

HUDSON, NH BOARD OF SELECTMEN
Minutes of the June 11, 2013 Meeting

6:30 p.m.

Attorney-Client Session, pursuant to RSA 91-A:2 I
(not open to the public)

1. CALL TO ORDER - by Chairman Maddox the meeting of June 11, 2013 at 7:18 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE - led by Selectman Coutu.

3. ATTENDANCE

Board of Selectmen: Rick Maddox, Nancy Brucker, Roger Coutu, Ted Luszey, Ben Nadeau

Staff/Others: Stephen Malizia, Town Administrator; Donna Graham, Executive Assistant; Patrick Colburn, Town Engineer; Jim Michaud, Assistant Assessor; Kathy Carpentier, Finance Director; Mike O'Keefe, Chairman Cable Utility Committee

4. PUBLIC INPUT

Chairman Maddox asked if anyone in the audience wish to address the Board on any issue which the Board has control of at this time. Seeing none, we'll move on.

5. NOMINATIONS AND APPOINTMENTS - None

6. CONSENT ITEMS

Chairman Maddox asked if any Board member wished to remove any item for separate consideration. Seeing none.

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

A. Assessing Items

- 1) 2012 Tax Abatement, Map 234, Lot 31, w/recommendation to approve classification and abatement
 - To approve the granting of a Residence in a Commercial/Industrial zone classification for the property located at Map 234, Lot 31, 281 Lowell Road, as recommended by the Assistant Assessor
 - To approve the granting of an abatement to Map 234, Lot 31, 281 Lowell Road, as recommended by the Assistant Assessor
- 2) 2012 Tax Abatement, Map 134, Lot 45, w/recommendation to deny
- 3) Charitable Exemption, Map 237, Lot 57, w/recommendation to deny
- 4) Certificate of Yield Taxes Assessed/Timber Tax Warrant, Map 145, Lot 015, w/recommendation to approve

B. Water/Sewer Items - None

C. Licenses & Permits

- 1) Raffle Permit - Hannah Dustin Quilt Guild

D. Acceptance of Minutes

- 1) Minutes of the May 7, 2013 Meeting

E. Calendar

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| 6/12 | 7:00 | Planning Board - Buxton CD Meeting Room |
| 6/12 | 7:00 | Benson Landscape Cte - BOS Meeting Room |
| 6/13 | 7:30 | Zoning Brd of Adjustment - Buxton CD Meeting Room |
| 6/18 | 7:00 | Cable Utility Cte - BOS Meeting Room |
| 6/19 | 5:00 | Municipal Utility Cte - BOS Meeting Room |
| 6/19 | 7:00 | Senior Affairs Cte - Buxton CD Meeting Room |
| 6/20 | 7:00 | Benson Park Cte - BOS Meeting Room |
| 6/20 | 7:00 | Budget Cte - Buxton CD Meeting Room |
| 6/24 | 7:00 | Recycling & Energy Ctes - BOS Meeting Room |
| 6/25 | 7:00 | Board of Selectmen - BOS Meeting Room |
| 6/26 | 7:00 | Planning Brd - Buxton CD Meeting Room |

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on May 28, 2013

- 1) *Motion by Selectman Luszey, seconded by Selectman Nadeau, to authorize the Fire Chief to hire Juliette Kennedy for the position of Permit Technician in the Fire Department at a starting salary rate of \$19.85 per hour (Step 1) effective June 2, 2013 and then to Step 2 upon successful completion of the probationary period. This assignment will be a non-exempt position in accordance with the American Federation of State, County, and Municipal Employees Council 93 and Local #1801 Hudson Administrative and Support Staff Contract," as recommended by the Fire Chief, failed 2-3.*
- 2) *Motion to amend by Selectman Coutu, seconded by Selectman Brucker, to authorize the Fire Chief to hire Juliette Kennedy for the position of Permit Technician in the Fire Department at a starting salary rate of \$20.28 per hour (Step 2) effective June 2, 2013 and then to Step 3 upon successful completion of the probationary period. This assignment will be a non-exempt position in accordance with the American Federation of State, County, and Municipal Employees Council 93 and Local #1801 Hudson Administrative and Support Staff Contract," as recommended by the Fire Chief, carried 4-1. Selectman Luszey in opposition.*
- 3) *Motion by Selectman Coutu, seconded by Selectman Nadeau, to hire Zachary Keller as the Part Time Animal Control Officer with a starting rate of \$15.50 per hour effective June 2, 2013, carried 5-0.*
- 4) *Motion by Selectman Coutu, seconded by Selectman Nadeau, to hire Gregory Emanuelson as the Part Time Alvirne High School Student Maintenance Assistant at the Police Department at a starting rate of \$10.00 per hour for fifteen (15) hours per week, effective June 2, 2013, carried 5-0.*
- 5) *Motion to adjourn at 11:26 p.m. by Selectman Coutu, seconded by Selectman Nadeau, carried 4-1. Selectman Luszey in opposition.*

B. Votes taken after Nonpublic Session on June 4, 2013

- 1) *Motion to adjourn at 8:44 p.m. by Selectman Coutu, seconded by Selectman Brucker, carried 4-0.*

C. Train Station

Chairman Maddox recognized Town Engineer Patrick Colburn.

Thank you Mr. Chairman and members of the Board. Patrick Colburn said if you recall, I was last in the last meeting in May, the 28th, and we discussed a couple of issues that night. One was funding for the project - our obligation to the DOT and Federal Highway in accordance with our agreement. Two was the foundation under the building. We had rounds of discussion and basically I was sent away within a deferral to a non date specific time and was asked to come back when I had all the answers. I made a plan with Representative Jasper that evening to communicate with the DOT and plan a date and time for them to come down and meet with the both of us to go over all of our options for everything that we discussed at the last meeting. I haven't done that yet. In fact, I don't believe I've gotten any of the answers that you asked me for but then I was asked by Chairman Maddox to come back this evening and discuss this project again basically with the same information that we had to date. What I thought was the best option was to take all of the history that I've gathered in my office and at the last two meetings in front of this Board and put it all down in black and white for you folks to read prior to this evening. That's the purpose of the memo I drafted June 7, 2013.

Chairman Maddox indicated that there's the setup I guess if you would. If you've read the packet, you saw that we are programmed through the Federal Highway Transportation Grant for \$389,251 and 25 percent of that is our obligation which is \$97,312 due to additional monies spent increased costs. Of that \$97,312, our obligation is short \$45,161 it says on the last page. So waiting another year to possibly have it deferred if the votes say no, it's just going to keep ratcheting up these costs. Warren Street has been I guess the word I would use is "patient" in all of the delays, the audits and all of those things. The costs just keep on ratcheting up. Really what this is about is putting a full basement underneath the train station.

Motion by Selectman Luszey, seconded by Selectman Coutu, that we move the train station with just the knee wall.

Selectman Luszey indicated he's done some analysis and I think given all the hoops we need to jump through in order to 1) use that building and possibly retrofit it for some of the uses that we think we might want to use it for, the cost exceeds the cost of putting up a dedicated building. I think to move this project forward we should move it with the knee wall, put it there, and then see where it takes us from there.

Selectman Coutu indicated he had a couple of things. Number one, it was exactly what I wanted to do. I just didn't jump at it right away as Selectman Luszey did and jumping at it is a great thing. I think we need to put this to bed once and for all. We're escalating the costs. We're not making decisions. We keep putting it off. We keep burdening the Engineer with more and more work. He's got a lot of other things going on besides this. This has been a nightmare for a long time. It's time to put it to

bed. I do have a technical question based on the memo. It would have to do with you Ms. Carpentier as Finance Director if you would come up please to the microphone. It's just going to be a simple question. I'm not going to put you on the spot. Do you have a copy of the memo packet? On page 2 KC, you mentioned that our obligation is \$35,665 and then it further states that during the May Selectmen's meeting, Selectman Nadeau explained to the Board that the donation account which is part of the May memo from the Finance Director could not be used towards the train station project, which I understand. This means our shortfall is going to be \$45,000. Was it originally planned that we were going to use \$10,000 out of the - I didn't think they had an account that big \$10,000. I don't understand why it went from 35 to 45 by not using a donation in the Benson account.

Kathy Carpentier indicated that the purpose of this memo, and I've been doing it for many years is just to tell you what funds because people say it's in the Benson fund. All I was listing was a) has this money, b) has this money, c). So if you look, I was just saying a through c is \$58,000. So everything that was in the Shepard's Hill Capital Reserve and the donations. It was never my intention to say it was authorized for this use. It was just telling you the available funds. D and E because they were current year operating expenses, I never put them in the pool of money that could have been used. I do believe though just for correction, the donation money has come from many projects. The Board has accepted it as Benson money for Benson projects. So it is up to this Board on how you use it. If you choose to put flowers at the gorilla cage as you did at the previous meeting, that's your prerogative but you could also put it here if that's what you chose to do. When you accepted it, you accepted it as Benson money. Selectman Coutu thanked Ms. Carpentier. That's satisfies my inquiry.

Mr. Chairman, Selectman Coutu indicated there's going to be a shortfall no matter what we do. I think Selectman Nadeau and I are both on the same page when it comes to the donation account. I truly believe that each and every one of those projects when money was returned to this town for Benson; it wasn't intended for the train station. It was intended for areas of beautification for Benson. These kids put a lot of effort in raising the money and doing their project. I truly believe it was never intended. I don't think they even know about the train station. They know there's a little oblong building sitting on the side there but I don't think they see that as relevant to their projects and the intent of the money. Would you agree with me Selectman Nadeau? Selectman Nadeau said yes. With that, and Selectman Coutu said he does want to put this to bed, we signed an obligation. We contractually obligated this town - or I didn't, I wasn't on the Board at the time and neither did and I think it preceded your time even - when this was signed with DOT. This has been ongoing for quite some time. There is an obligation to the 25 percent. We're obliged to pay these fees for audits because they're obligated to do so many based on their statutes or regulations. We need to put this to bed. We need to have Mr. Colburn get some rest from this thing and get this project started. If we approve this and we can get this knee wall built, we can get that damn thing moved and it's going to sit there because we're never going to have the money to do the interior certainly not in my lifetime. I whole heartedly support Selectman Luszey trying to put this to bed immediately.

Chairman Maddox stated that's why we brought it back. As much as I respect Representative Jasper in waiting until March that was just going to escalate costs and could do a number of different incantations that we can put a maintenance building. I know that I talked to Selectman Luszey about getting figures to be able to do that. The storing of lawnmowers and equipment in that full basement although would have been convenient is not the only answer.

Knowing that we were running a shortfall, Steve Malizia said he took a look at the budgets to determine where you could get the money. I have a real simply spreadsheet here showing you that these two accounts -contingency and Town Poor which we're under running, I've identified about \$55,000. If you believe you have a \$45,000 shortfall, it would be prudent to take \$45,000 commit it to this project from these accounts. This is again this will lapse at the end of this fiscal year if you don't spend it and just dedicate it to Benson's so that we don't have to have these conversations again as to where we're getting the money. This leaves the donations in the donations but takes into account all the other money. Selectman Coutu asked if this would be a transfer from these accounts to the Benson trail station account. I don't think we have a train station account. What do we have Ms. Carpentier do you know? Ms. Carpentier stated I do know what you have but I don't know where you'd put it. You could either put it in the capital reserve account, which you are Board of Selectmen are agents to expend, or in the Benson/Shepard's Hill account. I don't think that's a great idea. Mr. Malizia said maybe we could do a PO to the vendor and commit it that way somehow. I'm trying to think what account we would charge because we do have a vendor. We're using Warren Street. We have an obligation and we should do a PO and obligate the money that way.

Chairman Maddox had a question of both of the people at the table. Because we have not finalized this, we still do not know whether we can use town forces. So that number is still flexible. So what I would suggest is we take \$15,000 from the top line and \$15,000 from the bottom line and put \$30,000 at this point and we'll take whatever we need to if there is additional monies needed from the FY14 budget. Selectman Coutu indicated that's been a problem pre-committing money all year to everybody and anything. If we have money at the end, now we're going to take it before the year even begins. I say commit what we need based on these numbers and whatever we don't use put it back in the general fund when we're done with this project. If there's \$10,000, \$15,000, \$20,000 left over, put it in the general fund. Chairman Maddox said okay. Put all your nickels in one pile but that's...

Selectman Brucker asked what is the Town Poor money used for. Is it used for if a family is burned out of their home? Steve Malizia said it's for public assistance. Right now we're \$55,000 under budget. We're not going to spend that in the next month or the next two weeks. So there's money there. The Selectmen's contingency account is money that you've raised through the budget. It starts with \$50,000 at the beginning of the year. I believe you have \$42,000 left. So I said take 40 unless anybody here thinks of some other contingency item that they're going to spend it on. I was just trying to identify between

those two accounts some money that you could have for this project which you've committed to but do not have enough money to do.

Selectman Nadeau indicated that one of the things that we wanted to use our contingency money for was the gas pump out here. Chairman Maddox said that's why I'm trying to keep some of that contingency back so that, again, we don't know what the total cost of this project is. We know that we're escalating towards 45 but if we're allowed to use the Town Engineer and our town staff, that number could drop \$15,000.

Patrick Colburn indicated it could but I believe that the expectation from Federal Highway and DOT is that we have reserved our full obligation. If money is saved, it comes off the overall budget and we save 25 percent of that. I believe that's the protocol and the way that they've established the agreement.

Steve Malizia noted that the gas pump is in next year Fiscal 2014's budget. If you recall, we made some transfers to accommodate the default budget which was a pretty slim margin but the gas pump is in the FY2014 budget. Selectman Nadeau said okay as long as it gets done in my time.

Chairman Maddox indicated that they have motion which you're going to amend Selectman Luszey to take monies from these two accounts.

Motion by Selectman Luszey, seconded by Selectman Coutu, that we move the train station with just the knee wall and amend by taking \$15,000 from Account 5151-258 and \$30,000 from Account 5940-298.

Selectman Coutu asked where they were going to put it. Are we going to leave that up to the Finance Director? Selectman Nadeau said they're going to pay Warren Street. Ms. Carpentier said at this point the best thing to do is cut a PO to Warren Street and encumber it. The money will be reserved, whatever the total is that the motion was for and if it's not spent at the end of next year it just lapses and never comes out of the operating budget. Selectman Luszey indicated that the total is \$45,000. Selectman Coutu agreed.

Vote: Motion carried 5-0.

Selectman Coutu thanked Mr. Malizia for finding that money.

Without objection, Chairman Maddox asked to take New Business D. the MDA Boot Drive out of order.

New Business B. MDA Boot Drives

Chairman Maddox recognized Firefighter Greg Rich.

Greg Rich indicated that he was here tonight to ask the Board of our permission to run our annual 3 boot drives that the professional Firefighters of Hudson 3154 runs right here in the intersection. The dated this year will be June 15, July 13, and August 10. All the typical safety measures with the signs, the vests, no one in traffic when the light turns green will be in place.

Motion by Selectman Brucker, seconded by Selectman Nadeau, to approve the Professional Firefighters of Hudson's request to conduct MDA Boot Drives on June 15th, July 13th, and August 10, 2013 with stipulations previously placed by the Board of Selectmen, carried 5-0.

Selectman Coutu asked Greg how did we do statewide. Greg didn't think they finished first. I think Windham was ahead of us. I'm not 100 clear. Selectman Coutu said we can't let Windham beat us. You guys have been number one for so long Greg indicated that it was a guy that left Hudson to go to Windham that's running it. Thank you very much guys. Have a good night.

D. Request for Proposal to Provide Labor Legal Services

Chairman Maddox recognized Town Administrator Steve Malizia.

At the meeting on the 14th of May, the Board reviewed 6 proposals that were submitted for labor legal services. This is a service to do with our labor matters and to deal with collective bargaining. During the review, there was a question that arose that what would the rate be during negotiations? As you're aware, the current practice or the firm we were using previously had a different rate for the negotiator in comparison to the attorney. So when we litigated it was one rate, when we negotiated, it was a separate rate. I inquired of each of the bidders what their rates were and I've tabulated those. I think it's on the back of your front page. You can see the negotiation service and the non-negotiation or the litigation type services which would be for grievances, arbitration, and other matters that you have discussed with the legal labor attorney. They are arranged. It does appear that I'd say most of them or a good of them charge the same rate. I'm assuming they're using their litigated their attorneys they stated also as their negotiator. I noticed that just a couple of the firms use a different negotiator. In anticipation, I took a quick look just to get an idea of kind of what our ratio of spending was. I did a real quick two year look. For this fiscal year, about 59 percent of our labor legal expenses for labor legal services and \$18,000 or 41 percent were for the collective bargaining piece. Last year the ratio was 66 percent for legal labor services and 34 percent for collective bargaining. We

actually tracked the data this way now in the budget. I just wanted to take a look at it to get an idea of what the split was. Just giving us an idea of the \$44,000 we've spent this year to date, \$26,000 approximately was for legal service. That will be grievances, arbitration, and all those matters. When you deal with that, you have to stage all of that. It's expensive.

Selectman Coutu indicated he was ready to put this one to bed. I'm going to make a motion and put it out there.

Motion by Selectman Coutu to award a one year contract to provide labor legal services to the Town of Hudson to Drummond Woodsum & MacMahon.

Selectman Coutu said that would give Mark Broth as our legal representative.

Motion by Selectman Coutu, seconded by Selectman Luszey, to award a one year contract to provide labor legal services to the Town of Hudson to Drummond Woodsum & MacMahon.

Selectman Coutu said Mark Broth is recognized as one of the best labor attorneys in the State of New Hampshire. He's relied upon by LGC for a lot of advice and to conduct a lot of classes. When you look at the ratio between his fees and that of Stephen Jakubowski who we're accustomed with, it's really not that much different when you level it out. Most of the other attorneys want \$200 regardless whatever side they're representing whether it's as an attorney or as an arbitrator with the unions. There's a couple of others. There's one at \$185, and one at \$150, and \$180. I just think that we've had experience with Mark Broth and I know that some of the members of the Board may not be pleased with him. I just wanted to put it out there and see whether or not there's support on the Board to continue doing business with Mark Broth especially - of course the firm would be different - Drummond Woodsum & MacMahon. Thank you Mr. Chair.

Selectman Brucker said well I looked at the communities served by these people and these firms. It seemed to me that they know Hudson, they know the communities around us, and they're not up north representing people. So they're a little more in tune with what our community needs and is like. That was a big thing for me.

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

E. Request to purchase Town owned land - 11 Cliff Avenue, Map 175, Lot 089

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia said at you meeting on the 14th of May, the Board voted to put out 11 Cliff Avenue, which is Map 175, Lot 089, out to sealed bid with a minimum bid of \$7,000. An invitation to bid was advertised in the HLN, posted on the Town's web page, posted at Town Hall, the Rodgers Memorial Library, and the Hudson Post Office. A bid opening was conducted on June 7th by the Town Clerk and one bid was received. The bid amount was \$7,001.50. The bid was from the abutters, the folks who actually inquired about the property in the first place. They were the sole bidder.

Selectman Luszey asked if that included the alleyways in town. Mr. Malizia said it's not the alleyways. That's another section. It would be my recommendation because they bid more than the minimum bid to award the bid to Albert and Ann Antosca for the sale of town owned property at 11 Cliff Avenue, Map 175, Lot 089 for the bid price of \$7,001.50

Motion by Selectman Luszey, seconded by Selectman Nadeau, to accept the bid of \$7,001.50 from Albert and Ann Antosca for the sale of Town owned property at 11 Cliff Avenue, Map 175, Lot 089, 5-0.

8. NEW BUSINESS

A. Future Property Assessment Revaluation - Funding

Chairman Maddox recognized Steve Malizia.

Mr. Malizia indicated that he told the Assessor that he would handle this for him. This is something that we've done the last two years. As you recall, we do revals - we're trying to keep to the 5 year schedule. There's a capital reserve fund and what the Assessor has come in in the past and asked for is any money or a certain sum of money up to in his budget at the end of the year to go into that capital reserve fund. What he's asking for is the authorization to transfer up to \$15,000 out of the operating assessing budget this year into the capital reserve fund for future revaluation. You're saving for it now. You're going to have the expense at some point.

Selectman Coutu assumed Steve if he's recommending up to \$15,000 that he's gone over this with you and he has in excess of \$15,000 at the end of the year. Mr. Malizia said he believes he will have an excess of \$15,000 after all of this. Selectman Coutu said he's reviewed the expenses to income. I didn't think about looking at his line. Steve Malizia said right now he has \$50,000 going into the month of June. Selectman Coutu said that was fine with him.

Motion by Selectman Coutu, seconded by Selectman Brucker, to authorize transferring of \$15,000 out of the Assessing Department's budget, 5410, into the "Capital Reserve Fund for Future Revaluation" for the purpose of funding the next property revaluation, as recommended by the Assistant Assessor."

Chairman Maddox asked when do we re-evaluate again. Mr. Malizia believed we just did the last one - Chairman Maddox indicated in 2012 so it would be 2017. We have \$66,000 and he says it costs \$75,000. So why put \$15,000 if that's going to bring you to more than we need in 3 years. Mr. Malizia said he's looking at 2015. I think the last one was done in 2010.

Vote: Motion carried 3-2. Selectman Maddox and Selectman Luszey opposed.

B. Supplemental Recommendation for Relocation

Chairman Maddox recognized Kathy Carpentier, Finance Director.

Good evening. As Kathy Carpentier watched previous Board of Selectmen meetings and the reorganization of some offices in Town Hall, I decided to come in front of the Board and ask for a supplemental recommendation. You're currently moving what I'm calling elected officials, which is the Treasurer, the Trustee of the Trust Fund, and the Supervisors out of a small office upstairs and bringing them down here to what is currently what is being used by the Engineering Department. It's an awfully large space. The engineering is 16 x 23 feet and I was hoping that the break room could be put where engineering is and the elected officials could be put where the break room is. This would be minimal cost. It doesn't seem to need to be painted. The carpet needs to be replaced but it's a very small area. I would recommend putting a lock on the door and we do need to drop a phone line and a data line. I was informed that it's a very minimal cost.

Selectman Luszey said if we put a lock on the door, we lose a bathroom. Kathy Carpentier indicated that it was her intention to ask the Cable Committee to as it's opened now for the cable operator to have the door open so during meetings it would be open and accessible. Selectman Luszey reiterated that when we're having these meetings here it would be open and accessible. What's the purpose of a lock? Ms. Carpentier said for the times when nobody is in the building - Saturdays and Sundays when nobody is here. For security reasons, the cabinets all 4 of them are individually locked and have different keys for the different groups. The computer and desk area are common area. So not anything confidential is left out on the desk area. Computers are left accessible in this Town Hall for other departments like in the Buxton conference room, you could sit down at a computer if you had access to sign on.

Chairman Maddox pointed out is the Engineering Department that space is not going to be empty. They're going to leave some of that stuff there knowing that they had more room as they work upstairs. I think this is probably maybe something we just want to hold off and let's finish the upstairs and then we can see what space is left over. How many projects do we want to have going on here? I talked to the Finance Director about possibly, and I talked to Selectman Luszey about maybe moving some other departments around as well. You were going to take a look at the Fire Department basement as far as moving IT over there. Selectman Luszey indicated that you'll have a proposal here on the 25th. Chairman Maddox said maybe we just want to table this for now and see...again, I think they have enough things to do moving stuff around. This is something we should take a look at but to just put it as part of the relocation upstairs, do we need to complicate what we've already got going on? Ms. Carpentier indicated it is part of the move because we have to relocate those people somewhere. The people from upstairs are coming down. That's why I thought now was the time to do it.

Selectman Brucker said she was in favor because I think that it's a very large space for 3 people who come in once a month to tie up. Also I didn't realize that Engineering was going to leave something down there. Is it permanent? Again, Chairman Maddox said we're trying to do this on the fly. They're having to move people around. So rather than bringing everything upstairs right away, again, it's still a fluid operation but I was under the understanding that some of that stuff would stay down until they had gone through and got the offices set up. Again, something we can certainly do. I think it's something that we probably want to take a look at but there may be steps to it. Selectman Brucker asked if we could commit that space to a break room. That's what I'd like to do. Chairman Maddox said he'd like to hear what Selectman Maddox is going to come in with.

Selectman Luszey said he'd tell them what we plan on coming in with. It's to relocate IT in the basement of the Fire Admin. building in totality except for the server room. Chairman Maddox said that would open up the offices back there that we could put those people in and solve the whole problem, still have that open to bathrooms and whatever, and engineering would be a break room.

As Ms. Carpentier voices her concern on that to you and I'd like to just do it one more time, you'd have people that are elected officials who have access to the Finance office. That's the only way to get to the IT area at this point. We have a good relationship with elected officials that are currently using the office but they're elected and they come and go. It is a concern to have non employees, I believe, having access to the Finance office.

Selectman Nadeau said he's been looking at this and taking a look over there before. One of the things I think this could be a potentially a good idea and breaking up the old break room downstairs you can, because that's a new wall that's in there that's between the IT and this break room. Putting a door in there and accessing those offices and sealing them off from the Finance Department and making the cable closet a little bit bigger so that there's more room down there would be a good thing for the Cable Committee I'm sure because that place is pretty cramped and everything in there is tight as it could be. This is something that I think we should look at as far as once we move IT out and what space we have left in the Engineering office whether we cut his spot into a third and put up a wall and have all the storage downstairs and still make a bigger break room.

There is a lot of potential in seeing this. I'm glad to see that it was brought to us. Right now I'd like to put this on hold until we decide if we are going to move IT, not move IT, or see where we go.

Selectman Luszey said it was part of that proposal. I would agree with that. It's not to put it on hold but integrate this with that move. Chairman Maddox said he'd like to finish up the one we have ongoing. No sense...Selectman Luszey said he warned us about this. This is exactly what would happen. We piece mealed it. We did not take the time to put a total plan together and now we're sitting here bits and pieces everything because there's a cascading affect of once you start one move it impacts another. I think these two areas are the last two that need to be talked about in the moving of and consolidating of Engineering and Inspectional Services. I think these two areas should be put together into one proposal.

Selectman Coutu said he had nothing to say. This is not what I expected. I didn't expect this. I agree with Selectman Luszey and I didn't obviously lack the foresight to see how this would cascade. It's been nothing but a nightmare since we began. This person didn't want to move here. This person didn't want to move there. They don't like this. I want this space. They want that space. It's like everybody is running the Town but us and now we ended up with this mess because we didn't have, as he said, a complete plan. We should have had a complete plan before we even decided on what we were going to do. Now if they've already started everything, we're stuck with it. If nothing was started, I'd say put the kibosh to the whole thing right now and let everybody stay where they are. Chairman Maddox indicated that you could do that with this supplemental and be done with it. Selectman Luszey said you could do it with Inspectional Services. We haven't made anything.

Chairman Maddox asked the Board where they wanted to go. Selectman Coutu indicated if you're going to put it off, I'm not going to be here so I'll let the four of you make the decision when the time comes. Chairman Maddox said okay. We'll look at it at a future date after taking a look at the plan you're coming up with. Selectman Luszey stated that's not what he was recommending. I'm recommending that this be added to the scope of work of moving IT. Chairman Maddox said right. That's what you're coming back with. That's what I was talking about. You're coming back with IT. Selectman Luszey said the week after next.

Selectman Brucker said this all started with Inspectional Services and I don't want to see all of this freed up space being incorporated in IT and whoever you decide to throw in there. Why can't we commit that room as a break room? What do you think you're going to do with it? Selectman Luszey said he was going to take this and have this rolled into the plan that we're working on moving with IT. In essence, we're quasi committing that space to a break room but it's how it gets executed and what would need to be done in order to execute that. Selectman Brucker said steps we need to take is what you're talking about. Chairman Maddox indicated a plan. The only thing I would ask and maybe the people that we put into that space even though they are elected officials control millions of our dollars. Housing them in the Finance Department I'm having a tough time getting worked up about the security issue.

Selectman Nadeau thought as part of Selectman Luszey's plan, he looks at just putting a door in over here down this hallway so that will keep our bathroom open, it will give them two nice office spaces, and we seal it off from the Finance Department which is a very simple take out the door on that side and move the door over to this side type deal. Chairman Maddox indicted that then you lose the office that is the IT Director because that's in the middle of her wall as I understand it. Kathy Carpentier indicated that the door that they closed in goes right into the Director's office at this point. Chairman Maddox said to take a look at the next phase.

Kathy Carpentier thanked the Board for their time. The reason I brought this in haste to the Board was because we do need to figure out what to do with the elected officials. So we're going to be fitting up the break room right now for them because they're moving. They're the start of the plan that you already agreed to and that's why I brought this here this evening. So we will have to temporarily locate them. They have to move first, before the Planner can move in, before Engineering can move up. It's the beginning of the plan that was previously approved. I'm just saying that's why I brought this here to you tonight.

Motion by Selectman Luszey that the Engineering move be put on hold until we have a full plan done.

Selectman Luszey indicated that people can stay where they are. They can work from where they are. We just put a whole lot of money on the table to retrofit the Community Development office area. We're displacing people that have needs that we did not address. I think we need these elected officials...Chairman Maddox asked what people...Selectman Luszey said these elected officials. We're re-locating from one area to another area and from the sounds of the words that I read on the supplemental recommendation for re-location, we don't meet the needs of those people. Chairman Maddox asked Selectman Luszey where he was. Selectman Luszey said locked doors to secure the areas. The break areas and secure. Chairman Maddox said they're putting them in Engineering that's secured. There's a lock on it now. Selectman Luszey questioned that there's a lock on there now. Kathy Carpentier said yes. Selectman Luszey took that back then.

Selectman Coutu thought the plan was to put them in the back room because they only meet once a month. Selectman Luszey said that was his point. Nobody knows what the plan is.

Selectman Brucker said she thought Selectman Luszey designed the plan. Selectman Luszey said NO. Selectman Brucker asked what happened. Selectman Luszey said he did. I had a whole plan and you all threw it out. Now Deputy Chief Buxton had a plan for relaying out just the Community Development area to accommodate Inspectional Services and re-locating Engineering up there. That's it. Selectman Brucker said you didn't think about what might happen to the Engineering space.

Chairman Maddox said it was decided just because we're now wanting to make the break room out of the Engineering office has spun this thing all out of adjustment here. It's a nice thing to do but I think we're setting ourselves up to beat each other up for no good reason. We have a plan, let's execute the plan, come in with the next phase of relocations but let's not stop, defer it, and blame. Let's just get it done.

Chairman Maddox asked if there was a motion here or just we're going to wait until at least the next meeting to see what you come in with IT.

Motion by Selectman Luszey, seconded by Selectman Coutu, that the Engineering move be put on hold until we have a full plan done.

Chairman Maddox asked if they wanted to hold off to build a break room. Selectman Coutu agreed with it. Chairman Maddox noted that that's going to stop everything else. That's the issue. Selectman Coutu asked what it was going to stop. Chairman Maddox said they're moving stuff from there down to here so that they can keep moving everybody around. Selectman Coutu asked who "they" were. Chairman Maddox indicated that Fire Department and the Inspectors. Those people that are presently in one of those offices are coming down here to go into Engineering. Kathy Carpentier said the elected officials office - 4 filing cabinets, a desk, and a table are going into the Engineering space down here is what you previously...Chairman Maddox said some of the files that are still there are staying. We can certainly do this but don't look at the Fired Department when we're not where we said you wanted us to be.

Selectman Coutu withdrew his second. I would rather we just put this thing off until Selectman Luszey puts his plan together but continue in the way we were going. I think we're discussing two rooms. That one and this one. Kathy Carpentier thanked the Board for their time.

C. HCTV Facilitator Contract Renewal

Chairman Maddox recognized Mike O'Keefe, Chairman Cable Utility Committee.

Mike O'Keefe indicated that it was that time of the year when we come before the Board to discuss the renewal of the HCTV Facilitator's contract. It's an annual contract we have currently with Jim McIntosh who's next to me. This time of year the Cable Committee reviews the contract we have in place and comes up with some recommendations either to change or not change. This year we're asking the Board to consider changes to increase the number of hours available in the contract as well as the rate that's paid per hour. The Committee feels it's time that this position warrants basically a full time position. We think ideally it would be a Town employee staff position but we recognize that creating such a position likely requires a warrant article to do that. That would be at least a year out. So what we've proposed as an alternative was to increase the number of hours in the contract to bring it basically to a full time contract position. We also asked for an increase in the rate. The past four contracts we've had with Mr. McIntosh have remained at the same rate. They've never increased. Given that as well as the fact that he works as a contractor and not an employee and is responsible for all the associated costs with that, we think it's time to adjust that rate up. The presentation I gave to the Board in my Memo, I documented some of the work that he's done as well as the work that's been going on at HCTV. He's noted in his invoices over the past year, he consistently puts in more hours per month than is allowed in the contract and of course is only paid for the amount in the contract. All the hours above are basically volunteer hours at this point. We'd like to see that he get properly compensated for those. There's sufficient money in our budgets to carry these increases. As always, I always try to point out all this money comes from the cable franchise fees and not any property tax impact. That's my presentation for tonight.

Selectman Brucker asked how do you account for these additional hours. What is it that brings them over, the contracted hours? Mike O'Keefe said it's basically all the operations that go on at the access center as well as with dealing with the government meetings. If we have more people coming in to do shows, then he's got hours available, he just puts in extra hours to compensate for that. He does submit monthly invoices documenting all the hours. I have a master copy and I know Steve has copies because he signs off on them. If you want to drill down into the details, they're available but I just summarized them on my presentation.

Selectman Nadeau indicated that one of the other things which Mike didn't touch on with that is a lot of people come in and get cameras at different times and it's not when he's there. Jim will make the appropriate time for these people. Usually when they get there they might have a couple of questions on the equipment and stuff and he'll go over that with them. That usually leads into shows. It takes time.

Selectman Luszey asked if there was anything that would stop us instead of doing an hourly rate per month saying not to exceed a value for the course of a year. You're a 1099 employee. Steve Malizia confirmed he was. Selectman Luszey indicated that we could write this as a not to exceed figure of say \$30,000 a year regardless of...Chairman Maddox indicated that you'd be only half way to where this is headed. Selectman Luszey stated they could use that as an example. Selectman Coutu assumed they could do that. I would break it down monthly because it makes it a little easier because he bills monthly. We could figure out an annual and divide by 12. Selectman Luszey thought that would be more appropriate than trying to keep doing what we're doing here.

Mike O'Keefe said he was a little confused on how that would differ. Chairman Maddox indicated that he was trying to make it salary. Selectman Luszey was thinking is we're not going to get approval to hire a person and put them on the payroll. You could set aside an amount of money for the contracted position not based on hours based on the position for the annual service. Mr. O'Keefe said then he would continue to bill monthly and he would just put in whatever he worked that month. Selectman Coutu said that was the problem. He bills hourly. Chairman Maddox said technically. He's salaried now because if he only gets 130 hours, he's never gone under that. My question is going to 170 hours makes him full time. Selectman Luszey said no. Because he's a 1099, it's not full time. If he was a town employee, he'd become full time at the 30 because 29 hours is the magic number. He's not an employee. Mr. Malizia said we know he's not an employee. Call him a contractor. I guess it just depends on how you want to slice the loaf of bread. Bottom line, you're looking for a certain amount of hours and a certain amount per hour. That's how we've expressed it. What you're saying is just set a deal with \$70,000 for the year. I'm assuming. I guess that's okay but you're probably paying monthly. I'm assuming we wouldn't give him the \$70,000 up front. Chairman Maddox stated we'd pay him at the end. Mr. Malizia said he may not want to do that either. We're somewhere paying him monthly. What you're probably looking at is maybe the flow of the hours. Maybe one month is 200, the next month it might be 150 and you're saying that's meaningless to me as long as within the year you do this. That's what you're trying to get at. So you can just take this figure set it as an annual number, hours, and a dollar figure, and whether he goes over or under in a particular month and maybe a month where you go away for two weeks and you're not here for 170 hours but they'd be available the next month. Is that what you're trying to say? Selectman Luszey said that's exactly what I'm trying to say.

Selectman Coutu thought it was time for me to chime in as Liaison to the Cable Utility Committee. Just by looking at the face sheet of the proposal for this position from Utility Chairman Mr. O'Keefe, we value the fact that we have somebody of Jim's qualification and that he's worked for CBS, FOX, ESPN - hasn't worked for but continues to on a seasonal basis. Mostly especially during the football season. I can attest to the fact you all know or if you don't all know, I know that Selectman Nadeau and Selectman Maddox know that at one time when we didn't have Jim's services I recommended that you allow me to talk to Mr. McIntosh and see if we can get him back. We were successful in doing that. For the past I believe 4 or 5 months, we've been doing without an Assistant so he's been filling in the responsibility of the Assistant which is to supervise the camera operators, do their scheduling, posting various things, getting things over to putting a program package together to try to get it over to HLN so that they'd have something about what's going on in community television. They have been coordinating - when I say "they", Jim has been putting in an awful lot of time and so has Mike O'Keefe. Remember, he's a volunteer appointed by this Board to serve on the Cable Utility Committee. He not only serves as Chairman at the request of the Cable Utility Committee at election time to ask him to continue to be Chair, he also volunteers as we all know many hours per week unpaid for his technical expertise in setting up the equipment, making sure it's running properly. If there are problems, making the calls. I've texted him on a Saturday or Sunday when I thought there were problems and he said he'd get right to it. On a Saturday or a Sunday, the man should be entitled - he's a volunteer. I shouldn't even be calling him but he tells me and Jim tells me the same thing. Just text me and I'll get right on it.

Selectman Coutu stated he's been at the same rate of pay since I've been on this Board, which is going on 6 years now. We haven't given him any additional money at his request. Every year he's said I'd like to stay at the same. This came up in discussion and I listened to it intently at one of the meetings with the Cable Utility Committee and they recommended and I agreed, I think I abstained from voting that it was time that perhaps we should consider giving him a raise.

Also in terms of what's been going on, Selectman Coutu said Mr. McIntosh as well as Mr. O'Keefe - but we're talking about Mr. McIntosh's position and not Mr. O'Keefe because we'll accept his volunteer hours cuz he's always willing to do so. Mr. O'Keefe is quite involved and Selectman Luszey can attest to the fact that he's been almost the go to person on the HCTV/senior center building. He's done a lot of work with the layout; he's worked with Selectman Luszey; he's worked with the Engineer; he's worked with Bernie Manor. It's ongoing the amount of hours that he's put into that. They are committed to getting this up and running and behind them so then we're going to have a studio the size that would be compatible with the kind of production that they would like to see our community get involved in. We're going to do more outreach. I personally am going to do some public service announcements. I hope I can get some of you to join me in some jovial skits that we'll show people that we can put something together quickly as we did - I promise you I won't do here again - Julia Coutu Childs. I think we can do things like that and I think we should help them. I don't think this is unreasonable. I don't think it's unreasonable to entertain Selectman Luszey's recommendation. I think that the hours that he's asking are justified and knowing Jim, he will still work above and beyond the hours that we're going to give him because they're committed to seeing this be done right. We have been waiting so long to have our own facility and here it is the opportunity is at our doorstep. This will afford Mr. McIntosh the time that he would need to continue working in the direction in which he has been, which is getting this facility up and running, getting more and more people in this town involved, and finally dedicate a lot more time to television production and getting parents interested in filming their children's events whether it's a birthday party or a sporting venue that they're going to. I recommend that the Board approve the request. We just need to before a motion is made to see what the annual limitations would be. Obviously Mr. McIntosh is here and he'd have to make a decision on the basis of that whether or not he would want to renew the contract.

Steve Malizia said he came up with \$61,200. Selectman Luszey said he came up with \$62k too.

Selectman Brucker said she was curious at how you arrived at the 170 hours. Mike O'Keefe said that was basically to get to 40 hours a week. Selectman Coutu asked if that was based on 4.3. Mr. Malizia said it actually works out to be 2,040. About 40 hours short of our normal full. Mike O'Keefe said since we bill monthly, we use the monthly rate. Selectman Luszey stated otherwise it would be \$62,400. You're shortchanging him. 2,080 hours is \$62,400 at \$30 an hour. Chairman Maddox had a

problem with two parts of this. Number one we're putting a full time employee on. You can call it what you want but it's a full time employee and we haven't gone to the voters. Number two, you're giving a 20 percent raise when we're not doing that to our other employees. I know this is a separate entity but we're still responsible to the same people.

Selectman Luszey said he would respond as two different people. One as a taxpayer and two as a cable rate payer. The general taxpayer is not paying a penny towards this. So I as a tax rate payer will not see any increase in my tax bill based on any action we take tonight. As a rate payer, we've already taken on that. We've increased the rates from 3 percent to 4 percent. Given the quality of programming that we are beginning to experience on our local channels, I think that to put in place the proper type of contract employee, and I won't even use the word "employee". I'll say we put in place the proper contracted services to provide that is doing right by the cable rate person.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to authorize the HCTV Facilitator Contract to pay up to \$62,400 a year annually and to be billed out monthly at an hourly rate of \$30 per hour effective July 1, 2013 and expires June 30, 2014.

Chairman Maddox thought that Mr. O'Keefe and all of the people in cable and Mr. McIntosh do a wonderful job. I just can't make that leap. I will vote in opposition to this for the reasons I earlier stated.

Selectman Luszey had a question. You said for all the reasons stated but you didn't state any reasons. Chairman Maddox said it's because it's a 20 percent increase and because now it's a full time position. Selectman Luszey said excuse me. It's not a full time position because we could say to the current recipient that we're going to pay that person over there next month. It's a contracted position. It's monies that we're putting aside to fulfill a contract services regardless of whose name is on the check for the given month.

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

D. HCTV Assistant Position

Chairman Maddox recognized Mike O'Keefe, Chairman Cable Utility Committee.

Mike O'Keefe said there's an HCTV Assistant position the Board created about two years ago. The person who had filled it for a while, Kristofor Georgeou, has submitted his resignation a couple of months ago. During that time, the Cable Committee reviewed the position. One of the things as part of the review process is we put together a formal job description and duties of that position so that we could better establish exactly what we want that person to do as well as the hours. The original position was only allowed basically 20 hours per month - 4 to 5 hours a week basically which although it helped a bit, it really wasn't where we wanted that position to be. In fact even when we originally discussed the position, we had anticipated more hours than that. Part of the problem with a position of that so few hours is hard to find someone who is willing to commit to that job. It's got to be someone who basically has another job and then doing this job on the side. The recommendation of the Cable Committee was to bump that position up to 90 hours per month which basically is close to 20 hours per week.

Additionally, Mr. O'Keefe said the rate that we've been paying that position is \$11 an hour. That's the identical rate that we pay the camera operators that we hired or record the government meetings. Since this person essentially manages that group, we felt that it was appropriate to have a slightly higher rate. We're also looking for some skill set. As I noted on the job description, there's some technical skills that we'd like this person to have that we feel would justify a higher rate than the \$11 an hour. We suggested a rate change to \$15 per hour. Like I said with the previous position, of course this all comes from cable franchise fees that we have within our budget. Again, no impact to the taxpayer.

Selectman Luszey asked Mr. O'Keefe if he believed that you will bill out the 90 hours per month for this person or this position. Mr. O'Keefe asked if you're saying basically should we consider that a not to exceed and that some...Selectman Luszey wanted to know if you believe you will be billing out the 90 hours. Mike O'Keefe thought that was the intention. Selectman Luszey said that's one for this one position. Now you've got some other operators that you bill out basically. Mike said the only other people we have are the camera operators who come to do all the government meetings we record. They charge on an hourly basis for whatever meetings they work. The reason Selectman Luszey was asking is based on the motion we just did that just got approved if this should get approved, you're at \$78,600 for the two. Basically that's one quarter of all the franchise fees that we collect on average. They're about 80k a quarter. Right now and that's at the new rate.

Selectman Coutu thought we were going to take in more than 250. Mike O'Keefe indicated we are. Our FY13 budget is almost \$300,000. I think the 14 budget...Selectman Luszey stated that's the budget but the actuals is how many cable subscribers we have based on what they're paying which is about - the last transfer was just about \$82,000 I think it was or something like that. We'll be spending roughly a quarter of the franchise fees so far. Mr. O'Keefe said we always take in more than we budget. Selectman Luszey said he was okay now.

Motion by Selectman Coutu, seconded by Selectman Luszey, to authorize the advertising of an HCTV Assistant at the rate of \$15 per hour (\$11 per hour currently) not to exceed 90 hours per month (currently 20 hours per month).

Chairman Maddox said he was also going to vote in opposition to this. You just doubled the amount of hours. I see why you built multiple offices because we're going to fill them. I can't vote for it especially when we're paying firefighters \$15.98.

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

Selectman Luszey asked to make a comment to the Chairman. The comment you just made about paying these people this and firefighters is not warranted. These people are paid out of franchise fees that does not come out of general appropriations and we should not be trying to allude to the fact or make our general viewing population tie what we're paying these people to their tax bill. It is separate. It is only the cable payer that is paying this bill. If a cable payer does not want to pay this, they can cancel their cable and go somewhere else.

Chairman Maddox said we'd still have a responsibility to keep our best dollars forward.

Selectman Brucker said her objection is going from 20 to 90 hours is a huge leap and then 11 to 15 is another huge leap. I just think it's too much.

Selectman Coutu asked to make one comment. One of the reasons why you can't get qualified people for this position is its 4 hours a week. Who's going to apply for a job for 4 hours a week for \$44 to have to have the qualifications that are required to perform the description that is outlined. You're looking for somebody that has technical experience and you want them to come in for 4 hours a week for \$44. Who's going to apply for that position?

Selectman Brucker said how about 50 hours instead of 90. Selectman Coutu said a month. So you're going to have them come in 11 hours a week. Selectman Brucker's question was why did this job go suddenly from 20 hours a week to requiring...Selectman Coutu stated because we couldn't get qualified people to fill the position at 4 hours or 4 ½ hours a week. Selectman Brucker asked how long we had Kristofor Georgeou. Mike O'Keefe said less than a year - 6 months if that. Selectman Brucker guessed it's just a value thing.

E. Request to Transfer Cable Committee Funds to Capital Reserve Account

Chairman Maddox recognized Mike O'Keefe, Chairman Cable Utility Committee. As we've done in previous 3 or 4 years now, Mike O'Keefe said he has come before the Board at the end of the fiscal year to request the Board authorize the transfer of any remaining funds in the Cable Utility Committee budget. Transfer those to the Cable Television Access Center Capital Reserve Account. Obviously in past years we did that to keep the fund growing and we want to continue to grow it this year because we still need to fill that account up to the amount that we need to expend next year as part of the construction project. We basically just want to continue the process of putting all those funds - if we don't do that, they're just going to lapse and we won't be able to utilize them for anything cable related.

Selectman Luszey indicated that we do need to make his account whole based on the warrant article that goes into effect.

Motion by Selectman Luszey, seconded by Selectman Coutu, to approve the transfer of the balance of the remaining fiscal year 2013 cable funds to the Cable Television Access Center Capital Reserve Account, carried 5-0.

Motion by Selectman Luszey to put on the August or September agenda on what we will be doing with the franchise fees going forward.

Steve Malizia asked if Selectman Luszey was talking for the budget process where you put them. Selectman Luszey said what we're going to do with them not necessarily where we're going to put them. After this motion, those funds are kind of like just hanging out there doing nothing when we collect them. They'll be coming into the general fund now right? Kathy Carpentier said right now we're counting on at least \$150,000 in the next two years coming out of the cable department in order to fund the \$1.8 million that the voters approved. So you're counting on approximately at least \$60,000 this year and like \$90,000 next year was counted on. Selectman Luszey said after that amount, the remaining amount that we collect from the franchise fees really haven't been accounted for and how they'd be used. Kathy Carpentier believed you would either have to repurpose the capital reserve fund and close the current capital reserve fund because it was to build a cable facility and you'll no longer be doing that after next year.

Steve Malizia said you have a budget to run the cable operations. They do many more things other than put monies into the reserve. They've already got a budget for next year fiscal 2014 which takes into account moving money into the reserve to help complete the payment for the senior center HCTV facility and also to run or to the operation. What you're looking at is probably when you're looking at your next appropriation which would be in the budget time frame - September/October, how do we now want to constitute and what do want to do with the cable budget. What do they feel they need? Do they need equipment capital reserve that you might want to propose? Do they need as much for operations now that you have those questions? Probably more appropriate in the budget cycle because you're already set for next year. Your budget is fixed. Monies have gone into the reserve, monies going for operations. It's the year after that you need to contemplate. It's probably more appropriate I would assume during the budget time is what you normally would do. They want to be thinking about it obviously but I think for your discussion the Cable Utility probably wants to be working on that but for your purposes, it would be more appropriate during the budget discussion to have that data. That's my viewpoint.

Selectman Brucker thought she should have brought up earlier when we were voting on transferring - what would have happened to the money if we hadn't moved it? Chairman Maddox said it would have to the general fund correct? Steve Malizia said it would have gone to the general fund surplus. So wherever your fund balance it would have increased by whatever amount was left in the cable if you did not appropriate it into the capital reserve fund. Selectman Brucker said it would go to the town. Mr. Malizia said yes. Chairman Maddox stated that we've already spent that money if you would on the facility. However, Kathy Carpentier indicated that \$61,000 I believe was budgeted to transfer over. So the motion you just made is to transfer every dollar that's available. I believe it's going to be a little more than 61 and that's just what you have for next year. You had \$91,000 that you're targeting for the project already. Over the two years, you want to get the \$150,000 in there.

Selectman Luszey said he'd make a note to bring it up at budget time.

F. Request to post the Senior Services Coordinator Position

Chairman Maddox recognized Town Administrator Steve Malizia.

In all the discussion regarding the job description, and the reporting mechanism, and the title, I don't believe the Board ever made a motion to authorize the posting of the position. I thought it would be appropriate if the Board wants to have this advertised and posted that they make a motion to do so.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to post and advertise for the part time Senior Services Coordinator position, carried 5-0.

G. Notification of intent to negotiate - Hudson Support Staff

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia said the next two items really come from the AFSCME, the Federation that represents the support staff and Highway union. They've indicated their willingness or their desire to negotiate successor contracts. As you are well aware, our contracts did not pass at the warrant therefore we would be entering into negotiations. This is what kicks it off. Last year I believe Selectman Luszey represented the Board of Selectmen on the support group and Selectman Nadeau represented the Board on the Highway contract. Basically what this is the desire to enter into negotiations. If you want to assign the same personnel or different personnel to the negotiating team now that you've selected a labor firm, what will happen is the labor firm will contact the person who sent the letter and start looking at tentative dates that we can start at least having conversation. We don't need to do anything other than perhaps maybe determine who you want to have as the liaison for these groups. You may want to keep the same. I know Selectman Nadeau is the Highway Department liaison anyway. So it's logical that he'd do it. I don't know if you'd want to still do it or you want to reassign it. They've asked and we should at least start the process.

Chairman Maddox indicated that we've started because we've answered the question to the labor attorney, so that's half the battle. Mr. Malizia said that's half of the battle yes it is.

Selectman Luszey's only question is we really haven't set parameters for us on what we want to do. Mr. Malizia said no you have not nor have they made any demands other than they'd like to at least sit down and at least get dates and get things rolling. Chairman Maddox said it should be at least 30 to 45 days out so that we have time.

Selectman Brucker asked for a reminder. Who's included in support staff again? Steve Malizia indicated that you'd find that the majority of the Town Clerk folks, the Utility Clerks, the Administrative Aide type people, I believe the custodial folks, the Permit Technician is now in there, Welfare/Human Resource office person is in there. So there's a variety of administrative positions of that nature 22 to 23 people approximately.

Selectman Coutu asked if people have been appointed to negotiate for various unions. Until we had a lawyer, Chairman Maddox didn't think we were going to have a parameter so I didn't think that we needed to do anything. We can certainly go with whomever - you and I swapped so whoever you're the liaison to would make the most sense unless anybody has any objections. That's the direction there.

With the support staff and the supervisor staff, Steve Malizia said it doesn't have a natural liaison because those folks cross different department lines. That's why there was action last year - Selectman Luszey took support; Selectman Brucker took supervisors. It's logical obviously if you have fire, police, you have highway those are somewhat easy. So it's just a question of pretty much the support group. I know that Selectman Nadeau would take Highway because he'll have that done in half a session.

H. Notification of intent to negotiate - Hudson Highway Department

I. Budget to Actuals

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia indicated that we are 11 months through our year - 92 percent. We continue to monitor. As you've seen, we had some excess in Town Poor. We were able to repurpose for the train station as well as we had \$42,000 left in contingency. The only area on here I'm looking at closely and I can do little to avoid it is our legal expense. We had a pretty good size month this month. We had a couple of issues that have come up. We probably will have to dip into Town Poor just to cover the legal. I don't expect it to double in cost but I'm just saying I think that might be one area. Other than that, I believe with our FEMA money coming in and looking at the rest of our expenses, trash and what not, we should make our numbers. We should hopefully have a few dollars left which would then flow to the surplus for the town.

The revenue side - Mr. Malizia said very positive. Motor vehicles as you can see, we're probably going to exceed the number we've budgeted which is a good sign because it will make up for the money we didn't get in interest. That's a positive sign. I don't know if you've seen some activity lately but the last couple of weeks there's been more and more folks coming in and registering vehicles. So that seems to be a positive economic indicator from what we can see.

Selectman Coutu asked for an explanation. It's on page 8, fourth from the bottom - it says donation police, donation fire, donation recreation, donation other - \$224,000 and we encumbered \$224,000. Is that a typo? Did we get a donation from somebody? Mr. Malizia indicated the seniors. Selectman Coutu asked if that was the full amount that was donated? Selectman Luszey said no. That was the first payment. The second one is coming the end of August I think it was. Steve Malizia indicated that you'll see the other one in the next fiscal year whatever happens. That was the donation they made. It's pretty healthy.

Steve Malizia believed sewer and water look to be in good shape. We certainly have a handle on those two utilities. I know we're not going to spend sewer money. Nashua didn't send over the typical capital expenses. Chairman Maddox said they wanted their \$50,000 for a study right. Mr. Malizia thought they budgeted \$900,000 so we're not going to spend \$900,000. That's okay. It comes out of the reserve. It's neither here there nor there. It doesn't affect anything. Again, things seem to be going fairly well in those two utilities. At the next meeting, you'll look at encumbrances. Encumbrances will be monies that are committed. That will be at the last meeting which will be the next meeting. KC will come in. She's gathering the data now so you'll see whatever commitments we have and you'll vote to encumber it or not encumber it.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - Other than to say I'm looking forward to the ground breaking. This has been long in coming for both HCTV and especially for the seniors. I'm looking forward to being there. It won't be a huge gala affair but a well deserved opportunity to meet with the seniors and to get the building open. Other than that, I have nothing Mr. Chairman.

Selectman Nadeau - A couple of things. The first one is at our Benson meeting. We had a request by the Friends of Benson to get a phone line over to the elephant barn so that they could start running credit cards for the merchandise that they're selling. One of the problems is we can't put any overhead phone lines according to the deed or overhead utilities. One of the compromises is we have a way to access a phone line which would be the downstairs kitchen area. They want to put a box in there so that they can take their credit card machine when they're running credit cards on Saturdays and Sundays when they're there for people to purchase merchandise. It's a way that they can increase their sales and they would pay for all the expenses for the phone line. It's going to be secured inside the building. They're going to bring the credit card machine over when they need it and put a table in there and set it up, walk over with the credit card, swipe it, walk back over with the receipt. They've looked into other alternatives which was the cell phones with the swipe thing on it and the rates were just so much higher. If the person with the I Phone wasn't there that day, then your credit card sale can't happen type deal. This was the easiest and cleanest way to do it. I'd be asking this Board if they would approve the Friends of Benson to use a phone line in the office building kitchen area.

Motion by Selectman Nadeau, seconded by Selectman Coutu, to approve the Friends of Benson to use a phone line in the office building kitchen area and will pay all expenses associated with said phone.

Selectman Coutu told Selectman Nadeau that he wants to see the Friends of Benson Park to continue making money so that we can get this barn restored and opened up as a museum. I know they've done a lot of work. Are they talking about putting in a separate line of their own and how is that going to be brought into the building? Selectman Nadeau said they're going to use a current phone line that's already in the building. They are going to pay all the expenses for it. They're going to pay the monthly bill.

As Steve Malizia understood it, there's a phone line available in the building that we are not paying for currently. We took it off our list of accounts. So there was an account. It came up approximately over a year ago. There is a line there so the phone company doesn't have to run anything to it. I believe they simply have to do some sort of switch to put it in the Friends of Benson Park name. They probably give them the same number. I don't know. I don't distribute the numbers. From our perspective, it doesn't run through us. In other words, we're not going to get the bill and bill them. They're going to get billed directly so it's somewhat transparent to us. It's available because we never took anything out. We stopped using it. We

disconnected it from the service so we don't pay for the service but my understanding is the wiring or whatever they need to accomplish their mission is still there. They get a technician out, he does whatever he does, they plug in, and they now have that account. They just want to make sure they have our permission to do so. We're not using that line for anything. That's why we abandoned it. I think the simple solution for them because as most of us know, most of us use either use debit cards or credit cards for most of our transactions is to be able to do that. Again as Selectman Nadeau said, they looked at the I Phones and what not. They looked at running a line from somewhere else. That's probably overkill for what they're doing right now and this is a solution for right now maybe for the next year or whenever until we run utilities over there.

Selectman Coutu had one more question. Selectman Nadeau I wish you would advise them. I'm going to support the motion but I wish you would advise them that I heard in the discussion that somebody said they had a machine donated to them. All of the federal rules on credit cards have changed. A lot of the machines are no longer acceptable. Machines cost \$500 or \$600. They should look in at how much the phone bill is going to cost per month. Selectman Nadeau indicated they've looked into that. Selectman Coutu said if they have to go out and buy their own machine, it could cost them another \$500 to weigh that very carefully before they make a decision but I will support the motion to go ahead with a phone line. Thank you Mr. Chairman. Selectman Nadeau said it was a new machine that was donated to them. They checked to make sure that it met all of the stuff that they needed to.

Selectman Brucker said she'd like to see it work too. Where is the office building in relation to the...Selectman Nadeau said the brown office building is up top and then the kitchen which is that lower building that runs close to the elephant barn where we currently store stuff for the park in there, that's where they're going to put the terminal inside the building. Selectman Luszey asked which building. Selectman Nadeau said yes you want to call it the kitchen. Selectman Luszey's question was if they were going to run a line over to the elephant barn. Selectman Nadeau said no they can't run a line over to the elephant barn but they can put it in the kitchen and then just open the door. Most of the people that are in the Friends of Benson are on the Benson Park Committee that would have access to it so we know that the controls will be there for safety for our stuff.

Selectman Brucker asked if they were selling things out of the elephant barn. Selectman Nadeau said correct. They have water, juice, t-shirts, memorabilia type stuff. It's funny how this conversation took place over the weekend I was there. I bought the kids an ice cream. We were sitting out on the picnic table and this gentleman and his son came in and wanted to buy a couple of items. He whipped out his debit card and said you don't take debit cards here. That was one. About 45 minutes later, the same situation happened. I guess I'm the only guy that carries \$10 or \$20 in their pocket for cash. It happened more and more frequently. That would definitely be a big benefit to them. I mean they do have a lot of t-shirts, hats, and that type of stuff. It could definitely help them out. I'm glad that the Board is supporting them for that.

Chairman Maddox thought they got an e-mail today, at least you and I, and I thought they were looking it to stay the town's phone line and they were going to reimburse us. I'm just trying to make sure that...Selectman Nadeau indicated that was plan B if they can't get it changed over to their name. Because it's in our building, it might not be something that Verizon or Fairpoint can do. I'm not sure. Again, that's what Chairman Maddox thought he read. I'm just trying to make sure that we're giving the Board - again, I think that maybe it would be something we should look at to have something in writing for them saying that they're going to...Selectman Nadeau said if you look at that e-mail sent to you, they tell you that they're going to take all the responsibility for the phone line and that kind of stuff. Selectman Coutu said it was an e-mail. It's not really a legal document. I agree with you Mr. Chairman. I think we ought to get...Chairman Maddox thought we should authorize them to move forward but I think we need something in writing saying what this deal is.

Selectman Nadeau said if it comes down to Fairpoint or whatever changes the line over to their name and number and everything is fine, then great. No problem at all.

Chairman Maddox thought we should have something that tells what they're going to do.

Just a quick Memo of Understanding from our lawyer, Steve Malizia said articulating you'll do this, you'll pay for this, and you'll do this. Selectman Nadeau didn't think we need a lawyer. Chairman Maddox thought they just need to put in writing on their letterhead saying. Selectman Nadeau didn't want this to be a \$40,000 phone line. I think just having them give us a letter and if it swaps over to their name and they're taking care of everything, I think then we're fine. If it has to go through us that we have to pay the bill and then them, I'd like something a little harder in writing. Chairman Maddox said he was trying to get something so that in 3 years everybody goes what were they doing.

Selectman Luszey said if they were to take the motion and put it on their letterhead, it would meet all the requirements that you're looking for whether it's they're paying for by themselves or it's our line they're paying for.

Motion by Selectman Nadeau, seconded by Selectman Coutu, as amended to approve the Friends of Benson to use a phone line in the office building kitchen area and will pay all expenses associated with said phone with a written request to follow, carried 5-0.

Last night Selectman Nadeau said he was giving away a scholarship for the Hudson Historical Society. It was at the Alvirne Scholarship dinner. Twenty years ago to the day I was sitting there in that same venue receiving a scholarship. I thought it was pretty interesting to see some of the same people giving out the scholarships. I've been doing it for the last 5 or 6 years and this year they told us the number of scholarships that were given out was \$800,000 to Alvirne seniors going off to college

or the military which was a great number. A lot of the students that were there passed Eagle Scouts that have come before this Board with their projects. It was very, very nice to see that. The boy scouts also did the cleanup after the Lion's Club served a wonderful spaghetti dinner. A lot of community involvement. It was really, really nice. We give away a lot of raffle permits every year and a lot of them are for these different scholarships. To see him actually hand out a \$2,000 and a \$5,000 scholarship - Jeannie Barkley who we do a lot of different things - they use Lion's Hall for a blood drive gave away I believe 2 or 3 scholarships last night and they can reapply for future ones that the Lion's Club does. It was very, very nice to see that last night.

The next thing is Selectman Nadeau said Friday night it used to be here at the Alvirne track but we have the Relay for Life going on at Nashua North. The Town of Hudson has a team called "The Pink Panthers". This will be their 10th year doing this relay made up mostly of town employees from Town Hall and their family and friends. It's definitely a very moving time to see. They had a bag piper that did one lap and did the different ceremonies and stuff. I'll be going down there on Friday night to do that. Hopefully it's nice and warm and not raining.

Selectman Nadeau and Selectman Coutu went to the groundbreaking at Fairview in the pouring rain. Luckily they moved it inside. It was very nice to see them moving forward with a project that we've heard a lot about over the years. I look forward to seeing the seniors at the groundbreaking. I was informed that they will not be making the cookies. Mike O'Keefe is in charge of all of that stuff. I was sad to hear I wasn't going to be getting any nice cookies from the seniors. I should have made it in the form of a motion when I asked them. I look forward to seeing everybody there on Friday.

Selectman Brucker - I, too, am looking forward to the ground breaking. I think a lot of credit needs to go to Selectman Luszey, and seniors, and everybody who's worked so hard on getting the senior center and the cable center there.

I was at the Conservation Committee meeting last night. They're continuing to map trails in the Town Forrest and other places and put up a kiosk and some signs on some of the trails. So they're very busy doing that. I have nothing else.

Selectman Luszey - I'd say ditto to everyone about the ground breaking but I'm looking forward to the rock break ceremony given the amount of ledge we have out there. I think it will be exciting. It's due.

I sent a memo to everyone here. The Library is beginning their strategic planning for the next couple of years and I will be attending that meeting on June 18th at the Hills Library building and I would like any input that you have regarding what you would like to see the Library provide in terms of services and what not for our community. That was a request and I would be more than happy to carry those forward to you to the committee.

The IT Department - I spoke with the department head today and we would like to come in on the August workshop to talk a little bit about the IT infrastructure road map - the 3 to 5 year plan on where it's heading. Just a question for the Town Administrator - the status on how we're doing with the SAU/Town joint ventures. The reason I ask is I watched the last School Committee meeting and they approved a contract, the most expensive contract for their copiers. There was no mention that they had talked with the Town and see if there was anything that could be done there. Has that work started yet? Mr. Malizia said yes. The Finance Director and myself, the Business Manager, and the Superintendent met approximately 3 weeks ago. We have a pending meeting, and I can't remember the date off the top of my head, we reviewed and people are charged with going out and looking at and focused on that was one area we looked at and we found out that they make 7 million copies a year. We make 300,000. We're already under contract. I believe we signed within the last year for a two or three year deal. Our timing is not good for that particular piece.

Selectman Luszey asked to comment on that. That has been the excuse right along that our timings off. Given that they just signed a three contract for their copiers, we'll never get in sync if we don't somehow figure out how to shorten contract lives until they can get in sync. Mr. Malizia said to extend our depending if that may be the case. We talked about also paper purchases at a large scale because from a supply perspective, we don't - it's hard to believe but we don't do that much compared to paper as an item. We have looked at trash, i.e. dumpsters. It is my understanding that the IT folks we set up a meeting for IT - Ms. Nute and I believe Mr. Boulard to meet. I'm not sure if they've met. I think they had to postpone their meeting for some reason. So we've met, we've discussed areas we think we can immediately start to work on and charge off certain things - people to gather the data to come back and see what we can do.

Selectman Maddox - Thank you. I just have the fact that I believe you all received a copy of the Town Engineer's work output for May. I think he sent it to you and I got CC'd. Did everybody get a copy? I think it just came out today. We're getting our money's worth. We've obviously got him going in 60 different directions with all the things that just happened to be lining up between the senior center, and the train station, and all of those things. I think that if you didn't send it to all of us, I will forward it off to the rest of you. It was an impressive list of all the things that..

Selectman Luszey apologized and I told the Chairman I would bring this in. When we talked about the Benson property and the train station, I went off and took a look at it at a number of companies. There are a number of companies that provide pre-manufactured buildings. A 24 x 24 installed on your slab is \$10,499. The pad is roughly about \$1,200. The site work I pegged that at about \$2,000. So I mean you could put up a separate garage for the tractor and lawn mower for \$14,000. Chairman Maddox stated the same size as the carriage house was. Selectman Brucker stated and not having to worry about the fire

issue with having it in the basement. Selectman Coutu asked if they could work out a deal with Alvirne High School and have them build it. Selectman Nadeau thought that was one of the things we can look at.

Chairman Maddox indicated what precipitated this Selectman Coutu is that whole thing with the train station and trying to find a home. I know that Selectman Luszey has access to some building trades stuff so I just asked him to see if there was a number that he could come up with. This is just nothing more than information to say before we spend a lot of money on putting a basement underneath the train station which we've already resolved at this point but just what kind of numbers we might be looking at to build a maintenance type shed to store that stuff in the future. They have a home right now and I don't see it being changed for a while but we do have this option and you're just bringing that information forward correct.

Chairman Maddox stated that the Town Engineer has been very busy. We still have a lot of projects that are ongoing with water and all of that. Just pass along the good work. Selectman Coutu you'll miss a few meeting but we're not going to dock you. We wish you the best of luck with your surgery. I know that this has probably been a tough waiting for the procedure but hopefully in a couple of weeks you'll be done with it and ready to start dancing again or at least golfing. Selectman Coutu said two weeks from tonight I should be lying in bed prone for two full days just to make sure that the fluid is stabilized and the spinal column and then it's all up hill from there. I expect to be back within a month.

10. NONPUBLIC SESSION

Motion by Selectman Luszey, seconded by Selectman Nadeau, 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; and (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant, carried 5-0 by roll call.

Chairman Maddox declared that Nonpublic Session is being entered at 9:10 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room. Open session was entered at 10:25 p.m.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to terminate Jack Near as a Truck Driver/Laborer from the Highway Department effective June 6, 2013, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Luszey, to authorize the Road Agent to hire Jon Demanche of Litchfield, NH, and Michael Buxton of Hudson, NH, for the two positions of Truck Driver/Laborer each at a starting salary rate of \$17.67 per hour (Grade VIII, Step Minimum), both effective June 30, 2013, carried 5-0.

Motion by Selectman Luszey, seconded by Selectman Coutu, to take by tax deed Map 203, Lot 021, and Map 175, Lot 15, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Coutu, to authorize the Town Administrator to hire Susan Kaempf for the position of Administrative Aide in the Board of Selectmen/Town Administrator's office effective June 16, 2013, at a starting hourly rate of \$16.04, Step 1, and then to Step 2 upon the successful completion of the probationary period in accordance with the American Federation of State, County and Municipal Employees Council 93 and Local #1901 Hudson Administrative contract as recommended by the Town Administrator, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to allow the Recreation Director to post for a part time Secretarial position in the Recreation Department, carried 5-0.

Motion to adjourn at 10:35 p.m. by Selectman Luszey, seconded by Selectman Coutu, carried 5-0.

Further discussion relative to Fairview Nursing Home ground breaking ceremony.

Discussion relative to why don't we use the original main entrance at Benson Park.

11. ADJOURNMENT

Motion to adjourn at 10:35 p.m. by Selectman Luszey, seconded by Selectman Coutu, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Richard J. Maddox, Chairman

Nancy Brucker, Selectman

Roger E. Coutu, Selectman

Ted Luszey, Selectman

Benjamin Nadeau, Selectman