

HUDSON, NH BOARD OF SELECTMEN  
Minutes of the July 9, 2013 Meeting

1. CALL TO ORDER - by Chairman Maddox the meeting of July 9, 2013 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman Luszey.
3. ATTENDANCE

Board of Selectmen: Rick Maddox, Nancy Brucker, Ted Luszey, Ben Nadeau (arrived at 7:05 p.m.)

Absent: Roger Coutu

Chairman Maddox said he was happy to report that Roger Coutu is doing well. I talked to him today. He is doing well. His doctor is pleased with his progress and we hope to see him at our next meeting.

Staff/Others: Stephen Malizia, Town Administrator; Donna Graham, Executive Assistant

4. PUBLIC INPUT

Chairman Maddox asked if there was anyone in the audience who wished to address the Board on any issue which the Board has control of at this time. Let the record show that Selectman Nadeau is here.

Daniel Gonsalves - 49 Central Street, Hudson. In regards to the alleyway issue, I guess about a week ago a couple of the Interns came over with the GPS units to do some marking of that area. From the marker that we have in the very front of our property at the corner with Gillis Street, they painted it orange and then they measured back 100 feet from that and the 100 foot mark ended up being past half way of the center line of the alleyway that runs behind our property. Our property line is 100 feet long on that side, 75 feet on the front. I guess I just wanted to point out that if those are accurate, then we have always parked within our property on that road. I just wanted to bring that to your attention and wanted to understand what's the right marker? Do we have to get a proper surveyor out there to do the work to really show if that is the proper mark or is it a mark somewhere else that will then show where the end of our 100 feet is. If the current one is the current one, then I don't know if we have personally an issue on our property.

At this junction, Chairman Maddox said the Engineering Department went out and found what markers they could. Mr. Gonsalves said ours is clearly marked in the very front because it's actually a stone marker that has NH HD for Hudson engraved in it and its right at the beginning of the wall that Gillis Street side of our property and then they brightly orange painted it. When they put the mark in the back 400 feet, they didn't paint it and they put a mark in the dirt. So I had my son go out there. He put his sandal on the ground and he took a picture of it and then when I came home I saw where the mark was. I actually went to the Depot bought a little measurer - granted it's not like theirs, but is' on the wheel. I measured 100 feet and it was within 6 inches of it. I reinforced that mark that they put in the dirt on the street right at the entrance to that alleyway. I only had white paint at the time but I've since bought orange paint and highlighted it there too at the mark they put there. Just so that it's there for reference.

As Chairman Maddox understood it, they only found 3 points of monumentation based on a quick survey. They did tell me today that they really need to get into the pucker brush to be able to do a better job of taking a look at what's out there. Again, we're moving forward. It took 40 years to get to it and I know Selectman Luszey isn't fascinated with the speed that I go but...Mr. Gonsalves wanted to bring that to your attention that I did put together a one-page document that had some pictures and some marks. I had sent it to Selectman Luszey. I think he had since forwarded it to the entire Board when we were notified that you were going to be spearheading the effort.

At this point, Chairman Maddox indicated we're still trying to gather our facts before we call a meeting with you people. All we were going to discuss tonight is what documentation the Board sees it wants nothing more about the alleyways. There will be no decision tonight. There will be little discussion other than what information the Board is looking for to be able to make their decision.

Jenn Robichaud - 18 Haverhill Street, Hudson, NH. I'm here with my Mom. My Dad has had some surgery so he's unavailable this evening so I'm kind of speaking for him, for them, in his absence. They weren't able to make the meeting in June and I have reviewed the minutes of that meeting and I've also reviewed the minutes of the previous meeting. I just wanted to offer a little insight into the other end of the right of way. If the Town decides to close the right of way or sell off pieces of right of way, it will dramatically affect four property owners who use that right of way on a regular basis. In reviewing some of the minutes, it looks like some people think that pucker brush, fences that the right of way is clogged on the 15R location. We don't care what goes on the other location. On 15R, there is a driveway that my parents have used since they bought the house, since the early 80s that they continue to use today - my parents and a couple of their neighbors. If this Town decides to sell for whatever - pieces of the right of way, their property will be dramatically de-valuated. At one time, they owned four lots in that neighborhood. They lost one of the lots when the community changed some zoning laws and condensed two lots. They had one big lot that at one time had two lots. They lost some money there. They lost about \$3,000 when they had to sue someone who tried to close the right of way on Fulton Street - had to take them to court. That action is in your packet. They won in court - the owners on Fulton Street are forever barred from ever closing this right of way.

They've lost money from trees in the right of way that we never knew the Town took over that have fallen into their home, fallen into their neighbor's yard, fallen into their neighbor's home and paid the bills on that. Paid, and paid, and paid, and paid. They just want to use their driveway that they've used since they've purchased the home. They've been there almost 40 years. Shocked that the Town owns this property. Shocked that for am I right \$1 the Town was able to come in and buy these right of ways and now have ownership...Chairman Maddox indicated that we did not buy them. We took them because the people didn't pay their taxes. Mrs. Robichaud guessed that's the luxury of the owners that the Town have. Unfortunately, I don't think anyone who uses the right of way and who has used the right of way since the 1800s had that opportunity. Where do we go now? My family is very discouraged to hear that there would be even any talk of selling up the pieces. You sell off the pieces, you're going to close access to four of those lots.

Chairman Maddox thought you're misunderstanding what we said. Mrs. Robichaud hoped she is. Chairman Maddox said he didn't think we ever talked about selling off pieces. We talked about selling the entire alleyway..Mrs. Robichaud - to the highest bidder? Unfortunately because we took it by taxes, Chairman Maddox said we are kind of handcuffed of how we can dispose of it. Jenn said she gets that no one in this room had anything to do with that taking. I understand today the Town Fathers would probably never do such a thing. Chairman Maddox said if they knew what the consequences were, they probably wouldn't. Jenn indicated that this is where we are today. To hear the thought of condoing it and getting everyone to jump in, and share it, and get along, you own it. You own it. No one should be on it. Can I go to Benson's and leave my vehicle there for the year? Chairman Maddox stated that's the dilemma we're stuck with. Again, I'm kind of going to have to say we're going to cut this off because this is not a discussion about the alleyways. It's truly about what information this Board is looking for to make a decision on the alleyways. I don't think we need to go into all the details that I think you want to get into. We will notify you.

Jenn Robichaud said that the Board has the court case. You clearly know that there's a court case. It cannot be closed. The court's say it can't be closed. Chairman Maddox said he didn't think that anyone on this Board was planning to - you can't change that. That is with the deed. It is truly a function of people cannot be parking their private vehicles on town property. That's what it really comes down to, or structures. Whether we keep it and try to enforce that or the other option was to go out to a sale is what we were looking at. We will meet with you again before the next meeting about this. Again, we're just trying to decide what information this Board thinks it needs to be able to have a meeting with you. Jenn Robichaud said she knows there's others and time is limited and you have a bunch of other things to talk about but if you could just answer that one question. As the Ordinance stands today, can I park my vehicle on town owned property 24/7 all year long and if I did, what would happen? Chairman Maddox indicated that he was not prepared to answer that question. That's something we'll put it in our notes for when you come in. Mrs. Robichaud thought it was something to think about. This alleyway is a piece of property that we all own just like we own Benson's and other properties. People don't belong parking there 24/7 or obstructing it. Chairman Maddox said that is the dilemma that we are now in. Jenn thanked the Board for their time.

5. NOMINATIONS AND APPOINTMENTS - NONE

6. CONSENT ITEMS

Chairman Maddox asked if any Board member wished to remove any item for separate consideration.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to approve consent items A, B, C, D and E, as noted or appropriate, carried 4-0.

A. Assessing Items

- 1) Elderly Exemption - Map 191, Lot 82, w/recommendation to approve
- 2) Tax Deferral Application - Map 191, Lot 82, w/recommendation to approve

B. Water/Sewer Items - NONE

C. Licenses & Permits

- 1) Raffle Permit - St. Kathryn Church

D. Acceptance of Minutes

- 1) Minutes of the May 28, 2013 Meeting

E. Calendar

- 7/10 7:00 Planning Board - Buxton CD Meeting Room
- 7/10 7:00 Benson Landscape Cte - BOS Meeting Room
- 7/11 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
- 7/16 7:00 Cable Utility Cte - BOS Meeting Room
- 7/17 5:00 Municipal Utility Cte - BOS Meeting Room

- 7/17 7:00 Senior Affairs Cte - Buxton CD Meeting Room
- 7/18 2:30 Trustees of Trust Funds - Buxton CD Meeting Room
- 7/18 7:00 Benson Park Cte - BOS Meeting Room
- 7/18 7:00 Budget Cte - Buxton CD Meeting Room
- 7/22 7:00 Recycling & Energy Ctes - BOS Meeting Room
- 7/23 7:00 Board of Selectmen - BOS Meeting Room
- 7/24 7:00 Planning Brd - Buxton CD Meeting Room
- 7/25 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on June 25, 2013

- 1) *Motion by Selectman Luszey, seconded by Selectman Nadeau, to take for taxes for the 2010 tax year 4 Bridle Bridge Road, Map 145, Lot 006, carried 3-1. Selectman Maddox in opposition.*
- 2) *Motion to adjourn at 11:18 p.m. by Selectman Luszey, seconded by Selectman Brucker, carried 4-0.*

8. NEW BUSINESS

A. Request to waive/defer fee for use of Community Center - Hannah Dustin Quilt Guild

Chairman Maddox recognized Linda Simmons.

Linda Simmons thanked the Board for allowing me to come and present a petition to the Board. I represent the Hannah Dustin Quilters Guild which is an organization between 150 and 75 quilters who meet at your Community Center once a month for 10 months of the year. We've been doing this for many, many years. We pay a rental fee of \$200 per meeting time per month. In the past, we've always paid our rental fees on time and in full. However, our fiscal year just ended at the end of June and we find ourselves in a very difficult and unusual situation of having the majority of our money missing from our treasury. We have taken the steps with law enforcement and we are in the process of working through this. We've received a little bit of the money back but not much. It left us with very little funds to start our year in September. We have an outstanding balance, one of many outstanding bills that we discovered at the end of June. An outstanding balance to the Town of Hudson for \$1,200 in fees for the last several uses of the Community Center.

Ms. Simmons indicated we're in a tight financial situation. We're dedicated to correcting this. We're dedicated to getting healthy again financially and certainly paying our bills. We would like to continue to rent the Community Center one day a month for the coming year starting in September. What we're petitioning the Town of Hudson for tonight is because of our particular circumstances at this time to either consider waiving some of the funds owed and the balance due of \$1,200 or possibly giving us an extended the grace period to pay our rental fees for the usage of the hall.

Selectman Luszey didn't think it would be right to write out waive them but I do think we should allow the Guild the opportunity to work out a payment schedule with Mr. Yates, the Rec. Department, or the Finance Director that gives them the time to recover from this loss.

Selectman Nadeau asked how we came up with the amount of \$200 per meeting for them. Mr. Malizia indicated it's been memorialized in the Town Code for some number of years. I think probably since we took over the Community Center. They were I think and inherited user and the fees were set back in the 90s somewhere and that's been the number. I believe it represents our cost of breaking it up, setting it up, tables, cleaning it up. So that's the history of it as far as I know it's been in the Code Book for quite a while. At least probably since the 90s.

*Motion by Selectman Luszey, seconded by Selectman Nadeau, to extend the grace period based on an amendable agreement between the Town Administrator and the Guild to pay the rental fees in full, carried 4-0.*

Chairman Maddox stated that we're not going to pressure you. We understand that you're a great group of volunteers doing some good work down there. Again, we're going to work with you. Ms. Simmons thanked the Board for hearing our petition. We appreciate it.

B. Acceptance of a donation of \$140.00 from the 15<sup>th</sup> Citizen Police Academy graduating class

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia indicated that this was a cash donation from the participants of the 15<sup>th</sup> annual Citizens Police Academy. I would recommend that you accept this with the Board's thanks and appreciation.

*Motion by Selectman Luszey, seconded by Selectman Brucker, to accept the donation of \$140 from members of the 15<sup>th</sup> Citizen Police Academy to be put in the police donation account with the Board's thanks and appreciation, carried 4-0.*

C. Acceptance of a donation of \$250.00 from McDonalds

Chairman Maddox recognized Town Administrator Steve Malizia.

Again, Steve Malizia indicated a donation to the Fire Department from McDonalds in the amount of \$250 went to the fire donation account. I recommend you accept this with the Board's thanks and appreciation.

*Motion by Selectman Brucker, seconded by Selectman Luszey, to accept the donation of \$250 from McDonald's to be put in the fire donation account with the Board's thanks and appreciation, carried 4-0.*

D. Acceptance of a donation of an Imperial Ice Rescue Suit from Chief Murray

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia indicated that Chief Murray recently attended the New England Association of Chiefs Conference in Springfield, Massachusetts. Apparently he entered a raffle and won an ice rescue suit worth approximately \$595 and he would like to donate that to the Town of Hudson. Selectman Luszey stated that he didn't win it, the Town of Hudson won it given that we paid his admission to that. Mr. Malizia didn't know if we paid for his raffle ticket but neither here nor there.

*Motion by Selectman Brucker, seconded by Selectman Nadeau, to accept the donation of an Imperial Ice Rescue Suit valued at \$595 from Chief Murray that he won while attending the New England Association of Fire Chief's conference with the Board's thanks and appreciation, carried 4-0.*

E. Notification of intent to negotiate - Hudson Police, Fire & Supervisors Association

Chairman Maddox recognized Town Administrator Steve Malizia.

As you are all well aware, Steve Malizia said you've received an intent to negotiate from other four collective bargaining units. Now you've received one from the Association. This is the Supervisors - Police, Fire, Town Supervisor folks which I believe Selectman Brucker represented as the liaison last year. This is the final one. I'm assuming that if it's okay with the Board, you'll reappoint Selectman Brucker and we'll move forward. Chairman Maddox indicated that she's appointed.

F. Alleyway Action Item Report

*Motion by Selectman Luszey, seconded by Selectman Nadeau, that we remove this from new business.*

As you know, Selectman Luszey said this alleyway was discussed at our last meeting and I volunteered to take this project on. I sent out a Memo requesting a number of pieces of information that I felt was needed in order to meet with abutters to begin the conversation on how we might come up with some solution. I then received a phone call from you Mr. Chairman telling me to slow it down and that you placed this on this week's agenda. I told you then it's a little late given that I was going to attempt to meet with the folks on July 3<sup>rd</sup>.

Now RSA 41:8 & 9 Selectman Luszey said it specifically outlines what the role of selectmen are. You Mr. Chairman have no additional authority over us. As a matter of fact when this Board assigned me this action item, they actually granted me authority to go and move this item. The LCG also has written a white paper summarizing a number of case laws that even refine the role of the selectmen and specifically that of the Chair. The Chairman's role has been stated to be that to moderate this meeting and this meeting only - not to manage us, not to micromanage us, nor to micromanage any member of the Town. With that being said, I'm not sure how this Board wants to proceed. We can see from tonight's meeting during the input session that we've caused some concerns and confusion with the abutters because we sent a group of our folks out there to start poking around. We did not create a plan with them on how we're going to proceed. We're not involving them. To your great quote, "We're making this glacial". The information that I requested you claim was probably a couple hundred hours worth of labor. Well we have a number of town employees that their sole role in life is to provide information to this Board and the community when we need it to solve these types of issues. With that Mr. Chairman, I'm not sure what the will of this Board is. They can either say yup we want to be glacial and let you continue to take this on or say no we want to get this resolved and put me back in charge. With that said, I'll actually withdraw my motion. Selectman Nadeau said he'll withdraw his second. Selectman Luszey asked the will of the Board.

Chairman Maddox said he was going to play Chairman for a second here. Selectman Luszey said to moderate the meeting. Chairman Maddox said he could not tell staff to do anything and neither can a Selectman. We sent you off to meet with these people and to I guess be ready for that. You asked for the six items that are on that list as well as having staff on July 3<sup>rd</sup>. You gave this on June 26<sup>th</sup>. So they had four days to pull together all the items you wanted and I was told that that was going to be a monumental task to accomplish what you wanted in the timeframe.

Selectman Luszey indicated that if they had an issue with that, they should have contacted me. Chairman Maddox indicated that they did not, we move on. The question of this Board is does the Board wish to have all of the information that is on page

2 for them to be able to make a decision in regard to alleyways knowing that, and again I did not get a definitive answer because the first thing they said was we'd have to look into what it would take to pull all of this together but it will be considerable resources to be able to do this. Is it the will of the Board to send staff off to pull all of this together so that Selectman Luszey can once again move forward or do they wish to hold off and take a look at what they really want or what they might need to be able to answer the questions in regards to the alleyways?

Selectman Nadeau asked what on here is going to take so much time? Am I missing something? Chairman Maddox read - "a list of all other town owned property which has not been actively managed same data as above; copy of the ordinances; copy of any letters issued to abutters regarding the use of this alleyway". That's all going to require going into the data server that we have and if it's passed that, going over to the way back storage in Nashua and going through the paper files. Again, it's just a matter of time to be able to do that. Selectman Nadeau indicated that we know that these are the only two alleyways that we have in town. Chairman Maddox said correct. Again, if you're willing to say you want everything except number two, that would certainly reduce down the amount of man hours that are going to be necessary.

Selectman Brucker thought that when we had the last meeting that whichever Selectman went and met with the people would be discussing something that could be done with the agreement of all of these abutters and not necessarily something of this nature where we have to expend a lot of hours and a lot of money to figure it out. I thought it was something that all of the residents might be able to work out with the Town's help at a meeting.

Selectman Luszey said that is the task but without the information, we can't just work it out with them. There are titles, deeds, ramifications to the abutters and us the taxpayers and the Town on what we decide here. So without all of the necessary backup documentation, they're to have a conversation with those abutters we really don't have a solution. Selectman Brucker said we own the alleyway so if they decide that they want to take ownership of it, they would work that out on their own. We wouldn't be able to tell them how to do that. Selectman Luszey said that's kind of where we're missing the step. We just can't say you now own it. We don't have that authority. We'd have to sell it to them. Selectman Brucker said that's what I mean. Selectman Luszey said do you do it one person or do you do it for each person and somehow divide that up so it's equitable amongst each person and make each lot whole. It's not something that we can decide in a casual sit down. There are things like, and I put it down here, if we should break up that alleyway into lots that now get added to each additional lot there's re-recording of the deed. Who would be responsible for that and what's the cost? Do we have to repurchase the tax stamp that gets filed in Hillsborough County? So there are things that pertain to title law that we need to be clear on. There's also things around the zoning and some of the past ordinances that we passed. Did we do anything? When the Town took that property, did the Town notify all abutters that that piece of property is now Town owned and they couldn't use it? There is some case laws that may suggest that give that we haven't actively done anything with it, the word "grandfather" may come into play huge here because the residents of those lots that improve the alleyway materially may have a claim against it now because we did not tell them stop, don't do that. Now the Town knowingly let them improve an unimproved lot.

Selectman Brucker said isn't that part of the history. Selectman Luszey said yes. It is part of the history but it's also part of title law that we need to research. Selectman Brucker said she's not suggesting that and I'm not sure that the residents would want to be adding space from the alleyway onto their lot because then you run into all the problems of who can access it. I'm suggesting that it be sold in one piece. If there's 20 people living on the street...Selectman Luszey said that maybe a solution that they would be amenable to but as far as the easement, I own a piece of property in this town that I have a driveway going through the back yard of it for the lot next door. They've paved it and they can do what they want with it. I cannot tell them not to but I pay the taxes on it. Since we own the alleyway, Selectman Brucker didn't think that that's an issue.

Chairman Maddox noted that Mr. Malizia I believe you've told me that the grandfathering that Selectman Luszey is talking about does not apply to municipalities. Steve Malizia said it was my understanding from our attorney that property cannot be adversely possessed from the Town. For example if I start putting something in your backyard for 40 years, I might have a right to your backyard. Town property my understanding is exempt from that based on what I've heard from our attorneys. That's the understanding. You cannot adversely possess town property, city property, municipal property.

Selectman Nadeau didn't think we need to get into six yet. I don't think we need to look at the cost of the tax stamps and that stuff until after you have your meeting and figure out what we're going to do with it unless you can find that out pretty easily through the Assessor's Office. The rest of the stuff seems pretty easy to get a hold of.

Selectman Luszey said that cost of the tax stamp and the filing fee is actually fairly easy to get. That's a phone call to the Clerk of Courts and the deeds on Temple Street. Chairman Maddox said the issue is it's going to expand the cost. Everything we do here selling the alleyway as it exists today is one thing. If we're going to go through the project of breaking them up and splitting them between all the lot owners, every one of those lots will then have to be resurveyed. Selectman Luszey indicated that was one of the questions. You're missing the point of this list. This list is a number of pieces of information that you use to get to a final decision point and solution. I don't think without this stuff we can automatically jump to the solution as we're going to sell it as a common lot to an association and we have to create an association. Who's going to create that? Someone in that neighborhood would have to create a company, an LLC, or something an association to form a legal entity to purchase that property from the Town and then take ownership of it. Then there has to be the legal documents that have to be created with each owner and the association just like a condo association on what the dues might be. It's not a simple answer. Without information to use to make those types of decisions, we're spinning our wheels. Quite frankly, I'm very disappointed

we're actually having this conversation here because it is in fact why this Town Hall and employees exist is to service the taxpayers and members of this community.

Chairman Maddox said the consensus of the Board is to do everything but #2. Selectman Nadeau said yes. We already know the answer to 2. The Town Administrator already looked at this stuff. Chairman Maddox said he did not look up all of that information in #1 and apply it to #2. There's what 200 properties that the town...Mr. Malizia said 194. That's what we own. Not everything is actively managed. The majority of that is not. Again, Chairman Maddox said he was trying to get a consensus of what this Board would like to do in regards to this amount of work. If we take off #2, I think that the rest of it is manageable. To have it by the 3<sup>rd</sup> of July was unrealistic.

Selectman Luszey indicated that we committed to meet with these people before this meeting to start this process off. Chairman Maddox told Selectman Luszey he was incorrect. We were going to have a meeting with them before the next time we had a meeting in regards to the alleyways. Two different things. Selectman Luszey said he begged to differ. If we're talking about the alleyway as an agenda item F, then the next time we're talking about the alleyway is right now. Chairman Maddox said we are talking about what this Board wants. We're not talking about any decisions in regards to the alleys. Selectman Luszey guessed his interpretation of the language is different than yours Sir.

Chairman Maddox - Board members, you two are the ones that are going to decide. What is it that this Board is wanting, needing? Selectman Luszey said to let's be real clear. There's two decisions this Board needs to make right now. One is if you're going to lead this action item or if I am, and 2) are we going to allow me to get the information I need when I request it so I can move this along? It's very different Sir. Chairman Maddox indicated that Selectman Luszey quit. You told me you quit. Selectman Luszey said exactly because I said I am not going to be something glacial because YOU overreached your authority by putting this on the agenda tonight and stopping that information to flow so I could have it for the 3<sup>rd</sup>. Chairman Maddox stated that's your interpretation.

Selectman Brucker said since she was the liaison to the Engineering Department, I just wonder in the Engineering Department this summer is very busy with the senior center, Zach's field, other items. How much of this would need to be hours that the Engineering Department would be need? Given the new organization, Selectman Luszey said all of it with the exception of the Statute issue. That would be something that we'd need help with from our attorney. Specifically all of this other than the GPS is either our Code Enforcement Officer, or our Town Planner, and the Assessor. So there's 3 officers that have resources that can answer these questions. Selectman Brucker noted that it didn't sound specifically like it's the Engineer.

Selectman Nadeau said one of the things you said is the interns need to go back out there and get into the pucker brush and look for more markers. I think that's something they can do when they have some time in the next week or two. Is that an acceptable time frame for you and what time frame are you looking for? Selectman Luszey said he never asked for the interns to go out there. Selectman Nadeau indicated we did that night we asked for that. Selectman Luszey said whether they go out there six months from now it really doesn't...Selectman Nadeau said that was good because we only have them for another 6 weeks. Selectman Luszey said he actually went and had a conversation with the Town Engineer about the accuracy of the GPS. It is plus or minus five feet. Given that, we can be the margin of error is too great to be close enough to say that pin should be there. Given where you start and with the buildup of error going toward the marker, we can be 15 feet off. So the GPS that we use is not accurate enough to really pinpoint the marker. It should get us in the general location to find one maybe but if there's one not there, we can't use it to mark it. That would really address what you're seeing. Any time they're free to kind of poke around if they can find more markers would be great but I don't think we need to specifically send them out there at any point in the near future.

Selectman Nadeau asked what the time frame was that you're looking for all this information in. Selectman Luszey said if the Board's will is for me to take this on, I would look to have it next week so I can set up a meeting. I would look for it next Thursday or Friday so I could have a meeting the following week with the abutters to start these conversations to figure out what is going on and what some solutions might be. Selectman Nadeau indicated if you told me two weeks, I might be a little bit more inclined to go with it because there's a lot of stuff going on here at Town Hall. The amount of information that's requested is a lot information. I think two weeks, three weeks would be even more reasonable but two weeks would be the soonest I'd like to have them start working on it. I'd like to have them start working on it as soon as they can and if they get it to you sooner, great you can have your meeting sooner but I think this is a lot of information.

Selectman Luszey pointed out the history. We have a number of Administrative Aides that can do that work because that is a research problem. A copy of the easement - Administrative Aide work. There's very little we're asking our high level employees to do here. Selectman Nadeau said right but the Administrative Aides are doing a lot of stuff right now too with the permits and that type of stuff. You are asking a lot. Like I said, two weeks I'd go for but not a week.

Selectman Brucker asked Selectman Luszey if the GPS isn't accurate enough do we need something else that's more accurate and what would that be? Do we need a surveyor? Selectman Luszey said his guess is at some point we are going to find out that someone is going to have to pay to have that surveyed if the markers aren't there. Chairman Maddox said the markers could be underneath any number of things in that. Since I have your reputation of being glacial, I would entertain that this be started on as soon as possible and if it is not complete by our next meeting you as the Engineering liaison would give us a date when it will be completed. Is that the consensus of the Board? Selectman Luszey stated it was not his consensus. Selectman Nadeau indicated it worked for him. Chairman Maddox told Selectman Luszey he was overruled. We're not

moving any faster than we were before. Selectman Luszey asked who was managing that so they can yell at you or me. What's the consensus of the Board on that one? Selectman Nadeau said if you want to do it, do it. Chairman Maddox stated just be aware that you have to give Selectman Luszey some guidelines. He thought you saying go have a meeting with these people he could direct staff to do anything and everything to be ready for a meeting..Selectman Luszey indicated that was Statute. That's what we did. Chairman Maddox said as long as the Board understands what you're doing.

Selectman Brucker does know that there's a lot of work up there with Inspectional Services - the new department, and for sure in Engineering but I will check with the Town Planner, and Zoning Administrator, and others. Chairman Maddox said you will as liaison to those departments come back to us if it's not complete by our next meeting when it will be for items other than #2. We all are in agreement, well all but one are in agreement that #2 does not need to be done as part of this.

Selectman Luszey asked another simple question. Is the deadline to have a solution presented to this Board the end of this summer, the end of the year, next year, when...Chairman Maddox indicated that he'd know in two weeks Sir when that schedule will be? Selectman Luszey thought the folks that are affected should have an idea as to when their questions will be answered. Chairman Maddox indicated as soon as we have an answer, we will get it to you. We are committed to sending them a certified letter telling them that we are going to have a meeting. I know that you're the "flash" but we're not.

Selectman Brucker didn't think that anything that between now and when we complete this, I don't think that their ability to use that alleyway is in any way hampered correct? They can still go in and out. Selectman Luszey stated that one of the residents put improvements to their lot on hold until we get resolution to this because it impacts their lot significantly. Selectman Brucker indicated it was just a question. I don't want them to be unable to drive in and out of there. Chairman Maddox said they can pass it no matter who owns it. They have the right to traverse that alleyway. They can't put sheds in it. They're not supposed to park on it and those types of things. They can traverse it to that woman's parent's garage in the back. Theoretically they can't park the car in front of the garage in the alleyway. Again, I just think that we're trying to get into it and we need to at least get some of this data. Selectman Luszey indicated that the 23<sup>rd</sup> is when I'm expected to see this stuff. Chairman Maddox said you will either have it or an answer from Selectman Brucker the liaison.

Jenn Robichaud asked if the Chair would allow one comment very brief. Chairman Maddox said no because that will start three more conversations. We're not really here to talk about the alleyways. We're here to talk about what we needed for this. You will have your chance when we get to the end of this. Jenn Robichaud indicated that you're spending a lot of money and a lot of time moving forward in the next two weeks Sir - labor, and you have people here who don't want to buy it, don't want to condo it. You just said you own it. You just said we can't park on it. Can't we move on from there? Thank you for your time.

#### G. Board of Selectmen Action Item Report review

Chairman Maddox asked if everyone was in agreement with what it is stating.

Steve Malizia indicated that they looked at the budget to actual which is the May and June, that's been done. I don't know if that still needs to be on there. As you're well aware, the Board did look at that and made transfers. For example for Inspectional Services, that's probably an item that is done.

Chairman Maddox said we have still not received the drawing of the elephant barn asbestos. Selectman Nadeau thought we did. Chairman Maddox was just questioning. It says open. Mr. Malizia indicated that we'll look. I thought we did too. We'll check. Selectman Nadeau thought we got the final plan, and everything was fine, and they went and did what they were going to do. Selectman Luszey said they came in. Selectman Nadeau indicated that this can be crossed off the list as long as we have the paperwork.

Chairman Maddox asked Selectman Luszey you had said you had something you thought was closed but it was still open. Selectman Luszey thought it was the IT 3 to 5 year plan. I'll check my out box. I updated this file and replied to you. Basically what it is I want to say probably 2 months ago we had the IT Director in here talking about what could or could not be outsourced today. At the meeting, I requested that the IT Department begin to put together a road map that would cover a 3 to 5 year period to begin to look at what elements of our infrastructure would be moving to the cloud given that is the general trend of IT infrastructure and also what the desktops may or may not look like because there is a trend of moving toward tablets for that type of application, bring your own device to work and using that. There's this huge transformation that's taking place. I asked to have that added to the list.

#### 9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau - I'll keep it short and easy tonight. The first thing is on Thursday of this week they're going to start on Robinson Road reclaiming and paving. They're out there this week doing some tree work and stuff on the side of the roads getting it ready for this. There's already been some delays and traffic issues. Please be aware starting Thursday - the message boards are all up that they're going to be reclaiming and paving and it will be about a week and a half for this project to get done. You can see that they already did the work around the fire station as part of that project. Be aware that there's going to be long delays. Please seek alternate routes starting Thursday this week and for about a week and a half weather permitting everything goes great.

The other thing on July 5<sup>th</sup> I went to a funeral service for a person who I worked with for many years in this town and that was Jim Staffier-Rodgers. He passed away around the first of July and his service was on the 5<sup>th</sup> of July. It was up at the Veteran's Cemetery. Jim worked on the first Council on Aging for the Hudson seniors and I had the pleasure of working with him then. It was a very nice service up there and he's buried up at the Veteran's Cemetery. My thoughts and prayers go out to his family.

Selectman Luszey - Just two items tonight. I think we all received an e-mail from Mr. Cashell regarding a project on I guess it would be Lowell Road - the southbound lane leading to the Sagamore. Are we going to take this up here or is this because he suggest that we take this up. Chairman Maddox guessed it would be something for Selectman Brucker to follow up on. As I understand it, things have changed since that Memo was issued.

Selectman Luszey indicated is other only item for this evening is the senior center. We got an estimate for breaking the electrical and gas service into two - one for the senior center floor and one for the cable center floor. It came in at \$76,283. I basically told the Town Engineer don't do anything. I'll bring it up here and my recommendation is that we don't break the service into two and we should work with the Finance Director in coming up with the algorithm to proportion the utilities. This is ludicrous. Chairman Maddox indicated that that wasn't in the original base bid. Selectman Luszey said no it wasn't. That was an add after we approved the plans. It was an oversight. It was part of the original requirements document but the drawings we missed it. They did not include it. When we found that, we asked the Town Engineer to request an estimate on what it would - I figured it would be a meter and another electrical box. Maybe a couple thousand dollars but \$45,000 for mechanicals, electric is \$24,000, and Brookstone is \$7,000. It comes to \$76,000. I said no. There's no payback for it. Chairman Maddox said there is it's probably 216 years. If this Board is okay with that, Selectman Luszey said he'd let the Town Engineer know to go with what we got and we'll work out the algorithm.

Selectman Brucker - Conservation Commission met last night. There was a group that took a site walk at the old Hogan's property to check because they're going to be building into the buffer area. The feeling is that it's not going to cause problems and they are going to treat any of the water runoff. The idea of the buffer is to sort of treat the water as it's running off anyway and if they're doing it, there's not a problem with it. The DASH Unit - on June 24<sup>th</sup> it was used for 3 days on Ottarnic inlet. I told you it would be used at the inlet because that's where these invasive species come in. So it's going to be used 10 days at Robinson splitting it up with Ottarnic. They did do the herbicide treatment on June 27<sup>th</sup>. I asked him if we could see any evidence of it working. He said within the next two weeks we should see the Fanwort dying. This is using that new Clipper Herbicide.

Selectman Brucker indicated they did a site walk on the circumferential highway site. At some point you have to cross a creek. They were talking about how would you solve this problem. Interesting. Selectman Luszey asked if we're building a highway that we need to solve this problem. Selectman Brucker said not at this point but it keeps coming up. Selectman Luszey believed that was the creek that cost us not to be able to build it. The EPA knocked us down. Chairman Maddox said a four land highway. We still have some options with a two land town road. We're still trying to be prepared for whatever may come along as glacial as it may be.

Selectman Maddox - We get down into the nitty gritty of herbicides, DASH Units, and alleyways but I think that people that look at Hudson from a little further away are realizing that this is a great community for a lot of reasons. If you look at us from that blimp I guess and see that we have had the same water and sewer rates for probably the last dozen years. Our tax rate has been as stable as any. We have a great location. We have roads that I've got to tell you are far superior to many, many other communities. So this is probably being recognized. I think we're going to see at the Planning Board level and at town level a number of interesting and great opportunities here in the town in the near future because of stuff that we just do grinding in day in and day out. As glacial as it may be, it is recognized from afar. Kudos to our staff. We may be here for a couple of hours on a Tuesday night but the people that make it work in the background. We don't realize the time and energy that they are putting forward to make this the great community that we live in. For that, I thank all of them.

10. NONPUBLIC SESSION - NONE

11. ADJOURNMENT

Motion to adjourn at 7:59 p.m. by Selectman Luszey, seconded by Selectman Nadeau, carried 4-0.



Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

\_\_\_\_\_  
Richard J. Maddox, Chairman

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Nancy Brucker, Selectman

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Ted Luszey, Selectman

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Benjamin Nadeau, Selectman