

HUDSON, NH BOARD OF SELECTMEN  
Minutes of the April 12, 2011 Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of April 12, 2011 at 7:03 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman Maddox.
3. ATTENDANCE

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

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Kathy Carpentier, Finance Director; Kevin Burns, Road Agent; Cheryl Cummings; Mark Leach; Lori Vallante; Tara Higgins

4. PUBLIC INPUT

Chairman Jasper asked if any member of the public wish to comment on any matter before which the Board has jurisdiction.

Matthew Rodgers - 11 Gabrielle Drive. First of all he'd like to thank you for letting me speak. Please bear with me because I'm not a public speaker. On Friday, March 25<sup>th</sup>, the ex-police captain of Hudson was found innocent of all charges by a jury. Because of my address, I have followed this case from the beginning going back a year and a half ago. As a taxpayer, I would like to know what this has cost the Town of Hudson and police man hours? At the State level, I am sure a year long investigation and a two week trial is not cheap. So in reality, this not only cost the Hudson taxpayers but also the taxpayers of the State of New Hampshire. I am very concerned how this was handled by the Police Chief's office. In retrospect, this should have never got this far. It has cost reputations and a lot of taxpayers' money. I fully support the exception men and women of the Hudson Police Department who go above and beyond every day. With that being stated, I do not support the current Chief due to lack of leadership and management skills. This was a major, major debacle which again has cost the taxpayers. I would respectfully ask the Board to consider requesting the resignation of the current Chief of Police. Thank you for your time.

Chairman Jasper said often they do not comment, and I am going to make some very brief comments relative to that. He thought there obviously is concern out there. People need to know number one - the issues that were brought to the courts were based on investigations done by the Attorney General's office. The prosecution was done by the Attorney General's office not by the Hudson Police Department. He will leave it at that unless any other member of the Board wishes to say any more. He can safely say that the Chief of the Town of Hudson Police Department has the support of the Board of Selectmen.

Chairman Jasper asked if anyone else had some comments they wished to make before the Board at this time.

5. NOMINATIONS & APPOINTMENTS

- A. Building Board of Appeals - (1 vacancy, member term to expire 12/31/13)

Cheryl Cummings  
Mark Leach

Cheryl Cummings - 618 Fox Hollow Drive. Chairman Jasper asked Ms. Cummings to tell the Board a little bit about your background and why you'd like to be appointed to the Building Board of Appeals. Ms. Cummings said she actually became aware of my town and all the beauty, safeness, and everything about this town is wonderful. I have two young children now. That's where I really started noticing these things. Before that, it was just a place to live. I'd like to be involved and learn more about the process of really every avenue that it takes to become the community we are. I think it's a good community. It's a great place to learn. I am going for my MBA currently in general business administration. I feel there are some things that I maybe qualified to help you out with certain things.

Selectman Maddox said this was remarkable that we have two people applying for the Building Board of Appeals. With that said, unfortunately I believe it's by Statute that you have to have building construction type of experience for this position. If there ever was an appeal to have the work set for judging those. I think there's a very limited criteria isn't there Mr. Chairman if I remember my...that's Chairman Jasper's recollection as well. Moreover, you want to learn about the Town. This Committee goes years without meeting. I would certainly ask you to keep your eyes open to see what other vacancies on other Boards open up. There probably will be some but I believe that Selectman

Maddox is correct and we would probably be unable to appoint you to this Board. Ms. Cummings said she didn't research that.

Selectman Luszey said there is an opening on the Budget Committee right now. Ms. Cummings said that would probably be more me. I'm not a construction type. I can paint. Thank you very much. Chairman Jasper said that will be advertised in the local papers. Selectman Luszey said it was in this past Thursday's paper.

Selectman Coutu asked Ms. Cummings where she is as a water and billing clerk. Ms. Cummings said she works at Pennichuck Water full time.

Mark Leach - 20 Maple Avenue, Hudson. I'm basically interested and I've done this in Laconia for 6 years. I know it's not going to be taxing on my time. We met once in 6 years on Laconia. I recently purchased a home in Hudson. I've been living in Nashua and Laconia. I'm interested in getting back into it again. I'm a licensed Master Electrician. Self-employed. Owner of Raceway Electrical Service. Extremely familiar with NFPA70 National Electrical Code, BOCA Codes. I've been in construction for over 30 years.

Selectman Maddox would ask the question if you've been to a meeting but that's not the case. This I think is where unfortunately for the last applicant, it is a requirement they have some experience. This is the kind of person we'd be looking for.

Chairman Jasper wanted to thank Mr. Leach for applying. Before he changes his mind, I think perhaps we ought to waive our procedure and make the appointment. Mr. Leach understood that the seat has been empty for a while.

*Motion by Selectman Maddox, seconded by Selectman Luszey, to suspend the rules and nominate and appoint Mark Leach as a member to the Building Board of Appeals with a term to expire 12/31/2013, carried 5-0.*

Selectman Maddox asked if he needed to be sworn in for this one right. Chairman Jasper wasn't sure. Selectman Coutu didn't think so.

B. Energy Committee - (1 vacancy, member term to expire 12/31/2012)

Lori Vallante

Lori Vallante - 7 Clark Street. Chairman Jasper asked to tell us a little about yourself and why you'd like to be a member of the Energy Committee. Ms. Vallante said right now I'm in school full time. I'm getting my Bachelor's in environmental studies. I've always been really interested in sustainability. When I saw the opening I thought that that would be a nice place to start. I think that I can learn a lot there. I think that I could also contribute a lot as well. That's my motivation.

Selectman Coutu asked if she's attended any meetings or seen them on television at all. Ms. Vallante said no she has not. Selectman Coutu said your degree is going to be in environmental studies correct. How far along are you? Ms. Vallante said she has a little bit more than a year to go. I go on line and my classes are all 5 weeks long. It moves along pretty fast. Selectman Coutu said you feel that with the courses you've taken so far that you're well equipped to be a contributor on that committee. Ms. Vallante thought so.

*Motion by Selectman Nadeau, seconded by Selectman Coutu, to suspend the rules and nominate and appoint Lori Vallante as a member to the Energy Committee with a term to expire 12/31/2012, carried 5-0.*

6. CONSENT ITEMS

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

Selectman Coutu said he had a question on one item. If it doesn't need to be removed, then we won't remove it. Please look at 6. A. 3. please which has to do with a Disabled Veteran Tax Credit. The only reason why he's questioning it is because there's a dual motion required, can we just put it in with consent or would we have to deal with this one separately. I've never seen one with dual motion requirements. Mr. Malizia pointed out that it does say with recommendation to rescind denial and approve. So it does get covered. Selectman Coutu said he had nothing.

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

A. Assessing Items

- 1) Elderly Exemption Application - Map 182, Lot 117; Map 156, Lot 063, Sub 120; Map 165, Lot 141, Sub 136; Map 147, Lot 022, Sub 014; Map 156, Lot 063, Sub 027; Map 178, Lot

- 013, Sub 061; Map 175, Lot 132; Map 191, Lot 081; Map 179, Lot 001, w/recommendation to approve
- 2) Disabled Exemption Application - Map 197, Lot 189, Sub 001; Map 174, Lot 114, w/recommendation to approve
- 3) Disabled Veteran Tax Credit - Map 156, Lot 063, Sub 061, w/recommendation to rescind denial and approve
- 4) Veteran Tax Credit Applications - Map 162, Lot 057, Sub 001; Map 149, Lot 009, Sub 002; Map 177, Lot 005, Sub 035; Map 183, Lot 009; Map 197, Lot 191, Sub 001; Map 140, Lot 054, w/recommendation to approve
- 5) 2010 Tax Abatement - Map 162, Lot 82, w/recommendation to approve the adjustment
- 6) 2010 Tax Abatement - Map 165, Lot 151, w/recommendation to deny
- 7) 2010 Tax Abatement - Map 197, Lot 43, w/recommendation to deny
- 8) Current Use Lien Release - Map 105, Lot 17, w/recommendation to approve
- 9) Disabled Veteran Tax Credit - Map 183, Lot 009, w/recommendation to approve

B. Water/Sewer Items

- 1) Water Abatement, W-UTL-10-18, 323 Derry Road, M/L 170, 036, w/recommendation to approve
- 2) Sewer Deferral Lien Releases - Map 138, Lot 33, w/recommendation to approve

C. Licenses & Permits

- 1) Raffle Permit by Alvirne High School OnStage

D. Acceptance of Minutes

- 1) Minutes of the March 22, 2011 Meeting

E. Calendar

04/13 7:00 Benson Park Committee - Landscape Subcte - BOS Meeting Room  
04/13 7:00 Planning Board - Community Development Meeting Room  
04/14 6:00 Sewer Utility Committee - BOS Meeting Room  
04/14 7:30 Zoning Board of Adjustment - Community Development Meeting Room  
04/18 7:00 Energy Committee - Community Development Meeting Room.  
04/19 7:00 Cable Utility Committee - BOS Meeting Room  
04/20 5:00 Water Utility Committee - BOS Meeting Room  
04/20 7:00 Council on Aging - Community Development Meeting Room  
04/21 7:30 Budget Committee - Community Development Meeting Room  
04/21 7:00 Benson Park Committee - BOS Meeting Room  
04/25 7:00 Recycling Committee - BOS Meeting Room  
04/26 7:00 Board of Selectmen - BOS Meeting Room  
04/27 7:00 Benson Park Committee - Landscape Subcte - BOS Meeting Room  
04/27 7:00 Planning Board - Community Development Meeting Room  
04/28 3:30 Trustees of the Trust Fund - Community Development Meeting Room - CANCELLED  
04/28 7:30 Zoning Board of Adjustment - Community Development Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on March 22, 2011

- 1) *Motion by Selectman Coutu, seconded by Selectman Jasper, to hire Shane Michael Collins as a part-time Telecommunication Technician at the Police Department at a rate of \$16.78 per hour effective March 27, 2011 according to Police Union Local #3657 effective July 1, 2009, carried 5-0.*
- 2) *Motion to adjourn at 9:18 p.m. by Selectman Jasper, seconded by Selectman Luszey, carried 5-0.*

B. Votes taken after Nonpublic Session on April 5, 2011

- 1) *Motion to adjourn at 9:21 p.m. by Selectman Coutu, seconded by Selectman Maddox, carried 5-0.*

C. Plan for 9/11 Memorial at Benson Park

Chairman Jasper recognized Selectman Coutu.

As you know Mr. Chairman, Selectman Coutu said this was brought before the Benson's Committee and this is as a result of a positive vote by the Benson's Committee to approve this project and to move forward. Captain Dave Morin of the Hudson Fire Department is the Chairman of the Committee and he has put together a group of private citizens and he also has the support of both the Fire and the Police Chiefs who have some volunteers involved in the project. We have an engineering company who is working with us. The total cost of this project if we were to pay for it from the first pebble to the installation of the steel would cost us in the vicinity of \$138,000 to erect and complete the monument. Time is of the essence. We're still awaiting word from New York when the steel would be available. We've been approved for steel. I had hoped to have a picture here this evening of the conceptual drawing by the engineers. It was presented to the Benson's Committee. In my conversation with Dave tonight the reason why he's not here is that there's an award being given out tonight to the Fireman of the Year at the Grange. I suggested that he should be there to show support for a fellow fireman and I would make the presentation.

Selectman Coutu said the concept of this memorial is that it is dedicated to the memory of all those people who lost their lives on 9/11. Hopefully we will have a piece of steel big enough that we'll be able to cut in half and we will erect to represent the Twin Towers. There will be a granite monument in the shape of a Pentagon surrounding the Twin Tower monument and there will be a field of Poppies to represent the field in Pennsylvania. We did a scout of the land at Benson's. We selected a parcel. We met with the Benson's Committee. Chairman Jasper was there. Benson's Committee entertained us the following evening at the Benson's Committee meeting and they approved the site. I wish it had been unanimous but it wasn't. Two people voted no and one abstained, which upset me. Be it as it may, it was approved by the majority of the Board. We're asking your permission this evening to allow us now to proceed to clear the land and get it ready so that when the steel comes in we can be in full tilt and we can hopefully have this monument dedicated on 9/11 of this year. The 10<sup>th</sup> year anniversary of the tragedy. I'll answer any questions as best I can.

Selectman Maddox said he wasn't watching Benson's meetings so could you just fill us in where it's going. Selectman Coutu said as you come out of the main parking lot and you walk in on the paved road down the hill towards the historical section, when you arrive at the end where you have to make a right or a left, there's a piece of land right there that overlooks the lake to the right and the gorilla house to the right. The bottom portion of that land will be the playground that's going to be erected. We're going to be on the upper portion closer to the historical district.

If you don't quite understand, Chairman Jasper said where you found that first pile of debris. As you were looking at that, it would have been to your back. Selectman Maddox was just trying to fill in for the public. Again, I've seen conceptals that they've seen in the past. I'm just making sure that is again where we're going to end up. I know that the playground when they went before the Planning Board I thought there was kind of an overlap. If you're saying that they're going to be separated enough. Chairman Jasper said there will be a good separation. As a result of a recommendation from the Highway Department, Selectman Coutu said when Kevin went out there, there's a Maple tree. The concept of the playground was to build it around this tree. Kevin determined, and if I'm mistaken Kevin speak up, the tree might present some problems. It provided shade and did all those kinds of things but it was quite old and didn't feel that it was appropriate to put this playground around it. What was decided is that the playground will be built on the other side of the tree closer to the main boulevard and the field that monument that we want to erect is going to be on the furthest upper portion of that parcel. So there will be quite an expanse separating both of them. There was some concern expressed about the children's area being kind of close to an area. We wanted to set this in an area where it would provide some solitude and people to be able to go in there and think about the historical events of that day. With the tree plantings that are going to take place and the way this plan is being presented, I think it is going to afford all of the solitude that we would hope.

[Selectman Coutu] The most beneficial aspect of this entire project, besides the commemoration of the day - you know where the Hudson Fire Memorial is and most of our monuments are in areas that when we try to have a ceremony - there's traffic going by. We can't hear each other. This again provides that kind of solitude for us to have a fitting memorial for something that commemorates the first attack on our land and the memories of those people who lost their lives as a result of that attack. I hope you will support it. We have volunteers ready to go in. I did mention up front that the cost of this project would be approximately \$138,000 not counting the steel. Obviously that's being given to us. The engineers have done all the work for nothing and they will continue to work with the project. We expect to have with the exception of maybe \$20,000 - \$25,000 all in kind and donated materials to complete this project. The \$20,000 to \$25,000 that we're going to need is an endeavor of fundraising that we're going to undertake and we expect to have it in hand certainly well before the monument is finished.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to approve the location for the 9/11 Memorial at Benson Park, carried 5-0.

8. NEW BUSINESS

- A. Application for Dance Hall and Entertainment Places of Assembly by Tara Higgins a/k/a J.D. Chasers Bar-N-Grill

Chairman Jasper recognized Tara Higgins. Please state your name and address for the record please.

Tara Higgins and the address is 2B Burnham Road. Chairman Jasper asked for a brief presentation to the Board about what it is you're looking to do. Ms. Higgins said for their entertainment they do have bands that do come in and we'd just like to be able to get the permit in order to have them come. Chairman Jasper asked if this was currently an ongoing business. This is just something you're adding to the existing business is that correct? Ms. Higgins said yes. She just purchased this on the 25<sup>th</sup> of last month. It used to be Linda's Sports Bar. This is my process.

Selectman Coutu asked Ms. Higgins to clarify some things for me Tara. On the drawing that we have that shows a patio area of 900 square feet. Is that an exterior patio? Ms. Higgins said yes. Selectman Coutu ask immediately behind and adjacent to both of that particular parcel what is there. Are there homes back there? Other businesses? Ms. Higgins said in the back no. It's a woody area. This area is fenced in for us and in the back there are just trails, trees, and things like that. Selectman Coutu asked if there were any properties across the street from you. Ms. Higgins said across the street there are some homes. Selectman Coutu asked if it was her intent to every move the music and the bands and karaoke which would be obviously piped in music but moving that out into the patio area. Ms. Higgins said no. The bands are not going out into the patio. We just have that for sitting and things like that. Selectman Coutu said so people can sit outside in the summer time and enjoy the fresh air and smoke cigarettes. That's usually what people go outside for. Selectman Coutu said you want to contain the music entertainment portion inside the building. Mr. Higgins said yes. Selectman Coutu asked if the building was air conditioned. You're not going to have doors opened at night. Ms. Higgins said they are air conditioned. Selectman Coutu asked what are the hours that you would be playing the music. Ms. Higgins said Karaoke is on Wednesdays from 8 to midnight and the bands usually start from 9 p.m. until 12:30 p.m. We close at 1 a.m. Selectman Coutu asked if they have music there now. Ms. Higgins said yes. They always have. Selectman Coutu asked that you're coming before us for what reason if she's already doing it. Mr. Malizia indicated she's a new owner. As a new owner, Selectman Coutu asked if she's been doing it. Ms. Higgins said yes they have.

Scott Kimball, 25 Derry Street, said the State now has a new regulation. We have the seating for 50 inside and 75 outside. That exceeds our persons to over 100. The State Liquor Commissioners requires you have a dance hall permit now if you have occupancy over 100 people. Basically I don't understand their idea because it's inside the building was only 50. Outside with the 75 but that's just a rule change that the State Liquor Commission has come up with and that's why we have to apply for the permit.

To our knowledge, Selectman Coutu said there's been on problems with the previous owner with the music and what not. Mr. Malizia said they've been there for years and we've never heard anything. Selectman Coutu noticed that all of the appropriate signatures are here from the Police. Mr. Malizia said she's personally met with the Chief. She's been with Chief Lavoie. Selectman Coutu said he was satisfied with the request. Thank you.

Selectman Maddox said he was the Planning Board guy. You have 75 seating outside yet that's not on your site plan, correct? This is an addition you've done in the recent past. When Linda's was a sports bar, that patio didn't exist several years ago. Mr. Kimball said several yes. Linda's expanded that two years ago then we had the capacity for 20 people outside. Last year Linda's expanded it to 75. There was a grill outside for cooking. Once it was removed and the plans were resubmitted so the place of assembly permit was 75 outside for over a year when Linda's owned the property. For a year prior to that, it was acceptable for 20 people outside.

Selectman Maddox was surprised that Zoning said it was okay to expand by 150 percent of the occupancy outside without any parking and all the other things that go on. I'm kind of surprised that this is the way it is. Chairman Jasper said he would be surprised if I was you too but you may want to take that up with the Zoning Administrator. However, we have all the appropriate signatures and that's not in our bailiwick at this moment.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to approve the Application for Dance Hall and Entertainment Places of Assembly by Tara Higgins a/k/a J.D. Chasers Bar-N-Grill, carried 4-1. Selectman Maddox in opposition.

- B. Acceptance of donation of a Tanaka Water Pump valued at \$275.00 by DR Power Equipment for Benson Park

Chairman Jasper indicated that the person he was supposed to recognize is not here, however I have been informed of what this is about. This is a small water pump. As you know our water distribution system at Benson Park is non-existent other than the hand pump down near Swan Pond. The hope as long as there is water in the pond near Bush Hill Road to be able to draft water up to the top of the hill and fill a series of barrels so that people who are tending to the flower gardens up near Storybrook Hill will have access to water. This has been offered to be donated.

Motion by Selectman Luszey, seconded by Maddox, to accept the donation of a Tanaka Water Pump valued at \$275.00 by DR Power Equipment for Benson Park.

Selectman Luszey asked if the pump was big enough to drive the little river by the shoe. Chairman Jasper said he didn't know. The one that the Fire Department has would probably be sufficient. That's something we could try with that one. I'm not sure if it pushes that much volume looking at it based on the price of the one from the Fire Department. I think this is a very low volume. Selectman Maddox thought that's what it was when he saw this paperwork. Selectman Nadeau said the Fire Department's is about \$1,000.

Vote: Motion carried 5-0.

C. Request to fill two Seasonal Laborers in the Highway Department

Chairman Jasper recognized Road Agent Kevin Burns.

Good evening. Mr. Burns said these are the two part time seasonal laborers. We got approved last year to hire them for 12 weeks. I only hired them for 8 weeks so that I would have 4 weeks left over for the beginning of this summer. This year the 4 weeks from this fiscal year and 8 weeks from next fiscal year I hope to have them for 12 weeks during the summer period - June, July and August.

Motion by Selectman Maddox, seconded by Selectman Luszey, to authorize Road Agent Kevin Burns to post for two seasonal laborer positions in the Highway Department for the 2011 summer, carried 5-0.

D. Bid Recommendation - Replacement of Three Plow/Dump Trucks

Chairman Jasper recognized Road Agent Kevin Burns.

Mr. Burns submitted a letter a while ago to Kathy Carpentier. She made a recommendation. Without basically reading my letter, I'm recommending that we purchase the Mack trucks which are not the low bid but they are the second low bid but they are the lowest bid that meets specifications.

Selectman Coutu said because that statement was made I want to make sure that the viewing audience understands the process by which we're purchasing these dump trucks. This is not a small sum of money. I read your remarks and I also read the bid process. I want the listening audience to know that yes indeed the bid from the company he's recommending and the trucks that he's recommending certainly is not the lowest bidder but were not by a significant amount of money. Most importantly is that the company that was the lowest bidder, and I think that's very appropriate that you submitted the information packet that you provided us, are untested. These are trucks that are made in Mexico and not in the United States unlike the ones we were going to buy. They have no history in this country of providing vehicles to do the kind of work that you're requiring our trucks to do in this town. This was a no brainer Kevin. I'm usually very objective when people don't go to the low bidder. In this case, I certainly wouldn't have either. I think it was a wise choice and I think it's going to be money well spent. It's time for new equipment and I will be supporting the motion to approve the purchase based on the bid recommendations you provided. Thank you.

Motion by Selectman Maddox, seconded by Selectman Coutu, to award the bid to McDevitt Trucks, the lowest bidder that meets the bid specifications, for three (3) Mack Granite GU713 wheel dump trucks equipped with plows, sanders, and dump bodies at the net bid price of \$490,480 plus interest for a five-year lease purchase as recommended by the Road Agent and the Finance Director.

Selectman Maddox agreed with Selectman Coutu. I read your 3 page in regards to and I think the one that hit me the most Mr. Chairman was that the frame on the lowest bidder did not meet the specification. It had a double not a single frame. The real question was is corrosion. Mr. Burns and his staff squeeze every year out of those trucks. If we're going to give him a truck that he is going to try to get in his Memo 20 plus years out of, this would be a serious problem down stream. The few extra dollars that we are spending over the minimum bid I think is going to be well worth it based on - again my decision was based upon the Memo that you sent out.

Chairman Jasper thanked Selectman Maddox. The Chair would just state that when looking at the entire length of the lease the difference is less than \$6,000. I would concur that Freightliner is not the chassis I would want to have under the plow truck. At least certainly until we have a little better history. I don't want to see us be the experiment on how well this would work. We know the history of Macks very well and they've served this Town well.

Vote: Motion carried 5-0.

E. Extension of the Current Town Wide Paving Contract Extension

Chairman Jasper recognized Road Agent Kevin Burns.

Mr. Burns said he was surprised he's here with this. I normally will call the company and ask them if they want to extend but they actually called me. With the prices at the pump, I didn't expect this. They are offering to extend last year's prices into this season until August 15<sup>th</sup>. We only have \$325,000 so I have no problem spending that by August 15<sup>th</sup>. They were low bidder last year by \$51,000. The second low bidder has already notified me that when they open their plants their prices are going up \$3 a ton this year. I think it would be prudent to lock in with our current contractor for the extension and get the work done by August 15<sup>th</sup>.

Selectman Coutu said another no brainer Mr. Chairman.

Motion by Selectman Maddox, seconded by Selectman Coutu, to extend the Town Wide Paving Contract with Brox Industries, Inc. from June 30, 2011 until August 15, 2011 as recommended by the Road Agent and the Finance Director.

Selectman Luszey said it may appear to be a no brainer but today oil dropped almost \$4 a barrel. They are expecting, although talking heads on the finance channels for that price of oil to go down to the \$80 a range. Do you recall what it was back in August. Mr. Burns said he didn't but this bid was probably put out last May. Selectman Coutu said you have deal with the realities of the day in the bid processing. Selectman Luszey said it was the roll of the dice. I agree with it. Chairman Jasper said last May the fuel prices were at least \$1 less so even if they go back down, which there are other people saying its going to move the other way. Mr. Burns said even the trucking costs have got to be up significantly from what fuel was a year ago until today to the run paving machine, the rollers, the dump trucks, the milling machines.

Vote: Motion carried 5-0.

F. 2011 Larval Mosquito Control Program Contract

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said the larvacidal program for those in the viewing audience; we've been doing this for 5 years. This would be the fifth year. What it is basically is trying to get ahead of or stay on top of West Nile and EEE viruses. Part of the program is to larvacide or try to get to the breeding grounds ahead of time to prevent or minimize whatever the mosquito breeding process is. The other part is for testing purposes. This budget was approved for \$20,000 this year as it has been for the last 4 previous budget cycles. We've been with this contractor for the 4 cycles. This would be the 5<sup>th</sup>. They know the area. They've mapped out the places. It's a chicken and egg. We haven't had any hits that we're aware of. Apparently it's either working or the problem has been mitigated somehow. You're hard pressed maybe to not do it because if you don't, we don't know if it's going to come back. Bottom line if we're looking to go with this vendor again in the sum of \$20,000 for lavarcing and mosquito trapping and testing.

Motion by Selectman Luszey, seconded by Selectman Maddox, to award the contract to perform the annual Larval Mosquito Control Program, including mosquito trapping and disease testing, to Municipal Pest Management Services for the period of April 1, 2011 and September 30, 2011 in two installment payments of \$10,000 each (due July 1, 2011 and October 31, 2011). Said funds will be paid out of Account 5582-252 - Other Professional Services.

Selectman Luszey said it was a cheap insurance policy.

Vote: Motion carried 5-0.

G. Acceptance of donation by the Greater Nashua Mother's Club in the amount of \$120.00 to be put into the Recreation Donation Account

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia would recommend you accept this. I believe this is from the tot playgroup that meets at the Oakwood facility once a week. Moms and young children take advantage of getting together and socializing and they've offered a donation of \$120 for the Recreation Department.

Motion by Selectman Coutu, seconded by Selectman Luszey, to accept a donation by the Greater Nashua Mother's Club in the amount of \$120.00 to be put into the Recreation Donation Account, carried 5-0.

H. Acceptance of donation by Lifetouch National School Studios in the amount of \$1,038.01 to be put into the Recreation Donation Account

Motion by Selectman Luszey, seconded by Selectman Coutu, to accept a donation by Lifetouch National School Studios in the amount of \$1,038.01 to be put into the Recreation Donation Account.

Mr. Malizia said there are probably 600 to 800 kids that play basketball. This is the company that does the photocards and what not for the kids. They generally make a donation after they go through that process. I recommend you take this. Selectman Coutu was wondering who they were. Mr. Malizia said everybody wants a basketball card of their kid.

Vote: Motion carried 5-0.

I. Recommendation - Financial Audit Services

Chairman Jasper recognized Finance Director Kathy Carpentier.

Ms. Carpentier comes before the Board this evening to ask for their recommendation to award the Financial Audit Services to Plodzic & Sanderson for the fiscal years of 2011, 2012 and 2013 and also to waive the bid requirement for going out for the town auditors. We had a history in 2007 where we went out to bid, sent a package to 5 interested vendors and only one replied. At that point, the fees went up. We are in a position right now that Plodzic & Sanderson with the diligence of me and my staff has been able to cut the price that they're charging us. The actual cost for fiscal 2010 which we just closed was \$42,000. As you can see on my bid recommendation here, they're going to do \$36,000 for fiscal 2011, which is a 7 percent decrease. We currently have \$45,000 budgeted. I think this is a good deal. I think it's important to stay with the same auditors because they have what I call "tribal knowledge". They know the Town of Hudson better than I, better than some of the people in this room. It's a good sharing of knowledge. What is good though is that Steve Plodzic had been the auditor for many, many years here. He has retired and one of the directors new to the Town of Hudson, Cheryl Pratt, has taken on the Town of Hudson. So it is a new fresh look, which is also good. It gives us some diversification. With that, I'll ask for your recommendation or discussion.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to waive the bidding requirements and award the contract to Plodzic & Sanderson for Financial Audit Services for fiscal years ending June 30, 2011, 2012, and 2013 as outlined in the Memo dated April 1, 2011 from Plodzic & Sanderson as recommended by the Town Administrator and the Finance Director.

Not to look a gift horse in the mouth Mr. Chairman but Selectman Maddox said they've talked about the GADSB or whatever it is there. We've always never and got there. Since we have \$11,000 in this line item more than we had expected, is this something that we should even at least look at. What would it cost over the next 3 years to start that process? I know, again, because there's money in that account that we weren't expecting here is maybe the time to at least look at it. I'm asking if we can find out what the price would be to start moving that forward.

Ms. Carpentier said it wasn't a cost to the Town because I know this the Board's feeling was not to spend money to become GASB 34 compliant. We were able to work some of the financial statements. If you were to look at the audit reports year over year, they're set up a little bit differently. Some of the things we still are not doing, so we're not in compliance completely is the fixed assets and the depreciation. I definitely can do that. It has not been the will of this Board to get a quote. A financial clarification, in fiscal 2011 because there's always a one year lag, we saved \$3,000. So I have \$3,000 in fiscal 2011 budget. I'll have \$9,000 in fiscal 2012.

Chairman Jasper didn't think particularly in these financial times it's worth it. We've talked about the fact that the only real need to do it is if we were looking to do a bond and there were other factors. I just don't see that there is any benefit to the taxpayer at this particular point. As a matter of fact, I'd say it was a negative by spending that money.

Selectman Luszey said given that you're staying with the same auditors and having been an auditor in a previous life of mine, do we ask for different auditors to come in each year or is it the actual same person because you use the language tribal knowledge. Usually to me that is the same person coming in and taking a look at the books or does the firm send in other people? Ms. Carpentier said they rotate in others. The person in charge, which was Mr. Plodzic himself, was a constant and I think one other person has been a constant in the 10 years that I was here. He'd been to every single one - Jay Plodzic. So Jay will probably be back. Cheryl is new but even in the two weeks that they're here, people are coming and going. Different people have different expertise whether its motor vehicles, tax collector.

Mr. Malizia added that they also do something called peer review where the head auditor their work will be reviewed by one of the other partners who doesn't do the audit here. So there's a system of checks and balances just to make sure that they're looking at it from a tribal knowledge perspective. They come in with boxes of our stuff that they already have. They have all of our policies. They know what our policies on everything. That's what the tribal



knowledge is more. We don't want to start from ground zero. We don't have to give them every single thing. They have that. It's just a question of they don't have to come up to speed on that already that they've already got that.

Ms. Carpentier wanted to make one other comment. Another good thing is that we're a large community and getting the audit done and complete helps us get an early tax rate with DRA. So we're scheduled for the second and third week in August, which gets us into DRA quickly than some of the smaller communities. If you were to change auditors, sometimes you could get bumped from that preferential treatment of time.

Vote: Motion carried 5-0.

J. VFW Post 5791 Loyalty Day Award Nominations

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said since 2003 the Selectmen have forwarded a name of an employee for the Annual Loyalty Day Award at the VFW separate from Police and Fire who submit their own nominations. What I've done and what I've done in the past and did this year was I send out to all the departments an opportunity to nominate someone from their department that they feel might be worthy of a loyalty award. This year I received this nominee, Betty Holt who works in the Engineering Department from actually two. The Town Engineer Gary Webster and from the Finance Director. They have both nominated Ms. Holt for this award.

A little bit of background. Mr. Malizia said that department went from 3 people to 2 if you recall about 2 or 3 years ago. Betty is pretty key in that department to keeping things running smoothly. For those of you who know Gary, she probably deserves hazardous duty pay. I think Betty is definitely a worthwhile award nominee. She's been with us since I believe 1994. I think she does a super job of not only keeping Gary on track but water and sewer permits. She gets involved in that. Conservation she does a lot of their agendas and gets materials ready for them. Again given that that department has gone from 3 to 2, Gary is out on the road a lot, Betty is one that handles a lot of customers and I think she does a very good job. I'm happy to nominate her for this year's award.

Motion by Selectman Maddox, seconded by Selectman Luszey, to nominate Betty Holt, Administrative Aide in the Engineering Department, for the 2011 VFW Post 571 2011 Loyalty Day Award.

Chairman Jasper said that this is well deserved. I know Betty Holt is certainly a very loyal town employee and we are happy to have her with us.

Vote: Motion carried 5-0.

Mr. Malizia said the event will be May 6<sup>th</sup> which is a Friday. I believe all the Board members and their spouses or guests are invited to go. That's at the VFW on Bockus Road and I think it starts at 6 p.m.

K. Request proposals to provide legal services for the Town of Hudson for fiscal year 2012

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said we will be coming off a two-year contract with our current attorneys Hage Hodes. We've been with them for some number of years now, probably going back to about 2000-2001 somewhere in that ballpark maybe a little bit later. As is the Board's direction, we are to discuss this in April to see if the Board wishes to go out with an RFP to either solicit new legal counsel or in this case I've got numbers from our current attorney to see if the Board wishes to reup with this firm. My personal recommendation, I think they do a very good job for the town. They're balanced. They have basically three partners that we basically deal with and they all have their areas of expertise. Again overall I think they've done a good service to the town. If you look somewhere near the back, I've done a spreadsheet of our legal costs through the years. Some of the proof can be in the pudding. We've worked diligently to keep these numbers down. Part of that is their expertise and part of that is obviously our doing. You can look back to some of the old days where we used to spend quite a lot on legal. I think we have a pretty good team here. I think that they cover a broad range of items. They've done it very well for us. Obviously nobody is perfect.

Mr. Malizia indicated if you were to go out to bid, I would imagine that you're probably going to get numbers in the same ballpark unless maybe you have a single proprietor who may not have the experience and the exposure to handle all the Town's needs. Again, we're a pretty good size operation. It would be my recommendation that we re-up with the firm of Hage Hodes. Again, it's up for the Board and to that affect I've prepared documents if you'd like to go out to bid.

Chairman Jasper would say he didn't think Selectman Maddox was on the Board the last time they transitioned. Selectman Nadeau said he was. Chairman Jasper said then you will remember what a nightmare it was and how expensive it was to try to transition from one firm to another. Certainly as long as we have a good service with a firm at a reasonable rate, it would not be in our financial interest to try to go out to bid and pick up another firm. All the ongoing issues and all the institutional knowledge that this law firm has it would not make sense to change in my opinion.

Motion by Selectman Coutu, seconded by Selectman Luszey, that the Board of Selectmen vote to enter into a contract for legal services with the law firm of Hage Hodes, P.A. for the period July 1, 2011 through June 30, 2013 for the terms as specified in the Contract of Employment dated April 5, 2011.

Selectman Luszey had a question/comment. Are there any performance criteria for these types of services? When they litigate something for us, do we keep track of how many times they win or lose and what the cost of that is so that we kind of have an idea of how well they really are doing other than we think they're doing okay?

Selectman Maddox said this is not a baseball score. Unfortunately we might send them off on some missions that we know are probably going to lose but we need to do sometimes. I know on the land use side of it. It's a case of I wouldn't want to look for an attorney that only gave us recommendations that they would win. Sometimes you have to send them out there. To put them in a metric that said we send them out 12 times and they won 11. Winning isn't almost the most important thing.

Selectman Luszey said his question is not about winning it's about how well they're doing the job compared to...Mr. Chairman if Selectman Maddox could complete my comment. It would be that at the very beginning I think maybe they tried to do that. On the land use side, they have done a great job for the Town of Hudson. We no longer have the Boards suing each other. Because some of these people have the experience on land use boards themselves, we're seeing that they're keeping us ahead of the curve rather than reacting. Win and losses are not important. I think it's really a case of they're providing a service that we're getting what we're paying for. As much as it's going up 3.5 percent, when you look at the overall scope of knowledge and their expertise in the number of areas covers us better than maybe another attorney would. It's tough to have a matrix that says how much did they win. It is truly a case of how much did they do for the Town. That one I'm comfortable with.

Mr. Malizia asked if he could also help them. It's not all just litigation. There are things that we need to deal with day to day that we have retainer and that we've developed a rapport with them that I don't have to explain everything 15 times to get to the results I'm trying to get to. When you look at the legal bill, you'll see two sections. The legal bill comes through the payables. So there will be a section with litigation. You can see all the cases there and get an understanding. In my experience, that's dropped. We've done a pretty good job of that and the ones we do do, it's my opinion that given their expertise in the various areas that we deal with, and land use is a predominant one, I think they're spot on. I think if you look at it through time and you can pull out old files. The hourly rate was cheaper back here so we were spending more hours back here. I try to keep them on a short lease. What's important, what's important to the Town? There are two sections. One is a retainer sort of a day to day. One is litigation. You can easily look at the cases. Do I think their success rate is great? I believe so but if somebody wants to contradict that - we sometimes send them on a suicide mission because we're making a point as Selectman Maddox said. It's important that we establish those principal. We may not win but they will do what you ask them to do within the bounds of their practice and the law.

Selectman Coutu said what's impressed him about them in terms of the three years I've been here in terms of opinion, the turnaround time has been fantastic. They don't dilly dally. It's an indication to me that they have a good handle on the laws, the RSAs of our State. I've been very, very impressed with their turnaround time and also the costs have decreased significantly over the years. We're pretty much stable right now. We've gone from the point of \$270,000 at peak to \$110,000 to \$118,000 right now. I'm very impressed with them. I hope we do keep them on.

Chairman Jasper added to that. While in 1492 there wasn't anybody to sue, so our legal costs were very low. Having been here actually thought through the 80s and 90s, this Town was in a lot of lawsuits. Our track record was not always great. This is not a firm that wants to just go out and sue. They want to represent the Board; they give us advice whether we want to hear that advice or not; they tell us what they think our chances are and what the law says. You will see that we actually are involved in very little litigation for a town this size. Steve is absolutely correct. The number of cases that we're involved in has dropped and I think our success rate when we have decided to go forward has been good. Steve is also correct in that there have been times when we have said we don't really care. There's a point to be made here and we need to pursue this point. I certainly hope the motion carries.

Selectman Nadeau too when he was Chairman we did go out in the past to go out to bid. When he was on the Budget Committee, the Board of Selectmen went out and looked at the different firms. When I saw some of the ones that we had and the prices and their turnaround time when we called them is very good. They get back to us in a

timely manner whether it's in writing or return the phone call and I'll give you an opinion in the morning. Here's what I'm telling you now so that we have it in time for our meetings I think is very good. I, too, will be supporting this.

Vote: Motion carried 5-0.

L. Sewer Utility/Water Utility Committee Membership

Chairman Jasper said this was relative to Sewer Utility/Water Utility Committee membership.

Mr. Malizia said back in the period of time December when the Board was nominating or looking at nominations and appointments for the Sewer Utility and the Water Utility, there was some discussion amongst the Board that based on some of the candidates that were coming forward and some of the expertise that they provided, perhaps the Board should look at the composition of the Sewer and respectively the Water Committee to see if they wanted to perhaps allow for more than one non user on each of those groups and secondly I believe to appoint an alternate or have an alternate appointment for the Water Utility which currently doesn't have one articulated. So what I've done for the Board is I've taken what I believe the Board's intent was and prepared a "marked up" Sewer Utility and a Water Utility Committee for your consideration. If you want to go in this direction, you need to have two public hearings which you could hold on April 26 and May 10. Again, it's up to the Board if you'd like to do this. That was the sentiment that was expressed that evening. It was felt, I believe, that there was at least one candidate that would be of great benefit to be on the Water committee and also because the Water Committee does not have an alternate as the Sewer does, that was also a thought that was expressed. I'm just following up. I prepared it if you'd like to go forward. If so, we will advertise, have the requisite two public hearings and after that you could adopt this. It's up to the Board how you wish to proceed.

Motion by Selectman Coutu, seconded by Selectman Luszey, to hold two (2) public hearings on April 26, 2011 and May 10, 2011 to change the composition of the Sewer and Water Utility Committees to allow for two (2) member positions that are not serviced by the respective utilities and to add an alternate membership position to the Water Utility.

Selectman Luszey asked if it was possible to combine these two into one. Chairman Jasper said it is certainly possible to do that because they're advisory committees to the Board. If the Board wished to have just one committee, it would certainly have to have a different public hearing but I think we should have a discussion relative to that with the committees and it could be part of the public hearing. I'm not sure that I would favor that myself, but it is possible. Selectman Luszey said he'd ask the same question then during the public hearing should we make that.

Selectman Maddox said on the Sewer Utility it says now, "~~Four~~ **Three** shall reside in the Town and reside in dwelling units which are either serviced by the sewer system or situated within the sewer district established by the Town." If we go to this, there's the potential to have a majority of the people on that Board not using sewer.

Mr. Malizia said its 5 people. One's an alternate. Only 5 can vote. That's still 3 versus 2. Selectman Coutu said 3 with sewer users, 2 not...Selectman Maddox said it says within the district. Again, I think maybe we want to take a look at number one. If they're within the sewer district but not connected...Mr. Malizia said Selectman Maddox makes a point. That's how it has always been. Right now you could have all of them in there.

To that, Chairman Jasper said this is a committee that makes recommendations to this Board and we make the final determination. I would just remind you that the reason this came up was because of some expertise that became available to us and we couldn't use that expertise because of this. The Board always has the decision to say all right we have somebody within the district but they're not hooked up so we're not going to appoint somebody else who's not even within the district. This gives the Board a little bit more discretion on how to make the appointment. At the end of the day, it's the 5 of us sitting here who make the final decisions.

Selectman Coutu thought that in each of the cases Mr. Chairman when we made the appointment, we asked them specifically are you a sewer user. We held that being within the district means a sewer user. It doesn't mean that future boards won't agree with that. I hear where you're coming from.

Selectman Maddox said if they just eliminated that second part of number one and said service by the sewer system period and eliminated the "or situated within the sewer district" then I would be absolutely fine with it. I know its semantics and the chances are slim. Chairman Jasper thought that was good and if the Board's in agreement when Steve posts the proposed change...Mr. Malizia said that this was the proposed. The Board can do whatever they want. Selectman Maddox said you can be in the sewer district and not a user and still be on the committee. Now that would mean you could have 3 if you really wanted. It's probably not going to happen.

Mr. Malizia said if he looked at the Water Utility which is set up much later after the Sewer and you look at the last page, at the top it says, "Three members shall reside in dwelling units served by the Water Utility." Unequivicable. If you want the same thing to be said over here, I suppose now is the time to do it.

Chairman Jasper didn't think they needed to change the motion to accomplish that because it's posting of a public hearing. Mr. Malizia said we will put that language here for the Sewer.

Vote: Motion carried 5-0.

M. Budget vs. Actual

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said we're  $\frac{3}{4}$  of the way through the year. This is through the end of March so that means we're 75 percent through. Again the one I'm watching like a hawk is the legal - not for the legal firm but for the collective bargaining and the money we spent there either negotiating or defending grievances. At this point given that we're running surprisingly pretty well on the town welfare. That's a bucket of money that we can possibly transfer to legal should we need to. Again, its predominantly collective bargaining issues. The last legal bill, I believe, other than the retainer was only a couple of grand above the retainer. We are being diligent. Unfortunately I can't stop all the collective bargaining and all that goes with it.

Overall, Mr. Malizia thought we're in pretty reasonable shape on the general fund. If you look bottom line, I think we've encumbered and expended up to 76 percent. That's a little tricky because the whole trash contract is encumbered. We're actually burning at a little bit less rate. Again right now looking at where we are at, I think we will be okay on the expenditure side of the house.

Revenue. Mr. Malizia said the key ones we look at obviously are the motor vehicles which is at 70 percent of what we've budgeted. There's a decrease, or a deficit, or a shortfall there. On the investment income, interest we're basically up to a little bit over 50 percent of where we thought we'd be. I can't do much more with that. That's just the investment climate just as well as we can't make people register more cars.

On the other hand, Mr. Malizia said ambulance is looking pretty reasonable. I believe that's a one-month lag. That's actually a little bit better than you're seeing here. That's going towards making some of that deficit up. I'm not aware that there are any other accounts in jeopardy. I believe we'll get the last of the highway block grant sometime this spring. They do that in chunks. Don't look at the 107 and think we're not going to get it. They've been doing that in installments. Other than that, I'm not sure I have any other comments at this point.

Mr. Malizia also pointed out as we talked last year about overlay. We have not really dipped too much into that. We have \$104,000 almost \$105,000 overlay allowance. We spent \$22,000. So we still have some monies there also. At this point, knock on wood. There was a fee last year too. For those of you who really like to look, there is the full set of numbers upstairs. This is just a summary data but you have a full packet in the general read upstairs in case you want to look at a particular account.

Chairman Jasper indicated just for our listening audience, there are members of the Board still reviewing those numbers so we're just waiting until they are finished with those to move on.

Chairman Jasper as your job as Representative Jasper, Selectman Maddox asked if the numbers were still going to hold through next year. Chairman Jasper said they certainly should. We have not down shifted any costs. All the revenues that we are receiving now should hold steady. We're doing our best to protect the towns. The one area given the budget that has the potential to impact is welfare because there may be more applications and what is in the House version of the budget is a stipulation that towns are under no obligation to expend any more money than they have budgeted essentially. I'm not sure how that will work on a practical matter. It will be hard for us to turn people away I think who are in need. Unlike the current law that requires us to do this, we would then have some ability to deal with it differently. That's the only real area of concern depending on how State services end up being affected. There may be some downshift there and ultimately it will be the decision of the Board if we just say too bad we're not spending any more. That would be our legal right to do that. I would have a hard time with that myself.

Before we go into remarks by the Selectmen, Chairman Jasper wanted to move into other business. I have spoken with Mr. Dilworth about the situation where we were scheduled to go into nonpublic session. He has requested that that session be held in public and I've also explained to him that the Board is under no obligation to hear from him, although personally I think if we're going to have this discussion, we should have a conversation with him and allow Board members to ask questions and to hear him. Without objection from the Board as to his participation in this discussion, I would ask him to come forward. I think you are all aware of the fact that we did send a letter out to him

asking him to meet with myself, Steve and the Chairman of the Sewer Utility. He declined to do that, which has brought us to this point. The issue was his e-mail that went out and issues in the e-mail. I'll open it up to the Board for questions or comments relative to the situation with Mr. Dilworth.

Selectman Coutu said he would begin. Mr. Dilworth I was very concerned and raised concerns about the e-mail that you sent. I thought that it was inappropriate to send that e-mail, and I thought that the remarks were disparaging to people that were not guilty of the things that you implied in your e-mail. Do you want to answer to that?

Mr. Dilworth didn't agree with your comments.

Selectman Coutu said that Mr. Dilworth was saying that we as the Board of Selectmen specifically. When you make the comment after you talk about an investment in the AutoCAD system, Selectman Coutu quotes Mr. Dilworth, "This is just another example of the Town of Hudson ripping off the sewer users while some selectmen brag about how they are holding down expenses. They are paying for it by taking the money from somewhere else. They really aren't exercising any managerial control at all." Further in your e-mail...Mr. Malizia said the previous page is probably what you're looking for. Selectman Coutu quotes Mr. Dilworth again, "The selectmen said last July that they were going to review this line item and determine what it pays for." That was with regard to the \$40,000 administrative fee when you said, again I quote and I repeat, "The selectmen said last July that they were going to review this line item and determine what it pays for. In the eight months since the utility met with the selectmen, they haven't done anything other than have staff think of new and creative ways to rip off the sewer users." Are you implying Sir that we have directed our staff and our staff has been complicit with us in creating ways to rip off the sewer users? Are you stating that as a matter of fact?

Mr. Dilworth is stating that as an opinion.

Selectman Coutu said that that was not an opinion Sir. That is a direct allegation. That's a charge.

Mr. Dilworth happens to know that one of the Selectmen went in and spoke with a staff member and suggested that costs be shifted over to the Sewer Utility.

Sir in your letter you state, and this is why Selectman Coutu took objection to it, the Selectmen - M-E-N said last July that they were going to review this line item and determine what it pays for. In the eight months since the Utility met with the Selectmen, they haven't done anything other than (that's us) have staff think of new and creative ways to rip off the sewer users. Mr. Dilworth I don't care how you interpret this, I know what it says and any layman reading this would certainly see that you are suggesting that us, the five of us, have directed staff to come up with ways to screw the sewer utility users and if that is the case, as you are accusing, you are holding our staff complicit in an act which we know did not happen and would never happen under the direction of this Board.

Mr. Dilworth said staff does what you tell them to do.

Selectman Coutu said then you are insinuating that we did tell the staff to screw the sewer users.

Mr. Dilworth didn't say that they should screw the sewer users.

Selectman Coutu said Mr. Dilworth said we pretty much ordered our staff to come up with ways to screw them. That's what you're saying here.

Mr. Dilworth said you've given direction to staff to charge things to the Sewer Utility that was not budgeted for.

Selectman Coutu said he made the motion to have you (Howard Dilworth) removed from the Sewer Utility because I took this very personally. I still do today and you've said nothing to change my mind. What you wrote is what you wrote. A simple apology. It was an error in judgment on my part would have done and we would be done with this. That's all we asked from you. A simple apology. It was an error in judgment to write those words. You're entitled to an opinion. This is not an opinion Sir. This is a direct charge. Any lawyer, any judge reviewing these I can assure you would determine that you made an accusation that you cannot substantiate. Maybe your intent was different, and I'm sure it was Howard. You know I've respected you. You know I've been a supporter of yours. I took exception to this because if one Selectman went in there and asked people to try to shift how monies are being spent within the Sewer Utility, or the Water Utility, or Highway Department and it's all encompassing, that doesn't mean that we were all complicit in that and we don't know that. You're reacting to here say I'm sure. Were you a witness to this statement being made to a staff member in the office?

Mr. Dilworth has faith in the people that gave me the information.

Selectman Coutu said he didn't have anything further to say at this time.

Selectman Maddox thought he was the Selectman so I guess I'll try to see if I can answer this. They were sending out the intern to map the sewer pipes and various equipment and I said that should be charged to the sewer. I thought that was just the logical extension of where the money was going to be spent on it would be charged to. In regards to the software, I believe one third was charged to engineering, one third was charged to sewer, and one third was charged to water to facilitate getting an upgrade so we could do all this with the interns because the version we had was so old. Again, it may not be in their budget for software, but we still need to be able to do the work that needs to be done. I didn't think Mr. Chairman that I needed to come to this Board and say where to we charge this labor to. Again, they were doing sewer work. They do charge sewer for any number of things. Mr. Dilworth's comments are Mr. Dilworth's comments. I think that ripped off being a sewer user I balance between being a Selectman, taxpayer, and water and sewer user. They're always going to overlap. I think some years that the taxpayers may pay more than the sewer and the other way around on other years depending upon what projects are being done, how the expenses are brought out. If we actually went through the endeavor and figured out \$40,000 doesn't cover all of the costs that we think they do, and then maybe the sewer is getting a better deal. I don't know. Maybe someone with some spare time could spend that time to go find that out. I was comfortable making the vote when we did to do the things we did. Mr. Dilworth is entitled to his opinions but I can defend my actions and I think it wasn't the Board's it was a software purchase. Thank you Mr. Chairman.

Chairman Jasper's primary problem in all of this, and I have many problems with this, seems to be that you do not have a clear understanding of the role of the Sewer Utility. Sewer Utility was created to make policy recommendations to the Board and to make recommendations as to a budget for the upcoming year. The Board of Selectmen retains all financial control over the Sewer Utility. Absolute control. Just make recommendations, we ask you to do certain things which are spelled out. We do not ask the Sewer Utility to critique the decisions that we have made. That is up for the voters to decide whether we're doing a good job of running the Town, the sewer utility, and the water utility. I don't think there's any question that we have two of the best utilities in the State and certainly we have a town government with one of the lowest tax rates in this State for the community of our size. When you say we don't have any engineering employees in the Sewer Utility so why should we start now? Frankly that's not the Sewer Utility's concern. When you say that as for the AutoCAD software we didn't ask for it and we have no need for it, again if there is a determination by the Engineering Department that we have a need for it. I talked to the Town Engineer about the value of that AutoCAD software to the Sewer Department, to the value of those interns, and what would be provided. It was a sound decision to the Sewer Utility. Again, this Utility is not seeing increases in its rates. In this day and age, that's fairly remarkable.

[Chairman Jasper] Then when you go on to say, "by my reckoning the Town of Hudson owes the Sewer Utility over \$100,000 for the last VacCon truck that the town was supposed to help pay for. I would suggest that the interns and the software be deducted from what the town owes the sewer users. At that rate, they have about \$95,000 to go." We make those decisions. We made the decision on the VacCon truck with consultation with the Sewer Utility. We had an understanding and agreement, although we did not need it, we had agreement with the Sewer Utility that this was not an unreasonable way to go. While the Town may be charging \$40,000 and a percentage of this and a percentage of that, it's impossible to know exactly what benefit goes where but we're all confident that if we were to go out and say well because somebody wants this all line by line controlled and you go out and rent your own building to have the Sewer Utility and hire a contractor to perform all these duties so that you could have every dime accounted for, the cost would be much, much greater. We have made this decision and this was not an opinion that we asked you for.

I [Chairman Jasper] don't have a problem with someone questioning what we have done. What I do have a problem with is the manner in which you did it and the lack of respect by which you've done it. Frankly I don't feel the Board needs advice from someone who is going to behave in this manner. I just find that to be unacceptable for someone to be interacting with us this way. It's not productive for the department, for the personnel, for your committee, or for this Board. It's counter-productive to what we're trying to accomplish in this town. Any further comments? Do you have anything you'd like to add?

Mr. Dilworth said yes he did. Some of us have been doing this a long time. I first got involved with the Sewer Utility as a Selectman in 1994. I remember when I was first was appointed I wasn't even allowed to sit at the table at committee meetings. The former chairman being who he was and I see Mr. Malizia smiling. He could be very difficult to get along with. The one thing that he did do as aggravating as he was is he took a sewer system that the users were being charged upwards of \$125.00 a quarter for expenses that were off shifted by town government at that time. Fought it tooth and nail and got it down to where it is now. That's why it is where it is now. There were questions that were being raised. We didn't always see our liaison last year. So if it was a little more than it should have been, I got your attention. This has probably been going on way too long, more than it should have been and probably wouldn't have if I hadn't just gotten a letter out of the blue telling me I was being thrown off the committee because that's what happened. I've very passionate about this committee because as I've said, I have put a lot of time into it. I was asked

to participate on it again by a majority of the members of the committee. They wanted the expertise. I believe we talked a little earlier, or you did this evening, about tribal knowledge. That's why I was asked here. In the process of doing this upset a few people, well I probably could have used a better choice of terms. At the time I wrote this saw an expenditure for which nothing had been budgeted - two employees and by the way you can help pay for the AutoCAD software. To me that was just another example of when the committee we had been fighting back year after year going back a long time.

Relative to what the committee does, Mr. Dilworth said if the committee doesn't ask questions, it doesn't learn anything. If it doesn't learn anything, it can't make any recommendations on how to put a budget together. I know you folks rely on us for doing the heavy lifting and determining recommending the way things ought to be. I guess I just really liked John Bednar. I liked the way that John kept things in line. I know some of you didn't always get along with him and we'll leave it at that.

Chairman Jasper wanted to say a few more things. Mr. Bednar did perhaps more damage to the sewer rate payers than anyone will ever know. We got a terrible contractor - I was in high school when this happened - Seward Construction Company. They put stubs off to houses that weren't connected and they put rags in the stubs. They made this town into a mess in terms of pot holes. Mr. Bednar went to court and testified on Seward Construction's behalf. He cost this town in the settlements against the sewer utilities something in the neighborhood of probably close to \$1 million. He took their side as a Selectman. Seward did awful jobs. I think we hear about this every time when we hear from the Highway Department with lines that they've replaced with the things that they still find that Seward Construction did with lines that have dips in them and just a mess. Joints that were improperly done. Mr. Bednar went do court for them. When you talk about what he fought for for the sewer users, he never made up the difference that he did and this town never ripped off the sewer utility. You can talk about the things that you had put in your letter and well if I got attention. It's got attention but there's nothing improper here. All you've done is take us off message, waste time again and again.

[Chairman Jasper] We are the governing body of the sewer utility. These are decisions that we made. You are a committee that makes recommendations in certain areas. You find out about the things that we have done when you see the monthly reports. You can certainly ask questions about them to understand them. You can certainly ask questions as to why we made the decisions we did. No one would deny your right to do that or any citizen's right to do that. The manner in which you do this is destructive. I sent you an e-mail and it was more personal than anything after the action the Board took. You wrote back to me and it was a nice reply back but it was insulting. You said you deleted without reading it because you didn't want me to violate nonpublic. I have been a Selectman for 17 years. I have not violated nonpublic. I understand the sanctity of nonpublic and I said nothing to you in that e-mail that had anything to do with nonpublic. You just assumed that I wasn't smart enough I guess to know when not to cross the line. I think that type of thinking and that type of correspondence sums up the problem that we have here. We then wrote you a letter. Chairman Massey was still on the Board but it was his last week but he was still acting on behalf of this Board trying to meet with you. You declined to do so saying he's no longer a Selectman and certainly given the timeline by the time all was said and done, he wasn't. So I wrote you another letter at the direction of this Board. You wrote back and said the Chairman of the Board has no authority. The Chairman of the Board of Selectmen has the authority given to him by his peers. I was at the direction of the Board to try to work out this problem. Again, you knew better than the Board of Selectmen. That's the problem Howard. You know better than everybody else.

Mr. Dilworth responded, "It's not in your minutes Sir." Chairman Jasper said, "What's not in the minutes?" Mr. Dilworth said that you were directed. Chairman Jasper said it doesn't matter if it was in the minutes. It was part of the - I'm not even going to go there. Again, you received a letter from the Chairman of the Board of Selectmen asking you to meet. You decided instead of asking the question well it's not in the minutes therefore I know better. That's the problem Howard and I'm not going to debate you on the fine points. The Chairman of the Board of Selectmen only acts on behalf of the Board when directed to. The Chairman as you well know has certain authority to sign purchase orders up to a certain amount and to do certain other things. The Chairman has no other authority and this Chairman does not and would not act except on behalf and at the request of the majority of the Board. I think you've known me long enough to know that. I'm done. It's up to the Board as to what, if any, action it wants to take at this time.

As Selectman Coutu understood it presently, we have removed him from the Board. Chairman Jasper said he was removed and then based on advice of counsel because counsel felt that even though it was an advisory role, he had the right to the notice, which has now been given. In the interim, he was placed back on the Board as an alternate.

Howard if you would recollect and think back Sir to the day that you applied to serve on the Sewer Utility, Selectman Coutu made a comment in making the motion to have you appointed. A comment similar to what I had said previously about you was that like Selectman Jasper, you're a sea of knowledge. You're a valuable resource to this community. I thought you would serve us well on the Sewer Utility. I have felt and continue to feel that your service on the Sewer Utility though you've been going to school and you too have missed several meetings because you're going to school, and I applaud you for doing that. You have served us well on the Sewer Utility Committee. I wanted

you to understand why I made the motion, and I'm the one who made the motion to have you removed initially. I took it as a personal insult to my integrity that you would think that I would conspire. I thought you had more respect for me and other members of this Board that we would conspire to try "to screw" your words, the Sewer Utility users. You half heartedly suggested just now maybe because of what I said that maybe you could have used different terminology. I think personally Howard an apology is owed to me. If they don't feel they should need an apology, then fine so be it. That's the way I feel. I take my responsibilities very seriously and I can only speak for myself. I'm sure they take their responsibilities as serious as I do. I take my responsibility as a Town Father to do the best that I can in whatever I do and the outcome is for the betterment of this Town and for our citizens. I take the language and the way that you wrote it as a personal affront to all that I'm trying to do and there's nothing more I can say Howard. If you want to say anything in defense of that, then try. I've been personally insulted by you and I take it personally.

Howard Dilworth said he had nothing to say.

*Motion by Selectman Coutu, seconded by Selectman Luszey, to remove Howard Dilworth as an alternate to the Sewer Utility Committee.*

Selectman Coutu thought that we've laid all of the cards on the table. I think that Mr. Dilworth is not contrite about anything that he wrote. That's the appearance that he's just given me, the impression I got. He could care less about our feelings. He could care less what we think. Apparently he strongly believes that we're trying to screw the sewer utility users and I know otherwise having served on that committee and having served on this Board for 3 years. There's certainly been no indication that I've seen that anyone is being screwed. I think the sewer utility users are being served very well as are the water utility users. I think we have one of the best sewer and water utility agencies in the State, and I think the sewer users and the water users are getting a bargain for what we provide. If Mr. Dilworth feels that he doesn't owe this Board an apology, I don't feel that it does us any good to continue to keep him on this Board because he's just going to continue to wreak havoc and I'm not going to take that chance and that's why I made the motion.

Selectman Luszey is in kind of a unique position because I came in after the fact and I've only been able to look at historical data if you would call that. The reason I made the second to the motion is having managed large organizations, it's not healthy to have someone in an organization that tends to disrupt the overall goodness of an entire organization. If one of a committee like this doesn't have faith in the boards that are basically overseeing all of these committees, that's not a good thing. It only tends to stir up the pot as one would say. That's basically why I would second the motion to support the removal of Howard from the committee at this time.

Selectman Maddox said we ask for volunteers. Mr. Dilworth volunteered. At no point did he give up his right to his First Amendment opinion. Is his opinion correct? I don't believe so. If this Board is going to go down the pike of they don't agree with the Selectmen they will be discharged, I think that sends a bad message. If you're building widgets for X company, maybe that's the case. This is politics. This is government. There has to be give and take. Maybe excessive at some points. If we are going to be thin skinned about comments from Mr. Dilworth about ripped off, we're just going down a path I cannot see us gaining from. Thank you Sir.

To Selectman Maddox's comment, Selectman Luszey said it's not about being thin skinned. It's about the language that was used in the memos. Mr. Dilworth absolutely has his right to his opinions and to be able to tell us that. He should be able to tell us that in language and in a tone that doesn't insult the composition of this Board. That's what I'm saying. I've seen in the past where boards become hostile to each other because of the language that's used. Intentional or not intentional. That's where I'm coming from. We've got to be careful that we put out a message that you can state what's on your mind but do it respectfully. That's all.

Selectman Coutu had one final comment. I didn't expect to make it but Selectman Maddox gets me riled up sometimes. Mr. Dilworth in his written e-mail stated that staff was directed to find ways to screw the sewer utility users. I took the comments that he made about the Board of Selectmen personally because I can only speak for myself. Obviously I work on the Sewer Utility with Howard and I have the utmost respect for him or certainly had up until this point. When you point the finger at staff and say that they are complicit with us in finding ways to screw the sewer users, if we don't stand behind our staff, then shame on us. I'm here to defend them as well as our integrity. Anybody out there, we're targets. We're elected officials. You want to come after us, people do it in the Thumbs, they write Letters to the Editor, and we also get a lot of compliments for what we do too. There are a few negatives but it comes with the territory. We're open targets. We're elected officials and I accept that. I'm very receptive to that. I take it personal when someone is questioning my integrity and I take it very personally when members of our employees in this Town I'm sure each and every single one would never follow an order that they would know to be illegal and to tell them to let's figure out a way to screw the sewer utility users. I'm sure they'd be out there ratting us off pretty quick. I took very serious exception to that. For the life of me, I can't understand why we can't get this Board to understand that in a majority in total. With that, I thank you Mr. Chairman.



Selectman Nadeau agreed with Selectman Maddox that you do have the right to free speech and that Selectman Maddox said that. Mr. Dilworth said he could have used better words. I just don't feel that removing him is the right thing to do. He has the institutional knowledge and it goes back. He did say tonight that he could have used a different choice of words. I just don't think removing him is the right thing to do. I know that's not what's going to end up happening this evening. I'll leave it at that.

Chairman Jasper was not nearly upset about what he said or how he said it as I am the fact that he fails to understand the role of the Board of Selectmen and the role of the Sewer Utility. That is demonstrated time and time again in the e-mail feeling that the Town owes the Sewer Utility \$95,000. That we not pay for the cost of the software. That is a decision of the Board of Selectmen. We create new employees during mid year and that calls into questions internal controls of the town. It was a question of where the people were doing the work. Those were interns that were budgeted for. As a matter of fact, the work that was being done was not for engineering, it was in fact for the sewers. So it was only proper that be charged there. Whether Mr. Dilworth likes that or not, that's a decision that's within the purview of the Board of Selectmen. It is for all those reasons that I have to support the motion. In my e-mail which Mr. Dilworth did not read because he didn't think I was smart enough to know when I was crossing the line or not, which is an insult I can live with and doesn't have anything to do with my vote but had he read that, I did suggest much as Selectman Coutu did that he needed to think about it and apologize and understand the role of the Sewer Utility. He has demonstrated tonight that he is still not interested in doing that, does not accept that the Board of Selectmen is working in the best interest of the Sewer Utility. This is a committee that we don't have to have. It has no statutory authority. It's a committee that we have created to advise us to look into those areas. If there are things that they feel we could be doing better, I would expect they would come forward and have conversations with us. To have this type of conflict taking place is counterproductive to the Town of Hudson. This should be a team of people working together. Every team I work on there are differences of opinion. There are people that feel that things should be done differently. At the end of the day when you're a member of that team and your boss says this is the way it is going to be if you want to be a member of that team, then you say all right. It doesn't mean you give up your right to make the same comment again, you don't create havoc internally. In this particular case, someone who we have hired to advise us this is not the type of advice I find acceptable.

Vote: Motion carried 3-2. Selectman Nadeau and Selectman Maddox in opposition.

#### 9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau - I have a couple of things tonight. The first one is I'd like just to let the people out there know if they went to Wal-Mart on Sunday the dog park was doing a fundraiser and they did very well selling dog biscuits and human treats. I got the dogs their dog biscuits for their Easter baskets, so they'll be happy this Easter. They were donated to the dog park. I think that was very good. They are still looking to start getting the dog park area ready. They've been doing a lot of planning and fundraising for this.

The other thing Selectman Nadeau had is the Junior Woman's Club - you'll see it on the scroll - is doing the bunny breakfast at the Hudson Community Center. The times and the date are available on the scroll from cable.

Selectman Nadeau had a phone call this evening asking about maps for Benson's. I do know that they have been putting the maps out in the map kiosk area but people have been taking them and there's been a lot of activity over at Benson's. The maps are available on line on the web site from the Town. You can go on there and print them out. It also has the hours of operation of the park on the website also.

Selectman Luszey - I met with the Conservation Commission last night. They had a couple of things that they need from us - guidance. One is around their bank account. There's two types of funds - land use fund and some other fund. Mr. Malizia said they have a conservation fund. Selectman Luszey said it is spent two different ways and it needs to be separated. What they'd like to do is separate those two different types of funds so that they're more easily managed and accounted for. Mr. Malizia said he was sure if they talked to the Finance Director and/or the Treasurer, they could...Selectman Luszey said they were sent here. They did and they said they needed this Board's approval to do that. Mr. Malizia said without some sort of motion or action, I'm not really sure what we're doing. Chairman Jasper recommended is that they work with the Finance Director to develop specifically what they would like in the form of a motion so that we know exactly what we're doing. The information is too scant for us to take action. Selectman Maddox indicated that they have authority to spend money and again, I think probably to be able to answer how a PO is written. I know there were some questions they weren't writing Pos because they didn't know how or what accounts or whatever. Maybe some general overview. Selectman Luszey said what they have is they have land use only monies and then they have conservation funds money. I guess they got in trouble because they overspent one last year. They're just trying to control it better. I'll work with them to create that motion.

[Selectman Luszey] The other thing the Conservation Commission needs direction from this Board is moving that money from one bank to another or trying to negotiate with the bank that they're with because of the interest rate is very, very low. It's like .05 percent. They feel they can get a better rate somewhere else. Mr. Malizia said can probably spend the money. I'm not sure that they are the investment people. That is the Treasurer's responsibility. If they have objection, or question, or would like to talk to the Treasurer, they probably should do that. She's an elected official. Chairman Jasper thought that

they would probably don't understand the situation. Right now the County of Hillsborough keeps \$10 million in an account to avoid the bank fees which would amount to about \$75,000 a year. It ends up that we earn by saving the fees, it works out to about .4 percent we're earning on \$10 million. So if they think they're going to take their little amount and do any better - they may be looking at what they could do on a personal level with CDs but trust me on the municipal side of things if they're getting 4/10 of a percent or 1/2 of a percent right now, they're doing very well. Selectman Luszey said the bottom line is if they want to anything, they need to talk to the Treasurer. That would be Mr. Malizia's recommendation. Chairman Jasper said the Treasurer is the person who deals with that. They're not going to do any better than that if we're not doing any better than that on \$10 million.

Selectman Luszey said the Conservation Commission had questions on the Prime Wetlands Act of 2010. What are the wishes of this Board? Do they want them to continue that? Chairman Jasper said the Prime Wetlands Act is undergoing massive changes at the State level. The Senate has a number of bills. One is to repeal it. It has passed the Senate and the House. It's to repeal it and reinstitute it under a different title and a different way. Before anybody has any discussions, we need to wait until after July 1<sup>st</sup> after all the legislation has settled down. Things are going to be likely much different in a few months than they are today.

Highway. Selectman Luszey indicated they're about 50 percent done with their annual sweeping. They've pretty much done the north end. They'll be working their way south and the week of school vacation; they'll be doing the school parking lots. Things are looking pretty good there. Kevin did say that he should have the whole town done the first round before Memorial Day. That should be looking pretty good there.

When I [Selectman Luszey] was trying to find the times for the different committees that I'm on, I found our web site to be difficult in terms of navigation. So I actually sat with the IT Department Lisa and she's going to take the schedules for all the different committees and make it very easy for people to find a committee, when they meet, and where. That's it for this week.

Selectman Coutu asked with regards to that, Donna on our minutes that are minutes, is our calendar printed as well on the minutes that are on the internet on the web page. Donna said yes. Selectman Coutu said there's a calendar in the Selectmen's minutes that show month to month who's meeting when.

Selectman Coutu - The first thing I want to clear up is as you know Captain Brough is retiring from the Hudson Fire Department. We discussed this the other day. After 30 years of dedicated service as a Call Firefighter, Captain Brough was instrumental in building positive working relationships between the Call Firefighters and full time staff. His leadership and service to the community will be missed. Captain Brough has requested to have his helmet. The helmet to a firefighter is more than a piece of equipment. It is with them throughout their career and becomes a part of the many experiences a firefighter goes through in serving the community. The Fire Chief has asked me to present this to the Board of Selectmen for permission to have Captain Brough his helmet as a small token for the years of dedication, commitment, and loyalty to the citizens of Hudson. I certainly have no objection to doing that. As a matter of fact, the Fire Chief informed us that the helmet is not usable anyway. There's a crack in it. It would be presented to him, I believe, at his retirement party at the end of April. If there's no objection, I'd make a motion.

Motion by Selectman Coutu, seconded by Selectman Luszey, to have the Fire Chief present Captain Brough with his service helmet, carried 5-0.

Selectman Coutu wanted to congratulate Fire Volunteer Ed Scheibler who's receiving an award this evening, or he should have received it by now, at the Hudson Grange as the Fireman of the Year. We're very pleased and we're very proud of his service. The Fire Chief with Deputy Carter and the chief mechanic went down to Appleton, Wisconsin to look at the new tanker and give it a final inspection. The inspection has been complete. The delivery is expected the last week of April. We'll have installation of radios, the decals applied, and driver training so that they can familiarize themselves with the piece of equipment. We'll have that up and running.

Finally with regards to fire, Selectman Coutu wanted to publicly thank Selectman Jasper for the meeting that was conducted this past Monday. You and I, the Town Administrator, as well as the Fire Chief and the two Deputies had a meeting on some matter that we can't discuss publicly. Of those things that I can say publicly, I will say the following: In the past year there's been a lot of negative publicity about our Fire Department. A lot of it evolved around the mechanics of the vehicle that we were having problems with and we were eventually able to get it resolved. As a result of that and the fact that we don't have a union contract and haven't been able to negotiate a contract for some time, there's been a morale issue within the department. We had a very, very healthy discussion with our Chief and with our Deputies who have our wholehearted support with regards to the direction they are now going to take. They are going to work and put a plan together. They know what we expect of them. They know what needs to be done and they're going to work diligently and within the department to solve some of the morale problems. We've given them some ideas and they're going to come back to us with a plan and Selectman Maddox they are very anxious to work with us in terms of inspectional services and with communications. I expect that within the next week or two, you and I should get together and pick out a date so that we can meet. They're willing to sit and speak on both subjects at the same time. I would rather we segregate them because the Police Chief is not going to be involved with inspectional services and I don't want to waste his time with that unless we can do both meetings at once and do the one for communication and then we'll send them off. With that I have nothing else.

Selectman Nadeau had one other thing. It wasn't on the agenda. Selectman Coutu brought it up the last time about having the monument engraved. We did do some research with the State. What they said was "Iraq and Afghanistan" to be added to the memorial on the Common. If we can get together with Dave Cote at Hudson Monument., Selectman Coutu said to just call him up and tell him what you want done. He'll go down and do it. Selectman Nadeau said then we'll see if can get that done before Memorial Day. Chairman Jasper said it's Library Park. If you go to the Common, I don't know what you'll be engraving. Selectman Nadeau said he'll have him go to Library Park and have him engrave those two things on the monument.

Selectman Nadeau had one other thing. The Rec. Director will be coming forth with his comments on comedy night because we had two of them back to back - a week apart. I did attend both of them. They were both very well attended and they were really two different groups of people. You really didn't see the same people at both of them other than me. I'm sure the Rec. Director will bring that forward to us. I just wanted to you that I did go to both of them and that will be coming forward. That's it. Thank you.

Selectman Maddox - As the Liaison to the Police Department, I just wanted to make people aware that on the 30<sup>th</sup> of this month Saturday from 10 a.m. to 2 p.m. everybody had in the medicine cabinets and draws all these medications that are half used and how to get rid of it. For years everybody used to flush them down the toilet. Now they're saying that those pills are getting into the waters. They're starting to see various affects from this process. Nationwide they're taking back pills throughout the country. Our two on Saturday the 30<sup>th</sup> will be at Wal-Mart and at Walgreens from 10 a.m. to 2 p.m. Again if you have stuff sitting around that's been there for 5 years rather than flushing it, bring it down and they're take care of it and get rid of them appropriately.

The last thing Selectman Maddox had was he thought a reiteration of what he said earlier in regards to the Police Chief. He has my full and complete support. That's all I have this evening.

Selectman Jasper - The only thing I have is the first cleanup took place last weekend at Benson Park. I was not able to be there. I had various things going on Saturday. We did walk around on Wednesday before and I continue to be amazed at the work that the volunteers have done in that park. As much of a vision as I had for the park and we fought over that for quite a bit, I didn't even envision having that park to where it is today. I thought it would be several years before we got it to where it is. What is going to happen in there this year I think is again going to be truly amazing. The people who are dedicated to that park - it is truly something to behold. I don't think I've ever seen anything quite like it. We've seen people who dedicate to specific projects that have a specific life. We see a lot of people do that. This project has truly taken on a life of its own. I think that there are going to be people that will be dedicated to that for years to come. The question has been asked sometimes what's different about Benson Park. It is different because of the special memories that it holds for so many people when it was Benson's Wild Animal Farm. It was such a truly special place that you could never have taken 168 acres in town and gotten the same level of commitment to creating a park from volunteers. It is because of what it was and what people hoped to see it be again. I can't thank those people who were just in there. Some of them almost full time when the weather allows. It's just amazing. I'm grateful.

Motion by Selectman Coutu, seconded by Selectman Luszey, that we appoint a Selectman Alternate Liaison to the Benson Park Committee.

Selectman Coutu said they've had a discussion about this and specifically you admitted yourself and it was obvious last year there were a lot of times that you're held up in Concord and being the party whip you have a lot more responsibility and you do not make all the meetings though you do make almost every one of them. I suggested to you that I thought it would go a long way to facilitate things at Benson's. We know that there is someone else on this Board that shares the same commitment that you have. Though sometimes you might butt heads and go in opposite directions, I think it will go a long way. I think not only as a liaison alternate, I would invite him if the appointment is made this evening by you Sir that he participates in the meetings. He would be a non-voting member unless he substituted for you but I think his participation would be welcomed. I know how hard and how many hours he's put into Benson's and I think he's very deserving and I thank you for giving me the opportunity to make this motion.

Give the somewhat cryptic but not really nature of your remarks, Chairman Jasper simple stated that if the motion passes, the Chair will appoint without objection Selectman Nadeau to the alternate's position.

Vote: Motion carried 5-0. Chairman Jasper appointed Selectman Nadeau as the alternate to the Benson Park Committee. Selectman Nadeau accepted.

Selectman Nadeau had a question for Selectman Jasper is he was walking around there this weekend. Are the picnic tables that they assembled put out? Chairman Jasper said they had not been distributed. They were outside but they were all right around the Elephant Barn. I didn't get in after the cleanup so I don't know if those were placed yet. The reason Selectman Nadeau asked that question is he did see some pictures. The members of the Friends of Benson's and the Benson's Committee refurbished some of the old tables that were found on the property. I did see some pictures of them. I saw them staining them, welding, and painting the old steel frames. I think that was a neat touch to put back into the park. I just didn't know if they had been put out yet. Chairman Jasper said some of us were walking through the woods, came across this pile of metal, and we were able to recognize them as picnic table stands. They used to have these long tables. I think they were about 12 feet long. They had a number of sections. They're now 8 foot tables. The metal stands are original to the park and

I understand they found a few more. So they're going to see if they can do. They made 5 out of what they found and then they found enough for perhaps a couple more and then the other 10 tables. So we'll have a good number of picnic tables around the park this year. A design for the actual park benches had been approved and that's in the process now of picking out locations and deciding how to do that. Some of the members went out saw the types of benches and tried them out to make sure they were comfortable. Those will be a fundraiser.

Selectman Coutu asked if Chairman Jasper would make a comment about burning without a permit. Chairman Jasper wanted to remind people that you need to have a permit in order to burn. Particularly this time of the year the Fire Department gets calls for people who are burning. It is very simple to get a permit. You come down to the Fire Department and apply for one. Selectman Maddox said they're on line also. Chairman Jasper said you still have to come down, get the signatures and sign, but burning is only allowed starting after 5 p.m. unless there's snow on the ground and the snow is all gone particularly after today, and when it's raining. Please remember to get permits.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Luszey, to enter nonpublic session under RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee; and (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, carried 5-0 by roll call.

Nonpublic Session is being entered at 9:20 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

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

Motion by Selectman Coutu, seconded by Selectman Maddox, to authorize the termination of Sarah Unger as of April 15, 2011 as recommended by the Finance Director and the Town Accountant, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Luszey, to approve the posting and hiring process for the Part-Time Water Utility Clerk for 30 hours per week at a starting pay of \$14.77 per hour in accordance with the first step of the current contract, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 10:11 p.m. by Selectman Luszey, seconded by Selectman Maddox, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

**HUDSON BOARD OF SELECTMEN**

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Shawn Jasper, Chairman

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Richard J. Maddox, Selectman

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Benjamin J. Nadeau, Selectman

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Roger E. Coutu, Selectman

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Ted Luszey, Selectman