

HUDSON, NH BOARD OF SELECTMEN

Minutes of the September 28, 2021 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of September 28, 2021 at 7:00 p.m. in the Selectmen Meeting Room at Town Hall

2. PLEDGE OF ALLEGIANCE led by Jim Lavacchia

The Pledge of Allegiance was followed by a moment of silence in honor of Retired Hudson Police Sergeant, Donna Briggs, who was killed in a horrible hit and run accident last week. Sgt. Briggs will be honored in this year's Annual Report.

3. ATTENDANCE

Board of Selectmen: Marilyn McGrath, David Morin, Kara Roy, Brett Gagnon, Bob Guessferd

Staff/Others: Steve Malizia, Town Administrator; Elvis Dhima - Town Engineer; Rob Buxton - Fire Chief; Lisa Labrie - Finance Director; Jess Forrence - Public Works Director; Jim McIntosh - Dir. of Community Media; Roger Ordway - Tax Collector/Town Clerk

Chairman McGrath then said we got notice this evening that the threshold for the COVID infection has gone down below the threshold of 75, so therefore we don't need to wear masks indoors and I'm taking mine off. I suggest others do the same.

4. PUBLIC INPUT

Leo Bernard, 3 Bungalow Ave

Two weeks ago I watched your meeting and I saw about volunteers and I'm here to speak about one of them. Norm Martin is a very nice guy and everything. Like you said he did a great job on the ZBA and I think he'll do another great job if you appoint him again. He apologized and everything so I do think he deserves a second chance. I heard a lot of you all complain and stuff and there was nothing said nice about anybody. All you got was bad reports so I was a camera operator for the ZBA meetings once and twice for the Town and I know that Normand can do a good job at the ZBA. So I just thought I'd give my two cents on that.

Jim Crowley, 4 Fairway Drive

The Board of Selectmen has requested input on suggestions to changes in various zoning ordinances and my question is what the cutoff date for public input is? I think a couple weeks ago you had requested that you're gonna review the Zoning bylaws. Chairman McGrath said the Zoning Ordinances, if there's any changes to the Zoning Ordinance that goes before the Planning Board. The Planning Board members take that up and they discuss whatever changes they're going to proposed and you'll have the opportunity at those meetings to speak to it. So just keep an eye on the Town's website, I think and the agenda's for the Planning Board. Mr. Crowley replied, okay thanks. I didn't understand that process. We have an applicant tonight, Mr. Martin, who's served on the Zoning Board, I don't know if you wanted to comment on that but the Zoning Changes, if there are any, and I think that there are going to be some because I understand that the Zoning Administrator has some that he would like to make to the Zoning Ordinance. But that's got to go before the Planning Board, again, and

they'll hold hearings on it, they'll have discussions on it and then they'll publicize the hearing dates when it's open to a public hearing.

Mr. Crowley thanked the Chairman for that explanation and went on to say, secondly tonight, is you have two candidates, Dean Sakaiti and Edward Thompson to be interviewed for serving on the ZBA. Both are highly educated, intelligent, can make logical decisions and conclusions based on the facts presented to them and how they comply with Town Code. They have the ability to evaluate whether public safety or other valid issues are a factor in any ZBA cases. I fully support both candidates. They will both be an asset to the functioning of the Town government. Additionally they will always treat the public with respect. It will never be necessary for either of them to apologize in any way for making disrespectful, derogatory comments in public about concerned citizens. Words are powerful especially when they are coming from elected or appointed representatives. Please keep all this in mind when making decisions tonight and in the future when voting to approve appointees. Thank you for giving me this time and thank you for your service to Hudson.

5. Interviews and Appointments

A. Interviews

Cable Utility Committee - (4 member vacancies, 2 expire 4/30/22, 2 expire 4/30/23)

Len Segal

Mr. Segal was recognized and asked to tell the Board about himself. Mr. Segal said, my name is Len Segal. I live at 6 Beachwood Road here in Hudson. The reason, quite frankly, I believe in contributing to the community I live in. I did that for about 45 years in the Town of Sharon Mass. I served on their cable committee, for I don't remember how long, but over 10 years. Probably about 13 or 14 years. Now having completed our move here I wanted to see about joining the Cable Committee here. I attended their first meeting, I guess, in about a year and a half this past month and then I put in my application. In the Town of Sharon I served as a police officer. I was chairman of the development and industrial commission for about 25 years and a member of the government study committee for about 2-3 years. I've been a very active member of the community and I plan on doing the same thing here.

Selectman Morin was recognized and said I've talked with Mr. Segal several times on volunteering and stuff and he had stated that he was in the process of moving and he would be stepping up at some point and I appreciate you being here tonight. Thank you.

Selectman Guessferd was recognized and said I just want to make a comment. We met last week at the Cable Utility meeting. I applaud you for attending the meeting and coming here tonight to apply. I thank you for that. Mr. Segal replied, you're welcome. I wanted to see what the cable committee was about here. So that I know what I'm throwing my hat in the ring for or if I'm still interested in it, which I still am.

Chairman McGrath then said, normally the practice we've been following is that we interview and then we wait until our next meeting to make a decision. Mr. Segal stated that he understood. And the Board thanked him for coming in.

Zoning Board of Adjustment - (5 alternate member vacancies 2 terms to expire 12/31/21, 2 terms to expire 12/31/22, 1 term to expire 12/31/23)

Ed Thompson

Mr. Thompson stated thanks for inviting me tonight. Chairman McGrath said your name and address for the record and then the reason that you're applying. Mr. Thompson said Edward Thompson, 22 Burns Hill Road. I've been a resident of Hudson for 28 years now. The reason I applied for the position, couple of reasons, one is after you've lived in the Town that long and you've been fortunate in life to have a good job, roof over your head, all that, you start looking around and saying how did this happen? And maybe it's time to start giving back a little more. So I got on water utility, with Leo, back 10-15 years ago. Like I said when I applied for the Sustainability Committee, it was hard to get to those meetings, they started at about 5:00 or 5:30. So then I most recently applied for the Sustainability Committee. It held my interest. It had a lot of things going on that I think I can contribute to. This particular board, the ZBA, I think my skillset is pretty well suited for. My career, I'm a mechanical engineer by trade. I'm a senior manufacturing role now for really a startup company. We make dental lasers. They're very complicated instruments. I look at a lot of drawings. I'm very versed at running numbers and calculations and things like that and being able to look at broad picture of different disciplines within the company. This particular board gets involved with different aspects of land management, plot plans, things like that, which I've seen over a number of years. I just think that I can contribute to that part of the Town. I saw the need and I saw what appears to be, it's hard to fill seats. And I didn't take this decision lightly, applying, I've looked at it for a number of months now. Probably four or five. Now that we've lost another member of the ZBA I thought this was time. Chairman McGrath asked, that's all you have? Mr. Thompson replied, that's all right now yeah. If you have any questions? Chairman McGrath responded I do, but we'll go around the Board. Does anybody else have any questions?

Selectman Gagnon was recognized and said thank you Madame Chair. So Mr. Thompson I'm looking at your history here, what you write in your application about, biology, manufacturing and you talked about having a skill set that seems to apply to this position. Are you familiar with some of the regulations around zoning? Because a big part of what I look for is someone who not only has a good logical mindset, with good skills, but who can actually read some technical law that's quite boring and apply that in a reasonable way. Mr. Thompson responded, sure, yeah, I can remember going back, I was attending ZBA meetings when Brad Seabury was the Chair, if you remember back that far. Chairman McGrath added, I certainly do. Mr. Thompson went on to say he was a great chairman. Chairman McGrath said I don't remember you there though. Mr. Thompson said no, I was in the public. I wasn't on the Board. I should have been a member by then but anyway, I was in the public but basically I was attending meetings to find out how it was going to work when I went to apply for a variance to orchestrate a driveway positioning on my property. Anyway, long story short I ended up reorienting the property, thanks to Gary Webster saying why don't you just move it this way. But I was able to look at some of the plans and you know, since then I've been to different meetings before and watch them online. Yeah, setbacks and easements and all that. I've definitely read a lot of those. Especially over the last couple of years, different plans. Selectman Gagnon said thank you sir. That's all I have Madame Chair.

Selectman Morin was recognized and said how we doing tonight? To which Mr. Thompson responded, fantastic. Selectman Morin then said, when I saw your name I was pretty happy to see that you're stepping up to help. Because I gotta tell ya, I've probably seen you at more meetings than I've seen the rest of the Board. So you've been participating and you've been learning. But then you're applying for the 12/2021 position. Mr. Thompson said yeah, the reason, did you want to know why? Selectman Morin said yeah because, I'll give you my question so you'll know why. Mr. Thompson said I know where this is going. Selectman

Morin said I mean I've seen you everywhere. You've been participating, you've been learning, you just stated the Town needs it because we lost another member. You want to give back. You have a skillset that fits this position. You can contribute because of your background and knowledge and you've thought about this for a number of months. But then it's 12/2021. Mr. Thompson replied, it's the time constraint, Selectman Morin. I think the reason it took so long is I'm trying to manage not only being on Sustainability, currently I'm in the police academy, believe it or not, on Wednesday nights for 11 weeks. I'm on the board of directors for a condo association up north, which I have another property up north. I'm on the water utility committee for that condo association. And staying late at work. So I commute into Needham into work, and I've been allowed during COVID to work three or four days from home, but now they've got people coming back. And I'm in manufacturing so that means I'm driving to Needham or Milford New Hampshire. When I'm in Milford manufacturing facility it's been a little bit better. But I still have to go to Needham. So I'm just trying to balance the time and I thought, maybe dip my foot in the water and if it works out then reapply. You know. Selectman Morin then said, my concern is three months you don't even get your feet wet. Mr. Thompson said I thought about that. Selectman Morin said that's a concern because in three months we're going to be back in the same situation. Mr. Thompson said, I'll tell you what, and I just talked to Jim Crowley about this. I looked at the agenda. I watched the meeting from the other night. It was one case. It was over in a half an hour. But what people that don't realize is there's probably six or eight hours that go in before that meeting. So how many meetings are coming up? There's two. There's on the 14th of October and one on the 28th. The one on the 28th, I'm in Florida for my parents' 65th wedding anniversary. So I'm going to have one meeting there and another one in November and that's the three meetings. So I'll tell you what I'll step up tonight. If you want to move that date to of the positions that expires on 12/31/23 I would do that. Selectman Morin said I think it would be good because we're in such a need and in reference to the schedule you do realize they haven't been holding some cases because they haven't had enough people, so that schedule may be a lot busier. Mr. Thompson said there's a backlog then. Understood. Selectman Morin then said so you're saying you'd like to apply now to the '23 position? Mr. Thompson said if that would please the Board I would certainly step up. Selectman Morin then said, I'm gonna ask you straight out right now, you're so busy, and you got a lot of things going on. We put you on '23 where not going to lose me? Mr. Thompson said, you won't lose me. I may have to make a call to Deborah Putnam, but you won't lose me on that Board. Selectman Morin asked again, so you're committing to '23? To which Mr. Thompson responded, I am. There you got it out of me. Selectman Morin said, thank you. I appreciate that. Mr. Thompson said no, I understand. When I looked at it and then I'm looking at the calendar the other day and I'm like what good is this position going to be? By the time you...I get it. Selectman Morin then said and you know I will come back and see you if you step down. (Laughter in the room), Mr. Thompson said if the phone rings it's you.

Selectman Morin then asked do you have any particular areas of interest with regard to participating in Town government and nonprofit endeavors, sponsorship or affiliation with groups, organizations in Hudson other than what you've talked about. Mr. Thompson replied, you mean monetarily or? Selectman Morin said nope any time of organization. You talked about you were on a condominium and things like that? Are you on any other groups in Town? Mr. Thompson replied, not really. Selectman Morin said none at all? Mr. Thompson said obviously I've been involved with sharing citizen's involvement with the Save Hudson group. Obviously that's no mystery to anybody. But no other Town activities or anything that's gonna pull me sideways. Selectman Morin asked and you did what with Save Hudson? Mr. Thompson replied, I was a citizen that spoke with the Save Hudson group. Selectman Morin said right, so you're a part of that group? Mr. Thompson replied well it's hard when you say part of a group. I'm associated with a group. There's no membership, there's no roster, anything like that, so yeah. Selectman Morin went on to say, as a member or an associate, we'll go with associate, of that group, and you've said you talked so have you done that on social media? Any public forums or any other places that you've made comments? Mr.

Thompson responded saying I have made comments to social media to the Hudson Facebook pages. I'm trying to think if I've written any articles to the newspaper if I have, I don't, it was a while back but umm, I'm a citizen just exercising what I feel. If I see something that I, obviously I spoke in opposition to the plan that was in front of the Board. If I see something that I feel is out of order I'm gonna say something and that's what I think being a good citizen is. Is standing up for what you believe in? Selectman Morin said I fully agree with you as a citizen, but now that you're on a Board that puts you in a different light and it could be an ethics, we've already seen that. And that's my question and why I ask it. Mr. Thompson replied, yeah, no, understandable. There are other people in this room that have had to go to the same type thing. And the public looks at you a little differently. Selectman Morin replied, correct, I'm just trying to get that out, that's all I'm doing. Out of all the Town boards the Zoning Board basically acts as judges for the cases that they're gonna be reviewing. Do you believe any of your affiliations or associations that you have would in any manner hinder your making a fair judgement on a case? Mr. Thompson replied, no, no, not at all, next question. Selectman Morin then asked, do you understand how the Zoning Board would apply to the Planning Board and how that relates? Mr. Thompson replied, a little bit. I do know that sometimes they defer to the Zoning Board. They will take up a case and then if they get stuck on something or there is a question they will defer it to the Zoning Board but yeah, I've seen that before. Selectman Morin then said I have one last question. What is your position regarding of a variance to a Zoning code when it justifiable? Mr. Thompson asked Selectman Morin to repeat the question. Selectman Morin repeated the question and Mr. Thompson answered, depending on the case, there was one the other night that made perfect sense. Basically where it doesn't hurt your neighbors or those around you, if it's not, like I said if it's not hurting your neighbor, either land use wise or financially or what have you then sometimes it's gonna be granted. Selectman Morin said you made two statements and I understand where you're coming from, but Zoning and Planning have rules and regulations, RSA's, you didn't mention that. That concerns me because that's what you guys have to make your judgements on is the rules, the RSA's not neighbors and things because that's where you get into trouble. Mr. Thompson said that's assuming that they meet the RSA's. Selectman Morin said well we can't but if it's justifiable in the RSA's and the rules, not the neighbors. That's what I want to be clear. Mr. Thompson responded saying, sure that's first and foremost, it has to meet the RSA. And I guess I'm just referring to the case I heard the other day where that was an allowable variance to a particular individual who poured a foundation and he made a mistake on the calculation. Selectman Morin said right but they did have to bring in rules and RSA's not just because....Mr. Thompson said oh sure not just because his neighbors were okay with it.

Selectman Roy was recognized and asked can you tell me what your understanding of a conflict of interest is? Mr. Thompson replied a conflict of interest, boy that's a good question. As it relates to somebody on the Board? Selectman Roy replied a case before the Board. If you were to hear a case before the Board, what would make you recuse yourself? Mr. Thompson said, and I anticipated getting a question like that. Chairman McGrath said because it was coming from me next. Mr. Thompson then said, I think if you're a direct abutter to a property that's either applying for a variance or a special acceptance or something like that. Certainly if it would cause me a change and I could profit from that decision, those are really the two that I know are state statute. I don't know any others. That's really about it. Selectman Roy replied, okay, I'm fine with that answer. Chairman McGrath asked, you're okay with that answer?

Chairman McGrath then said I have some questions for you and one of them is concerning conflict of interest. How would you handle it if you felt that you had a conflict of interest or if you knew you had a conflict of interest? What would you do? Mr. Thompson answered, well obviously you gotta do a gut check. You know, you know if obviously you're gonna have to recuse yourself in public at the meeting or prior to the meeting. Yeah, if you are, as it's written, if you are a direct abutter or can stand to profit from your decision then you've got to

recuse yourself. Chairman McGrath then asked, but what if it's not to profit. What if it's to profit your friends or your family members in one way or another? Mr. Thompson answered it's a gut check. Chairman McGrath said what do you mean by a gut check? Do you say well do I feel like I'm in conflict and if the answer is yes what do you do? Mr. Thompson answered, if it's a friend or something like that...Chairman McGrath added or family member. Mr. Thompson said it's a tough call. I would almost defer or look to either the chairman or for advice but I think legally is the way. If it's a legal thing it's written in there you know friend or family and it can be proved that your friend of family of whatever and you have to recuse yourself and you don't then if there's any type of legal repercussion then I don't think you have a choice. Chairman McGrath asked, so would you step down from making the decision? Step away from the Board and say I'm sorry but I've prejudged this case for whatever the reason is or I feel that I have a conflict of interest, would you step down? Mr. Thompson answered, well it depends on the case. Doesn't it, depend on the case? I'm not trying to dodge your question but...Chairman McGrath responded, well I think that you are but that's okay, we can go on. I can make my decision based on their answers. And I'm not satisfied with your answers. Chairman McGrath said you wouldn't be satisfied with my answer if I answered that way and I was serving on the Planning Board or the Zoning Board, which I've done. I've sat on both boards. And I've stepped down at times when I didn't feel that I had a conflict but someone else might have. They may have objected to me sitting for my position on the Planning Board or my position somewhere else. So I would always take the position of stepping away because it's far more important to me that my integrity stays intact then to act on a plan that really doesn't matter in the long run. That's my history. In any event, it's not about me, it's about you. Mr. Thompson replied saying well I do have...I'll put a question to you because you know I thought about this for a while before I came in there tonight. Ed what if you were asked about some ZBA decision regarding say a certain parcel in the south end of Town that houses two golf courses. How would you, say there was something that came up after, you know, down the road, where the ZBA had to get involved. What would you do? Chairman McGrath replied, I wouldn't answer the question because that would be prejudging any plan that might come before that Board. That's the position that I would take. Because you don't want to be put in a position where you're putting things on Facebook, where you're putting things in a newspaper, where you're putting things out in the public stating things that may come back to bite the Town because if you act on it inappropriately then it's gonna cause a problem for the Town. That's how I view things. That's how I view that and that's how I performed when I served on the Zoning Board and on the Planning Board. So that's my answer for you. In any event we're done with questions for you. We'll act on your request at the next meeting. Mr. Thompson replied, thank you. I appreciate your time and I'll also echo thank you for everything you guys do. It's a huge commitment to the Town.

Zoning Board of Adjustment - (5 alternate member vacancies 2 terms to expire 12/31/21, 2 terms to expire 12/31/22, 1 term to expire 12/31/23)

Dean Sakati

Chairman McGrath asked Mr. Sakati to come forward and state his name and address for the record. Mr. Sakati said Suri, I go by Dean, which is my middle name, Dean Sakati. I live at 11 Fairway Drive. Chairman McGrath asked and your reason for applying for the Zoning Board? Mr. Sakati replied if I could start maybe just talking about me a little bit, who I am. I've lived in Hudson for the last 29 years. Moved here from Boston shortly after getting married. Originally lived in Chicago, upstate New York. I spent some time in Saudi Arabia. I have four children who have all gone through the Hudson Public School system. One boy and three girls. Only one is still left in the house. The others are either in college or doing post graduate work or actually working. I've spent 30 years working in Boston and have had the commute back and forth to and from Boston. I currently work for State Street

Bank which is deemed by the Financial Stability Board as one of the world's global, systemically important financial institutions. Where I'm head of product innovation and business development for our global markets division. In this capacity I also serve on the Board of LUKKA, which is an emerging financial technology company which produces accounting and financial data for cryptocurrencies. And I also serve on the strategy and finance committee of Equilend which is an industry utility that helps process trades. What I like to refer to as the plumbing of our industry. As a side career, I spent 21 years in the US Army Reserves. I retired as a major. I was mobilized in 2003 for 12ish years of that time I served in the engineer branch where I would say I have a moderate level of understanding of engineering going right from an MOU to developing plans to actually leading troops on the ground to implement construction projects. But engineering construction projects for a combat engineer battalion is things like putting in culverts, paving roads, clearing, grubbing and those types of projects. I also got an MBA part time at Boston College during the time I've spent in Hudson. And as a fun fact and I only throw this out there, the military I did it for my sense of giving back to our great country. I also stepped out of corporate America to do a startup where we were trying to create what's called the roll up strategy. Basically it changed the way trading is done to take some of the traditional conflicts that exist on Wall Street, like out of the system and that benefits directly institutional investors and that was sort of our noble purpose, if you will.

If I had to describe me, this starts to get into why I'm interested. I'm analytical, I have some basic engineering skills. I can read drawings. I have critical analytical skills, I read legal briefs and can take the code and relate it back to what's actually and making decisions on it. I would be very naive to say that I can describe to you exactly what the Zoning Board does on an absolute day to day basis, though I've watched some of the meetings. But I think I'm a quick study. Frankly the reason I'm applying for this is your sort of polite challenge Madame Chair that we need to not only speak up but we need to step up. And that's why I find myself here today. I left the application dates open so that if I were honored to be approve then you can slot me in any slot that you'd like. I would add to the ethics part, that having been an officer of the United States Army, working in corporate America for a company that supports our entire financial fabric, I'm very conscious and cognitive of ethics and how blurry they can be at times and I'd like to pride myself at Boston College to being a Jesuit institution, our MBA was also had a very strong ethics component to it. I don't know if there's anything else you'd like to know about me.

Selectman Roy was recognized and said so you were in a combat engineer battalion? Mr. Sakati replied, that's correct. Selectman Roy then asked so when you weren't deployed did you do any domestic operations? Mr. Sakati replied, yup. For example I was going to serve on a drugged addiction mission where we were going to go to the border and basically do observations. That got canceled. But we also did some stuff with the engineers, Alton Bay, I don't know if you remember, it was probably 1995-ish, there was a dam that broke and caused a lot of damage. We were sort of first responders isn't the right word, but we were the first up there to help to basically clear the area. And being in the reserves you had to have the legal status to be able to operate, because the guard can do that type of mission, but the reserves can't but we got special clearance. Selectman Roy said that was my next question. She then asked, so is that the only sort of domestic operations you did? Mr. Sakati replied all the time we did our training, you'll see a lot of times combat engineer battalions will actually build soccer fields. They'll do all these types of projects. What we do is we get approval to do these things but what we're trying to do is exercise our both our combat skills as well as our engineering skills. Selectman Roy then said so my question that relates to this position is your interaction with the community to get those built so that you follow those community regulations and norms. Were you involved in that part of it? Mr. Sakati replied, somewhat. I would say tangential. As an officer you're engaged in all aspects of it. We also went to Kenya, Africa where we built school dormitories, put in wells. Our primary mission was actually military side was to help put in ranges. Basic combat ranges for the Kenyan military.

We did vaccinations as well. In building those dormitories now you have international law, you have lawyers and stuff to help a lot of this.

Selectman Roy said my final question, were you an SO of your battalion? Mr. Sakati answered I started off as a rifle platoon leader and then I was a mortar platoon leader and then a company SO. Selectman Roy said so you were an infantry guy first? Mr. Sakati answered yes. Selectman Roy then said so you said you retired as a major, were you the SO of the battalion? Mr. Sakati replied no I was the S3 of a battalion and then I moved into a staff position where we evaluated and trained engineer units at that time.

Selectman Gagnon was recognized and said just one question. So impressive background. Sounds like, I believe, you have the skill sets and mental capacity to kind of think out some of these complicated cases, but what came to mind with your background and your career in a financial institution is, do you deal with customers directly? Are you responsible for like a major customer directly? Mr. Sakati replied, I do deal with clients in some capacity. Usually it's in the context of we have new products, we're rolling them out, maybe they're like a beta or test client and I would work with them. Selectman Gagnon said where I was going with that is would you potentially see any of your clients as applicants that may come in front of you. Because to me a conflict of interest is a financial conflict of interest and that would be the only concern I would legally have. Mr. Sakati replied, so given where we sit in the financial services industry, I don't see the conflict being say with a large developer or we're making investments with developers. I don't perceive that type of conflict. There could be other conflicts, but what I would have to do is if I were in fact approved, I would run it by my ethics department to make sure that I was clear on those types of conflicts. Chairman McGrath said and you're talking just about the financial conflicts related to your work? Mr. Sakati replied, I believe that was the spirit of the question, yes. Chairman McGrath said I just wanted to make sure.

Selectman Morin was recognized and said, first of all, thank you for your service. That's very much appreciated. I got to ask with your background, how come not Budget Committee instead of Zoning? Mr. Sakati replied, I thought about it, I think it would naturally fit. I'm concerned about time. I commute into Boston and my job is 60-70 hours a week. I'm just concerned about the time commitment. I wouldn't rule that out in the future. I would like to dabble in serving our community. Selectman Morin then asked, which position do you want to commit to? Mr. Sakati replied, can I leave that to you? Then he said like Ed I was thinking the 2021 simply to basically just to start to learn more and contribute then go from there and reapply. But I'm open minded to whatever the needs of the committee are. Selectman Morin asked which one you'd like. The Town Administrator read the open alternate member vacancies. Mr. Sakati replied how about '22.

Selectman Morin then said first of all you've done a lot within the service. But my concern is we're talking culverts, roads, soccer fields and things of that nature. I don't see any zoning issues there. When Selectman Roy asked you were you involved in the process, were you involved in any zoning issues in any of those? Mr. Sakati replied, not directly. Selectman Morin then said so there is no real zoning background other than you worked in construction type of thing. Okay so there's no zoning background. Mr. Sakati replied, yes that's correct. Selectman Morin asked where did you build these soccer fields and things. What area? What town? Mr. Sakati replied, in New England. Selectman Morin asked, what towns? Mr. Sakati replied, in New England. So there's one in Nashua that's 111? I don't even know if it's still there. I think it is. Right off 111 on the right if you're traveling towards Hollis. Selectman Morin asked Udekki Farms? Mr. Sakati replied, that could be what it was called yeah. So that's one of them. We did a lot at Devins itself. We did a lot of culverts and grating of roads and that type of work. We went down to the Rio Grande in the state of Texas, correction, New Mexico. We did work with Border Patrol, similar. Putting up you know buildings that are used to warehouse equipment as well as grating roads and culverts and such. Selectman

Morin replied saying, awesome. Thank you. Selectman Morin then asked, why did you choose zoning then? What brought you to that other than we need help and that is very much appreciated. Mr. Sakati replied that's literally the answer to the question. We were here two weeks ago. You, the Board of Selectmen threw down the gauntlet as I would describe it. You need to not just speak but serve and there was a lot of vacancies in Zoning so that's where I threw my hat. And it's something that just naturally interests me. My father was a civil engineer. It's interesting.

Selectman Morin then asked Mr. Sakati, do you have any other particular areas of interest with regard to participating in Town government or nonprofit endeavors, sponsorship or affiliation with any groups, organizations in Hudson other than what you've talked about tonight? Mr. Sakati replied, you obviously know that I've been very vocal in one large construction project that's being, or that was proposed in the Town of Hudson. I, you know, you may have seen I spoke to neighboring towns to brief them on the project itself. That would be under call it the banner of Save Hudson. As Ed Thompson mentioned Save Hudson is not an organization. It's just a bunch of, it's you know, whatever, hundreds of residents that believe that we need to preserve the nature of the character of the Town. Right? Selectman Morin then said so you posted on social media? Mr. Sakati said no. Selectman Morin asked you never did? Mr. Sakati replied nope. Wait, I did make one post to Facebook I think in the last three weeks to say who I think the perspective developer is I think someone had put out that the trust of this new development that is being proposed by Friar's and I simply did a Google search and found out who the developer was and posted that on Facebook. No color on it. Really just saying this is who I suspect it is. Selectman Morin then said okay, now I got to ask you a question. Where you've already looked into the case. Do you see that is gonna be a problem if you get on the Zoning Board? Mr. Sakati replied, no. Selectman Morin then said, you visited the Pelham Conservation Committee on December 9, 2020 and went over another project that we're doing in Hudson? Mr. Sakati replied, that's right. I did. Yes I did. And I also spoke to Litchfield and I also spoke to Tyngsboro. Selectman Morin then said and out of all the Board's the Zoning Board is basically the judges. When they make their decisions. Mr. Sakati said quasi-judicial yup. Selectman Morin asked do you believe any of your affiliations that you would in any manner hinder making a fair judgement in a zoning ruling. Mr. Sakati replied, umm, what I would say is if there were, without vignette's it's difficult to answer that question. If I ever perceived that I had a conflict than I either need to recuse myself or I need to resign from the position entirely. Selectman Morin then said I didn't ask for a conflict I asked making a fair judgement. You're still...Mr. Sakati interrupted saying do I have biases, yes sir, sorry. You know I don't think I have, you know, did I speak up against the project in southern Hudson? You know is that a bias? It's a strong view. But I think everyone, anyone in the Town has a view. I think if someone said I want the project because it brings in more tax money I don't know if they're recusing themselves or they would recuse themselves that would be a strong view as well right? So I would have to judge the situation. Selectman Morin said there's a difference there. If a Board of Selectmen says they want the project we're not making a judgement like the Planning Board or Zoning. Okay? We're you're on the Zoning Board, you're making that judgement. Mr. Sakati replied, right. So if I think back to Madame McGrath's sort of vignette that I think I heard with Ed Thompson, is I think if I felt like I had a bias going into it I'd probably, I would need to recuse myself or to step away from it. Selectman Morin then said, okay the Zoning bylaws has quite a list of what would be a conflict and I suggest both of you take a look at that because there are some things you didn't mention tonight that would fall under that. Mr. Sakati replied, yup.

Selectman Morin then said you understand how the Zoning Board applies to the Planning Board? Mr. Sakati replied, moderately. I think I would have to be very humble in saying I would have to learn a lot in this position. Selectman Roy was recognized with a follow up question which was, were you engaged in any of the legal activities involving the project in south Hudson? Mr. Sakati responded, legal, yes I have been. Selectman Roy said I just

wanted to be transparent about that. Mr. Sakati said if I could just add a little bit more clarity, I am not a signatory to any of the lawsuits. Which is deliberate. But I do, obviously you've heard me speak. You know my views. I've put them all on the table and I would say if I had to categorize my views they're all with the sincerest wanting to help the Town. I can move when this is over if I don't like it or I don't like the outcome I can move. But it's with the sincerest level of commitment to the community that we all live in. Selectman Morin was recognized and said may I just comment to that? Again, as a citizen, I appreciate it, you have every right to. When you're sitting on that Board it's a whole different thing. And I'll ask again do you think your opinions, past and future, will hinder you being able to make a correct judgement on the Zoning Board. Mr. Sakati answered saying, I do not and if they did then I would need to step down. That's as simple as that. Selectman Morin replied, thank you. Mr. Sakati went on to say I do believe the ethics, like I spent too much of my career in fields that require a high level of ethics that you have to draw a bright line. And listen we don't always know where they are. I assume we have resources to bounce or experienced people you can bounce the greys. Because it's not black and white. If it was all black and white a computer would do the jobs. Right? That's why we need smart people that can actually get into this. Selectman Morin then said make sure the record shows the 12/31/22 is the position he's going for. Thank you.

Selectman Guessferd said, I really don't have anything to add Madame Chairman. I've heard a lot here, thank you for your service as well. Mr. Sakati replied my pleasure. Selectman Guessferd continued saying there is a level of integrity that goes along with that. Mr. Sakati replied, as you know.

Chairman McGrath stated I don't have any questions for you because I've heard your presentation. You've responded in relation to Mr. Thompson's questions so I don't think I need to hear anymore. And you're willing to step down on cases that you feel that you have a conflict. Mr. Sakati responded if I had any sort of conflict I would certainly put it in the open. Chairman McGrath then said because you realize of course when you have a conflict, and it comes out afterwards, and you're challenged in court, if it goes to court, then it hurts the Town. And that's the last thing that we need. I've had to make decisions about projects that I really wanted to vote on. But I've stepped away or abstained because I knew there was going to be a challenge in court. And there was no way I was going to put the Town in jeopardy. So it's one of those things where you have to make a judgement call within yourself and you have to have that type of concern for your community. Mr. Sakati replied, yup. My largest concern would simply be what I don't know. And my hope is that there would be mentorship from senior people within Town government that could help provide or dispel that to help identify where those exist. The Chairman responded, thank you. I feel comfortable with your answers. Mr. Sakati replied, I appreciate that. Chairman McGrath then said, okay, again, we'll take two weeks to decide and at the next Board of Selectmen meeting we'll make a decision. Mr. Sakati asked, can I add one last comment which is not regarding my candidacy but I would just like to speak out for Ed Thompson who is absolutely a must approve. He's a great asset for the Town. You know someone who really cares. He's smart, he's thoughtful, he's through, he's detail oriented and certainly puts his heart into trying to make this community a better place. Chairman McGrath responded, we've gotten to know a lot about Mr. Thompson over the last few months. Thank you.

B. Appointment

Zoning Board of Adjustment - (5 alternate member vacancies 2 terms to expire 12/31/21, 2 terms to expire 12/31/22, 1 term to expire 12/31/23)

Normand Martin

Chairman McGrath said next up is the appointment for Zoning Board of Adjustment, Normand Martin, who applied for an alternate member term to expire 12/31/23. Does anyone care to make a motion to appoint Mr. Martin? Selectman Morin made this motion. Selectman Guessferd seconded the motion. Chairman McGrath replied, thank you, because I was going to if you didn't. The Chairman then said motion has been made and seconded to appoint Normand Martin as an alternate member of the Zoning Board of Adjustment with a term to expire 12/31/23. Selectman Guessferd asked can we have discussion. Chairman McGrath replied if you want to yes we can. Selectman Guessferd then said thank you Madame Chair. Two weeks ago I went on record as saying that we had people that had come in and objected to Mr. Martin's candidacy as an alternate member of the ZBA. Since that time we've received some correspondence in his favor as well. I want to make sure that that's on the record as well. There are folks out there who also support him and that needs to be part of our decision process in looking at all that. I've always said that you know, I want to listen to the citizens of Hudson. So there have been a number of people in opposition, there have been a number of people in favor now. And someone spoke tonight, thank you Leo, in his favor. Someone spoke opposed. Personally I believe that Mr. Martin would do a good job. Two weeks ago, despite that, I probably would not have voted at that point because citizens had come forward against him. My personal opinion tonight is after all the input that I think I stand in favor at this time. Chairman McGrath thanked Selectman Guessferd for his comments and asked if anyone else had comments.

Selectman Gagnon was recognized and said and honestly Mr. Norm, this has been difficult. I had notes about you that I had been reading over and over in my head. I guess to make things simple, I would rather vote positively on a term to expire on a term to expire in 2021. I'm hesitant for the '23 term. So I think I'm going to leave my comments at that. I had other reasons here but I'll kind of leave those be. I'd be more in support of 2021 if you were apt for that. Sorry Madame Chair. That's all I have for now.

Selectman Roy was recognized and said so, um, I had asked for the two weeks to think about it. I also received some, I also sort of poked around a little bit. I could not be in favor of a term to expire 2023 but I think that if I were going to go to a compromised position I could go to 2021.

Chairman McGrath then said so, I wasn't going to make any comments but I'm going to now. As I stated at the last meeting, I don't always agree with Mr. Martin. He and I have had many disagreements over the years. But I never questioned his concern or willingness to do what was right for the Town of Hudson. I didn't have to like it. I only had to realize that he was doing what, in his judgement, was right for the Town. And I'm willing to support him. He's apologized for the comments that everybody seems to be concerned about. I think that there's other things behind those comments that they're not addressing but um. I think he should be appointed to the '23 term. 12/31/23. I think Normand has served on the Zoning Board of Adjustment for a number of years. He's served as the chairperson. He helped to write the bylaws for the Zoning Board of Adjustment. That took a lot of time. It took a lot of interest and a lot of perseverance on his part. To throw him to the side because he made one comment that was not appropriate and was insulting to a lot of people. But he's apologized for that. I don't think that we should cause the Town to suffer the loss of somebody that can devote the time, devote his knowledge in zoning. He's served a long time on the Zoning Board of Adjustment. So I'm willing to give him a chance with the term to expire '23. Because

I think he's proven himself and I think he's learned that he needs to be careful about his comments. So the motion has been made and seconded to.

Selectman Morin said I'd just like to comment. As Selectman Guessferd said, we received numerous letters. Those were selectmen, past selectmen. Those were other members that served with him on the Zoning Board and knew what he could do and what he's done. As you stated Ms. Chairman, he did apologize. I knew he was going to apologize and somebody called him on the carpet and he actually did it before he planned on reading his statement. So the apology was coming. It was just brought out before he was ready to do that. Again, you know, we all make comments. All of us. Was it a good comment? Absolutely not. Absolutely not. Has he beat himself up about it? Yeah. I've talked to his family. They were upset. '21? Come on guys. Give me a break. I will vote for the '23 also, thank you.

Selectman Guessferd was recognized and said what I'll say here, Madame Chair, sounds like we have kind of one other year that hasn't been mentioned. 2022. I think that's probably a good period of time, I agree, Selectman Morin, but I think he's willing to come on board. I think it gives him a chance to prove himself again. Again, I feel like he's done, he did a good job when he was on the Board before and I think, for me, I'm not sure I support '23 but I would support '22. Selectman Morin then said before we go any further, where is he? Would the other gentleman like to step up to '23? Mr. Sakati said yes, I would. Selectman Morin thanked Mr. Sakati who responded saying, you're welcome. Selectman Morin then said I'll make an amendment to the '22 alternate position. Selectman Guessferd seconded this. Selectman Roy asked for a roll call vote please. Selectman Guessferd, yes. Selectman Gagnon, yes, if I may make a comment after Madame Chair. Selectman Roy, reluctantly yes. Chairman McGrath aye. Five in Favor, none opposed. Chairman McGrath then said, congratulations Mr. Martin and be careful with your comments in the future. Mr. Martin replied, certainly. Selectman Gagnon was then recognized and said sorry for spending some time on this but I wanted to read a couple comments I've been reading over for the last couple days and why I was torn. Do your best to try to stick to law. Read the RSA's, I'd really appreciate that. Work on how you hold yourself. Everyone's already beat you up about that, you already know I'm sure. Remember who has the ultimate control, the voters. You know, we need to make sure we're listening to them. We've actually been in complete reverse situations and it turned out a little differently so I really wanted to take the higher road. Make sure I made the right choice and not had been vindictive. And I did talk to some of your family members too and she has good advice, listen to her more often. That's all I have Madame Chair.

Selectman Morin made a motion, seconded by Selectman Guessferd, to appoint Normand Martin as an alternate member of the Zoning Board of Adjustment with a term to expire 12/31/22. A roll call vote was taken. Carried 5-0.

Chairman McGrath asked if any selectman had any items they'd like removed for separate consideration.

Selectman Guessferd asked that item 6E be removed for separate consideration.

Selectman Morin made a motion, seconded by Selectman Gagnon to approve items Consent Items A, B, C, D, & F. Carried 5-0.

Selectman Guessferd was recognized and had one change in the minutes. The motion to go into nonpublic session, on page 22, was listed as 8:18pm. It should have read 8:48pm. Selectman Guessferd made a motion to accept the minutes with this correction. It was seconded by Selectman Morin. Carried 5-0.

6. CONSENT ITEMS

A. Assessing Items - none

B. Water/Sewer Items

- 1) Sewer Abatement - S-UTL-21-06 Acct# 5010
- 2) Sewer Abatement - S-UTL-21-07 Acct# 3334
- 3) Sewer Abatement - S-UTL-21-08 Acct# 6329

C. Licenses & Permits & Policies

- 1) Outdoor Gathering Permit - Hudson Speedway Car Show
- 2) Outdoor Gathering Permit - Block Party (new date)
- 3) Raffle Permit - The Bar
- 4) Raffle Permit - The Bar
- 5) Raffle Permit - Knights of Columbus

D. Donations - none

E. Acceptance of Minutes

- 1) Minutes of September 14, 2021

F. Calendar

- | | | |
|-------|--------|--|
| 9/29 | 7:00 | Cemetery Trustees - BOS Meeting Room |
| 9/30 | 7:00 | Sustainability Committee - Buxton Meeting Room |
| 10/6 | 8:30AM | Highway Safety Committee - Buxton Meeting Room |
| 10/6 | 7:00 | Budget Committee - Buxton Meeting Room |
| 10/7 | 6:30 | Recreation Committee - BOS Meeting Room |
| 10/11 | | Indigenous Peoples Day - Town Hall Closed |
| 10/12 | 7:00 | Board of Selectmen - BOS Meeting Room |

7. OLD BUSINESS

1) Selectman Guessferd made a motion seconded by Selectman Morin to hire Angela Routsis as a part-time School Crossing Guard with the Hudson Police Department at the rate of \$14.50 per hour. Carried 5-0.

2) Motion to adjourn at 9:12 p.m. by Selectman Morin, seconded by Selectman Roy. Carried 5-0.

8. NEW BUSINESS

A. Sparkling River Condo Development - Water Main Acceptance (Bracket Lane)

Chairman McGrath recognized Town Engineer, Elvis Dhima. Mr. Dhima said thank you Madame Chair. Good evening everyone. First item for you tonight is Sparkling River Condo Development water main acceptance. This project was approved in 2004. It's been a long way since we got into the last phase. And they're building them right now. About 17 units. They got the water and the sewer done. The water main will be Town property once accepted tonight. It meets all the standards. It's about 1,425 feet of eight inch main and three fire hydrants. This is recommended by the Town Engineer, Public Works Director and Municipal Utility Committee. With that said I'll take any questions you might have. Seeing no questions Selectman Morin made a motion, seconded by Selectman Gagnon to accept the Bracket Lane water main and fire hydrants as recommended by the Town Engineer, DPW Director and Municipal Utility Committee. Carried 5-0.

B. Sparkling River Condo Development - Sewer Main Acknowledgement (Bracket Lane)

Mr. Dhima was again recognized and said thank you Madame Chair. Same development, sewer in this case. What's different about this item compared to the first one is this remains private property. We have to acknowledge that this was done to Town standards because it discharges their sewer into ours. Therefore we kind of own it once it leaves their development. So same thing, last phase. We did all the testing. We witnessed everything and everything is up to standards and ready to be acknowledged that it meets our standards. With that said once we do this they'll be able CO's but this will remain private. This will be the responsibility of the association to maintain if there's any issues down the road. With that said I'm here to ask for you to acknowledge this as recommended by myself, the Public Works Director and MUC. With no questions, Selectman Guessferd made a motion, seconded by Selectman Morin to acknowledge the sewer main was built to Town standards as recommended by the Town Engineer, DPW Director and Municipal Utility Committee. Carried 5-0.

Selectman Morin was recognized and asked is that development done yet? To which Mr. Dhima responded it is pretty much done. So this is the last phase right now. Phase five. Continental is handling the side work and the pavement. You will see me probably one last time for anything related to water and sewer for the clubhouse that they're building in the back but they're very excited to be done very soon. So between this one and I think most of them have already been spoken for, all the units, the clubhouse will be the last piece and it's starting to look really good there.

C. Heritage Landing 8" Water Main Extension (112-114 Greeley Street)

Mr. Dhima was again recognized and explained Heritage Landing is a 62 plus community that was recently approved by the Planning Board. They require water to service them for the domestic and fire protection. The water main consists of 2200 linear feet of eight inch main and seven fire hydrants. I'm here in front of you tonight to ask you to approve this agreement and I'll take any questions you might have. Seeing no questions Selectman Gagnon made a motion, seconded by Selectman Morin to approve and sign the proposed eight inch water line extension agreement for

Heritage Landing, as recommended by the Town Engineer and the Municipal Utility Committee.
Carried 5-0.

D. 35 Sagamore Park Road Sewer Allocation

Mr. Dhima was once again recognized by the Chairman and explained this is the last one for you tonight. 35 Sagamore Park is an existing building. It's an existing sewer user. There is a currently a party interested in purchasing this property. This property right now is entitled to 7,140 gallons. The original inquiry to increase the sewer allocation was 40,000. After numerous discussions with them they responded with a revised request at 22,690 gallons per day. They also understand that our sewer ordinance allows them to contribute to our sewer I & I to basically repair something so we can make capacity in other ones. So with that said our current balance right now is about 160,000 per day. They're requesting 22,690 gallons. You have two motions in front of you tonight to approve the sewer allocations for the amount not to exceed 22,690 gallons per day and the second one is to have a public hearing for the contribution they're doing towards the I & I. In addition I want to say that there's two gentlemen behind me that represent that business they would like to, if it pleases the Board, to talk about what this business is about, what they do, what they serve and where the workforce is coming from and any questions you might have related to this request. With that said I'll take any questions you may have or if not the Board can invite the gentlemen over here to take any questions you might have of the actual business. Chairman McGrath asked if anyone had any question for Mr. Dhima. Selectman Gagnon was recognized and said just quickly recite these numbers for me. The property is entitled to 7,000 gallons per day is that correct? Mr. Dhima replied yes. Selectman Gagnon then said and then they were originally asking for up to 40,000 but they've lowered that to 22,000. That's the correct assumption of all that? Mr. Dhima said that is correct, yes. Selectman Gagnon went on to say, okay, and you said we have 160,000 gallons a day capacity right now? But 22-25,000 is a big chunk of that. I know there's a couple major constructions going on in Town. I'm not aware if they're all in the sewer district or not. Do you anticipate other big bites taking off our sewer capacity? Mr. Dhima answered I want you to write this down. So 158,900 is sewer allocation for anyone that wants to buy in addition to what they're entitled to. We have 365,000 per day, set aside, for anyone within the sewer district that would like to develop their properties. They're within the sewer district, they're entitled to that. We've put that aside. Selectman Gagnon responded got it. We have this 160,000 for anyone that wants to. In addition to that when we revised the sewer allocations about a year ago, two years ago, we did not put everything that we have available in sewer capacity on the books. We were conservative. We only put half of it. So there is still some sewer allocations set aside if we need to revise the numbers down the road. so the sewer ordinance calls for the Engineering Department to revise the sewer allocation balance every so often to see what the uses is, what the improvements have been, how much we are replacing. So that's like an ongoing thing but we are going in the right direction. We've made significant improvements. We have less water users out there. Or they're using less water or less discharge and they'll talk a little bit about that as well. They might be using more water but they're discharging a little bit less because of the operations they have. Everything is getting high-tech. what we're seeing a lot is that people and businesses are recycling the water they have for cooling purposes for example instead of discharging it. So it's an ongoing thing. We're keeping an eye on it. It is like gold. Black gold. But to your point, we have to treat every application, every request separately depending on what they do, what they bring in to the table, the long term impacts, short term, so this one in front of us right now can be accommodated if the Board chooses to do so. The next one in line, I don't know. It's a good question. Do we have things set aside for other developments, yes? Within

the district or anyone that wants to expand within the district like this. They're entitled to this but they'd like that. Selectman Gagnon replied thank you for that answer. The only other follow up question is kind of the off the books rating. How is that legal? In short, how do you do that? How do you put a number on the books and have still some set aside that isn't allocated? Mr. Dhima replied so the number that was presented to the Board of Selectmen was about 400,000 when we did this two years ago. The recommendation was let's set the sewer balance at 200,000. You can do that. You can say we have this much available instead of 400,000. So what that means is you have someone that wants 400,000 gallons and says you do have that much available. It allows you to have a mechanism to revise that but also taking a conservative approach you're not putting everything up front. Everything is subject to change. So if this ever gets to zero, two, three, five years from now, you can go back and say...I don't want anyone to get the feeling that if you get to zero you're out. We don't have it. That is not the case. Next time maybe we don't do that. Next time maybe we leave everything on the books but the approach last time and the feedback we got from MUC is let's play a conservative approach. It was done in a public meeting when it was basically decided let's only put half out there. Selectman Gagnon replied thank you for that answer. Mr. Dhima then said it's like you have the savings and the checking you might have ten grand but you put on the savings five and the checking five. You have ten grand but you have five available to cut a check. Kind of like that. It's the same account.

Selectman Roy was recognized and asked is there a separate allocation for anticipated requests outside of the sewer district? Mr. Dhima replied yes, and it's this. It's 158,900 that you have there. so anyone that wants more or are outside of the sewer district...Selectman Roy said okay so it's more or outside of the district. Okay I understand. Mr. Dhima said yes, anyone that wants more than what they're entitled to and when I say they're entitled 7,140 it's because their property is about 3.5 acres and because this is industrial they're entitled to 2,000 gallons per day per acre. Someone else that does residential would be entitled to 500 gallons a day. It depends on the use. Obviously the heavier industrial, commercial they get to use more. Why, how, that was done when the sewer ordinance was put together. Does that make sense? It's heavier towards industrial and commercial and then residential, anything else is a bit less. But you can ask for more than you're entitled to as long as there's balance. As I said there's two gentlemen behind me that are probably dying to get here and explain their situation if the Board wishes to do so. If not that's okay too. Chairman McGrath said are there other Board members who have questions? Selectman Morin said I just would like to hear a little bit about the company, that's all.

The two gentlemen stepped forward and introduced themselves. I'm Kevin Stolz, I'm the vice president of UniClean. I've been with the company for 25 years. Will Schaeffer I'm with a company called EEC Environmental. We're a consultant for UniClean's parent company UniFirst. Mr. Stolz said did you all get some information? Then I won't go through all of the details and repeat it all. So UniClean started, part of the UniFirst Corporation, in the early 70's based out of Nashua. So we've always been a New Hampshire based company. The majority employees out of our Nashua facility live in Hudson and in Nashua. I live in Manchester myself. I've been here now 23 years. What we do is we service the pharmaceutical, aerospace and biotech industries all throughout New England. We started with two companies in New Hampshire because they needed a way to clean clean room garments down to .3 microns and for microbial background in them instead of using disposables or using dry cleaning processes. So in that kind of way we've got ahead of so we're not having to put stuff in the ground and then we're also not using chemicals. So our washers and dryers we use, you can imagine washers the size of a large car, we're using less detergent than you would in your household cleansing because of the garments are so clean. That's the general background. It's a very high tech fancy laundry. Mr. Schaeffer added one of the main points that we wanted to present her today is it's not a laundromat.

It's not a coin operated laundromat. It's a high tech facility. The property that we're looking to move into we're prepared to make a significant investment in the redevelopment of that property. About five and a half million dollars when all is said and done because it is a high tech facility. Mr. Stolz then said if you look at the fifth page that's a recent facility we built in Indianapolis, Indiana. That kind of gives you a picture of what you're looking at. I remember when we first had customers come visit they're expecting like coin-ops in the back. It's a class 10 to class 1 clean room. 100% HEPA filtered air. We keep the room at 68 degrees 24 hours a day, seven days a week. It's a nice place to be if you have allergies. Mr. Schaeffer then said, I'm sure you have questions. I did want to address one item up front which was the numbers that Elvis put in front of you. The initial request of 40,000 that was prior to us learning of the sewer constraints in the Town. That's a number that we would have been happy to receive to account for future growth at this facility. Learning of the sewer capacity issues, the sewer allocation issues if you will, we revised that number down to the 22,690 number you see in front of you. That is a number that accounts for the existing operations in Nashua, the exact same operation moving here to Hudson. It accounts for a maximum daily discharge from that facility plus a growth factor of 30% on top of that, which is a comfortable percentage for us for our future growth and future customer base. Above and beyond that we understand that we understand that there is a concern on sewer allocation in the Town. It's black gold, so that's a number we're comfortable with. We understand that we would not come back to request above and beyond that. We have ways that we can be smarter with our water on site, install higher efficiency washes and water recycling technologies, if down the line we ever end up coming close to that allocation.

Selectman Gagnon was recognized and said thank you for that presentation gentlemen. Very interesting. This may be for Elvis, so stay on deck. You know we obviously want to attract business to Hudson in certain ways and if they're at their max for this property would they have the ability to buy other properties in the vicinity with potential to expand and getting sewer allocations for other properties in order for them to stay here? Mr. Dhima responded, that would be a decision they would have to make but if they move it within the sewer district and try to do the same thing I don't see why not. Selectman Gagnon then said, different property, yup, okay. Mr. Dhima then said now again, that request will have to come in front of the Board again depending to what they are entitled to and what they are asking in addition to that. Absolutely. It will be a separate one. It could be a yay, it could be a nay, depending what our balance would be at that time. Selectman Gagnon replied saying understood, thank you. That was the only question I had.

Selectman Morin was recognized and asked where are you located in Nashua? Mr. Stolz replied, right in between the FAA Center and Holiday Inn. Selectman Morin replied, that's what I thought. I'm familiar with that. Thank you.

Selectman Guessferd was recognized and said, I'm just curious so you serve a lot of local companies? You said Aerospace? Some of the big local companies in the area here? Mr. Stolz replied oh yeah, the majority of them. There's some on a couple pages. I'd rather not announce it all over. Selectman Guessferd replied, no, no, I'm not asking for that at all. It's nice that you're doing that. Supporting local businesses. I know exactly what the need is for those. Mr. Stolz replied, for all the years I used to run our plant in Nashua. Now I oversee all our plants across the US. But there's not as much business that high-tech in New Hampshire. But what I was explaining is in our business the closer they are to where my services are it can be hundreds of thousands if not millions of dollars they save a year. We want two things. We want to stay here because we've been here since the 70's and two, this is where our employees live. We've looked at too many properties. I'm not a good window shopper, but I've been doing a lot of window shopping. We could move to Manchester and buy land for a lot cheaper and not

deal with this but we want to do it because we believe in two things. Our employees and our customers. Then the other things will come. So that's really why we're putting the time into this property and this location. We liked the setback area. We like the community.

Selectman Morin was recognized and said just want to clarify one more time with Mr. Dhima. We're comfortable with sewer allocations for the future? Mr. Dhima replied, the Board, if you wish to do so, you can accommodate their request at this time. Absolutely.

Selectman Gagnon made a motion, seconded by Selectman Guessferd to approve the sewer allocation request, not to exceed 22,690 gallons per day for the amount of \$79,883.90. Carried 5-0.

Selectman Morin made a motion, seconded by Selectman Gagnon to hold a public hearing on October 12, 2021, to accept \$70,000 for Infiltration & Inflow program related projects and equipment. Carried 5-0.

E. Fiscal Year 2023 BOS Budget Schedule

Chairman McGrath recognized Finance Director, Lisa Labrie. Ms. Labrie started off saying so it's that fun time of the year again, budget season. So I'm just here to present the budget schedule. Proposed budget schedule for the Board. The Town Administrator then said, it's very similar to last year. Basically you have several meetings. I think off Tuesday's you'll be meeting and Thursdays. I believe there are three main sessions and potentially, if we needed to, we could slide to the last meeting in October. This schedule talks about, also contemplates, the Deliberative Session, it will be the second session. There are two deliberative sessions. There's a School and a Town. We usually rotate. Last year the Town went first so this year the Town will be second. That would be the 12th of February with the School going a week ahead of that which would be the 5th of February. Basically what we're trying to do is align the schedule for you to review. The Department Heads submissions for the budget. You can expect the books on the 8th. The end of the day that Friday. You'll have time to review them and we'll start in earnest on the 14th.

Selectman Guessferd was recognized and said the schedule looks good. The only thing for me is personally not that I would ever want to change anything, it looks like it's very well planned but there's a possibility I may be out that week. There's a possibility I may have to help my sister out in California. Chairman McGrath asked, what week? To which Selectman Guessferd replied, the 19th. The big week. Chairman McGrath said they're all small. Selectman Roy replied it's just a long list. Selectman Guessferd then said the 14th it would be fine. The 19th could be a problem. That isn't set in the concrete yet but I just wanted to let you know. Chairman McGrath said that's okay.

Selectman Gagnon was recognized and said the only two dates I'm seeing that I have a conflict, I'm not sure if it matters or not is 10/14 and 10/29 I don't believe I'll be able to attend. But I can do everything possible to review, keep on track and speak with Mrs. Labrie about topics if need be. The Town Administrator asked did you say 10/29. To which Selectman Gagnon replied, yes I did sir. The Town Administrator then said that's when the books are due to the Budget Committee so you're not needed then. Selectman Gagnon then said oh so just 10/14 I may have a hard time with. Chairman McGrath then said so just take a look at the Budget Book for that, for those departments if you have any

comments or concerns about their budgets. Just if you have any concerns or if you want to make changes.

Seeing no further comment Selectman Morin made a motion, seconded by Selectman Guessferd to approve the FY23 Board of Selectmen Budget Schedule. Carried 5-0.

F. Solid Waste & Recycling Collection/Disposal Contract

Chairman McGrath recognized Public Works Director, Jess Forrence. Mr. Forrence started off by saying, big contract. Thank you members of the Board; Madame Chair. First off I'd like to introduce Jim Lavacchia. He's one of the Public Works supervisors and had a big deal in not only getting this contract going but then breaking it down once we opened it to get it so the average person could look at it and probably understand it. Maybe some questions here and there. But I wanted him to be recognized on what he had done. We knew opening the contracts where everything was going but the average person looking at it I think they would have been kind of confused, have a lot of questions, so he spearheaded all that and put it out there so you can kind of understand year by year where things are gonna go. Any questions feel free to ask Jim.

Selectman Guessferd was recognized and said this kind of sits a little bit in my sweet spot in terms of contracts and proposals. So I have a few questions looking at the bids. So was this set up as purely a lowest cost competition? Mr. Forrence replied end result. Selectman Guessferd replied end result was but up front did you have other criteria that you requested that the bidders bid to? Not just cost but what were the other facts if there were? I saw in the evaluation that it was kind of like a one sentence like when considering what we know about them, there wasn't really a lot to be said except for cost. Obviously cost is important, right, low cost is important. They're the incumbent, but were there any other factors that they needed to respond to or bid to? Mr. Forrence responded, when we sat down even with the Town Administrator we looked at the past five years, what we did, what Pinard had done. What we needed to improve and Jim took that all into consideration. We had three of the biggest companies in the world there. Selectman Guessferd commented, oh I can tell. Mr. Forrence went on to say we didn't know what we were going to get. Anybody could have walked in and thrown a low number at it. During the pre-bid that was had there was a lot of questions asked by them. And we were willing to listen to anything. If anybody had a better idea we would look at it. This was just the pre-bid. We could have changed the contract at that time. We gave them enough time where any changes to the contract if it made sense. Legal looked at it. Steve looked at it. So we felt very good going forward. So I think everybody had the same opportunity to look and basically to make us happy. To what has worked since 2007. I think that's the only criteria we really looked at going forward.

Mr. Lavacchia commented, there were some things in this RFP that were very unique. Such as the yellow top subscription service that we have. The extra recycling barrels which are available for purchase. We sat down with all the vendors and explained those services out very thoroughly of what we were expecting in return. Pinard and Waste Management were the only ones that gave us any information back or numbers on those type of things. Waste Management had all kinds of we'll do this but we're gonna do this our way verse you read through their proposal that's what's in there. I had to break it down to a monetary value. Selectman Guessferd said sure, so you had to compare apples to apples. I mean you have to. Because you say based on value and past history with these vendors.

Obviously we have past history with Pinard. But was there any other past history anybody else had? Mr. Forrence replied Waste Management did have the contract in Town here prior to that. We didn't have the "totters" the barrels. The Town Administrator added we didn't have the program that we have now. Mr. Forrence added we went to that and Pinard actually won that bid over starting up with BFI back in the days and Waste Management. Like Jim had stated, we are unique. The Town of Hudson is unique with the yellow tops, the extra recycling and that makes people happy. So to work away from that I think the anger and everything else I think we just didn't want to deal with it. Selectman Guessferd added I have a couple neighbors that have the yellow tops. They like them. Mr. Forrence added, it benefits Pinard and it benefits us, the extra tops. Selectman Guessferd added, my main concern is always did we treat each vendor fairly against the RFP criteria. Mr. Forrence responded saying at the bid opening everybody walked away and they said it was a very good bid that we had put together. They understood where the big number was, the startup cost for a lot of people, compared to what Pinard already has in place. But they understood it. It hasn't been awarded yet but. Selectman Guessferd then said I don't mean to monopolize the conversation. I'm new to the process here but I also come with a skill set that this is very interesting to me. So we feel like we're getting the best value? Mr. Forrence replied, working with Pinard, the lowest bidder and the money there, I think we've gone down the right trail. I think it's gonna open up to something totally different like I said, in the past, with the transfer station and I think Pinard will be a big part of that. We'll see where it goes. But I think we're moving in the right direction. Selectman Guessferd then asked have our complaints over the years, you know people are always gonna complain, have they reduced? Have you seen them kind of...Mr. Forrence replied, you know when I get a complaint, we always direct them to Pinard first. When they call we have them call Pinard first. They're working for us. If they don't satisfy then the call comes to me. My biggest call, I think they missed my barrel. My neighbors got picked up on both sides of me but they missed mine. Whatever happens, we call Pinard and they will go back and get it. Whether it's that day, if it's the end of the day then the next day they go back and get it. So it's great working relationship with Pinard. Complaints with 885 units you're going to get one or two every now and then. Chairman McGrath added as long as they're not knocking over mailboxes. To which Mr. Forrence replied leave that for us! (laughter in the room).

Selectman Morin was recognized and said I know recycling's been a topic and possibly a problem. The Sustainability Committee has had that discussion. How'd we do with that? Mr. Forrence replied, we had two bidders that said there's a lot of communities doing away with recycling. It costs less money to throw it away as trash than to recycle it. But that's a different story. We're not ready to go down that road yet. Mr. Lavacchia then added, this recycling is pretty unique where everything that we recycle goes through a material resource facility. Everything gets blended together at that resource facility and then it gets sent out based on commodities values. Right now recycling, on this contract we're going to be paying \$15.85. It's a variable rate. But that was a good price. Right now the contract we're in, the current fiscal year, we're paying \$25.00. We're going to be saving nine dollars and change on recycling if it continues in this trend. If the trend goes as the past few months have been where things like cardboard, mixed papers, they continue to increase in the commodity value then we're gonna actually see a reduced cost in what our recycling actually costs us to get rid of. It limits some of our exposure. It limits some of the vendor's exposure. It's going to be beneficial for us. When you look at the package, of all the commodities being sold out of that facility today, there's only two that are actually costing money. That's glass and residuals that's left over the facility. So everything else actually has a positive value and hopefully these trends continue in the market place. We can see some revenue generated out of recycling. Seeing no further questions Selectman Morin made a motion, seconded by Selectman Gagnon to award the 5 year FY2023-FY2027 contract for solid waste and recycling collection and disposal to the lowest bidder, Pinard Waste of Hooksett, NH. With the first year of the contract to cost \$2,081,413.40, as recommended by the Public Works Director and the Finance Director. Selectman Morin was recognized with discussion, asking are we starting off with all new containers or are we just

going with the stuff we got. Mr. Forrence responded saying no we're going with the stuff we have. He then said, Pinard has a very good program, if anyone wants to know. Every Friday he's in Town replacing, repairing, anything on that. You'll see some rough barrels out there, absolutely, but they do a great job on keeping things up. Seeing no further discussion a vote was taken. Carried 5-0.

G. HFD - Inspectional Services Division - Fee Schedule

Chairman McGrath recognized Fire Chief, Rob Buxton. Chief Buxton started off by saying good evening, Madame Chair, members of the Board. One of our organizational goals for the year was to review our fee schedule for the Inspectional Services Department. Deputy Tice ran this. He was the project manager on this project. The area of Inspectional Services is responsible for building, fire, health, public education, foster care and daycare inspections. Basically we utilized four area communities to try to make sure we're setting our rates in the right format. Bedford, Londonderry, Merrimack and Pelham all ran similar programs to us. Bedford and Merrimack are joint departments meaning that the fire and the building department are all joined together underneath one roof like we do here in Hudson. Londonderry and Pelham were a split model where they actually split across and we found that they were actually more expensive than we were. So we've looked at those numbers. I've provided a couple of documents this evening. One basically the spreadsheet shows you basically our current fee, adjusted fee amount and then a simple note of whether we're looking to increase, decrease or no change at all. Basically we're also looking to make a couple of additions this evening. These are clerical in nature that were missed the last time. We don't have a minimum fee requirement for a residential building permit. So basically it's a user fee. You come in you get a building permit to remodel your bathroom. Your fee schedule should at least cover enough for an inspector to go to your house for 15-20 minutes to do a rough inspection and a finish inspection. Well, when you have a small bathroom, I mean, you start calculating that out on a square footage price and you look at a fee schedule of eight dollars for a building permit for a bathroom remodel. You're not really covering enough money. I'd like to think that we recognize we pay our employees more than eight dollars to go out and, you know, between permit review and such. So we came up with a residential minimum fee charge for that. The second piece that this staff highlighted was surrounding hot water heaters and as technology for hot water heaters has changed. You now have a gas option and an electric option. So if you put in a gas hot water here, you're paying \$30.00 dollars for your permit fee. If you put in an electric hot water heater because that's what you have in your home, you're coming in and you're getting a plumbing permit, which is \$75.00 dollars. So there's actually more work on the gas appliance side than on the electric side, but the permit fee is off kilter. So we basically said, Hey, we need to set one consistent fee for hot water replacements, and we have a few companies in Town that, you know, that's kind of their specialty. You know, so that's been one of the pieces that we have seen. And one of the other areas that we felt we needed to address was solar arrays and came up with a square footage price that was amenable to the area for solar arrays. And then another clarification was basically accessory structure classification, kind of including not just not just sheds of over 200 square feet, but also decks and porches and porticos, because it wasn't clearly depicted in the definition of the fee schedule to get that done.

So we're basically recommended some changes there this evening. I can go through any of these things that were deleted, we had a residential roof permit that basically was never exercised, and we had a fee schedule on the books for \$50.00 dollars. That was just outdated, right? So we're recommending to do away with that. We did add a couple of fees for electrical and plumbing temporary meters. So a construction site that is put in a housing development, they set temporary so you can do this construction practices. We had no fee where that requires our inspector to go out and inspect the temp, so public service will actually energize it or the water department will turn the water on to it. So we basically are asking for a \$75.00 dollar fee for that. Solar arrays came in at .15 cents per square foot. You'll note that the hot water heater replacement fee is a \$30 flat fee.

And then on the commercial side, one of the things that we noted was we had really a big liability looking at some of the size of the commercial projects have been coming into town, right? So we had a straight \$275.00 fee. If you were putting in a four thousand square foot building or a fifty thousand square foot building or a two hundred and fifty thousand square foot building was the same. And as the construction size goes up, the technical expertise for the review and the inspection in the amount of time the inspectors have to go back because those larger facilities are really built in phases. We felt that we were undercutting what the value was there. So we're looking at \$275.00 plus a penny per square foot over that. And that was that was worked with the average for the area. Ok. So all of these fees that we're proposing this evening kind of work within there. And then on the commercial side, miscellaneous fee was a \$30.00 tent fee that we added. And so certainly willing to answer any questions. We're not looking at huge changes, but felt that the changes that were here, basically we had some liabilities that that were staring us in the face that you know, we needed to address. So it was been five years since we did the last review and felt that it was time to do it again. But that was good practice.

Selectman Gagnon was recognized and said three questions for you. One, you said you're removing the roof permit. I'm all about removing fees, obviously. But in terms of safety, even though you didn't get applications, people may not want to or come by or even know, do you think there's a safety hazard in not inspecting roofs because it's a major asset to a house? Chief Buxton responded saying so when you get a residential building permit and when you receive CO our responsibility or liability or legality for us to go onto your property and pull an inspection in your home ceases. So when you hire a and I'm just going to use Chick Bolier Roofing and Siding right when you hire them to come in and put a new roof on, they're not coming in and pulling permit and they're not reopening a building permit process. If you do a renovation and you open a building permit that offers opportunity for us to go in and look at the plumbing, the electrical and the size of the rooms, look for illegal bedrooms and ADU sizing and affords the opportunity for us to have the Assessing Department come in and keep our records up to date, right? But for a cosmetic change like a roof like that, that that is on the homeowner and is not on us to do so, I felt that was very reasonable. Selectman Gagnon then said Ok, and lastly, on commercial for electrical as I dabbled in this in my last career, do you do just evaluations of the electrical systems in the building or do you actually evaluate electrical equipment that's install like one phase or three phase of? Chief Buxton responded, yeah, so that's great question. The utility manages the street side of the business, and we will manage from the media socket into the building. And that review process from the main service panel to the branch circuits. And then we'll make sure that the equipment that is being installed is installed to manufacturer specification, and that's exactly off an engineered set of plans. Depending on the type of machinery that's coming in, we'll make sure that the service side to that particular piece of equipment was being installed appropriately.

Chairman McGrath then said, I have a couple of questions, sure. I went over this this afternoon and just questioning like under the residential first page. The five hundred plus square feet under accessory structures. The point one zero is that 10 cents per square foot? Chief Buxton replied, yep, yep. Chairman McGrath then said I wasn't sure if that was just broken down that. Chief Buxton replied, I'm sorry if that wasn't clear. Chairman McGrath then said And Again, under on Page two or residential, adding the solar array. There isn't. It's blank for current. We don't have any? Chief Buxton responded we do not have anything currently. Chairman McGrath asked and we're going to add .15 cents per square foot. And the temporary trailer the same thing?

Chief Buxton responded yes, and just on the trailer piece, we've actually had a couple of opportunities in Town where they've either had a fire or something catastrophic happen to a home. The insurance company puts a modular home in the front lot and there's, you know, electrical, sewer and water connections that need to be go out and be inspected before that can go online. So that's where that fee comes in. Chairman McGrath said Ok, I'm good. I went through the whole thing and I wasn't sure about it. Seeing no further question, Selectman Morin made a motion, seconded by Selectman Roy to hold a public hearing for the proposed Inspectional Services Fee Schedule adjustments to be held October 12, 2021. Carried 5-0.

H. IT Director Position

Chairman McGrath recognized the Town Administrator who said as we're all aware, the IT Director has announced her retirement effective November 30th. In order to get going on her replacement what I provided you with is a job description. The marked up copy Ms. Nute took a look at, and quite simply put, the Board can take a look at it if the Board wants to amend or change something or has any questions. I'm also recommending that if the Board wants to go outside to recruit for the position that we consider using Municipal Resources for that process. Municipal Resources actually will recruit, gather resumes, do a first review and then provide all those candidates to us for the Board's consideration. We did that process with the Finance Director. If you recall last year, so I thought it would be prudent the Board wants to follow the same process. It would be approximately \$1,500 give or take. Plus the cost of advertising. So it's open for discussion for whatever the Board would like to do.

Chairman McGrath asked if any Board member had comments, questions or suggestions. Selectman Roy was recognized and said I think that we need to take kind of take a deeper dive into the position description before we put it out to advertise. I think in the last 15 years, this position has probably grown and changed and done a bunch of things. I know I sent an email out a couple of weeks ago. I pulled a couple of job descriptions. Obviously, we don't have to take from all, all, from every job description, but I think it's a discussion that's worth having. One of the things that strikes me initially is I believe that this this Department is a support department, right? So it supports all the other departments. So to me, there should be words like in the job description, like collaboration and cooperation in in developing plans in conjunction with other departments so that that there are some melding of ideas going on. So those are my initial ideas. I don't know if anybody else has anything that they want to.

Selectman Morin was recognized and said I agree with, Selectman Roy, we need to take a hard look at this, and unfortunately, we got to do it pretty quick so we can get this out and get somebody in here. I think it's been a long time and we need to look at it and make some changes. There may be even changes now where we have bigger departments that need their own IT person as the police do, and we need to really take a look at that and move forward. As Selectman Roy did I got some went online also and got some job descriptions. And I think we if it's agreeable to everybody, the next meeting at least come back and so we can get this process moving because I think we should go outside just to give ourselves the option to see what's out there, right?

The Chairman asked Do you do agree that MRI should be the company that we consult with? Selectman Roy responded Yeah. Chairman McGrath then said and so my suggestion would be too to consult with them about the the job description because they may have ideas that we wouldn't think of. Selectman Roy replied, so and I'm not necessarily opposed to that. Do they provide that service of developing? The Town Administrator replied, they have experts on staff, I.T. folks that have been in the industry. So yes, they would be able to look at the job description and make suggestions. It's your job description. Selectman Morin added they did that survey for us last year on the department. So yeah. Selectman Roy then said because you know, quite frankly, a lot of the stuff I looked up doesn't obviously match exactly this community as far as the city versus a town and population size and things like that. So. So I mean, I'd love to hear from everybody. Selectman Morin asked how fast you think they could get that to us. The Town Administrator responded I'll ask him to have it for the next meeting, Yeah. I mean, the next meeting is the 12th. Presumably, you're all going to bring in whatever you want on the 12th. Right? I don't know what you all want. Selectman Guessferd asked Sure. Can we take a look at some similar sized towns in the state as well? And is there is there an opportunity to do that? I mean, what is? I don't know. Selectman Roy said so I know I reached out to Pelham and they sent me theirs. What I didn't realize when I did that was they're actually significantly smaller. Selectman Guessferd said I was going to say, maybe like Derry or something. Selectman Roy agreed and said and then I didn't get the opportunity. That was my next kind of idea is to reach out to someplace like Derry. That might be a little more comparable to our

Town. Selectman Guessferd added or maybe Londonderry. Selectman Morin added Yeah, yeah. But we can at least get them to give us something and we can take and then compare.

Chairman McGrath then said, But MRI might have, I don't know. I'm just throwing this out there. They may have examples of other towns that are similar in size and similar in nature to Hudson and with their suggestion of what what they Put in the job description. Selectman Guessferd added Sure. I mean, you know, I mean, Steve, you might reach out and they may go, Oh yeah, we have. One thing that it's not out of the question to

The Town Administrator responded one thing that I find is my years of experience is no two towns do anything alike. Selectman Roy replied, no. But that's what I'm saying. But at least we have a starting point and we can, you know, even with one. The Town Administrator said I will certainly start with MRI because it's the logical place to start based on their recruitment that they do overall in the region, not just New Hampshire. They do it in Massachusetts, Vermont, and Maine. We'll see what they can offer. Yeah. And if we get something, I'll bring it in to the Board. Selectman Guessferd added, absolutely. Yeah.

Selectman Morin was recognized and said so if we want to gather some stuff and take their suggestion and then add if something that we see will just move that forward. So you need a motion to move forward with MRI? Selectman Roy added For the job description.

Selectman Morin made a motion seconded by Selectman Roy to contract MRI for costs and to do a survey on the I.T. Directors job description and report back to us for October 12. Chairman McGrath asked but you also include in that motion, whether or not we're going to have the MRI review the applications, and...Selectman Morin said I think we should have them do it. Selectman Roy responded, Right. But I think we'd have to have the we have to have the job description approved first and then have MRI Advertising. The Chairman said well I'm just thinking that we could take care of that tonight so that it's clear for all Of us. The Town Administrator then said they're not going to able to do anything until we get a job description. The problem is, if you did that, I can't give him anything, right, so they're going to wait anyways. Now I certainly speak to them and I will be letting them know that one step will follow the other step as I've already spoken to them. This this isn't happening in a vacuum. I've already contacted them. Selectman Roy said Okay, so I'll second that motion.

Selectman Gagnon was in and said it's actually Mr. Morin's point, which I thought is valuable if we didn't extend on it. You know, we have one IT Director, but you're right. I mean, someone that would be dedicated to the police station, you know, for confidentiality reasons. Selectman Morin responded and we have that now. There's other departments now are getting to the point where, and when and when I say they're dedicated. The Police Department IT person does handle the public works and things like that, but they stay there. So it would be the same here. You may point them somewhere here, wherever. Selectman Gagnon asked will they all report up? Selectman Roy said Well, I think that's the that's the thing that we need to we would need to establish is what does that look like? Do they work for that department head or do they work for the IT director? And then how does you know they can't work for two masters? Selectman Morin said Right, right. I don't know my personal opinion, and we can get into that. When the time comes, it would still be under IT, but they're assigned. Selectman Guessferd added Yeah, matrix, like a matrix, right? Selectman Roy added like an operation. The Town Administrator added, which is what they do now. They work for the IT director, but they are they are assigned to support that organization...Selectman Morin added you start Assigning them to the department heads. What's the sense? I have an ID Department? Selectman Roy added, and that's one point. And then, but I think the other point is that all the department heads know what that looks like, that they know that. Yeah, I know this person comes to my department every day, but at the end of the day, they work For the IT Director, right? I just think we need to be clear about that. Selectman Gagnon said Okay. So I guess the follow up to that is if the job description for the IT Director didn't list who the who reports up to them and what the IT Directors position in supporting their lower colleagues. The only other question I had or thought I had was an update on minimum qualifications. I'm looking forward to see what MRI comes back with,

with what is today's up to date, but to me that stands out as a sore thumb that, you know, the I.T. there's so many certifications, a lot of my friends are in it that, you know, maybe a higher degree and list some actual certifications that we think are valuable to kind of pick more of the cream of the crop. Selectman Roy added so, so yeah, I would suggest that that it would be a master's degree, preferred. Mandatory minimum of a bachelor's degree. Selectman Gagnon said that's all I had. Thank you,

Chairman McGrath asked are you all set Steve. To which the Town Administrator replied, As long as you pass the motion, I'm all set. Seeing no further discussion a vote was taken on the *motion and carried 5-0.*

I. VFW Post 5791 Loyalty Day Award Nomination

The Town Administrator was recommended and said we've got a request from the VFW Post 571 for a Loyalty Day nomination. They've requested a Town employee, so there's a separate award for a police employee, a fire employee and a school employee. This would be for town employee. If you look at the list in the last two pages, you can see some of the recipients. Frankly, I think this year a couple of unsung heroes Mike Johnson and Jackie LeMay. Those are the folks that supported every meeting that every week, and I think this is the year that we would recognize those folks Jim McIntosh put their nomination forward. And I think it's well deserved. Selectman Roy said I could not agree more. They did yeoman's work. The Town Administrator added and they did it with a smile. They never complained. So if the Board, it's up to the Board, but I'd like to nominate them with your with your approval. *Selectman Guessferd made a motion, seconded by Selectman Morin to nominate Michael Johnson and Jacqueline LeMay, Production Coordinators for HCTV for the 2021 Hudson VFW Post 5791 Loyalty Day Award. Carried 5-0.*

J. Recommendation to Revise Estimated Revenues for FY22

Chairman McGrath recognized the Finance Director who said so good evening again. So as is customary this time of the year, before setting the tax rate, we recommend a revised budget schedule for anything that may have changed, increased decreased. The schedule you have before you are the biggest changes or the changes. Some, if you see it as a minus, that's something that actually was unplanned and is an increase and anything that's a positive number is actually a reduction or a decrease. Your biggest changes are related to meals and rental tax. We received notification from the state that we're going to expect to receive an increase in that this year. Unfortunately, that was offset by a decrease in investments, interest and investments. Anybody who has a savings account or you know that it's as stable, say pretty anemic these days. So unfortunately, that had to be revised down. The other big items was the bonds, the Police Department, the police station proceeds from bonds, which obviously that was voted down by the the voters. So that has to be taken out. And \$175,000 for the assessing revaluation, which ended up being covered in the budget and was not needed. The Town Administrator added we're going to do it out of the capital reserve, as we discussed during the default budget. So the bottom line is we just we have an opportunity to update this document with DRA. And what's going to happen is in October, we're going to come back and we're going to have a discussion about the tax rate. This is a component of the tax rate, as is the assessed value of the Town. We know what we know the appropriations are. That's that number was voted on back in March. That doesn't change. But revenues can change based on circumstances, and we will have the number for the assessed value. We'll also have School numbers, so we'll be able to look at what the tax rate looks like. This is but a piece. This is due in September. That's why it's in front of you. This is typically when we do it every year. This year, it's fairly modest, but we had to take out the bond proceeds. We simply don't have it. If you look at the rest of the general fund revenue, I think it's about

twelve hundred dollars, which is pretty minimal. Again, we were fortunate that we got information that rooms and meals tax will be going up or our share will be going up. But we have to drop the interest, which just it's just not there. As I've said to you, I think every meeting when I come in and discuss the revenues with you. So fortunately, there's a balance there. It's fairly neutral to the taxpayer. And again, you'll see more when we do the tax rate most likely in a couple of weeks. Seeing no further questions Selectman Morin made a motion, seconded by Selectman Roy to approve the revised estimated revenues for fiscal year 2021 and the amount of in the amount of \$17,049.462 as recommended by the Finance Director. Carried 5-0.

K. Action Taken During BOS Nonpublic Session August 24, 2021

The Town Administrator was recognized and said so a mistake was made in the non-public session of August 24th, 2021, where the Board discussed the addition of a permanent part time accounting position and then subsequently appointed someone to the position that should have been separate. The position discussion without a name should have been held in public. It was okay to discuss the candidate in non-public, so we made a mistake. So I spoke to the attorney. How do we correct it? We're disclosing it in public. So this is entered into the public record, along with the documents that were part of the non-public related to that item that's entered into the record. And our Attorney said that should be sufficient to make it public. Again, it was inadvertent. It was an error. I think it's the first time I can recall us making that sort of error in my tenure. So it happened. We're fessing. We're, you know, letting everybody know we're putting it into the public record and do our best not to have that happen again. I didn't have a motion which just to put it into the record because you've already you cannot spill the muck. You've already done it. I've already hired somebody for at least two schools. And so if anybody wants to, these are the documents. Chairman McGrath said to Selectman Gagnon so you can respond to one person that sent out the email. I know you've already done that.

L. Nomination and Appointment of BOS Chairman

Chairman McGrath recognized the Town Administrator who said so basically, if you read my memorandum, it appears based on the selectmen bylaws that Mr. Coutu, when he left, he created a vacancy. In his absence of vice chair, McGrath's been filling the role. But if you read the rules, basically a vacancy is permanent and needs to be filled. So I put that in front of the Board for your consideration to nominate and appoint the chairman.

The Chairman asked anybody have, Selectman Guessferd, somehow I knew that. Selectman Guessferd, being recognized said well, not so much discussion. I'd like to make a nomination. I nominate you, Vice Chair, Madam Chair, to take the position. Chairman McGrath replied, thank you. She then asked is there second? The Town Administrator said I don't know if you want to do other nominations. I had broken it down where you take nominations, close nominations, then you make an appointment. Selectman Morin said I'll second that nomination.

The Chairman then asked are there any other nominations? Selectman Gagnon was recognized and said yes, Madam Chair, and Mr. Malizia, I'd like to nominate Mrs. Roy for chair. Selectman Morin seconded for discussion. Chairman McGrath asked any discussion? Selectman Guessferd was recognized and said yeah, I'll offer some discussion. My concern is stability. This year, we've had a lot of unstable situations, and we've had a change in leadership within the Board. I think it's important as we go into our last six months of the year that that we maintain some level of consistency. If we nominate a new chair, whoever it is at this point, I look at it as you know, we have three chair people in one year. I'd rather see some level of consistency. And so when Chairman Coutu stepped down

you took the position as temporary and I think to change again at this point, it's probably not in our best interest. That's just my view. Selectman Morin made a motion to close nominations. Seconded by Selectman Roy. Chairman McGrath asked so how do we do this? To which Selectman Morin responded take the first nomination and do a vote. Do a vote for both.

Selectman Guessferd made a motion, seconded by Selectman Morin to appoint Selectman McGrath to be Chairman of the Board of Selectmen. Carried 5-0.

Seeing no reason to do a vote for Selectman Roy, the Chairman so okay, so I guess I'm it. Selectman Roy was recognized and said so does that open up vice chair? The Town Administrator said yes, so now that you mention it we should have discussion about that.

Selectman Morin made a motion to appoint Selectman Roy as vice chairman. This was seconded by Selectman Guessferd.

Selectman Roy made a motion to nominate Selectman Morin as vice chairman. Selectman Morin said, I decline. Selectman Roy said, I do too. I prefer not to. Selectman Morin was asked if he'd do it and he responded, I decline.

Chairman McGrath said Selectman Guessferd, I nominate you as vice chair. Is there a second? Selectman Gagnon seconded this motion. Carried 5-0.

9. Remarks by the Town Administrator

Town Administrator. I'm very brief this evening. The Planning Board would like to meet with the Board of Selectmen and Attorney Lefevre in public, to discuss at a workshop next week, to discuss the transition from the appointed boards elected board. My understanding from our liaison, our representative to the planning board that they've asked for that meeting, it may take an hour, but they've asked for it at the at the next workshop. Next week, the 5th. Attorney Lefevre is available, so if this Board pleases, we could schedule that. Put that on for next Tuesday.

The Chairman asked Selectman Roy, are you available? To which Selectman Roy responded that's what be checking right now. Selectman Guessferd asked, what's this for? I'm sorry this is to discuss the transition from the appointed planning board to the elected planning board and all that kind of moving pieces. How it may affect their bylaws, what happens with alternates, how does this all work? That would be next week here, the 5th, October 5th if the Board, if the board is, it's not attorney client, Attorney Lefevre will be here, though, if everybody is agreeable. Selectman Guessferd asked how long does this last. The Town Administrator replied as long as you have questions. Could be an hour. To which Selectman Guessferd asked during the day? To which the Town Administrator replied at 7:00PM. If for some reason you couldn't do it, then you're next really available is going to be the workshop meeting in November because we've got a lot of budget meetings tying up.

The Chairman said the voters may find that they've made a mistake by doing this. Selectman Roy added, or not. The Town Administrator said but nonetheless. Selectman Roy asked well, that would have to be another warrant article, wouldn't it? The Chairman added and it can be a petition warrant article. The Town Administrator replied, yes. Nonetheless, we still have to determine how best, how it's going to work, what effect it has on current members terms. But my understanding was the Planning Board had the questions and they wanted to meet with the Board and the Attorney. It would be public. It'd be probably less than an hour, maybe an hour, and they have those questions. So that's what the workshops for it. To kind of have a little bit more time on a topic. I've talked to Attorney Lefevre he's available. I've given him the basic outline, so he knows basically what he's what he's been discussing. I believe he's got a copy of the bylaws so he could

come and answer questions and explain the process. So everybody is aware of what it is. Everyone was in agreement with this.

10. Remarks by the School Board - there was no School Board member present.

11. Other Business/Comments by the Selectmen

Selectman Guessferd: Really, I don't really have much else tonight. I think we had a good meeting, got a lot accomplished. And thank you for Um, being here and being on the Board, thank you for your votes for vice chair. I wasn't expecting that, but forward to moving forward in the budget season. This is a great time for citizens to be involved to let us know what their thoughts are. We had a tough year this year with a default budget. This would be an opportunity to really kind of express our needs and make sure that the citizens know what they are and why.

Selectman Gagnon: One statement and one question. I met with the Library Trustees and they were positive in joining the Joint Committee for Cost Savings. I let Mrs. Roy know and she'll be leading that effort, including, I believe it's Mrs. Blue or Trustee Blue who will be joining us. And then one question for myself, based on all the new positions vice chair and chair do liaison assignments, are those just set for everyone, as is or those changes? Chairman McGrath replied they were set. No, they're not going to change because they were set originally when after March, Selectman Coutu assigned all of them. There's no point in going and mixing all of that up now. I mean, we're far too far along in the year to make changes. Selectman Gagnon replied okay. Selectman Roy added those change again in March. Selectman Gagnon replied just kind of curious how that felt. All right. Great. Thank you.

Selectman Morin: I got a couple of things. First last meeting, we talked about the American Rescue Plan and we basically tabled that. Well, since that time, the Department Heads have submitted all their requests. And I think if we don't act on that, it's going to be a hindrance to the budget process because we have that money, but we don't know what we're going to do with it, and it may stall some of the projects that we need to move forward. So we need to get out there and get that out and at least have that presented what we were looking to go for. So I'd like to if we got to make a motion to have that committee formed and get to work on that as soon as possible. Selectman Roy said if I could piggyback on what I think, that's a good idea. I think that I guess upon further research, it's probably better off that we do it concurrent with the budget as opposed to separate from the budget. So I did have a brief discussion with the Fire Chief about that. And he indicated he could do an initial meeting of the committee before the next regularly scheduled meeting on the 12th. So, so I think that is a goal that we should we should go for. Chairman McGrath added so you want to add it on to the next Tuesday's meeting? Selectman Morin replied, No, no. Well, yeah, yeah, for us to discuss. But we have to set up a date for that board. Selectman Roy said Well, I think we have to set up the committee. We have to at least decide who's going to be on it. Selectman Morin said I'd like to do that tonight, if not tonight if possible. Selectman Roy agreed and said yeah, who's going to sit on that committee as our representatives, right? And if I could suggest Selectman Gagnon and Selectman Morin be the two representatives? I think that would be good diversity to the Board, to that committee, from this board and a couple of different viewpoints there. Chairman McGrath asked what are they going to be deciding on? The Town Administrator replied, they're going to be looking at requests. So they're going to be looking at requests and having a discussion about Department Heads request so that we can formulate something that the full Board can look at. We're not spending money. We're looking at how we would recommend spending the money. So you'd get a

couple of different viewpoints. You'll have some staff, as we talked about, and it'll come back to the Board at some point in time when the committee's work is done. Selectman Roy agreed saying right, it should come back as a prioritized list. And then we would decide, you know, either we accept that prioritized list as it is or we switch it around or we take things out and add things on. But it would lie with this Board to make the ultimate decision.

Selectman Morin added And I just I just think with that hanging over us with budget, we need to do this so we don't get stalled. Chairman McGrath added I'm fine with that.

Selectman Roy made a motion to appoint Selectman Morin and Selectman Gagnon to the ARPA committee. Seconded by Selectman Guessferd. Carried 5-0.

Selectman Morin went on to say Last week, I attended a city of Nashua aldermen meeting. They were discussing how much towns and cities pay into the retirement system, and I want to make it clear I'm not looking to get rid of any retirement problems because I'm in that, but because of a mistake the Legislature made probably 20 years ago, now the amount that towns and cities have to pay in, and it was a very good conversation. I understand perfectly why Nashua called them down there because the mayor stated that a \$7000 tax bill \$1000 in that tax bill goes to the state for retirement because they used all the money back in and other funds. So I don't know if that's going to come forward as a as a towns and cities getting together to try to. I don't know. But it was a very good meeting and we are paying a lot of money. Selectman Roy asked so is that something that maybe we should push to our to our elected representatives to answer that question?

Selectman Morin said what they did was they brought the state retirement people right into their meeting. It was the retirement board people. The Town Administrator said Nashua being a city and Nashua having many employees they certainly pay a hefty share towards those employees. To set the scene back in the day. The New Hampshire Retirement System started back in the sixties. At some point they added fire, the added police, and they used an actuarial method of valuing future commitments. That is not commonly used. I think only two or three states were using that method. Forty seven or forty eight states were using a different method. Probably 15-20 years ago. Somebody woke up and said, Oh, we're not funding this properly, and there's been legislation and other action taken to catch up to make that so that the liability, you know, then they have the ability to make the scheduled pension payments based on their actuarial tables, and they're doing it, I believe over 30 years. I think that's the number. So we pay, the Town pays, a premium rate over and above what would be a typical normal retirement rate to make sure this catch up is taken care of this catch up formula. Not only did they tag the Town, they tagged employees. Our pension rates went up, but we don't get more pension. We're just paying more in because the system didn't properly account for future liability. It was all going great till somebody said, Hey, wait a minute, we're not, you know, I can't remember all the percentages. Hudson's managed it reasonably well. Let me let me digress a little bit to the state also used to pick up the tab. 35% for the fire and police people. They want to cut that to twenty five then. Oh, mistake. Now it's zero, so we pay the whole freight. So I think that's really,

Selectman Roy asked so you're paying for his pension. To which the Town Administrator replied Yeah, we all are, which is. But if you stop and think about it, let's say you had a million dollars, you know, million dollar pension payment. Well, the state was picking up 35% percent. So you're paying six fifty. Oh, they dropped it down twenty five and now you paid \$750. They dropped at zero. Now you're paying the whole million. So Nashua has got a lot of money on the table and I think it detracts from their other services to that point. We be in a smaller community, we deal with it, and we manage it. The rates have gone up, no doubt about it, but I don't think it's as bad as Nashua. Selectman Morin added we're not because we're smaller and less employees, but we're still we're still taking the hit. They have a fund right now of \$11 billion, 11 billion.

Selectman Roy asked so when is this plan supposed to end? The Town Administrator answered, 30 years, but not from now. It was from like a dozen years ago when they first they put this in the plan. Selectman Morin added the thing is, is what they're doing is they're getting a 100% fund. So what

they're doing is if we hired a police officer or a firefighter today, pay their pensions paid right. So we don't need to do that. They're not going to be here 20-25 years. The Town Administrator then said, they've taken actions to fire and police personnel have to serve longer now. I think they have to serve at least twenty five years versus 20. They have to be 50, I think, versus 45. So they've changed some formulas. They used to do things, for example, like back in the day, if you left the employee of the town and you weren't vested, you could leave your money in the pension system for nine years and they were making a they were paying in nine and a half percent return. Why wouldn't you leave your money there? That's they've cut that. They cut it back to two. And now I think it's six months. So they've done they've done things to try to alleviate the situation, but they still are looking at like, he said, 100% funding for everybody in the system. Does that mean everybody's going to quit tomorrow and get their pension it? It's probably not practical to have that. Yeah, but it's also not practical to have 30% either, which is, I think, where they were

Selectman Roy said so I guess my question would be what would be what's the fix? Is it legislation? Selectman Morin Yeah, yeah. The Legislature. Selectman Roy asked is there anything before the legislature now? Selectman Morin said they Tried last year. One of the aldermen last year is also a state rep and had put in a bill. And what happened was all the little towns that have maybe five or 10 employees who are in the system voted no because it doesn't affect them, and it didn't pass whether they're going to do it or not again this year, I'm not sure.

Selectman Morin then said the next thing could drag its relations to all our employees tonight, the Grange awards were tonight. I don't know who was recognized, but the awards were tonight and the last thing Selectman Roy and myself attended the services for Sergeant Briggs. It was a huge, huge turnout. It was very impressive between the residents and friends that were there and the amount of retired police officers and present day police officers from around the state. It was a well-deserved honor for her. Selectman Guessferd added I was there about 1:30. It was impressive and people just kept coming. Chairman McGrath added I didn't know her, but she sounds like a wonderful person. Very sad and so senseless. Yes. I don't know what he was thinking for doing this. Either way the end result was tragic.

Selectman Roy: So I attended the latest NRPC meeting last week. We approved the Regional Traffic Improvement Plan, which goes into the state traffic improvement plan. We also approved a program that was presented to us at the last meeting for sidewalks and bike lanes. And I've kind of had conversations with Brian about how that might benefit Hudson. And he's looking at that and, you know, we'll see where we go with that. It looks like a good, maybe a good resource for us to help us improve cyber, you know, some issues we have with sidewalks in town. But again, I Brian's taking a look at that and I'm sure he'll put together whatever's best for the town.

Chairman McGrath asked is he going to be working with the Planning Board on that? Selectman Roy replied I'm sure, I'm sure, Chairman McGrath said because the Planning Board, if they have site plans, they should be, you know, addressing that during the site if they can accommodate sidewalks. Selectman Roy replied, right. And then there's some places, as I found out in discussing with, uh, Brian, there's some sort of gaps in sidewalks, particularly like if you look at 102 there's just gaps that we may be able to address with this program. And then they started a discussion, and it's only a start of a discussion about some mass transit particularly going not using rail, but going between Nashua, Tyngsboro and Alewife in Cambridge and I forget the other one. Another place in Massachusetts. But using bus buses to get people to the commuter rail. Oh, Lowell. to the commuter rail in Lowell so that maybe some of our residents can start using those public transportation services instead of driving. Obviously there's a move to reduce vehicle traffic, either through mass transit or through alternate means of travel. Bicycles, scooters, walking. So that's what happened at that meeting. The next meeting, I think, is in December. So we'll see where that goes.

Chairman McGrath: I have no comments. My voice can't hold up to it.

12. Nonpublic Session

Motion by Selectman Roy at 9:30 p.m., seconded by Selectman Guessferd to go into non-public session under RSA 91-A: 3 II (b) the hiring of any person as a public employee. A roll call vote was taken. Carried 5-0.

Chairman McGrath entered Nonpublic Session at 9:30 p.m. thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman McGrath entered open session at 9:59p.m.

Motions made after nonpublic session

1) Selectman Morin made a motion, seconded by Selectman Guessferd to hire Christos Tufts as a HCTV Camera Operator, and will be classified as a "Regular Special Shift Employee" at the current rate of \$12.50 per hour. Carried 5-0.

13. ADJOURNMENT

Motion to adjourn at 10:00 p.m. by Selectman Morin seconded by Selectman Gagnon. Carried 5-0.

Recorded by HCTV and transcribed by Jill Laffin, Executive Assistant.

Marilyn E. McGrath, Chairman

Bob Guessferd, Vice Chairman

David Morin, Selectman

Kara Roy, Selectman

Brett Gagnon, Selectmen