

HUDSON, NH BOARD OF SELECTMEN
Minutes of the April 13, 2010 Meeting

1. CALL TO ORDER by Chairman Massey the meeting of April 13, 2010 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE, led by Raymond Rowell.
3. ATTENDANCE

Board of Selectmen: Roger Coutu, Ken Massey, Shawn Jasper, Rick Maddox and Ben Nadeau

Staff/Others: Steve Malizia, Town Administrator; Assistant Town Administrator Mark Pearson; Donna Graham, Executive Assistant; Police Chief Jason Lavoie; Kevin Burns, Road Agent; Assistant Town Assessor Jim Michaud; Recreation Director David Yates; Fire Chief Shawn Murray; Torrey Demanche, Executive Secretary; Captain Dave Morin; HLN Reporter Doug Robinson

4. PUBLIC INPUT

- 1) Proclamation presented to the members of the Hudson, New Hampshire CB Patrol

Chairman Massey thought it was a pleasure. He thought they've all heard him say many, many times that Hudson is more than just bricks and mortar. It's the people that live here. One particular organization that he knew they've seen them many, many times laboring in the background at major events, especially highway traffic accidents and certain crowd controls. Tonight we're here to honor the Hudson Chapter of the CB Patrol. Chairman Massey asked one of its members, Ray Rowell, if he'd go to the front.

Chairman Massey told Ray that as always it was a pleasure to see him and read the following Proclamation:

To recognize the dedication of volunteer time and service to the Town of Hudson by the past and present members of the Hudson, New Hampshire CB Patrol

WHEREAS, the Hudson CB Patrol has been in existence since the mid 1980's; and

WHEREAS, this group of volunteer individuals has contributed in numerous ways to the Hudson community including providing traffic control at motor vehicle accidents, building fires, and natural disasters to both the Hudson Fire Department and Hudson Police Department; and

WHEREAS, the Hudson CB Patrol provides its own vehicles, fuel, safety equipment, and radio equipment at no expense to the Town of Hudson; and

WHEREAS, this good Samaritan organization dedicates many hours at all times of the day and night to standby and direct traffic using vacation time from their fulltime jobs so that public safety responders have the ability to get back in service faster, in order for them to respond to higher priority emergencies; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of the Hudson CB Patrol; and

NOW THEREFORE, I, Kenneth Massey, Chairman of the Board of Selectman representing the Board of Selectman and Citizens of the Town of Hudson, New Hampshire, in recognition of the time, service and dedication of the Hudson NH CB Patrol do hereby extend our sincere appreciation and gratitude to the Hudson New Hampshire CB Patrol.

Given this 13th day in April, 2010

Chairman Massey thanked Ray and knows that they all do a great job, and they really, truly appreciate it. He would be remiss if he didn't recognize that our Cable Senior Operator Leo Bernard is also a member of the CB Patrol.

- 2) Hudson Grange #11 - Recognition Awards Ceremony on April 13, 2010

Chairman Massey said as it so happens when you have a community as diverse as us, we had a scheduling conflict and the Hudson Grange #11 tonight at 7:30 p.m. is recognizing several of our citizens at the Community Recognition Awards Ceremony. The Police Officer being recognized is David Cayot. The Firefighter is Bob Haggerty. The Teacher is Florence Henderson. The Veteran is Col. Kevin Grady, and the Community Citizen is Dr. Pierre Dionne. So we extend our congratulations to all of these individuals as well.

Chairman Massey asked if anyone in the audience who wished to address the Board on any subject at this time? Seeing none we'll go to the next item, which are nominations and appointments.

3) Peter Radziewicz - 49 Burns Hill Road - public input

Chairman Massey recognized Mr. Radziewicz. Mr. Radziewicz apologized for being late. We have a couple of kids in school sports, and we were running a little bit late. So, again, he apologized.

Pete Radziewicz, 49 Burns Hill Road. He's here to actually pay his settlement to the Town over his fence issue that's been going on in this Town for too many, too long. The result of the Board of Selectmen voting to continue to sue them after the taxpayers voted to drop the lawsuit. He did have a request. He was wondering what that vote was if that can be stated in public - how that vote went against them. He guessed the Board could discuss that afterwards. They've been in front of the Board over the last 3 years. He's always tried to remain respectful, honest, and open minded. Mr. Radziewicz felt he had not been treated the same at all.

[Pete Radziewicz] At the Deliberative Session in February, the Board of Selectmen responded to their presentation. He felt that they tried to deliberately mislead the public and portray them as liars. It was stated that he and his wife never tried to contact the Board of Selectmen over this issue. Just to clear something up, he had 9 letters here that were sent to the Board of Selectmen dated from January 23, 2009, February 3, 2009, February 23, 2009, March 30, 2009, April 7, 2009, an e-mail that went in August of 2009, September of 2009 stamped August 31 at the Town Hall, September 22, 2009, and then prior to the Town vote, March 1, 2010. Just to clear a few things up on that.

Selectman Jasper asked a question at this time. What was the date of the installation of the fence? Mr. Radziewicz said December of 2008.

Mr. Radziewicz said the fence went in December of 2008. From January 2009 through March 2010, we have sent 9 letters and e-mails to the Board of Selectmen asking for assistance. They didn't get a violation letter until February. So they did that prior to any violation from the Town. Even so, not one of you had the courtesy to reply to any of those messages, letters, or e-mails. Not one word. He wasn't sure what else there was to say about that. He's sitting there and it actually disgusts him to pay a dime. He knows that it disgusts many people. Just so you know, they won't soon forget. You may be hoping that people have a short-term memory but just understand that next time one of you are running on the ballot, he's either going to be there running against you or he's going to be there to remind people about this situation.

Mr. Radziewicz was disappointed in himself for deciding to settle. They were going about teaching a lesson in how to go about through a democracy. Whether you agree with it or not, they went through the right processes. They tried to remain respectful. They tried to do it the right way. They actually did. The voters came out. They said that they were right. You guys brought up a good case. But you what to know what, the Board of Selectmen turned around and taught an even stronger lesson. They taught that you can't fight city hall, which is very disappointing. You know you're going to come out here and say that they did this for the taxpayers. We did this to recoup some of the tax money that they spent trying to pursue this, and that other people had these situations. You know every situation is different. All you have to do is take a little bit of time, look at the DVDs from some of the ZBA meetings, and see what that difference was.

Mr. Radziewicz was paying tonight, and he was hoping based on the town vote the town did not want that money back. He was hoping that they'd use the money and maybe support a good cause in town something to do with some of the children. Put it to one of the town rec. leagues. He knew that the Alvirne Cheerleaders were looking for money. He has nothing to do with that program - nothing at all. He's never had a child in that program. They could use some money for fundraising. He recommended that the Board do that. No matter what, he had his presentation here. He had \$2,141 for each of the votes from the town. The balance is written in a personal check. Mr. Radziewicz gave the plastic bag of money to Chairman Massey and told them they could count that off and let him know. He'd like a receipt for it at some point. He then handed the Chairman a check for the remaining balance that he owed them. He hoped that the town people remember this at the next election. He did want to say that they appreciated their support. That's

why they paid it in ones. One dollar for every one of their votes. They want them to know that their vote may have not counted for you guys, but it sure counted for them for a lot. There's the amount that we owe you and he appreciated their time. If you want copies of these 9 letters that they never received a response back, they could just let him know.

Chairman Massey told the Board that they were going to turn the Agreement over to the attorney on the assumption that if it was as expected to be then they can unseal the minutes and let the town know what happened. Selectman Coutu asked if the Agreement was signed by all parties right now. Mr. Malizia said it hadn't been signed by our attorney. Our attorney has not seen it.

Chairman Massey said that the Board would respond at some point. His expectation was that they'll respond at the April 27th meeting as to where they were on this. They need to have their attorney look at this agreement first. With that, we'll go back to the order of business. The next item on the order is Consent Item.

5. NOMINATIONS & APPOINTMENTS

A. Resignation of Dennis White as alternate from Planning Board

Chairman Massey said they had correspondence from the Planning Board who have indicated that an alternate member Mr. Dennis White has been unable to fulfill his duties as a member of the Board and they've recommended to the Board of Selectmen that they remove Mr. White from the Planning Board under Section IV.5.b of the Hudson Planning Board Rules of Procedure adopted by the Planning Board on November 5, 2008 and as amended through October 20th.

Motion by Selectman Coutu, seconded by Selectman Maddox, to remove Dennis White as alternate from the Planning Board.

Selectman Jasper said he hated to be a stickler and he may have missed this in the past when they've done this, it would really be appropriate for the record if they had the 3 meetings in a row that he had missed. Chairman Massey indicated that he has not come to a single meeting since he was appointed in December of last year. Selectman Jasper said all right. That's fine but there's nothing on the paper here that indicated that. He thought it was important to have that documentation. Chairman Massey said that was the reason why the Planning Board voted. Selectman Jasper said he had no doubt, but there was nothing here.

Motion carried 5-0.

Chairman Massey indicated that we now have a vacancy on the Planning Board and would extend the invitation to anyone out there who is interested in applying to please do.

B. Sewer Utility Committee - (5 members, 1 alternate term to expire 12/31/11)

Chairman Massey stated that they had an opening on the Sewer Utility Committee. They have 5 members and 1 alternate term to expire December 21, 2011. He believed that Mr. Howard Dilworth applied. Chairman Massey recognized Mr. Dilworth and asked him to provide his name and address for the record.

Howard L. Dilworth, Jr. He lives at 15 Sycamore Street. Chairman Massey asked Mr. Dilworth to indicate his interest on the Committee. He knows that he's been there several times. Mr. Dilworth said the line on the form that says, "Why are you applying?" He put down because 3 members of the Committee and the Clerk asked him to over a period of a year and a half. Probably the rest of the Committee would have, but he hadn't had a chance to talk to them. They've asked him if he had some time would he, again, serve on the Committee. He was on the Committee as the selectman's liaison from 1994 to 1997. Selectman Madison asked him to apply in 1998, and he was there through 2008. He's spent some amount of time - he'll save Selectman Maddox the trouble of asking him if he has ever attended a meeting. He thought the answer to that was yes.

Selectman Coutu said he had alluded to in the past with regard to Mr. Dilworth his contribution to the Town over these oh so many years that he's been a resident of this Town. He had the distinct pleasure of being with Howard 2 weekends ago when we toured all of the sewer facilities in the Town. He was certainly impressed with his knowledge of the facilities, the apparatus, its machinery, and how it works. He has total knowledge that the Committee would. As the Selectman Liaison to the Sewer Utility, Selectman Coutu enjoyed his meetings with the Sewer Utility Committee and he enjoyed the rapport that they have. He thought Howard Dilworth would be a big plus to the Committee and he hoped that some day, not that he

missed anybody to resign, but he would hope that he would consider moving from alternate to a permanent position if the availability was there for him. He will support Mr. Dilworth's appointment and not having had any people come forward to wanting to serve on the Sewer Utility Committee and without hearing any exception, Selectman Coutu moved to appoint Mr. Dilworth.

Motion by Selectman Coutu, seconded by Selectman Nadeau to appoint Howard L. Dilworth, Jr. to the Sewer Utility Committee as an alternate with a term to expire on 12/31/11.

Chairman Massey would simply like to echo Selectman Coutu's remarks. You have been a very dedicated person on that committee Howard. He thought it shows with the people that have been there. Thank you for what you've done in the past, and we look forward to what you can do in the future there.

Assuming the motion was going to pass, Selectman Jasper wanted to say welcome back to the Hudson underground if you will.

Motion carried 5-0.

Chairman Massey said if there was no objection, he noticed that a person who signed up for public input has now arrived. If you have no objections, he will go back to public input and invite Mr. Radziewicz to address the Board if he still wishes to.

6. CONSENT ITEMS

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

Selectman Coutu said he had two. He would like to remove A. 9. Tax Deferral Release - Map 175, Lot 59; Tax Deferral Approval - Map 175, Lot 59 and 57, w/recommendation to approve and Item D - Acceptance of the Minutes of the Board of Selectmen's Meeting of March 23, 2010.

Motion by Selectman Coutu, seconded by Selectman Jasper, to approve consent items A. 1-8, B, C, and E, as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) Multiple Exemption/Credit Applications -
 - a) Blind Exemption - Map 203, Lot 028, w/recommendation to approve
 - b) Veteran Tax Credits - Map 216, Lot 014, Sub 081; Map 185, Lot 070; Map 174, Lot 103, w/recommendation to approve
 - c) Disabled Veteran Tax Credit - Map 156, Lot 008, Sub 030, w/recommendation to approve
- 2) Multiple Exemption Applications
 - a) Disabled Exemption - Map 156, Lot 063, Sub 116, w/recommendation to approve
 - b) Re-qualification Disabled Exemptions - Map 175, Lot 034, Sub 004; Map 173, Lot 025, Sub 054; Map 171, Lot 040; Map 142, Lot 007, Sub 016, w/recommendation to approve
- 3) Multiple Exemption Applications -
 - a) Elderly Exemption - Map 175, Lot 034, Sub 015; Map 168, Lot 041; Map 175, Lot 034, Sub 026, w/recommendation to approve
 - b) Re-qualification Elderly Exemptions - Map 190, Lot 037; Map 216, Lot 018, Sub 050; Map 147, Lot 017, Sub 025; Map 173, Lot 037; Map 165, Lot 141, Sub 512; Map 191, Lot 085; Map 156, Lot 006, Sub 033; Map 178, Lot 013, Sub 049; Map 253, Lot 053; Map 165, Lot 141, Sub 311; Map 191, Lot 134; Map 168, Lot 057; Map 158, Lot 001, Sub 009; Map 167, Lot 019; Map 191, Lot 084; Map 174, Lot 230; Map 190, Lot 163; Map 191, Lot 103; Map 183, Lot 022; Map 182, Lot 150; Map 174, Lot 026; Map 165, Lot 138; Map 183, Lot 059, w/recommendation to approve
- 4) 2009 Abatement Application - Map 230, Lot 022, Sub 025, w/recommendation to approve
- 5) 2009 Abatement Application - Map 128, Lot 1, w/recommendation to approve
- 6) 2009 Abatement Application - Map 230, Lot 5, w/recommendation to approve
- 7) 2009 Abatement Application - Map 147, Lot 1-14, w/recommendation to deny
- 8) Excavation Tax Warrant, Map 122, Lot 002, w/recommendation to approve
- 9) Tax Deferral Release - Map 175, Lot 59; Tax Deferral Approval - Map 175, Lot 59 and 57, w/recommendation to approve

B. Water/Sewer Items - None

C. Licenses & Permits

- 1) Request to solicit funds by Hudson Kiwanis
- 2) Request to solicit funds by Marguerite's Place, Inc.
- 3) Request to solicit funds by Hudson Chamber of Commerce
- 4) Request to solicit Manchester Christian Church

D. Acceptance of Minutes

- 1) Minutes of the Board of Selectmen's Meeting of March 23, 2010

E. Calendar

- 04/14 7:00 Planning Board - Community Development Meeting Room
- 04/14 7:00 Benson's Subcommittee - Communications - BOS Meeting Room
- 04/15 7:00 Benson's Committee - BOS Meeting Room
- 04/15 7:30 Budget Committee - Community Development Meeting Room
- 04/19 6:30 Hudson School Board - BOS Meeting Room
- 04/19 7:00 Energy Committee - Community Development Meeting Room
- 04/20 7:00 Cable Utility Committee - BOS Meeting Room
- 04/20 7:00 Conservation Commission Workshop - Community Development Meeting Room
- 04/21 5:00 Water Utility Committee - Community Development Meeting Room
- 04/21 7:00 Seniors - Community Development Meeting Room
- 04/21 7:00 Library Board of Trustees - BOS Meeting Room
- 04/22 3:00 Trustees of the Trust Fund - Community Development Meeting Room
- 04/22 7:30 Zoning Board of Adjustment - Community Development Meeting Room
- 04/26 6:00 Recycling Committee - BOS Meeting Room
- 04/27 7:00 Board of Selectmen - BOS Meeting Room
- 04/28 7:00 Planning Board - Community Development Meeting Room

Selectman Coutu asked for everyone to turn to the minutes on page 12. There's just one word. Second paragraph there's a partial paragraph on the top. The very next line, "afterwards Chairman Massey said that they were making progress." Does that say "thought", or "through", or "though"? What does it say? His was scratched and he forgot what he was scratching out. Is it "thought"? Mr. Malizia said that was what it said on his piece of paper. Thought. Shouldn't it be "though". Chairman Massey believed you should just strike the word "thought".

Motion by Selectman Coutu, seconded by Selectman Jasper, to accept the Minutes of March 23, 2010 as amended, carried 5-0.

Selectman Coutu said he noticed that the Assistant Assessor had arrived. If there would be no objection, could we ask him to come to the table please on Item 9. a. Thank you Mr. Michaud. This is in reference to Tax Deferral Release - Map 175, Lot 59; Tax Deferral Approval - Map 175, Lot 59 and 57, w/recommendation to approve. It's a lengthy document. He read it several times. He was going to turn to our in-house expert Selectman Jasper to explain it. So he was glad that Mr. Michaud came. Could you put this in layman's terms for him so that he could understand what this means. Mr. Michaud asked the tax deferral itself? The concept of a tax deferral? Selectman Coutu said this particular parcel.

Mr. Michaud said that a property owner can apply for a tax deferral on a property if they're elderly, 65 or older, or disabled. In this case, it was dealing with an elderly property owner. We had originally done the tax deferral and it covered only one year. Subsequently they learned that the property owner had more than one years worth of taxes that had not been paid. We brought this to his attention. Of course this was after the fact, after the Board had already acted and granted the original tax deferral. He expressed the desire to cover more than one year's worth of taxes in a tax deferral. So that's the purpose in bringing this in front of the Board today is to release that one year worth of tax deferral and then reissue a tax deferral so it covers multiple years - '07, '08, and '09. It's deferring the taxes to some point in the future when the property sells. It's no longer in his name. The town recoups that money plus 5 percent simple annual interest. So 5 percent is better than 12 and 18. It also is a different kind of property tax lien on the property. It's not a take lien. It's a lien that says you can pay it off any time and as such time as you no longer own it, that lien is on file at the Registry, and you will get paid either by your heirs or at a closing.

Selectman Coutu's next question would be when the initial deferral was presented to the Board of Selectmen, whenever that was and it was approved, how did the other years of taxes get missed that were

due on the property. Mr. Michaud said that we don't seek out people to apply for a tax deferral per say. We inform them of it. When we receive a document and they say we want to defer this year, we take that and we say okay we'll defer this year. In looking at the pending tax liens that the town has coming up, he looked at it and said they had multiple years here maybe we should call the property owner and see if they wanted to defer more. It didn't make any sense to defer '09 and then take the property for nonpayment of years prior to that. It just didn't seem that logical. We contact him. How it came up was he noticed through the pending lien process, which is operated by the Tax Collector but he asked for copies of it. Selectman Coutu wanted to have a clearer understanding of the process so that in the future if this comes up again, he wouldn't have reason to question it. It's pretty much what he had thought it was. We're protecting our interest in the property to recoup the prior year taxes. He's satisfied. As an aside, Mr. Michaud said it would behoove us to ask that question up front so we didn't have to go through this work twice.

Motion by Selectman Coutu, seconded by Selectman Maddox, to approve Item A. 9. Tax Deferral Release - Map 175, Lot 59; Tax Deferral Approval - Map 175, Lot 59 and 57, w/recommendation to approve, carried 5-0.

7. OLD BUSINESS

A. Votes taken after Nonpublic Session

- 1) Motion by Selectman Jasper, seconded by Selectman Nadeau, to seal the minutes of the nonpublic session of April 6, 2010, carried 4-1. Selectman Maddox in opposition.
- 2) Motion to adjourn at 9:29 p.m. by Selectman Jasper, seconded by Selectman Coutu, carried 5-0.

8. NEW BUSINESS

A. Request to Conduct a 5K Run/Walk

Chairman Massey recognized Mr. Hergenbahn and asked him to state his name and address for the record.

My name is Ross Hergenbahn. He resides at 75 Sousa Boulevard in Hudson. Chairman Massey asked him to give then an indication of what it was he was requesting. Mr. Hergenbahn said he was requesting the town's permission to hold a 5K run/walk on July 25th of this year. The proposed route starts and ends at Alvirne. He had a little more comprehensive packet if they wanted that had additional information. Chairman Massey asked if any board member had any questions.

Selectman Coutu asked how many people were involved in the run. Mr. Hergenbahn said that they would have a goal of 1,000 participants. He would say without moving forward he would put that number between 500 and 1,000. Selectman Coutu asked if he had done this in the past. Mr. Hergenbahn said he had never conducted one. He has participated in many. Selectman Coutu asked if he contacted the Chief of Police. Mr. Hergenbahn said he did. He met with Chief Lavoie as well as Dave Yates to try to put some preliminary plans together.

For the record Mr. Hergenbahn, Chairman Massey understood that he agreed to pay the officers who would be providing the safety along the route. Mr. Hergenbahn said they would be paid. All of the expenses they anticipated to be paid by sponsors through them.

Selectman Coutu's last comment to Ross was that he read through his request and his proposal. It's a worthwhile endeavor. He applauded him. It's a monumental task he has before him. He knows that it is very difficult to organize these kinds of things and all the logistics that are involved. He was pretty sure that it would pass here this evening and he wanted to wish him much success. The cause is very worthy and he hoped he did well in his son's memory.

Chairman Massey thought that they should at least identify that this is a 5K charity run in honor of Mr. Hergenbahn's son Nathan Ross. It will be held if the Board so approves on July 25th starting at 9 a.m.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to approve Ross Hergenbahn's proposal to conduct a charitable 5K Run on Sunday, July 25, 2010, starting at 9:00 a.m. per his proposal dated March 29, 2010, carried 5-0.

Chairman Massey gave the Board's best wishes to Mr. Hergenbahn.

B. 9/11 Committee (Chairman Dave Morin)

Chairman Massey recognized Chairman Dave Morin and also Torrey Demanche.

Selectman Coutu asked Chairman Morin if he could give an informal introduction. Mr. Morin and several people within the community have formed a 9/11 Memorial Committee, and we've had several meetings. He had been asked to join the committee, which he did. Up until the time of his illness, he had been attending the meetings. Selectman Coutu felt that we were at a stage in our production to be able to present this formally before the Board of Selectmen. He's had some minor discussions with a couple of you and you didn't know what we were talking about because it was never formally presented before the Board. As a courtesy to the Board prior to us taking any action, he suggested to Mr. Morin and the Committee that this would be an appropriate time to lay everything out on the table so that the Board of Selectmen was in the loop with what this was all about and what we would like to do in the Town of Hudson.

Mr. Morin said that they didn't come to them right away because they wanted to have a plan to present to the Board. He will be acting as Vanna White tonight; Torrey will actually be speaking on the project.

Thank you. My name is Torrey Demanche. I work for the Hudson Fire Department and I'm also a member of the 9/11 Memorial Committee. This committee is newly established since February of this year. Captain Dave Morin who is our current President has received some information from the New York Port Authority that there are some artifacts that are being housed in a warehouse and cataloged regarding the Twin Towers. These artifacts are being offered to communities and municipalities around the country if they so chose if they use it in a fitting and dignified manner representing some kind of memorial for 9/11. Tonight their goal is to introduce themselves to the Board of Selectmen and to ask for their support in the various stages for them to create a distinguished and honoring memorial and have that established here in the Hudson community. Currently we are 20 members strong consisting of selectmen, police, fire, highway, local business owners, and local citizens. Their membership has varying degrees of expertise starting with architecture, design, transportation, welding and fabrication, and there are few more skill sets and knowledge that come along with many members of this particular committee.

This particular drawing that Dave is going to share with you was created by Rick McCarthy from Bay State Industrial Welding and Fabrication. He brought our conceptual discussions to life in this particular creation. The vision is that the perimeter shape is going to be the shape like the Pentagon. That will represent the airplanes that struck the US Pentagon on September 11, 2001. Within that structure, you will see two steel structures that will represent the Twin Towers. Inside of that Pentagon (inaudible), there will be green grass to represent the airplanes that went down in Pennsylvania. At the five points outside of the Pentagon, there have been multiple discussions of possibly having flat stones spelling out each of the areas that are going to be represented in this monument. That will be through the committee's discussion based on many steps that we do need to perform in order to have this particular project come to fruition.

Ms. Demanche stated that they are currently entertaining and researching several sites. This is going to be the key factor that will allow us to progress in the creating of this memorial. We do have preliminary approval from the New York Port Authority that some artifacts, potentially steel, will be designated to the Town of Hudson. There's still a lot of work before distinct pieces are designated to us, but we are definitely moving forward. The ultimate goal is to have this memorial completed and dedicated on September 11, 2011. That will be the 10 year anniversary. What they'd like to do is establish themselves to the Board and also welcome citizens and businesses that feel that they may have some skills, talent, or specialized knowledge that they feel could be useful to this project. We do welcome them. Their next meeting is April 14th at 7:00 p.m. at Central Fire Station. Of course if you're viewing this and it's far too late, please feel free to call the fire department and we will certainly direct them to the next meeting that they are holding. Thank you very much for your time.

Selectman Coutu wanted to point out that when he looked at that, he remembered that this all started either on a paper towel or napkin, moved to a chalk board, and there is the design. This was all done voluntarily. The concept/design was just sitting around the table and somebody just drawing it on a napkin or paper towel. He thought that if you wanted to give a little history about the people in the town that have been affected by 9/11. This has hit home here in Hudson. How this process came about and the real reason why we're doing it for our community.

Ms. Demanche said that they actually have 2 members in their community who have lost their lives due to 9/11. She personally has not spoken to them to state that she was going to discuss their names tonight, so thought she'd like to respectfully respect their privacy for the time being until they feel comfortable to have their names brought forward. Selectman Coutu asked if they were aware of our project. Ms. Demanche said

absolutely. They are aware and they are an intricate part of this actual committee, which she thought was wonderful.

Mr. Morin indicated that one of the reasons that we move forward with this was he believed Hudson was the only town in the area and even in the State that has still every year held a ceremony on September 11. We meet at the Town Common. The way the Town continues to do it, and the Board of Selectmen had stressed that it needs to be for everybody. When it comes to it, we figured this would be a good thing to bring the Town together on that anniversary every year as we do now.

Chairman Massey asked what they were looking for from the Board tonight. Mr. Morin said at this point they're still trying to find an appropriate piece of land. Just so you're aware, they've talked to the Library Trustees; they've talked to the Benson's Committee. At this point, we have no commitments anywhere. There's also behind the Firefighter's Memorial. That is an option but again, we're trying to keep this separate because it involves everybody. It's not a firefighter thing. They have moved forward with the State because we have to go through approval there. So they have sent what they are doing up to them just so that they're aware and when we need to go forward if the Benson's Committee can find a place for us within Benson's, they will move forward with that. Right now, our biggest hold up is a piece of land to put the memorial on.

Selectman Jasper indicated that at the end of the day, not that he wanted to bypass the committee, unfortunately he wasn't going to be at this Thursday's meeting. He couldn't make the third Thursday for a couple of months. As you were talking about it, he was envisioning a spot where everyone would see it when they come into the park as a potential idea. At the base of the old red barn which has been filled in on the other side of the road there's a nice large flat area. Right now it's filled with Russian Olive. It's a very large area with a field that goes beyond there that would be, he thought, potentially a great spot for something like that. One of the problems they always have when we have any type of ceremony where any of the parks around here is you can't hear anything because the cars and the motorcycles come by. That's a quite spot. It's near the entrance. It would be beyond potentially where the senior center would be, but it's still not far from the parking lot at all. So he would certainly encourage him and the Benson's Committee to look at that particular location and see if you thought with all the Russian Olive gone if that might be suitable if the Board felt that that might be appropriate.

Chairman Massey stated that before Selectman Jasper went down that road, first of all everybody should understand that he has been one of the strong proponents to have these ceremonies every year. Unfortunately the State decides what we can do on Benson's because of the deed restrictions. He didn't think it was the Benson's Committee that's going to be able to do that. It's going to have to be the Board of Selectmen. Selectman Jasper suggested that they look at that site. Chairman Massey is probably right, but he thought for a memorial on that site that would take up that little area, he didn't think that should be a problem. We never know, but he thought that's a place we should look because he thought it was something where literally everybody who comes into Benson Park would be able to see it and it would be a quiet place for reflection.

On that vane Mr. Chairman with regard to Benson's, in Selectman Coutu's conversations with Mr. Morin, they had the discussion about the deed restrictions and that if something were to be place at Benson's obviously we need to be part and parcel of the process because we're going to need to approve it. Mr. Morin asked him what would be the next most appropriate step for him to take. Selectman Coutu suggested that he should probably make an appointment to go down to DOT and discuss the idea with them. Mr. Morin you did do that and would you report to the Board what you've received from that visit with DOT.

Mr. Morin said he spoke with Mr. Oldenburg who is the Chairman of the right-of-way. He has all the information. He asked him the questions that he needed. He called them today and they're moving on it but they have no direct answer for them yet. They are working on it. They do have a copy of the picture and have a basic outline of what we're looking for within the property. Again, they have to go through the whole process with the deeds and everything, and that's what he had told Mr. Morin that they are working on it.

Selectman Coutu said that the purpose of that was to make sure that if a construction of this type - it's an edifice but certainly not a houseable edifice whether or not their deed restrictions would prohibit it which would exempt them being able to include Benson's in the consideration. So he wanted to make sure that they went down that road first and then if DOT says this is doable, it doesn't prohibit any of the restrictions in the deed, then it just provides the committee another option before we make a final selection and bring it before the Board of Selectmen if need be for approval. If it's Benson's obviously it will have to come before them. He certainly wanted to confirm Sir that Chairman Massey has been the strongest advocate among them for the 9/11 and for continuing honoring the memories of those in that tragic incident on 9/11. He's enthused about the project because this was the first time our country was invaded from within. He thought

it has affected a couple of families here in our town. We have a dedicated willing committee that is willing to put all of the time and energy and resources they can muster to getting this done. If nothing else, give Mr. Morin and Torrey the two vocal members of the committee some sort of an endorsement from the Selectmen to proceed and to come before us with the final plan once its gone beyond its conceptual stage and we've been able to try and focus in on one particular site in which we can put this what they think is going to be a beautiful memorial and a nice place for people to go in and spend some time and think about what we endured during that period. Thank you Mr. Chairman.

Selectman Maddox asked Mr. Morin about the dimensions. That's a nice rendering but just kind of scope as far as how much. Mr. Morin said until they have a piece of land, they actually have an architect on the committee who is going to do all the site plans, the complete drawings, and everything that will be needed to go to the Planning Board. They just don't have a piece of land for him to have dimensions up so he really couldn't tell him. Selectman Maddox said last year they kind of put the 9/11 memorial at the very last minute. He thought that this was probably a reminder to start maybe getting something prepared well in advance this year. Chairman Massey said he read his mind. He was going to suggest that they fix that tonight as it would be a good opportunity to do it. Mr. Morin said that they actually have a plan that is in place that they received from the Families Organization that starts the plan in July and brings you through every step to advertising, to letting people what needs to be done, setting up the taps, and everything they need. So he can make sure that they get a copy of that.

Selectman Jasper had a thought. If things proceed and there's a site selected perhaps on the proposed site on 9/11 could be a potential ground breaking at that point on that site. Selectman Coutu told Ms. Demanche and Mr. Morin to bring that back to the committee.

Selectman Nadeau said he really liked the idea of where Selectman Jasper has suggested it at the park. As long as he's been seeing things go along with Benson's from us getting it from the State and where we are, the rate the State moves, he didn't think they were going to get it done for the time they're looking for. He just hoped that they move faster on this project than they have on anything else for us, but he thought it was a great idea. Your other plan was behind the Firefighters Memorial that he's heard. Mr. Morin asked if he knew where the 3 trees are, they were thinking about backing them up to each other. Selectman Nadeau said he was looking at that today and at the 3 trees that are in bloom. Looking at that from the back side of it today as he did at lunch time, he thought that was another very good location and your chances of getting it through there are a lot quicker than getting it through at Benson's. The only restrictions there are parking, which when we do the Firefighters Memorial every year, everybody parks over at the skate park and walks over. As Selectman Jasper said, you have the traffic, the motorcycles, and September 11 they're still out on their motorcycles. He wished them luck on the Benson's site but if not, he would hope that they looked at the back side of the Firefighters Memorial as plan 2.

Selectman Jasper said it's been a while since he's gone through the deed with a fine tooth comb. He didn't really see this type of thing as being something that's prohibited by the deed anyhow because it's not a building. It is a memorial and he didn't think there were any restrictions at all. They may want to have their attorney render an opinion on that. He didn't see that as a problem. Selectman Coutu said he read the deed and he couldn't find anything. It's not a building. Selectman Jasper said this was the type of thing that you might normally find in a park like this. Chairman Massey asked the Board's consensus to encourage the 9/11 Committee to go forward. The Board concurred. Selectman Nadeau said that if they needed any letters or anything from the Board of Selectmen as far as acquiring the stuff, he hoped that the Chairman would write that as quickly as they needed it. Chairman Massey expressed his reservations. They will set a precedent if we put a memorial of any type at Benson's. Once that precedent has been set, it will be very difficult to say no to any other memorial. They should not do this without seriously thinking about the consequences of doing it. He personally didn't think it would be appropriate to put it behind the Firefighters Memorial because as Captain Morin has indicated, this is not about the fire department. This is about the fire, police, the Pentagon employees, and the victims of the two World Trade Center Towers. He just didn't think personally that would be an appropriate place. He did have a little bit of hesitancy about setting a precedent about putting memorials on Benson Park.

Selectman Jasper thought that since the only memorials that have been put up in recent memory have been by Captain Morin as long as he promises not to do any unless there's another great tragedy. He thought the only other ones had been a result of war. Selectman Jasper thought if they made a policy that made it clear it had to be something that affected the entire nation and was recognized as a tragedy. He actually thought Benson Park was an appropriate place. It's so large that there are numerous places that various memorials or monuments could be place without being obtrusive anyhow. What happened there was something of monumental importance and appropriate. He would agree that that could be a concern, but there didn't seem to be a lot of people as dedicated to these types of causes as Captain Morin is. He should be

recognized and encouraged for that. Chairman Massey said that they had their marching orders so to speak and if you need anything from the Board Captain, please let us know. If you need letter sent to the Port Authority, if you need letters sent to the Governor's office or the DOT, we'll do anything we can to help you move this along. Again, he was thinking about it the other day that it is just to him tragic that so few people are keeping in mind what really happened on 9/11. He thought they have to everything in our power to continue remembering the impact that that had on our country. Thank you for coming forward with this and we look forward to making it happen.

C. State of NH - DOT, 2010 Statewide High Resolution Aerial Orthoimagery Project - Municipal Contract

Chairman Massey recognized Assistant Assessor Jim Michaud.

Mr. Michaud included quite few bits of backup to this memo. Basically back in November or October of last year he presented to the Board an initiative that the Department of Transportation had engaged in to do an aerial imagery project of the whole State and specifically if we wanted to buy into a 6 inch pixel subcontract basically with the State. That's what is front of us today is a contract for the Town of Hudson to enter into with the State for a little less than \$9,000 to do an aerial orthoimagery for this spring. He realized its April 13th and we're close to leaf on. He's been assured by the State to the degree that he can be assured by them that they fully intend to go out very, very soon to do the flyover. Especially so in the communities here in the southern tier, which are going to have leaf on a lot earlier than maybe Pittsburg. So he has no guarantees on that. He just has assurances. He wished he was here in front of the Board a month ago. The State was held up by the grants from the federal government, and this was as early as we could get it here. They really wanted us to sign it by the end of March, and timing was such that this was the next available Board meeting. They've held off for Hudson. That's about all he has. There's a lot of backup here that talks to it.

Motion by Selectman Maddox, seconded by Selectman Jasper, to approve the 2010 Municipal Agreement for Hudson's share, \$8,663.00, of the 2010 Statewide High Resolution Aerial Orthoimagery Project, said funds to come from the Planning Board's Tax Map Updating Account as approved by the Planning Board on November 4, 2009.

Selectman Maddox said here's a chance where the State is going to do the big picture and we're going to be able to tag along and get the same resolution that we presently have that we were going to spend considerably more money to do on our own. This is a win/win situation all the way around. He thought that this was something that we should jump on and get it done before the leaves have filled out.

Chairman Massey would echo Selectman Maddox's comments. He can tell them that the difference between the current overhead images that we have versus the ones that he believed were taken in 1999 are significant. You can really tell the difference in the topography. It has been an immense help to the Planning Board, the Zoning Board, and the Conservation Commission when they are looking at applications to see the state of the area from a top down view. What's really been valuable is to see the progression from 1999 to the ones that were taken, he believed, in 2005. So this will be a very good tool for the land/use boards to continue to provide good input when they're making their decisions on applications before them.

Motion carried 5-0.

Mr. Michaud said that there were 3 contracts that needed original signatures. He would just add that. Expect deliverables at the end of this year, implementation, and coordinate with IT probably on 20/11. Mr. Michaud will contact the State ASAP tomorrow morning.

D. Enertrac's CDBG Information

Chairman Massey recognized Laurel Bistany.

She's Laurel Bistany from Rockingham Economic Development. It's nice to see you all again. This is Donna Lane, the Grant Administrator, who's come down with her. Chairman Massey asked if they could explain what we're going to be asked to do tonight.

Ms. Lane said that they were asking the Board to consider a CDBG application for economic development through Enertrac, which would go through with REDC. The CDBG process Community Development Block Grant, those are federal funds. You've had them before previously. Only a municipality can ask for CDBG funds. We don't really need to discuss any of the details itself right now because there needs to be a public

hearing. They're talking about increasing jobs, which is always a great thing. Chairman Massey said if he understood it correctly, it would be for here in Hudson. Ms. Bistany said yes. She was happy to bring a great project to you here in Hudson. It's a potential \$500,000 loan from REDC to a growing company here in Hudson that's going to create a lot of good high quality jobs. Ms. Lane said a minimum of 25 jobs. This would be a loan, and then the loan gets repaid to REDC's revolving loan fund, and then again it keeps coming out in the general area for more economic development.

Selectman Coutu said that they've been pre-approved for the process. We need to file the application on behalf of the Town. Ms. Bistany said that first we need to have a public hearing. Our request was to get a public hearing scheduled, but Mr. Malizia thought it would be better if we came down and talked a little bit about the process before scheduling the public hearing. After that point, the application gets turned into the Community Development Finance Authority and it goes through their process. It is not pre-approved. It's just beginning the process. Chairman Massey asked if there was any reason why they could not hold the public hearing on May 11th. The problem is we have to get it into the paper on Friday if we're going to do it. Rather than do it hastily, he thought if it's not time critical, we'd be better off to get the appropriate notifications in time for the May 11th meeting. Ms. Bistany would just say to that they would greatly appreciate doing it in as timely manner as possible because there's limited funding available. It's a matter of when the application is date stamped into the receipt by the CDFA, the process begins, and we can kind of reserve the money for this project. While it's not super critical, we move quickly. It would be helpful to them to do it as soon as possible within the 14 day window.

Selectman Jasper said he would certainly like to see them do it as soon as possible and not seeing what the problem is. Maybe he's missing something. Mr. Malizia said they have to have public hearings which you have to provide appropriate notice for those public hearings. The concern is today is Tuesday. The paper usually gets put to rest, or the local paper that we usually advertise in, is put to print tomorrow. Selectman Jasper asked how much notice do we need. There's this Friday's paper and next Friday's paper. Mr. Malizia said you usually need 7 to 10 days. Selectman Jasper suggested that we use The Telegraph instead. Chairman Massey said based on his conversations with the Town Administrator yesterday, the only way he would make the time frame give of the 27th was in fact they'd have to place it in The Telegraph in order to meet the timeline. Selectman Jasper said given the amount of people who traditionally turn out for our public hearings on anything like this, he really didn't think it made any difference what paper they put it in. Ms. Lane said they could put it in both. Chairman Massey said they wouldn't be able to put it in our local paper because of the time. Ms. Lane said they would get the time on one of them and then they could put it in the local paper just to have it in and not count the days.

Motion by Selectman Coutu, seconded by Selectman Jasper, to hold three (3) public hearings on its meeting of April 27th, the three public hearing being 1) a Community Development Block Grant Application, 2) a Housing and Community Development Plan public hearing, and 3) a Residential Antidisplacement and Relocation Assistance Plan which are all part of the requirement for being able to apply for a Community Development Block Grant.

Selectman Nadeau just heard that they're going to advertise it in both papers. Do you people pay for the advertising in the papers? We can put it in both papers, that's fine. If we get it in tomorrow morning to the Hudson/Litchfield News, it will make this week's edition. If you already have it written up, that you get it over to the Town Administrator's office first thing in the morning and they can get it out to them. He believed their deadline was noontime. Ms. Lane said the ad was already written and they'll resend it. Mr. Malizia said that we had done these a couple of years ago for the Ottarnic Pond. Do you have to do this every time? Ms. Lane said the Housing Community Development Plan has to be readopted every 3 years. So it's been too long. There's a couple new paragraphs at the very bottom on there that are new regulations. It basically says that the project conforms with your master plan and ordinances. The other one says that if you're going to use CDBG funds, you have to use it appropriately.

Here's what Chairman Massey would suggest for it. You know his thoughts about acting in haste and repenting in leisure. They have enough time to get the correct wording into the paper on Friday. They can put an information only article in the Hudson/Litchfield News for next week. Rather than try and scramble around and meet a four-hour deadline, Chairman Massey would rather make sure that we have the wording correct and get it into the paper correctly than to try and miss something on the public hearing. We only need to publish it in one place anyway. If we can get it in Friday to The Telegraph and next week an article in the HLN, he thought we'd be better off. Selectman Coutu asked what would be the date of the public hearing. Chairman Massey said the 27th. He's fearful that we're going to try and do something on the fly between now and 12 o'clock tomorrow that may or may not work.

Chairman Massey asked for the Board's indulgence. He saw that the HLN may have some input for us. Doug Robinson indicated that he just spoke to the publisher, and he said that if we needed to have the notice put in this week's paper, it will happen. In the meantime, he'll have it written up for the following week for you. Chairman Massey stated that if we can get it done tomorrow, we will. Ms. Lane asked what time the public hearing would be. Mr. Malizia said 7 p.m. Chairman Massey said it would probably be 7:15 or 7:20 depending on the agenda at that time. Mr. Robinson said as for the notice, he's going to hold space for them which means you'll have a longer deadline. Probably until 3 p.m.

So with that, Chairman Massey said he would have them work with Mr. Malizia to get the language correct and then they could get the 2 papers notified.

Motion carried 5-0.

Chairman Massey said this was another example of why it was worthwhile for the Town to get involved with the Rockingham Economic Development Corporation. If it comes forward, it will be good for us because we will see jobs for the town.

E. 2010 Larval Mosquito Control Program Contract

Chairman Massey recognized Assistant Town Administrator Mark Pearson.

Thank you Mr. Chairman and members of the Board. He sent each of them a memo about the 2010/2011 EEE Mosquito Control Program. Unfortunately, our Health Inspector was not able to be here tonight. He is away at some training. He did provide Mr. Pearson with some copies of some information in case they Board had any questions. He would like to just outline that the company, Municipal Pest Management Services has been the Town of Hudson's mosquito control company for the last 6 years. The number of applications depends on the different larval and adult mosquito population surveys. They do the applications between April and October. The reason why he wanted to bring this to the Board is that was a reoccurring contract every year. It's in the amount of \$20,000 and there are 2 payments - \$10,000 each. It is budgeted in the current budget and the past budgets. The payment schedule was for July 1st and October 1st. Because it was a contract and it was reoccurring, he did want to bring it before the Board. Enclosed in your packets is a copy of the contract. This was recommended by the Town Health Inspector. He's happy with their services, and he believed that they are proactive, and that they report back to him in a timely manner. They keep him informed about any unusual occurrences. They've actually already applied for the special permit from the State and received that for this year.

Selectman Coutu asked why he received the second page. Mr. Malizia said the back side of that page just identifies that it is a budgeted amount. So if you had a question, you would know where the budget was. So the back page there you'll see the West Nile EEE prevention for \$20,000 - the line item that it was budgeted in. It's been budgeted, he believed, for the last approximately 6 or 7 years.

Selectman Nadeau asked how much of their services did we use last year and did they spray in Hudson last year. Mr. Pearson couldn't answer those questions. They performed the service. His understanding was that they did their surveys; they did their spraying when it was needed in those areas. He can't speak to that. He could have the Health Inspector come in and actually answer that or provide you with a memo of what they exactly did. Before Selectman Nadeau spends \$20,000, he wanted to know what services they got last year. He remembered they did spray around the schools and he didn't know if they paid for the school spraying. Mr. Malizia said that several years ago they sprayed around the schools because at the time there was a lot of publicity and "a lot of hype" regarding mosquitoes. As Mr. Malizia understood it, the schools sprayed around their fields because there were young people practicing doing summer time sports. The school did. This program is more of a behind the scenes preventative. He wouldn't say you'd see spraying as much. Theirs was very visible. Theirs was very public. Ours is more going to the source and larval citing. As you recall at the beginning of this contract the areas where identified that were known mosquito breeding pools for lack of a better word. He thought they learned that there were 140 species of mosquitoes. There were different tactics to eradicate them. Certain ones carry all of that. They can double check. He thought they did it last year because he thought they've been doing it every year. Selectman Nadeau wanted to make sure.

Selectman Maddox said he didn't think it included any spraying. This was only to larvicide in various water pools for the lack of a better term, and the weekly testing, catching, identifying, and all of that. Spraying was extra. This was what he thought they've been paying for the last several years at least. We did one spraying once. Mr. Malizia said the schools actually did it and it's more of something that people could visibly see.

It's for a spot treatment. Chairman Massey's opinion of spraying is you spray your area and then the next week.

Motion by Selectman Coutu, seconded by Selectman Maddox, to award the contract to Municipal Pest Management Services, Inc., to perform the annual Larval Mosquito Control Program including Mosquito Trapping and Disease Testing Program in the amount of \$20,000. Said funds to come from Account 5582-252 "Other Professional Services", carried 5-0.

F. Bid Recommendation - Replacement VacCon

Chairman Massey recognized Road Agent Kevin Burns.

Good evening. As you are aware, the replacement for this truck was approved at Town Meeting. We were working on specifications long before that. He actually started working on specifications last year, but the voters weren't as generous with us. During the research he had learned when they did the street sweeper several years ago that if you don't ask sometimes they don't tell. If you can recall when they bought the street sweeper, they tagged along to a federal program through GSA and they were able to get a federal government price. He looked at this piece of equipment as fairly similar to the sweeper. It's unique and he asked if any of the companies that were trying to sell them their unit had a federal - he knew the State didn't have a bid specification for any sewer cleaning equipment. The State of New Hampshire really doesn't have any sewers. So they came across this bid from the HGAC, which is the Houston-Galveston Area Council. We are allowed to tag on to their bid. The price was the lowest he could find. Even the competitors told him that they were aware of this contract. They weren't going to tell them about it but they also said that there was no way they could meet it. The unit that was bid was the unit they want. It's a VacCon which is the unit they currently have. They've had a good track record with the manufacturer. Basically Mr. Burns thought it would be in our best interests to purchase using this method. It's under budget. The Town's counsel has reviewed it; the notice has been sent to the Attorney General's office as required.

Selectman Coutu wanted to point out that it's under budget by almost \$19,000. He applauded him for asking the right questions and tagging on to the bid process. Thank you Mr. Chairman.

Selectman Jasper was just going to say, "See that's what you get when you have a Road Agent who's been around since 1505".

Selectman Maddox said he, too, wanted to applaud the Road Agent for not just saying I have X amount dollars. I can spend it. He went out and worked the program. How he finds these deals is always amazing to him. He came up with a plan that could save the town some money. Got you the piece of equipment you wanted. Again, just impressive that you're getting the piece of equipment you wanted for \$15,000 - \$19,000 less.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to enter into a contract for cooperative purchasing with the Houston-Galveston Area Council which sufficiently complies with Town Code Chapter 98 to support the waiver of competitive bidding, carried 5-0.

Motion by Selectman Maddox, seconded by Selectman Jasper, to award the contract for purchase of the replacement VacCon V312 Truck from New England Municipal Equipment through the HGACBuy in the net amount of \$265,057 subject to it being deemed valid assuming no objection to the contract is received from the NH Attorney General by April 23, 2010 in accordance with the memo from the Finance Director dated April 6, 2010, carried 5-0

G. Donation from Tip Top Tree Service

Chairman Massey recognized Road Agent Kevin Burns.

Mr. Burns said that Mark Cormier is very community oriented. He donated bark mulch for the use and to clean up the Town Common which was a \$200 donation. He also donated \$500 worth of labor and equipment to repair the flag pole in the Town Common.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to accept the donation from Tip Top Tree Service for \$200.00 worth of bark mulch and recent donation of their bucket truck and labor, a \$500 value, to repair the top of the flag pole in Library Park with the Board's thanks and appreciation, carried 4-0-1. Chairman Massey abstained. His reason for abstaining had nothing to do with this donation. It has to do with the fact that this company is before the Planning Board on a separate issue.

- H. Public Hearing/Acceptance of the 2009-2010 US Department of Transportation Hazardous Material Emergency Planning Grant - \$10,000

Chairman Massey recognized Fire Chief Shawn Murray and Deputy Chief Rob Buxton.

Chief Murray thanked the Chairman and members of the Board. They're there before them tonight to ask the Board to accept 2009/2010 US Department of Transportation Hazardous Material Planning Grant. The Board of Selectmen at their May 12, 2009 meeting authorized him to apply for this grant. This grant is going to allow them to update their hazardous material plan, which is now some 10 to 15 years old. The Planning Grant is in the amount of \$10,000 and has a 20 percent in-kind or cash grant match.

Open the public hearing at 8:24 p.m.

Chairman Massey asked if there was anyone in the audience who wished to address the Board on this item.

There being no public input, Chairman Massey closed the public hearing at 8:25 p.m.

Motion by Selectman Coutu, seconded by Selectman Jasper, to accept the 2009-2010 US Department of Transportation Hazardous Materials Emergency Planning Grant in the amount of \$10,000 with a 20 percent in kind or cash match as outlined in the memo by the Fire Chief dated March 16, 2010, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Maddox, to authorize Chairman of the Board of Selectmen to sign the authorization letter dated April 13, 2010 authorizing Fire Chief Shawn Murray on behalf of the Town of Hudson, as being duly authorized to accept by signature and manage the US Department of Transportation Hazardous Materials Emergency Planning Grant as authorized by the Board of Selectmen at their April 13, 2010 meeting of the Board of Selectmen, carried 5-0.

Chairman Massey thanked Fire Chief Shawn Murray.

- I. Authorization to withdraw funds from the Apparatus Refurbishment and Repair Capital Reserve Fund

Fire Chief Murray indicated that just to piggyback off of this hazmat grant, he was informed that earlier this week, and this is not going to require any Board action, but if you'll recall in 2004 they did a hazard mitigation plan. They contracted with NRPC back then. The hazard mitigation plan is a forward looking plan that identifies all of the target hazards within the town and comes up with long-term plans. He was notified earlier this week by the State of New Hampshire that they have awarded grants to NRPC to come back into local communities that did their hazard mitigation plan back in 2000 and update it at no cost to the town. So we'll also be working on that to bring those plans up to date. All of these plans that they're doing are critical for when we go and apply for other federal grants.

The second item Chief Murray has for the Board this evening is the fire department fire alarm truck recently went through its yearly safety testing of the boom extension arm and bucket. The boom and bucket has failed the safety test and is going to need some repair work in order to get the vehicle back in service. They have an estimated cost of \$7,462 for the repair of the boom and the bucket. CUES are the repair for somebody who does the work and certifies the bucket and boom stated that this repair work will extend the life of the boom and bucket and would be a good use of funds versus having to replace the entire boom and bucket later on. If they didn't do the repair, they would need to rent a utility truck which can range anywhere from \$500 up to \$2,150 a month. So Chief Murray is before the Board requesting authorization to use funds from the apparatus refurbishment and repair capital reserve fund to have the repair done. The fund currently has approximately \$20,109.45. This fund was established for these types of unexpected repairs on their fire apparatus. The Finance Director has confirmed that the Board of Selectmen is the agents to expend in accordance with RSA 35:15. In your package, you have a memo from Deputy Buxton and an estimate of repairs from CUES for the repairs.

Selectman Coutu wanted to make sure that he heard correctly Chief. Obviously he's not going to oppose repairing it because they want their personnel out on safe equipment. Are you saying that CUES is the one that certifies whether or not it's operable? Chief Murray indicated yes. They are a utility bucket truck. Selectman Coutu asked if there was some sort of a conflict here. He wasn't saying that it isn't broken but they test it and they tell you if it doesn't work, and then they get to fix it. Chief Murray said that there wasn't a conflict. It's just like with a fire engine when we bring it back to the apparatus manufacturer, they license, authorize, and certify to make sure that the pump is running the safety standards and if it needs repair, they

repair it also. It's no different than bringing your vehicle to a Ford dealership for warranty work or safety issues with air bags and everything. It went in for its annual inspection. The annual inspection includes a safety inspection of the boom and the bucket. The bucket actual has a crack in it. That's the safety part of it. The boom has some leaks on hydraulic hoses and will not pass the standards that it needs to operate as a utility bucket up in the air. So they asked them for an estimate of the repairs. That's included in your package. In this case here instead of patching the bucket, Chief Murray was asking the Board to let him replace it.

Selectman Maddox said that this would be no different than an elevator inspection. They do the inspection and if there's a problem, they give you a quote. He didn't see any conflict of interest. That's what they do and they give you a price. Now they could certainly go out to another vendor and say you also do this work give me a price. Again, he didn't see any conflict of interest. Thank you. Selectman Jasper agreed with what Selectman Maddox just said.

Selectman Coutu asked how old was the piece of apparatus. Chief Murray said the boom and the bucket is early '80s. The Chassis is a 1972. Chairman Massey said for Selectman Coutu's information since he wasn't here, the Chief came to the Board about 3 or 4 years ago requesting to replace this truck. Selectman Maddox said it was 2 years.

Motion by Selectman Maddox, seconded by Selectman Jasper, to authorize the withdrawal of \$7,500 from the Apparatus Refurbishment and Repair Capital Reserve Fund for the purpose of repair to the Fire Department Fire Alarm Truck boom and bucket as detailed in a memo from the Fire Chief dated April 6, 2010.

Chairman Massey asked if Selectman Maddox would accept a minor change - withdrawal of an amount not to exceed \$7,500. Selectman Maddox agreed.

Motion by Selectman Maddox, seconded by Selectman Jasper, to authorize the withdrawal of and amount not to exceed \$7,500 from the Apparatus Refurbishment and Repair Capital Reserve Fund for the purpose of repair to the Fire Department Fire Alarm Truck boom and bucket as detailed in a memo from the Fire Chief dated April 6, 2010.

Selectman Maddox said they knew that this was going to happen. That's what they have that account for. They didn't replace the vehicle because it didn't get a lot of use and it has some repairs that needed to be made. This was what the account was for. This truck per the Chief's memo is in relatively good shape. The vendor felt that it was monies worth spending to repair this. Again, they actually did something right. They planned for this, and there's money to do it, and let's get it fixed.

Selectman Jasper wanted to correct one thing that the Chief just said. That's a 1970 Chassis. His memo says that, and he knows that it was a 1970. The point he wanted to make, and he had conversations with the Chief about it, it's a 40 year old truck. It's in good shape because it used to be the ladder when it had the 1920 something Aaron Fox box on the back of it but its getting old. One of the suggestions he made is that when they trade in the two tankers that it may be the trade in value for those are so low they're keeping the better chassis of the two and potentially looking at either putting this bucket on it at some point, or they've had the discussions with the fire department they'd like one with a higher reach to then potentially looking into a used bucket. A lot of times those trucks that they use for PSNH or something have a tremendous amount of miles on them. The buckets don't necessarily have the same amount of hours and they tend to just buy whole new units. So there may be some things to explore there to meet the needs of the fire department and the needs of the highway department, or just put the bucket on there. He didn't know, but he wanted to let them know he suggested that they look at keeping one tanker if they have the chassis.

Selectman Coutu asked if he had an estimated time of how long the vehicle was going to be in for repair. Chief Murray said two weeks. Deputy Chief Buxton said the estimated repair time would be two weeks. Selectman Coutu asked if it was going to be a separate request to rent a vehicle for \$750 weekly. Chief Murray said no. With the authorization to repair it, he's going to get it in within the next few days and get it repaired. He didn't have any emergency work or anything on his fire alarm system that he had to do immediately. If they get into an emergency situation, they have a good working relationship with Nashua that he could do something for a night or something like that.

Selectman Jasper had one question for the record. You do not have enough money in your normal operating repair budget to accomplish this work. Is that correct? Chief Murray said that was correct.

Motion carried 5-0.

J. Ambulance Billing Settlement Offer

Chairman Massey recognized the Town Administrator Stephen Malizia.

Mr. Malizia said he put this on because there's been a request from an attorney representing a former patient or a patient from the town. They're offering 67 percent of an ambulance bill. The original bill was \$370. They're offering \$246.78. It's been outstanding for 2 years. He didn't have any other information other than what you've got in front of you.

Motion by Selectman Jasper, seconded by Selectman Maddox, to accept the settlement offer of \$246.78 as the full and final satisfaction for Town of Hudson Ambulance billing #08-87462 dated 5/23/2008 in the amount of \$370.18.

Selectman Jasper said he hoped it was pro bono work because he couldn't imagine they got an attorney for less than \$124, which is the difference. It just seems bizarre. There's no sense in fighting about this for \$124.

Selectman Coutu said he will not support the motion. He thought it sets a bad precedent.

Chairman Massey, too, thought that the reason they're being asked to settle this is really grating on him and he will read them the note from the attorney. "This one-third reduction in the bill is in recognition that this Individual has incurred attorney's fees in ascertain the claim." So he, too, will be voting in opposition.

Selectman Jasper didn't think that most people are going to go out and hire an attorney to fight a \$300 or \$400 bill. She did. But then what are we going to do. We're going to say no. We're not going to get paid, and then are we going to spend \$150 an hour for our attorney. Selectman Coutu said that they had a collection agency for the ambulance. Selectman Jasper said that they'd been working on it for 2 years. They're not getting it.

Selectman Maddox said as they saw it this was another one of these junctions, the money in hand is better than a promise that they may never collect. Take our money and 2 years later move on.

Motion carried 3-2. Selectman Coutu and Selectman Massey in opposition.

K. State of NH Highway Safety Agency "Join the NH Clique" Seat Belt Campaign grant in the amount of \$3,750

Chairman Massey recognized Chief Jason Lavoie.

Chief Lavoie said that this was a grant that 22 towns in the State get a letter and get asked by the Highway Safety Council to participate in. For a number of years now the Board has been in support of this. It's been several years. He didn't have that number. Again, he asked that the Board would support them to enter into this agreement for the amount of \$3,750. The Click It or Ticket is basically they'll be assigning officers to different locations, i.e. schools, stores where they just look to make sure that people are belted. They're looking to check kids that maybe need to be in their safety seats are in there. They're proper seats, or that they're seat belted in under the age.

Motion by Selectman Coutu, seconded by Selectman Jasper, to accept the recommendation to authorize the Hudson Police Department to enter into this "Join the NH Clique" seat belt enforcement program with the New Hampshire Highway Safety Agency.

Selectman Coutu said to the Chief if they had done this in the past have they not. Chief Lavoie said for several years now. Selectman Coutu said with much success he might add based on the information that he provided them. In light of the amount of accidents that they've seen in the news that car seats are being thrown out of vehicles. A lot of times he'll see cars go by and he know children don't meet the age or height requirements to be sitting in the front seat. He noticed that quite frequently of late. He thought it behooves them to utilize the services that are being provided by the police department and paid for through a grant to educate the public about the purpose of having seat belts, the reason why they should be utilized, and to have another opportunity to be able to look at car seats that are in vehicles to make sure that the child was properly secured, and the seat itself was properly secured to the belting system that's in the vehicle. He applauded Chief Lavoie for his willingness to accept this grant and to put people out there to make people aware of the hazards of not being belted properly.

Motion carried 5-0.

Chairman Massey declared a recess at 8:40 p.m. Chairman Massey declared the Board back in session at 8:50 p.m.

L. Budget to Actuals

Chairman Massey recognized the Town Administrator Stephen Malizia.

Mr. Malizia said that they were three quarters of the way through the year. Obviously that's 75 percent. You have the spending summary as well as the revenue. There are a couple of additional items he included this month. He was asked to take a look at and/or include. If he could jump ahead to page 11 just to give the Board an update on where things may end up. If they look at the town surplus, they started basically the year after taking money out for the tax rate with about a \$4.3 million surplus. Looking at some of the expenditure patterns, some of the commitments they still have, he saw the items shown called "estimated appropriation surplus" as money they will not spend. So that will go into the surplus at this point in time. There was no reason to believe they were going to spend the \$194,000. They've been talking about revenue through the year, so if you go down a little further you see revenue numbers here. There are 2 that stick out. Obviously the motor vehicle permits. It looks like they're going to run about \$400,000 short on those this year, and the interest on investments. When we looked at our CDs, the 14th page actually has some numbers on it. It shows you the interest and what we're not getting. That's about 470K light. However, ambulance revenues are going to be up 200K and we have a rather large overlay which we don't seem to be coming close to spending. So that does help to balance that. It gives them a \$420,000 net revenue shortfall. You take those 2 numbers together, that's a little bit over \$200,000 which would take our surplus at the end of this year to a projected \$4.156 million which was still between the 5 and 10 percent that the DRA recommended. It's actually close to 7.3. That was just some extra information to give them an idea of where they are and where they'll most likely end up. Again, motor vehicles and interest are down, however there are some positives with the ambulance revenue, not using as much overlay, and some underexpenditures to this point to date that he could see. Most likely they will have a few more dollars in this, but this is pretty much money in the bank. At this point in time unless the Board does something, he didn't see them spending those funds.

Selectman Coutu said he wasn't going to belabor this because he had questions all over the place. He wanted to point out one example and find out just what happened and who does these projections. This was just a small example of questions he had all over the place, but he wasn't going to ask any more beyond this except to make a couple of comments. On line item 4450, which was mid page animal control licenses. The revenue projection was \$17,000 and to date we've received \$9,600. Where did all the animals go in town? Chairman Massey said that they weren't due until April 1st. Mr. Malizia indicated that you don't tend to see it until this time of the year. People don't register their animals in July. That satisfied Selectman Coutu's interrogatory.

Chairman Massey just wanted to say that since the Chief was there he asked if they were prepared to do the same thing they did last year that they've been doing on several years. On the first of June they will notify all of those who have not registered their animals that they have a certain amount of time. Chief Lavoie said that the State has a procedure of event (inaudible) to follow. Those same procedures will obviously be followed again this year as well. Just for the record so they won't be surprised if it happens, Chairman Massey asked what the procedures were. One thing that they'll be doing is they'll be setting up a vet clinic at the PD to try to make it convenient for people to start vaccinating their dogs as well as license their dogs at the same time. It's a convenience that they work with Patti Barry in trying to make it easier for the residents to do that. From there, they have so many days to license their dogs; then they get a notice that they haven't licensed their dogs yet, please pay. Then he thought roughly about June 22 or 25 the list of names of last year's pet owners that had not licensed their dogs would be presented to the Board of Selectmen from Patti's office. Then from there, that's when they will issue citations to go out to the homeowners. In some cases, they no longer have a pet. The pet may be deceased. In other cases, people just haven't paid their dog licenses yet. But they have to be active in trying to get these animals licensed because this was a health issue as to why they want to ensure that those dogs are vaccinated and licensed.

Selectman Coutu said to Mr. Malizia that in light of - let's assume for example on page 11 your numbers hold true just as they are. What you're saying is the \$194,000 of unspent monies will go into surplus. That's where it has to go. Mr. Malizia said it would not be spent unless it was somehow transferred or appropriated, or moved by the Board of Selectmen, it would go into surplus. Selectman Coutu asked about the \$420,000 estimated revenue deficit. What do they need to do? It's a deficit against projected income. Mr. Malizia said correct. Selectman Coutu asked about their overall spending. Mr. Malizia said they have an appropriation

that was approved by the voters and went through the process last year. It's a said sum. He can go back up to the top of this report. He can go to page 4, for example, under the general fund appropriation. You can see that they have a \$20,697,819.66 appropriation. That's what the voters gave them. That's what the voters gave them. That's what was voted on. Voters never vote on revenue but the Board does and the Budget Committee does. So the numbers that they see on revenue have come through a process. Again, it's an estimate. It's easier to control spending than it is to make more revenue. Unless you wanted to go out and change fees every week, every month, or every year, that's difficult. Selectman Coutu understood that. Hypothetically let's assume again your numbers are correct. Are they going to have enough money to cover the \$20 million that they budgeted? Mr. Malizia said yes. They've already raised it with the last tax bill. They've already done it. Selectman Coutu asked if they factored in income.

Chairman Massey said what they're really looking at was they're beginning the year after the reduction of \$600,000 from the revenue stream with \$4,382,000. They're going to wind up with all these projections with \$4,156,000. Their spending is going to be more than their revenues by \$200,000 approximately. That's why the surplus is going to be less going into next year. That's where Selectman Coutu was leading to. People will know that this was going to come out of the surplus. Chairman Massey said correct.

Selectman Coutu asked if there was anything they could do. He's given this a lot of thought in the past two days. He's spent a lot of time deliberating this one document last night. He spent two or three hours poring over this document. Is there anything they could do by mandate of this Board immediately to freeze spending in all departments, to eliminate - a Board member made a suggestion which Selectman Coutu would support. Historically his involvement with government whether it was at the local level and watching some of the spending that goes on at the national level. When you get down to the last 60 days, department heads have a tendency, and he's not saying this was historically true of the Town of Hudson - he didn't have that experience and he wasn't casting any assertions on any of their department heads that they have an extra \$20,000 here, let's go out and buy 10 chairs or some stupid thing like that. He'd just like to prohibit that from happening. He's not saying that they have irresponsible people; he certainly knows how tight Mr. Malizia is with a buck in the Selectmen's office. He just wanted to make sure that if they could curtail any unnecessary spending they do it now. He didn't know what the procedure or policy was.

Chairman Massey said the answer to Selectman Coutu's question was the Board can do all the things he was talking about. It would be a question of what he would direct the Town Administrator and the department heads to do at that point. Maybe they could get some clarification. Selectman Jasper said that remembering something like 80 percent of their spending was on personnel, that leaves them perhaps 20 percent discretionary. They're now realistically just a little over 2 ½ months. The problem is in a normal year, they could clearly issue a directive saying that if it was not detailed in their budget, they could not buy it and prevent any transfers. They allow transfers from line item to line item within a department budget. They could easily say any line item transfer would come before the Board or approved by Steve. The problem was because they're on a default budget they transferred monies around so there wasn't even enough money to cover the things that they originally asked for. So it wasn't a clear picture. They could still say no transfers, but he thought realistically because they're on a default budget it wasn't a very clear process. It's not as easy as a normal year where they could say no transfer on a line item, and then they'd have to justify. There's not a lot, and there's not a lot of money because of that. He didn't personally know of any easy way to do that except for Steve to take the directive to department head meeting and tell them that if they don't absolutely need to have it, don't buy it. The bottom line was this was why they keep a surplus of between 5 and 10 percent for just these occasions. They are not in an emergency situation because that's why they retained that surplus. What unfortunately happened to their surplus was a number of years ago in order to make themselves look good a Board of Selectmen increased the spending and then pulled out a whole lot of money out of the surplus fund. Well now you have to continue to do that every year otherwise you pay the piper. We're not unfortunately we're paying the piper, and our surplus fund isn't as big as it should be. He didn't think given that they're on a default to begin with that there was realistically anything that they could do that could make a difference of any real magnitude. Steven could certainly let everyone know what the situation was.

Selectman Maddox thought he asked the Town Administrator two of these cycles ago to meet with the department heads the next day and see if they had any suggestions where they could save money. He never saw anything. Mr. Malizia said that these were the suggestions that he received other than the Board cutting into their personnel. They have no fat left. We're in a default budget. Are we looking at \$50, \$50,000? We'd have to start getting rid of people. It's that simple.

Selectman Coutu found that hard to believe that there isn't any surplus out there. The bulk of the money was in salaries and wages, and he understood that. They've had people-positions filled partially and that money accumulates. Where is it all of a sudden? Where is all this money? If you have 50 employees in a

department and you have a vacancy and it's not filled for 5, 6, 7 months, that money is sitting there and it's accruing. That's surplus. Where is all that money? Mr. Malizia said that would come down to the bottom line at the end of the year, but he didn't want to give them any false expectations. Selectman Coutu said let's assume for example somebody has a budget line item and its \$1 million for wages. We have 2 months left to go and they know they're going to end up with \$22,000 left over and they want something. Can they just arbitrarily take that \$22,000 and go buy something with it? If it's in my budget, I'm going to spend it. Chairman Massey said they can spend within their budget, but they could direct based on what Selectman Jasper said is if it's not in their budget now and it's an expense item, that they needed the Board's approval to go purchase it. That's what Selectman Coutu would like to see implemented. It might have been Selectman Jasper that just said that - he mentioned this last night to his wife. When you manage a household budget, let's do an equation here and he said to her well you can't spend that money unless it's absolutely necessary and she says well I'd say it's absolutely necessary and she'd go spend the money. You need a direct order or directive than that to just say well if it's not necessary. If somebody is going to spend the money, they're going to obviously try to justify and say this was critical, we needed it. Selectman Coutu would like to see them go in the direction of issuing an order or have the Town Administrator tell the department heads that they're not to - what would it be- not cross the line but...Chairman Massey thought if he and if the Board were so amenable that the motion would be to ask the department heads that if they have not put it in their budget, including the default budget, that to purchase anything between now and the end of the year would require Board approval. That's not in their current budget. Selectman Coutu said he would agree with that. It's clear and to the point.

Selectman Maddox said its \$225,000 and we're not going to make it up now. We know that. All he asked was to come back with some ideas. As he signs the manifest Mr. Chairman, he had a hard time. The first thing that went at his house when things started to get tight was the water cooler. Why the Town of Hudson is paying for bottled water when we are a water utility company is one of those symbolic things that he thought needed to go. He didn't see how they justify owning a water utility and buying bottled water. It's an expense that could be cut out. Now \$1,500 is not going to make a big difference in the \$225,000, but looking at those types of line items and saying do we need to expend that money was the kind of thing that he expected them to be looking at. Again, they're not in dire straights. He agreed with Selectman Jasper. It's the idea that they are at least trying to minimize that number with anywhere they could that made sense. If a department head comes in and says they need to spend that money, they have it in another part of their budget, and then they have to look at that. Just to say they have monies, they need to see if they could make up some of that \$225,000. Thank you Mr. Chairman.

Selectman Jasper said he was going to be the bad guy and defend their department heads. He thought they have an excellent group of department heads who have heard what they have said and who have been on essentially a zero budget for a number of years now. Their mandate for three years at least has been a zero increase, and they actually got a reduction from the voters. He didn't know why there are water coolers. He had this debate going back many, many years but they keep approving it in the budget. So now wasn't the time to have that discussion. They put it in the budget. It's always been there. He didn't know why. He hadn't necessarily agreed with it but that's not going to save them anything in 2 ½ months. Selectman Jasper thought they didn't need to try to tie the hands of their professional staff who certainly have done yeoman's work for them. This Town has one of the leanest if not the leanest budget of any municipality certainly of this size. He would defend to anybody that they probably get the best bang for their buck in every department of any community. So for them, 2 ½ months left on a default budget to go to try to micromanage and tell their department heads that they couldn't spend anything. The fact of the matter was what's in their budget? Nobody really knows what's in their budget because it's a default budget. All the things that were itemized got cut. So there's no clear defined issue of what's actually in their budget. They didn't go through the budget and say there was however many thousands of dollars came out of the budget. They're going to take out this chair, this box of pencils, and this thing. So they still have a whole group of things technically in their budget that they just took out of this group. They didn't take out the itemization. They took out dollars from the bottom line and not money out of the descriptive account. So they don't really know what there was there. Selectman Jasper didn't think that they were at the point where they needed to issue an order to their department heads who already do a great job for them, understand the issues, and are going to try to give them back as much money as they could. They have a Town Administrator who will deliver that message to them and take a good look at what was being bought in case there was somebody who was doing something, which he didn't believe, that wasn't necessary. He didn't think they had people expending money that were at the end of the year just because the money was there. There isn't much money there now anyhow. Do what you will, but he's not supportive.

Selectman Coutu said he resented the fact that he was being put on the defensive. He wasn't suggesting that they have people that are working for them that were not managing their money properly. The Board has a fiduciary responsibility. He knows that he runs a business. They maintain a household, and he knows

that they have to make cuts that they don't like to make but they have to make in order to stay within the budget that they have at hand. His budget fluctuates just like the Town budget does. His pay was dependent on how many customers he had coming in every week and how much money they get. Times are tough and they're struggling. Just because there's 2 months to go doesn't mean they should just give up and abandon ship and say let's not try to save a couple of bucks here or there. We're all trying to save a couple of bucks here or there. Again, they have a fiduciary responsibility. All he's trying to do is get the message out there that if there's any surplus in their budget, they'd like to see it come back into the Town to try to offset the deficit that they're going to have to take out of the surplus. He didn't care if it was \$100, and that may seem miniscule and insane to some people, or \$100,000. He didn't care what it was. They have a fiduciary responsibility. To say that with 2 months to go, the issue of the bottled water, he buys bottled water if he wants to have bottled water here at Selectmen's meetings. He doesn't have bottled water in his home because he can't afford it. We are a water utility. What's wrong with our water? He thought they ought to tell them right now that effective immediately there will be no more bottled water delivered to any department in this Town. It's a luxury that should not be provided. A lot of people in this Town can't afford their water bills let alone having a company deliver water to them. This is not their home. It's a place they come to work. We have bubblers out in the hall way. There's plenty of water. There are microwaves to heat it up. Selectman Maddox brought that to his attention and he felt that it was a luxury expense. It's something that they could do away with. He didn't care if it was \$200 a month or \$3,000 a month wherever they could save.

Motion by Selectman Coutu, seconded by Selectman Maddox, to cease all water delivery to the Town.

Chairman Massey recognized Fire Chief Shawn Murray.

Chief Murray thanked the Chairman and the Board. For the Board's knowledge, the Fire Department uses bottled water. The reason they use it was because the Burns Hill Fire Station has an arsenic problem in its water. They put water filters and softeners up there, and the same goes with the Robinson Road Fire Station. They tried everything to filter the water in the arsenic out there and the tests come back with arsenic in it. He just wanted the Board to know that those were some of the compelling reasons that they use it up there. They do not buy bottled water routinely just for people to drink with the exception of during the summer months. He does buy bottled water to put on fire trucks for rehab when they're working at a fire and they need to quickly hydrate. They tried for years to buy coolers, put water from the faucet in it - they don't have ice machines or anything, and it quickly heats up in the summer. So they end up putting some bottled water in a cooler on the real hot days when they know the guys could potentially be working.

Selectman Jasper said he was glad that the Chief came forward because he was going to say that this was the problem with having a discussion on an item like this. They have year after year after year approved the bottled water. That's the reason why these things get approved. It was inappropriate for them to just without asking the department heads who may have the item, why they have it, and allow them to give justification. They approve the stuff then suddenly they want to take it away without finding out why. That would really be a problem to take the water cooler away from their personnel at the 2 stations where the water is unfit to drink. It was very difficult not to put bottled water on a fire engine. He could them from 20 years that they used to try to do that. They'd have cups all over the place, and you've have jugs of water, and the water did heat up. It was awful. He thought they had to allow, again, their managers to manage. He agreed with Selectman Coutu. They need to send them the message. They hear the message. The two major departments are here. They're listening. They know that they'll be looking at what they're buying on the manifest. He thought that was all they needed to do. He didn't think they needed to go beyond that. He had confidence that they are looking out for the best interests of the Town. They are residents and taxpayers of the Town as well.

Selectman Nadeau said if they removed the 2 water coolers from Robinson Road and Burns Hill, he thought if they had town water at the facilities then...Selectman Jasper said they didn't. Selectman Nadeau said those two. If they remove those from their motion, he would support the motion.

Chairman Massey asked if either one of the makers of the motion or the seconder want to accept that. Selectman Maddox said he had no problem. They're just looking to trying to cut back. If there's a reason for them to be there, then they should be there. Selectman Jasper said that was the point. They have one department here that made the point. He didn't even know where the other water was and what the point was. If they want to discuss this at the next meeting, that was fine. It was wrong for them to suddenly sit there like they didn't approve the budget to begin with. They didn't have any information on why the water was there. Maybe it shouldn't be there. Maybe it was just something that had gone on. He didn't know. He wasn't saying that weren't places that have bottled water that shouldn't or bubblers. He didn't know. It was wrong for them to pass this motion without knowing why they approved it to begin with.

Selectman Maddox said Selectman Jasper made a good point. So he removed his second and asked the Town Administrator to come back again with what he asked for several meetings ago - was there some items like this that they could remove that they could save money on. He didn't want to get into a contest about how much money they were spending and where because they don't know. They've done that in the past, and he thought it hurt them. Just to move this along, Selectman Maddox removed his second.

Chairman Massey said if that was the case, then the motion failed.

Vote: Motion failed.

Selectman Coutu thanked the Chairman. It was a well learned lesson this evening. Chairman Massey thought Selectman Maddox had the right idea and he's had some conversations with at least one department head. He thought it would be worthwhile for the Town Administrator to have a conversation with the department heads. They're looking at \$226,000 difference between what they know they estimate the revenue shortfall was going to be and what they currently saw as expenses. Selectman Coutu said he just got burnt. Chairman Massey said he didn't think he did. Selectman Coutu said he knows he did. It's the last time he's going to get burnt on a motion. The Chairman didn't burn him. Chairman Massey said they were all there to try and make things happen. He had the right idea. They do need to look at when their revenues are \$400,000 projected less than what they anticipated. They should be looking at things. He thought that the department heads would get the message. He thought that they will look at their budgets. Remember, they were \$375,000 less on their budgets than they requested last year. They started off and they made up about \$195,000 of that. They actually made it up all. Mr. Malizia said they weren't \$375,000 from what they requested; they were \$375,000 from what the Budget Committee approved. They did have conversations at department head meetings about this topic. Nobody was not aware that they're trying to watch the budget. He received something, for example, from the police department. He can't talk about it in public. They may save money on salaries. But he can't really get into it here. You're aware of certain things that are going on at the police department. However, he has to also be aware that they may have to pay that. So he couldn't sit there and promise them that money.

Selectman Coutu said he understood the complexities of that. Mr. Malizia said he would anticipate that they're going to save money. He can't tell them that with any degree of detail. Selectman Coutu said he understood. [Selectman Jasper] Point of order. He's had his hand up and Selectman Coutu just started talking. No disrespect Selectman Coutu. Selectman Jasper said he would like to make a suggestion. Obviously they're all concerned about this. Steve has come forward with a number of things from pretty broad accounts. He thought it would be appropriate to ask their department heads to look at their budgets and come forward with what at this time they would expect that they would have remaining at the end of the fiscal year so that at the next meeting they would have a better handle of what the deficit might be, and have a better level of comfort knowing that here's what they told them they think they might have left or where they may be. That he thought would be appropriate.

Chairman Massey thought they could do that then at the April 27th meeting. Selectman Maddox said it made sense. Mr. Malizia's concern was they may have some items as he referenced earlier. Selectman Jasper said if there are, then they could be brought forward in nonpublic to discuss so that they could have the public picture and the nonpublic picture. Selectman Nadeau hoped that when Mr. Malizia goes to the department head meeting tomorrow and they all talk about this, they have a tentative sheet that comes back to their next meeting that shows them where department heads think they could save money and give them some idea, a better picture going into May and June, and what items they might be over. If they're over in their maintenance lines and we have to do stuff to cover our maintenance, he didn't want to see maintenance being put off on their apparatus either the highway trucks, the police department, or their vehicles.

[Selectman Nadeau] Selectman Coutu brought up a very interesting subject tonight of the water. The Chief defended why he needed water at Burns Hill and Robinson Road. Community Development has water stock piled in the hall way. That might be one of the places. They have town water here. They have water bubblers here. That could be a very good way to save \$300 in that department in water. He thought that was a very good idea that Selectman Coutu brought up, and he was very glad the Fire Chief was there. If they find out in other departments why they have certain things and they need it, he just couldn't see we have town water here and they're supplying them with water. He just hoped that the department heads would bring forward a list of things that they could help them out with on their budgets.

Selectman Maddox said that was the reason why he withdrew his second. He didn't think they wanted to get into a water cooler fight. He thought they needed to look at the issue. He didn't know where they were, so he didn't want to say that those were the only ones were in the fire department, and they made a motion to go

no where. He thought the message was clear that those needed to go if they do not have a real reason to be there for drinking water need. That's where they're going from. He thought they were all trying to say if they brought this down to \$175,000 and they saved \$50,000 over the next 2 months, that's better than \$225,000. He thought that's all the five of them wanted to do. It's just how they get there is the challenge.

Selectman Jasper said what Selectman Nadeau said just made him think of something, which was in fact that their personnel was their most expensive commodity if you will - their salaries. If they do not have water available - now this may just mean all right we need to put a bubbler in Community Development. He thought they needed to have water available for their people. If they say they need to get a drink of water if they have everybody marching up and down the hallway all day long to get a drink from the bubbler - the only one he knows of in the building - then they're losing a lot more than they're gaining. They're losing production. Selectman Maddox said so some are these. Selectman Jasper said that he didn't think when you're in a situation where everybody except 10 people are in the water has town water now, you're in a problem when you suddenly take away something that you've always had. The past practice is the water is available. If they put a bubbler in, that takes care of the problem. You look at him crazy. He's been sitting on this Board for a long time. You start taking away something that people have, you have a complaint. When you have supplied at no cost, people don't have to bring that in - 8 hours he didn't think that would stay cold, he didn't know what they have for refrigerators, all he's saying was you have to think these things out. You have to decide what is cost effective. How much are they talking over the year for water? Maybe it's very cost effective to run a copper line or a plastic line from the bathroom upstairs to put a bubbler in. Problem solved. They just can't be jumping to conclusions. If they're supplying water for people now, they have to continue to supply water for people.

Chairman Massey thought the Board was rapidly beating the horse dead. He would think they would leave the Town Administrator with two things. The first one was they absolutely do have a great management team. They have over the last 3 years in very difficult times done an extraordinary job of managing to the budgets that they have approved for them. He thought on balance for the most part, they do what was the right thing for the Town. Yes, we do have some of those cases where past practice may have been there, but that doesn't suggest that they shouldn't re-examine their way of doing business. He thought the second message was that the Board as a whole would really like to see if there was any way at all that they could reduce that projected reliance on the surplus at the end of the year. He was sure the department heads will give it their best effort to determine what can be removed from the operating budget this year.

M. Benson Park Funds

As a result of the last meeting, Chairman Massey indicated that Selectman Maddox asked for an accounting of the funds spent for Benson Park. Chairman Massey recognized Town Administrator Steve Malizia for an explanation.

Mr. Malizia said he wasn't at the meeting, but it was relayed to him that they wanted to know where they had money and what they had spent basically in the last year or so. So the first page Kathy Carpentier looked at the accounts and determined what you had for money. They basically have \$86,000 in change in a Shepherd's Hill account. You have \$49,675 in a Capital Reserve account, which the Board is agents to expend. There's \$5,100 in a donation account, and they have \$46,000 that will be lapsing at the end of this year. As you recalled, they had money to the tune of \$142,000 that they got permission to go out and get into contracts with for roofing. Basically they still have \$46,000 of that left because the Haselton Barn was removed from that list of projects. That was on its second extension. That money was supposed to lapse June 30, 2008. Because of the protracted negotiation with the State, the auditors that year said all right they know what the warrant article says, you get one more year. But the voters had said 2008. We went to 2009 and had it under contract as of June 30th. If you recall, that was a scramble at the end. That money will lapse. There was no way to keep it.

Selectman Jasper said that the \$46,000 was not included in the other sheet. So of that \$200,000 problem...Mr. Malizia said that \$46,000 would come back from Benson's into the surplus. Selectman Jasper said their problem becomes more in the neighborhood of \$150,000. From an accounting perspective, Mr. Malizia said that this money will flow to the surplus. There will also be a few dollars left, he believed, from the ambulance they purchased. He didn't want to say the number. He thought it was about \$7,000. Again, there's a number like that that flow back to the surplus because they will not spend it.

Selectman Coutu said that answered one of his questions. The other question he had and perhaps Selectman Jasper could help him on it. He looked at the encumbered appropriations and it shows one contractor, the depot and balance due \$1,225. Somehow or another it seemed to him that that company was given a lot more money for work that was never done. Selectman Jasper said there was work that had not

been done that was still due. He needs to speak with him. Mark has spoken with him about the depot. He had a difference of opinion because there was some feeling that there was wind damage done to repairs he made. He differed on that entirely, and he has not done the Haselton Barn. He had nothing to do with that contract, but there was money he received for work he has not done. He will call him by the end of the week and he will have made an attempt to speak with him and meet with him on site this week or early next week and have an answer for the Board at the next meeting as to what was going on with that.

Just for clarification, Chairman Massey didn't understand. There's money due for work not done. Mr. Malizia said he received a deposit per the agreement that the Board reached with him for this contract. You can look at it as he didn't do the work, but the Board authorized with that contract a deposit or down payment, material, i.e., whatever he needed to do up front. Chairman Massey said they've actually spent the money. Mr. Malizia said they've sent him the money with the contract. There's still a balance left. Chairman Massey said its money spent that work has not been done yet.

Selectman Coutu asked Selectman Jasper, on that same subject, how much money he remembered they gave him that he owed them in labor. Selectman Jasper knows that he's done some work. He claims he did the whole train station, but he knows that in fact that roofing paper on the top has never been done. He's going to take a ladder and see if there is any indication that anything was done. He intended to do that and then have an on site discussion with him about that. He believed it was \$2,450 contract roughly, because there's still \$1,225 outstanding to be paid upon completion of the work. So they're talking a total of about \$2,500. Selectman Coutu said it wasn't a significant amount of money. Thank you Selectman Jasper. Thank you Mr. Chairman, his questions were answered.

Selectman Nadeau said the first account, the Shepherd's Hill amount of \$86,885.83, was that before or after they spent the money on the fencing. Selectman Jasper said they had not spent the money. They've awarded the contract. The money as of today, they have not paid them because the work has not been done. Chairman Massey said that amount was going to be reduced by approximately \$28,000 or \$29,000. What's available to spend now, is less than the \$86,000. Mr. Malizia said the second page towards the bottom, it says funds available. There's a number \$14,662. That's the Shepherd's Hill money, the Capital Reserve money, and the donation money. Those monies are available. Funds committed are the match for the train depot. Then they've also committed \$28,000. So take that \$28,000 off that \$7,300, that's what they actually have left to spend which basically is unencumbered, not subject to some expiration date. They still have that ability to spend that money at the Board's discretion. Chairman Massey said it is approximately \$45,000. Mr. Malizia said for this argument, its closer to \$45,000. That's what they have free and clear to complete additional tasks. That means the \$46,000 is gone into this year, and that's what was left.

The only question Chairman Massey thought the Board should be looking at in the case of the \$46,000 was is there any sense that between now and June 30th they can spend any of that money on roof work. If they don't spend it on roof work, it does have to go back to the surplus. Selectman Jasper said if they were under contract, they no longer have the same contractor. The only thought that he had had was if there was a way to do it. If there was no problem with doing it, they could roof the train station in its current location. That probably would not hurt it because it's such a short move. He didn't know from an audit standpoint..If Mr. Malizia was their auditor, he would say absolutely not. He'll tell them why he said that. They asked her. That was Selectman Jasper's feeling that it wasn't going to be allowed. Mr. Malizia said in 2008 that money lapsed. That was what the voters said. They let them carry it one more year and they had specific contracts. Those contracts aren't in force. It's not free cash. Chairman Massey said even if they were to take the money and do it for the...Mr. Malizia said if they re-let out a contract for the Haselton Barn for a roof, they'd probably be able to do that because they could show failure on that contractor's part. That's about as far as he's going to get. Chairman Massey said the only way they'd be able to use the money was on the Haselton Barn. Selectman Jasper said they can't do the right job so it would be just that they want to spend the money, and he would much rather have this money go back to surplus than to throw it away on a roof job that was inappropriate. Mr. Malizia said if they did some mental accounting, they could always look at that as a possible way next year if they wanted to put money in Benson's and say remember that \$46,000 we moved into surplus. It's always a thought. Selectman Jasper said the most appropriate place for it right now was in surplus. Mr. Malizia thought that that was the accounting that he thought the Board asked for.

Selectman Maddox said it answered his question that they have \$45,000 left for the next year to do anything any everything at Benson's. Mr. Malizia said they had a little bit more because they appropriate some on the budget cycle for fiscal 2011. They do have some. It's not much but it's something. Chairman Massey said they had the \$10,000 for the Highway Department and there may have been some other monies but not much.

Selectman Nadeau asked if they had gotten anywhere with the condition assessment on the 3 structures. Mr. Malizia said he's sent two follow-up letters. He's going to send another demand letter with the Chairman's signature on it this week. He's been tickling his file to do it. The next letter is basically going to say if they don't get them something or respond to us by May, we're done. Selectman Maddox said they still needed to get that done. Mr. Malizia said they'd need to take pictures probably of the inside. They have the outside and a lot of that documented. He thought they wanted photographs of the inside. So quite honestly, they could look for somebody to photograph the inside. Selectman Maddox said he took some pictures and Doug Robinson took some pictures of the inside conditions. They could probably pull something together.

Selectman Jasper said their agreement with the State was the exterior of the building. It's not the interior. The Board wanted that information but he wasn't sure it was worth spending any money because who really cares. The Haselton Barn is what the Haselton Barn and the office building was going to change. Chairman Massey said the one thing that he wanted to know about the inside was whether or not it had any impact on the outside. As an example if you had a support beam on the inside of one of those buildings that was being eaten by termites...Selectman Jasper said pictures wouldn't show that. They have the assessment. He thought that was a matter of yes they're going to have to pay attention to what's going on. You can take a picture and then ignore it. He would not recommend that if they don't get this finalized report that they spend any more money on the assessment. They have what's required and they just move on from there.

Selectman Nadeau said so this \$2,400 just goes back to surplus also. Mr. Malizia said quite similar because again unless you had another contractor to do this task, it would go back to surplus. Selectman Jasper said it was coming out of that lapsing money. So you could add another \$2,400.

N. VFW Post 5791 Loyalty Day Award Nominations

Chairman Massey recognized Town Administrator Steve Malizia.

Mr. Malizia said that on an annual basis, the VFW Post 5791 in Hudson asks for nominees for Loyalty Day. They ask for separate nominees for police and fire and then another Town nominee. Last year, we had two names forwarded. One of them was Jennifer Riel from the Water Utility and the other was Susan Kaempf from the Rec. Department. Jennifer was the Board's pick last year. This year he solicited nominees from the department heads, and he received Susan Kaempf again from Mr. Yates. That's why it's before them this year to be the nominee for the VFW Loyalty Day Award.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to nominate Susan Kaempf, part-time Recreation Department Secretary, for the VFW Post 5791 2010 Loyalty Day award.

Selectman Coutu can attest to the fact being a Selectman Liaison to the Recreation Department that he has observed Susan in her performance of her duties. Susan, though she's a part-time employee, puts in a lot more extra time that she doesn't get paid for. She's a tremendous asset to the Recreation Department, Mr. Yates, and to the Recreation Committee. He thought she was deserving of the nomination and he hoped that they would all look favorably upon submitting her name, and he hoped she gets selected.

Selectman Nadeau added to Selectman Coutu's remarks. When he was the liaison to the Rec. Department, she was very helpful. When he did the movie nights, she was there setting up after her time here. She would work here until 2 p.m. or 3 p.m., and then she would go over and set up, and be there at movie night to make sure everything went smoothly for them. She does a lot of volunteer time to the different rec. programs. He thought that she was a very deserving recipient of the Loyalty Day Award from the VFW.

Vote: Motion carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - Sunday was the cable facility grand opening. It was good to see the facility open. The impromptu show was a little scary. Julia Child. He didn't know if they were going to put that show on but if they do, you'll hear Leo laughing for a long time. Enough said, he was sure that regularly someplace on U-Tube. You were going on for 10 minutes as Julia Child in drag.

He hoped the Recycling Committee was proud of him. He stopped buying plastic bottles of water. He's utilizing his aluminum can. So that's there.

They talked several months ago and he was looking for an update. Whoever the liaison is to IT where they are with moving forward with their website. He went on yesterday and it still has that little button. If you're looking for economic development, it just blends in. He was wondering if that contract is nearing completion. Mr. Malizia said it should be the end of this month or early in May that it's going to roll out. He asked today.

The last thing, he went to Benson's on Saturday to watch the cleanup. He wanted to see the Benson's Boulevard that Selectman Jasper talked about. He talked to some people that were there. He's still not a big fan of the gate. The work that they're doing in there is remarkable - cleaning up sections of places that he never thought they'd get to this year. So they're moving that along. He must say Selectman Jasper that someone led him astray because unless you're cutting your toenails with bolt cutters, that fence he was told by several people that were there on Saturday was vinyl coated chain link fence. They said it was damn heavy to lift. So they threw away X amount of...Selectman Jasper said it wasn't thrown away. It's at the landfill. Someone told Selectman Maddox that they had somebody that was willing to put that up. If we have future fence needs, hopefully they don't throw it away because it is vinyl wrapped chain-linked fence. So what you said earlier about knowing what they were voting on he thought was appropriate. That gate was still going to be a monument to Benson's spending, especially when they only have \$45,000 left. Something went astray there.

Selectman Nadeau - A couple things. This weekend he went by Benson's on his way out to the north end of town and he saw on Sunday probably about 15 Boy Scouts cleaning the front of Benson's from the entrance in front of Burger King to about where the pond started in the front. They had huge amounts of trash. They were disappointed they didn't get to their goal which was around to the Kimball Hill side because it took them so long to pick up the trash that was in at Benson's. He didn't think that had been done in a very long time. The Lion's Club does 111, and then they bag it and put it on the edge of 111, and it gets picked up. This section has been neglected for a long time and he thought it was great to see these Boy Scouts out there.

One of the other things this weekend that the Fire Department responded to was numerous brush fires. He's like to remind the residents that they are required to have a burning permit, and they can get those at the Fire Department, and that they're required to call the Fire Department before they burn. If they do not allow them to burn, they're not allowed to burn. He wanted to remind everybody to get a burning permit because it was very, very hazardous right now to be burning. They are not allowing burning right now so just a reminder to the residents to call ahead and get their burning permits or stop by the Fire Department.

Selectman Jasper - First of all if he made a mistake on that, his apologies. He would then ask that perhaps Dave contact Kevin and see if any of that fencing was at the landfill and have the contractor take a look at it and see if it was reusable for the sections of fence that they were going to plan. If it's sitting out there and it is decent fence, then they should see if they could take advantage of it and reduce the cost. He certainly would encourage that to take place. He apologized. Selectman Maddox said the people who carried it said it was heavy. Selectman Jasper said you get enough of anything, it's going to be heavy. He may well be right. Maybe that's what it was and he apologized if that were the case. At least it's not too late to look into the feasibility. He believed they just brought it out to the landfill and left it there just to get it off site. He thought it was still available to them at this time.

Selectman Maddox stole some of his thunder on the clean up. He wasn't able to participate because he had too much of his own clean up. He'll never get it done at the rate he's going. They're doing a great job out there. It's really coming together very, very nicely. It's really looking like something. He went out for a couple of minutes just to see how they were coming. At this point, they just had one man in there with the excavator pulling out roots and they haven't started on pulling up pavement yet. They also had one truck hauling the stumps out. They're working around the area of the amphitheater and you can really see that now. They've cleaned off some of the pavement. There's a nice area of pavement. They have to do some work there. Apparently there were quite a few stones around the top. It's just a mess. They'll just have him pull it down so it's mowable and easy to work with. Things are coming together, but there are not a lot of personnel out there at the moment. They have already screened the loam. That's all done. They're going to have a real nice park, and it was certainly a lot further along in some of the areas than he thought. When he was looking at it last year where he thought they'd be this time of year, they've made some tremendous progress thanks to many, many volunteers. It's been very gratifying.

When Mr. Radziewicz was in earlier he referred to his comment at Town Meeting. His specific comment at Town Meeting was relative to calling for advice talking to the Board of Selectmen before he just went ahead and got frustrated and put up his fence. He referred to e-mails and letters he sent to the Board of Selectmen after the fact, after in fact he was already in the enforcement phase when it was no longer appropriate for the Board of Selectmen to get involved because it was essentially before a judicial board in town, and it wasn't their jurisdiction at that point. Thank you.

Selectman Coutu - Because everybody he's sure was sitting on the edge of their seats about HCTV, he'll deal with that issue first. He wanted to first congratulate Mike O'Keefe, the Chairman of the HCTV committee for successfully directing an open house at the facility on Old Derry Road. There's a gentleman

who's the Chair of a committee, and that not to undermine any other Chair of other committees whose put in a lot of hours on their own, but this man puts in countless numbers of hours in production time and editing time for the things that they do get on television. If it wasn't for his expertise and talent, they wouldn't have the facility that they have today. So between Mike O'Keefe, the Chairman, Jim McIntosh, the cable facilitator, Senior Camera Operator Leo Bernard who were all there on Sunday meeting and greeting people, talking to people, and explaining the operation and how it could become beneficial to them, and they did so on their own time. Plus several cable committee members, he believed, were all there. It was very impressive. There were a large number of people who came, and they were very impressed. A lot of people indicated an interest in wanting to produce their own programs.

One of Selectman Coutu's friends on the Cable Committee suggested that - he has a bad habit. He does imitations and he happened to do a Julia Child imitation one day in front of this person and he said that he should do that on cable television. He didn't think he was going to do it because he didn't feel up to it. He wasn't healthy enough to it and then as the time progressed and it got closer to opening day, he felt a lot better, and they had an apron and a couple of baking mitts there. He decided to do it because he was offered other costumes from Alvirne High School Drama Club he could have used. He didn't have wig, so he cut some paper towels and made it look like white hair, put a hat on, put on the apron, and he did his Julia Child impersonation. He did it with a purpose. The purpose was not only was it to have fun but they also had a kid from the audience come up and help him. The tape has been previewed by the Town Administrator and the staff, and they kind of liked it. It's a good comedy skit. The point he was trying to make was, and he's going to do a formal introduction to it, he and Mike are going to take a formal introduction. This was what somebody can do if you're a ham like he is and in the wrong profession. He should be a comedian and not a politician. You can go in front of a camera and add lib and put on a 15 minute show without any rehearsal whatsoever. You can make it funny. You can make it serious. He wanted to show the people what they had that was available and what they could do. He enjoyed doing it, and he has no regrets. He had a good time doing it, and it will be on television on Channel 20.

Selectman Jasper asked that from now he declared that Robin of the Hood be known as Julia of the Kitchen. Chairman Massey said he was going to ask if they were going to have Sherwood Forrest and Robin of the Hood appear on Channel 20, but we'll leave that for a later day.

Selectman Coutu wanted to thank the Chairman for suggesting that another - because he (Chairman Massey) couldn't do it last Saturday night. Because of him, he received the distinct privilege of going to St. Kathryn's Church for the induction into an Eagle Scout for Christopher Gleason. As they had discussed, it was a very impressive ceremony. It speaks well of the scouting programs they have here throughout the Town and not just at St. Kathryn's and of the young men that they have in the Town that were willing to step forward and go through all of the steps that it takes to achieve an Eagle Scout honor. He was indeed privileged to be able to present him a certificate on behalf of the Board of Selectmen, and he was very, very impressed. Prior to that time, he has another Eagle Scout candidate who he doesn't know who called him not to be a mentor because there's a training program you have to go through to do the mentoring, but to assist him in trying to pick out some sort of a project. His name is James Lashbaugh, and he will be a candidate for Eagle Scout. Selectman Coutu is going to bringing him this Thursday evening before the Benson's Committee. The Benson Committee Chairman provided him with a list of a lot of projects that an Eagle Scout candidate could tackle. He encouraged anyone that he spoke to that if they wanted to tackle a project or donate some time, material, and talent that they look at the list very carefully because that would be just that much more surplus work that was being done at Benson's over and above, like Selectman Jasper said, at a point where they never thought they would be now. It's becoming a showcase. Once they get the train station moved, it's going to be a great showcase. So he's taking James under his wing, and he's going to walk him through the process, and he told him he'd help him with fundraising. He's not afraid to ask Selectman Jasper for a couple of bucks to help this kid. He wanted to bring this to their attention.

Other than that Mr. Chairman, Bon Appétit!

Selectman Massey - He has just a couple. The first one is he was one of the selectmen who voted not to authorize the startup of the cable facility out on Old Derry Road. He would have to say that after he's seen what they've been doing over the last year with programs and having gone there on Sunday, if he had to vote today to continue it, he would definitely support it. He thought that under the leadership of Mr. O'Keefe and Mr. MacIntosh they have come light years away from where they were even two years ago. He thought they're going to get there even further he thought. Kudos to the entire cable community for what they've actually been able to do with that facility. He also for the first time found out how the green screen worked. He was dying to see how one works. They had an exhibition of the students that were dancing around and what was sitting up on the screen was this railroad tunnel that they were in. So now he knows how it works.

Lastly for the second year in a row, he found out that he is not smarter than a 5th grader. Selectman Coutu said he wasn't there to help the Chairman. Chairman Massey said the Hills Garrison School for the second year in a row did a fundraiser. This year was really nice because they included all of the elementary schools in the panels. These young 5th graders were really pretty sharp. He's just not smarter than a 5th grader. We'll leave it at that. What's worse, he did worse this year than he did last year. They do a great thing for the community. They're actually raising money for playground equipment at Hills Garrison. They really had a great time and you could really see the enthusiasm with the students with the program. Kudos to them.

10. NONPUBLIC SESSION

Motion to enter nonpublic session under 91-A:3 II (b) the hiring of any person as a public employee; (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant; and (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.

[Selectman Jasper] Point of order Mr. Chairman. He believed they were going to unseal the minutes of the previous nonpublic meeting because that's what they had said. Chairman Massey said that they did not get everything done in time. Mr. Malizia said they received a document tonight. The attorney has not seen it. Selectman Jasper asked, "It's not the document they provided?" Mr. Malizia said he did not know that. Selectman Jasper withdrew his point of order and apologized. Chairman Massey said an apology wasn't required in this case.

Motion by Selectman Coutu, seconded by Selectman Maddox, to enter nonpublic session under 91-A:3 II (b) the hiring of any person as a public employee; (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant; and (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph, carried 5-0 by roll call.

Nonpublic Session is being entered after a 5 minute recess at 10:00 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.

Motion by Selectman Coutu, seconded by Selectman Maddox, to exit nonpublic session, carried 5-0.

Open session is being entered at 10:55 p.m.

Motion by Selectman Maddox, seconded by Selectman Jasper, to hire Sam White as an intern in the Engineering Department at \$12.50 per hour, and advertise a second intern at \$12.00 per hour from May 24 through August 20, 2010, as recommended by the Town Engineer, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Jasper, to hire the 2010 Summer Counselors effective May 22, 2010: as Counselor I @ \$9.25 per hour, Matthew Brownrigg, Lauren Chesnulevich, and Brianna Terrill; as Counselor II @ \$9.75 per hour, Jessica Destramp, Andrew Gora, Jenna Lambert, Larissa Miller, Allison O'Donoghue, Thomas Scurini, Vinnie Scurini, and Quinn Sendall; as Counselor III @ \$10.50 per hour, Ralph Carpentiere, Frank Girginis, Derek Lee, Michele Martineau, Sean Sendall, and Debra Smith, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Jasper, to hire substitute Counselors/Robinson Pond attendants for the 2010 summer program, effective May 22, 2010: as Counselor I @ \$9.25 per hour, Kathleen Foley, Ernest Gifford, Chevon Gora, Molly Hein, Meghan Kostro, Amanda O'Donoghue, Briana

Parisi, Caitlin Sullivan, Colin McGrail, and Ashley Tomaswick; as Counselor II @ \$9.75 per hour, Kaitlin Laquerre; as Counselor III @ \$10.50 per hour, Thomas Tollefson, carried 5-0.

Motion by Selectman Jasper, seconded by Selectman Maddox, to hire Dan Skafas as a temporary full-time Firefighter position at an hourly rate of \$14.58 per hour starting on April 21, 2010 as recommended by the Fire Chief in his memo dated April 6, 2010, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Maddox, to deny the Step 2 Grievance filed by the Police Union AFSCME Local #3657 on the matter of Dispatchers bidding on shift assignments, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to unseal the minutes of the nonpublic session on April 6, 2010, carried 5-0.

At the Board of Selectmen's meeting on April 6, 2010 a motion was made by Selectman Jasper, seconded by Selectman Nadeau, to seal the minutes of the nonpublic session of April 6, 2010, carried 4-1. Selectman Maddox in opposition. Selectman Maddox announced that he voted in the negative because he felt that the motion to accept the settlement offer should have been announced during public session and not sealed.

11. ADJOURNMENT

Motion to adjourn at 11:01 p.m. by Selectman Maddox, 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

Roger E. Coutu, Selectman

Benjamin J. Nadeau, Selectman

Shawn N. Jasper, Selectman