

HUDSON, NH BOARD OF SELECTMEN  
Minutes of the May 13, 2014 Meeting

1. CALL TO ORDER - by Chairman Coutu the meeting of May 13, 2014 at 7 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Lori Bowen.

Chairman Coutu asked everyone to remain standing. You can join with me either in thought or in prayer. Dear God we bow our heads in prayerful hope that you will ease the pain that exists today in the Town of Brentwood, New Hampshire. We pray that you will extend an arm of comfort to the family of slain Police Officer Stephen Arkell. Though the tragedy is real, you have reminded us of the dangers facing those who serve us in our law enforcement ranks. Our hearts and prayers are reaching out to Steve's dad, his wife, and his two daughters. Dear God we pray for the soul of Stephen Arkell and for the safety of all his law enforcement family. In your name we pray. Amen. I thank you for that.

3. ATTENDANCE

Board of Selectmen: Roger Coutu, Ben Nadeau (arrived at 7:05 p.m.), Rick Maddox, Pat Nichols, Nancy Brucker

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Police Chief Jason Lavoie; Fire Chief Rob Buxton, Road Agent Kevin Burns, Lori Bowen, Senior Affairs Coordinator; Jim Michaud, Assist. Assessor; Lt. Kevin DiNapoli; Captain Bob Tousignant

4. PUBLIC INPUT

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

Attorney Roy Tilsley, 670 North Commercial Street, Manchester - I'm from the Bernstein Shur Law Firm. I'm here tonight on behalf of Good Will Industries of Northern New England. As the Board knows, we have a request for a charitable tax exemption for Map 222, Lot 41 on the consent agenda for this evening. This is the former Stop N Shop building which was recently acquired by Good Will. We're seeking a charitable exemption for the building only. We own the building, we lease the land, we're seeking the exemption for the building only.

Chairman Coutu asked the Board that everyone look at Item 6. A. 8. That is the Memorandum from Mr. Michaud to the Board of Selectmen through the Town Administrator relative to this request. Depending on the will of the Board, we'll either defer until we get to the consent items or we'll take up the matter immediately. I'm sorry to interrupt. I wanted to make sure that the Board is prepared for you Sir.

Mr. Tilsley said no problem at all. Yesterday hopefully you folks got the Memorandum that we submitted on behalf of Good Will outlining our position on this particular request for a charitable tax exemption. I copied Attorney Hodes on that as well last night. He pointed out to me today and I wanted to correct the record that my Memo contains a factual error. When I spoke with my client, there had been a town official who had come out to see some of my client's facilities in Maine and I had understood that that was somebody from the Assessor's Office. I stated that in the Memo. Attorney Hodes pointed out to me today and I dug a little deeper with my client and confirmed it that in fact it was somebody from the Building Department who came to Maine to look at our operations from a land use perspective. It was not Mr. Michaud or anybody in his staff. I apologize for that error.

In all fairness to you, Chairman Coutu stated we just received this today on the table. If you want to highlight points relative to the application so that Selectman Nadeau who just came in and the rest of us. Otherwise you're going to talk and we're going to be trying to read through this and we're not going to have all the facts before us. If you want to highlight the areas that you think are of greatest interest to us in making the decision, please do so.

Mr. Tilsley said this property is subject to a 75 year ground lease to the Sousa's that was assigned by Stop N Shop to Good Will as part of the transaction where we took over the building and the rest of the ground lease. Stop N Shop built the building in question and the building has been taxed separately from the land by the Town historically and taxed to Stop N Shop directly and not to the landowner. Essentially the ownership of the building is separate from the ownership of the land. Under the terms of the ground lease, initially Stop N Shop owned the building, they can do what they want with it, they built it. If they want at the end of the lease take it down piece by piece and move it somewhere else they could do that. Stop N Shop has assigned and we've assumed the ground lease. Stop N Shop has also given Good Will a bill of sale transferring the building to Good Will.

Under the Statutes, Mr. Tilsley indicated a charitable organization is entitled to a tax exemption for either land or buildings that it owns for its charitable purpose. In this case, we now own the building and we're seeking the exemption for the charitable purpose of a good will operation. I don't think, at least in my discussion with Attorney Hodes, that anyone is disputing that Good Will if this was a traditionally Good Will owns a 5 acre lot with a building on it, I don't think anyone disputes that Good Will's purpose and running an operation like this is to serve it's charitable purpose. The funds stay within the organization to do what it does and it also allows Good Will to provide job and training opportunities to the people that it serves. The issue here is this unique situation where the building is owned separately from the land are we entitled to the tax exemption for the building only. The Statute clearly says that we're entitled to the tax exemption for land or buildings. We own the building and

we should be entitled to the tax exemption. The Town has historically treated this building as separate from the land, has taxed it to Stop N Shop and not the Sousa's and as people who now own the building, the building should be taxed to us. It really looks complicated in my Memo but frankly I think it's pretty simple. I'm happy to take any questions that anyone has. I'll certainly hang out through the Consent Agenda in case anything comes up. If you want to hear from me, I'll be happy to try to address any concerns that the Board has on this.

Selectman Maddox stated he's given us his input. I think that is fine but I think until I hear from our attorneys because he did send a letter outlining a couple of items that you have not addressed. You just bought the property. I guess there's two things - the denial was for two fold. Again, we're just hearing your side of it. Again Mr. Chairman I would guess that we will get some sort of information from our attorneys after they got this from the applicants.

Roy Tilsley appreciated the Board just got the Memo and probably hasn't had much of a chance to review it. We do address - I think the second issue is the issue as to whether or not the property was being put to its charitable purpose on April 1<sup>st</sup>. We acquired the property on March 31<sup>st</sup>. I site in the last paragraph here a case St. Mary's School v. City of Concord which establishes that when property is acquired for the charitable purpose and is being held to put towards that purpose and isn't being put to any other purpose, it is entitled to the charitable exemption. Obviously we have to go through a permitting process and some changes to the property to make the facility fit what we do as opposed to what Stop N Shop does. This is not a situation where we're just holding the property as an investment. We have moved expeditiously to try to get the property in operation and we should be under that case entitled to the charitable exemption as of April 1<sup>st</sup>.

Chairman Coutu said you wouldn't deny that you would owe taxes for January, February, and March. Mr. Tilsley indicated the tax year starts on April 1<sup>st</sup>. Chairman Coutu thought it was 6 months January to June. Mr. Tilsley indicated the bill is January to June but the tax year is April through March. It keeps people like me busy.

Selectman Brucker thought there was a requirement that you occupy the building. Mr. Tilsley stated under that last paragraph under the case law if we're buying the building and getting into the process of putting it into use as occupied. If we bought the building and left it there for 5 years, that wouldn't be occupied. In this situation where we have moved expeditiously upon acquiring the building to start the permitting and renovation process under that case, that qualifies as occupied.

Chairman Coutu asked do you have an occupancy permit for the building. Mr. Tilsley said not right now. We need to do the renovations. Chairman Coutu asked what is to preclude Good Will from subleasing it to a retail outlet without our knowledge until somebody took it over. If it's not being used right now, it's not being used for a charitable purpose. It still opens the door for Good Will to sublet that building to a retail outlet for profit. Mr. Tilsley stated that would require a planning process. I can tell you that that's not Good Will's intent. Good Will is not in the business of acquiring these properties and leasing them out. Chairman Coutu was not suggesting that. I'm saying what would preclude them from allowing Stop N Shop to sublet from them or for me for example to open a market over there and sublet from Good Will. They don't have an occupancy permit. Mr. Tilsley said correct. They're in the process of doing the renovations to move forward. Chairman Coutu stated there's no guarantee that they're going to get an occupancy permit. It would stand to reason they probably will but there's no guarantee at this point. It's not being occupied. It is not being subjected to any renovations. Again, Mr. Tilsley indicated the case law is relatively clear. I sited to the case at the end here when the property is purchased with the intent to use it towards the charitable purpose and when it's not being used for anything else, it's entitled to the charitable exemption. In this case, we're talking about one day. We have moved expeditiously to proceed and get the permits. I appreciate your positions. Obviously if Good Will for whatever reason subleases this to some non charitable entity, then the property would then become taxable.

Chairman Coutu indicated I didn't go to law school counselor but I'm smart enough to know that what one attorney tells me is correct another attorney will show me case law that shows otherwise. I may take up Selectman Maddox's suggestion that maybe we will defer this matter until we hear further from our attorney. I will for the purposes of acknowledging that he's in the room, our Assistant Assessor is here. Is there anything Jim you would like us to hear about or would you be satisfied that I would ask the Board to defer this until we hear further from our attorney. Jim Michaud agreed with the latter. There's nothing I'm going to say tonight that's going to be of a legal opinion. I think the Town is better served by having that go through our attorney.

Chairman Coutu thanked Mr. Tilsley. When we get to Consent Items, we'll see if there's a motion to defer this particular matter. If there is, then we'll rely on the attorney and I would assume that once the matter comes before the Board again that you'll be notified that we're going to take it up one more time if you want to find some more case law in the meantime.

## 5. NOMINATIONS AND APPOINTMENTS

### a) Interviews

- 1) Recreation Committee - (1 vacancy, 1 member term to expire 4/30/16)

Joanne McGovern (incumbent alternate) - 17B David Drive, Hudson, NH.

Chairman Coutu indicated that Joanne you've applied for Recreation Committee. I'm well aware of your participation in Rec. programs. Why don't you give us a little bit about yourself, give the Board a little bit of your history and we'll see where they want to go.

Joanne McGovern stated I've lived in Hudson 13 years. I have 3 teenage boys and all have gone through Hudson schools and the recreation programs that Hudson offers which is why I became involved. I've been coaching the youth basketball program. This was my 7<sup>th</sup> season and I still continue to coach the 5<sup>th</sup> and 6<sup>th</sup> grade teams even though my boys are above that age group. I think it's great what we offer the kids in this town and we're lucky to have it. I became an alternate member a little over a year ago on the Rec. Committee. So I've been sitting in as an alternate member, participating, chaperoning school dances, and assisting where I can. A full member became available so at the last Rec. meeting I was informed about that from Bob and Dave Yates. They suggested that I come and try to get that member position.

Chairman Coutu was well aware of everything that you've done for recreation. I'm grateful and I'm glad you're stepping up to be permanent.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to suspend the rules and nominate and appoint Joanne McGovern as a member of the Recreation Committee with a term to expire 4/30/2016, carried 5-0.

6. CONSENT ITEMS

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

Selectman Brucker asked to remove 6. A. 1. It has to do with the new church.

Selectman Maddox asked to remove 6. A. 8.

Motion by Selectman Nichols, seconded by Selectman Brucker, to approve consent items A 2, 3, 4, 5, 6, 7, 9, 10, 11, B, C, D and E, as noted or appropriate, carried 5-0.

A. Assessing Items

- 1)
- 2) 2013 Property Tax Abatement - Map 145, Lot 6, w/recommendation to approve
- 3) 2012-2013 Abatement Settlement - Map 165, Lot 147, w/recommendation to approve
- 4) 2013 Tax Abatement - Map 176, Lot 19, w/recommendation to approve
- 5) Elderly Exemptions - Map 178, Lot 007; Map 152, Lot 068, w/recommendation to approve
- 6) Disabled Exemptions - Map 178, Lot 013, Sub 014; Map 204, Lot 054; Map 148, Lot 040, Sub 066, w/recommendation to approve
- 7) Residence in Industrial or Commercial Zones - Map 198, Lot 148, w/recommendation to approve
- 8)
- 9) Charitable Exemption - Map 237, Lot 57, w/recommendation to deny
- 10) Certification of Yield Taxes Assessed/Timber Tax Warrant - Map 145, Lot 015; Map 207, Lots 004 & 008; Map 151, Lot 010, w/recommendation to approve
- 11) Institutional Exemptions: Charitable Exemptions: Map 183, Lot 100 and Map 190, Lot 015; Map 242, Lot 058; Map 147, Lot 027; Map 168, Lot 122; Map 109, Lot 010; Veterans Exemptions: Map 182, Lot 022 and Lot 030; Map 136, Lot 036; Religious Exemptions: Map 140, Lot 047; Map 228, Lot 054; Map 166, Lot 001; Map 166, Lots 011 and 017; Map 182, Lot 129; Map 235, Lot 009; Map 210, Lot 010; Map 176, Lot 034; Map 156, Lot 035; Map 182, Lots 049 and 052, w/recommendation to approve

B. Water/Sewer Items - NONE

C. Licenses & Permits

- 1) Hudson Speedway 2014 Permit
- 2) Raffle Permit - Jay O'Halloran Memorial Scholarship Fund

D. Acceptance of Minutes

- 1) Minutes of the April 8, 2014 meeting
- 2) Minutes of the April 22, 2014 meeting

E. Calendar

- 5/14 7:00 Planning Brd - Buxton CD Meeting Room  
5/15 7:00 Benson Park Cte - BOS Meeting Room  
5/20 7:00 Cable Utility Cte - BOS Meeting Room

5/21 5:00 Municipal Utility Cte - BOS Meeting Room  
5/21 7:00 Senior Affairs Cte - Buxton CD Meeting Room  
5/22 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room  
5/27 7:00 Recycling/Energy Cte - BOS Meeting Room  
5/27 7:00 Board of Selectmen - BOS Meeting Room  
5/28 7:00 Planning Brd - Buxton CD Meeting Room  
5/29 3:00 Trustees of Trust Fund - Buxton CD Meeting Room

6. A. 1)Religious Property Tax Exemption - Map 105, Lot 7, w/recommendation to deny

Selectman Brucker was curious about the religious property tax exemption. It sounds a lot like - the reason to deny was because they're the church people are not occupying the building. Chairman Coutu indicated that would be Faith Baptist.

Good evening. Jim Michaud indicated the Memo speaks to the fact that the church is not occupying that property or using it directly for its religious purpose as of April 1<sup>st</sup> of this year. That's a direct quote from the Statute. It's supported by recent case law - not 92 years ago but 2011 case law from Board of Tax and Land Appeals. Chinese Bible Institute - they were not occupying their property as of April 1<sup>st</sup>. They were in the stages of renovation. This was over in Nashua. The Board of Tax and Land Appeals upheld the denial of that religious exemption. I did let them know of this meeting, date and time. I did speak to them on the phone. I e-mailed them Statutory references. Obviously they have the right to appeal if the decision is not in their favor and conversely if it is in their favor then I assume they'd want it.

Selectman Brucker stated it sounds similar to Good Will Industries to me. Mr. Michaud said it sounds similar to Good Will Industries except it is more black and white I would say than Good Will Industries because we're dealing with real estate land and building and we're not dealing with any land lease.

Motion by Selectman Brucker, seconded by Selectman Nichols, to approve Consent Item A. 1. (denial), carried 5-0.

6. A. 8. Charitable Exemption - Map 222, Lot 41, w/recommendation to deny

Selectman Maddox stated as much as I believe that what we received in our packet is correct that we have an attorney coming in to tell us differently, I guess it's now time for dueling attorneys. Until such time as we have answers to what we received tonight on our table, we might as well hold this off and get further information.

Motion by Selectman Maddox, seconded by Selectman Nichols, to defer Consent Item 6. A. 8. until our next meeting, carried 5-0.

7. OLD BUSINESS - NONE

8. NEW BUSINESS

A. Senior Center Fees

Chairman Coutu recognized Senior Affairs Coordinator Lori Bowen. If you would Lori at the end of this discussion and the decision that we make seeing you were in attendance with me this morning for the meeting, we'll go over the grand opening of the senior center.

Good evening and thank you all for seeing me tonight. Lori Bowen indicated I am here to ask the Board to change the policy on the fees for the senior center. Originally the fee suggestion was that in town residents of Hudson pay no fee to register at the center and that out of town residents wanting to belong to our senior center pay a fee of \$10. I'm here this evening to ask that all registered members of the Hudson senior center pay a \$10 registration fee to belong to the center.

Selectman Nichols asked if that would be for the year the \$10. Lori Bowen indicated yes it would be an annual fee. The funds would go into the activity fund - the revolving fund.

Selectman Brucker stated previously isn't that the fee that seniors were paying for the Community Center. Lori stated yes it is. The private organization that is now going to disband and belong to the new Hudson senior center was paying an annual fee of \$10 a year and they were dues paid to Council on Aging which is part of the funds that have been able to be raised over the years to provide services for the seniors, help with any costs that may incur, and also to help build the center and furnish the new building.

Chairman Coutu noted one of the things that you pointed out to me this morning Lori in our discourse about this, we talked about it last week of course prior to my putting it on the agenda, but we had a discussion. I had some concerns about wanting to do this. I wanted to know 1) where the money was going to go and you said that would go into the revolving account. One of the things that we're going to encounter with the senior center is that we have a limited budget as you know. We're going to be scrambling to find money to operate it. There are certain amenities that are going to be afforded to the seniors who come into the center such as coffee whenever you want it. There's going to be sugar, pastries, donuts on Tuesdays. There's no money for that. That made sense to me. We're willing to provide all of these amenities but there's a cost associate with it. I

guess in your discourse with the seniors, there was no objection to this. They all felt that they've been paying the \$10 anyway. It would be like a donation to the senior center only we're going to make it a fee if we adopt that policy and it will go into the revolving account to buy the coffee, cream, sugar, and whatever else. I guess that's her presentation.

Selectman Brucker indicated a couple of questions. What about these out of town people are they only going to pay \$10? Lori Bowen said yes. Everyone would start with a \$10 fee. As of right now, we don't have that many members. There's only 204 people that belong to the Friends of Hudson Seniors. In a couple of years if our center doubles in size, triples in size - I'll use Salem Senior Center as an example. She has 2,400 patrons right now. She offers 420 activities a month. She has capped her out of town membership/registration at 800 people. If we get to the point that we're there, yeah we'll reassess it in a year. My hope is that's what we can do. We can reassess it in a year and if we need to we can raise or lower the fees.

Selectman Brucker asked will there be some provision for charitable - I suppose there are people who might not be able to afford it. I don't know. Lori said absolutely. I think that we could certainly go on a case by case basis to assess that. With the \$10 fee, I would also entertain this Board to offer a month by month payment which would be less than \$1 a month to belong if that were the case.

Selectman Nichols stated I don't mind the \$10. That's what everybody pays now anyhow. With all the seniors that are in town and that would probably want to join this, I would review this in 6 months. I wouldn't wait a year. You'll have a feel of it then. You're going to know how many people are coming. Within 6 months, you might have to address it again.

Selectman Nadeau asked how many people currently are from out of town. Ms. Bowen deferred to Selectman Nichols. Selectman Nichols indicated rough number at the very most I'd say maybe 25. Chairman Coutu stated maybe 20 to 25 from Nashua to come over. Selectman Nichols said if that right now but I'd say I think from Pelham 25.

Selectman Maddox asked how is this going to be administered. If I show up in a group of 5 people walk into the facility, how are you going to know that I have not paid? Ms. Bowen indicated because you will not be wearing your name tag. Chairman Coutu asked to explain the system. Lori Bowen said you are town ID that you currently carry that all the employees carry. I've been working with Lisa Nute our IT Director in creating a program where all of our patrons over the age of 55 that come, register at the center, fill out the appropriate paperwork. Whether they choose to fill out all the paperwork - we're going to offer a Vile of Life so that we have that on file. Certainly you do not have to fill that out. It's your benefit too. If something were to happen to you on site, I would be able to provide that information to emergency personnel not share it with anyone but for emergency personnel. You will then sit for your photo and ID and you will use that ID to check in and out of the center every day. If you don't know how to use the ID, we will certainly help you. I'll be there to check you in but our ID system runs very simply that you slide your ID just like you would a credit card at the store. Your picture and information will pop up. You will check off some of the activities that you were there for the day, hit check in, and done. It will allow me and the office to collect data on the number of people in the center using certain activities. There will also just be a button that just says here or present so that we can find out who is just coming to the center to enjoy the center not necessarily to partake in aerobics or Zumba Gold. We'll ask that you wear your ID so that everyone knows your name. As we get older in life and we meet more people and see new faces, we don't necessarily know or remember everybody's name. Having your ID on you at all times will eliminate that barrier that's created plus we will immediately know who isn't in the building and isn't supposed to be there because they won't have an ID on. It becomes a safety feature also.

Steve Malizia thought it probably be more appropriate to send this to a public hearing to actually adopt the fee as you've done with every other rec. fee. You have a whole section of rec. fees. They've all been adopted. So you'd send this to a public hearing.

*Motion by Selectman Nadeau, seconded by Selectman Nichols, to send the adoption of new senior fees to a public hearing, carried 5-0.*

Lori Bowen stated the grand opening is going to be on May 31<sup>st</sup>. A ribbon cutting ceremony is going to start at 1 p.m. From the end of that ceremony in the parking lot, we will have refreshments, tours, and some activities in the building going on for that in the afternoon. You'll be able to tour the senior center, see the facility, talk to any of us about the programming, or items that are going to be there and then you'll also be able to tour the Hudson Community Television Access Center. They will be doing some demonstrations and tours downstairs also as well.

Chairman Coutu noted we'll be asking each of you to say a few words at the grand opening. We are still receiving notices of people who are going to attend. The Governor called me Thursday. She won't be here. We'll be all set with that. Thank you Lori. There will be refreshments. Cable will be operating. They will do live screenings. People come in and they can see themselves on TV. He's going to make a production out of it and tape it for the program. Mrs. Bowen - thank you so much.

B. Public Hearing - Acceptance of a 10 x 10 gazebo from The Village of Reeds Brook Condo Association valued at \$3,520

Chairman Coutu believed...Selectman Nadeau stated the Benson Committee has been notified. Chairman Coutu asked does everyone understand why we're not accepting.

Motion by Selectman Nadeau, seconded by Selectman Nichols, to NOT accept the donation from The Village of Reeds Brook Condo Association of a 10 x 10 gazebo valued at \$3,520 per the recommendation of the Benson Park Committee and the Road Agent.

Selectman Nadeau stated the Road Agent and a few other people went and took a look at it. It's a light duty gazebo. It's more something for looks rather than what we need at Benson's as I'll it a play structure because people will be swinging off the thing, taking pictures, leaning on it. This is just not exactly what we needed. We thought we'd look at it. We looked at it. We thought it looked good in the winter. When we got to it in the spring, it needed some work and it's not something that we're equipped to handle at this time.

Vote: Motion carried 5-0.

C. Public Hearing - Acceptance of a Highway Safety Project Grant: Hudson DWI/DUI Patrols for \$7,020

Chairman Coutu recognized Captain Bob Tousignant.

Good evening. Captain Tousignant stated this is a grant that we've been applying for - getting permission to apply for several years now. We budget for this grant. I don't know if you have any questions on it. It's DWI Patrols. It's not a road block. We send out cruisers to hunt for DWIs.

Selectman Maddox wanted to say that being Mr. Curious, I went on a ride along. It is interesting. He went all over town and he didn't sit in one spot. He was all over town. He did a great job of informing a Selectman on some of the things they look for. It wasn't a productive night but it was an informative night and I think that's a testament to the fact that people are realizing that Hudson enforces these laws. Thank you Sir.

Chairman Coutu opened the public hearing at 7:37 p.m. Does anyone wish to speak? Seeing none, I will close the public hearing at 7:37 p.m.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to accept a Highway Safety Project Grant entitled "Hudson DWI/DUI Patrols" in the amount of \$7,020, carried 5-0.

D. Public Hearing - Acceptance of a Highway Safety Project Grant: Hudson Enforcement Patrols for \$5,200

Chairman Coutu recognized Captain Bob Tousignant.

Mr. Chairman, Captain Tousignant indicated this is another grant that we've received over several years. This is geared during peak traffic hours in the morning and in the afternoon for moving violations, speed, high traffic areas.

Chairman Coutu opened the public hearing at 7:38 p.m. Anyone here wish to speak on this item? Seeing none, I will close it at 7:39 p.m.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to accept a Highway Safety Project Grant entitled "Hudson Enforcement Patrols" in the amount of \$5,200, carried 5-0.

E. Public Hearing - Acceptance of a Highway Safety Project Grant: Hudson Red Light Running Patrols for \$5,200

Chairman Coutu recognized Captain Bob Tousignant.

Captain Tousignant stated this grant also is the same. We've been applying for and receiving this grant for several years because of the productivity of the officers. That's why we're always offered these grants by the State. High traffic in Hudson, again, it's geared for peak traffic times except this patrol will cover intersections with traffic lights instead of being mobile all around town looking for speeds.

Selectman Nadeau suggested they start at the Sagamore Park at the bridge. Chairman Coutu said it's unbelievable. Tonight I watched 3 cars go through a solid red light. Every night. It's unbelievable. When the police are there, they see them and they're all behaving.

Chairman Coutu wanted to say for the record that they hear the terminology "community policing". I think that they need to recognize the fact that this is all part of community policing. Having our police department out on the roads enforcing public safety which would be removing drunk drivers from the roads, taking violators who are speeding off the road or going through stop signs and stopping people who are going through red lights, those are all for the safety of the community and good community policing encompasses that aspect of policing. As you said Captain Tousignant, one of the reasons that the Department of Safety is willing to give us these kinds of grants here in Hudson is because of our record of accomplishment. When we have DWI and directed patrols on DWI/DUI/OUI, we're very successful in pulling over quite a few in a short period of time and we're taking those people off the road. It may be my brother; it may be my sister; it may be my mother or my father. They shouldn't be drinking. They shouldn't be behind the wheel. I'm not saying that my family is out drinking. My mother and

father are deceased and my brother, well doesn't come to Hudson that often. I'm just saying that it doesn't matter who it is. You shouldn't be getting behind the wheel. I know that our police department has been very aggressive with our local bars to tell people somebody needs a ride and they can't get a ride. Call the police station. We'll do what we can to accommodate them somehow. We've extended ourselves as a community to try to get drunk drivers off the road. All of these grants are to protect the lives and safety of this community. I certainly appreciate that and I hope we get a lot more. It's not just to give the guys money. It's to get these people off the road that shouldn't be driving in the condition that they're in or shouldn't be going through stop signs and red lights.

Chairman Coutu opened the public hearing at 7:42 p.m. Anyone wishing to speak on this item? I'll close the public hearing at 7:42 p.m.

*Motion by Selectman Maddox, seconded by Selectman Nichols, to accept a Highway Safety Project Grant entitled "Hudson Red Light Running Patrols" in the amount of \$5,200, carried 5-0.*

F. Police Department request to purchase a police utility vehicle

Chairman Coutu recognized Chief Jason Lavoie.

Thank you Mr. Chairman. Chief Lavoie thanked Chairman Coutu for the opportunity to speak tonight. This year I'm coming before you because I made a mistake a few months back when we were here to order vehicles. We ordered one less. Normally every year if you recall we're between 3 to 5 vehicles that we turn over each and every year. This year, the current year that we are in, we were anticipating turning over 4 vehicles. Normally what happens is our process has always been the 4 vehicles we have when the 4 vehicles come in, we're constantly monitoring out 4 vehicles that we're about to get rid of. So they're always at the forefront. They're right in front of us. So we know we have to order 4 and then when the 4 new ones come in, the 4 go out.

What happened this year was a little different. Chief Lavoie indicated we had a situation with the Engineering Department and Mr. Colburn was doing a lot of work up at Tompkins field with the asbestos. Because of the lack of vehicles town wide, he was going up there in his personal vehicle. That gave me concerns where he was walking around the asbestos. He's using his personal vehicle and he has babies at home that also ride in that vehicle. We chose to take one of the four that we were planning on get rid of it - it was going to be sent down to Town Hall when we took in the four other ones. I made a decision to move that vehicle to him as fast as we could to try and keep his family safer if you would with the asbestos. So we gave him that vehicle early. As the months went on, then our focus was we're monitoring 3 vehicles. When I went to apply and ask the Board to make the purchases or the replacement vehicles, I was one short. It wasn't until a little while afterwards that we recognize that we did not come in with the proper number of vehicles that we had. We're asking for one more vehicle. We have the money in our account to be able to purchase it. It will not be a 2014. It will be a 2015 however, the 2015 is going to be honored at the 2014 prices. We're looking to just get back up to speed so that it gets us back to where we were.

Selectman Nadeau asked how many vehicles do we currently have in our fleet and what is this one going to be doing. Chief Lavoie stated we have 29 vehicles but not all the vehicles are for - some of them are undercover vehicles that are used for specific things. This vehicle will be utilized by the Services Division as well as people going off to training. It gets used on a fairly regular basis to transport items and stuff.

Selectman Nadeau asked how many front line cruisers do we have. Chief Lavoie said 14 front line.

Selectman Maddox questioned the Chief. A couple of things that you said kind of concerned me. At no time did I think that the Town Engineer or anyone was able to go into the hot zone where there was asbestos when that work was being done. I'm surprised that he would be driving his vehicle in there. They had it all secured. Help me out here. Chief Lavoie's thought was he was driving his vehicle to the site and then he'd be walking around the site. It was my belief at the time was that he was getting in and out where if he's traversing on the soil, he could be picking stuff up on his clothing or whatever. It might be his boots and then he's walking back to his vehicle. As Selectman Maddox understood it unless you were properly geared which was the whole Tyvek suit and the booties and everything, no one was allowed on that site without proper protection. That's why you gave him that vehicle.

Selectman Maddox thought when we got the request for the three that Captain Tousignant said that the reason why you were getting three is you wanted to try these out. Have we received the ones that we ordered? Chief Lavoie stated no not yet. Selectman Maddox note we're going to buy this vehicle even though we haven't tried out the ones we were buying the 3 for Sir. Chief Lavoie indicated there's a little difference. The 3 that we're buying are going on a patrol - completely different driving habits as a patrol vehicle. This vehicle here is going to the Services Division. It's not really a patrol vehicle. If need be, it could be used as such but we're not putting cages in it or anything like that. This vehicle is used for the Services Division as well as to get people off to training - civilian staff to training, etc. Selectman Maddox asked this is a police vehicle. It is the same vehicle that we ordered the 3 of to transport people. I'm just having a tough time Mr. Chairman. With 29 vehicles we need to buy a police vehicle to transport. I'm just having that leap of faith. Will it become a front line vehicle at some point? Chief Lavoie said yes. If the other 3 worked out, we could take this one and turn it over into the Patrol Division.

Selectman Nadeau indicated I'm all set. I'm not sold on it. We're buying 3 to try them out now we're buying 4 - one for a transporter. If it works out maybe we'll move it up to the front line. Maybe I can buy a Ford Escape and do the same thing for \$15,000. Maybe I can buy a different vehicle and transport people. Maybe I can buy a Caravan. I just don't see why we're spending this money to buy a vehicle that a) know if we like, or b) know if it's going to be useful to us. We transport people now in the Chevy Impala's and they work fine. A lot less cheaper vehicle. A lot less maintenance, all wheel drive. We don't need all wheel drive to transport people around.

Chief Lavoie indicated this vehicle here also gets utilized when you're talking about transporting people. Our Honor Guard will use it. If you've seen our Honor Guard, they're fairly good sized people. They're carrying flags. They're carrying weapons. So all that stuff allows for enough storage for that. Those are some of the instances that it would be utilized. It could be utilized to take up to the range for training which you're carrying large boxes of ammunition and other equipment of various sizes. It could be anything from targets to target backers. That's what we're talking about transporting.

Selectman Nadeau asked we have a utility truck that we use currently. Do we have a utility truck? Chief Lavoie said no. That's what we were trying to replace what we had one but we gave it to the Engineering Department - the Trailblazer.

Selectman Brucker had a question. I know you have this automobile replacement plan. Is this one of the vehicles on it? Chief Lavoie stated you can't really have a replacement plan where you say we know we're going to get rid of vehicles A, B, C because C could do down for a little while and you're not putting mileage on it. So then really D because you start using more than what you had planned on originally. Well now D replaces C. It's all based upon the mileage that the vehicles are being put on. There's some vehicles that will last longer such as this vehicle would last longer. The vehicle that we got rid of was a 2006. We gave Fire a 2005 one I think the year before. That one there was a 2006 that we just got rid of so we had that. It lasted a very long time. Captain Tousignant stated when we get rid of a car, we usually check with departments at Town Hall. If they need a car, they'll take the car. That's why Chief realized the Engineer needed a four-wheel vehicle because of the sites that he was getting into and decided to give the Trailblazer to the Town Engineer. Selectman Brucker thought this vehicle that you've chosen is more flexible and adaptable to other uses too rather than just a car that will transport people. Chief Lavoie indicated when I'm saying transport people, I don't mean like transporting a prisoner. If I gave that impression, I apologize. That's it. It's people to training. Often times we send groups of people to training and easily accommodate those needs.

Chairman Coutu asked the Chief to help me out. I'm hearing both sides and I need a little bit of help. As it presently stands, I can't support it. I'm hearing that we need a vehicle to transport people to training, the Honor Guard. How often do we need a vehicle for Honor Guard - 3 times a year, 4? Captain Tousignant indicated this vehicle isn't just to transport. The Services Division is a Division of the Police Department just like Detectives, Records, Communications. The Services Division handles recruiting, training, fire arms instruction at the range. That way these seats can go down. You can put what targets and everything they use at the range or they transport to and from - ammunition in this vehicle. We went out and got bids for these vehicles. Again it was an oversight when we gave this vehicle to the Engineer. We had planned on wanting to replace it. It was an oversight because we had given it away so much earlier. It's not just used to transport and sit there and say okay use that one as an extra vehicle. It will be used daily by the Support Services Division. Sgt. McGregor and Officer Cavallaro are the ones that are going to be assigned this vehicle. When we say civilians use the vehicle because a civilian cannot drive a marked police car. Out of the 29 vehicles we have, 14 of them are marked cars. That's because of details, the amount of officers out on the road, if there's a car broken down we need this many cars to support what we do. A lot of these vehicles out of these 29 are actually vehicles that are undercover. Vehicles that are acquired for investigation purposes that civilians cannot drive because of the type of plates they have on them by the way we've acquired them. Out of these 29 vehicles, a lot of them our civilian employees are not even supposed to be driving them by law or by the means that we acquired these vehicles. For the number of vehicles that are used by our civilian personnel, one is actually gone for the week. Someone is at training for a week. I let my car go a lot to civilian employees to go to training. Captain Avery let's them use his car when he's at the station too. Once in a while, the Detectives will be down a car for whatever training purposes or whatever people have to go. If the Honor Guard goes, we always had the Support Services vehicle used because it was the Trailblazer. They carry flagpoles, the rifles, everything, all their special uniforms - special jackets, coats to hang everything up in for whatever function they're going to - funerals, etc. Again, it's not just going to be a vehicle that's going to sit and wait for transport. Oh yeah use that one it's just sitting there. No it's going to be used daily by Sgt. McGregor and Officer Cavallaro in Support Services Division. So it is a Division vehicle.

Chairman Coutu stated I have a lot of question but...

Selectman Maddox asked what are they using today. Captain Tousignant indicated my car whenever it's not being used. They'll come and get my car or whatever is available.

Chairman Coutu indicated you've sort of answered it but when did we give up the vehicle to the Engineer. Chief Lavoie believed it was in the fall of last year. Since the fall of last year, Chairman Coutu is hearing that we've been - when you say your car not your personal vehicle? Captain Tousignant said no my assigned cruiser. Chairman Coutu asked has that proven to be a detriment. Captain Tousignant said no. While I'm working, I'm usually in the office for what I do. I'm usually in the office all day. Chairman Coutu asked the fund for this vehicle is in what account. Chief Lavoie indicated the cruiser account. Chairman Coutu said to some of the things Selectman Nadeau said. Do we have to buy a vehicle to do what you're saying we want to do with it which is primarily to go to the firing range and then go down to transport the Honor Guard? Do we need to



spend \$26,500 for a vehicle that we could buy for a lot less? They're not all compacts. We can buy a pretty decent car in the \$19,000 - \$20,000 range that could accomplish that. Why would we have to spend \$26,000 for something that may or may not be fitted up for a cruiser later on if we don't like the new cars that we take in? Chief Lavoie said there will be lights that we do put in it so that if it needed to be utilized if something crazy was to be going on, we could utilize it and it would be clearly marked out as a police vehicle. Chairman Coutu knew what you're saying. It would have the blue lights under the dash in the front like we normally do for even some of our...I know what you're saying. We can still do that with a cheaper vehicle. Chief Lavoie stated the only difference is if we did need to put this out to a front line car. Let's say we had an accident and a car was totaled and taken out. We could take this car and if we needed to we could transition it over while waiting for another one.

Chairman Coutu asked we have how many cruisers on the road at any one time. Chief Lavoie said we could have as many as 9 during the day. Chairman Coutu asked and we have how many vehicles. Chief Lavoie said 14. Chairman Coutu commented that we only own 14 vehicles in the Police Department - marked. Chief Lavoie stated that's it. Chairman Coutu said if we only need 9 at one time, we have 5 in reserve. Chief Lavoie stated sometimes some of those are gone. They're gone to training. They may be gone to a detail. You don't run cruiser 24 hours a day. The more that they're idling and running and sitting, you're taking away from the life of the vehicle. The cruisers get cycled through. We need to have cruisers that are ready to go because of the overlapping in the shifts, some cars are going out and some are coming in. Cars are getting repaired, oil changes, a light goes out on it, a radio goes down on them.

With the cars being out on the road and as much use as they get, Captain Tousignant said it's hard on the car. It's probably used for 8 hours and driven maybe a few hours but it's idling. The car is running some of them almost 24 hours a day. You need heat in the winter, air conditioning in the summer. That car is their office. That motor is running and it wears on them. When we get rid of a car, sometimes its mid mileage or high mileage but it's time to get rid of them.

When they're doing a traffic detail, Chairman Coutu asked is the motor idling while they're doing a detail for the telephone company. Are those motors running? Captain Tousignant stated if they have all their lights on, they have to run it. Chairman Coutu assumed so. Captain Tousignant indicated they pay for the cruiser. Chairman Coutu asked do you factor that into our administrative charges when we...Chief Lavoie stated on our slip it has two boxes. It says cruiser used, cruiser not used.

Selectman Maddox indicated I know this is a difficult discussion to have but I think that Mr. Chairman I can't support this inasmuch that we are scraping by and we're going to continue for the next year with our default budgets. I respect what you're telling us but with 29 vehicles and 14 of them front line, they can find a vehicle. We very well might need this \$26,000 downstream. Maybe at June 30<sup>th</sup> if this money was still available I might change my mind. At this point I'm not yet ready to say spend money on a vehicle that has not been justified to me to just to spend that money.

Chief Lavoie indicated we were asked how many vehicles do we own. Our response back was 29. I guess to give you a better picture it may not make much of a difference for you but a true answer to what you're using the information for, three vehicles cannot be driven by - they're undercover cars and they're going to be gone pretty soon. One has to be crushed and the other two is called "hides". If you have "hides", federal guidelines say this is what you're required to do with them. I think we have 3 of those that we're about to lose. Captain Tousignant stated they're unrepairable. It's not worth investing any money into them anymore. They're on their last leg.

Chairman Coutu asked what are we going to do to replace those 3. Chief Lavoie said nothing. Sgt. Lucontoni has talked about trying to brainstorm things because those 3 vehicles get used in undercover operations is the possibility of maybe purchasing something similar to what Selectman Nadeau has already advocated or talked about. Something completely different that is more like you wouldn't suspect as being a cop car.

Selectman Nadeau said I'm on the same mindset of what Selectman Maddox is at. We've been talking about the security system at the police station. We've been talking about how we're going to fund the cameras that we need to do to do the video arraignments. There's a lot of things that we need to do that we're not going to be able to do next year. Whether we buy the security system out of this money so that we can get what we need to be a secured facility. I heard last time that we were crying about the switchers and this and that for the court room arraignments. I'm on the same mindset as Selectman Maddox. We can wait until June to make a decision if we're going to buy this car or not buy this car. If it makes a difference and we don't get this car and instead we get a Chevy Impala, I guess I'm okay with that too. It's four wheels and it still gets you there. You can't put 200 cases of ammunition in. You can only put 150. I think we need to take a long, hard look before we jump into buying a car of what other things we need to do before we, according to Selectman Maddox, drive this bus off the cliff. I don't want to be caught that we can't do video arraignments and now we have to drive each one of these people back and forth to the Nashua court system. Now we're racking up miles that we didn't need to be doing.

Chairman Coutu said to your argument those areas that we identify as priorities, those items that you mentioned, were listed in the priorities and we did find the funding for that. Selectman Nadeau said not all of it. Chairman Coutu indicated pretty much - \$206,000 we found. Selectman Nadeau stated there's still a lot of things that we're...Chairman Coutu stated the court system was one of the ones that we were covered. We identified that as a serious priority.

Chief Lavoie spoke basically to the point that you just acknowledged with Selectman Nadeau. Currently in my cruiser account even if I'm granted the opportunity to purchase this fourth vehicle, I'll still have \$10,000 left over in that account and also in my salaries account. I'm anticipating about \$50,000 in savings there. That's a total of \$60,000. The security cameras within the

station are about \$38,000 to \$39,000. It will need some type of a server for an additional \$10,000. So I'm looking at needing about \$50,000 altogether. There does appear to be money in the budget just in the salaries alone to cover the cost of the vehicle.

Selectman Brucker stated since these three others are being deleted somehow, what is the plan to replace them? Chief Lavoie noted one of the things that we're talking about now with Sgt. Lucontoni is we were going back and forth before we do any kind of a presentation to the Board whether we lease, or whether we purchase, can we get something used just to use in undercover operations. Selectman Brucker asked and that would come out of operating money. Chief Lavoie stated it would come out of our cruiser account.

Chairman Coutu asked we haven't seized any vehicles in the past year. Chief Lavoie said I can discuss that with you. I'd prefer to discuss that with you in private.

*Motion to accept the Police Department's recommendation to purchase one (1) police package vehicle from Colonial Ford, Inc. in the amount of \$26,528 to replace the Support Services Trailblazer.*

Chairman Coutu indicated there is no motion on the floor. I do have a question for you. I hope you don't mind. It's off this topic. I just want to bring it up. I was looking into the expenditures and revenues as opposed to budget and actuals and I was noticing that on a line item - it's not in your department - on the line item for food vendors - road food vendors. The revenue stream was a lot less than what it has been. I'm not seeing any less of those vehicles around. Has it been practiced that when a police officer has the opportunity to pull these over and get their plate number and see if they've been inspected by the State and if they have a permit by the Town to go and vent food from business to business. Is that a practice or not? I don't think there's a policy to that effect. Chief Lavoie stated we've done that in the past. I'm not sure how recent we've done that. It may have been a little bit but I can certainly look into that and get back to you. Chairman Coutu indicated I've seen at least one truck in this town that I don't know how it even passes inspection as a vehicle let alone as a food service vehicle. I've seen him go through red lights. He drives like a maniac. I almost chased him one day to pull him over but then I was afraid. I don't know the guy and I don't have authority to pull people over. I thought better of it. My wife reminded me about road rage. She said you're going to act like a road raging maniac. I said no this guy is going to kill somebody some day. He came down the hill on Dracut Road and blew the red light. I was pulling out in the intersection and I thought he was going to hit the guy in front of me. I put on my brake right away. I thought for sure they were going to get hit. When I saw the revenue stream, I said wow this is short compared to the previous years. I'm suspecting a lot of these people are not coming in and being registered. It's not that I'm looking for the revenue to register. It's that I want to make sure that the food that they're serving - the State has inspected that vehicle and its kitchen facility inside to be certain that it's not contaminated and they're serving safe food. Chief Lavoie stated we have a Lieutenant here now so we'll make sure that that message gets conveyed to the A Squad Lieutenant tomorrow morning. Lt. DiNapoli is with the second shift. I believe it's been for the last two weeks.

Chairman Coutu noted Lt. DiNapoli does an outstanding job I might add. I hear him on the radio all the time. Chief Lavoie thought for the last two weeks they've had directed patrols actually all at those intersections running on lights - both him and Lt. Bianchi shifts.

G. Donation - acceptance of \$1,550 from Wal-Mart to purchase illuminated traffic control devices within the Fire Department

Chairman Coutu recognized Chief Rob Buxton.

Good evening Mr. Chairman and members of the Board. Chief Buxton said as has been historically the history, Walmart has stepped up again and offered us a donation of \$1,500 to support our safety programs. They certainly believe in community outreach in supporting their public safety venues. We this year are looking to utilize this money to purchase illuminated traffic control devices that will be on fire apparatus. When we want to create a work zone if we have an accident, a traffic cone can be put out in the dark that will be illuminated. We want it to go on all apparatus. It's actually part of the DOT requirement for work zone practices along with the illuminated vests you see us wearing now and those types of things when you're working in the roadway. This has been a project that's been on the hit list for the last couple of years and this money will give us the opportunity to complete that project.

*Motion by Selectman Nichols, seconded by Selectman Nadeau, to accept the \$1,550 donation from Wal-Mart to purchase illuminated traffic control devices.*

Selectman Nadeau indicated this has been one of the things that I've been looking for over the years. I think this is a great use of this money. When we had the fire up on Bush Hill Road, it took the cops about 15 or 20 minutes to get there. If we were to put these cones out, I think it would make it a lot safer work environment for the firefighters that were trying to hook up their hoses. It's easier to throw out the cones and people see those. They're usually trying to look at the fire and see what's going on. I think this is a very good use of this money.

Selectman Maddox guessed and I don't want to say the word "free money" but if they don't see that fire truck, they're not going to see flashing cones. Chief Buxton said you'd be surprised.

Vote: Motion carried 5-0.

H. Fire Department - request to fill the open Deputy Fire Chief position

Chairman Coutu recognized Chief Rob Buxton.

Good evening Mr. Chairman and members of the Board. Chief Buxton indicated this evening I'm requesting to fill the open Deputy Fire Chief's position that we have within the Fire Department. If you recall last October when I was appointed Fire Chief, we had talked about leaving that position vacant for a little while and it seemed the path we would travel. We also talked about transferring money around to support the opening of the Robinson Road station and the hiring of two additional firefighters. What I am requesting tonight is the ability to post the open Deputy Fire Chief's position and to utilize the salary money from the Captain of Training Safety Officer which is in the department currently. That is a transition from where we were originally. I can tell you after sitting in the chair for the last six months, we're making that change for a couple of different reasons. All of them are efficiency and operationally oriented from the activity that we've increased in Inspectional Services. Deputy O'Brien spends 50 to 65 percent of his time daily in Inspectional Services supporting their needs. Our inspection permitting has been up 58 percent. Our inspections are up 65 percent and our revenues are up almost double what they were last year the snapshot from October 12<sup>th</sup> when I took over as Fire Chief to the end of April. Our activity in that department has continued to grow and we want to move forward with the reorganization to get that accomplished.

You have two snapshots in front of you. Chief Buxton stated one is the current operational plan that we have in place that shows a Captain of Training and the second one would be put into place 7/1/2014 which shows two Deputy Fire Chief supporting the Operational Division of the Fire Department.

Chairman Coutu said assuming of course that we could hire a Deputy Fire Chief that quickly. Chief Buxton indicated we'll be in the process. Chairman Coutu indicated we haven't made the decision.

Selectman Brucker stated that you're eliminating the Captain of Training Safety Officer. Is that salary the same as a Deputy? Chief Buxton said when we look at the monies in the budget that are allocated for the two positions, there is a few thousand dollars difference between the two positions to be honest with you. It's really not as substantial as you would think. To reference the white shirts as Selectman Maddox may call them out but the salary schedule is really not actually that much difference. The position that we're looking to fill would be working 5 days a week would be a set salary schedule and will work a work schedule of 8 to 4:30 Monday through Friday and afford us some bolstering in the Administrative Division of the Fire Department.

Selectman Brucker asked the plan to open the Robinson Road station is still on board. Chief Buxton said it's still on board.

Chairman Coutu asked are there any comments or questions.

Selectman Maddox stated for anybody who's watched this meeting regularly know that I have not been a big fan of the Training Captain's position. Not the individual, the position. I didn't think it gave us enough value. I think putting the second Deputy in play does a number of things. It gives more white shirts. I don't want to burn out my Fire Chief because we have limited resources. Hopefully this person that we hire will be closer to town and we won't have the issue that we presently have. I think that it's important that we don't stress the man at the top by not having the support underneath him. I think this is an organizational swap that is well overdue. Thank you Sir.

Chairman Coutu thought too we need to take into consideration not only that Selectman Maddox which I find is quite relevant to the decision making and that we don't want to burn out the Fire Chief in that this is an attempt to allow Chief Buxton to put his footprint on the department. This is your reorganization plan. On the basis of what you're proposing and on the basis of the arguments that I heard you state many times over Selectman Maddox relative to the need to have one person doing training 40 hours a week, you always felt that it could be better managed. This isn't a target for a position or a person. It's allowing the Fire Chief to put his footprint on the department creating an organizational structure which gives him freer controls in that the division of the responsibility - there's going to be quite a bit of it picked up by the Captains. The fact that we now have what appears - it's still early - but I think it would be certainly safe for me to say from perspective anyway that we have a well managed and orchestrated Planning Department and Inspection Services Division. I looked at the revenue stream in that department and it's done exceptionally well compared to obviously things the economy is getting a little better. Still, we're doing very well and the response to the citizen's needs relative to Inspectional Services is being gotten to a lot quicker than what it had in the past. I think that this is very, very important to the structure of the department. I think it will go a long way to help pretty much cement the moral that's come a long way. I think that this is a very healthy reorganization and I wholeheartedly support it. I thank you for taking the time to prepare this and to have whatever private discussions you might have had relative to how you were going to achieve this. I've gone over this several times and I'm very impressed. You will have my wholehearted support.

Selectman Maddox stated I was going to say this under other business but the Chief is here. I want to say that the company I work for has moved to Hudson. I draw the short straw to be the person that was in charge of getting the building operational. I had interaction with the Inspectional Services team. I cannot say anything other than they were professional, helpful, timely. All the things that people said weren't going to happen when it moved over to the Fire Department have happened. They were

nothing but...all the things that we were looking to get. I still think there's some gaps that we need to kind of fill with as far as explaining to people what the steps are. Luckily I knew most of the steps but there were some that were surprising. I think we just need to probably do a frequently asked question type of thing. As far as responsiveness and helpfulness, again, I can't say anything but kudos to everybody over there.

To hear that coming from you Selectman Maddox, Chairman Coutu stated that is a compliment to the Inspectional Services Division because you would be most critical if it were otherwise. I certainly appreciate hearing that and we as members of the Board of Selectmen know firsthand that it's working.

Motion by Selectman Brucker, seconded by Selectman Nadeau, to adopt the proposed organizational plan as proposed by the Fire Chief effective July 1, 2014, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to allow the Fire Chief to advertise the open Deputy Fire Chief position, carried 5-0.

- I. Highway Department - Request to post the Operations Assistant position (in house) and advertise for a non union part time Office Assistant

Chairman Coutu recognized Road Agent Kevin Burns.

Kevin Burns gave a little bit of a history lesson. It used to be at the Highway Department we had two full time clerical positions of different titles but they were both full time. Over the years, we voluntarily reduced one to a 30 hour position. We re-evaluated it and later turned it into a 20 hour position. I don't think I can cut the hours any more or else I would be here saying let's try 10. I don't think 10 will work. What I'm hoping to do is post internally for the Operations Assistant. That's the full time position and then to advertise for a non union 20 hour a week position at \$15 an hour.

Chairman Coutu asked are you saying you only want to post the full time position internally. Mr. Burns said yes. Chairman Coutu asked why. Mr. Burns indicated I have a qualified individual on staff that's been doing it for 4 years. Chairman Coutu asked are we posting it because we have to post it. We can't just promote from within. Mr. Burns stated the union requires me to post it. Mr. Malizia stated these vacancies have to be required for 5 days internally. It's a unit vacancy thing in case one of the gentlemen would like to apply. Chairman Coutu didn't mind. That's being up front. If we have a qualified person for the job, I'm fine with that. I just want to hear it said. I don't want people to think we're just...Mr. Burns stated it's more of a formality. Chairman Coutu indicated I trust your judgment.

Motion by Selectman Brucker, seconded by Selectman Nadeau, to allow the posting of the Operations Assistant in house as a full time position, carried 5-0.

Motion by Selectman Nichols, seconded by Selectman Brucker, to advertise for a non union, part time Office Assistant for 20 hours per week at \$15.00 per hour, carried 5-0.

- J. Benson Park Maintenance

Chairman Coutu recognized Road Agent Kevin Burns.

Kevin Burns said I started my Memo to you about the movie "Field of Dreams" - build it and they will come. Well they have come. First of all, we took over building and maintenance of Benson's and did not increase staff at all. Benson's is a huge undertaking. It's becoming slower and slower to maintain it because we're working around sometimes hundreds of people. If it happens to be a nice day, people are actually getting angry at us. Why are you here while we're here. You almost got to say to them because you're always here. There's never a time - I don't care if you go in there - we start at 6 o'clock in the morning. I'll go in there at 6 o'clock. There are people in the walking their dogs, walking around the pond. We don't mix well. A lot of times there's 100 kids in there. I just think kids and my crew with the lawnmowers, weed whackers, sometimes the big roadside mower is in there, then the street sweeper comes in after the guys have pushed everything onto the pavement. We're dusty. We're dirty. We're noisy. We're not good neighbors when you're trying to have a picnic. What I would like to do is have the ability to close the park. It would be in the morning only from 6 to 12 for maintenance. I would not do it every week if we didn't need to do it. I wouldn't close it just to say ha ha ha, we're closing. If we didn't need to be there, we wouldn't be there.

Mr. Burns indicated I understand from the Benson's Committee they want me to pick a day of the week and stick to that day of the week. I guess I could do that. A little flexibility in the day of the week would make it easier for me but I can understand you don't want people coming to the park and being surprised. We're so busy now there really are no such thing as rain days. We basically mow unless it's pouring out. I could live with a certain day of the week but I just the ability to lock the gates to the park proper I guess would be the way to describe it. I'm not talking about keeping people off the trails. I'm not talking about kicking people out of the dog park. We don't really go in there. I'm just talking about the two main pedestrian gates, post a sign on them and say park closed for maintenance. We could even post a sign that says park maybe closed on Wednesdays from 6 to 12 for maintenance. It's so my guys could get in there and just go and not have to work around people. My guys are acting like traffic cops out there sometime. Okay now we're going to move to this section. Could everybody move over here?

It's just slowing us down so much. What would take 6 hours is taking us 8 hours because the guys are trying to be careful around people. The last thing we want to do is hurt someone. Crowds are becoming a hindrance when we're there.

Chairman Coutu was surprised that his came up before the Benson Committee. I can remember back in the day when we decided to undertake Benson Park, we had discussed with you maintenance in the park. It was stated back then and we agreed to it. I know at the time I think that Ken Massey and Shawn Jasper were on the Board with us that that would be a decision that we would allow you to make. I was surprised to see that it was before the Benson Committee looking for permission to do something that I felt this Board had already given you permission to do. Mr. Burns said I do not recall that. I wish I had.

Selectman Nadeau said we all asked the same question and nobody else recalled that. The topic came up but we never said whatever day you want to lock the gate. What I think if you could just give us a day - Tuesday, Wednesday, Thursday or a Friday just so that we can put the sign and post it so that you know on Wednesday the park is closed from 6 to noon or maybe closed between 6 to noon. Kevin Burns noted if I had to pick a day, I'd pick Thursday because that's the last day of the week and the park would look great for the weekend.

Selectman Brucker was wondering if anyone has done a study or a notice what's the lightest day of the week. Are they all the same? Chairman Coutu said they're all the same except they're lighter Monday through Friday. I was there this morning at 11 o'clock. There was a lot of people there. Selectman Brucker stated it makes sense a Thursday then if they're all about the same. That is a nice idea that it would be really nicely fixed. Mr. Burns stated if we're not done by 12, we would make sure we had the main area done by 12 and then if we had to go move off into a side area that hadn't been done yet, then fine no harm no foul. There's probably not going to be no one there anyways. It's just the big main areas.

Selectman Nichols didn't think there's a day that it's quiet in there anymore. I don't care even on rainy days you go by and that parking lot is at least half full. If it's a beautiful day, by 10 o'clock if you haven't gotten your spot picked, you're out of luck. You're walking. That's how busy it is. I think the Thursday doing it for the weekend is a good day.

Selectman Maddox thought that should be up to the Road Agent. Chairman Coutu agreed. Selectman Maddox noted if we say Thursday and every crazy thing that could happen happened on Thursdays, now you're trapped. I think you should decide and have some signs made up that says "park closed for maintenance" and that's what it is. I can't picture us saying it's always going to be Thursday because that's when a trash truck blows its hydraulics and you're trying to race around with sand and all the other things that can happen on any given day. Maybe a sign that says "the park may be closed weekday mornings from 6 to 12 for maintenance" so people at least have an idea that it could happen. Pick a day. It's really up to the Road Agent. Mr. Burns said that would be my preference. Chairman Coutu agreed with him 100 percent. I think that should be your decision. We could not have predicted what happened yesterday on Lowell Road. That could happen any given day and it could be for other things - utility poles down, water main break, sewerage line backup. It could be a myriad of oh now we're backed up two weeks because I couldn't close last Thursday. I can't close this Thursday. Now next week I'm going to have to play catch up because you won't let me in any other day. I think that's your decision not anyone else's. I think that having a generic sign "park maybe closed" and then on a day that it's close, you have a sign, you put it up on the fence today we are closed from 6 to noon. Mr. Burns stated that would be ideal.

Selectman Nadeau said that would be absolutely ideal but I'm going to tell you that front row is going to be full every week with people screaming if you don't pick a day. Chairman Coutu said we'll listen to them. Selectman Nadeau was okay with that. Chairman Coutu stated we're here to manage the town and accommodate the citizens as well as our employees. We're doing this because you know Ben we don't want anybody to get hurt. He's concerned about the safety of the public. I think that he's not going to be vindictive about when he's going to open or close the park. He's going to accommodate what he can - if he can get a set day every week, it's fine. It's great but I don't think it's going to happen that way. The first day we say close Monday or whatever day Thursday 6 to noon and he doesn't go mow the grass, everybody is going to be complaining next week gee they didn't come in to mow the grass. What's the matter? It's growing too high. We're in a no win situation here. Let's see where it goes.

*Motion by Selectman Maddox, seconded by Selectman Brucker, to allow the Road Agent to close Benson Park one day a week for maintenance from 6 a.m. to 12 noon and to lock and post the gates "closed for maintenance, re-open at noon". If no maintenance was needed in a particular week, the park would remain open, carried 4-0-1.* Selectman Nadeau abstained.

K. Real Estate Services - 98 Derry Street

Chairman Coutu recognized Town Administrator Steve Malizia.

As you're aware, Steve Malizia noted the Board gave permission to put this tax deeded property up for sale through the services of a realtor. An RFP was developed and mailed to 7 real estate firms in Hudson, advertised in the HLN as well as the Town's web page. We also had an open house for realtors so any realtors that were interested in bidding could come to the property, examine the property. We received two bids of which they're attached. The first bid is recommending a listing price of \$99,900 with a 6 percent commission. The second bid was recommending a list price of \$59,900 with a flat \$5,000 commission. It would be my recommendation based on looking at the bids and the qualifications of the realtors that we award it to All Day Realty with a list price of \$99,900 and a commission rate of 6 percent. That's the property next to Walgreens. If

you recall, it's a single family home. We took for taxes we have basically somewhere about 58 high 50s invested in the property with taxes, interest, fees and costs. Realistically speaking if we sold it for \$59,900 even if we go that price, we'd barely recoup what we've got into it. I think we're better listing it at the higher price. That realtor also provided comps. So they did a lot of homework. It looks like they evaluated the market and that type of property where the other realtor did not provide comps and was looking for a quickie sale quite frankly. It would be my recommendation that we list it with All Day Realty with a listing price as I said of \$99,900 and a 6 percent commission on the gross purchase price.

Motion by Selectman Nichols, seconded by Selectman Nadeau, to award the bid for Real Estate Services for the sale of tax deeded property located at 98 Derry Street to All Day Realty, LLC, with a recommended list price of \$99,900 and a 6% commission on the gross purchase price, carried 5-0.

L. Expenditures and Revenues

Chairman Coutu recognized Town Administrator Steve Malizia.

As is the practice, Steve Malizia stated the end of April and end of every month you look at the expenditures and revenue. We're 83 percent of the way through the year. We can bring that statistic up just so you can have some idea of what we're looking at for percentages. As you recall, the June workshop will focus on where we're going to have money left and where we need to cover. I wasn't planning on getting too deep into this again. We're going to have that conversation at that meeting. I will say that the motor vehicle revenues are doing great this year. We're ahead so that's a positive for the economy and I think the Chief also mentioned inspection fees are doing well. Overall on the revenue side, it doesn't look like there's going to be too many shortfalls. I think we're going to end up in a very good position there. As I said come June, we'll be looking very closely at what we project to have left and where we may or may not be able to utilize those funds. We're running a little tight on welfare. As I've said before not for any reason other than we cut that budget because we know we have donations in reserve that we can use to spend that.

On miscellaneous revenue other, Chairman Coutu believed it's in the recreation account. Do you know what "other" is in recreation? It went from \$3,500 was the estimated revenue. Of course we're in default but now it's 249. Steve Malizia stated I would have to double check that. I'm not sure what that exactly is. Selectman Nadeau asked is that the money that we get from the photos. Mr. Malizia said it could very well be but I don't want to say without...it could be a compilation of various revenues. I don't know if got a grant or something.

Chairman Coutu questioned Ottarnic. Is it because we haven't been billed yet? Steve Malizia indicated that gets billed once a year and it hasn't been billed. Certain things again, they're not done every month for 12 months. They're done perhaps once a year.

Chairman Coutu asked about the huge discrepancy in the water sales to Pennichuck. Mr. Malizia stated there are some bills that need to go out for the second half of the year to them. Again that's a similar situation. We're accumulating the expenses before we can bill it. So we don't have all the expenses in yet.

Chairman Coutu noted those were my only observations. Is there any other observation on expenditures and revenue?

As far as revenue, Selectman Brucker said just for information. Rents of town property. Is that like the Hills Library? Steve Malizia believed the Community Center. The quilters still pay a fee to utilize that property. The library would account for their revenue under the library budget. So we don't account for their revenue. They have their own revenue and expenditure. Chairman Coutu asked if it was the quilters that were having problems. Mr. Malizia said that money was generously made up by a donation. That was made up all at once. One of their quilters made a generous donation which we sent a thank you letter. Chairman Coutu said not necessarily for us. It's great for them. Mr. Malizia noted we acknowledged it with a thank you letter but the person wished to remain anonymous.

Motion by Selectman Nadeau, seconded by Selectman Nichols, to suspend the rules and allow a new item after the agenda was prepared - Memo from Patti Barry, Town Clerk/Tax Collector, relative to the advertisement for an Assistant Town Clerk/Tax Collector, carried 5-0.

M. Request to Post Assistant Town Clerk/Tax Collector Position

Chairman Coutu recognized Selectman Nadeau.

Selectman Nadeau stated we have a person who gave their notice that they will be leaving our employment. That would give use a job opening in the Town Clerk's office. The Town Clerk is just looking to be able to post this position so that we can have it filled. July 1<sup>st</sup> is a very, very busy time of the year and we want to get this person in as soon as we can and up to speed as soon as we can. There's a lot of training that needs to go into getting this person in and certifying them in certain things for the State for registration. Chairman Coutu asked we're going to be posting and advertising or just posting. Selectman Nadeau believed we are posting and advertising. A lot of times we have to post in house for 3 days first and then after the 3 days...Chairman Coutu understood the process but if need be, we'll advertise. Selectman Nadeau stated correct.

Selectman Maddox thought that in difference to former Selectman Luszey, I think we need to do an assessment. Is this position needed? With all the electronic stuff that we are trying to go to is there a need for all of these people? I think that we need to at least review. I registered my vehicle on May 1<sup>st</sup>, the first of the month and there was only 3 people there. All I'm saying is before we go and hire another full time person is this position still needed? Could it be a part time position? I just think before we want to go and do this...Chairman Coutu asked do you want to make a motion for a study and see where it goes. Selectman Maddox would like to have some sort of information provided rather than just it's busy. What does that mean Sir?

Chairman Coutu said you obviously don't want to vote on this. Do you want to make a motion to defer or until we have a study and see where that motion goes? Selectman Maddox would like to have the Town Clerk give us an assessment of work load and where she believes this department will need manpower. Is it a full time position? That would be my motion.

Motion by Selectman Maddox to have the Town Clerk inform the Board of Selectmen whether this needs to still be a full time position based upon the electronic methods by which people can do their licenses, taxes, registration.

Chairman Coutu indicated that without a second this motion fails.

Motion by Selectman Nichols, seconded by Selectman Brucker, to advertise for the Assistant Town Clerk/Tax Collector position.

Selectman Maddox thought that we are jumping when we should be walking. I can see where the handwriting is so there's no sense in spending more time. Selectman Nadeau stated we're only posting it and we're only advertising. Things could change between now and then. We didn't hire them tonight. Chairman Coutu indicated don't make us spend money if we're not going to hire a person. Selectman Nadeau stated we're posting it. We've done this before in the past. Chairman Coutu clarified we're posting and advertising so we're spending money. Selectman Nadeau said we've done it in the past. Chairman Coutu said I'm not going to get into it because I will get into it. I don't like being made a fool out of.

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

With all due respect, Chairman Coutu stated I understand your position. I don't understand Selectman Nadeau - wishy washy.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nichols - I have a few things. They're not much. I wanted to let everybody know that I went to the Cable meeting. That was very, very good. They had it at the new building so I got a chance to look at that. They had a guest speaker to talk about policy and advertising on cable. That was very, very informative. No decisions were made. That will be discussed later to change policy or whatever. Get a new book. They're excited. They read the invitation to the open house. So that was nice. I went to the VFW Loyalty night. That was wonderful. I went to the Chamber of Commerce and that was wonderful. I went to every single booth. I'm hoping that maybe they'd get more. It was for Litchfield and all the surrounding areas. It was very, very interesting and I'm hoping that more people go next year. That was a fun day. It really was. I got to talk to everybody. It was a great time. I went to Concord for my class to learn law and whatever. I did learn an awful lot. A lot of things I didn't know. I also went to the Budget Committee. I wanted to thank you very much for the help that you showed - how it was done and how things were run. Chairman Coutu said don't let them bully you. Selectman Nichols indicated KC was there and was good too. I just wanted to let them know that I think I'm going to like it. I don't think they're going to be happy with me but I think I'm going to really like the Budget Committee. I was very thrilled with that whole evening. I just wanted to let them know that I'll be back.

Selectman Brucker - I'm the liaison for Conservation. The meeting was cancelled for last night. We'll be meeting the second Monday in June. I was delighted to go the new Comcast call center announcement. That was very, very well presented. I'm just happy to see the possibility for more jobs coming to Hudson. Good jobs. I think they'll be happy tenants there in the Industrial Park. Also I think that the hydraulic fluid slick that occurred yesterday on Lowell Road just reminded us of how busy that whole area of Lowell Road is. It will be good to have the new traffic light going in there and that may help things. It's a very busy area of town. The Highway Department did an excellent job as well as the Fire Department with cleaning that up. Thank you to them.

Chairman Coutu stated I never gave it a thought until you just mentioned it about the hydraulic leak on Lowell Road and how busy that road is. I've been a Selectman for 8 years. I have not received more telephone calls and more people walking up to me because now I'm not so much at the store I'm all over the place than why was Lowell Road shut down. I couldn't believe the number of people since yesterday morning. I got a call I think right after it happened. The Fire Chief called to let me know what was going on. The first thing I said do we have police presence. He said no the Highway Department is there. They're ready to set up the road blocks. I was concerned about how we were going to get them around. He told me what the loop was going to be through Industrial. After that, it was one person after another was at the store for a couple of hours. What's going on on Lowell Road? Do you know why Lowell Road is closed? Yeah we had a hydraulic leak. I didn't think it was a big deal but then when the Fire Chief called me back and told me we had to wait for them to come down from Concord because that's one of those things where we weren't - everyone was anxious to get the road open because of the heavy flow of traffic. We

have environmental concerns and the State has to be involved. They were doing due diligence. Kevin the guys did an outstanding job from everything I've heard and Selectman Brucker alluded to that. Please tell them we appreciate it.

Selectman Nadeau - I have a lot of stuff to go over. The first one is TD Bank North. The Benson Committee in late February had a deadline to apply for this grant that they came to us and asked us to apply for. It was for trees for Benson Park. It's \$12,000. We got approved for it and they're going to plant 50 trees. I haven't gone over the list of the trees with them yet but they're going to come in and plant them with the TD Bank North crew in the park where we decide to put these trees. They will work with us. There is money in that \$12,000 to get equipment and stuff because some of these trees are going to be rather large. I wanted the Board of Selectmen and the people out there to know that we do have a grant to beautify the park from TD Bank North. We're just waiting for the paperwork to sign it and send it back to them. We gave them two dates in October to do the planting. You could either have a spring planting or a fall planting. Fall planting is better for trees so we picked the fall dates.

The other thing Selectman Nadeau would like to note is I'd like to thank the Road Agent and the Rec. Director for creating the new street hockey and lacrosse park over at the old skate board park. That place has been busier for the last 2 ½ weeks than it was ever used as a skate park. They had nets set up in there today and the kids were playing street hockey. I went by this weekend and little kids were playing lacrosse and learning how to play lacrosse with some of the bigger kids. I thought that was very good. The Rec. Director was trying to figure out if he should padlock the gate to make sure there was nothing that happened and he went by tonight after I called him and we both said the same thing. That was probably the best thing we've done with that in a long time.

Selectman Maddox - Thank you Mr. Chairman. I guess I made a mistake when I talked the last time about getting reports from departments. I think that, again, we have an ever changing board. It's nice to have some consistency in the reports that we get from the departments. I know that we talked about IT. I saw the Memo that we got. It never mentioned tickets. I'd like to have that put into the report. This was a very nice snapshot of what IT was doing. One of the things I was looking for Mr. Chairman, and I hope the Board is also, is the tickets. We keep on hearing about people have to turn in tickets to get IT items resolved. I thought we were going to see there was 71 tickets generated in April. Ninety percent of them were handled within one day or whatever the breakdown is going to be. How many are outstanding? None of that is reflected in this report. I think it's important for us as we keep moving down the road of trying to make tough decisions at budget season to have this kind of information. If that is what the Board understood we were going to do or I didn't explain it right, could we just correct that and get that to IT.

Chairman Coutu thought that tickets were going to be part of the report. Would you bring that up with the IT Director or do you want to put it in a formal way of a motion or have the Town Administration...Selectman Maddox thought that maybe I didn't explain it correctly. Chairman Coutu understood it that it would be all inclusive including tickets.

Selectman Nichols said the next time I'm talking with Lisa I will mention it. I'll send her a note and ask her about it if that's okay with everybody. Chairman Coutu indicated he's going to mention it at the department head meeting tomorrow morning. Presuming she's there, Steve Malizia said I'll talk with her.

Selectman Maddox was always curious as to is there 10 a month. Is there 100 a month? How often are they being corrected rapidly so that we have some idea. I'm being told by some people that it takes months to get something done. If they pull the ticket like they should have, then we'll see that on a report that tracks that. That's the only thing I had this evening Sir.

Selectman Nichols forgot. At the Cable Utility Committee meeting, the carriage house construction they've put that out to an RFP and is expected back by the 20<sup>th</sup> of May. They're looking for lower prices to put that two-story garage in. They have at least put that out. Chairman Coutu noted a two car garage with storage. I saw the ads. I saw one in the Hudson/Litchfield News. There were ads out there seeking bidders. He also said they had a list of local contracts and did some direct mailing to them to see if we could get local contractors in. Selectman Nichols thought that was one of the things that I hadn't mentioned to you. I think that was pretty much it.

Selectman Coutu - Something that came up today Selectman Nadeau that I think that you might want to propose to either 1) the Benson Committee or 2) or a combination of both to the Friends of Benson. As everyone knows, I'm closing my store. This looks like this Saturday will be the last day. The Lottery was in today and removed everything. I have made many friends over the past 15 years at the Lottery. One of the Lottery agents and then one of the Directors for the Lottery got on the phone to talk to me about the potential of allowing the Friends of Benson in the red barn if they wanted to have someone there selling tickets on a regular basis. All of the proceeds and the checks from the lottery because all the funds would go back into Benson's would be a check cut out to the Friends of Benson's for the lottery. The Lottery would directly deposit into their account every week the proceeds of the sale of any tickets that they have at Benson Park. Something for them to look into and explore. The Lottery would be willing to go in. It would be a kiosk - a machine that would print out so you don't have to have anybody there running a machine like I have in my store. It's not one of those machines. It's all automated. They buy their scratch tickets, put in \$5, buy a \$5 scratch ticket. They can put in \$2 and make a daily numbers bet, a Megabucks, a Powerball. The Lottery services it, maintains it. They come in and replenish all the tickets. They take out all the money. They do an accounting. Whatever the proceeds are, they get \$.05 per ticket. They won't be cashing any tickets. They won't be handling any money or anything. Everything goes into this unit. The Lottery comes in on a regular basis and cleans it out and keeps the tickets full. They just get money deposited into their account. If they want to house it in the red barn, it's a possibility



for them. It's easy money. They said even if they made \$100 a week, \$5,200 a year, they didn't have to do much for it except plug in the machine. That's a possibility. Selectman Nadeau said I'll bring that up to them.

Chairman Coutu stated that Selectmen Nichols and Brucker - Ben I know you were straight out at the shop. Rick you were straight out with opening your business - the relocation of your company to Hudson. The Governor was in town again - the second time within a month - for an announcement. The first one was a grand opening down at the south end of town. This one here in the industrial center for Comcast. I had a lot of people ask me why was I given such short notice. We kept it under wraps for a reason. I had been coordinating with Bryan Christiansen of Comcast and with the Governor's office that we would not break the news because there were signatures that still needed to be affixed as late as Thursday. So we could not break the news because it wasn't cast in stone that Comcast was going to occupy that building. Everything was in that direction but there were signatures lacking. In discussions with the Governor's office, we thought it best that we hold back until the last minute. All it was was an announcement that Comcast was coming into the building and that they were going to create a lot of good paying jobs. The first 6 months hopefully 100, within the next 6 an additional 100, then we'll see how things go with the Planning Board and whatever. We could conceivably see as many as 500 - 600 jobs at the end of the full hiring cycle. They were quite comfortable I think. The Executive Vice President of Comcast said that they felt very comfortable that they could see quite a few people in that building once they build the whole thing out. I think that's tremendous news. We've had some companies withdraw in the past few years. It's great to see now we have Mercury Systems opened up down across a little beyond Friends Lumber and now we have Comcast. Hopefully with all of the positive things that were said about Hudson at the press conference that the Governor held more people will see it. It was on television. Maybe Hudson will be a desirable for a lot more companies to come and we certainly hope so.

Something that you will like Selectman Nadeau because you were the first person to call me about it over the weekend, Chairman Coutu noted you called me and you said I believe it was Saturday afternoon. It might have been Sunday and you said to me how many gun shops do we need in this town. You told me about another gun shop opening up. I've received a couple of very serious e-mails, and a couple of phone calls, and one person came to me which was unusual in such a short period of time. I knew nothing about it until you called me. They wanted to know if it was a done deal. There's been some concern expressed about it's not that far away from the schools. It seems now we have as many as 8 or 9 gun shops in town. I'd hate to think that we're going to become the gun capital of New Hampshire. I'm not anti gun. I want everybody to know that within the past week I just bought another gun. It's not that I'm anti gun. Its how many gun shops do we need in the Town of Hudson. I guess there's no restrictions. To allay the concerns of one woman wanted to know if it was a done deal. Apparently the sign is up. It must be a done deal. I would assume that it's a retail to retail.

Selectman Nadeau stated it is a retail location. It is run by a local Hudson family. It is zoned and permitted in that district. There's not too much that's not zoned or permitted in that district because I went and looked it up tonight after having a conversation myself this afternoon with somebody. It is a permitted location and the Planning Department I guess has signed all the permits because they're planning on opening by the first of June.

Chairman Coutu said they must have their federal permits in order as well if they plan on opening by June. There was some concern expressed. I have to respond. They wanted to know if it was a done deal. I said well apparently if he's opening the doors, I'm sure he wouldn't do so without permits. You can't just open a gun shop. You need federal permits, local police and the zoning has to be...Selectman Nadeau said they're registered with the Secretary of State. Chairman Coutu said to those people who because they said one person who is very involved with the PTA, one of the schools across the street - said that they're involved in something tonight and she wanted to be here for public input. Selectman Nadeau stated she is here. Chairman Coutu said if you want to come up and express your concern if there's no objection, I'll gladly - you took the time to come over after your PTA duties. Just to let you know that you are not the only person that expressed a concern.

Vanessa Coutu - My name is Vanessa Coutu. Chairman Coutu indicated no relation. Vanessa said sort of through marriage a lot of levels. I live at 15 Paradise Lane in Hudson. I have two small children who attend the elementary schools who are of elementary school age here in Hudson. I have to say I was really rather stunned dropping my son off at first grade yesterday morning and finding that there was a large enough sign saying that there was a brand new AR15 which is an assault rifle which we all know has become a hot button. Again I don't mean to be anti gun or anything of that nature. I live in New Hampshire. Those are realities in Hudson in particular. It was the proximity to the elementary schools that had me surprised, concerned. I live down in the area where Pete's Gun and Tackle is. It's been there forever. It's not virtually across the street. It's not 1500 feet from where we send a 4 and 5 year olds to school. There are many different arguments I'm sure for why something like that might have gone into such a building. As far as I grew up and went to school with Selectman Nadeau here in Hudson until the 8<sup>th</sup> grade. It was always Hetzer's Bike Shop. For something to go from the family bike shop for decades and decades to become an assault rifle store right where we have a crossing guard every morning and afternoon seemed horrendously inappropriate. At the end of the day, I don't know how Hudson then expects to invite new families/parents with small children into Hudson and buy properties here if they're taking a tour through Hudson and they drive up Lowell Road on the way to what we have just redistricted as the entire elementary school system - the primary grades - pre-school, kindergarten, first grade. There's a fairly significant sign now for assault rifles for the AR15. We live 2 - 2 1/2 from New Town, Connecticut. I think to ignore something like that is just shameful. That's my position.

Chairman Coutu thanked Ms. Coutu and I'll limit the discussion to that. I'm just going to say that obviously we welcome businesses and if they're zoned properly and they come in. However, there is a recourse. We're not going to shut them down. By petition of warrant article or working with the Zoning Board of Adjustment, you can put together a petition - a warrant article

to the voters asking something like a limitation on the number of gun businesses. You may have to have somebody that has legal knowledge to help you word it. It may be non binding or binding. You could ask for a zoning change that only so many gun shops. I know you could write a zoning ordinance that would prohibit them from being in homes because there are quite a few in private homes that are running gun shops. I don't know what the number is. Ben asked me how many there were and I thought that it was approximately 9 total in the Town of Hudson. So it's not to prevent somebody from having a business nor is it to show favoritism to somebody that I might know sells guns. I picked a particular shop to buy a weapon because it was a weapon that I wanted and it was the right price. I bought it for my own personal protection but I don't flaunt it. I don't wear it outside on belt and walk down the street. I understand and I appreciate your concern and yours was not the only one expressed to me since Saturday. I have a couple of others. We appreciate your concern and I'm telling you that if there are people that are concerned, a unified voice, have a meeting, talk about it. If you think that it's an unhealthy environment to have something that close to school, look at what other communities do. See if there's a warrant article that you could write and have put on the ballot. You only need 25 signatures of registered voters to put it on the ballot. You could come up with some sort of an ordinance, a request that there be a change in the ordinance to restrict the number. If the voters say yes, then so be it. If the voters say no, you tried.

Vanessa Coutu thought in my e-mail too I was more looking for information at the time and trying to figure out...Chairman Coutu said well you asked if it was a done deal. Apparently it is. Ms. Coutu stated whether this was a done deal because if it wasn't that was something that I just thought would have had more attention town wide. That might be my mistake in assuming something like that. To be in a much more public location, apparently there are 9 gun stores or something around that number in the town. I was only aware really of two of them because they're fairly well known. Chairman Coutu noted one of them has closed down. That's Desjardin down the south end. That's closed now. Ms. Coutu said the location was really what shocked me more than anything else and I was trying to figure out. I have nothing against someone who runs a business and chooses to do so in what they're selling. I have nothing against whoever is running the business. It was more a case of there's kids down the road.

Chairman Coutu understood your concern. I just wanted to acknowledge that I read your e-mail. Obviously I answered your e-mail today. I had two others and I thought that in light of the fact that Selectman Nadeau called me to say hey another gun shop going up. You and Selectman Nadeau have better eye sight than I do. I had to really strain to see that sign. It sets down. It's not a big, big sign. It's the same size as the bike shop sign. Vanessa Coutu stated it is also a temporary sign. It seems to have been hung over the old Hetzer sign. It's hard to tell exactly. Chairman Coutu indicated he's limited to what he can put for a sign size anyway. I think it would only be limited to that. He's restricted to that sign that there now. It's well off the road.

Selectman Maddox stated he can apply for a sign. Chairman Coutu said he can apply for it but it.

Selectman Brucker said the gun shop that had their sign out on a truck near Reeds Ferry is gone but there's a gun sign at the old White Hen Pantry. Does anyone know is that the same person? Kevin Burns indicated they moved from the north end to White Hen. The one on the far north end is no longer there.

10. NONPUBLIC SESSION

Motion by Selectman Nadeau, seconded by Selectman Maddox, to enter Nonpublic Session pursuant to: RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted; (b) The hiring of any person as a public employee. (c) 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 is being entered at 9:16 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 is being entered at 9:35 p.m.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to promote Jeremy Faulkner from Truck Driver/Labor Grade VIII, Step 6, \$22.19 per hour, to Traffic Technician, Grade XIV, Step 2, \$24.12 per hour, effective May 18, 2014, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to hire Michael Siteman of Hudson, NH, at a rate of \$17.67 per hour (Grade VIII, Step Minimum) effective June 1, 2014, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to direct the Town Attorney to follow the Selectmen's policy and file an answer and certified record and let the other parties in the suit contest the issues that were raised by the appeal in the matter of Hudson Vickery, LLC v. Town of Hudson, et al., carried 5-0.

11. ADJOURNMENT

*Motion to adjourn at 9:43 p.m. by Selectman Nadeau, seconded by Selectman Nichols, carried 5-0.*

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

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Roger E. Coutu, Chairman

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Benjamin Nadeau, Selectman

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Richard J. Maddox, Selectman

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Nancy Brucker, Selectman

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Pat Nichols, Selectman