

HUDSON, NH BOARD OF SELECTMEN
Minutes of the October 11, 2011 Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of October 11, 2011 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Captain Dave Morin.
3. ATTENDANCE

Board of Selectmen: Shawn Jasper, Roger Coutu, Rick Maddox, Ben Nadeau (arrived at 7:04 p.m.), Ted Luszey

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Jason Lavoie, Police Chief; Kevin Burns, Road Agent; Kathy Carpentier, Finance Director; Mark Pearson, Assistant Town Administrator; Linda Kipnes; Mike O'Keefe; Jim McIntosh, Superintendent Randy Bell; Norm Martin; Charlie Schweiss; Joyce Goodwin

4. PUBLIC INPUT

Chairman Jasper if anyone in the audience wished to address the Board on any issue over which it has control or jurisdiction at this time.

Norman G. Martin - I live at 3 Edgar Court. I'm here this evening concerning my e-mail that was sent to the Board on September 13, 2011. With regard to that e-mail, it was never my intention to make this concern public but Selectman Coutu chose to make the e-mail public by using my name, attacking me, and challenging my concerns. Selectman Coutu has at multiple times when asked about the funding of the 9-11 Memorial stated that there will be no cost to the taxpayers. Selectman Coutu must know by now having served 4 years as a selectman that everything done for this town is a cost to the taxpayer. My concern is that this was obvious that town trucks and the fire tanker were being used to construct this memorial. That being the case, Selectman Coutu's continued assertion that there would be no cost to the taxpayer was very confusing.

Having spoken with Selectman Jasper and hearing his explanation of the use of town departments in that it was within budgetary appropriations and that the original \$140,000 goal that Selectman Coutu stated was needed for this memorial was reduced to \$40,000 by the 9-11 Committee. My concern is this statement of no cost to the taxpayer and there should be transparency in our government. How difficult would it have been for Selectman Coutu to have informed the public that the use of town labor and equipment was within budgetary constraints and that the amount needed to construct a memorial had been reduced by \$100,000. This statement of "no cost to the taxpayers" should not be used lightly and if used, make it clear to the taxpayers where the appropriations are being used. I feel that Selectman Coutu owes the taxpayers of this town an apology for his misstatements and lack of transparency concerning this memorial. Thank you.

Chairman Jasper let the record show that Selectman Nadeau arrived at 7:04 p.m. Is there anyone else who would like to address the Board at this time? Seeing none, thank you. We will move onto consent items as there are no nominations and appointments this evening.

5. NOMINATIONS & APPOINTMENTS - NONE
6. CONSENT ITEMS

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

Selectman Coutu had two requests. Before you it was a last minute request from the Humane Society of Greater Nashua for a Tag Day Sale. Chairman Jasper indicated we'd have to do that under "New Business". We can't add it to consent items.

Selectman Coutu asked to remove Item D. 2. for consideration at a later time.

Chairman Jasper said that the calendar is incorrect in that the Planning Board will not be meeting for the next two announced - 10/12 and 10/26. Those will be removed from the calendar. Anything else to be removed?

Motion by Selectman Coutu, second by Selectman Luszey, to approve consent items A, B, C, D and E, with the exception of D. 2 and the correction to the calendar as noted or appropriate, carried 5-0.

Relative to D. 2. Mr. Chairman, Selectman Coutu had no objection for a motion to be entertained. I was not present. I will be abstaining.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to approve the Minutes of September 27, 2011, carried 4-0-1. Selectman Coutu abstained.

- A. Assessing Items - NONE
- B. Water/Sewer Items - NONE
- C. Licenses & Permits
 - 1) Request to Solicit Funds by Pack 8 Boy Scouts
 - 2) Raffle Permit by Friends of Hudson Dog Park
 - 3) Outdoor Gathering Permit - Hudson Kiwanis Pumpkinfest
 - 4) Petition & License for 1 New Pole (281/52S) - Old Derry Road
 - 5) Request to Solicit Funds by Hudson Dog Park
- D. Acceptance of Minutes
 - 1) Minutes of the September 13, 2011 Meeting
 - 2) Minutes of the September 27, 2011 Meeting
- E. Calendar
 - 10/12 7:00 Benson Park Cte - Landscape Subcte - BOS Mtg Room
 - 10/12 7:00 Planning Board - Buxton Community Development Mtg Room - CANCELLED
 - 10/13 6:00 Sewer Utility Cte - BOS Mtg Room
 - 10/13 7:30 Zoning Board of Adjustment - CANCELLED
 - 10/17 7:00 Energy Committee - BOS Meeting Room
 - 10/17 7:00 Conservation Commission - Buxton Community Development Mtg Room
 - 10/18 7:00 Cable Utility Committee - Buxton Community Development Mtg Room
 - 10/18 7:00 BOS Budget Review - BOS Mtg Room
 - 10/19 5:00 Water Utility Cte - BOS Mtg Room
 - 10/19 7:00 Council on Aging - Buxton Community Development Mtg Room
 - 10/20 7:00 BOS Budget Review - BOS Mtg Room
 - 10/20 7:00 Benson Park Committee - Community Center
 - 10/20 7:30 Budget Cte - Buxton Community Development Mtg Room
 - 10/22 9:00 BOS Budget Review - BOS Mtg Room
 - 10/24 7:00 Recycling Committee - BOS Meeting Room
 - 10/25 7:00 Board of Selectmen - BOS Meeting Room
 - 10/26 7:00 Benson Park Committee - Landscape Subcte - BOS Mtg Room
 - 10/26 7:00 Planning Board - Buxton Community Development Mtg Room - CANCELLED
 - 10/27 3:30 Trustees of the Trust Fund - CANCELLED
 - 10/27 7:00 BOS Budget Review - BOS Mtg Room
 - 10/27 7:30 Zoning Board of Adjustment - Buxton Community Development Mtg Room

7. OLD BUSINESS

- A. Chairman Jasper declared the September 27, 2011 meeting adjourned at 8:47 p.m.
- B. Presentation of 9-11 plaque to the Town of Hudson

Chairman Jasper recognized Selectman Coutu.

As you recall at the dedication of the 9-11 Memorial, Selectman Coutu said a plaque was presented to Captain David Morin on a temporary basis. The plaque depicts an identifying tag that came with the steel that was presented to the Town of Hudson. The tag identifies that it comes from Tower 1, 23rd floor, and it recognition of his leadership throughout the 9-11 project which admittedly would never have been done without someone of his patience, caliber, and expertise having done a monument prior to. This monument was presented. We feel very strongly on the committee and as does Captain Morin that this is of significant value to the Town and it is Town property as it came with the steel that we were able to pick.

Selectman Coutu would like to present this officially to the Town of Hudson. I would hope that we wouldn't have to do it by motion that we could find a place appropriate, hopefully somewhere near the Town Clerk's office or the

Assessor's office where this can be displayed and viewed by all of the public. With that Mr. Chairman, I officially present this to the Town of Hudson. With thanks and in recognition to Captain Morin for his leadership, thank you. Chairman Jasper said he would pass it around. Thank you. I'm sure that the Town Administrator can find an appropriate place to hang that in the hallway upstairs. It's a very nice plaque. Well done.

C. Discussion relative to State Liaison Assignment

Chairman Jasper indicated that Item C. was his item. I'll remove that. That was my item and will withdraw that at this time and move on to New Business.

8. NEW BUSINESS

A. Acceptance of the value of the 9-11 Memorial

Chairman Jasper recognized Selectman Coutu.

Selectman Coutu gave the Board a handout but Captain Morin will be officially making his presentation. I've asked him to be here this evening. In essence what we're doing now is making an official presentation of the 9-11 Memorial at Benson Park. The document that you have you is self explanatory. Captain Morin may get into it in further details. With that, Captain Morin.

Good evening. Thank you for having me here tonight. Captain Morin wanted to review everything that we did with the Memorial and our progress before we get to the expenses. The Town of Hudson as a community did an outstanding job. Our memorial has been noticed everywhere. We're getting people from long distances coming. We're getting continuous calls at this time. Over the weekend I understand the people that were there all weekend, there had to be at least 200 to 300 people that stopped in at the Memorial. On Monday I received a call from the guys from Highway that were working on the playground. They said they had at least 200 people that visited and had asked them questions about the Memorial. We made a good mark. The Town itself should be very honored and feel very good of what we did for the victims of 9-11 and the victim's families.

This all started back in September 2009 when I came to the Board to request that we pick up the piece of steel in New York. In there with a lot of hard work from the 9-11 Committee, Selectman Coutu we moved forward making plans. The community involvement that you'll see as you look through all of these was huge. If it wasn't for this community and donations for money and donations and material, we would never have gotten this Memorial completed. The construction was done by volunteers. Other than the outstanding that the Highway Department did with the guys that were working in the park at other projects and they came over and assisted us when they could. It was completed in two weeks. Most of this construction was done by off duty firefighters in the rain and mud. Pouring rain and hot sun. Like I said, Highway did an outstanding job of helping us. We even had citizens who had time that came through the park so what we were doing is take the time to assist us to build.

On September 28th, the 9-11 Committee attended a Governor's Council meeting in Nashua and we were issued citations and his remarks on the Memorial were that he attended many memorials that day. Out of all of the memorials, the one in Concord had only 300 people. Ours had over 3,000. We've had many responses from 9-11 families. There's a family that lives in Hudson. There's a family that lives in Nashua and I've been contact by several other families that live in this State and out of this State. Their comments and their thanks to us for what we did to give them a place to go remember their families has been overwhelming. This Memorial, like Captain Morin said, is known across the State and across the country. We've even had people from other countries that have been visiting this area that heard about it and came to look at it.

At this time, the Committee will be remaining as a Committee. There are a few more things that we'd like to do and we would like to make sure that it stays in the shape that it is. We understand that the Town is very busy so we will assist them. We will meet quarterly. Our next meeting is scheduled for December. We continue to raise funds. We continue to get funds. We have brochures that are at the Memorial. We've had people call the fire station looking to donate. Two outstanding projects that we still have to come is we did forget one very important group and we want to correct that. We are going to add one more tablet to the arms forces that have protected us and fought against terrorism. We also have to fill the steel with grout for stabilization and weatherproofing. That will be done pretty quickly. Any questions on that?

Mr. Morin went over the cost of the Memorial. We received \$28,347.85 in cash donations. That's through the parades that we to; that was from the flyer that we put in the Hudson News and all the fundraising that we did. As you look down, you'll see a list of all the costs. When you look at these costs, most of these businesses never even filled out a form or anything for us. They just gave us the stuff. This was an estimate. They never actually sat down and did a formula to see what the actual costs would be. Between the donations and material was \$121,889 for a total in

donations from the Town of Hudson citizens and the community of \$150,236.85. As our original estimate, which was just an estimate from the construction company, it was about \$138,000. We were pretty close to what we figured we were going to do and we raised the money to build that. At this point, Captain Morin said you're going to look at expenditures what we spent on construction on the Memorial was \$25,103.45. At this point in the bank, we have \$3,224.40, which again we're going to use for the last tablet and to use the grout. We still have, I know, outstanding that people have commit donations of \$665. Does anybody have any questions?

Chairman Jasper wanted to say I think on behalf of the Board and on behalf of the Town, we are very grateful for the work that you and your committee Captain. That monument is extremely moving. Every time I go into the park there are people there. I speak with them. I was speaking with some people today who had seen a video of the dedication. When they actually walked down that walk and saw those tablets, it really hit home. As I said at the dedication, it really does move a person when you actually take that walk down there. It's a phenomenal job and we thank you.

Selectman Maddox asked if this needed to go a public hearing. Chairman Jasper thought we're going to have to have some conversation. I think it will because over \$5,000. Some of these things such as the labor and some of the other donations are not things the architectural fees that we're necessarily going to be accepting. It's not actually part of the physical gift. I'll have to sit down with Steve and we'll have to figure out what exactly we need to accept. We'll definitely have to go to a public hearing. Selectman Maddox said not that that would be a bad thing. At this time, chairman Jasper moved it to the next agenda and we'll sort through this and see what the actual amount is we need to come to the public hearing for the acceptance. Certainly that Memorial is priceless. It's something that I'm so incredibly proud of everyone in the community who took part in that.

Captain Morin thanked the Board for their support and the Benson Committee for all their support. Without the support, we wouldn't have been able to get this off the ground. It's unfortunate that we've gone to where we're going. I've been very quiet with all the things that have been taking place. Since it came up again tonight, I guess I have the time and I'm going to make some comments on that. I'm very disappointed with the government of this town. This was meant to honor people. This was a national tragedy and it's turned into a fighting contest between the Board of Selectmen and the Budget Committee. It's very unfortunate. A lot of people in this town, the business in this town, and the families put a lot of time and effort to make this thing what it is today. I didn't have any inkling that there were any issues. Yes I did. As soon as we picked up the steel in May, there was a concern where the fuel was going to come for the cars that we drove down to escort the piece of steel, which is a piece of our national history, it's a treasure to our nation, and we were questioned on fuel for the use of a fire car. I picked up that cost for the fuel to drive to New York and come back. I expected there was going to be some of this. Let it go.

As we got moving towards - there were inklings while we were building the Memorial of things that were coming out and things were getting to be an issue. Again, I expected that and I knew it was going to come. The one that really irritated Captain Morin and got me moving on was the day that I was in the tanker, on my own time, and Mr. Martin showed up with a camera and started taking pictures of the tanker and me holding the hose. I knew from right there where we were going. I thought it was kind of funny when Mr. Martin complained about that because he never said anything about the on-duty crew and the two fire trucks that we used for 2 months to water the whole field. That wasn't an issue but me on my own time watering the grass for a memorial is an issue. Didn't understand that. Then it came up that the Highway Department was helping us out. I can understand where Mr. Martin comes from but you know what, give me a break. They're in there. They have the money to do it. This is a town project. The town is going to accept this project. This is political banter back and forth and it took away from this project that we did.

Another thing, and I have to ask you Selectman Maddox because this kind of irritated me too, you made the statement that Selectman Coutu because of the closeness that he got in two weeks with the firefighters may be a problem with negotiations. We did this as a community project. It wasn't a fire department project. We did have a bunch of firefighters because this Memorial is very close to the firefighters. We lost 343 fellow firefighters. They wanted to get it done. He was there to assist us. It was Roger; it was Dave; it was Chip; it was Marty. It wasn't Selectman Coutu, Captain Morin, Captain Hansen, and Firefighter Conlon. What I don't understand is you yourself have ridden with us numerous, numerous times. You actually got to know us a lot in a different light than Selectman Coutu has. You rode with us this summer on a very hot day and you sat in this meeting and you said that we did an outstanding job that day because you saw what we could do. I even took you to the Robinson Road station and dressed you up in fire gear to show you what our job consisted of. The one that really got me is there's 5 of you and last Christmas Day you took the day away from your family and you came and rode with the on duty crew and you shared Christmas dinner with them. Christmas of all holidays. You know what I mean. You came in with the guys and you're looking to see what they're doing on the holiday. Then you make this statement about Selectman Coutu. I don't understand that because you see us when we're under pressure, when we're doing our job on Christmas Day and he's out there in the mud digging with us and we're slinging a lot of slams and everything else at him. I just don't understand that comment. We understand that we have a side of that negotiations and he as a Selectman has that side of negotiations. I think it was an unfair comment. I think it was unjust. I think it was unjust to us as the fire department.

Captain Morin understood there were some e-mails out of here. This is a very small town. Things get back to me and I know a lot of people. In reference to the handicapped parking. Let me explain to you a little about the handicapped parking. I'm not talking about the discussion you two Selectmen had. I'm talking about the handicapped parking. The Committee took and looked at all the events that took place at Benson Park and what the problems were when there were a lot of people there. Two of them that came to the biggest head were when the Governor came to dedicate the park. The second one was the Benson reunion. The Benson reunion had a lot of elderly people that had to get a long ways in wheelchairs. Some of them walked really hard. We looked at that and we made provisions to make sure that we had parking. That's why we asked to have the bottom parking lot opened up. That's why we went to 222 Central Street to use that parking lot there. We called for the parking lot across the street to use that parking lot and we even got a bus to transport people because we didn't want to cause any problems for the town. Us being attacked, and it's not you people, but there are people outside of here. I've heard it numerous times that we didn't have enough parking for the handicapped. The Committee did what the Committee could do. We already knew there was a problem with handicapped parking that should be addressed. You have the opening for the playground coming up this week. I'm sure you're going to have a lot of people again and we're going to run into the same problems. I was here on Sunday. There were cars parked on Kimball Hill Road because the parking lot is full. This didn't have to turn into the political thing that it did.

Why should I (Captain Morin) do anything further for this community when we go and try to do the best? What we have brought to that park, and I'm not saying we did it because I'll tell you what, that park is huge as it is in this State. What you guys have done is over the top. This just adds to it. Why do we have to go down this road? That's what I don't understand. I appreciate your time. Anybody have any further questions?

Chairman Jasper said under normal circumstances, I would have cut you off because you were here about the donations. Because of the respect I have for what you and the Committee did, I allowed you to go on. I agree with you in many respects as to what's going on. I worked hard behind the scenes to deal with members of the Budget Committee and their concerns. I think I had those pretty well under control. Unfortunately it was remarks here that continued down that path. Those remarks I think here that even lead anyone down that path to begin with were statements which could have been and should have been clarified. I don't think that most of us on the Board did not understand the involvement that the Highway Department was going to have. As was said tonight, it's a matter of transparency in just understanding what's going on. I think that's very unfortunate. It's not your fault and it's not your Committee's fault. I think it is a real tragedy that any of it happened. It need not have happened. What should have been nothing but a positive for this town because truly that Memorial is just a true positive to the town? It had a negative spin on it for the lack of transparency and the lack of understanding based on comments that were made here. People have a right to make questions to questions on what's going on with what they see as their tax dollars. That's our job as well to make sure that those tax dollars are being spent well. Indeed they were being spent well and appropriately. Questions were asked and questions are always appropriate when some of those questions need not become public. They did not have to cast any type of cloud on that Memorial. Chairman Jasper apologized that that happened and that it happened here. It truly shouldn't have. I understand you feel. I am truly saddened by what happened. I wish it hadn't and there's really nothing more I can say other than that.

Captain Morin thanked the Selectmen.

Chairman Jasper indicated that they'd be deferring the donation with a public hearing until the next meeting.

- B. Grant Application - NH Highway Safety Agency Project Grant titled Operation Safe Commute" in the amount of \$4,500

Chairman Jasper recognized Selectman Maddox who was sitting in for Chief Lavoie.

Selectman Maddox said that the Police Department has once again received another grant to basically during commuting hours have extra officers out looking for various road rage, tail gating, and those types of things. It's to apply for the grant.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to authorize the Hudson Police Department to apply for the Hudson "Operation Safe Commute" Patrols program with the New Hampshire Highway Safety Agency in the amount of \$4,500, carried 5-0.

- C. New Clean Up Day Rules

Chairman Jasper recognized Road Agent Kevin Burns.

Good evening. As you recall, Mr. Burns said he was here about a month ago. We discussed the rules we're hoping to implement at the clean up days. I was asked to clarify item 11 in regard to rental property. I believe I've accomplished that.

Chairman Jasper thought that did accomplish that.

Motion by Selectman Luszey to accept and adopt the New Clean Up Day Rules effective January 1, 2012.

Selectman Luszey said that a resident did ask me during the clean up day can they make multiple trips or is it just one trip. If they tore down a deck, they can't get that deck into their pickup truck in one trip. Mr. Burns indicated they can come more than once a day but each trip is a ticket. Selectman Luszey said they'd use all three tickets maybe on that one day.

Motion by Selectman Luszey, seconded by Selectman Coutu, to accept and adopt the New Clean Up Day Rules effective January 1, 2012.

On any given cleanup day, Selectman Maddox asked how many cars come in. Under the current system, Mr. Burns said they've been averaging around 850. Selectman Maddox asked under the new 500 or 600. Mr. Burns said significantly less. Again, Selectman Maddox stated that they're going to have to go to the Highway Department to pick these up. It seems like an awful lot of administration. As was discussed before, Chairman Jasper said it will be a lot less labor than what is going on now. We have 850 cars and we know that much of the debris that's coming in is at the very least commercial in nature. Personnel will be freed up and they will be able to pick up their passes at the facility. Kevin has assured us he will be able to accomplish this with no more labor than he now expends there. I can tell you I don't go in there terribly often - 3 or 4 times a year now - it is quite obvious that there's a lot of nonresidential material that's being hauled in here and we're all paying for it. This is the only reasonable way that I can see to stop that.

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

D. Bid Recommendation - Solid Waste and Recycling Collection and Disposal Contract

Chairman Jasper recognized Road Agent Kevin Burns.

I believe at the same meeting, Mr. Burns indicated that we went over the new program that I was going to put out to bid for the solid waste contract which expires at the end of this fiscal year. I prepared a detailed specification and vendors were interested. Six vendors bid. It was a complicated bid because there's so many components of it. I assessed the value of the low bid which would be Pinard Waste over the life of the contract at \$7,736,328.00. They also had the lowest cost going forward for a percentage increase. They've done a very good job for us over the last 4 plus years. I would recommend accepting their proposal.

Motion by Selectman Luszey, seconded by Selectman Coutu, to award the Solid Waste and Recycling Collection and Disposal Contract effective July 1, 2012 through June 30, 2017 to Pinard Waste in an estimated amount of \$1,503,400 for fiscal year 2013 with a 2 percent annual adjustment for fiscal years 2014 through 2017 as recommended by the Road Agent and the Finance Director.

Selectman Maddox thought more information. I think that we're saying here with this motion that we are going to eliminate completely the second barrel. So those will all be rounded up and those will not be utilized. Mr. Burns said the second barrels are the property of the people that bought them. So they will not be rounded up. They are theirs to do with as they please. Selectman Maddox said they will only pick up one. They're going to collect every other week on some sort of schedule odd/even or something with the recycling. They're going to get the next size up barrel. Just so people understand come the season and they wonder what we decided. Again so they hear it here rather than hear it through the grapevine. Mr. Burns said the recycling will be single stream. Everyone will be issued a 96 gallon totter unless they request a smaller one. It will be collected every other week on the recycling. Your trash will still be collected every week. We will publish a calendar, I'm not sure of the logistics of it yet whether it be color coded or whatever, so that everyone knows what week is their collection. I don't think it's going to be very confusing because everybody knows what day their trash day is. This isn't a program that's new. It's done in a lot of other places.

Mr. Burns did get bids for every week collection of recyclables. It adds \$225,000 to the price as opposed to this. It allows me to reduce the budget by \$100,000. Chairman Jasper said it will not be affected until July 1st. Selectman Maddox it would be effective this year because they're going to give us a reduction on...Chairman Jasper said no not on the recycling end of it. That was just on the whole package. Our disposal rate, Mr. Burns said if approved tonight will go to \$65 a ton from \$81 a ton immediately. That's a savings of \$87,000 approximately for the remainder of the fiscal year.

Selectman Luszey missed it. It goes from what to what? Mr. Burns said Pinard also submitted in their bid that if they were awarded the contract, they would reduce our tipping fee immediately for the remainder of this fiscal year from \$81 per ton down to \$65 a ton, which will save us approximately \$87,000 this year. Selectman Luszey asked if it was a 2 percent increase based on that number going forward. Mr. Burns said the 1.5 is for next fiscal year and then their price goes up 2 percent.

Selectman Nadeau asked getting the new totters for the recycling will you still be allowed to put your recycling out in other barrels or does it have to be in the totter and will it be picked up the same way as the trash. Mr. Burns said it was going to be picked up the same way as the trash with an automated truck. They're buying all new trucks and the recycling will have to be in the totter because they have to be able to grab it with the arm. If someone can demonstrate that they're avid recyclers, they can get a second totter at no additional charge for recycling. We're still going to ask people to recycle as much as possible and if they can't get by with just one totter, they're welcome to have a second recycling totter. They are limited to one for trash.

Selectman Nadeau asked if they would be allowed to bring cardboard to the landfill without using their ticket. Will they be able to bring any other recyclables to the landfill without using their ticket? Mr. Burns said only things we have receptacles for which would be steel, cardboard and any yard waste they can bring to the landfill without using a ticket. Selectman Nadeau said one of the things that we need to get out there so that they understand that - it was another one of their concerns - is you have a large metal swing set. Is it going to cost me a ticket to bring it into the landfill to get rid of it? Curbside recycling was another. If they can bring cardboard, which is most of the people's biggest problem at Christmas time is all the cardboard that they have to get rid of. Mr. Burns does understand. There's going to be a learning curve sort of like there was 5 years ago when we first went down the road with the automated trash. Now we have to re-educate the people. We plan on advertising with Pinard. We're going to have hand outs available starting this weekend at the cleanup days with the new rules on it to get people adjusted to what's coming. We'll use the website and whatever avenue is available to get the word out.

Vote: Motion carried 5-0.

Mr. Burns had a further question. I told people I would. I have not received any calls on the clean up changes but I have received 4 calls from concerned residents about leaves. I told them that I was coming here tonight and I would bring it to your attention that some of the more densely populated areas in town that don't have woods that they can drag them out to are concerned. Pinard did submit a bid to collect leaves at \$9,000 per event. I told the people that were concerned that we're stopping the program that I would run it by the Board tonight to see if they would want me to include one in the contract. It is a reduction from almost \$30,000 down to \$9,000. I still anticipate I could bring my budget in at \$1.5 million. The people asked me and I said I would bring it to your attention.

Selectman Luszey thought based on that it would probably be more cost effective if we just opened up the landfill October through November, every other weekend and have somebody there. It would be a lot less expensive. Mr. Burns said basically one person to control the leaves. I think the main concern people have is transportation. Does government do everything for everyone I guess is my comment? Chairman Jasper would say you have to either find a friend with a truck or hire someone with a truck. There are very few people and I don't think the rest of us should have to subsidize that. I would say perhaps during October/November to have somebody there every other weekend just for leaves and yard waste. It might not be unreasonable.

Selectman Maddox said that maybe a reduced area. The TR Zone there's probably not a lot of places you can bury that if you would. If you live out in the outlying areas and there's a lot of land next to you it could be dragged to. I just think now you're asking people to put them in the back of the car to take them to the landfill. Again, I understand but finding a pickup truck and doing all that I think for a limited amount or one run for \$9,000 and say if there isn't enough volume, then we discontinue it next year. To go from 3 to zero where the savings are there, I think we ought to take a look at that Mr. Chairman.

The only question Selectman Luszey had was what weekend would you like that to occur. Are we going to wait until all the leaves hit the ground? That's really what you're assuming. Selectman Maddox was assuming that we pick a date and that's what it is. If you get up 70 percent of it and then you put some of it into the trash - I don't know. All I'm saying is I think to go from 3 to none, now people have to scramble. If that's what they want to do, the leaves are going to stay there. Mr. Malizia said it sounded like an opportunity for an entrepreneur. You don't limit what leaves can come in right? Mr. Burns said that we have a lot of landscape companies with vacuums that can come out.

Chairman Jasper asked what was the Board's pleasure. We don't have a motion and without a motion, we will be moving along.

Motion by Selectman Maddox to have one leaf pickup this year at a date to be decided by the Road Agent.

Mr. Burns indicated that we already have one for this year.

E. 2011 Tax Rate

Chairman Jasper recognized Finance Director Kathy Carpentier and Superintendent Randy Bell. It's always a pleasure to have you before us Superintendent Bell.

Thank you. Mr. Bell said it was always a pleasure to be here on a relatively rare occasion.

Kathy Carpentier, Finance Director. I'm here on behalf of the Board to make recommendations to set the tax rate. As we just mentioned, I am invited to bring Superintendent Randy Bell the tax bill. For those who don't know, it is made up of the town side, the school side, and the county side. I thought it would be good if we had any questions for the school side that Randy could speak to it. When we went through the budget process, the Board decided to use \$655,000 of the surplus out of the unassigned fund balance, formerly known as surplus. We have a little over \$5 million in our surplus to set a tax rate of \$16.63 per thousand. This will represent a 3.2 percent increase or \$.52 per thousand. As an example, the average single family home is assessed at \$306,000. At a tax rate of \$16.63, the homeowner will pay a \$5,082 tax bill, which is a \$159 increase for the taxpayer from the prior year. By using the \$655,000 of surplus, it will leave a 7.9 percent of fiscal 2012 appropriations. We target to be between 5 and 10 percent, so this is right on target. Last year we were at 8.1 percent. Any question? I can dissect it more if that's what you so choose.

Chairman Jasper had a comment on unreserved fund balance. Pretty much we're fairly stable the last 3 years with the money that's back in at the end of the year. That's the good thing because we were starting to come down at a pretty good rate. We've stabilized that, which I think is a good thing. I would note while the tax rate will be going up for those who keep blaming the Board of Selectmen, the Town's affect on the tax rate will be zero. No increase, no decrease. Zero. Don't blame us. Stop writing those Thumbs blaming the Board of Selectmen for the effects of the school, county, and anything else. I'll open the floor up to any questions or comments.

Selectman Maddox said he didn't follow as well as he should the State funding for schools. Where did that end up Superintendent Bell in that computation that you have of a \$.60 increase?

Mr. Bell said the adequacy grant from the State remained the same. What affected the rate for us was a decrease in catastrophic aid, a decrease in - because there's other pieces of aid as well as the basic grant - catastrophic aid for special education is one. Tuition support for vocational tuition from the State also decreased. Then the other piece of course that we wrestled with the same thing you wrestled with and that is changes in the retirement contributions from the State.

Motion by Selectman Maddox, seconded by Selectman Luszey, to authorize the use of \$655,000 of the Town's \$5,009,438 Unassigned Fund Balance in support of a tax rate of approximately \$16.63 per thousand, as recommended by the Finance Director, carried 5-0.

At this point if Ms. Carpentier was to go to the Department of Revenue and had a little more or less revenue based on their estimations, would you like me to use more or less surplus or change the tax rate? It might be a penny or two. I'm looking for your consensus as I do every year.

Chairman Jasper would recommend that this be our target. If you need to use a little bit more, fine. If there is a little bit more revenue, then I think that should go to offset the tax rate. Is that a great plan of the Board? The Board agreed.

Chairman Jasper asked if Superintendent Bell had any words of wisdom for us. You've been there so quietly this evening. Mr. Bell said there's not a great deal to say. I would say that I understand this year about the budget. I did a 10 year analysis of the impact of town and school budgets on actual monies paid by folks. We're within a few cents over a 10 year period. There have been other years in which the balance has been different. I know that this coming year where both Boards are facing a very difficult situation. We have already this year not replaced an administrator who left last year and won't be next year and a teaching position as well. So we've already reduced staff by 2 this year and even during the year. We'll be facing, I'm sure, reducing substantially other staff as well. We hope through attrition and retirement. We're going through the same kind of issues that the Board of Selectmen are facing. It's not a happy time for either one of us. Chairman Jasper said it certainly isn't. Just on the note of retirement, the Bill that I had submitted through the Roll Committee - we had that one month where we had for the town it was \$30,000 more than we'd be paying for the rest of the months. That bill was recommended ought to pass by Committee will be voted on by the House tomorrow. I expect it will easily pass the House. The question is what the Senate will do with it and when will they do something with it. It will get a positive vote on confident out of the House tomorrow. Hopefully in

January the Senate will deal with that if not sooner. There is some hope that at least we'll get credit for that additional money that we should not have had to pay.

F. Mileage Reimbursement Rate

Chairman Jasper recognized Finance Director Kathy Carpentier.

It was brought to Ms. Carpentier's attention that there was a mid-year second half of 2011, the IRS increased the optional standard mileage rate used for business. We have been using \$.505 since March 2008. It fluctuated a little bit. It went up to \$.51 and then down to \$.50. I have not brought it to the Board at this point effective October 2011. It is my recommendation that we move it up to the IRS optional standard mileage of \$.555 per mile for business miles driven.

Motion by Selectman Maddox, seconded by Selectman Luszey, to amend the Personnel Policies, Section VIII Training, subsection B. Travel, to increase the mileage reimbursement rate from \$.505 per mile to \$.555 per mile effective October 1, 2011.

Selectman Luszey said if you take a look, it's on the second page which is page 1 of 1 of the handout that was given, there's actually a nice little arrow against the paragraph that talks why the increase was provided by the IRS from \$.51 to \$.55. It was due to the dramatic increase in the gasoline prices. Since gasoline has been so volatile and it's back down to about where the \$.51 came in, I would not support this at this time. If you take a look at the IRS rulings when the \$.515, gas was about \$3.30 to \$3.35 a gallon. At the beginning of this year when they wrote this, gas was near the \$4.00 a gallon price. It's now back down. I think what I would prefer to do is wait to see what happens after the first of the year with the IRS ruling on whether or not they change the rate again.

Chairman Jasper asked Selectman Luszey if he was suggesting that in January of 2008 gas was...Selectman Luszey said in 2008 it was about \$3.00 a gallon and now it's \$3.30. When this was prepared, it was about \$4.00 when the IRS made this ruling. Chairman Jasper asked if Selectman Luszey wanted to withdraw your second. Selectman Luszey said no. I just won't support it.

Ms. Carpentier didn't know if it was important, but I ran the budget for fiscal 2011. It's about a \$5,000 budget item across many departments. I just wanted to quantify it.

Chairman Jasper would say in support of the motion that while your facts may be wrong, there are people that have not been reimbursed who have been using the car at the higher rate. It's still \$.35 higher than it was when the rate was set. To some degree, certainly to a large degree, we've probably been taking advantage of those who have been using their cars over the last three years. We can certainly revisit this if the IRS changes it. I think we owe it to the people who use their vehicles to reimburse them. We're talking \$.05 a mile here. I just think not to do this would be penny wise and pound foolish. We're not dealing with thousands of dollars here and the difference our whole budget is \$5,000 for the Town.

Based on the number of vehicles we have, Selectman Luszey wasn't sure why we're paying any mileage to anyone. Chairman Jasper indicated that there are times when there are no vehicles available. There are also times when it makes more sense to people. I think particularly Jim may be the person since he lives in Hooksett and he's going to Concord for a reason. It's more economical for the Town to have him drive from Hooksett in his own vehicle than it is to drive from Hooksett to Hudson and pick up a car. We spend a lot more money that way. That's common sense. If you have somebody close to the destination and you don't send them back here to get a town vehicle and then go that way.

Selectman Luszey said the industry I came from if you went on a business trip you used your own personal car and the distance was less than what you traveled to your office, you did not get reimbursed. Chairman Jasper said that makes sense. However, Jim would always be going to Concord and then coming back to town. I would suspect the only reimbursement would be the difference from his house to Concord and back to his house. He would not be reimbursed for the travel time and distance to Concord. That's what we're talking about here. That's why it is a \$5,000 budget out of a \$28 million town operating budget. We're asking people to use their cars. This is what the IRS has recommended. I have no problem. If it goes down, as a matter of fact, I think we should probably do what the legislature does and simply tie it to this particular policy to the federal rate. Every time it changes, legislative mileage changes and we don't have to have this debate. That's my opinion. A motion is on the floor.

Vote: Motion failed 2-3. Selectmen Coutu, Nadeau and Luszey in opposition.

Ms. Carpentier asked for a follow up question. It's been my practice to look at it in December/January time frame. Is it the Board's wish for me to continue doing that and coming back or not based on the comments Chairman Jasper just made? Selectman Luszey would like to see it and see if it changes.

Chairman Jasper had one final comment. I will not be surprised if we see people who decline to use their personal vehicles even though it would have been cheaper. Instead of driving from Hooksett or wherever to Concord, come down here and get a town car. I think this is one of those decisions that just lacks common sense when you think about what you're asking people to do with their own personal vehicles and then the Board of Selectmen say we're not going to pay you that nickel. I don't think it makes any logical sense.

G. Regional Cooperative Energy Initiative

Chairman Jasper recognized Linda Kipnes and Assistant Town Administrator Mark Pearson.

I'm Linda Kipnes, 23 Nathaniel Drive. I'm from the Green Team. There was a big packet of stuff about this regional alternative electricity project. I had been before you before talking about it. The first thing in the packet was the timeline of events happening to get to the point of the actual contract and the new supplier. The thing that needs to happen right away is to review the RFP, which I included in the packet and the Commitment Letter. There is a period of time when they are taking review comments, questions, whatever until October 17th. Then they will consolidate all of that and update the documents and distribute the final RFP and Letter of Commitment.

Just one comment. Selectman Luszey thought this was great. I'm not sure if you recall I believe it was the earlier part of last month I spoke that the SAU was already doing this. They would like to talk with the Town and the Library about entering a partnership with you and having the Town and the Library join their program. They weren't willing to do anything yet because the resource that would be doing that is bogged down in the budget process. With that being said, is there an opportunity if I could pull it off to meet with the SAU next week to see how this would...Ms. Kipnes believed the SAU has a contract for electricity which goes beyond the starting point of this contract. I'm guessing that they would have to join at some future point when this contract is renegotiated. Selectman Luszey was asking was can the Town jump on their contract, which is already in affect because they go out to bid for electric use every month and get the lowest rate. Ms. Kipnes said it's possible. It's an option. The NRPC rate is based on all of the towns locally. There's 11 or 12 towns. The usage would be high because it includes all the usage from all of the towns. They're hoping that will be leverage to get a very good rate. Better than any one town could get by itself. Although, Hudson is somewhat higher than lots of towns around. Selectman Luszey said it sounds like you need some type of decision on this Board by October 17th. Ms. Kipnes said NRPC and the ETAP people, Nicholas Hill who is the professional person reviewing these documents, is looking for questions and comments by the 17th. The Town doesn't commit until it sees the final document and signs the Letter of Commitment and the RFP. If they are going to send out an RFP, it will be based on the number of the usage of the towns who are committing to this. Once the town commits, it's committed.

What Selectman Luszey is asking is do we have time to sit with the school to see if there's a benefit for us to literally jump on their contract or go this route. What this does here now it keeps the SAU and the town separate again. We're not benefitting from the combined needs of both the district and the town. That's all I'm asking. On the timeline, Ms. Kipnes said the review and final approval is Monday, November 7th. There's a period of questions and comments, and then there's consolidating those comments, then there's distribution of final documents on the 31st, and then the commitment would be signed or not by November 7th. I don't know if that's time enough to talk to the schools. From what I understand of these contracts, I don't believe you can just jump in. They can add a significant amount in the middle but I don't know. Maybe whoever they have a contract with it would be possible to do that.

Chairman Jasper told Selectman Luszey it certainly gives you enough time to do some exploration here, find out what the rates have been. The Letter of Commitment I wouldn't think that we would, and I'm no expert on this and I've looked through some of it but I haven't absorbed it all, but the Letter of Commitment we can't commit to something unless we know what the price is going to be. What are we signing on November 7th?

Ms. Kipnes said we are committing to being part of this group which will be ordering alternative electricity based on a signed contract that is approved by all parties. The goal is a 7 percent decrease in price over PSNH's current posted price.

So what you'll be able to tell between now and then Chairman Jasper said are the schools getting a consistent rate at least 7 percent below PSNH's rate of .0889 per kilowatt. Selectman Luszey said and whether or not we can get in on it and if not when. Chairman Jasper indicated that we can proceed with this and Selectman Luszey is going to take this as a task.

Ms. Kipnes said it has to be at least 7 percent. It's certainly possible that some of the bids will be better than 7 percent. Selectman Luszey said there are 2 elements to this. There's the distribution costs, which is the rental of the lines if you will. Then there's what I believe this is the energy costs. Ms. Kipnes said that was correct. The PSNH cost is still whatever it is now. PSNH owns the poles, wires, and all that stuff and whatever else they charge. What this is is the actual electricity that's coming through - the generating capacity that's coming through. These companies that can bid in New Hampshire can bill through PSNH. So you get the one bill from PSNH with PSNH's part and then whatever your alternative energy source is on the same bill or it can be billed separately.

Selectman Maddox had a comment. I think that what the NRPC is doing is trying to do what this Selectman has said to them is you're not just highway any more. You need to look at other avenues and this is one of the ones they looked at by pooling all of the communities in their region, they can obviously have a greater impact than even Hudson hopefully is buying it for. I would hope that we'd at least look at this. It's not tying us to anything especially if they don't make that 7 percent threshold. If they're at 9 percent, then we'll have to take a look at that. I think this doesn't really bind us to anything at this point Sir.

Chairman Jasper asked if you need anything from us tonight or is this just informational. Ms. Kipnes said because the comments are due on the 17th, if the lawyer needs to vet any of it. I am not a lawyer or a business expert. I read these documents. I understand the words but I don't know all the legal ramifications of Letter of Commitment, RFP, and what every single word means legally. It may be that if the Town would like to have a lawyer look at it or whatever you do with contracts before you sign them, I wanted to be sure there was time to do that or if you have questions or comments to NRPC, they're due by Monday.

Selectman Nadeau said this was for Selectman Luszey. When you're talking to the school, and I don't know if this has anything to do with you Linda, can the school jump on with us through NRPC if we find out that NRPC has a better rate than the school is getting? Is that something you can find out when you meet with them?

Selectman Luszey indicated that the first paragraph of this Commitment Letter states, "If a proposal is accepted, municipalities and schools will enter into..." So it's assuming the schools are here. Ms. Kipnes said no. There are certain towns that...that's why Selectman Nadeau was asking the question. If we find out, can we add them in? Ms. Kipnes thought it depends on what kind of contract the school has with their supplier. If they have a one-year contract or 18 month, or 2 years, I'm assuming that they can't just change their mind in the middle and go to somebody else. If it's month by month, maybe they could join in right now. If it's a year or a year and half - and I believe because I did talk to them - and I think that they have a contract that goes into next year if I understood them correctly. That would mean that they could not join in right away. I don't know whether they could join in the middle if we had a year contract and if they could join in after 6 months. I don't know if that would be possible. We could ask NRPC and find out about that. If there are questions or comments, would you prefer to send them to NRPC directly? I don't know how you normally...

What concerns Selectman Coutu, and I think it's something you may be more familiar with is that the PUC has received a request from PSNH to be able to as a result of their losing several customers to this type of action, they've requested and I understand that the Public Utilities Commission may look favorably upon allowing PSNH to add a surcharge to all of those non customers who are only paying for the pole fees. Such as myself in my own business because I use and I noticed one of the prospective bidders is the company I do business with which is Glacial Energy. That's the one I have referred to you for a personal reference. I'd be concerned about what that impact is going to be if the Public Utilities Commission allows that surcharge to be added to the bill and how significantly it would impact the savings. I would like to have that answered before I would like to see us committed at this point. This is a whole new twist to what this is trying to accomplish.

Chairman Jasper said since Mark is involved in this, he could make some phone calls to the PUC and see what they are requesting for a surcharge and how that would potentially impact the 7 percent savings. So if you could do some research into that.

Ms. Kipnes thought that would be an issue certainly that NRPC would also want to be involved in. They are coordinating and possibly Mr. McHill who has been involved with these documents would know about that. Certainly it will impact this if it were to happen.

Mr. Malizia indicated that we also received an opinion from the attorney. Just so you don't lose track of it, he actually articulates I think in the first paragraph. I think the conversation Attorney Buckley had with Kerry Diers of NRPC just so there's no questions to what we're committing and what you're going to do. If you have the time to take a look at that, that might answer that question. Certainly any kind of lengthier contract obviously might be looking at a Town Meeting on a ballot question. Again, Attorney Buckley's opinion on this matter.

To summarize, Selectman Luszey said we can't enter into anything longer than one year. Selectman Maddox said we do with the trash contract. We just take 5. Mr. Malizia said it also has probably a non appropriation clause. Selectman Maddox thought maybe these do also. Mr. Malizia said it's different. We're not appropriating here.

Selectman Maddox had a question of Ms. Kipnes. We must be doing something very well or do we have all the numbers? You have for Hudson 12 month kilowatt total 829,000. Merrimack is at 4.5 million. I know they have a sewerage treatment plant, but is the school included in that? Pelham is 875. Chairman Jasper said it must be school is included in Pelham. Some are broken out and some don't. I noticed the same thing. This can't be comparing apples to apples here.

In summary if Mr. Pearson could Mr. Chairman, you're looking at approximately I believe its 14 million kilowatt hours for the collective group. That enables them to go out to bid on the RFP and get a better price. That's essentially what we're looking for is a quasi commitment. Are you interested in doing this group to see if we can get a better rate? It's not a commitment (inaudible) contracts to go out and bid. They are counting on the participants with NRPC to go forward if there's a savings to their benefit. I did ask some questions about opting out in the middle and trying to pick up some more people such as the Hudson schools. When you sign a 12 month, it's a 12 month. If you sign an 18, it's 18 months. I anticipate that say hypothetically the RFP goes out and the communities agree to a 12 month. It certainly gives those other ones that aren't involved an opportunity to know that this will be coming up for renewal and then you could jump on board thinking ahead about the Hudson School District. If they have expiration say in June or July and maybe it's going to end next September that they could look at that. I don't believe the Nashua schools are involved in that and so forth. They're in a contract now too. So there may be some other large customers that want to jump on board and increase this 14 million kilowatt hours or a higher number which may even be a better RFP in the future. It's the first year of trying to save money. I think as the years go on and the group gets larger, there will be more power in the numbers.

Just by Selectman Maddox's calculation of my cell phone calculator, we're talking about \$5,100 a year. It's not a tremendous amount of money. Again, we're not risking the bank here.

Chairman Jasper said it would pay for more than all of our mileage reimbursement combined. Selectman Maddox said it may not cover the cost of Selectman Coutu's issue with if PSNH is able to get another charge for stranding or whatever they call it because they have to keep all this equipment up, again, that needs to be something we look at. Chairman Jasper thought Mark was going to look into that. It's going to be an interesting issue because as I understand the issue, PSNH was supposed to just be a wheeler of electricity. They were looking at the power plants as stand alone. PSNH opted not to do that. Now they're complaining that they can't generate their electricity at the lower rates that these others are doing. I'm not sure how sympathetic the PUC is going to be to that issue unless they can demonstrate that they're not earning enough money to cover the cost of maintaining the infrastructure outside of the power plant. That's going to be the interesting thing. I think we can sit here and speculate we're going to need more information. At this point, we're asked about comment and how we would like to respond if we have any. I can assure you I'm not going to have any comment on this that others that have far more knowledge than I do on this to make those comments.

As Selectman Coutu saw it, when you read the schedule of events, I think what they are looking for is to be able to put some sort of a pool of municipalities together to arrive at some sort of a structure for bidding purposes. I don't think we're committing. I think that's what Mr. Pearson is saying. By their analysis of the information that's provided to us on the electrical supply for those 13 municipalities that are included, they're looking at approximately 14, as Mr. Pearson noted, 14 kilowatt hours to actually be able to present them with a specific number in order to arrive at a bid prospectus and also for them to be able to establish a rate. As I see the schedule of events, I would agree with Mr. Pearson in that we're not really making a commitment. What we're in essence saying is we're interested enough that we would like to have our municipality included in the process of doing the research. Where we seriously make a commitment would be at the very latest January 2nd where we will be reviewing and signing the contract. I would assume that a review in essence means we agree to the rate, so we'll agree to sign but we don't like the rate or other factors have come in, we're withdrawing our intent at this time. I think there's no real commitment except to include us in an exploratory package. I would support that we proceed in that direction as we have been to this point and would advise that Mr. Pearson continue to work with Ms. Kipnes and obviously with NRPC and whatever other interrogatories that we may deem appropriate for us to have proper information to make a final decision.

Chairman Jasper thought that's where we're headed anyhow. My understanding is just about feedback on the Draft Commitment Letter and how if we have any we would like to propose that. Do any of you anticipate that you will be having a comment on this Draft Commitment Letter that you would like to forward to the Green Team? Will you do that directly then? Selectmen Luszey said he would do that directly. I'll go through Mark also. Chairman Jasper indicated that if anyone else has any comments, is that how you'd like to proceed?

Mr. Pearson had one final question. In light of Attorney Buckley's comments that you all have a copy of, I reached out to him last week and asked him to provide this to us. It appears that if you can't enter into a contract for more than 12 months, and we're talking about a January potential, it doesn't look like we would be able to facilitate - and I stand to be corrected, a warrant article to go for 18 or 24 months or any longer period if we're talking about this in January. I don't have the calendar in front of me to know when the warrant article drop dead deadline for a warrant article, but I will keep that in mind. We haven't determined whether we're going to go 12, 18, 24, or 36 months at this point either. As the process goes on, I'll know what we're looking at.

Chairman Jasper assumed that all the communities are going to come to the same realization that they can only do this a year at a time. This is really not the type of thing that you probably want to try to put on a warrant article and explain. I would anticipate that we'll be looking at 12 months anyhow. This will just be something that will be renewable on an annual basis. Frankly, I think it probably makes more sense if you're going to get into something like this to this.

Selectman Luszey said if it goes on a warrant, it's going to be more like an appropriation which means we couldn't act on it until July 1st. Chairman Jasper said you could do a 6 month followed by that. I think it becomes more cumbersome than it's worth at some point.

Mr. Malizia said when we did Freedom Field, the lease with soccer, the first year was on the Board of Selectmen's authority. To enter into the multiple, I think a 13 or 15 year agreement that required Town Meeting approval. The first year if it's working out fine, great. If you want to keep going, then you put the second in if you want to go multiple years. You could do successive one-year contracts too.

As you said, Selectman Coutu said this is New Hampshire. We're all bound by the same RSAs. All these municipalities are going to have the same problem that we have. NRPC is going to have to work that all into the...Selectman Luszey said they should know that. Mr. Malizia said these are all towns no cities. So we're all operating under the same premise as you pointed out.

Chairman Jasper thought the difficulty here is you could make the case non-appropriation clause. A little bit ridiculous to think that you're ever going to have a non-appropriation for electricity. That's essentially shutting down the Town and closing the doors. Any other contractor could say we're not going to pick up the trash any more. You're on your own. Life goes on. You can't say we're not appropriating money for electricity. I think that's probably why he came to that conclusion. That's just not reasonable.

Ms. Kipnes had a couple of comments. One is I think it may be possible that a longer than one-year contract would be better and less money than a one year contract. I don't know that for a fact. It may be that they're looking for a longer term. They may be willing to give a little better deal on a longer term contract. I understand what the issue is. I know there was some talk about it. I don't know enough about how it works. I can find out from NRPC what other towns are thinking and what they're planning to do.

Chairman Jasper thought probably no one has asked the question because they're probably going on the assumption that we were non-appropriation clause would get you out of this. You would have to think beyond that. I think this needs to be discussed with the memo from...Mr. Malizia said this e-mail from Attorney Buckley would be beneficial. Ms. Kipnes said she would find out what she can and I will forward the information. Chairman Jasper suggested that you share this memo because this is Hudson's concern. I think what you'd find is that it would be really impossible for her to ever get all of these communities even if they all agreed to get it all on the town warrant and make it all come together within a degree of certainty. Mr. Malizia thought that Attorney Buckley also represents a couple of other towns here. Selectman Maddox didn't think they were all on the March time frame anyway.

Ms. Kipnes indicated she has one other comment about the time line and those issues. I think when the RFP goes out it goes out saying 14 million kilowatt hours based on these towns being part of it. I think they're looking for more than just a yes we might be interested not a signed in blood but at least if we get these kinds of terms we will be part of this agreement. The bidders will be bidding on 14 million kilowatt hours. If we pull out our 800,000 of them...Chairman Jasper thought if they have to bid in some sort of increments. I'm certainly not willing to make a commitment tonight to this type of unknown. I'm seeing it says, "Letter of Commitment to be signed by November 7th". I guess if what you're telling me, we're going to commit to an unknown by November 7th and we're not going to know what that is even though it has to be a minimum of 7 percent, I'm not sure that I'm willing to go down that road. I don't make it a habit to commit to.

Mr. Kipnes said the Commitment Letter says, "provided the quoted rate is at least 7 percent below the current rate and contract terms are mutually agreeable to all parties". It is possible to say these terms are not agreeable. Like I said, we're not signing in blood but we are if the RFP is saying we want a quote on 14 million kilowatt hours that that's based on all participants remaining in the group.

Chairman Jasper said there's nothing on the agenda for us to vote for. You didn't ask for anything tonight. I'm assuming the Letter of Commitment will be sent out by October 31st. You can certainly come back at the next meeting and we'll have a little bit more time to digest all of this. Selectman Luszey will have some time to do some research between now and then. I think that's the best probably we can do right now.

Selectman Coutu indicated Chairman Jasper said what he was going to say. I think that you're going to find that their best approach is going to be to bid in increments. They have 13 interested communities. That doesn't mean that all 13 of these municipalities are going to jump on board. There are a lot of unknowns here. I happen to know about Glacial Energy. Are they the best company? Are they the cheapest company? They're the only ones that approached me that's why I jumped because I saved \$300 to \$400. There may be others out there that wouldn't save me as much. There may be others that would save me more. There isn't going to be a single municipality they're doing due diligence to their process as we're trying to that are just going to give a carte blanche to go ahead and say up front we're definitely going to do this. There are so many unknowns in this whole thing. I think Linda that frankly the Chairman said it. We're just not going to commit right now. We're in no position - I don't think any municipalities - we're not going to jump onto something that we don't know all of the facts. Until we get all of the facts and the hard data, and the final number - I don't like the idea that when you look at the very last 2 items in the calendar of events, the third from the bottom - we're going to review and sign the contract without a pricing agreement and then they're going to execute a pricing agreement. I would never sign a contract ever for a municipality, for myself, for my mother, for anybody if I didn't know what the price was. I think they have a lot more homework to do. I think you're right Mr. Chairman, in order to achieve what they want to achieve, they're going to have to look at increments. Whether they do it in million kilowatts or 2.5 million kilowatts, they're going to have to come up with an incremental. There's going to be two or three, I'm sure, at the end that are going to drop out. These companies are going to want to proceed. The best way to proceed is the piece of the pie is better than no pie at all. So we'll do it in increments and whoever stays, we'll be at that level. Maybe a 4 percent savings, a 5 percent savings because they didn't achieve the 7. They're looking at a minimum of 7. It could be 10 percent who knows. I agree. I'm not ready to commit.

Selectman Maddox said to Ms. Kipnes you know, again, I think we're not trying to be difficult; we're trying to do our due diligence. I think that maybe a call to NRPC and tell them my favorite - government is glacial. I think they're trying to go too fast to be honest with you. Where most towns are on a July 1 fiscal year, it's tough for them to jump in the middle of this and try to make it all work. Maybe they need to really think about, and I know that this is some sort of grant from somebody to try to make this happen, but because of the towns and the town meetings, how would anybody agree to something if they do have to go to the voters. Maybe they need to take a look at their schedule and rethink it.

Ms. Kipnes said she would certainly talk to them and make these issues known and whatever other issues anybody has, all of you probably know Jill Longval. She's the one at NRPC who's coordinating this. If you want to talk to her or forward stuff to me and I will try to get answers for some of these things. I will bring them back.

Selectman Maddox appreciated Ms. Kipnes diligence in trying to get all this together. It's a tough number. Ms. Kipnes understood that it is a tough issue. I'm not a lawyer and I don't work with these kinds of documents. I know that one of the issues is that they can only guarantee prices for 24 hours. Once they come up with a price, you have to jump on it and sign it right away. That's what I've been told that that's how it works. Selectman Luszey said 24 hours and then they guarantee it for 12, 24, or 36 months. Ms. Kipnes indicated that's what she's been told. Shall I come back to the next meeting? Chairman Jasper thought she should come back to the next meeting. We'll put this on under "Old Business" and see what all we've been able to gather and put together for the next meeting. Thank you very much. I thought it was somewhat painful. Ms. Kipnes understood. Thank you.

Selectman Coutu asked if Mr. Pearson was going to stay on top of this right. Chairman Jasper said yes. He'll be gathering what information he can from PUC about what's going on and be in touch with Linda to coordinate I'm sure. Thank you both.

- H. Public Hearing - Amending Chapter 205-14 "Water Utility fee" to increase the residential and nonresidential water connection fees for new water meter installations

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia indicated that at the September 27th Board of Selectmen's meeting, the Board discussed increasing the fees for new water meter installations for both residential and nonresidential, i.e. commercial industrial type properties. As you are aware, our costs have gone up for copper and the materials necessary to affect these new meter installation along the flavor. To that effect, we need to have a public hearing in order to change the fee schedule in the Town Code book. This is basically going to be the public hearing just for comment. If there's no comment, the Board can pass this.

Chairman Jasper opened the public hearing at 8:37 p.m. Is there anyone in the audience who would like to address the change in the water fee connection fees? Seeing none, I will close the public hearing at 8:38 p.m.

Motion by Selectman Maddox, seconded by Selectman Luszey, to adopt the amendment of Hudson Town Code Chapter 205 "Fees", Section 205-14 "Water Utility Fee", Subsections D (2) and E (3) to increase the residential and nonresidential water connection fees as outlined in a Memo from the Town Engineer of July 27, 2011.

Selectman Coutu wanted to make sure that we have. Apparently what you're reading is a motion - corrected sections of the Town Code. We have D (3) and E (3). I heard D (2) and E (3). I wanted to make sure that I'm referencing what was given to us. You gave a different subsection.

Vote: motion carried 5-0.

I. HCTV Access Center Lease Renewal

Chairman Jasper recognized Chairman of the Cable Utility Committee Mike O'Keefe.

Good evening Mr. Chairman and members of the Board. As Mr. O'Keefe thought most of the Board knows, we're in the third year of a lease for the HCTV access center over on Old Derry Road. The lease runs out December 31st. Jim McIntosh, our Cable Facilitator, worked with the landlord to come up with another lease agreement for another 3 years but renewable on a yearly basis. It's essentially the same lease with the only change being the rent. The rent goes from \$1,700 to \$1,800. However in the three previous years, we also had \$170 fee, which was covering the amortized costs of the renovations we had done when we first took possession. That goes away in the new lease. In effect, we're paying \$70 less per month in the new agreement. It's the same deal. We basically would sign for one year from January 1st through December 31st of 2012. We can then renew each year after that for two additional years. I'd like to ask the Board's approval to enter into that agreement.

Selectman Coutu believed he asked this before. I want to make sure it's very clear and that the Board understands it. Although we're agreeing to a 3-year lease with annual renewals because we can't enter into a multiple year lease, is there a clause that indemnifies us should an HCTV/Senior Center be built before the end of that time frame that indemnifies us and we have a right of withdrawal.

Mr. Malizia indicated that in the documents it says the term is for one year with two options. Selectman Coutu wanted to make sure that everybody knows that...Mr. Malizia said it's a one year lease with two additional one-year options which we may exercise. Selectman Coutu just wanted to make sure that everybody knows. We're not tying ourselves down for three solid years.

Chairman Jasper indicated that certainly whatever happens, we would complete this year and if it looked like we needed to go month to month, I'm sure at the end of the first year we could work something out there.

Motion by Selectman Coutu, seconded by Selectman Maddox, to approve the Lease between Nadeau Park, LLC and the Town of Hudson for Building B, Units 3 and 4, 98 Old Derry Road, Hudson, NH, at a monthly rent of \$1,800 with a term commencing on January 1, 2012 and ending December 31, 2012, carried 5-0.

J. Update on Train Station

Chairman Jasper said that they seemed to be making some progress. I made some phone calls a couple of weeks ago trying to find out what I could through the historic resources people. They were actually very helpful. We have approval from them for the new roof for the train station. That's the good part. Then it gets a little bit more complicated with moving back to DOT. One thing that historic resources made me aware of, which would have been nice if DOT had made us aware of, there are many old grants like ours out there and have been over the course of the years. DOT does recognize that as the grants sit there the cost to actually do a complete project increases beyond the ability to do with the grant. They have the ability and have modified the scope of projects to fit the monies available. It would have been really nice if somebody in DOT had told us that some time ago. Once I brought that up, they said they could do that. We just need to know that the Town is committed to doing the whole project. I said that you already have that letter of commitment from us. We will finish this project but being a town that is subject to the limits of appropriation, we can't guarantee you how long that will take us just that we will work diligently to do that.

With that being said, Chairman Jasper indicated on Thursday at 10 a.m., we are on the DOT's schedule to meet to talk about the roof and pretty much limiting to the discussion of the roof at this time. We may get into more about the modifications. In order to qualify to get our matching funds from the grant, we may have to slow this down to go out to bid in an additional 3 weeks or so. Depending on what happens with that, I'll certainly let you know where we're at during the next meeting. One of the things that I'm thinking is that the roof is deteriorating. It needs to be done

knowing that we are going to have to put more money into there eventually. It may behoove us just to do the roof and not necessarily worry about the grant so long as doing the roof doesn't screw up the rest of the grant for us. That's a discussion for another day. It's just background information. Our plan at this point is then to continue to work with them to modify the plan and to try to get everything else we need together to move the station in the spring. With any luck, we'll be in good shape to still get the roof on before Thanksgiving. That's where we are at but at least we've made some progress. That could all move backwards come Thursday morning.

Selectman Maddox asked what is the FHWA. I'm assuming it's the federal highway something. (It stands for Federal Highway Administration.) It says that they have to approve something before Warrenstreet can begin the design of the new roof. Again Mr. Chairman, I think this is...Chairman Jasper didn't know. That's what I'm going to find out on Thursday. Selectman Maddox thought they were racing to do this. When you read this Mr. Chairman, they are now going to split up this project into A and subsection. That's going to take forever. Chairman Jasper said that's what they have to talk about if that will take forever. We're going to find out a lot of these things on Thursday. Selectman Maddox said he will hold his comments about racing again with DOT. Chairman Jasper knows there's also been e-mails from Nashua Regional Planning saying can't we use a little common sense here and get this going. We'll find out. That's where we are for there.

Selectman Luszey had a question. Existing foundation is the railroad ties it's sitting on. Chairman Jasper said that's the existing foundation. I found that somewhat humorous. The existing foundation of the steel beams that are sitting on cribbing. That's the foundation. Selectman Maddox didn't realize that there's a center island in this train station that is 3 foot higher. As such, we're going to have to put piers in the center of the foundation to hold this center piece up. Chairman Jasper said that's all designed. I've been underneath there. I don't recall. Selectman Maddox said that was the drawings that I saw. Moving this won't be easy. Chairman Jasper indicated it's been moved around. Selectman Maddox said it can get moved on that cribbing but now you have to take it off of there and put it on to the new foundation. Again, it's probably more engineering than we want to think about.

K. Acceptance of original signs for the gorilla cage and elephant barn by Don Simard

Chairman Jasper said that Don Simard, who I don't know - I know Ben would know Don. He bought the original gorilla cage and elephant barn signs. He would like to donate them to the Town, talk to the committee. We think probably a nice place to display them at least now would be actually inside the gorilla cage. I'm sure some people will be confused and then think it's an elephant barn but so be it. We can put them up high on a couple of the walls. I don't have an estimated cost. I think he said he paid \$100 or \$150 for them at the time. The value would certainly be less than \$500. That's very subjective anyhow.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to accept the original signs for the gorilla cage and elephant barn by Don Simard with the Board's thanks, carried 5-0.

L. Architect RFP for the Senior Center/Hudson HCTV building at Benson Park

Chairman Jasper recognized Selectman Coutu. Selectman Coutu deferred to Selectman Luszey. In light of the fact that Selectman Luszey you and I have had this conversation and I had expressed to you my interest in seeing us get moving. You're aware where I was going with it. I will defer to you seeing you are their liaison.

Selectman Luszey thought he brought this up at our last meeting of last month. Given where we are with the changing of the deed, I suggested to the senior that we begin putting together their document working with us to see what their needs are and how they would help sponsoring this building. More importantly what I'm looking to get out of this Board now is the release of the funds or whether it be the assigning of the funds to get the architect going on the actual drawings so that we can get that completed and hopefully get an estimated price for this thing and get it on a warrant.

Chairman Jasper still thought that may be a little ambitious but I don't have a problem with that. I went back and looked at the warrant article, which I hadn't done. Memories are sometimes not quite as accurate as one might hope. I was thinking it said final approval. It said approval from DOT. I don't know why we worded it that way because they're not in charge of the final approval but certainly to satisfy the warrant article, we have that approval at this point. We can move forward. I don't know if you have a motion in mind or if you...Selectman Luszey said the motion would be to allow the Town Engineer to contract an architect using those funds to put together the drawings and the bid package for the senior center.

Selectman Coutu thought we needed to go out for an RFP. Selectman Luszey asked if it was an RFP we need to do first. Chairman Jasper said that somebody needs to put that together.

Selectman Maddox indicated here's where I get in trouble again. Our Town Engineer is only one person. We have tasked him with a number of things besides his duties as far as approving roads and sidewalks that are still ongoing within town. I would suggest that we utilize the Assistant Town Administrator whereas he has some experience in putting together a request for proposals. He can then tie in with the engineering, the building inspector, and any number of resources rather than bogging down this because you have the train station on Gary's agenda and he's flat out. I think we're pushing him to the limit. I would hope that the Board would not use the Town Engineer.

Chairman Jasper indicated that this is one of those things that they're likely to say we could have had the RFP prepared a long time ago and ready to go. It's one of those things that nobody thought of.

Motion by Selectman Luszey, seconded by Selectman Coutu, to direct the Assistant Town Administrator to develop and RFP for bid purposes for the senior center/Hudson HCTV building at Benson Park, carried 5-0.

Selectman Coutu indicated that Chairman Jasper read the warrant article and there were 2 or three factors in that warrant article because there's a pool of money there if I'm not mistaken. There's so much coming from the seniors on the RFP, so much from HCTV. I want to make sure that I understood that the seniors were reluctant to release any of their portion until we had this agreement. Some sort of a condition as to their use of the facility and what the terms would be. Are they still expressing that reluctance?

Selectman Luszey thought they still are. I think we can get an RFP going and I'll work with them this month to get that back here.

As a matter of fact as Chairman Jasper thought back on this, we already have an architect on here. My assumption is that we're going to have Mark working with the architect to develop this RFP. Steve are you thinking that's what we're doing?

Mr. Malizia said it certainly would be more expedient who you use but if you want to go out to the general population, you'll probably have to have somebody else do it. Selectman Maddox said they were also looking at design build - going to companies and getting a price for a design build. Chairman Jasper thought that's where you're going to have to work with the seniors and Mark and figure out exactly what you need to do to move this forward. Selectman Coutu said they need a design build/build plan. Selectman Luszey said he'd put that in his terms. That is a set of drawings that I can put dollars and cents to that says this building is going to cost me \$150,000. Selectman Maddox said much like the library did the very same thing. They went out to design/build. Selectman Luszey said we have a conceptual drawing that everybody I think agrees on. So it's taking that and converting that into a set of architectural plans that one was built from of quoted from.

Chairman Jasper said that's where you have to figure out. We do that but you certainly have to have a level of detail in there and how that gets developed is what you have to figure out. Selectman Maddox said they did do as part of that. Mr. Malizia thought and some sort of pricing document too at some point. Chairman Jasper said there's quite a bit of information. Selectman Luszey indicated that there's a lot there. Selectman Coutu said what you said, let them work it out and whatever is best.

M. Budget to Actual

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said that we're a quarter of the way through the year if that makes anybody feel any better. The big issue continues to be or in my opinion continues to be our legal expense. Our general legal has been pretty reasonable and well managed. It's been our labor related legal costs that continue to be a bugaboo. If you look at the legal budget, it's all mixed together. It's on the second page of this document. What I'm basically saying is because of our ability to control our regular legal expenses, we've been able to shift that money towards the labor side. We couldn't run this pace for the rest of the year. Luckily I believe most of the grievance issues are being resolved or have been resolved. As you are well aware that we are still negotiating some contracts. I believe there are 4 of them. My point is we're continuing to watch that, continuing to try to manage the regular legal budget but at some point maybe later in the year we may be looking at having to pull money from contingency or other accounts if we need to continue legal support. Again, I'm most concerned with the labor side. The regular side of the legal budget is really under control. It's been very stable/steady. Again, it's been the labor piece. That's predominantly because of defensive grievances and contract negotiations. That's just my general concern there. The rest of it I don't have anything major to say. It's the pretty typical year as we're going.

Selectman Coutu indicated that there are absolutely no areas that we would consider out of whack or of concern after the first quarter.

Mr. Malizia stated being a quarter of the way into the year at this point in time, people do hold back on doing certain things because they want to see how the year goes. From my review of this in talking to the departments, I don't have any other major issues to talk about. You might see a percentage skew high because we've committed for example to the trash contract. That means just from an encumbrance or a commitment perspective, we've committed to the whole thing but we're certainly not 93 percent spent. We've basically committed to spending that money. We may spend less. We may spend more. We're going to spend less because Kevin just saved \$87,000. So off of that number, you get some savings. Again, spending you can do some things to control it obviously. On the other hand, I can't make more people register cars. I can't make the banks pay us more interest. Again when you're looking at that side of the house, we don't have as much control but spending departments can defer and make decisions all the time. One thing you really have to watch is legal because if you're defending yourself and/or involved in contract negotiations or arbitration, at this point the Board has made decisions to defend the Town.

When you look at the final number, Selectman Coutu indicated that we're a quarter of the year and we're at 23.8 percent. So we're well on target. So far so good.

Selectman Luszey wasn't sure. It's a common question and it's based on the direction that we asked all the departments to take a look at their budget for next year and reducing 10 percent. Talking to the IT Director, one of the things that became painfully obvious to me is that the IT spending is still distributed. When we ask departments to reduce their spending if the IT Director helps them reduce their IT expense, that department gets credit for that versus IT. My question is do we ask for this round - budgeting pass, that all of the IT line items be rolled up in a nice neat package and show the true reduction in IT spending at the IT level department and the remainder of the departments budget's be reduced by the 10 percent without taking into consideration of that IT reduction. Otherwise, we're going to hit IT twice. We're asking IT to reduce their budget by 10 percent and when the departments reduce their IT spending, they're reducing so it's being a reduction twice. Do you follow what I'm saying?

Selectman Coutu said that this question has come up so many times. There's mass confusion out there about the 10 percent. No one, no one - you're the one who brought it up. I heard this week it was an arbitrary figure. Where did it come from? Right after you said it, there were Thumbs Down about it. How can you just arbitrarily deduct 10 percent? There's a total misconception about the 10 percent. I got it. I heard what you said. I understood what you said. What he said - and not that I want to put words into your mouth - but apparently nobody understood it so I'm going to try now and then they can blame me later. What the Chairman was suggesting was that we understand that we're operating and we've done it now - this will be the second year if we do it this year again - flat line. What he's doing is there's an outcry out there that we need to reduce taxes. The exercise that we went through last year and the result was what we discussed here tonight. We started with a tax rate of \$5.19 on the Town side. Selectman Luszey you weren't here but the exercise was I proposed it and there was agreement. We're going to try to hold that \$5.19. We went through the exercise. The Town Administrator was here with the Finance Director and I said, "Let me know when we get to \$5.19. We'll keep cutting until we get to the \$5.19." We achieved that and we succeeded.

Selectman Coutu thought it would be very, very difficult and I'm sure the Chairman would agree to ask department heads to cut their budgets by 10 percent and expect us to provide the same quality of service that we've been providing. In some departments when you look at street repairs and things like that, we were so far behind. Unless we raise the taxes significantly, we're not going to make much further progress. In order to hold that line to provide the same quality of service, I believe what the Chairman said, and I'm saying I believe. I know what he said but in case he wants to add or detract from what I'm saying is let's bring in a budget of 10 percent less so we can show the taxpayers how we can save 10 percent. At the same time in your narrative, explain what that impact is going to be on your department. How many fewer police officers? How many fewer firemen? Do we have to close a fire station? When you're talking a \$5 million budget, 10 percent is \$500,000. I'm sure we're not going to lay off 20 firemen. So now you start looking at structures and reassigning people and there would be some layoffs. Worst case scenario, how would that impact the Town? In the case of IT, it's 92 percent labor drive. A 10 percent reduction no matter how you look at it is going to take a full timer and make them part time. You can't say we're not going to buy wires and...

If I may, Selectman Luszey said that is actually part of my issue. If you start taking a look at IT, the IT budget that's under the IT Director is one number. If you start going and taking a look at police is like \$24,000 and fire is another \$24,000, that's IT. Every department has an IT line that has money in it.

Mr. Malizia said that was under the direction of the IT Director. I don't put anything in that line. She puts the number in. I haven't cut it. I don't touch that line. That was her place to put things into my budget. The way I understand it, we can tier it up all under IT. I don't touch that number. I don't even consider that number when I thought of my 10 percent.

Chairman Jasper indicated that Selectman Coutu has done a good job of summarizing it. In the case of the IT Director, if it's all labor and to get 10 percent she had to do 30 percent because she needs to get rid of one person. That's what she needs to tell us. This is only an exercise that gives us a menu of options. This is in reaction to what

happened when we set the goal that we all agreed to that Selectman Coutu said zero percent on the tax rate. Essentially, that's what we've done this year and what I expect us to continue to do. We don't want to get to the end of the day and find out we need \$100,000 and then we just start cannibalizing, which is what we did. This way, we're going to have a large menu from each and every department. We can look at it and say all right to get 10 percent out of IT, we have to reduce 30 percent and get rid of one person. Forget it. Bad idea. We just look at the bad ideas and the things that are acceptable. We're going to have a very large, large pool of things on our list that the department heads have brought to us instead of us scrambling at the last minute making bad decisions potentially and just pulling. We're going to have all these things that are going to be out there. There is no intent on my part, and I don't believe the Board of Selectmen, to cut the operating budget of the Town of Hudson 10 percent. I believe it's to have a zero impact on the tax rate. This is all this is. Don't worry about IT. Just say if that's what it takes, you have to give us 30 percent to get to 10 percent just tell us. If that's all she has in her budget if its 92 percent personnel, then the only thing she can do is cut one position out of there or bring it down to part time and tell us what the affect will be.

Selectman Luszey said he will worry. I will not worry.

Chairman Jasper didn't want to change our budget structure in order to just provide an exercise.

All Selectman Luszey was saying was there is a possibility that we could be hitting the IT line item twice. One from IT and one from every single department. They have the ability to strike that line item from their budget to get to their goal.

Understood. Chairman Jasper said when we're looking at those things, we can take that into consideration. It's merely an intellectual exercise in order to prepare us if we need to do what we had to do last year. If this should happen, Selectman Luszey said he'd remind him.

Selectman Maddox thought an interesting term is "intellectual exercise". I always thought when you proposed this was to give us the ability to make intelligent decisions. Also to explain to the people on the other side of the cameras that it isn't easy to cut 10 percent and this would be the ramifications you'd have to take 5 police officers out of the police department budget. Only plow the streets every 8 hours instead of every 5 hours. It was more of an educational thing as opposed to last year where we did get creative at the end and come and do a number. This would at least explain to the citizenry how we got to that and again be more "transparent" I guess was the other word for the night inasmuch that what those impacts would be. I've told my departments that it is an exercise in knowing if we have to take out money where the department head has suggested as opposed to us randomly picking a line and going that one.

Chairman Jasper thought probably something he hadn't expounded on even to you in my own reasoning for picking 10 percent, I guess I did hit on it a little bit, is that if the budgets come in over I don't see that we're going to have a problem of more than 3 percent. The problem is if you told every department to come in at 3 percent, there would be some options in those 3 percent that we said we can't live with. This provides us essentially a tripling up in some departments if there are other departments that we say we can't do that. That's the only reason. In my own mind, we're looking at maybe a 3 percent problem overall potentially but that's why you have to go deeper in each department so that you don't make the wrong decision.

Selectman Nadeau said we're going through this whole exercise and we talked about it earlier in the night when we talked about the tax rate and setting the tax rate. The problem wasn't on our side. It was on the school side. Theirs was up higher than ours was for the last 3, 4, 5, 6 years. As long as I can remember being on the Budget Committee, the Town has always been very good at coming in where they should be. We're over here trying to figure out how we're going to cut 10 percent out of our budget. If you look at the numbers that were given to us tonight by the Finance Director, if we came in last year at the same amount, the problem still would be on the side of the tax rate. We'll still be getting blamed for it because we're the ones that send out the tax bills. We just look at that not even an hour ago and it's still sitting there with all the answers that we had.

Again, Select Coutu said we're not looking to cut 10 percent. I think it's imperative that department heads understand one thing. I would hate to think that they've interpreted this to mean well I'm going to make this so dire that I'm going to say I'm going to eliminate 2 fire trucks on the fire side so we won't have that response time. We're going to eliminate 5 cruisers so we won't have the response time. That was not the purpose of the exercise. The purpose of the exercise is that it is inevitable that some costs are going to increase. We're guessing out a year and a half. Gas may go back up again. The state of the economy is not getting any better. Things are going to increase. If when the budgets come in even if they're at zero percent and we know that in the final analysis in order to be able to achieve the same level of services, there is going to be an increase in costs to achieve that. Each of those departments, and it's imperative that they do this exercise due diligence, come in with if I had to cut something and not just make it look bad. If I had to cut something, the Board of Selectmen is looking for something to cut. What can I sacrifice to try to maintain the same level of services? However if you make me cut 10 percent, these are the things I'm going to get rid

of. These are the lowest items on my priority list. However, this is how it's going to affect the operations of my department. I think that's what you were looking for. Selectman Nadeau may not have intended to but he said again why are we cutting 10 percent. We're not cutting 10 percent. We're looking at 10 percent of each department's budget to see where we could possibly make a cut if we had to.

Chairman Jasper appreciated that. I think Selectman Nadeau I think we're all on the same page. This is the message we sent out. We're looking for zero. In the perfect world, all other departments come in with a zero increase and all the other factors come together and everything is a zero factor, we look at our revenues. All our revenues come in exactly as they did before. It balances out. We look at the budget and its 519 we go home. We don't even look at the 10 percent list. Don't worry, that's not going to happen. I know you'd hate to miss out on that exercise. I could just see the look of despair. That's what it would be. Then the 10 percent, we wouldn't even talk about it.

Selectman Luszey indicated that we're not keeping the same level of service. Tonight we just approved the awarding of a contract for waste management that lessens the level of service that we're providing to this town. That is to maintain our spending level.

Chairman Jasper said in a perfect world. I've never lived in a perfect world and I've never lived in a perfect town. This one is pretty close some days. Other days not so much. Hopefully now we've totally confused everyone.

REQUEST TO SOLICIT FUNDS - Humane Society for Greater Nashua

Chairman Jasper indicated that we have a delayed item on Tag Days. It's for a Tag Day Sale for the Humane Society for Greater Nashua.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to approve a Tag Day Sales permit by the Humane Society for Greater Nashua.

Chairman Jasper indicated that this Tag Sale will be held at Market Basket in Hudson on October 22nd from 9 a.m. to 3 p.m.

Vote: Motion carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - Thank you. I found out today that one of the items that the Board of Selectmen asked to have happen is moving forward. Being able to get a permit and pay for it one location is now on line. If you come to the Community Development Department, you can get a permit. If you still want to go to any of the other departments and have discussions, of course we want to foster that. Again, the concern of having to write 3 checks in 3 locations has hopefully been solved. I know that the Assistant Town Administrator will come in with a report. I wanted to let people know that we do talk about a lot of stuff and we actually do some of them. This one is almost accomplished. I know that they have also had meetings on the combined dispatch. That is also going somewhere. That's all I have tonight.

Selectman Coutu - I want to say that I don't know if you received a notice but YouTube on the internet and you type in Alvirne High School Band, there's a beautiful production of Alvirne High School Band having done the half time show at Gillette Stadium for the New England Revolution. I watched it today in its entirety. You talk about a group of young kids making this town proud. You have to go on line and you've got to watch this production both from HCTV - they sent volunteer camera operators and they have it up high in the bleachers looking right down on the field looking at their formations and what they did. They have a close ups of the kids as they are marching by. Especially in this past year, there have been so many good things about this small little town of Hudson. We have a Cal Ripken league with some 13 kids going down to Florida representing this small little town in a world competition. We have Alvirne High School Band marching down to Gillette Stadium at half time at a nationally televised sporting event. We have the 9-11 monument, which is a significant impact to this community and to the region as a whole. I just wanted to make mention that just looking at that, my wife was watching it with me this afternoon at the store between customers, and you look at their uniforms and they way they present themselves. It's so professional and it's so great to see something like that.

In terms of what everyone else expects me to do this evening, there is an appropriate time - I took notes - there's an appropriate forum, and I will take advantage of that. I'm going to conclude my remarks for this evening. Thank you Mr. Chairman.

Selectman Nadeau - First thing I have some great news about Benson. The play structure will be complete this week. We will be having a ribbon cutting ceremony on October 16th at 2 p.m. for the playground at Benson Park. Hopefully they'll have a lot of things worked out over there by then. One of them is I'd like to thank, again, the volunteers from Benson Park Committee. They helped very hard in putting this play structure together. They volunteered a lot of their time.

Chairman Jasper indicated he was going to do this to Selectman Nadeau now so hopefully you don't do it again. Get rid of the apostrophe s. It's Benson Park.

Selectman Nadeau thanked them and the Highway Department. They also supplied the food and drinks for the people doing that. The other thing is on the recreation part of it, there's a 5th and 6th grade dance which will be held this Friday, October 14th, and it is from 6 p.m. to 9 p.m. at the Community Center. The next one is Comedy Night, which will be November 12. Tickets will be on sale at the Town Clerk's office and the Recreation Center.

The parking at Benson Park is becoming a real problem over there especially on the weekends. I know that it will be coming to hopefully a slowdown in the season as soon as the snow starts flying. Friday, Saturday and Sunday this weekend they were parked on both sides of Kimball Hill Road. They were parked on Bush Hill by Flying Rock into that corner, which wasn't good. I don't know if the lower parking lot is open down below. I saw the saw horses across it but I didn't go in down there. I don't know if we can open that.

Here's the solution. Chairman Jasper said as soon as you want to direct the Highway Department to grub out some more of the area, the kiosk would have to be moved. We have about 100 feet, I think, before we run into the wetland mitigation area that we can use for parking. Whenever the Board says Kevin when you find the time, expand the parking lot. That's the solution. Selectman Coutu said to let's do it.

Selectman Nadeau said that was fine but can't we just move those rocks and park down below for now. Chairman Jasper indicated that was the wetlands mitigation area. It's not really a parking area. It's not a permanent solution. I would say that..Selectman Nadeau said it might not be a permanent solution but I think it's a good temporary one at least for the next 3 or 4 weeks to get the cars off the road. Selectman Maddox said that Kevin has a number of things to do. I think the saw horse moving would solve the problem. You're right, we need to expand it at some point and probably put some handicapped parking down at the lower parking lot. I think there's a number of things we need to look at. To solve the problem of people wanting to go in and take a look at leaf peeping throughout the park, the saw horses I think are the solution for now. I don't think Kevin can get to that this week.

Selectman Luszey asked if we do, are we in any violation. Chairman Jasper thought we are. The other problem is that there are trails that are then accessible that people could be driving vehicles on. It's one thing when we've had events and it's opened up because there is control. When you just open that up, you have the trails that go out into the rest of the area and we have no control of being able to keep motorized vehicles off of there. That is not a solution unless you want to have a parking attendant out there.

Selectman Nadeau indicted we have no motorized vehicles in the area in the park. The signs are out on 111. We have police officers that have those 4 wheelers that do enforce the rules. I think that this is a temporary thing that can be fixed. If you don't want to move the saw horses, that's fine. Chairman Jasper will take a look in there this weekend. I haven't seen it. I wasn't there this weekend. I haven't seen it on a normal weekend when all the parking was utilized. The other thing that we can simply do is the parking lot is not utilized to its fullest degree because we don't have a center barrier. If people were parking, it was designed for a double lane down the middle and is not being used that way. Selectmen Nadeau and Maddox said it was this weekend. They were double parked in the center.

Selectman Coutu did have several people come into the store and tell me they went to the park this weekend and they did have to park out on the road. They thought it was kind of dangerous. I think it's not unreasonable to request that temporarily the Benson Park Committee should look at what can be done in the future. For a couple of weekends like he said for leaf peeping or something, I understand it's borderline. I understand that there are trails down there. I can see where somebody can pull in with a four wheeler, unload it, and take off. By the time we call the police and get them down there, god knows what kind of damage they can do. I think on the weekends especially where there are a lot of volunteers in the park almost every weekend that they would be vigilant. They'd hear it. They'd make an appropriate call. I think we do need a temporary fix at least through this year and then maybe Benson Park can or we can look at what we can do in order to make available more parking. That area that you and I had looked at originally, we said we could expand out to Bush Hill Road on one side and then we could do more clearing there. We'd have to sit down with Kevin and see what's feasible, what can be done, and maybe we could tackle that first thing this spring when he puts the men in there.

Selectman Luszey thought we're going to need to address it sooner than later because the playground is going to be opening up next weekend, which is another draw of a whole different population. Chairman Jasper asked who do you want to direct to do what. Selectman Luszey was with Selectman Nadeau now. I think we could move the saw horses a little bit and maybe get another row. Selectman Maddox stated that maybe they could ask Kevin to put some rocks that are in those piles down there. I think they have some rocks piled up - blocking those concerned areas that you have. Mr. Malizia said to move the saw horses in front of the trails. That would keep some of the people out. At least they'll pause before they drive through them. Selectman Luszey thought they were only talking 2 weekends possibly 3. This weekend they're opening up the playground, which is going to be a big crowd and then the weather is going to turn bad.

Chairman Jasper thought, and Kevin may have some good weather in the fall when he doesn't have things to do. It could go into December that what we ought to do is direct him to expand that parking lot then. Move the kiosk and expand the parking lot. I think ultimately we're going to have to deal with paving that because of the slope there.

Selectman Coutu thought that in light of the work that you've already done there in terms of directing especially in the parking area you've done it. I'm certainly not adverse. I don't think any member would be adverse for you to go out there with Kevin and look and see what can be done and get it done.

Chairman Jasper said there's an area that is level that accommodates some handicapped parking in there. Whether that gets done in the spring or the fall. Selectman Maddox was thinking where the kiosk is there's a pretty flat area there. Chairman Jasper said that's the area that has the parking lot has to expand down there. There's about 100 feet I think. We'll have to look with Gary at how close we can go with the parking down there before we get close to the wetland buffer. We'll look at what the line is and stay 50 feet back from that. That's where we can expand the parking. The parking lot would continue to go down the hill. The kiosk would get moved right over next to the walk in gate. The funny thing is I knew that's where it should go but when we did it, you couldn't see the gate from any place in the parking lot. That's why things have been cleaned up so much in just a year.

Thinking out a little bit, Selectman Luszey said when we first go down there we have the sign that says "future home of the dog park". Do we have enough space down there to build a parking lot that's going to accommodate the volume that looks like we're going to...Chairman Jasper thought the other good thing is that when we get the senior center/cable, there's going to be more parking there, which is for the most part going to be off peak for them. There would be a lot more parking. I think ultimately if people are double parking the right way, that's probably it. Selectman Coutu said especially on the weekend. That will be wide open with the exception of whatever production company is going in maybe on a Saturday to do a television show. All of that parking lot is going to be available. That should be paved and marked. Selectman Luszey thought that would help a lot having it marked out.

Chairman Jasper said they're just going to have to take this as it comes and figure out - we've already doubled the size of the parking lot from when we first opened it. Another 100 feet will probably take care of a lot of it. I'd like to say things are going to level out, but I think this park is going to become better known pretty much constantly. It's going to be pretty busy. We'll have to deal with it.

The problem with the volunteers, Selectman Coutu said they're doing too good of a job. It's attracting way too many people. Massachusetts plates this weekend, there were a lot of them.

Selectman Maddox said that there was a couple rebuilding the overlook stone wall. They're from Londonderry. Selectman Nadeau said they have an adopted spot up top too by the elephant barn. They're doing a great job. The other thing when you're out there with Kevin, the gates on Kimball Hill Road - the gates where you turn in - the main parking gates. We have to do something over there. You can't pull in and the cars are stacking up out on Kimball Hill Road to turn in. If the driveway was as wide as it should be where it is paved, we'd have no problem. I think the gates up top either have to be removed and moved down below or...Chairman Jasper had that discussion as well. Once the senior center goes in, those gates will go away. Part of the problem is there's a lot of brush that still needs to be removed from Kimball Hill so that the police can look in there. The other part is the section of fence right along the parking lot. You can walk over it. If we don't have the gate there and don't close that off, we're never going to close the park. That section of fence probably next year will be replaced. The only other thing we could do, because I think it's important until we get all of these things under control that we have the ability to close off that parking lot. Otherwise, we're going to have people in there all the time. We could take another set of gates, put a post in the middle, and have two gates there. I don't think it's that bad at this point. I think next year...Selectman Nadeau said it was something to look at. Chairman Jasper said they're looking at it. I expect that next year probably we will be looking at removing those. We just have more work to do until we have things in good enough shape to take it out.

Selectman Luszey - I'm going to add to the Benson saga this evening. I had 3 individuals stop at my house since our last meeting and comment on what a fantastic job people have done with that piece of property. Two of them were out of town. One of them was a local that quite frankly saw no need for us doing anything at Benson until he went there. Now we have as he put it a place for him and his wife to take a leisurely walk. So great job and let's keep it up. Thank you.

Selectman Jasper - I'm going to keep on there for a few minutes. Several of you gentlemen certainly put me through my paces on that. I hope you've seen now maybe I didn't articulate my vision that I saw but I'll tell you, the volunteers in there have taken that way beyond what my vision was. We're certainly years ahead of where I thought we would be at this point. I continue to be amazed at what's gone on there and what the volunteers have done and what the Highway Department has accomplished in there. I wanted to let you know before we had opened the park I had taken my Dad in there for a ride in there. We had the area cleaned up down by the A-frame at that time and we saw the rest of it. I had the opportunity, it was the first time he'd been out of the house since May, we were out and it was a beautiful day a couple of weeks ago. I took him in there. We went around the park. He was just amazed. My Mother was as well. She was really encouraged to see there was still such a sense of volunteerism in the Town that people still really cared about the Town and doing things. She's been here 53 years. My Dad of course has been here for his whole life 89 years. So they were impressed with that. The next day my Dad that was the best present I could have given him taking him into that park to see what was going on. That was very gratifying.

I was in there today and I would recommend, don't push any little kids out of the way but go up on the high point of the playground. There's a little building up top and you can see over it. It's amazing to stand there and to see the whole park. It gives you the feeling like you're up 30 feet in the air when you're really not but because of the way it overlooks everything. It

is just incredible what's gone on there. For those nay sayers who still drive by and see the train station and the elephant barn and thinks that's the park, continue to think that. We don't need any more people in there.

To tag on to what you said about the Alvirne Band, I had the opportunity to go to the Salem Band show this past weekend. I don't know how many bands there were in from around the region. Alvirne was really second to none. I will say Pinkerton was a lot of fun. They had a great show but in terms of technicians, the movement on the field, the quality of the music, Alvirne was really second to none. There were 180 kids. It's just amazing what they can do. All the kids from all the bands around and the work that they put into it. They were at Alvirne before noon time and they practiced in the afternoon. They got over there. They were gone from home 13, 14 hours for this show. Alvirne didn't go on until 10 p.m. It's a real testament to the instruction and level of dedication of those kids.

10. NONPUBLIC SESSION

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

Nonpublic Session is being entered at 9:50 p.m., after a 10 minute recess, 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 10:22 p.m.

Motion by Selectman Coutu, seconded by Selectman Maddox, to hire Catherine Brown as the HCTV Production Assistant at the rate of \$11.00 per hour and will be classified as a "Regular Special Shift Employee" for 20 hours per month, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Maddox, to hire Christopher McIntosh as an HCTV Camera Operator at the rate of \$11.00 per hour and will be classified as a "Regular Special Shift Employee", carried 5-0.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to seal the minutes, carried 4-1. Selectman Maddox in opposition.

11. ADJOURNMENT

Motion to adjourn at 10:25 p.m. by Selectman Coutu, seconded by Selectman Maddox, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Shawn Jasper, Chairman

Richard J. Maddox, Selectman

Benjamin J. Nadeau, Selectman

Roger E. Coutu, Selectman

Ted Luszey, Selectman