

HUDSON, NH BOARD OF SELECTMEN
Minutes of the January 13, 2015 Meeting

1. CALL TO ORDER - We are running a little late. We had a nonpublic session with our Attorneys. Chairman Coutu declared the meeting of January 13, 2015 opened at 7:18 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Police Chief Jason Lavoie.
3. ATTENDANCE

Board of Selectmen: Roger Coutu, Ben Nadeau, Rick Maddox, Pat Nichols, Nancy Brucker

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Recreation Director Dave Yates; Police Chief Jason Lavoie; Town Engineer Elvis Dhima; Bernie Manor; Linda Kipnes; Len Lathrop

Chairman Coutu asked if there is no objection because we have some people here from Digital Federal Credit Union. They still use the word "federal". I understand you're here to make a presentation. So if you want to come up and identify yourselves. Are you making a presentation? Lisa Slater said we're making a donation. Chairman Coutu asked to state your names. I know you both work for DCU right here in Hudson. If you would just state your names and give us a very brief overview of what the presentation is about.

8. G. Acceptance of a donation of \$2,000 from Digital Federal Credit Union for the DARE Donation Account

I'm Lisa Slater Branch Manager of the Hudson DCU. We're here to give a donation for the DARE Program in the amount of \$2,000. Chairman Coutu recognized Lori Bilodeau. I know who you are. Thank you. Making a difference the DCU way.

Chief Lavoie wanted to take a minute and just say how much it. It was if they must have like listening microphones in our office area because it was less than a week before we were talking about the DARE Program and getting ready for graduation and how we were going to pay for the t-shirts for all the DARE graduates as that fund has dwindled down over the years. The next thing we know we received a phone call in regards to this donation. The Police Department was very appreciative. Their timing could not have been better for the kids of Hudson.

Chairman Coutu said awesome. We want to thank you very much on behalf of the Board of Selectmen. I thank Digital Credit Union for their very generous contribution. I know it will go to good use. Thank you so much. We appreciate it.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to accept the donation of \$2,000 from Digital Federal Credit Union to be placed in the DARE Donation Account with the Board's thanks and appreciation, carried 5-0.

4. PUBLIC INPUT

Chairman Coutu asked does anyone in the audience wish to address the Board on any matter which we have control of at this time. If so, please step forward and state your name and address for the record. There is none.

5. NOMINATIONS AND APPOINTMENTS

INTERVIEWS

- A) Resignation of Dorothy Jacobs as a member of the Senior Affairs Committee

Chairman Coutu noted as you know, this has been pending. In light of that resignation, is anybody ready to move at this time. We just appointed somebody for the alternate and we had said that if we received this resignation there would be a motion forthcoming to move him up to the permanent slot.

Motion by Selectman Nadeau, seconded by Selectman Nichols, to appoint Joseph Cannava as a member to the Senior Affairs Committee with a term to expire 4/30/2016, carried 5-0.

Chairman Coutu wanted to let the public know that we now have an alternate position available on the Senior Affairs Committee.

Selectman Nichols wanted to say thank you to Dorothy for the years that she has put in for the seniors. Way back when she has been a shining star, making coffee, opening the halls, doing all kinds of - helping with BINGO, helping with the food service. She's going to be missed. Really, really missed.

Selectman Nadeau said I've been doing this for about 20 years - Budget Committee and different things and always worked with her. Great person. Always at the Town Meeting selling hot dogs. She is really, really going to be missed by the senior community and from me and this Board.

Chairman Coutu said I see Dorothy at least once a week. I know her family well. We've been friends for a long time. I concur. She will be sadly missed. She's given so much to the cause for seniors and she's given a lot for a lot of people in this community that will never realize how much she's contributed. Thank you for your comments. I appreciate it.

Selectman Nadeau noted she also did a lot to get the senior center built. Chairman Coutu said one of the original. Sold a few hot dogs with her several times down in front of Sam's Club. I understand.

Motion by Selectman Nadeau, seconded by Selectman Nichols, to accept the resignation of Dorothy Jacobs as a member of the Senior Affairs Committee with the Board's thanks and appreciation, carried 5-0.

B) Benson's Committee - (1 vacancy, 1 alternate term to expire 4/30/2017)

Cheryl Cummings (already interviewed at 12/9 mtg)

Motion by Selectman Nichols, seconded by Selectman Brucker, to suspend the rules and nominate and appoint Cheryl Cummings as an alternate to the Benson Park Committee with a term to expire 4/30/2017.

Selectman Maddox knows at the last round of appointments I waffled. I just want to say I have nothing against appointing this person but unless they come in, I will not vote for anyone. I think once every three years for the people to see them, I just think we're going to pick and choose. I know she was just in. I know all of that. I'm just...Mr. Malizia said we interviewed her. Selectman Maddox reiterated oh we did interview her. I don't have to waffle on this one. Chairman Coutu said this is not the one you waffled on. Again from now own Selectman Maddox said if they haven't come in I think that I'm just going to - I remember she came in. It's all a blur.

Vote: Motion carried 5-0.

6. CONSENT ITEMS

Chairman Coutu asked does anyone on the Board member wish to remove any item for separate consideration.

Selectman Maddox question 6. A. 5. Maybe it's just clerical Mr. Chairman. The question is the motion is to approve the attached current lien release that I don't seem to have. Is there something that's attached to everybody else's and not mine? Steve Malizia asked there's how many on that list. Chairman Coutu said there's quite a few but we have the totals here right. Isn't that summarized in total or do we have to do the homework is that what it is the \$65,000 and then you go down to 25? Steve Malizia explained instead of making 23 copies times 5, we just put them in that pile over there. Chairman Coutu said we're talking about \$575,000. Selectman Maddox correct him and said \$57,000. Chairman Coutu said at the 10 percent is \$57,500. Selectman Maddox commented we got in trouble for not doing our homework. Again the motion says the attached current use. It should have been at the Selectmen's office. Chairman Coutu asked if they wanted to kick it out. Selectman Maddox said no. I think we should just pass it around so that we can see it. At least we can...Chairman Coutu said prior to voting on it. Selectman Nadeau said yes.

Selectman Maddox noted you've got something to bring up. Maybe we can kill that while we all take a look at it. Again it's probably not an issue again but we're saying we have...Chairman Coutu said we have to sign each and every single one of these? Do we charge for that? My signature is worth something isn't it? My wife says it's useless she can't even read it. They've got one against Ben Nadeau but it's where all our signatures go. You're free on this one Ben.

Chairman Coutu said these all say the same thing. There's how many of them total - 23 times \$2,500. So that's what it is right? Okay so that works out. Do you want to look at them? Selectman Maddox said again the motion says that it's attached. Chairman Coutu said those look like individually they are the 25 sites at \$2,500. The 575 - 10 percent is 575 I guess when we add it all up. All right. You're all set with that now that we have the document. Does anyone wish to remove anything else or question anything else at this time? Seeing none.

Selectman Nadeau noted to the Chairman you said you had one that you had a question.

Chairman Coutu said I'm going to ask a question of the Town Administrator. I don't object to it so I'm not going to pull it. I'm concerned that we get these - the one I'm questioning is 6. C. 2. I'm not questioning it; I have a question about it. It's a Hawkers/Peddlers Permit. No I'm not going on that. Here's an example of something that can happen. You know the Police Chief signs off on it. The Zoning Administrator signs off on it. The Secretary of State provides us with a document saying that they're reported as a business. They show their health permit. Here's a case that he's applied I believe for a full year and how are we assured that on June prior to or on no later than June 18, 2015 which is only 5 months away that this health permit is renewed properly by the State? Donna Graham said I have that on my task so when this comes up in June, I'll make a call and get the renewal. Chairman Coutu asked this is what we do with all Hawkers and Peddlers that's the procedure. If they don't then you bring it to our attention or to the Zoning Administrator? I would think it would go to him first before it comes to us. Okay. Mr. Malizia noted and the police. Chairman Coutu said we've had no problems in the past. Apparently I've never seen it. I just want to make sure that people are up to date for public safety and health reasons. That was the only questions.

Motion by Selectman Nichols, seconded by Selectman Brucker, to approve consent items A, B, C, D and E, as noted or appropriate.

Selectman Nadeau said I don't know if you've noticed how many trucks have been driving through this town doing the same things that don't have licenses. Chairman Coutu said they don't all service our town. They drive through the town. Selectman Nadeau said spend a little time down in the Industrial Park. I think we need to have the police do a little bit more enforcement on this issue. We have probably 3 or 4 that I've done in the last 6 months. Chairman Coutu asked what do you mean you've done. What does that mean? Selectman Nadeau indicated we've done as a Board. We've approved. There's probably a dozen of these vehicles working the Industrial Park. I think we need to pay a little bit more attention to it not for the revenue sake but for the safety of the people eating off of these trucks. If they have a health certificate and they're registered with us, I'm okay with it. You see these trucks all around town and we've only done 3 or 4 permits if that. I can only count 3 or 4. I'm sure 3. Chairman Coutu named off Spring Hill, this one, and I think there's one other and that's the big white truck that I had talked about in the past. Selectman Nadeau thought that we need to have a list of who has permits in the town and if the police officer sees this truck stopped at a business, then he needs to pull in and say hey. They are enforcing the speed limit down in the Industrial Park. So while they're down there, they can maybe look at a few of these trucks and say hey that one doesn't have a license. I think it's something that we really need to start looking at it.

Chairman Coutu said it was a fair observation. I don't disagree. That's what I'm concerned with is the public safety to make sure that they're properly inspected and they have our permit to do it.

Selectman Brucker though the Zoning Administrator was the Health Officer. Wouldn't that be the right person? Chairman Coutu didn't think he is the Health Officer. We have no Health Officer. We are the Health Officers. Steve Malizia indicated they get the permit from the State. It's more appropriate to probably have being your Police Department because it's just a...Chairman Coutu noted technically we are the Health Officers for the Town of Hudson. Would you make a note for your meeting that if the Chief asks that if they're patrolling in the area and they see a Hawker/Peddler...Chief Lavoie stepped in and said it's already been put on the hot sheet. Chairman Coutu said good enough. That's what Selectman Nadeau is looking for.

Vote: Motion carried 5-0.

A. Assessing Items

- 1) Veteran Tax Credits - Map 191, Lot 118, Sub 002 - 15B Roosevelt Ave.; Map 191, Lot 118, Sub 003 - 15C Roosevelt Ave.; Map 216, Lot 014, Sub 093 - 42 Reflection Dr.; Map 242, Lot 029 - 1 Nathaniel Dr.; Map 205, Lot 077 - 8 Wildwood Terr.; Map 247, Lot 098 - 3 Ireland St.; Map 247, Lot 137 - 19 Sand Hill Rd.; Map 116, Lot 062 - 4 Heritage Cir.; Map 184, Lot 032, Sub 085 - 18 Brody Ln., w/recommendation to approve
- 2) Disabled Veteran Tax Credit - Map 191, Lot 118, Sub 003, w/recommendation to approve
- 3) 2014 Tax Abatement - Map 133, Lot 16 - 39 Pinewood Rd., w/recommendation to approve
- 4) 2014 property tax - supplemental bill - Map 178, Lot 13-102 - 24 Mobile Dr., w/recommendation to approve
- 5) Current Use Lien Release - Map 184, Lot 32 - multiple - Oakridge Condos, w/recommendation to approve

B. Water/Sewer Items

- 1) Sewer Abatement - S-UTL-15-07 - 54 Willow Creek Dr.; S-UTL-15-09 - 7 Roy Dr.; S-UTL-15-10 - 34 St. Laurent Dr., w/recommendation to approve

C. Licenses & Permits

- 1) Request to Solicit Funds - Teen Challenge New England
- 2) Hawker/Peddler/Itinerant Vendor's License - Jimmy's Catering

D. Acceptance of Minutes

- 1) Minutes of the October 28, 2014 Meeting

E. Calendar

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| 1/14 | 7:00 | Planning Board - Buxton CD Meeting Room |
| 1/15 | 7:30 | Budget Cte - Buxton CD Meeting Room |
| 1/15 | 7:00 | Benson Park Cte - BOS Meeting Room - CANCELLED |
| 1/16 | 6:00 | Public Hearing - Fire Station Bond - BOS Meeting Room |
| 1/19 | | MARTIN LUTHER KING JR. DAY - TOWN HALL CLOSED |
| 1/20 | 7:00 | Cable Utility Cte - HCTV Facility |
| 1/21 | 5:00 | Municipal Utility Cte - BOS Meeting Room |
| 1/21 | 7:00 | Senior Affairs Cte - Buxton CD Meeting Room |
| 1/22 | 3:00 | Trustees of Trust Fund - Buxton CD Meeting Room |

1/22 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
1/26 7:00 Sustainability Cte - BOS Meeting Room
1/27 7:00 Board of Selectmen - BOS Meeting Room
1/28 7:00 Planning Brd - Buxton CD Meeting Room
1/31 9:00 Town Deliberative Session - Comm. Ctr.

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on December 16, 2014

- 1) *Motion by Selectman Maddox, seconded by Selectman Brucker, to allow the Police Chief Jason Lavoie to buy out 160 hours of vacation time, carried 5-0.*
- 2) *Motion by Selectman Maddox, seconded by Selectman Nichols, to authorize an enhancement to cover the additional 4 days of military leave not covered by the Town for Joseph Tessier, carried 5-0.*
- 3) *Motion by Selectman Nichols, seconded by Selectman Nadeau, to hire Rebecca Dee and Taylor Morin as Full Time Telecommunication Technicians effective January 4, 2015 at Step 1, \$17.72 per hour in accordance with the Hudson Police Employees Association Contract, carried 5-0.*
- 4) *Motion by Selectman Nichols, seconded by Selectman Brucker, to forward the Hudson Police, Fire & Town Supervisors Association Contract to the Fiscal Year 2016 Warrant, carried 5-0.*
- 5) *Motion to adjourn at 11:22 p.m. by Selectman Nichols, seconded by Selectman Brucker, carried 5-0.*

Chairman Coutu indicated that Dave Yates is not here. We're going to without exception I'm going to hold on that item until he comes. He is at another meeting at present.

8. NEW BUSINESS

A. Acceptance of a donation of \$800 from Kenneth Blanchard for playground equipment at Benson Park

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia indicated Mr. Blanchard has made a generous donation for playground equipment at Benson Park in memory of his wife. I would recommend you accept the donation with the Board's thanks and appreciation. The money will go into an account so that we can either buy some future playground equipment for the park.

Motion by Selectman Nichols, seconded by Selectman Brucker, to accept a donation of \$800 from Kenneth Blanchard for playground equipment at Benson Park in memory of his wife with the Board's thanks and appreciation, carried 5-0.

B. Bid Recommendation - Senior Center/HCTV Generator

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia noted the Board approved an RFP - request for proposals - for a generator for the Hudson senior/cable TV building. The specifications were prepared in conjunction with Mr. Manor and Chief Buxton. The specifications I believe were mailed out directly to I think four interested vendors. It was advertised in The Telegraph, the Hudson/Litchfield News, posted on the Town's webpage. We received two competitive bids and we are recommending that we go with Brian Mason Electric which is the lowest bidder that meets the bid specs for a price of \$38,975. Just for those who want to know, it's similar to the one that's down the end of the parking lot over here that powers this complex.

Chairman Coutu asked this will do upstairs and downstairs. Steve Malizia said this is intended to do upstairs and downstairs. Mr. Manor is here if you have any technical questions.

Chairman Coutu asked Bernie Manor - I'll let you give an opportunity. Mr. Manor obviously we're familiar with the type of generator because Mr. Mason did install one here at the fire station I believe a year and a half ago. This will cover both upstairs and downstairs and I know that. The power that it's going to generate is it going to be enough to keep the communications equipment like in the cable facility operating? Bernie Manor stated the only thing that it will not power is the actual studio if they were to try to do a full blown studio program. We've eliminated that and separated that part of it out. Chairman Coutu asked but everything else will be up and running if they want to broadcast emergency bulletins and things of that nature. Bernie Manor noted everything else will run.

Chairman Coutu asked Bernie are you going to be watching this construction. Mr. Manor said I signed up for the job. Chairman Coutu asked would you please do it for me. I trust you that's why. You know that. The town is appreciative of all the time you put in.

Selectman Nadeau asked will this be enough to use this as a warming shelter if need be. Bernie Manor indicated the generator is large enough to run our heating and cooling system for the whole building. So whatever we'd like to do with that building we can do. Selectman Nadeau said that's exactly what I've been looking for. I'm a lucky guy.

Chairman Coutu knows that Bernie Manor knows Brian Mason because he's done a lot of work for the town. He always seems to come in as the lower bidder.

Motion by Selectman Nichols, seconded by Selectman Nadeau, to award the bid to Brian Mason Electric, the lowest bidder that meets the bid specifications, for a new generator for the Senior Center/HCTV facility at the bid price of \$38,975 as recommended by the Clerk of the Works and the Finance Director, carried 5-0.

C. Request for Additional Sewer Allocation - Vaupell Rapid Solutions, 20 Executive Drive

Chairman Coutu recognized Town Engineer Elvis Dhima.

Good evening Mr. Chairman and members of the Board. Elvis Dhima said currently they're looking for an expansion and I believe the sewer allocation is to allow up to 55 employees to work there. They have 440 and they need an additional 120. We had our consultant look into this and we also looked into it. We come up with 550 gallons. I'm here in front of you to ask for an additional 110 gallons sewer allocations. We have that available and we can grant it to them.

At some point, Chairman Coutu asked Mr. Dhima to come back to us with what our balance is on sewer allocation for the town. Elvis Dhima said we are right now at approximately 27,000 gallons. We're getting close to that number. Chairman Coutu said we were at 53 a few years ago. Elvis noted when I started about 3 months ago we were at about 32 to 35,000. We've been very busy. A lot of businesses are expanding. We're having developments. It's picking up. So we're getting close to 25. What we're currently doing and especially Gary right now before his departure at the end of the month, we're looking into either if there's room available - sewer allocation in areas that will not be used like a cemetery or other businesses that have so much sewer allocation but they did not pay for it. They went in for 50,000 but they're really using 20. So we're going to give them the option to either buy the sewer allocations or give it back to the town so we can use it in different areas. In addition to that in two weeks, we're hoping to get a preliminary draft from a study that Wesson and Sampson did for the wastewater treatment in Nashua to see if there's going to be additional capacity to the wastewater treatment there based on the updates they have done. We're hoping to have some additional sewer allocations there as well. If we get that, it will be enormous and very beneficial to us so create additional development in the town.

Chairman Coutu noted so they may increase our 12 ½ by a few more percentage points. Elvis Dhima said whatever that magic number is. Steve Malizia said to make the plant higher our 12 ½ percent would be more. Chairman Coutu indicated then our allocation would be greater. Mr. Dhima said yes. So the percentage would remain the same but if their total number increases that work should...

Chairman Coutu asked about the article most recently in the paper about the work that's going to have to be done over there as a result of some of the equipment. Mr. Dhima's understanding is that they're subbing some of the work out and I don't know all the details. I haven't asked for it. My understanding is from the information I'm getting is that they've hired some consultants and some subs to do some of the work. They're working very hard to bring it up to date. Chairman Coutu was just wondering. We own 12 ½ of the cost. I'd like them to advise us. Mr. Dhima was trying to set up a meeting with the new Wastewater Treatment Superintendent there. He's new. He's been there I believe 3 to 4 week now. He's aware of our share. We're trying to set up a meeting with them soon to get an idea to what we need to spend and what we need to plan moving forward. They are aware of that. Chairman Coutu said the taxpayers should be aware that it doesn't come from them but I am concerned for the users. I want to make sure that we have at least an idea of what it's going to cost because I know they need to do those upgrades. Elvis Dhima said we should have some numbers. I'll look into it. I'll send another e-mail tomorrow and see if I can get some preliminary numbers to what we are we looking at at least our share.

Selectman Maddox thought we keep getting wrapped around that number. I know that we did a lot of infiltration work over the last dozen years. I'm hoping that where our average daily flow is only \$1.2 million so again, I think we have some head room to play with here. Elvis Dhima said our average monthly data goes between 1.3 to 1.7. We usually for most months we go from about 1.5 million. So there's a half a million there. That includes infiltration and all that. In 2002 when CLD did the study, they assumed about 400,000 gallons for infiltration and all that. A lot of work has been done to the sewer. That's what that number 25,000 comes from. The 200,000 ten, twelve years ago and they've been taking off a little bit at a time. Even though we're looking at 25,000 gallons left, it's really probably a little bit more than that taking into consideration that additional sewer allocations is not being used plus all the additional work that we have done or the Highway Department has done to the sewer. We need to go back and kind of do like a revised INI study and I think the Highway Department is looking into that. We can get a better idea to how much room we have available. The one thing we don't want to do is assume that we're using 1.5 million based on our average and start giving that away while there's people out there that own the sewer allocations and when they might develop that. That's what we have to be careful with but there is some room but we're getting close to our max. Eventually I would say probably the next year or so.

Again Selectman Maddox thought this is something that we need to keep an eye on. If we want to bring in businesses, this is one of the main factors that companies are looking for. They don't want to build a 300 x 300 leach field. So I think again we need to be working on this as we move forward through 2015 Sir. Chairman Coutu agreed. Keep us apprised. Elvis Dhima noted it goes hand to hand with development. If we don't have this, it's going to put a huge...Chairman Coutu was sure Elvis will keep your finger on the pulse Mr. Dhima for us.

Motion by Selectman Nichols, seconded by Selectman Brucker, to approve the request for an additional 110 GPD of sewer allocation for 20 Executive Drive, carried 5-0.

Chairman Coutu told Mr. Dhima I can't tell you how pleased I am that we're going to hopefully put the next item to bed. To bed.

D. Zach's Field Paving - awarding contract for pavement

Chairman Coutu recognized Town Engineer Elvis Dhima.

Elvis Dhima noted as you're well aware by now, we've been moving forward with all the parties involved - our subcontractors, the State - and what I have in front of you tonight are two motions. The first one is to move forward with the last phase which will be the installation of the last inch and a half of pavement which will bring us to four inches of pavement that the State required. The second motion or the second part of this would be for the town to recognize that the State has received everything that they have required from us to consider the site sealed both cells. We did receive a letter from the State stating that we did provide everything that they required per State requirements and regulations. I'm here today to state I guess that the town can move forward giving the site back to the Foundation to continue their work. I'm hoping if you have a motion and you award the contract that probably in late April go back with Brox and put an inch and a half and move forward with the rest of the work.

Chairman Coutu asked the inch and a half is just the base. Elvis Dhima noted the finish. We already installed the base already over the parking lot. Chairman Coutu commented the base is installed. So this will finish it off and cap it. Then at that point, we can begin. The Zach Field group can proceed with the construction of the field. Mr. Dhima said technically they can proceed with the work now that we received the letter. The understanding was that the town will install the inch and a half as long as we get the letter from the State. We got the letter from the State. We still have to do an inch and a half but they can proceed and do the work elsewhere close to the field as long as there's no digging or any other requirements that they had.

Knowing that we received this letter from DES telling us that we're ready to go, Chairman Coutu had two questions. With all of the money and the \$100,000 that was so kindly given to us from the City of Nashua are we going to have any money left over? Are we going to give it back to Nashua? Elvis Dhima said the way it works we have about \$20,000 left from REDC approximately. So we're going to use that fund and we're going to complete that. That leaves us with - I think the contract is for 34 and change. I'm expecting to go through Nashua and provide proof of payment for the additional \$15,000. We're going to get reimbursement from them and the remainder of the money is going to be there for any work associated with the cell I and cell II or any improvements close to that. Chairman Coutu noted it's going to be held in escrow in case there's something that comes up with those. Mr. Dhima said the way we have done it so far is we pay the town pays and then we ask for reimbursement. As long as we have proof of that that we've done it in accordance with the federal agreement...Chairman Coutu said that's our agreement with the City of Nashua. Mr. Dhima said yes.

Selectman Maddox said I have a certain amount of trepidation. I am concerned that once the DES signs off on this, the funds freeze. Until I am convinced that that is the case, I don't want to go that route.

Chairman Coutu wanted to hear an explanation now. Your trepidation is with regard to which fund excess monies...Selectman Maddox indicated all funds. Once the DES accepts and hands that over... Chairman Coutu said any monies that we have on hand that were designated...Selectman Maddox said it could be frozen. Again I don't know the details. My legal degree is not in grant law. I'm just concerned Mr. Chairman...Chairman Coutu asked you failed that test last week. Seriously it's just a trepidation. We have no knowledge or any...Selectman Maddox just didn't want to be standing there looking at our money through the window saying...I will not be voting in favor of this the way it sits. Chairman Coutu invited Len Lathrop up.

Len Lathrop spoke with Chris Lumbar who is the federal grantor of this money. If the State signs that this project is done and that the field is clear, no more federal money can be spent at that field for anything. So if we sign - if you ask the State and you sign this letter and agree tonight, the \$80,000 left in the Nashua grant isn't usable. The \$80,000 if this stays as work on the site such as filling the area for the practice field which is part of the asbestos - so we're filling over the cap to stop erosion, that money can be used for that. She has spoken to Keith Dubois who is the State DES head who would be the person that's signing this. She cautioned me that once he signs on it that this site is clean, then she can't allow any funding through any source whether it's through Rip Patten and the Nashua money - because Rip Patten is the gentleman that controls the Nashua money now. My recommendation would be that there is no urgency. She did not see an urgency to complete this project. We've been authorized to work at the site as of the last meeting that we had here with all the parties. The work can continue, the planning can continue, dirt can be moved. It would behoove everybody to utilize the whole allotment from the Nashua grant.

Chairman Coutu state so therefore you are recommending that the motion to accept a clearance determination not be signed. Len Lathrop said that's what I am recommending based on my conversation. Elvis and I talked earlier this week and ironically Chris called me that day and we spoke about it. Yes once this thing is stamped clear, then the federal money is gone. Chairman Coutu said we can hold off until they put the gun to our head.

Elvis Dhima wanted to be clear about one thing. I have nothing in front of you to sign tonight. The way the State works is they provide this letter saying that they have received everything that they have required. You don't kind of issue like a letter saying you need to sign here to accept it. This letter says that you have fulfilled all of our requirements. You have submitted all the paperwork. They're not saying we need your signature now to come back and consider this. I want to be clear about that. We are not signing anything tonight. This is just a statement from the State, a letter, stating that they have received all of the documentation regarding the sealing. It's been received. I spoke with Len regarding the remaining of the funds and I don't know enough about it but I think anything associated with continuing work around the cells can be used. I don't think we've taken over this tonight it's going to prevent that. Again I don't know enough it and if you think it could be an issue then by all means...

Chairman Coutu said the motion is just to accept their determination. Len Lathrop indicated that is fine as long as..Chairman Coutu said the language is to accept a clearance determination letter from NH DES which is this letter which doesn't ask us to sign anything. Len Lathrop said I wouldn't accept it to be very serious with you Mr. Chairman. Once we accept it - if Keith Dubois gets it on his desk that this has been accepted and everything is fine to go and he signs it, then it's done. Chairman Coutu said we'd hold it in abeyance. We'll just let it set aside. Selectman Nadeau said we'll do what the State does to us. Chairman Coutu asked Selectman Maddox what does the State do to us. Selectman Maddox indicated never have it done on time.

Len Lathrop commented that Elvis and I talked. If we're doing curbing and grading around cell I, that counts. Elvis has been very helpful and he pointed out some ledge that we weren't aware of and we're working on difference entrance arrangements now. He found ledge. Elvis said there was some from previous work. I don't think we have to go that route anyways. Len said I can see us blasting within 6 feet of that cell isn't going to go over well. Elvis said we need to go with a cone now. The work remaining there associated with the entrance which is close to cell I which is a parking lot. So that money can be used for that. Mr. Lathrop said Krista said that we can use the money that the deal that we've made with them is that that practice field is part of - providing that practice field to be functional is part of the abatement. It's just the same as making the parking lot functional as part of the abatement.

Motion to approve the contract to Brox Industries for the amount not to exceed \$34,625.

Chairman Coutu asked Selectman Maddox if that was your motion. Selectman Maddox said no. Chairman Coutu said for Brox to do the capping. Elvis indicated for Brox to do the asphalt which has nothing to do...Selectman Maddox stated this is why I'm not making the motion Mr. Chairman. I want to see how the two entities are going to integrate. We still have a parking lot that we're going to pave here with no driveways to it. I'm not sure that it makes any sense to pave the final coat until you have the driveways tied in so that it's a seamless...Mr. Dhima said we can delay the asphalt until the finish coat. We can have that standby so we don't have to come in front of the Board again and work out the details about the one entrance. There's only so much money. That money that was going to be available from Nashua is only going to get us so far. My estimate is that it might get us enough to get one entrance done which is the main entrance. I think the town will be working very closely with the Foundation still to coordinate this work so we can get the contract awarded and then work together to figure out the finish payment and when that's going to be done.

Chairman Coutu noted Brox has always been willing to work with us. If Mr. Dhima is assuring us and Lenny's here. It's basically the Foundation he's saying that he's going to monitor it and coordinate to get everything done. Mr. Dhima would not install the inch and a half until we have accounted for the rest of the money.

Selectman Maddox asked if this locked in the price. Elvis Dhima said yes because they can vary too. Chairman Coutu trusted that Mr. Dhima was going to monitor it. Mr. Dhima stated the other thing too is the prices remain the same as last year. I'm trying to keep the same price and justify that these guys are the lowest bidder and they continue to be the lowest bidder.

Motion by Selectman Brucker, seconded by Selectman Nadeau, to approve the contract to Brox Industries for the amount not to exceed \$34,625, carried 5-0.

E. Zach's Field Paving - acceptance of NHDES clearance determination letter

Chairman Coutu asked can we or should we make a motion to hand over the site to the Foundation for the remaining work associated with the field construction or should we wait until we've signed off with the State. Len Lathrop stated the EPA, DES has given authorization for the Foundation to do any work related to the field that is necessary. So there is no value, no real emphasis to say we already have approval to do it. We've been removing trees. We've had other surveyors. We've had other engineers out there to work on filling that site to bring it up to grade. We can progress. There's nothing to stop us from progressing.

Chairman Coutu wanted Hudson to know that it's been glacial at times. It's been heartbreaking at times. It's almost been cancelled at one time -walk away but we're getting there slow but sure we're getting there and Mr. Dhima I hope that you will continue to monitor this carefully so that we can finally get this thing built for Zach Tompkins memory.

Len Lathrop told Chairman Coutu that I'm very excited about having a new Engineer on board. Just even our initial conversations have been very positive and very enlightening in both what it's going to cost and how we're going to manipulate or utilize our existing contractors and outside engineering firms. Chairman Coutu told Mr. Lathrop I know you're going to be so happy when this is off your plate. It's been a long, long haul. Mr. Lathrop said you don't even know how close Roger.

Chairman Coutu noted that we're all set with this. We'll hold the other in abeyance. Mr. Dhima keep us posted on where we need to go with DES in the future. If they put a gun to our head, just bring it to our attention.

F. Approval of Contract for Pelham Road Culvert/Bridge Replacement to George R. Cairns and Sons, Inc.

Chairman Coutu recognized Town Engineer Elvis Dhima. This has to do with the signing of the contract?

Elvis Dhima said correct. So the last time I was in front of this Board I asked for a preliminary approval. I took that recommendation to the State with the rest of the package. They looked at it. They reviewed it and approved it as well. So everything was in order. They sent it back to us for the members of the Board to sign and make this contract legal.

Chairman Coutu stated we have more than enough to cover our matching and the 567 everything is there? Mr. Dhima said correct. We actually have an additional \$6,000 but it's going to be used for...Chairman Coutu asked who was looking for \$6,000 more. Mr. Dhima said we have extra money but we're already planning to spend it. Chairman Coutu said it was all related to the project. Mr. Dhima said once we get this contract signed and awarded, I think that the town can start receiving back some of the money for the design phase. I'll contact the State as soon you sign this. Chairman Coutu noted these things take forever. It's only been 20 years.

Motion by Selectman Nichols, seconded by Selectman Nadeau, to approve and authorize the Chairman of the Board of Selectmen to sign the contract between the Town of Hudson and George R. Cairns and Sons, Inc. for the Pelham Road Culvert/Bridge Replacement.

Selectman Maddox said this contract clearly states about the penalty but there is a deadline to match up with the school starting back up. Elvis spoke with them and they expect most of the work - work related with closing the road to be completed by September 4th. All the work will be completed or expected to be completed before the school opens. If there's any other work associated with cleaning up the site, maybe a guardrail or anything of that sort is still going to allow at least one lane open. We will not interfere with the school detours or any of that sort. It's just going to be during the summer while school is closed. If anything happens, we'll make sure that everyone is aware of that and will make sure that we can avoid any of that. I don't want to go through the headache of detouring the school buses.

Selectman Maddox was just trying to bring to light Mr. Chairman. Again I think that as long as the Board and the School Department is in sync with this just so that they know. I hate to say this now but I think you need to have a contingency plan if it doesn't just so that there is a plan because things happen. Elvis Dhima noted you're absolutely right. It is construction. Chairman Coutu said elements can be a factor.

Elvis said what we're trying to do on our end at least it's something that we can help out is I'm trying to do all the utility work - PSNH, Fairpoint, Gas Liberty - getting all that work lined up now so the contract doesn't have to wait for that coordination when work starts. What we can do on our part is make sure that everyone is ready to go once we break ground. I think we're going to be ready. I think we're already working on that right now. We already had the preliminary preconstruction meeting with all the utilities. I feel pretty confident that we're going to have everything ready. The contractors seem to be aware of what is again. So I feel pretty confident that the road will be open.

Chairman Coutu asked you've spoken with people at Fairpoint. Mr. Dhima said well the ones that are not on strike yes. They are nervous about what's going on. Chairman Coutu indicated they can't make a commitment like that. They're in no position to make that commitment from my perspective anyway. Elvis said the utility pole that's associated right now with the project and it needs - it's theirs. They own it. They're the one in charge with relocating it. I'm working with them right now with one of their representatives to do that. Then they'll be the ones moving the Comcast, the power lines, and everything while we're working with PSNH. I'm hoping that whatever is going on in there is not going to interfere with our schedule.

Chairman Coutu noted those are one of those glitches Selectman Maddox that can occur in this situation. Selectman Maddox thought that the School Department needs to be kept in the loop and a contingency plan put in place because you're right. I'm just not feeling that warm and fuzzy again tonight. The other thing Mr. Chairman that's fascinating to see that CLD was 50 percent low on the first round and they're 20 percent high on this round. They obviously need a new dartboard.

When they did it originally to their defense, Elvis said they only had one candidate and I don't think that particular contractor didn't want the job. They bid it out to whatever they made it work to them. I think the second round as well. I think the average was \$700,000. These guys I think I believe that they have done this a lot and they feel comfortable with what they're doing. They see that there's not going to be certain issues versus what some other people bid a certain amount of money because they thought but I'll take that to them.

Vote: Motion carried 5-0.

H. Water Utility Abatement #W-UTL-14-06, 333 Fox Run Road

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia said in the consent agenda at the meeting in December and it was a consent item, you had a recommendation from the Municipal Utility Committee to deny a request for an abatement. The charge was for a missed appointment. It was a second appointment. The customer gets charged for a missed second appointment. The customer has issued a letter asking to reconsider. They're claiming that they didn't hear the doorbell, or somebody didn't knock, or they should have done something different. Because they made the request to the Board, I brought it back to the Board. I haven't seen any evidence that indicates that there's any misdeed on the utility part. It's not a meter reader. It's a backflow technician. It's actually a test for a backflow device which presents potential contaminated water from getting into our system. They're a little bit more - what's the word I want to use - those folks are very diligent because that's a critical and integral part of our utility. There was an appointment that was missed in I believe June. This appointment was July and it was missed. Finally on the third appointment in August they were successful and changed the device. This customer has complained and basically written a letter to the Board saying well "you took the meter reader's word over mine". Those aren't my words. That's the customer's words. The Municipality Committee looked at it and I'm presuming that if somebody felt strongly they would have come in there and they also were invited I think to come in here on the original. To this point, they haven't. I don't have any other evidence to give you other than what I've seen.

Chairman Coutu indicated the charge is not from us. Steve Malizia stated the charge is from Pennichuck. We get charged because we have a service contract. The first missed appointment they don't charge. The second one they do.

Chairman Coutu asked has anyone spoken to these people to see if they've contacted Pennichuck because they're the ones who initiated the charge as a result of the claim of their person that they weren't home but there was no response at their door. Mr. Malizia noted all we have is the paperwork that Pennichuck...Chairman Coutu said that's all we have. There's been no contact with the people other than a Letter to the Editor to the Hudson/Litchfield News and the letter to us. Mr. Malizia indicated we have not contacted them for \$36.

Selectman Maddox thought, again we approve consent items based on the recommendations of staff and this one actually went to the Municipal Utility. As the Water Commissioners, we're the end result. They made it sound like we didn't believe them. Well again if this were the second time. I'm being told because I called the Water Utility Clerk and she said that they had an appointment. It wasn't like they just showed up on Tuesday. They had an appointment for Tuesday. Again who are we to believe? He left a card supposedly. If somebody had gotten a card on their door by mistake you'd think they would have called. I can tell you that I have not gone out on this particular item but I have gone out with Pennichuck Water shutoff types of things. They just don't drive up and drive right away. They try to do the job. As a matter of fact I had an issue with my company here in Hudson and the Pennichuck guy was kind of pushy. I've got to get this done. I don't see him just driving in and driving out. Again there was nothing against the homeowner based on what was presented to us. I felt that we were charged the \$36. They should be charged. We're not making a profit on this. It was purely second time they get a charge.

Chairman Coutu took exception to the letter only because they made it seem like we were just making arbitrary decisions here. As you pointed out, we have staff that review these items. We have never had a problem like this to my knowledge with Pennichuck with the exception I think once of somebody coming in here. I think I had to ask him to leave politely because he was getting a little vociferous and a little loud about his shutoff. Selectman Nadeau commented his \$125 shutoff. Chairman Coutu thought that if they're watching or the best I can tell them is to get a hold of Pennichuck Water and file with them and see if they're willing to rebate them. They would have to deal directly with them. I would assume they haven't paid the amount. It's still in...Steve Malizia said we bill because we got billed. I don't know if they've paid it or not. Generally you have to pay to get an abatement. Chairman Coutu noted the only way we would rescind the bill is if Pennichuck says we're not going to charge them and then we would.

Selectman Maddox thought maybe one of the things we could do better was give a better explanation as to why they were getting charged. You know we know that it's a second visit. Pennichuck has charged us. Maybe we need to do a better job of putting in that letter what the reason was.

Chairman Coutu said we need to explain it more thoroughly when we're writing the letter. Selectman Maddox thought it just said they were denied. Chairman Coutu indicated we use that same form letter. Maybe we should - even if we had check boxes for the various items. It's probably not a lot of them. Chairman Coutu asked to pass that on to the Municipal Utility to see if they can come up with a better form. Thank you Selectman Maddox.

Steve Malizia indicated there's no action needed if there's no change in your decision you don't have to do anything. You already made a decision.

I. Petitioned Warrant Article(s)

Chairman Coutu indicated that there were two citizen petitioned warrant articles that have been presented to move to the ballot. Steve Malizia noted 14 which looks like an adoption of an exemption for solar power. Fifteen looks like it is a resolution

to...Chairman Coutu stated this is basically the same thing we had last year about campaign finance reform. Steve Malizia said I didn't write it but it appears that it has to do with New Hampshire defending democracy from corrupting effects of undue corporate power. Chairman Coutu said right. Corporations donating money to campaigns. The language is very subjective. Mr. Malizia said as they're petitioned, they will be forwarded to the warrant. You need to determine whether you're recommending or not recommending them. We put that vote tally on the article.

Chairman Coutu noted that these were just put on our desks this evening. In essence what this is about is that there was some concern expressed at the Sustainability Committee that they felt that people were going to go through the expense of putting solar panels on their roofs, that we don't as a municipality consider that a taxable improvement on their properties when they're doing what they can to conserve energy. Linda did I state that relatively correct?

Linda Kipnes said yes. I have more information about this one. It explains some more about it and talks about how it works.

Chairman Coutu said that Linda is the Vice Chair of the Sustainability Committee. Ladies and gentlemen please give us a couple of minutes just to review the information that's been given to us because we need to decide whether or not we're going to approve or not approve this warrant article.

Selectman Nadeau asked to take a 5 minute recess.

Chairman Coutu declared a 5 minute recess. It's 8:19 p.m. We should be back in 5 minutes or so. Thank you ladies and gentlemen. We're back in session at 8:29 p.m. We were discussing the two warrant articles. The first one had to do with whether or not we would tax the installation of solar panels on the roofs. You've all had an opportunity to review the document as well as the addendum that was presented from Ms. Kipnes. What is the will of the Board on the proposed petitioned warrant article 13?

It was Selectman Maddox's understanding that we do not tax solar panels today. Chairman Coutu said that was correct. The Petitioner is aware of that. Selectman Maddox asked why would we go through the expense of going around and assessing these roof panels to give them a credit. Chairman Coutu believed that was discussed at the meeting and this is an insurance. The future board might just say hey there's a revenue opportunity there. Go out and tax them. Technically we could. It's an improvement on the property. I agree in principal with what they're trying to do. Is someone is going to spend the money to save energy, they shouldn't be punished and taxed for it and the net result could be that it's going to cost them more to do it. It's an inducement by having something like this approved by the voters that it assures that a person is going to make that kind of an investment they're not going to be taxed for it or punished for doing it. I understand the principle or the concept.

Selectman Maddox thanked the Chairman for the clarification. I cannot vote for this. I think it's another waste of paperwork. It's government at its worst. Chairman Coutu questioned warrant articles. Selectman Maddox said no this particular one. If we're not taxing them - and I can understand someone might but now someone is going to come to say I want my rebate that we're not charging them for to begin with. This is just going to create more paperwork than it's ever going to be worth.

Consensus of the Board of Selectmen by raising your hand to forward petitioned warrant article 14 (solar exemption) to the Fiscal Year 2016 Warrant as recommended by the Board of Selectmen 3 to 2. Selectman Nadeau and Selectman Maddox in opposition.

Chairman Coutu noted that 15 which is somewhat of a repeat of the one we had last year which has to do with campaign finance reform. It has to do with corporations giving money. I don't know what it says frankly. It's jibberish.

Steve Malizia stated they want to amend the United States Constitution to establish that only human beings are endowed with constitutional rights and money is not speech. That's basically what they're saying which is a somewhat paraphrase I believe of what was articulated last year. That was passed last year by the voters. Chairman Coutu apologized to Linda. I think it's jibberish. I respect your wanting to put it on. I'm surprised you brought that forward.

Selectman Maddox thought it's a legitimate question to be asked of the people running for Congress. When they're running for Congress this would have been a great thing to bring up in September when they were all vying for your vote. I believe last year when this past we sent the letters off to the various delegations and only one person sent something back is that correct? One and it was a form letter. Definite case of doing something into the wind. Again I think this is just the wrong forum for this.

Selectman Brucker indicated if people aren't speaking at the local level, then I think it needs to be heard from the local level that people object to the power of corporations to influence elections.

Chairman Coutu didn't disagree but their last thing on this petitioned warrant article states prior to the signatures there. "BE IT FURTHER RESOLVED: We the People of Hudson New Hampshire hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort." Shouldn't someone instead be soliciting a member of the State House, especially from our own delegation, to move this legislation before that body rather than go through all of this because it's a non-binding referendum question. It's non-binding. Selectman Brucker said you could use both. If there isn't some sign that this is a widely held belief then why would anybody in the state government want to deal with it? Chairman Coutu said I respect where you're going with it but I don't agree. Selectman Brucker stated you don't agree that it should be done on a local

level or you just don't...Chairman Coutu didn't agree that it should be done - I think local people who favor this should be petitioning their local representatives to move forward with it. I don't think that cluttering the ballot with all these petitions - you read this no one is going to understand what this is saying. "Money is not free speech and therefore regulating political contributions and spending is not equivalent to limiting political speech." It's somewhat redundant and only human beings not corporations are endowed with constitutional rights. Well corporations are owned by human beings. There are people who are registered as corporations. To say that people don't have the right to recognize the existence of corporations basically - I know what they're trying to say it just doesn't say it. Money buys elections whether we like it or not. You will not become a President of the United States unless you have \$300 million to run for office. You can't be a congressman in this State which is one of the least populated for less than \$3 to \$4 million. That's the cost to becoming a congressman. Selectman Brucker said I know but when the Constitution was written and our forefathers founded this country, they weren't looking for people to - they didn't want only the wealthy to be able to be elected.

Selectman Maddox said it's been a while but I thought most of the people in congress when it was started were wealthy. Chairman Coutu said that's what they were. Selectman Brucker said they were but I mean that's not the founding principle of democracy. Chairman Coutu questioned to be wealthy. Selectman Brucker said NO. You're supposed to be able to do anything you want in this country. Some poor slob...Chairman Coutu said for \$1,000 you can put your name on the ballot and run for President of the United States in New Hampshire. Selectman Brucker's understanding of democracy is that anybody should be able to run. Chairman Coutu agreed. Anybody can run but only those with money wins. Selectman Brucker said that was sad. I know you're right but it's disgusting. Chairman Coutu said we can't change it. Selectman Brucker said you can't change it if you don't try to start changing it. You have to start somewhere.

Selectman Maddox said this goes back to my statement. These are questions that should have been asked of the candidates that this is going to affect.

Consensus of Board of Selectmen by raising your hand to forward petitioned warrant article 15 to the Fiscal Year 2016 Warrant as not recommended by the Board of Selectmen. 1 to 4. Selectman Brucker in favor.

J. Fiscal Year 2016 Town Warrant and Warrant Article Speaker Designation

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia stated what I put in front of you was basically the order of the numbered warrant. As you know until now we've been using the alphabetical system. We did them as they came in. What I've done here for your consideration is to put the warrant in a certain order. We have to by law put the bond article first. That is a rule and then after that I've put the operating budget for the general fund, sewer fund, and water fund to stress their importance. As we're well aware, those have not passed. Perhaps if placement is an issue, they're closer to the top of the ballot and that's why they've been ordered that way. Then in keeping with past practices, I've done basically wage increases. I've done things like renovation of the central station, replacement of ambulance, and then funding for various capital reserve funds, and then basically the non money stuff at the end. That's the order that I've presented to you. If you agree with that order, you should approve that and then I've done the designation of speaker based on the liaison assignments. So when you get to the Deliberative Session, you know who's speaking to what.

Chairman Coutu said you've all had an opportunity to see the speaker arrangements. Selectman Nadeau said I love them. Mr. Malizia noted you only have one. As we are all aware, the Budget Committee Chair...

Chairman Coutu asked the Board if they were all set with this. Selectman Brucker said yes. I love my assignments yes.

Selectman Nadeau was very happy with...Chairman Coutu said we know you are. We can take it off if you want. I know it make you even more happier. I think you can handle that one.

Motion by Selectman Nadeau, seconded by Selectman Nichols, to approve the order of the Fiscal Year 2016 Town Warrant, carried 5-0.

K. Designation of a Selectman to Post the Town Warrant

Chairman Coutu said as you're aware every year a member of the Board is appointed by this Board to post the Town Warrant in public places. I believe we do it at the Community Center, the library, here, and the Post Office. I think that's it the four. I'm working every day. Selectman Maddox works every day. Which one of the three of you would be willing to post the warrant article? You would go with the Town Administrator to post it. All you're going to do is post it up in four places and sign the document that you did it. Selectman Nichols you had your hand up first. You're willing to do it? You want to ride around with Steve. You're going to regret it. Selectman Nichols said yes.

Motion by Selectman Nichols, seconded by Selectman Brucker, to designate Selectman Patricia Nichols to post the Fiscal Year and budget on or before January 26, 2015, carried 5-0.

L. Revenues and Expenditures

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia stated we are half way through the year which is 50 percent. I think things continue to still look pretty well. The winter has been kind or hasn't been too bad yet. It's obviously early. I look at certain ones like legal and we're under that one. I'm comfortable with that. Motor vehicles is definitely tending up even though we bumped up the number to \$4 million, we're still at almost 52 percent. That's really going pretty well. On a positive note the interest for investments we budgeted \$5,000, we're over \$7,000. So it's a windfall. Fees will kill us later on but bottom line even that one is looking better than budgeted. I don't see anything that doesn't indicate that things haven't improved.

Chairman Coutu said the only one is ambulance. That's at 52 percent and that's a month behind. Mr. Malizia said it's looking reasonable. As I talk about on the expenditure side of things, don't forget we put POs out there so sometimes if you see a trash contract, it's only because we've done the entire purchase order. Right now we have no indication to this point that we have any difficulty. We will monitor as we all don't want to lose sight. We are at a default year and we've had to move money around. I'm sure we'll be looking at this very carefully in the second half of the year.

7. B. Public Hearing - Amending Town Code Chapter 205, Fees, §205-11 Recreation Department fees

Chairman Coutu recognized Recreation Director Dave Yates. As you remember, we had a meeting. Mr. Yates presented us with the recommended fees for the recreation activities. We made a couple of amendments if I remember. With that Mr. Yates, the floor is yours.

Dave Yates indicated back in December, the Recreation Committee met. At their meeting we reviewed the fees. We made some recommendations. The main concern was the gap with the summer program. While we were at it, we looked at a couple other fees and made some changes that I brought before the Board back in December. I'm here tonight if there's any further questions on any of the fees.

Chairman Coutu asked if there were any questions at this time before we go into the public hearing. Seeing none.

Chairman Coutu opened the public hearing at 8:46 p.m. Does anyone in the audience wish to speak on this item?

Eric McDowell, 24 Oban Drive, Hudson. So just a quick question before I kind of go into the following question. I'm assuming the goal of the Rec. Department is to break even. Is that true for all the sport activities and events that go on? Chairman Coutu believed, and I'm not going to speak for the entire Board but I believe that my interpretation of conversations that we've had in previous years with maybe all of these people here and with other selectmen who had served prior is that if we could bring the recreational activities budget level funded. We still have the administrative costs that the taxpayers for. I believe that was the purpose and objective. Mr. McDowell said that was fine. I guess my questions and based on Board's previous comments with kind of the two areas in the Rec. Department that seem to be underfunded or lacking funding was the summer program and basketball. Please correct me if I'm wrong. I was looking at as a parent of kids in this town, the summer program for out of towners. I don't know about you but I don't like paying for other people's kids to come to town. I'm not sure if there's incremental costs to Mr. Yates or the summer program as far as counselors or additional people but at \$400, that is \$50 a week. That seems ridiculously low to me.

Chairman Coutu indicated you had a question. The incremental costs - there are none. Mr. McDowell said there are plenty of staff available. It's just a revenue. Chairman Coutu said in conversation that we've had with Mr. Yates in the past relative to the ratio of child visa via the counselors, he was satisfied as was the program director that the quota was very comfortable and safe. Mr. Yates knows that if at any time that inflation is so great that the ratio is a little hard for a counselor to control say 30 kids as opposed to 25, he will come to us with a recommendation and we would certainly listen to that.

Eric McDowell said in my opinion that summer program \$450 or \$500 should be reasonable in my eyes. I also think for in town you're saying \$250 to \$300. If most of the folks are in town and it's not staffed, the \$325 is still \$45 or so a week. Anybody that can put their kids somewhere for \$45 for a week, I find it hard to take exception to.

Chairman Coutu wanted to go back to out of towners. You are recommending \$450 to \$500. Mr. McDowell said yes \$450. Chairman Coutu stated that you're recommending that the in towners go to \$325 instead of \$300. Mr. McDowell would also like to see, and I know he said just a second ago that they looked at other fees. If men's softball, and women's softball, and soccer, and the other programs are meeting their funding requirements, I don't think we should be raising the prices to those sports. If sports are proving year after year that they are making money, then those sports should be looking at having their fees reduced. I can see a one year it makes, one year it loses because the number of kids that sign up for that sport change from year to year but if it continues to make money year after year, those fees ought to be reduced and not just raised for the sake of raising them. Personally I'd like to see anything that is break even or above have their fees remain the same. As a coach in this town, the Community Center rental doubling that fee, we need to get these kids doing something during the winter, during the off season when they're not doing sports. Doubling the fee for that rental center makes it so I can't - hey Dave can I use that space? Can I bring 20 kids in? If it's \$60 an hour, it's a lot harder for me to get parents to say hey can you chip in for it.

Chairman Coutu thought there's a misconception here about that. I see you nodding Dave. I was involved with the discussions. Why don't you explain why we did that?

Dave Yates indicated when we created that rental, that was mainly for private organizations that want to use the Community Center for AAU basketball. If one of our rec. programs or a lacrosse coach wants to go in and you have a practice one night and it's available, there's no cost. It's mainly for a private organization that want to use it. We did bump it up. We did some research. That's what the schools charge and also Tabernacle that's what they charge for their rental. If a lacrosse coach or one of our current basketball coaches uses it that's part of our program...Chairman Coutu said I can tell you that it was never intended that this would fee would be applied to any in town programs that need to use the Community Center only if it's available. Dave has the calendar of what the availabilities are.

Eric McDowell had one other question and this will probably be a hotter question. The senior center currently falls in the Rec. Department budget. There's no fees and obviously there's a lot of money going or some money going to be allocated to it this year to fund it I'm assuming if we get out of default budgets. Is that senior center reserved for Hudson seniors only? Chairman Coutu said no it is not. Mr. McDowell indicated I'm paying for some out of town person potentially to be using that senior center? Chairman Coutu indicated it's reciprocating. We reciprocate because we have a lot of Hudson residents that are in the Nashua Senior Center. We have Hudson residents that are in the Pelham Senior Center. I believe Litchfield is only open one half a day or a day a week. There's not much there. There's reciprocity and I think that we're honoring that. They pay the same fee as everyone else does. It's not requiring more staff right now. I don't know Dave if you have the number what the ratio is if it's less than 10 percent or out of towners. It's a small number. The last time I heard it's a small number. From my perspective, again that's one of the committees that I'm assigned to and I've been working with. I would say that without a doubt there's no additional costs incurred by the town for the small number that we have coming in. As I said, we reciprocate with other towns so I think it's fair.

Eric McDowell said my one follow up to that then is at the point in time in which the number of seniors using the senior center outgrows the space that's been allotted to it are they going to come back and say we need a bigger building? Chairman Coutu said it's conceivable. Mr. McDowell asked are we going to look at that reciprocity once we get there. Chairman Coutu indicated that's a fair question and I think we would. Everything is going to be on the table. Matter of fact a comment was made tonight about any additional monies that are left over from when we're all done with this whole project maybe we ought to consider entertaining a warrant article to change the purpose of what it was which was to build a building to potentially have it for a potential future addition. They can continue raising monies like they had in the past and if there's money available - money from the sale of properties and stuff, it might be one of the accounts that we might consider putting money in. Yes everything will be on the table at that point and we'll have to look at it.

Selectman Maddox said in the past the summer program was what \$20,000 in deficit if you're looking at break even. We opened it up to out of towners to fill in some of that need and to be business friendly. It would be nice that people who are working here in town - yes it's a low fee to watch your kid for the whole summer but if you're working in town they look at us favorably as getting money from their kids and being a little business friendly. We've capped it at 50. It's not like it's going to be overrun by out of towners. It was really a function of revenue to fill in that gap.

Chairman Coutu recapped by saying basically what I heard is the result of Eric's conversation was that he recommends that we increase the out of towners fee from \$450 to \$500. How many out of towners did we have last year? Dave Yates indicated we had 30 last year. Chairman Coutu asked were those the children of people who work in town. Mr. Yates thought it was a mixture. It was a mixture of people that work in town and family members that live in other towns that heard how good the program was. Chairman Coutu said one of the arguments that was made by one of the members of the Recreation Committee that swayed my opinion on one of the fees was that we run a summer program from the last week of June through the third week of August. Mr. Yates said pretty much. It's an 8 week program starting the week after school ends. Chairman Coutu noted an 8 week program if you divide it by 8 weeks you can't get anybody to watch your kids for that kind of money. It's the best bargain in town. It kind of dissuaded me on one or two of the recommendations. Let me ask for a consensus before we go into a motion. I'll close the public hearing at 8:58 p.m.

Chairman Coutu asked how many would be in favor of raising the - let's not talk about money let's talk about raising and if you'd like to please raise your hand, the out of towners fee? Anybody in favor of that? Do you want to leave it the way it is? The in towners raising it from \$300 to \$325. Anyone in favor of that?

Selectman Nadeau stated if I was going to raise any of them, it would be the out of towners because you look at the numbers and - the other thing that you have to think about is all the field trips that the kids go on, the cook outs, you're paying for that all individually. Chairman Coutu reiterated they pay for that. We don't pay for that. Selectman Nadeau agreed. There's a fee. You can't look at it is you're paying \$325 for the summer, you're really paying probably closer to \$600 or the summer. Chairman Coutu said it depends on the activities you participate in. Selectman Nadeau said when I was in there, I wanted to participate in every one of them. It was a little more expensive for me than it was for my sister. It was more that I wanted to go on some of the more exciting trips and activities. Chairman Coutu said I would have too. I did gimp in my recreation program. That's all we had when we were kids. You guys got bowling, movies, and us old timers we had gimp and that finger thing we had to make that stuck your fingers in there. That's all we had to entertain ourselves. Selectman Nadeau stated if we were going to raise any of the rates, I think it would be on the out of towners.

Steve Malizia noted you are raising it now just to make a point. You are making a raise.

Chairman Coutu stated if we approve this. Without amendments, I'm asking if he's offering an amendment.

Selectman Nadeau said I would make an amendment to raise it by \$25.

Steve Malizia said from \$350 to \$425. We're recommending \$400.

Chairman Coutu asked would there be support to go to \$425.

Selectman Maddox asked Mr. Yates based on everything that you know the summer program will break even with these numbers as we have proposed. Dave Yates felt we will. Selectman Maddox told the Chairman I think that I'm going to not vote for this. I think that I'm going to have to believe Mr. Yates is correct that we will break even which was our goal, take a \$20,000 deficit, clear that up, still provide a safe, secure place for those that want to use this service. I don't think we need to be going too crazy here. Inasmuch as I understand out of towners, they're going to paying \$100 more than the in towners for the same exact service. Again I think it just gives that - if someone has a child and they work here in town, they have that ability - I don't think our goal here is to make money. It is to really have the program break even. If Mr. Yates says that's where we'll go, I'd like to stay at that Sir.

Chairman Coutu thought the work was done with the numbers and he felt very confident that we could do that. The Board agreed with him.

Selectman Nadeau said you have to realize that the enrollment is down in the school system and the numbers are declining in the youth in town. So we're trying to break even but there's less people to do it.

Chairman Coutu indicated this is an adjustment year. I think that we need to come up with something. The numbers that he proposed was based on registrants from last year. He feels that this will break even. If we have fewer residents or fewer registrants and the number is significant, then we'll have to look at the fees again or the taxpayers are going to have to foot the bill so we don't make it prohibitive for people to be able to use the program either. We have to look at both sides of that coin. In all fairness Selectman Nadeau when talking about the out of towners if we were to go up \$25 and 50 percent of them - well there's 30 of them, we're going to make \$700 out of the deal. Selectman Nadeau indicated \$700 is better than no hundred.

Selectman Maddox said correct me if I'm wrong Mr. Yates. Based upon registrations if they were to drop, you would be cutting staff. Dave Yates said if the numbers do go down and that would depend on the daily attendance. We had 440 children last year and our average per day was 212 per day. Selectman Maddox indicated with 212 per day you have a staff of X. If that average dropped down to 184, then somebody's going. Mr. Chairman I think our costs can also be contained. Again this is a somewhat mystical process. I know Mr. Yates is working on that program to entice more kids into the program through the schools, the videos, and all of that that we talked about at these various meetings. I'm going to have to defer to he's going to get it right and at this point let's see where it takes us. I mean we have raised the fees Sir.

Selectman Nadeau said the other thing that we tried doing last year is we were in a default budget and with all the problems at Robinson Pond, he used some of his summer staff to cover the pond. So by raising this fee by and getting another \$700 could get us a Friday, Saturday, Sunday attendant at Robinson Pond to cut down on the problems that we've had over there.

Chairman Coutu said that was a fair point Selectman Nadeau. Dave what are we doing now for Robinson Pond? What is the plan for this coming summer? Dave Yates indicated it is in the budget. Last year - hopefully the budget gets approved - last year we had contributed that portion towards the senior center. We gave up Robinson...Chairman Coutu said there was money in the budget to fund what specifically. Dave Yates said to fund Robinson Pond to have weekend people there - Saturday, Sunday, and holidays from 9 to 3. There is money in there to cover. Chairman Coutu asked why would you say Friday. Selectman Maddox indicated the kids are all there. Dave Yates indicated we're there so we do have people. The summer program is there on Fridays. Chairman Coutu asked if it was in the budget. Mr. Yates said yes.

Selectman Nadeau said if the budget passes...Chairman Coutu indicated the senior center is in the budget too if it passes. Selectman Nadeau would like to see 9 to 5 at the pond. Three o'clock just doesn't seem to cut it. People use the pond in the evenings and the more security we have over there the better. A lot of out of towners are using it and abusing it.

Chairman Coutu asked are you hiring somebody specifically for that position. Dave Yates indicated we try to. If we don't, then we have the summer staff cover it. We did have a gentleman that did it for years and he passed away. Last year we were having the summer staff cover it. Chairman Coutu asked what do we pay to cover that per hour. Mr. Yates indicated we were paying him \$10 an hour. Chairman Coutu asked what did you ask for in the budget this year. Mr. Yates noted \$10 an hour. Chairman Coutu asked if they were lifeguard certified. Mr. Yates said no. They're only attendants checking IDs and making sure the rules of the pond are followed. Chairman Coutu reiterated its maintenance, cleaning up... Mr. Yates said quick cleanup, checking IDs, if somebody is doing something wrong - do dogs on the beach, no alcohol. They'll go up to them and let them know that. Chairman Coutu asked if that worked well. I don't disagree with Selectman Nadeau. What would be the problem going 9 to 5 because you always have a little money anyway because some of the kids don't show up. Dave Yates indicated we could probably go 9 to 5.

Chairman Coutu asked for a consensus. Would the Board agree that 9 to 5 is a more reasonable approach to manning Robinson Pond on Saturdays and Sundays? I'm certainly in favor of it. Selectman Brucker said yes as did the rest of the Board. Chairman Coutu asked Dave Yates to try to work that out Dave. Let's go from 9 to 5 on Saturdays and Sundays. Apparently there's going to be no move on what is proposed so I'll entertain a motion.

Motion by Selectman Nichols, seconded by Selectman Brucker, to amend Hudson Town Code, Chapter 205, Fees, §205-11 Recreation Department fees, to increase the fees and add an additional fee "second additional child \$175" and "third and subsequent child(ren) \$150, carried 4-1. Selectman Nadeau in opposition.

M. Request to utilize hiring list relative to a Firefighter resignation

Chairman Coutu noted we received on the desks this evening from the Fire Chief one of his most recent hires has already submitted his resignation - Matthew Hunt has resigned effective January 27, 2015.

Motion by Selectman Maddox, seconded by Selectman Nichols, to authorize the Fire Chief to utilize the firefighter hiring list established in November 2014 to fill the current firefighter vacancy.

Chairman Coutu said I will support the motion although this list is getting - I know it's only November but this list we're going way down on this list. I'm getting a little concerned when we get down 4, 5, 6 candidates, 7th candidate. I'm a little concerned because they're in order when he made his recommendation. I will support the motion at this time.

Selectman Maddox said if the other option is to go out and retest and we're only going to do that for one candidate, it's going to be time consuming and expensive. But I also believe Mr. Chairman if the Chief finds no one suitable, he will inform us of so. Chairman Coutu indicated I'll take you at your word Sir.

Vote: Motion carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau - Have we sent out the letter to the DOT? Chairman Coutu said apparently not. I haven't signed any letter. That was an oversight? I was wondering where that letter was. Thank you good catch. Selectman Nadeau indicated that's the only thing I have this evening.

Selectman Brucker - Yes I attended the Conservation Commission meeting last night. They elected new officers. Ken Dickinson will be the Chairman this coming year. Patricia Dubay will be the Secretary and Jim Battis will fill in when he needs to. There was quite a discussion about the Mills' property and they have created a subcommittee to investigate the valuation of the property and finding out how much that's going to cost and who might do it. That was pretty much it.

Selectman Maddox - I have a question then of Selectman Brucker. I came in at the tail end of that. I missed the original meeting on buying property. Are they still going forward? They're going to get an assessment of the value of the land. Selectman Brucker said yes. Just for clarification, Selectman Maddox said they're planning on making that a warrant article at some point to bond/buying that land or are they going to spend the monies that they have within their land purchase. Selectman Brucker believed they're going to spend the monies that they have.

Selectman Maddox indicated I'm going to do something rare tonight. That's all I have.

Selectman Nichols - Thank you. I attended the January 8th Budget Committee public hearing for the Town and School. All members were in attendance and there was a pretty good crowd. Not hardly any questions which was kind of unusual. I kept waiting for people to say a few things and not many did. It ended up fairly quickly. I wanted to let people know that the Town Deliberative Session is January 31st at 9 a.m. at the Community Center. That's for the Town so hopefully people will show up for that and read everything well. The Deliberative Session for the School Board will be on February 7th. Hopefully people will show up for that. I can't think of anything else. I guess that's it for me.

Selectman Coutu - I have nothing this evening.

Selectman Nadeau thought that there was a special meeting for the fire station bonding. Steve Malizia said there's a public hearing scheduled for Friday at 6 o'clock in this room. Chairman Coutu asked if we already sent out notices for advertisement. The meeting should last 5 seconds. Selectman Nadeau indicated I will not be here. Chairman Coutu asked will be contingent of 4 anyway or at least 3. So there will be a meeting for the bonding. Steve Malizia asked if we needed to televise that meeting. Selectman Nadeau indicated we probably should. Chairman Coutu indicated we're going to have to pay somebody \$22 to come in here for a 5 minute meeting? What is the wish of the Board? Selectman Nadeau said if we were smart we would. Selectman Maddox agreed. I think that it's part of the process. To not do it I think it sends the tone that it's something in the dark. We're going to pay \$22 for somebody to come out and at least if there's substantial discussion, there could be, it's been put on record.

Chairman Coutu asked to please notify Mr. McIntosh that we want to have the meeting televised. Okay. We're good.

Selectman Brucker asked will there be any other public discussion of it. Chairman Coutu indicated that's it. It will come up at the Deliberative Session. Steve Malizia said because it's a bond, you're required to have a public hearing on the bond and not the actual article. I believe it's on the bond.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Brucker, to enter Nonpublic Session pursuant to: RSA 91-A:2 (a) Strategy or negotiations with respect to collective bargaining; and 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 by roll call.

Chairman Coutu stated Nonpublic Session is being entered at 9:18 p.m. thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room. Open session was entered at 10:01 p.m.

11. ADJOURNMENT

Motion by Selectman Brucker, seconded by Selectman Nichols, to schedule a Step 2 Grievance hearing from the Hudson Police Employees Association, carried 5-0.

Motion to adjourn at 10:04 p.m. by Selectman Maddox, seconded by Selectman Nichols, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Roger E. Coutu, Chairman

Benjamin J. Nadeau, Selectman

Richard J. Maddox, Selectman

Nancy Brucker, Selectman

Pat Nichols, Selectman