

HUDSON, NH BOARD OF SELECTMEN

Minutes of the March 1, 2022 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of March 1, 2022 at 7:00 p.m. in the Selectmen Meeting Room at Town Hall
2. PLEDGE OF ALLEGIANCE led by Benson Park Committee Chairman, Dick Empey
3. ATTENDANCE

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

Absent: Brett Gagnon

Staff/Others: Rob Buxton, Fire Chief; Tad Dionne, Police Chief; Dick Empey, Benson Park Committee Chairman; Diana LaMothe, School Board member; Jill Laffin, Executive Assistant

Absent: Steve Malizia, Town Administrator

Following Attendance, Chairman McGrath asked Police Chief, Tad Dionne, to come forward to be sworn in as Police Chief. Chief Dionne was sworn in and received a round of applause from all who were present.

Following the swearing in of Chief Dionne, Chairman McGrath recognized Planning Board Chairman, Tim Malley. Mr. Malley handed out a document to the Board. He then started by saying Mr. Malley said, so thank you. I just wanted to take an opportunity, at Candidate's Night there was a lot of questions about the master plan. I put together a timeline of where it stands. So I'll read through this, and then if there's any questions just stop me. So at the Candidate's Night, there was much discussion about the master plan. So who does the master plan? The Town of Hudson currently has a master plan that was adopted by the Planning Board in 2006. I have been told that our current master plan was a result of years of work by the Planning Board at the time, and it's a 231 page document. So this is some good news for you guys. The Board of Selectmen do not oversee or adopt the master plan so that's your get out of jail free card. The Board only needs to provide funding in the budget for the process, which the Board did approve \$25,000 for fiscal year 2021. I do want you to know I went back on some of the minutes back in 2012. It was estimated it was going to cost \$110,000 for the master plan. So apparently there was some ability by working with NRPC to get it down at a much lower cost structure.

Mr. Malley then went on to say, then I go into basically I just copied the RSA about the master plan. The couple of things that points I wanted to point out was the RSA doesn't give us a specific time for the master plan to be updated. There is a point in the RSA where it says it's recommended to be looked at every five to 10 years, but it's not a set in stone time frame for it to be reviewed. And the other thing is the master plan is not the zoning ordinance, so it's a guide to help create zoning ordinances, but it's not the zoning ordinance. It's basically just a guide for that development side of it. I'm not going to I'm trying not to read the whole thing, I'm just trying to do kind of the bullet points. So in 2011, in August of 2011, the Planning Board had on their agenda for review of the 2006 master plan. From what I was able to grab from the agendas in February 2012, it was talked about again and then in March 2012, there was a determination from Town Council at the time, which I believe was Attorney Buckley that it didn't need to be reviewed until after 2015.

Mr. Malley went on to say, so then from the planning department, we had a little upheaval with our town, a longtime town planner leaving, then we had a short term temporary town planner and that kind of all lays out that in 2018 Mr. Groth was brought on board. During one of my first meetings with

him when I became chairman was master plan and land use regulations were the two things that were his hot button topics. So, bring us a little bit more forward March of 2019, because the Board of Selectmen had done and put it in the budget and the budget was approved. July in 2019, when the funds became available under the new budget Mr. Groth started the process within NRPC in October of 2019. We held two vision sessions. 45 people attended. Then we turn around in November of 2019, we held two more. 41 people attended. And then throughout those months, we also had an online survey, and we only had 390 people participate in the online survey. So we were going good. And then in March of 2020 the world shut down. It kind of goes through, you know, Mr. Groth in September of 2018 had sent a memo over to the Board stating that the results of the public outreach were complete and published. We were working on draft chapters, but the review was really put on hold. We had some large plan sets, large projects coming into the community. We had a pandemic and we knew after the after all that we were going to have to get back into more visioning sessions because we anticipated we would start seeing some more activity instead of 41 people. Let's just go through where he had updated the Board of Selectmen and School Board in August of 2021. And during all of that, you know, we were still fulfilling our statutory requirements, zoning amendments, all those things.

Mr. Malley continued on saying, but the key point here is moving forward. We've already been having the discussions on moving this forward again. So from 24 through basically 30 kind of lays out what with thought process we've still got NRPC, they were willing to create and continue working on the project, work on getting some more in-person or virtual community outreach things going. Basically to finalize the master plan over the course of hopefully this year. Of course, we could have another lockdown and not able to do it, but that's kind of our intent. And then the one thing that was discussed was with additional outreach sessions there may be some areas that we want to do some more in-depth studies with NRPC and have them really look into. With an emphasis on population, housing, transportation, land and future land use chapters. But if we decide to go that way, I'm just going to fair warn you all, he's going to be coming in, probably looking for another \$5000 towards that project. I'm not requesting that or anything. I'm just a warning up there. So it's kind of hoping that this would kind of let everybody know that the process hasn't stopped, that the town of Hudson is in compliance with the RSA. We are planning to move it forward now that we can and I know you guys have been taking some hit on the campaign trail about it. So hopefully that get out of jail free card helps a little.

Chairman McGrath then said, Thank you. So they changed the law at some point because it used to be in order for us to be able to collect impact fees, which helps the schools, helps the town with traffic, roadway improvements, playgrounds, things of that nature, in order to be able to collect those impact fees we had to have a master plan in place. And it used to be every 10 years it had to be updated. I don't know when they changed it. At some point, they obviously I mean, you looked it up. Yeah, so and I don't I don't dispute that at all. I'm just saying that at some point along the line, they changed it from every ten years to 10 years, 15 years whenever you got around to it. So that might be the reason for the some of the comments that were made at the candidate's night, which I thought were grossly unfair. Mr. Malley responded saying, and, you know, in my limited research because once again I saw candidates and I just wanted to dispel any false giving's of the master plan. It's a very important guiding document. But even with the recommendation to do it every 10 years, well, as we know in two years, a community can greatly change. The city in Nashua adopted a 30 year master plan, so they're not going to look at it for 30 years. Chairman McGrath replied, well, that explains Nashua. Mr. Malley replied that does explain a lot of issues.

Selectman Roy said so, can I just ask the question. I would presume that that's a living document. So you say they developed this plan and they won't look at it for 30 years. I would hope that they. I would hope that when we when we do that, that we even if it's a 10 year plan, at some point, at some points during that 10 years, we're looking at that and seeing if those things still...Selectman Guessferd said, be adjusted, to which Selectman Roy replied right? Mr. Malley replied, yeah. So I mean, there's a lot of the master plan that is just basic data. Its data is data from the census. So there's a lot of parts of the master plan that that don't greatly change and alter. That is one of our hopes and intents, as once we get through this process, we can take in now a couple of years down the road as we're watching the town, maybe we open up some more vision cycles, maybe we take one chapter and just kind of look at it. It is a document I'm not going to lie. It's kind of been put on the shelf since 2006. I

received it when I was appointed to the Planning Board. I read it. I thought it was kind of boring and really didn't give much direction. I'm not going to lie, and it kind of got put on the kind of put on the back shelf. Well, so hopefully it becomes a living, breathing document.

Diana LaMothe, School Board Representative, was recognized and said I had the same reaction attending Candidates Night, and I actually was going to make a statement in the closing comments. Because I was a part of the Capital Improvement Plan development. I was one of the 40 something people that attended the public input sessions, and there is the capital improvement plan on the website, which I've mentioned before, is a great informational document and it is fluid. It's going to change. And that was actually an inspiration to get the school to develop a capital improvement committee specific to school only, which then of course, get communicated to the town. And I've given credit to Brian Groth for the capital improvement plan that he developed was a driving force behind what the school now has, which is on the school website. And I do remember the moment when the pandemic hit, and that's when everything was put on hold, so it was in process. The master plan update was in the process. And yeah, and the pandemic kind of changed a lot of things. So I just wanted to comment on that.

Selectman Guessferd was recognized and said I'll just make a brief comment. Get out of jail free card, I don't really like that term, but I understand what you're saying. I, you know, I think I mean, I look at it as, yes, we don't own, the Board of Selectmen doesn't own that plant, but I look at it as something that we hopefully have input into in terms of the vision of this town and that sort of thing so that we're somehow involved and not just kind of sitting back and and saying, not my job man, you know. So I will just say that, you know, as far as our job here as a board to kind of help kind of move that along and and so I do see that we have a little bit of responsibility with regard to kind of that piece of it. Yes, we don't set it. We don't necessarily own it ourselves, but I'd like to think that we're, you know, I don't know if you want to call it influencers or that we we have some input. Mr. Malley replied, yeah, I'm going to be honest and I don't know the answer, but I don't, I don't remember seeing anywhere in the statutes where it went to the Board of Selectmen. And it may. I may be a hundred percent...Selectman Guessferd interjected saying well, yeah, I mean, I'm not talking about a direct right, you know, a direct input to it, but...Mr. Malley continued saying between the liaison and you have a member on the on the on the Planning Board. Selectman Guessferd replied, right, right. Selectman Morin added, and we do have input as residents. Selectman Guessferd replied, right, exactly. Selectman Morin then said even if we don't do it here, you can still, as a resident go forward and state your opinion. Selectman Guessferd replied saying, right, absolutely.

Selectman Roy was recognized and said so I guess to to Selectman Guessferd's point, I would hope it would be a little bit collaborative. That there would be some interaction between the boards about what support you need, what's going into it like even as a heads up kind of thing? So that to help go through the process. I mean, I guess as the leaders of the community, I would hope that this again, some collaboration.

Mr. Malley replied saying, as I said, I don't. I made this statement and I'm not sure I looked at the process. I don't remember how they did it back in prior to 2006. I do look at this room, I look behind me and there's quite a few members of those 41 people who are here tonight. So you do get your input also in that manner. So I'm not a 100% sure on that finalized process of how that goes.

Chairman McGrath then said so, so as someone that has served on the Planning Board for a number of years. I served on this board for a few years now. The Board of Selectmen role in this is providing the funds necessary. You know, if we have to, we have to hire outside staff. Seems to me that we've got someone upstairs that's working from NRPC and, you know, so I don't know if he's working on the master plan update or if he's working on something else but part of NRPC. So we provide the funds and the mechanism to actually be able to get this document done. As far as you know, you attended the visioning sessions, you didn't, I don't think. Selectman Guessferd responded, I did. I did. Absolutely. Chairman McGrath replied, I didn't, because Mr. Groth suggested that I not attend that. He thought that because I had a platform being this board that I might steer the applicant or the people that were attending in a different direction than they wanted to go. I was mightily insulted by that. However, on my drive home, I started thinking about it and I thought, you know that that makes

sense. And I was willing to step aside. And not attend the visioning sessions. So in any event, those are things that we can, as Board members, participate in. Writing the document as Planning Board members, and that's all up to them. That's their role in the community, not only reviewing and approving plans or disapproving plans, that's their role as master plan update and. So in any event, I think that they I think that this this particular Planning Board has done a good job of that they may not be as timely as people want them to be. But according to your research, there isn't a timeline anymore. If the city of Nashua is not doing it for 30 years, 30 years, that's a long time to not look at your community and see what the residents want for development. It's pretty. I would call that pretty insulting. Mr. Malley responded saying, I was actually pretty surprised when I pulled it up that it was a 30 year master plan. There are other communities that are in the process that we are in right now, and they're dealing with the same thing. The town of Derry started their master planning process. They're just restarting it now that we're hopefully to a point where we can do those in-person meet and greets and getting all that vision going. I believe Litchfield is. So there's quite a few towns in around us that are actually the exact same process.

Chairman McGrath then said, so one of the things that I would suggest as someone that served on the Planning Board for a lot of years, I would suggest doing some visioning sessions again because the ones, the ones that were done, they're now kind of out of date. Mr. Malley replied, when we've already we've already talked about that. The fact that 2019 well, let's just go through it. We had a pandemic. We had some massive projects coming to town. There have been a lot of things that have changed in our community and we need to hear from the people again. Chairman McGrath replied, hopefully, they'll show up this time well, as opposed to and I would expect that the neighborhoods that have been so involved and showing up to Board of Selectmen meetings and giving public input, they're going to show up at these visioning sessions. They're going to participate in the process and encourage others to do the same. Because you can't do it unless you hear from the people that live in town and, you know, it's been, it's the same for voting. Mr. Malley replied saying, and as it was kind of a key point that really drew my attention and I knew what the attendance was because I didn't participate you know, I was one of the people actually working as one of the people writing on the board. Selectman Guessferd said, you ran my table. Mr. Malley replied, I ran your table. He then said the way it was going in 2019 approximately I'm just going to say 400 people were going to set the vision for the Town of Hudson's master plan. Hopefully at this point we will start seeing thousands of people come in and let's really get a good vision on the town and where everybody wants it to go.

Chairman McGrath then asked the Board, anybody else? The Chairman thanked Mr. Malley for coming in. Selectman Guessferd said, appreciate it. Really. Selectman Roy asked is there any more public input? Chairman McGrath replied, yes Kara, it is. Selectman Roy replied, you called him up. You didn't announce Public Input. Chairman McGrath replied, that wasn't public input. That was something else. So now I'm going to recognize public input. Anyone in the audience that wish to wish to address the Board on any issue which the board has control of at this time, come up and state your name for the record your name and address for the record.

4. PUBLIC INPUT

James Crowley, 4 Fairway Drive

I didn't realize the Planning Board Chairman would be here today. I'd like to go on record to say I've attended a lot of their meetings and I think the Planning Board has been knocking themselves out, working very hard for this community. I was going to, I don't know, as long as you got your master plan hat on I'd like to, I've been reading over the RSA's lately, not for the fun of it, but the applicable RSA's are 674:1-5. In three it says revisions to the plan are recommended every five to 10 years. It's not a cast in concrete thing. And then other sections, I don't really don't want to go into it, but it tells you how it's all laid out and it also goes through that says report to appropriate town officials, which I consider sitting right here and it goes into detail, if everybody reads all these sections, they're supposed to be public input. Input from various town departments and NRPC. It really draws it all together. It gives you a roadmap of what's supposed to happen. And it's not

something you do overnight. It's going to take a while to get through it all. But originally, the reason I want to, I just wanted to give you that. Make everybody semi comfortable.

Mr. Crowley went on to say, but originally I come here...I wrote this out. I would like to give the Board of Select an update on some discussions in the previous meeting. I have looked into RSA 674 this is subchapter twenty three on temporary moratoria and limitations on building permits and approval, subdivisions and site plans. It requires an enactment of an ordinance adopted by the local legislative body upon recommendation of the Planning Board. Ordinance requirements or statement of need for moratorium details, what is affected, written findings by the Planning Board to describe unusual circumstances, plus a bunch of other criteria. But on top of all that, the duration of this ordinance, if it's voted in as a whole one year. As so seems to be the earliest could be adopted as probably March of 2023 and it only lasts til March of 2024. That would be a tremendous amount of work and registered voter education, and I would think the likelihood of this happening in the short duration of the ordinance powers make this approach impractical. Historically, it appears the same conclusion was made by people smarter than me. And so in other words, I would say I'd take that off the table. Master plan is where you want to go.

Mr. Crowley then said I had a bunch of other stuff, too, but something if the Board allow me. Last but not least on Candidate's Night, I stated I would be willing to not approve a project, even if all the required documents were submitted. I'm trying for a three year elected Planning Board position. I know this is cause for concern, since elected Planning Board positions are no longer subject the Board of Select review and vetting. As a professional civil engineer, now retired, I am bound to use my knowledge to thoroughly review the quality of all reports, plans and plans requiring my approval. This is necessary even if the professionally prepared reports and plans have been peer reviewed by others. If I find deficiencies in these documents and plans, I can't ethically sanction or prove them. However, I will not put the Town of Hudson in a lawsuit position without extensive, considerable thought. I expect the Board of Selectmen Liaison, others, remind me of that, and they should expect any disapproval decisions made by me to be on solid, defensible grounds. Additionally, courts will not tell a developer to build whatever they want if the town were to lose a lawsuit. The contested points within the lawsuit would be what is overridden. The trick is to make the factual points of a disapproval specific and not just general indefensible quality. I love Hudson as many others do before making any negative decisions, if I'm elected, I will try to make them well known, if possible, to the public. If the Board of Select or town residents disagree with me before any voting on a project, please take the time to educate me. All I ask is if you disagree with me, please do it in an agreeably respectful way. However, I know even BOS or Board of Selectmen members are not accorded that respect on occasion. I've observed a lot of that. Also, please don't expect instant replies. I'm not too fast on a keyboard or in giving quick or short verbal replies. This speech tonight is an indicator of how I generally respond. I hope everyone exercises their right to vote for their candidate of choice, no matter who that may be. I also encourage everyone to make March 8th the largest voter turnout in Hudson. I mean, 14% is sad. Thank you for this time to think and allowing me to say my viewpoints. I will try to live up to what you want if I'm elected.

John Debuc, 11 Eagle Drive

Mr. Debuc began by saying, I wanted to cover a couple of things tonight. The first was something that was and we had there was a lot of discussion last week about that million dollars for this, for the study, the feasibility study. Something that Selectman Gagnon had asked was why an off ramp wasn't put in the plan for this development. And I think he was told that state roads cannot exit into private property. So for the most of the time that this project was in place, I attended most meetings. I spoke at a lot of meetings and we did a lot of research. And I remember talking about this quite often. And even Mr. Coutu had asked the question about, you know, will you put a road off into the development? He was told, No, they won't. They won't do that. But when the 2007 Planning Board meeting GPI was the one of the earlier projects, GPI was the project designer and Mr. Ron Mueller was asked about that, and he said he was there was a design was still evolving with ongoing discussions with the state, DOT and the Planning Board's engineering consultant, stating that the New

Hampshire DOT had set an access off the Sagamore Bridge Road was feasible so long as a developer could show a benefit. And that was brought up. So it's not that it can't be done, it's that it needed to be built into the project. And if a developer doesn't want to build it into project, it won't be done. But the New Hampshire DOT did not say that it can, that it cannot be done. So I just wanted to clarify that for the people that are here.

Selectman Morin was recognized and said let me answer your question. Two different projects. We have documentation upstairs from the Commissioner of DOT that says they will not build an off ramp for this project. No matter if it was approved or somebody could prove it or not. It was too dangerous. It was too much work due to the steepness of the hills and everything, they said. No. So that's a whole different project, a whole different thing at a different time. We need to clarify that. Mr. Debut then said so I think that if that can be released in one of your... for the next meeting, so we can read this, because I know that when I was listening to discussions, they had asked the developer if they would try to develop this into the plan and the answer to Mr. Coutu was no, because Mr. Coutu was pointing for that. Selectman Morin replied, correct, because DOT, which again, it's a state road, it's not a Hudson Road. You got to understand that too. The commissioner said no, Mr. Debut then said and I need to look at that and I'll readdress it. But for former project, they would. But this one, they would not. Selectman Morin said different commissioners. Mr. Debut replied, different Commissioners and I can look at that.

Mr. Debut went on to say, the second thing I want to, I want to thank Mr. Malley for update regarding the master plan. I think it's very important. You know, I really wish that in that year and a half that we sat in those meetings, we had a lot of people there that we could have thrown a few a few meetings in to look at the master plan. I think right now we have a captive audience with some of these projects that are going on. And you know, is there a way to build in some of this planning into the meetings instead of having every meeting? Look at these developments. And you know, if I had a way back machine, I would have asked for this, you know, instead of every two weeks looking at a single project for a year and a half, if we could have thrown in three master plan meetings, it would have been great because we had a captive audience and we have a captive audience right now. And I think this is the time to take advantage of that during these meetings when all these projects are going. I appreciate your time and I will look into that and hopefully I can get some clarity on that. Thank you. Selectman Morin replied, if you contact the Town Planner, he will give you the information. Mr. Debut replied, he's great. Any time I ask him to something, he's phenomenal. He's quick and I really appreciate all he does for us also. Selectman Morin replied, glad you just said that. Thank you.

5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS

A. Resignation

- 1) Benson Park Committee - Kevin Cormier, member term to expire 4/30/23

Selectman Guessferd made a motion, seconded by Selectman Morin to accept the resignation of Kevin Cormier from the Benson Park Committee. Carried 4-0.

6. CONSENT ITEMS

Chairman McGrath asked does any member of the Board wish to remove any item for separate consent. Selectman Guessferd made a motion, seconded by Selectman Morin to approve consent items A, B, C, D, and F. Carried 4-0.

A. Assessing Items

1) Certification of Yield Taxes Assessed/Timber Warrant: 58R Gowing Rd. - map 237, lot 032/sub 000

B. Licenses & Permits & Policies

1) Raffle Permit - Hometown Hero Outdoors NE Chapter

C. Donations - None

D. Acceptance of Minutes - None

E. Calendar

3/08 7:00am-8:00pm Town/School Election
Ward One - Hudson Community Center
Ward Two - Alvirne High School
www.hudsonnh.gov for Voting Information

3/9 7:00 Planning Board - Buxton Meeting Room
3/14 7:00 Conservation Commission - Buxton Meeting Room
3/15 7:00 Municipal Utility Committee - BOS Meeting Room
3/16 6:00 Library Trustees - Hills Memorial Library
3/17 7:00 Benson Park Committee - HCTV Meeting Room
3/21 7:00 Traffic Advisory Committee - BOS Meeting Room
3/22 7:00 Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS - None

8. NEW BUSINESS

A. Town Newsletter

Selectman Morin was recognized and said two weeks ago, I was in an event and I had several residents again request a newsletter through the Town. They understand that we have all the information up on the website and we try to get out the best we can. But a lot of them want something they can sit and read, and we had actually had a very long discussion about it, how we would go about it, what we could include, what we can include. And they asked to bring it forward again tonight to see what we can do. Speaking with Lorrie from the Town Administrator's Office, she's willing to take care of that and do the newsletter because she had done what one or two previously I believe. Selectman Roy said I think in a previous life, career or something. Selectman Morin continued on saying, and the way she was thinking about doing it instead of us mailing it out and a big cost, we have that, I can't think of what it's called, but your program, you sign up for different things through the town. You sign up for the newsletter. Sign up for the newsletter and once it's done, it automatically goes to whoever signs up for it. Selectman Roy then said can I ask a clarifying question this newsletter would be electronic? Selectman Morin replied, yes. Selectman Roy

replied, okay, okay, I just want to make sure. Selectman Morin said it would be, you know, we have certain things you can sign up for and you get it automatically when something. Same thing. Discussion with Lorrie and because of what it entailed, and again, we have to we have to run this by Mr. Malizia. I had a brief discussion with him before I put it on the agenda tonight, so he was aware, but he's not going to be here tonight to see what, but she suggested, and I agree that we do a committee to try to figure this out first before we just throw something out there and set some limitations. When I was talking to the residents, I told them, we're not going to put, you know, Jane got an award for her gymnastics. It's going to be Town related stuff. It's not going to be a newspaper. And they were all right with that. It's just some of them need to read stuff instead of going online. So if the Board would agree to put together a committee and let this do this and let the committee come back and make a presentation to the Board and get this moving? That's what I'm asking for tonight.

Chairman McGrath replied, I think we're having an election next week and I think we should wait until after the election is over with because you never know what it's gonna look like after the election. Selectman Morin said it doesn't have to be done today, but it's something with the Board with the board back that? Selectman Guessferd replied, absolutely. Selectman Roy said yep. Selectman Guessferd then said we'd have to come up with things like how do we decide which goes in. Selectman Roy added, yeah, right. Who controls content, who you know? Who's actually publishing it? You know, doing the actual writing and stuff because that's the time consuming stuff. Selectman Morin then said you know, right and talk and you bring up a good point, Selectman Roy. Talking to Lorrie, if she's putting it on the website, she can just copy and paste it to this document, right. Selectman Roy then said she's not going to write every item. That's what I'm talking about. Who? How does how does that work? Selectman Morin replied, well, that that would that would be the committee that's to bring something forward to the Board. Selectman Morin then said I make a motion that we move forward with discussion of Mr. Malizia to form a committee to look into this and then to bring it back to the Board with the plan? This was seconded by Selectman Guessferd. Chairman McGrath then said, ok, motion is made and seconded any discussion? I'm going to abstain from voting because again, I'm going to state that after next Tuesday, the Board may look very different than the current makeup. And if one new member or two new members you normally, you know, count on, you know, those people that are going to be making the decisions, then so. So I'm going to abstain from voting, but the rest of you can go ahead. So my motion has been made and seconded. Carried 3-0-1 with Selectman McGrath abstaining.

B. Haselton Barn Discussion

Chairman McGrath recognized Chairman of the Benson Park Committee, Dick Empey, and Benson Park Committee member, Jack Madden. Mr. Empey started off the discussion by saying, this discussion we're bringing forward tonight all started at the deliberative session when a former selectman asked what the status was of the Haselton Barn and what we were intending to do with it. So we thought that we would come before you tonight and give you a little reminder of what's taken place with this barn. I'll have Jack Madden, a member of the Committee, read through this for you, and at the end of it, we happy to answer any questions and clarify anything that you are unsure about.

Mr. Madden started by saying thanks, Dick. The Haselton Barn is located on the southern end of Benson Park on the corner of Brush Hill Road and Flying Rock Road. This historic structure is estimated to have been constructed between 1850 and 1860, with major additions around the turn of the century, the late 1800s, early 1900s. The barn is approximately ninety six feet long and thirty six feet wide. The barn is framed with native lumber, with mortis and tendon joints held together with one inch oak pegs. The structure is on the New Hampshire Register of Historic Places. In January 2009, the DOT transferred the Benson Park property from DOT to the Town of Hudson. Now the recent history in 2003 an extensive study was done to determine the condition of the structure. The study was updated in 2018. As of the 2018 report, the existing roof exterior was in very poor condition. The roof is comprised of one inch thick board sheathing, which was covered with a layer of wooden

shingles. Then, over time, it was repaired with some metal sections on top of the wood shingles, and then one or two additional layers of asphalt shingles were placed on the structure. So currently, portions of the shingles are actually sliding off of the roof, and the roof has been leaking at a number of places in excess of three years. At this time, there's a significant amount of rot occurring in these areas, which will require replacement of the boards and possibly some of the underlying structural members. Now, in the spring and fall of 2018, we suffered several incidents of vandalism in the barn, including a small fire which was started on the wooden third floor. And that's the main floor of the barn as you come in the door off of Brush Hill Road.

Mr. Madden went on to say, in October of 2018 the DPW extensively re-secured the barn exterior to prevent unauthorized entry. And in December of 2018, we installed security lighting around the outside of the barn for \$1,875 dollars. There has not been any reoccurrence of unauthorized entry or vandalism since that time. So also in fall of 2018, we pursued an estimate to replace the roof. The solicitation went out to several contractors, but we only had one response. The only estimate we were able to get was a \$60,000 dollars to strip the roof down to the boards and install plywood sheathing on top of them and then asphalt shingles on top of that. Stripping the roof is required due to the instability and then the weight of the multiple layers of the existing roof. At this time, we also learned that an engineering study would have to be done to examine whether the structure could support the new roof and for the safety of the roofing contractors personnel. In January 2019, CMA Engineers did this report and they confirmed that the structure would support the new roof with only minor repairs. There was one cracked rafter and they would do this report for a cost of \$5,800 dollars. Also in January of 2019, the Board of Selectmen rejected the \$60,000 roofing project, saying that they would look for relief through Concord. Subsequent to the rejection, a meeting was held with the Board of Selectmen at the Barn with DOT and the Division of Historical Resources to seek financial support. At that time, the DOT and the DHR advised the Board of Selectmen that they could submit the request in writing. DOT advised, however, that it was highly unlikely that it would be accepted due to the agreement in the deed, stating that the town is responsible for maintaining the three historical buildings in the park. And those three are the barn, the train station and then the office and kitchen for Benson's.

So the buildings were to have been maintained and as equal or better condition than they were at the time. The signing of the deed back in 2009. So in the subsequent spring, the project was put on the town's capital improvement program. However, it did not make the cut for funding. So currently, the engineering report from 2018 is no longer valid through the passage of time, continue leaking, continued development of more rotting in the underlayment. Excuse me, on the boards and on the possible on the structural members. So the report would need to be done over now. Our cost estimate at this time for the roof repair is in excess of \$120,000 dollars due to the increased of scope of work that would be required through the continuing leakage in the roof and the ensuing rot, as well as the cost of inflation and building materials that has been occurring during COVID. Respectfully submitted Richard Empey, Chair, Benson Park Committee, and Jack Madden, member of Benson Park Committee.

Selectman Morin was recognized and asked what's the estimate for a new engineering study on top of that? Mr. Empey replied we haven't pursued that yet. I can tell you it was \$5,800 three years ago. I'm sure it's more now, and it probably will have to be a little more extensive because of the ensuing damage since it was done last time. A couple of things that came to mind as Jack was reading that first of all, back in the beginning, the DOT transferred the Benson Park property to the Town of Hudson. That was my quick claim deed. There are people that believe that somehow the state still owns a portion of this park or something of that sort. Fact of the matter is it is deeded to the Town of Hudson. It is our possession with all the covenants that are included in the deed. It is not in any way, shape or form a state park or a state property.

Chairman McGrath then said except that they keep, they've got their thumb over the Town of Hudson because, you know, they keep threatening to take it back. Right? If we don't, if we don't put in certain buildings, if we don't do it a certain way, if we don't it, you know, it goes on endlessly. So I mean, they keep, they keep their thumb over the Town of Hudson. Mr. Empey replied, that's exactly true. Well spoken. The fact of the matter is, to my knowledge, at this time, the state has never actually spoken

of taking back the property, which they certainly have a right to do, according to the deed. The hoops we have to jump through because it's a historic building that are controlled by the DHR, mostly somewhat extensive. For example, if we decide to do this roof and we pick architectural shingles for our replacement, that project would have to go to DHR and they have, I believe, 30 days to approve or disapprove our methods of repair. And they have the right to come back and say, No, you can't do it that way, we would insist on this way. And then where it would go from there is anybody's guess. As far as the state taking back the property, it says right in the deed that they must reimburse the Town for any expenses we have put into that park. This would probably be valued in the millions of dollars with all the landscaping work that's been done, the repair work on the buildings. And even though we haven't physically put that amount of money into the park, the value of the work that's been done is very, very extensive. If you went out and hired a landscaper to do that work, it would be in the millions. So the likelihood of them going that route, in my opinion, would be very, very slight because it's going to cost them a lot of money to take it back. And then what do they do with it?

Selectman Guessferd was recognized and said so, yeah, so I was going to kind of go there the value, so it's so it's clearly the value of what's been added, not the actual cost. It's clear in the in the, I'll say, in the contract and the deed. Mr. Empey replied, well, I'm not a lawyer and I'm not under contract with the town, but I think it's pretty clear in the deed that any improvements Uh, you know, again, I'm not a lawyer. Selectman Guessferd said I have one other question. So I live near there and I see that you didn't say we didn't say anything about the cupola. Mr. Madden replied, the cupola's awful. Selectman Guessferd said it's just sitting on the side is, is that is it, is it, I would say that's got to be part of whatever repairs that we would do to it, correct? Mr. Empey replied, the cupola was removed in 2003 due to its extreme weight and the structure of the band. There was some concern that it might cave in so they removed the cupola. And in the reports that were done in 2003 and updated in 2000, what was it, 18? They addressed that the cupola alone has a price tag on it of about \$95,000. But the thing to keep in mind here is the deed says equal or better condition than the day we bought the park, which was in January of 2009. In January of 2009, that cupola was in poor condition. It's still in poor condition, you know, but we are obligated to restore it to the \$95,000 dollars price tag. No, I don't believe so because it wasn't in good condition when we took it. We only have to maintain equal or better condition. And there actually was a report done, a firm was hired and a report was done to the condition of these buildings on that day. And as I understand, there was some discrepancies in that report and it never was formally accepted by the Town, and I'm not sure about the DHR as to the condition of those buildings.

Mr. Empey then said, so this discussion I had not intended to ask for anything, ask for any action on your part at this time. I think it was responsible to the form of selectmen and to the town to bring you up to date as to where we are today, and I guess it's up to you to decide what action we should take. I predicted on the day that we walked away from that meeting. I said to a selectman that this project, if it is not done, a portion of that roof is going to be in on the floor in five years. And I believe as of today it's right on schedule. You don't have any more than another two years or so before that roof's going to cave in in a section. Not the whole roof. I intended to take some pictures, but I went over there to do it and found it was all covered with snow, so that was not too productive. Selectman Guessferd then asked, I see a light on in there sometimes is it is that part of the security? Mr. Empey replied, there should never be a light on inside the barn. Selectman Guessferd replied, there is. Mr. Empey responded saying, that tells me somebody's been in there and forgot to shut it off or whatever. The exterior of the barn has motion detector lights that only work at a certain light level. They won't come on during the day just right after dark or at dusk. Last I checked on them and it's fairly recently, they're all in good working order, but I kind of find it interesting that you saw lights on. Selectman Guessferd then said, toward the top, actually. That's yeah, it was weird. I mean, it's been on. They were on. I don't know if they're on right now, but they've been on the last several weeks. We've seen the light on in there. Mr. Madden replied, it might be some kind of a reflection of the way the exterior lights are bouncing off or something. Selectman Guessferd said it could be, yeah. Mr. Empey added but if it's on at night, what would reflect? Anyway, something I'll take a look at it.

Chairman McGrath then asked, so what are you looking for, Mr. Empey? Do you want us to tell you to? What would you like us to do? Mr. Empey responded saying I don't think I really have an answer to that question. As you know, in the past has been a great deal of discussion as to the value of the

barn. And if you put X number of dollars in the barn, what does it gain us or what is the value in doing that? All I can state is what the DHR says we are supposed to do. If you said to me, I want to spend a half a million dollars and restore a portion of that barn, I guess my answer to you would be, and what are you going to do with it? So this is the dilemma. It's a beautiful, old, historic barn. It's in much better shape than the exterior indicates. A walk inside that barn is a little surprising. But that said, how much money do you spend to maintain a historic structure that nobody has an answer of how we get a value back from that? What do we do with it? There's been talks about a farm museum, a venue for different public events, all those things. And the biggest problem going forward with that barn is there's no water, there's no sewerage. If you were to use it in any public way, you would have to make it ADA accessible. You would have to probably put in a sprinkler system and then, you know, heating insulation, air conditioning, you know, depending of course, what you use was you'd have to put a lot of money into that barn to make it something that was really usable. If anybody has a great idea, I would certainly entertain it. But in the years that I've been around the Benson Park Committee, we've never come up with a viable answer to what to do with it, to make any kind of a public thing out of it other than perhaps a farm museum. You'd probably spend in excess of \$2 million.

Chairman McGrath then asked, so if you don't upgrade it or maintain it in any in any fashion and it becomes one of these barns that you know, starts to topple over. What is the state apt to do about that? Because I know, I know, I'm not imagining it because I've heard it many times where the state was going to take it over again if we didn't do something with, you know, whatever it was that that was being proposed. So, you know, if we let the barn topple over collapse upon itself, what would the state do then? I mean, would they would they come back in and say, well, you were supposed to maintain that and we're going to do, you know, we're going to fine you a certain amount of money or we're going to take Benson's back because you didn't live up to your agreement? I mean, what are they going? What exactly is going to happen? Mr. Empey replied, I don't think anybody has an answer to that, including the state. I don't think they'd know what to do. They'd have a big discussion because, like I said, to take back the park, they've got to come up with millions of dollars and then they get the park back. They're going to get all kinds of noise from citizens about why did you close the park? How are you going to, you know, how would they maintain it? They certainly cannot run that park for the kind of money that this town does it. We maintain that park on a very short budget for what it is. So, you know, what do they do with this? They take it back, OK, if the barn collapses or if we don't meet our obligations to me and this is just me talking, I have no official position, no knowledge of any official position. Worst case scenario, I would think that they could come in do the work that should have been done and somehow back charge the town or fine the town or whatever for not doing what the deed said that we could do. But I'm sitting here guessing in front of you. I have no official knowledge of what would happen and nobody else does either.

Mr. Madden added, Chairman McGrath, in the in the deed, it requires the town to maintain it in a state of good repair. But there is no discussion anywhere in the document that I've been able to find where it says, are there any penalties for the town if the town doesn't live up to its agreement? The only thing is that the state says, yes, we can take it back. Chairman McGrath then said, so I just had a thought, which is why I'm smiling, because he would he would be, I think, more than happy to give us some inkling as to what the state would do in that's former Selectman Jasper. I mean, he's got he's got a great deal of knowledge about Benson Park and how we obtained it and what we have to do to keep it. So I would suggest that we set this Board, send a letter to select former selectman Jasper and see if he can at least give us some indication of what the state would do or what they would want us to do and what we would be required to do. I mean, I can't imagine that that we as a community or the state, as their former owner, is going to let us allow that barn to collapse onto itself. I can't imagine that. And I imagine there'd be a lot of hoopla in the town from people that go to the park. They wouldn't want to see that either. I mean, I've been my parents are from Prince Edward Island, so I've spent a lot of time down there in the summers and in the fall. And it's sad to see a barn that in its heyday was a really pretty, pretty structure. And, you know, people really maintained it well. But when it's let, when it's allowed to disintegrate and fall in on itself, it's really quite sad and not pretty to look at. So I can't imagine that this community would want that to happen.

Selectman Roy was recognized and other than the roof, is the building structurally sound? Mr. Empey replied, the short answer is yes, with a few caveats. There's one roof rafter that's cracked, the

engineering study mentioned this. That's a relatively simple fix. The problem area in that barn is its L-shaped that's a granary across the front wall, in the back corner in the valley with the two roofs meet is where the leakage is. Three years ago, the boards were wet. The roof boards on the inside, but they weren't rotted. Now they are. OK and there is some beams in that area, they're starting to look pretty soft. And again, I'm not qualified to give you a statement about exactly what needs to be replaced, but I'm smart enough to know a piece of rotten wood when I look at it. So anyway, that area needs work above and beyond where we estimated three years ago. The study that was done in 2018 mentioned this area, and I believe it said somewhere around \$8,000 to \$10,000 to repair that previously improperly repaired area and then the roof on top of that. But I would imagine, well I know the figures that he gave in that 2018 report very low today. And that's, you know, I mentioned in here that we went from \$60,000 three years ago to in excess of \$120,000 today. And I did a little seat of the pants research on that. We would need something in excess of 150 sheets of three quarter plywood to go over that roof. As one example, three years ago, that was a \$30 a sheet bill. Now it's in excess of \$65.00 dollars and going up rapidly. Same thing with shingles. And those are just basic items. So the inflation of the materials has been very dramatic in the last three years. And then on top of that, we have the addition of more deterioration and more work needed in those three years. So I feel comfortable in sitting here and saying you that \$120,000 will not do with that \$60,000 would have done three years ago, and I'd be absolutely amazed.

Mr. Empey went on to say, and there's another issue here, too, that comes to light. There have been some inquiries made through DHR about this roof by the DPW, and they found that DHR has contractors that are on their list that are qualified to work on historic buildings. Ok in contacting these contractors, today, I won't say today, a couple of months ago, only one replied and said they weren't interested. Another one said, we no longer do that, and the rest of them didn't even reply. So it is a real disconnect there. DHR said these contractors are approved to do the work. Then over here, these contractors can no longer do the work. So who the heck is supposed to do the work? You know, we have to go find an unapproved contractor and then get that contractor approved by DHR, and that's all part of submitting our design and what we're going to do. As I mentioned before, before you do anything, DHR has to approve what you're doing, so they know that you're not destroying historic portions of the building. This is this is not a simple, yeah, go ahead and do it. You know, there's a lot, a lot of issues.

Mr. Madden then said to follow up Dick and to get back to your question, you know, is the building structurally sound? Again, I'm not a structural engineer. That's not my major discipline, but it's a post and beam construction. The last time I was inside was 2018 when we had this other study done. And it is massive inside. But to Dick's point where we've got these leaks, no. You know, if you've got rotten wood against good wood, eventually you're going to get rotten wood and the beams. And that's the concern that the leakage has to be addressed. And then you have in doing the study, you're going to find out that there are going to be probably more than the single rafter that was in bad shape was, you know, three years ago. It's probably more.

Mr. Empey then said the other, excuse me, the other issue is this isn't the average roof. The terrain around the barn won't allow the use of aerial lifts to get up on the roof. It's going to have to be staging. The staging is going to have to be set up on uneven ground, which is a little bit more of a challenge. They'll probably need to be some grading work to get that staging stable for them to get up there and work. Your average roofing contractor won't even consider looking at that barn. I only found three years ago when I went around trying to get estimates. I only found one person that would even talk to me about it. The rest of them said, No, we won't do that. We don't want to do that. We're not interested. We're too busy, you know, just no, because the time and effort to do that roof, they could go out and probably do four or five other jobs and make a lot of money on it. Whereas this job is going to be it's either going to be very, very expensive or they're not going to make much money doing it.

Selectman Roy said I had I had a follow up question. I guess I'll ask, but I don't know that I think you might have answered it. Is there anything we can do to, I guess, temporarily at least stop the damage that's happening? Mr. Empey responded saying, yes and no. Ok. The first thing that would come to mind is maybe put a tarp over the leak. Number one, the tarp isn't going to last because of the wind

and weather. You know, first of all, you're going to have to get somebody to go up and put the tarp up. This isn't something the highway department can go over there, DPW, can go over there and just put a tarp on the roof. It's too high. It's too inaccessible for them to do with their equipment. So you put a tarp on the roof. It lasts you for three months, six months. What did you gain? You know, if you did a temporary patch on the leaking area paid somebody good money to go up there and put a decent roof on that section. It's, you know, it's like dominoes. You know, you repair this, the section right next was not much better than the section that has failed. And you're just going to go boom, boom, boom down the roof. What are you gonna do it every two months, every three months, every six months. Go up there and do a patch. I would in good conscience and as a taxpayer in this town, I don't think I'd spend my money that way. I think that it's either do the roof and stop the leakage or take the consequences for not. Selectman Morin was recognized and said we've already done temporary repairs in the past, correct? Mr. Empey replied, oh yes, there's been there's been repairs done on that roof before. And one of the issues is that the repairs. We have between three and four layers of roofing on that barn and you talk to any roofer two's the limit. And the problem is so thick now that the roofing nails don't go through it all into the wood small enough to hold the shingles and the whole section of shingles where it's leaking, it's actually sliding off the roof. You know, it's all the all the simple little things have gone about as far as they can, you know?

Chairman McGrath then said, Ok. Anybody else have any questions? If not, I would suggest that DHR is it? That they be contacted and tell them that we're going to take the barn down or what a fall down and see what they have to say. Mr. Empey said, I guess my reply to you is, have the Town Administrator write him the letter? I won't put my name on that letter. Chairman McGrath followed up saying, it's, you know, you're essentially saying we're between a rock and a hard place. Mr. Empey replied, we are. Chairman McGrath went on to say we either have to do the barn over every inch of it because, you know...Selectman Guessferd said the roof. Mr. Empey and Mr. Madden agreed saying the roof, every inch of the roof. Mr. Madden then said, I mean the roof. We more or less need to do the right thing and fix the roof for you to decide whatever else you're going to do on the interior. Chairman McGrath replied saying so what may I ask you this? How are we going to hire to do that roof? Mr. Madden responded, well, that gets to be the problem, as Dick has noted it's a complex problem. It's not like hiring somebody to give you a quote to fix your roof in your house. I mean, it's a big structure, you know, varying levels of, you know, the topography outside.

Chairman McGrath then said, so let me just I'm going to say this. I give up because, you know, no matter what has been proposed, you know, it's either so to try and do the roof over, you don't have you don't have a contractor that you can hire to do that. If you want to do it some other way, there's no one to hire, they don't do that work anymore. So again, you know, what are we going to do? We can't hire anybody to do it. I think you two, I'm not sure that I'd put you up on a roof. Either one of you. Mr. Madden chuckled, responding, what are you saying, Marilyn? Chairman McGrath replied, I don't want to see you fall down. That's what I mean. Mr. Empey added, you ain't getting me up on that roof anyway. Chairman McGrath continued saying, no, but you know, it's every, every turn that we've tried to take with addressing this, we can't do it. And it's, you know, so go to DHR and find out from them if they have any contractors that they're willing to share and that they're willing to at least entertain whether or not they approve them as contractors that would be able to do that work. You know, it's we've got to do something, either something or nothing. So it's, you know, if somebody can't come up with something, I'm going to say we're going to do nothing, right? Mr. Empey replied, that's the dilemma. We've kind of gone that route already. DPW contacted the DHR contractors that are on the list, and their answer was, all of them, was no. So is there contractors out there to do the job? I'm sure there's somebody out there will that'll do it for X number of dollars, but it might be five times what that route would cost any place else. You know, it's really a tough, tough situation.

Chairman McGrath then said so I just had another idea we're going to wait until Town Administrator Malizia gets back from his vacation and task him with this dilemma. Mr. Madden said welcome back from vacation. Chairman McGrath chuckling said welcome back and we'll see you when you go back to, you know, Florida for another vacation. Mr. Empey then said at this time, my feelings are that if we put a roof on that building, we're going to pay a lot of money. But it should make that building fairly stable for another 20, 25 years or more, which kind of gives us a little breathing room. Anything short of that is just let it go. You know, so you know, I don't know. I can't sit here and tell you, you should

do this. You know, it's this is the point of this whole evening, this whole discussion is this is where we stand. These are the facts. And we've got to decide what our solution is going to be. Chairman McGrath replied, I think we're probably going to be hearing from former Selectman Jasper at some, because I'm sure he's watching this meeting and he'll have some idea of I don't know if he'll have an idea about maintenance of it or putting a new roof on if you can use asphalt shingles or if you have to put them put gold shingles on. I mean, you know, I don't, I don't know. It doesn't seem that anybody else knows. So we're wasting time here. And you know, it's just. I think that I think we're going to have to wait and when Steve comes back, see if he has an idea. And if he doesn't, then you know, maybe the new selectmen will have an idea. So I just I don't I don't know what else to do. So and we're going close to 8:30 pm now, and I was hoping to be on my way home at about eight o'clock. Mr. Empey followed up with saying, about the only thing I'm 100% sure of is it's not going to heal itself. Mr. Madden then said, with that thank you for your time.

C. Code of Ethics Report

Chairman McGrath said, we had two selectmen that were charged with an ethics violation. We've gotten the correspondence from the Ethics Committee and they found that there was no violation of the Code of Ethics. So that's unless you want to have a discussion about it further. I'd be happy to do that, but I don't know that it's necessary.

Selectman Roy said well, Madam Chair, I just want to state, for the record, that I've read and understand the requirements of town code 53.6 F, but I will point out that I was not noticed of either the complaint, nor the findings that appear as part of this agenda, denying me any due process. I am also aware of other ethics complaints involving elected officials that have not appeared on the Board of Selectmen public agenda. So it sort of boggles my mind about why this did. Chairman McGrath replied, can't answer you. Selectman Roy replied, well, somebody put it on the agenda, Madam Chair. Chairman McGrath replied, well I did. I did because I got the correspondence in the mail and it was addressed to me as the Chairman of the Board of Selectmen. And it's not just you, it's another selectman as well. Selectman Roy then said so and again, I know that there were other ethics complaints involving elected officials that have not appeared on the on the public agenda. So again, I just see it as odd, and I find it also interesting that I was never noticed. I had nothing to do with that. I don't think Selectman Morin had anything to do with that. Did you, Mr. Guessferd? Did you have anything to do with not notifying? I mean, none of us had that, we didn't have that ability at all. Selectman Roy replied, I'm just pointing out for the public record that I was not noticed and I was denied due process on this complaint. Ok, well, that's I can't help you with that.

D. Complaint by Town Employee

This item was not an agenda item. Chairman McGrath started by saying, So, OK, next up. This I'm going to take up one other item that we got in, I don't know if you got it or not, but it's a complaint by one of our town employees, Elvis Dhima, Town Engineer, violation of Title IV, public officers and employees. Please be advised that Selectman Gagnon has made a statement on social media regarding my position. His statement includes the following quote "maybe that the town engineer was saying anything he could to get us to agree, which wasn't true." Close quote per attachment, A. Selectman Gagnon, is implying that I was lying at that meeting. The rules and regulations listed above clearly state that matters such as this have to be non-public for the following reasons. Section 91-A:3 II(c) "matters, which if matters, which, if discussed in public, would likely affect adversely the reputation of any person other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy if based on inability to pay or poverty of the

applicant.” Mr. Dhima’s correspondence went on to say, please be aware that as of as the Town Engineer, I am a licensed professional engineer in the State of New Hampshire and Mass, among other licenses, which are subject to renewal and regulated by rules and codes and code of ethics. Such accusations could result in review of my license status and investigation, which could trigger a suspension and monetary damage to my family and I. I demand an apology from Selectmen Gagnon and removal of any social media comments that could be interpreted as damaging to my ability to earn in my profession as a licensed professional engineer. Sincerely, Elvis Dhima, professional engineer, town engineer, member of Hudson Police Fire and Supervisors Association. So that was in our packets tonight. Selectman Roy replied, but it wasn't part of the agenda. And quite frankly, Mr. Gannon's not here....Selectman Guessferd interrupted saying he's not here to defend himself. Yeah. Selectman Roy went on to say, so I don't I don't know why that would have been read in public. Well, when Mr. Gagnon and you knew Mr. Gagnon was not here. Chairman McGrath replied, yeah, well, he chose not to be here. Selectman Roy replied, I don't think it was a choice Madam Chair. Chairman McGrath replied, I'm not so certain about that.

9. Remarks by the Town Administrator - absent

10. Remarks by the School Board

School Board member, Diana LaMothe was recognized and said I wanted to mention I presented to the Senior Center today. The school ballot and Police also presented the police warrant article, and it was an honor for me to go there. And I just I love the fact that there's a senior center in town and to be able to actually go there and there was a good turnout. There was like a dozen seniors who were present, engaged, and asked excellent questions. And so that's a good news report. And actually one of the seniors did mention she brought up the fact that a bus may be donated if it is accepted to help transport seniors to the senior center. And of course, you have to be a, you know, a certified driver of the bus, which is, I know in the proposed budget for fiscal year 23. So that was just some points that were brought up.

I do want to mention that the sample ballot, according to the printer, is in the mailing department and it will be dropped at the post office tomorrow. So if people are wondering when they are going to get their sample ballot, it should be in the next day or two. The school will also be posting on Facebook just a reminder to vote. There is a sign in front of the same building also that will continue to run that message with voting information and hopefully we get a greater turnout at the polls. And I will end there. That's all I have.

11. Other Business/Comments by the Selectmen

Selectman Gagnon: absent

Selectman Roy: So I am I have a couple of things. One, I find it unfortunate that Madam Chair chooses to try to shame a Board member that's not present. Second, and finally, I saw a Save Hudson New Hampshire post that has set a goal of 5,000 voters for this coming election next week. I hope I hope we exceed that goal. I won't be unethical and endorse any specific candidate, but I will ask you to please go out and vote on March 8th. That's all I have, Madam Chair.

Selectman Morin: I like to address a resident's email if you don't mind. I just got to find it here. So I received this email and we discussed this at the last meeting. That was a reference to what took place with the DOT Commission and how that all went down and we discussed that last meeting, but obviously the message didn't get out there. Or there's a resident that doesn't understand because this email was forwarded to the DOT Commission on February 28th. So I just want to address Kathleen Crowley's email so we can get this out again and make sure everybody's understanding. Her email goes on to say "Hudson Boulevard. This is a request to remove the feasibility vote from the agenda. Representatives Ulery and Rice, Town Engineer Dhima, Steve Malizia Town Administrator and Dave Morin did this without the knowledge or approval of the Board of Selectmen." Selectman Morin went on to say, now we had some discussion on this during the last meeting and I thought we had cleared it up, but I'm going, I'm going to cover it again. First of all, as we have talked to about state roads tonight, this is not our problem. This is a state land that's owned by the state land. It's not owned by the town. Two legislatures who brought this forward can do that because they're part of the state and they run things up there, not in Hudson. And as we've seen since this time, I have received numerous emails in support of this million dollars just to look at this study. I heard it at Candidate's Night that people are in favor of it, and I've also seen numerous posts on social media that people are in favor of this. So the next question was, again, we're being called on the carpet that we did something we weren't supposed to. Well, I can tell you and Mr. Debuc, I appreciate what you said tonight because you said Mr. Dhima has been outstanding in helping you. Well, Mr. Dhima was not only helping a resident...Mr. Debuc, from the audience said, Mr. Groth, not Mr. Dhima. Selectman Morin went on to say I'm sorry. I apologize. I apologize. He was helping...say that again. Did you say Mr. Groth? Mr. Debuc replied yes, as did Selectman Roy. Selectman Morin said, oh I said Mr. Dhima. Selectman Roy responded, he said Mr. Groth in his comments. Selectman Morin replied, you did? Oh, well, Mr. Groth was thrown in this, too. So it's still pertains. Ok. And he because he was brought into the original complaint and he didn't even go up there. He had nothing to do with this whatsoever. Ok. Mr. Malizia had nothing to do with this whatsoever, either, and people accused him. So I want to make that clear tonight. Second of all, Mr. Dhima, like he has done for all kinds of residents that have had issues and he does every single day with buildings, and anything was helping a resident who made a request and a state legislator that made a request. You how many times that we send stuff up to DOT on different roads? Let's take the Dunkin Donuts project, OK? There's nothing out there that we talk to you guys about, but there's another lane going in front of Dunkin Donuts onto the Sagamore Bridge. Nobody has any problems with that, but because some people don't agree with this study, we're going to blow this up into a big issue. Reference to my participation in this. If you watch the video, I sat there and said absolutely nothing. All I was there for to see what was going on because I was notified the night before. I had no idea what was going on. I went up to see. I did not represent the town of Hudson. I did not even represent myself. I sat there and said nothing. So people need to understand just because you don't agree, doesn't mean we can't do it. The Constitution of the United States says I can voice my opinion if I like whether people like it or not. Ok. This was nothing but a fact finding search because we had no idea ourselves what was going on. The legislatures did this, not us. That needs to be cleared. So I hope that takes care of any issues or any misunderstandings that are out there. The Town of Hudson had nothing to do with this. State land. State legislators, not selectmen, not residents, not employees. Thank you.

Selectman Roy said Madam Chair, can I just ask a couple of clarifying questions? So cuz I did listen to the video. So when Representative Ulery was talking and referenced you as a member of the Board of Selectmen, you corrected him and said you were there as a private citizen, not as a member of the Board? Selectman Morin replied, he was speaking at the time. I did not, but I did not. I did not say anything so. Selectman Roy replied, and I understand that. So then let's talk about all of this, all this support that all of a sudden came in. I believe last week was discussed after duly noticed meeting, and there were, I don't know, approximately 30 people sitting there. Approximately 10 or so talked, only one of them spoke in favor of it. So, so I guess, you know, I get that they have a little a little buyer's remorse at this point. But you know, again, it was at the duly noticed meeting. And I have a question about something you said last week. And I just want to make sure that I understand it. People were talking about the circumferential highway and the Hudson Boulevard as interchanging things, just calling different names to the same project. Right? And you clarified that, if I remember correctly, and you said two things. One was circumferential highway was a state project paid for by the state. Selectman Morin replied, correct. Selectman Roy then said Hudson Boulevard was a local

project and would be paid by the community. Selectman Morin replied that's how it was presented last year on the ballot. Yes. Selectman Roy then said Ok. But I think that as we said last week, words matter, right? Because the memo that we received from Mr. Dhima states that the DOT Director wanted to add the Hudson Boulevard project back on to the 10 year plan, not the circumferential highway, which means it would fall into the cost would fall to the community. Selectman Morin replied, not necessarily. That's just that's just assuming on your part. Selectman Roy replied, no, no, because that's what you said.

Selectman Morin then said, no, because if you I understand what you're saying. But first of all, we got to do the study first. Second of all, if they like the name Hudson Boulevard and that's what they call it, like the Everett Turnpike, then we're all good and they're going to pay for it. So that's semantics at this point. Selectman Roy then said no, again, words matter. And you explained that there were two. There were two different projects there. So again, I just want people to understand what we're talking about here. So either Mr. Dhima needs to clarify what he put in that memo or she's talking about putting the Hudson Boulevard project back on the 10 year plan as something that this community would pay for. Selectman Morin replied, again, I'm going to say...Chairman McGrath interjected saying, point of clarification first. Point of clarification. So are we talking about the letter that Mr. Dhima and Mr. Groth? Selectman Roy replied, the one that was presented last week. Chairman McGrath then said so that so it was the two of them that it wasn't just it wasn't just Mr. Dhima, it was Mr. Groth that helped. Selectman Roy interjected saying Okay, so well the authors. Chairman McGrath interjected saying so words matter. In in your terms, so make sure that you address it appropriately. Selectman Roy then replied, ok, so the authors need to clarify that because because quite frankly, it sounded like a shell game, right? Selectman Morin responded to Selectman Roy saying the State of New Hampshire wouldn't give us, wouldn't give us free a million dollars if they didn't plan on going through their road. And I'm going to say it again. We have the Everett Turnpike. We have this pike over here, but I will get it clarified for you, Selectman Roy. Make sure you get it. I'm all set thank you. Chairman McGrath then said you might not need to. Selectman Morin said you'll have it tomorrow. Selectman Roy replied, thank you.

Selectman Guessferd: Ok. I just want to clarify something else. You use the term, Selectman Morin, Town, getting the money. We're not getting any money. This is federal money they're going to spend no matter what. I just want to make sure because there's a lot of misconception out there. Selectman Morin replied, you're right. Selectman Guessferd continued saying that this is going to be money that we're going to have the authority to spend. Selectman Morin replied, we're not we're not specifically getting the money, but it is benefiting the Town of Hudson. Selectman Guessferd replied, I understand. But again, words matter, right? We all. So anyway, I just want to make sure it's clear because there's been a lot of social media and know about all this, and there's a lot of citizens that do not have the right understanding of what this was all about. Selectman Morin replied, well, clarify that tomorrow for you.

Having said that, beyond that, all I want to say is get out and vote next Tuesday. Make sure you get to the right place. The cards went out. I got my card in the mail. Brightly colored neon cards, so make sure that you're voting in the right place. You're voting either at Alvirne or you're voting at the at the Hudson Community Center, so I hope to see you there. Thank you very much. That's it. I'm done.

Chairman McGrath: Ok, so I'm up next. And last. So I'm going to read a statement into the record. So I am supporting the police. And by the way, these are my comments, personal comments. I'm not speaking on behalf of the Board of Selectmen. I'm not speaking on behalf of anybody other than myself. So I am supporting the police facility expansion and renovation. This is an urgent need and the cost is only getting greater as more time goes by. Please vote yes for anybody that's watching this, please vote yes on warrant article nine.

Number two, I am fully supporting the election of Rich Weissgarber to the Board of Selectmen. Selectman Roy then said, point of order. Point of order. Point of order. I strenuously object to any

member of this Board supporting a specific candidate from this dais. It's unseemly, and I think it's unethical. Selectman Morin then said correct me or not, you funded for Mr. Guessferd. What's the difference? Selectman Roy replied, what's the difference? I never said anything from this dais that before a town election, I've never said that. I've never used this as a pulpit to support a specific candidate.

Selectman Morin replied, I just wanted to get that out there. Selectman Guessferd said that's fine. Selectman Roy said okay, but it's unseemly and it's unethical, and it is different. Selectman Guessferd said and I agree with Selectman Roy. Chairman McGrath said of course you do. Selectman Guessferd continued saying, that there is no there is no reason for you to be endorsing a particular candidate, whether it's one of us or whether it's somebody else from this place. Chairman McGrath then said okay. Stop. Stop. I will. I'll stop this right now. Selectman Morin, could you take me to the public (input table)? Chairman Roy then said, well, the point of what a public input is over, Madam Chair. Public input is over. Chairman McGrath replied really? Selectman Roy replied yes. Chairman McGrath replied, I don't think so. Selectman Roy then said Bob. Selectman Guessferd replied, yes? Selectman Roy then said motion to adjourn. Selectman Guessferd replied second. Chairman McGrath then said, ok, so I'm going to finish my comments. Selectman Roy then said Motion to... a point of order. Point of Order. Point of Order. Chairman McGrath said to Selectman Roy, you can point of order all you want. To which Selectman Roy replied, I will point of order all night over you. I will. Because it's unethical and it's unseemly. Chairman McGrath kept speaking saying, I am going to read my last two comments. I will read my comments. Throughout this Selectman Roy was repeatedly calling for a point of order. Chairman McGrath continued to say I will read my last two comments. I will read my comment about Selectman....At this time Selectman Morin interrupted saying Selectman McGrath there is a motion on the floor. I have to agree with Selectman Roy. Chairman McGrath replied saying okay. So point of order. What is it? Selectman Roy said there's a motion on the floor to adjourn. Selectman Guessferd said adjourn. Chairman McGrath then said to adjourn? Okay. Motion has been made and seconded to adjourn. Vote carried 4-1 with Chairman McGrath opposed.

12. Nonpublic Session- There was no nonpublic business this evening.

13. ADJOURNMENT

Motion to adjourn at 8:41 p.m. by Selectman Roy seconded by Selectman Guessferd. Carried 3-1, McGrath opposed.

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

Marilyn E. McGrath, Chairman

Bob Guessferd, Vice Chairman

David Morin, Selectman

Kara Roy, Selectman

Absent

Brett Gagnon, Selectmen