

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

1. CALL TO ORDER - by Chairman Coutu the meeting of March 11, 2013 at 7:02 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Captain Bob Tousignant.
3. ATTENDANCE

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

Staff/Others: Stephen Malizia, Town Administrator; Donna Graham, Executive Assistant; Chief Shawn Murray; Deputy Rob Buxton; Captain Bob Tousignant

4. PUBLIC INPUT

Chairman Coutu asked if anyone in the audience wish to address the Board on any issue that we have jurisdiction at this time. If so please step forward, state you name and address for the record. Seeing none.

5. NOMINATIONS AND APPOINTMENTS

6. CONSENT ITEMS

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

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

A. Assessing Items

- 1) 2011 Abatement Application Settlement Agreement (BTLA) - Map 216, Lot 8, w/recommendation to approve
- 2) 2012 Tax Abatement - Map 138, Lot 83, w/recommendation to approve adjustment
- 3) 2012 Tax Abatement - Map 174, Lot 134, w/recommendation to approve adjustment
- 4) 2012 Tax Abatement - Map 216, Lot 14-48, w/recommendation to approve adjustment
- 5) 2012 Tax Abatement - Map 126, Lot 7, w/recommendation to approve adjustment
- 6) 2012 Tax Abatement - Map 175, Lot 148, w/recommendation to approve adjustment
- 7) 2012 Tax Abatement - Map 205, Lot 74, w/recommendation to approve adjustment
- 8) 2012 Tax Abatement - Map 204, Lot 30, w/recommendation to deny

B. Water/Sewer Items - NONE

C. Licenses & Permits

- 1) Request to Solicit Funds - Disabled American Veterans
- 2) Dance Halls and Entertainment Places of Assembly Permit - GTT Entertainment d/b/a Professors Sports Pub
- 3) Raffle Permit - Jay O'Halloran Memorial Scholarship Fund

D. Acceptance of Minutes

- 1) Minutes of the February 5, 2013 meeting
- 2) Minutes of the February 26, 2013 meeting

E. Calendar

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| 3/12      | TOWN MEETING                                      |
| 3/13 7:00 | Planning Board - Buxton CD Meeting Room           |
| 3/13 7:00 | Benson Landscape Cte - BOS Meeting Room           |
| 3/14 5:00 | Sewer Utility Cte - BOS Meeting Room              |
| 3/14 7:30 | Zoning Brd of Adjustment - Buxton CD Meeting Room |
| 3/18 7:00 | Energy Cte - Buxton CD Meeting Room               |
| 3/19 7:00 | Cable Utility Cte - BOS Meeting Room              |
| 3/20 5:00 | Water Utility Cte - BOS Meeting Room              |
| 3/20 7:00 | Senior Affairs Cte - Buxton CD Meeting Room       |
| 3/21 7:00 | Benson Park Cte - BOS Meeting Room                |
| 3/21 7:30 | Budget Cte - Buxton CD Meeting Room               |
| 3/25 7:00 | Recycling Cte - BOS Meeting Room                  |
| 3/26 7:00 | Board of Selectmen - BOS Meeting Room             |
| 3/27 7:00 | Planning Brd - Buxton CD Meeting Room             |
| 3/28 2:45 | Trustees of Trust Fund - Buxton CD Meeting Room   |

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on March 5, 2013

- 1) Motion by Selectman Luszey, seconded by Selectman Maddox, to terminate Al Marcelle, part-time Appraisal Technician, effective March 5, 2013, carried 4-1. Selectman Nadeau in opposition.
- 2) Motion by Selectman Nadeau, seconded by Selectman Brucker, to hire Joseph Bourque as a temporary part-time Electrical Inspector at the rate of \$28.00 per hour, until September 5, 2013, carried 5-0.
- 3) Motion to adjourn at 10:45 p.m. by Selectman Luszey, seconded by Selectman Brucker, carried 5-0.

B. Permit Technician and Inspector's Job Description

Chairman Coutu recognized Chief Shawn Murray and Deputy Chief Rob Buxton. Good evening.

Good evening Mr. Chairman and members of the Board. At your request, Chief Murray stated that we're back here before you tonight to review 2 potential job descriptions with you. One is for the Inspector and one is for the Fire Permit Technician. If I may Mr. Chairman I'll revert to Deputy Buxton who will be responsible for these positions if approved.

As the Chief mentioned, Deputy Buxton said we were tasked last week to bring in the Inspector's job description. We did develop that and brought that in for the Board's consideration. We also brought you forward the Permit Technician which was changed and a reclassification under last week's review of the Inspectional Services Division. If you have any major questions you'd like to go forward with.

Chairman Coutu asked to take them one at a time and let's start with as they were putting in our packet - the Permit Technician. Anybody have any comments or questions.

Selectman Maddox indicated he has a half a dozen that I met with the Deputy and the Chief before the meeting. Just housekeeping stuff Mr. Chairman if the Board doesn't mind. I will hand it over to the Chief. He said he had no issues with it. Example of Duties: Any one position" - well this is only one position. It's kind of a copy of the other one which there will be multiple positions. If the Board does not have any objection, I'll just hand this to the Chief and we will not tie up a lot of time this evening on grammar and the like.

Chairman Coutu said he had no objection if no one else does but obviously it will be subject to review so we can put off this particular job description. Selectman Maddox said no. They're just small issues. Chairman Coutu asked him to state them. Selectman Maddox referred to "Scope" it says "building and fire related permits" when they're really going to do sewer, driveway, electric. I said just make it say "permits". Scratch out building and fire related. Under "IV Examples of Duties" "position" would be the first word rather than "Any one". Under "Examples of Duties 6. Proofreads and verifies paper applications". As we're trying to go electronic, let's just say take "paper" out and just say "applications". Number 7. We're not a city yet so that should be changed to "town" on the second line. That's all I have for this one.

Selectman Brucker wondered if anybody else has looked at this. Has anyone from Community Development had their eyes on it? There's a lot in here for zoning and planning. Chief Murray said the current Administrative Aide has seen it. Deputy Buxton wasn't positive about John Cashell. I believe the Zoning Administrator has also seen this. It seemed to Selectman Brucker that this person is the one who decides who determines what the inspections are going to be and schedules them. Within scope, Deputy Buxton thought that was one of the things you need to keep in mind. They're going to work within the scope. The parameters are set by not only the Fire Department but the Zoning Administrator, the Engineer. This handles a lot of work. A lot of applications and stuff that comes in and it needs to be cross referenced between those divisions. In other words if the Zoning Administrator says that you need to review for these types of things and if a permit comes in with all these check boxes filled out, then they have questions that need to go to the Zoning Administrator, then there's no time to waste that administrative time or maybe go through that process not necessarily to waste time. Chief Murray thought the better word is "coordinates" instead of actually telling someone you're going to go do this. She's going to coordinate with everyone to make sure of their schedules.

Deputy Buxton thought one of the best examples I can give you is referenced to the discussion I had with Patrick the new Town Engineer. He had a discussion with me regarding water and sewer hookups. Those are more applications. This individual who processes those applications, the Town Engineer would still be responsible for the review of the application and the actual engineering side. This would be more of the administrative side and the tracking of the permit or the application to make sure they're brought from start to finish and closed. If they're not closed, then why aren't they closed and how long until they are closed.

Selectman Brucker asked who was doing that work now. Who's determining these things? Deputy Buxton though a lot of that stuff is pushed off to the inspectional team as it sits over at the Fire Department and in Community Development. With those duties removed, Selectman Brucker said then the inspectional team will...Deputy Buxton said becomes more efficient and out in the field doing more inspections. Selectman Brucker asked about supervision. "May exercise supervision over personnel as assigned to assist the division." I couldn't imagine who you're talking about. Deputy Buxton said they had talked last week about some cross work load being pushed over to the Fire Administrative Assistant or other Administrative Assistant within Community Development. So you may see that

tracking going back and forth if they're directing some of that work. I don't see a lot of supervision but I think it we wouldn't be doing our due diligence if we didn't put that in there.

Chief Murray said all of our job descriptions even with Firefighters that there potentially exists a time when they may have to supervise someone for whatever reason. Chairman Coutu indicated it serves as a catch all. It's a safeguard. They can otherwise say it's not in my job description I don't have to do that.

Selectman Brucker said the other one was emergency management in #16. "Provides administrative aide support and permit technician support as part of the town Emergency Management Team during planning, response, and mitigation activities related to emergency management. Includes work in the Emergency Operations Center during large scale disasters." I guess I'm having a hard time seeing the emergency. In the broader sense, Chief Murray said all of us on staff in the Town become part of the Emergency Management Team. If we activate that operation center for days at a time, we draw for all the departments for the administrative support in order to function as the Emergency Management Team. That's really all that is. Sometimes there's parts of the emergency management plan that needs administrative work. So all we're doing is stating right out that in the event of a disaster, you may be recalled just like any other employee in the Town depending on the Town's needs. Selectman Brucker said it sounds like a very responsible position. Is there somebody you said is already training for this position? Chief Murray said there is an individual up in that office that took care of most of these and has been working towards an ICC certification on their own. So they're well on their way to become a certified permit technician. Selectman Brucker personally thought it needs more time to think about.

Chairman Coutu specifically asked why you think we need more time to think about it from your perspective. From Selectman Brucker's perspective, she said it's a new function of this position. I don't know. It sounds like you'd have to be an octopus to do it all. Chairman Coutu said the person of whom they speak, there's no guarantee that person is going to get the job either. We have a person on board who has been doing a lot of this work. The job is a little more technical in nature therefore it's being called a "Permit Technician". This person is going to do a lot of the things that he or she does now except it's going to be with a lot more coordination, and professionalism, and streamlining the whole operation to bring down the permit requests to coming in just once and getting all your permits at once. Unless there's a technical difficulty, then she will refer it to either the Zoning Administrator, Code, or the Planner, or the Engineer to have them look at the plan before it's approved for them to get a permit. This person will also be coordinating the activities of the Inspectional Services team, which would be the 2 fire inspectors and the building inspector that we were meld into this group. She will be taking phone calls. She's going to be looking at old permits that were pulled and no one every went out to inspect to see if the job was done right. She's going to try to assign each of the inspectional team duties during the week so that they can go out and do inspections and get the forms back to her so that she can coordinate and make sure that everything is logged in properly. The person doing this does most of this anyway. It seems like it's an awful lot. I remember back a couple of years ago when the Fire Chief was asked to justify the Training Officers. I looked at what he presented as his job description and what he was telling us. There were a lot more pages than this. I said I didn't know how any one person can do this job. Because it's on there, it doesn't mean they do these things every single day. One day they may have a lot of phone calls; the next day they may not have any. They may have a lot of permit requests and 2 to 3 days go by and they don't get any. They're doing other things. She's assigning old inspections that needed to be done that were never done and things like that.

Chairman Coutu indicated that the person has to be someone that has a head on their shoulder, has a sense of responsibility and a sense of duty, knowledge of the department, and what the requirements are especially when you went and pulled a permit for electrical work and no one ever went back to inspect it to see if it was done right. Those are the kinds of things that we think we presently have on board yet to be determined. We think we have a person on board that has the skill set and is doing everything they can to get the certification that's required to do this job. The person is well on their way I believe.

Selectman Brucker asked what is the expectation of like the number of customers who will come in on a daily basis. Deputy Buxton said when they spoke last week, we talked about total permit activity which would be the bulk of the workload that comes in. If you move all the permitting underneath this person as suggested for Engineering, Building, and Fire we're talking about 2,600 permits being process per year. That worked out to I think you figured it out to be about 8.7 per day or something like that. Chairman Coutu said that was a low construction year. Deputy Buxton agreed. This is going to be a very active position. This isn't a typical as you might know it the secretary's position or the counter position this is currently in Community Development today. This person is working with permits on an active process. That's a relatively low number and by the time we build the entire scheme, it's a pretty busy system.

Selectman Luszey wanted to add to it is when we undertook this, part of what we're doing too is we are trying to provide the residents and the taxpayer a better value proposition for their tax dollar. By creating a position like this that has a much larger breadth and depth of responsibilities and knowledge it's not only better for the employee but it also provides a better value for the taxpayers and the citizens in Town. It's no different than the inspector that we'll see. Instead of having an individual inspector called out for a building inspector, and electrical inspector, a plumbing inspector, we're creating a generalist that is knowledgeable in all areas of inspection so that we have a bench strength that we'll be able to ward off the situations that we ran into this year where our inspector had to go out for a short period of time and we're running around looking for a contactor to do that. This is really about building bench strength and improving the value proposition for the taxpayer.

Selectman Nadeau indicated that usually when we authorize to post something we have a pay range. Do we have a pay range for this? Deputy Buxton believed the motion we were looking for was you to authorize the Fire Chief to start working on the reclassification. This wasn't to post for the hiring of anybody this evening. We need to approach the labor group to reclassify this Administrative Aide's position but we need to have the job description before we knew what the scope was. Chief Murray said they needed to study the pay scale.

Motion by Selectman Luszey, seconded by Selectman Maddox, to approve the Permit Technician's Job Description as amended and recommended by the Fire Chief, carried 5-0.

Job Description for Inspector

Selectman Maddox had one modification. Under "Example of Duties: 3." It says on the second line, "all necessary contacts have been made and impact fees have been calculated and collected." I just wanted to change that to "fees" because there are some off site. There are contributions and any number of things. They're just not all impact fees. Chairman Coutu said that was correct. The Recreation Department is a donation. So we're going to remove "impact".

Chief Murray stated since the Board is going to vote on this and make it official under number 2. The 5<sup>th</sup> word over we will correct the spelling.

Chairman Coutu questioned the beginning of 2. "explains and assists the public with understanding codes". Deputy Buxton said if somebody was to come in and ask for some guidance in building a shed...Steve Malizia said it might be better said "Explains to and assists the public". Chairman Coutu asked at what point do you estimate that they understand the codes. They're just going to nod their head for the most part. That's what I do. If I'm going to get a permit, I just have to say I understand that and 3 months later I'd say that's not what you said. Mr. Malizia said you're dealing with builders or other folks who are much more knowledgeable. When you say that, there's different degrees. Chairman Coutu said he didn't like the phrase "with understanding codes". If you guys don't object, we'll move on.

Selectman Brucker stated maybe I don't understand processes but "4. Conducts all on-site and necessary inspections to ensure that all Federal, State, and local codes, ordinances and regulations are adhered to; takes whatever action is required..." Are these inspectors the ones that enforce the code? It doesn't go to anybody else? Deputy Buxton said no they would enforce the codes when they're out for their inspection. Chief Murray said if it goes beyond their scope then it comes up to the chain. It goes local level. There are State appeal processes in everything else. For most cases, they deal with most violations. Chairman Coutu said that doesn't mean that in some of not a lot of the instances we may be using our code enforcement person to be defining what the code is and how they should approach it. I don't want people to think we're eliminating his job. He will be involved with the enforcement of codes and defining what the codes are so that they have a clear understanding - inspectional services people have an understanding of what the codes are, where they are, and how you find them. If they need further clarification, Bill can look up State law, Federal law, or whatever they need and explain to him what the process is to get them to correct the violation. In most of these cases, it would be for an occupancy permit. We can't issue occupancy permits when there are violations to the code. We shouldn't be. I want you to know that this is not taking Bill out of the loop in any way or fashion.

Selectman Brucker wondered who is responsibility though is it. Is it the Building Inspector? Chairman Coutu said it would be the Inspector's responsibility. They're actually going out there doing the inspections, making determinations. If they have any questions, they can call Mr. Oleksak and he's welcome to go out and review it with them. There's going to be some cross training and Mr. Oleksak is going to have to be involved in that as well.

Selectman Maddox said he's really the code compliance. He's Zoning. Steve Malizia said if you have a sign in the wrong spot, he's that kind of guy. He's building code. You didn't use the right sheathing on your electrical or whatever. That's these guys and not him.

Selectman Luszey had one question on 3. "collected" where it says impact fees and now its fees. The inspector's actually collect that. I thought that would be the permit personnel. Deputy Buxton thought there's going to be a tripping point where we talked about this before the meeting where the Permit Technician works within a scope. When the project gets to a certain size or magnitude, it trips for final review to one of the inspectors or the plan reviewer. Certainly the Permit Technician will not be doing full scale commercial building plan review in calculating out the fees. Selectman Luszey was talking about the fees because normally when a person comes in and applies for a permit, they make the check their and not when...Deputy Buxton said they actually start with their application fee and that is strictly for the application. When the full permit review is done after they submit it, that's what this is.

Motion by Selectman Luszey, seconded by Selectman Maddox, to approve the Inspector's Job Description as amended and as recommended by the Fire Chief, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Luszey, to allow the Fire Chief to have open discussion with the Administrative and Support Staff to create the job classification of Permit Technician, carried 5-0.

Motion by Selectman Luszey, seconded by Selectman Maddox, to allow the Fire Chief to post of the hiring of the full-time Inspector's job within the Fire Department.

Selectman Nadeau asked if we had the pay range on this. Deputy Buxton said the last pay range that I found in the Administrative Support Staff's Contract I believe went from \$21 and change per hour to \$28 and change per hour. That was the range from Step 1 to Step 8. Selectman Luszey said it was the same as it is today.

Assuming that the person that we spoke were to get the position, I thought we were going to stay within that pay grade. Deputy Buxton said that this is the Inspector. Selectman Maddox was hopeful that they weren't going to start at Step 8 because there's no place to go. Deputy Buxton said that's the range from \$21 to \$28 per hour. Chief Murray stated that comes back to you the Board.

Vote: Motion carried 5-0.

8. NEW BUSINESS

A. Fairview Nursing Home - Sewer Allocation, Map 216, Lot 002

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia indicated that the Board had a Memo in front of you from Mr. Webster who has worked with this application. What they're looking for this particular location which is Fairview Nursing Home down on Lowell Road. They're looking for an additional 3,375 gallons of sewer flow. They currently have 19,130, so they're looking for an additional allocation for their facility or for their expansion plans. He's recommending that you grant this. It's in the district. The capacity is available.

Chairman Coutu said he noticed that on the amended sewer allocation request on the second page, the numbers are a little different. I don't know if it's a typographical error. The front says 3,375, inside it says 3,875. Mr. Malizia indicated back a few months ago - 6/15/2001 they got an update of 3,875. This is an additional. They originally had 15,255 to which 3,875 was added in June of 2011. That got them to the 19,130. Now they've come in looking for 3,375 for this round. Chairman Coutu thought the matter of greatest concern to the Board as always should be do we have allocation. Not only do we have confirmation from Mr. Webster who's been working with the Sewer Utility for quite some time, I know for a fact that 3,375 additional gallons are not going to put a dent in what we still have available.

Selectman Maddox said that we still have the 100,000 we found a couple of years ago from that mystery guest. It's good to see that after coming to the Planning Board 3 or 4 times, I understand they're finally going to break ground. This is going to happen this year. Mr. Malizia said they had a meeting the other day as a matter of fact with the Engineering staff. Chairman Coutu said he couldn't wait to see the construction to begin. It will mean more jobs and money being spent in Hudson at the same time.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to allow Keach-Nordstrom on behalf of Fairview Nursing Home, 203 Lowell Road, Map 216, Lot 002, a sewer flow increase of 3,375 gpd (current 19,130 gpd plus 3,375 gpd additional flow totals 22,505 gpd), carried 5-0.

B. Grant Acceptance - Highway Safety Project Grant #315-13A-135 "Hudson Enforcement Patrols" in the amount of \$5,720

Chairman Coutu recognized Captain Bob Tousignant.

Captain Tousignant stated that this is a Highway Safety Grant. We include this in our budget. It's for 22 four hour patrols for enforcement of traffic laws, red light, speed, and so on through the Town during peak traffic hours in the a.m. and the night commute. Chairman Coutu asked if they would all be identifiable as directed patrols. Captain Tousignant said yes.

Selectman Luszey questioned the amount of \$5,720. Is that all inclusive and does that include all taxes and benefits? If so, how many hours does that relate out to? Captain Tousignant said its 22 patrols times 4 hours at \$50 an hour. Payroll deductions are \$4,400 at 30 percent. So payroll deductions are \$1,320.

Motion by Selectman Brucker, seconded by Selectman Nadeau, to authorize the Hudson Police Department to accept the "Hudson Enforcement Patrols" project awarded through the New Hampshire Highway Safety Agency in the amount of \$5,720, carried 5-0.

C. Grant Application - NH Highway Safety Agency "Hudson Tire Deflation Devices (3) in the amount of \$1,440 of which the State to fund \$720 and the Town to fund \$720

Chairman Coutu recognized Captain Bob Tousignant.

Captain Tousignant indicated that the Highway Safety Agency has a reimbursement for 50 percent of equipment. Currently we have 3 marked units that are not equipped with the stinger spike strip. So we have 3 cars sometimes that are out in the road without that equipment. All the other cars have them. I found with this grant they pay 50 percent of the cost of this equipment. Instead of us paying the full amount to equip these 3 units with these devices, 50 percent is reimbursement by the State. If the Board is interested in going for it and getting this equipment for those 3 marked cruisers...Chairman Coutu asked if this was in addition to your budget requests. Captain Tousignant said we're going to split the cost if you so desire to accept this grant. It would come out of the budget. It's the line where we equipped the cruisers with when we...Chairman Coutu asked if they had the money in that line to go ahead and do that. Captain Tousignant said yes and will come out of this year's budget.

Selectman Brucker asked what they used them for. Captain Tousignant said if they wanted to stop a vehicle. If the officers or another town is involved in any type of pursuit. By the radio, we radio ahead and we predict maybe where the vehicles are going. The spikes

are laid out across the road. When the suspect's vehicle drives over them, it flattens all 4 tires and then it's pulled back off the side of the road for the cruisers to go through. Selectman Brucker indicated she has seen those in parking garages that don't want you going out the wrong way. Thank you.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to accept the recommendation to authorize the Police Department to enter into the agreement for the "Hudson Tire Deflation Devices (3)" project with the New Hampshire Highway Safety Agency in the amount of \$1,440, which the State will fund \$720 and the Town will fund \$720.

Selectman Maddox indicated that Selectman Luszey will be happy. This has 8 pages of backup.

Vote: Motion carried 5-0.

D. Temporary Part Time Building Inspector Extension

Chairman Coutu recognized Town Administrator Steve Malizia.

As you are all aware, Steve Malizia indicated that we brought on a temp. who works part time in Nashua and part time in the Town of Hudson to do building inspections as required or as necessary. Basically he would get a list of inspections per day. He works in the afternoons predominantly. Given that the gentleman that he was doing this work for is still not fully back to snuff and is not able to go out in the field, it is recommended that we extend this gentleman to the end of the month when we anticipate that the other inspector will most likely be able to go back out into the field. Again, this is a temporary employee. When you originally authorized him, it was through February 28<sup>th</sup> with a 2 week extension. This is going to go past that so I'm here for the Board to extend this to March 29<sup>th</sup> under the same terms and conditions that we have right now.

Chairman Coutu said it was also fair to state that our agreement with him was up to 20 hours per week and there are some weeks he didn't make 10. We're not being taken on this position at all. Mr. Malizia said this has been a very good relationship for the Town and for the individual. It's worked out well. We've managed it well. Again, we just find ourselves with the gentleman not back to full capacity and this is the best option to pursue.

Selectman Maddox asked if we should also put the 2 week extension so you don't have to come back here and go through this again if need be. Chairman Coutu didn't think it was a bad idea. Mr. Malizia said he wasn't averse to it. We don't have to do it so if we do it now.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to extend the employment of William F. Condra as the Temporary Part-Time Building Inspector until March 29, 2013 under the terms and conditions previously agreed to on January 8, 2013. This agreement can be extended for an additional two week if needed, carried 5-0.

E. Acceptance of a donation from Lifetouch National School in the amount of \$930.14

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia indicated that this is a donation that comes on a regular basis. These are the folks that do the baseball trading cards for the basketball program. They've generously donated \$930.14 to the Town's Recreation Account. This is pretty much an annual event from soccer and from basketball. I recommend you accept it with the Board's thanks and appreciation.

Motion by Selectman Brucker, seconded by Selectman Nadeau, to accept a donation of \$930.14 from Lifetouch National School to be put in the Recreation Donation Account with the Board's thanks and appreciation, carried 5-0.

F. Benson Park - Rules and Regulations

Chairman Coutu recognized Selectman Nadeau.

Selectman Nadeau stated that they were getting new signs made up at Benson's. These are the rules that we have posted. We have been told, and I will be checking with the Police Department again tomorrow to go over and make sure that these are all correct. What we've been told by police officers at the times that we've asked them for their assistance, they can't do anything with these items because there's no Town Ordinance to enforce these items. This was just to put this out there so that you guys understand what the problems are and what we need to do. I'm going to talk to the Police Chief and get a recommendation from him which way he wants to go with either adding this whole section into Town Code, which we've already done before, but how they can enforce these things. We need to come up with a plan as far as locking the gates. It's becoming a big problem over there with what's going on inside the park in the evening. One of the deterrents is the gates are locked and you can't get in. For those who know the park, there's 110 ways in and out of that park. Most of the people that are going to try to get in are just going to come down the road and go to the gate that's open. If you make it harder for the criminals to get in, they don't have to go through the swamp to get in, then it's a very good deterrent.

Chairman Coutu asked the Town Administrator to report to the Board communication with our attorney relative to the rules and regulations and whether they can be enforced or not. Mr. Malizia said you can clearly enforce the hours. That's in the Ordinance. You can also enforce the dog portions of it because that's in the Ordinances. The rest of the rules and regulations - you could make rules

and regulations and they are rules and regulations. However, you have no teeth to those rules and regulations. Should you wish to cite someone, you have no leg to stand on in a court of law. Bottom line if you wish to make these things for lack of a better word violations, you need to have an Ordinance. Again, you have an Ordinance when it comes to the hours. You have an Ordinance when it comes to the parts that pertain to the dogs but you don't have an Ordinance that says no horseback riding for example. If you wanted to cite somebody for horseback riding, you have no legal recourse in a court of law. If a police officer tells me not to do something, I'm probably not going to do it. There's no teeth to it. In other words, you've adopted rules which is perfectly fine. You can do that but if somebody challenges you, what do you do? Chairman Coutu said what's our legal standing. Mr. Malizia said you don't have one unless you have an ordinance.

Selectman Nadeau said this is what our problem is over there. Chairman Coutu said he was not adverse to doing something. My conversation with you is that you were going to present this and you'd hope we would take this under consideration. I certainly would hope that given a couple of weeks, your conversation with the Police Chief you want to bring it up again, let's talk about it. Bring this to the Chief and say what's in our park ordinance that's covered here and what isn't. Some of the State laws apply here because remember even though we own the land, we're regulated by State laws according to the deed. Whatever is applicable in the State law is enforceable by this town for that piece of property.

Selectman Maddox had 2 things. Number one - we went through that whole thing to update the Ordinance 188 for the dog leash length. There hasn't been a ticket written yet per the Police Chief as of 2 weeks ago. If this is such an issue, it doesn't seem to be coming up. Second thing Mr. Chairman if we're going to do this and do this as a Town Ordinance, I think we should bring the Conservation Commission in and do this throughout all of the parks and the recreation land. Let's not just do it for Benson's. Not all of these but some of these no motorized vehicles and those type of things. I think rather than crafting this just for Benson Park, I think we should do it for all of our various parks and recreation areas. Maybe some of them won't apply.

Chairman Coutu thought in the past our attorney, if I'm not mistaken, had recommended that we look at a lot of this stuff should be covered under all of our parks. We should adopt or modify our ordinance to cover that. Some of that you can't go swimming at some of the parks so it's not applicable. Selectman Maddox indicated that you can't climb on the old shoe on many of them. I'm just saying that if we're going to do this, if we're going to go through this process and make it an ordinance...Chairman Coutu thought you unless your committee assignment gets changed by whomever, we're going to have to wait until the next meeting to see whose elected, who's going to be Chairman, who's going to appoint who to what. I think at that time, Selectman Nadeau can make his case to go back on the Benson Committee and whoever is doing police, you and that person should coordinate something with the Chief. We'll look at what exists and what doesn't exist because after the last meeting we had Selectman Nadeau when you took out the Code book, I went home and pulled out my Code book. We have a lot of Codes that need to be changed. They're outdated and they need to be changed. This was something I remember that former Selectman Jasper had said that we may want to take a look at some day. Now it may be getting to the point where it's going to be a major task just to look through that and look where we need to modify. It's something that needs to be done. Another workshop item.

Selectman Brucker said we did have a citizen in here speaking about smoking in the playground area. Should that be added to this. We promised her. Selectman Nadeau said he'd talk to the Chief about no smoking in the playground area. Selectman Brucker thought that was the only place.

Selectman Maddox said "organized groups of 15 or more must obtain a permit in advance from the Town of Hudson". Well if Eloise and her family show up, I have more than that. What is the issue out there and who is the Town of Hudson they're going to go...Selectman Nadeau said they're not an organized group. Selectman Maddox said if they came in and wanted to have a picnic, cookout, or whatever. Steve Malizia said the Rec. Department. It's articulated I think on the web page. They go to the Rec. Department just so that we have an idea of large groups that are in there. Some cases it's a conflict. Selectman Maddox said on the sign that they're making up, somebody should know who they're supposedly going to.

Chairman Coutu stated the problem with this, too much verbiage. No one is going to stop and read this. Every year they keep adding and adding. People aren't going to sit there and read this whole thing. I'm going to the park to enjoy myself. If I want to read a book, I'll bring a book. This is a lot to read on the side. It's one thing it says no smoking. It's another thing to have 27 different rules and regulations. I hear you. We have to post it but before we even do that we have to make sure that our ordinances are in order. Why don't we go that direction first.

Before we order this new sign, Selectman Nadeau wanted to make sure that what the new sign says is what we're going to be able to enforce. If we hang this sign up that's currently there or adjust this sign because we made some adjustments on this sign if we have to put per Town Code, Chapter with the numbers and organized groups of 15 or more, that's on the web site. If someone is looking to come to Benson's to do something, they're supposed to get a permit. For those who are doing it legally will get a permit. For those who are doing things illegally at the park, won't get the permit. This way we have a way to track that there's people partying at the gorilla house and shooting videos and there's 65 of them with all their sound systems down there. At least when someone calls and complains to the Police Department -geez they don't have a permit, okay. Oh did we just have something like that at the park? Chairman Coutu said we had an incident not too long ago - the concert down at the gorilla cage. It's really for our consumption for the time being.

#### G. Budget to Actual

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia said we're 67 percent of the way through the year which is 2/3rds. In general, most of our accounts as they've tracked have been tracking well. We're always keeping an eye on the highway with these continued snow storms. Kevin is taking a look at his budget and he's on top of it. His is the one based on the weather that we've been keeping a close eye on. Everything else looks reasonable. Our automobile registrations are just about at 67 percent. Overall, we're in decent shape for where we are in the year. I'm not aware of any other major hiccups out there.

Chairman Coutu said the only one that was of concern was the overtime account in Highway. Any questions on budget to actuals? Comments? Selectman Maddox indicated that page 4 was missing. Steve Malizia said he'd look at it tomorrow.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - Thank you Mr. Chairman. It is amazing how fast 3 years go by. All of us will be at the polls. Some of us will be outside in the cold and rain and some of you will be inside nice and warm. Hopefully there's a lot of people that come through and see you. If you have any questions, all 5 of us are there. Ask the questions. If you have some concerns about the items on the warrant that you want answered, please stop by and talk to any one of us. We're not doing the one way traffic because there's just not going to be the numbers that were at the Presidential Election. That's not an issue at this time.

Selectman Maddox stated in the discussion we had about the inspectors and we talked about this extensively. We kept code enforcement out of this because we had somebody there that was doing the job. Unfortunately that person had a medical issue that they had to go away for a while. It was interesting to see in the HLN that we're micromanaging but we let the department take care of the issue. That person was out. It was handled. I'm going to coin a new phrase here tonight Mr. Chairman. I'm going to call it "micro bitching" which is where somebody takes not the whole process but a little piece of it and just bitches about it. It's going to be a lot of fun tomorrow at the polls. They need to look at the big picture. This is just one little piece of it. We didn't do anything with it because staff took care of it. It went both ways. Look forward to seeing everybody tomorrow. If it's raining and pouring, waive to us, we'll be there. Thank you.

Selectman Luszey - Thank you Mr. Chairman. I don't have anything to report on any of the committees that I sit on because we haven't met since last time. I've had a number of conversations with radio and paper reporters about the senior center. Hopefully this will be the year. We're not asking for a whole lot of money to finish it off given the costs. Most of that money \$1.7 million is in the bank. I really hope people get out and vote for it. Chairman Coutu asked Selectman Luszey to speak not to the citizens of Hudson but people from within about modifying the plans at the last minute. Selectman Luszey stated late this afternoon I got a phone call from the Town Engineer requesting that we make revisions to the drawing for the cable piece of it. I told him we can't. We are going to vote on it tomorrow. We will take care of the problem. It deals with the air conditioning. We will manage that issue within the budget that hopefully will be approved tomorrow. It is a never ending saga of changes. Chairman Coutu said it was done. We're going out to bid in a couple of weeks with what we have. Selectman Luszey said if the voters are positive, we'll be going out to bid Friday.

Also Selectman Luszey said he did not have the opportunity to attend Candidate's Night but I did watch it in its entirety. It amazes me how people ask about change and how we work here to make change and then to use the same phrase that Selectman Maddox uses that accuses us of micro managing things and putting people, our employees on pins and needles. When you make change, there is some uncertainty. One of the things that we have stated openly, frankly, and honestly is that we are not looking to lay people off at this time. We are looking at using people that have left this organization as an opportunity to do things differently, which is change. Hopefully the voters will see that that is what this Board has done in a positive manner. I wish you two both the best.

Selectman Nadeau - A couple of things. As people watch the re-runs of the Deliberative Session and the different things that have been in the paper, I just encourage everybody to read and take the time to go out and vote tomorrow. When I get a lot of these people calling me and complaining about their tax bill in July, my first question to them is did you vote in March? This voting in March is very, very critical to what your tax bill is going to be the following year. A lot of people don't realize that. The time and effort that's gone into a lot of these warrant articles, the senior center - many, many, many years of work have gone into this. I hope that everybody goes out tomorrow to vote. I'd like to see 4,000 to 5,000 but I know that it's going to be the usual 2,000 to 3,000 people if we get real lucky that come out to vote for these items. I hope that everybody got a chance to look at the sample ballot that was provided to them in the Hudson/Litchfield News. If they didn't see it there, if they go on line to the town website and look at it if they have any questions, feel free to ask tomorrow. I'll be there a good portion of the day into the evening. If there's any questions at all, please feel to ask us and the sample ballots are available on the walls when you go in. So you can look things over before you go into the voting booth.

Selectman Nadeau said the next thing. There's a couple of upcoming events in town. We have the Easter Egg Hunt at Benson's which is put on by the Rec. Committee. The other thing is we have the bunny breakfast coming up next Saturday at Lions Hall put on by the Junior Woman's Club. It's a great event for the kids in town to have breakfast with the Easter Bunny and they do arts and crafts. The fee is very minimal to go to this. Again, I look forward to seeing everybody tomorrow at voting. Thank you.

Selectman Brucker - The Conservation Commission which I'm on is meeting tonight so I'm sorry I can't report anything from them. There have been no other meetings that I'm the liaison for since then. I do want to encourage, again, all the voters to get out and vote for the Warrant Articles. As I said last week, it will just add \$1 a week to your taxes if you own a home that's \$250,000 appraisal. It is for some really well deserved cost of living increases for people and also for the senior center, which has been a long time coming and it will be well deserved when we get it there. I'm really hopeful that it will be this time. Good luck to our two incumbents.



Selectman Coutu - Well I certainly hope after all these years, Selectman Nadeau this has been years in the making - the senior center. \$117,000 is all we need. We won't be taking \$300,000 out for capital reserve any more. This has been an impact on the tax rate. Selectman Luszey said we're doing a tax decrease. Chairman Coutu said that would effectuate a decrease. Let's vote for the \$117,000 and wrap this up. It's a \$2 million project. We have it all but \$117,000.

Chairman Coutu wanted to give you an update on Lacrosse. We didn't change the line item on the budget which was \$12,000. We have right now approximately 158 kids registered. Income is slightly in excess of \$16,000. It may grow from there. We have a core group of dedicated volunteers who are managing it this year. Hopefully we can get them through one more year before we start thinking about possibly hiring a manager.

In terms of the Easter Egg Hunt, chairman Coutu indicated that it was on Friday, March 29<sup>th</sup>, It's run by the Hudson Recreation Department. It's for first grade and under at the Amphitheater field at 6 p.m. Second and fifth grades from 6:30 p.m. they will start at the Amphitheater field. Participants will meet at the A-frame. The hunt will begin at the time specified which will be 6 for first grade and under and 6:30 for 2<sup>nd</sup> through the 5<sup>th</sup> grade. Bring your own Easter basket. There is a rain date. It will be on Saturday, March 30<sup>th</sup> at 6 p.m. as opposed to Friday, March 29<sup>th</sup>, if it should rain. If you have any questions, call the Recreation Department and clarify it. However what I would like to do is I would like to solicit some volunteers. Last year Selectman Nadeau I believe you were there. The place was packed. It was the first or second time we had it at Benson's. It was packed. There were kids all over the place which was great to see. We need volunteers. We're hoping that Boy Scouts and Girl Scouts would volunteer by calling the Hudson Recreation Department to fill the Easter eggs for the kids. You could also volunteer on those dates to help because it's a great time. It's a great thing to watch those kids.

Lastly, Chairman Coutu wanted to bring attention to - I'm going to be doing this for a while unless things don't go my way tomorrow - the Town of Hudson residents. The Assessing Department wanted to inform residents that the deadline for applying for the 2013 property tax year for new veteran's property tax credits, elderly property tax exemptions, disabled property tax exemptions, blind property tax exemptions, or current use applications for any of those exemptions, you need to apply by April 15<sup>th</sup> of 2013. If you need further details, please contact the Assessing Department at 886-6009 Monday through Friday from 8 a.m. to 4 p.m. or you can go to the town website, [www.hudsonnh.gov](http://www.hudsonnh.gov) and go to the Assessing Department. They should have that information provided to you.

Selectman Maddox, Chairman Coutu said he thoroughly enjoyed working with you for the past 5 years. Three were both elected at the same time two years ago. I wish you the very best of luck tomorrow. I'm looking forward to if the voters are so kind, I'm looking forward to serving with you and with the other 3 members of the Board for an additional 3 years, 2 for some, and maybe no more for others. I wish you the very best of luck tomorrow. Selectman Maddox said, "Same to you Sir". Chairman Coutu hoped as Selectman Nadeau in reflecting upon past elections I wish more people would come out and vote, and I wish they would seriously consider the contracts for our employees. I've heard you. I've heard you loud and clear. A lot of you can't consciously vote for them because you either lost a job or someone in your family has. There's nothing more discouraging that if you have a job you're asked to take a cut in pay, or the job is taken away from you. We have good dedicated town employees. We have services that we have to provide you and we need to maintain a workforce that is going to provide those services. In order to accomplish that, we want to keep the good people that we have. You've heard Selectman Maddox say when he was talking about the police contract that it would cost some \$38,000 until we get somebody trained and in a cruiser and ready just to train a new person. The Fire Department is a little less but it's still very costly and so are other positions. There's transition, training, and clothing that we have to provide them, make sure they have the classification of licenses that's needed. If not and they're on their way, we need to assist them in getting it. It affects a lot of things. We will respect whatever your wishes are. We're just making a personal plea. I certainly am at this time that you support our Hudson Police, our Hudson Fire, our administrative staff, our clerical staff, the Town Clerk/Tax Collector, and our town employee raises. If all of the raises were to pass, I think it's \$25.55. It's like \$.50 a week just for the raises. We hope you will do so. Please show up and vote. Tomorrow is Election Day. The polls will be open at 7 a.m. to 8 p.m. We will have 3 Selectmen working and 2 outside sweating.

10. NONPUBLIC SESSION - NONE

11. ADJOURNMENT

Motion to adjourn at 8:08 p.m. by Selectman Maddox, seconded by Selectman Luszey, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

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Roger E. Coutu, Chairman

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Benjamin Nadeau, Vice Chairman

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Richard J. Maddox, Selectman

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Ted Luszey, Selectman

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Nancy Brucker, Selectman