

HUDSON, NH BOARD OF SELECTMEN
Minutes of the February 26, 2013 Meeting

1. CALL TO ORDER - by Chairman Coutu the meeting of February 26, 2013 at p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE - led by Donna Graham, Executive Assistant.

3. ATTENDANCE

Board of Selectmen: Roger Coutu, Rick Maddox, Nancy Brucker

Absent: Ben Nadeau, Ted Luszey

Staff/Others: Donna Graham, Executive Assistant; Lisa Nute, IT Director; Chief Jason Lavoie; Captain Bill Avery; Captain Bob Tousignant; Representative Shawn Jasper

4. PUBLIC INPUT

A. Recognition of Sergeant Donna Briggs - 20 years of service

Chairman Coutu told Donna that it was nice to see you again. It's been a while. The last time I saw her, I think you were at the store, and it was for a drunk. Chairman Coutu read:

"Sergeant Briggs was Sworn-In as a Patrol Officer on March 1, 1993 - she graduated third (3rd) in her class from the 100th New Hampshire Police Academy in June 1993.

On July 1, 1997 Sergeant Briggs was appointed as a Hudson Police D.A.R.E. Officer; she was instrumental in obtaining funds through Health and Human Services for K.N.O.T. (Kids Night Out of Trouble).

In August 1998 Sergeant Briggs was awarded State of New Hampshire "D.A.R.E. Officer of the Year" with a presentation by then Governor Jean Shaheen at the State House in Concord.

Sergeant Briggs was elevated to Master Patrol Officer in January 1999 and promoted to Sergeant in December 2002. From January 2006 until March 2009 she was assigned to the Detective Bureau, and since March 2009 Sergeant Briggs has served on and off as police prosecutor.

Sergeant Briggs earned her Associate's Degree in Criminal Justice from the Middlesex Community College in Bedford, Massachusetts.

Donna and Travis reside in Derry with daughter Melinda and their young son T.J."

We're going to present you with a Certificate of Appreciation from the Town of Hudson, Board of Selectmen presented to Donna Briggs of the Hudson Police Department in Recognition of 20 years of dedicated public service. Also included in here is a small token of our appreciation. Congratulations and thank you so much for your service.

Chairman Coutu asked if anyone in the audience wish to address the Board on any matter of which we have control or interest, you may step forward and do so. When you do, please sit up to the microphone and state your name and address for the record.

Shawn Jasper thanked the Chairman and members of the Board. I am Shawn Jasper. I reside still at 83 Old Derry Road. I just wanted to touch on an issue that I've been working on along with the Road Agent, Police Chief with the assistance of Senator Carson. We all know back in January we had a terrible snow storm where there was a great deal of problems in the Town due to the State's lack of attention to their State roads. Of course people automatically assumed that it's the Town. They don't realize just how many roads we have. I received an e-mail earlier that morning from the Road Agent letting me know that there were problems. I immediately went to work on making phone calls and trying to see where I could get. I did meet with the Commissioner that morning actually but then it took quite a bit of time to get a meeting set up. After multiple attempts including me going directly over to DOT one morning and still not having any success, I did call our Senator. I just wanted to publicly thank her and let the Board and the people of New Hampshire know that she got right on that. The meeting was immediately schedule and when we did have the meeting with the Chief, the Road Agent, and Steve, she participated as well and was a big help to the Town in making sure that we made progress. I have been very impressed with the Commissioners attention to this matter. As you may appreciate, there is a bureaucracy sometimes which even the Commissioners are not able to cut through in all cases. I know that he has had some frustration in dealing with this issue. I have been assured that there has been progress made, phone numbers have been exchanged. I want to let you know that the Commissioner as well as Senator Carson and myself and the rest of the delegation wants to make sure that if we have any future problems that we are made aware of that and we'll get back to work on it. Certainly as we said, there is no excuse. When the roads aren't plowed and there are plow trucks contracted with the State sitting on the side of the road saying well you know that's not in our policy for us to go out and plow at this time. Changes have been made, they better understand that Kimball Hill Road is a nightmare and that it needs more attention than it was getting.

Mr. Jasper said they also have recognized that some of the roads within town were not properly labeled according to the traffic volume. They hadn't kept up to date with that. Changes have been made there as well. We certainly hope that we have been helpful and want to continue to monitor this situation.

Chairman Coutu knows that on early Sunday morning I made a point of going to Kimball Hill Road to see if any attention was given. I noticed it was. I was very pleased. I think I speak on behalf of the Board of Selectmen when I thank you Representative Jasper and if you would also pass on our appreciation to Senator Carson and to the Director of DOT, we would appreciate that. I know that I was in contact with the Town Administrator and the Road Agent that morning and Kevin Burns had informed me that he had been speaking with you, and that you were at the State House, and that you had bumped into the Commissioner by happen stance, and you went right to it. It needed attention and I'm glad that you took whatever steps were necessary and that Senator Carson stepped in on behalf of the Town as well. Anyone else any comments?

Selectman Brucker said just another thank you.

Selectman Maddox thought that the Board should have a letter signed by the Chairman thanking the Commissioner for his work. I think that so often we tend to kick the State DOT. It's nice when they actually respond. I think it would be to our advantage Mr. Chairman to spend the money on a letter. Chairman Coutu said by consensus, we'll send a letter to the Commissioner expressing our appreciation and I would also send a letter to Senator Carson as well because she's our direct link - Shawn is but she's our direct link to the Senate. They have fewer numbers and they can get things done quicker.

Shawn Jasper said they certainly tend to pay attention more to 1 of 24 rather than 1 of 400.

Chairman Coutu thanked Representative Jasper.

5. NOMINATIONS AND APPOINTMENTS

A. Interviews

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

Joanne McGovern - 17B David Drive. I've lived in Hudson for 12 years. I've raised 3 boys here - a Senior, Freshman, and 7th grade. I've been coaching in the Rec. program for boy's basketball for 6 years. I participate in the woman's softball league and co-ed softball, as well as well as the woman's basketball games on Sunday. I have watched my kids really grow through the program that the Rec. offers and think that we're a very lucky community to have such a program. I want to continue to help contribute to the success of the programs for the community.

Chairman Coutu said you want to give back for the benefits your children had through our program. Joanne said yes and I have been doing so for 2 years. My youngest is in 7th grade and I have also been coaching the 5th and 6th grade boys whom I have no children in that age group to help out because they're so short with parents participating with the programs.

Motion by Selectman Maddox, seconded by Selectman Brucker, to suspend the rules and nominate and appoint Joanne McGovern as an alternate to the Recreation Committee with a term to expire 4/30/16, carried 3-0.

2) Sewer Utility Committee - (2 vacancies, 1 member term to expire 4/30/16; 1 alternate term to expire 4/30/14)

Robert Alan Russell - 88 Central Street, Hudson. I'm an RN and I work at the Northeast Rehabilitation Hospital in Nashua. I'm a Captain in the United States Army Nurse Corp. and one of my hats that I wear in that capacity is field sanitation officer. My job in the unit is to determine the positioning of the different units within our hospital - human waste, medical waste, radiological waste from the different components within the hospital. Usually with our large unit if we're set up for the 188 bed unit, we take up approximately 27 acres. It's kind of imperative that things be set up in such a way as to maintain health for not only our patients as well as our staff. Even though it is marginally associated with the job that I'm applying for here, one of my desires is to become more involved in the community. I moved here from Berkshire County in Massachusetts about 6 years ago. It's my desire - I get out of the Army in a year. They're throwing my old butt to the curb. I turn 60. I want to become more involved in community - get my name out there known in the community.

Chairman Coutu said I've always said that's one of the ways to do it. Are you aware that the committee meets at 5 p.m. and that's not a problem? Mr. Russell said yes and that's not a problem.

Motion by Selectman Brucker, seconded by Selectman Maddox, to suspend the rules and nominate and appoint Robert Alan Russell as a member to the Sewer Utility Committee with a term to expire 4/30/16, carried 3-0.

6. CONSENT ITEMS

Chairman Coutu asked if any Board member wished to remove any item for further consideration.

Motion by Selectman Brucker, seconded by Selectman Maddox, to approve consent items A, B, C, D and E, as noted or appropriate, carried 3-0.

A. Assessing Items

- 1) Veteran Tax Credit - Map 204, Lot 006, Sub 637, w/recommendation to approve
- 2) 2012 Tax Abatement - Map 180, Lot 3, w/recommendation to approve adjustment
- 3) Tax Deferral Application - Map 175, Lots 057 and 059, w/recommendation to approve
- 4) Elderly Exemption and Veteran Tax Credit - Map 156, Lot 006, Sublot 033, w/recommendation to approve

B. Water/Sewer Items - NONE

C. Licenses & Permits

- 1) Request to Solicit Funds - Merrimack Girl Scout Troop 10762

D. Acceptance of Minutes

- 1) Minutes of the January 22, 2013 meeting

E. Calendar

- 3/05 7:00 Board of Selectmen - BOS Meeting Room
- 3/07 6:30 Recreation Cte - BOS Meeting Room
- 3/07 7:00 Benson Park Cte - Buxton CD Meeting Room
- 3/11 7:00 Conservation Cmsn - Buxton CD Meeting Room
- 3/11 7:00 Board of Selectmen - BOS Meeting Room.
- 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. Conservation Commission Financial Overview

Chairman Coutu indicated that we have removed this item and we will defer this item until the March 5TH or March 11th. What is the Board's wish? Selectman Maddox asked that we have a discussion with the Conservation Committee and do it at one of our Workshops that would entail the time it will take to talk about this is kind of a complicated document and where we're going to go. I think it's important that the full Board be here as well as people from Conservation. Chairman Coutu said April Workshop. Selectman Maddox said that would be fine by me. Chairman Coutu said we'll defer this until the April 2 Workshop.

8. NEW BUSINESS

A. State Representative Shawn Jasper - House Bill 617-FN-A-LOCAL

Chairman Coutu recognized Representative Shawn Jasper.

Good evening. Representative Jasper said it's not very often that there's a Bill that really catches my eye that really will impact the community. I think that this is one of that certainly will have an impact on the Town and on citizens of the Town. I wanted to come in and get your input as to what the Board thinks about this. I want to start off by giving you just a brief overview of some of the things in there. I've provided you with some charts that show some of the information. The last time the road toll was raised, and that's really the formal name. We call it the "gas tax". Technically it's not a tax. It is a user fee technically. I think that's sort of semantics. It's been since 1991, and if we'd just gone by the CPI, the road toll would now be \$.30. This Bill proposes to raise it to \$.33 four years out from here.

Since 1991, DOT now has 400 less workers than they did 22 years ago. The lane miles have increased by 11 percent. Prices as we know here in Hudson for asphalt have dramatically risen and that number has actually gone from \$110 a ton to \$590 a ton over a 500 percent increase. What will this Bill do? One of the things that everyone needs to understand is the part that was going to increase auto registrations has come out of the Bill and that was replaced with the \$.03 in the fourth year increase. For diesel, it's actually a \$.025 a year over a 6 year period coming up with the same result but trying to have less of an impact on businesses.

The Bill itself will raise just under \$1 billion over the next 10 years. \$250 million of that will go to finish I93 widening which currently doesn't have the funding to get that done anytime soon. It will reduce the number of red list bridges which are growing dramatically. Now we can certainly talk about what does it mean to have a red list bridge. Is it going to fall in immediately? Probably not but it's like anything you reach a critical mass and then what do you do. For communities, it will raise over \$200 million more in municipal aide - a 70 percent increase. At the end of the 4 years, the projection is that Hudson will be getting over \$210 - \$215,000 a year more in aide, which is just about the gap that we now have in Hudson between what we're appropriating to fix our roads and what we need to keep this on a reasonable plan. It increases the Municipal Block Aide Grant by over \$13 million a year, a 46 percent increase. It doubles the annual state bridge aide for municipalities to help fix the bridges, which we know we have some. We luckily don't have any red listed bridges in town but we do have some that we know are going to have to have major overhauls before too long. It certainly won't be long before we're going to need some work on the Memorial Bridge and the Taylor Falls Bridge.

It also eliminates, originally there was a one year delay before we get the money so that they'd actually have the money in the bank before we started seeing the increase. The amendment to the Bill says we will get the projection up front and then if there's an adjustment, it will take place in the following year. I'd be glad to answer any questions that I can but more importantly I'd like to see how the Board feels about the proposed Bill.

Selectman Maddox indicated that it just so happens that I got to see the Commissioner at the NRPC. He was pitching this thing to the legislators for the legislative NRPC meeting. He went over a lot of this. The only thing Representative Jasper that doesn't concern me but is the siphoning - is this money absolutely dedicated because I had seen something in the paper this morning - \$80 million is being taken out of the gas tax money as we speak today. Will this be dedicated to fix these issues and our getting our money? Representative Jasper said there is language in the Bill that does that. I know that's a concern. There is a percentage amount that is supposed to come out of the fund anyhow for State Police, and for administration, and things like that. There is a certain amount. When people say it's siphoned off, it's siphoned off because the legislature has deemed that those functions are part of the highway. You wouldn't have State Police on the highway if you didn't have highways. It's clear that there was a violation in the last budget because there is a percentage formula and that was violated in the last budget. There is every effort to fix that but there are sections in the Bill dealing with that to make sure that all of these monies go directly to cities, towns, and construction so that there is no siphoning of this new money.

Selectman Maddox said they were told that was \$80 million in the existing plan. So this we can almost bank on. Again as we try to do some planning on our roads, this is...Representative Jasper said that is the intent. I don't think anyone would want to do anything other than that. We've heard some things recently about money from here going to Fish & Game and other places. This is a work in progress frankly. If it gets out of the house, it's going to go to the Senate. The Senate said they're going to kill it because they want gambling and don't want this. The house isn't, in my opinion, likely to pass gambling. This is probably the first move in the game of chess. The intent of the sponsor and I think the intent of all of us - anyone who would be voting for it would not be to have any money to go anything else except roads and bridges.

Selectman Maddox closed by saying if that's what's going to happen, and then I would be in support. I think that we do need to do something. It has been long overdue. I just don't want to see it all of a sudden paying for whatever. This is what it's intended for and I think we said to our citizens you're going to see some results because we can tell you how much money we're going to get. It would be a lot more palatable to just about everybody. I appreciate you coming in because this is the kind of stuff that I think that we're kind of missing that we talked about at Candidate's Night. I think there's some stuff we could possibly do and if I may Mr. Chairman, there was a House Bill that said the Town could take over some of these State roads and they State would pay 80 percent to bring them up to good condition. Maybe that's something we want to take a look at.

Representative Jasper thought that Bill was a very interesting one because certainly when you look at Kimball Hill Road over the years and how problematic that road has been because it is under the State control, that would probably be a prime example of a road that we say bring it up to standards. Pay 80, we'll do 20. That's actually similar to what happened to Central Street. Central Street actually right up to Lowell Road was a State road. They totally rebuilt that, put in the sidewalks, and turned it over to us. So it's not an entirely new thought process. That Bill makes it more formal.

Selectman Brucker said traditionally roads are maintained from the gas tax. Is that correct? Representative Jasper said yes. That's the only money on the State side that goes into the roads. We have turnpike system which is supported through the actual tolls. This is the thing that gets confusing because we have the road toll and we actually have the tolls. So the money from the gasoline tax as its more commonly known goes to most of I93. Parts of I93 are actually in the turnpike system. It's very confusing and we've had schemes where this system is going to buy parts of that road because they have more money. It really gets convoluted. Roads are supported by user fees whether it be the tolls as you drive through them or the gasoline tax. General fund money does not go to support that. Then again as I said, the formula is supposed to be 22 percent or something is allowed to go to pay for State Police, and administration, and things like that. That's pretty much supposed to be a Constitutional formula that's statutory. Part of it is in the Constitution and then I think the details are probably in law and well above my area of expertise.

Selectman Brucker asked about the interstate. Any federal funds? Representative Jasper said there are federal funds that come in there. That's part of the federal gasoline tax. We get money back to support the interstate system from that and bridges on that. That's where most of the funding for the I93 widening is coming from. There's a shortage there as well. We don't get enough funding from the feds to do that as well.

On an interesting note, Representative Jasper saw about 3 years ago and I imagine it hasn't changed much that Massachusetts spent ten times per mile more than New Hampshire to support their bonding, their plowing, and their maintenance. They were spending something like \$80 million. It was a ridiculous number. It would have been \$8 million a mile or something where we're doing \$800,000 or something. It was just unbelievable what they were spending versus what we were. I don't want to get hung up in those numbers because I can't remember exactly. It was 10 times more in Massachusetts. When people say we could do better, well probably but when you look directly to what our other neighbors do and what we do, we do a pretty good job for what we have - twenty-two years without an increase. Selectman Brucker said she was very much in favor of maintaining the infrastructure.

Chairman Coutu said one of his major concerns has been I93. It's been a long time in the making and it's been a long time in getting it done. I understand that there were revenue shortfalls. Apparently when I first heard of the legislation and I looked into it, I was really against any increase in motor vehicle registration fees and thinks of that nature. Apparently we Republicans think alike. I was very successful in having it removed from the legislation. I think it was going nowhere if that had continued to stay in the bill. I think it's a reasonable increase. It's \$.02 a year for the next 4 years. Representative Jasper said it's 2 1/2 on diesel for 6 years. On gasoline it's 4, 4, 4 and 3 over 4 years. I would just not that I think we probably all saw that in the last 2 weeks or so, we paid \$.15 a gallon more than we had been. The gas prices were somewhere around \$3.55 or something. When I bought gas over the weekend, it was \$3.71. There's your \$.15 and we're talking about 4 a year.

Chairman Coutu thought 2 of the lowest price gas stations in town went up an additional \$.02 this morning. I had a customer come in complaining to me about it. I had nothing to do that with that. That's corporate greed. That's what that is called corporate greed. They can throw millions into Hudson and throw us out.

Chairman Coutu said he certainly supported the legislation with the removal of the registration fee increases. I think it's very reasonable. I think we're going to get a better bang for the buck with the increase with the money that we're going to have for an increase. As you said, I think we as a town are going to benefit greatly because we've been pinching the penny for so long about road improvements. This will give us a little more money to take care of our own roads in town. I think that's another day for a conversation about some of the roads in town that we feel that maybe we should maintain. Of course we'd want to include the Road Agent in those conversations. I think that's something that needs to be discussed in the future.

Representative Jasper said to feel free to contact any of us if you have any questions about other legislation. Chairman Coutu said he's done that he's gotten nowhere but that's all right. Representative Jasper said he did let the rest of the Hudson Reps. that I would be here tonight. So I didn't do this in a vacuum.

Selectman Maddox indicated that he and Representative Jasper talked about possibly getting something at the State level to be able to borrow against our own throughout the Sewer Utility and the Water Utilities. Representative Jasper said that was a Bill I forgot to put in this year. Selectman Maddox said if we could have these conversations, I think that's one of the things that the Town - rather than blaming the State or DOT, have them down. I thought that the conversation that we had with DOT was fruitful. Having a conversation with our legislators on a regular basis, there's communication. You don't think that we don't care, we certainly do. That one Bill could save Hudson a lot of money over time. Representative Jasper said it may be well worth. I know sometimes you're sort of grasping for workshops. I never thought of it when I was on the Board either. It's not meant as a way of criticizing. Maybe it ought to be just once a year particularly before the Bill filing period to invite the members of the delegation in and talk about things that are concerned to you and probably have the department heads in and talk about things that we could do to help with legislation or with various department as we were able to do with DOT on the roads. We all get very, very busy and we tend to sometimes forget the most basic of things. Thank you very much.

B. Bid Recommendation - NewTek Tricaster Live Production Systems

Chairman Coutu recognized Mike O'Keefe, Chairman of Cable Utility Committee. He had spoken to us about this system and it was suggested that he go out and get a price and then come back to us.

As you indicated, Mike O'Keefe said as you indicated a couple of weeks ago the Board approved the purchase of a new live production system to replace the failed one at the Access Center. After that, we put a bid spec. together and proceeded with a sealed bid process. We received 4 bids back and we opened them, reviewed them and based on the bids we're asking the Board to award the bid to Digital Multimedia Solutions of Waltham, MA. They were the low bidder in the amount of \$26,490. Chairman Coutu asked what the original estimate was. Mr. O'Keefe said the Board approved up to \$30,000.

Selectman Maddox said this does both. We were going to get two of them. Mr. O'Keefe said basically we're getting a mid level system, a low level system, and we're trading in our old low level system. We're purchasing two and trading in one.

Selectman Brucker asked if they will provide maintenance. Is there any need for that? Mr. O'Keefe said there is a manufacturer's warranty. What we're looking to probably do subsequent to this is you can purchase a service contract that's good for two years. We

didn't include as part of the spec. because we get the initial one year anyway - Warranty - from the company. That's out plan at this point.

Chairman Coutu asked Mr. O'Keefe if we have ever done business with Digital Multimedia. Mr. O'Keefe said no. As far as I know, this is our first venture with this organization. It's not in your packet but the company provided a background on principle and the work that they've done. There's a long list of projects they've done throughout the region. Chairman Coutu said they could have been easily vetted with the information they provided us. Mr. O'Keefe said yes. He's done work for Boston Garden and various facilities like that around the area. He's a qualified vendor of this product from the manufacturer.

Motion by Selectman Brucker, seconded by Selectman Maddox, to award the bid for a NewTek Tricaster 855 and Tricaster 40 Live Production Systems to Digital Multimedia Solutions, the lowest bidder that meets the specifications at a bid price of \$26,490 as recommended by the Cable Chair and the Finance Director.

Selectman Brucker said it sounds like they have a very good reputation. I was curious that they're the only ones out of State on the bidding. Mr. O'Keefe said they are actually the only one. The other 3 are from New Hampshire. The bids range anywhere from \$28,500 to \$35,985. Clearly we wouldn't go with some of the much higher ones.

Chairman Coutu indicated that the highest bid as a matter of fact came from Hudson.

Selectman Maddox stated that he knew we talked after the last meeting you were going to give us something in writing. Did you go out to bid for both of these units and then you said there was a rebate that you'd trade in the old one and get that other one? Just so that there's some sort of record Mr. Chairman. Mr. O'Keefe said he could give them the bid spec. that specified. Selectman Maddox asked if this price included the rebate. Mr. O'Keefe said yes. Selectman Maddox said, again, just trying to see if we're going to write a check and then get a rebate how this was going to work. Mr. O'Keefe said no that's the final cost after we trade in the old unit.

Vote: Motion carried 3-0.

Chairman Coutu told Mike O'Keefe that he wanted to express my appreciation I'm sure on behalf of the Board. I know that Selectman Maddox and I have talked about the time you put into edit some of the production material that we put together to sponsor the pay raise amendments and the fantastic job you did with not only editing but correcting the voice on the broadcast for Candidate's Night I think up front. What was originally being aired was muffled but the edited portion is crystal clear and I want to thank you for all that extra work you put in. It's appreciated. Thank you.

C. Request for Contingency Funds

Chairman Coutu recognized Lisa Nute, IT Director.

Thank you Mr. Chairman. Just as a quick recap, Lisa Nute had talked about replacement of our bills printer during last year's deliberation. I had given you a cost analysis on sending our bills out for printing versus doing them in house. It's more than 4 times the cost to send them out. It is worth having a printer. Ours is getting tired. This Board decided not to do anything with that. It would have been above and beyond the level funded budget. I did let you know that if it comes to the point where it's not worth fixing anymore, then I would be back here and that is the purpose of my being here tonight.

Ms. Nute said they did have a service call recently. The bottom draw is no longer functional. The main issue is that it's not a guaranteed fix. It's in excess of \$1,000 for the parts not counting labor. As I said, not a guaranteed fix. I have on the second page after the motion the cost broken down based on usage of the printer. Water uses it 50 percent of the time for their monthly bills. Sewer uses it 14 percent of the time and the 36 percent is between tax bills, some Assessing printing, and a small amount of other taxables. I am looking for \$1,700 which I do not expect to have in my budget at the end of the year and would ask you to approve \$1,715 from contingency funds and the remaining will come from water and sewer based on their usage.

Chairman Coutu's said his first question was going to be you didn't anticipate having an extra \$1,700 in unexpended funds at the end of the year? Ms. Nute said she also always have buy outs, which I don't have that for the year yet but I'm always short in that area. There are a number of maintenance things that do not come due until they're a month cost. As of right now, I'm pretty much on track with as of every other year coming back with only maybe \$300 in my budget. I've been very close every single year. Unless I don't do something, I don't anticipate having this. It's a little bit early for me to tell.

Selectman Maddox thought the IT Department should take it out of their budget and at the end of the year if there's something that isn't there, my concern is its still snowing. I don't want to eat up my contingency tonight. I know it's only \$1,700 but, again, if you came back at the end of the year and said because of this expenditure I did go over as opposed to doing it today and you might have the \$1,700 that could have just been absorbed. That's my position Mr. Chairman.

Chairman Coutu said it's not just that. We made other commitments with the contingency. It's getting close. That's what Selectman Maddox was saying. We're spending it in 6 different places. Chairman Coutu said that's been his concern is that we've made 5 or 6 commitments already for contingency money. I support what Selectman Maddox said. We're not going to dispute the fact that there's a need for the unit. We're agreeing that you're asking for a 36 percent we pay of the \$5,000 which is \$1,700. That's because we do the tax bills, dog licenses and all that stuff. Ms. Nute indicated this is all your revenue coming in. Chairman Coutu said we use it 36 percent

of the time. The numbers are there. I agree with Selectman Maddox. I would think that you could take \$1,715 out of your budget and assess the Sewer Utility and the Water Committee their percentages and go ahead and purchase the unit. If at the end of the year - certainly within a month before you close out you find that you're going to be short, you're going to have to come in here and ask for money. I think Selectman Maddox and I are both saying we're certainly going to support if you need \$1,715 to be replaced and it's in contingency budget, then we will give you the \$1,715.

Ms. Nute asked what if it's not in contingency. Chairman Coutu said that we have to pay our bills. Selectman Maddox stated that we can move money around. Chairman Coutu said it might not be in your budget, it might be somebody else's. Ms. Nute said she understood. I will go ahead and get this ordered so that we can get up before taxes. Chairman Coutu asked if we were going to put this out to bid. Ms. Nute said no. Our replacement model with the same thing. I may be able to use that sorter again. This is actually the price without the larger sorter we currently have. Chairman Coutu asked if we could get anything back on the other one - somebody might use it for parts. Ms. Nute said another reason to purchase the same, it's not the same exact model as it's not available any more but if I can use other pieces and parts...in other words, it's the replacement model for what we currently have. So it's possible some of our parts that are still usable may be able to be used down the road with this one.

Chairman Coutu asked if they needed a motion to spend the \$5,200. Was that item already in your budget? You're all set. Once you get the purchase order together, I'll sign it. If you come up short, we're going to have to find the money. We have to pay our bills. You're not going to get stuck. We're not going to send the police to your house to get the money. Thank you Lisa I appreciate it. I appreciate your understanding.

D. Legal Expenditures

Chairman Coutu stated that this about the letter that we received from Mr. Brad Seabury. If you'll notice the letter is attached. You can never miss his signature. Mr. Malizia gave us a breakdown of what we spent in FY2013 through January 2013. The Town has spent a total of \$59,496 on legal expenses not including collective bargaining or labor of which \$12,229.61 has been spent on Zoning/Code Enforcement matters. As illustrated by the attached spreadsheet, Zoning/Code Enforcement legal costs represent 20.1 percent of the town's legal expenses this fiscal year to date. Again, I am somewhat concerned about what Mr. Malizia presented to us inasmuch as we're not going to be hiring a private attorney. We're going to be hiring another law firm who he works for. I don't know what that cost would be just to represent the Zoning Board.

Selectman Maddox thought what we're looking here is lemons and lemonade. The question really was I thought how much did the ZBA spend on legal. This is what's being done for Code Enforcement which is a completely different animal really Mr. Chairman. Chairman Coutu said you're right. Somebody may be suing because of a sign violation or something and they didn't like the...Selectman Maddox said right - how much was actually spent on ZBA cases as opposed to zoning cases. I bet you if the total is \$12,000, I bet you it's probably under 2. Do we want to have an attorney for 1 board for \$2,000 a year?

Selectman Brucker asked if we had a retaining fee with the other law firm. Chairman Coutu said yes we do. Selectman Brucker said if we don't use all of what we retained them for or do we usually go over that? Chairman Coutu said we pay them X number of dollars and if we go over, we pay the difference. If we don't they get to keep the money. It seemed to Selectman Brucker that it's better to stay with one law firm regardless of...Chairman Coutu agreed but do you think this is a matter we should defer to...we can make this motion. We can make this decision.

Selectman Maddox thought based on this, I think that maybe it would be worth our while to have the replacement Mr. Buckley if that's going to be the replacement for zoning issues. Sit down with the ZBA and get that comfort level up. I think that he's quite capable. I've known him for a number of years from the Planning Board side. I just think having 2 law firms is going to start more trouble that it's worth. I think if we spent a few dollars even to get the ZBA comfortable with him, I think it would be money much better spent. Chairman Coutu agreed. Can we ask Attorney Buckley to get a hold of Mr. Seabury and see if he can arrange to have a meeting with the ZBA so that they can discuss any concerns they may have? It's a good idea Selectman Maddox. Thank you. So we'll leave it at that then for the time being.

Okay for those of you who had seen the posting of the agenda, Chairman Coutu said you will notice that there's an item for Nonpublic. Because concerns expressed by other Selectmen, we're going to defer this matter until we have a full compliment.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Brucker - I attended the Water Utility meeting last week. The new Engineer Mr. Colburn is working through some of the issues on some of the wells with Mr. Webster. He's going through it very thoroughly on what needs to be done to bring all of these wells up to where they should be. The new officers for Water Utility won't be elected until next month. We're also looking at some of our water meters that need to be replaced. They're figuring about 250 a year will be replaced by Pennichuck. Also, the SCADA system is going to be changed to a radio system that's been a hard wire system. There are many things on the Boards for some changes.

Selectman Maddox - The SCADA system tells Pennichuck and various people what's going on with our water stations. Because it was hard wired, the lines came down and nobody knew that the pumps weren't powered. The generators started but they didn't transfer or whatever the issues were. That's one of those things that we do in the background that hopefully makes our system better. It's one of those things that just government grinding along. It does get done but it's just not flashy but important. We didn't have water pressure

because everybody thought everything was running perfectly. Now with this radio system, Pennichuck will know to send somebody out because they're not.

Number one Mr. Chairman is of course we had the Candidate's Night and there was a couple of comments about the business and the economic, what the Board of Selectmen can do. Selectman Maddox thought that it is difficult for a Board of Selectmen to do much as far as economic incentives if you would. I would like to say that in the background, we are doing some paving onto an industrial park road to make it more attractive. There is going to be a new water line run down 102 to hopefully spur development down there. There will be something coming in next week in another utility going to the same area. So there's a number of things that, again, aren't flashy but just keep moving forward.

Selectman Maddox's next item, there was also a discussion about pins and needles. The employees here are on pins and needles about losing their jobs. I think that while I guess if you only know part of it, the jobs that we are talking about are jobs that are empty right now. They are open reqs. We were doing our due diligence to find out if those positions should be filled. So there was nobody that was going to be laid off. So there was nobody that was going to be laid off. It was whether we were going to hire zero, 1, or 2 people. To say that there were people on pins and needles worried about losing their jobs, there's nobody in those jobs. We didn't catch it on Candidate's Night because there was so much excitement going on but I just wanted to make that aware.

Finally Mr. Chairman as long a Selectman Maddox said he's riding on that horse; there was something in the Thumbs. Again, First Amendment people can do whatever they want and I understand. When you're on a good rant, there's no sense letting facts get in the way. I would like to say that there was one about how much the tax rate was going to go up. The Board of Selectmen put forth a number of warrant articles. If every warrant article the Selectmen put forward was passed, it would raise the tax rate 20 cents. That equates on that mystical \$257,000 home \$51.14. I had these numbers done by the Town Administrator. Under \$1 a week. They were talking \$400, \$600. It's not. Now the schools certainly have their issues. Again, we don't control any of that. I just want to say that the Town side is 20 cents or \$51. Again, the Thumbs are a wonderful thing to give you a flavor of what might be out there. I think in this case I just wanted to make sure that people understood that that is the facts - \$51. Thank you Sir.

Chairman Coutu thanked Selectman Maddox for bringing what you brought forward. The Thumbs column is a problem for me sometimes especially when the facts just are not correct. I don't mind the Thumbs column; it's a great column for entertainment. I look forward to reading it like everybody else does. When the facts are erroneous and we know it, I wish that people just wouldn't call it in or somebody would ask questions and ask about what's being presented and see whether or not it's true and it should be published. I can't tell them how to run their business no more than they can tell me how to run mine.

Selectman Coutu - Selectman Nadeau I know you're laying on the couch, and you're vegging right now, and the kids are jumping all over your legs. I hope not. I wish you well. I expect that we'll see you before the weekend. We'll certainly see you next Tuesday at the Selectmen's meeting. We're glad all went well.

Mrs. Brucker, happy day before your birthday. We wish you a very happy birthday.

10. NONPUBLIC SESSION - DEFERRED TO MARCH 5th meeting

11. ADJOURNMENT

Motion to adjourn at 7:57 p.m. by Selectman Brucker, seconded by Selectman Maddox, carried 3-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Roger E. Coutu, Chairman

Richard J. Maddox, Selectman

Nancy Brucker, Selectman