

HUDSON, NEW HAMPSHIRE BOARD OF SELECTMEN

Minutes of the April 9, 2024 Meeting

1. CALL TO ORDER – by Chairman Guessferd the meeting of April 9, 2024 at 7:00 p.m. in the Selectmen Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE – Selectman Jakoby
MOMENT OF SILENCE – Chairman Guessferd asked to remain standing for a moment of silence for Scott Anderson, member of the Benson Park committee who passed away on March 23rd, 2024.
3. ATTENDANCE
Board of Selectmen: Dillon Dumont, Bob Guessferd, Dave Morin, Heidi Jakoby, Kara Roy
Staff/Others: Steve Malizia, Town Administrator; Elvis Dhima, Town Engineer; Jay Twardosky, Public Works Director

4. PUBLIC INPUT

1) Cody Wojcik, non-resident

I'm not a Hudson resident but I'm here representing the Southern New Hampshire RC Club, a Hudson organization. I want to talk a little bit about, I was able to look at the packet and some of the details in there about the work we did at the cap landfill for the RC Club's use. Again, we've stated that all the communication between the club and the town was between the club and the Road Agent. Our records of that communication like any emails were with the gentleman for which the field is named, Daryl Wagner, and he's deceased right now. We do have access to his emails but his daughter is in control of those and she's out of town. She'll be able to get access to them, I believe on Thursday when she's back. So, we can look into communication between the club and the town in a little bit more detail. If you, if you folks would like that information. Additionally, you know we've seen town officials or perhaps New Hampshire officials at the land fill doing testing in the past. And, with just a little bit of searching we found that the landfill was tested quite often and with just some searching we found this memo. One of our club members brought to me between the town and the NHDES regarding testing in 2018 which occurred, I think the last structure we put up the site was roughly 2010 it was another shelter that we put up. So, I have copies of this memo if the Board would like it.

Chairman Guessferd asked if the Town engineer had a copy of it. Do you have a copy? Cody Wojcik: Actually there should be six there but, to use. That's all I have at the moment unless there's questions.

Chairman Guessferd: We appreciate you coming. (Board thanks him) Is there anyone else who would like to make some public input. Ok, seeing none.

Selectman Jakoby: Excuse me, I just have a point of order question. I had committed to letting people know about well water testing. Can I do that at the beginning of the meeting?

Town Administrator Malizia: Probably best to do it in your comments.

Selectman Jakoby: So that'll come in my comments just so that the public knows. Chairman Guessferd: Cuz it's really no public input. Even though you are a member of the public as well.

Selectman Jakoby: I know I just wanted to double check to make sure that we do that. Thank you.

5. RECOGNITION, NOMINATIONS & APPOINTMENTS

- A. Resignation

1) Robert Wherry – Code of Ethics

Selectman Morin made a motion, seconded by Selectman Dumont to accept Robert Wherry's resignation from the Code of Ethics Committee with the board's thanks and appreciation. Carried 5-0.

2) John Leone – Benson Park Committee

Selectman Roy made a motion, seconded by Selectman Jacoby to accept John Leone's resignation from the Benson Park Committee with the board's thanks and appreciation. Carried 5-0.

6. CONSENT ITEMS

Chairman Guessferd asked if any board member wished to remove any item for separate consideration. Selectman Dumont made a motion, seconded by Selectman Morin, to accept Consent Items 6A – F. Carried 5-0.

A. Assessing Items:

- 1) Solar Exemptions: 40 Baker St. – map 173/ lot 027; 10 Hill St. – map 165/ lot 108; 5 Homestead Ln. – map 218/ lot 025; 10 Highland St. – map 174/ lot 087; 4 Mockingbird Ln. – map 148/ lot 083; 14 Lorraine St. – map 198/ lot 077; 5 Merrimack St. – map 165/ lot 076; 16 Blackstone St. – map 175/ lot 138; 6 Campbello St. – map 165/ lot 027; 1 Scenic Ln. – map 147/ lot 001/sub 020; 5 Pasture Dr. – map 206/ lot 022; 52 Highland St. – map 174/ lot 110; 20 Hazelwood Rd. – map 142/ lot 029; 16 East Hill Dr. – map 205/ lot 010; 10 Riverside Dr. – map 190/ lot 027; 96 Pelham Rd. – map 193/ lot 013; 39B River Rd. – map 246/ lot 066/ sub 002; 58 Barretts Hill Rd. – map 142/ lot 017.
- 2) Elderly Exemptions: 65 Brody Ln. – map 184/ lot 032/ sub 033; 59 Dracut Rd. – map 241/ lot 002;
- 3) Disabled Exemption: 13 Tessier St. – map 198/ lot 064
- 4) Veteran Tax Credit: 3A Julie Ln. – map 117/ lot 006/ sub 001
- 5) Veteran Tax Credits and Disabled Veteran Tax Credits: 6 Cin-Fre Dr. – map 217/ lot 009; 409 Elk Run Rd. – map 168/ lot 068/ sub 064; 5 Buswell St. – map 174/ lot 150
- 6) All Veterans Tax Credit: 4A Farnum Ct. – map 177/ lot 005/ sub 013
- 7) Current Use: 4A and B Hampton Ln. – map 110/ lot 050
- 8) Discretionary Easement Application: 82 Old Derry Rd. – map 115/ lot 001
- 9) Residence in Industrial or Commercial Zones: 89 Lowell Rd. – map 198/ lot 017; 104 Lowell Rd. – map 198/ lot 148; 281 Lowell Rd. – map 234/ lot 031; 2 Davenport Rd. – map 234/ lot 042; 4 Davenport Rd. – map 234/ lot 043; 81 River Rd. – map 251/ lot 007
- 10) 2023 Property Tax Abatement: 1 Madison Dr. – map 168/ lot 051
- 11) 2023 Property Tax Abatement: 1 Cape Dr. – map 198/ lot 172
- 12) 2023 Property Tax Abatement: 12 Hummingbird Ln. – map 139/ lot 040
- 13) 2023 Property Tax Abatement: 2 Madison Dr. – map 168/ lot 009
- 14) 2023 Property Tax Abatement: 39 Rangers Dr. – map 160/ lot 035

B. Water/Sewer Items: none

C. Licenses & Permits & Policies: none

D. Donations:

- 1) Donation of \$525 to Fire department Explorer program from John Blue

F. Calendar:

04/09	7:00	Board of Selectmen	BOS Meeting Room
04/10	7:00	Planning Board	Buxton Meeting Room
04/11	3:30	Trustees/Trust Fund	Buxton Meeting Room
04/11	7:00	Zoning Board	Buxton Meeting Room
04/12	2:30	Supervisors/Checklist	Supervisors Room (across BOS)
04/16	7:00	Municipal Utility	BOS Meeting Room
04/17	6:00	Library Trustees	Rodgers Memorial Library
04/17	7:00	HEAC	Rodgers Memorial Library
04/18	7:00	Benson Park Cmte.	HCAC

04/22	7:00	Sustainability Cmte.	BOS Meeting Room
04/23	7:00	Board of Selectmen	BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on March 26, 2024

- 1) Selectman Guessferd made a motion, seconded by Selectman Jakoby to move Mike Pilon to the status of Full-Time HCTV Assistant with a compensation rate of \$21.50 per hour. Carried 5-0.
- 2) Selectman Dumont made a motion, seconded by Selectman Roy to authorize Magdalena Whittemore two weeks of unpaid leave. Carried 5-0.
- 3) Selectman Dumont made a motion, seconded by Selectman Guessferd to promote Master Patrol Officer Robert McNally to the position of Sergeant at \$41.98 per hour according to the Hudson Police Employee Association Contract (step 6). This elevation in rank will be effective Wednesday, March 27, 2024. Carried 5-0.
- 4) Selectman Jakoby made a motion, seconded by Selectman Dumont to hire Alexander Horan as a Full-Time Police Officer with a starting salary of \$27.98 (step 1) per hour, all in accordance with the Hudson Police Employee Association Contract. Carried 5-0.
- 5) Selectman Guessferd made a motion, seconded by Selectman Dumont to hire Cheri Hughes as a Full-Time Police Officer, pending a final background check, with a starting salary of \$27.98 (step 1) per hour, all in accordance with the Hudson Police Employee Association Contract. Carried 5-0.
- 6) Selectman Dumont made a motion to adjourn at 9:15 p.m. This was seconded by Selectman Guessferd. Carried 5-0.

8. NEW BUSINESS

A. Status Update on Adam Drive Culvert

Chairman Guessferd recognizes Town Engineer, Elvis Dhima. Elvis Dhima thanked the chair and said good evening to everyone. So as you all know Hudson tax payers were kind enough to approve the capital reserve fund for the drainage. We're already looking to one of our projects we would like to tackle that one is particularly for Adam Drive. This particular culvert really took one the chin during the December storms. But we got about 4" of rain, as you all know, on Lowell Road we had flooding there as well. Long story short, we got a size of the wall behind you or behind me that has collapsed. We are concerned that if this is not looked at right away we're going to have significant erosion control issues out there and we might lose the road. Right now this culvert only serves one property on the other side of Adams Drive but, nevertheless it needs to be addressed. The plan of attack is to go out seek engineering services and the permitting for this and getting that locked in. And then in March of 2025 we basically seek a warrant article to address this matter. Because we don't have anything right now to address this with. But we do have some funds that are coming online July 1st to do the engineering, so. We'll lock this thing in, work for the couple months or two and when July 1st comes along we'll have a contract locked in and ready to go. It should take about 4-6 months to get everything ready to go. We'll have a cost estimate by then, we'll be ready for the next phase. We're staying active, we're addressing it, it's not going to collapse tomorrow, but, we're basically kinda keep doing what we're doing, a little bit at a time. Selectman Roy: Is it, is there any plan to temporary shore up what's going on there? Elvis Dhima: No, have you seen the pictures Selectman Roy? Selectman Roy: I did. Elvis Dhima: Yeah, perfect, thank you. Selectman Dumont can probably talk a little bit about it. He had a chance to go out there, it's very deep, we can't get to it. And we actually brought in one of our contractors that's working on Lowell and First Brook, the one they're going to do the bridge over there. And they're like, they took a step back. So, it's the challenge there it's very deep, there's no access road to it. And it's one of those projects where you kind of build it and you're like, naaah, let's let the next guy worry about it 50 years from now. And it's unfortunate but it's kind of one of those things and we're right there. The Town stream side has collapsed it's just nothing we can do

about it. The upstream side has shown fatigue, but I think we can still save it if we brace it just right. I'm hoping that we have an approach that we might not be able to fix it the way we want to fix it but, we want to stabilize it. And buy ourselves somewhere between 20-30 years. And let the next guy in line deal with it. But, it could be very expensive. It's just one of those things. Selectman Morin: When we had talked about this before you had said it serviced one property. But looking at the picture now and your paperwork, it actually goes under the street. That is a dead end street. That caves in and we lose the street all the people will have no emergency services or anything else. Elvis Dhima: Correct, that is correct. Just one house, just one property. It's at the end of the street. Selectman Morin: Oh, OK. Selectman Jakoby: I just have one question, how, when was this constructed? Just so people get an idea of how long it's been. Elvis Dhima: The 70's. And what I found interesting is we're down there evaluating it, there was no rebar installed whatsoever. They did not believe in steel back then, it's just concrete. Well it was probably expensive, \$5 a pop back then. Plus, they were probably learning, too. But, it's just different techniques back then, we really can sit here and beat on them for what they did. What they did was probably pretty good back then, now we have different standards. It served its purpose like everything else, got a 50 lifespan on it. Then that's all there is to it, you know. We just, like everything else all the bridges and everything else we do we just got to deal with it. But, we planned for it, we have the funds coming online July 1st, we'll go out and we'll just deal with this like do with everything else. Chairman Guessferd if there were any more comments. Selectman Dumont: I'll just make one, when I saw it come in the packet I took a ride out just to go take a look at it and he is right. It's about 30 feet down. You would need some significant machinery to be able to pick up what's broken off. So I think this is the step in the right direction to try to get this thing shared up. Chairman Guessferd: Just one question because, so you're going to be out on approval getting engineering service. What's the uh, what's the plan there in terms of the engineering services? Elvis Dhima: So, we need to do a wetland delineation, obviously, because we need to figure out what we need to do. My only concern is the dredge and fill permit. I hope that the State does not require us to do a dredge and fill permit for this one because we're kind of doing a repair. But their rules have changed they expect more of us at the last minute they pulled the same thing on us for Lowell and First Brook. I'm thinking it's probably going to be somewhere between \$30-50,000. If that's what you're looking for. Chairman Guessferd: Yeah, what's the budget, what you're forecasting? Elvis Dhima: My budget is going to be \$30,000. What they come up with is a different story. You know, I mean, listen, everyone knows that pay our bills in time here, but you're not going to be rich working here. But, we treat people well, we try to take care of them, we help them with the agencies they get involved with, but yeah, you're not going to get rich working here, that's the bottom line. That's kind of where I'm seeking. But it's still a lot of money for something like that. But we do need the permit for it there's no way around it. No one is going to touch it if we go out for construction, the first thing they're going to say is Chairman Guessferd:where's the permit? So are you planning to seek different engineering firms? Elvis Dhima: Yes were going to go out to bid tomorrow if you move forward with this tonight there's going to be an RFP going out tomorrow. We going to seek engineering services for this, yes. It's going to go out to four vendors, we're going to do the dance. Bring them out there to check out the side, I think it's important they understand what they're dealing with. And we'll go from there. Someone will get it who's hungry enough. Chairman Guessferd: Does anybody want to make a motion? Selectman Dumont made a motion, seconded by Selectman Jakoby to authorize the Town Engineer to obtain engineering services for this project. Carried 5-0.

B. Solar Farms – West Road Landfill

Chairman Guessferd recognized Town Engineer Elvis Dhima who said, your favorite item tonight, probably, the solar farm West Road Landfill. So, as you all know we started the journey last year when we were looking for revenue and savings similar to what other municipalities are doing. We started the process to select a vendor, which was Kearsarge at the time, as we were dealing with that we also had the RC Club members that came forward and said they were utilizing it. Through their multiple presentations and public input they really got into details about what they did up there, the impact and the efforts they put in. Including how much fill they brought

up there and how they leveled everything and that started the process of how's it going to impact our permit moving forward with the solar farm. As you all know in March of 2024 the warrant article passed for the lease agreement and also petition for the RC Club use as well. So, what are we dealing right now is looking into the details to what was back then, what was approved what the permit for the post closure is and what really happened out there it's basically clear that, it appears that they OK to go out there and do activities, but they never came back to make changes to the landfill, which they were not allowed to do. It doesn't matter if there was a word agreement between the road agent of the time, it was nothing approved. There was no one in Town that had the authority to make changes to that landfill and cap landfill. So what we're dealing is with four major issues. The main one is significant alteration to the landfill by the fill they brought in. Insulation about 350 linear feet of road that's not in line to what the design intent was which clearly says the road, maintenance road that was built up there was 36" of sand, 8" of gravel. So, from a technical standpoint we've been driving over a membrane that wasn't designed for that kind of loading, which is H-20 loading. It's clear that there was not supposed to be any activities there whatsoever once this project was done and the gate was closed. There's buildings up there they're sitting on Sonotubes, that membrane is not designed to have a concentrated load over it, it's just that simple. I don't know if they've impacted it or not. From the presentations it appeared that they intercepted it but they did no breach it they put it back. I don't know what to tell you. We're dealing with basically something that we need to investigate and find out what the extent of this is. We are in violation of our landfill cap. There were discussions about testing there, we do test for the, uh, we do test for the methane levels there, we tubes for that. There was no out there testing for anything else. I don't think anyone is even aware, including myself, to the extent of what happened out there. So you have a situation where unauthorized work happened, unpermitted work happened out there that needs to be verified. My biggest concern is integrity of the membrane and what you have in front of you tonight is the steps we need to have to take forward to basically show to the State that we take this seriously. And we're going to get to the bottom of it. And then, the most important thing is we need to determine about 4 to 6 weeks when I come back here to see who's going to pick up the tab. Because this is going to be significant and you have the engineering piece, you have design piece and then you have mitigations from the State, if any. And hopefully they don't fine us. That's kind of what we're dealing with so, the intent is to recognize we have an issue, tell the State, yes, we're going to get on this and this is what we're planning to do and go from there. So, those are the motions you have in front of you tonight. And we need to know if all the parties are still interested or not. And I'll take any question you may have. Remember I was not here in 1999 so, if you ask me to go back Chairman Guessferd recognizes Selectman Roy who said: So, I'm looking at this memo that was addressed to you from the DES dated January 24, 2018. And it actually that says methane gas is not being monitored but no explanation was provided in Section 8. It also says there were supposed to be annual reports done, they're looking for annual reports from 2015, 2016 and then it looks like annual reports for 2017 and 2018. So, we've been doing that testing? Elvis Dhima: We've been doing, I have to go back and see because usually these get done by third parties, GZA and previous companies so I have to go back and figure out. But we do annual submittals for the Burns Hill and the West Road as well. Chairman Guessferd asked about certification and Elvis Dhima answered it's basically a report that says this is what we're doing there's been no changes to it, and we'll go from there. The changes we're talking about happened between 1999-2003 or 4. I can't tell exactly when but from the Ortho images that's been provided to you was somewhere between 1999-2005. And I think that time, I really can't tell, cuz I wasn't here. But, I can provide you a full (report for that, I've gotta get the details for that. Selectman Roy: And then, all those issues you addressed, this is the first time you're addressing them. Elvis Dhima: Yes, that is correct. I wasn't, so I typically don't go out there. The only time we went out there when we started doing, for example, the, you know, we're, this project is going, this and that. But I don't prepare the reports it was done by third parties right now they've been done internally since we hired someone. I was not aware of the extent, you can say that. I think a lot of this, if you, I started working in 2014. I think you look at it from a standpoint, if I went there the first time in 2014 and be like, ya nothing has changed since then because most of the work happened prior to that. But it's clear to me that they were told to keep this quiet for a reason. Because what happened out there should

not have happened. I think that's basically what it comes down to. And that's what I get out of it. If they go a verbal OK from the road agent he had no authority to do that. It's just that simple. Only the State has the authority to approve any changes to that capped land fill. It's that simple. Selectman Dumont: The reports that they're talking about in this, I obviously don't deal with landfills but I got a property in Nashua that we deal with hazardous waste and it has to do with groundwater. And we're required by the same amount, originally it was every 6 months then they extended it to every year now it's biannually. Is it the same style of report that they're looking for just different type of waste? Elvis Dhima: So we have monitoring wells including in Litchfield that basically takes water samples and shows what's happening, how things are traveling, so we do that, take samples of that we send it to a lab and they send it back. And that's what we're looking for. What they're monitoring is and what they really care the most about are how things are travelling from the landfill to the adjacent property is, or, in this case including Litchfield as well. Selectman Dillion: So my follow-up then, that was going to be my question. So what they're looking for are the actual, and this is going to be the wrong word, but, not the test pits, but normally they have little areas they continuously go to monitoring wells. Do they have those out there? Is that what they're going by for these reports? Elvis Dhima: Yes. We have different monitoring wells within the site and outside the site because you have to monitor things. Typically the way it works is to figure what the downgrade of the water table is and which way the water's travelling. In this particular case is from the landfill towards the river. So that's why most of it is kind of where some wells in Litchfield, some wells in Hudson. And the same thing of Burns Hill. Selectman Dumont: But I just wanted to be able to understand a little more when these guys are going out doing those testings and those inspections they're not looking at the physical characteristics of the landfill. They're looking for the well and they're testing the water within it. So, it'd be a different group and they normally are a third party some of them in my case is State funded. I don't know how this is when it comes to landfill... Elvis Dhima: This 100% by us. Selectman Dumont: Third party we're not allowed to have any control over it, they come out they take the sample and they leave. Elvis Dhima: And staff changes, too. Could have done it back then, could've been something different here. Selectman Dillion: But what we're talking about if physical changes to that. These reports don't look at physical changes. They look at the monitoring wells. Which is why these reports would not have picked that up. Elvis Dhima: I think if someone put a house up there, it would be like, whoa, hold on a second. But I think for something like this especially was done between 1999-2005 is difficult to basically point to that, you know. So, it's hard to tell, as I said we need to notify them that there are significant changes that shouldn't have happening over there and we're going to have to deal with it. My biggest concern, obviously, is integrity of the membrane. That's what concerns me the most. Selectman Jakoby: These reports, didn't they have to occur from 2002-2010? So do we have those reports and were there any issues? Elvis Dhima: I can find out. Selectman Jakoby: OK for me I would need to see that information. You also cited a drawing, an original drawing, but you gave up pictures, but you didn't give us the original drawing within this document. So I would also like to see that. So my concern is that there's a lot of information that I would need to make this decision today. You know to really understand it because if there hasn't been an issue with the annual report and the monitoring, then we need to see what the issue is and really look at the questions that were raised throughout. And that's my concern. And I also think to the point of public input, if there was correspondence it would have been with the former president, who is deceased. And we do have the opportunity on Thursday to see what emails did occur between the Town and the RC Club. So I think that's also important information to have going forward. Because right now from what you're saying there isn't a breach or an issue we're aware of. Is that correct? Elvis Dhima: We need to verify that, I don't know that. We need to verify that that's what I'm seeking tonight. There's no one, that doesn't tell you anything about the membrane. Selectman Jakoby: Well it tells you it's not leaking. Elvis Dhima: No, that's not it. Selectman Jakoby: Ok, then tell me how, tell me the difference between the monitoring, cuz I thought we were monitoring to see if there's leakage. Elvis Dhima: You are not monitoring the breach of the membrane. What you do know is you do not have a permit for this from the State, they don't have a permit from the State. I can't tell you what happened 25 years ago, I can go back and look. But I'm telling you ... Selectman Jakoby: But we're working on finding that information. Elvis Dhima: I can tell you that Mr. Wagner as a planning board

chairman, did not have authority to do any of this and if there was a permit from the State we would have found it. We don't have that. I know that much. I can't tell you how they operated back then. What we do know is that, if we went through Kearsarge process, you would seek a permit to any changes to that or even the use. There's no state permits for that right now. Right now we're in violation of our conditions. We can't sit, I can't sit here as the Town Engineer and tell you that's fine with what's there and oh, no one has brought this up so we shouldn't have an issue. Absolutely not. We have a major concern out there, with what they did. I can't tell you what's going with that membrane. But what I can tell you is if it continues to do this without getting on it right away it would be a gross negligence on our part. And I gotta tell you, I really don't want to be a part of that. It's really concerning. That's my take on it. Again, I have a license that goes with it but, I can't tell you that, well we don't have anything from the State should be all set. I don't agree with that conclusion. Selectman Dumont: Just to clarify one of Heidi's points, just from my experience with what I deal with, the monitoring wells they going to monitor things basically going down. Where the membrane is the opposite of that. So the monitoring wells from my experience wouldn't notify or wouldn't see if there was any issue or breaching from that point of it. Without digging test pits and actually going down and actually visualizing it. The other part of that is regardless of who we forward with is this application and process required? Elvis Dhima: Yes. Selectman Dumont: So let's say solar club's not a part of this and we're full force ahead with the RC Club, are we required to notify the State and move forward with this same exact thing? Elvis Dhima: Yes, yes. Chairman Guessferd: So what does the State know right now? Elvis Dhima: I don't think the State knows of these changes. I don't think it's been made aware of, this is what's happening. I think Selectman Jakoby brought up the plan that she was referring to that is the as built plan which basically shows to what this capped landfill look like. Chairman Guessferd: So nothing on top of it. Elvis Dhima: Nothing on top of it but the access basically going and the landing area up there. What they changed up there is not documented. What they tried to do up there by adding a road, that's not documented. I think you have changes it's very difficult to understand what's happening or not. The plan we can find for you is basically a topography that shows to what, what the ortho shows from a grading standpoint. You would not be able to tell what's what because Ortho images really tell you what's really happened there year to year. They should have gone back to State and got approval for this. It's indefensible. Selectman Roy: I think that to Selectman Jakoby's point having the communication between the Town and the RC Club is important. Because if the Town was telling them something and they relied on that, then that. Elvis Dhima: I don't think it was the Town Selectman Roy. Selectman Roy: It was a road agent who was a representative of the Town. Elvis Dhima: I get it. This is where I'm going. Selectman Roy: And then it doesn't become an issue to just state the obvious it doesn't come an issue until there's a project you want to do on that land. Elvis Dhima: Well, first of all, it's not personal here so, it's not because I came, it's because they, they, during public input, state all the things they did out there. And I gotta tell you I'm sitting on the side like oh, my God, but anyway. This all came up because they brought this up by saying all the things they changed out there. I can tell you from what I've seen including the Board of Selectmen meeting that night, that they got approval to go there. Nothing prevented them to tell the road agent we need to make some changes here, can we go back to the Board of Selectmen and see what they say. And at that time the people that were involved with the cap landfill would have said we can't make any changes. We were told not to touch anything. And this would never happen. But it appeared that a decision was made and I don't know who did it, I don't know who did it. But a decision was made to keep that from the Board. And basically saying they don't need to know, just go ahead and make the changes. Keep this to ourselves and that's the end of it. Selectman Roy: And they relied on the representation of the Town representative. Selectman Morin: We have no proof of that. Elvis Dhima: I'm not disputing that, I'm not disputing that, I'm not here to beat down on people either. But reality is that whoever was involved with this did not get the proper approvals. It's that simple. And it appears an individual representing the Town or not, made wrong decision. It's that simple. And to be honest with you I don't even understand how they came and they told them to go ahead drive up there because I'm looking at the conditions and it clearly states that the road that was build for the construction purposes was not to be used but anything for maintenance and observation from staff. Not public out there driving. It's that simple. But I ... Selectman Roy: But

you were aware they were out there. Right? And you never went out? Selectman Morin: Let me answer that question. This board didn't know they were there and he came in after this was all done. And if the permits were done and there was nothing that didn't know about, why should he go up there? We didn't even know about it. Selectman Roy said because it's Town property. Selectman Morin continued to say he knew about it because I work here but, nobody else knew about it. Elvis Dhima: The first time I heard.... Selectman Morin: Let's look at this. We have a landfill on Burns Hill Road which was capped way before this one. Because we went to West Road after Burns Hill Road. When I was on the fire department we looked at it to make it a training ground. We couldn't do that. We looked to make baseball fields, we couldn't do that because we can't pull up all the trees and stuff and they're not even going that deep they're just, they're roots systems because cannot disturb anything on top of that landfill. So, that's a perfect example why you can't disturb anything and the changes from when the Burns Hill Road was capped vs. that are totally different. So I'm sure it's much stricter when West Road was capped. Second of all, why would this Town, when we have baseball fields, and we do all kinds of things to keep this quiet. This is a good group, we're letting citizens, but you must keep this quiet. Why would the Town say that? Seriously? Why would the Town say keep this quiet? Selectman Roy: Well I'm taking them at their word they were told that. Selectman Morin: What we have to see if we actually got emails because right now, everything we're hearing from them, I haven't see any documentation to go against us. That's the problem. And until we have that we can't. They're up there, that was a, I don't know the square acres, but we're up to about 3 acres of fill on top of that. We have pictures of very large graders up there and I can tell ya they probably didn't bring graders up there when they capped it. Because of the membrane. We have a road, I went up there last week to take a look. We have a metal fence with cement holding it down so they dug into the dirt, we don't know how far those are from the membrane. We have a little building, picnic tables are under which has the supports dug into the dirt also. So we don't know how deep those go down and they have to be pretty considerable because you're up on a hill and you got the wind. So we got to be able to hold these structures up. So they gotta be pretty deep. We have a building out there, we have all kinds of stuff that there's no permits for. Nobody knew about. So, we need to look into this to cover us and cover our tax payers so they don't get hit with a huge fine. Chairman Guessferd: Let me just say something here. I think we're all kind of heading in the same direction but I just want to make sure there's a lot of emotion here. And I get it. On your side, with us you know and the RC Club as well. Bottom line is we could all point fingers different directions, the bottom line is that the Town, whoever the representative was, authorized something and he was unauthorized to do it, but he did. Whatever. And I don't think anybody's intention here was negative. OK and you know whether there was some and you know we know that they were told to keep it you know calm, but, but I think right now we are where we are. And we have to deal with that so I think the main questions here, I think we need to just focus in on what is the next step. And how do we, how do we then, you know, manage the expectations and wants of various groups and the Town. And we gotta do the right thing and you're absolutely right Selectman Morin. We have to protect the Town's interest. But, I don't think we know what we know yet. And I think we have to go down that road and we have to take, a little bit of a, we have to step back, pump the brakes a little bit. Say OK, what are we going to do first? Elvis Dhima: The first thing to do obviously is to better understand what we're dealing with. And basically let the State know that this is what we're planning to do. I think that's important. If we go in and say we some issues out there but we don't know what we're going to do next, God know what they're going to do. Drop the hammer on us. I like to go in with obviously telling them things we're seeing, how we're going to attack this. And if they find a level confidence in us that we know how we're going to do this and the help we're going to get, they might just say alright report back to us with the findings and we'll go from there. Chairman Guessferd: I would say the Town and the RC Club all bear some responsibility here. Elvis Dhima: Ya, I'm no there tonight to say them or.... All I can tell you is that It doesn't change the fact that is shouldn't have happened but I'm not here to blame one or the other. Whoever was involved at the time should have never made that decision. You're right, there's no point of wasting time in that. My only concern is making sure that we have no liability out there or exposure and making sure that we addressed it right away and show good faith moving forward. It's that simple. I'd rather hear it from the State once we let them

know to what can or cannot be done there. I don't feel comfortable continue business as usual here until I know for a fact that we're good to go. Because, again we need to show we're acting in good faith not as business as usual. Chairman Guessferd recognizes Selectman Dumont: I was going to say what you said I was going to bring it back around. I think tonight the more important matter is the problem that's at hand. I don't think it's the stuff that happened before. I don't think it's the he said she said stuff. I think all's that really is important is that we as a Town have an obligation to fix the issue. And we need to figure out how to do that. I wouldn't blame anybody. I said regardless of who goes there whether it's the RC Club or the solar you still have to take care of this. So the other stuff, for this issue is irrelevant, in my opinion. Chairman Guessferd: We all bear responsibility. Selectman Dumont: Quite frankly if there's anyone to blame it's the Board of Selectmen. It's not the staff, it's not the RC Club, it's the Board of Selectmen. We're the ones who have to take the blame. A year ago we asked him to go out and look at all the Towns property and look for a place to do solar. We're the ones that made that request. We all voted in favor of it, it was unanimous. So if you want someone to blame, blame yourselves. Chairman Guessferd: So bottom line is we need to move forward. Selectman Jakoby: I just have two quick questions. So I absolutely agree. I think it's important to move forward and yes I thank you for pointing that out because it was the Board of Selectmen that approved them to be on the site and for the solar farm to go forward. So, it falls with us. And um, I just wasn't sure at what point we also engage legal in this issue. That comes down the road probably ... Elvis Dhima: I would not, we'll find out after notify them, let's just put it that way. If we need to legal up or not. We're going to know from the response from the state too, where we're at. I think we'll know more by then. Chairman Guessferd: So how do we get to that point? Elvis Dhima: I have a letter prepared for the State tomorrow and I wanted to obviously talk to you tonight before I do it. I'd like to also tell them that we're going to seek engineering services that's why that second motion is in there. Based on the response which I'm obviously going to share with the Board, we're going to know which way we're going to tackle this from a legal standpoint. Selectman Roy: I would still like to see some more information about what's going on up there. Chairman Guessferd: I personally would like to visit up there. Selectman Morin you've been up there? Has anybody else been up there on the Select Board? I think, I would certainly like to know. I don't have enough facts right now. I don't know if there's a way that we can set up a, I'll call it a site visit like we do on the planning board. But, we can actually go up there and actually see it. Administrator Malizia: If you go up there individually you don't have to call a meeting. (41:56.8) Board agrees. Elvis Dhima: Just don't drive up there. Selectman Morin: We got two things. No matter what we say here tonight, he has to send that letter tomorrow. Because if we don't, it's going to come back on the Town. Whether you guys want to take a ride up there or not because we know about it now. Selectman Roy: Can we see the letter? Elvis Dhima: I can show you the letter, absolutely. Selectman Roy: Before it's sent? Elvis Dhima: The letter is basically in line with this. There is some changes made... Selectman Roy: Can we see the letter? Elvis Dhima: Ya, ya, ya absolutely. And the only thing that will change based on your feedback is basically, we're going hire a third party or not hire a third party which I'd like to do because we can't seek those internally. But the letter is in line with this. Selectman Morin: In reference to the letter, I want the letter to go tomorrow because it's delaying us, we know of the problem, we have delayed this enough. And I'll tell you what if the letter gets voted down I'll call DES myself tomorrow. Selectman Roy: So I'm not saying it's voted down. Elvis Dhima: How about this. What I can do is, I can send you the letter tonight after I leave and then tomorrow, I still have a job to do obviously, but, if you see something that's earth shattering you let me know. The only thing I'm asking you, I can do that right after this it's not a big deal. And I'm going to tell you right now Selectman Roy, there's nothing there pointing fingers to anyone. Selectman Roy: I, I, that's not what I'm looking for I just want to see the letter. Elvis Dhima: Absolutely, and you have the right to do that so what I can do is, I will send it to you tonight, after this and you will see it and if you have any objections you tell me by tomorrow and I won't send it out. I will ask for everyone's OK by tomorrow to send it out. How's that? But I still like something to them tomorrow. But there's nothing there. One thing I don't want to do is, this is a letter coming from me. Not the Board. We need to be clear about that. Selectman Roy: I understand that. But, we still, we still have a responsibility to it. Chairman Guessferd: Yes. Elvis Dhima: We all do, but, I'm drafting the letter. Board agrees. Selectman Jakoby: So, if it's based

on this letter, a couple of suggestions that you might want to consider because you asked some really good questions about how far did they go down in the post? And what's actually on there. There here now, you can even give the State more accurate information. Wait, wait. If you would like to, also, if you need more information I think it's important for this letter to be cc'd to the RC Club. Because you're mentioning them and they need to be cc'd on your letter. I think that's just appropriate to keep them in the communication link. So those are just things to consider if you want to give more detail. And if you are referring to please include the actual drawing. To make sure the State has exactly what, to which you're speaking. Cuz I just saw that as, those are my two minor suggestions. Elvis Dhima: Just to touch base real quick. Anything moving forward is gonna have to be witnessed and certified by a third party. There's no Joey said, this happened and that. We're going to have to dig that out and figure out exactly what's going on. It's that simple. It's not going to be me, it's going to be them, it's going to be a third party that's certified in this service that's going to say this is what we see and that's what's going to happen. We're not handling this, there's going to be a third party handling this. So, I understand what you're saying we can share the findings with them, I can share the letter with them. It's going to be public anyways when it goes to the State. But, there's not going to be anymore moving forward, Joey said this, Jimmy said, no. We're going to have to really certify what really happened out there and what the conditions are. Including, doing our own investigation on digging and vacuum digging because you can't dig really there you have to do a vacuum dig approach to see what's going on with the membrane on different locations. Off the areas we talked about which is the access road, the membrane along the building footings. Selectman Jakoby: I'm sorry just to comment. I'm just saying that any records that they have I think is important information for the State to have and for you to have in the future. That's all I'm saying. If you disagree that's fine. But I thank you for your explanation. Chairman Guessferd recognizes Selectman Dumont. I think that the records want to be attached I think that's fine but I definitely don't think we should be certifying their records. Selectman Jakoby agrees. So I don't want the State to think we're verifying. We want to offer, say here's some additional information. Here's where you can contact them. That's totally fine but we definitely need to make sure those two things are separate. Chairman Guessferd: We don't want to represent... Selectman Dumont: I want to make sure this is clear because me sitting here, I'm wondering it, so I figure like people watching might. But nobody here wants to avoid the obligation to notify the State, correct? Board agrees. Chairman Dumont: It doesn't matter RC Club or solar, we have a problem here and I'm just amazed that there's discussion about a problem. I think everything is important but we have an obligation as a municipality to say in contact with the State. That's what we are going to do. Selectman Roy: I agree, I just want to see the letter before it's sent out. Selectman Dumont: That's fine, I have no problem with that, no problem with that. Selectman Morin: And all I've got to say for the record is out employees send out letters every single day and all kinds of different matters that we've never requested to see a letter. I just want that for the record. Chairman Guessferd: For the record absolutely. But also understand this is a very sensitive issue. Selectman Morin: It's not really in the realm of things it's something we have to deal with, we deal with this kind of stuff every day. We're in court all the time, we don't see every letter that gets sent. I just want that for the record. Selectman Dumont: If we're moving forward on this, the first thing is, quite frankly if we don't have all the information we need to pause. That is that first motion. So is everybody ready? Chairman Guessferd: I was just going to go down that road. I think motion number one is good. And then we can go from there. I don't think motion three or four, in my mind, are you know we go down that road ya. Selectman Dumont: I don't think you need to do that right yet. But, I would definitely say we need to pause which is our first motion. So, if everybody's ready I will make that motion. Chairman Guessferd: And why don't we say, well, OK, we'll make that motion we'll go ahead and make that motion. Selectman Dumont made the motion, seconded by Selectman Morin to restrict activities to only maintenance and compliance at the capped landfill and restrict unauthorized driving until further action from the Town's Board of Selectmen. To restrict activities to only maintenance and compliance at the capped landfill and restrict unauthorized driving until further action from the Town's Board of Selectmen. Motion carried 5-0.

Selectman Jakoby: I just have a question. Do you know that um when I was campaigning that was some confusion over, um, access and the locking of that gate? So, has that all been figured out? Because I know someone had to contact Ed van der Veen to get in. Elvis Dhima: There's like 50-60 people that have access. Selectman Jakoby: OK, so we're going to notify once this motion is made. I just want to notify in writing the RC Club that that's... Elvis Dhima: The present is behind us. If you make the motion to do that they will notify and we'll also notify ... Selectman Jakoby: No just notify in writing. That's all. Just want to ensure that. Selectman Roy: Again, to Selectman Dumont's point that everything's clear and laid out. Selectman Jakoby: This is new to me so I don't know who sends that memo. Is it the Chair, then sends the memo? Elvis Dhima: It can be Mr. Malizia, it can be myself, can be both of us whatever you're heart desires, it's not a problem. Selectman Jakoby: It doesn't matter I just want it in writing. Chairman Guessferd: I think the Town Administrator can do that. Selectman Morin: Whatever the normal process. Selectman Dumont: The notice should come from the Board of Selectman. I believe. Selectman Jakoby: Thank you. I'm new. Chairman Guessferd: OK, any further discussion on the motion? OK.

Chairman Guessferd: Should we go down the road here, motion #2 is the next one to address. Do we want to address this one or do we want to, do we want to push that? Selectman Roy: I think that, that um, we should send the letter first to the State and then we can address that. And depending on their response. Elvis Dhima: We need to stay ahead of this so we cannot figure out what actually happened. I need the engineering services to do that and I think if we show them that, it tells them that we are already moving ahead in the right direction. Because the first question is what are the changes? Can you please describe to us exactly what's going on? And I don't have the answer to that. Chairman Guessferd: OK, I can see that point. Elvis Dhima: And also the other thing too is the fill that was brought in we probably need to test that. That's what they're going to ask as well. You know soil testing for that particular. There's a lot there and I think if we tell them we're already out there looking for this, they're going to say alright, report back to us then. And then they're going to tell us all the violations whatever. But my intent is to avoid any fines. And I think, again, if we stay ahead of this and we show we're trying to act in good faith. Then they're going to say, alright, they're trying. If we go in and be like here's the violation we know what our next step is. I don't think sitting on this is the right thing to do. We going to do this anyway no matter what. Selectman Morin: At this time we're going to send the letter. We've gotta go through the process, we gotta go through bids. This isn't going to be done til probably the middle of summer anyway so at least we're making that progress that way. So, when the time comes we're working on it. Elvis Dhima: You're not locking any contracts for engineering services yet. We're simply going out to see what this is going to cost you. It shows that you're doing something about it you're not sitting there. What we end up doing 4-6 weeks from now, that will be the time when you actually seek the services and lock them in in a contract. Right now just being proactive to see what's out there and what's it's going to take. You have a rough idea to what we're dealing with. Selectman Roy: What's the typical turnaround or response from the State? Elvis Dhima: It all depends how this is going to hit them. It could be within a week it could be two weeks. It could be within the next day I get a phone call. Selectman Roy: So up to 2 weeks? Elvis Dhima: No. That's probably like worst case scenario. I could be tomorrow. Selectman Roy: No I understand that. Up to 2 weeks. It could take them up to 2 weeks to respond. That's my only question. Elvis Dhima: Not on this particular. Typically on different things that we get. This is a violation, I don't know what it's going to take. I don't know how long it's going to take. This is, I've never, let's just put it this way, Selectman Roy, I've never submitted anything that has been in violation and basically took them 2 weeks to get back to us. Usually it's right away. Selectman Roy: OK. Elvis Dhima: I can tell you for things that we deal with water, within the same day. Because, it's critical. I consider this critical I would say, I would not be surprised if I hear by the end of the week. Does that make sense? Selectman Roy said yes. Selectman Dumont: I'm fine with going out to bid, I'm not fine with obviously you going and securing those services. I'm with going out to bid because I know the follow-up from the State is going to be what is your plan? And if we don't even know what the cost of those are we're not going to be able to answer that question. Chairman Guessferd: If we say we're already in the process of, I get it, I get it. Elvis Dhima: I need to come back to the Board of Selectman, to you, to lock that

contract in and figure out where the money's coming from. Chairman Guessferd asked if there was any further discussion on motion #2. Is there a motion?

Selectman Dumont made the motion, seconded by Selectman Jakoby to authorize the Town Engineer to seek engineering and environmental services for the landfill. Motion carried 5-0.

Selectman Jakoby: I just have a question. So, does that then become that becomes a bid, right? Just like everything else. And then once we get the bids it comes back here then for us to approve, or disapprove. OK. Elvis Dhima: And the amount as well. Board: members talking and laughing.

Chairman Guessferd: I think we're going to defer the last two. Town Administrator: That is correct. Elvis Dhima thanks the Board and leaves. Board thanks him back.

C. NH Attorney General Opioid Settlement Participation Forms

Chairman Guessferd: OK, our next item. NH Attorney General Opioid Settlement Participation Form. Recognizes Town Administrator Malizia: So we have a request from the NH Attorney General's office, we've done this before with one of the opioid litigants. In this case there are five of them. Allergen Finance, CVS Health and Pharmacy, Walmart, Walgreens and Teva Pharmaceutical. The AGs office has negotiated settlements and what they're basically looking for is us to do a release so we don't individually sue them. At this point there's really no need to individually sue anybody so they're requesting we sign off on these. So, if you're in agreement I would sign them, send them back to the AGs office. (inaudible) My understanding is settlement funds go into the NH AGs Opioid Fund, which I believe they would use for eradication or you whatever efforts they're doing. Selectman Roy: So, so I guess that goes to my question. Do we have a plan on how we get our portion of that settlement? Administrator Malizia: We get what they give us. Selectman Roy: So but do we have to do anything? And do we have a plan in place on how to use it? Administrator Malizia: No. Not that I'm aware of. Selectman Roy: Cuz we would have to obviously ... Administrator Malizia: If we get money, I'd have to come back to the Board to determine how much, if they give you something and what you want to do with it. There is no plan that I'm aware of. Selectman Roy: OK. But we participated before? Administrator Malizia: There was one. Selectman Roy: And did we get money from that? Administrator Malizia: I don't believe we received any money yet from that. Selectman Roy: OK. Administrator Malizia: I did review it with attorney Lefevre just so you know and he was like, yep makes sense to do this. Chairman Guessferd asked if there were any other comments and if someone would like to make a motion. Selectman Morin made a motion, seconded by Selectman Roy to authorize the Town Administrator to sign Participation Forms for Allergan Finance LLS, CVS Health Corporation and CVS Pharmacy, Walmart, Walgreens and Teva Pharmaceutical as requested by the New Hampshire Attorney Generals' office. Motion carried: 5-0.

Special Recognition - Fire Chief Scott Tice

Chairman Guessferd recognizes Selectman Morin: Could I request a change of if you would? Chief Tice is not here on the agenda tonight, but, we had a discussion today and he's got some information for us and some of it we need to deal with it right away because we're ending up heading down the same thing we did last summer with over time and manpower and things to that nature. And I think this Board needs to do something for the Chief so we can try and cut that off, if you don't mind. He's not on the agenda. Chairman Guessferd asked if anyone had any objections. Board agrees to no objection. Chairman Guessferd: I want of formally, for the record recognize Chief Tice, thank you Chief. Chief Tice: I appreciate the flexibility and I apologize for kinda barging into your meeting. I was planning on coming forward to the next meeting with this information. But, I need to make some decisions in the next couple weeks. I thought it was important to come tonight and get a sense of where the Board was at. This is following up toward the discussion we had a month or two ago on commercial driver's licenses. Since then we've been looking for training options for the commercial driver's license. Under state law we're not required

to have driver's licenses, commercial driver's licenses. For fire fighters driving fire apparatus on fire department business. We've required it locally so as long as I can remember and I don't know if you remember how long but, I can't tell you why. I've always been told through my career was due to liability reasons. I've done some more research into it. I spoke to Primex who is our insurance carrier for liability and for property liability. Their requirement is for us to follow the law. They do not have a requirement for us to have a commercial driver's licenses. They said if we're following the law, commercial driver's license, having it doesn't have it doesn't change anything liability wise. If we have an accident and we cause it, Primex is going to be on the hook for that. Whether our driver had a license, CDL license, or not. If we don't, didn't cause the accident, doesn't matter if we have a commercial driver's license or not. Any additional, all the liability we could face dollar wise is capped through state law as well. And Primex covers all of that. So what we have for coverage covers the max of what could be allowed under State law. So, the training if we were to go forward with it and this is one of the things I need to make a decision on soon because we're getting pressure from the facility that we found that has the best price by quite a bit is pushing for an answer. That cost is \$25,000. That's not budget in this year's budget. And we've been doing the training in-house, we've always been doing training in-house. How we've been doing it before this requirement came about is the fire fighters got the CDL book, they started the CDL book, they trained with our guys. What was in the CDL book on the pre-trip inspection of maintaining the vehicle, they would go take the written test get their drivers permit that way we could take them and do behind the wheel driving in a parking lot so they get the feel of the vehicle, and then on the road to learn how to drive the vehicle. When they felt they were ready they would go take the test over with the State which is a pre-trip inspection, a skills inspection like a parallel parking, alley parking, something along those lines. And then over the road test. All this class does is allows them to go take that practical test. So what we would be looking to do is not even just continuing, cuz I know one of the things people would be concerned about is if we don't have to go take that State test is our training going to become lax? I can guarantee you, under my watch it will not become lax of anything we're going to strengthen it. There is still a great responsibility with driving these apparatus we don't take that lightly. But I can't tell you, I don't feel that spending this money is a good use of the taxpayer money. And it's not just this time, it's continuing. Because if we are to keep hiring people with no CDLs we're going to need to do this training and you're looking. This is a class of 10 for \$25,000. We've got prices per person anywhere from \$3,000-5,000 per person. I don't think it's fair and I don't think it's reasonable to try to push this cost of employees at what they're making. I already know if we do that we're going to have another reason to push people out of here to other departments. Chairman Guessferd recognizes Selectman Roy: Is there anything in the union contract that says they have to have a CDL license? Chief Tice: No they have to be approved as a driver operator for the engine. Selectman Roy: OK, so there's nothing that says that they have to have a CDL? Chief Tice: No. Selectman Dumont: There are requirements just in our by-laws, correct, or your (inaudible) Chief Tice: As far as having a CDL? That is, as long as I've been here it's been required, I don't know where it came from. I don't know if you have any more input on that. Selectman Morin: When the State put it in that truck drivers had to have CDLs that's when we got them. Chief Tice: We've just always done it. I understand, I think it's a false sense of security I understand why people think of it as a sense of security. But, it doesn't change our liability insurance, it becomes more responsibility on us to make sure we're maintaining that training standard. If we weren't taking the test, but, we'd be spending a lot of money on this and we're not getting anything for that other than that CDL that doesn't give us any additional protection for liability. Selectman Dumont: So you have mentioned that \$25,000 covers for ten people. Just for the sake of asking, has there been any talk with Mr. Twardosky at DPW, I know he's running the same thing maybe you guys split it. Chief Tice: Last time I talked to him he was still trying to figure Selectman Dumont: Because was \$2500 per person is not bad. I mean I'm sure municipal you guys, but if you in the private sector, it's five times that. Chief Tice: Right. That's the prices are getting up to \$5,000 per person. Selectman Dumont: The only other thing I would say is that the CDL I understand that it doesn't make the fire fighter, I do think it shows a little bit of the character of the person you're hiring. Somebody that was willing to take the time to go through those steps to get that type of license. Not knocking anybody that doesn't have it, but obviously it's hard. It's not an

easy thing to get. I think there is some weight there. But we do see the issue you are having, so I'm not closed minded to it that's for sure, but I definitely see some value in that CDL. Chief Tice: I can tell you hiring probably 20% of the people we've hired in the last year have CDL. And I'd say probably the last 10 years, very few. Selectman Dumont: Ya, I don't think there's been one since I've been here. Chief Tice: Very few come through with their CDL and with this requirement, it's going to be even less. Chairman Guessferd: Ya I think there's one that I remember. Selectman Morin: When the Chief called me today I was definitely against not dropping this. And, I'm still not comfortable with it, but the road we're going down he has nine fire fighters that can't get off probation because they can't drive because they don't have CDLs which means those nine are going to need to be covered all summer long, because we don't know when they're going to get a CDL. We got more bad news today, but, he can talk about that after. With the people we are hiring today, you know the generation is different when back when I got hired. They drive little Hondas not million dollar fire trucks. There's a lot to do when you're driving through town with lights and sirens and I know the reason why we got the CDLs and what you were instructed in during getting your CDLs and what information to bring especially to these new kids that have no idea what a truck is, some of them. I had this discussion with the Chief he didn't mention it here, but, I made the suggestion and I will stand firm with this that we add an additional week to the rookie school that will strictly be driver/operator. And not put these guys on shift without it. If we're not going to require CDL with it, they're going to get this training from the State and be certified, I think before we put them on shifts that we add a week of driver training to go over this. And that way when they come on shift, we can get the guys through quicker instead of having to deal with your fire-fighting, your EMS because the cases he's got right now, he's got a whole class who have just finished EMTA. So, everything else was put on the back burner because we couldn't hire EMTAs. So the more we can knock off in rookie school, the less abuse the lieutenants and the fire fighters are going to have to do. So, I will support this reluctantly, I think at some point we'll probably go back to this once it gets squared away. I think we should, I think it should be an additional week on the rookie school so we come in ahead of the game instead of having to do this on shift and put it on all the different officers. And the training done in the rookie school is basically done with one guy. If you put these kids on trying to drive a fire truck, you got 6 or 7 different officers who are going to tell them different things. If you have one person, this is how it is, then we can knock it off. Again, I'm reluctant to do it, I understand why it is and the summer's not going to be good if we don't do something and we're lose even more guys. We really are. Selectman Dumont: I think that's a good idea, it does kind of have some similarities to what we were already talking about with the DPW director and obviously the Chief before about trying to find some alternatives. I could get behind it if there was a training program in-house where you guys could sign off on the individual to say I visually, you know, I visualize this person driving the truck doing your version of a pre-trip. Because those things are important, a lot kids like Selectman Morin brought up have no idea that those trucks have air brakes or what to do if you lose breaks on a vehicle like that. It's totally different, you know. I think we definitely have to make sure that they're competent before we're putting them in a truck. So, if we have some steps in place to do that, I could definitely get behind this. Chief Tice: And we have a pretty robust training program for driver/operator and we we'll continue to work the, improve that even more because I understand everyone's concern. Selectman Roy: That goes to my question. Is there, you're recruit program, is that memorialized somewhere? Like what the training things are? Chief Tice: Ya, we've been running it the same way so this recruit school we're running now... Selectman Roy: So, if you added a week to that, like Selectman Morin suggested, of just driver training. Chief Tice: That's easily accomplished. Selectman Roy: OK. That would be my only concern it's memorialized somewhere that we did it so incase Primex has a change of heart, we can say we did this phase and we did a week of training with them. Chief Tice: Everything, very documented, we're working very hard to make everything consistent. Our operations, our training program just for that purpose. So, we're not doing one way this time and one way the next time. Very standardized. Selectman Dumont: So, I did have one other follow-up that just came to mind, now I know municipalities can be exempt from state law, I'll use DPW for example. Like they don't have to have a tarp over their truck when they're in Town. However, if they leave Town they're subject to different laws. Is that, do you know if that's... Chief Tice: It's a state-wide law. Selectman Dumont:

OK, so it does cover if you guys gotta go to Litchfield, Nashua or leaving the town of Hudson. Chief Tice: Correct. Same thing in Massachusetts. Selectman Jakoby: I just want to thank Selectman Morin for really explaining that because I think the ride-along piece is my biggest concern. Because even when I had to drive youth in a big van, they did a drive along with me before I was allowed to do it. This is much more major, so thank you for your explanation and the understanding. So, I'm in full support of Selectman Morin's.. Chairman Guessferd: OK, so to recap, what is the ask here? Selectman Morin: Before I make a motion let me ask discussion. Do we make this a temporary thing until the state gets the CDL thing squared away? Chairman Guessferd: Yes. That's my view. Selectman Morin: That's the question. Selectman Dumont: I had that same thought, do you have a time frame because I'd hate to say we'll do it for six months then we're back here in six months or we're here for a year? Board: Agrees not to say six months. Selectman Roy: I think it should be open ended and they come back to us when it's squared away. Chief Tice: That also gives us time to look and see if there's any issues that come up with this like a pilot program. We can continue to monitor. Selectman Morin made a motion, seconded by Selectman Roy to relieve the requirement of CDL but in its place the fire department will add an additional week onto the recruit school to cover driver/operator training related to the CDL and that when the State gets together and gets this all figured out the Chief will come back to the Board of Selectmen and we'll that discussion whether to reinstate it. Motion carries 5-0.

Board: All speak to it in agreement at once. Selectman Morin: While he's still here, if you don't mind Mr. Chairman if he'd just ... Chief Tice: Right, so I know you got one letter of resignation in your packet and that is somebody who is going home to the department he originally applied for. And he lives literally within sight of the fire station. So, that's a quality to life move that he's making and I certainly understand that. We did get another one yesterday, somebody's going to Providence. Selectman Roy: Why? (laughs) They have the River Fires. Chief Tice: There's some people that they want a bigger department, they go to a city, they think they're going to have fires all the time. They want that kind of atmosphere. That's what this move is. Selectman Roy: Actually it's a wonderful city. Chief Tice: Have one potentially coming... Oh, is it? I've heard nothing but bad things about it. Selectman Roy: Really? It's not as good as when Buddy Cianci was the mayor but, you know. (laughter) Chief Tice: It's different and I wouldn't be surprised to how one another one coming for somebody going to another city department. And again, it's just, we can't offer that kind of culture. We're Hudson, we're not Providence, we're not Boston, we're not Manchester. Selectman Morin: Chief is working on how we're going to deal with this overtime situation cuz we're heading right back for it like we did last year and we've got to cut that off in the path. But what I would like to do for next meeting, is we require when we pay for a paramedic class that they have a contract with us and they sign. At this point all this hiring and purchasing of gear and equipment and clothing and everything is starting to cost us a lot of money. I would like the Board to think about doing a contract when we hire a fire fighter. Also, cuz we're losing a lot of money we're training these people and then they're going and we're stuck with everything else. I understand it may hurt our recruitment a little more, but again we need to protect ourselves and all this money because he's spending all this money out of his budget and we're getting nothing out of it. Chairman Guessferd: We should probably put it on the agenda. Selectman Roy: So, (inaudible) in a contract that they stay with the department for some term of period. After training? OK. And then would they be responsible for the cost of the training if they didn't.... Selectman Morin: They have a contract now for paramedics it would be based on. Chief Tice: We'd have to figure out that cost is that we're trying to recruit. Then it's prorated depending upon how... (inaudible) Administrator Malizia: There's been a model in the police department ... (inaudible) It's up for a two year period that's prorated that if you leave a year in you pay half back, if you leave 18 months it's Selectman Morin: And see what we can include to that is the time that they've spent training them. You know the overtime, the time the guys have taken on shift to train them. There's a lot of cost that we don't even see that's related to this. So, I think we need to do something. I'd like to see it on the next agenda. Administrator Malizia: You can talk to Chief Dionne to see how it ... Chief Tice: Yes, and model after that. Chairman Guessferd: Alright, I think it's a good idea. Selectman Dumont: Just a follow-up on that, correct me if I'm wrong in the contract negotiations we worked something in there with the incentives, right, for them to, they have to stay with us for a certain amount of time, to or was that for Chief Tice: It was for the reimbursement for

training. That's for them going out and taking a training course. Selectman Dumont: But that didn't seem to be too offensive to anybody, do think there'll be a problem with this with the paramedics? Selectman Morin: They're not under the union so it doesn't even affect them. Selectman Dumont: I'm looking for any pushback from employees or anything like that or putting a bad taste in anybody's mouth. Selectman Morin: There shouldn't be cuz it's only related to new hire. It would only be related to the new hires it wouldn't be anybody that's already there. Chief Tice: You could see people not want to come in because of it. But I know other departments have started to look at it. And I think they all have the same concern as far as how much money they put in for training and so many people coming and going. But they also have the same concern of, if we do this are we going to put up barriers to somebody. Until we take a look at it a little bit more closer I can't give you a good idea of how it would affect us. Selectman Dumont: I think it's a good idea, I think it's a normal process, you see it in the private sector everywhere. They have no compete clauses they have a certain amount of time they have to stay with the company, if they're going to do anything. Fidelity, if they give you training they require so many years of time back to them. So I don't think it's anything out of the norm, I'm very much in favor of that. Chairman Guessferd and the Board thanks the Chief and returns the gesture.

Chairman Guessferd asks for a 5 minute recess at 8:16p.m.

The Board returns at 8:20 p.m.

D. Invitation to Bid – Town Hall Building Assessment

Chairman Guessferd recognized Town Administrator Mr. Malizia: If you all recall during the budget deliberations the Board discussed possibly putting something in the budget for next fiscal to do a bid for evaluation/assessment of Town Hall. We took it out of the budget, we're going to try and see if we have funds this year to do it, but in order to see if we have the funds we have to get a better idea of what it'll cost to do. This invitation to bid has been prepared and vetted to basically accomplish that. The goal is to try to get bids in before the end of the fiscal year to evaluate and determine if we have the sufficient funding to award a contract and most likely encumber it. That's the goal. So, I just didn't want this to slip by and the time to do it is now. Chairman Guessferd asks if there are any questions. Selectman Jakoby: Do you want comments before or after the motion? Board: Says either way and Selectman Jakoby asks by looking at the warrant articles and I know there was warrant article 27, the study needs for the new Town Hall, which was done by petition, which it failed. And then we had the article 29, comprehensive infrastructure study, by petition which passed. So, I kinda, when I think about infrastructure I think about the Town Hall as part of that infrastructure. So, I'm just curious and thinking out loud, would it be better to ask for, to seek bids, for a comprehensive infrastructure study that includes the Town Hall but then we can get an estimate for each section of that and maybe begin with the Town Hall part of it. But, that might not be possible cuz how we do things, but, this kind of was conflicted for me. Because of the petition and the infrastructure and to me the Town Hall is part of the infrastructure. Selectman Morin: I understand the petition for infrastructure was looking at roads, all that kind of stuff. Not Town Hall. Selectman Jakoby and Roy emphasized they thought it included buildings. Selectman Morin: I took it as if you're going to look at the fire department, manpower, apparatus, it was that kind of thing. Not just a building, it was everything. Selectman Roy said the building was part of it. And said that she think because there's no appropriation associated with comprehensive study, that we do it as sorta two separate things. We do this one because we committed to doing this as a Board. We do this one, and then we address the comprehensive study as we get closer to the ... Board: Agreed it would make sense to do them separate. Selectman Morin: I think the comprehensive study is going to be very expensive, Selectman Roy agrees, if we want a new Town Hall we probably should do it separately. Selectman Dumont: I think the cost will outweigh that. But, if you look at that petition, too, there's a list of items that they reference that they're looking to have taken care of. I don't have that in front of me, I don't remember the Town Hall, but I do view that as part of our infrastructure but I don't think the petitioner was, had that in mind in my opinion. I think they both do need to be

done but I don't see it happening this year with that cost. Selectman Roy agrees it would be expensive. Selectman Jacoby: I hear all of you, I just want to let you know that part of the study did mention the Master Plan, as well. And, to me it is all of the buildings and things. But I understand you were all on the Board when you made these decisions previously. I just want you to know where I'm sitting on this particular topic. Especially since the voters did vote against article 27 which was the study needs for a new Town Hall. And they did approve the infrastructure study. So, I am most likely going to vote against this motion on those grounds at this point. Chairman Guessferd: The Town Hall, let me clarify though, the Town Hall comprehensive study on the ballot was a petitioned warrant article. One of the reasons it wasn't recommended at the time, Board: all agreed it was not recommended. Town Administrator pointed out the thought process where our goal was to tackle Town Hall first. Selectman Dumont pointed out we got the comprehensive infrastructure study petitioned after that. Selectman Roy agreed the comprehensive study was a more complicated and comprehensive. Selectman Jakoby reiterated her position. Continuing, Chairman Guessferd agreed everyone made a great point but needed to move forward. Selectman Roy made a motion, seconded by Selectman Morin to approve the Invitation to Bid and the Request for Proposals for the Town Hall Building Assessment as recommended by the Town Administrator. Motion carried 4-1 with Selectman Jakoby voted against the motion.

E. Assistant Town Administrator Position

Town Administrator Malizia: As part of the approved fiscal year 2025 budget, there was the Board of Selectmen put in funding for an Assistant Town Administrator position. We had that position on roll and populated back in 2009 -2011. The Board put it back into the budget, I want to get the process going because July 1st would be nice to hit the ground running if possible. I don't know what the markets going to be out there. But, I think we need to get going sooner rather than later. I think you brought up at the last meeting but I planned on putting on this agenda for the Boards consideration. Selectman Roy: So, um, I was looking at the job description and I didn't anything in there about human resources which is something we've had a lot of discussion about. About the need for a human resources professional. So I think that we should maybe take a little time and take a swipe at this. Email suggestions to you before we go ahead and approve this. Town Administrator: I don't know if that unicorn exists out there. When I say that I mean human resources is sort of a specialty on its own. When the Board contemplated this back in the budget season, it was kind of specific we need assistance with land use and backing me up when I'm gone. I see personnel as almost a separate function all to itself and probably a dedicated resource. I'm not sure you'd find the right person to be that dedicated resource to do that. Selectman Roy: I don't think we can afford not to have an HR person. Town Administrator said they haven't had one since he's been there. Selectman Roy said exactly but that we've run into a number of issues that an HR professional would have been helpful with. Town Administrator: I'm not sure this is the right position to marry it to. I'm not saying we don't deserve one, it should be its own position. That's all I'm. Selectman Roy: But in discussions we talked about this person, this assistant town administrator being the HR person, doing both jobs. And in fact when we had the fire people in here, he mentioned a town, maybe it was Arlington, MA, that has their assistant town administrator is their HR person. Selectman Morin: I see Selectman Roy brought up what I was going to bring up. We did like you said originally to get you assistance but, because what has taken place, and the several issues we have had, we talked about this before. Just before the vote that if this passed, we would try to include that in there somehow as a HR person. And I understand we can go out if we get lucky and find somebody, I mean, talking to you today where were getting other applications it's thin. But at least we should give is a shot. And if we can't, then next year we put on the budget to get a HR person. Chairman Guessferd: I think we should give it a shot, too. Selectman Dumont: I was going to ask if we could add it just to knowledge and skills. Not necessarily maybe, maybe not minimum qualifications, but say hey we're looking for someone who has knowledge and skill in this area. If we can't find that person, then so be it. But if you do see someone, who said oh I'd be interested in that and I have HR skills and that get them to put in their application. Selectman Roy believes it should be part of the job description. Selectman Dumont said he would hate to put it in the job description then end up getting nobody with it. Selectman Roy: I just think that we're so desperate for an HR professional that we need to put it in here. Selectman Dumont asked if we get nobody with HR experience, will this Board entertain an employee without that for this job? Are we going to let it sit, I don't think it should sit vacant either. Because if even they can't pick up the HR side of it, there's a lot of work here that they need to do, that we need to fill, too. I think we need to work towards both

but I wouldn't just hang our hat on one. Selectman Roy: (inaudible) goes out to how we're gonna sort of market it. Because there's, essentially we could hire a head hunter to recruit somebody for us. You know if we wanted to do that. Instead of just doing the same old advertising in the paper or advertise on the web site and things like that. That we actually make a concerted effort to get somebody. Selectman Dumont wasn't sure of the cost yet wasn't against the idea. Town Administrator: If you a typical MRI, and I just put that out there, it's probably at least \$5,000. Selectman Jakoby: I would like to just take some time to review this in more detail. I would also appreciate the current job description for the Town Administrator so I can understand the linkage between the two. I think you can use also the term preferred skills, or additional skills. I like that on a resume. I actually have HR experience. So, preferred skills is always a great way of putting on some things that you would like, but if you don't get them it's OK. Along with those preferred skills I would really like to see additional social media, management for the Town. Because I think that's a place we're lacking as well. I had HR, leadership development or someone who can look for training for our staff and social media. Again, I think preferred or and not required is always a way to go. And I would also like, the job description from the other town that did combine the two, what does that look like in comparison to what we have here. Those would be the things I would like to see prior to making this decision. Selectman Morin: I understand your need for information, but that's not that person's job, social media. That's what we have employees, that's what Lorrie does in the office. She takes care of that, that's not that level. Selectman Roy: And I think we would run into just adding too many things to the job description. Chairman Guessferd: I like the idea of preferred skills and we could preferred HR experience, education or something like that rather than a required skill. Selectman Dumont: I was going to say I think that as a Board I think we should move forward with this because all the changes that we're talking about can be done even if we're moving forward with this. We're still going to have an interview committee, we're still going to be coming back to the Board. And we can still make changes to the job description. I get it, once you put it out there it's a little bit different. If you give him the authority to do it and you want to send him off some of the changes, you have that ability to do that. Selectman Roy agreed. Town Administrator: I've added preferred skills to include HR experience. Selectman Roy: Would you add verbiage into the job description? Town Administrator said he did as well as the posting being the same in both. Selectman Roy: So that's all I'm suggesting if we have other suggestions. Selectman Dumont: And if you do have something else to I would say you could send it off and then you can try and incorporate those in. I just hate when we defer something cuz we lose 2 weeks. Chairman Guessferd: Right. I'll just go on top of that, yeah. I mean the concern, I was talking, I was thinking about this earlier, 2 weeks may not be that much time to sit and kind of work some things in. But, I do see the point that we have to get this out there. We have to. But, I um, you know I would hate to see us miss something but at the same time I would like to, I'm seeing the point of getting it out there sooner than later. Selectman Jakoby: So it begs the question of the newbie. So when I received by packet on Friday, if I wanted these documents should have I requested them from Steve or someone? I'm trying to understand because my understanding is we get the packet we come here then we discuss and we look for additional information. Selectman Dumont suggested to ask any questions you may have. Selectman Jakoby said she was surprised the Town Administrator's job description wasn't included with this. So that we could understand the relationship between the two and what was covered by each especially as being a new person. And then if someone else knew of a position that had both, then that could have been included right away. So I'm just talking about for all of us to add to the packet of information going forward. So I can do that, so what I'm hearing is I should have requested that information Monday after I reviewed the packet knowing that I wanted to see it. Chairman Guessferd: Well not necessarily you should have, I mean. Selectman Morin said anyone can go online and see all the descriptions, they're all there. Selectman Jakoby: It's also for the public, so just to give the public an idea of how these packets come together. So that's helpful, thank you. Selectman Dumont: Any time you have a question whether it's before you get the packet or the day you get it, I would go ask. Selectman Jakoby: Sometimes I get a response, sometimes I don't. Selectman Morin: And that's why it's important to come into Town Hall and know what's going on. Selectman Jakoby: And I do. I still need a tour. (laughter) Chairman Guessferd asked if there were any other comments and addressed if they do this now or in 2 weeks. Selectman Dumont made a motion, seconded by Selectman Morin to advertise and solicit candidates for the Assistant Town Administrator position that was approved in the Fiscal Year 2025 budget. Motion carried 5-0. Selectman Roy suggested the amendment as edited.

Selectman Jakoby: My only comment is again, as I had put into a memo earlier is just too really support the Chamber of Commerce members in promoting any jobs that we have as well as using social media, too. It's utmost. Chairman Guessferd asked if they wanted a committee for motion #2 and the Town Administrator answered he presumed he wanted to have some sort of review committee before it comes to the full Board depending on what

we get for candidates. So, I just throw it out there, typically it's been a committee of myself and two selectmen. Chairman Guessferd asked if anyone would like to be on the committee. Selectmen Jakoby and Dumont are the two members volunteering for the committee. Selectman Dumont made a motion, seconded by Selectman Morin to form an Assistant Town Administrator interview committee consisting of two (2) Selectmen and the Town Administrator and to further appoint Selectman Jakoby and Selectman Dumont to the interview committee. Motion carried 5-0.

F. Discontinue Combined Town Clerk/Tax Collector

Town Administrator Malizia: As you're all aware, back in March 2023 the voters voted in affirmative to separate the combined Town Clerk/Tax Collector. It was perceived that the position is too much for one person. Most of the communities of our size and some smaller than us have it separated so that decision was made by the voters back in 2023. But it could not take effect until after this election. We didn't put a budget until fiscal 25, so that's when we have the funding to do it. So the thought process is let's get going on seeing candidates, soliciting candidates for the Tax Collector. Tax Collector will also do the motor vehicles, they'll be the motor vehicle agent so if you think about it they'll have all the financial side of things. And that's the position you hire. As opposed to the Clerk, who's elected and may not have the same financial skills. I think we realized a couple of years ago that it's important to have somebody with financial skills when you're dealing with taxation, collection, motor vehicles whatnot. And it may be a different skill set for Town Clerk which is a lot of records, elections all that goes with that. Chairman Guessferd noted there are particular sets of skills for each position. Selectman Dumont: Do we need to appoint somebody to this position in the interim? Administrator Malizia: I don't believe so, I think because we don't have any funding to do so. Selectman Dumont: I didn't know if it just was figured as a hold over or we actually had to take an action on it. Administrator Malizia: We are taking action by looking to hire someone. Chairman Guessferd asked who was doing it in the meantime and the Administrator Malizia said right now the person, the Clerk that's also the Collector. Selectman Roy asked if they'll continue to do that, Administrator Malizia said yes until we resolve all of this. Selectman Morin: So in theory this doesn't go in effect until July 1st. Administrator Malizia: We don't have the funding to do it. Selectman Morin confirmed it would start July 1st. Administrator Malizia: I would assume by the time we get through the process it'll be July 1st. That's why we are starting now. Selectman Dumont made a motion, seconded by Selectman Roy to advertise and solicit candidates for the Tax Collector position that was approved by the voters in March 2023 and approved in the Fiscal Year 2025 budget. Motion carried 5-0.

Selectman Roy asked if they were going to have an interview committee. Administrator Malizia: Most likely on this type of position what we'll do is probably go through all of our finance folks, my Finance Director, myself and we'll bring the preferred candidates to you at that point. Selectman Roy agreed.

G. March 2024 Revenues and Expenditures

Administrator Malizia: We just talked about this last meeting because we were late on that one so we're early on this one but we're up. We are 75% of the way through the year which is 3/4. Everything looks on track. The only one that's, again I mentioned last, time is legal. Probably have a recommendation to transfer some money. Our legal budget was reduced by the Budget Committee, if you all recall and we had 2 labor contracts which took some time and expense for legal. So, nothing out of the ordinary but we are typically running where we run with legal but we're going to be short. We do have, I think there was a hearing at the end of March we have a (inaudible) we're going to recoup anything from one of the suits. If we do that'll go in but that's probably not going to be enough to cover the rest of the year. Everything else looks to be in range. Auto, we're 150k ahead of last year's pace, we're at 82.4%. Interest we are more than 2x what we collected for all of last year. So those things are very positive, they contribute to the bottom line. The will flow to surplus, the Board can then make decisions on either tax rate or project or keep a fund balance of x%. We still continue to do well. Chairman Guessferd asked if there were any more comments. Moving on.

H. 2024 Liaison Assignments

Chairman Guessferd: This is one I put in for, the liaison assignments. All I wanted to do was basically just put it out here this meeting, attached is this past year's liaison's assignments. Within the next, I'll

say week if you can, just send me an email and let me know what you're interested in doing. You know if you want to keep doing what you're doing I typically not going to have an issue with that. What I'd like to do is actually become the liaison for the Police if nobody has an objection to that. But, again, put everything together, I'll take a look it, go over it with Steve. We'll decide what we're going to do. So, the next meeting, what I'll do is send something out before the next meeting in terms of what I think it should be based on everybody's inputs. And then you can let me know and then we'll just finalize it at the next meeting. Selectman Jakoby: There was just one committee missing, the Highway Safety Committee. Members of the Board said there wasn't one. Administrator Malizia: By the Town Code I'm not aware that, because it's articulated... Selectman Morin: It's a really only an advisory type of thing anyway. They talk about some stuff, I've been to a couple meetings. There's really not much that happens there. Selectman Jakoby: I've been to them too, I'm just wondering so. Selectman Roy: Don't they bring stuff forward to us? Selectman Jakoby: So I guess I,... Selectman Morin: They bring it forward if they have to spend money. Administrator Malizia: Town Code formulated the Highway Safety Committee, I don't believe there's a Selectman member on that in the Town Code. Selectman Jakoby: Oh, OK. But, in our By-Laws there's not liaisons to departments either. But we have them. So I guess that's where I was just confused. Chairman Guessferd: Ya and you know there's always discussion, I wouldn't say always, but, we certainly could at some point discuss, I'd like to keep the liaison assignments, um, going on at least, you know, for this year. There's probably arguments on both cases and both sides of that. But, I mean I certainly don't want it to be something that would at any point bypass the Town Administrator. But, at the same time it does give another connection between us and the departments. Selectman Dumont: I was going to say if there at any point in time make staff's job a little bit easier by giving that extra avenue, I definitely think that a department's.... Obviously it doesn't get utilized much Steve handles 90% of that stuff for us. But, if they need it, we're there. So I think that's important. As far as Highway Safety goes I will definitely say they are an important committee. I reached out to them a couple times over the past year. I handled directly with Elvis and Scott Tice and it was smooth, quick, so I would say if any member has something that they need to be brought forward, very easy to communicate with them. Selectman Jakoby: I agree. I attended them. I'm just saying that if we can make that discretionary decision with departments, why not just, with our discretion, create a liaison to that committee? Just something I'm raising. Not necessary, was just a curiosity given everything I had examined. Selectman Dumont: I thought you were trying to say get rid of the departments. Board laughs. Selectman Jakoby: It's that, you know no here, yes here and it's like we can put one there it's, they don't have authority. Chairman Guessferd: And you're welcome to go to as many Highway Safety meetings as you would like. Selectman Jakoby: They're 8:30 in the morning. But thank you, that was my point. Board laughter. Chairman Guessferd: And at the other thing we'll do at the next meeting is, we have to vote on the Planning Board rep or liaison member. Again, I think from my perspective I'd like to continue in that capacity for the next year. Just to express that, and, but if someone has a burning desire we can talk about it. But we have to vote on that next time. That's all I really wanted to say there. Thank you very much and I'll look forward to hearing from each of you in the next week, or so.

9. Selectman Liaison Reports/Other Remarks

Selectman Morin: We had a budget committee meeting and basically it was a round-up of what took place this year and where the Budget Committee's going to go next year. And Mr. Cole was elected as the Chairman. We had ComCon last night and the big discussion was, so you know MS4 permit is related to pollution. And the federal government is starting to come down very hard and as we all know we have a lot of problems with phosphorus at Robinson Pond to where the beach has been closed for several years and we haven't gotten much use out of it. So a consultant has been, by the NRPC, which has been working with the Town and this MS4 permit expires in 2026 so we need to get moving. To eliminate the pollution that's coming from the surrounding properties where homeowners are using fertilizer things like that, that's going to take some time. But something that we can do in the near future will take a lot of the problems coming from what we are responsible for, is to construct a new boat ramp, a real boat ramp with a wall which will have a water collecting system which will filter the water and take care of our stuff coming off the streets and the vehicles and all that stuff. And then the second one is the beach itself. There's some retaining walls that they can build again with water treatment, things to that nature. Take care of the geese problem which is one of the big problems with the algae and some other stuff. So they came, talked to the conservation committee, they have some funds in their conservation fund that this can be used for the permitting and the planning of it and the drawings. So they're going to come back next month with some costs to present to the ConCom and see if we can move forward. It is going to probably at some point have

to go to the voters to pay for some of this stuff but a lot of it can be done by public works which will save a lot of money vs. bringing in a contractor to do the whole thing. So until we get some numbers next month we don't know where it's going to move. But, like Elvis said, tonight we have to have some type of plan in place for them to see that we're trying to mitigate this stuff so this would be the beginning of it while they still work on the surrounding properties and how they're going to do all that. That's all I have.

Selectman Roy: I have nothing tonight, thank you.

Selectman Dumont: Sorry, Chairman, I do have one question for Selectman Morin on that. I know it most likely is not, but, was there any talk to see if that representative will be able to find, possible funding for the private property owners for water shed? If there is any available or any programs that they could ... Selectman Morin: To tell you the truth I don't know how far they are on that part. That wasn't discussed so I don't know. I know we talked, they talked to him about grants and stuff to fund this part of it so I'm sure there's something out there. But there was no discussion on that because that's dealing with people's property and all that. So ya, I don't know. Selectman Dumont: I just didn't know obviously if you tell people, hey we have an issue, but, there's free money out there to take care of it you might have a couple of them that jump on it. Like I said most likely not, but just wanted to ask. Selectman Morin: But see the big thing he said was what's going to take care of it you need to buy all the property around the pond. So Selectman Dumont: OK

Selectman Jakoby: I just wanted to share with the public um, how if they have a well they can get their well tested for PFASs through the state. So it's through the New Hampshire Department of Environmental Services the PFOA. They do investigations. And if you go to pfas.des.nh.gov, you can fill out a form and they'll come to your house and do that. Or you can call (603) 271-8520 to ask about well testing in Hudson for PFOAs. Thank you.

Selectman Morin: I just got a quick question. I was looking at that because somebody asked me about it. When you go online, people that had their wells tested. They're on a map, marked. That's out to the whole public. I just didn't know if people understood once you get that tested and you get a bad well you're going to be put on. Selectman Jakoby: Right, it does tell you all of that information. I was tested, what I realized was that it was very nice to have the State testing so they can track the aquifers. What I did learn is that you can be as far away as 5 miles from a contaminated well and it could affect your well. I have no idea the distance underground. And they were very educational, very helpful and kind. So I had the process, it'll take 6-8 weeks for me to get results. Selectman Morin: And the concern was from the person, am I going to be marked now. So if I want to sell my house, it shows up on the website that I got a contaminated well. That was the question. Selectman Jakoby: But they will fund the remediation so have to understand that through this program if they find PFAS they will fund a remediation program. Because we're a part of that whole southern tier and there's funding for this. So this is a remediation process that if they find PFAS they will help you remediate it. And there's funding for that. And also, it's a health issue for people so. The more information we have the better and I know a couple of people they went online, it was very simple to do. But thank you for the question.

Selectman Dumont: Had a zoning board meeting, nothing too crazy up in there. Benson Park I had to miss my son was sick. But I did just want to say Benson Park lost a great member, Scott Anderson. I got to spend the last year on that board with him. Fantastic guy, extremely knowledgeable in what he did and offered a lot to that so, I just wanted to say my personal condolences to their family. Thank you that's it.

Selectman Guessferd: OK, I will, I'm going to make a statement, I was going to make it at the beginning of the meeting. But I figured I'll make it here during my remarks. So, as we go into this year, first I'd like to thank the other members of this Board for electing me as Chairman of the Hudson Board of Selectmen. I'm humbled by this support and take the responsibility seriously. To that end I know that there have been some concerns raised in regarding the conduct of the Board during our meetings. I also have been concerned. Healthy debate is important and all opinions are welcome as we look at all aspects of a decision. It's understandable that each of us is passionate about Hudson and what's the best for our citizens. However, it is also important that while we may disagree on some issues, we need to respect each other and other opinions. The problem is that when those opinions result in comments targeted to each other and or emotional outbursts, it becomes counterproductive.

And quite frankly, a poor representation of our citizens who have elected each of us to the Board. Such behavior by anyone is unacceptable and has no place. I intend to be diligent about addressing these behaviors if or when they occur so that our meetings may proceed efficiently. This will apply to both the public and the nonpublic portions of our meetings. I really appreciate everyone's efforts to adhere to this. I thought we had an effective meeting tonight, we had some good discussion. There was a lot of good discussion, especially on the solar farm. So, I just like to see that continue over the course of the year. As far as liaisons, Planning Board we've had a few smaller plans that have come up recently. Tomorrow night we think we have a few small things. We did a site-walk on a new subdivision over on Barretts Hill Road last Saturday. That was a lot of fun in the snow and the mud. But did get a good picture of the property and all that. Those things are very worthwhile to do. As far as Sustainability, that's we now have a, I think I mentioned this before, we have a clean-up on the 20th of April on Musquash Road. The morning, it's a Saturday 9:00 – 12:30pm. Afterwards there's lunch so if food entices you, great. But right now we're kind of short on volunteers. We need more volunteers to come out and the way that you sign up is through their email: HUDSONSUSTAINABILITY@gmail.com. Which we're switching over to the hudsonnh.gov, an email address to we can keep it all under the umbrella. But right now it's HUDSONSUSTAINABILITY@gmail.com. Please come on out. I mean all's we need is 8 volunteers from the public in addition to our committee. And we'll do a lot of good. If you drive along Musquash Road, you realize what I mean. There's a lot of space there with no homes and people just throw stuff out of their cars, so. Appreciate any support on that. Rec Department, which is one of my favorite things to talk about. Alright so, they had their Easter Bunny Waffle Breakfast you know, this year. Weather did not scare people away. The weather wasn't good. 280 people at the event. It was a great time, it was a great event. Now we have coming up, we just recently had the Mother/Son Dance. That was on the 15th and there was 330 in attendance. It was a rousing success, they're going to be doing it now hopefully on an annual basis. Well that was the Mother/Son, let me see. Senior Citizen, I don't know if anybody drove up by Benson's Park yesterday in the afternoon about 3pm. But there was an awful lot of people at the Senior Center sitting outside watching the eclipse. So they had a party, basically, a solar eclipse party. Everybody had a great time it was a lot of fun. And, I know I drove by there and I saw them all out there as I was heading home to watch the eclipse myself. There's going to be a comedy show on April 9th for the seniors. And then the summer program, very important. The open registration on the 19th of March, the early bird special. So if you want to get a special deal ends on the 14th which is Sunday. So, they currently have 125 kids and have taken it \$37,000 in revenue. So, again a good thing. A really good thing. It's a great program they do a great job over there. And, in addition, they are accepting, still applications for counselors for the summer program. And usually we get a lot of young folks that come in and help and do the counseling and it's a lot of fun. The kids really identify with them. So, on the rec side that's what's happening there. Um, I think that's all I have.

10. Remarks by Town Administrator: Just a couple quick things is there's a rabies clinic this Saturday from 9-12 at the Palmer CTE Center. I believe it's \$15 I believe our animal control folks will be there, so just put that out there for folks. Pretty good idea to get your pets vaccinated. And just I don't know if folks have noticed but we're doing the annual hydrant flushing this week. So, what that basically means is they flush the hydrants to release sediment from the system, keep the system flowing. I believe they started in the middle, they're going to do the south then they'll do the north. But, if you hear somebody out at night releasing water from a hydrant, it's us. It's official. So, just so you know sometimes people ask what's going on. It's annual hydrant flushing, it's once a year and it's this week. And, I believe landfill's open this week. I think it now starts twice a month so I expect it to be very busy Saturday from 8-12. All the stuff everybody saved over the winter will show up on Saturday. Get there early. And that's it.

11. School Board Liaison Mr. Gasdia: Not present.

Chairman Guessferd: I do want to make one other comment. I was able to, I was honored actually, to go and present awards at the Chamber of Commerce dinner last Tuesday night. It was recognized, Paul Inderbitzen from the Town was recognized as Citizen of the Year. I won't go through everybody but, but, it was a real nice event. They usually, they hold this every year and it was excellent and I was glad I was able to represent the Select Board to send over some certificates. Mr. Malizia helped me kind of at the last minute to get that done. So, I'm hoping again next year we can do that, send somebody there and make that presentation next year. I think it's important for us to have that connection with the Chamber of Commerce. And that's it.

12. Nonpublic Session

Motion by Selectman Morin at 9:01 p.m., seconded by Selectman Dumont to go into non-public session under RSA 91-A:2 (III) (a) Strategy or negotiations with respect to collective bargaining.

RSA 91-A:3 (II) (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant. A roll call vote was taken. Carried 5-0.

Nonpublic Session was entered at 9:01 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 was asked to leave the room.

The Board entered into public session at 9:08 p.m.

Motions made after nonpublic session:

1. Selectman Morin made a motion, seconded by Selectman Dumont to agree to the request from the Hudson Administrative and Support Staff AFSCME Council 93 Union to add the positions of Senior Services Coordinator and Office assistant to the unit at Grade 1, Step 3 and Grade 1, Step 1, respectively, and to authorize the Town Administrator to sign the modification permit. Carried 5-0.
2. Selectman Roy made a motion, seconded by Selectman Dumont to unseal the minutes of the Board of Selectmen non-public session of July 26, 2022. Carried 5-0.

13. ADJOURNMENT

Motion to adjourn at 9:09 p.m. by Selectman Dumont, seconded by Selectman Morin. Carried 5-0.

Recorded by HCTV and transcribed by Lorrie Weissgarber, Administrative Aide.

Bob Guessferd, Chairman

Dillon Dumont, Vice-Chairman

Dave Morin, Selectman

Heidi Jakoby, Selectman

Kara Roy, Selectman