

HUDSON, NH BOARD OF SELECTMEN
Minutes of the September 23, 2014 Meeting

6:30 p.m.

Strategy or negotiation with respect to Collective Bargaining Session, pursuant to RSA 91-A:2 I (a)

1. CALL TO ORDER - by Chairman Coutu the meeting of September 23, 2014 at 7:33 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman Maddox.
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; Donna Staffier-Sommers, Sewer Clerk; Kathy Carpentier, Finance Director

4. PUBLIC INPUT

Chairman Coutu asked if anyone in the audience wishes to address the Board on matter which we have control, they are welcome to come and speak. If anyone wishes to, please do.

Neil and Denise Lavoie

Neil and Denise Lavoie, 157 Old Derry Road in Hudson. We have built a small apartment. Our one car garage was changed into an apartment. Its 380 square feet and we're here to try and figure out why we're being charged an impact fee for the schools on that where children can't live in that. When I spoke with people from the State of New Hampshire they said a child over the age of 4 really can't be in that apartment because there just isn't enough square footage and it's only a one bedroom. Basically, again, 380 square feet including the bathroom yet they want us to pay the \$3,578 impact fee for the schools. We just don't understand that. The houses on Senter Road that are 4 and 5 bedrooms are being charged the same impact fee that we are and at the top of the Town's form, it clearly asks for your square footage but none of that was taken into account. We can understand paying the impact fee on the roads and the recreation and that but when a child can't even live in the apartment, why should we have to pay that \$3,600. They will not give us an occupancy until we pay them that \$4,633 including that school fee.

Ms. Lavoie talked to the people in the Town Hall and no one really wanted to deal with it so they basically said to come before the Board of Selectmen to get a decision on this because none of them would take it on. John basically called me up saying no one wants to deal with this so I am. Denied. You need to pay it or you can't have your occupancy. I'm just not understanding this.

Chairman Coutu stated first of all before I recognize anybody for questions, I listen to what people say and I take them at their word. What concerns me is that you said people in this Town don't want to deal with it. I'd like to know who the "people" are.

Denise Lavoie indicated I went to Town Hall and asked the people for the permit department...Chairman Coutu said we're in Town Hall. Who in Town Hall? Ms. Lavoie said the permit department was in there and John also. I don't know his last name. He works upstairs. He's in the office up there and he's the one that called me. Selectman Maddox asked did he have a white shirt on - fire type. Ms. Lavoie said no. I did talk to the gentleman from the Fire Department. He was actually very helpful. When I went up there to talk about the permits and things like that, they said that it was not in their jurisdiction. They weren't quite sure. When the Fire Marshall I believe he is started speaking to me, the other gentleman John came in and he said he had been dealing with it and they just said that they couldn't say it and that that's basically what everyone paid and that was going to be it.

Just for the record, Chairman Coutu wanted people to know that please when you come into Town Hall and talk to people, please try to get their names. We can't deal with a guy in a white shirt, or a John. If we don't know specifics, we can't address if there is a problem if it's something that people are suppose to know, I'd like to know that they're informed and can give you the correct answers. It doesn't just impact you, it will impact the next person who comes in with a similar problem. If we have people that are not educated for whatever reason, we need to find out why and get them educated. Selectman Maddox is more of the expert on this Board because he deals with the Planning Board and those kinds of issues not necessarily in particular that issue. I will recognize him.

Selectman Maddox said my question was going to be if they've been into Town Hall and people know that they sent them to the Selectmen, why didn't somebody give us a heads up and some documentation to be able to know more than you coming in with an issue.

Denise Lavoie stated I just went last week because it was the day before our occupancy. When we saw this sheet, we originally talked to the contractor because we asked him what all the fees were going to be. The day before we went to get our occupancy, he said you need to pay your impact fee which we had never heard of because he had all of this paperwork. Selectman Maddox asked this is an in law apartment. Ms. Lavoie said it's basically the one car garage. We put it just to get extra income to put away for our retirement. The bedroom is 10 X 12 and then the rest of it is just like you can put a couch in there. You can't even really put a table and chairs, and there's a bathroom with a counter to eat at. Selectman Maddox asked if it was an ALU. It's a living unit. You're making it a two family. Ms. Lavoie guessed. When I talked to the lady upstairs in the office for the permits, she said that it was considered a duplex. I said it's really not a duplex. I don't know what else to say on that. She said it goes basically by just the fact that we were doing that. Again, a child can't live really in that unit.

Chairman Coutu asked for clarification. Is there a kitchen in that unit? Ms. Lavoie stated yes. Chairman Coutu commented that it's an apartment. There is a kitchen? There's a stove, a refrigerator...that's an apartment. Ms. Lavoie indicated yes.

Again, Selectman Maddox said we're kind of blindly trying to fish around here. If there's paperwork, it would have been nice to give to us before the meeting. Chairman Coutu said the department should not have been - did it meet all the zoning to be able to build a second apartment on your property? Ms. Lavoie said yes. We have all the permits. We have everything signed off here. Again, its 380 square feet that a child can't live in and that's my only thing is why am I paying an impact fee for schools when a child cannot live in that apartment to go to the schools. We have a child in high school. We pay our taxes. We have no problem with that. We have no problem paying for the impact fee on the roads or for the recreation. It's just the school. A child can't live there so why should I pay \$3,600 for that.

Selectman Maddox asked to take a stab Mr. Chairman. You could or you might move out. You now have this two family that they now rent out to somebody that doesn't do as nice a job as you did of looking into it and have a family move in with children - or a single parent with a child that is going to school. So I think that the ordinance is there to collect the money for whenever. Again, don't have anything in front of us to go from so I'm just guessing that that maybe what they're coming from.

Chairman Coutu said the only thing that crossed my mind is that a single parent with a child could conceivable rent that and it does impact the school system.

Denise Lavoie indicated that the State says that any child that - they said a child could live there probably up until the age of 4 years old. So that child still can't go to school. Seriously you could put a bed in there, a couch, and pretty much you have to eat at the counter. There is no other really room in that apartment. Its 380 square feet including the bathroom and closet space.

Chairman Coutu indicated it's a matter that we can ask the Town Administrator to look into it. We can't give you answers. We have certain ordinances that govern what constitutes an apartment, where they're legal. Apparently if you received all your permits, it's legal. I don't think they'd issue you a permit to do something that is not legal to do but we do know now that I didn't think it was an apartment the way you explained it. You said it was a bedroom, a place to put a couch, and a bathroom. You didn't say anything about a kitchen. Now you say there's a kitchen. It's a living quarter. If there's room to put in a couch, that's room for a second bed because a couch can serve as a bed. If you have a bedroom with a single parent, a couch for a child, a child could live there all the way through high school technically. I don't think it's determined basically on size. I'm just speaking off the cuff here.

Denise Lavoie asked why would you have square footage on your own form then. The square footage wasn't even taken into the account. No one even bothered to fill it out.

Selectman Maddox stated that is questions that we have to ask people. Again we don't run every...Chairman Coutu asked is square footage a factor in determining school fees? I don't think so. I think it's the habitat...Selectman Maddox said it's per residential unit. Again not knowing all the details, someone in staff...Chairman Coutu said our Town Administrator has been taking notes. I think that unless he has some questions that he wants to ask you to make sure that he brings back the correct answers for us to be able to digest - actually it's not for us - I mean we want to hear the answers obviously. The proper thing to do is to have him look into it. I'm going to have him take your name, address, and phone number and he, I hope, will contact you and we'll work through all of this to find out exactly what the ruling is, if there's anything we can do - I doubt it. We abide by the Town Codes but at least we can get you a straight answer. I understand what you're saying. Does the size of the unit impact whether or not you should be paying that school impact fee because technically by definition you saw or heard about doesn't qualify it to be

habitable for a child. Is that an impact? Is there a State law or rule that supersedes anything we might have to be able to give you that leverage to be able to not have to pay the school impact or is that cast in stone and you have to pay it.

Denise Lavoie stated I know that they just went against the 55 plus communities where they won stating that because they can't have children their either because that's what it is. Even though they have their units, the town ended up basically losing that for that reason because they could not have children in those units. Well it's the same thing with my unit. I really can't have a child there because according to the State of New Hampshire, a child can't really live there. When I talked to the housing and human development people to ask them can a child live there, what's the law with the square footage, and things like for 1 bedroom, 2 bedroom, if there's children or what not. We basically talked about that before we even really built this. That's why I was surprised to see that this impact fee had been put on there. Honestly I don't have that kind of money to pay and they won't give me my occupancy. I'm paying a mortgage on something that I can't even rent at this point and I really can't afford to pay that.

Chairman Coutu said that the Town Administrator will either call you or he will designate someone in the division that will familiarize themselves with your property and exactly what the rules are.

Ms. Lavoie indicated I don't care if you all want to come and take a tour, by all means come and take a tour. There's no problem.

Selectman Maddox said I'd be more interested Mr. Chairman in finding out why people saw there was a problem and just said..Chairman Coutu said yeah it's thrown on us. Could you look at actually why...Ms. Lavoie said they actually said that I could possibly meet with - I forget there was another group of people to meet with? I said okay how do I meet with them. They actually said told me that the committee never met and that they weren't even sure who was on this committee. So it's like okay. So they said it would take them a while to even try and look up who was on the committee. "It's above our pay grade and we can't make that decision." Chairman Coutu indicated we know who's on that committee. We have that information upstairs in our office. Who told you that they didn't know...Ms. Lavoie indicted the same gentleman upstairs in the department.

Denise Lavoie said the Fire Deputy actually he was very nice. He actually walked me over to the Selectmen's office, introduced me, and helped me out. The other gentleman was very upset with me when I started talking about this. He said I've already called. We've already decided on it. It's above my pay grade and that's when the Fire Marshall said that. He said that no one could make that decision because they could lose their job.

Chairman Coutu indicated we will be looking into it. The Town Administrator or his designee will be in touch with you. We'll try to get to the bottom of it and see if there's anything we can do. If it requires a meeting of that other committee that we supposedly don't know anything about, we certainly do know who the members of that committee is. If it requires a special meeting, there's something they can do, we'll make sure that we accommodate that and get that process going for you. We can't guarantee anything. Our hands are tied as to whatever the Statutes are but we will certainly look into this. I share the same concerns Selectman Maddox has is this is something that should have been brought to our attention last Thursday, last Wednesday, or last Tuesday. It should have gone to his office so that we'd be prepared for it and we had the answers for you tonight. That's not fair to you and I apologize for that.

Denise Lavoie indicated when they said they I could possibly meet but there wouldn't be any guarantee it would be on the docket and that's when they told me that I could come and speak tonight. So that's what we did.

Chairman Coutu indicated that's one way to get around the agenda is to come right in. That will be a lesson to people. We do welcome you for doing that and I appreciate your coming in to do that. We want our people leaving Town Hall happy. You may not be too, too happy tonight because we haven't resolved it but at least it's in our plate now and we'll take a real good look at it. Someone will be in touch for you. If for any reason at any time you're dissatisfied not necessarily with the decision. We may not have control but with the way you're being treated, don't hesitate to call any one of us privately and tell us. We can deal with the matter. I think you'll find that generally speaking everybody will go overboard to try to help you. It just that somebody was stymied by this question, didn't know what to do, and threw their hands up. That's not the right way to handle it. You should not have had to have come in here. We should have had this in advance and we could have dealt with it and contacted you directly. I apologize. Thank you for coming in. I appreciate it.

Chairman Coutu asked if there was anyone else wished to speak to the Board of Selectmen about matters in which we have control. Seeing none.

Chairman Coutu indicated we have someone here this evening that it gives me great pleasure to be sitting in this position to be able to recognize Donna Staffier-Sommers - 20 years of service. If you will step forward please, I would appreciate it. You know this gives me great pleasure because I've worked with you. I've approached you in the

building. I'm in and out of your office. I know how you are with our citizens. You're an exemplary employee. I'm so proud to be able to - I consider this an honor to be able to utter the words that are here before me and present you with a Certificate.

"Donna Staffier-Sommers has been with the Town for the past 20 years and is currently the Sewer Utility Administrative Aide. She began her employment with the Town in 1994 working for both the Police Department as a school crossing guard and with the School Department in food service (both of those things shocked the hell out me). In 1996, Donna became the part time receptionist for the Highway Department. In 1998, Donna accepted the position as a full time Administrative Aide for the Sewer Utility Department. In this role, Donna is responsible for managing the daily sewer utility activities of the town's residential and business sewer users. She also works closely with the Municipal Utility Committee and the City of Nashua's sewer treatment plant managers in planning for future sewer expenses (and I can personally attest to that and you do an outstanding job representing us). Donna provides excellent customer service and works hard to resolve problems or issues that arise.

Donna's hard work and dedication was recognized in 2007 by the Sewer Utility Committee members who when she was presented with a letter of appreciation and then again in 2013 when she was nominated and received a VFW Post 5791 Loyalty Day Award. (and I know we had an impact on approving you for that award)

Donna is a resident of Amherst where and her husband Tom are active members of their church and community. She has one daughter and a son-in-law, 7 step children, and 12 step grandchildren."

As an aside from all of this Donna, and Chairman Coutu said I didn't prepare this, it's just a thought that just came to me while I'm here. I had a gentleman approximately two years ago that I bumped into very familiar to both of us. It may shake a memory but I'm not going to mention his name. He was outside and he's a personal friend of mine. He's an elderly gentleman and he was in tears. I went over and I gave him a big hug. I asked him if everything was all right. He said to me if it wasn't for people like Donna who I can come into Town Hall and express how I feel and the pain and the suffering I'm going through, my day would not be the same. He's a regular. You may or may not know him but you've impacted his life. I've never told you this before but I want you to know that I've watched you personally and I'm sure other members of this Board have watched you on how you deal with people. I know it's not an easy task. You're stuck in a small little cubicle in the middle of the hallway but yet people come in and you've always greeted me with a smile and I'm sure everyone with a smile. Your personality radiates whether you're at a meeting with the Sewer Utility Committee which I've served, whether you're representing us in Nashua which I'm proud to say that you do represent us, and your 20 years of service do matter to us.

Donna, Chairman Coutu indicted this is a Certificate of Appreciation. It's not in gold but it has meaning. It's from the Town of Hudson Board of Selectmen. It's presented to you because of your service in the Sewer Utility Department in recognition of the 20 years of your dedicated public service. This is a small token of our appreciation. Our words mean a lot more than anything I can present to you. I'm telling you on behalf of this Board we are very, very proud of your service. Thank you so much. We appreciate it.

5. NOMINATIONS AND APPOINTMENTS

A. Resignation of Dana Sion as an alternate to the Benson Park Committee

At our last meeting, Selectman Nadeau indicated that Dana informed us that he is no longer residing in the Town of Hudson so he is no longer eligible to be a member of the Benson Committee. We'd like to send him a letter for his service.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to accept the resignation of Dana Sion as an Alternate to the Benson Park Committee with the Board's thanks and appreciation, carried 5-0.

B. Resignation of Keith Bowen as a member to the Benson Park Committee

Chairman Coutu indicted that I don't know that we have a formal resignation in hand. Selectman Nadeau indicated we do not. I would like to look into it before we go any further using any names or anything. Chairman Coutu was hoping that you would do that. So we will defer this particular item until you've had an opportunity to look into it. I was going to give him a call but I would prefer you do because you're on that committee. So you'll take care of that for me. I appreciate that. Thank you.

C. Resignation of L. Cheryl Freed as a Member of the Sustainability Committee

Selectman Nadeau made the motion and stated in Cheryl's letter it says she'd look forward to participating again in the future. When everything is all settled down for her, I look forward to seeing her and I'd like to send her a letter with thanks for all she's done for the committee.

Chairman Coutu also wanted to recognize the fact that she's written an outstanding column on a regular basis in the Hudson/Litchfield News about sustainability. You and I Ben are probably more privy to what's going on. It's without malice and if she ever wanted to come back and serve us, I'm sure we'd be more than willing to take her.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept the resignation of L. Cheryl Freed as a Member of the Sustainability Committee with the Board's thanks and appreciation, carried 5-0.

6. CONSENT ITEMS

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

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

- A. Assessing Items - NONE
- B. Water/Sewer Items - NONE
- C. Licenses & Permits
 - 1) Raffle Permit - Council on Aging
 - 2) Outdoor Gathering - Hudson PumpkinFest
- D. Acceptance of Minutes
 - 1) Minutes of the August 12, 2014 meeting
 - 2) Minutes of the August 26, 2014 meeting
 - 3) Minutes of the September 2, 2014 meeting
 - 4) Minutes of the September 8, 2014 meeting
- E. Calendar
 - 9/24 7:00 Planning Brd - Buxton CD Meeting Room
 - 9/25 3:00 Trustees of Trust Fund - CD Meeting Room
 - 9/25 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
 - 10/02 6:30 Recreation Cte - BOS Meeting Room
 - 10/02 7:00 Benson Park Cte - Buxton CD Meeting Room
 - 10/07 7:00 Board of Selectmen - BOS Meeting Room
 - 10/08 7:00 Planning Brd - Buxton CD Meeting Room
 - 10/09 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
 - 10/13 TOWN HALL CLOSED - COLUMBUS DAY
 - 10/14 7:00 Board of Selectmen - BOS Meeting Room
 - 10/15 5:00 Municipal Utility Cte - BOS Meeting Room
 - 10/15 7:30 Senior Affairs Cte - Buxton CD Meeting Room
 - 10/16 7:00 Board of Selectmen - BOS Meeting Room
 - 10/16 7:00 Benson Park Cte - HCTV Meeting Room
 - 10/16 7:30 Budget Cte - Buxton CD Meeting Room
 - 10/20 7:00 Conservation Cmsn - Buxton CD Meeting Room
 - 10/21 7:00 Board of Selectmen - BOS Meeting Room
 - 10/21 7:00 Cable Utility Cte - BOS Meeting Room
 - 10/22 7:00 Planning Brd - Buxton CD Meeting Room
 - 10/23 3:00 Trustees of Trust Fund - Buxton CD Meeting Room
 - 10/23 7:00 Board of Selectmen - BOS Meeting Room
 - 10/23 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
 - 10/27 7:00 Sustainability Cte - BOS Meeting Room
 - 10/28 7:00 Board of Selectmen - BOS Meeting Room

Before Chairman Coutu moves on, I want everybody to be aware to take a close look at your agenda for the month of October. We are earning our money almost every day. There are an awful lot of meetings. We begin I believe

discussions on budgets. That's why we have many more meetings in the month of October. Be aware that there are a lot of meetings in the month of October that we'll have to attend besides your committee assignments.

Selectman Maddox asked so we're not having a workshop or are we? Chairman Coutu indicated according to this, we have a meeting. Steve Malizia said it's your workshop. We haven't had anything scheduled for it because everybody is going to be flooding in. Chairman Coutu asked can we bring somebody in for budget that night. Steve Malizia indicated I can't guarantee they'll all be done. Chairman Coutu noted that somebody's got to be done by the 7th. Steve Malizia didn't want to speak for the Finance Director.

Kathy Carpentier indicated we just got the pension rate. So we need to load them all in.

If there's no objection, Chairman Coutu cancelled the meeting of October 7th unless you have something that you want to...Selectman Maddox said that's why I brought it up Mr. Chairman. Considering all the meetings we have this month, Chairman Coutu asked if there was any objection. If there's no objection, I will move that the October 7th meeting be cancelled and we will meet officially the first meeting on the 14th and then we have all the others. We have the 16th, 17th, 18th...all right no objection, we will cancel the meeting of the 7th please. Thank you.

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on September 8, 2014

- 1) *Motion by Selectman Maddox, seconded by Selectman Brucker, to terminate Cynthia Sharp as a Part Time Dispatcher at the Police Department, carried 5-0.*
- 2) *Motion by Selectman Maddox, seconded by Selectman Nichols, to allow the Police Department to advertise for two (2) part time and one (1) full time Dispatchers, carried 5-0.*
- 3) *Motion by Selectman Nadeau, seconded by Selectman Brucker, to hire Bill Oleksak for up to 24 hours per week through 10/31/2014 at his previous rate of pay, carried 4-1. Selectman Maddox in opposition.*
- 4) *Motion to adjourn at 9:36 p.m. by Selectman Maddox, seconded by Selectman Brucker, carried 5-0.*

B. Votes taken after Nonpublic Session on September 11, 2014

- 1) *Motion by Selectman Maddox, seconded by Selectman Nichols, to hire Kevin W. Desmond to the position of Zoning Administrator, effective September 28, 2014. This assignment will be an exempt position and in accordance with the Police, Fire and Town Supervisors Association, with an annual salary of \$69,116 (Step 1) and then to Step 2 at the completion of probation as recommended by the Fire Chief, carried 5-0.*
- 2) *Motion to adjourn at 7:12 p.m. by Selectman Maddox, seconded by Selectman Nichols, carried 5-0.*

8. NEW BUSINESS

A. Acceptance of a donation of \$742.00 from New England Sports Photography (NESP)

Chairman Coutu recognized Town Administrator Steve Malizia.

You are correct. Steve Malizia said this is actually more than annual. Every time its sports season there are photographs taken of all the participants. They can certainly buy whatever they want but there's always a donation that the photography company makes to be put into the Rec.'s donation account. I'd recommend you accept this with the Board's thanks and appreciation.

Motion by Selectman Nichols, seconded by Selectman Nadeau, to accept a donation of \$742.00 from New England Sports Photography (NESP) to be put in the Recreation Donation Account with the Board's thanks and appreciation, carried 5-0.

B. Safety Manual Policies

Chairman Coutu asked I don't know who put this new policy together but it was well written. I went through this in detail. It's a good job. I will recognize the Town Administrator Steve Malizia.

As you all recall, Steve Malizia stated we switched our property liability insurer to Primex who also was previously our worker's comp. provider. We received a 10 percent discount bundle for doing that. Primex being our worker's comp. provider has been a participant in our Joint Loss Safety Management Committee which we've had for many years here where we try to keep the worker's comp. rates down by adopting best practices and following those practices. Primex offers another discount of 2 ½ percent off of both of our property liability and our worker's comp. premium if we meet the 10 best management practices. When we had our last meeting, I believe with the Joint Loss Safety Committee, we realized that we did not have written in our safety manual a slip, trip and fall policy, seat belt policy, a harassment & discrimination policy, as well as a temporary alternate duty policy. These are policies that would go in our safety manual. As you can see, they are well written. This was the ultimate folks that didn't see them and folks at the fire department. They've actually put it into this format. This format was given to us by Primex. Should we adopt or should the Board adopt these into our safety policy, we will be complete. We will now be able to earn an additional 2 ½ percent discount on our insurance premiums for worker's comp. and for liability. So I'd recommend that you adopt these policies.

Chairman Coutu said in reading this, like I said, I'm very impressed with what the language and how it was handled because each and every day employers have to be concerned with these things. The thing that I am most concerned about and I want to send the message out there to our town employees. That has to do with harassment and discrimination. Slip, trip, fall, seat belt use, and things like that we can deal with and we can act appropriately. When it comes to harassment and discrimination, Mr. Malizia I would think that the employees that we have control under our governance relative to town employees, that they know that you have an open door policy. If at any time any employee, I don't care if the employee is a custodian, a firefighter, a police officer, clerical staff in our building, or in an administrative capacity if at any time they feel they're being harassed or discriminated in any way and they feel that there is no alternative but to go see the Town Administrator, that we maintain an open door policy. This is a matter we wish to and need to address immediately and not let it fester. It's imperative that that door be open and I know you will and you will act appropriately to deal with the complaint as it comes in and adhere to the 5 day rule and get the investigation going. I just want people to know that if they feel uncomfortable going to their immediate supervisor or whatever or if they feel that that's only going to hurt them more, they can come into your office and deal with it.

Steve Malizia asked to make a couple of points. This policy isn't just dropped on us. We've got this in our Personnel Policies. This is not something new. This is just for inclusion in the safety manual. So we are keenly aware of this. We've had training. Our folks have actually taken the training classes for this for sexual harassment and harassment. As far as the open door, I've had occasion to deal with employees that have come in that have either had a concern or expressed something that they felt was harassment and we've dealt with it. As everybody is well aware, I get a lot of people coming in my office because the door is always open. Just like anything else, and I think have a good rapport with our employees and our citizens for that matter, so if people want to come in they know that the door is open. We take this serious. This is not window dressing. This is important. We don't engage in hostile workplace. If somebody has a valid concern, we're able to investigate it. I know personally that I've had folks come in my office and I've been there and dealt with their issue.

Not to infer in any way, Chairman Coutu said that there's an ongoing issue, there isn't. I just want people to know that from my experience, and I've been here almost 9 years now, that your door has been open. It doesn't have to be the last recourse, it could be the first if they feel that it's necessary. I would hope that this is not happening. I've not had to deal with any such issues. I know that you may have dealt with them and handled them.

Steve Malizia didn't want anyone to think that there's some sort of epidemic problems. This is not in response to something. We've already got these policies in our manual. We're putting it in the Safety Manual to make sure it's in there.

Motion by Selectman Nichols, seconded by Selectman Brucker, to adopt Safety Manual Policies for Harassment & Discrimination, Slip, Trip and Fall, Seat Belt Use and Temporary Alternate Duty as recommended by the Town's Joint Loss Safety Committee and the Town's insurance provider, Primex.

Just cuz I'm into the weeds, Selectman Maddox asked about the seat belt policy. If an employee is found not to be wearing a seat belt, does this void the insurance company's responsibility? Do they have some language in their document that says if we're not adhering to this policy that they don't have to pay? Steve Malizia said I'm not aware that there's any language in our (inaudible). Selectman Maddox has heard a number of people saying that they've had issues if people are violating their safety rules, the insurance company has an out. I'm just trying to make sure... As far as our discussion where we met with the representative for Primex, they did not say that one way or the other. Selectman Maddox felt we ought to make sure.

Chairman Coutu agreed. It is an out even though it has happened. Selectman Maddox said that's what I'm concerned about. Chairman Coutu commented if you're not wearing your seat belt, we're not paying.

Selectman Brucker had a question. I've never thought about it before but do the police and do the firefighters wear seat belts. Selectman Maddox stated all the time unless they're in the back of the ambulance. There's a case where they have to be unrestrained but I can tell you that both of those groups are religious about wearing them. They see the affects of not wearing. Chairman Coutu said I've never seen anybody in public in our town and when I worked in Woodstock, none of us would dare get into a cruiser without putting on a seat belt. I've seen police officers enter and exit their vehicles and they're putting on or taking off seat belts.

Selectman Maddox asked Mr. Malizia if you could just kind of follow up and see. Chairman Coutu thought it was a good question to ask the insurance company. Do they have an out if they find it and an employee is not wearing a seat belt? We need to make sure that when people are using our car pool that they realize that we want to see a seat belt on them. Steve Malizia noted that these policies do get disseminated to all employees either through our Power DMS or in the case of Highway, they get paper copies.

Vote: Motion carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Brucker - I'm a little embarrassed. I can't remember if I mentioned that I went to the Nashua Wastewater Treatment Plant. Selectman Maddox said you did not. Selectman Brucker couldn't remember. Very interesting. They're doing so much over there in terms of keeping things up to date and expanding some of their processes that they carry out when they're doing the treatments. They've invited us other there to see their new wonderful facility. Very nice people. It's good to be partners with them and I was very impressed. They have built a new tank of some kind that they invited us to go and go down in it. It's like 3 stories to get down.

Selectman Maddox has a question on that. The one thing that they have not been good at but they're getting better at I think is telling us in advance of charges they're going to be sending us. We're getting into budget season if we can follow up with them and make sure...Steve Malizia indicated they gave us that document. Chairman Coutu indicated there's no major improvements I understand at least through the next fiscal year. Steve Malizia said I'd have to look at the document but I know they gave the committee I believe the documents. Donna Staffier-Sommers has it.

Selectman Brucker said they also had questions for us about we're thinking that there might be a casino or anything going in Green Meadows because they were concerned about what that would mean to their system but we said no. There was nothing that is on the horizon. I think they were relieved.

Selectman Maddox - Mr. Chairman I am truly amazed that once again we're going into budget season. It seemed like just 3 weeks ago we just got the budgets passed. So it is fascinating to see how quickly time flies by. Hopefully we can educate everybody why we're spending their money and if they have any questions, let us know. That's all I have.

Selectman Nadeau - This weekend I went over to Applefest over in Nashua put on by the Salvation Army. Unbeknownst to me, we had a lot of Hudson Explorers from the Hudson Fire program working over there. One of them was Smokey the Bear which was kind of interesting. Kids had a great time over there and the Salvation Army does a lot for the Town of Hudson. They were at our 9/11 event. They supply water and snacks for us at fire scenes when we request them. So I thought that was a great opportunity for us to go over there and it was a very good time.

This Saturday Selectman Nadeau notes is the second annual Woodsman's competition over at the Hills House. It starts at 8 a.m. and will go through to about 3 or 4 o'clock in the afternoon. It's a free event. It's just like the Woodsman's competition you see at the fairs - Deerfield. These are semi-pros that will be there doing all kinds of neat stuff. There is a few local people from Hudson that will be competing - past Alvirne graduates. So it would be kind of neat to see. They are all going to the fair circuit so they'll be leaving here - they'll be coming here Friday night from a fair, going her on Saturday, leaving her Saturday night, and going up to another fair. They do that all through the fair season. It's pretty neat to follow them if you go to the fairs.

The next event which Selectman Nadeau keeps telling people that wasn't happening this year, tonight on our desk we had a permit for the Pumpkinfest. That will be at the Hills House October 17, 18, and 19. As we did last year and it was a very successful food drive last year, we'll be doing the fill the truck food drive over there on those dates. I just want everybody to be aware that Pumpkinfest is happening and it is at the Hills House October 17, 18, and 19 put on by the Hudson Kiwanis Club. That's all I have this evening.

Selectman Coutu - I want to pick up on two things. I know that Ben Marshall is organizing the lumberjack and I wish him much success. I plan on going. It's September 27th on that Saturday as you said but its 9 a.m. to 5 p.m. There will be activities all day. I didn't go last year even though Ben wanted me to go. He's not putting an axe in my hand

because I'll kill somebody but I definitely want to go. I heard he's outstanding. I want to see him in action so I know I'll be there with you Ben and I'll see him.

As far as the Pumpkinfest, Chairman Coutu said yeah you did say but it was announced that it was going to be cancelled. It's not your fault and then suddenly it's back on. This is sponsored by the Kiwanis Club and those of you who have watched the meetings and are aware of what goes on in Hudson, the Kiwanis raise an awful lot of money that is given back. All of the money is given back into our community. A lot of scholarships. It helps an awful lot of people. The Kiwanis have a hard time saying no to people. Something like you Ben. You don't know how to say no to people. They try to reach out and help as many people as they possibly can. This is 3 days of fun. However, I noticed that it said on the bottom of the flyer Selectman Nadeau a tethered hot air balloon. I assure you, I will never go into a tethered hot air balloon with you again. He threw me out the last time we were in a tethered hot air balloon together because they needed somebody to make room. Who did he throw out, me. We had a great time Ben. You know that I care like you, you put an awful lot of work into - it's not just a food drive. Ben has a truck there to load with food. This goes to our local food pantry. There is a genuine need in our community and I know that Selectman Nadeau works with the volunteers on Wednesday night. I can't get over the number of people that I know that volunteer there. I didn't realize they do so without any recognition. I know you're in the forefront. You're an elected official so we know that you're there. This is one of your favorite charities and I hope that our bringing it to light this evening a lot of people will come and bring some canned food, paper towels, napkins, and whatever you can use in a household, even clothes. I understand that you people will even provide clothing for families who need it. Whatever you have, bring it and let's fill this truck up this year so that Selectman Nadeau can give him some work to unload the truck and get it into St. John's church and the food pantry. We'd appreciate that.

Chairman Coutu didn't know if those of you who have received the Nashua Telegraph today would know. We received the press release before it gets to the press. There have been a rash of break ins in the northern part of town and now it seems that it's creeping further south. It's now in what I call the center of town down near the T-Bones area. There's been a rash of car break ins and these kids go around and they look for unlocked cars and they open them up and they take out whatever they can get their hands on by opening your glove box and your console carrier. These have been very recent. The last one this past weekend. Two weeks prior to that it was up near the Robinson Road the northern most part of town. We've had it in the past in the southern part of town. I know in my neighborhood I always lock my doors. I wasn't affected but a couple of my neighbors were. Please be on the lookout. If you hear a noise at night outside, in your garage, near your garage, in your driveway, don't go out there. Pick up the phone and call the police so they can get out there and we can catch these people. If you know a kid in or about Hudson that has a camouflage jacket, the real army green type camouflage jacket with a big brazen red and white hat - big white symbol on one side and red on the other, he's one of the suspects. You see the picture in today's paper. I'm just warning people don't rush out. You don't know how crazy they are. They're crazy enough to walk around neighborhoods and break into cars. Don't try to be a police officer. Call the police so they can get out there and we can catch these people. It would be appreciated.

Selectman Coutu wanted to thank the school system. I understand that we received approximately \$1 million of unspent money from the School Department that's been returned to the general fund. Kathy Carpentier noted about \$800,000 and all it will do is offset what I have to give you in the next year. So we never actually receive it but it will lower...Chairman Coutu said we don't receive it but it lowers...it gave the general appearance that we were getting \$1 million into the general fund.

Kathy Carpentier stated my understanding is it's approximately a little over \$800,000. The Town will not receive any of those funds back. We'll just have to appropriate less to them in the next tax year by \$800,000. So their appropriations minus their revenue, part of their revenue will be offset by that \$800,000. Chairman Coutu said it's like a \$.32 on the tax rate savings. Ms. Carpentier said correct. Chairman Coutu said that's great news. I think the public needs to know that. Ms. Carpentier said it's a decrease on the anticipated increases that we haven't seen yet. Steve Malizia said they were scheduled to go up \$.60 something cents. Ms. Carpenter thought \$.80 something cents. Chairman Coutu thought as it impacts the number that their budget is affected by. Kathy Carpentier said it's not like I don't want the taxpayers to believe that their taxes are going down \$.32. That's what I'm trying to make the point as. The appropriations that were approved at the last Town Meeting, the school side was going up approximately \$.80 per thousand. Now it will be \$.50 per thousand. Chairman Coutu said there will be some anticipated savings against what would have been a larger increase. Thank you.

Chairman Coutu noted we have a student here in the audience who's probably doing a thesis on government. God forbid he chose tonight. I don't want him to get too confused. Is that what you're doing young man? Do you want to come up? I want to talk to you. I'm interested because we see a lot of this. Don't be embarrassed. I'm going to get you elected to public office. Are you are resident of Hudson and what's your name? Ian Christiansen. Chairman Coutu asked where Ian went to school. Ian said I don't go to Alvirne. I go to Bishop Guertin in Nashua. Chairman Coutu asked if this was a project for school and generally what it is all about. Ian indicated we had to go to a town meeting and just describe what goes on. Chairman Coutu said chicanery. Remember that word "chicanery". In

Hudson, it's chicanery. Government can sometimes as you would know very complex and quite involved. As you can see by our meeting, we try to keep it as light hearted as possible. There's no anger that emanates. Sometimes we get angry at each other but I can assure you that the way we depart this meeting room every time we have a meeting is the way every government body should depart. There's no one throwing daggers in anybody's back. We get along relatively well. We socialized on the outside. You've heard that - Rick and I and the ladies. We do socialize. We get along. We may disagree, the votes may not always be unanimous but we do what we think is in the best interests of town and we all abide by the decisions that are made. Government is very interesting. I'm always encouraging young people to study government, to learn about government, and think about participating in government. Government works because of people like you and me who are willing to serve our community. I hope this is a good lesson for you. I don't know what you got out of it but I hope it's a good lesson for you. I'm sure you got something out of it. I want to thank you for taking an interest. I'm proud because you're from Hudson and Bishop Guertin's not an easy school. You have to keep your nose to the grind. Do a good job. Without an education today not just a high school diploma, you know. You hear it at home. You'll never get anywhere. Just keep plugging ahead. Keep your nose to the grindstone. Next summer is coming soon. Thank you so much. I appreciate you being here.

Chairman Coutu wanted to mention the Cable Committee because you're our liaison. I noticed that and I've brought this up before. In the Buxton meeting room when your committee and other meetings, we're going to have the Budget Committee meeting on a regular basis there. There is a tremendous amount of echoing that comes out over the air. A lot of times if people aren't right on top of the microphone or the kids in the control room are not turning up the individual microphones, and one speaker from one to another, it's hard for the kid to figure out which microphone to turn up especially the Budget Committee. There's 11 people on that committee. I think they need to take a good look at that room and come up with a better system. Whether they go back to the clip on mics, or have a microphone at the base of the table, figure out a way. That needs to be addressed because nothing irks me more than to go walk into Market Basket, or walk into Wal-Mart or wherever I go. When someone comes up to me and say aren't they going to fix the microphones. It's bad enough that the acoustics across the street for the School Committee meeting is very, very difficult to do anything other than what they're doing there. That might require a clip on and I know they've tried. It's because of the high ceilings. There's not much they can do. The Buxton room they can fix. This room everything comes out well. I think it's because there are microphones in the ceiling where the engineers go and talk to the board, there are microphones. I think based on what I'm hearing if Mike looked into this, there's an air current from the air conditioners or the heating system and I think that air flow affects those ceiling microphones and those microphones are always on. It creates an echo on television. It's hard to hear when people are speaking. If you could ask them to look into it, I'd appreciate it.

Chairman Coutu brought to the Board's attention something that was brought up at the Budget Committee meeting this week because I believe it was you Selectman Maddox that proposed it. Shawn Jasper as our legislature has in the hopper legislation to borrow against our own money. He had forgotten last year and I don't know if he's had an epiphany or what about borrowing money and said oh yeah I'm supposed to get this. I am so grateful to Representative Jasper for doing this. When you have reserves that are in the millions of dollars rather than go to a bond or a bank to borrow the money at a 3, 4, 5 percent interest rate if we can borrow it from ourselves at that interest rate, we're regenerating our own money and repurposing our own money for the betterment of the community. We don't have to go through the bonding process. It's an expensive and long process to go through a bonding process. It's easier for us to do it from our own money. That legislation is in the hopper. He's just waiting for the language and see how it comes out. Sometimes it comes out worse than when you put it in.

Alvirne High School football 2 and 1. Chairman Coutu told Ben we have to go to a game. I came back from vacation. I wish I had gone to the game. Awesome game. They lost their first game. They got creamed and they beat Nashua. Now they just beat Keene. Great athletic program at Bishop Guertin. I think we have one of your football coaches now.

Selectman Nadeau forgot to mention October 1st. We'll be doing the tree planting with TD Banknorth at Benson Park. We will be teaming up with them to plant some trees between the dog park and the Senior Center to enclose that area a little bit more. There's all kinds of different specimens of trees that are going to be planted. So it's going to be kind of interesting to see. I will be there assisting with that. That was the only other thing I had.

Selectman Nichols - I hadn't spoken about the Budget Committee that I went to. That was very interesting. They seem to think that the fire building were cut in stone. They thought it was already going to be done. I had to tell them no. All we did was talk about it, got some information, and we had charged Chief Buxton to go out and get some data on it and bring it back to us. They seem to think that this was all cut and dry and we were going to spend all this money. I said no not at this moment. I got that kind of squared away.

Selectman Nichols also went to a budget/law day this week. I was with KC. She was with me all day. We had a great day and learned a lot. I'm still reading. It was good and she's so brilliant. If I could just have this much of her brain, I'd be thrilled. That' about all I had.

Chairman Coutu indicated you couldn't have gone with a more astute person for finance unless it was the Town Administrator.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Brucker, to enter Nonpublic Session pursuant to: RSA 91-A:2 1 (a) Strategy or negotiations with respect to collective bargaining; RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; (b) The hiring of any person as a public employee; and (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph, carried 5-0 by roll call.

Chairman Coutu indicated that Nonpublic Session was being entered into at 8:31 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman Coutu stated open session is being entered into at 10:34 p.m.

Motion by Selectman Maddox, seconded by Selectman Nichols, to hire Elvis Dhima to the position of Town Engineer, effective on or after October 12, 2014. This assignment will be an exempt position and in accordance with the Police, Fire and Town Supervisors Association, with an annual salary of \$81,709 (Step 3) and then to Step 4 at the completion of probation as recommended by the Town Administrator, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman Nadeau, to allow Kathy Carpentier to buy out 120 hours of vacation time at her current rate of pay, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to schedule a hearing on Tuesday, October 14, 2014 to hear the Step 2 Grievance from HPEA regarding pay scale step increase, carried 5-0.

Discussion relative to Land Use Division and Inspectional Services support staff.

11. ADJOURNMENT

Motion to adjourn at 10:55 p.m. by Selectman Nadeau, seconded by Selectman Brucker, 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