

HUDSON, NH BOARD OF SELECTMEN
Minutes of the December 14, 2010 Meeting

1. CALL TO ORDER - by Chairman Massey the meeting of December 14, 2010 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman Maddox.
3. ATTENDANCE
Board of Selectmen: Ken Massey, Roger Coutu, Shawn Jasper, Rick Maddox and Ben Nadeau (arrived late - 7:26 p.m.)
Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Mark Pearson, Assistant Town Administrator, Fire Chief Shawn Murray
4. PUBLIC INPUT
 - a) Timothy Quinn - rescinding letter of resignation to the Conservation Commission

Chairman Massey recognized Tim Quinn. Good evening.

Tim Quinn said he had two items on the agenda. One is the rescinding of his resignation. He thanked the Board for the vote of confidence that they gave him, especially Selectman Coutu, who pursued him and convinced him that this would be a good thing to do.

The second thing Mr. Quinn would like to support is the members that are applying for the Conservation Commission that are incumbents - Ken Dickinson and Jim Battis. They've both done outstanding jobs over the years. They're great people to work with. They're very energetic and they're very thorough in the work they do.

Chairman Massey said that no further action is required since they didn't take action at the last meeting. He was glad that Mr. Quinn reconsidered and they're glad to have him back on the Conservation Commission. He's made tremendous contributions there and they're happy that it's turned out the way it has. Thank you.

Chairman Massey asked if there was anyone else in the audience who wished to address the Board on any subject.

Leo Bernard, 3 Bungalow Avenue. He's here because he saw the agenda early enough that almost all of his Water Utility members have reapplied and one extra person is in there. This is the only committee that doesn't have an alternate member. He was hoping that the Board might consider making an alternate member for this committee. Most of the members show up but if they have late meetings, they don't make it and they don't have full membership. He's asking that the Board think about making an alternate for this committee. All the other committees have alternates. Happy holidays.

Chairman Massey thought the Board should take that under advisement and have a discussion on it at the next meeting.

Mr. Chairman and members of the Board, Brad Seabury was there on what is apparently becoming his annual pilgrimage to speak in support of those members of the Zoning Board of Adjustment whose terms have expired but have expressed their willingness to continue. He spoke first of Michael Pitre who currently is serving as the Vice-Chairman of the Board. Michael's job occasionally takes him out of town on meeting nights so that he can't make it. At all other times, he's a very staunch attending member. He attends all the site reviews. He attends religiously all the training sessions given each October by the Local Government Center. He not only attends but listens and comes in with marked up copies of the documentation which he uses to reinforce his decisions in the following weeks.

Mr. Seabury also speaks for Marilyn McGrath who's a lifetime member of this Town; a lifetime resident who brings to the Board all that experience from the time when this Town was just a dusty village across the river from Nashua. She's seen it grown into the blessing municipality that it is now. Marilyn speaks strongly as he was sure they all know. She speaks with a point of view that is based on all that experience plus religious reading of the documentation pertaining to each case, the plans, etc.

Mr. Seabury noticed also in addition to those two people there is amongst your list of potential candidates is Maryellen Davis, partly he thought at his instigation, who served for a couple of terms on the Board in the past, left for personal issues, not the least of which was the fact that her company was being bought out by a competitor and her life was a

little unstable. As he understood it, life is a little more stable now and she'd like to come back to the Board. Mr. Seabury assured the Board that the Zoning Board would love to have her back. You all know that Maryellen Davis is a doer not just a talker where perhaps other people would perhaps want to say something about something. She's apt to come in with a portfolio of maps, drawings, plans and arguments. If you give her enough time, she'll come in with a video show that she'll put on for you. He thought the Board needed that kind of activism. The Town needs that kind of activism. That's all he has to say. Thank you for your time.

5. NOMINATIONS & APPOINTMENTS

Chairman Massey said the Board tonight was just going to listen to all the applications. They will take them under advisement and will act upon them at the December 28th meeting. Although the Board would love to have them stay for the whole meeting if after you've had your interview you choose to leave, the Board would understand and wish you good voyage. Again, they will not make any appointments tonight. They will do them all at the December 28th meeting. At this time, the Board will take up Benson's Committee. There are 3 member vacancies - terms to expire on December 31, 2013.

A. Benson's Committee - (3 vacancies, 3 member terms to expire 12/31/13)

Ralph Alio 15 Third Street. Chairman Massey asked Mr. Alio to share with the Board his reasons for applying for this committee. Mr. Alio said he wanted to become a little bit more involved in Benson's Park. He's been helping out for about a year now. He wanted to do a little bit more.

Selectman Coutu asked what kind of volunteerism he has been doing at Benson's Park up until now. Mr. Alio said he has been helping out with all the cleanups. He's been on the Landscape Committee, Trails Committee, and also the Dog Park Committee. Selectman Coutu asked if he had ever attended a Benson Park Committee meeting. Mr. Alio said no. Selectman Coutu asked if Mr. Alio was familiar with what the Benson Park Committee is established for and what they do on a month to month basis. Mr. Alio said yes. He's watched the meetings on TV.

Selectman Maddox said the question he was going to ask everybody for this Committee is where you would like to see the Benson Park Committee headed. Mr. Alio said he wasn't really sure. Just doing the same thing they're doing. Getting the park to look nicer, opening up more space, or overseeing what is proposed to be done there.

Chairman Massey had one question. If for whatever reason he was not selected for this committee, are there any other committees that he would be interested in serving on. Mr. Alio said no not at this time.

David Briand 110 Belknap Road. Mr. Briand said he's been involved with Benson's a little over a year now. He's been to a lot of clean ups, loves the park, and wants to be more involved and do what he can to help.

Selectman Coutu told Mr. Briand that he's very committed to all of them. He's been quite involved and is a strong advocate of developing part of the park for a dog park recreation area for dogs. He's going to pursue a question that was asked by Selectman Maddox in a different way. Because you've attended many meetings, you've seen the direction that the Benson Park Committee has been heading, and you've seen the progress in the park because you've been involved almost since day 1. He's witnessed Mr. Briand's volunteerism. If Selectman Coutu were to ask Mr. Briand what is the most critical thing that you would say with regard to the direction that the Committee has gone so far, what is the one thing that comes to mind that he would like to see changed and a different approach or direction taken as a result of what you've seen at Benson Park.

Mr. Briand really didn't think there was anything he'd change - maybe a little more work on the buildings, which is being done now. The buildings are looking awesome. He thought the Benson Park Committee and himself see the park moving in the same direction. He really liked the way it's been moving. He'd like to be on the Committee and help it keep progressing forward.

Selectman Coutu asked how he saw his role as what on the Committee. Mr. Briand said he'd probably just be an alternate for now. He believed that the memberships that are up are being filled. Setting the dog park aside because Selectman Coutu knows that's something that is near and dear to his heart, are you going there with any kind of an agenda that he would like to see fulfilled. Mr. Briand said not really. Just to keep the park moving forward and make sure they keep interest up in the park.

Selectman Jasper said it was really gratifying to see that they have 10 people applying for 3 vacancies on this Committee. It's going to be very, very difficult to make the decision. Mr. Briand and Ralph have volunteered a tremendous amount. Ralph is in there all the time. Mr. Briand you are and he's heading up the dog park which Selectman Jasper has supported. If he doesn't vote for him, know it's because he wants to see his efforts stay on getting that project completed. Mr. Briand said his efforts will stay on that project. That's near and dear to his heart. Selectman Jasper realized that. This is going to be the toughest committee for him since he's the liaison to it. Most everybody here is involved in one way or another. So it's going to be a tough one.

Before we go any further, Chairman Massey wanted to get a clarification. How many regular voting members are there on the committee right now? There's nine correct? Selectman Jasper believed there were 9. They have 2 alternates. Chairman Massey said that neither of the 2 alternates was up this year. Selectman Jasper said that they have both applied for the full-time membership.

Ann Desrosiers (Incumbent Alternate) 97 Pelham Road. She's been an alternate member on the Benson Committee since February of 2010. She became involved in the summer of 2009 and carried forth. Now she's applying for a position on the Committee.

As opposed to asking a question because Selectman Coutu knows that, again as Selectman Jasper alluded to, almost every applicant here has been involved in one form or another in the park. She was visible to him right from day one when it was the Ben and Jerry show. She was there taking pictures, bringing food for people, and she was volunteering. The only observation he'd like to make is that he's made this observation about a lot of other people who join on committees. Selectman Coutu noticed it with Ann as well. Initially when you join a committee you want to get a feeling for what their doing, and not jump in, and get overly involved until you get a good feeling for what your fellow board members are involved in and get a little more knowledge.

Selectman Coutu has watched Ann progress from that point of observing and she's become a little more involved even though she's been an alternate member. It's gratifying to see that people are stepping forward. Like every other person here who's volunteered to be on a committee, Selectman Coutu wanted them all to know, and while he had Ann here he was taking advantage of this because he wanted to say it once, they really as Board members respect and appreciate the fact that they're all coming forward to volunteer to do service to our community at no cost to the Town of Hudson. It's a tremendous asset to have the large number of people they have in their community that are willing to step forward. We're indeed grateful. Ann, keep up the good work. Ms. Desrosiers said it was a wonderful crew to be associated with. Selectman Coutu thanked Ms. Desrosiers. They appreciated that. Benson's Park has come a long way. They're very proud of the progress it's made. It's because of people like you and others who have volunteered all these years. Thank you.

Selectman Maddox asked if he heard this right that Ms. Desrosiers is an alternate right now. Ms. Desrosiers said she was an alternate. Selectman Maddox asked where she would like to see the Benson's Committee headed. Ms. Desrosiers said each time you go to the park it's always different. There's always new improvements. She loved seeing how all the jungle growth has been cleared out and the appreciation of the guests that walk the park. Everybody has a smile. It's probably the only place in town that you can walk around and greet a stranger and say, "Hi how are you doing?" Her friends once called it "the jewel of Hudson". That's the way she refers to it. It's Hudson's happy place.

Ken Dickinson (Incumbent member) 12 St. Anthony Drive. Chairman Massey asked him his reasons for wanting to be on the committee. Mr. Dickinson said basically to stay the course and help on projects as they progress. They're going to move from a time when they're doing general maintenance to taking on some larger projects as they gain some more rules and regulations and structure to their committee over time. He wanted to support that. He's currently involved in a project selecting the benches are one of them. He wants to follow that through if possible.

Selectman Coutu asked Mr. Dickinson to refresh his memory. He was a former member of the original Benson's Committee prior to forming in house here once they acquired Benson's, correct? Mr. Dickinson said yes from about 2003.

Selectman Jasper wanted to ask a couple of tough questions. He apologized. As they all know he's applying for the Conservation Commission. There are 5 vacancies there and 5 applicants here. We have 3 and 10. He used Mr. Dickinson's own words - he almost always prefaced his remarks by saying, "I'd be able to do that but I'm too busy or I'd really like to get involved in doing that but I'm too busy." With 10 people applying and your schedule self admittedly being very busy, do you really think you're going to have the time to continue to be a full member? As you know, anybody can be involved in a subcommittee. They have many subcommittees. Do you really think it's in your best interests and the Town's best interests for you given your schedule to do that? Mr. Dickinson said he would be flexible. He knows that there are other good people that serve on the committee as well. He didn't put a ton of thought into reapplying. He stayed the course because he was involved in some projects. He'd be flexible.

Selectman Jasper was sorry to put him on the spot like that, but those were Mr. Dickinson's own words and that's why he wanted to check with him. Mr. Dickinson was fine with that. He's gained extra responsibility at work. It's been a busy year. With that said though, he wished he was more involved this year. He's had to deal with a large legal situation out of State to help his family with. Other things happen too. He had a lot of down time there. Selectman Jasper didn't want him to think that he didn't appreciate everything that he has done on the committee. He knows he

will continue to do it. He felt that question should be explored because of his statements in the past. He appreciated that.

Selectman Maddox asked where he saw the committee going in the future. Mr. Dickinson would like to see them get beyond general maintenance and clearing and actually move on to some other projects and try to also maintain what they've done to date. They've done quite a bit of work there and they' need to maintain it and develop maybe more rules too to make sure that everything moves along in the right direction. He thought they had a couple of projects currently on the table right now that was going to have them be very busy as a committee. He thought they're also going to have to be very careful about how all the projects interact and to make sure that they don't move too fast on everything and to create a park that works for multiple uses but that doesn't get over developed in certain areas at the same time to the point where there's a clash.

Crista Gagnon (Incumbent member) 28 Chagnon Lane. She's been on the Benson Committee filling a spot that was held by someone previously for the last year. She has enjoyed the last year immensely. She had started working on the Benson project about 8 months before that and it has been a phenomenal experience and a great time for her. Being new to town, she's gotten to know a lot of people. She's gotten to know the history of the town and every aspect outside of Benson's and inside of Benson's. This is a phenomenal town to live in. She's been very grateful to be able to share experiences with people.

Again Crista, Selectman Coutu said it's been obvious to him anyway that she's been a very active member. It's been brought to the Board's attention most recently that she also donates water. Her reference said so. That's not a put down. That's a compliment. She said her work also donated a lot of water. Selectman Coutu appreciated that she does that. She has been extremely active and very vocal in her positions on the board and not ashamed to state her positions on the board and the direction she'd like to see the park go. He was sure that she's given a lot of thought to various aspects of the park and projects that she'd like to see undertaken. Is there a specific or a pet project that you'd like to see undertaken that she felt the Board's not going in the direction of right now?

Ms. Gagnon said no. Her fear would be going too far. She didn't want the excitement that it is - oh you cleaned this beautiful area - to expand too far. They've talked about staying within the historic district and she really thought it was not appropriate to go much further than a few other areas that obviously make sense. When you walk through the park, you can see a bunch of trees in one spot in the middle of a bunch of clearings and you could say, "Yes this would make sense to clear out." She wouldn't want to expand much further than the boundaries they already set. Continue the work on the buildings to make sure that they're not falling apart. She's part of the Landscape Committee so making sure that those projects stay contained to what their thoughts were for them and that they don't get too crazy and that they are continually maintained by the people that are there. She couldn't think of anything that she would say there's an area that she thought hasn't been thought about being touched outside of what we've already discussed as a committee.

One of the things that Ken just alluded to a little while ago that's been a concern of Selectman Coutu's was overreaching within the park so that they lose control of the things that they have under control. Do you feel that the makeup of the Board as it exists presently shares that concern and you feel that whether vocally or with hands on that there's going to be those kinds of controls to make sure that we keep the park under control and we keep it at a point where we can continue adequate maintenance for what we have without over expanding. Ms. Gagnon does believe that the current Board and then additions. Obviously she can't say who the new people are going to be and how they're going to vote. She knows right now they're clearing and clearing and clearing, but a lot of them do not want all of a sudden to come in and we're never going to clear the whole 165 acres. She really wanted to make sure they don't go too far. She wants to be able to go and walk trails. She wants the Town to be able to go and walk trails and be in natural places and let the overgrowth in the areas that should come up come up but not in the areas that it shouldn't.

John Leone (Incumbent alternate) 30 Flying Rock Road. Since last February like Ann before him, he's been an alternate member of the current Benson Park Committee since last spring. He's been Chairing the Building Subcommittee and he also happens to be one of the Board of Trustees of Friends of Benson Park, a fundraising organization that was started up last year. He's quite active in all the cleanups. A lot of folks have seen him involved. His particular passion is around the buildings and that's how he ended up involved in that subcommittee. One of the things he would like to see them invest more time and effort and energy into is not just maintaining those building but restoring them. We're inching towards that goal where he personally would like to see them have some more detailed flushed out plans in place and the effort to drive towards that at a slightly faster pace than they seem to be going now in his opinion.

Selectman Coutu made an observation and he wanted to get a feedback from John. Since the Board appointed him to the Benson's Committee on a couple of occasions he's noticed at meetings that some comments are made and corrected him if he's wrong, you seem somewhat uncomfortable not necessarily with the comment but with some of

the approach sometimes. That's not a bad thing, that's a good thing. They do it here all the time. We don't always agree, trust him. Do you feel comfortable in your position whether you be alternate or permanent are you comfortable with the Board makeup and how things are going or would you like to see some changes? Mr. Leone thought it was important to have balance. He thought they have some folks that are absolutely more encouraged by and would like to maintain the natural habitats and wildlife and trails. That's all wonderful. He happens to come from the other side of the equation where he thought they should also be investing time and energy and effort into the building restoration like he just mentioned. He thought it was important to have that balance on the committee. Selectman Coutu said that was the point he was trying to get to that he does see that balance. It's like you're part of that check and balance system. You're not afraid to question things that have come up. He respected that.

For the record, Chairman Massey said that Selectman Nadeau has joined us at 7:25 p.m. Good evening.

Selectman Maddox said that Mr. Leone would like a certain fraction of that committee to be gearing more towards the buildings as historic structures or as some use as opposed to the open space passive recreation park. Mr. Leone said to try to strike more of that balance. He thought they've absolutely been more focused on the passive recreation side of things.

Selectman Jasper wanted to let the Board know that it hasn't gotten to this stage yet but they have had a resignation from the committee and he won't announce who it is at this point. We will actually be looking to fill 4 slots here on the 28th.

Barry Merrill 46A Windham Road. He felt like he was trying to catch up. He came in a little bit late and started working at the park this past summer and was amazed at the change he had seen from when they had done some real early cleanups and then they overgrew a little. He was totally amazed. When he saw the number of people that they've mentioned here already, he can't believe the amount of work that has been done at no cost to the Town. It's really encouraging so he started to do a little bit more. He's been involved in the cleanups, the dog park, helping out some people who have picked up some adopted spots. He adopted a spot himself with his wife and son. He loved the environment both the physical environment of being out there and all the people that he's met working in the different areas. He thought it was time to do a little bit more and step it up a little bit and become part of something that can help steer the direction. If he can help, then he wants to be there.

Selectman Coutu said that it was not a negative to have joined late. All new people are welcome. It's an infection and you know that. You get there and you see what's being done. It is the jewel of Hudson at present. He wanted to applaud Mr. Leone for doing it. We have a lot of candidates. He can't tell them who's going to be selected or who's not going to be selected. He hoped it didn't discourage him if he was not selected and he will continue. There will be other opportunities every year. There are opportunities for personal and other reasons people resign or leave committees. The possibility is always there of an opening. If it's not here this time, again thank you. A late comer is not a negative. It's definitely a positive. It brings to mind the idea of having fresh thought and fresh ideas for the committee to consider because you bring a whole different perspective not having been involved from the beginning. Thank you.

Selectman Maddox asked where he would like to see the committee. Mr. Merrill said just listening to some of the thoughts that have gone before and he's agreeing with a lot of them in that keeping a good check on what's developed and what isn't is a tough thing. When you start getting in there and attacking some of the stuff that you know is invasive. You just want to keep going. Striking a good balance between what's open and what's left wild is important. Keeping the historic buildings that are there at least maintained and opened to discussion on how they can be used. He's ready to be part of wherever the Board wants to go and being part of that decision making - like Mr. Coutu says the check and balance is important and he thought he can be a good part of that and keep the park going in the right direction and make it even better than today. Thank you gentlemen.

Charles Pantazis 20B Quail Run Drive. He's brand new to this. He just recently retired and he wanted to contribute something back to the Town. They've been here for a while and he really hasn't had the time to do it even though he probably should have dug in before. He sees the need for people and connects to everyone else and find out what their thoughts are. He sees it as recreation and a historic park as well. Some place for elderly people, middle aged, and kids.

Selectman Coutu couldn't help but after looking at Mr. Pantazis' application, would you consider cooking the food for the volunteers. He has a great appreciation for people who take culinary arts as a major. Mr. Pantazis she he would. Charles have you actively participated in any of the projects at Benson's Park up until now? Mr. Pantazis said he has not. Selectman Coutu asked if he partook of the park at all. Mr. Pantazis said he does go there.

Selectman Maddox asked if Mr. Pantazis had ever been to a meeting. Mr. Pantazis said he has not. Selectman Maddox asked if he had an idea where he'd like to go with that board. Mr. Pantazis said the roots have already been established. Just to progress on those and get more ideas and thoughts going to what they need over there.

Chairman Massey asked if for whatever reason the Board chose other people are there any other committees in Town given that he wants to get involved that he would be interested in applying for. Mr. Pantazis said he might be and he's going to look through those.

Dana M. Sion 10 Windham Road. Chairman Massey asked him to share his thoughts on the park. Mr. Sion said the park was his favorite place in town. It truly is a jewel. He enjoyed going to the park sometimes 5 to 7 days a week. More so during the summer when he runs every day. He enjoys meeting people and it really is a place where you can just walk up to people and say hello like Ann was saying. It always saddened him that for so long the park was gated and closed away from people going into it. He was overjoyed to see in recent years people can finally go into the park now and clean it up. Now it's open to the public and how far it's come from an area that you couldn't even walk through if you tried to and now it's a beautiful park that people around the country are proud of. He's also one of the two people who started the Facebook page for the park. They have almost 6,000 people on there who are very active. It's been wonderful to see people from Australia coming to the park and people who have moved to other places and they want to come to Hudson now. It's going to be drawing more and more people into town. He wanted to become more involved in the park. He's involved in the Building Subcommittee and the Landscaping Subcommittee. He wants to get more involved in the parks development.

Selectman Maddox asked Mr. Sion where he would like to see the Board headed if he was on the Board. Have you been to a meeting before? Mr. Sion said yes. He watches all the meetings on the internet when they are televised. He'd like to see the committee remain in an advisory role to the Board of Selectmen. In the future, continue to have good communication with the other departments in the town and for the committee to become stronger as it advises the Board of Selectmen. He'd like to also see things being balanced so that the park offers something for everyone.

Selectman Maddox said that Mr. Sion's e-mail address is at bensonpark.org. Mr. Sion said it Crista Gagnon has given him. It's with the park itself. He's been volunteering at the park for a long time and he was given an e-mail address.

Natalie S. Undercofler 7 Sunrise Drive. She's been a resident for 45 years. At the time that they moved here, Benson's was a destination and then they lost it. Now it is a destination and she's thorough enjoying working with the current committee. They have wonderful leadership and she thought that they're doing a wonderful job clearing and keeping the park open for everybody to use, walk their dogs, and enjoy themselves. She sees it as a community within a community. It is really an amazing place.

Selectman Coutu asked Natalie isn't it true she was here just to protect her grandson's work. Her grandson as an Eagle Scout project undertook the restoration of the old ticket booth. He did a fantastic job and was able to have the Governor pose for a picture with him, and you should be very proud. Ms. Undercofler said she was. As just an observation Mr. Chairman, Selectman Coutu has seen the Undercoflers there quite often of course as a result of partially because of the grandson working on the project. If there's one family that he's seen beam with pride very, very often when they're in the pack, it's your family. He's seen it on Natalie's face not just when the Governor is there but at other times that she's been in the park. He knows that her family has done an awful lot in the restoration project and the development of certain areas in the park - the hands on that they've taken not just in that but with the shrubbery and things like that. Again from the bottom of the Board's hearts, thank you very much. Selectman Coutu was glad to see people of all ages stepping forward and wanting to take part in something that's of a great historical value to our community. They've undergone a magnificent restoration with a lot more to do. Thank you Natalie. He appreciated their application and he appreciated them coming before them this evening.

Ms. Undercofler thanked him. Her whole family is participating. They love it. They've been to all of the cleanups and she cooks. She feeds the volunteers. That's one of the ways to that they get them to come back. They say they come just for the food.

Selectman Maddox said some days it was good to have a name at the end of the alphabet. A lot of the people Selectman Maddox didn't recognize because every time he was in Benson's they were covered in dirt and mud. These people actually clean up pretty good. Where would you like to see the Board go? Ms. Undercofler would like to see the historical area really beautified. She's Chairman of the Landscaping Committee. That's the area that she is most interested in seeing that they beautify it with shrubs, flowers, and make it attractive and everybody enjoy it. She often says that New York City has Central Park and so does Hudson. It's just a beautiful, beautiful place. Chairman Massey thought we have more acreage than they do. Ms. Undercofler thought he was right.

Chairman Massey thanked Ms. Undercofler. He thought just the observation he believed it was Selectman Jasper made, this is probably one of the few times in his memory that all of the people that are applying for this have been active on an ongoing basis. It is going to be a very difficult decision for the Board on this. He can assure everybody that it will not be a slight to anybody. When you have 10 people who are actively involved and only 4 positions open, it's going to be a tough decision for the Board. Again, thank you all for applying.

B. Building Board of Appeals - (2 vacancies, 2 terms to expire 12/31/13)

Chairman Massey said this Board is so popular that he can't remember the last time it met. That's partly because of the nature of this Board. It only meets when there's a problem. The fact that it hasn't met is a pretty good indication that we don't have any problems. It's the Building Board of Appeals. There are 2 open positions for members to expire on December 31, 2013. The one qualification that you have to have to be on this Board is you have to have building trades experience. If there's anybody out there who would like to get involved with the Town and with this particular Board, he knows that the Committee would love to have some additional people on it.

C. Cable Committee - (2 vacancies, 2 terms to expire 12/31/13)

Kristofor Georgeou Not in attendance.

Stewart Kroner (Incumbent member) 17 Chagnon Lane. He's an incumbent and he's been on the Board for a few years now and he'd like to continue.

Selectman Coutu had a comment. As your liaison to the Cable Committee, he will attest to the fact that Mr. Kroner normally is a very active member and participant and contributor to the Cable Committee programs and activities. He is a hands on person. He is putting countless number of hours running cameras, going down to high school sporting events, on the football field when Selectman Coutu was up in the broadcast booth doing a game, and other things he's done with the Cable Committee. Whenever the time was available for him to do so, he always volunteered to run a camera, and to help in the control booth, and things of that nature. Stu you know how he feels and how grateful he is for people like himself who not only volunteer but contribute much of your time to the success of whatever activity or committee that you want to be on. As you know and as members of the Board of Selectmen know, we've made great strides in the past year with our cable programming and probably not enough to still satisfy Selectman Maddox or maybe we have. They've made tremendous progress and in roads and Stu Kroner is one of the people that can be thanked for that. Thank you Stu.

D. Conservation Commission - (5 vacancies, 1 member term to expire 12/31/11; 3 member terms to expire 12/31/13; 1 alternate to expire 12/31/13)

James Battis (Incumbent member) Not in attendance.

Ken Dickinson (Incumbent member) 12 St. Anthony Drive. He's been on the Board for 10 years. He has a pretty good handle on the regulations that the Conservation Commission has as well as some of the other land use boards in town. He figured that he could continue to contribute to this committee and possibly take on some other projects down the line as time allows.

The question Selectman Maddox will be asking everybody for this position is their thoughts - chemical treatment or DASH Unit. Mr. Dickinson's first inclination is that if they have the right people to perform DASH Unit activities that the DASH Unit would be more effective over time versus chemical treatment and it may be less costly over time as well.

Just for the other committee, Mr. Dickinson believed that the Benson's Committee is moving in the right direction overall. There are some things that would probably be refined just like anything else. It's a huge project as we all know. Whatever you chose, he's grateful that they have so much activity on the committee.

Patricia Dubay 9 Elaine Street. The reason she's applying for this position was that she moved here 4 years ago from the South Shore of Massachusetts and she was looking to get experience and offer her assistance. She works for Environmental Consulting currently. She holds an asbestos license through Massachusetts. She's an asbestos inspector. One of the main reasons she's looking to be part of this community is to conserve the areas that are open space right now. She has two children that love to enjoy the spaces that we do have. The do Musquash cleanup every year with the Cub Scouts. They participate in the cleanup and a walk through the Musquash pond area. She would really like to help out any way she can to keep the areas that we have open.

Selectman Coutu was relying on Patricia's educational background and her experience for this question. In terms of conservation in the Town of Hudson, he would assume that she's if not gone to a meeting she may or may not have

watched some meetings on television. Ms. Dubay said she's watched them on television. However, she has not gone to a meeting. She did participate in several meetings on this side down in South Massachusetts to be part of the members on the other side. Based on her knowledge of our community and Selectman Coutu understood she's only been here for 4 years but based on the testimony she's given, she's partook in a cleanup project. We're all very concerned about the pond up at Musquash and that environmental area and its protection. Do you see any areas from her perspective anyway and the knowledge that you have of the town, any areas that they should be a little more aggressive at in our town in terms of conservation? Ms. Dubay felt there's a lot of development going on. The areas that are going to be affected are really along the lines of the (inaudible) areas. We need to watch. We need to be part of it just to make sure they're not going to have storm water draining into our wetlands but not in any specific area.

Selectman Maddox has a couple of questions. Since you're in the field he assumed she didn't have an aversion to mosquitoes and bugs. This is one of the boards that do a considerable amount of site walks. That will not be an issue? Ms. Dubay said not at all. Selectman Maddox asked if she had been following with the question about DASH Unit versus chemical. Ms. Dubay did not know anything about that. As an environmental consultant, she does do chemical treatments. She's not familiar with the DASH. Selectman Maddox said Diver Assisted Suction Harvester for invasive species. Ms. Dubay likes to stay away from chemical treatments. She would definitely go for the DASH.

Robert Friedburg Not in attendance.

Nancy A. Lamoureux 18 Village Lane. Her purpose for signing up on the Conservation Commission is she wants to become more actively involved in the environment of the pond area. She lives on Ottarnic Pond. She's seen what the treatment has done as well as the divers that were in there this past summer. She's seen the wildlife increase. They have a pair of Bald Eagles on the pond now that visit very frequently. Going out in the kayak, the water is much clearer and it's a nice place to be. The Ottarnic Pond Coop has the responsibility of the dam, which is one of their main concerns as far as the environment as well.

Selectman Coutu asked if Nancy was still the President of the Ottarnic Pond Association. Ms. Lamoureux said yes. Selectman Coutu asked her a hypothetical. He was sure she was familiar as well with Robinson Pond. He was bringing this up in light of a conversation he and Selectman Maddox had today. Do you think it would be healthier for the community as a whole if in the Robinson Pond area we could convince the people to establish their own coop for the Robinson Pond area similar to the way Ottarnic Pond has developed and matured their organization? Ms. Lamoureux believed so. They're a very close knit community. Everybody takes extended care of their property and the surroundings are concerned about what they're doing with the environment. They invited John Newt down from New Hampshire Arborists to go over their properties and mark trees for trimming and cutting and went over the shoreline restrictions that they have so that they're abiding by the regulations that they need to as far as maintaining the whole shoreline around their side of the pond.

If Selectman Coutu were to ask her in a nutshell what would Ms. Lamoureux say would be the advantage of the Robinson Pond neighborhood of having a coop as opposed to just continuing to exist around the pond as they do today. Ms. Lamoureux said as a coop they all own the property. It's pretty much owning your own land but they own the whole park so everybody has a say in what gets done and what does not get done and having a vote. It's not just an individual thing doing what they are doing to their particular property versus their neighbor next door. It's having the rules and regulations and everybody abiding by those particular things.

Selectman Maddox said Ms. Lamoureux got points for fitting as much stuff as she did on the application. Where would you like to see the board? Any thoughts on that? Ms. Lamoureux said she attended a board meeting last night to review what was going on. She thought it was very well conducted. She was glad to see that Chairman of the board stayed on. She was very impressed with him. She sees the board doing a lot of concern and care about land being overdeveloped and keeping the property as much back to nature as they possibly can by being concerned with the condo developments and that type of thing that's going on in Hudson. Selectman Maddox asked if she had any problem with the site walk issues. Ms. Lamoureux said she did not.

Finally, Selectman Maddox asked if she had an opinion DASH versus chemical. Ms. Lamoureux's opinion is DASH. She's not a chemical person. She's seen them out there this summer with the DASH Unit and she was very impressed at what was done as far as that goes.

E. Energy Committee - (3 vacancies, 3 terms to expire 12/31/12)

Margaret Femia (Incumbent member) 9 Stoney Lane. She'd like to continue working with Linda Kipnes on the Energy Committee. They work well together. They have been trying to help the town and the public with saving money and energy. She'd like to continue.

Selectman Maddox asked if both positions expired in 2012. Chairman Massey called Linda Kipnes up. He thought that it was odd that they expire in 2012, which is just 2 years. Shouldn't they be 2013? Ms. Graham indicated that they were only 2 year terms.

Linda Kipnes (Incumbent member) 23 Nathaniel Drive. The Energy Committee had some ups and downs. They had a little bumpy year this year. They have had some trouble getting members who are committed to what they would like to do. She was hoping they could generate some enthusiasm and gets some new people and keep going with their efforts to educate people and help people save energy.

Selectman Coutu wanted to make a comment. Linda you're one of those exceptional people who not only do you serve as Chair of this particular committee but you're also a member of the Library Board of Trustees. You're also an active member of the Conservation Commission which is the Energy Committee and the Conservation Commission and you've made great strides on all of those committees. Especially we here as members of the Board of Selectmen have seen first hand the amount of application that you've put into trying to save the energy for the Town. Most recently, and this was just an observation that he made, you had a program on cable television relative to energy. It would do this community a great deal of good and he was sure it would please him as well if he knew he had a viewing audience to try to get more of those types of programs on television. Selectman Coutu learned a lot of things by the most recent one that he had. He thought it was very entertaining and very educational. If we can get the young minds to even watch it, there's a lot in store for them to think about for the future and the conservation of energy. You've made great strides and they appreciated all the efforts that you put into all of the municipal buildings to try to achieve cost savings on our high electric bills. Thank you.

Ms. Kipnes said they do try to have speakers but they very seldom get people to come in person. It's a little bit hard to convince somebody that somebody is going to be watching them if nobody shows up in person. We do tape and televise them. I hope that people are actually watching them and I'm glad to hear that they are. Sometimes speakers are a little put off if they're speaking to an empty room. We will continue to have speakers and we will continue to televise them.

- F. Nashua Regional Planning Commission - (3 vacancies, 1 member term to expire 12/31/14; 1 alternate term to expire 12/31/2011; 1 alternate term to expire 12/31/14)

Chairman Massey said the Nashua Regional Planning Commission is a regional group that helps to work on issues of regional interests. There are 3 vacancies. At this point, we have no applications for this position. He did recognize Mr. Schneiderman. Mr. Schneiderman was curious whose term was expiring. Chairman Massey said one of the members is Rick Maddox and the other one is Bernie Manor. Bernie is the alternate and Selectman Maddox is the regular. The question is Selectman Maddox were you applying? Selectman Maddox said again he was taking over someone else's spot when someone left. Yes he will apply for the member position.

- G. Planning Board - (5 vacancies, 2 member terms to expire 12/31/13; 3 alternates - 1 term to expire 12/31/11; 1 term to expire 12/31/12; 1 term to expire 12/31/13)

Glenn Della-Monica (Incumbent member) 38 Bush Hill Road. As the newest member of the Planning Board, he's enjoyed the last 3 months. He feels like the new rail hand at the end of his first drive who commented there was a heck of a lot they didn't tell him when he signed on with this outfit. It has been a good experience though after he got through the initial 25 pounds of manuals to read. What he's really enjoyed was the fact that the Board really takes its job seriously. Just because somebody can do something, we take into account and the other Board members do too, it may not be in the best interests of the Town to do that. Curb cuts for instance at a business. Instead of just saying legally you can do it go ahead, the Board actually takes into account traffic patterns and the aspect of the neighborhood. He really finds that to be a very positive thing about this particular Board and he's enjoyed that.

Selectman Coutu knows that Glenn is a new member. He's watched every one of those meetings. As he does the ZBA, he noticed that he's even on occasion have expressed your former position as a former State Police that it's come in handy in some of the discussions that you've had. Mr. Della-Monica said from time to time. On the basis of what Glenn's seen so far and the short lived experience that you've had on that Board, it appeared to Selectman Coutu that he's jumped right in and he must have read those manuals because you're certainly exhibiting knowledge of a lot of the things that are coming before you. Do you find that there's a good balance on the Board right now with the members that you serve with? From what Mr. Della-Monica has observed so far, yes.

Irene L. Merrill 321 Fox Run. She's lived in this Town for 31 years. It has changed tremendously in that time. She'd like to see where it's going and how she can help.

Selectman Coutu saw by Irene's application that several years ago she worked for the Hudson Planning Department. Do you feel that that experience is going to be helpful and fruitful for you if you were selected to serve on this position and if so, how?

Ms. Merrill said she worked as a secretary to the Planning Board so she sent out all the abutter notices, took a lot of dictation, answered a lot of calls that came in, and directed those phone calls to Mike Reynolds who was the Planning Board Director at the time.

Selectman Coutu asked if she had on occasion watched any of the Planning Board meetings on television or gone to any Planning Board meetings. Ms. Merrill said yes.

Selectman Maddox said that she stayed to the end. That should get points right there. Again, they were challenged by Mr. Seabury to find members to the land use boards especially his. As you can see, we did really well. We have a good group of people that again have gone to the meetings and have seen what's involved. Thank you for applying.

Jordan Ulery Not in attendance.

Ed van der Veen (Incumbent member) 9 Newton Street. As you know he started on the Planning Board as an alternate in the middle of the summer because he had an interesting helping guide the future development of Hudson. Since then, he's become a full member and the secretary which is a unique position. There's a benefit to it. If Chairman Massey remembered correctly, he wasn't there that night. Mr. van der Veen said when you have to write a lot of stuff down, you really pay attention a lot more and you get more involved in what's going on. He thought it was a good benefit position for him. He still has his same interests. He believes in light industry and neighborhoods, sidewalks, bike paths, trees, and all that. It's exciting to see the projects that have been approved, get built according to the plans and being a part of that. He would be interested in continuing on as a member of the Planning Board.

Selectman Coutu thanked Ed for coming. Chairman Massey added the comment that in the limited amount of time that Ed has been on the Board, he thought he has made some positive contributions. He thought it was great to see Ed on the Board and great that he was reapplying.

H. Recreation Committee - (1 vacancies, 1 member term to expire 12/31/13)

Keith Bowen (Incumbent member) 24 Cottonwood Drive. He would like to begin by thanking the Board of Selectmen for his previous appointment that's due up on December 31st. He's truly enjoyed the experiences he's had with the Recreation Committee over the last 2 ½ years filling in for previously vacated position. He would love to continue with the work that he's involved with currently on the Committee and would appreciate the Board's support in doing so.

Mr. Chairman as your Representative on the Recreation Committee, Selectman Coutu will attest to the fact that we all know that Mr. Bowen was a former Recreation Director for the Town of Hudson. He's hands on and we've profited greatly by the amount of time, effort, and energy he's put in as a member of the board. We appreciate all you've done Keith.

I. Recycling Committee - (2 vacancies, 2 member terms to expire 12/31/13)

L. Cheryl Freed (Incumbent alternate) 4 Greenfield Drive. As you know, she was here a few months ago and the Board appointed as an alternate member to Recycling Committee and she's here to ask that the Board consider her as a voting member of the same committee.

Selectman Maddox asked where Ms. Freed would like to see the Committee head. Ms. Freed thought that they could do a better job with educating the public as to the recycling opportunities in addition to curb side recycling. There are many other recycling opportunities available. She thought that they haven't really explored those opportunities and presented them to the public.

J. Sewer Utility Committee - (2 vacancies, 2 member terms to expire 12/31/13)

Bernie Manor (Incumbent member) 1 Stable Road. He's here to get his job back. He's also requesting an increase in pay.

Selectman Maddox asked if Mr. Manor wanted to be on NRPC any more. Mr. Manor said it was a long ride over to Merrimack.

Selectman Maddox asked where would Mr. Manor like to see the Board going during his term. Mr. Manor said they have to keep things going as they are and try to keep the rates down. Hopefully they're going to be in great shape for

a long time. The update is going pretty good right now. He wished they could get Bill back, but I guess he's elected not to come.

As your Representative to that committee, Selectman Coutu has witnessed Mr. Manor's application to his involvement under the Sewer Utility Committee and he takes it very seriously. He's another one of those people who when asked, and he doesn't like him to ask too often, but he's always willing to volunteer and take on projects at no cost to the Town. It's greatly appreciated. Thank you Mr. Manor.

Just for the record, Chairman Massey believed that this Town has one of the best if not the best water and sewer operations in the State. It's certainly borne out with the sewer utility. In his recollection in the last 5 years, they've had 2 rate decreases and its still in the bottom quartile of rates in the State. He thought it was attributed to the work that that committee has been doing over the last umpteen years. He thought it was a tribute. We certainly appreciate all that's being done on that committee. Mr. Manor said they try their best.

Selectman Maddox thought the Chairman was going with the fact that without all these people that they're having a good time with this evening, this Town wouldn't run. The five of them get elected, but it's all the people that work in the trenches and many of the committees and getting things done for us that Hudson is the community it is. That's where he thought the Chairman was going but he thought he'd address that.

K. Water Utility - (3 vacancies, 1 member term to expire 12/31/12; 2 member terms to expire 12/31/13)

Chairman Massey said this was a committee where at least no more than 1 member can be a non-water user.

David R. Jelley 51 Webster Street. He agreed with the Board. It is good water. He's been drinking it since 1965 and never had a problem with it. However that's not the reason why he's here. Before he retired he wanted to get involved and do something. Now that he's retired, he wants to continue to do something. He's also a victim of good Hudson cable television. That is that when that rolling board goes, there's a little segment about the Selectmen requesting volunteers for the Boards and Committees. There was always one there that fascinated him and that was the absent member of the Water Committee. He sat there and watched that for quite a while. Finally one day he said he was going to go to the Water Committee and see what they do. He didn't really get much out of it but he thought it was interesting. As a result of that and to continue, the bottom line is to be involved. He put in his application for the Water Committee. He would say that if the Selectmen decide to make an alternate for the Water Committee and he doesn't get elected on the regular one, he would consider being an alternate.

Selectman Coutu has been trying unsuccessfully up until this point to get David to want to come back. You know he served on the Library Board of Trustees hands on. He was Vice Chair. He did an outstanding job. He had asked Dave to be mindful that there are vacancies on many boards and commission and that considering what he had witnessed from David that he felt that he would be a major contributor if he would find that niche. He guessed he's found it. Selectman Coutu appreciated him applying. Thank you very much.

Selectman Maddox said that Mr. Jelley's heart was set on water. If they asked him to go to the other utility - Sewer Utility - would that be something you'd consider. Mr. Jelley said he absolutely would.

Bernie Manor 1 Stable Road. His reason for applying was that you all know that Pennichuck is being bought by Nashua. Nashua is going to be our provider of services for the water. He thought it was something they need to really keep an eye on and see how they're going to work with our water company to provide the services and keep correct bills coming. That was the reason why he's been interested in applying for this.

Chairman Massey had one clarification. The transaction has not yet occurred. If it occurs what will happen is that Pennichuck Corporation will become owned by a single stockholder. That stockholder being the City of Nashua. It will continue to operate as an independent company under a Board of Directors selected by the Mayor. For all practical purposes at the moment if that transaction were to take place, we would still have our system being the operations and maintenance of it being done by Pennichuck Service Corporation. The only thing that will change is that instead of having a lot of stockholders, there will be a single owner of the company. The stockholder will be the City of Nashua. Other than that, we do have a lot of challenges faced with that organization.

Mr. Manor said another reason is we're running short of water in the Town. He thought it would be very good to start really looking hard to find places for new wells. He knows Gary has been really working at that. Gary and he have been trying to find more places to find wells. We have to keep that going. We have to find water somewhere else in this Town.

Selectman Maddox had a couple of things. He thought this would be much like we tried to do at times with the Planning Board and Zoning Board. Having somebody on both the Sewer Utility and the Water Utility he thought was

to our advantage. If Mr. Manor is willing to take that cut in pay, he thought it would behoove us to have that cross so that there's the communication between the two.

Selectman Jasper asked if Mr. Manor was on a well. Mr. Manor said yes. So that would create a problem here. Personally he's always wondered why we have the restriction. He's not sure that it makes any real sense. Maybe we ought to look at that. He thought people who have an interest in the system, that ought to be a higher priority than whether they're actually drawing water out of the system. We currently have one non-water user on there. He certainly would not want to discount Mr. Manor simply because he's on a well. Chairman Massey said it was a point well taken.

Jeff Rider (Incumbent member - non water user) 61 Barretts Hill Road. As far as why he applied for the position on the Water Utility, he believed that government works best when the citizens are involved. Given his background and experience, he thought that the Water Utility was probably one of the places where he could make the best contribution.

Chairman Massey said that one of the things that have been very useful for the Water Utility and it's only been in existence about 2 or 3 years, the technical expertise that Jeff has brought to that Committee has been well served for the Town. He thought he brings some perspectives that are needed if you're going to be looking at some technical aspects of running this system, especially in the area of policies and procedures which he thought he's done a tremendous amount of work to push those through and get them adopted by the Town.

Selectman Maddox said it was shame when they lost him on the Planning Board. Obviously they found him a good home in the Water Utility. He wanted to add to his comment earlier about Pennichuck. The article in the paper today said that the ratepayers won't see a decrease in rates in 30 years. At least when Hudson bought it, it dropped the rates 10 percent the day they bought it. Obviously they're going to be paying for quite some time for that \$198 million.

Chairman Massey said \$60 million of that is debt. \$138 million is actually cash changing hands. The rate payers are going to have to be paying \$198 million debt but only \$138 million is a cash transaction which is going to be a 30-year bond.

Mr. Rider understood that the Sewer Utility also has the same restriction that only one member can be a non-sewer user. Is the vacancy that's open a non-sewer user or a sewer user? Selectman Jasper said that Mr. Manor is not a sewer user. Chairman Massey said he's the non-sewer user on that committee. However, Selectman Jasper thought they ought to be looking at the expertise of the individuals applying. If they look at the water, they ought to look at the sewer. Are you interested? Interestingly enough, Mr. Rider's first appointment to any board in this Town was to the Sewer Utility but he never made it as far as getting sworn on because he's not on the sewer. So he went to the ZBA instead. If that restriction is lifted, he would certainly be interested in applying. The other area if he understood it right there's an opening in NRPC also. If the Town feels that he would be able to benefit there, not all 3. Chairman Massey asked if he was saying just one of the three. Mr. Rider said Water Utilities and then one of the others. So potentially two.

David Shaw (Incumbent member) NOT in attendance.

Before we leave the water, Chairman Massey wanted to make one other comment. It was triggered by Selectman Maddox. The Town in 1998 purchased the water system from Consumers for effectively \$27 million. Since that time, we've had approximately \$2.5 million in additional capital improvements. When we purchased the company in 1998, we had a 10 percent reduction in the rates that the users paid. We have not had a rate increase since. So we've been running this water utility for 13 years without a rate increase. He doubted there was a single water company in the country that could match that record. More importantly, Chairman Massey said they've continued to upgrade the system and we continue to have a high quality service. As Bernie Manor mentioned, we are aggressively at this point looking for other places inside town to have an additional well service for the Town that would lessen our dependence upon Pennichuck Water Works for water especially during the summer. Again, he thought it was to the tribute of the people and he thought Selectman Jasper was part of that group at the time that negotiated to purchase the water company. He thought they all are to be congratulated. They've certainly seen the benefit of what it was like to go from a private owned company to a publicly owned company. He didn't think that Consumer Water Company could have managed the system any better than Pennichuck Water Works has been managing for us. So we've been well served. The investment that the Town made 13 years ago is proving to be an extremely important investment for the Town. Thanks for Selectman Jasper and all the others in that point in time that made this come to happen.

Just a comment on that is Selectman Jasper may. Three Selectmen traveled up to Portland, Maine, to do the final negotiations and he took the lead on that at that time with the board. They negotiated the final price without our consultants in the room or our attorney in the room. They certainly did a good job when you look at the track record

over that period of time. That was one of the prouder things. So who says Selectmen can't do anything without a lawyer or a consultant.

Chairman Massey said it was definitely something that we should be proud of.

- L. Zoning Board of Adjustment - (5 vacancies, 1 member term to expire 12/31/13; 4 alternate terms - 2 terms to expire 12/31/11; 2 terms to expire 12/31/13)

William B. Abbott 48 School Street. As all of your, he was on the Sewer Utility Committee for a long time. He thought it was finally time to get a little new blood in the game. So he thought what else is available. Seeing that there was a bunch of vacancies on the ZBA, maybe that's the place to go. In looking over the agenda, he realized that as Selectman Massey just said, there's a pile of very good applicants for that job. He still has his name in but he thought he'd be a little short sighted if he didn't realize that there are probably a lot more qualified folks for that particular job than him at this point.

Chairman Massey thought Mr. Abbott sold himself too short. Mr. Abbott's point was that he would like to do something for the Town. If it's not the ZBA, some other meeting spot.

Selectman Maddox said he had him penciled in for Building Board of Appeals.

Chairman Massey didn't know that an electronic engineer would qualify as building trades. If you have building trades, we'll think about it Bill. Mr. Abbott said he didn't officially have any building experience as a contractor, but he built his own garage over in Nashua and he's done various other projects around. He knows which end of a hammer to hold.

Maryellen Davis 14 Nathaniel Drive. She is no stranger to anyone on this Board she didn't think. She's been on the ZBA previously. She finished out an alternate term. That's how she arrived on the Board and then she served two subsequent terms. She has been about 7 or 8 years on the Board. During that tenure, she served his penance as the clerk also known as the secretary. She also was Vice Chairman. Her final term expired last December as most folks know and she didn't re-up it at the time. Her company was being bought out and went through a very, very busy period and she was not sure of what kind of commitment she could make to the Board. She did take the year off. Believe it or not, she found that she has missed it. She's missed the challenge; she's missed the excitement, the people and the dynamics on the Board. There are openings for alternates, so she's applied for that. Ms. Davis would like to mention that she has gone to every single meeting while she was on her tenure unless she was absent because of legitimate reasons because of business travel. She's attended all of the training seminars that have been offered by the Town and by the Local Law Lecture Series and Local Government series. She knows the procedures. She's hope that she's made some instrumental changes on the Board and that she's made some good, sound, solid decisions. She thought her skill set and her background shows that she can manage the position.

Selectman Coutu said first hand knowledge and he had to agree with the testimony presented by Mr. Seabury. He's seen a lot of people apply and indeed get appointed to various board and committees. They've put a lot of effort into what they do. You deserve recognition. You go a little deeper than just hands on. You thoroughly research a project. The sign ordinance is one that comes to mind and all the work that you put into that. He's witnessed first hand and obviously by watching the ZBA meetings on television you asked the in depth questions. You look for an answer that's going to be integral in your making your decisions. He's never seen her go into any of the meetings nor have people appeared before the ZBA with a predetermined mind set. Selectman Coutu thought that Ms. Davis has shown that she can give weight and make good judgment on the basis of the evidence of testimony that's presented. She's to be applauded for that and she'd be a tremendous asset. If you do get back, welcome back. For the record, Selectman Coutu has never been but he's been invited. I hear she runs some of the greatest Christmas parties in town. Ms. Davis said she has a lot of passion around it.

Ms. David would like to tell Selectman Maddox that she would be remiss if she would say that there were any changes that she would make to the Board or how she would see the Board going. In front of their Chairman here, she'd like to mention that it is a very well run machine.

Gerald Dearborn 136 Highland Street. He's a lifelong resident of Hudson, except for 4 years in the air force. He has previously served on a couple of other town run committees - being Trustee of the Trust Funds and he believed he took Chairman Massey's position when he left to become a Selectman. That was short term. At that point in time, he had the opportunity to go back to work full time for a two-year period of time. He is now fully retired. He works 2 to 3 hours a week but it's very flexible. He would have plenty of time to do any site reviews or meetings. Thanks to Mr. Maddox, this is probably why he's here tonight.

Selectman Maddox wasn't going to ask the question where he sees this Board going because they don't have a lot of choice. They have to follow the RSAs and our zoning. So they don't really get to decide where their particular Board. So he won't be asking that question. He knows where they're going - by the rules. Thank you.

Selectman Coutu had one question. That is on the basis of your past experiences and your knowledge of Zoning Board laws if you've studied any of them, what do you feel would be your major contribution as a member of the ZBA? Mr. Dearborn said just contributing to the Board, working with them to get an understanding of all the zoning rules, regulations, and to make sure they're adhered to according to the requirements of the RSAs.

Robert Friedburg NOT in attendance - available by phone. Chairman Massey asked if we could have him come on the 28th.

Marilyn E. McGrath (Incumbent alternate) 81 River Road. She believed the Board all knew her. She's a lifelong resident of the Town. She's served 4 or 5 terms on the Planning Board. She's served 2 terms on the Zoning Board of Adjustment as an alternate member first serving as a liaison from the Planning Board. She'd like to continue in that role as an alternate. The past year she's had to miss several of the meetings, which is typically unusual for her because she typically attend all of them. She's had some health issues that she's had to deal with and hopefully those have been resolved. She'd like to continue.

Selectman Jasper wanted to give Ms. McGrath the opportunity to respond to something that stuck in his mind. Earlier this year during the infamous fence controversy he had the opportunity to read much of what went on to try to grab a hold of what was going on in his own mind and what happened on the ZBA. A comment that he read, and he may not have logged it in his memory quite correctly that was attributed to you - he wanted to tell her what he thought he heard her say and give you the opportunity to respond to that and tell him if it's not what she said or clarify if it is what you said - expound on it. In looking at it as he recalled, it ended up Ms. McGrath was on the prevailing side. The comment was something to the affect that you saw your job there as to uphold the zoning laws of the Town of Hudson. Selectman Jasper wanted to give Ms. McGrath an opportunity to respond to that. He'll ask her a further question afterwards.

Ms. McGrath said it was. It's to interpret the zoning laws and you have criteria that the applicant has to meet in order to meet a variance. In her opinion, that applicant did not meet those criteria. Hardship being one of them. Selectman Jasper said that was fine. That's pretty much what he wanted to hear. The way the quote was left what hit him at the time with just the quote that he read was what's the point of having a ZBA? What you said is appropriate. It wasn't part of the written record. That's fine. Ms. McGrath said she probably looked at the minutes. That set of minutes she scrutinized pretty closely because she did have a larger part in that particular decision. Every case is different. You weigh the evidence in your own mind and base it on those criteria and make your decision. It's not personal. It's a land use board. If you remember the record, Ms. McGrath said she thought that there was going to be a problem that was going to end up being a very serious problem between those 2 neighbors. That doesn't have any bearing on the decision making. It's a land use board and you have to make those decisions based on the criteria that are available to you.

Selectman Jasper said it really wasn't about that case. It was about that quote. As he said, Ms. McGrath expounded on that and that was the answer that he was looking for was just where it left him. There's no point in having a ZBA because if all you're doing is looking at what it says, the ZBA looks at the hardships and based on the criteria. That as he recalled, that was missing from the record and he just needed to clarify that in his mind. Thank you very much. You've done that.

Ms. McGrath said in the event that you decide that you don't want to reappoint her, she would like to speak on behalf of the other two applicants, Maryellen Davis and Mike Pitre, that are applying for their positions. They've been invaluable members of the Zoning Board of Adjustment. She thought they'll probably all recognize that some of the land use boards, particularly the Zoning Board and the Planning Board, history and historical knowledge are very important. She thought that those two members certainly bring a wealth of historical knowledge to that board. They are also well versed in the requirements of making decisions for the Zoning Board. She thought that they're valuable members and they really should be reappointed. Thank you. Have a Merry Christmas.

Michael Pitre (Incumbent member) 10 Joan Avenue. He's there to speak to his application for the ZBA. He's a current member of the ZBA, 8 plus years. He knows it's been a while because he didn't need reading glasses when he started. He's currently Vice Chairman of the Board under Mr. Seabury whose leadership and efforts in support to this Town should be duly noted and acknowledged. The ZBA has changed in recent years as we are not seeing the large cases such as Green Meadows, Hawkview Estates before us but in lieu of the smaller cases for variances, setbacks and additions, basements, pools and those types of things. We're also challenged as a town with progress in changing in electronic signs and that nature, which really could affect the visual landscape of this Town moving forward good, bad, or indifferent. They'll also see the same thing with cell phone towers as they become more and

more prevalent not just for area coverage. He thought they had that covered. They're looking for more of the coverage for the 3G and 4G phones and data plans. They're going to need more and more towers and they're going to see more and more cases in that regard. With that being said, Mr. Pitre said that the Town land use regulations and the guides that we follow for such variances are getting bigger and bigger. We currently have 2 books to reference from when we make these decisions. So the challenges in front of the Board are getting greater.

He would also like to throw his support behind Ms. Davis as a member of this Board. She was critical in writing our current ALU regulations and sign ordinances and is a strong member of the Board during her tenure. The same thing for Ms. McGrath. He strongly supports her. Her tenure, knowledge, history of the Town, and her opinions are a great asset not just to the ZBA but the Town in general.

Selectman Coutu has a comment. No one makes a motion to adjourn better than Mike Pitre. Mr. Pitre thanked him.

Stuart Schneiderman 2 Library Street. He would have stayed to the end even if he was the first person they spoke to. He's spent a couple of very interesting years sitting with the Planning Board. It's been quite an education. He's applying for the Zoning Board of Adjustment because he wants to continue the work in land use. He's especially in awe in the way that Mr. Seabury runs his meetings. He certainly is a participant at the Planning Board too. He gives them some incredible insight. He's attended a lot of programs run by the Local Government Center with him. He believed it would be handy to have someone who sits as an alternate on the Planning Board and on the Zoning Board of Adjustment.

Selectman Maddox said that Mr. Schneiderman is a very colorful human being at the Planning Board. You help balance him out at the other end of the table. The ZBA is a much different animal. The Planning Board has great discretion as to how they interpret, how they apply where the ZBA is basically a semi-judicial board and as they only interpret and rule, they don't vary. He was wondering if Mr. Schneiderman can handle switching between the two entities.

Mr. Schneiderman thought he was better suited to the Zoning Board of Adjustment because the rules are very straight forward. He works as an accountant and the rules he follows in his work are 2 and 2 is always going to equal 4. The Zoning Board of Adjustment simply applies to the law to the facts in the case. It's very simple for his kind of intellect to deal with. He needs a little extra guidance with Planning Board matters. It has been offered and he has gladly accepted.

Jordan Ulery Not in attendance.

Chairman Massey would like to reiterate something that Selectman Jasper said at the beginning of these discussions. The following Boards have more openings than we had applicants: Building Board of Appeals, Energy Committee, Nashua Regional Planning Commission, Planning Board, Recycling Committee, and Sewer Utility Committee.

Without objection, the Chairman would declare a 10 minute recess at 8:59 p.m. Thank you all for doing this. They certainly appreciated all the interest. The Board was back in session at 9:10 p.m.

6. CONSENT ITEMS

Chairman Massey asked if any Board member wished to remove any item for separate consideration?

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

A. Assessing Items

- 1) Multiple Exemption Applications - Disabled Veteran Exemption - Map 106, Lot 039; Veteran Exemptions - Map 147, Lot 017, Sub 017; Map 168, Lot 002, Sub 010; Map 191, Lot 037; Map 140, Lot 061; Map 187, Lot 010; Map 156, Lot 005, Sub 004; Map 174, Lot 116; Map 156, Lot 008, Sub 030; Map 216, Lot 014, Sub 072; Map 191, Lot 014; Map 158, Lot 019; Map 203, Lot 094; Map 174, Lot 049; Map 216, Lot 014, Sub 063; Map 175, Lot 034, Sub 010, w/recommendation to approve
- 2) 2010 tax abatement - Map 224, Lot 5 - 1, w/recommendation to approve
- 3) 2010 tax abatement - Map 222, Lot 18, w/recommendation to approve
- 4) 2010 tax abatement - Map 157, Lot 66-111, w/recommendation to approve
- 5) Current Use Lien Release, Map 217, Lot 37-67, w/recommendation to approve

- 6) Timber Tax Warrant - Map 230, Lot 022-001; Map 230, Lot 022-002; Map 230, Lot 022-003; Map 230, Lot 022-004; Map 230, Lot 022-005; Map 230, Lot 022-008; Map 230, Lot 022-009; Map 230, Lot 022-011, w/recommendation to approve

B. Water/Sewer Items - NONE

C. Licenses & Permits

- 1) Hawker & Peddler Permit by Michael Bevens - B & B Catering - to sell sandwiches, entrees, drinks & snacks at various locations in Hudson

D. Acceptance of Minutes

- 1) Minutes of the November 1, 2010 Workshop Meeting
- 2) Minutes of the November 9, 2010 Budget Wrap Up Meeting
- 3) Minutes of the November 23, 2010 Meeting

E. Calendar

- 12/15 5:00 Water Utility Committee in BOS Meeting Room
- 12/15 7:00 Budget Committee in Community Development Meeting Room
- 12/16 7:00 Budget Committee in Community Development Meeting Room
- 12/16 7:00 Benson Park Committee in BOS Meeting Room
- 12/20 7:00 Recycling Committee in BOS Meeting Room
- 12/20 7:00 Energy Committee in Community Development Meeting Room
- 12/21 7:00 Budget Committee in Community Development Meeting Room
- 12/21 7:00 Cable Utility Committee in BOS Meeting Room
- 12/24 Christmas Eve - TOWN HALL CLOSED
- 12/28 7:00 Board of Selectmen - BOS Meeting Room
- 12/30 3:30 Trustees of the Trust Fund in Community Development Meeting Room

7. OLD BUSINESS

A. Vote taken after Nonpublic Session on November 23, 2010

- 1) Consensus to hire Dan Skafas as a Temporary Full-time Firefighter position at an hourly rate of \$14.58 per hour effective November 24, 2010 as recommended by the Fire Chief in his Memo dated November 8, 2010.

Motion by Selectman Nadeau, seconded by Selectman Coutu, to hire Dan Skafas as a Temporary Full-time Firefighter position at an hourly rate of \$14.58 per hour effective November 24, 2010 as recommended by the Fire Chief in his Memo dated November 8, 2010.

Selectman Maddox thought the reason why they had a consensus was they had a question in regards to the number of hours. Someone was going to make sure that it was not going to exceed in whatever the time period was to make it full time. Has that been addressed? Selectman Coutu believed Chief Murray had stated that he was going to stay within the State guidelines of the amount of hours that's governed by...Mr. Malizia said the Chief articulated that during the meeting. Selectman Maddox thought he was going to get back to the Board.

Chief Murray said that was correct. They're going to make sure he stays within the hours so not to exceed the State requirement of a full-time firefighter.

Vote: Motion carried 5-0.

- 2) Motion by Selectman Coutu, seconded by Selectman Maddox, to hire as Hudson Police Officers John J. Mirabella, a certified New Hampshire Police Officer, effective December 12, 2010 with a starting salary of \$22.02 per hour; and to hire Brent A. Smith effective December 13, 2010 with a starting salary of \$20.98 per hour according to Police Union Local #3657, carried 5-0.
- 3) Motion by Selectman Coutu, seconded by Selectman Jasper, to hire Larisa J. Johnson as a Hudson Police Officer effective December 13, 2010 with a starting salary of \$20.98 per hour according to Police Union Local #3657, carried 4-1. Selectman Maddox in opposition.

Chairman Massey wanted to add that the swearing in ceremony for the 3 officers is going to be Thursday, December 16, 2010, at 3:00 p.m. in the Police Station.

- 4) Motion to adjourn at 10:57 p.m. by Selectman Coutu, seconded by Selectman Jasper, carried 5-0.

B. Hudson Senior Facility

Chairman Massey recognized Selectman Maddox.

Thank you Mr. Chairman. As you know, Selectman Maddox said they met with the Senior Building Committee as well as HCTV to try to get something onto the Warrant this year for the combined senior building at Benson's and the HCTV studio underneath it. Of course, my favorite statement of "government is glacial" came into play here as they are running up against the time frame to get something on the ballot. When they met with the architectural firm, the numbers that they had, they couldn't work with. They tried to come up with something to put onto the ballot this year to move this forward. Having done that, the motion you see before you is to take \$300,000 to start the work. He figured this would be a starting point for some conversations amongst the Board members.

Selectman Jasper was going to jump in with both feet. You all wouldn't have wanted to be around him when he first read this. He's going to be a little bit calmer in his remarks than he might have been before. He agreed they need to get this forward. He's in support of a combined facility. However, the wording of this article is like something he has never seen before. It is appropriate to move forward with the architectural engineering fees. In Selectman Jasper's estimation, it is totally irresponsible to put money on a warrant article to put in utilities and do site plan for a building which they don't know how much it is going to cost and if it will ever be approved. It would be a total waste of money. This Board goes over the budgets appropriately so with a fine tooth comb, scrutinizes everything, and he's looking at \$300,000. He didn't know by looking at this how much is engineering and architect. How much is site work? If he assumed 50/50, he's looking at \$150,000 which may be potentially throwing the money to the wind. Until it is approved as a project by the voters.

Just for clarification so they understand, Chairman Massey said that last piece is the site work and the utilities that Selectman Jasper was referring to. Selectman Jasper said that was correct.

Selectman Jasper said it calls for them to put in utilities - gas, water, and sewer to a location. He understood that they would not do that until it was approved by the State. If it were approved by the State, we would be moving forward and actually putting in all the underground utilities without the voters knowing what the final project cost would be and whether it would ever be approved. That should not happen. Moreover not only does he think it's not appropriate, he thought that becomes the death now for this warrant article. He did not believe that responsible voters or responsible Budget Committee would recommend this. He thought they needed to pair this down to simply the engineering of the building to move it forward. He also thought that it would be appropriate not just to take whatever that number is from the capital reserve fund. He thought some of that money needed to come from the seniors fund and from the cable utility fund. The seniors have already put money into engineering so he would not be expecting this to be a one-third, one-third, one-third. Selectman Jasper would expect that there would be an equal sharing of the total expenses to date in this. He thought that way you can probably gain support. If they simply go out if its \$150,000 for engineering and its all coming out of capital reserve, he thought they go no place. If you go forward with this warrant article, you're just moving things backwards.

Selectman Coutu heard what Selectman Jasper stated relative to the \$300,000. At first glance, he had some concerns about that and he still does. He thought it was going to be very difficult for us to be able to tell the voters that we're going to spend this money. As Selectman Jasper pointed out, we really have no plan, no idea whatsoever what the final dollar amount is going to be, and he thought that to take money and start putting in utilities like gas, water and sewer even though it is for a dual purpose, is putting the cart before the horse. He could support it and he would like to see them resolve this this evening and have a warrant article so that they can get this in motion. He could support allocated funds on however they proportion those monies to put the plan together so that they can have the engineer's design and an actual cost so that they can put it out to bid. He thought the voters, like Selectman Jasper, he thought are going to be very reluctant to want to support them taking out of unreserved fund balance something that they've been trying to control and manage an amount up to \$300,000 in order to achieve something that could conceivably not come to fruition. He would rather spend less money in order to be a little more conservative about their approach to this and they can still get it on the ballot, and they can still get a consensus from the voters if that's in fact what they want to do. We can't assume that they're going to approve it. We would like to think that after all of this time they certainly would and we can get this thing in motion. At this time unless Selectman Coutu hears something that can convince him, he's prepared to vote against this motion as it is written.

Chairman Massey wanted to see if they could get a consensus.

That's what Selectman Maddox was going to go with. If they just scratch out on this draft motion "after design and engineering work" and reduce that number down from \$300,000 to \$150,000, which is probably going to be the 10 percent of the \$1.5 million estimate, the engineering is mostly 10 percent. He's just coming up with that number. Would that be something that this Board could support?

Selectman Jasper thought he could support that. He wasn't sure that he was prepared to do it tonight. There isn't a reason to do it tonight. We're not up against the clock tonight. We have plenty of time to get a warrant article in. The warrant article night will be much later. Again, he would like to see and he knows there are some potential questions as to whether money can come out of the capital reserve for the cable utility for design. If it's for building, he thought that was a natural part of building. You can't build a building without designing it. He shouldn't think there would be a problem there. Again, Selectman Jasper thought if they were going to get this passed and if the seniors are prepared to use the money they have there, then there has to be a commitment here. He really didn't care what the makeup is. He thought a commitment from the Town, from the seniors, and from Cable Utility to reach that \$150,000 is what was important here. He was not in favor and will not support taking \$150,000 out of unreserved fund balance at this point. He would support taking money out of there. The question is how much and how do they arrive at that split. That in his opinion can't be decided tonight. They need to work on this a little bit more and come back on the 28th with a final project and hopefully a number on engineering other than just an estimate. We're not going to get very far just pulling \$150,000 out of the air. We all know that. You need to have something...Selectman Maddox said they have that from when they have right now. Selectman Jasper didn't have it in front of him tonight. He's not prepared to vote on this kind of money without having documentation in front of him. Again, the discussions need to take place with the other two entities that are involved in this project.

Selectman Nadeau said he was all in favor of putting this forward to the voters. The only thing, like the rest of the Board so far, is not having all the figures in front of him. He would definitely like to see a breakdown of how much the seniors are going to put in, how much cable is going to put in, and how much the Town's going to put in. Like Selectman Jasper said, the seniors have already fronted them some money for the architectural fees that they've already done. He'd like to make sure that it is proportionally put in this sum that we're going to do with the seniors. Selectman Nadeau would like to make sure they have an agreement before they put the warrant article to the voters of how much each group is going to be putting in.

Chairman Massey would like to at least get it understood that the more complex we make the warrant article, the more difficult it is going to be to get people to vote for it. The more complex it is people are going to say, "I don't understand it." He's going to vote no as a result. He thought the easiest way to do this is to in fact take it out of the unreserved fund balance. It's very easy to understand. There's no impact on the tax rate if the people do it and it moves us forward. To put any other language in that warrant article he feared would cause a lot of people to scratch their heads and say I don't understand and vote no because I don't understand.

Selectman Jasper said that is where education is important. Too often we sit back, put a warrant out there, and do nothing. We talked a little bit about the water utility. That was a \$27 million bond and we got almost 90 percent. He personally went out and did a dog and pony show all over town during that period of time. If this is something that people want, this is something where you write Letters to the Editor and you visit various groups. He totally understood what they were saying and absolutely disagreed with the end result. He thought if they said they were going to take \$150,000 out of unreserved fund balance for this, it fails with no commitment from any other entity.

Selectman Maddox disagreed slightly Selectman Jasper. He thought that if they put it as \$150,000 so that they can have an actual set of drawing that can go out to bid so that they can get that final number, to ask cable to pay a third, and the seniors to pay a third, this is something the Town has been wanting to do for umpteen million years. If the vote is no, the vote is no. He thought convoluting it, they're just changing that the money is going to come out of cable now rather than later. The senior now rather than later. He thought that was either a commitment by the citizens, the taxpayers, the voters or its not. How they shuffle those beans he didn't think is going to make anything in the long run. If they're for this, they will vote for it. If they don't, they don't. He'd prefer it stay at one source of money, the \$150,000.

Chairman Massey said they have 2 different thoughts on the table as to how to finance it. Selectman Coutu said he was lost a little bit with regards to how they're going to change the language and include in there a 3 way funding source. Is that what you're saying is going to convolute it is if - that would be his judgment. The question that Selectman Coutu has is assuming he could agree to the \$150,000 coming out of unreserved fund balance, do we have the mechanism for cable utility to reimburse us in the unreserved fund balance? That share or proportion that we say we should charge the cable.

Chairman Massey thought the answer is that when you put the warrant article on to build the building, the sources of funding would then indicate monies coming out of the capital reserve fund, the contributions from the senior organization, and the remainder from whatever financing mechanism is required for the Town. It would be cable capital reserve fund, the senior's fund, and whatever is left would be financed by the Town either by a bond or by a tax rate, or by taking it out of the unreserved fund. It would depend on the time on what the final number is.

Selectman Coutu understood that the Town is going to be liable for the balance. That was the intent. The question he had was he was concerned about taking from unreserved fund balance. Is there a mechanism for them to take the money that's in the capital reserve for cable at that time and reimburse what we felt was their proportionate share? He yielded to Selectman Jasper.

Selectman Jasper said no. In what Selectman Massey says is true if they proceeded to the point where they were going to build, then you'd take the money out of the fund and it would come out in the wash. His big problem here was that if they go forward, \$150,000 strictly from the taxpayers - it is the taxpayer's money. They can say it has no impact on the tax rate, which is true, but its \$150,000 that the taxpayers have less to offset the tax rate or to spend on another capital project. At the

end of the day if they're approved and they come forward in another year with a proposal to build a senior center and that is turned down, then the seniors are whole, the cable utility is whole, and the taxpayers are out the entire bill. If in any of the other cases the cable utility were going to go out and design a building and they asked for money to design a building for themselves, we would never be putting taxpayer money up from this to do this. It would come out of the reserve fund. If they didn't ultimately get the building, they would be out of it. The same would be true if the seniors were building a building, they would do whatever they had to do. That's a little different scenario assuming they were going to finance it all on their own. They know they're not. They have X amount of dollars. He didn't think and he would actively oppose putting the entire onus for this design on the taxpayers. This needs to be shared. It's not very complicated to do. The wording at the start everybody knows its \$150,000. We've done that when we've shared on some other things. It can be difficult but we tend not to sell what we're doing. We tend to pass it, put it on the warrant, and never say another word about it. We're lazy when it comes to supporting our warrant articles. We can educate. We can pass things if they Board cares to put the time into it. The reason they lose things that get a little complicated is because they don't do anything.

Selectman Coutu said the Vac-Con truck was a classic example. They did absolutely nothing 2 years ago and last year they exerted themselves in that direction and they got the Vac-Con truck. He understood where he was coming from. What you're recommending Selectman Jasper is that you can agree to a sum certainly under \$300,000. You expect that we should enunciate in the warrant article the 3 funding sources and their proportionate share. It doesn't matter if it does seem complicated if they go out and they sell it. They should be able to sell it.

Selectman Jasper said between the Board of Selectmen, the seniors, and cable they can certainly get the word out to everybody and make it so that nobody is going into the voting booth having seen this for the first time. Nobody thought that they could get an 89 percent - he thought that was the vote they got on the water. Nobody thought they could get an 89 percent vote on a \$27 million bond. The only reason it happened is because we educated.

Selectman Coutu asked how difficult would it be and how much time do you think it would take to arrive at whatever proportionate share we were to come up for the three interested parties which would be the Town, cable, and the seniors. Chairman Massey thought it could be done by the 28th. It would have to be done by the 28th because that's the last time we can meet before the warrant articles are being heard. Again, Selectman Coutu shared the same concerns as Selectman Jasper. He thought that if they exerted themselves and they put their best foot forward, they could sell it despite the language. He would think it would be cleaner and fairer if they come up with a formula of proportioning the cost to the 3 entities that are going to partake in this, which would be the Town, cable and seniors. He would feel more comfortable supporting language that delineates that cost proportionately.

Like Selectman Jasper said, Selectman Nadeau said you have the seniors that can go out and do it. You have cable TV that if you watch the different things that are on cable TV. The Cable Committee has their meetings. The Cable Committee and any other committee in this town have the opportunity to put stuff up there. There's a chance that they could do a TV show and explain everything at the cable facility center that they have. He thought there was plenty of opportunity to put this forward to the voters and tell them exactly what they're getting for their money. He thought that they should do something for the 28th and have it proportionately spelled out in here. He thought it would be a great thing to do to get it forwarded to the warrant article.

At this time, Chairman Massey recognized the Chairman of the Hudson Council on Aging Mr. Renzullo. If any of the Building Committee members Lucille or Pat if you want to come up please, otherwise you can stay back that. Andy your thoughts on this.

Mr. Renzullo said he was missing something here. There is a capital reserve fund set aside for the senior center. Is that the money that you're talking about to fund this? Chairman Massey said at the moment he thought they were talking about the capital reserve fund for Hudson Cable. There's also money in the capital reserve fund for the senior center itself. Selectman Jasper said that could be the other source. He didn't know how much was in there. Mr. Renzullo said \$75,000. Chairman Massey said there was \$25,000 going in on a warrant article. Selectman Jasper said they could easily do it \$50,000, \$50,000, \$50,000. Mr. Renzullo said he was saying then \$50,000 out of the senior capital reserve fund, \$50,000 out of the cable capital reserve fund, and \$50,000 out of the Town surplus. Selectman Jasper said yes. Chairman Massey said they weren't asking for anything from the seniors. Selectman Jasper said it was the same. Chairman Massey said he wanted to be clear. Selectman Jasper considered that to be their money for their building. So yes he is asking.

To be clear, Chairman Massey the warrant article would have whatever the money is and it would be 1/3 of it coming out of the Cable Capital Reserve fund, which this would be a legitimate purpose as Selectman Jasper has indicated; \$50,000 would come out of the Senior Capital Reserve Fund; and \$50,000 out of the Unreserved Fund Balance. Selectman Jasper said that was correct. Mr. Renzullo thought they could agree to that.

Chairman Massey said okay. They will craft that article between now and then. The 150,000 was too far off the mark because based on some numbers they were looking at, that's probably about where it's going to come in. It will be two pieces. One would be the architectural work and the other piece would be the engineering and construction estimates. Selectman Jasper said hopefully in this economy you could get somebody to agree to that. That's a lot of money. Chairman Massey said they'd have to go out to bid. They'll bring that under "Old Business" on the 28th and carry forward. Progress is we move forward.

8. NEW BUSINESS

- A. Donation of plants, trees, and shrubs valued at \$4,396.40 from Countrybrook Farms for the Benson Park Serenity Garden

Chairman Massey recognized Selectman Jasper.

Selectman Jasper said Countrybrook has very generously offered to donate materials. He was told that this will be the first of several donations over a period of time.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to accept the donation of plants, trees, and shrubs valued at \$4,396.40 from Countrybrook Farms for the Benson Park Serenity Garden with the Board's thanks and appreciation.

Selectman Nadeau would like to thank Countrybrook Farms for this donation. Being in the horticulture field, he thought this was really nice plant material. Countrybrook has donated stuff for many several town projects in the past. He would like to thank them.

Selectman Jasper for the viewing audience and for Chairman Massey in particular, what exactly is the purpose of this? You said that this was the first of several opportunities. Selectman Jasper said many of those plants will go into the area down near the pond known as "Serenity" which has been done by the Boyer family. He thought some of them may go in other places, but this was to make it into a nice...Chairman Massey thought the question maybe he could be a little more explicit to him. Does this have anything to do with the plan he saw upstairs for the gazebo? Selectman Jasper said no. This is totally separate and away from that.

Vote: Motion carried 5-0.

- B. Femco Fire & Emergency Maintenance Company - apparatus repair evaluation and DOT inspection report

Chairman Massey recognized Chief Shawn Murray.

Good evening Mr. Chairman and members of the Board. Before you, you have the final report from Femco Fire & Emergency Maintenance Company. This is a company that they contracted with to do the inspection on the 2004 KME fire engine. He has it before the Board for their review. If the Board would like, he can go through the entire report or answer any questions.

Since all the members have had an opportunity to read it, Chairman Massey thought if there were any questions from the Board, they can take it that way.

Selectman Jasper thought because they've had so much discussion, it would be appropriate for the Chief to read the last paragraph which says, "IN CONCLUSION".

Chief Murray said this was from Al Burnham who's the President of Fire & Emergency Maintenance Company and he writes: "IN CONCLUSION: I feel both inspections went very well, and with the exception of a few noted items, this pumper is in perfectly good working order. All the repairs, modifications and upgrades were performed in accordance with best practices as indicated by the manufacturer. In his professional opinion, I firmly believe the repairs that were conducted addressed and corrected the existing failures and were done at a professional level. I have enclosed a copy of the Multi-Point inspection form used for the DOT inspection, which highlights the areas that need immediate attention and those areas that need monitoring. Once the critical areas on the form have been corrected, the truck is safe enough to be placed back in service."

Chairman Massey said the items that were indicated there once the critical items have been corrected - have those been corrected? Chief Murray said the areas which were considered critical was back in September it had gone through a State of New Hampshire inspection. At that time, 3 of the rear tires just barely passed State inspection. By the time they paved through this time around, it did not meet that. Those tires were changed. There's a transfer case which transfers the power from the transmission to the pump and that wasn't leaking. The area is wet or weeping. We had that checked by our pump company when we did the pump test. That would only require torquing of the nuts to tighten that up.

Selectman Coutu was there through the inspection process. He was there with the Chief of Fire and Mr. Burnham was the gentleman that was there that was doing all of the inspections. He was very satisfied with the thoroughness by which he conducted the inspections. He was there with he believed his chief mechanic. From his perspective,

there's no doubt in his mind that they went through this vehicle with a fine toothed comb. They took the vehicle out. All of the noises and problems that they had heard and witnessed first hand apparently were corrected and he was very satisfied with the thoroughness of the inspection. He was very pleased that indeed a KME engineer was involved with the process in order to facilitate designing and having installed the new bumper system which guides the cab back into its proper location. He noticed that the pin housing latch mechanism had been replaced. The adjustment was made so that there's a clean catch which will now prevent the metal from eroding, scraping or flaking (whatever they want to call it) was very satisfied that all of those things were done and the truck is in proper working order.

Motion by Selectman Jasper, seconded by Selectman Coutu, to accept the report of Femco relative to the 2006 KME Predator pumper truck and place it on file.

To really close the loop, Selectman Maddox asked if they could also add to that motion in three (3) months they'll get an update to see if all the fixes that were done - the latches, etc., have been complete. Selectman Jasper thought that should be a separate motion. This was just relative to the report. Chairman Massey thought that was appropriate.

Vote: Motion carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Jasper, that the Fire Chief issue a follow up report relative to the status of the KME in ninety (90) days from the date of the report, carried 5-0.

Selectman Maddox had one final question. With the items under "comments" were those addressed when the truck was serviced - the oil filters don't match, the primary filters. Those are the kind of things that will get us down stream somewhere. Were those addressed? Chief Murray said yes. Those have been noted with the local companies doing the service.

C. Brownfield Phase II Environmental Site Assessment Contract for Industrial Drive

Chairman Massey recognized Assistant Town Administrator Mark Pearson.

Mr. Pearson asked that Mr. Lathrop to also join him up here for the purpose of what he was about to present to the Board. Mr. Lathrop and Selectman Maddox have been a major part of what's been going on for the last couple of weeks. As you know on November 23rd, he came before the Board and the Board authorized the Town to enter into a contract with Nobis Engineering for an amount of \$15,380.80. Subsequent to that motion, Mr. Pearson tried to reach an agreement with Nobis and was unable to reach an agreement in that amount. There were issues. They kept on escalating the amount upwards up to the area of \$22,000. He obviously didn't have any authority to go above \$15,380.80. At some point, they decided to switch gears on the advice of Selectman Maddox and Mr. Lathrop. They sought out another bidder on the sheet and they were able to perform due diligence and come to terms for a price that is a little less than \$15,380.80. The Tompkins Foundation would also continue to support the contract in the amount of \$5,000 and the Town's share will be a little bit less than \$10,000. At this time he'd be willing to answer any questions the Board may have.

Selectman Coutu said they have nothing before them to say who it is. First of all, who is the company on this list that has agreed to do it for less than \$15,000? Mr. Pearson said Terracon. Selectman Coutu asked if anyone had sought out references as to Terracon's work in the past. Mr. Pearson said yes. Selectman Coutu asked if they had any of that.

Mr. Lathrop said he has spoken both to the DES representative and the EPA representative in Boston. Both of the authorities have said that Terracon meets their requirements.

Selectman Coutu said that wasn't the question. They meet the requirements. Have we sought out to see what their work history is and if they've had any problems with any other communities and work history in the past? Mr. Lathrop believed they've done work before for the Town of Hudson.

Selectman Coutu asked what it was specifically that Nobis felt they would have to go up to in excess of \$20,000 that this company can do for - he's going to assume that its one of the two bids - \$13,338 or \$13,938. Specifically to your question Selectman Coutu, Mr. Pearson said they have a price to cut trees from Terracon for \$400. The price to cut trees from Nobis was \$3,400. There was a \$3,000 difference right there. There were also differences in the cost of testing. They were trying to tell them that they needed to a majority of their test at \$99 each - 50 of them which raised it by \$5,000. It was every time that they tried to get back to the \$15,380.80 that there was another wrinkle that made the price go back up. So twice it went up to above \$20,000. In the spirit of getting this project moving and keeping it at or below the price that the Board authorized, we switched gears very rapidly and they sought out other contractors and got all the assurances that they had from the first contractor line by line in the RFP to make sure that they were

on board with all of the specifications. They set up due diligence meetings. They had a site visit. They had e-mails with DES and EPA and they passed muster. A representative from Terracon is here tonight if there were any questions specific to the contractor. They believed they performed their due diligence and came in under the price that the Board has previously recommended. We're asking the Board tonight to re-award the same contract to Terracon.

Selectman Coutu said when they first went out to bid, they wrote specifications. Were we not aware that trees were going to have to come down in those specifications and if so, wasn't it written in the specs. to be included in the original bid? Mr. Pearson said he did not write tree clearing in there. The reason why he didn't write it in there quite frankly was he assumed that the people that go in to do the testing in those areas would have performed their due diligence to go to the site, which he put in the RFP so that they knew what it was that they were going to do test pits on. He assumed that they would have gone and seen it and seeing that there were trees and taken that into consideration for the bid. If Mr. Pearson had to do it all over again knowing the problem that he ran into, he would include language saying you need to cut trees to do the excavation of test pits.

Selectman Coutu asked what was the final bid that Mr. Pearson was recommending for Terracon right now. Chairman Massey said \$14,938.75. Perhaps Mr. Pearson you can clarify. On the original bid spec. Terracon bid \$13,938.75. You're now asking for \$14,000. How did the other \$1,000 come to be? Mr. Pearson said there was the tree cutting for \$400 that they indicated that they would anticipate that that would be their cost. The other \$600 was for a second day of test pits in case the frost conditions prevented them from completing it on the first day. The way the contract is written up is a price not to exceed. So should they not need the second day, they would expect that they wouldn't get charged the \$600.

Selectman Maddox said one thing was no good deed goes unpunished. They sought out the help of the State DES to make sure that they were going to do this in a logical progressive order. Low and behold we awarded the contract at our last meeting. When Nobis went to the State to verify, the State decided to change the testing method that he wanted used. Subsequent, they talked to this gentleman at the State and he said they could go back to the ones that they specified that were in the RFP that met the criteria when they awarded the contract but Nobis never came back down. Again, Mr. Pearson made the calls. We have the State to say the test that you have in your RFP are acceptable. He would have liked the other ones but the ones that you had in there are doable. That's what they priced it out at originally. For whatever reason, Nobis decided that's the one they wanted to go with. That increase of what was almost \$3,000 and to have somebody watch the trees being cut down was the increase in price. If this vendor, Terracon, will do it for the price less than they originally set out to do and can get this done to keep on track because the ground is going to start freezing with the weather we have right now, we're trying to get this in for a January time frame for grant money.

Selectman Jasper said not having the contract in front of him, he assumed there were deliverables in that contract which have to be approved. He also assumes that there's a payment schedule on there so that they will not be paying them 100 percent of this until the deliverables are met. Correct? Mr. Pearson said yes. The payment schedule is that the Tompkins Foundation will issue a check for \$5,000 within 5 days of the notice to proceed. When the deliverables are received, which is the final report from Terracon; the Town has 15 days to pay the balance. Selectman Jasper said it says, "Fifteen days of completion and acceptance of the work by the Town of Hudson \$9,938." So we have a good hammer over them. We're actually not paying anything until it's accepted. He certainly doesn't have any problem.

Selectman Coutu asked where in the contract it said "acceptance by the Town". Selectman Jasper indicated it was on page 2. Selectman Coutu read, "within 15 days of completion and acceptance of the work by the Town..." Who in the Town is qualified to go out there and say that the work was done according to EPA? Selectman Jasper thought that's where they go to the EPA and the EPA is going to be the guideline. The contract is not with the EPA. It's with DES. We will not accept it until DES tells us that it's acceptable. Selectman Coutu asked if DES sends someone out there to ascertain that the work was completed in accordance with their guidelines and their regulations or are we going to have to pay DES to go out there? Mr. Pearson said we don't pay DES. Selectman Coutu wanted to know if they were going to send someone out there to look at it and say it's satisfactory. Mr. Pearson believed based on Phase I that it's called a self certifying process. Those consultants that are licensed by the State and do work for the State, they are self- certifying that that report meets the criteria that DES will look at. DES doesn't go out and proof their work, the fact that they're an engineering science consultant that is certifying much like an engineer puts a stamp on a set of plans that this is approvable work. He stands to be corrected because he doesn't know the answer for sure but he was told by DES that they are self certifying reports that they do just like Phase I.

Selectman Jasper assumed that DES would review the report and based on their communication with us, we would then accept or decline the report. So we have a fail safe mechanism. We're not going to accept anything until DES says you're good. Mr. Pearson asked the Terracon Representative Sean Kennedy if that was the right answer. Mr. Kennedy said that was the right answer.

Selectman Coutu said "self certifying" but we can't self certify. We have to hire people to inspect diggers and whatever else to make sure they don't over bones. What recourse do we have if six months down the road DES comes in and says "Wow I didn't realize that they left, they didn't really do it completely." What recourse do we have? We have 15 days. That's it? DES is just going to make a phone call and say yes okay. Mr. Pearson's understanding on the self certifying process is that after DES agrees with the report and doesn't have any issues, he then forwards it to Region 1 EPA, and then they review it, and then they have to sign off on it. Selectman Coutu said they're receiving a report that the company who did the work is going to write up. Mr. Pearson said that was correct. That is just the way it's done in brownfields.

Selectman Jasper would certainly hope it's not a phone call from DES or anyone. We're going to have a letter or some written document that says it's approved. If they come back 6 months later, that's their problem at that point. We have it approved and we're good to go. They can't come back 6 months later and say oh by the way.

If you remember Miss Christine Lumbard from EPA who sat in the room here, subsequent to her saying that we couldn't meet a deadline was a conversation he had with her. She said that she would not put her signature on those documents if she has any doubt at all that that work is not done completely and thoroughly. She's putting her job on the line. That's the due diligence that they do with the reports that they receive. There's the 2 step mechanism - the New Hampshire DES and EPA that are going to look at these self certifying reports. They're the stepping stone to get to the grant.

Selectman Coutu wanted Mr. Kennedy to know that he wasn't picking on him. He would have done this to anybody. We've been burnt in the past with some contracts they entered into and ended up having almost a trial here at the Selectmen's meeting a year ago over something they contracted for and we didn't get what we thought we were going to get. He didn't want to find us in the condition that we were in after awarding the bid to Nobis and he was holding us harmless on that. He thought Nobis didn't do us justice. He assumed that our Assistant Town Administrator did do due diligence to the bidding process and the specs as best he could with assistance from the brownfields people. Are you satisfied representing your company that as its been presented to you that we're going to be held liable for only up to \$14,938.75 to satisfactorily complete the project that needs to be completed in order to move forward on containing the contamination that's in that area?

Chairman Massey asked Mr. Pearson to refresh his memory. When the original bids came in, Nobis bid \$15,303.80. Terracon bid \$13,238 and a secondary bid of \$13,938. Why did we award the bid to Nobis if they weren't the low bidder? If you remember, Mr. Pearson said they dealt with Rip Patten from Credere Associates on Phase I. Mr. Credere also sat at this table and was asked questions by the Board. Some of the answers he gave and some of the results subsequent to his answers, some Board members felt that it wasn't reliable. His representations to the Board of prices and reports and there were issues at the time on the report going to DES and DES saying that it wasn't really complete. You need to do this and so forth. Credere was associated with Terracon in this bid process. Based on the fact that there was a separation of about \$1,000 - \$1,300 and some questions that they had about going down the same path with Credere that we went down with Phase I, it was thought at the time that we should switch gears and go with another contractor. The contractor, Nobis, that we went with, they found themselves in a downward spiral very shortly going through some of the same things.

Chairman Massey asked what has changed between now and then that would say that Terracon now has the credence to go forward. Mr. Pearson said he spoke to Mr. Sean Kennedy from Terracon and explained to him the night that the bid was awarded to Nobis that it came down to possibly credibility and representations to the Board. The Board was headed in a different direction. He's had subsequent conversations with Mr. Kennedy and he has assured him that Terracon is the lead and would be the lead for this project and they would make sure that there wouldn't be those same things that occurred before when we dealt with Credere. There were also some issues that he found that when he did his spreadsheet and matrix on all of the contractors, there was always questions on are they going to meet all of our specifications. What he found was that sometimes they didn't always put into their proposal that they met our specifications. On subsequent conversations with them - the type of testing, are they going to GPS locate, are they going to use an excavator to dig, are they going to provide alternative costs? Mr. Pearson found that Terracon was going to be able to do everything that we required in the RFP.

Motion to rescind the bid award at the Board's meeting on November 23, 2010 to Nobis Engineering and to re-award the bid for the Brownfield Phase II Environmental Site Assessment for 9 and 17 Industrial Drive to Terracon Consulting Engineers & Scientists in the amount of \$14,938.75; \$9,938.75 to come from Recreation Fees Account 2050-182 and the remaining balance of \$5,000 will come from the Tompkins non-profit organization and further to authorize the Chairman to sign the contract.

Selectman Coutu wanted to add into the motion, "in an amount not to exceed \$14,938.75" because there's a \$600 inclusion in there that may not be spent. Chairman Massey thought that would be appropriate. As you all know, he was going to be consistent in his vote.

Motion by Selectman Maddox, seconded by Selectman Jasper, to rescind the bid award at the Board's meeting on November 23, 2010 to Nobis Engineering and to re-award the bid for the Brownfield Phase II Environmental Site Assessment for 9 and 17 Industrial Drive to Terracon Consulting Engineers & Scientists in an amount not to exceed \$14,938.75; \$9,938.75 to come from Recreation Fees Account 2050-182 and the remaining balance of \$5,000 will come from the Tompkins non-profit organization and further to authorize the Chairman to sign the contract, carried 4-1. Selectman Massey in opposition.

D. Agreement between the Town of Hudson and Hudson Litchfield Youth Football and Cheer

Chairman Massey recognized Town Administrator Steve Malizia.

At your meeting on July 27th, Mr. Malizia said the Board discussed entering into an Agreement with the Hudson Litchfield Youth Football and Cheer organization for the use of town owned property located at 9 Industrial Drive. At that time, the Board deferred action on that agreement or moving on that agreement until there were some more clarification particularly in the brownfields. Mr. Malizia took that agreement this past week and ran it through our Town Attorney to solicit an opinion as to the agreement itself, the validity, and that's what you have in front of you. This afternoon Chairman Massey called and had a couple of quick edits that he thought were appropriate. He's made those edits if you want him to pass it out.

Chairman Massey said the edits that he suggested...Mr. Malizia said they have the agreement in front of them. Chairman Massey said at the top in the second paragraph where it says, "for the use of Hudson's Zachary Tompkins Memorial Field as a stadium". He didn't believe that the Town of Hudson has something called "The Zachary Memorial Stadium". He thought it would be more proper to say, "for the use of Hudson's property located at 9 Industrial Drive as its stadium".

Selectman Jasper thought it would be more appropriate to put the map and lot number in. He thought it was most appropriate to put in the maps and the lot numbers. Chairman Massey thought that was even better. That would be the first one. That would then carry forward into the next paragraph. Under "Personnel", Lenny it does not specify what AYF is. Is that American Youth Football? Mr. Lathrop said yes it was. Chairman Massey said some place we need to spell that out. Mr. Malizia said he did.

Chairman Massey said the other area - 3 paragraphs from the bottom where it says "participants". He didn't believe it was appropriate to put another organization in here as a party to this agreement. Or it says, "or a member of Hudson Youth Baseball for baseball field usage". Any usage of this field other than the Hudson Youth Football and Cheer is governed under the language and semi-exclusive use up above - III, subparagraph a and b, which means that they would have to provide the same level of indemnification that any other group would be. There's no agreement in this with anybody other than Hudson Youth. So you can't hold anybody else to the same standards if they're not listed as a party to the agreement. He thought those words should be taken out and they would get covered under that other section.

Mr. Lathrop said so far he has no issue.

Chairman Massey said the last one was strictly a nit. It's on page 2 under the "Repair and Maintenance of Premises". He thought it would make more sense if it read, "Hudson agrees to take good care of the premises, to keep the same in good state of repair and condition, and maintain a neat and clean environment."

The last one Chairman Massey thought the last place, and he should have picked it up before under "personnel" which is on the first page. It says, "shall meet the minimum qualifications as required under applicable NHYFSC/AYF". He believed there should be something else that says either policies and procedures or rules and regulations. He wasn't clear on what should be there. It's incomplete without something there.

Selectman Coutu said after the NHYFSC he has /American Youth Football Rules and Regulations. Chairman Massey asked if that was what it was rules and regulations. It reads, "Shall meet the minimum qualifications as required under applicable". Mr. Lathrop said there are no New Hampshire requirements. The word "New Hampshire" has been taken out of here by a lawyer. We can say rules and requirements. That's no problem. We can't say New Hampshire because New Hampshire doesn't have rules and regulations. Chairman Massey said that was okay. As long as it says applicable NHYF/AYF rules and regulations. Mr. Lathrop said no problem.

Chairman Massey said those were the edits he thought were appropriate.

Selectman Jasper said page 1 of the Agreement under "Costs". He was wondering if that was a little wordier than it needs to be. It just says HLYFC shall bear all costs associated with the use of the premises. Mr. Lathrop said they developed this from the soccer agreement. It went to their attorney first who modified the soccer agreement a little bit but nothing substantial. The Ad Hoc Committee reviewed it and modified it again. The Town's Attorney looked at it. Selectman Jasper said legally he was sure it was fine. Where it says "with the use of the premises as it's stated in conjunction with the participation". He was thinking parking, grass mowing. Isn't it just easier just to say all costs associated with the use of the premises? In 20 years when we're all not here, nobody will say what the hell does this all mean. In conjunction with the use...Chairman Massey said that was the same language that's in the soccer club.

Selectman Jasper was just asking the question. Doesn't that serve a better purpose just to say all costs associated with the use of the premises? Then there's no question. There's absolutely no cost that the Town shall be liable for. Mr. Lathrop had no issue.

Chairman Massey had two comments. The first one is on the first page of the Agreement under the second paragraph under "Premises" it says, "In conjunction with this participation and in accordance with the approved site plan." As of today, there is not approved site plan. The only thing that has happened is they have gone before the Planning Board with a conceptual site plan and there were questions raised among other things the parking. To his knowledge, that has not been satisfactorily answered because they have not come back with a site plan.

Selectman Maddox said this was the conundrum is the fact that until we do the brownfield work, then you can get a site plan. What this says is the site work will be performed in accordance with the approved site plan when there is one. Chairman Massey said why hurry with an agreement until we have it. Selectman Maddox's thought would be is how they move forward without this agreement. Would you build a stadium knowing that you've only got it for a year number one? How do they get financing? All the things that they might have to do without knowing that they have this agreement in place.

Selectman Jasper said this has to go to warrant. Mr. Malizia said it has been prepared for the last page of this packet. Selectman Jasper said that's why you do this. You're putting the voters on notice. We're not going to sign this until there's an approved site plan. Hopefully by March the site plan is approved.

Mr. Lathrop said if they followed the soccer agreement and when he went to write the warrant article knowing that things were coming, researching it in the March elections in 2004, the warrant article asked that the voter ratify this agreement that had been signed by the Selectmen. At that point, they needed to put the signed agreement. They've been delaying signing the agreement based on all the brownfield applications and studies and things like that. At this point to go to the ballot, we had two choices. We could go to the ballot under a petitioned warrant article asking the voters for permission or they could follow the plan that this Board has really asked him to follow.

Selectman Jasper had a simple solution. Change that in accordance with an approved site plan. Take the "v" out and put an "an" in there. Mr. Lathrop said their intentions are to not do anything without...they don't want to a cease and desist order. It's a language thing. The relevance here is to get it on the warrant as a Selectmen approved agreement and ask for ratification. Selectman Jasper said that takes care of that issue because then it just indicates there will be one not that there is one.

Chairman Massey wanted to go back to costs. When the conceptual site plan was being reviewed by the Town there was some talk at the time that the Hudson Youth Football and Cheer organization would only be responsible for inside the fence and that the Town was going to be responsible for outside. He thought he would like to have an understanding that if we were to sign this agreement and the agreement says "shall bear all costs associated with the use of the premises as a stadium" that that is understood to be the entire map and lot number 9 and 17.

Mr. Lathrop said trying to make this work, he relied on the Board's memory but he didn't think there was ever any concept in his mind, or the Bear's mind, or the Tompkins Foundation's mind that from the street to the water both ways was the responsibility of the Bears organization. The only time that they talked about some responsibilities of the Town was when they offered to house the cable facility in that location. At that point the whole idea of what was inside the fence and what was outside the fence was critical. At this point, it seems that the Town Fathers have changed their ideas about the benefits of having cable out there. They've modified their agreement. It would be from the curb cut and even into the street. Their plans when presented to the Planning Board will show that they would like to indicate that one side of the street is non parking and that they would take responsibility for labeling that part of the non-parking.

Selectman Jasper said he had ended on costs. He put a period at premises. Chairman Massey put a period after stadium. Selectman Jasper thought as the stadium gets confusing again, just "shall bear all costs associated with the

use of the premises". Outside of the area they're maintaining is wild. We don't maintain anything so there's no cost anyhow. The cost is if a tree falls into the stadium, they have to cut it down. There's no cost. Mr. Lathrop said they're going to have a walking path that's outside the fence. That's part of trying to make it a community venue. That would all fall under the care of the facility. Chairman Massey thought if they cleaned up the language then under "description" so that premises are defined as map and lot that would take care of it.

The last question Chairman Massey had was this is a much different in totality than soccer. All the soccer basically had was the grassy field. This is going to have buildings, pavement, etc., etc. On the repair and maintenance to the premises, right now this agreement says that the semi-exclusive use of the facility and rightly so is the Hudson Litchfield Youth Football between the period of July 1st and November 30th. What would your expectations be relative to the maintenance responsibilities from December 1st to June 30th? Mr. Lathrop said to maintain it, to keep the building from freezing. The field would obviously be snow covered in the winter. The walking trails would be snow covered in heavy snow. The parking lot, he believed, they were planning to plow just for safety issues. Again, he's going to have to rely on the Bears and that's quite a ways down stream. A lot of that discussion of will we plow the parking lot in the winter depends on what happens in relationship to other people using the facility.

Chairman Massey understood. Right now, understandably a lot of his questions are coming about because they were originally told that this wouldn't cost the Town taxpayers any money. Mr. Lathrop said it hasn't cost the taxpayers any money. Chairman Massey said it has. Mr. Lathrop said unfortunately they can disagree and he takes exception to that because you've thrown that at him 3 or 4 times when he's been here. Chairman Massey said they have spent monies out of the Hudson Recreation fund. Mr. Lathrop said they have. Impact fees collected from builders. On several occasions, Chairman Massey in essence called him a liar sitting there. He takes exception to that at this point in time. Chairman Massey said the fees could have been used for other purposes. At this point Mr. Lathrop, Chairman Massey apologized. He thought he would rather have them all understand what the Town's obligations are today than to go down after the contract is signed and find out the Town has just been committed to something that they didn't know they were committed to. Mr. Lathrop didn't disagree with him. That's why he delivered this agreement to him on July 7th.

Selectman Jasper thought as to the term maybe you want to consider the fact that this term should just be for a period of 25 years. December through June there's a 7 month period where it's in limbo. It says, "may use the premises during the regular football season". They have to maintain it. If they want to do something, he thought it was better to have them have the semi-exclusive right for the year unless we come to the agreement. This seems to say we can do whatever we want with it up until December 1st through June 30th. With mutual agreement, Mr. Lathrop said the contract says 60 day written notice to you or your agents and agreement. That's where Selectman Jasper thought that this may be somewhat confusing and contradictory because it seems that that only applies from July 1 to November 30th. What he's suggesting is the term of this agreement should be from the date of the signing for a period of 25 years. That certainly didn't present an issue to Mr. Lathrop. Selectman Jasper said they have their building which they may still want to use and it creates more problems potentially down the road. Mr. Lathrop thought that was put in all honestly for exclusivity of control of the use at that point in time. Selectman Jasper understood but he thought he was better off from his organizational standpoint saying you have control. If we want to use it any other time, we still have to come to you. It does present questions going down the line.

Chairman Massey said Selectman Jasper was right. Under the term, it would just say "may use the premises from July 1, 2011 through June 30, 2036". Since you're the one making the investment Mr. Lathrop, he thought it would make sense that you have the ability to say no during the winter time. Mr. Lathrop said with the 60 day clause and a working agreement, it does have the option to say no. Selectman Jasper said it can be argued that that only applies during July through November. He thought it then it also becomes you have a building there, you may have heat in it, you may want to use it for meetings and somebody is going to say if you don't have that there, you have no right to be in there in January, June, or anything. Let's just make sure you're protected.

One other point Mr. Chairman, Mr. Lathrop said the soccer agreement called for paved parking lots and a lot more out there that was never completed, including a concession stand.

Selectman Coutu said he was absolutely confused. This is not heading in the direction he thought it was heading. As a result of all of this language change, and his understanding is totally different than where everybody else is going and he thought they were all on the same page, and apparently they're not. The Hudson Litchfield Bears organization is going to build a stadium which they hope to dedicate in the memory of Zachary Tompkins. That stadium was a football field. They were going to have a practice area. As a result of the Town agreeing to work with them to provide them the land to build a facility, they were going to provide the funding to build a baseball diamond and a walking track. They talked about a potential playground. They had talked about basketball courts. They eliminated some of that stuff. The baseball diamond, the walking trail, and whatever little playground they had originally in the design was intended for the use of the general public. They had hoped that from the period where they would start playing football going back to when school gets out or when the spring starts that the towns people would be able to use

those portions outside of the fenced area and that we would have some maintenance because we were going to make it part of the recreation for baseball during the summer time. They don't use the field every single day in the summer time. They have practices granted but they were going to see if they could schedule some summer games out there and things of that nature. If they're going to use it as part of the recreation program, they should have some responsibility to maintain the baseball diamond. If they're going to be contracted, they have exclusive use year round for 25 years, why should they build a baseball field and spend all that extra money and try to maintain it all for public use. It just doesn't make sense from a financial standpoint for a nonprofit organization. It would be very generous building baseball fields and having to maintain them. They're not a baseball organization. They're a football organization. To build a track all the way around for the general public to use or a playground, the kids playing football are not going to be on monkey bars. They're going to be practicing and playing football unless they have monkeys for coaches. He was sure that the Hudson Litchfield Bears do not have monkeys for coaches. Our kids are winners and they're qualified coaches. If they're going to give them exclusive use, which Selectman Coutu has no objection to, but he didn't see them wanting to spend all that money.

Again, Selectman Maddox said he must have been drinking the same tea because that's the same thought he had. They were taking the land known as the stadium and that's why it's worded in there as the stadium area. There are going to be amenities that they were going to build but the Town would utilize. He's agreeing with Selectman Coutu. He thought they needed to decide whether they get the exclusive use 12 months a year for 25 years and if they build those things great. He thought they were going to get a baseball field to be able to be used by the Hudson Rec. Department - a playground, walking trails to be used by our citizens. They would have some maintenance. They might have to cut the grass at the baseball field or plow the parking lot. He was under that same thought process.

Mr. Lathrop said the initial plan and Mark Levesque from their ad hoc group and from the Bears, has met with the baseball people under the agreement that the baseball people would share in that responsibility and there would be a baseball field coming out of the corner that would overlap the practice field. That you removed it here and it is still applicable, he didn't see that going away Mr. Coutu. Even though it's been scratched out of participants, there would still be a joint effort to build a 70 foot baseball field in that lot. How the Bears interact with the Town is still to be defined. Mr. Lathrop thought based on the direction of the family and the foundation, their goal in Phase II and III was to develop that walking trail. They've already spent money with their engineer to visit with conservation and ZBA to talk about their wetlands crossing for a lot of those things. They're trying to hammer out an agreement tonight. Mr. Lathrop agreed with him that the dynamics of the project is changing rapidly. He didn't think that he's heard anything tonight that prevents this from being a positive project except that a lot of the working together seems to be something they'll have to iron out as they go along. Right now it is a Bears facility recognizing that the Bears will subcontract with baseball to have baseball there and other things. Without meeting with the Ad Hoc or the Foundation Committee, the only thing that they've eliminated from the plan since their first meeting is that their facility won't be a 3 story facility. They were building that facility in conjunction with cable usage to make it accessible for cable at a very reasonable cost. They will probably end up with a one story concession stand, locker room type of facility there in front of the football field.

Selectman Jasper was confused. It already said in the agreement that they were going to be responsible for the Little League size baseball field. His suggestion didn't change any of their responsibilities. He thought that if they were writing a contract which obligated the Board to some financial obligations, they would then have to reveal that to the public. He had no idea how they'd do that in a warrant article. They have no obligation to anything Hudson Youth Soccer at Freedom Field. If they were obligating themselves to trail maintenance and to other things. They would have to notify people that by approving this contract they were obligating the Town to long-term financial obligations which we can't not identify. That's his concern. They need to have a clean saying they're leasing this facility and the Town has no cost. They can clearly say that. Hudson maintains some baseball fields currently, but they're going to contract with another organization which is fine and make it happen. They seem to be happy on this. He thought it was clean and they don't run into a warrant article issue. How would you tell the voters here's an agreement that they're making that obligates you to maintain this field for 25 years? He didn't know how you'd do that.

Chairman Massey did recall Selectman Coutu and all those conversations. It was still his recollection that during the time of the conceptual plans that there was some delineation between responsibilities between what was inside and what was outside the fence. The issue Selectman Jasper raised was very simple. The way they currently have this set is it's a semi-exclusive use to the Bears organization with some ability on a timely notice to use it for other things. He guessed his concern would be who's going to be responsible for the indemnity for those parts of the property that are not truly - the walking trails for instance or the areas outside. The way it's worded right now anybody that uses this that's not part of the Bears would have to have an indemnity policy unless it's a Town sponsored event, which is how he read. Is that correct Mr. Lathrop? Mr. Lathrop didn't have an answer for that question.

Chairman Massey thought if a Town sponsored organization like the Rec. Center were to propose using that for something, it would be covered under our indemnity policy. Selectman Jasper said that's what it says and it talks about the indemnity. If you're talking about people just walking on a walking trail, that's pretty well covered under

State law. You don't trip on a rock and sue the landowner with any success. At the end of the day, its Town land. If they don't want to build the trail, it doesn't say anything about building a trail in here. If they decide it's not in their interest to build a trail, there aren't any people that live right there. Now we have Benson Park. If they don't want to have a trail around that little piece, so be it. Let them worry about that. If people wander on to the area outside of the fence, he thought they were just making a lot more out of here. When was the last time anybody sued us for falling down on Musquash Conservation, the Town Forrest, or any place? That just doesn't happen.

Without trying to belabor it too long because its starting to get late and they may do something tonight, Chairman Massey's concern was if it wasn't written then it never happened. If they don't now define the responsibilities between the organization and the Town, we're going to get into a serious confrontation at some point, and he wasn't going to use the right words because they all know what he was referring to - the second word is "contest", and it's a deconstructive process to get at that point. They need to have a clear understanding what the Town is responsible for before rather than after.

That's why Selectman Jasper has suggested. They're responsible for nothing out there. Obviously they own the underlying land. We're covered under Town policy. They're going to have a Town policy. We're responsible for nothing.

Chairman Massey asked Mr. Lathrop does the organization feel comfortable that the agreement says "semi-exclusive use by the Bears for the entire period of time and that any use of it other than by the Bears is through some mutual agreement between the Bears and the Town.

Mr. Lathrop said he would have to get that ratified by both the Bears and the Foundation. That seems to be the assumption that they were acting on way back to the beginning. Selectman Jasper said that's what it says in the semi-exclusive use as a home field. It talks about indemnity and anybody that's not a town function covered under our policy has to have their own policy. That's already in that section.

Mr. Lathrop said they had talked about this to be a positive memorial to work together with the Town. They've talked about a band concert there. If you want to bring in the Navy band and they're going to play and people are going to sit in the bleachers and listen, that's would be something that a community based group such as Hudson Youth Football would want to happen. It's something that he as the spokesperson and the foundation want to happen. They want to make this a positive place for the Town. They don't want to have it just be a football field that has a big fence around it and you lock the gate. That wouldn't serve the Town. There wouldn't be any benefit to the 300 families and the 26,000 residents that are here. He agreed with Selectman Jasper. They're getting into a lot of detail and things that are going to limit them. You've had an agreement now with the soccer folks since 2004. It's basically the same agreement. They take care of the field. Yes the scope of their fields were never something that the Town has wanted to say. If Mr. Yates and Rec. soccer wanted to go up there play and there was space, their agreement says that that should happen as does their agreement.

Chairman Massey thought if they could clear it up so they take care of what Selectman Coutu was talking about. If that language under the costs simply said, "shall bear all costs associated with use of the premises". Mr. Lathrop said they've already agreed to that. He agreed to that way back the first time it came up. Chairman Massey said subsequent to that, Selectman Coutu has broached the whole issue about the maintenance of the trails, etc., etc. He wanted to make sure that there were no misunderstandings down the road.

Selectman Jasper asked that it come back to the Board on December 28th. Mr. Lathrop asked if that would give them time to get the warrant article on the ballot. Chairman Massey said it would because there's no money so it doesn't have to go to the Budget Committee. Mr. Lathrop thanked the Board for their time.

E. Acceptance of NHDES Exotic Species Program Grant

Chairman Massey recognized Town Administrator Steve Malizia.

Mr. Malizia said that the Town has been awarded a 2011 New Hampshire Department of Environmental Services Exotic Species Program Grant in the amount of \$1,125 for the purpose of controlling invasive aquatic plants at Robinson Pond using the DASH Unit. The grant requires a 70 percent match from the Town which equals \$2,625. At the time of this writing, the Conservation Commission account had a balance of \$6,132 in Account 558-6252 Other Professional Services should the Board wish to accept this grant. Mr. Kegley is here from Robinson Pond.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to accept a grant from the New Hampshire Department of Environmental Services in the amount of \$1,125.00 for the control of invasive aquatic plants in Robinson Pond with the Diver Assisted Suction Harvesting (DASH) unit in 2011. Funds to come from the pond donation account.

The reason why Chairman Massey felt they should take the money out of the pond donation fund is it's still not clear to him how much money that's currently left in the professional services account for the Conservation Commission is committed. As of this morning when he talked to the Finance Director, she didn't have a definitive answer. Since that was the purpose of this money to begin with, it's clean to take it out of that fund with not having to worry about we've encumbered it from the other source.

Vote: Motion carried 5-0.

F. Budget to Actuals

Chairman Massey recognized Town Administrator Steve Malizia.

Mr. Malizia said the actuals are through November 30th. As they scan them if you looked at it from a straight-line perspective, they would expect to be about 42 percent. Obviously when you look at some of the numbers, they're a little bit skewed up mainly because they've encumbered the entire trash contract. The other area where they've been spending at a greater linear rate is the legal budget. As you'll recall, they had some cases this year in tax court that they were fairly successful. That does take some legal effort there. As you are all well aware, they're trying to negotiate several contracts and they've had some other issues with some of the labor unions. So they've spent money through that in the legal line. Other than that, Mr. Malizia didn't see anything that jumped out at him from an expenditure perspective.

From the revenue side, Mr. Malizia said they continue to track the motor vehicles which he believed year to date he's included it on page 11. They're looking like they're approximately 39 percent collected of their annual budget. They're a couple of percentage points. He said a couple because if you figured in equal installments it would 42 percent. We're at 39 percent. We did have a little bit of interest recognized last month to the tune of \$5,800. Some CDs probably matured. We're in the big money now.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - He had nothing this evening except to wish everybody a very Merry Christmas and a Happy New Year.

Selectman Maddox - First off, Selectman Maddox would like to congratulate his table mate for being appointed Deputy Majority Leader. Congratulations. Hopefully there will be some changes up there that will help the towns with their financing and they'll be helping them out on that. Selectman Jasper said not to hold their breath on the finances.

Next thing. Selectman Maddox watched one of the Budget Committee meetings. They talked about privatizing the ambulance service. He rode along with the Fire Department last Thursday. He wanted to thank the Fire Department for enduring. It was quiet day. Again, he saw some things that he was sure they could have this discussion but the Chief told him that the revenues were up based on the numbers that we now have. That's going up. The service provided by our firefighters/EMTs/paramedics - bringing someone else in he didn't see. They'll actually lose money if they went to that between the loss in revenue and the price to have someone in town and the amount of staff they'd be able to remove he didn't see as anywhere near covering the deficit between those 2 numbers. Again Mr. Chairman you have way more patience than he would ever have. He would have said that's a discussion for a workshop to try to discuss that as if they're going to save any money as you're trying to do the budget he thought was time consuming.

Chairman Massey said it was pretty clear at that time at the Budget Committee that that's what they were looking for was a discussion at some point going forward for next year. They were not looking to have something changed in this year's budget. If its something the Board wants to put on as a workshop item in the future, they can do it. Clearly it's not something that's going to make any difference to this year's budget deliberations.

Lastly, Selectman Maddox echoed Selectman Coutu. Whether you celebrate Kwanza or Hanukah at Christmas, may everybody have a safe and joyous holiday.

Selectman Jasper - He wished everyone a Merry Christmas. Hopefully in 2 weeks he'll be wishing everyone a Happy New Year. As we all recall when they had the Fire Chief in here for the budget wrap up, the Board made a motion to cut \$100,000. He was not entirely on his game that night because he should have made a point of order that night. They do a line item budget. It's their obligation to send a line item budget to the Budget Committee. The Budget Committee wasn't on their game either because they should have out of hand rejected an arbitrary \$100,000 cut. All that being said, the Chief has been working on how to reach that \$100,000 target. He has been requested by the Budget Committee to do that. It's appropriate that he come here with his proposals and that we bless that first. That really wasn't finalized until today. The Chief is here with those numbers and he would ask that at this point they review those numbers. The Chief has several options. He has a recommendation as to where they should go with that. This will be their only time to do that before he has to go to the Budget Committee. It would be inappropriate to have him go to the Budget Committee without the Board having reviewed that first. As you all know, the Budget Committee does have to do a line item budget. At some point, those line items need to be identified before it goes to the voters. Selectman Jasper asked the Chief to come forward.

Chairman Massey told the Board given what they're going to talk about in nonpublic, do you want to do this first? Selectman Coutu said he had difficulty with it because he didn't have his budget book to make comparisons. He had recommendations for cuts but nothing was coming forward. This is being thrown at them at the last minute. He didn't like it. This document should have been prepared some time ago. It should have been put in their packet. He knew it was expected of them. Whatever the majority of the Board wishes to do at this point.

Selectman Maddox said, "Let's see what he has." They're just dragging their feet at this point. They might as well see what the proposal is.

Selectman Nadeau would like to see it in writing. Selectman Jasper said it was in writing. He has it. It was not finalized until this afternoon.

Chairman Massey said that it was a non starter. They're talking about \$100,000 in his budget and he's only identified \$12,765 out of his budget. The other money is out of the warrant article.

Selectman Jasper said he already told the Chief that Plan A was not going any place because of that. Because he had put it together, he had to put it there. There are several options. There is a Plan B and C. Plan C is essentially what he would recommend to the Board. There were options that he put together and he didn't feel that it was appropriate for him just to arbitrarily throw out A and B.

Quickly before Chief Murray went to the 4 options. Just so the Board knew, the package on the right were the ambulance receivables was something that Selectman Maddox asked him to put together for the Board. It basically reflects the revenues they've collected since Fiscal Year 2005. Behind them is the reconciliation from the Town Treasurer. It shows the increase in revenues over the past 3 years.

In the rest of your package, Chief Murray went and took a look at the \$100,000 reduction and looked at different ways of coming up with possibly using that funding within the operating budget. As you saw, reduction Plan A was to eliminate the proposed warrant article, reduce some fiber optic funding, and to eliminate funding for a Captain/Lieutenant's test. The rationale for that is underneath.

[Chief Murray] Reduction Plan B looks at reducing all the capital reserve lines as established within the Fire Department's operations budget, fire apparatus, fire apparatus repair and refurb., and the ambulance replacement capital reserve. That could get them to \$100,000. Further down in the rationale it tells you what's in those accounts at this time.

[Chief Murray] Reduction Plan C looks at a number of lines throughout the budget through the operational lines, building maintenance line and administration. If you recall at the Budget Committee, there was a question on paying benefits for 3 new employees. At the time, we hadn't hired them yet. Since then, they have. When they calculated their new pay and benefits, there was a savings of \$30,000. This plan is a plan which would get the Board to their goal of reducing the budget by \$100,000.

[Chief Murray] Plan D is a similar plan in that it takes funding from some training lines, fire alarm lines, and EMS lines as well as speaking to rotating the Robinson Road firefighters working Tuesday through Thursday to cover overtime shifts for a potential savings there. Through the combinations of those lines, you can also reach \$100,000 reduction. If the Board would like to speak any one in particular, he can go into more detail.

At this point, Selectman Jasper said the budget belongs to the Budget Committee. Anything the Board does there would be merely a recommendation to the Budget Committee as to how to achieve that \$100,000. Chairman Massey said it would be done in the form of a recommended motion. Selectman Jasper said it would be a directive to our representatives to the Budget Committee to offer them through a motion. He thought Plan C was the only one that really made sense to him. Obviously Plan A is a non starter as he said because the \$88,000 is outside of the operating budget. Plan B taking the monies out of the Capital Reserve Accounts is not a real savings. They're still going to have to fund those accounts later down the road.

Selectman Jasper said Plan B was doable if you like the idea of not having Robinson Road station manned on a fairly substantial percentage of the time. He asked Chief Murray how much he would estimate if he were to save \$64,000. What percentage of the time would the station be closed to achieve that? From its current staffing, Chief Murray said potentially a quarter to half the time of what is staffed now. Chairman Massey said you wouldn't be talking Tuesday through Friday you'd be talking...Chief Murray said it would be Tuesday through Friday. If you consider that the staffing model for the week. A quarter to half of that time under the Plan B model would not be manned because they would be covering vacancies up at the central station. Selectman Jasper said the only one that made sense to him was Plan C. You can say what you will about the savings of the new employees that is currently budgeted, so it is a real savings. It may not have been expended but the goal was to eliminate \$100,000 from the budget. The thermal imaging camera will be put off. Some other things will be put off. It does accomplish that goal.

For the purpose of moving things along, Selectman Jasper moved that they direct their representative to the Budget Committee to recommend the cuts in Plan C to achieve the \$100,000 savings in the Fire Department Budget.

Motion by Selectman Jasper, seconded by Selectman Maddox, to direct their representative to the Budget Committee to recommend the cuts in Plan C to achieve the \$100,000 savings in the Fire Department Budget.

Selectman Nadeau asked about paramedic training school overtime - \$18,600. Was that a contractual item? Chief Murray said they're going to send an individual to paramedic school, so they would have to cover the vacancy on his shift when he goes to school. It's not contractual. It's covering the shift. If it's during his off time, yes. That's part of the agreement they make. Just so we have clarification, Chairman Massey said what Chief Murray was proposing with that cut was not to send somebody to paramedic training. Chief Murray said that was correct. Chairman Massey asked zero people or one less. Chief Murray said zero. They had one budgeted. Selectman Jasper wanted to know how many current paramedics now. Chief Murray said 12. Selectman Jasper said that was well above what their original goal on paramedics was anyhow.

Selectman Nadeau asked about part-time custodian pay and benefits \$4,172. Chief Murray said they share the cost of the custodian here at Town Hall. They would just stop using him to save the money. Chairman Massey asked how they would save the money since they're sharing the costs. Wouldn't the Town then have to pick it up? Mr. Malizia said yes in theory. Chairman Massey said that was not a reduction. That's a cost shift. Selectman Jasper was going to offer an amendment to say that. He didn't have the cost center but to take the \$4,172 from the call force.

Motion by Selectman Jasper to direct their representative to the Budget Committee to recommend the cuts in Plan C to achieve the \$100,000 savings in the Fire Department Budget and to amend by taking the \$4,172 (Part-Time Custodian Pay and Benefit Account 5715-100 from the call force. Motion died for lack of a second.

Selectman Nadeau asked what the \$2,250 - Secretary Overtime was for. Chief Murray said it was something the Budget Committee identified that they started cutting in all of the departments. Selectman Nadeau asked if they had used this. Chief Murray said they've used it in the past. It serves a dual purpose sometimes. They have issues with the Telear program. Other times for example in the past they used some of that for emergency management stuff when they had to staff the shelter. They'd look through other lines if they had to expend it.

Selectman Coutu said it would appear that they're cutting a part time position - EMS Coordinator, paying benefits. Are they eliminating a position that exists? Chief Murray said eventually yes. Just for clarification, Chairman Massey asked if that was a position that one of their current Call Firefighters holds. Chief Murray said the person is a Call Firefighter also. They wouldn't lose the Call position. Selectman Jasper asked if that was the entire position for the entire year or part of it. Chief Murray said that was part of it. The person may be moving on in the future. They had always planned on beginning to transition those duties and responsibilities back anyway. If they have to make the cuts, that would be the time to do it. There would be about \$8,000 left in the line. They would go into the new fiscal year until that funding ran out meanwhile transitioning the duties and responsibilities over when the funding ran out, the position would be gone.

Selectman Coutu asked about the last item on \$30,000, how many new employees were they talking about. Chief Murray said three. Selectman Coutu asked how Chief Murray arrived at \$10,000 per employee savings. Chief Murray said whenever they have a vacancy if it's not filled, Finance budgets each vacant space at the highest possible benefit cost for health and medical. They hired a new dispatcher and two firefighters. Whatever they chose for benefits resulted in an end result of a savings of \$30,000. Maybe one took a family plan and the other two took single plans. There's a significant savings in that. When Selectman Coutu sees pay and benefit, he's assuming that they're going to take less in pay. He didn't see where they save in pay. They certainly would save on benefits if they take a different plan. When it said pay, he was thinking that they're getting less money. How can they do that? Chief Murray said he should have labeled that differently. It should be health and insurance benefits. Selectman Coutu understood how they budget out for potential hires. They have to budget at the maximum. Mr. Malizia said they didn't know if they're going to get a family person that takes the full insurance. Chairman Massey said it was a question that the Budget Committee asked. They were going to be making those cuts anyway.

Selectman Coutu said he was still shocked at how the Chief's budget was being presented to the Board. He would have liked to have looked at the budget. Apparently that new car is very, very important. We have to keep that new car, which we don't have a need for but be it as it may.

Selectman Jasper said that this was upsetting Selectman Coutu. Selectman Coutu said this comes to them at the last minute. Selectman Jasper asked what Selectman Coutu did with his \$100,000 cut. You pulled a number out of the air. Chairman Massey asked to keep it down. The number was not pulled out of the air. It was taken under consideration that they did not want to earmark a specific position which would have had to do if you had put both a pay and benefits line in so it clearly indicated that it was going to come out of the Admin. salary line. Selectman Jasper said, "No Sir". As a matter of fact, Chairman Massey said, "The Chief has the discretionary power to move monies from one line to another within the account. He can go to line item and line item on his own. Correct? Mr. Malizia said yes he can and he can do it amongst 5730 to 5710. You've granted him that too." Chairman Massey said he still has to come back with a plan. Selectman Jasper said they never asked him for a plan. Selectman Jasper said No they did not. There is nothing in the minutes that says that. The motion was to cut \$100,000 period. That number represents...Chairman Massey believed the Chief asked the Board could he come back with a plan other than cutting it out of the Admin. salaries. Selectman Jasper said that was not part of the motion. It's not part of the minutes. Chairman Massey said the answer was yes he could. Selectman Jasper said the fact of the matter is the \$100,000 represented but an arbitrary number to reach a target. Numbers came from various

places. That \$100,000 was an arbitrary number that did not have any line items attached to it. As he said earlier, he should have objected to that because we do line item budgets.

Chairman Massey thought Selectman Jasper's recollection is different than his. It certainly sounded like it was different than everybody else. Selectman Jasper said to show him in the minutes or show him on the tape. Chairman Massey said it was clearly directed at the Admin. salary account. Selectman Jasper said at the end Chairman Massey said the Chief has the discretionary power to move money from one line to another.

Chairman Massey said the motion that's on the floor to take the \$100,000 instead of taking it out of the Admin salary line to put it in...Selectman Jasper said he does stand corrected but you need to stand corrected too. The motion by Selectman Coutu to cut line item 5710-101 from \$441,257 to \$341,257, a reduction of \$100,000, with the proviso that the Fire Chief develop a plan within the entire Fire Department budget to achieve \$100,000 saving. Chairman Massey said that's what he said. Selectman Jasper said no. Chairman Massey just said it was supposed to come out of Admin. Chairman Massey said no. He said the motion was to take it out of Admin except the Chief had the option to come back with a plan. That's what the motion says. Selectman Jasper said that's what he's here with. Mr. Malizia said that motion didn't pass because it failed for a second. If you're reading that article and you continue reading the verbiage, it didn't pass. There was another motion that said just to cut \$100,000 it didn't have a proviso.

Chairman Massey said they are where they are. They have a question on the table. They did ask the Chief to come back. Selectman Jasper said actually they didn't. The motion failed. Chairman Massey thought it was answered at the end. Any other comments? Selectman Maddox said he wasn't voting for it because he wanted it to come out of the 101 account. Selectman Jasper has been saying if you want to take a position out, you do it at budget time. They did it sloppily. They didn't do it in a way that they probably should have but they did it. If it doesn't come out of the 101 line or the 100 line...

Just to weigh in, first of all Chairman Massey said they're clearly just cost shifting on a part time. He couldn't see cutting the EMS Coordinator out. He fought long and hard on the three budget hearings to keep those overtime accounts in there. He's not going to go back and pretend now that it's okay. In its current form, he could not support this motion either.

Selectman Nadeau asked to move the question.

Vote: Motion failed 1-4. Selectman Jasper in favor.

Selectman Jasper asked the Board what they wanted to do. Selectman Nadeau said they'll have to go with Plan E and make it simple. They'll just take the \$100,000 out of the...before you do, Chairman Massey said to understand that where the Budget Committee is hung up on is that the \$100,000 is in the 101 account as just salary. There is some discussion that that should reflect not only salary but benefits. Selectman Coutu said they didn't have a budget book for line items to pick a position because nobody wants to pick one. We don't have a book and didn't know this was going to be thrown at them tonight. Selectman Jasper said they didn't know a \$100,000 cut was going to be thrown the last time. He really thought that was disingenuous. If you can throw a \$100,000...Selectman Coutu told Chairman Massey he didn't need to listen to his insults. Selectman Jasper said he didn't need to listen to his. Chairman Massey told them to hold it down. The hour is late. We are clearly struggling and he thought they just needed to stay a little focus. Selectman Jasper said, "You want to focus, I'll focus you." This is about cutting the Training Officer and people don't have the votes to do it but Ben wants to cut \$100,000 but won't cut the Training Officer. That's what this is about.

Selectman Nadeau asked what the line item was for the Training Officer. Selectman Jasper said, "So you're going to be a hypocrite. You gave a great speech." Selectman Nadeau said if Selectman Jasper wanted to pick a person...the gavel went down several times. Chairman Massey asked for a little decorum. Selectman Jasper said Chairman Massey could take his decorum. We're talking about the safety of people here. We're talking about people's livelihoods, and we're talking about people that won't be honest about what they're doing. Selectman Nadeau said he'd take a Captain. If that's the one you want to pick. Selectman Jasper didn't want to pick anybody. Selectman Nadeau said to just leave the \$100,000 the way it is. Selectman Jasper said it didn't do anything.

Chairman Massey thought that they have to deal with another issue before they deal with this. He would recommend that they postpone this until they come back out of nonpublic. Selectman Coutu agreed. Chairman Massey said it was going to have a lot to do with how he would look at any further motions on the basis of the conversation that the Board was going to have in nonpublic. Unless he heard an objection, they're going to table this until they come back out of nonpublic. Hearing no objection, they'll take it up later. Selectman Jasper still has the floor for other business.

Selectman Jasper - He had nothing.

Selectman Nadeau - He had a couple things tonight. The first one was December 25th. The landfill will be closed which is the last Saturday of the month. The landfill will be open this Saturday from 8 a.m. to 2 p.m. on the 18th so that you can dispose of whatever you need to.

The next thing is upstairs in Town Hall there is a drop off for the Toys for Tots and St. Vincent's has a box up there for food and non perishable items also. There are two other drop off places that are still available in town for drop offs for Toys for Tots and St. Vincent's. That is the Gulf station at the bridge and Caribbean Tan on Lowell Road.

Selectman Massey - He had several things. As of Monday night, last night, the Budget Committee has cut approximately \$25,000 from the Town's budget of which \$21,000 is the Library Trustee's costs associated with Hills Memorial. They also took \$12,000 out of the school budget for that same process. So it's not clear going forward what's going to happen with Hills Memorial. He thought they're looking for them for some additional information before they make a final decision. As of last night, they had cut \$21,000 out of Library and \$12,000 out of the school budget.

Chairman Massey sent a letter out today courtesy of Donna today to the Town Delegation, which includes the 13 Representatives and our Senator inviting them to come to our Workshop on January 4th. He asked them to bring any issues the Board felt that they ought to be looking at on behalf of the Town. If they have issues that they would like them to bring about from a legislative perspective and he said he saw it as an ongoing process where we continue to share. Personally to get started, he thought the two items that he believe was imperative for the legislator to address the first one is the Evergreen Clause in contracts and the second one is the makeup of the Pension Board. There are more employees on the Pension Board than there are management personnel. As a result, it just strikes them as a little crazy that that's the way that makeup of that Board should be. That by the way is an improvement over the original board that had an absolute majority of employees over management on it. Those would be two areas in particular that he would be looking for the Delegation to be looking at.

Chairman Massey said that something was raised tonight and it was the individual that has a bensonpark.org e-mail address. If that's a private organization, there should be some disclaimer that that is a non town sanctioned activity. If it's a town sanctioned activity, he didn't know where it came from. It certainly was not something this Board approved. Perhaps Selectman Jasper can shed some light on it.

Selectman Jasper said it was created by an individual within the Committee and it's used. The Town does not own the domain. Chairman Massey understood that. Selectman Jasper didn't know who uses it. He certainly didn't but there are people within the committee that uses bensonpark.org. You can't make people put disclaimers on that. He didn't know what you could do about it. They didn't claim the domain. Chairman Massey asked if it was the Benson Park Committee or was it The Friends of Benson. Selectman Jasper said it was neither. Its individuals within the Benson Committee. It's not something that's sanctioned by the Benson Committee. It's not something that was developed by the Benson Committee. It was people working said why don't we do this and they did it but not with any sanction or discussion on the part of the Benson Park Committee.

The last item Chairman Massey had was on November 2nd he and Gary Webster sat down with the Department of Transportation, Nancy Mayville, and her second in command he believed Bob Hudson. They went through the proposed Senior Center proposal, indicated where it was going to be on Site 2 and not Site 1, and the general conversation was they were favorably disposed. They wanted to talk with the New Hampshire Historical group. Subsequent to that meeting, the historical group met with Gary Webster specifically on the subject of the Train Depot. They weighed in at that time that because this proposed facility is outside the Historic District delineations in the deed that they have no interest in going further with it. As a result not only is it not going to be subjected to any historical considerations, we will not be required to have an archeologist present. The deed says that the Department of Transportation will respond to them within 30 days for any requests they make for them. It is now about 40 days beyond and so with the Board's agreement, he would like to send a letter to DOT saying - the same thing they did with the dog park - in the absence of not hearing anything from them, we're proceeding with our plans.

Selectman Jasper thought this was a totally, totally different issue than that. Chairman Massey asked how it was different. They've not responded to us. Selectman Jasper asked if we sent them a site plan. Chairman Massey said they gave it to them. They had a conceptual site plan. Selectman Jasper said that was a whole different ballgame than a site plan saying this is what we're going to build, here are the coordinates...Chairman Massey said that was all in there. It was here the night they did that. That had that document along with...Selectman Jasper said the dog park wasn't a structure. It's some fencing. This is a building with sewer lines and everything else. We were working with the Governor's office on this. We don't have the ability just to put up a building. They talk about maintenance facility. They talk about bath house in there. We can't just go start putting up buildings all over that. A totally, totally different thing. If you do this, we're in big trouble.

Chairman Massey asked for input from the Board. Deafening silence from DOT and it's not the first time.

Selectman Nadeau asked how Selectman Jasper would handle this. Selectman Jasper said they were working with the Governor and it's a deed change is what it is. They've already agreed that and they've already established it. This was not something that DOT has the ability to say yea or nay. This needs to go to Governor and Council. We've already established that. We need to go in with specific language and a specific request to Governor and Council. This isn't even something within DOT. That's not who we're working with. Selectman Coutu knows that full well.

Selectman Coutu's understanding was that we would need to go through Governor and Council if there was going to be a fund request for the land. We were going to pay for the land and the Governor would intercede and present it before the Council to forgive whatever the cost would be for the land. He didn't think we had to go before them.

In any event, Selectman Jasper said this was a deed change that the Governor was going to do because we do not have the ability in that deed to put buildings up. We can put up a bath house. We can put up a maintenance house. That is all we

have permission to put up in terms of buildings. The deed is clear on that. Anything else needs to go through a deed change. They would either approve it as an alternate location or we were going to have to buy it.

On that subject he believed Selectman Jasper was in the conversation, Selectman Coutu said they were discussing - see if you remember Selectman Jasper. He just thought of something. Were you there when they sat down with a representative from the Attorney General's office as well as the Governor's legal counsel? What triggered this was the deed change. The Attorney General's office was going to review the deed and see what language needed to be changed in order to accommodate the transition from a building that existed in the Historical District to a building that's going to exist outside the Historical District and whether we would be required to pay for the swap of the land. As he understood it Selectman Massey, you've had other meetings subsequent to that. Selectman Coutu's question to Selectman Massey would be at any point did anybody bring up the subject at DOT that there needed to be language changes in the deed. Chairman Massey said no. Selectman Coutu asked the Attorney General's office clearly told him and Selectman Jasper that there had to be language change in the deed to accommodate.

If Chairman Massey might, it's 11:30 p.m. They have something very important to do. He would recommend that they think about this and postpone any further action on it until December 28th meeting. Selectman Coutu said that was fair.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Coutu, to enter nonpublic session under RSA 91-A:3 II (c) matters which, if discussed in public, would likely affect adversely the reputation of any person, carried 4-1 by roll call. Four in favor; Selectman Jasper opposed.

Nonpublic Session is being entered at 11:30 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Open session is being entered at 11:30 p.m.

(Selectman Jasper) \$100,000 and the Chief has been asked to..Chairman Massey said it was clear that \$100,000 out of the 101...Selectman Jasper said out of the Administration budget. He thought it was appropriate that the Chief give his explanation of why that is.

Chief Murray thanked the Chairman and members of the Board. The statement when he was asked at the Budget Committee whether a cut of \$100,000 would place the public in danger, he did answer yes it would. The funding for that particular line is in a command staff administration line within the Fire Department. The Fire Department in 2004 went through a reorganization based on a report by MRI in 1996. The MRI report clearly made recommendations which included the creation of a training officer and a critical need to establish two separate divisions. One of Support Services and one of Operations.

Chief Murray had a 10-page document but in order not to go through that word by word Mr. Chairman, he thought it was important for the Board to understand. The reason it rises to a level of affecting public safety is a couple of reasons. For the past 6 or 7 years, department heads have been asked to level fund their budgets. Over this period of time, they've typically come in and done that at the operations level. There comes a time when you reach a level of funding that you can no longer sustain your annual operations with the amount of money you have. He believed part of the funding over the years has contributed to that. More importantly his main point to the Board was that since the reorganization in 2004, they have been able to provide the public with an adequate level of service. Adequate level of service isn't just command positions up at the Administration level. The Fire Chief, the Training Officer, the two Deputy Fire Chiefs are all firefighters and have EMS certifications. They've become part of the overall firefighting team. Whether positions are cut from the top or the bottom with the staffing levels that they have now, he can provide this community with an adequate level of staffing to handle two back to back emergencies and on occasion some forty percent of the time handle a third emergency call.

[Chief Murray] Back in 2007, they staffed the Robinson Road fire station from Tuesday to Friday. That added two additional personnel to the staffing levels during the week and they have seen a considerable improvement in their ability to respond to working fires, first alarm fires, and make significant progress not in only in containing the fire and lessening the damage but keeping our personnel safe. The command staff roles provide supervision and training to all of their personnel. Again, they're certified as emergency responders and they all assume roles within the incident command and management team. When necessary, they do EMS duties. They also have further duties in emergency management when they're dealing with town-wide disasters. The biggest role that they play and everyone is aware of that they're really pushing the fire services safety. The command staff and their supervisory roles are directly responsible for the safety of all fire department personnel. They're also responsible to ensure that personnel assigned to their divisions have the proper equipment and conduct safe fire emergency operations.

[Chief Murray] They can also show them the important roles they play and they quantify it by low number of worker's compensation claims and long-term disability cases are not occurring. It goes on and one. It goes into operations and support divisions. They have specific responsibilities within the organization that go beyond their day-to-day activities. Fire service works under a concept called "Span of Control" where anyone individually can effectively manage anywhere from 3 to 7 people, tasks, divisions or areas of responsibilities. Whenever they lose any of those critical roles, someone has to pick up those responsibilities in those divisions. Once again in the 1996 MRI report, they clearly said the single Deputy Chief at that time who was handling multiple roles simply could not handle it.

So what happens if the funding isn't maintained for those positions? Chief Murray said there will be an inadequate level of supervision within the divisions, during fire ground, and EMS emergencies. There will be a lack of adequate command staff not only for local emergencies but town-wide disasters. We'll lose thousands of dollars spent on providing management supervisory training. They will be at a higher risk of liability due to inadequate staffing. The insurance service rating or their public protection rating could be affected. The impact of \$100,000 is \$.03 on the tax dollar for an average home of \$350,000 or approximately \$10 a year per household.

Chief Murray said the focus in the past has been on the Captain of Training and Safety position. We'll have a critical loss of a training coordinator instructor for firefighter certification, EMS continuing education certification and recertification, training of the groups, Call Firefighter training, proficiency training, HAZMAT training and certification, technical rescue certifications, critical loss of a third person to respond on any engine from Robinson Road during structure fires and other serious incidents. Again, a loss of a Firefighter EMT, a loss of Safety Officer at incidents, loss of a certified fire instructor, CPR instructor and EMT instructor. They have used the training officer to supplement the full-time Captains when they're out on sick leave. They do hold leadership positions and command positions. Of course loss of investment and education and training. It goes on. He can sit here and list the same issues with losing any other two Deputy Fire Chiefs position just as well as he could if they were to lose a Firefighter and EMT. Chief Murray said they would literally be going backwards back to previous 2004. He felt as an organization they have made significant progress in providing at least adequate staffing to the public.

Selectman Jasper said that all was said when they were off camera. He thought it was important to know when they were in nonpublic he objected to the fact that they were in nonpublic having this discussion. One of the things that is a concern is that this issue was in the Hudson Litchfield News. He thought the article was inaccurate in talking about what actually happened. This Board never asked the Chief the question that he was asked at the Budget Committee. The question that was asked here was what would you do if we cut \$100,000? The Chief said he'd have to live with it. Selectman Jasper thought that was the same answer if you say what if I give you two firefighters and one truck. If that's what they give him, he has to live with it. The question was never posed about public safety. People are going to be offended by this on this Board and at this point, he didn't care. This Board turned down \$100,000 of cuts. This is not about money. This is about a pound of flesh. This Board wants a pound of flesh from the Fire Department Administration.

Selectman Jasper thought he knew why and we will discuss that in nonpublic because it is nonpublic. There's stuff going on here. You don't care about the money. You want a person out of this department. That's wrong. These people have been put here for good reasons by the voters. We have not been increasing this department but the calls have been increasing. The Administration has not been bloated. It has been the same as it has been for years and years. To say anything other than yes we're out for a pound of flesh is just dishonest. All you will accept is a position out of this budget. That is proved tonight on a 1 to 4 vote. So come after me Selectman Coutu, but that's the fact.

Chairman Massey said they were going to keep personalities out of this and stick to the facts.

Selectman Coutu said Chairman Massey was a little late. For a Selectman to sit there and assume that he's going to be disingenuous or dishonest because he said he wasn't looking for a pound of flesh. He was never looking for a pound of flesh. He's not being dishonest. Selectman Jasper can make all the accusations he wants. He is not being dishonest. Selectman Jasper said disingenuous. Selectman Coutu said that if Selectman Jasper said that if any of them would say that they weren't looking for a pound of flesh, they would be dishonest. Selectman Jasper said he did say that and he apologized. Selectman Coutu accepted his apology.

What Selectman Coutu said when they did the wrap up night in the budget that he didn't like the bottom line. He wanted to achieve a goal and they got there. Every department took a hit. The question that was asked of the Fire Chief as he remembered it by a member of the Budget Committee was if he were to make a \$100,000 cut would it affect public safety. His answer was yes. Let's go back to the budget - the wrap up. After they agreed to cut the \$100,000, Chairman Massey interpreted it best when he explained it to the Budget Committee, that was a placeholder and they put it in the administrative line. What they did was allow him to go back and come back with a plan. Selectman Jaspers said that they were putting the cart before the horse. He should have come in with a plan first.

Not that the Board disagreed with him, they were trying to make cuts. They had to do is some how. The Board gave Chief Murray the opportunity to go back and to come back with a plan.

In essence this evening, Selectman Jasper said Chief Murray came in here with a plan. He has Plan A which says that this plan will maintain the current level of services provided the Town of Hudson and its citizens - he was paraphrasing.

Selectman Coutu said Chief Murray came in with Plan B that he proposed to the Board to save \$100,000 and it says that this "Plan will maintain the current levels of services provided to the Town of Hudson and its citizens and meet the Board's goals and objectives".

Selectman Coutu said Chief Murray proposes Plan C. Plan C says "This plan will alter the current level of services through a reduction in operation lines and part-time positions. However it maintains the current level of command staff. It will also meet the Board of Selectmen's goals and objectives and won't increase the tax rate."

Then Selectman Coutu said Chief Murray proposes Plan D. Plan D, however, says "This plan will have significant impact on the current level of services provided to the Town of Hudson and its citizens but will meet the Board of Selectmen's goals and objectives to not increase the tax rate for the citizens of Hudson. The level of services that will be impacted..." and he goes on and lists them.

Selectman Coutu said of the four plans that Chief Murray proposed here this evening, this was presented to the Board at the last minute, only one does he say "will significantly impact the current level of services". So to go before the Budget Committee and say that to cut \$100,000 out of his budget would impact public safety is not true. On the basis of the document that was presented here this evening with three plans that he does not state will impact the level of services or cause any harm or danger to the citizens of our town.

Chairman Massey thought Selectman Coutu missed the point. His response to the question was would the reduction in that line item impact public service. Selectman Coutu didn't think that. He thought if you read the minutes, he didn't think that's what it said. Chairman Massey believed that was exactly what they were talking about. He believed the Chief wanted to respond. Chief Murray deferred to Selectman Jasper.

Selectman Jasper thought that what happened tonight proved that very point. It was that line item. The Chief was responding to that line item. He worked with him, and although Selectman Jasper should have looked more carefully at the minutes, the original motion which would have allowed him to take \$100,000 from his department failed and come back with a plan, that failed, and then it was just take \$100,000 out of Administration. He ignored that and said this can't be what the Board is really about so we'll come back with alternative plans. One of them was a non starter because it really didn't do that. Two of them were outside of that area. He presented one of them. That motion failed in large part, from what he heard from the Board, was because it wasn't out of the administration line.

Chairman Massey didn't think Selectman Jasper heard that. He thought he heard specific line items and why were they being cut? Selectman Jasper said because he directed \$100,000, although he directed it out of the personnel. Selectman Jasper worked with the Chief to try to come up with \$100,000. Selectman Coutu didn't have the specifics and now he doesn't like what the Chief has. Nobody else has any specifics. This is ridiculous.

Chairman Massey thought they had to be clear so they were all on the same page. The question is about the \$100,000. First of all the \$30,000 we already know that that's probably going to be coming out of the budget. Selectman Jasper said they couldn't talk about what the Budget Committee is going to do. This is the \$100,000 that they had that night. That \$30,000 was there. The Budget Committee may be looking at that but the \$30,000 is still available to achieve their goal. If the Budget Committee takes it out, it's only \$70,000. Your goal was not to punish the Fire Department.

Chairman Massey said there were three items in there and they're not punishing anybody Selectman Jasper. The three items in there that were questioned was the paramedic school overtime, the part time custodial pay, and the EMS Coordinator position. Selectman Jasper said he was right. The \$30,000...Chairman Massey said that was off the table. They understood. Selectman Jasper didn't understand why it was off the table. Chairman Massey said it was off the table because they know what that is. Selectman Jasper said they really now want \$130,000 out of the Fire Department. Chairman Massey wasn't saying that. He was saying he misconstrued that vote...Selectman Jasper said to wait a minute. We have 12 paramedics. He was budgeting to get a 13th one. Do we need 13 paramedics? He didn't think so. He was happy with 12. Now to say they have to have 13 - when they started this they were looking to have one per shift.

Chairman Massey said they were still back to the issue that they have a question about how they're going to deal with the Budget Committee on the \$100,000 in line item 101. The question is right now he thought they were going to

defer action on that until the 28th. Selectman Jasper was trying to figure out where they have to go. If Chairman Massey is saying that the only place that the \$100,000 can come out of is his administration, that he's absolutely right. It will compromise public safety. As Selectman Jasper said earlier, if that's the only place it can come out of, it's not about the money. It's about getting rid of a position. It's about a pound of flesh. Chairman Massey said he would take a poll of the Board to see if the \$100,000 has to come out of that 101 line item.

Selectman Coutu agreed. If he could come back with a plan that was acceptable that it didn't have to come out of that line item. He stood by that statement.

Selectman Nadeau said he would agree with Selectman Coutu's statement. Taking \$50,000 out of the apparatus, \$50,000 out of the Capital Reserve...Chairman Massey understood. You're saying you want a plan that he can accept. Selectman Nadeau said yes.

Selectman Maddox said out of the Administrative salary line item.

Selectman Jasper said he voted against the \$100,000 to begin with. Certainly he thought if the goal was to reduce the \$100,000, then it ought to be \$100,000 and the \$30,000 should be part of that. We're looking at their recommendation to the Budget Committee and not \$130,000. Chairman Massey was coming down on the side of Selectman Coutu and Selectman Nadeau. He always felt that it was a charge to come back with a plan that could be done other than the \$100,000 out of the salary line. Given that it's about midnight tonight, he thought the only way they could get to that number was to have it come before the Board on the 28th.

Selectman Jasper indicated that the Chief needed some guidance. They have \$30,000. That should be acceptable. Does anybody really think they need to have a 13th paramedic? If you don't, he thought the 18 should be acceptable. The EMS Coordinator is going to retire at some point. Whether she retires a year earlier or half a year earlier, we're not going to replace that EMS Coordinator. The Chief has already said he will distribute those duties. That savings should be acceptable to achieve the goal because it eliminates a position that was going to be phased out eventually. He agreed on the issue of the janitorial. They need to identify something else. What is unacceptable in those lines? He needs to identify some other areas. There is the bulk of it in those...

Chairman Massey wanted to go down the list. Selectman Nadeau of that list of changes on Plan C, which of those changes did he think should not be there?

Selectman Nadeau said paramedic school...Selectman Jasper interrupted to ask a question. You think we need to have a 13th paramedic? Selectman Nadeau said they didn't need to. Selectman Jasper said that was acceptable. Chairman Massey misunderstood. Selectman Jasper said he was asking what was not acceptable on that list. Chairman Massey said they all agree that the part-time custodian has to be somewhere else because that's a cost shift. We all agree that the pay in benefits is there.

Selectman Nadeau said it really wasn't though. Chairman Massey said they have always traditionally budgeted for next year on the basis of what people have this year. You can go crazy if you try and decide what current employees are going to do and then following budget...Selectman Jasper said if something changes during the year, he's going to have to find that money some place else. If that means he has to keep a position open two weeks longer, and the fact is almost every time that somebody leaves, they're already at a higher rate. He will have to find it. It's a real savings because we're not going to give it back to him. He will have to find it. Chairman Massey said that's the way it has always been Selectman Nadeau. You budget with what you know and if it changes during the year, then the department head has to find the money from some place else.

Selectman Nadeau asked if they talked about the carpet and the AC. What's the AC and what's the carpet? Chief Murray said the AC was to connect the central air at Burns Hill. That wasn't a necessity. The carpet is worn and can go another year. Selectman Nadeau asked where. Chief Murray said there were pieces at Central and Fire Admin.

Chairman Massey asked to get consensus on should the bid on the carpet and the AC be in or out. Selectman Jasper said they could live without it. Chairman Massey said they could stay there forever but he was going on the basis that the Board was looking for an alternative to the Admin. If this is where the areas are going to be, they can at least give the Chief some guidelines as to whether or not those were going to be acceptable with some additional changes. They know a couple of things were not going to be in there. All Chairman Massey was looking for tonight was if the \$100,000 is to come out of something other than 9101, are those changes acceptable to them? The first question was is the building carpet and the AC in or out? If it's in, it means that you don't want it to be taken out of his budget. If it's out, then it makes up part of the \$100,000. So they just start there.

Selectman Nadeau said they could take it out.

Selectman Coutu said to take it out.

Selectman Maddox said sure.

Selectman Jasper said he was in favor of everything but the part-time custodial care.

Chairman Massey said that one was okay. Let's go to paramedic school overtime. Is that in or out? Are you okay with only 12 paramedics or do you think we need 13? Selectman Nadeau said 12 was fine. Selectman Coutu said he had a problem with that. He's liaison to some committees and he would never think to come in here and say he thought the Recreation Department should have less people or more people. The Director makes the recommendations not the Liaison. His job as a Liaison is to come in and communicate to the Board what the Department is doing. The Fire Chief obviously put it in the budget. He was sure he could articulate why he put it in the budget. Selectman Jasper didn't think he needed it. He obviously thinks he does. Selectman Jasper said that was the Chief's list. Selectman Coutu said he originally put it in the budget. So he must have felt that he needed a 13th EMT. Chairman Massey said he put the line item in salary line too saying he needed it. The Board's telling the Chief that they need to have \$100,000 and they're asking him if he can't do it in there, tell us where you can do it.

Selectman Coutu said he couldn't agree to say take it out when he didn't have an understanding. He's not the one that should make the decision whether or not they need a 13th EMT. He made that decision when he presented the budget to them that he wanted one because he put it in the budget. Selectman Jasper said he was making a decision that he needs to take \$100,000 out and now you won't give him any guidance. Selectman Coutu said he's telling the Board that they can't take certain positions out because its going to affect safety, he didn't know if this was going to affect safety or not.

Chairman Massey asked Selectman Maddox if he thought that if this were going to be the \$100,000...Selectman Maddox didn't think it was the right way to go. So you can decide whatever numbers you want.

Chairman Massey asked what kind of guidance did he want to give the Chief then. Selectman Jasper said he wanted the Training Officer out. Selectman Maddox said he wanted someone out of the line. He didn't care which one it was. Chairman Massey said he wanted a staff person out. Selectman Maddox said, "Yes Sir." So all the cuts don't matter. Chairman Massey asked to cut to the chase as Selectman Jasper said. Do you want somebody out of that 101 account?

Selectman Nadeau didn't want somebody out of that account. He just thought if they took a reduction in the Police Department and they had come up with this...Chairman Massey said that's right but what you're saying to the Chief is I'm willing to accept a set of alternatives. He just needs some guidance. He's given you currently what he thinks those alternatives are. All he's trying to find out is which of those alternatives do you not accept, which means he would have to come back with another offset.

Selectman Nadeau said other people keep saying the Training Captain. It doesn't have to be a Training Captain. If it's a Firefighter and that gets to the \$100,000, then it's a Firefighter. We're putting some of this stuff off. Chairman Massey said that he needed to give the Chief some guidance as to where you want the cut to come from or let him come to you with the proposed cuts, which he's done. You're basically saying some of them are not acceptable. Selectman Nadeau said right because putting building maintenance off and other things off like that...

Selectman Jasper said the carpet is building maintenance but it's not like painting and roofing. If a carpet goes another year, it doesn't become more expensive except by the fact of inflation and it puts it off another year down the road. He didn't buy that as the same thing as we have bad wiring and you put it off. Your building could burn down or you need a new roof and you put it off. This is not the same type of thing. The thermal imaging camera - that's putting it off another year. Again, it doesn't make it more expensive except by the increase. Does the camera last or doesn't the camera last? It probably will but we have two anyhow. Correct? Chief Murray said that's right. Selectman Jasper said those weren't they type of deferred maintenance that you see a higher expense down the road because you haven't done it. Those are the only two things in there.

Chairman Massey wanted to put something else on the table so that they are all clear on where the Board is at. When Selectman Coutu said he had a goal to get us down to zero increase on the tax rate, we essentially started down that road. He made it clear and he thought the Board accepted that that they weren't starting from a position of getting rid of wants. We were starting from a position that we had already agreed that everything that was in the budget was needs. We were asking the Department Heads to take cuts knowing full well that it was going to impact services. We're not talking tonight about things that the Chief didn't think he needed. They thought he needed it because they had it in the budget. They've made a decision that they wanted to have a zero tax rate. If you want a zero tax rate, then you have to make the cuts. If you don't want to make the cut in the Admin. account, then you have to give the Chief the ability to come back and say what he believes he can cut knowing full well that it's going to

impact services. Chairman Massey thought all they were asking for was of the things that he's presented back to them tonight are there any of them that you don't think the Town can do without. Understand that if he comes back he's going to have to come back with something else that he needs that you're going to ask him to take out of the budget.

Selectman Coutu said he'd like to put this to bed. He had asked that the Board make a \$100,000 cut. He told the Chief if he came back with a reasonable plan and it was something that was acceptable they could debate this all night. They could try to mix and match the plans. They can wait until he gets a budget book and start cutting items. If you wouldn't mind Mr. Chairman to get a consensus on the following: Plan C. Accept the entire plan and have the Chief come back and find another item to replace the part-time custodian for \$4,172 which that would be eliminated. He would be short that much and for the Chief to come back with the difference but eliminate all the other items. That would be acceptable to Selectman Coutu at this time. If they can get a consensus and if there are 3 of them that are going to vote for that, let's send the Chief out.

Selectman Nadeau had a question on what's the Outside Instructor. Chief Murray said specialized training, HAZMAT training, training that we don't have certification in and we need to bring in.

Selectman Jasper asked how the Chief would handle that. Chief Murray said he'd either put it off until another budget year or find another resource to come in and will beg and barter. Do training for someone else and ask someone with a certification to come in. Whatever they have to do.

Chairman Massey asked Selectman Nadeau if he was acceptable. Selectman Nadeau said he was acceptable. Selectman Maddox said no. Selectman Jasper said the Chairman knew he was. Chairman Massey told Chief Murray that he had a 4 to 1 consensus that everything on this line item to be put through a Budget Committee. The motion to the Budget Committee with the exception of replacing the part time custodian with an offset. The only thing he would ask the Chief is since those are going to have to be motions made to the Budget Committee, he needed to know the specific account and line item number...Selectman Jasper said it was to the right of the number. Chairman Massey asked if \$30,000 was an exact figure. Chief Murray indicated from what he received from Kathy Carpentier, yes. He'll double check that. Chairman Massey said he'd prepare to make the motions. They'll have to do it on the 28th because the Chief was going to come back with the other cut, unless the Board is comfortable with whatever they're going to come back with on that cut and he makes all those motions tomorrow night.

Selectman Jasper said that the Budget Committee has cut another \$25,000 out of the Town tax rate. The goal was always there. Selectman Coutu knows where Selectman Jasper is going with that and he would agree with him. Chairman Massey asked to just leave the \$4,172 out. Selectman Coutu said right. Again if the consensus stays the same. Instead of finding \$100,000, let him come in with whatever that comes up to -\$96,695.

Selectman Nadeau didn't agree with that but he knows where it's going.

Chairman Massey told Chief Murray that tomorrow night he will be making the motions to the Budget Committee to reduce all the line items with the exception of the part time custodian by the amounts he had indicated which would be \$100,000 less \$4,172, which would be \$95,828. Chief Murray said he would verify the figures tomorrow and make sure Chairman Massey has the correct figures. Chairman Massey said he needed them on the form that the Budget Committee does it with. Actually those motions plus one more. The other motion is to zero out the \$100,000 minus on the 101 account.

Chief Murray thanked the Chairman and members of the Board. He did appreciate them looking at his documents.

11. NONPUBLIC SESSION

Motion by Selectman Jasper, seconded by Selectman Coutu, to enter nonpublic session under and RSA 91-A:2 (a) Strategy or negotiations with respect to collective bargaining; and RSA 91-A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property, carried 5-0 by roll call.

Nonpublic Session is being entered at 12:19 a.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 12:32 a.m.

After coming out of Nonpublic Session, it was consensus of the Board of Selectmen to go with Chief Murray's Plan C and that Chief Shawn Murray will bring to the Budget Committee the changes made in Plan C.

12. ADJOURNMENT

Motion to adjourn at 12:33 a.m. by Selectman Jasper, seconded by Selectman Coutu, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Kenneth J. Massey, Chairman

Richard J. Maddox, Vice-Chairman

Shawn Jasper, Selectman

Benjamin J. Nadeau, Selectman

Roger E. Coutu, Selectman