

HUDSON, NH BOARD OF SELECTMEN
Minutes of the May 12, 2015 Meeting

1. CALL TO ORDER - by Chairman Maddox the meeting of May 12, 2015 at 7:01 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE - led by Chief Lavoie.

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; Mike O'Keefe, Chairman HCTV; Police Chief Jason Lavoie

4. PUBLIC INPUT

5. NOMINATIONS AND APPOINTMENTS

a) Recreation Committee - (1 vacancy, 1 member term to expire 4/30/18)

Sean O'Neill - 8 High Pine Drive

Motion by Selectman McGrath, seconded by Selectman Coutu, to suspend the rules and nominate and appoint Sean O'Neill as a member to the Recreation Committee with a term to expire 4/30/2018, carried 5-0.

b) Sustainability Committee - (3 vacancies, 2 member terms to expire 4/30/2018; 1 alternate term to expire 4/30/2018)

Michael Tranfaglia (incumbent alternate) appoint as he came in for interview in December

Motion by Selectman Nichols, seconded by Selectman Coutu, to suspend the rules and nominate and appoint Michael Tranfaglia from an alternate to a member of the Sustainability Committee with a term to expire 4/30/2018, carried 5-0.

c) Zoning Board of Adjustment - (1 vacancy, 1 member term to expire 12/31/16)

Maryellen Davis (incumbent alternate) - 14 Nathaniel Drive

****picking up where audio started - missing the beginning of meeting****

Selectman Coutu said when it was announced at the last meeting that Mike Pitre was resigning, I said those are big shoes to fill. Being aware of Maryellen's service as a member of the Zoning Board, she served in both capacities as an alternate and as a full board member those shoes are going to be filled. I know she's conscientious. I know she's dedicated. I know that she represents the interests of the citizens while serving on the Zoning Board and I'm sure that Selectman McGrath could speak more about it than I could. Based on my experience and my watching the Zoning Board, those shoes are going to be filled aptly. Thank you Mr. Chairman.

Selectman McGrath indicted Maryellen is an excellent member of the Zoning Board. She's always well prepared, always at the meetings. She rarely misses a meeting. She's filled in as a Clerk for the Board. I'll dare say that I think that it's an equal transition from Mr. Pitre and Maryellen is excellent and we couldn't ask for better. Thank you.

Chairman Maddox thought there was going to be several members of the existing Board applying. I guess when they saw that you wanted the position that they even endorsed. The Chair is certainly excited to see that that kind of enthusiasm within the organization.

Selectman McGrath asked to add too. It's important for historical perspective to have someone that's been on the Board for a long time and knows what's gone on, what applications have gone before the Board prior, and how to handle those. Not only that one more thing. Maryellen has also filled in when it comes to Zoning changes and attending Planning Board meetings to assist with that as a member of the Zoning Board just a great candidate.

Motion by Selectman McGrath, seconded by Selectman Coutu, to suspend the rules and nominate and appoint Maryellen Davis from an alternate to a member of the Zoning Board of Adjustment with a term to expire 12/31/2016, carried 5-0.

6. CONSENT ITEMS

Chairman Maddox asked does any Board member wish to remove any item for separate consideration. I'm going to pull out 6. D. 2.

Motion by Selectman Coutu, seconded by Selectman Luszey, to approve consent items A, B, C, D 1 & 3, E, and F as noted or appropriate, carried 5-0.

- A. Acceptance of Minutes
 - 1) Minutes of the March 24, 2015 Meeting
- B. Assessing Items
 - 1) Elderly Exemptions - Map 156, Lot 008, Sub 017 - 8 Madeleine Court; Map 237, Lot 021 - 42A Gowing Road; Map 147, Lot 026 - 8 Derry Lane, w/recommendation to grant
 - 2) Charitable Property Tax Exemption - Map 222, Lot 41 - 9 Wason Road, w/recommendation to deny
- C. Donations
 - 1) \$684 from Hudson VFW Post 5791 to be placed in the Police DARE Donation Account
 - 2) \$500 from Bruce and Margery Harris to be placed in the Robinson Pond Donation Account
- D. Licenses & Permits
 - 1) Request to Solicit Funds - Kiwanis Club of Hudson
 - 3) Petition and License for New Pole Installation (9N520078) - Pelham Road
- E. Water/Sewer Items - None
- F. Calendar
 - 5/13 7:00 Planning Brd - Buxton CD Meeting Room
 - 5/14 7:30 Zoning Brd of Adjustment - CD Meeting Room - CANCELLED
 - 5/18 7:00 Sustainability Cte - BOS Meeting Room
 - 5/19 7:00 Cable Utility Cte - HCTV Ctr.
 - 5/20 5:00 Municipal Utility Cte - BOS Meeting Room
 - 5/20 7:30 Senior Affairs Cte - Buxton CD Meeting Room
 - 5/21 3:00 Trustees of Trust Fund - Buxton CD Meeting Room
 - 5/21 7:00 Benson Park Cte - BOS Meeting Room
 - 5/21 7:00 Budget Cte - Buxton CD Meeting Room
 - 5/25 MEMORIAL DAY - TOWN HALL CLOSED
 - 5/26 7:00 Board of Selectmen - BOS Meeting Room
 - 5/27 7:00 Planning Brd - Buxton CD Meeting Room
 - 5/28 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room

6. D. 2. Raffle Permit - Teen Challenge New Hampshire

Chairman Maddox wanted to pull out that particular one the charitable property tax exemption. I had a couple of people ask me about it. According to our attorneys, we will be sending them a letter saying that they do not qualify. If you look at your packet our attorneys and Assistant Assessor have given us the input to say that we should deny the request. The Board questioned the Raffle permit. That's charitable property. Chairman Maddox said oh it must be B. 2. if you look at the top. I'm sorry. Selectman Coutu noted we already approved it.

Chairman Maddox indicated it's going to be approved anyway. I think it was just function of...

Motion by Selectman Coutu, seconded by Selectman Nichols, to approve Consent Item 6. D. 2.

Selectman Luszey thought he said B. Chairman Maddox said we just covered it. I think it's more than just anything else - I don't know about you but I have a number of people question what was happening after it came before us last year. Selectman Coutu said there's no doubt in my mind that that's the correct recommendation. Selectman Maddox was just trying to make people aware when the cable isn't jumping that's what we have done.

Selectman McGrath asked to have discussion on 6. D. 2. Looking at this application again, it says that the raffle is to be held at Manchester Harley Davidson on 115 John E. Devine Drive in Manchester. Why are we approving a raffle that's going to take place in Manchester? I thought initially when the first raffle permit came before us that they were going to have the sales at Ayotte's. Selectman Coutu noted they are having a raffle at Ayotte's. They're headquartered in Manchester and I believe that the raffle is a Harley Davidson Low Rider and the reason why they're doing it that it's being donated by the Manchester Harley Davidson and they felt it was appropriation that it be held at their facility. This is not the first time nor probably will it be the last time that Teen Challenge has been to Hudson to raise funds. They go all over the State. They service people from all over the State. I'm familiar with at least one of the Pastors/Counselors at Teen Challenge New England. I'm aware of the work

that they do. They come to Sam's Club quite often to raise funds. They're very successful. They're very devotional. They're very sincere and committed to help alleviate the drug problem that exists amongst our teenagers in the State of New Hampshire. So directly they're holding it Manchester Harley Davidson because they are the sponsors of the prize. It may have been a condition for them to be able to raffle off the prize that's being donated by them. Selectman McGrath inquired that they're selling at Ayotte's. Selectman Coutu said correct. Selectman McGrath said it wasn't clear looking at the actual permit application that that's where they were going to have it. I know that it says that within their letter that they've supplied this time. Selectman Coutu said they're not going to be there every day because they're also going to be selling them at other locations throughout the State. Typically Manchester south. Selectman McGrath was okay with it. I had that question and I think that based on what they've told us that it's certainly a worthy cause in something that I think we have a state-wide maybe town-wide we have a problem with the influence of drugs. I'm okay with this.

Vote: Motion carried 5-0.

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on April 28, 2015

1) *Motion to adjourn at 9:21 p.m. by Selectman Coutu, seconded by Selectman Nichols, carried 5-0.*

B. Proposed Warrant Article for a Contingency Fund

Chairman Maddox recognized Selectman Luszey.

Selectman Luszey said back on March 28th I got an e-mail from a resident that suggested that we establish a contingency fund to help us manage unexpended events. Without going into a lot of detail with them, I just thought since this is not the first time I've received such an inquiry that we put it on the agenda and we just speak to it for a few minutes so that it is as part of the public record and that folks know that we do have contingency funds. We have a number of them. There is the Selectmen's contingency fund that we use for example should we need to fund the Highway Department because of a natural disaster/snow storm. We have that capability. It's more of an informational thing. Reading through - and I hope all of you have a copy of the e-mail attached to your agenda. I think based on what the intent of the person's thinking, I believe we actually covered them and then some. We have a contingency fund for equipment. We have capital reserve funds that we put money aside to buy equipment. I think that should take care of it unless anybody wants to add some additional detail.

Selectman Coutu thought the Town Administrator because we have a document that was prepared by the Finance Department. I'm sure you...Steve Malizia indicated this is a regular document that's in your budget. So what I did was I included it so you could all see that we have a myriad or a variety of capital reserve funds. I took the liberty of showing what some of them are particularly the ones that seem to be germane to this repairs, refurbishment for example fire trucks, fire equipment, sewer, water. As Selectman Luszey said, we have a contingency that we raise every year in the budget. We've also gotten into the practice of raising some money for gasoline contingency. So we have a bit of money at our disposal. Obviously when we have a major event, we're also able in most cases to apply for a FEMA grant. As you're probably well aware, I think Mr. Burns notified you. We've applied for a FEMA grant. The paperwork has already been submitted and we would expect to get some sort of reimbursement. It may not hit this fiscal year but we'll book a receivable so that we'll get a credit for it this fiscal year. Overall when you look at the town as far as putting money aside and having contingency, we seem to be able to weather most of the storms we have. God forbid something catastrophic happened, we would also have the ability to petition the courts to get relief on our budget if that were to be the case.

Chairman Maddox noted we're going to have a couple of issues tonight that could lien us in this direction. We'll see where it takes us.

Selectman McGrath asked are we going to respond to or Mr. Luszey are you going to respond to the gentleman that contacted you. Selectman Luszey said yes. I actually responded to them and notified them that item would be brought up here tonight. So I hope they're watching. After this evening's meeting, tomorrow I will e-mail them and let them know that we discussed it and what the outcome was.

Chairman Maddox was just texted to tell me that cable seems to be working again. They hopefully heard it.

C. Legal Services

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia stated this item was on the agenda around April 28th. I believe Selectman Luszey was absent from that meeting so the motion that was made was basically to put this legal contract out to bid for a one year period. That motion failed 2 to 2. I was asked to put it back on the agenda when the full Board was here to determine what the full Board would like to do. We have a contract. We've been under agreement for legal services. This is the general legal services now. The day to day sort of stuff and not the labor specifically but the general. This is on our agenda so that you can either re-up with the current firm for two years or go out to bid. Going out to bid I prepared a spec. which I've included in this packet along with a list of attorneys in

the area. We'd also publicly put it in the newspaper, put it on our web page, probably put it on the NHMA website, and other common avenues that you've advertise in case somebody not on the list wants to bid. It will be open to any legal lawyer, a firm as long as they meet the qualifications. Your choice is to either approve a new two year agreement or to go out to bid.

Selectman Nichols asked the Town Administrator if he is happy with the lawyers that we have right now. Have you had any problems? Steve Malizia said I've been satisfied with their work. They're very accessible to our needs in my opinion. I can pick up the phone, call them. They obviously know our town. We all are aware that probably within the last year one of their partners left and went to the NHMA. They've replaced that partner with another associate that actually came from NHMA to them. Their ability to provide legal opinion, legal work - while it might of diminished some with that attorney's leaving I think this other attorney is well versed in the municipal world. Again when I call I'm satisfied. I think we get a rapid response. They know our business fairly well. We could argue that they don't win every case. We could argue that we maybe don't like the approach they recommend. In my opinion overall, I think they've done a decent job for the town.

Selectman Luszey had some statements. I did watch the meeting when this was discussed. My opinion on this particular matter is I am of the opinion is that we grant a one year contract with the condition that we put together a very detailed set of expectations and requirements of what we're looking for legal services. The last time I sat on this Board we did this for I believe the labor relations legal services. We really didn't make any headway with that because we were ill prepared to really have the conversation about what we were looking for in terms of an attorney, and services, and all that. Also we should be going out to bid on the share fact that the amount of money that we spend in legal services if any other department was to come in and say they wanted to sole source a particular service of this magnitude, we would probably ask them have they gone out for competitive bidding. Just for dual diligence we should do that.

Selectman Coutu heard where Selectman Luszey is coming from, however, I fear that the proposal that they have submitted to us I would think is conditional upon us approving a two-year contract. If we were to narrow it down to a one-year contract, the price per hour could change. I would not support a one-year contract for that reason.

Chairman Maddox noted your contention would be that we make the motion that it's a one-year contract and if they do not accept then we will go out to bid. Selectman Coutu said that's not my contention. My contention is that we go out to bid.

Motion by Selectman Coutu, seconded by Selectman McGrath, that the Board of Selectmen authorizes the Town Administrator to request proposals to provide legal services for the Town of Hudson for fiscal year 2016 (July 1, 2015 through June 30, 2016).

Chairman Maddox said I know you did speak to your motion last time. It's just basically using...Selectman Coutu indicated Selectman Luszey said that he heard what was said. I feel very strongly that though they may be providing excellent service, they're not the only law firm in the State of New Hampshire who represents municipalities. There are several and of the ones that are on the list, there are some amongst them who represent other municipalities ably and I would like to know what the going rate is. I would expect that most law firms who deal with municipalities know and are aware of all of the State laws and Statutes that govern municipalities and could ably serve us if the lead lawyer for Hage Hodes were to drop dead tomorrow morning god forbid I don't think that the service would change nor would it if we were to change law firms in my opinion.

Selectman Nichols asked how long have we had this law firm roughly. Steve Malizia believed we engaged them in 2000 because at one point in time we were transitioning from the previous attorney. If you look somewhere in my picket here I show the legal expenses through the years. We had some big years in the year 2000 and 2001. That's when we transitioned from the firm we had to Hage Hodes. Actually it was Bosse, Kelly, Hodes. It was a bunch of different names on it but basically we've had them since 2000.

Selectman Nichols said they're asking for a modest increase in both their retainer and their hourly rate. They haven't asked for fee rate raises for at least two years it says here. They've not asked for an increase in their legal fees for at least two years or maybe even four. So I don't know if going out to bid would get us anything any cheaper. Maybe a short amount of money but would we find someone who knows our town and everything that goes with it as well as they do? That's my question there.

Selectman Luszey didn't look at that increase like that because what we don't know is just because they haven't increased rates have they been the quickest in filings, preparing, and doing whatever they need to do for us or were we on a back burner for them? Just because they're the lowest rate doesn't mean we're getting the best deal.

Selectman Nichols referred, again, to the Town Administrator. He would be the one who would know the answers to that. If he's getting what he wants when he needs it. I don't understand...Mr. Malizia has always been of the opinion that they are attentive to our requests. They are not putting us on the back burner. In my experience if I don't hear back that same day within a few hours, I usually hear back the next day. If someone is out, someone else is covering that. So it's not been my experience that we've been on the back burner sort to speak as far as their responsiveness to requests. I will sometimes conditions things and say this one can take a week I'm not in a big hurry. I will also say this one I need right away and I generally get what we need.

Selectman Luszey said in all the dealings that we've had to deal with them and say the last 3 years has there in your opinion have they concluded the business in a timely fashion. There's one particular instance that I'm aware of that I feel they really

botched it up and extended it out. Steve Malizia said extended it out from the perspective that they weren't diligent somehow or...Selectman Luszey said they didn't quite follow all the rules right. Chairman Maddox noted when we were starting the taking of properties. Mr. Malizia thought that was a learning experience for us too. That's generally not their modus operandi. I can't say that they were perfect on that. I can say the ones that I've seen or followed, again, they generally have been satisfactory. You've obviously met with them when the need arises so you had some dealings and I guess you can form your own opinions. For the day to day stuff that I deal with, I think they've been responsive. I can't say they're perfect. I don't think anybody is perfect. I could probably put 10 lawyers in the room and you'll get 10 different opinions. Again it depends on what we're looking for. There's a price and there's a quality or there's a service. I think that service - the responsiveness has been good. I think the price has been good. I guess you have to kind of determine what you want for quality and what you think are the quality. I'm not an expert on legal matters. I think generally they've done a quality job but we can all have different opinions about that.

Chairman Maddox wanted to weigh in only for the fact that I think that based on our last go around, I think we should have a set of criteria that we're looking for. It is now the middle of May. Are we going to be able to get this out, assemble it, sit down with these people, and make a decision by July 1? I'm just concerned that we have a company that has done us reasonably well. There's always going to be cases that some of us don't like. I'm certainly in that list as well. Again I think this should come up much earlier so that if we do want to go out we have more time to do the set up. There's some questions you've got to ask. We've got to meet with their schedule. All those things that we've got to look at when we're going to go out to bid for legal services.

Vote: Motion 3-2. Selectman Nichols and Selectman Maddox in opposition.

Chairman Maddox asked are you going to use that list that's on the last page. Steve Malizia said that will be the direct mail list. There will be a solicitation mostly likely put in a newspaper. Probably something either The Telegraph or the Union Leader. The NHMA -that's another place people in this business look and more likely our cable and our web page. That's pretty much the avenues we reach out. So direct mail to those, out there for others who care to bid on it.

Selectman Luszey asked when you say our cable like the internal channel. I'm not sure we have a lot of community attorneys. Mr. Malizia didn't know if we do, don't know if we don't but it's free. We put it on there as part of the scroll.

As far as our preparation, Chairman Maddox asked do we want to take the June workshop a part of that and put together some questions that we all want to see when they come in for the interview. Fair enough. Again all I know is how are you going to interview these people. What is your track record? I think that one always bothers me inasmuch that I think that one problem I had with the present attorney is they tried too hard to keep their completion rate up. Sometimes you're going to lose. Sometimes you just have to fight the fight. It's not how many people do they have, what their back ground is, who else they work for are those types of questions we're looking for.

8. NEW BUSINESS

A. Benson Park Train Station Relocation Project

Chairman Maddox recognized Town Engineer Elvis Dhima.

Good evening Mr. Chairman and members of the Board. Elvis Dhima said as you're probably well aware, I went out to bid on this job recently. It's been a long road. A lot of people in this town - in a nutshell the good news is that we have some interest. The bad news is it's over budget. During the pre-construction meeting, we had 11 contractors. Out of those 11 people, we had two people put in a bid. What it comes down to is contractor BMR Contracting bid the job for a base bid of \$350,000 and project resource for \$408,000 and change. Our Engineer's estimate was much lower than that. What I did in the Memo is do a breakdown to what we are approved for by the State, what we have right now in front of us, what we need to get the project finished, and how much money is available, and how much we need to get this job done. Where we're at right now is we have to make a decision to whether either proceed with the change order for the amount of money and forward that recommendation to State and ask the State to make up the difference or the feds - the 75 percent, or not proceed with the work and come up with the funding to give back to the feds. The money that provided (inaudible) bidding phase. That money will be \$53,000 and to get the work completed and moved forward and going to the State recommend would be \$47,000.

Chairman Maddox asked you are under the assumption that the State or the feds will pick up the increase on their part. Based on preliminary talks that Elvis Dhima had with our project manager at the State, it seems that there might be money available but for us we go to the feds and ask for that. They'll need the local okay first. The reason I'm here tonight is to make sure that we as the Town have the funds to proceed with this and then go with the recommendation to the State.

Motion by Selectman Luszey to cancel the project, return the funds to the Federal Highway Department with a letter to Concord and the Governor saying that this project has been ongoing since somewhere around 2008 and based on the State's new requirements and costs that it is no longer feasible for the town to pursue moving or restoring the train station.

Point of order Mr. Chairman. Selectman Coutu asked at what point did the motion or is this one continuous long motion. Chairman Maddox thought it was one long continuous long motion to be honest with you. Selectman Coutu said she can't

write that fast. Chairman Maddox said it's basically to tell them that we're not interested and we're going to - it's not going to be that simple but okay is there a second. Selectman Coutu seconded for discussion.

Motion by Selectman Luszey, seconded by Selectman Coutu, to cancel the project, return the funds to the Federal Highway Department with a letter to Concord and the Governor saying that this project has been ongoing since somewhere around 2008 and based on the State's new requirements and costs that it is no longer feasible for the town to pursue moving or restoring the train station.

As Chairman Maddox understood it, the \$62,000 that we presently have allocated for this project we cannot touch to pay the \$53,000. So we're going to have to come up with \$53,000 outside of the money we already have to tell them we don't want their money. Remember that contingency talk we've had earlier. Elvis Dhima told the Chairman yes you are absolutely right Mr. Chairman. Based on preliminary talks we had with the State, it seems that they see it as the town being better off coming up with \$47,000 and something to show for versus coming back with \$53,000 to give back and pretty much the building being in the same location. They're willing to support us if we are proceeding with this. That's where we're at.

Selectman Coutu had a couple of things. First a comment. This is another example of government being glacial. This glaciality has increased the cost significantly. Mr. Dhima I don't like the phrase "might be available". That gives us no certainly whatsoever. Number two, it was always my understanding that when we bid out this project that the alternates, especially one and two, would be included. It would appear by looking at the bid process that alternates one and two which is the water and the sewer are going to cost an additional \$110,000 if we were to have BMR do it. What is the plan on adding sewer and water to the train station when its' relocated? Mr. Dhima said the alternates were sewer, water, gas, cable, and electricity and none of those will be done at this time. The \$350,000 which represent the lowest number only includes the base bid which is moving the building from location a to location b, doing all the site work, doing the rehab - the exterior but it does unfortunately doesn't include water, sewer, gas, or electricity. Again I said might because as I said on the phone call that I made prior to coming to this meeting, I don't want to come here and say I was told that yeah there's going to be funds available and then we pursue this and they say oh we changed our minds. We will know for a fact once they submit an official letter saying you do have the additional funds that you required, here you go. That's what we're going to know 100 percent. Right now I'm just informing the Board based on the information I've been provided. I hope they do. I think they will but, again, it's just based on a conversation. I think they'll give us the answer once we submit this request officially.

Chairman Maddox interjected. At the end of this large amount of money, we're just going to have the train station move from where it is to where it is going to end up but with no ability to use it because it has no water, sewer, or electricity. Mr. Dhima said yes. It will only include the side work, any work around it so people can have access to the deck obviously - handicapped, anything associated with that is going to have a knee wall foundation. You will not be able to. I think to even have the sewer and the water I think with them and plus to have it available but I didn't think that meant inside renovations to have like an actual bathroom and all that. I don't think the building is in condition to even being used. I think they wanted to put in - I believe the original plan was to put in the alternate so it's there if we need it and eventually work in the inside. Right now the base is only the exterior work - windows, lead paint, and any of that to go inside and do a full rehab of it so you can use the water and sewer in any facilities for that I think would have been an additional cost. Yes we won't have the sewer and water but I think even if we did, you wouldn't be able to use it.

Selectman Coutu asked to continue. In the bid of \$350,000 as you know Mr. Dhima as an engineer change orders are quite frequent in a lot of projects. What is the contingency that's built into the \$350,000 bid or is there no contingency and that's exactly - considering we have to come up with an additional \$53,000, it would appear to me that there's no contingency. Elvis Dhima said if you see possible 10 percent contingency, \$35,000 we're building in 10 percent contingency. So we are creating some kind of buffer.

Selectman Coutu's next question to Mr. Dhima is in light of the fact that this has been deemed by the State as part of a historical building, what provisions have been made to meet with all of the historical construction criteria that will be necessary for whatever exterior work that we do. I know we had a problem with the roof. We had to have a certain grade of shingle. I noticed that the widows in there don't appear to me to meet any historical standards. Are those going to have to be changed out? Mr. Dhima said an archeologist is going to be there during the digging plus all the work that's going with the rehab. It has to be certain specifications and I think that's probably one of the reasons that the numbers are a little bit higher. I don't know the exact because I have to go through the bid and I don't have that information right now. That was also per State and federal requirements that have to do with certain rehab and still have to keep the characteristics. You can't change the siding. You have to pretty much change a nail for a nail and everything has to look identical. You cannot change pretty much what it looks like. I think that adds a little bit to it but bottom line it's everything that has to do with historic keeping the looks, and the elements, and material. It's all outlined in the bid documents.

Selectman Coutu said DMR Contracting, Inc. Are they on the State's approved list - the DOT approved list of bidding contractors and have they been vetted? Elvis Dhima believed so. Again this will have to go through the - yes because they went through the...Selectman Coutu asked how did we go from I believe so to yes just because I made a face? Mr. Dhima said no. I think it was a requirement. I'm just trying to go through what was required for them to submit a bid and I think part of that bid was you need to be prequalified by the State. That's why I said that. Yes they are pre-qualified by the State. On top of that, this whole bidding phase comparison will have to go through the process from the State to make sure that everything makes sense. Yes they're both pre-qualified and again even though they are doesn't mean that there could be something

wrong with the bid itself. For the State, it still needs to make sense that our estimate versus what they're submitting is acceptable to them because they could very well shut it down at their level. One they do the comparison and this doesn't make sense to us, they could kill it right there and then.

Finally Mr. Chairman, Selectman Coutu said we've been through this for several years now. What I see here is taking another \$53,000 from the taxpayers and moving it from point a to point b; and I think it's going to be another 8 or 10 years and more rot and a more expensive project than \$53,000 by the time we're finished with this whole ordeal. We don't have deep pockets here in Hudson. We don't know what the State is going to pass down to us - the costs that we are going to have to incur. I can't see investing good money after what now appears. When you talk about history, the history of this project I can't see spending good money after a very bad idea. I will support the motion. I made the motion just for discussion to hear where it was going to go. I'm not going to support a motion which will subject our taxpayers to an array of changes, all kinds of mitigation, who knows when they start digging what the archeologist is going to find. We found nothing but band-aids and rubber bands in previous projects and we pay the State - the archeologist thousands of dollars to sift through and we send the Governor rocks to say this is all we found and we spent \$15,000 to find these rocks. To go through this again and to continue to go through this is just absolutely ridiculous and a waste of the taxpayer money. I'd like to put it to bed once and for all.

Selectman McGrath asked has this been approved in any fashion by the voters. Have they indicated a desire to have this done? Chairman Maddox said when we bought Benson Park, this was a part of that kind of roll up that this is one of the buildings that we had to...Steve Malizia didn't remember specifically having a warrant article that said a train station but I'd have to double check. Selectman Coutu asked where did the money come from. We had X number of dollars...Steve Malizia said at one point we were collecting it from the Shepherd's Hill Benson account. We had raised money for the renovation or rehab of Benson Park in general but I don't think we ever specifically said train station. We had money that we had raised through a warrant but for the Benson Park. When we took it over, we also had extra money from there but I don't specifically remember seeing the word "train station". Selectman Coutu noted the answer to her questions is no. There's nothing that the voters voted on to agree to do...

Chairman Maddox asked is not this one of the three buildings that we have to...Steve Malizia explained there are three buildings. There's the office building, this building, and I believe the Haselton Barn who have been designated a historic buildings that we are supposed to keep from deteriorating. We don't necessarily have to renovate them but we've got to keep them from deteriorating. Selectman Luszey noted and that we did.

Selectman Coutu wanted to make one comment. If we move the building - we're already repaired the roof twice, correct? Twice we've repaired the roof. That's cost us additional monies. When they repaired this last time, they saw lots of rot on the inside based on the photos that I looked at. If we're going to move it and it's going to sit at the new location for 5 or 10 years and it starts rotting again, we're going to have to spend even more money. It's just an endless pit of money.

Elvis Dhima apologized for the interruption. I don't know if it's worth mentioning it or not but when Pat was around - the previous Town Engineer - there was a change order in 2013 for a total of \$389,000 I think. Even though this looks like a number, the Town committed to 25 percent of that if I'm wrong from that Memo in 2013. I do apologize. I don't have it in front of me but this does seem like a huge number compared to the last time this issue was brought up or this matter, there has been continuous change orders to this project I believe. Correct me if I'm wrong Steve. The final number was \$389,000 I believe and I could be wrong. I think the town portion was close to \$97,000. Right now it's at \$110,000. While it does seem like I'm coming here for a change order of \$40,000 something dollars, it's really \$110,000 minus \$97,000. I just want to bring that up. I don't want you to look at the very old number that was there is the 62 because in reality back when Pat came in 2013, this Board did agree for that change order to that amount. Chairman Maddox said unfortunately the barrel is in our ear. We tend to keep moving it along figuring it would never get to this point like most of us thought.

Chairman Maddox asked Elvis Dhima to help me out. I don't want to disparage engineers but if you're moving a double wide mobile home from this room to the former 7-11, why is there an additional \$55,000 for engineering construction? Steve Malizia said they have to be on site if I may interject. Everything you do there has to be an LPA certified individual and it's going to be from the architecture firm and not from the Town of Hudson has to physically be on site and as a requirement of the grant and the LPA money from the federal government. That's a federal government requirement. So if somebody is sitting there putting in a nail, you've got a guy watching them and that's the reality of it. Chairman Maddox said this sounds like a cable special. Elvis Dhima said it's the truth. That individual will have to log in and log out every person that comes to that sight and leaves what they do and have to make sure that everything complies with the federal such as having the posters up. Myself and Gary had to attend the same meeting because the town is the sponsors. I had to sit down for a two-day training for that and it wasn't very pleasant. I'm not going to lie. The bottom line, and they say this during the training, if you want federal money you have to play by their rules like it or not and that's what it comes down to. So \$55,000 is exactly what the teachers said. Someone to make sure that they're doing it by the book. Gary and myself will have to supervise our sub-consultant to make sure they're doing it right. There's layers of layers. Like at NASA talk about that. That's exactly what it comes down to unfortunately.

Selectman McGrath said the voters really haven't voted on this. This was part of the original purchase by the Town of Hudson from the State of New Hampshire is it mandated that we keep that building or can we return it to the State? No offense, Steve Malizia wasn't sure there's a method even to do so. I'm not aware of any mechanism to return any building. There's a Historic District. There's historic elements. They're articulated in the deed the transfer to us. We are required to at least not let them deteriorate. Selectman Luszey said that's the obligation we have. Mr. Malizia said we're not obligated to refurbish them but

we have to keep them from deteriorating further. Selectman Coutu said to deliver it to Concord. Elvis Dhima said we might have to shut down the highway to make sure it doesn't fall off. I'm not sure if the State even wants it. It's just one of those things.

Selectman McGrath said we're mandated to keep it and we're mandated to protect it. We don't have to update it but - I'm trying to understand this because looking at this it really doesn't make sense to me to spend the taxpayers money on a building that can't be used. If there's not going to be sewer and water and the interior of the building isn't going to be refurbished, it makes no sense to spend that money. On the other hand, we don't want to keep throwing taxpayer money down a rabbit hole. To keep this building protected, what benefit is it to the town to do that? Are we required to put a certain type of roof on that will - I just put a roof on my house and it's going to be good for so many years and then it will have to be replaced presumably after I'm long gone. This is going to continue over the years to cost the taxpayers money and that doesn't make sense to me either.

Selectman Luszey said for me part of what boils down the issue is its being funded by federal money and not State. I think if we send a message back to Concord that we cannot afford to play by the federal rules in order to move this and we reject the federal funding, I think we may be able to find a solution on how to move it with State and local funds at a much, much reduced cost.

Chairman Maddox said here's where I have to play I guess the devil's advocate inasmuch that ladies and gentlemen we got Benson Park 180 acres for short money. One of the prices we were going to have to pay is to maintain these buildings. Like it or not, we applied for federal money. Taking that money may have been a mistake but they waived the shiny object and said free money. Now comes the piper. If we fail to do this, the State may but they way they're cutting their budgets I don't think they're going to hand us \$300,000 of State money to fix this. We have a mechanism. It's not pleasant. I would say that we add the alternate for at least bring electricity into this for \$5,000 more and get this thing where it needs to be and put this behind us. I really think that sending that note as much as I would like to sign it, will do nothing but cause us legal costs. We're going to have to fight this. I know you're saying no but when we're fighting it inasmuch that we agreed to some of this when we bought the properties. We paid \$188,000 for that property. This was a delayed cost. Like or not we need to step up, find the money, and complete this then we can put it into mothball condition until such time as someone comes forward with a lot of money and a desire to renovate the thing. I really do think that we need to fix this and put it to bed 50 feet away but to bed.

Selectman Luszey was not convinced yet is we have not had the conversation with the State because we bought the property from the State and the terms and conditions is with the State. Just because we accepted federal funds which is probably the mistake, I don't know what the consequences are without having the conversation with the folks up in Concord as to what happens if we give that money back? What are our options?

Chairman Maddox would be more comfortable not sending the motion that we did but do some more research. Let's not cut off our nose let's at least find out from the State if that is an option before we just say thank you very much because somebody else might be scoffing up that money whether we like it or not and now we're on the hook.

Selectman Nichols said the first roof that was put on the train station was not in compliance. They put on a roof. So they had to put another roof on that the State approved of if I'm not mistaken. I've been there forever and I would like you to look that up. Somehow or other it seems as though the second roof was in compliance with the State. The first one was just a quickie to keep it...Chairman Maddox said we just put a tarp on it I believed. We put a tarp on it and hoped that would hold it. Selectman Nichols said that was the first roof. The second roof was a real one. So we haven't only had two roofs really. We had the tarp and the other.

Selectman McGrath was inclined to agree with you Mr. Chairman. I think we need more information because this is just the way it looks right now; it looks like we're throwing good money after bad. When we talk about federal money, that's our money. That's not China's money. It's the United States government. It's us. Different pots maybe but it's still ours. I'm done.

Selectman Coutu said we borrow a lot of money from China so it could very well be China's money. I want to make just one salient point relevant to our Town Engineer. Mr. Dhima inherited this. We're not going to hang you by your fingernails and say what did you get us into. I know that you inherited a lot of problems. This was one of them. Mr. Dhima based on your last conversation with the State relative to this project is there a timeline, is there an expected timeline? If there is, then what's the timeline based on your conversation. Elvis Dhima said their recommendation as to proceed as soon as possible. A lot of people are going to take vacations now with summer being around the corner. Our project manager rep. there he's going to be on vacation coming up soon. I was hoping to have a name for him for tomorrow and that's what I was hoping for. I don't have the information unfortunately about what the State funds look like. What I do know is that if we're saying no we'll have to give back the federal money and I'm not sure losing 2 or 3 weeks is going to help us. I'm not sure that our contractor is still going to be available. I know he's interested to do that work but I'm not sure if he's going to be available as we go back and forth on what we can and cannot do and then next thing you know we lose a month. Before you know it, it might be moving onto something else and say as happened in the past.

Chairman Maddox told Mr. Dhima just so I'm clear you're saying it's a yea or a nay tonight. Elvis Dhima stated that would be my recommendation to the Board. I can go back and see for more information but my understanding was that if this doesn't

happen...Chairman Maddox interrupted and said to Mr. Dhima yea or nay is what you're saying. I think you're going to get a nay if that's the gun to my head. I'm going to say I'm going with the motion also. I think that it would behoove us and you as the Town Engineer to do some research and not give a dam about someone's vacation.

To that point, Selectman Coutu said this project has been on hold because of the Department of Transportation for the past 3 or 4 years since we inherited the property and we started talking about moving the train station. Now they're going to put a gun to our head. I'm willing to play their silly little game. I'm willing to withdraw my second because I think that Selectman Luszey is reasonable based on the conversation we heard here this evening. I would prefer that Mr. Dhima goes back to the State and allays our concerns about the cost. I think that they should be held accountable for a lot of the delays that have increased these costs. I can remember four years ago we had more than enough money to do this. These engineering and order changes have cost us a fortune and that's not our fault. We didn't order the changes DOT did. Whenever Gary went in with the changes, this has been a nightmare for him. I can understand what he's gone through. He came back and said they were approved and then they got changed again, and again, and again, and now they're going to put a gun to our head. No we're going to put a gun to their head I think. Selectman Luszey would you agree that maybe we should remove the motion from the table if you agree. I'll remove my second. He removed the motion and asked Mr. Dhima to get more information and say what's going on. They want to know what the hell they're voting on.

Chairman Maddox said the question would be if we authorize the expense of 445 does everybody agree we should put at least the electric in there so we can have at least power to the building for \$5,000. I'm looking at the base bid with BMR it says "alternate for electric". At least there's power into the building if we need to do anything. Mr. Dhima said it was the cheapest option too out of all of the alternates so it would make sense. I would recommend that. Chairman Maddox said if we spent 445, we will get the 75 percent matching guaranteed and no kind of maybe. Is that really our question? Will that put this to bed? Elvis Dhima indicated I'll go and approach the State saying the base plus item #4 to bring the electricity in and it and then they'll cover 75 percent of that. We want a guarantee from them that they'll do that before this Board proceeds.

Chairman Maddox said they wanted to go another way. I think you say they wanted to go another way just so we're making sure that we're not all of a sudden sandbagged by oh well you're only getting the money that we approved last year.

Selectman Coutu thought they should be told that we're on the fringe of returning the whole project back to them and make it very clear. We're on the fringe of saying no. Take the money and we'll just leave it right where it is. It's been sitting there for 8 years. Mr. Dhima understood and I think they're aware of it. When I finished the phone call, it was a 50/50. Really I wasn't expecting you to - to me it's really a close call. I think they're aware of it. They don't want this project to die. Obviously they want this done but I will ask that question.

Selectman Luszey was expecting from the State is a letter stating what happens should we return the money - reject the federal funding and say we're not going to move it. What does that mean to us? Right now I don't know what it means because my inclination would be to call up (inaudible) and have him come and wrap the building in that plastic and shrink wrap it and say we're done.

Elvis Dhima did know for a fact that we do have to return the fund but as far as a continuing makings to the existing building right now, I guess I can get the answers for that as well. I know for a fact that they're within the federal monies. As far as continuing to maintain the building at the current location...Chairman Maddox said we also had to return the State monies. These are all questions that I think we need to ask. Selectman Luszey said if we return the federal money too and can we do it by ourselves. To answer that question, Mr. Dhima said there is a current existing historical easement. I think with that in place, my understanding is the town can only do so much. We can do everything else for most of the Benson Park but anything within this particular easement - and I do have a map of that that I prepared - conservation easement, historical easement. There's a few of those around the perimeter.

Selectman Luszey asked if the barn was in that easement, right. Mr. Dhima believed you're right. Steve Malizia believed it's excluded. It is not included in the historic structures. Chairman Maddox believed the gazebo is the boundary to the historical roughly. Regardless, Mr. Malizia said that building is specifically not included. They reference it by name. Mr. Dhima said I can e-mail the Board a picture of that. I've done that actually recently per the Town Administrator's request to get a real understanding what we have, what we own, what we don't own, and what we can and cannot do. I thought there was a few pockets of that. That's when it becomes necessary to follow their rules once we were within that...

Selectman Coutu indicated I'm withdrawing my second.

Chairman Maddox reiterated that the motion was withdrawn. Mr. Dhima just so that we're clear and you're clear what are your marching orders. Elvis Dhima said my marching orders are we want to make sure that we have some understanding I guess that the money will be there available...Chairman Maddox said we're saying it is available. Mr. Dhima said the only thing is they wait for us to make the first I guess to send them that we're okay with it. Before they do, it's kind of a catch 22. We want them to say first yes and then before we do. I'm afraid they're going to say well we'll do it if you do it but we want you to do it first. Chairman Maddox told him put it in writing that we'll do it if you do it. I don't think that's bad. Selectman Coutu didn't think it was going to happen that way. It's time that we put them on the coals not us being on the coals all the time. They need to be definitive and they need to be extremely clear that they're committed to the guarantees and we want to know if we return the funds with relation to what Mr. Luszey wants to inquire, what are the punitive damages? Are there any punitive damages to this

town should we return those funds? Are they going to say well we're going to assess you X thousands of dollars because we've done all this work now up to this point and we want to know what it is and how much it is? There may be punitive damages. I know they've done that in the past. So we want to know all of the little details that they hide from us when you return federal monies or you refuse to take federal monies and proceed with a project that's already been designed and you had a specific question. I want to make sure he has it.

Selectman Luszey said that's it. What's our obligation should we return the money? Elvis Dhima said so the total number. So far we know that we have to return \$53,000 and change. Are there any additional costs if we actually pursue that where there's going to be actually additional costs of like another \$10,000 in damages or...Selectman Luszey it's actually beyond just money. I don't know if there's a breach of the deed somehow other than the conditions that we took Benson's. Mr. Dhima noted or any costs associated with maintaining the building right now. We could very well say we're not doing anything with it. Selectman Luszey commented that's what I'm saying. What are all the consequences and unintended consequences of not going forward? Mr. Dhima will try to implicate this for you for the next meeting and then hopefully we have all the information you need to make a decision on this and I'll let the contractors stand by for now. So we'll just table it for now I'm assuming.

Selectman Luszey said there's one nuance that I asked and I didn't hear and that is there other alternatives of getting it moved besides using federal funds? Can we do it ourselves and what does that mean? Again as Elvis Dhima said, the current location at the entrance or where we're planning to do it, I think there's an historical easement there. Selectman Luszey said that's part of the deed so I want to understand that. Mr. Dhima said there's two things. There's the easement and there's the building that's historical. I'm not sure what we can do. I know what we cannot do within the easement but I'm not sure about what we can and cannot do with the building itself. So I'll ask that question and I'll have the answer for that.

Chairman Maddox asked the Board we're comfortable with what we're sending off the Town Engineer to come back at our next meeting hopefully to put this somewhere. I think that I will reach out to Speaker Jasper. I know that he was heavily involved in this and see if he might have some help in moving this.

Selectman Luszey had a follow up. I did send this on and I know I copied you. I got a letter from a constituent that was asking about the Benson project because they saw it on the website. Steve you said you were going to have - did you respond to them? Elvis Dhima said yes we did. I informed them that the bid was closed and unfortunately time ran out but if we ever went back for some reason to change the scope of work or doing something else, then we'll make sure that we inform them.

Chairman Maddox told Mr. Dhima before you leave just so the Board is aware, the Zach Field parking lot was paved today and that made a bunch of people crazy because we thought that that expired the ability to spend the monies that we waited for from Nashua. Mr. Dhima you're here to tell us that that is not in fact the case. We can continue to utilize the monies from Nashua for the practice field. Is that an accurate statement? Based on the conversation I had today, Mr. Dhima said yes. We are having a meeting with the feds and the State this Friday to make sure what we can and cannot do with the remaining of the funds. As far as the Town liabilities go associated with this project to decide right now is still but the question is can we do anything else with the money remaining? Cell 1 and Cell 2 as you are well aware has been sealed now. The inch and a half that was remaining was put in today. The meeting Friday hopefully can shed some answers on what else can we do with the remaining funds, and how fast we need to use them, and what we can and cannot do. I'm hoping to get some answers Friday about that. People from EPA are going to be here at 9. The invitation is forwarded to you as well Mr. Chairman if you can attend. Len as well from the Foundation. There's a couple other people as well. We want to make sure that Nashua is okay with what we're planning to do there. We're shooting for to use the money to see if we can build some kind of practice field up there with the money that's left. That's the intent right now. That's what we're hoping to do and see if we can get the answers. I'll give the Board an update during the workshop for the Engineering Department. That will be included in there.

Selectman Coutu commented one - I don't think Nashua is going to care because in my conversation with the Mayor's Office, they're willingness to give us \$100,000 means that they're going to be reimbursed \$200,000. So they come out ahead in the project. I don't think they're going to care. However, I'm glad you're going to do that because what are we looking at here \$27,000 left. What's leftover? Elvis Dhima said we right now spent today approximately \$35,000. Out of that \$20,000 is going to come from REDC the funds that we got. That's going to deplete that account so the only thing left would be \$100,000 from Nashua. Out of that will be \$15,000 that we have to invoice and get them \$100,000. So that will leave \$85,000 remaining to do. Selectman Coutu said the question is whether or not there's an expectation that that money was to be used strictly to finish the EPA requirement which was seal off the parking lot. Mr. Dhima said we achieved. Selectman Coutu asked what happens to the \$85,000. Mr. Dhima said the question is can we use this \$85,000 over the Cell 2 which is the hill adjacent to the parking lot area and build a practice field over some kind of field. It might not be the exact dimensions that were originally there but maybe 100 by 120 and build this up without compromising the integrity of the cap in Cell 2. Those are the questions I want to get and see if the Foundation needs to hire someone from the outside to make sure this is done right because I am concerned a little bit about the weight that is associated with all this additional fill. I want to make sure that the slopes that get built are stabilized. I don't want this thing to fall apart if it gets built. There's a few questions I want to get and my take on it is that this money should be spent as soon as possible before they do their final check for this and they determine that everything is to their specs. and therefore there won't be any money to be used moving forward. I would say this is the year to spend that money.

Selectman Coutu said to the Chairman that if Mr. Dhima were to present it in that fashion about solidifying the exterior portion - the integrity of the field at this point so that we don't compromise that section which has already been capped. I think that we

have a better chance of being able to spend the money. Let's wait and hear what you find out. Elvis Dhima said I'm going to get those answers Friday and we'll go from there.

B. HCTV Studio Dedication

Chairman Maddox recognized HCTV Chairman Mike O'Keefe.

Good evening Mr. Chairman and members of the Board. Mike O'Keefe said the item we're addressing right now is a request from the Cable Utility Committee to dedicate the studio at the new access center in memory of Coleman Kelly. I believe everyone on this Board knew Coleman and knew what he contributed to cable television in Hudson - particularly local access television. He was the person who started it who drove it for many years and handed it off to me to carry on. So the Committee feels it's appropriate that we make that dedication. It would be just the studio portion. It's not the whole facility. What we would propose is a small dedication plaque probably with a picture that we would mount on the wall outside the studio and probably have a small ceremony to announce that should the Board approve it.

Motion by Selectman McGrath, seconded by Selectman Nichols, to dedicate the studio at the HCTV Access Center in memory of Coleman J. Kelly.

Selectman Luszey asked what happens in 10 years from now when this studio no longer exists and it's repurposed to something else and there's a new studio. Does the new studio become Coleman or does it go away? Chairman Maddox said if I knew the answer to that, I'd be playing the ponies.

Selectman Coutu thought it's the same thing would happen if this building was repurposed or torn down. We'd have the Buxton room. Selectman Nichols said it doesn't change.

To the motion Mr. Chairman, Selectman Coutu remembered having a conversation with Coleman's daughter as a matter of fact at the wake. She was ecstatic about the fact that the present Chairman of the Utility Committee might make such a proposal. Matter of fact they want to donate some of the artifacts. I think it's some of the stuff that Mr. Kelly ordered over the years and they're trying to unload some of it and they want to give some of it to us. Coleman was as stated in this document presented to us from Mr. O'Keefe the father of cable access television here in Hudson and to do this, it's not something grandiose. It's just recognizing that he indeed was the father of cable access and to commemorate it with a small plaque which will be paid for through the cable utility franchise fees in memory of him dedicating the studio is very fitting.

Chairman Maddox thought it was fascinating the Cable Utility Chairman sits back in his chair when he tells us we can't do that. I think it is fitting. I think that the one thing you said is a small party. I think it should be a big party. I think you should tie this in with an open house to make more people aware of the facility that we now have. It is no longer kludged into this building or in a barn. It's a gorgeous set up under the senior center and I think that people see the senior center and don't realize the underpinnings of financially and structurally are the cable facility. I think that some sort of an open house dedication would be appropriate.

Selectman Coutu was all for that. We were trying to resolve that tissue as well having an open house. Putting the two together I think is quite appropriate.

Vote: Motion carried 5-0.

C. HCTV Facilitator Contract Renewal

Chairman Maddox recognized HCTV Chairman Mike O'Keefe.

Mike O'Keefe said as I do every year, this time of year I come back to the Board and ask them to approve the annual contract. As I mentioned in my note to the Board, the contract for the last two years has remained at the same rate and the prior two years to that that was the same rate. Essentially there's been one increase in the last four years. The Cable Utility Committee felt it was appropriate to increase the rate. We think the \$31.25 is a modest and reasonable rate. It increases the total contracted amount by \$2,600 for the year. There's certainly sufficient funds in our budget to accommodate that.

Chairman Maddox noted there is no benefits and they're not a town employee. This is not taxpayer money per say. This is taken from the cable franchise fees.

Selectman Luszey said you kind of almost asked my question. How many hours does this person work a year? There is no set hourly schedule if you will. Mike O'Keefe said there used to be a certain number per month but you were the one who changed it to be an annual rate. I believe its 40 hours a week. Steve Malizia said 2080 for the year which equates to 40 hours a week for 52 weeks. Selectman Luszey's question is they actually doing the 40 or are they doing more. Mr. Malizia said it varies. I keep track of it. I believe they're on track to do 2080.

In many prior years, Mr. O'Keefe said Jim has actually worked more than the number of hours contracted and essentially volunteered the extra hours. Selectman Luszey said that's what is important that people know.

Selectman Coutu commented that Mr. O'Keefe is here every single year. Contractually in the last four years as stated by Mr. O'Keefe, this would be the second request for a change. I know it hasn't been spoken to Mr. McIntosh. The thought occurred to me that why can't we approve a contract for two years and put it to bed for two years at this rate.

Chairman Maddox said the Chairman sees no great agita but Boards change and you never know. I don't think that's unreasonable.

Selectman Coutu commented I know you have text for a motion if you would amend it for a two year contract. I'd make that motion.

Chairman Maddox said before I read it why don't we get a consensus if that's something that the Board members would be willing to do. Selectman McGrath said I'd be willing to do that provided that Mr. O'Keefe is agreeable to that. Mr. O'Keefe said we haven't discussed it because I thought we were obligated to do them on an annual basis. Just having heard it now, I think it would be acceptable.

Selectman Luszey asked what's the amount that we normally go out to bid because we had the same discussion about attorneys. I believe this is in the amount that we should be going out to bid. Why wouldn't we be bidding this if this is a contract position and not an employee position? No different than legal services. Steve Malizia indicated anything over \$10,000 generally in the Town Code there is some sort of bid prepared and mailed to three bidders or advertised. It doesn't have to be awarded at a Board meeting. When you get to \$25,000 or above or expected to be \$25,000 or above, that would be awarded publicly. The Board always has the ability to waive that or not do that should they choose to. I believe that's also articulated in that Code.

Again Chairman Maddox thought it's another one of those things where you're trying to come up with a package this late. So if you're going to do that, I would suggest to go to a one year contract and work out the logistics. I don't think there's a lot of people that are going to do this on a part time - well I guess it's now a full time position with no benefits. Again I think there's some issues to resolve but I guess it's a question.

Selectman McGrath would normally agree to go out to bid but it seems to me that Mr. McIntosh has been working for the Cable Committee for a number of years. It's not a significant amount of money number one. Number two he doesn't receive any benefits. He's responsible for his own taxes and liability insurance. Furthermore, the taxpayers aren't paying for this. It's what comes out of the users fees from cable. I think for those reasons it's appropriate that we stay the course with Mr. McIntosh and if he's willing to work for this what I would call a nominal salary with no benefits, pays his own taxes, pays his own liability insurance, I think it's a fair thing to do.

Motion by Selectman McGrath, seconded by Selectman Nichols, to approve and renew the Hudson Community Television Facilitator Contract between the Town of Hudson and James McIntosh effective July 1, 2015 and expires June 30, 2017 with an hourly rate of \$31.25 for a total contract amount of \$65,000 per year.

Selectman Luszey took it that we extended this for two years and there's no inclination by this Board since we are the Cable Utility Committee if you will that's responsible for managing franchise fees to make sure that we're getting the best bang for our dollar. \$65,000 is not a nominal salary. It's actually above the mean salary for employees in this area. It's a significant salary and I think that if we do accept this for two years that it would be added onto the motion that a set of criteria be established so that the next time it goes out for bid.

Selectman Coutu said with all due respect to Selectman Luszey, I've been your committee liaison I believe every year except for one in the eight years I have served here. I don't think we're going to get a better bang for our buck than what we do for Mr. McIntosh. Selectman Luszey didn't think so either. Selectman Coutu didn't want Mr. McIntosh to see this at some point and think that we're questioning his ability to serve us and give us the best bang for our buck because of statements you made because I know you didn't mean that in that fashion. We lost Jim for a period of time and if you remember Mr. Chairman I told you that because Jim was a friend of mine that I would take it upon myself and it was at the time prior to my being a Selectman that this was happening. He had left. I would have a conversation with Jim and see if I could convince him to come back. We thought he was a tremendous asset for our operations and granted Mr. O'Keefe has played a major role and a significant role in all of the operations at HCTV, volunteering countless number of hours. You've seen him out there with his camera in hand Memorial Day Parades. We call him and we ask him to send up the drones to take certain pictures so that we would have - Zach Field was a classic example which gave us a perspective on what was going on there. He's never said no. He's always out there doing it and Jim does the same thing.

Selectman Coutu knew that the Town Administrator reported but I'll rely on anything that Mr. O'Keefe would like to present to document what I'm about to say. Based on what he submits to you Steve, he's on target to meet the 40 hour a week. Steve Malizia indicated he will not exceed the 2080 for the year. So what that basically translates is to 52 weeks a year at 40 hours a week. Selectman Coutu submits, and I think you know, that he works a lot more than 40 hours a week and doesn't bill us for it. He loves the job. He loves the people he works with. He's really enthralled with the new facility. This has been a work in the making for the two of you since I've been a member of the Board of Selectmen. There was that dream of building a new facility at one time. As a matter of fact, they even looked at Porter's old building that's the new convenience store. It just wasn't

designed properly just to have their own building. Mr. McIntosh gives us a great bang for the buck and to lose him, we'd be taking three steps backwards. I think we're doing him and the town justice by renewing his contract and extending it out two years. I think that there's no better bargain. We're not going to find a better bargain out there.

Just for clarification, Selectman Luszey said it's not whether or not we bring Jim on for two years, five years, or ten years. It's about when we get audited from a financial perspective and we have procedures and policies in place that say that we do things in a certain manner, I believe at some point in time they may find this particular account and say okay at \$10,000 you're supposed to go out for competitive bidding. Where's your competitive bids and we will not have done it. We really have not done a good job at declaring or justifying a single source vendor for this particular work. That's what I'm concerned about.

Selectman Coutu was under the impression that Mr. McIntosh's contract and the procedure has been vetted by our attorneys and we've done nothing out of the ordinary. Selectman Luszey said no. The procedure I'm talking about is how we award contracts. Just like the legal contract, we say every so many dollars we go out for competitive bidding. It's no different than going out and buying sand. It's a financial policy that I'm talking about. Selectman Coutu told Selectman Luszey we haven't gone out to bid on the legal contracts since 2010. Steve Malizia said we did it two years ago. We go every two years. Selectman Coutu questioned that we went out to bid. Mr. Malizia said no we came here and the Board waived it and renewed. All you have to say is we waived the bidding procedure. Selectman Coutu said we waived the bidding procedure is what we did with the legal fees. Maybe we ought to waive to add to the motion "and to waive the bidding procedure". Selectman McGrath added that to my motion.

Motion by Selectman McGrath, seconded by Selectman Nichols, to approve and renew the Hudson Community Television Facilitator Contract between the Town of Hudson and James McIntosh effective July 1, 2015 and expires June 30, 2017 with an hourly rate of \$31.25 for a total contract amount of \$65,000 per year and to waive the bidding procedure.

Chairman Maddox thought Selectman Luszey I think you bring up a reasonable request. I think it's again we always seem to do this at the last second. Donna if you can put on for a year and a half from now for a workshop item to review what you're going to go out to bid on. I think that's the tough part. If you're going to go out to bid on this, we're not prepared to do this. I'm going to vote in favor of this because I believe that although \$65,000 in my mind is a substantial amount of money when you look at the fact that is the total compensation there is no benefits included in this \$65,000. \$31.67 an hour is a good chunk of money per hour but again to try to find somebody who's going to have the experience and the skill set. That was my Chairman thing.

Now here comes Selectman Maddox's thing. I have asked over the years to get some sort of a report or whatever of how many shows we're doing from the local access which I'm sure his extra hours are eaten up by trying to put these shows together. Is there a list of what we are now producing from the new facility? Mike O'Keefe said I can certainly come up with a list yeah. Chairman Maddox thought he should come up with a list. That's one of the things that I think we should start seeing as a report from the Cable Facilitator as to how many shows, again something that the crazy Selectman Maddox has been asking for for years as we justify these dollars and the facility. If he could do that knowing that again just a brief synopsis of what they do down there. Again I don't have cable so I rely - sometimes it's in the newspaper but I don't know which ones of those are bicycled to us or they are local produced.

Selectman Coutu thought that perhaps at least that committee you would have brought in for one of the workshops. We might invite Mr. McIntosh and Mr. O'Keefe can prep him on what it is specifically we're looking for. Also what his plan is for the future and how we're reaching out and what we're doing to reach out. I know there's some outreach to get more people to participate and volunteer. Chairman Maddox was hoping the open house would help as well.

Selectman McGrath said when this comes back before us in a year and a half whatever workshop we have concerning this, I'd like to have estimates included of what all of the benefits would cost so that we have an idea of whether or not this salary that he's receiving is on the high end, or on the low end, or somewhere in the middle. I still submit that I think based on not receiving one benefit, not receiving health care, any of the benefits that we give to any of the other employees including requiring him to pay his own taxes and his own liability insurance. I think that the salary would be either much higher or we wouldn't have a person of his ability working for the town. I'm sorry. I'm very much aware of the salary structure and I just think it needs to be really clear that he's not receiving one benefit and that he's paying for his own taxes and his own liability insurance which I think is a significant amount of money.

Selectman Coutu also asked him to reach out to other cable facilities of our magnitude who have a full time person on what the average salary is for their facilitators so we have an idea. I think for the most part with the exception of the Town of Hudson, they're all full time employees so we'd know what the benefit package is and what not. I know that benefits vary but what is the base salary for this position in other municipalities proportionate to Hudson.

Vote: Motion carried 5-0.

D. HCTV Conference Room Cablecasting Equipment

Chairman Maddox recognized HCTV Chairman Mike O'Keefe.

Mike O'Keefe noted another request from the Committee was to receive approval from this Board to proceed with a bid process to install cable casting equipment in our conference room at the new facility. When I say cable casting equipment, it's essentially what's in the meeting rooms here at Town Hall - the robotic camera system associated equipment in the control room - microphones and that type of stuff. We think it would be advantageous to have that room capable of doing government meetings, live and recorded. There are a number of committees - the Cable Committee meets there at the moment. The Benson Committee has met there a number of times. I think they'd actually like to meet there but because there weren't cameras available they've moved back to Town Hall, the Senior Council on Aging, and maybe there's some other committees might move over there. If we were able to install this equipment, it would give us one more facility to be able to handle these types of meetings. Given the amount of money that will be involved, it would go out to bid. So prior to doing that, I wanted to see whether the Board would at least approve the idea. We did solicit a rough estimate from one of our vendors we've used in the past for this type of work and that was attached. It was just under \$30,000 for that project.

In terms of funding the project, Mike O'Keefe said the Cable Utility budget currently has a remaining balance of just over \$70,000. We have a month and a half left in our budget. The money for the Facilitator is already encumbered so that's not going to affect that number either. It will be minimal impact to the budget on the remaining month and a half. That's why I'm seeking the request to move forward with this. Of course if you do approve it tonight, we'll get the bids and then come back again for final approval to award.

Selectman Luszey asked is your thinking that you would be outfitting all conference rooms in all public buildings and if so, why wouldn't we pick the Community Center first. Mr. O'Keefe said no it was just this one room is all we currently planned. If there were interest in doing other rooms, we could certainly entertain that. Certainly in the next budget cycle there might be funds available. There aren't really government meetings held at the Community Center other than the ones that we do and bring equipment in to cover. Selectman Luszey didn't say government meetings, I just said meeting rooms because there are other rooms like in the police station that one is not done.

Chairman Maddox's question is where are you going. Do you want every conference room to be ready to broadcast? Selectman Luszey wanted to know why that one and I kind of understand why but I would think that if we were going to spend the money, the Community Center would probably be a better one to have outfitted with remote cameras and stuff. So not only that you get the public meetings that are held, they're Deliberative Sessions and as such but also all of the school events and things that are taking place there you could broadcast. Chairman Maddox said you wouldn't get a really good picture with the cages over them. I mean you have to protect the smoke detectors...Steve Malizia indicted you have such a use of that building with a lot of the youth activities that I'm not sure logistically how you would do that.

Selectman Luszey said the hockey teams seem to be able to do it. I don't know why we can't.

Selectman Coutu said the Community Center is wired for live broadcasts. Outfitting it with cameras is somewhat prohibitive and then we need to have a control room which we're not going to put in the middle of the floor. We'd have to take some other space that's there, one of the offices, and put a control room in. I think that relating to this request I think Donna can attest to the fact that especially during budget session but at other times, people are looking for meeting room space for a number of reasons. Either their meetings have been moved and we're booked solid in the building, this would give them an opportunity especially these smaller committees to meet over there. In the event of a power outage, this one here has generator and can go live at any given time to broadcast from if he were to set it up. The control room is already there and that's one of the things that we forget is when you set up like you do here, we have a control room outside this office. On the Buxton side, we have a control room in the back which is behind where you sit. The control room presently exists here. I think that it affords us an opportunity so that in the event that someone should call and Donna says I'm sorry the Selectmen's room and the Buxton room are booked, however the community room at the HCTV facility is available, she can get a hold of Mr. McIntosh and notify him that such and such a committee is going to meet there. Please have a camera person available for that evening there. I think it would solve a lot of problems. The only reason why he's making the request as I recall when we sat down as a committee to discuss this was that the funds were available in this year's budget and it made sense to do it.

Selectman Nichols said the Benson Committee met at the conference room the other day because they had a walk around through the park. That has been set up so beautifully for a conference room. I bet there is room for 25 to 30 people to sit around a table. There's no microphones in yet but it's looking wonderful. There will be no wires on the floor. They've done a beautiful job on it. I did get one phone call because they wanted to know why the Benson Park wasn't on television. I said because they met through the park and then they went to another facility. They said well it should be on television. I said it's going to be eventually. They're working on that now. That's all I could tell them. I didn't know for sure.

Chairman Maddox said that was a onetime thing though, right? You're not meeting there regularly? Selectman Nichols said no. Because it was a walk around but still they said it should be on television. I said well eventually it will be but I didn't know when until this came in and it's a beautiful place. The room has been set up like unbelievable. It's gorgeous. You've done a great job on that. I like that. Thank you.

Motion by Selectman McGrath, seconded by Selectman Nichols, to allow the Chairman of HCTV and the HCTV Facilitator to proceed on developing a bid specification, advertise the bid offering, and return to the Board with a recommendation in the amount of not to exceed \$30,000 for cameras at the HCTV meeting room.

Mike O'Keefe asked is there a reason you put in the \$30,000 limit. Chairman Maddox said I'm just reading. Mike O'Keefe thought the bids should come in at what they come in at and then we'll decide whether they're appropriate. Chairman Maddox thought we just said not to exceed. Steve Malizia said it could be \$31,000. Mr. O'Keefe indicated then we're stuck. Chairman Maddox said if everybody is agreeing we'll remove that.

Motion by Selectman McGrath, seconded by Selectman Nichols, to allow the Chairman of HCTV and the HCTV Facilitator to proceed on developing a bid specification, advertise the bid offering, and return to the Board with a recommendation for cameras at the HCTV meeting room.

Chairman Maddox said I thought we should have built that room with cameras in it to begin with but larger so that we could hold School Board meetings in it. But so be it.

Vote: Motion carried 5-0.

E. Request for a School Board Liaison to the Benson Park Committee

Chairman Maddox noted I don't see Mr. Nadeau. If Mr. Nadeau wants to apply as a citizen, he can certainly apply but I don't want to get into liaisons into places where we shouldn't be in. Do we have a Board of Selectman liaison to the Alvirne Hockey team? He can certainly go to the meetings. Selectman Nichols do you have public input? Selectman Nichols said yes. Chairman Maddox said if there was an issue that wanted to be discussed, and I'm sure that the Chairman would recognize somebody from the School Board if they had an issue. I'm not wanting to put another person on as a liaison but if the Board wants to go another way.

Selectman McGrath fully agreed with Chairman Maddox.

Chairman Maddox said let's see where that takes us but again unless there's an issue that you'll bring back to us Selectman Nichols, public input and recognition if there is a request.

F. Request to hire a Full-Time Police Officer

Chairman Maddox recognized Police Chief Jason Lavoie.

Thank you Mr. Chairman. Chief Lavoie indicated currently the Police Department is in a hiring process as the Board has agreed some months ago to tell us to go ahead and fill at that time it was one vacancy. Since that vacancy had opened up, we've subsequently had two more. The most recent vacancy was regarding an e-mail that I sent all of you within the last couple of weeks. We had another officer that's taking another job. Because we're currently in this hiring process, part of our conversations with potential candidates is we encourage them by letting them know how many openings are available. I understand that the Board has final say at some point later on when we come back to names. I'm basically just asking permission for us to be able to present to the candidates that we do have three openings that we're hiring for. It would also be some direction of my people too as to how much we have to get done. It is pretty comprehensive.

Motion by Selectman Coutu, seconded by Selectman McGrath, to advertise for one (1) additional full time Police Officer - for a total of three (3) full time Police Officers.

Selectman Luszey noted one of those positions is the one that you kept on as a special officer. That's the e-mail that you're referencing. Chief Lavoie indicated Sgt. McGregor retired back in December. Selectman Luszey said one took the job of a lifetime and you said you were keeping him on as a special. Chief Lavoie said yes. Now the specials don't get paid any kind of a salary. They don't work patrol. They don't work anything like that. They'll only fill in for a detail if needed if there's one available for them.

Selectman Luszey's question is do they occupy a part time head. Steve Malizia said no. They don't have a part time head. They're not on our pension listing either. They're retired. He just keeps them on the docket in case he needs, again, a detailed filled that he cannot fill.

Selectman Coutu said for example last summer we had on a couple of occasions detail at the race track. We couldn't fill the detail. We had to go I believe Chief you went to the Sheriff's Department...Chairman Maddox said no Salem. Selectman Coutu said you went but they were included in the request. We reach out to other departments to see if there's somebody available. Normally we'd reach out to people we work with more closely which would have been like the Sheriff's Department first, maybe Salem because we do some coordinated activities with them. By having one or two people that he can identify, it's a question of making a phone call and say hey look I have a detail at the race track can you do it Sunday? If he's available, he offers it to him. We don't pay for that detail. The race track pays for that detail.

Selectman Luszey understood that. My question is how do we maintain a person on our ledger. Our payroll status if you will because they're an employee of the town somehow. Selectman Coutu said no. They're an on call special detail officer only. They're not employees of the Town of Hudson. Selectman Luszey said when we call them up, aren't they covered by our liability? Aren't they employees at that point? Chief Lavoie indicated I would have to do some research on that. From the time

that I've been with the department probably - I forget how many years ago that these positions if you will or this categorization of a position has been in place, we have not had opportunities where we've needed to employ or we've had people that wanted to be a special. So we've actually had a couple. Lt. McCrady I believe when he retired did this as well. I'm not sure as far as that detail aspect...Chairman Maddox said he was the last one we had, right? Chief Lavoie said that requested through me as a special and I believe Lt. McCrady was the last one that we had. He retired in the early mid 2000s or so. I'd have to look up that part of it.

Selectman Luszey asked are they a W-9 employee. Chairman Maddox thought there are some answers that we need to get here. I don't disagree. I believe he's on our liability insurance. Selectman Coutu believed they are a W-9 employee. Chief Lavoie said the special part can be put on hold until further answers can be obtained for the Board to make final decisions with. I guess I would scale down my scope. If I've done some misleading or whatever the case may be confusing. Just currently need to be able to at least look for three candidates and limit the special with the intent that I could do this via e-mail or come back to speak to the Board about it. Whatever your preference is.

Chairman Maddox said there's no discussion of specials but I think, again, if he wants to do it I think we need to get our facts. I want to make sure.

Selectman McGrath had a comment on when you come back with information on the special officer whether or not the insurance coverage. If there was an accident and the officer was injured whether or not that insurance coverage would be provided by the company that they were doing detail for whether it's the race track or whatever.

Vote: Motion carried 5-0.

G. Action Plan for Red Light Violations

Chairman Maddox recognized Police Chief Jason Lavoie.

Good evening and thank you again. As you are all aware that the reason why I'm here is because the Board has had a number of discussions in the recent half dozen months I believe regarding red lights. I was requested to provide some information regarding that. In this report I've tried to answer the questions that I had heard during the conversations that were taking place amongst the Board. So hopefully this report was able to clarify or provide a response to some of the questions that the Board had. I'm just going to kind of summarize some of the topics that were covered in this instead of reading verbatim. The crash data and the role running a red light has in it, the Insurance Institute for Highway Safety Data found that when crashes occur in a red light intersection of all crashes that do occur nationwide, roughly 22 percent are due to...

Selectman McGrath thought we need to...Chairman Maddox said why don't we take a 10 minute break. Selectman Coutu said I'm fine. I just needed to stretch. I had a pull in my muscle. I pulled a muscle and I'm fine.

Chief Lavoie said again the Insurance Institute found that for highway safety data found that 22 percent of all collisions occurred at an intersection regarding red lights. There's at least 3 motor vehicle infractions or running red lights that occur every hour on the hour and even more so during times of peak traffic hours. Our local crash data that I've provided for the Board what I did when I was looking at this is I tried to provide different intervals of periods for the Board to be able to look back to help give you folks an idea as to what it is we do internally when we're planning from moving forward and how we direct our patrol staff. I looked at years 2015, 2014, and 2013 so that you can look at recent trends and then I spaced out the times to go back to roughly five years - 2010 and 2007 in some instances. During all these years that we took a look at, we found that even though the national average is 22 percent for all crashes. In Hudson our percent is 2 percent and/or 1 percent. So we're roughly 91 to 97 percent less than the national average of crashes that occur at intersections. When you look on that second page, the first chart on the far right hand side you'll see where it says "leading causes of crashes". So in Hudson where we've had an accident at a traffic signal, meaning that there are 9. So in 2015 there have been 9 other reasons for all our causes of accidents. 2014 there were 11 other reasons, etc. So when we're trying to plan as to how our patrols go out and take to the street, we're looking at cumulatively 12, 13, 14, 20 different reasons. They're intersection related crashes are further down on the totem pole if you will.

Consistently, Chief Lavoie said the roads that have the most amount of crashes in Hudson are Central, Ferry Street and Lowell Road. Every now and then Ferry might pop in there and rotate out with one of the other streets. Typically that will be Central. There is a typo. If you look at the Sagamore Bridge and Lowell Road intersection chart for the year 2015, there were four crashes. I'm only showing you - I don't know how I missed it. I reviewed this enough times that rear end crash, driver inattention were two. If you add up across, it only shows a total of three but there were in fact four accidents that occurred. I'd have to get back to you and find that other one. It takes a little bit of time if the Board so chooses. Now the majority of these crashes - a little under 33 percent of the crashes they're not due to the intersection. What the causes is is when vehicles are coming off the Sagamore Bridge and they want to head right or south to head towards Sam's Club and Wal-Mart, you have the first driver that's going and the second driver everyone is looking left to see the oncoming traffic that's moving south. So what happens is the first driver will hesitate, will look like they're going to go, and then they stop. The second driver who's attention isn't on the driver in front of them because they're looking to merge into traffic, they're looking left to see what's oncoming and then they rear end. That's the majority of our crashes as to why they occur there.

Fatal motor vehicle crashes - Chief Lavoie said they're always of a concern. Since 2009 I took over as Chief in January 1, 2009. I'm not saying that this is because of me and the way that we send out our patrols because we don't control accidents. Crashes happen and we respond to them. Since 2009, there's only been 6 fatal motor vehicle crashes that have occurred. The prior six years, there were a total of 14 fatal motor vehicle accidents. So we've seen a reduction of 50 percent in fatal motor vehicle accidents in the six years that this administration has been in command of the Police Department. What we have seen an increase in is in motorcycle collisions in which the motorcycle was not seen by someone driving a vehicle. Of the three fatal motor vehicle accidents, two of them the person driving a car did not see the motorcyclist. In one of them, the motorcyclist pulled out in front of another vehicle and was then struck by the oncoming vehicle. One of the six fatalities isn't a fatal motor vehicle accident in the way a normal person would think that it is. The driver is a single car accident but the driver had suffered a heart attack prior to the car crashing into a building. So really our numbers are a little bit lower but it's still counted via crash people as a fatal motor vehicle accident.

Motor vehicle enforcement tactics - Chief Lavoie said what we do is we try to take our resources that we do have to enforce motor vehicle laws. What we'll do is we'll do random patrols. We'll target random areas via directed patrols. We address it through citizen concerns. We also get red light traffic grants as you all have approved of and signed off on for us to go ahead and seek those grants. That's one strategy. We'll also utilize teams whether it's teams of officers because some of the intersections are large and it's hard to manage. So we'll have to assign a couple of people. Where we find that it's most effective is not when it's being done by cruisers but when it's being done with something such as the motorcycle or the mountain bike unit because they're smaller; they're more maneuverable to get in and out of the traffic and for lack of better words, they're less visible yet visibility reduces instances of poor driving habits. Today just as we sit here tonight a total of four directed patrols were done at traffic light intersections. I know that there were some concerns that we weren't doing anything about it. The only reason why I'm making this comment is to just point out or to be mindful of that just because we're all here working; it doesn't mean that enforcement strategies aren't being employed. We are doing it. It's just when you're out there and you see it happening if you look at the data from the Insurance Institute, it shows that it's a common theme that occurs all throughout the country. Typically we have anywhere regarding our staffing is from 4 to 6 cruisers that we will have out there doing various roles. Sometimes our staffing gets diminished very quickly whether it's an arrest that occurs, or we have to take over for an arrest that happened on a previous shift, or there's a domestic, or there's an accident that we are investigating, or it's a burglary, or whatever the case may be, training, ALS hearings, court hearings during the day, our resources get depleted pretty quick so we can't be everywhere in order to enforce these. People still want to see us in their neighborhoods. Businesses want to see us in the business parks driving around, checking doors at night, and whatever the case may be. I don't believe it's the Board's intention to give consideration to a traffic unit and I'm not here to ask for a traffic unit. If that was something that the Board directed me to look into, I did provide a little bit of information there. I think moving forward we'll continue to do what the Board has asked and we'll do extras as staffing permits. We'll continue to employ different tactics as far as partnering up with mountain bike units and motorcycles, cruisers, or whatever the case may be. We'll also continue - I'm drawing a blank on the program but we also do partnering with the State Police for the last two years as they have a day that they encourage all departments to go out and enforce different motor vehicle violations. It's part of the driving towards under 100 fatal motor vehicle accidents a year for the State part of that project.

Chief Lavoie said we'll continue to look at our data that we're seeing both from officer observations, crash information so that we can try to get into those more detailed areas as to where the crashes occur to help try to reduce collisions. If you look back, I did provide some charts in the back. I think they're self-explanatory only because I'm familiar with the chart. If the Board has any questions, I'll certainly do my best to answer those.

Selectman McGrath had a couple of questions but I wanted to make a comment first because I read this report this afternoon and I was concerned when I read it because I detected a tone about the report that I just want to assure you that my concerns and my questions about the traffic and what I observe as a motorist. It was in no way intended to cast doubt about what you're doing on the road or how often you're out there. I know that you're out there and I see the officers out there. I think that from my perspective my concerns because I live in the south end of town. I use Sagamore Bridge Road and I've witnessed I can't tell you how many new misses and the speeding is just outrageous. In fact I was talking to someone this afternoon and I told them that I was reading this report. They said this morning somebody passed me and they must have been going 80. I'm not a timid driver by any means but they scare the life out of me. If I see a concern, I think it's incumbent on me to bring that up. So it was in no way intended to be insulting or raising a concern about your officers being out there.

With that said, Selectman McGrath stated the questions that I have for you reading the report in your crash data, the very first page of the report, crash data and the role running a red light. First paragraph we talk about red light cameras in four different States. Is that something that would be appropriate for Hudson to utilize on some of these like Sagamore Bridge Road that intersection and some of the other heavy hitters?

Chief Lavoie said if I may address the first comment Ms. McGrath. Steve's a great resource for us. We bounce ideas and Steve also felt that there was some tone in some of the report. I'm glad that I had the opportunity to come and talk versus reading because reading does not - when you read something, tone is based upon the person interpreting or doing the reading. I'm glad I was able to come and talk about it. Please don't read tone into it. All it is is just here's the data that you asked for. That's all I'm trying to share with the Board is here's the data and these are the things that we do. It's not your job to know everything that we do or how we go about making the decisions for the department. All I'm trying to do is this is what we do. This is how we go about it. Kind of like a little training thing to just get everybody up to speed a little bit if that makes sense. So please don't take tone and I do apologize if that's the case but I do understand the position. Selectman McGrath

commented no apologies necessary. I just wanted to make it clear that from my perspective what I was trying to accomplish. Chief Lavoie totally understood. I appreciate it. Thank you.

As far as using cameras, Chief Lavoie said there's actually a Statute that says that we can't. It's actually illegal for us to do that. So we can't use those things. The Statute does specify that only certain locations through the State such as Exit 4, Exit 5 in Londonderry on 93 - there's like 5 or half a dozen places around the State and that's all done by a Statute. So now we can't do that.

Selectman McGrath's other question that I had under "staffing" you talked about the officer's responsibility about writing reports and filling out warrants. In case of the reports, is there an ability to utilize the voice activated type mechanism so that they could dictate their report and not have to actually sit there and write it? Is that something that you could use in the department or is that not feasible for a number of reasons? Chief Lavoie said it's something that we have talked to with other people. Some of the responses that I've heard from people is that it's too difficult because there's so many people that would be using it and you'd have to read over like a certain amount of information every time. The software has to adjust to the person utilizing the software that moment's voice. When you're doing it, you have to change it up every time for every officer and that would take time away. We find it to be easier for the officers to type in, make some adjustments, etc. as they're going.

Selectman McGrath indicated that's all I have for right now. Thank you.

Chairman Maddox said cruisers aren't exactly quiet. They're always binging, banging with the radio is going off. That would probably work well if they were in the station possibly because you could set up a profile for each person. That's what I use a lot of times at home. You have to read to it. You have to read it a story and then it analyzes your voice and that kind of thing. Yeah it would be tough to put it into a cruiser I would think. Technology is changing every day.

Chairman Maddox told Chief Lavoie from my position - maybe I'm must unlucky and maybe Selectman Coutu - I just see a lot of it lately. It's not something that I saw three years ago. It just seems like lately. Eloise and I went to Sam's Club and we're sitting on the exit coming out, we're like the third car behind, our light was green, and somebody hadn't even entered the intersection yet and we had a green light and there they went driving by. Again I think maybe its just luck that we were in the wrong place at the right time. Your officers aren't. I think we were just concerned that we do everything we possibly can and you're saying you're going to try to address more of this with the summer months with bicycles and motorcycles which is a lot easier than market cruisers to be able to facilitate.

Chief Lavoie told Chairman Maddox I can speak to you off camera in nonpublic regarding to an investigative technique in regards to that. That will help and maybe clear things up for you as well.

Selectman Nichols had another thing I wanted to mention was we've seen them go through the red lights. That's kind of a standard thing evidently in New Hampshire. That's everywhere. It doesn't make a difference here or anything. Twice within the past week and a half we have almost struck a bicycle. Somebody that's just riding a bicycle. It was not a teenager. It was an adult. They were all over the road in front of us and we're petrified. We finally got around them and come to find out they're driving their bicycle with one hand and texting with the other on bicycle and they're all over the road. A bicycle can pull over faster than a car, or a motor cycle, or anything else but they're texting and that's two of them within the past week and a half. It scared me half to death.

Selectman Coutu noted for your information and I think the Chief can back me up on this, bicycles are subjected to the same rules of the road as a person driving a vehicle. If they're on a bicycle after July 1st and they're on a cell phone, they're subject to being pulled over and they have to adhere to the same rules. I don't know if that will allay your fears. It is common place for a lot of people - myself I'm as guilty of it as anybody else that when we see something that's an infraction to the rule, we say where are the police when you need them. As you alluded to in your report and I used to say to people, I can't be everywhere at once. I'm one man, one cruiser. I can only be in one place at one time. Given the miles of road that we have, given the number of cruisers that we have on patrol at any give one time, we just can't be everywhere. It does get frustrating. For me from my perspective, I think that the more we talk about it the more we're making people aware. We know what's going on and please knock it off. I can remember several years ago there was a campaign and it was directed by the former Director of the police - Earl Sweeney. He had bumper stickers - the NH drive; the NH way or something like that. I see more and more every day that we're becoming a victim to what's going on every day in Massachusetts. People no longer use directionals. People will turn into the left lane and then suddenly cross over into the right lane or vice versa. My wife and I just noticed the other day - it happens everywhere. We were heading towards Chelmsford center and a car came off the entrance ramp from 495. Was coming off the entrance. How he or she got there is beyond me because they had to have traveled down Route 495 from the previous exit to at least that exit unless they did a crossover somewhere and they came up the exit ramp. It happens.

Selectman Coutu thought the message we were trying to send was that I understand what directed patrols are and I understand that we do them repeatedly. Your department is usually most responsive to the people who call all the time and say hey look there's people going up and down my street 40 - 50 mph. I know that on occasion when someone has called me during your tenure and they have said to me that on such and such a street there is at approximately 12 noon to 1 o'clock there's this motorcycle that goes flying down. When I've called you about it more often than not you've said to me we're aware of it and we're on it. Let us continue the investigation and we'll get back to you. You'd call me back and said yup we met with the person that filed the complaint and we know who she was. We've spoken to the person on the bike. It won't happen again.

Then I'd get a call 2 or 3 weeks later thank you Selectman Coutu. They came and told me but I didn't know and the motorcyclist doesn't come up and down the street racing any more. I know that these things are being addressed but I'm in fear that like I was years ago, and I'm talking quite a few years ago as Selectman McGrath can attest to. We talked about what we felt was an inevitable major accident to happen with death at the corner of River, Dracut, and Lowell Road. We always felt that it was going to take a tragedy for the State to recognize it. That's a very dangerous intersection and low and behold it happened. She happened to pass by that day and as a result of that accident, action finally took place. We expressed some serious concerns about Sherburne and Dracut. The State DOT tried to pacify us and they actually did nothing. They were going to put a bigger stop sign, paint the lines wider, and we ended up having to put up the chevrons and they still to this day are there because the State never put up the chevrons. So sometimes we have to take action upon ourselves and the chevron was put there specifically so people at night - not that they'll see it when they're drunk but if they're sober, they know it's not a through way because of the way that road was aligned with the driveway across. Late at night it's pretty dark. You would think that you could go straight through. We've had the one tragedy that was close to home to me was our organist at St. Kathryn's who died Halloween night leaving her grandchildren's home on Williams.

Selectman Coutu thought that Lowell Road and Sagamore Bridge we're going to have a major fatality there soon if we don't have no necessarily a real concerted effort but more attention given in off times at your direction or command officer's direction if there's some time that you may have one or two cruisers available. I've seen them there lately more often than not. I see more and more cruisers on that end of Lowell Road right there at the Sagamore Bridge. I understand when I read through your report a police officer can't just say well you went through a red light. He has to articulate that before a judge and depending if the person is smart enough to defend himself where were you parked at the time I went through the red light. If he can't articulate that he was in the position where he actually saw the light change and prior to his arriving at the intersection, the light changed and the person proceeded. You can't be in the opposite side of the light and say I saw the light change. How could you, you're on the opposite side of the light. You're assuming because a car went forward that that other person didn't have a green light. So I understand how you have to articulate these things in court and if you're not honest with the judge and you get caught, you're integrity with the court is done. You'll never win a case before that judge anyway if you present yourself again. All I'm asking is that I think personally that it's a major concern. I think that someday we're going to have a major fatality there and it could be on a day when all of the police officers are called to a major accident somewhere else or there's a fire and you're covering other things. We understand that just a little more attention paid at that intersection. Neighborhood concerns if there's neighborhood concerns about traffic detail and you can assign them there, I understand that as well. I know that I've seen them on Winslow Farm Road and every time they pull one over, they no sooner get back to their cruiser they're pulling another one over. They're coming down a road that I think that's 20 or 30 mph and they're doing 45-50, that's just being stupid. You're asking for it. I know that our police department acts within reason for the most part with the exception of maybe one police officer. Most of them give out a lot of warnings. We have one that's not so generous but he'll remain nameless because I happen to like him and he thinks he's doing his job and that's fine.

Chief Lavoie commented its officer discretion.

Selectman Coutu reiterated its officer discretion. Who knows what they're saying to him when he approaches the car. When somebody said to me what did you pull me over for I pay your taxes, I said because you're getting a ticket. I made up my mind right then and there. As stated by Selectman McGrath, we're proud of our police department. We weren't chastising you in any way. It's just that based on - I think because we're at the south end, you work there. I live and work there. Marilyn you live there and you traveled a lot in that area. It just seems that it's getting worse and worse every day. It's obvious to us. I know we usually have one cruiser assigned at the south end as you do with other sections but if need be, there's always backup. That one that's when you can make available some resource at that intersection, I'm sure you will. Chief Lavoie said you'll see more during the summer especially this year too where last year we were short 7 officers if you recall. Yes the Board approved them to be hired in March of last year however by the time they get out of the police academy and done their training, it's not until December of last year. Yes there'll be more - well of course up to 3 vacant positions but hopefully we're not trending upwards again and losing more.

Selectman Coutu said one of the things that I noticed of late especially in the past year is that at one time the State Police and the City of Nashua had resources available to park on the Sagamore Bridge at those turn arounds over there and they haven't been evident of late. I don't know if they lacked resources to do that anymore. I think that would cut down the speed coming down.

Selectman Luszey noted the State's been there a number of times in the last two weeks. Selectman Coutu asked did they get you. Selectman Luszey said they didn't get me but...Selectman Coutu said good I haven't seen it. Thank you.

Selectman McGrath asked is there an ability and I guess our focus tonight probably is more Sagamore Bridge Road because again for me it's been evident that there's a problem there. When I used to drive over to BAE in the morning at whatever time it was - 7:30 or 8:00 and often times I would see a Nashua Police officer after you rounded the bend. You'd already gone past the exit to get onto Route 3 north and it was just before Exit 1. They'd be sitting there. That would catch all of those that had accelerated after they got past the little turnaround. Fortunately for me I didn't have a heavy foot and a lot of times I would just intuitively slow down. It just happened that way. I was wondering if there's some ability for the Hudson PD, and Nashua PD, or the State Police to try and work some sort of a detail in the morning at the peak hours when we know that they're blowing through and really creating a hazard. I don't know if that's something that you could look at, or consider, or if it's something that you already do, I don't know. I'm not going to tell you how to be a policeman and I'm not going to tell you how to do your

duties. You know that better than I do. It's just my observations as a motorist driving and fortunately I don't have to go over there at 7:30 or 8:00 in the morning anymore.

Chief Lavoie indicated as far as with Nashua working on this side, it's one of those things where Hudson you handle Hudson; Nashua is going to handle Nashua even though we do work very well together as two communities. State Police we have done some enforcement with over the years. They too are stretched but they're Captain Wagner who now oversees this area is (inaudible) shortly ago. Captain Wagner has been fantastic and I'm sure I could certainly have communications with him about trying to partner up and get some help in that intersection for the Board. I am just drawing a blank. It is all part of the drive getting it less than 100. You probably see the commercials on MUR, etc. promoting safe driving habits but I can certainly talk with Captain Wagner about trying to partner up as a force multiplier for staffing at various times. We do that now. I'm drawing a blank on this other program that they call it but its state-wide that we all partner up with State Police and work on motor vehicle enforcement.

Selectman McGrath had one more comment. I'll be very happy when the law is on the 1st that you can enforce the no cell phones, no texting. I'm horrified every time I see somebody. I saw somebody yesterday with their phone up, not looking at the road, not looking at all and driving away and texting away. Not only does it endanger my life, it endangers everybody else's life that they're going to come in contact with. If they kill themselves, so be it but they're going to injure or kill someone else. I can't wait for this law to be on the books.

Chairman Maddox guessed I will have the last word. Chief I was part of the author of this request. All I was looking for and I think the Board was looking for was some input from you and we got a great report here as to what we can do as a town to protect not only our citizens but the visitors who come through Hudson. When I see, and I used to have a Mass. license so I don't see a lot of traffic stuff, just people. Everybody gets close. It's yellow and they're half way through the light it turns red. When you see it's red before they enter it, you say there's a problem. All we were looking for is your solutions to be able to curtail that. I agree there's going to be a bad day and I just don't want to be saying we could have done something. I think you've got a plan here. Hopefully with the summer months the staffing being able to do something that maybe more citations and less warnings. People will get the word that Hudson is enforcing this just like the DWI. There needs to be signs when you entered Hudson. Just know that when you're leaving certain establishments on Lowell Road and whipping back onto the Sagamore to get back to the Commonwealth, you can't go through the red lights. That's all I think we were looking for and several of the other intersections. I know when I turn on Greeley, there's always somebody that just blows through the red light. You can't stop them all. All we're looking for I believe is just a program that tries to address when you can. With that, thank you for coming in and hopefully you have much success.

H. Revenues and Expenditures

Chairman Maddox recognized Town Administrator Steve Malizia.

With that introduction, Steve Malizia said we are through the end of April so we're at 5/6th of the way through the year - 83 percent. Again as we've talked about for the last few months, we are looking like we're ending the year with a small surplus. I will say that motor vehicles have been excellent this year. We are at I believe 92 percent and that was on an increased budget up to \$4 million. So we are trending very well there. We've even made interest this year which is really good. A modest interest but it's something. As I was saying, the motor vehicle revenue on the revenue side is doing very well. Again we've upped the budget to \$4 million and we're at 92 percent with still two months to go. I believe the ambulance is also doing pretty well. I think we've already exceeded the budgeted number there. So when I look at the revenue side, we look like we're having a strong year. Again when I look at the expenditure side which we've talked about the last few months, it looks like we should come in under our budget.

Chairman Maddox noted over revenue doesn't help us. Steve Malizia said it does not help us other than it goes into the surplus which next year you can use for either projects or for reducing taxes.

Chairman Maddox asked on the expenditure side do you believe that Kevin still needs another \$50,000. Based on getting that grant, Mr. Malizia wasn't sure we're going to need the \$50,000. We'll be able to post a receivable for that. I think we'll be okay with him as far as not needing to put another \$50,000 in there. We already moved \$100,000 but I believe the grant was for \$70,000. So it should cover the expenses he incurred from the winter including the repair of this fleet. Chairman Maddox asked we don't have to come up with that other 50...Mr. Malizia believe at this point in time that will cover it. Again it's directly for his budget because he's the one that submitted the FEMA request.

Chairman Maddox wanted to ask the question a different way. We took all of the Selectmen's contingency and give him the \$100,000. If we're going to get \$70 something, why wouldn't we pull some of that back so that we still have some money in our contingency and the FEMA money would cover the shortfall? Steve Malizia said if we needed contingency money, I'm sure we could do that. Chairman Maddox just saw tonight that we might have to come up with \$47,000 for this train station. Mr. Malizia said yes we could theoretically do that. Chairman Maddox was just looking to have a source of monies as we're getting closer to June 30. Nothing stands out as far as overspending or under...Mr. Malizia said no not that I saw. Again like I said looking at - Town Poor is an account we take a look at. Again we're trending under there. Legal is pretty stable. We're trending under there. I'm not aware of any other big ticket items we're going to hit. We've obviously done the trash contract. We've put all that money in so things like that are already in here as an encumbrance for lack of a better word. We've done the full year PO.

You heard Mike say something about cable. We've done that for that operation. At this point, I think we'll have some small surplus but we'll come in under budget.

Selectman Coutu had one question and I think I'm going to direct it to Selectman Nichols. On page 11 Selectman Nichols, revenue report, there's only 3 items. What stands out to me is the second item "membership fees". This is through April of 2015. Is this as of April 30th, 2015? Steve Malizia indicated yes Sir. Selectman Coutu said it shows a revenue of \$5,710 and what stands out to me is I was told most recently that they're registering at a rate of 7 per week at the most. At that time they would have been approximately 670 people registered which would indicate that there's 100 people getting a free ride. Can they just justify why that's 5710 and not 6700? If it's \$10 per person for dues and you have 683 now, that would mean the first week of May take 7 off because they say they're registering at a rate of 7 per month, there should be at least 670, so there should be 6700 instead of 5710. Selectman Nichols had no idea because I've only been to one of their meetings. I will ask that. I will definitely find that out for sure. I will have that answer for you the next time. Is that all right? I will find out because you're right. I don't like that either. Selectman Coutu indicated it sticks out like a sore thumb to me. Selectman Nichols didn't like that because it should even out no matter out. Selectman Coutu reiterated that's 673 registered people it should be \$6,730 instead of \$5,710. Selectman Nichols will ask that question at the next meeting.

Selectman Coutu went through the budget with a fine tooth comb. I think we're in great shape. I think 80 percent is the overall except where we have encumbrances where we've encumbered all of the funds because we're obligated to. We're pretty much on target and revenues as the Town Administrator stated. This is the healthiest we've had on revenues for quite some time going into the end of the fiscal year. I think to your knowledge Mr. Malizia, typically at this time of year we don't typically - by now we would have a department head or two coming in to us saying oh do you have extra revenue this or that. I haven't been hearing that this year. So we may be able to ride it out as is and just encumber the unexpended and put it into...Steve Malizia noted obviously there will be an encumbrance memo at the end of the year for any things that are still incomplete or uncompleted. If there's any other big ticket request, the department heads would know to come here to say geez I got this. I'd like to be able to do it with the Board's pleasure. Again I'm not aware of any big things right now because people have been taking care of their departments. I have not heard that right now.

Steve Malizia stated I will tell you the detail. I believe you all got e-mailed or you had a link. I think it was a request and I believe my understanding you all got an e-mail that had the detailed. If that's not the case, we'll need to check but I thought I saw this was somehow e-mailed to everybody. Selectman McGrath did not see that. Chairman Maddox didn't remember seeing it in my e-mail. Mr. Malizia noted not the whole book but the detail that goes between - every department's labor. Chairman Maddox said it used to be in the general read. Mr. Malizia believed he saw all of your names on an e-mail that had that on there. Whether you opened it or not, it was available to you. I wanted to point that out. Selectman Coutu said I get everything. I must have had it and glanced at it and said I don't need this. I can tell by looking at this. I don't need the details. Selectman McGrath said maybe I did and I just - I've gotten so many e-mails. Selectman Luszey got it and it took forever to open so I said I don't need it.

Chairman Maddox indicated we're in good shape there. We'll keep pulling together numbers as far as end of year.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - Just two things. I want to thank the Hudson Post Office for doing, again, an outstanding job this year under the direction of Frank Magglio with regard to their food drive for our food pantry this weekend. I know that my wife was going out to the mailbox to make sure that she secured a donation of food. The mailman I guess was coming by. I wasn't home and his truck was full. He told me that it's typically like this all over town. Again the Post Office did an outstanding job and this goes to feeding a lot of needy people in our community.

Selectman Coutu also want to take this opportunity, this will be the last thing for this evening, to thank Selectman Luszey's wife Deb who is a teacher at the Memorial School. I guess they got a hold of Captain Morin and Captain Morin and I met with Mrs. Luszey, a couple of other teachers, and probably some paraprofessionals because there were a few adults there. We kind of gave a civic class for about an hour at the 9/11 Memorial. I'm going to tell you typically these are young teenagers in her class. I'm sure Captain Morin can attest to this, a more attentive group of kids I have yet to see and I've done a few of these with Captain Morin. This group of kids were so polite, attentive, and I thought on many faces I saw emotion. Some of them had been to New York and they're aware of the tragedy. None of them were alive when this took place but they were savvy and they knew about it. Our intent has always been to never forget and I know that Captain Morin and I have said that as long as we're alive anyway, we will make ourselves available for groups of people or students who want to learn about why we erected the Memorial, the purpose of the Memorial as well as giving them an education of the timeline of the events that took place, and the tragic events of that day cuz we were attacked on our homeland. I want to thank her and I encourage every teacher who wants to bring a class down there to give Captain Morin or I a call or get a hold of the Recreation Director as he's usually available to set up a date and a time and he can get a hold of Captain and I. I don't like and neither does Captain Morin like to be there alone with the kids in the event that he gets a call and gets called out. I try to be there just in case he does. These kids were awesome. They were very attentive to every word whether it was Captain Morin and I who were speaking and I was truly impressed. So please bring that back to your wife. I was truly impressed with these kids. There's a few pictures on Facebook. You can see that when we're talking about the monument, there's this group of 30 to 35 kids standing there and all - every single one of them are looking up at the monument and it was at the time we were talking about when you look up at the top of the monument you can see the crack in the steel beam. We told them that was as a result of the plane hitting the

building and that's where that being cracked. We were explaining how we knew it was from the 23rd floor and their eyes were just gazed in that direction. They were well focused. When we talked about the timeline and we went by each marker, they seemed to all stop as they're going by each in turn and looking at the monument and reading what was engraved in there. It was a great opportunity for the kids but it was a pleasure for us to do and we'd do it time and time again if necessary. We talked about the service that our servicemen provide and I know that's near and dear to your heart for your charity. It was great. Thank you.

Chairman Maddox told Selectman Coutu that sounds like a great HCTV program. Why teach the 8th graders when you can teach some of the older ones. Again, I think that would be something that would be good for our community. Selectman Coutu thought Dave and I would be willing to do that.

Selectman McGrath - I don't have too much tonight. I attended the Conservation Commission meeting last night for the first time as the liaison to that committee. One of the things that they talked about which I wanted to bring back to this Board is the proposition that's been presented to the Conservation Commission and I think to this town. I was told that it came before the Board of Selectmen but I'm not sure that that's so about purchasing some property up on Bush Hill Road or an easement on property up on Bush Hill Road. I expressed to the Board members that I don't know what the exact proposition is but I certainly have some immense concerns. It's my intention and I told them that I would get in touch with our Town Engineer, our Town Planner, and possible Code Enforcement Officer, and the Assessor's Office Mr. Michaud to get some historical perspective about that property and all of the machinations that have gone on over the years to try and develop that and just have some idea of what the town could potentially be facing. I didn't contact anyone today. I had other things that were pressing so I didn't contact any of the town staff. That's something that I intend to do and the Board members will be provide with whatever information that I have.

Chairman Maddox said that came before the Board what 6 months ago. What I'm saying maybe we can get you the copy of the meeting but there was a presentation. I missed it also. I think maybe the two of us should get a copy of that and look at it. I saw the second half of the - well they came in again but...let's see where it goes. Again I know they were going off to do something. They were going to do an evaluation.

Selectman McGrath said based on the discussion last night, they're going to submit an LCHP grant application - and I'm not really familiar with that either. It's apparently through the State of New Hampshire. One of the members is attending some sort of a presentation on how to prepare that grant. Once they submit it, they will have to have the property appraised and there's certain steps that they're going to have to go through. It will have to be appraised. The State is going to have to determine or they're going to have to determine through the State whether or not there's any hazardous waste on site. There's certain steps and at this moment, I can't think of all of them. I have some grave concerns about this. That's from the Conservation Commission and I don't think I have anything else. I may think of something later but right now nothing.

Selectman Nichols - I just have one. I had gone to the Benson Committee meeting that was held at the park. They did the walk around. I couldn't so I sat in that beautiful room. When they came back, we voted for a Chair because Harry has gone. Jim Barnes was voted in as the Chair of the Benson Committee. Vice-Chair is Dick Empey and Clerk was Ann Desrosiers. We told her she didn't have a choice. They had come back with all their things that they had found that they want to do and work to the park. Dick Empey had a list like that for Kevin Burns. He wanted him to remove trees, dig up stumps. He had a list and a half. He said he would talk to Kevin because he had a good rapport. I told him well where I was Kevin's liaison, I wanted a listing of what he was going to ask him to do because I wanted to bring it to you people and see. There's a lot of those things. Kevin's got his work cut out for him for the summer. If they are every down, they maybe. He's still got the park to do. I was very concerned about this listing of taking this tree down, taking those stumps out. How much time can our Road Department give when they got a list and a half of things that they have to do? I haven't got the listing yet from Dick. I sent him an e-mail tonight and told him I needed that listing but I haven't got it yet. That was one of the big things. My concerns were one of the big things was that.

Selectman Nichols said the other thing was the port-o-potties. God bless us. I've been calling Dave Yates. He's so good. He's so patient. I call him and say guess what it's me again and I have another problem. He's been handling everything fairly well. He moved things where we wanted them. Dick would come to me and say I need this and he'd go on with a listing. I said give me one thing and that's all I can do is take care of one thing at a time. You can't give me 17 things because I'm not going to go to anybody with 17 things.

Selectman Nichols noted another thing they did say I could bring back the person that's been absent and I could bring that back. They said they would like to get a new person in there. Somebody has already applied but there might be a few others that might want to apply for the open position if he is taken off the committee.

Chairman Maddox said the Chairman needs to send a letter saying they'd like to remove X person because they have not made X amount of meetings. We need something just to be able to...then we'll advertise. Selectman Nichols thanked Chairman Maddox. I will e-mail him and ask him to write a letter to us so that we can get removal and then they can have a new person in their spot.

Another thing that Dick Empey wanted, Selectman Nichols commented was to change it to the three absences to five. I said that's a Board of Selectmen thing I believe. Selectman Coutu said we have a policy for all boards and commissions. With all

boards three consecutive absences without notifying. Chairman Maddox thought it was five over a 12 month period. If they meet that criteria and the Chairman and the Board votes to send a letter to us, we will certainly process it through.

As to the Highway Department, Chairman Maddox asked can you check with Kevin Burns or Jess who's filling in. Can you ask him if he has a task code for Benson so as all of this is being done, we have some idea of how much again is being spent on these request passes. Selectman Nichols said Kevin did tell me before that no matter what he does if it's not from the Highway Department but it's elsewhere, he keeps that separate and he know how many trucks went, how many men went, how many hours they spent, what they did. He keeps that separate. He's very good at that. You can go back three years and find out what he did. I will call him anyhow just to touch base. I haven't talked to him for a little bit.

Selectman Luszey - Just three quick things. The Sustainability Committee - Batter Plus has notified them that all residents can drop off batteries for no fees except for the AA through Ds. Those go in your black waste container. Otherwise I think it's like \$.19 a pound. Friends of Robinson Pond cleanup is May 16th.

Selectman Luszey said the last item is the Municipal Utility Committee will be meeting with the Nashua folks on Thursday to look into sewer allocation. It's the Town Engineer, and the Town Administrator, Selectman Luszey and Selectman Maddox because Selectman Coutu didn't have the availability. Selectman Luszey indicated it's dealing with the sewer allocation. Chairman Maddox said we're going to see what availability there might be. Again just briefly to say we're meeting with them because it's the right thing to do to ask what might be possible and see what happens. Selectman Coutu also noted as well as do they have a plan going forward that we should be made aware of that's going to cost us some money. We foot 12.5 percent of the bill for many improvements.

Selectman Coutu asked we kind of glossed over this battery thing. Where is this company? What did you say Battery Plus. Selectman Luszey said it's called Battery Plus. They're on Amherst Street. It was the old Pizza Hut building. Car batteries and stuff like that, Granite State Salvage will pay you to take them. Not much but.

Selectman Maddox - I only have a couple of things. Mr. Malizia we have received from the State a letter that says that capital reserve funds need to be reauthorized every year. Is that something that we are - where are we headed with that? Steve Malizia has asked our attorney for an opinion on that. I didn't give it immediately to him because we're a little bit away. Once he articulates his legal opinion I'm sure this Board will deliberate what the Board wants to do. We had this problem last year where they tried to tell us that we have to put all of our capital reserve funding on separate warrant articles. We're not going to add 40 separate warrant articles to our warrant. They can't in our opinion, in our legal opinion was they can't make you do it because the law doesn't make you do it. It says you can do it. So I think we're going to get into probably a fight at some point in time. Chairman Maddox wanted to make the Board aware that this is happening in the background. I guess they gave us dispensation. Mr. Malizia believed you all got the letter. I believe you all got a copy of it at least I believe it got logged in there. Again it's going to be a tussle between us and the DRA and we can take our position and I suppose they can take theirs. The danger is they could always disqualify our warrant. Chairman Maddox thought that is a concern. So I think, again, we need to stay on top of that.

Chairman Maddox noted its nice weather. The Chair is really impressed with we went from winter to summer in a week and half. It's like - but Kevin has got the whole town swept. The place is greening up and all is good. Again thank you all.

10. NONPUBLIC SESSION

Motion by Selectman McGrath, seconded by Selectman Coutu, to enter Nonpublic Session pursuant to RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; and (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Chairman Maddox wanted to say that I have some reservations about one of the articles that we have on this. We'll see how far it goes into nonpublic. If it needs to come out, we will address that at that time.

Vote: Motion carried 5-0 by roll call.

Chairman Maddox indicated that Nonpublic Session is being entered at 10:03 p.m. after a 5 minute break, 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 10:55 p.m.

Motion by Selectman Nichols, seconded by Selectman Coutu, to accept the offer in the amount of \$95,250 for 17 Federal Street submitted by Duane Dionne on May 1, 2015, carried 5-0.

A discussion ensued relative to non-union compensation.

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

Chairman Maddox indicated that Nonpublic Session is being entered at 10:54 p.m. 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 11:20 p.m.

11. ADJOURNMENT

Motion to adjourn at 11:21 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