

## HUDSON, NH BOARD OF SELECTMEN

### Minutes of the March 22, 2022 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of March 22, 2022 at 7:00 p.m. in the Selectmen Meeting Room at Town Hall
2. PLEDGE OF ALLEGIANCE led by Police Chief Tad Dionne
3. ATTENDANCE

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

Staff/Others: Steve Malizia, Town Administrator; Chrissy Peterson, Recreation Director; Tad Dionne, Police Captain; Dave Bianchi, Police Captain; Elvis Dhima, Town Engineer; Jess Forrence, DPW Director; Rob Buxton, Fire Chief; Paul Inderbitzen, Town Moderator; Roger Ordway, Town Clerk/Tax Collector; Gary Gasdia, School Board Chairman; Jill Laffin, Executive Assistant

4. PUBLIC INPUT

Chairman McGrath began by saying so we'll go into public input if there's anyone here for public input. But I discovered and was given a copy of public input at Board of Selectmen meetings that was devised back in July of 2015 prior to my being on the Board. So I'd like to read it into the record so that anybody that's here for public input would understand what the rules are.

#### Town of Hudson, New Hampshire, Public Input at Board of Selectmen's Meetings

The primary purpose of the Board of Selectmen's meetings is to conduct the business of the Town. The Board encourages residents to attend Board meetings so that they may become acquainted with the operation and programs of the Town. All official meetings of the Board shall be open to the press and the public.

Public participation in the Board's regular meetings is a privilege that Board has adopted in order to assure that persons who wish to appear before the Board and either discuss agenda items or bring new matters to its attention may be heard. At the same time, in order to assure that it may conduct its meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings:

1. At regularly scheduled Board meetings, the agenda will reflect the time during the meeting that allows for public input subject to these procedures. Speakers will be allotted five (5) minutes per person unless extended by approval of the Board.
2. If there are more than three (3) speakers on the same topic that may be lengthy, the Board may ask that the subject matter be placed on the Board's agenda for a future meeting. If applicable, said speakers shall provide materials relative to the subject at hand and shall deliver them to the Board of Selectmen's office by noon the Thursday prior to the Selectmen's meeting.
3. Complaints regarding individual employees, other individuals and/or any matter that may, in the opinion of the Board infringe on another person's rights of privacy will not be allowed, such matters must be directed to the Town Administrator during normal business hours at Town Hall.
4. When addressing the Board, all speakers are to conduct themselves in a civil manner. Profanity and/or obscene, slanderous, defamatory, argumentative, disruptive, disorderly

or violent statements will be considered out of order and will not be tolerated. The Board Chair may terminate the speaker's privilege to address the Board if the speaker does not follow these rules of order.

5. If a speaker does not follow these rules after being warned to do so by the Board Chair, they may be removed from the meeting. Persistent violations of these rules may result in loss of the privilege to address the Board.
6. Public input will be allowed only for items that the Board of Selectmen have control over. It is preferred that individuals who wish to address the Board sign up in advance for public input with the Executive Assistant to the Board of Selectmen. When signing up for public input in advance, the individual shall summarize the topic of subject matter that the person wants to discuss with the Board or bring to the attention of the Board.

Purpose: The purpose of this policy is to provide the Board with an opportunity to receive directly from citizens any information, concerns, desires, or hopes you may have for the community, while keeping the discussions civil and orderly and protecting the rights of others.

Procedure:

1. Person wishing to speak during public input must state their name(s), and address and state the issue(s) they wish to be heard on.
2. Persons should try to speak directly to the issue, as briefly - and fully - as possible.
3. Persons should try to be specific about what they want acted upon - if that is the case - by the Board.

Ground Rules:

1. The Chairman of the Board conducts the public input.
2. The Chairman indicates how much time will be allowed for public.
3. The Chairman will call on those wishing to be heard.
4. No discussion on individual personalities (good or bad) is permissible in public session.
5. The Board will make no decisions during Public Input nor will we make any decision this evening.
6. Any person whose conduct is in violation of the rules set forth above will be ordered to cease and desist such behavior. Should their behavior continue after due warning, they will be removed from the meeting room."

Following the reading of this document Chairman McGrath invited the anyone present for public input to come forward, stating their name and address for the record.

Jerome Bento, 7 Muldoon Drive

My name is Jerome Bento. 7 Muldoon Drive, where I've lived for 34 years with my family. My request to you tonight and throughout the remainder of your term is to please look past what divides you and work toward what can bring us together as a town. The other side is not always wrong, nor

right for that matter. Compromise will bring us together. Another request I have for you is to do a better job of communicating with each other. Please do not use social media or your regular meetings as the only point of communication. If you have a question of another Board member, pick up the phone and call your fellow member to be a fully functional board. It is not necessary for you to like each other, just that you respect each other and each other's opinions. Some of the public behavior in your past the past meetings have been embarrassing. My personal disappointment is that over the past few election cycles, I have voted for many of you. What I have seen recently has cast doubt in my mind on whether I have voted correctly. I also ask, unless it is a safety issue, please require multiple quotes from vendors prior to awarding contracts. I know on tonight's agenda there is a proposal regarding legal services. Please consider putting it out to bid. This may be the best proposal available, but let's put it out to the marketplace.

After hearing the dire status of the Haselton barn roof, I wonder if the Town would benefit from a part time grant writer. Although we have seen multiple grants as a result of the great work done by the Fire, Police and Engineering departments. Are we leaving anything on the table because we are not aware of the grant? And should our departments be spending time on grant writing or on their primary responsibilities? I look forward to an update at an upcoming meeting. I'm also looking for the status of the Joint Committee that the Board formed with the School Board to review options of joint purchasing. I may have missed an update, but at the very least the taxpayers should be receiving regular updates on these types of initiatives. I look forward to an update and upcoming meeting. I look forward to regular progress reports on a proposed Town newsletter. I see this newsletter as a positive step to a providing the taxpayers a central place for Town information. As we all know, the lack of newspapers has created an information void, and social media is not the fix. Please feel free to reach out to me if you would like input on that topic from a long time citizen. Thank you.

Xen Vurgaropulos, 25 Muldoon Drive

Thank you for allowing me to speak tonight. Just got a few things to talk about as per my research and understanding of the Board of Selectmen Bylaws and Robert's Rules of Order. I would like to raise a concern to the Board. I want to start by reading some excerpts from the Board's bylaws, and will follow up with a statement at the end. I've read the latest bylaws that were adopted on July 27, 2021 and amended February 8, 2022. And the following section is one that I believe the Board has to be better about. Section D Rules of Order. Paragraph three Role of the Chairman. The chairman's duties include the following to maintain decorum during meetings. To enforce all occasions. To observance and order and decorum among the members. Paragraph five. Conduct of meetings. Meetings shall be conducted in accordance with general accepted practices in order and decorum in the event of a dispute. Recurrent procedural matters. Robert's Rules of Order shall serve as the guidance sorry, the guideline with a vote of the Board being the final deciding authority. Now, as I read this, I wanted to make sure I understood everything I was reading. So I read it a few times and what I noticed was the word decorum appears three times in the Board of Selectmen bylaws, twice in the section pertaining to the role of the chairman, and once in a section related to the conduct of meetings. I think that is an interesting word, and the word decorum is defined as follows behavior in keeping with good taste and propriety etiquette, a particular requirement of good taste and propriety that the last Board of Selectmen meeting on March 1st, 2022. The Chairman did not maintain appropriate decorum, and this behavior has been exhibited many times in previous occasions, as the record would show, to selectmen. Whether residing on the Board of Selectmen and or representing the Board of Selectmen as a liaison to the Planning Board has behaved in such manner many times, has made snide comments against and towards other members of many boards, and has stated aloud they have voted certain ways in spite of other members. The latest example was the behavior at the end of the March 1st meeting, which was very disappointing to see a group collaborate like that. So what I'm going to say now is my final statement. I say the following, and I did not say it lighthearted because I believe the selectmen may have done so. I believe the selectman has done many great things for the Town of Hudson and has had the Town's best interest at heart, but may have gotten lost along the way over the past two years since I started to get

involved in Town politics. I've witnessed this behavior and lack of decorum on multiple occasions, and I feel that this individual may not be fit for duty for the Town of Hudson and written the bylaws and Robert's Rules of Order, for which the bylaws default to the conduct of meetings. I want to raise a point of order to have the selectman removed from the chair per session, for this session, per section 62:10 of Robert's Rules of Order and additionally removed from office per Section 62:12 for neglect and misconduct. I know this is a very strong statement and still I believe the Selectman is entitled to fair and due process and with proper investigation and trial per Section 63 of Robert's Rules of Order and the Board of Selectmen Bylaws and any Town laws that apply. I do believe that the best intentions were always at stake. But maybe it's time for a change. Take a few time. Thank you, sir.

Shawn Jasper, 83 Old Derry Road

Madam Chairman. Members of the Board. I am Sean Jasper, 83 Old Dairy Road. At a previous meeting my name was used in reference to the Haselton Barn. And so primarily that is why I am here to talk about that. I want to talk, though, I think more broadly in terms of how I feel about how the Board represented the Town or has been representing the Town ethically in with a lack or an a lack of integrity relative to that deed. And I'll be the first to admit that when I was a young selectman, I was part of a board that actually tore this town apart, caused our form of government to change because people were so upset by our behavior. But we weren't acting with a lack of integrity. We weren't not carrying through with our commitments. We were behaving very badly. I learned a lot through that process. Ultimately, we had a town council, didn't behave much differently, and we came back to this form of government and it all, it doesn't matter what form of government you have, it matters who you have on the Board of Selectmen and how they behave. And many times I have not liked my fellow selectmen and we battled, but ultimately I think we did what was ethical and what was in the best interest of the Town. So this leads to me to what is going on with the Haselton Barn. We are not behaving as a town in an ethical manner. We're not acting with integrity. I will never forget the day that we took possession of the Benson property because that happened to be my 50th birthday when we went to the governor's office and handed over our check and got that deed. Now I was part of the negotiating team relative to the terms and conditions of receiving the park. I tried very hard, as did other members of the board, to separate the Haselton Barn from that and say, you keep it, we don't want it. It is a white elephant. But we purchased that property for roughly \$1,000 an acre. The state put millions of dollars into acquiring that building and then taking down buildings, removing asbestos in all of those things. So even when you look at that barn and the cost that could be associated with that, the town of Hudson got a bargain and we made a promise. The five selectmen selectman Naito, who was chairman at the time, Selectman Maddox, Selectman Massey, Selectmen Couto and myself made that promise on behalf of the town after the town approved the purchase that needs to be carried through. I'm going to stop for a minute about that now. My family's been in town for over a hundred years. We own what members of the Fire Department and in past years have said is probably the largest wood frame structure in the Town of Hudson. It is a four story barn which is larger than the Haselton Barn, and parts of it are much older than the Haselton Barn. For three generations, the Jasper family has maintained that barn since the 1930s. That is our commitment to that structure and we have done it with our own money and mainly with our own labor. As a matter of fact, I developed carpal tunnel when I was in my early thirties from working on that barn, and it always needs work, it always will need work. But we have done that. You have a barn that we took possession of and the roof is leaking in every single day, every single storm. When that roof leaks, the barn deteriorates even further. You should not be talking about, well, what are they going to do if we don't fix it? You shouldn't be talking about that. You should be talking about how do we live up to our commitment? How do we do what we as a town promise to do? And I'll tell you. Roofs don't age evenly. That is a typical barn, which has one side facing south and the other north. I can get somewhere between 15 to 20 years. More where? Out of the north, facing side of the barn than I can out of the south facing. I suspect all of the leaks in that barn right now are south facing. And you can see that. So you don't have to talk about doing the whole roof at once. You can actually do one side of the roof at a time. As my family always, always has. But you have to do something now. And I don't care if you say, well, we need to have an assessment done to carpet, do something temporarily.

You should not wait another month. We're going to get into the heavy rain seasons. It's going to be deteriorating at a very rapid rate and it's going to cost the taxpayers of town more and more every time it rains and the worse it gets.

Now, I just heard a gentleman talking about grants that are available, and that is true. I sit on the LCHIP Board (Land & Community Heritage Investment Program) as a non-voting member, as Commissioner of Agriculture. We had fewer applications for LCHIP this last year than we had dollars available. There is no reason that the town is not applying for money through LCHIP now. It's a long process and you can't wait to do something with that roof. But you can do something temporarily in terms of what do you have to do to the roof? I'm not the expert on that, but I suggest would suggest that probably there's a lot you can do. Stopgap. I know we've talked about historic structures and the need to do them in a certain manner. Well, when we did the train station and the train station roof was leaking, the Board of Selectmen said, we can't wait for that process. We did it ourselves. And we because we knew it was deteriorating and we said, you know what, maybe they're going to come after us and maybe they're not going to allow this and maybe they're going to do this. Maybe we have to fix that roof, because if we wait for the state, we're not going to have a train station left. Well, they didn't do anything to us. We did a good job. And, you know, that sort of just got overlooked. Rather, they counted all that money towards our match or not. I don't remember. And it really doesn't matter, because now we have a beautiful train station. This Board should act tonight to start that process and figure out how to stop the loss on that barn before you put this town at much greater risk than it is now by the neglect that has taken place over the last four or five years. Be glad to answer any questions, but I think I'll stop there before I get myself any more worked up about this. If you can't tell, I'm rather passionate about barns. I also serve on the Barn Committee for the State of New Hampshire.

Chairman McGrath then said, I don't have any questions. You know, you heard me mention your name in that whole that whole discussion that we had. I know nothing about bonds. I know nothing about construction. I know, as I mentioned at that meeting, my parents were from Prince Edward Island. I traveled down there and I saw plenty of barns that were in probably far worse shape than this one is. But I don't you know, I don't know. So I require other people to tell me what needs to be done and what makes sense. So and the two gentlemen that were here couldn't seem to be able to do that. They were they were at a loss, I think. And I'm not I'm not saying anything derogatory about them at all. It's just that they were at a loss as to what to do. Every step that they took, they ran into a barrier. Mr. Jasper replied saying I think there are people that you can consult, but certainly, you know, you see it all the time where roofs, when people are in the planning stage, will put membranes over the parts of them that are that are gone. That's a short term fix. We actually did that with the train station and we left it there two too long. Those are usually three year fix. So you can plan, but you can see the sag in the area of the barn where it's leaking. You can see the problem. Something has to be done. You have staff who can look into that and figure it out. You do have money. We just put another \$100,000 and it won't be available until July 1st. But you're not going to get this roof before July 1<sup>st</sup>, anyhow. I don't remember what you have in the account, but you certainly have enough to stop the loss and you have to. Some of you may remember the Hardy Barn down where Fairview is and how quickly that deteriorated. Once you get one hole in it, there's very few barns left in this town. One is on Greeley Street, which was the Record Barn Alice Record. Nobody would remember her. And that is now they had done some temporary fix and very rapidly since last fall, you can see that that barn is about to collapse and will not survive another winter. So you have some time, but not much time. You could...the damage that will be done will be just beyond belief if you let this go much longer, I can promise you that.

Selectman Morin was recognized and asked, you remember what the agreement was on the status that that had to stay in with that there's a lot of different...Mr. Jasper replied, yes. On those buildings that we couldn't luckily the elephant barn was taken out of that because they thought it was too far gone. We fixed it for \$43,000 at that time, the A-frame was another one too far gone. We fixed that. Same with there was a roof hole in the roof of the lion cage. No gorilla cage. Thank you. But the train station, the office building and the Haselton Barn have to be restored to the Department of Interior

Standards. However, they need to be kept at least the same condition they were in when we took it. So, you know, if the sidings off, you can leave the siding off. Can't let any more fall off. If the roof is leaking. I mean, if the roof is not leaking, which none of them were at the time, you have to maintain that status. You can't allow the roof to leak. And so, as I said, even though the train station was one of those that had fell under that, nobody came after us when we just said we're putting a roof on it because a roof is temporary. Right. What do you how do you define temporary? You know, 30, 40, 50 years? I mean, so when you know, all right, at some point we'll get to that. The state's not going to come after you if you put a steel roof on that side or if you do something else, if you decide you're going to do a full restoration, then yes, you have to go to that that standard. But nobody's looking. They'll be thrilled to see that they don't have to litigate with the Town of Hudson. And yes, in theory, they could take the park back. Frankly, they don't want the park back. They don't want the expense that comes back with the park. But they can't do nothing. So you need to do something. But that's your ethical obligation. And I'm sure I've gone way over my 5 minutes, but that was answering questions.

Selectman Morin was again recognized and said just to clarify that all we have to do, all we have to do is keep it as if we got it. We don't have to restore it. Mr. Jasper replied you do not. That's only if you decide to take that step. Selectman Morin replied Okay. Thank you. Mr. Jasper responded you're welcome.

Laurie Greer, 28 Derry Lane

My name is Laurie Greer. I live at 28 Derry Lane. Right next to that cemetery. My house is haunted by it. Just kidding. I'm here today to try, and I'll try and make this as short as possible. To keep it within my 5 minutes. Back in 2019, we were told by the City of Hudson that we needed to install an MIU meter on our house, and prior to that, was 2019. Prior to that, a couple of years prior to that, my husband was diagnosed with a very rare form of cancer. I was told by Elvis at the city that if I got a letter from his doctor that the Town would not do the meter on my house. Right now, currently, the electric company actually has legislation put in place because of the issues with these, I call it a smart meter. People are going to argue it's not a smart meter, but it's a meter it emits. So the State of New Hampshire put in legislature for the Eversource that if you wanted or didn't want a meter, you let them know. So for them, we just take a picture of our meter every month. They actually have a little...they even call me, but I don't need the call to say, Hey, take a picture of your meter, send it to us. So that's how they read my meter so they don't have to come out. Well, that's exactly what we're asking for, for the city of Hudson. But Elvis seems to have a vendetta against us for some bizarre reason. That how it feels. But he told me if I got that letter. So at that time, I said, look, my husband sees the top cancer doctors in the world at Mass General, and I feel like this is to ask them to take time when they need to take care of other people. But I did eventually get the letter, so I have a letter from one of his doctors saying we do not recommend that this meter be installed on their house because of his cancer. So then fast forward to last October. A gentleman showed up on my property saying, we're here to install the meter. I said, No, whoa, no. Like, I haven't heard anything from you. You know? Well, if we don't install the meter, we'll be back next week to shut your water off. So then I engaged my lawyer. My lawyer sent a letter to Elvis, and then Elvis supposedly didn't get our letter, but showed up with the police at our house. And we pay our bills. We pay our taxes. We don't you know, we're not defaulting on anything. We're not breaking any rules. We're not in noncompliance, as he likes to say. So they showed up. My 89 year old dad was in the shower and they shut the water off. But at the end of the day, our lawyer talked to Elvis and he had to turn it back on.

Since then, Elvis has continued to go back and forth with us, and now he's basically saying, I don't care about your doctor's note, you're going to have it. So I went to the town to talk to him physically, person to person. And he said, I don't know what your problem is. Know we spend a lot of money in this town. You're going to have it. And I said, really? I said, Well, I said, where were you for two years? We didn't hear anything from you. Oh, well, we were dealing with all the other people who didn't want the meters. I said, well, how many people was that? Oh, hundreds. And he said, if I don't

do this, then all those other people are going to want the same thing as you do. And I said, well, how many people is that? Well, maybe four. I'm like, four, really? So since then, we've been going back forth again with Elvis, and he has not responded to our last letter. He has threatened to shut our water off as of April 1st. We did talk to him about our lawyer, talked to him about us getting a well. And we are still looking at the options of a well. But it's not something you can just go, okay, here's a well, you know, we have a lot of landscaping our front walkway to deal with. There's a lot of logistics to it. Plus, with COVID, the price has gone through the roof right now. You know, if you thought you were going to spend \$10,000 for a well, we'll plan on doubling it right now. It's very expensive. They've gotten very expensive. Hopefully that'll change in the near future. But I don't know.

So as of April 1st, he's saying he's going to shut our water off. We have not heard a word from him. So we're here tonight to talk to you guys. I do have a packet that shows the correspondence, but what we're asking of the town is for reasonable accommodations regarding us refusing this technology on our host because we are in fear for our health and we have a letter from a doctor about it. And at the end of the month, just like the electric company, we'd like to. I've been doing it actually have been sending them, Valerie, a photo every month of our meter so she can actually read it in the comfort of her office. So we're asking for relief of that. If our water gets shut off. We have retained Jerry Prunier and we will seek legal action against the city if we have to. We don't really want to do that. We just asking to be able to take a picture of our meter and send it in each month.

Chairman McGrath then said, Mr. Dhima is in the doorway and I think he'd like to...do you have anything that you'd like to add or? Mr. Dhima replied, once they're done I'll respond. Ms. Greer then said Yeah. So I hand-delivered a letter to him. I haven't received anything in response from him. So we do have another letter that we have for the city here. And I have a packet if you'd like it.

Selectman Gagnon was recognized and said thank you, Madam Chair. Forgive me, ma'am. I'm not aware of this situation or anything of the sort that you speak of. So all I can recommend tonight is if you do make any communication to copy, either all of us as at the general BOS email address or the Chairwoman so that we can be informed. I know, I know nothing of any of these letters. So thank you for your time tonight. Thank you. Ms. Greer replied Actually, I did this.

Chairman McGrath then asked, did you come before the Board in the past? Because I'm pretty certain that I heard about this, but I don't know. Ms. Greer replied, I've never come before the Board. The Town Administrator then said you may be best to take their correspondence, put it on the next agenda so everybody has an opportunity. Not shut the water up April 1st. Chairman McGrath replied, yes. No, of course. The Town Administrator continued saying everybody would have an opportunity to...Ms. Greer interrupted saying my elderly parents do live with us so, you know, that's a problem. The Town Administrator continued speaking saying, that way you can have a more intelligent and informative discussion. Ms. Greer then said and I'm happy to answer any questions and provide the letter from the doctors and all of that. But, you know. The Town Administrator then said and Mr. Dhima could provide his input, too. So that may be the best way to handle that. So if you have something, we could take it. If you want to give it to us. Ms. Greer replied sure I'm happy to give you this packet.

Chairman McGrath then said so I'm sorry, but your husband, does he is he better or you're feeling better? Ms. Greer replied, we're working through it. Super rare form of cancer. A thousand cases a year. 1% of that thousand is his. So luckily, Mass General is close to us, so we spend a lot of time there. Selectman Gagnon and Selectman Guessferd both responded, best of luck.

5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS

A. Appointment

Conservation Commission - (1 alternate member term to expire 12/31/23)

Linda Krisciunas

Chairman McGrath welcomed Hudson resident, Linda Krisciunas, who applied to serve on the Conservation Commission. Chairman McGrath said so you're interested in serving on the Conservation Commission? Can you give us a little bit of your background and why you're interested in this commission?

Ms. Krisciunas replied, I'm not sure if you remember me. I did run for the Planning Board, so I've lived here since July of 2020 and I've always believed in any community I live in and volunteering and giving back. So that's part of it. I didn't make the Planning Board, but I congratulate Mr. Crowley for making it. So it was great to see him, but I still want to be part of the community and give back. I've met with Bill Collins, who's the lead person on that, and talk to him about the work they do. I've attended some of the meetings, so it sounds like something of interest to me that I would enjoy my background. I'm an engineer and I'm a patent professional, so I practiced patent law as well. I don't know if you have additional questions on my background, but.

Selectman Gagnon was recognized and said thank you, Madam Chair. Just a statement. I know a resident reached out to me, Mrs. Gasdia, and she said she highly recommended you for the position. So I took that to heart. And we'll look over your information. And I appreciate you standing up for volunteering.

School Board Chairman Gasdia was recognized and said I just say, I've known Linda for a long time. She'd be a fantastic addition to any board in this town especially.

Chairman McGrath then said so I have a comment to make. I watched the Candidates Night and I was very impressed with your credentials. Thank you. And I thought that you would have made a good addition to the Planning Board. Maybe next time. It's always the next time. Okay, so we'll take this under advisement. And what we usually do is we wait till the next meeting to make a decision. So the next Board of Selectmen meeting, you can either be here or you can just watch it. Ms. Krisciunas replied and if there's any other questions, I'm happy to answer them.

6. CONSENT ITEMS

Chairman McGrath asked does any member of the Board wish to remove any item for separate consent. Selectman Roy asked that the calendar be corrected to show that the Cable Utility Committee meeting is not canceled. Selectman Gagnon made a motion, seconded by Selectman Guessferd to approve consent items A, B, D, and F. Carried 5-0.

A. Assessing Items

- 1) Veterans Tax Credits: map 217, lot 003, sub 015, 6 Empire Circle; map 174, lot 019, 27 Baker St.; map 168, lot 002, sub 024, 23 Krystal Dr.
- 2) Certification of Yield Taxes/Timber Warrants: map 105, lot 017, sub 002, 201 Robinson Rd.; map 105, lot 017, sub 003, 199 Robinson Rd.
- 3) 2021 Property - Tax Supplemental Bill: map 191, lot 70, 35 B Street



4) 2021 Property Tax Abatement: map 150, lot 1-1 & Lot 1-2, 82A & 82B Greeley Street

B. Water/Sewer Items - None

C. Licenses & Permits & Policies  
1) Tag Day Permit - American Legion Post 247  
2) 2022 Permit - Hudson Speedway

D. Donations - None

E. Acceptance of Minutes  
1) Minutes of February 22, 2022  
2) Minutes of March 1, 2022

F. Calendar

3/23	7:00	Planning Board - Buxton Meeting Room
3/24	3:30	Trustees of the Trust Funds - Buxton Meeting Room
3/24	6:00	Conservation Commission - Site Walk
3/24	7:00	Zoning Board of Adjustment - Buxton Meeting Room
3/28	7:00	Sustainability Committee - Buxton Meeting Room
4/06	8:30a	Highway Safety Committee - Buxton Meeting Room
4/07	7:00	Recreation Committee - CANCELLED
4/11	7:00	Conservation Commission - Buxton Meeting Room
4/11	7:00	Cable Utility Committee - HCTV Meeting Room
4/12	7:00	Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS

A. None

8. NEW BUSINESS

A. Recreation Department Summer Staff Rate of Pay Review

Recreation Director Chrissy Peterson was recognized and said thank you for allowing me the opportunity to come in tonight. Nice to see everybody. My intent was to seek the Board's consideration to increase the hourly wages of our summer program staff, which involves the counselor in training as well as our counselors. As you're all aware, the summer program has been canceled for the past two years due to the COVID 19 pandemic. So our veteran staff members did seek seasonal employment elsewhere, and rightfully so. But as we head into our first summer bringing the program back, we will definitely be reinventing the staffing wheel for the most part. The current rate for our counselor in training, which is also known as CIT, is \$8.25. For our counselors, it ranges from \$10 an hour to \$11.25 an hour, and that is based on a step process of how long they've been employed with us. The reality is that the current rate is preventing potential applicants from applying for the position. In order to both attract applicants and secure them as staff, I feel that it's critical to get to a competitive hourly rate. In Hudson alone, I'm sure everyone is aware we're up against small businesses, food establishments, grocery stores, gas stations. All of that are ranging between \$14.00 an hour and \$17.00 an hour. Additionally, surrounding towns that offer summer

camps and or summer programs range between \$13.00 and \$16.00 an hour. My proposal tonight is to seek the Board's consideration to increase the CIT rate to a \$10.00 an hour rate and for the counselors to a \$13.00 base pay. Ideally, it would be great and beneficial to be able to continue this debt process and be able to go up to \$14.00 an hour. Looking at the staff that may, may come back, that would only be maybe two people that might reach that amount, because that's typically five years or more than employed with us in the summer program.

We're currently budgeting our supervised play salaries line item 5821-104 for \$80,040. Our last operating summer program, 2019, we utilized \$68,000 of that. So if we were to continue with our target number of 17 full time counselors that work roughly eight weeks for the program, maybe a little bit over some, maybe a little bit under our four counselor in trainings that do part time for the eight weeks. I feel that we will have enough within that line item to accommodate the increase. To speak completely candidly, to try to secure staff at the rate that we're currently at is going to be an enormous challenge. I did advertise the position slightly, you know, on social media and received a handful of phone calls back. But unfortunately I lost the applicant once the rate was disclosed. And with this being my first summer program, since I've transitioned into this position, I'm really eager to get it up and going. I'm eager to make it better and strengthen it and make it more appealing. But I'm a firm believer that you need a strong quality staff in order to do that, because they're essentially the backbone of the program. I would say that being a counselor for the summer program, it's a great job. Its fun, it's close to home. It's a great opportunity for everybody in town. But it's really a very big job. And it's, you know, it's an important role in responsibility to take on the care responsibility as well as the safety of the children in our community. And I do feel that having a price on the value of that job, what that job entails is important.

Selectman Gagnon was recognized and said thank you, Madam Chair. I'll make this quick. I know we have a long meeting tonight. You talk about \$80,000 for the budget for this. Is that for this year's default budget? Ms. Peterson replied, yes, it is. Selectman Gagnon then said all right. With that said, excellent presentation. I'm fully on board with this. You as a leader in that department have been excellent. You have great programming. And the people are the foundation for all programming. So without the people, you'll crumble. And I don't want to see that happen.

Selectman Guessferd was recognized and said No, I was just motioning to him. But, yes, I would agree as well. As long as we're staying within that budget and you can do that with the pay increases. Let's do that. The Town Administrator then added, again, these are seasonal employees. We pay the FICA, but we don't pay any other benefits. Again, they work for the season and they're done. So very reasonable proposal.

Selectman Morin made a motion, seconded by Selectman Gagnon to increase the base pay of recreation department summer camp counselors to \$13 an hour with the ability to step up to \$14 an hour and to increase the starting pay of counselors and training kits to \$10 an hour. Carried 5-0.

#### B. Transfer Station Upgrades - Construction Services Award

Town Engineer Elvis Dhima, and Public Works Director, Jess Forrence were recognized by the Chair. Mr. Dhima began saying, you, Madam Chair. Good evening, everyone. I'm here with Public Works Director to present the first item for you tonight, Construction Services Award for the transfer station upgrades. You'll remember there was a masterplan done for this about a year ago and we broke it down to the four phases. The first one would be the upgrades related to safety, compliance and basically planning for the next 10 to 20 years. The second phase would have been the scale installation and help us out with revenues. Third one was the site and then eventually, if the town wants to move forward with that to the overall regional recycling transfer station for the entire area.

So the first piece that we did was identify the need for the upgrades related to safety and compliance. ARPA money was funded for that purpose. We budgeted \$750,000. We went out to bid. We had six vendors come in at the pre con and only one of them put a bid in. So we budgeted 750 and the alternate A, which was a full blown out project, came in about just \$900,000. And alternate B, which was a backup in case alternate A came over \$1,000,000 and we had no other way to do it by doing most of the project ourselves.

Mr. Dhima went on to say, once receiving it, we reached out to different vendors to see what happened and basically the prices are changing by the day. That was basically very challenging to work with. So Mr. Forrence and myself got to work to see what we can do with that number we showed to the consultant, and they were basically able to reduce some of the costs by allowing the Town to do some of the tasks. Two of those tasks are we can do the pavement ourselves. And the second piece is if Public Works helps out with equipment and hauling or the labor, that has to do with the hauling, bringing equipment in and bringing material in and out of there, dirt, gravel, things of that sort, probably either Continental or Brox because it's going to be local and basically we're able to reduce the cost by \$62,000. There's a cost associated with doing that work ourselves, but we believe we can do that about a third of the \$62,000 savings. So with that said, again, we budget \$750,000 it came at \$900,000 out of that 150, \$150,000, \$125,000 was related to steel. So the steel has gone up from the time we budgeted it to today. The steel alone is \$125,000 out of the \$150,000. So that is where the change is. It's changing by the day. We've been advised by other contractors and vendors to lock this in as soon as possible because they do not see a relief. We all know between the sanctions and everything else that's happening out there, it's only going to go up. So there's no relief in sight. Even if we go out to bid, we're not going to see that.

Mr. Dhima then said, so with that said, we feel that one way to get this done is through basically doing some of the work ourselves. When we started this process, we budgeted \$350,000 for the drainage project and about \$750,000 for this project for a total of \$1.1 million ARPA money for these two projects. We are in the queue right now. If we move forward with this, we'll be we'll be right on target just over 1.1. So in reality, between six months and now, we're still pretty much on budget on all target if you want to. We got very lucky with the first project, not so lucky with this one due to the steel cost. So we think the still needs to be done and that's what we recommend to the Board of Selectmen tonight. I'll take any questions you might have.

Selectman Roy was recognized and said so I have a couple of questions that maybe you can explain to me on the lower bid, right? Mr. Dhima replied, it's one bid. But the lower the alternate B. Selectman Roy said the alternate. B. Common excavation on alternate B is \$18.40 per unit. And then on the higher one, it's \$15. And then it's a similar question for the structural fill. It's \$25 on alternate alternative A and \$40 on alternative B. I mean, that's not. Mr. Dhima replied, the difference is that you're doing less work on alternate B, therefore....Selectman Roy interjected saying so they're charging us for doing less work. Mr. Dhima replied they're charging you for the same work. They're charging you more for the same task because there's less work for them to do. Yes. That's typically the case. Selectman Roy started laughing and Selectman Guessferd said the economies of scale, is that what we're talking about here? Mr. Dhima replied, that's typically how it works. You're not going to get the same price. It just it's just that's how contractors work sometimes. It does have to do with that, with the economies of scale for the project itself overall. If you have more work to do, the mobilization can be justified by additional work, like \$900,000. They're not going to provide the same mobilization to do basically less work. Selectman Roy then said well, I get the concept. If you were buying more, we get a lesser price, right? For buying bulk, but not...It's the same amount of stuff. I don't understand why they would charge us more just because we asked for a smaller second alternative.

Selectman Guessferd asked is there a fixed component of that? So that's the only way I could see where that would work. Mr. Dhima replied, so think of it this way. If they're bringing an X amount of material, an hour X amount of equipment to do this work, but they're going to have a smaller contract.

A smaller amount of money to work with. How are they going to be able to spread out the cost, the fixed cost with the labor that's associated with it or the equipment if they don't charge more for certain items? I don't know if that makes sense or not. It's spreading out. That is how it works out there. I mean, I hate to say it. I know you're that is how it works out there.

Selectman Gagnon said, I follow you. What option do we have? Selectman Roy then said Well, I guess I just kinda want an explanation. Selectman Gagnon responded, I agree. I don't know where to go. Selectman Guessferd then said yeah, like I said, the only thing I mean, as what you're saying, I think, is there's got to be a fixed component to this and that goes into that hourly or that per unit rate. Right. So if there's a fixed cost across there and you're buying less your fixed cost per unit, it will go up. There's a variable piece and there's a fixed piece. I can see that's the only way I can justify this is that that fixed piece is spread over a smaller number of units. That's the only way. I mean, I'm trying to justify it. I'm just trying to figure it out of my brain. I hear what you're saying. Selectman Roy replied, just kind of doesn't make sense.

Mr. Forrence replied saying he's exactly correct. Exactly correct. It's still going to cost the same thing getting equipment, getting employees there, engineering all the rest of it. So if they're there in six months, they have to spread that cost, same cost of doing everything. It's just a smaller area, so it costs a little bit more money. If it was the second job and it was done in a little bit longer, the profit would still be in the job there, but everything else would be covered also. Selectman Guessferd replied, I see it.

Selectman Roy then said I have one. So cuz you threw a couple of things around, you said it was just over 1 million and then it was just over 1.1 million. So it's really how much was budgeted for this project? Mr. Dhima replied, for this project was \$750,000. For the drainage project was \$350,000. So the total was 1.1 between these two projects. Selectman Roy then said so it's not going to go over 1.1 million, right? Mr. Dhima replied, overall, yes. So if you do, the first project cost is about \$250,000 the drainage work we just completed. So if you do 250 and if you just say this one is going to be about 850, we're basically right at 1.1. You know what I mean, between the two projects. Selectman Roy replied, I do. I do. But but...Mr. Dhima said this project alone. Standing alone, as you said, this is over what we projected. Yes. Selectman Roy responded, my my point is, under the ARPA framework that we worked out, you were given a certain amount of money. And then if there was, if you needed more or there was less, it returned to that committee to be reallocated. So my question is, does anything have to go back to that committee? Mr. Dhima replied saying, I don't believe so, no. We have about 1.3 million in the in the bank right now through ARPA money. So my understanding was that there's any money left over they could be going back there for other projects in the future. But these are the two projects that we went through, the first ARPA money that's available. Selectman Roy replied, right, but it goes both ways. You can't just go over on this project because there's 1.3 million there. Do you understand what I'm saying? Mr. Dhima replied, the cost of a project is the cost of a project. So if you take this out and go back and say...Selectman Roy replied, there's a budget, there was a there was a certain amount of money allocated for that project. Mr. Dhima replied, there is. But things do change. The cost does change. Selectman Roy replied, and I get that. But again, I understand the process that would go back to the committee to make sure that that it was all accounted correctly so that so that everything is captured and reallocated accordingly.

Mr. Dhima replied, let me simplify this. That what we're dealing with when this whole thing started was \$550,000, and it did not go through the warrant article. So we bump it up to \$750,000 and here we are about 18 months later looking at \$1,000,000. That's what we're dealing with. So I don't know what else to tell you. Selectman Guessferd then said I think I think it's more procedural that that Selectman Roy is talking about...Selectman Roy interjected saying, right and that's my point. Selectman Guessferd continued speaking saying not so much the cost itself, but just the procedure of making sure that we're accounting for correctly. Selectman Roy the said right. And if we have to take something from somewhere else to make sure that it works, that we're able to do that. Mr. Dhima then said but the way I see it is I totally understand your point. But what I'm trying to say is that you were \$100,000 surplus on the previous project, we just did. That one we didn't have to go

back. So that money went back into the pot. So right now we're looking at \$100,000 over budget for this one. We budget \$750,000 and we're looking at \$850,000 that \$100,000 that we saved, that the drainage project is going towards this. At the end of the day, you're still looking at 1.1 overall between the two projects. Selectman Roy laughed at this response. Selectman Morin was recognized and said I'm on the same page as Selectman Roy I've been talking to you about this, so I just want to get clear myself. I was on the committee. We did the \$750,000. We agree with that. And I know you were doing the pipe on Flagstone Drive. That's the pipe the drain work you're talking about, correct? And money came back from that. Mr. Dhima replied correct. And that's the money you want to put towards this. Okay that's what we did... Selectman Roy said I understand but like you should have gone back to the committee like you can't. Selectman Morin replied, right. That was, that was the agreement that any money came back, the committee would meet again and talk about that. Yes. Selectman Roy replied, right. Right. So and that's basically my question. If this is going over, has the committee sort of approved that that over from what was budgeted?

Selectman Morin replied, I would say no, because the committee has a met. But if we got it there and this is one of the projects we voted on, we could probably get a committee meeting, you know, take a take something tonight and get it done. Selectman Roy replied, I'm just saying if that's a procedure we forward. Absolutely we should. Because then if one of the other projects comes over, then eventually we'll end up. Selectman Morin replied, right. Understood. We'll do that. We can we can give him I mean, if the committee says no....Selectman Morin asked Chief Buxton for clarification. Chief Buxton came forward and said I'll just try 30 seconds of clarity. The scope of the commission or the committee that worked on the ARPA program was to identify programs, the agents to expend the funds of the Board of Selectmen. So whether the project goes back to the committee after you take an action item and give him the 100,000 to go to the 850, that's your scope. The committee's scope was to identify the projects that should be done and recommend to this group. But the overall expense of the money is your authority, not the not the committee's authority. Selectman Morin replied, Right. And you both right. But I thought that discussion when we ended the committee and move forward with the projects that if there was money left that would come back to the committee to take that money and put it somewhere else. The Town Administrator then said but I think that's after we got past the projects we recommended. Chief Buxton agreed saying yes after you pass the initial projects.

The Town Administrator said I thought we had four projects we had recommended. If at the end of the fourth project we had 50,000, 100,000, 200,000 that would go back to the committee and that would come back to the board. Selectman Gagnon added, I believe that was the case. The Town Administrator continued saying, I believe that's how it was staged. So basically what the Chief is reiterating is we have a pot of money. We have four projects. Elvis was within the purview of saying, yes, we did this one for 250. We could do this one for 850. Hopefully we'll see what the next two end up. And at the end, if we're under, then it would come back to the committee for a recommendation. Back to the Board. I believe you were....Selectman Gagnon said I agree with you. Selectman Roy then said just so I can play devil's advocate, what if it's over? The Town Administrator replied, What if it's over? But what time we get to the fourth project you wouldn't do it because you don't have enough money. Selectman Gagnon added, and that's what we prioritized. The Town Administrator added that's why the projects are prioritized. So the drainage was one, this was two. You get to three and four, you get to four and you don't have money, you're not going to be able to do it. Mr. Dhima then said It was my understanding that the total was 2.6 and I think we committed about 2.3. The Town Administrator replied yeah, we had room. Mr. Dhima then said but you're right, things are changing by the day out there, so...Selectman Roy said I understand that. But I also understand that we have to be able to account for the money properly and make sure that if we're moving around, we're moving around correctly.

The Town Administrator replied, from an ARPA perspective we will submit the proper documentation that the accounting of that won't be the difficulty, I don't believe. It are just to make sure that you have said, yes, we've gone through the bid process, this is where we're at. Unfortunately, this project came out more than we had budgeted. The last one came out less than we budgeted. Mr. Dhima then said

so you have three options in front of you tonight. What is the wish of the Board? The Town Administrator then said so basically what we had identified as the preferred motion would be to approve the contract for construction services for transfer station updates to William P Davidson Excavation LLC for the amount of not to exceed \$837,435 using American Rescue Plan Account 7203. To reduce the cost of this project by utilizing public works to assist with hauling of material and completing the paving portion of this project. Using American Rescue Plan Account 7203. That was the preferred motion. Selectman Guessferd then said so essentially the third of the \$20,000, basically will come out of that as well. Mr. Dhima replied, so the ARPA money will be utilized to basically do that \$62,000 worth of work for about a third. Selectman Guessferd replied, about 20,000. So the pavement itself, for example, was about \$20 a ton and we can do that for about \$70. So that's about a third right there. So the same thing with, you know, depending on what the fuel is going to be obviously when we do this, but between transportation, we think we can do it about a third as well. Selectman Guessferd replied, right, so we got the 1.1 plus another 20 that's going to be spent within the American Rescue Plan. Mr. Dhima replied, yeah, actually, it's like total actually, because you're spending about 837. So plus 20 grand let's just say it's 20 grand about 857. You're seven thousand over 1.1 million, which is less than 1%. Selectman Guessferd replied, okay. Mr. Dhima then said and looking at what's happening out there with our cost of inflation and all that, I think we couldn't do better than this. I mean, we're right on target, as far as...Selectman Guessferd replied just to make sure it's clear to everybody, you know, the extent of the money is a little extra money there. And that's what's going to go come from that fund.

Selectman Gagnon made a motion, seconded by Selectman Guessferd to approve the contract for Construction Services for Transfer Station Updates to William P. Davidson Excavation, LLC for the amount of, not to exceed, \$837,435 using American Rescue Plan Account #7203. To reduce the cost of this project by utilizing Public Works to assist with hauling of material and completing the paving portion of this project using American Rescue Plan Account #7203 Carried 5-0.

#### C. Transfer Station Upgrades - Inspection Services Award

Mr. Dhima was again recognized and said second item is related to the first one. Inspection Services Award for transportation upgrades. Significant amount of work that we typically don't do in house is steelwork and inspections related to steel work, canopy or the rebar itself. We would like to utilize the engineering firm that actually did the design for this, for the amount not to exceed \$7500. It will be used as needed. We're projecting somewhere between 40 to 60 hours to help us out with things that we can't do in house. And that's basically the steel work installation, inspection, canopy, shop drawings, anything related to that. With that said, I'll take any questions you might have. The fund will be coming out of ARPA money as well.

Seeing no questions Selectman Gagnon made a motion, seconded by Selectman Guessferd to approve the Contract for Inspection Services for the transfer station updates to the CMA in Engineering Inc. for the amount of not to exceed \$7,500 using the American Rescue Plan account number 7203. Carried 5-0.

#### D. Bush Hill Road Improvement Opportunity

Mr. Dhima and Mr. Forrence were again recognized. Mr. Dhima began saying the third item for you tonight is Bush Hill Road improvements opportunity. So for the ones that probably drove in that we can only imagine what the zigzag looks like and they feel like during the winter or the summer for that matter. So we have a gentleman that purchased 116 and 117 Bush Hill, which is adjacent to a significant zigzag out there. And he reached out to us. He reached out to Mr. Forrence first, and I was the second one that picked the short straw. And we are in front of you tonight to ask

you if the Board is willing to work or start the discussions about ways to either purchase additional right of way for future improvements or swap land. We have a piece of land over there, it's about .3 acres. It's not buildable. It's something that we got I don't know for what, but it's Town of Hudson and it's adjacent to one of the properties this gentleman owns, I think he's here tonight. In a nutshell, before we even start talking about it, I wanted to make sure that Mr. Forrence and I came in front of the Board tonight and find out if you're willing to entertain the idea to look into this at all. This will improve the geometry of the road and safety, I would say. What are we planning to do is if the Board is okay to move forward tonight, we would like to have a discussion to how are we going to how are we going to come up with a mechanism to make this happen without any financial commitment? Once we find out from a legal standpoint, how are we going to do this, either swap land or purchase? Then we come up with a cost to what it will take to get this done. The intent is to have a better product out there for everyone basically doing this road and there's an opportunity here. So we felt like bringing it to the Board and see what your feel is about this. You don't have to take any action. But the gentleman behind me is here if you want to, if you have any questions for him as well.

Selectman Morin was recognized and asked, is this near the Benson's barn? To which Mr. Dhima replied, it's beyond that. It's by the Mills property. Selectman Morin then said so this isn't the one we tried to do? The Town Administrator replied, no, this is Moose Hill Road it's kind of sort of on the outskirts out there. Mr. Dhima added, yeah, it's right before Moose Hill Road. There is some kind of retaining wall on the side. It's an issue for plowing. It's if you're familiar to that. Milling operation at Mills property. The timber harvest over there. It's right in there.

Selectman Gagnon then said and Mr. Dhima, why I'm looking at the GIS map now. Why does Hudson own that little tiny triangle? What's the history on that? Mr. Dhima replied, no idea. The Town Administrator added, no idea. It could have been a tax deed. It might have been something when they mapped it out. Mr. Dhima added, we've got these dots all over town, that's all. We own it. That's all that matters. But it's about 0.3 acres of it. So I don't know if we can just we have to check with legal on this if we can swap. The Town Administrator added, it will be a bit of a process involved. But at least you wanted to get the authorization to speak to the gentleman, work with the gentleman, possibly to develop some sort of plan for future consideration. He didn't want to run off and do this without the Board saying, yes, we've heard of this. We agreed at least explore what the possibility is.

Selectman Gagnon then said one of the question too before we go into like cost and time and effort, what's the traffic count on this road? Is it worth this amount of effort? Mr. Dhima replied it gets its fair share. I don't have an exact number. I can look into it, but. The Town Administrator then added, I think the plowing alone would probably make it worth it while because Mr. Forrence's crew has to plow this. Selectman Gagnon then said it's a bad corner, the road's ripped up. I pedal bike around that corner and I think I'm going to get hit every now and again. So I totally understand the safety concern. I just want to try to add a value to the cost we may be putting towards this. Should it be fixed? Sure. Do we have the money to fix it is a high priority? How much traffic? How dangerous is?

Mr. Dhima replied, I totally get your question. So I think this is more along the lines of planning for future straighten the road out. That's what you typically do you look for ways to improving things. But this will be only a commitment to get the right of way where you have the opportunity and you have someone that's willing to work with the town. So it's not like an eminent domain down the road or something like that. As far as getting rid of that corner at some point or straighten that road out, there will be something that the public works can do on the paving program or some funds that we can get or a grant or anything like that. But the first step to do anything to even consider doing something is secure in the right of way. And I can tell you from personal experience and the projects with them with right now that acquiring right away it can be a process like you would not believe. Especially in this state. So we felt that if the opportunity presented itself, should we look into it or not?

Selectman Gagnon said and one last question for you. I think I generally support looking into information. I can't say no to information, I guess, but how wide is the right of way right now? Do we

have any wiggle room to widen it at all? I mean, the roads itself is tight. Mr. Forrence replied, 30 feet. Mr. Dhima added, our standard is 50 feet. So it gives you an idea to what we're dealing with.

Selectman Gagnon then asked, so can we even widen the pavement that's there at all or are we within the max of the right of way? Mr. Forrence replied, you're in the max of the right of way. Mr. Dhima replied, you would not have any value because you still won't be able to get rid of the zigzag. And you typically don't do widening of the road right at the edge of the property or right at the edge of the right of way. You always want to give some room for plowing operations, so we not pushing all the snow right next to private property. But yeah, our standard right of way width right now it's 50 feet and that is one of the old ones, which is about 30, I think. So the width of the road, which is about 24 feet, pretty much takes over the whole kind of right of way. Mr. Forrence then said 50 feet before 50 feet after it 30 feet right in between.

Selectman Gagnon then said and last question, I'm sorry for this. The gentleman in the background is this Tyler or Mr. Donald Tyler. So that's that property right there. Thank you, sir. And that's all I have. Thank you.

Mr. Dhima then said so we ask what's the wish of the Board? Selectman Morin made a motion, seconded by Selectman Roy to authorize the Town Engineer to work with the Public Works Director and Mr. Tyler for scope of work and fees related to the potential purchase or trade of right away on Bush Hill Road. Carried 5-0.

#### E. Town Wide Paving Contract

Public Works Director Jess Forrence, was recognized and said I'm here again this year, which was very difficult putting this thing together where prices are, fuel costs, everything else. We waited a little bit longer this this year before we really looked at things to see what other towns were doing with their saving contracts. Sometimes we're just rolling them over; Derry, Londonderry. They weren't going to go out to bid. They were afraid what they were going to get. They deal with, I believe it's Continental. They said they would they would hold their costs on some things, but an escalation would be for the cost of liquid asphalt. We knew it was going to come back in. We were. A little bit. Disappointed where it went. But when we pull up to the fuel tanks, you can understand why the increase was there and I was telling the foreman that the bottom line is here, just like it is every year when I've come here in the last three or four years. Bottom line is here, everybody pays that. Everybody pays what's at the pump. It's what we do after that as a concern to us where the price goes. What we're not going to pay if the price is up, you know that much higher. Brox come in we were pleasantly surprised where most of it came in. The liquid asphalt price is what it is. But they helped with the reclaiming and the milling of the roads, which made a big difference for us. Right now if we if we go at Brox's I think the hit is going to from where we were last year is going to be about \$55,000 difference in price. Outside bid when we've taken the state, when we've looked at other communities, it was well above that. So I think we're still better than most just rolling this budget over, ah, contract over again. It's a hard pill to swallow, but it basically comes down to what doesn't get paved this year.

Selectman Morin was recognized and asked what roads are you looking for this year? You have anything off the top of your head? Mr. Forrence replied, well, the way we went into it this year with the winter we had being cold, the next day it rained. Frost in the ground, frost heaves, Pasture Drive where a plow actually dug into the road. It was so wet and mushy. So we're taking our worst roads to our best roads. What will happen with the 55, around 55,000? Some roads might not get topped that we did last year. We have base pavement on and we put curbs on them. It might not get top put on it to cover the cost so we can continue taking care of some of these bad roads. Selectman Morin then said my question is, if you don't put the tops on, what's the liability of something happened with that



base coat? You're right. It can. But if you do it, it's not unusual to go one or two years without any problem. A Street it's been two years. We'll look at it again, see if it's a third year. And the best thing you can do is drive, drive over it and look at it, see how the porous is, sweep the road, see what condition it's in, and that'll determine where on the list it'll, it'll go to. But I think we've got it pretty well covered and we just got to keep going on the bad streets, whether it's a road with two houses on it or a road with 30 houses on it, we still got to take care of it, you know, and still cost money. So I think this is a pretty good plan. We can do going forward and get as much done as we possibly can.

Selectman Guessferd was recognized and said I'm not usually a fan of no bidding, you know, of going. But, I'm not sure how much of a how much it would be to what the outcome would be if we went out and did that. I'm not sure the outcome would be different, but I'm not usually a fan of not competing things out there. We live in a very strange time right now. And, you know, I mean, I could see going either way on it. But it sounds to me like, based on the research that you've kind of done already, that that this may be the best price we're going to get. You know, I probably maybe might be, you know. Mr. Forrence then said with waiting so long to go out with our costs in other communities has already gone out for theirs. The State of New Hampshire, you forget how many millions of dollars they spend. We get kind of an idea where we want to be. Can't always guarantee that we're going to be there, but we get an idea of where we want to be, and we come pretty close to that. Where we want to be, you know. But everybody wants to pay \$2 a gallon again. Seeing no further questions, Selectman Gagnon made a motion, seconded by Selectman Guessferd to waive the bid process and contract with Brox Industries for the FY23 Town-wide paving contract. Carried 5-0.

#### F. Radio Infrastructure Project

Fire Chief Rob Buxton was recognized and began by saying, Good evening, Madam Chair. Members of the Board. Tonight, we're here to request the removal of \$91,456.62 from the Communication Equipment and Infrastructure Capital Reserve Fund. This project will actually couple with the infrastructure project we've been doing for the Public Safety Radio Network, phase two, which we'll be finishing up in June. Earlier this year, we were fortunate enough to secure an FCC license from the federal government for the Highway Department, Public Works department. Excuse me. And basically, you're going to move them from low band 1960s technology to high band 2022 technology. Part of that comes an additional cost that comes with that is the actual purchase of mobile radios and a new base station unit for their facility. So part of this project will be to purchase 35 mobile radios for their town owned equipment and additionally to install an APX base station within the public works facility. And the reason why I call it the APX Base Station is because that also will provide an ability for us to couple the police, fire and now Public Works base station infrastructure and actually have interoperability between all three facilities will be able to be able to share resources once we get the IP network set up on the back side. So that is a big upgrade for us. Additionally, we're asking for two mobile radios for the Fire Department that round that number out. The Capital Reserve Fund was established in March of 2013 and the purpose was for the repair, replacement, improvement of town radio, communications system, equipment and infrastructure with the Board of Selectmen as agents to expend. Currently after the infrastructure project, there'll be a balance of just north of \$249,000. We're asking to remove a little over \$91,000, leaving a balance of \$157,716.33 remaining in the fund.

Selectman Gagnon was recognized and said Chief, did I hear that correctly? Is this new technology a higher frequency or. Chief Buxton replied, yes. Selectman Gagnon then asked, if it's a higher frequency, do you need more repeating towers? Because higher frequency is... Chief Buxton replied, no. this will couple nicely with the infrastructure that you've already planned out.

Selectman Morin asked, are the two radios for the new trucks? Chief Buxton replied, Yep. Selectman Morin was again recognized and asked where it's all interconnected now so if we had an issue with the fire station, you could move dispatch to PD or Public Works type of deal? Chief Buxton replied, by

June, we should have the IP networks established on the fiber and we'll be able to control resources from each other's facilities. So that's one of the big upgrades with that.

Seeing no further questions *Selectman Gagnon made a motion, seconded by Selectman Roy to authorize the purchase of the listed radio equipment for the Public Works and Fire Departments. Funding to come from the Communications, Equipment and Infrastructure Capital Reserve Fund for a total of \$91,456.62. Carried 5-0.*

#### G. 2022 Town Election Debrief

Town Moderator Paul Inderbitzen and Town Clerk/Tax Collector Roger Ordway were recognized. Chairman McGrath said so you're going to give us an update on the Town Meeting? The Moderator replied, yes. Before I start the update on the election I can't review these results without making a statement reassuring the public about the integrity of our elections here in Hudson and in New Hampshire. I've been disturbed by the nonsense and lies that have circulated regarding our voting machines and the accuracy of our election results. There is absolutely no basis for these claims, and the only purpose of them seems to be causing unsuspecting voters to become suspicious about a process that should be above suspicion. If anyone has questions about our elections, I invite you to talk to me, or any of your neighbors and friends who have volunteered their time every election cycle, to assure that we have a smooth and issue free election. Better yet, I invite you to participate in an upcoming election as a volunteer so that you can see firsthand how it happens. Talk to us. Don't listen to stuff that's just out there. Thank you.

The Moderator went on to say, I've sent you the statistics for our elections. My estimate is that we had a 27.1% turnout, which I think is the best we've seen in a while. Partly because our total voting rolls have been now a little bit more realistic than they were after they removed the 4,500 people that haven't voted since 2016. It was a fairly except for last March, it was a fairly average town turnout of just a little over 4,000 people. If you look at March of '20, March of '19, it was about the same. I have to say that this is the first time that we had two locations for elections. I think it went pretty smoothly. A little confusion. There were funny thing that the one thing that I claim that came out that I forgot to tell the School Board yesterday was that a number of people came up to me and said, we didn't know where to go in Alvirne. There's apparently a number of people who have never been to Alvirne and didn't know what door to go in. So that was something that I didn't even consider when we were doing setup and all of that sort of thing. But I didn't hear any complaints about the location. In fact, the people that went to Alvirne kind of liked it. I have to say, the DPW staff and the staff at Alvirne were just great in setting up and tearing down. They did a great job on it. The staff at Alvirne was the custodial staff was great and helping us keep things going. And of course, the Chef Bressler and the culinary arts kids that provided dinner for us, which we weren't sure how we were going to do that. And they offered and it was very good. It was very nice to work on with that.

The Moderator continued saying, if you see from the statistics that we had a few more people in Ward one show up 2271 as opposed to 1990 and more two. But there are about 1000 more voters in Ward one since we made the move of the zone for Ward one, it added a few more people. So that that seemed to work out pretty good. Chairman McGrath interjected saying before you go on with that, didn't you just say that there was no change in the actual total number of voters? Mr. Inderbitzen replied right. If you look at the statistics. The total number of voters on the rolls? Chairman McGrath said no, that voted. That actually came out to vote. Mr. Inderbitzen replied, right, we had 4,259. But if you look at 2020, it was 4,156 and 2019 we had 4,539. Chairman McGrath then said so the addition or the addition of a second polling place didn't really result in having any more voters turn out than if we didn't do that. The Moderator replied, no, but it did make it much less hectic. We didn't have the long lines. The only backup we did have was because of the length of our ballot, was people waiting for an open voting booth, and also to check out because we had the three machines at each location.

So people did have to wait because they had to put in their ballots in different, different machines, but never very long, as far as I can tell. From what I've heard.

Chairman McGrath then said I just find it interesting that there wasn't an increase in voter turnout because, you know, we got a rash of complaints at the last couple of voting cycles when we only had one polling location and we thought that having a second location would increase the number of turnout. And that didn't happen. So I find I find that puzzling and sort of disappointing as well, because we were hoping to increase the turnout. And that clearly didn't happen. Mr. Inderbitzen replied, not really. Percentage went up, but only because the total voting checklist went down. But at least it didn't it didn't go down. It didn't really go up much. But what can you do? You can only do so much. We did everybody got a registered a mail not registered, but a mailing of where they were supposed to vote. We had very few people that we had to redirect, so that was good. The map of where you should go to vote was out there. Pretty, pretty. Well, I think the Administration did very well in getting that information out. That was helpful. So I didn't I didn't hear a lot of complaints. I was at Alvirne for the day, and we had a lot of people say, hey, this is pretty good. Just a few people that said we didn't know which door to go in, which I thought was very funny. So there are people in town who have never been to Alvirne High School. And actually our DPW staff coming back at 8:00 at night to tear down the booths and everything and to get everything out of there so they could set up the next day. That worked. That worked very well. I think they were out of there before nine and I think I was at the community center by 9:34 doing all the totals.

The Moderator went on to say, our ballot numbers came out pretty good. Our checklist, actually, we're very close with all our numbers, which was good. I was kind of concerned because when you merge two locations into one and then try to get all your numbers and everything with different people doing different things, it worked very well. At least that's my impression. I haven't heard anything different unless the Board has. Looking ahead, we have a September primary and a state general election in in November and then March elections next year. So if we're going to continue with this, I think it really helps us, especially with the state primary usually is not...normally we've said, well, it's not very well attended. But the last one we had, over 4,000 people show up for a state primary, which was double what we've had in the past. So we're going to have to expect that we're going to see about the same kind of crowd for this state primary because it's governor, executive council, our state reps, US representative and a US senator. The political climate, seems to be people are more involved in that whole process to go through.

So one of the things I know we're on a default budget, but I'm hoping that we will be able to find some of the funds that we needed because I propose to do the electronic poll books next year. This would be a big help in the efficiency in the check in process. And also, I'm pretty sure you get good reports out of that that you don't have to do hand counting of all kinds of stuff. And I would like to see that I'll work with the Administrator and see if we can't do something to move forward that I'm planning to at least go and get the initial information from LHS. And, well, there was another vendor out there, but I can't nobody seems to be able to get in touch with them. So and maybe get a demo going what we can do. And I'll let the Boards know when that happens and my own people actually get a demo going and see what it offers and, and what we can do. I'd like to move forward with that. I really don't want to go into 2023-24 cycle without having that at least tried at the primary and the state election because we get in and then to in 2023 a town meeting and then in February '24 have a presidential primary and a town meeting.

Selectman Roy was recognized and asked what was the price tag on those? The Moderator replied, I put in 17,000. There are about \$1,700 per unit. I wanted to get ten units. And the other thing this year is that I did, I rented we only have five machines and boxes. I rented a machine from LHS and they didn't have a box to go with it. So I went to Merrimack, moderator and Merrimack, and they said, sure, we'll help you out. So we borrowed one from them because their election is until April. So we borrowed a box from them. So I had three at each location and that was that was good. I wish I had maybe another one or so. But until we see what the state's going to approve for new voting machines, because these are getting so old, they need to be replaced.

Selectman Gagnon was recognized and said Thank you. Let me first start off by saying the Clerk and I had a quick conversation today in passing and I want to actually apologize. I I've been part of elections as a as a resident for a couple of years, coming in late night, watching everything happen, being all excited. And I did share a little post of initial estimates. I didn't make it known those were initial estimates. And I know that caused some confusion for you gentlemen. So please, I'm sorry for that confusion for people calling you about why the initial estimates were different. So that that aside. Sorry about that. If we could, could we jump if you're all set? Mr. Moderator, I'd like to....The Moderator said if anybody has any questions about the process that we went through with the election. I'd be happy to.

Selectman Morin was recognized and asked two days are gonna be all set with the schools? Mr. Gasdia replied, so we will be all set. We do. We did have a wrench sort of thrown at us by the state. The original plan was September 13th was going to be a remote day just like this was at Alvirne. The state has now come down and said that the only reason you can have a remote day is for weather reasons. So we just have to figure out what exactly that means. And maybe it'll snow in September, even if it doesn't snow. The Moderator replied saying well, there's nothing preventing the school from saying, hey, Alvirne's going to have a snow day because you have to make you have to make those up anyway. Even if the rest of the school district doesn't need it. We could always work it around with it. Mr. Gasdia replied so we will figure it out because it did it did work well. The Moderator agreed saying it did. It was very, very convenient.

Chairman McGrath asked, anybody else? Selectman Gagnon said thank you, Madam Chair. So if we were. Thank you Moderator. To the Clerk, Mr. Ordway. We talked again a little bit about what happened. There's a lot of confusion about absentee ballots. We had some residents speak up about their concerns. Can you, with all due respect to naming names, but kind of set the record straight for what you believe was the chain of events around absentee ballots. And if there was a problem, how was it fixed? The Town Clerk replied saying yeah, that was probably the one hiccup that we had. I think everything else went really smooth. And I'm not here to point fingers. I just want to make sure everyone understands how it works. So when it comes to the town ballot, I go to the deliberative session. After deliberative session, I come back. We make any changes to the warrant articles that have to be made, and I submit that in for review. It comes back to me, I have to read through it, I send it over to Steve. He looks at it. I'll send it to Paul. He'll look at it. The more eyes, the better. Make sure everything looks okay. If everything's good, I approve it and I order the ballots. In regards to school ballots, I do not touch those. Those are strictly the schools. They do their ballots. They send their ballot in. They get approval. However, that is I don't know. But this year they came late. And theirs was a week before, their deliberative, was a week before ours. I don't know where the breakdown was. I remember I sent an email, I got mine. I didn't have the schools. I said, where are your ballots? Well, we just got them approved today. So I had to go another route so that people could get their... would be allowed to vote with the school ones. So we had to do the paper ones with a letter saying, sorry, fill this out. We're going to have to hand count these. My office was getting blown up saying, well, where are these ballots? So. I couldn't really speak to where they were. I just said, well, we don't have the school ones. We have mine. You're going to be they've gone out in the mail and this is what you're getting. And that's really the best thing we could do to be able to let them vote. It was either that or we sent out the town ballots without any school ballots. And I really didn't want to do that. I want at least let them vote if we had the hand counted, which causes more on us at the end of the night, so be it. And that's and that's what we did. So going forward, we just we got to be better as far as getting them approved, I don't know how many people approved them at the school level. With me I get them and I could just approve them and send them, but I prefer to let Steve look at them and Paul look at them just to make sure we have three sets of eyes.

Chairman McGrath then said excuse me Roger, Selectman Roy wants to jump in. Selectman Roy said umm, so did we have a similar issue last year? The Town Clerk replied we did. Selectman Roy then said I think that this issue is serious enough that we might want to consider having a meeting with all the stakeholders in the room to figure out what a solution is. You know, cuz I mean, I don't

know what the answer is, but obviously it's unacceptable and we can't keep letting it happen. The Town Clerk replied correct. Selectman Roy then said so I guess what I would suggest is, again, we have a meeting. The school can have whatever representatives they want there and we can just sort of try to come up with a solution about what we do. So that doesn't continue to happen, right? The Town Clerk replied right. I would agree with that. Mr. Gasdia added, I couldn't agree more. The Town Moderator then said one of the things that SB2 being an SB2 town, is they set the timeline for the deliberative sessions and they don't give you a lot of time between the deliberative and the election when you have to get your ballots. Even before we get our ballots, we get the absentees in. They send those out right away. So if once we've set our warrant. Perhaps it'd be better if we could send that to the printer's right up front, or LHS they do our printing, right up front, so you could get them priming their whatever they have to do in order to get printing done. And then immediately after the Monday after the deliberative session, you go in, you go to them and okay, here are the changes they can make the changes. And then we can say, go ahead and print once we get a proof that we like. That might be a way to approach it.

The Town Clerk replied, I actually did that this year. I sent them the warrant articles before the deliberative because they called me and said, why did you send this before the deliberative? I said, so you guys can get them in the computer and ready and I'll let you know. The change is Monday morning. So I was even trying to get ahead of that, knowing that this week I was the second week and I looked and said the 12th and then things on the eighth. It doesn't give you a lot of time. So and I think that did help. Because I got them back before the deliberative. They actually sent me the proof, which I couldn't do anything with until after. But and we changed a couple of things. There was a Board of Selectmen made some changes to votes. Somebody was missing from some of the votes. And then there was that one, Steve. The Town Administrator said the operating budget where it was amended on the floor at the deliberative session. So you have to wait till after deliberative to get your final. But what he again, what he emphasized was he sent it this what they could at least get it set up. The changes are relatively modest after that. Selectman Gagnon asked, are you all set Selectman Roy? Thank you. Madam Chair, if I may. So two more topics there. Just one sentence. It sounds like you kept your responsibilities on schedule. Is that correct? The Town Clerk replied, that would be correct. Selectman Gagnon replied, thank you, sir.

Selectman Gagnon went on to say, and so two other topics for tonight. I might put these in different orders because I think the tax impact may be a hot button item. You and I quickly talked again. I sent you a document. I only have two copies. Forgive me. My fellow selectmen can pass those around for review Selectman Guessferd I digitized it and send it to you to look at. This is just a recommendation, I think I asked and I'll ask again in public do we have when a candidate comes in, they say, I want to run for office. We give them an application form, do we give them any kind of reference or support material to give them some guidance on what it is to be a candidate? Do we have anything like that? Selectman Roy added for instance, like way to put something where you can and can't put signs when you have to get your signs back. You know, those kinds of. The Clerk replied, no, there's nothing and there's nothing in the law that we have to give them anything like that either. Selectman Gagnon replied, understood. Selectman Roy replied, understood but I see a benefit to doing that. And we could add things in there like Candidate's Night and some of the services that HCTV offers to candidates and things like that.

The Moderator then said I did this year, as some of you know, I did send out to all the candidates, because we had a new location, a map of where, Sign regulations were I sent them a copy of the ordinance at the Selectmen that is in our ordinance and a map of where they could set up signs both at Alvirne. Well, it's understood Community Center everyone knows it's across the street. 75 feet is the limit. So we went out and I said, okay, right along the fence for at Alvirne, where the parking lot is that everybody would have to pass that to go to get into the location. And so I think I did that this year. I think it was the first year I may have done that. I went out to every single candidate letting them know, these are the rules. You have to do this, you have to have your signs manned. You can't put a sign up and then walk away if it's on the property of the voting location. So and I made that very plain. That's state law that's not our law. That's a state law. So and I think I think that might have

been helpful doing that in the past, too. So yeah, there is some rules about removal of political signs and that sort of thing. So that's a state law we'd have to put together a little packet. Selectman Gagnon then said and so that's I think I appreciate what you've done regarding the voting locations and informing the candidates. There certainly was was good to help fill that void. What I tried to propose here and by all means it's just a temporary draft is that, you know, you can Google what are our regulations. You can get either the New Hampshire government site or you can get like New Hampshire DOT has some more English versions of what to do. And that's what I was kind of playing on, is providing a document like this that doesn't list out the whole law or reading it like law, but it references a couple key points that I think and I know I've talked to Mr. Malizia, you know, we're not looking to be strict and really cut down and be difficult in this town for political signs and stuff. But I think there are some minimums we should try to advertise and inform candidates of, you know, when it comes to signage, you can't put it on town property, you can put it on state property. How do you know what town property is? You know, check out our GIS. You know, when you have to remove those signs by even as simple as any signs, whether warrant, article or candidates legally require the sponsor's name and their address on the back of the sign. So that if they're put in a wrong place, the removal of signs can be illegal. You can't just pluck them up. So you're supposed to call the person on the back of the sign and say you need to remove your sign unless it's Hudson Police or DPW. So those are the kind of things I think are just small enough to be of value to provide to candidates when it comes to signs. And on the back, conservationist and me, I listed the littering fines because we do inevitably get a lot of signs that stay up all year round and then end up in the woods. And I want people to know that if you do leave your signs, there is a potential for a fee. So that's kind of what I was getting at here. You guys are in charge of this, so I just recommend that you might consider something.

The Moderator replied saying well that part the moderator really doesn't, except for the polling place and the property of the polling place. I don't really have any control over signs on the other parts of town. I will look into the state law on that and what their regulations are, although they're more for primaries and state elections. But we can still apply those to town elections as well. I know the Zoning Administrator did get some calls as to where people could get signs, and that's something that's never come up before to me. But I don't have control over that. That is only I have control over the polling place and the grounds around it.

Selectman Gagnon then said okay, thank you, sir. Then I'd redirect my question to my fellow board members. Selectman Roy said I mean, I think it's a it's a useful idea to put something together so everybody knows the rules. Selectman Morin said my question is I can understand that too, but how are we going to enforce it once we say there's rules how are we going to enforce it? Selectman Gagnon replied so it's a great question. And I think the first step is you can't even ask how you enforce it without telling the people of the rules. Selectman Morin replied, understood. Selectman Gagnon went on to say so I think this might be the first step. So we know they're not signing this, but, you know, we hand out a candidate application, hand out this, you know, be aware. And we also recommend you do your due diligence, go online and read all the laws, not just what we're handing you. And then if we do have serious complaints, we can say, hey, we gave you the information. We told you where to look, you know, maybe a slap on the wrist. I don't think we're going to get real strict about enforcing this and causing fines, but at least if we pass out the information, we did our basic due diligence. That's my thought. Selectman Morin then said if you drive around town today, there are still signs everywhere. Selectman Gagnon replied, absolutely. Absolutely. And that's where I kind of want to put that littering in there, because eventually, if it gets to be a hassle enough, you know, charge someone with littering. Selectman Roy then said I can tell you there's been a sign sitting in the middle of Evergreen and 102 since it blew out of the ground.

The Moderator then said Madam Chair, if I could just go back to the absentee ballots, I wanted to bring up to you the fact that even with all those complaints and stuff, we only got two absentee ballots that came in the day after the election. Only two. And they were both mailed in Hudson. They weren't from out of state. So we assume that the ones we got back from out of state, of course, we send out absentees, but they don't all come back. And that's kind of usual in most elections. But just, you

know, just we only got two back. Selectman Roy replied, but I'm not sure that it really matters. They should get their absentee ballots, you know. Whether they choose to do it in a timely manner or not. The Moderator agreed and then said in fact, we just got a packet. That clerk just got a packet from the Postal Service today. I haven't read it yet. He's going to look at it and I'm going to look at it about election mailings. It'll be interesting to see what the. The Postal Service is going to say about election mailings.

Selectman Gagnon then said so if I if I redirect just real quickly so I look at my fellow board members, would you be applicable to having a document like this if it's our authority? Could we make something like this? Any changes you recommend to what I proposed that we put it with the application to give to candidates. Would that be an okay thing to do? Chairman McGrath replied, we can give them anything that you'd like, but the fact that they are going to read them, you can't force them to read whatever you give them so...The Town Administrator then said I think you should have at least a legal review of whatever we pass out just to make sure. If you can get that to all the Board members, maybe everybody could take a look at it. Is there any concerns or criticisms or changes and then have a legal review? And then at some point, if you want this is the document we would, this is informational only. Selectman Roy and Selectman Gagnon replied, Yeah that's all.

The Moderator then said I'm required to post the ordinance on campaign materials at each polling place, which I did 72 hours prior to an election. So I did that, but I also sent a copy of it to all the candidates with. With the maps of where they could have their signs and stuff. So, so I think that was the first time I did that and I said, you know, we really should be doing that. So I think this other thing about around town, I'll look into that with the secretary's office and see what the requirements are and if it applies to town elections as well. Selectman Gagnon said I'll forward you a copy for your reference. Thank you, sir.

Selectman Gagnon went on to say and so the last question on this topic for a town elections, as you know, both School and Town had a default budget. Some fingers are pointed and I've heard some residents' feedback, numerous residents' feedback saying that when you look through the warrant articles, you know, you'll see tax impact at the bottom, which is helpful usually, you know, \$0.33, \$0.10 increase. But then when you look at the budget, the budget said \$6.83. So to kind of a layman who may not understand it, even to myself, to be honest, you would think that the tax impact of the budget was going up \$6.80, which is astronomically insane. And that wasn't the case that that actually was what the new tax rate would be. So my question presented to both you gentleman and the fellow Board members, we I believe we have the authority to change how the warrant's written. Should we, do we have authority, to actually put under the budget what is the increase from last year, not what the actual tax impact is. Does that make sense? Selectman Roy said or both. Selectman Guessferd said maybe both. The Moderator said the School does both. I noticed. And I think the town did vote to put the tax in the town did a vote a number of years ago to put the tax impact on the warrant. Selectman Roy said But like Mr. Gagnon, I spoke to quite a few people who thought that the taxes were going up \$6.53. Selectman Morin said I had the same thing. Selectman Guessferd said a lot of people were misled. They said nope. The Town Administrator said the tax rate impact is \$0.33. Estimated rate is now \$6.85. Selectman Roy said yeah, just something to make it clearer what we're trying to do. Mr. Inderbitzen replied that's a subject of the Board of Selectmen in the warrant. You guys make the warrant. We don't. So that's in in your bailiwick and you guys can work on that.

Selectman Roy asked so are you done with that? I just have one question that's actually not here. One of the other things that I noticed is there's a lot of signs that said vote no on number two. The problem with that is there are two number twos. Right? So my question is, can we legally have one warrant that says one, two, three, four, five, for instance, and the other one say ABCD? You know what? The Moderator replied, I don't know. I don't I don't know if that's I want to get I have no idea. I want to get rid of the town. The school always has their elections and then the warrant articles one through. This town is always said, well warrant article number one is the elections. I don't think we should do that because then you get warrant article number two is, are you in favor of zoning amendment number one as proposed by the planning board? I think it gets very confusing. I'd like to

get rid of that warrant article number one is the elections have the elections and then these are the warrant articles one through whatever. The Town Administrator said that may be a Secretary of State type of question. The Moderator said we'd have to find that out. The Town Administrator said I'm not aware you can do A, B, C. Selectmen Roy then said Yeah But something that would differentiate between. The Town Administrator then said whoever posted those signs that was a mistake on their part too. The Moderator said we don't know who posted those signs. Selectman Roy then said and I understand that but there's not much yeah, right. The Town Administrator continued saying, it should say Town #2 or School #2. I don't know which one they were saying no to. Selectman Roy said I don't know either. The Town Clerk then said Brett right that down.

The Moderator then said but there was, there were some things there were, there were some things like that that occurred. There was that mailing that went out about the hand counting of ballots. That was illegal, according to the secretary of state's office, because it did not identify or not, the Attorney General's office. And. He sent a notice out to all the towns and moderators and everything about that. They were going after that as a you know, you just can't go ahead and mail something out to everybody that is not identifying who's doing the mailing and who's responsible for them. Selectman Gagnon then said that's the exact same legal reference I had for political signage. Any political advertising falls under those requirements. The Moderator replied, yeah, well, I'll look into that and we'll see what we, what we, what we find out.

Mr. Gasdia was recognized and said so just building off something that Ms. Roy said earlier, what you know, because obviously the absentee ballot I think we need to align on. Right. So this doesn't happen, but maybe even the warrants. So maybe if we have someone from the School Board, someone from the Board of Selectmen and Roger, if you can help out and we'll get someone from the School District sort of meet and align now when there's no election going on, that might be something we want to do. Selectman Roy added and then bring those proposals. Mr. Gasdia agreed saying and bring those proposals to the separate Boards. I think if we had the same process, then there's no breakdown, right? Because everyone's doing the same thing, right. The Moderator added right, because next year, as they usually do, they swap school and town for the deliberative sessions. Mr. Gasdia responded, but again, if we have the same exact process, then that, you know, the warrants, we've all figured out what they're going to look like. The Moderator then said I think that's a good idea.

The Town Clerk then said maybe use the School Clerk position to really look at that ballot and maybe partner with one other person to verify it instead of like saying, I'm going to give it to you and you and you and you, and you know what I mean? I think that's where probably the biggest breakdown was when I was talking with the school was like, Oh, when he had to here, to here, to here and then it sat somewhere for a while. So that might be if you cut the amount of hands looking at it maybe. Mr. Gasdia replied, yep, I agree.

Selectman Gagnon then said last but not least to your point is to guys, for the sake of taking action, should this Board nominate someone to stand up to talk about these issues? And then when your Board gets together, you do the same, and then those two or three or four individuals will get together to do something? Selectman Morin was recognized and said I think it's pretty simple. We have a liaison. Selectman Gagnon replied, okay. Done. Good idea. Seeing no further questions the Chairman moved on.

Selectman Morin made a motion, since the Town Attorney is here, to change the order of business and to discuss New Business item **8P** at this point. This was seconded by Selectman Roy. Carried 5-0.



8P Discussion - Budget Committees Vote to Change Bylaws

The Town Administrator then said I'm assuming you're recommending that we take a brief recess to do an attorney-client session? Selectman Roy said that's right. Selectman Gagnon then said may I amend that motion to clarify that we're going into nonpublic based on RSA 91-A. The Town Administrator corrected Selectman Gagnon saying, we're going into Attorney-Client. It's not the same thing. Selectman Gagnon replied, okay as long as its reference. The Town Administrator then said so for now we'll recess so everybody who's not the Attorney needs to go into the green room.

At 8:54pm Selectman Roy made a motion, seconded by Selectman Morin to go into Attorney Client Session under 91-A: 2 I (b). Carried 5-0. School Board Chairman, Gary Gasdia was asked to attend the Attorney-Client session. The public was asked to leave the room.

The public meeting resumed at 9:16pm.

Selectman Morin made a motion, seconded by Selectman Gagnon to have the Town Attorney and the School District Attorney coordinate together to draft correspondence to send to the Budget Committee related to the Budget Committee's vote to change their bylaws. Carried 5-0.

Selectman Morin made a motion, seconded by Selectman Guessferd to go back to the regular order of business. Carried 5-0.

H. Purchase of Police Utility Vehicle

Police Chief Tad Dionne was recognized and said Thank you, Madam Chair. I come before you today. You ask first that we waive the bidding process for the purchasing of vehicles and allow us to bid from McFarland Ford of Exeter, who won the State of New Hampshire 2022 bid. A Ford Explorer. The cost of the vehicle would be \$32,335. The packet you have says the bidding closes April 30th. Bidding actually closes Friday. They just called us and told us that they are closing all bids for 2022 on Friday. Chairman McGrath asked, this coming this Friday? To which Chief Dionne replied, that's correct. Friday the 25th. So the problem is there's no vehicle, there's no vehicles available. So we would even if we if you give us permission to purchase the vehicle, we're looking at September for this vehicle. We would encumber the cost and it would be in the fiscal 2022 budget.

Chief Dionne said so just a little bit of an aside. So everybody's understands and I'm sure you probably do, but I don't want to I want to forget to kind of mention this is probably somewhat due to the pandemic, but definitely also due to the lack of computer chips. There's been no production of vehicles. And so when you drive by your local, you know, your local car lot, you notice there's no there's no cars on the lot. Previously when we would purchase cruises, they would be already available sitting on a lot at for instance at Colonial Ford, who was the Boston bid winner for that area, that municipal one. And we had asked the Board a while back to waive bidding and allow us to purchase because it was the generally the best price we were going to get. McFarland Ford actually is better this year in the pricing than they are to begin with by, by a pretty good amount. But if we don't order, we don't order the cruisers now I am I fear that we won't have them for next year when we need them. So at this point and that's why that will lead me into too I on the next one.

The Town Administrator then said so it's a state bid list you're looking to, which means the state has gone through, done all the work, all the heavy lifting, and basically we're getting the state price as opposed to doing it ourselves and probably ending up with either that price or a higher price.

Selectman Gagnon was recognized and said just I've asked everyone to this tonight. Is this part of your budget in the default budget? This is all? Chief Dionne replied, yes, this is I'm sorry, I should have said this was reviewed by finance as well. Selectman Guessferd was recognized and said I know this goes to the next one as well. This one is \$32,000 and the other ones are \$26,000. Chief Dionne replied, they're actually they're the same. The Town Administrator said trade and values, I think, affect the price. Selectman Guessferd replied with the 103,000. Okay cuz I was a little confused about the dollar amounts.

Chairman McGrath asked, so are they assured that they are going to get the vehicles even though they're going to be later? Because it seems to me that this is kind of a nationwide problem. Chief Dionne replied, I wish I had an answer for you. I'm still waiting to Chevy pickups from last budget period. Well, one from last budget period. And they explained to me that on February 14th they started construction on them for us. So we are literally ordering vehicles and at some point they will be constructed. And we're looking at maybe for this Ford that I'm asking for in this budget period for September.

Selectman Roy asked so will it be will the vehicle be the current year it's built in? So you're not going to get by like a 2022 vehicle in 2023 right? Chief Dionne replied, we are ordering a 2022 vehicle right now with the understanding that it will be constructed in 2022 of September. That is correct. That's what we're asking. But you make a very good point we have to spec out the whole vehicle, including parts we need in order in order even to purchase this. We have to tell you exactly what we're getting. So we are asking for 2022, in 2022. And they're telling us that we that we may get it by September. So, you know, the problem is we, I'm even more fearful that if we don't order them, that we're....Selectman Roy interjected saying I get your point and I'm not saying you shouldn't, I'm just you know you base your life cycle on that. Chief Dionne replied, I know it's a tough playing field right now for the vehicles. Selectman Morin was recognized and said I mean, look how long it's taken to get the engine. You know what I mean? Same thing was, what, two years ago now? Selectman Roy replied, right, yeah, I understand. I just, you know.

Selectman Gagnon then said I'd like to make a motion, Madam Chair. Chairman McGrath asked, well, let's we all done with question because this is kind of a... I don't think we've ever been in this position before where we wanted to buy a vehicle in the current year and because of computer chips. But I also understand that there are other things that go into the vehicle that are also delayed. I mean, not maybe not this vehicle, but overall, I mean, because everybody is running into the same problem. And it's not just police vehicles.

Chief Dionne replied, I think that's one of the reasons why they're stopping the acceptance of bids. Why they even expected to stop the acceptance of bids by April 30th, because they wanted to say that's all we're going to be able to make up to this point. So now they literally I want to say that they call you today? They called Captain Bianchi today and said we actually are going to stop the bidding. Ford is stopping the bidding process on March 25th now, not April 30th. He was he knows that we were trying we were we were bringing forward today. So the person, our liaison there was basically telling us, hey, you know, Ford just came forward. They actually have to stop earlier. Chairman McGrath replied, I'm not saying that I'm not okay with what you're requesting. I'm just wondering if you're, you know, you're going to be expecting vehicles and then all of a sudden they're going to come up and say, sorry, we can't we can't make them for whatever reason, because the world at this moment, is going crazy and it's going crazy over a whole lot of things you know, the war that's going on.

Chief Dionne replied, so and to your point exactly, Madam Chair, is we actually in discussion about this back and forth about a week or two ago. And it's almost one of those things where because I'm so you know, because I also feel we won't we bet we need to order them now just to make sure that

we have vehicles in 2023 that are running and up and running. I that's why I feel like we have to know we have them and we're budgeted for it. And I wanted to make the order because of that. Chairman McGrath asked is there any so if they if for some reason they can't manufacture the vehicles, is there any compensation for agencies like yours? Chief Dionne replied, the good news is we won't pay until they deliver. Okay. I probably should have mentioned that right off the bat. That's the beauty of this one here we are encumbering it. We don't pay until we deliver it. It'll be from this fiscal year. The Town Administrator then said I think she was wondering if they failed to do that, do we get any money back? Do we get any sort of penalty? Probably not. Chief Dionne said I don't think we can assess any penalty on them. The Town Administrator replied, but we don't have to pay for something we don't have.

Selectman Gagnon asked, can you get a Tesla any faster? Chief Dionne replied, its interesting point. You ask that, and the answer is no. They're actually pushed back further. And so we did look into it. We did actually look into it and just to make comparisons as to where everybody else is. Chairman McGrath asked, those are kind of expensive cars, aren't they? The Tesla. Didn't I thought I heard the other day that they are like \$80,000 each. Chief Dionne then said so there's some trade off, right. Chairman McGrath said that's not in your budget. Chief Dionne replied, no. Well, so I've been reading a lot on that and I think there's hope for that in the future. I just know it's not right this minute, but there is definitely some payback in the future.

Selectman Roy was recognized and asked is it black on white or black on grey? Chief Dionne replied, we will be ordering the black cruisers, what we have. Selectman Roy said black on black? To which Chief Dionne replied, yes. Selectman Roy then said Yeah. Yeah. I'm not a big fan, but. Chief Dionne then said they're cheaper too.

Selectman Roy replied, but I'd like to be able to find a police officer when I'm looking for one. Chairman McGrath said I can always recognize the police car. The Town Administrator said that's because they've got their lights on chasing you. Laughter in the room.

Selectman Gagnon said I'd like to make a motion, but actually one question to that point really quickly. I know in Connecticut, officers actually have to leave their side marker top lights on as they drive. I think that's a law. That's not law in New Hampshire, right? Chief Dionne replied, No, it is not. We do have certain laws about the way we light vehicles, but it's more about whether or not we've made a seizure or not.

Selectman Gagnon made a motion, seconded by Selectman Roy to waive the competitive bidding requirements outlined in Hudson Town Code 98-1C, as the Police Department will use the State of New Hampshire's bid winner for 2022. Carried 5-0.

Selectman Gagnon made a motion, seconded by Selectman Roy to purchase one (1) Ford Police Utility Vehicle in the amount of \$32,335.00 from McFarland Ford in Exeter, NH. As recommended by the Police Chief and Finance Director. This does not include the cost of fitting up the vehicle with existing and new equipment. Carried 5-0.

#### I. Purchase of Four Police Utility Vehicles

Chief Dionne was again recognized and said so I am before you to purchase a four police utility. Excuse me, first to waive the bidding process again for the purchase of four police utility vehicles from the winning state bid, McFarland Ford from the 2022 vehicle bids. This would be purchased using fiscal year '23 budget even though it's the default budget will be will be using the same budget for that purchase. We would be with trade values, the cost overall will be \$103,840. And I can break that down for you all and explain that and a little bit more ask I'll take any questions as well.

The Town Administrator said but I think the issue is the same. You need to get it in the queue because if you wait a little longer, you will not get them in the queue. You won't see vehicles till the following September. Selectman Roy then said but, but this won't...still will be used July 1? The Town Administrator said we will not accept delivery or make payment before July one. Typically we open our purchase order system about April so that we can do things like this. But they are next year's purchase orders and they always state no delivery, no payment until after July 1st. But he's got to get in the queue now. So that's why he's here tonight.

Selectman Gagnon made a motion, seconded by Selectman Roy to waive the competitive bidding requirements outlined in Hudson Town Code 98-1C, as the Police Department will use the State of New Hampshire's bid winner for 2022. Carried 5-0.

Selectman Gagnon made a motion, seconded by Selectman Roy to purchase one (1) Ford Police Utility Vehicle in the amount of \$32,335.00 from McFarland Ford in Exeter, NH. As recommended by the Police Chief and Finance Director. This does not include the cost of fitting up the vehicle with existing and new equipment. This will be from the Fiscal Year 23 budget. Carried 5-0.

#### J. Financing for the Police Facility Expansion and Renovation

The Town Administrator was recognized and said as everybody is well aware, the police station bond passed from the voters. There has been no recount requested. So that's a go. What I'm recommending is that we apply to the New Hampshire Municipal Bond Bank for the financing. We've used them in the past for water utility projects. They're basically a state quasi state agency that was specifically put together to assist communities with financing and bonding. What you typically get is a lower issuance cost. If you were to go out on your own, you're paying bond counsel, you're paying other costs. If you go to the bond bank, they aggregate or they collect other communities bonds. They put it out at once. So you get a more efficient, less expensive issuance cost. Their rate, the interest rate I think was budgeted at two and one half. They're about 2% now. And that's based on a lot of the creditworthiness of the communities that are part of the bond. We are a very creditworthy community. We've had an excellent bond rating, so I want it to come to the Board to get your permission to apply to the Bond Bank for the police station facility bond.

Selectman Roy was recognized and she said I just have one thing. Congratulations. Well deserved. With no further questions Selectman Guessferd made a motion, seconded by Selectman Morin to authorize the application to the New Hampshire Municipal Bond Bank for the Police Facility Expansion and Renovation Project bond. Carried 5-0.

#### K. NHDOT Project 43058 - Resurfacing Route 111

The Town Administrator was recognized and said so we received correspondence from the New Hampshire DOT notifying us that they will be resurfacing 111 east of Burnham Road, east of Burnham Road going into Windham starting this spring and completing or finishing hopefully in the fall. They forwarded the DOT has forwarded a municipal work zone agreement for this project to the Town, and they're asking the Town to sign the agreement, acknowledging that they will have the authority to control traffic through the work zone for the duration of this project. It is a state project, state funded, not ours. They've just asked us to sign this work zone agreement. So what I'm asking for is you to authorize me to sign it so that they have that and they can commence their work.

Selectman Morin was recognized and said I'd just like to clarify it because it's kind of deceiving when they sell, say, Burnham Road, it's actually not starting to almost the Windham line. Looking at their map. The Town Administrator said it's going from Burnham to Windham. Selectman Morin said looking like that map, looking at that map, it's starting almost at the one hand line because I couldn't understand why they would be paving what Hudson Streets is up to like Hamlet Drive is where the state road starts. The Town Administrator replied, yeah, I believe in their agreement. They articulate in their email to us. They articulate the set of joint east of Burnham Road and Hudson Easterly. Selectman Morin said I understand it says east, but looking at their map, it is east of Burnham Road. But it's the Windham line. The Town Administrator replied, I'm just looking to approve the agreement. Selectman Morin replied, I got you. I just know what'll happen is they'll stop paving and then we'll get calls. Well, why didn't they pave. That's why I'm making it clear. That's all. It's. The Town Administrator replied, it's their road, it's their project. They just want us to sign the agreement to authorize them to do the traffic control.

Selectman Roy made a motion seconded by Selectman Morin to approve the Municipal Work Zone Agreement, Project 440 3058, with the NH DOT for the surface resurfacing of Route 111 east of Burnham Road into Windham and to authorize the Town Administrator to sign the agreement. Carried 5-0.

L. VFW Post 5791 Loyalty Day Award Nomination

The Town Administrator was recognized and said so we received correspondence from the VFW Post 5791. They do an annual Loyalty Day award ceremony. They have an award for a Town employee, a School District employee, a Police employee and a Fire employee. They're looking, they solicit a name of a town employee for this award. Feels like we just did it because I think last year's ceremony was deferred to November, but they typically do this in May. This year, I've gone to the Department Heads and we're recommending Doreena Stickney, she's the administrative assistant in Engineering that supports Engineering and Conservation. I believe she's been with us since 2013. She always seems to go over and above, and the fact that she works with the Town Engineer qualifies her for this. Laughter in the room. So she would be our recommendation for a nominee this year. Selectman Gagnon said in that case, you got my vote. I agree that Doreena is a wonderful employee. The Town Administrator said she's very helpful to the public and everybody who comes in. The Chairman agreed saying, everybody, whether they deserve to be treated that way. She treats everybody respectful. Seeing no questions from the Board, Selectman Guessferd made a motion, seconded by Selectman Morin to nominate Doreena Stickney, administrative aide for the Engineering Department, for the 2022 Hudson VFW Post 5791 Loyalty Day Award. Carried 5-0.

M. February 2022 Revenues and Expenditures

The Town Administrator started off by saying so we are two thirds of the way through the year, 67%. The issue, the concern I have had is legal. But as you're probably well aware, there was a recent settlement and it appears that we will be receiving \$40,000 worth of funds to go back into the legal account. Anticipating receiving that before the end of the fiscal year. That will calm my concerns about the legal budget, if that money were to come in today, would be at 58%, which is well into the 67% of where we are. So that was my biggest concern.

Other areas look pretty good. I mean, I think we're still hanging in there. We're in a default budget, but we made the adjustments we needed to make, and I think it'll be tight, but we'll come in where we should come in. Motor vehicles continue to do well. We are at 70%, so people are still buying and registering cars. That is still a very, very positive revenue source for us. Chairman McGrath said even with the chip problem. Selectman Roy replied its cuz people are paying a lot of money for used cars.

The Town Administrator replied, yeah, go figure. But again, you know, from a linear perspective, you think you'd be at 67%. I think last year about 71 or 72% at the end of March, end of February, we're at 70. So I mean, we're tracking we'll probably exceed the \$5.7 Million budget, probably not tremendously. But we're going to hit that budget, I anticipate, and probably go over it. So that's a positive because that can flow to surplus and it can make decisions of the tax rate, perhaps do a project or leave it there to keep our fiscal our fiscal rating so decent.

N. Settlement Agreement - Heidi JAKOBY, et al v. Town of Hudson

The Town Administrator said so there was a settlement agreement, I believe you've all seen in the past. That's in the packet here. This is for the right to know lawsuit. Basically there was some the settlement requires that the board put together an advisory right to no committee consisting of a selectman, a town staff person, two members to be identified from candidates that are recommended by the plaintiffs. And I believe those four people would appoint a fifth person to have a five person advisory committee to recommend to the Board a right to know policy that's consistent and operationally sound.

Selectman Roy spoke up saying so I just have a question, cuz between yesterday and today, we got like two or three applications, three applications for to be on this. Who from the plaintiffs is going to tell us who they put? Cuz that was my understanding of it, is that the plaintiffs, not us, pick the two citizens. The Town Administrator replied, you would pick the two citizens from some names advanced. Okay, so then I guess the question is, did some, who, were those names advanced from the plaintiffs?

The Town Administrator read from the settlement, two people, also citizens of Hudson, to be chosen by the Select Board from people recommended by the plaintiffs within 35 days of the effective date. Reading what it says. Selectman Roy replied, right. So were those three applicants that we received? Is my question. Were those the three that were advanced by the plaintiffs or they just did they? The Town Administrator replied it's my understanding that the plaintiff attorney advanced two names that's what I understand. If you read this, you really should, we should get a list of people. Selectman Guessferd replied, right, right. That'd be the first step. They hand us a list of. The Town Administrator then said what I anticipated is, you know, the board would appoint a selectmen, the board would appoint a staff person, and the board would send either correspondence or send something to assuming it through the plaintiff's attorney saying hey, please submit whatever you want to submit to us. Selectman Roy said I just those three applications, I don't know. Those three applications, I don't know what to do with those.

Selectman Guessferd said, well, we're recommended by the plaintiffs and we haven't seen that. It's almost like the cart before the horse. Selectman Roy said there might be some disconnect. The Executive Assistant then said two of them were plaintiffs. Selectman Roy then said can we maybe forward those and just confirm with Attorney Manzelli that those were the ones that the plaintiffs wanted to forward? You know what I mean? I don't know how I'm a little confused on how that was supposed to work. The Town Administrator said, like I said, just I read the section....Selectman Roy replied, Yeah, I know. I know. The Town Administrator continued saying, we would communicate that back to the attorney through our attorney and say this is what we understand is this your submission? Selectman Roy replied yeah, yeah.

Selectman Guessferd then said but we do. We do have to consider the timing. It says 35 days. We have 35 days from the last signature on this. That is April 5th. We don't have another meeting until. The Town Administrator replied, yeah, but we're doing the best we can to conform with the spirit of. And people have to understand that we're not lightning fast as a government that's why I put it on this agenda. Selectman Guessferd said I don't want to be in violation of this agreement from, you know, immediately. Selectman Roy replied, But. Right. And I get that. And maybe if we were going to reach

out to plaintiff's attorney, that that's what we say, that we're trying to comply with the spirit of the agreement. The Town Administrator said, but I also think if the Board appoints a member of the Board and then we can have a discussion of a staff person, we can we can at least get those crossed off. So I think the Board needs to consider who amongst this Board would like to be on the committee or who the Board wants to appoint to the committee and then talk about a staff person. Selectman Gagnon said, I volunteer if that's okay with everybody. Selectman Roy said I'm okay with that.

The Town Administrator then said what I recommend for the record is to approve a motion to form a Right to Know Law Committee and appoint Selectman Gagnon to the Committee and to solicit employee staff, volunteer for the committee and to solicit a list of candidates from the plaintiffs for consideration. Selectman Roy made this motion, seconded by Selectman Guessferd. Hearing silence the Town Administrator said this is where you're supposed to ask if there's any discussion. The Chairman replied, well I'm thinking about what I'd like to say but...any discussion. Seeing no discussion the Chairman said I'll hold my thoughts. Motion has been made and seconded to appoint Selectman Gagnon to sit on that committee. Motion carried 4-0-1 with Chairman McGrath abstaining.

The Town Administrator said so if I could also start at least get a discussion. So we need to appoint the Town needs to appoint a Town staff member. And I contemplated as I thought about it and I think I'm making a recommendation that we consider appointing Joe Tessier to this Committee. Joe is our police prosecutor. He's I believe he's a JAG or something in the military. A very sober individual has no previous history with any of this. Deals with right to know at the police station with the police with police matters. And I thought Joe would be a very neutral, sober party to add to this, I have spoken to Joe and his supervisor. They are both in agreement that Joe would be able to serve, assuming this doesn't take up all kinds of nights and weekends. And I think that might be a prudent recommendation for this Board to consider appointing attorney, our police prosecutor, Joe Tessier, to this committee. Selectman Morin made this motion, seconded by Selectman Roy. Seeing no discussion, motion carried 5-0.

The Town Administrator said so we have the selectman member, we have the staff member. We'll make sure we reach out accordingly to get the other members.

#### O. Proposal for Legal Services 2022-2023

The Town Administrator was recognized and said so this is the time of year because it's March that we discuss the Board discusses legal services. Our legal services contract with our current counsel expires the end of June. So I put this on the Board's agenda for consideration. You have two options. I believe there's correspondence here from Attorney Lefevre, who's offered to serve as the Town's legal counsel with no rate increase for the next fiscal year. Which basically means \$145 an hour, which is the rate we've been charged for the last seven years. That's one option. The other option is if the Board wishes they could go out to vote a bid, pardon me, to solicit other bids, and then they could consider those bids and determine what they want to do at that point. So those are your two options.

Selectman Gagnon was recognized and said thank you, Madam Chair. That's one I'm torn on. I know Mr. Lefevre does a pretty good job. A nice guy. Seems like a pretty good price from the little I know. But again, similar to what you've vocalized earlier in the meeting, I do like to just have a fair competition. I'm leaning towards a fair competition this time around, partly because I think Mr. Lefevre knows what may be coming his way for work already. So he may want to work with us and just write us the same proposal with the same pricing. And he may certainly, if he's provided the same price for seven years, he may certainly win that pricing. But I tend to think a fair competition, especially because, you know, we had a couple of people actually ask for it. We should try.

Selectman Roy was recognized and said so I think his rates are very competitive to be nice. I think Attorney Lefevre does a great job. And I think but I think most importantly, there's a lot going on. So I think there's some something to be said for having the continuity of the service. You know, just so you don't have to go through the process of switching attorneys, right. If that were to happen and something getting sort of lost in the shuffle, because that can easily happen. That's my two cents. I am sort of in favor of continuing on with Attorney Lefevre. And I don't think that we'd necessarily save any money by going to one firm. We would just be paying three different attorneys in one firm. I've heard that expressed right. And I don't think that that would necessarily equal saving money.

Selectman Guessferd was recognized and said I guess I'll speak to what you said as well Selectman Gagnon. I both of these are valid points and I have said that I like to compete things, certain services. And I agree that we have been we're in the middle of a lot of things going on right now. And I would again, normally not I would normally want to go out for bid. And there's a lot of law firms out there, right? I mean, \$145 an hour. I mean, it's not only competitive, it's a great rate. Selectman Roy added, it really is. Selectman Guessferd continued on saying, I don't think we're going to get a bid that's going to be less than that. And for the services that we're getting, I'm happy with the services he's been providing us. I do think that we do have to think about this as we move forward, if we continue with this contract that we make sure that I don't want to send the message that we're not, you know, that we're not happy with what's going on. It's really more of a procedural thing, right? I think. But I tend having kind of now I'm here in the middle, I tend to lean toward continuing his services as well.

Chairman McGrath then said so I'm going to comment. I think that Mr. Lefevre has given us really good service. We've had other attorneys in the past, and they you know, they did fine. They were municipal law attorneys, which is what we need. We've had a lawyer that worked for the Town exclusively on our payroll. He had an office upstairs and we couldn't get rid of him fast enough. So it's, you know, you get what you pay for. And, you know, he's given us great service. He's always responsive. Whenever you whenever you need an opinion, he responds quickly. And so I think that we're well served by Mr. Lefevre. And I'm voting I'm voting certainly to continue his contract at the rate that he's provided for the last several years. Selectman Guessferd then said as you were speaking, I was thinking responsiveness. I was I was thinking, you know, I mean, I've never seen too much of a grass growing between the time we make a request and he answers it. So, yeah, I agree with you there.

Selectman Gagnon then said so just one follow up question for Mr. Malizia. I'm taking it all in. I think I'm one with you guys. But for the sake of understanding lawyers and no disrespect, pricing is a cup game. I mean, they can price low and then charge for every 2 seconds you talk to them or charge. The Town Administrator said I'm very frugal with the legal bill. I scrutinize it every month and I always double check it. And I also circulate it to departments to make sure that they got what they ask for. I'm of the opinion, based on what I've seen, that he knows our town, so he doesn't have to do a lot of background. He knows pretty much the issues that affect the town and I think he's treated us fairly. I'm not saying other attorneys haven't done so. To put it in context, we use a specialized labor attorney that's \$220 an hour. So just to just to put it in context from a from a rate perspective, I don't think you're going to get any cheaper. If you're not satisfied with the service. So you didn't like his record, for lack of a better word? That's different. Selectman Gagnon then said my question to you, sir. Sorry, let me clarify is do you think because his rates lower and I think I know the answer I'm going to ask you this anyway, because his rates are lower, does he nickel and dime everything he does or does he give us a lot of free services and helpful. Selectman Roy said nope. The Town Administrator said he doesn't charge for travel, for example. Selectman Roy said right. And that is very typical that attorneys travel like when he came here tonight, they travel here. He would he would charge us hourly. He does not I do not see what we would call nickel and diming. Selectman Gagnon said I do believe I just want to ask the question. The Town Administrator continued speaking saying, he is on point. There is no retainer with this. So if he doesn't do something, he doesn't get paid a retainer. He is just strictly these are the billable hours I'm charging and that's it. If I didn't work any



hours, which is rare, I don't charge you. We used to have retainer contracts with previous law firms. We don't want this. This is strictly. These are the hours. This is what we pay.

Chairman McGrath then said so the other point that I want to make about Dave is that if a selectmen has a question, a legal question that they want to pose to him, we need to, we do go through, or we should be going through, I know I always go through Mr. Malizia. And he vets the question that we're looking to get answered. And he'll say, you know, he's done this with me. I don't think that we need to get Dave involved in this. This is something that. The Town Administrator added, or we've already asked the question five years ago or know there are there are reasons why. We also may want to coordinate. Someone may call them or contact him. I've already done that or somebody else. We just want to make sure that that keeps the legal bill reasonable. Again, I'm not trying to stymie anybody. I'm just trying to make sure we're coordinated and that we're not all contacting him. Chairman McGrath replied, so just to be clear, I'm not complaining about that. The Town Administrator replied, no, but I think that's a good point to make that helps us keep the legal bill. Selectman Guessferd added, kind of filtering what we need.

The Town Administrator then said departments have to come through me and say can I contact the attorney for such and such. Yes, you may. Or did you contact NHMA they may they may have a there may be a question that's applicable sort of across municipalities where I get a free opinion from Attorney Buckley. I'll take free. You know, but we have a lot of specificity here. We have certainly a lot of legal material that's very specific. But if it's generic, yeah, I'll go to NHMA and get a free opinion. So I throw that out. Chairman McGrath said but anyway, I want to, I wanted to point that out because I don't call even, even though I'm currently the chairperson of this board, that doesn't give me any more right to go and get advice from Dave without getting it vetted through Steve. And if any, any other member of this Board is doing that, I, I urge you to go through, Steve before you pick up the phone and call Dave because Dave expects that, too. He expects to hear that you've already kind of run it by Steve. And then he you know, he knows that he's looking out for the payments that we're going to be making. But so I would urge everybody to do that if you're not doing that already. Seeing no further discussion, Selectman Roy made a motion, seconded by Selectman Morin to enter into a contract for legal services with the law firm of Tarbell and Brodich, PA for the period of July 1, 2022 through July 30, 2023, for the terms as specified in the proposal for Legal Services 2022 to 2023 letter as prepared by Attorney David Lefevre. Carried 5-0.

P. Discussion - Budget Committees Vote to Change Bylaws

Chairman McGrath said we already talked about this. The Town Administrator said there was a motion that was made when we came back in so we're all set with that.

Q. Nomination and Appointment - Board of Selectmen Chairman and Vice-Chairman

Chairman McGrath said so the next item up that I'm sure everybody is waiting for with bated breath the nomination and appointment Board of Selectmen Chairman and Vice Chairman. Anybody wish to make a motion? Selectman Gagnon made a motion to nominate Selectman Roy as Chairman for the upcoming season. This was seconded by Selectman Guessferd. Chairman McGrath said I mean, I'm smiling because I could have won a bet on this. I could have won money on this. Huh? No, it's I'm just saying, it's. I knew what was coming, so. And I'm happy about that. So motion has been made and seconded to nominate Kara Roy as the Chairman of the Board of Selectmen. All those in favor signify by saying I and I'll add my I. So motion has passed unanimously. Congratulations.

Selectman Morin made a motion, seconded by Selectman Roy to nominate Selectman Guessferd as vice-chairman of the Board of Selectman. Carried 5-0.

Selectman Morin was recognized and said I would just like to ask the Board, since a resident brought forward the barn tonight, would you like me to take any action with the Benson's Committee? Selectman Guessferd said yes. Selectman Roy replied, yeah I mean, I think we should just maybe start working on a plan. Right. I don't know that there's a plan out there. What are our options? Selectman Morin replied, they have in the past, but due to the expense, it didn't go through. But then since we found that pot of money that we have, we can maybe do one side of the roof. Selectman Roy said yeah, they could do. Maybe we could just get some details on that and then and then go forward with it.

9. Remarks by the Town Administrator

The Town Administrator said the Town Administrator said just a couple of things. I just want to let the public know that any property tax credits or exemptions such as veteran's tax credits, disabled veterans credits, elderly, blind, disabled, solar, property tax exemptions. They're all due April 15, 2022. I just want to put that out. That's on our web page. But just for the folks watching.

There is a recount for article petition to Article 26 that will take place tomorrow, Wednesday, the 23rd, starting at 12:30 p.m. at the Hudson Community Center. There is, I believe, an agenda posted on the webpage. There will be a recount that was a one vote plurality. So there will be a recount.

Also dump day Saturday. So if you have dump passes, the dump, the transfer station will be open this Saturday, the 26th, from 8 to 12.

10. Remarks by the School Board

Chairman Gasdia said School Board Chairman Gasdia said well, first to the outgoing chair, thank you for the partnership over the past year, I've really appreciated it very well. And to Selectman Roy and Selectman Guessferd, congratulations on being re-elected and to your appointments tonight. I think that's great. We, too, had a reorganization on our Board last night. So Maureen Dionne was elected to take Diane LaMothe's seat. And then as far as chair, I will be chair again and Gretchen Whiting will be Vice Chair. So looking forward to continuing the great work I think we've done over the past few years of bringing the two boards together. So that's great.

Superintendent Search But it's not a search anymore. We have it. It's the transition is going well. Our superintendent, Mr. Russell, is meeting with our who will be our new superintendent, Dr. Mullis. They're meeting on a regular basis, and I think we're going to be in really good shape when the transition comes on July 1<sup>st</sup>.

And then this Saturday. So you go to the dump from 8-12 and then at 1:00 and 6:00, we have Cabaret at Alvirne for those people that the Moderator says has never been to Alva, and this is a great opportunity. And then again on Sunday afternoon, you can go as well. This is a fantastic event. It's been going on for years except for COVID and its back. And I think it's a great symbol of the fact that school is back. Everything superintendent said it the other day. It's about as normal as it's ever been. So things are going well. So congratulations again to everyone.

11. Other Business/Comments by the Selectmen

Selectman Gagnon: Thank you, Madam Chair. Two things for tonight. The Library Committee or Library Trustees met not too long ago, and I was very impressed. They actually updated their library strategic plan review for 2022, which I believe is a fairly new endeavor for them. And one of the things through their conclusion, which I was very impressed with, is they're anticipating approximately 60,000 visitors in 2022. So hopefully that comes to fruition and they start picking up on, on people entering the library because like the Recreation Department, I'm very impressed. The library has a lot of really cool events and offerings to our citizens.

Secondly, the power aggregation committee might be a different term for that, but under the Sustainability Committee had their first meeting, I believe it was last week. I need to follow up with them to see what came of that, but they are still moving forward with those efforts and I'm proud of that. That's all I have.

Selectman Roy: So first I just want to say how honored and humbled I am to be re-elected to the Board for another three years. And I interestingly look forward to some of the challenges in some of the awards of serving as chair. So that's all I have.

Selectman Morin: all set tonight, thank you.

Selectman Guessferd: just a couple of things. I'd also like to thank the voters for re-electing me and having your faith in me come back for a term here, elected term. It was meaningful for me because the first six months were appointment. This is an affirmation of that from the voters. So I thank you. Thank you for that.

The only other thing is, as a liaison to the Rec Department, there's a lot of great things happening. Spring is coming on. We have the summer program coming up. And again, as with the schools, it's nice to be able to get back to normal. Go to our Rec Department, the Facebook page. They have a website on the on the town. There's lots of really great things that they're spring tennis coming up so ways for citizens adults and children to get involved and interact with others and encourage you all to do that, to visit it and get involved. That's all I got.

Chairman McGrath: And my remarks are this. I've enjoyed being the chairman of this board, but it's not what you expect it to be. And it's really just carrying out the wishes of the Board and not participating really in the board level. How many times have I had an opportunity to comment on what was before us? It was really just facilitating the meeting. So I'm glad to be giving that part of this job up and going back to participating on a on a real level where I can ask questions, make commentary, make motions, vote, which has been absent for me for the last year. So for that reason, I'm happy to give this up and I'm happy that you're taking over.

12. Nonpublic Session

Motion by Selectman Morin at 10:05 p.m., seconded by Selectman Gagnon to go into non-public session under RSA 91-A: 3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. (b) The hiring of any person as a public employee. (b) The hiring of any person as a public employee. A roll call vote was taken. Carried 5-0.

Nonpublic Session was entered at 10:05 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 10:33 p.m.

Motions made after nonpublic session

1. Selectman Morin made a motion, seconded by Selectman Gagnon to accept the resignation and negotiated training contract repayment agreement of Probationary Officer Joseph McCarthy. Carried 5-0.

2. Selectman Gagnon made a motion, seconded by Selectman Guessferd to hire Brian Davenport as a fulltime police officer, with a starting salary of \$26.37 an hour, in accordance with the Hudson Police Employee Association Contract. Carried 5-0.

3. Selectman Morin made a motion, seconded by Selectman Gagnon to approve the Town Clerk’s appointment of Donna Melanson as Deputy Clerk at a rate of \$23.71 per hour. Carried 5-0.

13. ADJOURNMENT

Motion to adjourn at 10:35 p.m. by Selectman Morin seconded by Selectman Roy Carried 5-0.

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

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Marilyn E. McGrath, Chairman

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Bob Guessferd, Vice Chairman

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David Morin, Selectman

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Kara Roy, Selectman

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Brett Gagnon, Selectmen