Coutu - First of all I want to wish all of the people in our Jewish community a Happy Hanukkah. A Grinch wrote to the Hudson/Litchfield News about the beautiful decorations that we put up annually at the Library Park by our town crew. A comment made that rather than have the taxpayers pay to light the park if people want lights put them

up at their homes. I want to again thank our Highway Department, Kevin Burns, and his crew for doing another outstanding job again this year with the decoration of the Library Park. It's beautiful. It's the centerpiece of our town during this time of year. I wanted to express my sincere appreciation as a resident of the Town of Hudson. I'm willing to pay the extra \$30 this month for the electric bill. Less than 1/100 or 1/1000 of one cent of my taxes goes towards that. I want to express my appreciation. I want to tell you too that this past weekend, Sunday was the meet Santa and have your photo taken at Benson Park sponsored by the Friends of Benson. I don't know if any of you had an opportunity to view on Facebook the video that was taken of the people that were there. It was very well attended. There was a reasonably good crowd and all of the kids who went down to the playground and enjoyed the playground as well as meeting Santa, he looked fantastic. For an old man he really looked good. I was very pleased. She was very pleased. She has over 900 pictures taken at the event that she's going to have to filter through. She's posting them on line so people can access them free of charge. I don't know what the final results were with the Friends of Benson but I think they had a good day and if they did that makes me even happier. It went off very, very well. If it was successful, hopefully she'll come back again next year to help the Friends of Benson raise some funds and give the kids an opportunity to meet and have their photo taken with Santa. With that seeing we are going to have a meeting before Christmas Grinch that you are, I yield the rest of my time to you.

Selectman McGrath - I don't have much to report. I will wish Happy Hanukkah to all of those that celebrate that holiday. I did get to view the video on Facebook of the children at Benson Park. It looked like it was a good day. The weather looked like it was a nice day. The children that I saw they were very happy and excited. That was a good thing that we approved. Until December 22nd, I'll finish up now.

Selectman Nichols - I wanted to let you know that the Town Clerk's office will be closing early on Christmas Eve at 1 p.m. They're going to use their 3 hours of earned time for the remainder of that day. They will also be closed on Thursday, December 31st, at 4:30 p.m. They will not be working the evening on New Year's Eve.

Selectman Nichols went to the Seniors Christmas party and that was just a fun time. The food again was top notch. Don even said he wouldn't go unless they were having roast beef. They had roast beef, he went. It was just as good as last year. They had a great DJ for dancing. Everybody was laughing and having such a good time. We all stood the one point it was a little sad. We stood up to sing the National Anthem - everybody except for one person. I thought he had broken legs. He never stood up. Later on he walked. I had a very hard time not going over and breaking his legs but he was he only one who did not participate in that and it kind of made me feel kind of bad. It was a great, great day.

Selectman Nichols wanted to say that Kevin Burns did report that he's starting his 50 hour work week to get ready for the snow so if it comes, they've got the hours to go through. I wanted to tell him thank you too for the decorations in the park. They're absolutely beautiful. The Town of Hudson the people who have decorated their homes you just ride around and it makes your heart smile. They're absolutely beautiful. People have really gone out and done maybe a little bit more than they did last year. I really enjoyed that. I didn't get to see the children. I did see it on Facebook but I did not get over there to the park to see the children. That was a fun thing too. That looked like a good time. That's all I have to say.

Selectman Luszey - We wrapped up the budget for the town last week. I'd just like to say thank you to all the department heads. Great job. The numbers I presented to you when I came in a little late last week is the numbers that we finished up with. It's basically a flat budget that it's what we went in with. The minor changes, the cuts, and the adds washed out. Tomorrow we start the school budget so tune in for some exciting cable TV action. I do want to thank the communities and all the surrounding communities. Operation Care for Troops we shipped 50 more packages this morning. We're over 4,800 and I'm not sure what the tally is on that. Yesterday we brought 200 stockings up to the Manchester VA for the kids of the Veterans up there. Without the help of everybody involved - all the towns Hudson, Windham, Pelham, Nashua, Derry, Londonderry we couldn't be success. I want to thank them for making this Christmas season a little brighter for some.

Selectman Maddox - I was keeping busy by going out on another road tour. Selectman Luszey and I as the liaison to the Municipal Water Utility and the Town Engineer took a ride around some of our water facilities. I'm going to say the phrase "benign neglect". I think that we really need to take a look at our water system. I encourage the three of you to at some point get together with the Town Engineer and take a ride to at least the wells over in Litchfield. I think the other thing that I came away with is we hire a contractor Pennichuck to manage these facilities. I think we need to bring them in and explain our expectations. I would leave it as I've been down in the sewer pumping station on Industrial Drive that is 40 feet down. It's a sewer pumping station. I would have eaten my lunch down there. The water facility I'm not so sure I would have. It was nowhere near as well maintained as a sewer pumping station that no one would other see other than the crazed Selectmen. Our people do a great job knowing that no one is ever going to look at that. These facilities that we went and toured, again, I think we have some communication issues. I think we have some security issues and certainly we have some maintenance issues that I think we need to address as we move forward over the next year. Do you concur that they were substandard in many areas?

Selectman Luszey said 100 times over.

Chairman Maddox encouraged you to go take a tour of at least the pumping station, maybe a water tank. Again we don't want to get too much into the details. I think it has been a case of benign neglect. I think we just kind of think it runs itself. I think we need to take a little better look at what those facilities are.

10. NONPUBLIC SESSION

Motion by Selectman Nichols, seconded by Selectman Coutu, 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 (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant; (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community; and (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph, carried 5-0 by roll call.

Chairman Maddox entered into Nonpublic Session at 8:49 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 10:58 p.m.

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

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.

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.

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.

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.

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.

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.

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.

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.

11. ADJOURNMENT

Motion to adjourn at 11:02 p.m. by Selectman McGrath, seconded by Selectman Coutu, 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