

HUDSON, NH BOARD OF SELECTMEN
Minutes of the November 22, 2011 Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of November 22, 2011 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Representative Renzulo.
3. ATTENDANCE

Board of Selectmen: Shawn Jasper, Roger Coutu, Rick Maddox, Ben Nadeau, Ted Luszey

Staff/Others: Mark Pearson, Assistant Town Administrator; Donna Graham, Executive Assistant; Gary Webster, Town Engineer; Timothy Quinn, Chairman of Conservation Commission; Kathy Carpentier, Finance Director; Chief Lavoie; Bernie Manor; Lucille Boucher; Pat Nichols; Sandra Rumbaugh; Manny Sousa, Jr.; Linda Kipnes; Doug Robinson

4. PUBLIC INPUT

Chairman Jasper asked if there was anyone who would like to address the Board over any matter which we have jurisdiction.

Andy Renzulo - Thanks you Mr. Chairman and members of the Board of Selectmen. My name is Andy Renzulo. I live at Heritage Circle. I'm also the Chairman of the Hudson Senior Council on Aging. The Council has not been officially notified, it is our understanding that for various reasons and for the second time we've run out of time to present a proper warrant article to the voters for the next Town Meeting for the construction of a Hudson senior center. What am I here for? First of all, what am I not here for? I'm not here to find fault, assess blame, that's backward looking. It doesn't get the job done. What I'd like to do is discuss with the Board what learnings I think we can glean from the situation and what we might do going forward.

First, a few of my impressions around what I think has happened and ideas around those impressions. It appears at least in this case that the process drove the project instead of the project driving the process. In other words, if you establish an absolute date and you have something you can then work back - an absolute date when something has to be done, you can then work back for target dates and for milestones. There have been methods developed of the military and private industry that have been developed to successfully manage projects. I think things like Gantt charting, critical path method, fishbone diagrams, and PERT charting. They are all techniques that facilitate project management. Many of these things are done intuitively and the power of them is that by employing these techniques, you can see where you're going and if you can see a problem forming significantly ahead of time so that you can work around it. I'd like to talk to you about being able to develop something like that.

The second impression that I had is that there was really no "project manager" to get this to occur. It was just an agenda item. It wasn't on somebody's plate to get the project done specifically. What I'm proposing is we assign Mr. Pearson as the project manager to get a senior center warrant article on the ballot for the next available time, which will be a year from now. Require him to produce a plan and to make it happen. The plan will have the critical milestones clearly delineated and that there be a periodic review of the plan by the Board of Selectmen and the Hudson Senior Council on Aging. To that end, I and anyone else who has any skill in developing these techniques or developing plans that's part of the Hudson seniors, we would volunteer our help. I'm not certain how much experience members of the Board have or the Administrator has with Gantt charts, PERT charts, and things of that nature but they are powerful tools. They should help us avoid this situation next time. Does anybody have any experience on the Board with those types of project management techniques?

Selectman Luszey said certified PPM.

Mr. Renzulo thought that the Board found one.

Selectman Luszey asked to make a comment. I heard everything you said and unfortunately I really think that the gating issue on this was getting the approval of Concord. Without that, we had nothing to go on. We could have all the best laid plans but until we had a start date, there was nothing to start. We knew and we know when the end to get a warrant on is. Last night we kicked off the Building Committee. Now that we, and I'm assuming we have all final approvals, has the Governor signed it yet?

Chairman Jasper said no. It's still in the process of going forward. I had a discussion with the Governor's legal counsel last week. That should be done. It has to go back to Long-Range Planning which is meeting in December and our goal is to get that to Long-Range Planning in December. That doesn't stop any of our process now. We have approval from DOT. We just don't have approval from Governor or counsel.

To that point, Selectman Luszey said they agreed as a Building Committee last night to be out to bid in 4 to 6 weeks the specs for the building and to get the architectural drawings in our hands so that we have them available this time next year to go to warrant. I think we've done what you're asking. Unfortunately, we really don't have final approval to bid.

Mr. Renzulo indicated that there is a definition of insanity and that's to do the same thing again that you did before and expect a different result. Again, you're going sequential. We need this to get this. You're letting the process drive the...Chairman Jasper gaveled Mr. Renzulo. I'm being a little bit looser here than I should. It needs to go through the Chair and not a running dialog between the two of you. At this time, you have the floor Representative Renzulo.

Mr. Renzulo's concern is that without a plan in place, and those of us who did middle management projects in the dreaded private sector, if you went into your boss without a plan without all those milestones laid out ahead of time and not waiting until well if I get this then I can go this way. No. You have to have a plan ahead of time. This is what it appears that has been lacking not just from the last month but the year previous. If you recall, we came to a point where it kept going along. Yes we're okay. Yes we're okay. Oh, not okay. That's why I say a plan to be able to say this is what we need to do for milestones along the way I made now would be appropriate. Then you could see issues.

Chairman Jasper would agree with you but I would say that really is a job for the Building Committee for the senior center to develop that plan not for the Board of Selectmen. We don't have the time to get into that level of planning. That's why we appoint committees and that's a plan that should be developed through the committee that is working on this to make sure that those milestones are reached. I do agree with you. That would be helpful to have. I'm not sure as Selectman Luszey said that it would have done us any good in this particular case because I was managing the time frame of trying to once we came up with an Agreement with DOT, once we came up with the price that we're waiting for which took a long time trying to get that, and we ran into an unexpected road block of whoops Governor and counsel doesn't have the ability to do what everyone had been assuming they did. We could have had all that in place. We would have ended up in the same place but we certainly would have been better off having had a better plan in place for executing that. I will simply again say that I think Selectman Luszey is our representative to that committee. I don't think that anyone here would think that it would be inappropriate for them to develop that plan. It would be most appropriate to bring it back to the Board once one is developed so that we all know exactly what the time table is we're looking at.

Selectman Coutu told Mr. Renzulo that he didn't want this to be adversarial. It shouldn't be. It doesn't take long for something to become contentious. We were border line and our Chairman was right to pound the gavel and try to bring this back to order. We don't want to make this adversarial. We know what happens when we become adversarial within this community. We start pitting fractions one against the other. We've resolved that in the past and I don't want to see us get into that situation again in the future. I understand and I'm sure we all understand where you're coming from. The expectations were high and things articulated to a point where we are where we are. I agree with you that we all know that hindsight is 20/20. So we need to look at the errors of the ways on this particular project and things that we could have done better in the event that something like this should happen again in the future. I can say that I remember at one meeting Chairman Jasper stating that perhaps we could have done a lot of things sooner but we anticipated things to come a lot quicker out of Concord and it didn't materialize.

Having said what you said and having just said what Selectman Coutu said other than what you said bottom line what your expectations this year are? Mr. Renzulo's expectations this year obviously have shifted. My expectations for the end of this year are simply that where we proceed forward we get the request for proposals out as soon as possible. My expectation is that there is a plan in place that we can refer to with established milestones that will telegraph way ahead of time what we as issues. We'll need to have something that has to happen by a certain time that we're able to then project what will happen and be able to work around an issue if we're able to see far enough in advance that we're going to have a problem. Part of any project management is to ask the proper questions around issues, around milestones. Have you got the right numbers? Are you certain that things are going to happen in the sequence that you want them to happen? It's a constantly working document. Also I think we need more interaction between the Board of Selectman and the Council on Aging to be able to get the feedback going on what we need. So those are all of the things that I think we...

Selectman Coutu said it was the answer that he wanted to hear. I thought the expectation was going to be higher. I thought that it wasn't a clear understanding but I got the distinct impression that you thought that perhaps we could

still achieve getting this on a warrant article. The expectations are realistic then on the basis of what you're saying. You're expectations are realistic. This Board has charge either through the Chair or unanimously or by consent to appoint a liaison to the Building Committee. That liaison is Ted Luszey. Ted Luszey as we know in the private sector was a manager. He didn't manage a convenience store like I do; he managed large government projects, private sector projects. If there's anyone on this Board that has the knowledge and can hone in on management plans, I would trust Selectman Luszey to do so. This isn't just patting him on the back. I've had a lot of conversations with him. We as a Board have heard him many, many times talk about various approaches to various projects or internal machinations within our government structure. One of the problems that he's dealing with that most of us have to deal with when we come on the Board is it just doesn't happen like that. You are a professional politician. That is not in a negative. That does not imply - there's no connotation of anything being negative there. You work the Concord arena. You work the local district and you yourself know it just doesn't (Selectman Coutu snapped his fingers) happen like that. It takes time. In this particular case, it was convoluted with DOT, Governor's Office, Governor's Council, some members of the Board of Selectmen trying to push things along and now we've arrived at a point where we know what the objective is. We want to achieve that objective but we want to be mindful of one thing through the whole process. In order to make all of this saleable, which is the final outcome, we need to sell this plan. Whatever we come up with, we're going to have to sell it. It needs voter approval. We need to realize that the project itself is a town project. Not a private club project. That's the way it is coming across. If it turns out to be a private club project, I can assure you it will not meet with voter approval. We want the voters to approve this. This is long and coming. You've worked so hard and we realize that you are going to be a major contributor to the success and to the construction and to providing the materials internally to achieve your objective as to have a place for seniors to be able to go and relax and enjoy themselves and have a good time. This is a community wide project. It will be available to all of the seniors in our community and hopefully some day we, as a Board, when we see how well the progress is will realize that maybe we need to have a town employee working on senior affairs in our community to coordinate with the seniors to get these done.

Selectman Coutu would hope that you would trust our judgment in having selected Selectman Luszey as our representative to the Building Committee. Aren't you also on the Building Committee Selectman Maddox? I don't mean to undermine or undercut your abilities as well. I believe that they're going to achieve exactly what you're looking for. I think for me personally I can only ask that you be patient, that you work with them, and that you allow rather than tie up the Assistant Town Administrator, allow this Board in coordination with your committee to achieve those objectives, to strive to have attainable goals, have a time table for those goals, and do all of the things that you suggested we do. I think if there's anybody that's familiar with all of these planning mechanisms that the government uses, I'm sure Ted Luszey knows and has applied every single one of them.

Mr. Renzulo said if Selectman Luszey develops this plan and we're able to work with it, I don't think you will have any debate on the issue from me. I'm here to bring to light what I felt has been a deficiency in the way things have progressed. I'm here to try to bring forth a possible remedy. These planning techniques are not panaceas. They're as good as the data put in. I think we need something to be able to help us in moving the project forward so that we all can see how the project is moving forward and can ask the proper questions. That's all.

Just to that end, Selectman Luszey said the only thing I can see to put a plan together for and that is to have a deliverable which is a set of architectural drawings. That's it. Up until that point, we don't have a budget. We don't have approval to go anywhere or to do anything. Correct me if I'm wrong Mr. Chairman. That's all we can plan for at this point.

To that end Mr. Chairman, Selectman Maddox said as we saw that it wasn't going to be on the ballot this year we do have a warrant article to put additional monies into the capital building fund for the senior center so that we are trying to keep this moving forward so that when it comes to be built, that number is significantly lower in that final year. So we did say that it was not going to happen this year for any number of reasons, and we're still trying to move the project forward by having this warrant article on the ballot this year or in March coming up. Thank you Mr. Chairman.

Selectman Luszey indicated that Selectman Maddox could probably contest that last night at the Building Committee my attempt was to see if we could pull everything in to have something ready for this warrant. I was beaten down saying it ain't happening because we just can't get a set of drawings that quick. We started late. So be it.

Chairman Jasper was sure that Selectman Luszey has heard you and that I'm sure that the Building Committee would be glad to work with you in developing those plans because ultimately I do think it would be helpful. The next stage is to get the drawings and to get the architectural work done. We have the \$150,000 appropriated to get that done. From there, the plan can move forward. We should have more than enough time to make sure that all of our ducks are in a row to have it on a warrant. We have plenty of time to fully educate the public about what's going on. At that point, we're going to have to look at the numbers and decide how to finance this project. There's a lot to do. Certainly planning will be helpful. Thank you very much.

Chairman Jasper asked if there is anyone else who would like to address the Board on any matter this evening. Seeing none, I'll close public input and move on to Nominations and Appointments.

5. NOMINATIONS & APPOINTMENTS

- a) Resignation of Timothy Nawrocki as Alternate Member of the Conservation Commission and Member of the Recycling Committee

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept the resignation of Timothy Nawrocki as an Alternate Member of the Conservation Commission as well as a Member of the Recycling Committee with the Board's thanks and appreciation for his service, carried 5-0.

7. CONSENT ITEMS

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

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

A. Assessing Items

- 1) Current Use Lien Release - Map 184, Lot 32, w/recommendation to approve
- 2) Veteran Tax Credits - Map 168, Lot 002, Sub 008; Map 148, Lot 40, Sub 060; Map 175, Lot 34, Sub 030; Map 125, Lot 009; Map 157, Lot 066, Sub 096; and Map 248, Lot 1, Sub 005, w/recommendation to approve
- 3) 2011 Tax Abatement - Map 178, Lot 4, w/recommendation to approve the abatement
- 4) Disabled Veteran Tax Credits - Map 160, Lot 101; and Map 167, Lot 037, w/recommendation to approve
- 5) Tax Deferral Application - Map 173, Lot 025, Sub 054, w/recommendation to approve

B. Water/Sewer Items

- 1) Sewer Acceptance, Ferry & Adelaide Street Subdivision, Map 175, Lots 153-3&4 and 155-3, 4 & 5, w/recommendation to approve
- 2) Water Abatement - W-UTL-10-30, 4A Kenyon Street, w/recommendation to deny
- 3) Water Abatement - W-UTL-10-31, 24 Radcliffe Drive, w/recommendation to approve

C. Licenses & Permits

- 1) Hawker/Peddler/Itinerant Vendor's License by Michael Bevens a/k/a B & B Catering
- 2) Raffle Permit by GFWC Hudson Junior Woman's Club
- 3) Request to Solicit Funds by Hudson-Litchfield Youth Football & Cheer, Inc.

D. Acceptance of Minutes

- 1) Minutes of the October 20, 2011 Meeting
- 2) Minutes of the October 25, 2011 Meeting

E. Calendar

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| 11/23 | 7:00 | Benson Park Committee - Landscape Subcte - BOS Mtg Room |
| 11/24 | | THANKSGIVING - TOWN HALL CLOSED |
| 11/25 | | FLOATING HOLIDAY - TOWN HALL CLOSED |
| 11/28 | 7:00 | Recycling Cte - BOS Mtg Room |
| 11/28 | 7:00 | Budget Cte - Buxton Mtg Room |
| 11/30 | 7:00 | Budget Cte - Buxton Mtg Room |
| 12/01 | 6:30 | Recreation Cte - BOS Mtg Room |
| 12/01 | 7:00 | Benson Park Cte - Buxton Mtg Room |
| 12/03 | 9:00 | Budget Cte - Buxton Mtg Room |
| 12/05 | 6:00 | Public Hrg - CALEA - BOS Mtg Room |
| 12/05 | 7:00 | Budget Cte - Buxton Mtg Room |
| 12/06 | 7:00 | Board of Selectmen - BOS Mtg Room |

Selectman Luszey needed some information from the Chairman. I wasn't here at the last Board of Selectmen's meeting. I believe under the Consent Items this Board reviewed, voted and denied the permit for a Hawker's License

to The Big Bow Wow. Since I wasn't here, I'm not on a prevailing or non prevailing side. I would like to know if there was any member that would like to bring it up for reconsideration. I would like to put input on it. I think this Board is in error in denying it.

Chairman Jasper indicated that Selectman Luszey could when they get to Old Business, which we're coming up on, I would allow you to make that request and see if anyone would like to make the motion to reconsider. We are on Old Business now.

8. OLD BUSINESS

A. Votes taken after Nonpublic Session on November 8, 2011

1) Motion by Selectman Coutu, seconded by Selectman Nadeau, to hire Joshua Keller and Zachary Keller as Alvirne High School Student Maintenance Assistants with the Hudson Police Department at a rate of \$10.00 per hour for 15 hours total per week, carried 3-1. Selectman Maddox in opposition.

2) Chairman Jasper declared the meeting adjourned at 8:50 p.m.

B. Hawker/Peddler License - The Big Bow Wow

Selectman Coutu indicated strictly as a courtesy to Selectman Luszey, I'd like to hear your argument. It's going to be hard to convince me to go otherwise.

Motion by Selectman Coutu, seconded by Selectman Luszey, to reconsider the action whereby we denied the application for a license for The Big Bow Wow Hawker/Peddler License.

The reason Selectman Luszey brought it up is having gone through the paperwork, all the different boards seemed to have approved it. I talked to a couple of folks here. Listening to the broadcast, some of the reasons which were brought up on why this was denied seems to me more of a protectionism type of philosophy of this Board where we're trying to protect surrounding businesses from competition, which I don't think is a good thing to do. The other argument was that this particular vendor would not be paying taxes yet they are paying the fees. The fee structure is quite clear. It's \$5.00 a day or \$25.00 a week, or \$100.00. So they are paying the fees that is required by this town.

The other argument that Selectman Luszey heard on why we didn't want this particular type of business in the town is that there were no facilities for the patrons, yet we don't ask those same types of questions of the same type of person that would be say selling flags. I think we erred in that this person coming forward met all of the regulatory requirements of all of our zoning ordinances and licensing. I see nothing on why we should not have approved it given that all the other boards had favorable recommendations. That would be my 2 cents.

First of all, Selectman Coutu said we were not acting as protectionists against competition. I thought that in enunciating our position I thought that Selectman Maddox and I who both of us spoke our reasons here at this meeting. We were questioned further by a reporter who's sitting in the audience relative to an article that he was doing in the local weekly. One of the things that I remember Mr. Robertson stating to me, "Well your position is basically the same as Selectman Maddox." I said having heard Selectman Maddox and having voiced my opinion, yes it was basically the same. What concerned me, and if Selectman Maddox wants to speak, he'll speak for himself. What concerned me is the fact that co-located in that area and it's not for the purpose of protectionism and I'll get into that shortly, co-located in that area we have 3 immediately adjoining establishments that sell food to local patrons. Two of them owned the buildings. One is a renter probably on a triple net lease like I am, pays the taxes on the building, and they're major contributors to our tax base in this community. Maybe major is stretching it, but they are contributors in larger dollar amounts. I understand where you're going with the fee structure. The proposal did meet the requirements. I don't disagree with that. I can't disagree with it. Facts are facts. However, I believe that - and I'm going to speak for myself, I cannot speak for the Board, I don't know why everybody voted the way they did. I know that Selectman Maddox stated his opinion. I stated mine and they were coincidentally almost the same.

Selectman Coutu believed that I as an individual member of the Board of Selectmen have an obligation to protect established businesses in our community. I'm not against competition but for fair play. The article that was in the local paper, which I don't object to, the only thing I had difficulty with is asking the consumers to make a decision whether this action made us less business friendly than it would appear that someone can interpret our action to have been. I think that if anything from my perspective anyway I thought we were acting in a very business friendly manner. This was an issue that came before this Board a few years ago before I was on the Board. I remember that case clearly. A precedent was set. I felt that we needed to maintain that presence and I think Selectman Nadeau voiced that opinion. I agreed with that opinion. Where does it end Selectman Luszey? The next guy comes in and

he adheres to all the rules, he wants to sell cigarettes and beer at a cart across the street from my establishment. Somebody else wants to have a wagon and he wants to sell Avon products on Lowell Road across the Avon Street. All they have to do is pay \$100.00 and just go ahead and do this. What's to stop all of our business in town just buying a wagon and start peddling out of our businesses and running all of these carts all over town? I just think that it would open a Pandora's Box and it would do just the opposite of what the article that Mr. Robinson wrote, which was factual. He quoted what was said here and what you said. We would be less than business friendly from my perspective to allow this to occur. That's my position. I'm not going to change my vote this evening. I did this as a courtesy to you because I like you.

Selectman Luszey asked Chairman Jasper if he could respond to a couple of statements. Chairman Jasper indicated if no one else would like to speak for the first time you may. Selectman Luszey indicated where it should stop, and Rick and I actually had a long conversation on this, my strong belief is if we want to limit this type of business in this town, we should do so through the ordinances and not through or by the feelings of the makeup of this Board. That's really the crux of my issue here. This person came forward, paid all the dues that they were required to pay, they filled out all the paperwork, they met all of the legal requirements that we set forth in this town for our zoning and regulatory boards. When we start picking and choosing, we are becoming protectionists of the type of commerce that we will allow or disallow in this town. I guess if we want to do it that way, then I guess that's the way it will be. My preference would be is that we would change the ordinance to be more restrictive of this type of business so that it doesn't proliferate.

Chairman Jasper said he is going to vote for the motion tonight. I was somewhat hesitant to vote for it last time but I did vote for it. I am troubled by the fact that this is a cart that's in one location for the whole day but we have another one in here that we approved tonight that's 10 minutes at a time. I guess if I really look at it, I would say somebody who was moving around town 10 - 15 minute intervals is more likely to pull more business away from businesses than one that is one location for 5 hours at a time. I frankly really don't like any of them doing business in town because we do have people who are paying substantial taxes to have a location. It would be hard for me to continue to rationalize that this was really substantially different than the other ones that we have approved as much as I don't like it. I am disappointed and surprised that the Planning Board essentially gave the okay for a permanent location. That would have been easy to hang its hat on. It's not a permanent location per say but it certainly is a substantial portion of the day. The Town of Durham does approve permanent locations for these and I'm really surprised there are some of them on campus and there are some that are off campus. They're trailers and they just sit there and are there 24/7. I don't think that it's fair to the other businesses that are paying substantial taxes but that's what they do. I was reluctant to vote for the motion last time. I wasn't 100 percent comfortable with it. I have been persuaded that I think that even though I have never really liked these types of businesses, we're singling one out for probably not a sufficient reason. That's my two cents. Any further discussion?

Vote: Motion denied 2-3. Selectmen Jasper and Luszey in favor.

9. NEW BUSINESS

- A. Acceptance of a \$500.00 donation from Princeton Technology Corporation

Chairman Jasper recognized Assistant Town Administrator Mark Pearson.

Mr. Pearson indicated that Princeton Technology has made a donation to the Recreation Department. In the past, these types of donations have been put into the Recreation Donation Account.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept a \$500 donation from Princeton Technology Corporation with the Boards thanks and appreciation, carried 5-0.

- B. Acceptance of a \$100 donation from Hudson Sno Men

Chairman Jasper recognized Assistant Town Administrator Mark Pearson.

Again, Mr. Pearson indicated that the Hudson Sno Men made a donation to the Recreation Department. The same rationale that they would like to be put into the Recreation Donation Account.

Motion by Selectman Nadeau, seconded by Selectman Luszey, to accept a \$100 donation from Hudson Sno Men with the Boards thanks and appreciation, carried 5-0.

- C. Hudson Speedway Closing Times

Chairman Jasper recognized Police Chief Jason Lavoie.

Good evening. Thank you. As you can see, Chief Lavoie stated that you already have the documentation in front of you. It was just one time. It was the last date of October that the races had commenced where the speedway had run over by approximately 9 minutes. There were no problems there this year. There were a lot of cancellations to races due to inclement weather and whatever other reasons that the speedway chose not to race that day.

Chairman Jasper stated that there was a couple where it says rain. Is that indicating that the race started but then ended early? Chief Lavoie said it was raining and had cancelled it. Chairman Jasper had a hard time believing they only raced 5 times. Selectman Nadeau said it was a very short season for them this year. Chairman Jasper indicated that doing that has been successful and unless there's objection, I would ask that you continue to do the same thing for the next season. Thank you very much.

D. Benson Park - Train Station Roof

Chairman Jasper recognized Town Engineer Gary Webster.

As requested back in November to go out for bids for the roof of the train station, Mr. Webster indicated that we had Jonathan from Warren Street put all the specs together and he personally went out. We had 8 bidders and I believe I copied everybody here on the specs and so forth. We did get the bids back in from 3 bidders. I had an e-mail which should be in your packet. Jonathan inquired about all the contracts and recommended the low bidder. It's R.J. Kellogg Construction out of Hooksett. He did some background on it and so forth. The one thing in the front memo that Jonathan did send me was we don't have any idea of what's underneath the roof right now. That optionally would be an addendum item to the cost of replacing those boards. They are going to put complete if you saw the spec. It's all going to be plywood and so forth. I did talk to Jonathan today. We had a concern with Peter Michaud, the DHR Director of Historic Resources. I sent an e-mail yesterday to him. I have an e-mail to him dated November 2, which he sent the bids out. They sent him a copy of all the specs. and so forth for his review. I sent an e-mail to him yesterday and he responded to me yesterday afternoon. It says that they had 30 days to review it. I sent another e-mail today. Finally at 8:45 a.m., he's all set with the spec. for the roofing. As far as he's concerned, it's a go ahead. It meets all their criteria.

What surprised Selectman Coutu with the process - Mr. Webster it had nothing to do with you actually, it had to do with the firm that we hire Jonathan from Warren Street. I can't believe that we don't have local roofers in our community that bid on this. Obviously it would appear that it wasn't advertised. Why he selected certain individuals, certain companies that he was familiar with and not afford an opportunity for our local contractors to be able to bid on it.

If it was in Mr. Webster's hands, that's what I would have done. You hired him to do it and that's what he did. He went up to all the big roofers in the area - Manchester and Hollis. That's what he went after. You could direct him to do something and I'm just being the guy collecting the information to bring it to you. If I was doing it, yes, it would have been a local thing. You put the responsibility in his hands.

Selectman Coutu asked if he called specific companies or did he advertise at all do you know. Mr. Webster said it was 8 companies which I gave you copies of. There were 8 people that bid on it. It went out for bid and there's 3 that responded. Selectman Coutu indicated that that was it for that portion of it. Thank you Mr. Chairman.

Chairman Jasper would say to that that he shared Selectman Coutu's concern but on the other hand, this was something that we had talked about if we were going to do it, that we would want to get it done before winter set in. Rather than going out through the solicitation process in the papers and it's done this way, assuming that way you're going to get people that he has some familiarity with. I'm certain satisfied with the low bid as a reasonable price. The Board does need to understand this meets the criteria that we need to have in order to stay in compliance with the deed restrictions. This \$15,000 won't be is we won't get our 80 percent reimbursement from the State because we're not going through their process. That doesn't concern me because we know that this train station is not going to be done for \$280,000. So this is just \$15,000. I think it is very important to get a roof on this building. Time is really running short if we don't get this approved tonight, it's going to sit there again through the spring. I think we need to get a roof on it. It's leaking now. The paper is off. The edges are deteriorating and everything is just going to hell. I hope that we do approve it and the Chair would entertain a motion.

Motion by Selectman Luszey, seconded by Selectman Maddox, to award the low bid to R.J. Kellogg Construction, Inc. of Hooksett, NH, in the amount of \$15,100.

Selectman Luszey thought it is important that we get this roof. We've been talking since I've been on this Board now and that's almost a year believe it or not. To continue to let the building deteriorate, it's only going to drive the cost up. I think that the \$15,000 is a reasonable price to have that building water tight and stop any further damage from

occurring on it to allow us the ability and the time to get it moved, which I thought Bernie was going to do this week but I guess not.

Selectman Maddox did it as a courtesy Mr. Chairman. I cannot vote for this. It is a case of putting \$200 in roll roofing, some tar, and a contractor locally to go patch it for the winter. To spend \$15,000 now when the building we know has to be moved. Although we're going to hire the best people to move it, one simple bad move and that roof is going to have a problem. You shake your head no Mr. Chairman but some poor selectman in 10 years is going to be going why did they do that. That's the first reason.

Selectman Maddox's second reason, again, I agree with Selectman Coutu. Why this wasn't advertised locally. I understand your reasoning but there's some good roofers in the area. This was sent out to people in Peterborough, Concord, Manchester, and even the gentleman that is referenced, he went to somebody else to ask him if they're any good. He just sent them a one line thing. I just don't see this. It sat there for 30 years. Thirty-one won't hurt it - patch job. The last thing Mr. Chairman is you said it yourself, we're going to pay the entire freight for the \$15,000. To wait until this spring and go through the State to get 75 percent of it back, I just think we're spending money we do not need to at this point Sir.

Chairman Jasper is going to disagree with a couple of points. First of all, the roof is the last thing you have to worry about in a move of the building because it has the most flex in it anyhow. Roofs are designed to flex to some degree. That building is solid and the roof is not going to be affected by the move. We have spent a fair amount of money patching it and the first wind storm that comes up, the paper comes off because there's nothing on the edges any more. The water is simply pouring right into the fascia, into the overhangs, and there's nothing to nail anything to any more. That's the problem. The roof just keeps peeling off. Every time we do it, you don't even have to wait a month and the roof is off. If I thought we could complete that building for \$280,000, I'd agree with you relative to the money. But you pay the money on the front end or we pay it on the back end. In this case because we can't get the State to match it, I'd rather pay it on the front end because the longer that building leaks, the more money we're going to pay on the back end because the deterioration is going to continue. I think it's foolish to pay anybody to patch that roof anymore. That was a 5 year roof that was put on it and that was probably 9 years ago at this point that we put the 5 year roof on it. We continue to patch that. This is a case of penny wise and pound foolish. When you don't have a good roof on a building, you destroy your whole building. That's what we've been doing. We've been putzing around with this and we can argue about well it should have gone someplace else. That's all well and good and I'm not going to disagree with that but for what they're doing, we have 3 prices here with a \$10,000 delta on it. I think we need to move forward or we're going to spend a lot more money in the long run.

Selectman Luszey had a follow up. We asked Mr. Webster to go out and get something done and he did that. We did not instruct him to go out and send it out to local businesses. We asked him to have an engineering firm do their thing. They did their thing and that's what they came back with. The second point is if we all agree that this building is going to be moved eventually, this roof is not a patch. It is a long-term fix. It is a relatively inexpensive long-term fix at the current price. To Chairman Jasper's point if we don't fix it this year if we fix it next year, it's going to be more. Every year we keep putting it off, it's going to cost us more. That's why I think if we all agree that we will be moving this building to its permanent home within a year or two years, or whatever, we should be putting a permanent fix on it.

Selectman Nadeau first question was where are the funds coming from. Is this coming from Benson's money? Train station money? Chairman Jasper indicated it was not coming from the train station money. We do have the \$43,000 that is set aside for the buildings. I would suggest that that's the only place it can come from. Obviously it can come from other places but that's the sensible place for that to come from. That's what that is there for the buildings. That's where I would recommend that it come from if we approve this and pay the bill.

As a follow up to that, Selectman Nadeau said the \$43,000 is what we have left to take care of the Haselton Barn and the other buildings at Benson's. Chairman Jasper indicated it's whatever we decide to use it for. Obviously it's not going to do anything major for the Haselton Barn, which we know the roof is a quarter of a million dollars to do the roof right.

Frankly Mr. Chairman had Selectman Maddox not afforded an opportunity to second the motion, I would have seconded the motion for the purpose of discussion because I wanted to hear the discussion. I've been teetering on the edge of this one. My mind was not made up. One thing that I was very concerned with was the argument that Selectmen Maddox presented which was the shifting of the roof and potentially if we were to move the structure. I've witnessed a few buildings being moved not a lot of them and a lot larger than that train station. I spoke to a couple of structural engineers or pretend structural engineers and they tell me that the size of the building and the construction of that building which they are familiar with being an oblong shape would be pretty hard to shift that roof unless it slid off in the process of moving. If that's the case, then the guy who moved it is going to own that building in short order. That was my major concern. I will say, and I will give you a little bit of credit, that you gave me a tour of your barn and

I know how involved you were in the construction of that barn. I trust your judgment on building construction. I think that the argument that Selectman Luszey makes relative to increasing the cost of maintaining this building if we don't do anything now other than just throw a tarp on it, I'm convinced that a good wind storm will just rip that tarp off. It will be a little late in the middle of a snow storm to try to go out there and recover it. For that reason and though I'm very disappointed, not a little disappointed I'm very disappointed, that I didn't react sooner. I'll take responsibility. Not having reacted sooner knowing that he was going to local bidders. He was not going to local bidders; he was going to out of town bidders. I'm very disappointed that we didn't go locally. If we're going to get this thing done, I think the price is right and I think considering too having read what he's going to do he's actually going to replace the entire roof. I'm very satisfied. If I could get my roof done for \$15,100, that's what I'd be doing. I'm going to support the motion.

Vote: Motion carried 4-1. Selectman Maddox in opposition.

On future projects like this, Selectman Luszey asked if it is proper to put a note in the bid process that says that instructs engineering firms to go to local contractors as part of that process. Chairman Jasper indicated that we certainly could. What normally happens is it's a bid through notices in the newspaper and we only send out the RFPs upon request. So it's based on who wants to actually participate in the process. In this case, this is a guy who is located in Concord. I'm sure he has certain people that he has a comfort level with. Normally we wouldn't do this and anything else we do through the State is going to be a much lengthier bid process. That's primarily the reason we couldn't even do this if we wanted to get a roof was because it was going to take so long to go through the State's process.

Just to add, Mr. Webster did talk to Jonathan and what he was telling me yesterday when I talked to him that they could probably get this done and it would take a week to do. The biggest thing we have to concern ourselves with is the weather. They say 40 degrees with roof or shingles and so forth. I look at the forecast and it looks in pretty good shape. I'm paving a road next week and it's pretty good. I'll give this person a call tomorrow and prepare him to send a contract. Once we take the roof part of the train station, my next goal is to sit down with Warren Street, NHR, and DOT get a scope of work for moving the station, doing the coving around the roof, and all the corners and so forth. What we have to do is document when Bernie is up there the gutters. They're inside gutters. We have to take pictures of them and make sure they're documented. That's the big thing about the historical and that was one of the instructions he gave me. We're hoping to put everything together for this spring to actually move the station. The scope of the work is only going to be the foundation and move it. After we get done, then we'll have an idea of what we have left, if we use the Town forces to do water and sewer and all the digging, we'll know what we can finish with the money we have. We've been emphasizing that every time we met that this is the money. Mr. Jasper and I went up there. Once we have the outside taken care of, it's a matter of people volunteering hopefully that we can finish the station or we find some more money somewhere. There is some grant money out there. I will take care of this tomorrow and thank you.

E. "Tate Well" & "Nash Well" - Initial Property Assessment

Chairman Jasper recognized Town Engineer Gary Webster.

Mr. Webster said he'd talk about the Nash Well first. We have never actually done a test on that well to figure out the gallons per minute. Weston & Sampson has done some preliminary work, going through DES checking the water quality and so forth. Mr. Malizia and I discussed that there's a pump in there and not a lot of electricity up there. Part of this is we have to take the pump system out and we have a well company come in and actually do the test. It's a 4 or 5 day process by discharging into the pond that close to see how many gallons per minute is there. It takes time and we have to have a well company do that. That's one of the issues that we're just going to test that existing well to see if it's feasible to look into it in the future. I mentioned to you that 200 gallons per minute is the secret to the breakeven point is with our water system.

The other parcel of land Mr. Webster said is on Old Derry Road. We had a geological report from Weston & Sampson. I'm not sure if I included that in your packet. There's a large area in Londonderry where the aquifer is. They're estimating between 250 to 350 gallons per minute. The big question mark is some of that gravel has been mined out there and we're going to be doing additional observation wells to test them to make sure. When you lose the gravel area, you lose your aquifer. Brox is a perfect example. There was a 100 foot aquifer in there at one time. It's not there anymore so it's not a good water source. I've been out there a couple times and looked at it. They didn't mine a lot of the gravel out there.

Selectman Luszey asked if this was the area that Mr. Webster talked about the last time. Mr. Webster said yes. I have maps in my office. I only have the letter from Weston & Sampson. I'm getting permission from the owner right now to enter his property. They're going to use 2 ½ inch diameter probes out there. This is the Tate Well called "initiative assessment". It describes approximately 950 acres feeding this property. It's in the aquifer on our maps.

It's approximately 20 to 25 feet and that's what you want. You want a gravel base. You don't want sand. At Alvirne, we had a lot of sand there that's why we didn't have a good yield. You need gravel. Gravel is a filter and water goes through much faster. That's why our wells in Litchfield are so good because they're in a gravel packed area. We're looking for water. We still have other areas we're looking at. This will take care of our budget for this year as far as finding more. If we do find something, then we have to sit down and review it with the Selectmen and we'll have to negotiate something with the owner down the road. If it's a good enough well, it's something to look at in the future. Like you said if we go across the river whatever we produce on this side is to our benefit.

Motion by Selectman Maddox, seconded by Selectman Luszey, to approve the Agreements for Engineering Services with Weston and Sampson for the Nash Well site in the not-to-exceed amount of \$12,200 and the Tate Well site in the not-to-exceed amount of \$27,400 with the funding to come from the Water Utility budget, account 5593-252, Other Professional Services, carried 5-0.

F. Catalpa Drive - Street Acceptance

Chairman Jasper recognized Town Engineer Gary Webster.

Mr. Webster indicated that the Town took over this project from the bank. Obviously the bank didn't want to finish the road. Back in June I tried to get a letter to have the Planning Board release the bond so we could finish it. We had a little problem with it. Eventually I got the word in September, did some scrambling, and we actually got the wire transfer back on October 11th. The money went in and we started the work prior to that. The work has all been completely finished out there. All the stone bounds are in. All the property corners are in. The new street sign is up. We just got that and it's all put up. We spent out of the \$58,525; we spent \$43,152 which leaves us a balance of \$15,000 in that account. That doesn't include my time, Betty's time, and a few other people who have worked on it. Eventually that will be the maintenance period. We'll be taking that money down as far as my time involved. I haven't put it in yet. I'll transfer it when I'm ready.

Chairman Jasper asked if there are actually any Catalpas on Catalpa Drive. Any Catalpa trees? Do you know? Selectman Nadeau said he didn't see any while I was out there this weekend. I think it's in the front yard of one of the houses. Chairman Jasper hated to name a street Catalpa Drive and not have any Catalpas on it. Selectman Nadeau indicated we have money to put some in if we need to in the playground area. Put that as a condition and Selectman Luszey said he'd vote for it. Selectman Nadeau said they were terrible trees to have. Chairman Jasper said no they're not. Selectman Coutu said his neighbor has half a dozen and I'm picking up those pea pods and white flowers in the spring. They're horrible. Chairman Jasper indicated that's what we have up in the back there. It's actually a nice one because it has 3 main trunks.

Chairman Jasper opened the public hearing at 8:08 p.m. Does anyone in the audience wish to speak on the acceptance of Catalpa Drive? Seeing no one, I will close the public hearing at 8:08 p.m.

Motion by Selectman Coutu, seconded by Selectman Maddox, for a formal acceptance of Catalpa Drive as a town street, as recommended by town staff, carried 5-0.

G. Allyson Drive - Street Acceptance

Chairman Jasper to recognize Town Engineer Gary Webster.

On Allyson Drive, Mr. Webster said everything coincided with Catalpa. We finished that street for street acceptance. All the houses are built out there and all the bounds have been put in. It's a nice little subdivision. If you looked at it before we started, it was not really a nice looking subdivision. It looks very nice in there now. Like I said, all the houses are built. Mr. Sousa is part of the background there who built the subdivision. I do have a substantial bond on it. Our maintenance bond is going to be roughly \$46,000 that will be left on that property for a two-year maintenance period.

Chairman Jasper asked if there were any questions before I open the public hearing.

Chairman Jasper opened the public hearing on the acceptance of Allyson Drive at 8:10 p.m. Is there anyone in the audience who wishes to address the Board on the issue of acceptance? Seeing none, I'll close the public hearing at 8:10 p.m.

Motion by Selectman Coutu, seconded by Selectman Luszey, to accept Allyson Drive as a town street, as recommended by town staff, carried 5-0.

Before Mr. Webster leaves, Selectman Coutu thought that especially in light of the train station I want to, and I think I can speak for the Board, recognize the fact that we understand that Bernie Manor along with the Town Engineer have put in countless number of hours. Mr. Manor has done so as a volunteer. Again, speaks a great deal and gives me great pride and I'm sure all of us great pride that we have people in the community such as Bernie Manor. I know that and we all know how overwhelmed Mr. Webster has been especially in the past couple of years with all of these projects. He's been able to come through for us. I hate to see him leave without expressing our gratitude especially on Thanksgiving week. Thank you very much Bernie and thank you very much Gary.

Chairman Jasper thanked Mr. Webster and Mr. Manor.

H. Hudson Ponds - DASH unit - increase funding

Chairman Jasper recognized Timothy Quinn, Chairman of Conservation Commission and Jim Kegley.

Timothy Quinn, 1 Fuller Drive, Hudson, NH, Chairman of the Conservation Commission. We I think started you by saying we didn't have sufficient funds to properly service Robinson Pond. I don't think we made that point that if we don't, we're going to lose the work we've done. We took a look at ultimate funding sources and I went to the conservation funds and found that every dollar in there is earmarked for land acquisition and cannot be used for this. We do have \$2,000 in the Capital Reserve Fund for maintenance of the ponds. That will help us with some of this but not all of it. We're taking a look at grants, donations, and that sort of thing. I'm going to turn it over to Jim Kegley who's really doing the groundwork on this.

Jim Kegley, 5 Griffin Road, Hudson. Mr. Chairman can you tell me if the Board received a Memo that I submitted? It's additional financial considerations. Chairman Jasper indicated that they have that in their packets. Mr. Kegley asked if the Board needed him to review that especially the top section or have you had a chance to review it. I'd be happy to go over it if there's certain point in there.

Selectman Luszey indicated that part of why they're here is as the liaison to the Conservation Commission, this past month's meeting when we were talking part of what I went away with when they presented at the budget session if you will is they gave a more positive outlook if you will as to the condition and the work that has been done at Robinson Pond. I believe the Board felt that the amount of money that we put in the budget was sufficient to carry us forward. During the conversations at the Conservation meeting what became apparent to me is that that really isn't the picture they meant to paint for us. The picture they really meant to paint for us is that they've done some real good work there. They've got it contained but without the additional funds, we will not contain - and I'm not sure what the evasive plant species is but whatever it is, it will overtake the pond again and we're going to go backwards. That's why I asked them here to reconsider the funding that we have for next year's budget. It's actually two requests. There's one for this year to add funds, correct me if I'm wrong, and one to up the ante on next year's. The chemical herbicide treatment did not work. Really the work that's been accomplished to date has been mainly though the use of the DASH unit and the work done by that crew. That's why they're back here tonight.

Mr. Kegley said there's two points I want to make. You don't need to review it but I would have you underlined the sentence in the middle of that first paragraph under my review that says "The moderate and dense areas still remaining pose an imminent threat to the return of dense fanwort growth." I'm speaking about Robinson Pond. That's important.

The other piece of information which Mr. Kegley apologized to Tim this is a dynamic process and problem solving. Just last night I received an e-mail in response to the grant that I had submitted on behalf of the Conservation Commission to the Department of Modernal Services. The news that I received is that the State has pledged an amount just under \$13,000 to contribute to addressing this problem. This would be for next season's work. I can explain in a moment how that would affect my second request down below. That just came in last night. Mr. Quinn said that was for FY2013. Mr. Kegley said this is where it starts to get confusing because when I'm talking about the season, that splits right in the middle of the fiscal year. That's why I have two requests down below be it June 30th and this fiscal year.

Chairman Jasper asked to stop for a moment and deal with motion one which is for the fiscal year we're in. You're requesting that it come from the Capital Reserve Fund. What we don't have in front of us right now and we don't have the Finance Director right here to verify that we are the agents to expend and what that fund actually is. Then it talks about the total of \$11,900 being offset by withdrawal from the Pond Donation Accounts. What we really need and we have until May to do this properly is to figure out what the account actually is if we are the agents to expend. If we're not, we need to figure that out soon so that we can get this into warrant article form. Assuming that we are the agents to expend, then we can do that at any time. We would not want to withdraw the whole \$11,900 if there was an offset because then we would have taken the money out of the bank but have an offset. So we need to know how much we really need to take out of the Capital Reserve. Let's put that one aside for now until we have all our ducks in a row

with that one. Mark I'll task you to get that information from KC. We need to see what's in that donation...Selectman Luszey asked if we could address that at the December Workshop. Chairman Jasper said we can if the information comes back we can address that at the Workshop. Obviously, they believe we're the agents to expend. We don't even have the correct name for the Capital Reserve Account. Selectman Luszey was thinking that if we need to do a warrant for it, we would need it...Chairman Jasper agreed.

Mr. Kegley had a comment. Partly my intent for bringing that to the Board tonight was in recognition that there's not a consensus on the Board about the merits of the program and wanted to make sure an extended invitation to the Board if there's any confusion or need for clarification about this program at all that as a process of moving in that direction, hopefully from my point of view, that I can extend an invitation to try to address any confusion or anything along that. I know that would take time. I wanted to put that out now not so much as far as the budget process but as an invitational process. A gesture of consensus.

Selectman Maddox indicated that would be me. Again in the 7 years I've sat here, I've heard that the chemical treatment has got to be done because it has to be done. Now we're into DASH unit but we still need to put money away for the future chemical treatments. I think that you have us chasing all kinds of solutions with no definitive scientific how we should be proceeding. It all seems to be reactionary to the latest trend if you would. The DASH unit we have the second one in the State or something. A whole bunch of things like that. If that's the way we're going to go and you're saying we should take that money out of that account that was for chemical treatments, okay. I guess from my perspective it seems to be a moving target of what we should be doing.

Mr. Quinn said they have decided that we will never again use a chemical treatment because it was not very good. All we're ever going to do is use the DASH unit in the future. The DASH unit was far more successful if you look at Ottarnic Pond that was done with the DASH unit. It is in far better shape than Robinson Pond is.

Selectman Maddox indicated that a good number of those houses that are off Ottarnic Pond just got put on town sewer. So there's probably less nutrients going into that pond than years past. That could have had a contributing factor to that. Mr. Kegley didn't think so. I guess my question to the Board is this kind of a conversation which I'm in welcome mat. Is this the forum that you would like for that? Chairman Jasper thought it was more of a workshop. I think the confusion is, and maybe I'm confused, but we're talking about invasive plants which would have nothing to do with the nutrients in the pond. That would be algae stream and the algae bloom that is the nitrates that are leaching. This is stuff brought in by boats, birds, or whatever. It's actually a plant and it's not something that just occurs like the algae stream. We see that in the pond at Benson Park, which may have something to do with the nutrients up stream. That's something we have to start to address. I started to have some conversations on that. I think we're sort of talking apples and oranges.

Selectman Nadeau said we're not really talking apples and oranges. Selectman Maddox definitely has a point. The invasive species are there and it's being fed by the nutrients that are coming in from the septic systems and stuff like that. If you start taking away that stuff and you start using the DASH unit and take away the plant material that's going to be growing, then that has a lot to do with it. A lot of these species are spread by birds and stuff going to other ponds. Nutrients being fed into them are key also. There are other things that we can be looking at down the road and talk about at workshop is the stuff leaching into the ponds and streams and point sources of where they're coming from. I've seen both the chemical and the DASH units used in other ponds too. I can't really say that the DASH unit is the best and I can't say that the chemical treatment is the best. I think when you use both of them together or in series and you start to win one way or the other, there's a lot of things that go into the plants coming in and out of the ponds.

Another big factor that we're not seeing Selectman Nadeau said is the people the hosts at the lakes are watching what comes in. A lot of that is being cut back of what's coming into our ponds. I think that has a lot to do with it also. If people take their boats from Robinson to Ottarnic, which a lot of people do in this town and the hosts are taking the stuff off their trailers when they leave Robinson and showing people how to clean them a lot better, then it's not going into Ottarnic and other ponds in the area too. It's tough to say that one way is not the best way. If we can use the money from the Capital Reserve Fund, I don't think it's a bad thing not to use it. I think that we do need to increase the funding for these projects. Once you start to get ahead of the curve and then you start to not fund it properly, you start to go behind again, again, and again and it gets more costly down the road. I think it's something that we need to look at whether it's at the workshop or do it now so that it can go to the Budget Committee. I don't know if we have a proposed motion.

Chairman Jasper didn't know what workshop would be appropriate. I'm satisfied at this point that they at least have now come to a strategy that is consistent. It was back and forth. It was chemical and then it was the DASH. If they're now convinced that the DASH is the only way to go, then I'm fine with that. Let's just have a consistent strategy of what needs to be done to make headway. There's a lot of priorities in here and we don't have to clean up the whole thing in one year. WE don't want to fall behind. So if we can continue to make progress, and I believe we did this last

year from the maps you showed us and if we can continue to do that without breaking the bank and we know that eventually we will get there and then be on a more maintenance program, that's fantastic.

So help me understand. Selectman Luszey said that the first motion is for this budget year. Chairman Jasper said you can come back to the workshop with: What is the Capital Reserve Fund? Who are the agents to expend? How much money is in that account? Then we have the talk of offsetting from the Pond Donation Accounts and how much money is in there? Does the Conservation Commission wish to drain that account to support this so that we know how much is to come out of the Capital Reserve Account and how much is going to be used from the Donation Account. We don't have that split right now.

Selectman Maddox indicated that Mr. Kegley said just \$13,000. Is that going to be for this year's cycle or into part of next year's cycle? Mr. Kegley said help me understand when we have a pledge for a 50 percent matching grant and we would be reimbursed and terms of it we'd spend the money and then we're reimbursed for it. This would be a reimbursement which would be in fiscal year 2013 say September or October. Their time frame is we could spend the money during the season. They don't care if we're talking about our fiscal year or not. We would get reimbursed.

Chairman Jasper indicated that we're going to motion two because we're in fiscal year 2013 starting July 1, 2012. How much money are they willing to put into the kitty? Mr. Kegley said up to \$12,950. What do we currently have budgeted with what we sent to the Budget Committee for that project? Mr. Kegley believed it was \$11,900 equivalent of 17 days. That was what was on Sandra Rumbaugh's...so if in fact we make a motion tonight to instruct our liaison to the Budget Committee to increase that line item to \$24,000 and to add \$12,000 in revenue; Chairman Jasper indicated we'll have a \$100 net affect on the budget. That will get you where you want to go. We could go to \$23,900 but it just seems more sensible. They'll match the \$12,000 and then spend the full \$24,000, put another \$12,000 in the revenues and we're good.

Selectman Maddox thought when they come back for the Workshop maybe a breakdown of all of that. It's getting a little confusing because they're trying to spend some of this money in this fiscal year. Chairman Jasper said that's motion one. Selectman Luszey indicated that's separate from the second motion. Selectman Maddox said they might spend some of that money as part of that grant because they're talking about a season. If you started that in May, that would be this year. They could be reimbursed for some of that so that we could put that towards FY2013 money. Again, there's a number of moving targets Mr. Chairman.

Chairman Jasper was sure that they could spend wisely all of that money. You could still do motion one and then motion two and end up using all of that time in those two ponds. Correct? You have a lot of work. If we said we're going to give you \$24,000 total to spend in fiscal 2013 and you're still asking for another \$12,000 in fiscal 2012 giving you \$36,000 for the season. Is that doable or is that...Mr. Kegley said that's where there's a nice buffer. That's what I was hoping kind of in spirit to sort of sense that there would some consensus about putting it in to work with the Capital Reserve Fund partially. Chairman Jasper said the Capital Reserve money is there so let's take advantage as much money as we can from the State and from our own monies put aside.

Motion by Selectman Luszey, seconded by Selectman Coutu, to direct our liaison to the Budget Committee to move to increase the line item for Conservation Commission Professional Services from \$11,900 to \$24,000 and to add an additional \$12,000 to revenues.

Selectman Maddox didn't see how you're getting from point A to point B. I just don't Sir. I'm not seeing how they're going to utilize the monies that they already have. This is another case of coming at the last minute, changing the budget. I'm confused as to what we're ending up with here. If they're saying that Ottarnic is that much better take some of those days out of Ottarnic. There seems to be a...Chairman Jasper said we saw the map a month ago. We saw that there still is a large plom of this that we've made moderate progress. They're going to come in and ask that we spend another \$11,900 in this fiscal year to work on the two ponds because neither one of them are clean. That will get done in this fiscal year prior to June 30th. Then because the State has come up with the ability to match \$12,000 if we spend the money. We've already put \$11,900 in the fiscal 2013 budget. If we put another \$12,100 in there with the revenues, it only changes the total bottom line \$100. That gives us the overall ability to spend \$36,000 in the next season to clean up those two ponds at a cost to the taxpayers of \$100. The other money is already in the bank. It's in the Donation Accounts and in the Reserve funds.

Selectman Maddox indicated that some of those are tax dollars. Chairman Jasper said they're not monies to be raised by taxes. They are already money in the bank and most of us if we put money in the bank and have a project and we see that there's something that needs to be done, you'd rather get it done rather than keep the money in the bank for a project. Selectman Maddox said there's still money Mr. Chairman in their budget that they're also putting into this kitty. Again, you have 3 sources funded for those. Chairman Jasper said there's \$11,900 total for the two ponds in the fiscal 2013 budget. That was something we already approved. The \$11,900 was already approved. It

was already there. So we're putting in \$12,100 in expenses and we're putting in \$12,000 in revenue so that we're only changing the net effect to the taxpayers by \$100. I don't know what else I can say to you.

Selectman Coutu asked if Selectman Maddox needed further clarification. Selectman Maddox said no. Selectman Coutu said they came in level funded if I'm not mistaken. You came in level funded. So we matched the appropriation of last year. Our tax rate is going to stay the same. All departments came in level funded. We approved them all. They're saying that they need an additional \$12,100 to really tackle this. \$12,000 he's going to procure as a result of a grant, which is 50 percent matching. We need another \$100 to bring up their original request which was level funded from last year from \$11,900 to \$12,000. So we have the 50 percent. We're asking the taxpayers to raise \$100 in addition. We may not be raising it any. I don't know what our final number is. We may be a couple hundred under or a couple of hundred over. It's not impact on the tax rate.

Selectman Maddox said you've both done a wonderful of explaining of it. Selectman Coutu said it was the greatest bang for the buck. Selectman Maddox may not disagree with you but in the form that I'm reading it, I can't vote for it. Show that on a piece of paper. You both have done a fine job but I'm sitting here going you've comingled more funds from more places in my opinion Mr. Chairman. It's 4 to 1. Move it along.

Chairman Jasper was just saying we haven't comingled any funds. There's grant money available and we're going to take care of that. We've explained where the money is going to be put in and where it's coming from. If there's nothing further.

Vote: Motion carried 4-1. Selectman Maddox in opposition.

Chairman Jasper thanks the members of the Conservation Commission and you understand your directions as to the request to spend the money in this fiscal year, which you need to do to come back to us.

Selectman Coutu asked Mr. Kegley if he sent an e-mail to all of us individually or collectively. I received your e-mail. I didn't call you. What I did instead and some of us might have is I watched the Conservation Commission meeting and had a generally good understanding of the questions that were raised by Selectman Luszey your liaison and the presentations that were made. I think that Selectman Jasper's point is one that we need to heed and follow through on. It appears that this evening, and you know Tim yourself that there has been confusion in the past about what direction the Conservation Commission wanted to go in terms of eradicating this problem. We can't eradicate it in one year if we don't stay on top of it. It's an invasive species. It will keep coming back. We're getting it under control. Next year I think we're going to have much better control than we ever have and we're still going to have to maintain it probably for significantly less money as long as we continue the process. I think as Selectman Jasper pointed out, you've now made a commitment that this is the way to go. Selectman Maddox's argument not necessarily because of his vote, his vote is as a result of the convolution of some o the language is that if you start changing your mind and saying we need a mix of chemicals, then we're going to get a real bag message. I think we will waiver considerably on our support. Those are two very beautiful, natural habitats for our town. We want to preserve them but we need to have a plan of attack that we're going to be consistent with and that's going to solve the problem. Not necessarily once and for all because it's an ongoing problem but get it under control is the more important I think terminology.

Selectman Coutu indicated that he didn't ignore your letter. I made it a point to listen to the Conservation Commission meeting and see where you were going with it. Thank you for your explanation. It made it much clearer for me anyway. Thank you.

I. Conservation Land Stewardship Policy Review

Chairman Jasper recognized Timothy Quinn, Chairman of Conservation Commission.

Mr. Quinn believed in the Board's packet you have copies of the Stewardship Plan. The issue has been that we haven't been doing it. Chairman Jasper remembered that we did have conversations about this program about 3 or 4 years ago. Mr. Quinn said he was the one who wrote that Stewardship program and had it approved by the Planning Board and Conservation Commission. I think the Zoning Board looked at it and the Board of Selectmen finally gave it final approval. The problem is we aren't doing what we said and I need your help.

Selectman Coutu asked who was responsible for making sure that the plan is adhered to. Mr. Quinn said Community Development is what it says. Selectman Coutu said he knows that and he wanted to put it on record.

When we actually talked about it this past month at the Conservation meeting, it became apparent to Selectman Luszey that this is one of those policies that I think need to be put up on the system that we just enacted. The responsible parties are notified on an annual basis as to what they are responsible for. The Board of Selectmen has a role in this. I as a new member to this Board this year had no knowledge that this document even existed. One, I'd

like to have it put up on that. Two is to Mr. Quinn's statement. We really need to get some active participation by the Community Development organization is the way I would put that because it's really that organization with the Code Enforcement Officer. It really talks about what their role is in monitoring and basically taking care of the land that we have under the Conservation umbrella. I walk down through Musquash and this last storm caused a lot of trees to become widow makers. Someone needs to make those areas safe for people that use them. I think it would go through that Department to set the priority work whether it's through volunteers working with the Conservation Commission or through our Highway Department that take care of those issues that might be safety related with public safety. That's why I asked Mr. Quinn to come in tonight and review this.

Chairman Jasper turned to the Assistant Town Administrator to speak to the issue.

Mr. Pearson indicated that he will be here 3 years as of January. In the last 3 years, I can tell you that I have personally visited each and every conservation area. I have also met with State officials from the office of the stewardship plan and Mr. Quinn. We've met at sites where there were appearances of people encroaching on the stewardship program. I have walked some of the areas that were in question about trash and about ATVs. We have contacted the police in reference to their patrols and what they can do to patrol that area. I have submitted monitoring reports to the State and have been in contact with the State officials on the submittal of those forms that Mr. Quinn has submitted his findings when he goes out for site walks. I have assigned a Code Enforcement Officer to go with Mr. Quinn on his site walks out to those sites that they were inspecting those stewardship areas. The neighborhoods bordering the conservation were checked for ATV activity and where they may be coming from. There are power lines that go through some of these conservation areas that also lend itself to ATV and snowmobile activity that, of course, is an enforcement type activity. I've been in touch with NH Fish & Game for their assistance and when they could come down to the area to also look into areas where there were pockets of activity. I just have to say that the appearance that the Community Development Department isn't doing what it's supposed to do, I take umbrage with that.

Selectman Luszey wasn't saying you're not doing what you're supposed. What I'm saying is 1) I wasn't even aware this document existed and that your organization was involved at all. A suggestion from my part and not necessarily the Conservation Commission is to have a joint liaison. Not only a Board of Selectmen but your Code Enforcement Officer as a member of that Board so that that kind of communication is more readily and more regularly going. People develop reports all the time and sometimes people read them and sometimes they don't. For me it's really a matter of 1) education for myself on what the roles of everybody in this and 2) also to help the Conservation Commission get to a better level of communication with your organization and what can be done to help them get their needs met in terms of the overall stewardship.

Mr. Quinn is here and he can correct me (Mark Pearson) if I'm wrong. Every time Mr. Quinn has come to my office or asked for my assistance on any one of these issues, we have assisted him any way we can. What we can't do is probably satisfy his needs for manpower to actually patrol these areas with Code Enforcement Officers. We're talking about somebody that drives there in a vehicle and walks into the conservation areas. If he sees an ATV, he can try to flag them over but if they just turn around and go, he's not going to be in pursuit of an ATV. If he catches somebody in there doing something they're not supposed to do, they can take action. Quite frankly, that's not something that they patrol on a regular basis. I hear what you're saying about a liaison and we certainly can look at that and assign somebody to that. I wanted to be clear to the Board; we have assigned people from Community Development to work with Mr. Quinn and his Conservation group. They do site walks on Saturdays and Sundays. We've sent people out to go with them.

The other comment that Mr. Pearson would like to make is Selectman Maddox brought to my attention Google Earth at the historical imagery. I have used that in Community Development quite a bit. You can look at the evolution of any property in town going back with the history. In the document it talks about photographs and so forth. So you could go back through the imagery to see if the property is actually getting worse or better.

Chairman Jasper is not really even sure at this point why this is here before the Board. We have the plan. Everybody has responsibilities delineated. We have this overview. Putting it up on the web is great. We can have a liaison. I think at this point this is something that does not need to be dealt with here tonight on this level. I think this is something that should be dealt with between Community Development and Conservation Commission. If there was an area that becomes a problem, it could come back here. This is not an issue for this Board to be dealing with tonight. I don't see that there's anything we can do. This plan adopted in 2006 unless there was an issue to amend it has got all of the parts parceled out as to who's responsible for what. It seems like the best thing to do is just to make sure that there is an open line of communication between...

Selectman Luszey has a budgetary question in line of this. I don't recall - do you or does the Community Development budget any monies for stewardship of conservation land? Unidentified Speaker - no we do not. Selectman Luszey asked why not. Chairman Jasper asked what do you mean. Selectman Luszey said stewardship

umbrellas a whole encompassing thing. Everything from...Chairman Jasper wasn't asking what it is; I'm asking what would you like to have budgeted. Personally, Selectman Luszey didn't know what the right number would be. I would look for the Community Development...Chairman Jasper asked what would you like to do with this money. I don't care how much it is. If you have a dollar in there, what would you propose? Selectman Luszey said maintenance of trails, boundaries, and things like that if that's the stewardship. To me, that's stewardship. Chairman Jasper indicated that would probably be done if we were going to do something like that, that would be a program that we would develop and probably work with the Road Agent to do it because Community Development doesn't do that type of work. That's a whole different discussion which I don't want to get into. Selectman Luszey said this ought to be a different discussion because I'm confused on what stewardship now means. Chairman Jasper's reading of the stewardship here is making sure that people don't do things that they are not supposed to and do the things that they're supposed to and not the Town necessary doing this. We have conservation easements on private property and we have our own property. There are certainly things that should be budgeted within the town budget to take care of issues on our property. That would be something that I would expect the Conservation Commission to come forward with budget requests if there were specific programs and not the Community Development. Selectman Luszey said he'd work with these guys to get that done.

Selectman Nadeau asked if they had money in the conservation funds for the Conservation Commission to take care of the stewardship of these properties that we have. Don't we have money? Selectman Coutu said no. Land acquisition only. Selectman Nadeau said it's strictly land acquisition. What about the transfer of the tax...Chairman Jasper said that goes into the fund. Half of it goes into the fund for land acquisition. We do not have a maintenance account. Generally the feeling has been either volunteers go out and do the maintenance or nature takes care of it. Selectman Nadeau indicated that we could put a percentage of that fund into this maintenance account. Chairman Jasper said that would require a warrant and I don't think I would necessarily support that because that gets into one of these revolving funds where who's responsible.

Mr. Quinn believed his question was answered. Do we have the funds? The answer is no. In fact, all of the funds of the Conservation Commission have 100 percent dedicated to land acquisition. We don't have any money for anything else. Chairman Jasper stated that would be something that if they wished to develop a budget, they'd do that through the budgetary process. I don't want to get into that here. Selectman Luszey indicated he'd take it off line with the 2 organizations to do some work on the stewardship plan on how we address that in future budgets.

Selectman Maddox said to Mr. Quinn that members of the Conservation Commission have come up to me as the police liaison and asked to have some areas looked at. I asked the Chief and he said whenever they had ATVs available, they also went out. We do have town funds being expended, staff going out and doing things for this. Probably not as much as the Conservation Commission would like, but when there is a request they try to meet that Sir.

Mr. Quinn indicated that they're missing a report on this. If you're doing that, I'm not aware of it.

Chairman Jasper said the reporting is part of the plan. Mark would you please with your staff review the Stewardship Plan and make sure that everybody is doing their part and make sure someone is at the Conservation Commission so that there could be a full discussion and everyone understands who's responsibilities are what, and make sure that everything is done and documented. There is supposed to be an annual report that's submitted. As I recall, it's in concert with the Conservation Commission and the Community Development to the Board of Selectmen. We need to make sure that happens.

Just one more thing. Mr. Quinn said the Stewardship Plan is being incorporated into the open space plan. When we publish it, it will be all part of that.

Chairman Jasper said that will be on line.

10. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - I don't have much to say. This is Thanksgiving week. I want to wish everyone a very happy Thanksgiving. I do want to express my appreciation to Selectman Nadeau for his wishing to join me as he always does for our early Thanksgiving breakfast. I want to let everyone know that we will be going down as we always have - it's a tradition now. I don't take credit for it. It's something Selectman Nadeau has been doing for a long time. We'll be going to Hudson Fish & Game to help serve Thanksgiving dinners. This year the need has been greater than ever. I don't know if anybody had an opportunity to watch Channel 9 news this evening. The Nashua Food Pantry has done an outstanding job with the donations that they've received both in cash, in kind and foods that were donated for the needy people in their community. Our community is an outreach. Our program is an outreach program. We reach out to residents of Hudson, Litchfield, some in Nashua and some in Tyngsboro who are going to be alone or who could ill afford to provide for themselves a feastful dinner to enjoy on Thanksgiving Day. There will be as always Boys Scouts and Girl Scouts at the Fish & Game who will be going with riders and delivering the food to those who had made such requests. The Fish & Game building is open for

anyone who wishes to go down and have a meal there. It will be served to them. Selectman Nadeau will be washing pots and pans. I'll be outside with the cook and inside running around thanking everybody as I usually do and hopefully serving some of the meals. For those of you who are in a position to do so and you can volunteer some time, it would be greatly appreciated. For those of you who can afford to make a contribution, please make the check out to the Hudson Fish & Game. You can get it to any of us Selectmen and we will make sure it is forwarded to the Hudson Fish & Game to help offset the expense of the turkeys and the food that is being prepared. I would be remiss in light of saying thank you.

I would be remiss if I didn't extend a sincere appreciation again to you Selectman Luszey for your continuous contribution relative to Mooremart and the packages that you were able to send out this year to our servicemen. As a matter of fact most recently last week, they will be receiving hopefully in time for Thanksgiving. I think it is commendable. I think it's fantastic. You guys did an outstanding job. I think this was your best year. Judge Moore and you should be very proud of your accomplishment. I know it certainly sheds a great light on our community as well as the citizens of Nashua who participate and assist you in that project. Thank you Sir.

Happy Thanksgiving Mr. Chairman and thank you very much.

Selectman Maddox - Thank you Mr. Chairman. I'm going to echo Selectman Coutu's because he's done a great job of speaking tonight not only on the Thanksgiving but also on the Bow Wow. I didn't jump in to lengthen the meeting because I agreed 100 percent with what he said on that and what I had said previously. So I figured there was no sense in duplicating. I appreciate his eloquence this evening.

Next the Zach field. It's another one of these things that is moving through the bowels of government as it keeps moving slowly. There are supposedly people that are going to be out on the site in the very near future. They're still going through. There's been some excellent e-mails coming lately about Keith Dubois and working with some of the other State agencies so that we're not having to leap frog from one to the other. They're all talking to each other in regards to the Zach field. Everybody sees no progress but unfortunately a lot of this stuff needs to be done in the government glacial speed as I always complain about. There is forward movement. There is going to be the assessment that they're doing which should be done in the next month if the weather holds. Hopefully the report that needs to be done for the EPA will be completed shortly.

The Senior Building Committee. Yes we did have a meeting. We had a feisty one at that. Again, we're trying to flush out the last time we put this together and this is what we're looking for. After the storm recently, we said maybe it's a good idea to take a look at making this senior facility a warming station so what would that entail looking at whether we need to add showers, adding a generator, and that kind of thing. I think we're still trying to flush out that as well as getting information out to our citizens even though many did not have power. Some of them had cable when they didn't have power. Any number of combinations. If we were able to utilize that studio with generator power to broadcast information out to our citizens, that would be a great thing also.

Finally, you've said it all as far as the great work that people do here in Hudson. We see the ugly in the paper occasionally. Very rarely does the Thumbs Up outnumber the Thumbs Down. If you look at people probably this evening peeling potatoes at the Fish & Game Club to be ready to cook an awful lot of turkeys and food for a lot of people that should get a Thumbs Up. With that, to all a happy Thanksgiving.

Selectman Luszey - Thank you Mr. Chairman. Again, happy Thanksgiving to everyone. I'll start out with Highway. They're pushing to have the first pass of the storm cleanup done by Thanksgiving. They're just about there. After that, they'll do a second pass cleanup after the holiday.

The Christmas light and holiday lights are on schedule. They will have strung over a mile of lights, which are LED lights for energy conservation. So those will be turned on as scheduled.

The Senior Building Committee did meet last night. Mr. Pearson is setting up a field trip for us to go visit the Salem Senior Center next Tuesday. Then we're also planning on visiting the Londonderry cable center to get an idea of what they went through on building their buildings. Just for the record, we are looking to have the specs complete in 4 to 6 weeks to get out to bid. We are putting a plan together. I'll have a nice gant chart, or waterfall chart, or PERT chart, or whatever chart the Rep. would like me to have put together for them. I will work with Mr. Pearson to have that plan put together.

We started the budget review process last night. We went through Highway and Rec. review. There were no major concerns raised. It was very uneventful. I will ask the Finance Director to send out the results of the straw vote on the warrant articles because there was not a roll call so I wasn't quite enough with my pen. KC did say she got them all. I'll ask her to send them out and we can review those at the next workshop. That's it. Thank you.

Selectman Nadeau - I have a few things this evening. The first one is just so everyone knows Town Hall will be closed Thursday and Friday. So don't try to come register your car on Friday because there will be nobody here.

The other one is the landfill is open this Saturday from 8 a.m. to 2 p.m. It's regular end of the month cleanup where everything will be accepted.

The next thing is you were just talking about the lights. They will be turning those on Friday with Santa's arrival. The times are on the cable channel or you'll see it in the Hudson/Litchfield News I believe this week.

The other item is this weekend at the Hills House St. Vincent's will be doing a food drive. I believe it is 9 a.m. or 10 a.m. to 2 p.m. I'm not 100 percent sure on those hours Saturday and Sunday. It is decorated by local flower shops with a Christmas theme with some of the local residents that have decorated some of the other rooms. Santa will be doing the lighting at the Library Park and then they'll be going to the Community Center. The Lyons will be running Santa's arrival at the Community Center.

Talking about the Hills House and St. Vincent's, they served over 200 Thanksgiving baskets last Saturday to Hudson residents only. That was a very huge undertaking. They will be doing the same thing at Christmas. I've seen the need this year rise more than the past 6 or 7 years that I've been doing it. We will be putting out a couple food pick up areas in the Town which I will talk about next week when I know for sure where they will be. The need is out there. They will be doing over 100,000 meals this year from St. Vincent's to just Hudson residents. We're already up to 85,000. We still have our Christmas distribution to go.

Another upcoming event for the Chamber of Commerce is their December 8th auction. That will be at the White Birch and the tickets are available through the Hudson Chamber of Commerce. They are on their web site. It's always a good night. That's all I have this evening.

Selectman Jasper - I do not have anything other than to wish everyone a very happy and fulfilling Thanksgiving.

11. NONPUBLIC SESSION

Chairman Jasper indicated that following a 5 minute recess, the Board will enter in Nonpublic Session.

Motion by Selectman Luszey, seconded by Selectman Maddox, to enter into Nonpublic Session under RSA 91-A:2 (a) Strategy or negotiations with respect to collective bargaining; RSA 91-A:3 II (b) The hiring of any person as a public employee; and (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, carried 5-0 by roll call.

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

Open session is being entered at 11:10 p.m.

Motion by Selectman Nadeau, seconded by Selectman Luszey, to hire Paul Durham as the 2011/2012 Teen League Basketball Director for a fee of \$750, carried 5-0.

Motion by Selectman Luszey, seconded by Selectman Coutu, to hire Morgan Miller at \$12.50 per hour from December 27, 2011 through January 20, 2012, and Dan White at \$12.00 per hour from January 3, 2012 to January 20, 2012 as interns in the Engineering Department, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 11:12 p.m. by Chairman Jasper.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Shawn Jasper, Chairman

Roger E. Coutu, Selectman

Richard J. Maddox, Selectman

Benjamin J. Nadeau, Selectman

Ted Luszey, Selectman