

HUDSON, NH BOARD OF SELECTMEN
Minutes of the September 25, 2012 Meeting

1. CALL TO ORDER - by Chairman Coutu the meeting of September 25, 2012 at 7:03 p.m. in the BOS Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Town Administrator Steve Malizia.
3. ATTENDANCE

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

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Gary Webster, Town Engineer; John Cashell, Town Planner; Dave Morin; Mike O'Keefe; Kathy Carpentier, Finance Director; William Oleksak, Building Inspector

4. PUBLIC INPUT

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

5. NOMINATIONS & APPOINTMENTS

a) Committee Appointments

- 1) Energy Committee (1 vacancy; 1 member term to expire 4/30/15)

Tianna Begonis

- 2) Recycling Committee (3 vacancies; 1 member term to expire 4/30/2013; 1 member term to expire 12/31/2012; 1 alternate term to expire 12/31/2013)

Tianna Begonis

Chairman Coutu welcomed Tianna Begonis. We're always very pleased when we have members of our community who are interested in our government who are willing to volunteer. I assure you that if you are successful in getting this appointment, this will be the first and last grilling by this Board I would hope. Tianna you've applied for a position on the Energy Committee. I had an opportunity this weekend to review my packet. I was somewhat impressed with some of the things that you stated. Would you give us for the record why you're interested and how you think you can be a good member of the Energy Committee?

Tianna Begonis said it was two-fold. She wasn't sure which committee to go to after in terms of learning from it. Every day when I go out for a jog or I walk along the roads, I see a lot of trash. I get frustrated. Sometimes I actually put forth the effort and I pick things up by myself. I feel like I could gain an experience from being with a committee. Maybe getting a group of people together possibly once a month and picking up trash. Maybe bringing it for money exchange - bottles, cans and things like that.

Selectman Nadeau thought Tianna applied for both Energy and Recycling Committees. Members of the Green Team do a lot of cleanups. They could probably steer you in the right direction for that. The Recycling Committee is also an excellent committee to be on. If you'd like to be on both, that's great. If you have a preference of one or the other which one would it be? Both of them are excellent committees. They're both rewarding. You'll learn a lot from both of them. Two different groups of people who run both of those committees. That's all I have for questions. If you want to be on both that's great just let us know. Ms. Begonis said probably just the Recycling Committee if that's what you guys think would be the best option.

Selectman Maddox said looking at your background, he was wondering we have a resignation on the Cable Utility. Here's a great way to put some synergies together Mr. Chairman. Chairman Coutu indicated in March we'll have two members of the Board of Selectmen vacancies, you might want to run for that as well.

Chairman Coutu indicated that Ms. Begonis did apply for both. We want you to as Selectman Nadeau stated there are opportunities in both. Whichever is nearest and dearest to your heart at this time. I wouldn't advise you to take on too much. Both of them are very active and they do an outstanding job for our community. You've indicated that

recycling would be your first choice. Any other questions or comments from the Board? Seeing none, thank you very much Tianna.

Motion by Selectman Nadeau, seconded by Selectman Luszey, to suspend the rules and nominate and appoint Tianna Begonis as a member to the Recycling Committee with a term to expire 4/30/2013, carried 5-0.

Chairman Coutu told Tianna to check with our Executive Assistant in the Board of Selectmen's Office and she'll give you the time and dates of your meetings and your meeting schedule. The Committee Chair will be notified of your being appointed to the Committee.

b) Resignation of Rupert Cote from the Cable Utility Committee and Recreation Committee

Chairman Coutu had received an e-mail from Rupert Cote. I was very disheartened to hear that as life progresses, things change. He notified me that he wanted to submit his resignation for both the Hudson Cable Television and the Recreation Committee. Two committees of which I have served with Rupert. He's been a contributor to both for many, many years. I told him that officially he would have to put something in writing to me so that we could present it to the Board. I'm very sad to see that he's resigned. I did prepare a letter to thank him for his years of service to both of those committees.

Motion by Selectman Nadeau, seconded by Selectman Brucker, to accept the resignation of Rupert Cote as a member from the Cable Utility Committee and the Recreation Committee with the Board's thanks and appreciation for serving, carried 5-0.

6. CONSENT ITEMS

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

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

A. Assessing Items

- 1) Current Use Lien Release - Map 161, Lot 29, Map 153, Lot 12, w/recommendation to approve

B. Water/Sewer Items

- 1) Sewer Abatements - S-UTL-13-01, Map 147, Lot 001, Sub 012; S-UTL-13-02, Map 175, Lot 133; S-UTL-13-03, Map 177, Lot 50, w/recommendation to approve
- 2) Water Abatement - W-UTL-12-11, w/recommendation to approve
- 3) Water Abatement - W-UTL-12-12, w/recommendation to deny

C. Licenses & Permits

- 1) Request to Solicit Funds - Pack 8 Boy Scouts
- 2) Request to Solicit Funds - Lowell Pack 7 Cub Scouts
- 3) Request to Solicit Funds - Pack 21 Cub Scouts
- 4) Outdoor Gathering Permit - Hudson Pumpkinfest 2012

D. Acceptance of Minutes

- 1) Minutes of the August 28, 2012 meeting
- 2) Minutes of the September 10, 2012 meeting

E. Calendar

- 09/26 7:00 Planning Board - Buxton CD Meeting Room
09/27 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
09/27 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
10/03 7:00 Planning Board - Buxton CD Meeting Room
10/04 7:00 Benson Park Cte - Buxton CD Meeting Room
10/04 6:30 Recreation Cte - BOS Meeting Room
10/08 TOWN HALL CLOSED - COLUMUS DAY
10/09 7:00 Board of Selectmen - BOS Meeting Room

10/10 7:00 Benson Park - Landscape Cte - BOS Meeting Room
10/10 7:00 Planning Board - Buxton CD Meeting Room
10/11 5:00 Sewer Utility Committee - BOS Meeting Room
10/11 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
10/15 7:00 Conservation Commission - Buxton CD Meeting Room
10/15 7:00 Energy Cte - Buxton CD Meeting Room
10/16 7:00 Board of Selectmen - Budget Review - BOS Meeting Room
10/16 7:00 Cable Utility Cte - HCTV studio
10/17 5:00 Water Utility Cte - BOS Meeting Room
10/17 7:00 Senior Affairs Cte - Buxton CD Meeting Room
10/18 7:00 Benson Park Cte - BOS Meeting Room
10/18 7:30 Budget Cte - Buxton CD Meeting Room
10/18 7:00 Board of Selectmen - Budget Review - BOS Meeting Room
10/22 7:00 Recycling Cte - BOS Meeting Room
10/23 7:00 Board of Selectmen - BOS Meeting Room
10/24 7:00 Planning Board - Buxton CD Meeting Room
10/25 7:00 Board of Selectmen - Budget Review - BOS Meeting Room
10/25 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on September 10, 2012

- 1) Motion by Selectman Maddox, seconded by Selectman Luszey, to authorize the Fire Chief to hire Lenwood Brown, III, to the position of Firefighter EMT-I within the Fire Department beginning on September 30, 2012. This assignment will be a non-exempt position and in accordance with the IAFF Local #3154 Contract with an hourly rate of \$14.58 per hour and then to Step 1 at the completion of the probation as recommended by the Fire Chief, carried 4-0.
- 2) Motion by Selectman Maddox, seconded by Selectman Luszey, to hire Colby Morton effective October 1, 2012 with a starting salary of \$20.98 per hour according to Police Union Local #3657 Contract, carried 4-0.
- 3) Motion by Selectman Luszey, seconded by Selectman Brucker, to conditionally hire Sean West effective October 1, 2012 with a starting salary of \$20.98 per hour according to Police Union Local #3657 Contract, carried 3-1. Selectman Maddox in opposition.
- 4) Motion by Selectman Brucker, seconded by Selectman Luszey to hire Thomas Traverso as the part-time Animal Control Officer at a salary of \$15.50 per hour, 24 hours a week (Saturday, Sunday, and Monday), effective October 1, 2012, carried 4-0.
- 5) Meeting adjourned at 9:23 p.m. by Chairman Nadeau.

Chairman Coutu thanked Selectman Nadeau for sitting in on that meeting. I appreciate it.

B. Clarification Regarding Devine Millimet Request for Conflict Waiver

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia indicated at the last Board of Selectmen's meeting it was requested that I get more clarification regarding the request from our labor attorney Devine Millimet to either sign a waiver or not sign a waiver that would allow them to represent Fairpoint in a case that has an effect on Hudson. Basically it's the telephone utility case that's outstanding. Devine has asked as a representative of both this firms if we would sign a waiver or not sign a waiver. I think the Board wanted to get some clarification as to what the implications and what or may not happen. Bottom line if the Town doesn't sign a waiver in that particular matter, Devine will turn that piece over to another firm. So they will not represent Fairpoint against Hudson if Hudson does not sign a waiver bottom line. They value our work here. They've served us well. Basically what they're outlining in this letter is should the Town chose not to sign the waiver; they will sever that relationship as far as it affects Hudson. Other communities make different decision. That be the case, they will represent them or not represent them. So what you have in front of you is a choice to either approve signing a waiver allowing them, Devine Millimet, to represent Fairpoint against the Town of Hudson or to not sign the waiver and therefore not allow them to represent Fairpoint against Hudson.

Chairman Coutu indicated that the Board all had the document in their packets. I hope you read it as thoroughly as I have. I've already reached a conclusion and I would like to hear discussion from the Board. Anyone wish to discuss the matter?

Selectman Maddox had a question to Devine Millimet is why they believed they could serve both masters. None of this letter addresses that. Is our labor attorney in a separate group that would not..Mr. Malizia said yes he is. Selectman Maddox said that's what we asked for is a reason why we should grant the request. This is just oh we had to do certain things because of X, Y and Z. I didn't get an answer to what we asked for Sir. Chairman Coutu said it should make this pretty easy for you to vote.

Chairman Coutu read this in detail and rehashed it in his mind several times. Number one to the point that Selectman Maddox raises is the question that was asked was not directly answered. However, we were given sufficient information and if you also note, the language of the letter also mentioned that they've had this similar problem with other communities. Some communities did sign the waiver and others felt otherwise that they would not sign a waiver. Personally gentlemen, one law firm representing two clients does not make sense to me and there's no way I could support having a waiver. Unless somebody wants to make a motion to the contrary, I will entertain a motion.

Motion by Selectman Maddox, seconded by Selectman Luszey, not to grant consent to Devine Millimet's representation of Fairpoint with regard to the utility pole tax issue, carried 5-0.

Chairman Coutu asked that we advise our attorney we appreciate his correspondence.

C. Tax Deeded Property Checklist

Chairman Coutu recognized Town Administrator Steve Malizia.

Chairman Coutu said there were issues Selectman Maddox had and you wanted to make sure it was a little more inclusive.

Selectman Maddox indicated that the Board had in front of them on a separate sheet. He was supposed to get together with the Town Administrator and our schedules did not line up. Unfortunately, you got what we had in the packet before again. On the table tonight you have this document that is what I started to prepare. Again being the anally retentive soul that I am, I was looking for some information and more concise manner. If you see here, I'm asking for things that I think the other checklist did in 5 pages, I'm going to be able to do in two. I'm also having it done such that it says: done by, the date so we have some accountability. I think that this gives us some ability that the inspection is done by Building, Assessing, Fire - should that be taken yes or no; the reason they're giving it and also reviewed with the Town Administrator. Again, some checks and balances to this. Again, I stopped where I did because if you don't like this and you want to go back to the other one, I didn't feel like putting all those questions in for the occupied structures. I was just trying to give us a flavor of a different approach.

Chairman Coutu indicated that Selectman Maddox said his end product would probably consist of two pages. I see one here. Do you want to make a motion to defer this and continue working on it? I have no objection. We can narrow this down from the number of pages that has been provided us. Of course this work was done after considerable input by a lot of people. I'm sure they wanted to cover all bases. If you can do it in a more concise - how many pages do we have here? If you think we can get it down to two pages, it would make more sense to me. It's a little more concise and fewer pages to lose.

Again, Selectman Maddox said the accountability. Rather than just the question - Board of Selectmen notify Tax Collector of decision yes/no. I have in here done by, the date it was done, and some comments. There's some track ability to this. You know I've been kind of always against that. Who did that - Mr. One? This gives at least some documentation to who is doing what. To put the last of the question I would think on the second page is all the things from if it is an occupied structure. Again, it's going to go in the same format as process is done for all takings that have up to G, it would be the second page of that. Again, I was looking for input from the Board if this is the way they wanted to go or not.

Chairman Coutu stated that the Board obviously had the original packet that was presented to us. The new page is what was put on our desks this evening as prepared by Selectman Maddox. Any comment or observations?

Selectman Luszey said he had an unfair advantage because I got to see this earlier today. This is probably more to my liking also. It's concise. It's one sheet. It does put some accountability and traceability if you will onto how we got to a particular decision. For me, this is real good.

Selectman Nadeau was on the same page as Selectman Luszey. Looking at this sheet, it has everything you're really looking for answers. If you can get it down to 2 pages from 6 or 8, it's a hell of a lot easier to read. I think it would be easier for the different departments to go through it also and just go down the sheet. I think the new sheet is much easier.

Selectman Maddox asked to defer this and he would keep typing.

Chairman Coutu asked that this item be moved to the next regular meeting. We'll have a discussion about whether or not we're going to have a workshop next week. I appreciate the work that you put into this Selectman Maddox. Thank you very much.

D. Legal Recommendation Elephant Barn at Benson Park

As you remember, Chairman Coutu had raised the issue and we had asked the Town Administrator to work with our attorneys to have a clear delineation of what our responsibility was and the Lessor's responsibility which would have been The Friends of Benson Park relative to the elephant barn when the issue of the asbestos came. With that, you all have a copy. I will defer to the Town Administrator.

Via e-mail, Mr. Malizia stated the Town Attorney gave me guidance as to the answers to the questions that you have. Basically what he says is that if The Friends of Benson Park can prove to this Board that whatever asbestos was there was mitigated and/or if there's any asbestos material left if it is safe and they can demonstrate that to your satisfaction, then we don't need to go any further. However if they don't demonstrate that to your satisfaction or if you're not satisfied with that, the Board has the right to have their own inspection done with 48 hour notice at the Board's expense. In other words if they're giving you something or you don't feel that it's adequate, the Board can go out and have their own inspection done by whoever. Most likely a licensed contractor or someone who is familiar with asbestos to get their own opinion. Furthermore if that opinion comes back and there's a safety issue or an issue with the asbestos, the Board has the right to demand of The Friends of Benson Park to remediate. That's part of the terms. That's basically where you're at. You need to either get something that satisfies you or if you don't, you can conduct or have an inspection conducted at your expense. At that point depending on the results if you feel that something needs to be mitigated, you could put that onto The Friends of Benson Park as Lessors of the building. If it's not done to your satisfaction, at that point you could take further action depending on what the Board chooses to do.

Selectman Brucker asked if as what we see here on this proposal is the work that had been done before. Has any additional work been done? Mr. Malizia indicated that this has been previously submitted. So I only included it just for background material. I have nothing that's happened since you first discussed this. This was simply put in here as to what's been represented to date. This is not any new material. This was what was already there.

Chairman Coutu indicated this represents an area of more serious contamination of asbestos than other areas in the building. Selectman Nadeau and I contradicted what was presented to us because of our familiarity with the building having been in there several times that all of the asbestos had been removed. I'm going to submit that perhaps there was a misunderstanding of what the question was. Perhaps what they thought I was asking was all of the asbestos removed that was contracted to be removed and the answer was yes. The question was, and I'll say it again, is there any asbestos remaining in the building? The answer is yes. We know that there is. We have several options that we can pursue. One that we're definitely going to pursue is that they need to find a way to mitigate the asbestos that remains. I've been told by our Code Inspector that he had gone into the building and had discovered some asbestos in the building. There are various ways of removal or covering. I was concerned that I didn't want the contaminate to be such that it would spread around the building and people entering in and out of the building will be contaminated or carrying it out of the building. Another option was to close the building until there was a mitigation plan. I think that's what we have to arrive at.

On Election Day, Selectman Maddox ran into Mr. Tassi. He told me they're still working towards that report. Again, I think that as long as no one is going in the building and they're going to come back with a report that would then go to the Building Inspector/Code Enforcement, I think that's the path we should probably be looking at. Chairman Coutu asked what report. How much is left? Are you talking about a mitigation plan? Selectman Maddox indicated that he said that the report would be coming to the Board of Selectmen. He didn't get into a lot of details. Chairman Coutu asked if we were expecting a report.

William Oleksak thought he could clarify that. I met with Mr. Tassi and John Carter out at the barn. We went into I call it the vestibule - the doors we open - that was the area that still has the asbestos on the walls. There's already some pieces broken. As we discussed, which was a good point by you, that what would happen if they made that demising wall in front of it? Chairman Coutu asked if this was the conversation you and I had in your office relative to this. Mr. Oleksak said right. I was conveying that idea that we were talking about to them and felt that the only way to

make the building safe is to remove it. We didn't want somebody in there doing work that's not a carpenter, and not going to start swinging a hammer, and start putting the hammer through a wall of that stuff making airborne particles of asbestos. I advised them to get another quote but they had one. They were going to get a second quote to get some clarification to remove all the asbestos from that vestibule. They're also going to look at getting rid of some other stuff that was in the ceiling. It's not asbestos but it's the same problem we had over at the Haselton Barn. It's bat guano. They were looking at that as a separate item. Again, they were going in the right direction of getting rid of that so that there is no health issues. I don't want to see something happen 10, 25, 30 years down the road and come back and start haunting now. Let's get it done now. So they're going to pursue prices to do the asbestos and a secondary thing of getting rid of that so that they can encapsulate that big room and the little room from anything that's anything else.

Chairman Coutu's concern was he had a discussion and Selectman Nadeau had mentioned to him - and I think you and I had this discussion too that there are ways of covering the asbestos today especially when it's in the format in which we found it, which is like slated or plated on the wall. The concern I had and I shared that with you and I shared with other people who were experts in the field about future construction and penetration of the wall. Even though they are minor particles, they're very, very minute and they flow through the air and they're there for almost ever. That's why we have such a problem with the filaments of asbestos getting into people's lungs. It doesn't have an immediate effect. It has a far out impact later on in life combined with other things that are in the air. I just wanted to make sure that everyone was safe. I think if they're able to mitigate and this is a new problem - the bat feces and what not, this building though it's of no significant historical value, but some value to us now because we have a nonprofit agency that's willing to go in there and create if they would a museum of artifacts from Benson Park. I think that the bat feces is almost very important to mitigate because that product permeates the air and can damage some of the artifacts that they might have. If you're satisfied, then Mr. Oleksak and you're on top of it, I'm satisfied certainly. If you feel that until there is a mitigation plan, we should prohibit masses of people from going in and out of the building. I think that it comes under your purview and I'm sure that you would handle it appropriately.

Mr. Oleksak said the secondary thing to the bat stuff is once that stuff is all removed, we're going to see as we saw in the vestibule area that there has been damage by rodents, squirrels, chipmunks that have gotten in there and started to eat some of the structure itself. There are pieces of timber in there that we're probably going to have to have analyzed to make sure that it's structurally safe and that some of those components may or may not have to be also replaced to make that. We can't tell until that stuff is taken down.

Chairman Coutu said it sounded to him like we should probably keep the building closed then until we have all this...structurally, Mr. Oleksak said it was hard to say Mr. Chair what's in there because he can't see. You can see bits and pieces. I would err on the side of caution. If they want to store some of their equipment in there, that's one thing but not make it a place where we can go and have a hoot and Annie or anything like that.

At the very least, Selectman Maddox thought they needed to define some things. If you read the proposals here, "remove and dispose of asbestos siding from Benson's animal barn first room". Then the second was the add alternate is the elephant area. I think they need to put a map to this. I would have thought that first room was the first room. Mr. Oleksak called it the vestibule. Chairman Coutu thought it was the monkey area.

Chairman Coutu thanked Mr. Oleksak and appreciated his time.

8. NEW BUSINESS

- A. Acceptance of an Eagle Scout donation in the amount of \$845 from Brett Reed - rebuild two bridges near Old Lady in the Shoe

Chairman Coutu recognized Brett Reed. I want to thank him very much on behalf of the Board. I know we'd like to hear him make the presentation. What an outstanding job you did on those bridges. You should be proud of yourself. That's awesome.

Good evening Board of Selectmen. Brett Reed stated he was a local resident at 285 Lowell Road, Hudson, NH. I'm a member of Troop 20 which is a Boy Scout troop. I just completed my Eagle Scout Project which was to rebuild those two bridges. I'm here tonight to donate the value of the project which was \$819.05 and the leftover funds from my fundraiser which was \$125.95. This money is to go to the Building Committee of Benson Park. Chairman Coutu said it would go into the Benson Park Donation Account. I don't think we have distinction on different subcommittees.

Chairman Coutu said he didn't want to rush Brett out of here because you deserve the recognition for the amount of work that you did. Why don't you tell us a couple of highlights of building this project for you?

Brett said he learned a lot about communication and overall planning. I had no idea that I would have to go through 3 or 4 approvals just to begin the project. The time that I spent planning the fundraiser and advertising for the fundraiser. Chairman Coutu asked if it was a good learning experience in terms of fundraising, town government, and how we operate. Even a small little bridge requires 20 earings. Brett said yes.

Selectman Nadeau thanked Brett very much from the Benson Committee and all the people that use the park. I've heard a lot of comments about them already. The bridges are easier to push the strollers over. They've been used a lot more just because they're accessible and easier to go over. I'd like to thank you very much for that wonderful project that you did and they look excellent.

Selectman Brucker thank Brett too. I love the design and the curved platform. Did you design it or where did you get your design? Brett said it was actually one of the existing bridges were similar to the one that I built. Selectman Brucker said it was very good looking. You did a good job.

Chairman Coutu told Selectman Nadeau he could remember our first day walking in there when we were with the Ben and Jerry show and we were looking at how and where we were going to start on this massive project. I can remember when the Old Lady in the Shoe was all but melted to the ground. Looking at those bridges and how you and I look at them and say I don't know how long these are going to last. Here they are now reconstructed. Mr. Undercofler once again you're sitting beside a young person in our community who's donated a considerable amount of time - him and the scouts that he led in designing this project. I would be remiss as I have been in the past not to thank you Sir for the leadership and the guidance you have give these scouts. As you know, I go to as many of the Eagle Scout ceremonies as I can. I'll probably be at Brett's God willing. I want to thank you as well. I'm sure that he's taught you well Brett and I hope he's guided you well through this project. He can do it all now. He's learning from you guys I think and that's why he likes doing it with you.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept an Eagle Scout donation in the amount of \$819.05 and a cash donation in the amount of \$125.95, to be placed in the Benson Park donation account, carried 5-0.

B. Acceptance of a \$646.23 donation from the 911 Memorial Fund

Chairman Coutu recognized Captain David Morin.

Captain Morin indicated that this is the funds that were left over from when we built the Memorial. We have it in a checking account that was under the Memorial Committee. At this point, everything as far as we know is completed and this would just be money for maintenance. As we had already turned over the Memorial to the Town, this would be the last thing to close everything out.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept a donation of \$646.23 from the 911 Memorial Fund to create and place said funds in a 911 Memorial donation account.

Selectman Nadeau asked if this would be put under the Benson Park or...Mr. Malizia said they'll specifically put it in a 911 Memorial. Selectman Nadeau said if they were going to do some upgrades or replace the stone would it be them or who would be doing it? Mr. Malizia indicated the Town would direct whatever the Town...to answer your question and if I'm wrong Captain please step in, Chairman Coutu said if there's one thing that Captain Morin and I have said is that our committee and the people who worked with us took a great deal of pride. The product is evident of the pride that we took in the design and the building of this project under Captain Morin's direction. We had said that as long as we live and breathe in this Town, we would take care of this Memorial. He's here now and we are in agreement that that's our pledge to this community. As long as we live and breathe, and I know Captain Morin and I know his son, I think he would carry that forth himself and so will the other young men who work with him. That money would be there in the event that perhaps we would need to repair a stone, or replace a stone, or add to it. I know that Captain Morin and I both have received small donations here and there. We just want to have a depositor so that they're no longer responsible for it. They have their own treasuries and what not for the Firemen's Relief Fund and what not. The treasurer of that organization helped control this. We wanted to have a direct depository with the Town so that we can account for all the money in excess of what we needed that we can use specifically for 911.

Vote: Motion carried 5-0.

Chairman Coutu asked Captain Morin to stay for a moment. I was going to bring this up Captain. I'm going to give a brief presentation and perhaps you can elaborate if you will. Our firefighters and our police officers in our community are very generous with their time. There are a lot of things that go on in the community that the community doesn't see take place. They do an awful lot. They raise a lot of funds. They work with our children. They put on Christmas fairs. The police officers do Freight Fest. The Fire Department does an awful lot with the community at Christmas

time with the kids with Santa Claus. They do so much more with the boot drive and Muscular Dystrophy. There are so many other things - Halloween the police officers go around and so do firemen with the glow sticks for the children.

A year ago, the firefighters of Hudson wanted to have a trade blue for pink and make it an annual fundraiser to bring awareness and to raise funds for the cure and research of cancer. Last year, Chairman Coutu believed they raised approximately \$250. That was a good start. This year they have an awesome goal of \$1,000. To go from \$250 and say they're going to improve it by 400 percent is awesome. They're going to have a meeting I believe on October 1st at 5:30 p.m. out in front of the fire station. You saw the picture in the paper. I know that they're selling these shirts. I'm going to ask my peers. I know I'm going to try to make the next meeting. October is our pink shirt month. The firefighters are going to be selling shirts.

Captain Morin indicated that this goes along with in June we do the breakfast for the cancer walk. That's where we start. Come October, it's the professional firefighters that put this on but it's a department wide thing. We will wear the t-shirts from October 1st to the last day of October. The October 1st picture we've invited any residents in town, any survivors of cancer, anybody who has a family member affected by breast cancer to please come that day so we can do a picture. I know the President of the Firefighters' union is working to get the pink fire truck that's around the State. That fire truck actually served as our Engine 4. So we're going to try to get it back here for that day. It was our Engine 4 that ran out of Burns Hill Road fire station. So they're working on getting that for that day also so we can include everything.

Chairman Coutu said he was going to make every attempt to be there and get a t-shirt. The t-shirts are going to sell for \$12.50.

Captain Morin wanted to thank the Board one more time for all their help and support with the 911 Memorial. We're still getting a lot of comments. We did get a call from the Port Authority. As you know, they're going to be putting pictures of our Memorial in their book that's going national. It hasn't come out yet but we are still getting a lot of praise. A lot of people really like what we have done to recognize those that lost their lives on September 11th. I thank you guys for all the help that you did in helping us move forward with that.

C. Request to advertise for the position of Secretary in Community Development Department

Chairman Coutu recognized Selectman Luszey.

As you know, Selectman Luszey indicated that he was in the process of taking a look at all of the secretarial/administrative support functions within the Town. I would like to make a motion that we defer this particular request until the 11/13 meeting to allow me time to somewhat wrap up that work and present to this Board my findings. I've sent out a preliminary sketch of what's going on. I think you all understand kind of where I'm at with all of this. Its perfect timing given that we're in the budgeting process.

Chairman Coutu restated that Selectman Luszey would like to defer to November 13th. You're waiting until I come back. I appreciate that.

At present, Selectman Maddox believed they had a temp. So they're not going to be hurt. Chairman Coutu inquired to make sure that if we had a floater that the floater is available. We have a temp. We also have a Town Hall floater. I wanted to make sure that we supplement their needs with somebody right now. Selectman Maddox didn't want them to be hurt by whatever the plan is so if we're going to wait until November. Chairman Coutu thought that was a courtesy extending me as a result of the amount of time I'll be out. We can do this by consent if there's no objection. Is there an agreement that we defer this to 11-13? We'll continue paying the temp. to augment any of their needs for the time being. Okay it is deferred.

Chairman Coutu apologized that John Cashell and William Oleksak had to come out here.

Selectman Luszey asked to sway D and E.

D. HCTV Access Center Lease Renewal

Chairman Coutu started out by saying that we've been in a lease agreement for 2 years now with the HCTV facility. Mr. Malizia believed said they had it original lease, two renews, now we're on a new lease which we're now looking for a renew. This current lease runs out the 31st of December. However, it has a provision for the same price, same terms for a renewable one-year periods. Given your time frame here, more than likely you're not going to have all accomplished so Cable TV needs a home. They would get it at the same price coming from cable funds. So they're looking to renew the lease through December 31, 2013. That's the property referred to as Nadeau Park.

For the record, Chairman Coutu said they have, and he was sure Mr. O'Keefe can attest to the fact, that they have excellent communication and good working relationship with the owner of that building. Mr. Malizia stated the reason it's here now is because there is a time frame. We have either 60 or 90 days we have to let them know. Just to get it on the agenda, this is the appropriate time.

Mr. O'Keefe indicated that the Town Administrator summed it up. The key thing is it's the same terms as the current lease. Nothing changes. So it's the same amount. We've budgeted that in our budget for this year and next year.

Motion by Selectman Maddox, seconded by Selectman Brucker, to approve the Lease between Nadeau Park, LLC, and the Town of Hudson for Building B, Units 3 and 4, 98 Old Derry Road, Hudson, NH, at a monthly rent of \$1,800 with a term commencing on January 1, 2013 and ending December 31, 2013, carried 5-0.

E. Senior Center/HCTV Cost Estimate

Chairman Coutu recognized Selectman Ted Luszey.

Selectman Luszey said it was a little more than just a cost estimate. What I did this evening is I asked the architect and my partner in crime Bernie Manor to join us tonight along with members of the senior communities. There are a number of senior communities in this Town I found. There's at least 4. The general public, the Hudson Seniors, Council on Aging, and the Senior Affairs Committee. They're represented all here tonight. What I'd like to do is introduce you to Mr. Halle our architect to walk us through the high level drawings of the site plan, the outside look and feel of the building, as well as the main floor plans. Then we'll get to the cost structure break down.

Mr. Chairman my name is Jonathan Halle. I'm with Warren Street Architects. The site plan that you're looking at up on the TV I'll just walk you through it. As you come up Kimball Hill, you go one-way entrance into at that point. That's been narrowed down and oriented to Kimball Avenue so that you really can't go out there and take a right. It's designed to be a one-way in. If you come all the way up to Kimball Avenue on the other side, about 100 feet back there's a two lane entrance into the parking lot. We spent a lot of time looking at grades, potential ledge, cut and fill in terms of how the site lays out. A lot of conversation about the ratio of parking being the majority to the upside to the second floor which is the senior center side. So we've divided the site with two large parking lots on the north and south side. We've limited the amount of parking that goes to the lower level to basically the HCTV floor. The main entrance is to the south. Essentially you have an entrance on the north and south side. I'm not sure if they have the floor plan here but you'll see how that lays out. There are a couple of retaining walls which are the dark lines. Those are actually 16 foot retaining walls. The grade here because the HCTV studio down below has a fairly high ceiling requirement in designing the walk out if you will and balancing the site, we had to with the large retaining walls there are actually guard rail on both sides to that drop off. We worked hard in terms of what the cost estimate and the budgeting was for this. We've eliminated a lot of elements that had been previously discussed - stairs and walkways from one level to the other. The length and size of the retaining walls, etc. Again, the lower level which has parking for 10 cars and we've shown the future garage shed "carriage shed" and that would be for your van. That is not part of the project at this time.

(Jonathan Halle) The total development of this site is under 100,000 square feet. So there's no State alteration or terrain permit. There's no wetland permit. This has been before the Planning Board for a cursory review. We did meet with the Fire Department and we actually got his comments back today. He has a couple of Is that we need to dot and Ts that need to be crossed.

Mr. Halle indicated that the diagram on the screen is looking at the lower level, the basement level. There are 2 entrances. We had a couple of last minute changes that forced us to move the bathroom and conference room around. It's been designed such that the basement can be locked off if you will from the studio where the large meeting space and the bathrooms and the little kitchenette could be opened to the public on a different arrangement. We've worked through the program with HCTV in terms of their needs and the studio in the back, which is the large space and I think there's been some compromises in terms of what we've had to do. I think we're good to go in that light.

On the upper level which is the senior center level, Mr. Halle said they've had several meetings with the senior center group and we've walked through their space. They have a large congregate dining room to the right. The commercial kitchen is essentially going to be a warming kitchen at this time. We're just putting the counters in. We're not actually installing a commercial kitchen - the equipment, hood, the ansel system and all of the rest of that. In the cost estimate, we've got a couple of line items that are alternates that would be added if the kitchen were to go in the future like a grease trap and those kinds of things. Public bathrooms, administrative, reception, and a couple of craft game areas on the other end of the building which open to the northwest.

Mr. Halle indicated that the elevations of the building were maintained as close as we could to the original concept that was developed over a year ago. It's a big barn. It's red and white with black shutters, a couple of cupolas. We have some mechanical equipment that's in the attic area. We've made the decision not to look to expanding in the future to a floor in that attic space based on budget. It just didn't make any sense to accommodate two stairs, an elevator, and the truss work that would go along with that. We've finished the drawings. They're 99.9 percent done. We're just waiting for some review back. We received the Fire Department today. We're waiting on the Building Inspector.

Mr. Halle had a couple of issues. Bernie and Gary are working at getting somebody out there to clear some of the land so that they can get a machine out there. In the estimate that we're going to go through, the one unknown is ledge. So they're looking to do a couple of test pits and see if there is ledge and how deep it might be to try to get us some quantities of what that might be.

With that, Selectman Luszey indicated in the packet you have about a 15 page cost estimate breakdown of what you just saw in detail. There's really two numbers that we'll talk to tonight. The two numbers is \$1.4 million for the structure. Then \$700,000 for the site work. That has no contingency I believe built in for the ledge. That's what we're looking at. Given that, we believe as the team does that we are right where we need to be for this project to move forward. I had the Finance Director give me a total of what we have available in the different accounts. If we take the Senior Center Capital Reserve Fund, the Cable TV Capital Reserve Fund, and if we add to that the Council on Aging's donation, we have \$1.4 million available to us. Of course, the two Capital Reserve Funds need to be released by the voters for us to expend. The \$700,000 site cost we gave the details to the Road Agent and requested that he take a look at that and see what we can do with that. We believe there is a lot of work that he can do that would actually trim that number down. The unfortunate and the timing, he's out on vacation and we just got these numbers in. So he hasn't been able to go through and do that analysis. I really don't want to throw out any figures on what we believe it may or may not be. The only thing I'll say is he did say it should be less than that \$700,000.

Selectman Luszey said what they're looking for tonight after this review here is a go ahead by the Board to continue on with this project with the assumption that we would be going forward in the budget process to come up with what we need for the site work and allow us to go out for bid in the November time frame. Mr. Halle said he and Bernie were just talking about it so the question to the Board is in the budgeting when do the funds actually become available? If they voted in March, the funds don't come available until July. We could bid it in January/February which is a good market - 60 days out and start in March. If you have the funds in hand to expend, the rest of it would follow in July. We had talked earlier about possibly bidding it in November but if we bid it in November then you wait until March, the numbers are five months old. That really puts the contractor in a difficult position because most prices escalate at the first of the year. I don't know if you could give them a letter of intent or if you could actually expend money before the end of the year if you don't have those monies available. Mr. Malizia said you need an appropriation. More than likely, Mr. Halle said we're bidding it in February for March/April construction start.

Chairman Coutu said July 1st construction start. We can't commit or obligate prior to the voters' approval. Selectman Luszey indicated we have voters' approval in March assuming they approve. My understanding is with the warrant article if that's approved also, we should have \$300,000 from the Council on Aging that we don't need voter approval to expend that will allow us to start that work and keep us busy through to such time that we get the monies freed up from the budget July 1st. What we're saying is we need to have some conversations now. If everybody is okay with this on how we go forward in actually funding the site piece of this.

Chairman Coutu asked a question relative to the building. Does the building have a sprinkler system in it? Mr. Halle said yes. Chairman Coutu asked if a pad is going to be laid for a potential generator. Selectman Luszey said yes. The conduit will be laid out to it. Mr. Halle said the transfer switch the whole bit. Chairman Coutu was concerned especially for that area of town. I want to make sure Selectman Nadeau has a nice warm place to go in case there's no heat. There's a lot of condominiums in that area. A lot of people do have generators but a lot of people don't have generators and it makes a nice warming station for people besides the Community Center.

One thing that Mr. Halle thought should be said is that the building is a warming station that's fine. It has not been designed as a shelter. So there's a structural issue when you specifically designate it as a shelter that this building has not taken into account. That would add significant structural costs to the building. Chairman Coutu said that was okay as long as we have a warming area. I'm fine with that. We can always find a method to get them over to the Community Center if need be for a night. It's a good place for them. It would be a good weigh station for them waiting for family to come pick them up and get some food to them if necessary. Hopefully we won't have that many situations. I'm sure the seniors would be more than willing to say that if we had a crisis situation and needed a warming station, that's what we would use. There's a lot to discuss here but is there anything else anybody wants to ask number one anything relative to the structure and design as it was just presented to us?

Selectman Maddox stated that you said you couldn't go up but does this design if this program goes fabulous and there's a need for expansion is there an area or an ability to expand this structure? Mr. Halle said you could add on to the building. During the budgeting and the design, we looked at the cost of how you would have to build that roof and would it accommodate a second floor and the space that we would have to designate to two stairs and an elevator below for the future, it just didn't make financial sense.

Selectman Luszey indicated there's other issues with this site. Should we have to expand, we're in conversations with DOT about what we can and can't do on that lot. Chairman Coutu stated that presents a whole new set of challenges. They're approving this site and the agreement is for this specific footprint for the building and if we start adding on, they're aware of the pads. They know that we're going to put a potential garage for the HCTV - yes you're right. It does present a whole different set of circumstances that we would have to deal with DOT and probably take another two years just to add on if it were a 40 x 20 section or whatever. It's because we're extending the footprint that was originally approved. They'll probably want more money because we'd be going outside the scope of the land that was given to us. I'd rather we don't go there right now in terms of expanding the building. Selectman Maddox was just asking the question Mr. Chairman because Hudson has a history of under sizing and then complaining. I'll take you to the police station. I'm just trying to ask the question. Are we prepared for that and the answer is we're trying to stay and hit that dollar target. That's what we're doing. I just wanted to make sure that we all understand what we're doing. The question has been asked. Chairman Coutu said it was a valid point Selectman Maddox. You've discussed it with me several times. I'm sure you've discussed it with Selectman Luszey. We need to live within the constraints of the monies that we have so 4 or 5 years down the road if we have 400 people wanting to go there every day, we may regret this. It's a start and we can look at other improvements later. I'm sure we can get into negotiations with DOT at that time and we can work that problem out. Is there anything else relative to the structure? Anything now relative to some of the presentations made by Selectman Luszey relative to the total cost and the division of the total cost between the site work and structure. Structure being at a approximately \$1.5 million and site work at approximately \$700,000 give or take \$25,000. Any questions relative to the costs that's been presented?

At the Budget Committee last week, Selectman Brucker said they were concerned about using our Highway Department to do the work and what would they be not doing when they're doing the work on the senior center? Have you discussed it with Mr. Burns about how that would all work out? Selectman Luszey said not in that level of detail. That's what we asked him to do with that list. Until he's gone through the detailed line items of what makes up that cost, I don't know what he can even commit to do yet and what he cannot commit to do. Until he's done that review, it's not clear. Items like clearing the lot, grubbing it out, and just grading it out, that type of work and the amount of time it takes is not significant. It's not much more than the amount of time and effort we ask him to put in many of the different park areas that we have. This is a piece of town owned property. He's expected to maintain it and work it. I don't look at it any different than that. When this site is built, we are going to have to maintain it. We need to start figuring that into his work load.

To supplement your argument Selectman Luszey relative to the use of manpower, and Chairman Coutu understood and I'm sure we all do understand where the Budget Committee is coming from relative to the amount of work and the expense of the labor force that already exists that should be doing other things and not have the time to do a \$600,000 project. Relative to the grading and what you just presented, we need to be aware of the fact that - we all know it - this is a structure as it may which is being constructed inside of Benson Park. He has committed and we have over the past several years augmented his staff to provide for any project that needs to have site work. That help is available to go into Benson Park. They did it for 911; they did it for the playground; they did a lot of work and if I'm wrong correct me Selectman Nadeau with the grading down by the pond when we cleared that whole area so we could grass it. They've done a lot of that site work preparation. That's one of the things that's their assignment. Every year it seems to be something different. Two years ago it was the 911. This year if we proceed with this it will be the senior/HCTV facility.

As we know, Selectman Nadeau said Mr. Burns and his staff are very well utilized in doing different projects in town. He has a lot of fill in work for them to do and this is what this type of work would be. The grubbing out would be stuff that he has two guys free today because the third guy didn't show up because he was out sick. So instead of doing this project over here, I'll go over and do this over here and clean this for a day. For those who have done site work and prepared stuff for building, it's always better to do something like this grubbing it out in the fall and winter so that it has time to settle so you can see what you have to work with. If we go with this plan, if Mr. Burns has a day free here or a day free there when he's not doing road projects or sewer and water projects that they do. This would be perfect things for them to do. This also cuts down on our costs down the road on this. I think that the Highway Department, and he'll give us a better idea when he gets back, but they can augment their time. Mr. Burns uses them to the best of their abilities so the Budget Committee shouldn't have to really worry too much about that project.

Chairman Coutu asked Selectman Luszey a favor. In light of the fact that Selectman Brucker is getting her feet wet on the Budget Committee as we all have over a period of time if this should become a matter that we are going to proceed with, would you make an effort to go to the Budget Committee one evening with Selectman Brucker and give

them the details so that they have it first-hand. You've worked on this and I think it would be unfair to ask Selectman Brucker to present bits and pieces when you have the whole kit and caboodle on the top of your head. Selectman Luszey said he'd work with her.

\$.7 million - Selectman Maddox thought we need to hear from Kevin to see if that is a realistic and doable event. You're asking him to do all of the site work while all of the other things that can go on and will go on - we don't know what kind of winter. To have this in preparation for a start of construction, I think it seems aggressive to this Selectman to expect that he has that much free time.

Selectman Luszey said that's not what he said. He's taking a look at that list because I know he's not going to be putting up forms and pouring concrete. Until he comes back with his analysis of that list, I don't know what that number is. I know it's something less than that \$700,000.

Selectman Maddox was just trying to say that we can't go and pour forms until they've dug the hole.

Chairman Coutu said that Selectman Luszey was right. I hear where you're both coming from. You did say quite clearly that, and Kevin Burns is on vacation right now and he's coming back next week, you had said that you were going to present this package to him and see what portions of it he can do. It may be very little and it may be a little more than a little. I don't see him coming anywhere doing a half a million dollars worth of this project. That is my concern. I said if you all remember that I'm more than willing to support this. My first and most immediate concern was going to be whether or not we were going to get the donation for the seniors because it would be a significant impact on the project. What they wanted was a commitment. We've moved in that direction and it's not a question of appeasing them, I think they respect our commitment to doing this and it will be an intricate part of our government the Senior Affairs Committee.

Chairman Coutu said that the caution was that we better have a very creative financial plan in order to make this palatable to us first because we're the ones who would have to recommend it to go to the voters. Clearly I can see by what is available and what the total cost is going to be that we're going to need to raise \$500,000, which is an impact on the budget. There are creative ways of doing budgeting that we can move some money around. I can think of \$500,000 and if this is the direction we want to go, I think that we need to be very cautious about when we start these projects and what legally and we need to depend on our Town Administrator what we can legally and not legally do. When can we put a shovel in the ground? We can't assume the voters are going to pass anything. Stranger things have happened. When everyone thought a senior center was going to be built a few years ago when it was going to pass, the super majority vote made that impossible for them to do. They certainly had an overwhelming majority of people who supported it. I don't want to take anything for granted. I'd like to have all of our ducks in a row before we proceed with this and I'd like to think that it is feasible to move forward. We must be very, very cautious to raise everyone's hopes if we can't figure out how to come in. If Kevin Burns says I'm not in a position to do any of this, where are we going to come up with \$674,000? We have to be very mindful.

Selectman Luszey - Chairman Coutu indicated he's made a presentation. The architect was here and Mr. Manor I appreciate your being here and Mike as well in helping with this. I know you share concern because you have the HCTV facility. Another thing we have to be very mindful of is the division of the money. It's nice to say that we can pool all the money. We have \$1.4 million but we also have to look at is the division of the building 50/50. If so, then HCTV is responsible for 50 percent of the bill. If HCTV only has \$734,000 out of a \$2.1 million project. That's not even half the money. How do we commit HCTV for the balance of the bill? These are the kind of things that in all fairness that we have to look at. Not all of the citizens of our town are subscribers to HCTV. It's not fair to ask them to commit tax dollars for that portion of it when it should all come from HCTV money. We have all of those things that we have to look at. It's a very complex package. I appreciate all the work that's into it. We're at this point right now. We've made tremendous inroads in having the seniors realize where we're heading with this having established the Committee, the drawings and architectural designs meet all of the standards of DOT and compliance with DOT and what they expect from us.

Chairman Coutu thought one of the critical aspects now is going to be Kevin Burns and what he can and can't do. I don't think it's going to be anywhere near even \$150,000 to \$200,000 if that of the work. We're looking at let's be safe than sorry. Think about how do we come up with \$674,000 to do the site work. I don't know where do you want to go with this tonight Selectman Luszey?

Selectman Luszey thought they want to hold it right there because I think it's really part of the budget process discussions now. I don't want to stop Mr. Webster or Mr. Manor from fixing the points that we got from the Fire Department that we need to address and stuff like that. We're only weeks away from the Budget discussions.

Chairman Coutu said what Selectman Luszey is doing here tonight is you're giving us a formal presentation of where we are up to this point, and estimate of costs and the next project for you is to figure out a creative way to finance this

project. Selectman Luszey indicated that they'd have those discussions during the budget process. Chairman Coutu said he was looking forward to it. Do you need a consensus from us whether or not we feel that you should proceed? Selectman Luszey indicated yes. Are we going forward or are we putting this on the back burner?

Selectman Nadeau thought we should go forward with it and get the final numbers so we get it to the Budget Committee for them in the budget season.

Selectman Brucker concurred. I think we need to go forward. It's well planned out and we just need to see how we can work at it.

Chairman Coutu asked Selectman Maddox. I know you've have reservations. Selectman Maddox's concern is multifold. I think that we are making progress. I think that there are a lot of public relations that has to be done. I think that Hudson has a history of when it goes to the ballot and it says \$2.1 million and no matter how creative we get with financing, there's going to be the concern of \$2.1 million. I think we need to do a good job of selling this. I guess my person concern is that we are also asking them to put monies up for our employees. We're going to have multiple contracts on the ballot. I'm concerned that I don't want to get too creative with our financing, put this on, and everything fails. I'm torn for that Mr. Chairman. I think this is a project that we all want to see go forward. I'm just concerned about how we're going to pull this off with only so much political capital to expend.

Selectman Maddox, Chairman Coutu said for the past couple of weeks you and I have had these discussions. I seriously share your concerns. I agree with you Rick. There's no doubt about it. I'm petrified that all of this gets out and it's a waste of time. The voters say no to all of it because it depends on how many people show up and vote. If you have a large number, it could go either way. It could be a large pro senior center contingent or a large anti pay raise contingent and they just automatically don't look at what's on the ballot they vote no all the way down wherever they see a dollar sign. That's the history. I agree with you Selectman Maddox. However, I think we've gone...and I know you're not against this. That's in no way indicates to me and you've never said to me we don't want to do this. You've had some consternation about separating the two and having them separate in two and distinct items in separate years so that there's better clarification for us to deal with some of our town employees who haven't received a raise in 4 or 5 years. We're working very hard for a contract. I'm very, very close with the Fire Department. I hope to be successful within the next week. We'll see if we're going to sit down again. As you are Ben, you're going back to the table yourself. So there's hope there to have a contract and all of you are negotiating contracts. I think you all see that there's some possibility of getting contracts this year.

Chairman Coutu said he shares it but he thinks we've come this far and I think that we can't abandon the project at this point. I think that we need to hear some clarity with clarity, a proposal on how we're going to finance it. Selectman Luszey has been carrying the ball to this point. I can say with all honesty that Selectman Luszey has been in constant communication with me relative to the work that he's doing, always wants to know if he's going a little above board. Should he proceed? Should he curtail a little bit? It's always been let's go in the same direction we were going which is straight ahead and let's get this before us so that we can see. I think we have a consensus if nothing else that we're going to proceed and we look forward to your creative financing proposal. Hopefully things as they turn out I won't be readily available for a lot of things. I want to sit down with you and I'm sure between us we've all worked on budgets. We can figure out a way to do this.

To allay some of your fears Selectman Maddox, Chairman Coutu has said again, and again, and again over the past two years that we need to do a better job of selling the contracts that we negotiate. We're going to have to work on the total package and see if we can convince the voters. This is the year to give the seniors what they justly deserved and worked hard for all these years and give our employees a pay raise which they haven't received in 4 or 5 years. I think we can do it. We'll do our best. I know you'll hang in there and do it because you're as stubborn as I am.

Selectman Maddox said Chairman Coutu indicated that Selectman Maddox was opposed. I'm not opposed. You said "to abandon" I think the word was you used. I am not looking to abandon this project. I'm just looking to see how much monies we can put on one ballot that's all. Chairman Coutu agreed. I'm sorry if I said that. That was a slip of the tongue. With that gentlemen, I appreciate your presentation. Mr. Manor you have the floor.

Bernie Manor indicated that we still have the ledge problem that we don't know a number to. We're going to get that number with the work we're going to do. So we'll have the numbers that will be very close to what they're going to cost us. We don't have that number yet.

Selectman Maddox asked if the plan was going to go up on the website so that people can...Chairman Coutu thought that was a great idea. Selectman Maddox indicated that this was the first time we've seen some of this.

In all fairness the only thing Chairman Coutu would like to do is we had this discussion some time ago when the seniors were here that everyone would be at the table. Obviously they're not at the table but they're here. Is there

anyone in the audience after this presentation who has anything they would like to ask, any general comment they would like to make relative to the senior/HCTV facility opening it up for discussion because we said we were going to have everybody at the table? If I hear nothing, that means that we're all pleased and content in the direction that we're going to go. I see a lot of bobbing of heads yes. Thank you very much gentlemen. I appreciate it and I want to thank the seniors. This Board wants to thank you for your patience and understanding through this whole process. We're getting there. We're going a little faster than crawling right now.

Chairman Coutu recessed from 8:28 p.m. until 8:36 p.m.

Motion by Selectman Maddox, seconded by Selectman Brucker, to amend the agenda by adding a last minute new Item F, Request for a Town Assistance Fair Hearing, carried 5-0.

F. Request for a Town Assistance Fair Hearing

Chairman Coutu recognized Town Administrator Steve Malizia.

Late Friday afternoon, Steve Malizia indicated that we had an applicant for welfare that was denied filed a request for a fair hearing. The Town's welfare guidelines articulate a policy that should an applicant for town assistance for denied, there's a process where they can appeal the welfare administrator's decision. Therefore as part of that process, an impartial i.e. someone who doesn't know the case needs to be appointed to serve as a hearing officer. That hearing must be held by October 2nd. There's a seven (7) workday period articulated with a 48 hour notice to the person who's asking for the fair hearing. To that affect, what we need is someone to be appointed as the Fair Hearing Officer. During my tenure here the last time and the only time we had one of these, Selectman Stewart served as the Welfare Fair Hearing Officer. Basically what it is they take the information that's presented by both the Town's Welfare Officer and the denied client. They listen to that evidence and they render a decision based on their review of the facts. They may overturn. They may uphold. Basically we're looking for someone to serve as a Hearing Officer. In the past, the Board has appointed a member of the Board to do so. I may be prejudice only because I know some of the facts. Ms. Graham might know some of the facts. What we try to do is keep it out of the office because we may know something about it.

Chairman Coutu said the appointment is at his discretion but I would seek some advice from the Board. It does not have to be a member of the Board. It could be a staff member. It could be another department head in Town Hall. I would like to keep it within the Board if possible. Selectman Luszey would you be up to the task if I asked you to conduct the hearing. Selectman Luszey said he would as long as he can do it in his time slot.

Selectman Maddox also asked that we probably appoint an alternate just because since we don't know who this is, heaven forbid it's somebody that Selectman Luszey knows we have a backup. I'll volunteer to be his alternate.

If there's no objection, Chairman Coutu said he will appoint Selectman Luszey as the Hearing Officer on the fair hearing case on town assistance. I will appoint Selectman Maddox as the alternate. Get the name of the person if you can identify with it, and then advise Selectman Maddox and Selectman Maddox if you also know the person, advise me. I'll take matters into my own hands at that point. Just because of the time frame Mr. Chairman, you couldn't come back to another meeting. Chairman Coutu appreciated that Selectman Maddox.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Luszey - I think I've said plenty. The only thing I'll add tonight is that the security cameras and panic buttons have been installed. They're working, tested, and we're good to roll. Chairman Coutu said that was good news. Thank you very much.

Selectman Brucker - I really have nothing new. Just what I mentioned about the budget.

Selectman Nadeau - Just as a couple of up and coming things. The Police Department blood drive was today. I did not get to go by. I know they had a good turnout because when I was talking to one of the officers on my way that it was today. The other thing is we only have a couple more Benson cleanups left this year before the cold weather gets here. If people that have been enjoying the park would wish to help out with the cleanups, it's available on the Town's website the dates and times that they're doing them. You'll also see a sign out in front of the park usually a couple days in advance. They're usually on Saturday mornings. That's all I have this evening.

Selectman Maddox - Thank you Mr. Chairman. Just earlier this evening you read that I voted in opposition to hire an officer. I just wanted to say that it had nothing to do with the person. It had to do with the procedure. There's nothing against that person.

(Selectman Maddox) We are refining and defining the continued process with the voting that's going to happen in November. I talked to a number of people and at this juncture, we're almost back up to 15,000 people registered voters in the Town of Hudson. So we're going to be busy in that building. Mr. Burns has graciously agreed to have a couple of his men be flaggers to pull people around the building so that our direction is to make people go around the back of the building so that we have a continued flow of traffic. I know that Selectman Nadeau is going to do something with the night aspect of that. We're going to put it back in the paper again telling people what's going to happen because we are going to be grinding people through that building somewhere probably 12,000 people go through that building in the election cycle. Keep you informed but a couple of people gave me some input which I then transferred to the Captain on the Police Department who's spearheading this. I think the light that Mr. Burns put out on the outside of the building. We don't need to have the generator. So that worked out very well. That is all for this evening.

Selectman Coutu - I only have one item. Our Administrative Aide informed me - I had a conversation with Selectman Nadeau. There was somewhat of a mix up on the Liaison assignments. Mrs. Brucker has been attending the Water Utility Committee meetings and Selectman Nadeau is the Liaison for that. He had been getting all of the packets. Where Selectman Brucker was so willing to rush down to the meetings, Selectman Nadeau said let her have it. I take it you enjoy doing it. Selectman Brucker said she did. Chairman Coutu said that this will give you 7 full nights of meetings that you have to go to. If there's no objection, I'd like to make a motion.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to appoint Selectman Brucker as the Water Utility Committee Liaison, carried 5-0.

Chairman Coutu had one last thing. Thank you Selectman Maddox for bringing it to my attention. We had this discussion and I said I wanted to talk about it tonight. We've had some discussion in the past and Selectman Maddox and I talk about this repetitively about each side of the tax bill. We felt it only fair that not only should the taxpayers receive a tax bill telling them how much their taxes are but like everything else, they should be aware of how much on each side of that budget is apportioned. We felt it would only be fair that if somebody gets a tax bill and its \$5,000 how much of that is town expenditure and how much of that is school expenditure. There's also I believe the County expenditure and the State expenditure - that's their education portion I believe. We both had these discussions Selectman Maddox and we're both in favor of doing that. I'm going to throw you the ball.

Selectman Maddox thought they discussed it and it was going to happen. Then there were some conversations that it wasn't going to happen. I think we need to make a motion and I will make that motion that we ask that the tax bills reflect what the costs are by division if you would. If all those people think that the Board of Selectmen controls the School Board budget.

Motion by Selectman Maddox, seconded by Selectman Luszey, that the tax bills reflect what the costs are by division.

Mr. Malizia pointed out that he would assume it takes programming. I don't know if anybody has had the opportunity to speak to either the folks that do the programming or the Town's Assistant Assessor. I wanted to bring that up because while it may seem simple, I don't know in reality how simple it is. We're probably going to be eminent whenever we talk about tax rates in the next few weeks. I only bring that up as a caution. Sometimes when you think you're doing something, it's not quite as easy to go program something. I don't know if there's been that conversation. I bring it up for your consideration.

Selectman Luszey indicated that he and Selectman Maddox actually were in another meeting this morning where we briefly discussed this at the tail end of another meeting. I did speak briefly with the IT Director. We actually may be late because there is a lot of programming that goes into making that change happen. I thought it was a formatting type of issue and it's not. It's an actual coding issue of how to generate the numbers and all that within the system. The only thing I'll say is if we pass this motion to do that, I think we should stipulate that if we have the resources and the time to do it. If we don't, then we need to authorize the IT Director to go out and hire the resources needed to make that change happen if we can't do it in house if this is what we want.

Chairman Coutu asked if Selectman Luszey was proposing an amendment to the motion.

Selectman Luszey indicated that if we don't have the resources in house to do it in time that we fund the IT Director the necessary funds to bring a contract worker in to make that coding change. I don't know what that would be. We'd need to get an estimate of what that effort is going to be.

Selectman Maddox said he would amend his motion to say that if it's not doable, we should not spend any money other than town staff. We're trying to watch every nickel. I don't want to spend money that we don't need to. I would hope that the IT Department could do it but if they're not able to, I'm not going to go off. They have to get a price, then

they have to come back. If they cannot do it internally within the time frame, then we will just put it to a well. Chairman Coutu thought it sounded like a simple thing to him.

Mr. Malizia said if perhaps they had more lead time and you were looking at doing it for the first half of next year, you might be able to accomplish that given some time. All I'm saying is I don't know because I don't know the conversations that may have occurred. I am of the concern that I know around this business when we try to change something, I hear what you're saying, but it's not always that easy. That's just been the experience that I've seen. While it's a worthwhile idea, you may have to defer it to perhaps the first half bill of next year. I bring it up because I don't know.

Chairman Coutu asked if it would be simpler because I'd like to see this done expeditiously but at the same time, I would rather have it dollar for dollar, which belongs to which out of my piece of the pie. Is it possible to have either a pie or language put on the tax bill that says X percentage is...that would be the same language in every single tax bill as opposed to taking a different number for each bill and saying how much is school, how much is County, how much is State, how much is Town if we said what the 4 percentages were.

Mr. Malizia stated you may be able to express that on the back side of the bill where you have other explanatory materials. If you're trying to program in or put in a message - in your case you would say perhaps that the Town portion of the bill is 35 percent, school is 65 percent or whatever the number is, and the County is some other percentage, that may not require the programming changes to articulate each number and calculate it. There may be a message on the other side.

Chairman Coutu said if they can't do the dollar amount, I'm saying to get something on the bills immediately and then we can have them explore and come back and tell us what the costs or what is necessary to come down to what you and I were interested in which is the dollar amount. Selectman Maddox said they talked about 4 months ago. We thought it was being done. Chairman Coutu thought it was. Selectman Maddox was disappointed. Chairman Coutu said they did discuss it and he thought it was on the radar that we were going to get an answer and we never heard anything back. I don't know what happened.

Selectman Brucker was concerned about some of the outcome of this especially if it's in dollar amounts on their tax bill. Some people might see a large portion going for one part and say I don't want to support that and then not want to vote for anything that we ask them to approve.

Chairman Coutu said you're getting your tax bill. It's a large number. We get blamed for it. We get blamed for the whole thing. Every time we put warrant articles on the ballot, they seem to get defeated yet on the other side which is the biggest piece of the pie, always get their warrant articles approved. We just want the voters to be aware that there's a reason for the taxes to be where they're at. Granted I received a communication this week in light of the comments that were made by the Editor of the Hudson/Litchfield News, which I don't object to by the way, that people should contact us, and let us know, and they should be part of the budget process. I welcome that. We've been advocating that for a long, long time. The time to do it is during the budget season and also the Budget Committee has public hearings. Nobody every shows up for them. We have an opportunity to speak. We vet the budget. We delineate the items that we wish to expend monies for. We cut items that we think we can't afford or are not necessary. We come up with a completed budget. Before we put our final approval to it and send it onto the Budget Committee, we do have one wrap up night. I always afford everybody the opportunity and so does any Chair that sits here if somebody wants to get up and speak at public input, we allow them to do so. I don't think it's unreasonable or unfair to take a tax bill and let the taxpayers know exactly where all that money is going. Not all of that money stays in the Town of Hudson. Some goes to the State. Some goes to the County. So much goes to the school and so much goes to the Town.

Chairman Coutu is a strong advocate of having the taxpayers know where every single dime they're spending where it's going. I don't think that they can complain about what they're paying for schools when you look at our numbers compared to other municipalities the cost per student and what not. They're still getting a great bargain. One of the e-mails I received this week I think School Committee Chair Lee Lavoie also received the exact same e-mail. It congratulated us for the way we do fiscally manage our town and how conservative we are. He has friends that live in other adjoining municipalities who dollar for dollar are not getting the bargain that people get in Hudson. They don't have rubbish removal. There's a lot of things they don't have. They have to depend on other communities for fire and police. In the end he said, "Selectman Coutu I want to thank you guys - and he was talking about the Board of Selectmen - for the way you've managed our town. I am getting a great bang for my buck and I appreciate it. You don't get paid enough." That's what he said and I said you know what, Selectman Maddox should see this - \$8 a day. That's what we get whether we're here or not. I appreciate what you're saying but I don't see where that's going to have an adverse impact on whether people decide...I think the economy dictates how people are going to vote on budgetary items that are requested of them on the ballot.

In light of what Selectman Brucker just said, she thought if we put anything on she thought showing the percentage would be a little easier to understand. Chairman Coutu said it's also easy to decipher. You just multiply it out by the percentage. It tells you how much goes to each of those 4 areas. There are only 4 - school, town, State, and County.

Selectman Nadeau thought a simple pie chart on there would be the simple and easiest way with the percentages. That's what they do up in the north country.

Selectman Luszey said we do that now. Selectman Maddox said it tells you the rate. Selectman Luszey indicated that Ms. Carpentier did the pie chart for him last year for the budget. Ms. Carpentier indicated it was the Assistant Assessor. I can't take credit for that. Selectman Luszey indicated that it exists. I don't see why we can't include that in the mailing.

Chairman Coutu still would like to know - staying on line where he and Selectman Maddox were. He'd like to know why we can't do that and what it is...Selectman Luszey would take back - he'll go find out exactly what it would cost us in time in an effort to get the breakout on the tax bill. Chairman Coutu thought when you have computers you press a few keys and it's done. That's why you have computers. Would you have the IT Department look into that for us? A pie chart if nothing else.

Mr. Malizia asked does the pie chart implied to be separate or is that on the back on the bill. Chairman Coutu said it would be on the bill. Selectman Nadeau said right on the front page. Mr. Malizia didn't think there was enough room on the front page to be frank with you. Selectman Maddox asked to come back with some suggestions. He thought it was something simple. Some days nothing is simple. Selectman Luszey stated Nashua sends two pieces of paper. The bill and a real nice letter from the Mayor on how that bill was derived. It breaks out what percentage is school; what percentage is the City; what percentage is County and all that. Chairman Coutu said he liked that idea better. Selectman Nadeau said Chairman Coutu's letter attached in the bill and you could put a big pie chart in color. Chairman Coutu indicated he wanted to work on the pie chart and get back to us please on the other thing.

Motion by Selectman Maddox, seconded by Selectman Luszey, that the tax bills reflect what the costs are by division if we have the resources in house and the time to do it, carried 5-0.

10. NONPUBLIC SESSION

Motion by Selectman Luszey, seconded by Selectman Maddox, to enter Nonpublic Session pursuant to RSA 91-A:3 II (b) The hiring of any person as a public employee; (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph; and RSA 91-A:2 (a) Strategy or negotiations with respect to collective bargaining, carried 5-0 by roll call.

Chairman Coutu indicated that Nonpublic Session is being entered into at 8:59 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman Coutu declared open session entered into at 9:46 p.m.

Motion by Selectman Luszey, seconded by Selectman Brucker, to authorize the Fire Chief to hire Jennifer Riel to the position of Executive Secretary within the Fire Department beginning on September 30, 2012. This assignment will be a non-exempt position and in accordance with the Hudson Police, Fire and Town Supervisors Association Contract with an hourly rate of \$19.37 per hour and then to Step 3 at the completion of probation, as recommended by the Fire Chief, carried 5-0.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to authorize the Finance Director to post and advertise the Senior Accounting Clerk position, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 9:48 p.m. by Selectman Luszey, seconded by Selectman Brucker, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Roger E. Coutu, Chairman

Benjamin Nadeau, Vice Chairman

Richard J. Maddox, Selectman

Ted Luszey, Selectman

Nancy Brucker, Selectman