



TOWN OF HUDSON

Board of Selectmen



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6024 • Fax: 603-598-6481

HUDSON, NH BOARD OF SELECTMEN

April 13, 2021

7:00 p.m.

Hudson Community Center

12 Lions Ave.

Agenda

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE
4. PUBLIC INPUT
5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS

A. Recognition

- 1) Sergeant Patrick Broderick of Hudson Police Department receiving the Dept. of Justice Excellence in Pursuit of Justice Award

B. Resignation

- 1) **Conservation Commission**

Paula Hubert (member term to expire 12/31/23)

C. Nominations/Interviews

- 1) **Cable Utility Committee** - (5 member vacancies -all to expire 4/30/23)

Flo Nicholas (new applicant)
Peter Lanzillo (incumbent member)

- 2) **Benson Park Committee** - (3 member vacancies both with terms to expire 4/30/24, 1 alternate member vacancy with a term to expire 4/30/23)

Nancie Caron (incumbent member)
John Madden (incumbent member)
Rob Rainer (new applicant)

- 3) **Conservation Commission** - (2 alternate member vacancies. 1 with a term to expire 12/22 and 1 with a term to expire 12/31/23)

Tim Armstrong (new applicant)

- 4) **Recreation Committee** - (2 member vacancies with a terms to expire 4/30/24)

Susan LaRoche (incumbent member)
Sean O'Neil (incumbent member)

- 5) **Municipal Utility Committee** – (1 member vacancy with a term to expire 4/31/24, 1 alternate member vacancy with a term to expire 4/31/22)

Dawn Lavacchia (incumbent member)

- 6) **Building Board of Appeals** - (2 member vacancies 1 term to expire, 4/31/21 and 1 term to expire, 4/31/24)

Jeffery Emanuelson (incumbent member)

6. **CONSENT ITEMS**

A. **Assessing Items**

1) **Elderly Exemptions**: Map 157, Lot 006, Sub 077 11 Melissa Trail; Map 204, Lot 006, Sub 327, 327 Fox Hollow Drive; Map 148, Lot 040, Sub 067 32 Riviera Road; Map 131, Lot 065, 3 Brightside Drive; Map 165, Lot 030, 22 Campbello Street

2) **Veteran Tax Credits**: Map 157, Lot 066, Sub 108, 109 Barbara Lane; Map 203, Lot 132, 5 Cottonwood Drive; Map 165, Lot 050, 38 Campbello Street; Map 174, Lot 231, 46 School Street

3) **All Veterans Tax Credits**: Map 175, Lot 148, 47 Adelaide Street; Map 166, Lot 016, 49 Ledge Road; Map 154, Lot 013, 16 Harston Circle

4) **Disabled Veteran Tax Credits**: Map 203, Lot 132, 5 Cottonwood Drive; Map 248, Lot 060, 94 Dracut Road

5) **Solar Exemptions**: Map 185, Lot 021, 44 Flying Rock Road

- 6) Gravel Tax Warrant: Map 122, Lot 2 Nash Family Investment Properties
- 7) 2020 Property Tax Rescission of Supplemental Tax Bill: Map 168, Lot 14 - 12 Madison Drive
- 8) 2020 Property Tax Abatement: Pro-rated Assessment for Damaged Buildings Map 197, Lot 112 - 5 Cedar Street
- 9) 2020 Property Tax Abatement: Pro-rated Assessment for Damaged Buildings Map 147, Lot 11 205 Webster Street
- 10) Charitable Exemption Application: Map 237, Lot 5730 Richman Drive
- 11) 2020 Abatement Application: Map 228, Lot 4, 7 Wal-Mart Blvd
- 12) 2020 Abatement Application: Map 110, Lot 56, 12 Senter Farm Road

B. Water/Sewer Items - None

C. Licenses & Permits & Policies

- 1) Raffle Permit - The Bar (April 18, 2021)
- 2) Raffle Permit - Hannah Dustin Quilters Guild (April 30, 2022)
- 3) Raffle Permit - Hudson Fish & Game Club (May 3, 2021)

D. Donation

- 1) 65" HD LED Monitor with a value of \$480.000
- 2) \$50.00 to Hudson Recreation Dept. in memory of Jay Mousseau

E. Acceptance of Minutes

- 1) Minutes of the March 23, 2021 Meeting

F. Calendar

- | | | |
|------|------|--|
| 4/14 | 7:00 | Planning Board - Hudson Community Center |
| 4/21 | 6:00 | Library Trustees - Hills Memorial Library |
| 4/21 | 7:00 | Planning Board - Hudson Community Center |
| 4/22 | 7:00 | Zoning Board - Hudson Community Center |
| 4/27 | 7:00 | Board of Selectmen - Hudson Community Center |

7. **OLD BUSINESS**

A. Votes taken after Nonpublic Session on March 23, 2021

- 1) Selectman Roy made a motion, seconded by Selectman Roy to seal the nonpublic minutes of the March 23, 2021 meeting. Carried 5-0.
- 2) Motion to adjourn at 9:32 p.m. by Selectman Coutu, seconded by Selectman Roy. A roll call vote was taken. Carried 5-0.

B. Request to Reconsider

8. **NEW BUSINESS**

- A. HPD - Acceptance of A.C.E. Grant
- B. Rec Dept. - 2021 Spring Adult Softball
- C. DPW - Vac-Con Truck Purchase
- D. FY22 Default Budget
- E. Revenues and Expenditures
- F. Appointing Board of Selectmen Liaison Assignments

9. **OTHER BUSINESS/REMARKS BY THE SELECTMEN**

10. **NONPUBLIC SESSION**

RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. **(b)** the hiring of any person as a public employee.

THE SELECTMEN MAY ALSO GO INTO NON-PUBLIC SESSION FOR ANY OTHER SUBJECT MATTER PERMITTED PURSUANT TO RSA 91-A:3 (II).

11. **ADJOURNMENT**

Reminder...

Items for the next agenda, with complete backup, must be in the Selectmen's Office no later than 12:00 noon on Thursday, April 22, 2021



TOWN OF HUDSON

Police Department

Partners with the Community

1 Constitution Drive, Hudson, New Hampshire 03051
Voice/TTY (603) 886-6011/Crime Line (603) 594-1150/Fax (603) 886-0605



William M. Avery, Jr.
Chief of Police

Captain Tad K. Dionne
Operations Bureau

Captain David A. Cayot
Special Investigations Bureau

Captain David A. Bianchi
Administrative Bureau

5A-1

To: The Board of Selectmen
Steve Malizia, Town Administrator

From: William M. Avery, Chief of Police *WMA.*

Date: 08 April 2021

Re: Agenda Item – Sergeant Broderick

I am requesting to meet with the Board of Selectmen at their scheduled meeting on Tuesday, 13 April 2021 to present a certificate to Sergeant Pat Broderick.

The United State Department of Justice, through the United States Attorney, District of New Hampshire, has selected Sergeant Broderick for an Excellence in Pursuit of Justice Award.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you in advance for your anticipated assistance with this request.



A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

SERGEANT PATRICK BRODERICK

Sergeant Broderick began his Law Enforcement career with the Hudson Police Department December 12, 2004. SGT Broderick graduated from the New Hampshire 136th Police Academy. He holds a Bachelor's Degree in Criminal Justice from Norwich University.

SGT Broderick previously served as a Patrol Officer and a Detective. During his time assigned as a Detective, he was temporarily reassigned to the US DEA – New England HIDTA (HIGH INTENSITY DRUG TRAFFICKING AREA) Team. He was extremely successful during his time with the Drug Task Force and served for approximately six years. SGT Broderick has received numerous awards for his and his team's drug work and money seizures.

The United States Department of Justice, through the United States Attorney, District of New Hampshire, has selected SGT Broderick for an **Excellence in Pursuit of Justice** Award. This award stems from SGT Broderick's exceptional performance in the investigation and prosecution of *United States v. Sergio Martinez, et al.*; also known as Operation Tres Capos (OCDETF).

READ ATTACHED LETTER from Acting US Attorney – District of NH, John J. Farley,

PRESENT CERTIFICATE

Congratulations and Thank you for your exemplary service with the DEA, HIDTA, and the Town of Hudson.

Paula Hubert

9 Karas Crossing Drive
Hudson, NH 03051
603-809-4701 Home
603-505-1350 Cell
phubert9@comcast.net

RECEIVED

APR 02 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

5B-1

April 3, 2021

Mr. Steve Maliszia
Town Manager
12 School Street
Hudson, NH 03051

Dear Steve,

I am writing to you in regards to my volunteer position on the Conservation Commission.

I am resigning from the board as it has been not only a very hard year to proceed with my duties and I find the future will be as well.

I will miss the board, as enjoyed working with my team and the Town Employees.

Sincerely,


Paula Hubert

Agenda
4-13-21

TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

Date: 4/1/2021

Peter Lanzillo
Name Street Address
12 Blackstone St

5C-1

(603)-305-6088
Home Phone Number Work Phone Number

Boiler Maker
Occupation (or former occupation, if retired)

Education/Special Interests

producer for Hudson Community TV
Professional/Community Activities

reappointed
Reason(s) for applying

Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

- | | | |
|---|--|---|
| Member <input type="checkbox"/> | Alternate <input type="checkbox"/> | Reappointment <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Benson Park Committee | <input type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Conservation Commission |
| <input checked="" type="checkbox"/> Cable Utility Committee | <input type="checkbox"/> Nashua Regional Planning Commission | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Municipal Utility Committee | <input type="checkbox"/> Citizens Traffic Advisory Committee | |
| <input type="checkbox"/> Planning Board | | |
| <input type="checkbox"/> Sustainability Committee | | |
| <input type="checkbox"/> Zoning Board of Adjustment | | |

Area(s) of Expertise:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Architecture/Construction | <input type="checkbox"/> Environmental Planning |
| <input type="checkbox"/> Information Technology | <input type="checkbox"/> Communications |
| <input type="checkbox"/> Finance | <input type="checkbox"/> Other _____ |

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Circle One

Yes No Hudson Resident

Peter Lanzillo
Signature of Applicant

planzillo@yahoo.com
e-mail address

Emergency Operations Center



5C-1

How may we help you?

Submission #44

Print Resend e-mails

[Previous submission](#)

[Next submission](#)

Submission information

Form: Board & Committee Application

Submitted by Visitor (not verified)

Tue, 03/23/2021 - 10:38am

73.249.226.57

Date

Tue, 03/23/2021

First Name

Flo

Last Name

Nicolas

Street Address

1 Scenic Lane, Hudson NH 03051

Home Phone

6035570297

Work Phone**E-mail Address:**

flonicolas1@gmail.com

Education

Juris Doctorate

Occupation (or former occupation if retired)

Counsel

Special Interests

Professional/Community Activities

Reference

Nick Carkin

Reason for Applying

Thank you for your consideration. I have vast experience in the legal, technology, telecommunications industry, real estate, vendor management, project management, compliance, zoning/permitting land use, procurement, budget management and operations management. I have always wanted to be a board member but, the time was not right, but I am ready to be an active participant in my community. It would be my honor to utilize my diverse background for the benefit of my community. Being a home owner, a mother of 3 girls and a wife of a Air Force Veteran, giving back to the community where I live and my kids attend school is a priceless investment.

Please check the area in which you are interested in serving:

Member

Please select area of interest

- Building Board of Appeals
- Cable Utility Committee
- Planning Board

5 available member positions all expiring 4/23.

Areas of Expertise

- Architecture
- Communications
- Construction
- Environmental Planning
- Finance
- Other

Are you a Hudson, NH resident?

yes

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Agenda
4-13-21

APR 01 2021

TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

TOWN OF HUDSON
SELECTMEN'S OFFICE

Date: 3/30/21

Name: Nancie Caron 11 Berkeley Dr. Hudson N.H. 03051

(603) 882-3229

5C-2

Home Phone Number: 882-3229
Work Phone Number: Retired

Occupation (or former occupation, if retired)

Education/Special Interests: St. N. H. Hospital - Hunt Com. Center

Professional/Community Activities: To help expand the park

Reason(s) for applying

Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

Member Alternate Reappointment

- Benson Park Committee
- Cable Utility Committee
- Municipal Utility Committee
- Planning Board
- Sustainability Committee
- Zoning Board of Adjustment
- Building Board of Appeals
- Conservation Commission
- Nashua Regional Planning Commission
- Recreation Committee
- Citizens Traffic Advisory Committee

Area(s) of Expertise:

- Architecture/Construction
- Finance
- Information Technology
- Environmental Planning
- Communications
- Other _____

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Circle One

Yes No Hudson Resident

Nancie Caron
Signature of Applicant

e-mail address

Agenda
4-13-21

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APR 01 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

Date: 29 MARCH 2021

5C-2

JOHN V. MADDEN 23 W BYMOUTH COURT, HUDSON NH 03051
Name Street Address

(603) 518-229-5773 (cell) 603-305-2419
Home Phone Number Work Phone Number

SR. PROJECT ENGINEER, TRANSPORTATION, EDMAN ANDREY & ASSOCIATES

Occupation (or former occupation, if retired) B.S. INDUSTRIAL ENGINEERING, 1973, NORTHWESTERN UNIV.;
M.S. IN TRANSPORTATION, 1977, NORTHWESTERN UNIV.; MBA - LOGISTICS, 1980, FLORIDA INST.
OF TECHNOLOGY; MASTER REGIONAL PLANNING, 2000, STATE UNIVERSITY AT ALBANY, NY

Education/Special Interests CWAPLAIN HUDSON VFW POST 5791; COMMUNITY DIRECTOR & BLOOD
DRIVE CHAIR, KNIGHTS OF COLUMBUS COUNCIL 5162; SCRIBE, K&C ASSMBLY 1506, NASHUA,
PAST PRESIDENT, HUDSON-LITCHFIELD ROTARY; STAFF SUPPORT, NASHUA RAIL TRANSIT COMMITTEE.

Professional/Community Activities
I WISH TO BE REAPPOINTED TO THE BASED PARK COMMITTEE TO CONTINUE THE WORK OF
MANAGING AND CARING FOR THE WONDERFUL COMMUNITY RESOURCE THAT IS BASED PARK

Reason(s) for applying KATHLEEN CONNERTY, PRESIDENT, HUDSON-LITCHFIELD ROTARY;
FR. MICHAEL MCNETTE, PASTOR, ST. KATHRYN'S PARISH; JAY WINKKARAH, EXECUTIVE DIRECTOR,
NASHUA REGIONAL PLANNING COMMISSION; DICK BRIDGEMAN, CHAIR, BASED PARK COMMITTEE.

Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

- | | | |
|---|--|---|
| Member <input checked="" type="checkbox"/> | Alternate <input type="checkbox"/> | Reappointment <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Benson Park Committee | <input type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Cable Utility Committee | <input type="checkbox"/> Nashua Regional Planning Commission | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Municipal Utility Committee | <input type="checkbox"/> Citizens Traffic Advisory Committee | |
| <input type="checkbox"/> Planning Board | | |
| <input type="checkbox"/> Sustainability Committee | | |
| <input type="checkbox"/> Zoning Board of Adjustment | | |

Area(s) of Expertise:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Architecture/Construction | <input type="checkbox"/> Environmental Planning |
| <input type="checkbox"/> Information Technology | <input type="checkbox"/> Communications |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Other <u>ENGINEERING</u> |

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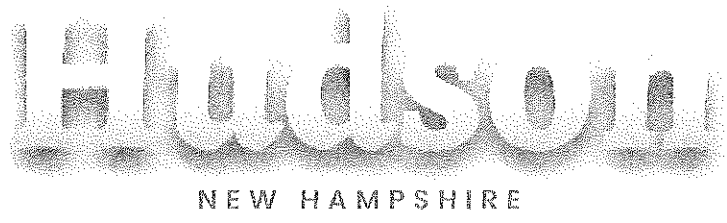
Circle One

Yes No Hudson Resident

John V. Madden
Signature of Applicant

JMADDEN2217@GMAIL.COM
e-mail address

Emergency Operations Center



5C-2

How may we help you?

Submission #42

[Print](#) [Resend e-mails](#)

[Previous submission](#)

[Next submission](#)

Submission information

Form: Board & Committee Application
Submitted by Visitor (not verified)
Sun, 02/07/2021 - 1:12pm
76.28.47.24

Date

Sun, 02/07/2021

First Name

Rob

Last Name

Rainer

Street Address

45 Cobblestone Drive

Home Phone

603-484-4184

Work Phone

E-mail Address:

rob@4help.org

Education

Brandeis University, BA and Suffolk University Law School, JD

Occupation (or former occupation if retired)

Part time Professor, Business

Special Interests

Nonprofit and charitable work

Professional/Community Activities

North American Help Services Alliance, Inc., co-founder, see hotlinedirectory.org and PostICU, Inc., co-founder - see posticu.or

Reference

Russ Boucher, 43 Cobblestone Drive Hudson 978.327.5327

Reason for Applying

We moved to Hudson about 3 years ago. Our home backs up with the Benson Park trails. We live in a small 55+ community, and residents can access the trail through our backyard. My wife, our dog and I have come to think of walking around the Benson's tells as our favorite community activity. We have a vested stake in keeping Benson's in top notch condition, as it is sort of a gateway to our neighborhood. Benson's was one of the primary reasons that we chose to buy a home in Hudson.

Please check the area in which you are interested in serving:

Member

Please select area of interest

Benson Park Committee

*1 alt. member vacancy
exp. 4/23.*

Areas of Expertise

- Communications
- Finance
- Information Technology
- Other

Are you a Hudson, NH resident?

yes

Previous submission Next submission



Emergency Operations Center



5C-3

How may we help you?

Submission #41

[Print](#) [Resend e-mails](#)

[Previous submission](#) [Next submission](#)

Submission information

Form: Board & Committee Application
Submitted by Visitor (not verified)
Fri, 02/05/2021 - 1:39pm
64.223.253.115

Date

Fri, 02/05/2021

First Name

Tim

Last Name

Armstrong

Street Address

7 Chatham st

Home Phone

19783375573

Work Phone

19783375573

E-mail Address:

armstrong.timothyg@gmail.com

Education

MBA - Accounting

Occupation (or former occupation if retired)

Head of Finance - Accounting Manager

Special Interests

Accounting/Finance

Professional/Community Activities

Former Small business owner

Reference

Heather Pagos - 413-374-3325 & Timothy Kelleher 603-475-7055

Reason for Applying

Newly living in Hudson and want to take part more in the community with the hopes of providing a positive impact on our town. Over the years I've watched my hometown of Methuen Mass, slowly take steps backwards due to poor budgeting, and I plan on living in Hudson for years to come and want to do my best to support the town and our town members by joining the budget committee and supporting our financial outlook.

Please check the area in which you are interested in serving:

Member

Please select area of interest

- Benson Park Committee
- Building Board of Appeals
- Cable Utility Committee
- Citizens Traffic Advisory Committee
- Conservation Commission
- Municipal Utility Committee
- Nashua Regional Planning Commission
- Planning Board
- Recreation Committee
- Sustainability Committee
- Zoning Board of Adjustment

Areas of Expertise

Finance

Are you a Hudson, NH resident?

Agenda
4-13-21
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TOWN OF HUDSON
SELECTMEN'S OFFICE

TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

Date: 3/29/2021

5C-4

Susan LaRoche 88 Gowing Rd. Hudson, NH 03051
Name Street Address

(603) 595-7125 978 569-1038
Home Phone Number Work Phone Number

Asst. Director of Physical Therapy - D-Youville Life + Wellness
Occupation (or former occupation, if retired)

BS in P.T. ; Athletic Trainer Retired
Education/Special Interests

President of BOB of Girls Inc of Or Lowell,
Professional/Community Activities

I would like to continue to explore opportunities for young + old to enjoy the
Reason(s) for applying Town of Hudson Recreational Activities

Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

- | | | |
|--|--|--|
| Member <input checked="" type="checkbox"/> | Alternate <input type="checkbox"/> | Reappointment <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Benson Park Committee | <input type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Cable Utility Committee | <input type="checkbox"/> Nashua Regional Planning Commission | <input checked="" type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Municipal Utility Committee | <input type="checkbox"/> Citizens Traffic Advisory Committee | |
| <input type="checkbox"/> Planning Board | | |
| <input type="checkbox"/> Sustainability Committee | | |
| <input type="checkbox"/> Zoning Board of Adjustment | | |

Area(s) of Expertise:

- | | |
|--|---|
| <input type="checkbox"/> Architecture/Construction | <input type="checkbox"/> Environmental Planning |
| <input type="checkbox"/> Information Technology | <input type="checkbox"/> Communications |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Other <u>Health + Fitness</u> |

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Circle One

Yes No Hudson Resident

[Signature]
Signature of Applicant

mikesue@micro.com mikesuelareasl.com
e-mail address

Agenda
4-13-21

TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

Date: 3/30/21

5C-4

SEAN K O'Neil 5 High Pine Dr
Name Street Address

(603) 578 9465 603 320 0136
Home Phone Number Work Phone Number

COO - Healthcare
Occupation (or former occupation, if retired)

MBA
Education/Special Interests

Professional/Community Activities
Continue to try to help the recreation committee
Reason(s) for applying

Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

- | | | |
|--|--|--|
| Member <input type="checkbox"/> | Alternate <input type="checkbox"/> | Reappointment <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Benson Park Committee | <input type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Cable Utility Committee | <input type="checkbox"/> Nashua Regional Planning Commission | <input checked="" type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Municipal Utility Committee | <input type="checkbox"/> Citizens Traffic Advisory Committee | |
| <input type="checkbox"/> Planning Board | | |
| <input type="checkbox"/> Sustainability Committee | | |
| <input type="checkbox"/> Zoning Board of Adjustment | | |

Area(s) of Expertise:

- | | |
|--|---|
| <input type="checkbox"/> Architecture/Construction | <input type="checkbox"/> Environmental Planning |
| <input type="checkbox"/> Information Technology | <input type="checkbox"/> Communications |
| <input type="checkbox"/> Finance | <input type="checkbox"/> Other _____ |

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Circle One

Yes No Hudson Resident

SKW
Signature of Applicant

SEOWEIL@EHR.ORG
e-mail address

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April 4 7 21

APR 07 2021

TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

Date: April 3, 2021 TOWN OF HUDSON
SELECTMEN'S OFFICE

5C-5

Dawn Lavacchia 10 Mockingbird Lane
Name Street Address

(603) 459-8860 603-305-6921
Home Phone Number Cell Work Phone Number

Engineering Business Analyst
Occupation (or former occupation, if retired)

B.S in Business Administration - Concentration in Accounting, MBA
Education/Special Interests

Work for Pennichuck Water for 25+ years
Professional/Community Activities

Enjoy taking part in the community
Reason(s) for applying

Elvis Dhima
Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

- | | | |
|---|--|---|
| Member <input type="checkbox"/> | Alternate <input type="checkbox"/> | Reappointment <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Benson Park Committee | <input type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Cable Utility Committee | <input type="checkbox"/> Nashua Regional Planning Commission | <input type="checkbox"/> Recreation Committee |
| <input checked="" type="checkbox"/> Municipal Utility Committee | <input type="checkbox"/> Citizens Traffic Advisory Committee | |
| <input type="checkbox"/> Planning Board | | |
| <input type="checkbox"/> Sustainability Committee | | |
| <input type="checkbox"/> Zoning Board of Adjustment | | |

Area(s) of Expertise:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Architecture/Construction | <input type="checkbox"/> Environmental Planning |
| <input checked="" type="checkbox"/> Information Technology | <input type="checkbox"/> Communications |
| <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Other _____ |

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Circle One

Yes No Hudson Resident

Dawn Lavacchia
Signature of Applicant

dawnlavacchia@yahoo.com
e-mail address

Agenda 4/13/21
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TOWN OF HUDSON
Nominations & Appointments/Talent Bank Application Form
(Hudson, NH Residents Only)

APR 07 2021

Date: 4/4/2021 TOWN OF HUDSON
SELECTMEN'S OFFICE

5C-6

Jeffrey S. Emanuel 3 Hillside Drive
Name Street Address

(603) 889-0263 603-890-2035
Home Phone Number Work Phone Number

Assistant Fire Chief (Fire Marshal & Chief Building Official
Occupation (or former occupation, if retired) Town of Salem, NH)

BS Fire Administration
Education/Special Interests

Scoutmaster (Troop 202)
Professional/Community Activities

Community Service
Reason(s) for applying

Shawn Aspin, Michael Teague, George Gleason
Reference(s)

Please check area in which you are interested in serving, and return this form to
The Selectmen's Office, 12 School Street, Hudson, NH 03051

- | | | |
|--|---|---|
| Member <input type="checkbox"/> | Alternate <input type="checkbox"/> | Reappointment <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Benson Park Committee | <input checked="" type="checkbox"/> Building Board of Appeals | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Cable Utility Committee | <input type="checkbox"/> Nashua Regional Planning Commission | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Municipal Utility Committee | <input type="checkbox"/> Citizens Traffic Advisory Committee | |
| <input type="checkbox"/> Planning Board | | |
| <input type="checkbox"/> Sustainability Committee | | |
| <input type="checkbox"/> Zoning Board of Adjustment | | |

Area(s) of Expertise:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Architecture/Construction | <input type="checkbox"/> Environmental Planning |
| <input type="checkbox"/> Information Technology | <input checked="" type="checkbox"/> Communications |
| <input type="checkbox"/> Finance | <input type="checkbox"/> Other _____ |

Information contained on this form is available to the public and will be given to the press. The Town of Hudson exercises affirmative action in its employment/appointment practices. Applicants must be Hudson, NH residents. For additional information, call 886-6024. Appointees are required to complete a Financial Interest Disclosure Form (FIDF) in accordance with the Town Code.

Circle One

Yes No Hudson Resident

Jeffrey S. Emanuel
Signature of Applicant

js2173@gmail.com
e-mail address

Agenda
4-13-21



TOWN OF HUDSON

Office of the Assessor



Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

www.hudsonnh.gov

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

6A-1

TO: Board of Selectmen
Steve Malizia, Town Administrator

FROM: Jim Michaud, Chief Assessor

DATE: April 13, 2021

RECEIVED
APR 08 2021
TOWN OF HUDSON
SELECTMEN'S OFFICE

RE: Elderly Exemptions:

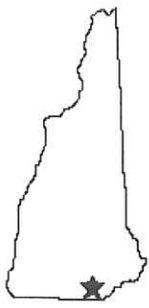
- 11 Melissa Trail – map 157/ lot 066/ sub 077
- 327 Fox Hollow Dr. – map 204/ lot 006/ sub 327
- 32 Riviera Rd. – map 148/ lot 040/ sub 067
- 3 Brightside Dr. – map 131/ lot 065
- 22 Campbello St. – map 165/ lot 030

I recommend the Board of Selectmen sign the PA-29 form granting Elderly Exemptions to the property owners listed below. The residents have provided the proper documentation to show they qualify for this exemption.

- Judithann Mickle - 11 Melissa Trail – map 157/ lot 066/ sub 077
- Susan Wilson - 327 Fox Hollow Dr. – map 204/ lot 006/ sub 327
- Sharon Tedesco - 32 Riviera Rd. – map 148/ lot 040/ sub 067
- William and Shirley Neault - 3 Brightside Dr. – map 131/ lot 065
- Anne Marie Lombardi - 22 Campbello St. – map 165/ lot 030

MOTION: Motion to grant Elderly Exemptions to the property owners referenced in the above request.

Agenda
4-13-21



TOWN OF HUDSON

Office of the Assessor




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Chief Assessor, CAE
email: jmichaud@hudsonnh.gov
www.hudsonnh.gov

6A-10

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

MEMORANDUM

To: Board of Selectmen
Steve Malizia, Town Administrator

From: Jim Michaud, Chief Assessor 

Re: Charitable Exemption Application
30 Richman Drive -Map 237 Lot 57

April 13, 2021

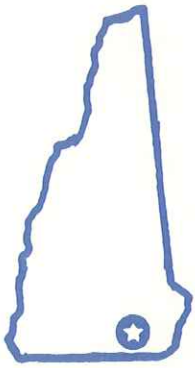
RECEIVED
APR 08 2021
TOWN OF HUDSON
SELECTMEN'S OFFICE

The Assessing Department recommends that the BOS Chairman sign the attached letter informing New England Forestry Foundation Inc. of the Board's (pending) decision to deny their request for a charitable exemption. According to our interpretation of RSA 72:23 V (the charitable exemption RSA) this property does not qualify to be exempt from property tax as it is not "used and occupied directly" by them. Further, their cited "charitable" criteria is that they "educate landowners and the general public about the benefits of sustainable forest management." While their mission is laudable in the aggregate, we are not of the opinion that this qualifies as a charitable function of the property, 44 +/- acres of vacant land in the current use program.

The property owners have been submitting their charitable exemption application for over to 12 years now, and the BOS have denied them each time. The property has an assessment of \$3,548.00, as the entire parcel is enrolled in the Current Use (RSA 79-A) program, a property tax burden of \$75.82.

Motion:

To deny a 2021 charitable exemption for a property located at 30 Richman Drive, Map 237 Lot 57, owned by New England Forestry Foundation Inc., as recommended by the Chief Assessor.



TOWN OF HUDSON

Board of Selectmen

12 School Street Hudson, New Hampshire 03051 603/886-6024 FAX 603/598-6481



New England Forestry Foundation
P.O. Box 1346
Littleton, MA 01460

April 13, 2021

To Robert Perschel, Executive Director:

The Hudson, NH Board of Selectmen have voted to deny New England Forestry Foundation the charitable property tax exempt status for the 2021 property tax year for property located at 30 Richman Drive (Tax Map 237 Lot 57) as submitted under RSA 72:23 V. According to State Statute RSA 72:23 V, this property does not qualify to be exempt from property tax as it is not “used and occupied directly” by you. Further, the cited “charitable” criteria that the organization “educates landowners and the general public about the benefits of sustainable forest management”, while laudable in the aggregate, we are not of the opinion that this qualifies as a charitable function of the property, 44 +/- acres of vacant land enrolled in the current use program.

Further appeal to the Board of Tax and Land Appeals is available to you if you disagree with this decision, by September 1, 2021.

Sincerely,

Roger E. Coutu, Chairman
Hudson, NH Board of Selectmen



TOWN OF HUDSON

Office of the Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

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*Agenda
4-13-21*

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

6A-11

TO: Board of Selectmen
Steve Malizia, Town Administrator

April 13, 2021

FROM: Jim Michaud, Chief Assessor *JM*

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

RE: 2020 Abatement Application
Map 228 Lot 4 – 7 Wal-Mart Blvd

I recommend that the Board of Selectmen approve an abatement sought on the above referenced property. This property had an assessed value that was the result of a Board of Tax and Land Appeals (BTLA) settlement agreement from 2017. The settlement agreement, attached, lays out that the assessment was not to change from its settlement value of \$13,293,954, until the next revaluation, which will be in 2022. The Town's cyclical data collection contractor, KRT Appraisal, has a contract to conduct data collection on a specified # of properties each year in preparation for the 2022 revaluation. This company also conducts the data entry on properties that they make visits to. They made a visit to this property at the end of 2019, and made a series of changes to the property record card via data entry in the spring of 2020, that caused the assessment to increase to \$14,944,700, some \$1,650,746 over the agreed to settlement value. The property owner's law firm, Stavitsky & Associates, filed a 2020 tax abatement challenging the assessed value and stating that the Town had violated the settlement agreement, they are mostly correct. The Assessing Department engaged the Town's legal counsel, Dave LeFevre throughout the discussions on this property and its abatement application, and we have agreed to a settlement agreement revision (attached) that lowers the property assessment to \$13,520,254 (\$226,300 above the settlement value). The attached abatement form is for the BOS consideration, the property owner has agreed to not pursue any further appeal of the 2020 abatement to neither BTLA nor Superior Court as long as the Town is in agreement with the settlement. They will also forego any appeal of the 2021 assessment as long as the assessment remains at \$13,520,254. The assessed value will be "frozen" in the assessment software so that there would not be a repeat of this for 2021. That fixed assessment will be released once the Town conducts its 2022 revaluation.

I recommend that the BOS approve an abatement lowering the value from \$14,944,700 to \$13,520,254 to correct this error.

Motion:

Motion to approve an Abatement for property taxes for Map 228 Lot 4 as recommended by the Chief Assessor.

Cc: File 2020AbateMemo7WalMartBlvd



TOWN OF HUDSON

Office of the Assessor



Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov


www.hudsonnh.gov

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6A-12

TO: Board of Selectmen
Steve Malizia, Town Administrator

April 13, 2021

FROM: Jim Michaud, Chief Assessor 

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

RE: 2020 Abatement Application
Map 110 Lot 56 – 12 Senter Farm Road

The Assessing Department recommends that the Board of Selectmen approve an abatement sought on the above referenced property. The property consists of a detached single-family home of 3,125 SF +/- on a 6.85 AC +/- lot, was assessed for \$611,400 for the 2020 property tax year. The Town's assessment ratio for 2020 turned out to be 80.73%, the implied market value for this property is \$757,339 +/- (AV - \$611,400/.8073 ratio). The property owner submitted an appraisal done for mortgage financing purposes, no other user than the bank intended and no other use intended according to the appraiser when contacted, and the refinance appraisal estimated a market value of \$525,000. The property owners believe the market value to be; \$482,000 - \$527,000.

The Deputy Assessor Mike Rotast was tasked with reviewing this abatement application, he had last inspected the property in February 2020, and he took the following steps;

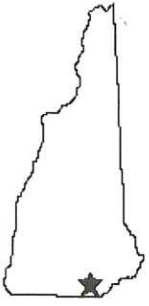
- He examined the appraisal submitted as well as other documents included with the abatement application.
- Reviewed the data on the sales that were used in the appraisal as well as the other data that was submitted with the application.
- Reviewed sales data for comparables sales found in Hudson within 12 months of the April 1, 2020 assessment date.

Mike's conclusion is that he believes the market value is in the range of \$620,000 +/-.
The revised assessment recommendation applies the assessment ratio against that market value estimate and the resulting recommended revised assessment comes in at; \$500,500.

The recommendation is for the BOS to approve an abatement lowering the assessed value from \$611,400 down to \$500,500.

Motion:

Motion to approve an Abatement for property taxes for Map 110 Lot 56 as recommended by the Assessing Department.



TOWN OF HUDSON

Office of the Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

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Agg. Lot
4-13-21

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

6A-2

TO: Board of Selectmen
Steve Malizia, Town Administrator

DATE: April 13, 2021

FROM: Jim Michaud, Chief Assessor

RE: Veteran Tax Credits:

- 109 Barbara Ln. – map 157/ lot 066/ sub 108
- 5 Cottonwood Dr. – map 203/ lot 132
- 38 Campbello St. – map 165/ lot 050
- 46 School St. – map 174/ lot 231

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

I recommend the Board of Selectmen sign the PA-29 forms granting Veteran Tax Credits to the property owners listed below. The residents have provided a copy of their DD-214 verifying that they qualify for the credit.

- Daniel Salonek - 109 Barbara Ln. – map 157/ lot 066/ sub 108
- Matthew Krupa - 5 Cottonwood Dr. – map 203/ lot 132
- Edward Welsh - 38 Campbello St. – map 165/ lot 050
- Walter Steiner - 46 School St. – map 174/ lot 231

MOTION: Motion to grant Veteran Tax Credits to the property owners referenced in the above request.



TOWN OF HUDSON

Office of the Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

www.hudsonnh.gov



Ag. 4-13-21

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6A-3

TO: Board of Selectmen
Steve Malizia, Town Administrator

DATE: April 13, 2021

FROM: Jim Michaud, Chief Assessor *JM*

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

RE: All Veterans Tax Credits:

- 47 Adelaide St. – map 175/ lot 148
- 49 Ledge Rd. – map 166/ lot 016
- 16 Hartson Cir. – map 154/ lot 013

I recommend the Board of Selectmen sign the PA-29 forms granting All Veterans Tax Credits to the property owners listed below. The residents have provided a copy of their DD-214 verifying that they qualify for the credit.

- Scott Maitland - 47 Adelaide St. – map 175/ lot 148
- Carl Harmon - 49 Ledge Rd. – map 166/ lot 016
- Thomas Camara - 16 Hartson Cir. – map 154/ lot 013

MOTION: Motion to grant All Veterans Tax Credits to the property owners referenced in the above request.



TOWN OF HUDSON

Office of the Assessor

Jim Michaud
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email: jmichaud@hudsonnh.gov

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Agenda
4-13-21

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6A-4

TO: Board of Selectmen
Steve Malizia, Town Administrator

DATE: April 13, 2021

FROM: Jim Michaud, Chief Assessor

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

RE: Disabled Veteran Tax Credits:

5 Cottonwood Dr. – map 203/ lot 132
94 Dracut Rd. – map 248/ lot 060

I recommend the Board of Selectmen sign the PA-29 forms granting Disabled Veteran Tax Credits to the property owners listed below. The residents have provided documentation verifying that they do qualify for this credit.

Matthew Krupa – 5 Cottonwood Dr. – map 203/ lot 132
John Egan - 94 Dracut Rd. – map 248/ lot 060

MOTION: Motion to grant Disabled Veteran Tax Credits to the property owners referenced in the above request.



TOWN OF HUDSON

Office of the Assessor

Jim Michaud
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email: jmichaud@hudsonnh.gov

www.hudsonnh.gov



Agenda
4-17-21

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

6A-5

TO: Board of Selectmen
Steve Malizia, Town Administrator

DATE: April 13, 2021

FROM: Jim Michaud, Chief Assessor

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

RE: Solar Exemption:

44 Flying Rock Rd. – map 185/ lot 021

I recommend the Board of Selectmen sign the PA-29 form granting a Solar Exemption to the property owners listed below. The Assessing Department has verified that the property owners have solar panels.

Nagaraja and Anushree Gundagathi - 44 Flying Rock Rd. – map 185/ lot 021

MOTION: Motion to grant a Solar Exemption to the property owners referenced in the above request.



TOWN OF HUDSON

Office of the Assessor

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6A-6

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TO: Board of Selectmen
Steve Malizia, Town Administrator

FROM: Jim Michaud, Chief Assessor *JM*

DATE: April 13, 2021

RE: Gravel Tax Warrant
Tax Map 122 Lot 2 – Nash Family Investment Properties Inc.

I recommend the BOS sign the attached Gravel Tax Warrant in accordance with RSA 72-B.

*Nash Family Investment Properties Inc.
Map 122 Lot 2*

ORIGINAL WARRANT

GRAVEL TAX LEVY
TAX YEAR: APRIL 1, 2020 - MARCH 31, 2021
THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS

TO: Roger Ordway, Jr., Collector of Taxes for the TOWN OF HUDSON, NH , in said county:

In the name of said State you are hereby directed to collect on or before thirty (30) days from date of bill from the person(s) named herewith committed to you, the Gravel Taxes set against their name(s), amounting in all to the sum of : **\$103.64** , with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day.

Given under our hands and seal at the TOWN OF HUDSON, NH

Roger E. Coutu, Chairman

Marilyn McGrath , Vice Chairman

David S. Morin

Kara Roy

Brett Gagnon

DATE: April 28, 2020

NAME & ADDRESS	MAP & LOT	OPERATION #	GRAVEL TAX DUE
Nash Family Investment Properties c/o Q. Peter Nash 91 Amherst Street Nashua, NH 03064	122-2	20-229-04-E	\$103.64

DATE DUE: TOTAL DUE: \$103.64

Agenda
4-13-21



TOWN OF HUDSON

Office of the Assessor



Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

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6A-7

To: Board of Selectmen
Steve Malizia, Town Administrator

April 13th, 2021

From: Jim Michaud, Chief Assessor

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

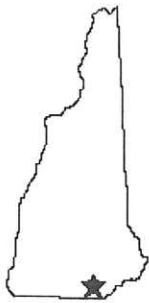
Re: 2020 property tax - RESCISSON of supplemental tax bill
Map 168 Lot 14 – 12 Madison Drive

The above property account was approved, by the BOS at their March 23rd meeting, to receive a supplemental property tax bill of a rescinded Veteran's tax credit for the 2020 property tax year. The Assessing Department had recommended this as one of the property owners had verbally informed us that they have been receiving a residency based property tax exemption (Homestead Exemption) for "years" on their property in Florida. We have since been informed by an additional property owner that the owners did NOT receive any residency based exemption in FL (or any other state) for any prior tax years, they had rented in prior years and were ineligible. In regards to the FL property that they purchased in the spring of 2020, the FL Property Appraisers Office for that county confirmed in writing, and via a verbal conversation, that that property is NOT receiving an exemption for 2021, nor did it receive one for 2020. The attached abatement form will clear the tax collectors screens of the supplemental tax bill, as it has not been paid, and the owners have been informed of this pending memo.

Motion: To RESCIND the supplemental tax bill for 2020 tax year property taxes for Map 168 Lot 14, 12 Madison Drive, as attached via an abatement, as recommended by the Chief Assessor.

2020SuppBillRESCIND12MadisonDr

Agendas
4-13-21



TOWN OF HUDSON

Office of the Chief Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov
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6A-8

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

To: Board of Selectmen
Steve Malizia, Town Administrator

April 13, 2021

RECEIVED

From: Jim Michaud, Chief Assessor 

APR 08 2021

Re: 2020 property tax abatement - Pro-rated Assessment for Damaged Buildings
Map 197 Lot 112 - 5 Cedar Street

TOWN OF HUDSON
SELECTMEN'S OFFICE

The property above suffered an unintended fire on 7/29/2020 that caused the property to be uninhabitable. A state law, RSA 76:21, mandates that as long as an applicant has filed their abatement application within 60 days of the fire event (or by March 1st whichever is later), and that the fire caused the property to be unoccupied, and that the fire was unintended, that the property owner is eligible for a pro-ration of property taxes (attributable to the building only) for that portion of the tax year. The property owner, and property, meet all of the above criteria, the proration goes from 7/29/2020 through 3/31/21, the end of the property tax year for 2020. The attached abatement form tallies up the prorated property tax amount, to be abated as per state law.

Motion: To approve an abatement for prorated 2020 property taxes for Map 197 Lot 112 as per the attached abatement form, as recommended by the Chief Assessor.

5CedarStProratedAbate



TOWN OF HUDSON

Office of the Chief Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov
www.hudsonnh.gov



6A-9


Agenda
4-13-21

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

To: Board of Selectmen
Steve Malizia, Town Administrator

April 13, 2021

RECEIVED

From: Jim Michaud, Chief Assessor 

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

Re: 2020 property tax abatement - Pro-rated Assessment for Damaged Buildings
Map 147 Lot 11 - 205 Webster Street

The property above suffered an unintended fire on 7/8/2020 that caused the property (Card 2 of the assessment record, the repair garage) to be uninhabitable. A state law, RSA 76:21 as attached, mandates that as long as an applicant has filed their abatement application within 60 days of the fire event, and that the fire caused the property to be unoccupied, and that the fire was unintended, that the property owner is eligible for a pro-ration of property taxes (attributable to the building only) for that portion of the tax year. The property owner, and property, meet all of the above criteria, the proration goes from 7/8/2020 through 3/31/21, the end of the property tax year for 2020. The attached abatement form tallies up the prorated property tax amount, for that specifically referenced building only, to be abated as per state law.

Motion: To approve an abatement for prorated 2020 property taxes for Map 147 Lot 11 as per the attached abatement form, as recommended by the Chief Assessor.

205WebsterStProratedAbate

TITLE V TAXATION

CHAPTER 76 APPORTIONMENT, ASSESSMENT AND ABATEMENT OF TAXES

Prorated Assessments for Damaged Buildings

Section 76:21

76:21 Prorated Assessments for Damaged Buildings. –

- I. Whenever a taxable building is damaged due to unintended fire or natural disaster to the extent that it renders the building not able to be used for its intended use, the assessing officials shall prorate the assessment for the building for the current tax year. For purposes of this paragraph, an unintended fire means a fire which does not arise out of any act committed by or at the direction of the property owner with the intent to cause a loss.
- II. The proration of the building assessment shall be based on the number of days that the building was available for its intended use divided by the number of days in the tax year, multiplied by the building assessment.
- III. A person aggrieved of a property tax for a building damaged as provided in paragraph I shall file an application with the assessing officials in writing within 60 days of the event described in paragraph I or by March 1, whichever is later.
- IV. Proration of the assessment shall be denied if the assessing officials determine that the applicant did not meet the requirements of this section or acted in bad faith.
- V. The total tax reduction from proration under this section for any city or town shall be limited to an amount equal to 1/2 of one percent of the total property taxes committed in the tax year. If the assessing officials determine that it is likely that this limit will be reached, the proration shall not be applied to any additional properties.
- VI. Nothing in this section shall limit the ability of the assessing officials to abate taxes for good cause shown pursuant to RSA 76:16.
- VII. Appeals of a decision under this section shall be to the board of tax and land appeals or the superior court as set forth in RSA 76:16-a or RSA 76:17.

Source. 2012, 169:2, eff. April 1, 2013. 2018, 282:8, eff. Jan. 1, 2019.

TAXPAYER'S RSA 76:21 PRORATION APPLICATION TO MUNICIPALITY
Prorated Assessment for Damaged Buildings - RSA 76:21

TAX YEAR 2020

INSTRUCTIONS

1. Complete the application by typing or printing legibly in ink. **This application does not stay the collection of taxes; taxes should be paid as assessed. If a prorated assessment is granted, a refund with interest will be made.**
2. File this application with the municipality by the deadline (see below). Date of filing is the date this form is either hand delivered to the municipality, postmarked by the post office, or received by an overnight delivery service.

DEADLINE: The application must be filed with the assessing officials, in writing, within 60 days of the event described in RSA 76:21, paragraph I.

APPEALS: Taxpayer may file an appeal at either the BTLA (RSA 76:16-a) or in the superior court (RSA 76:17), but not both.

FORM COMPLETING GUIDELINES:

1. Section C: Describe the property(ies) on which the prorated assessment is being requested.
2. Section D: The applicant(s) must sign the application even if a representative (e.g. Tax Representative, Attorney, or other Advocate) completes Section E.
3. Make a copy of this document for your own records.

RECEIVED

SEP 24 2020

TOWN OF HUDSON
ASSESSORS OFFICE



RECEIVED

MAR 24 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

Agenda 4/13/21

6C-1

RAFFLE PERMIT

Hudson, New Hampshire

Name of Organization: Trinity LLC dba The Bar

Address: 26 Burnham Rd Hudson

Raffle Benefit of: The Bird family - house burnt down 4 artistic children - 2 non verbal

130 to 4:30 - Date & Time of Raffle: April 18th 2021 Sunday there is a go fund me

Raffle to be held at: The Bar

Prizes: Assorted Raffles - Beach house / Cabin in the woods / tiki time etc...

Date of Ticket Sales: April 1st ?

(must be **after** date of Board of Selectmen approval)

Applicant's Signature/Address/Phone Number

Judy Lafreniere-Mark
Applicant's Signature

Judy Lafreniere-Mark
Applicant's Printed Name

26 Burnham Rd
Address

928 839-0515 (cell)
Phone Number

Approved on: _____, by

HUDSON BOARD OF SELECTMEN

Chairman _____

Selectman _____

Selectman _____

Selectman _____

Selectman _____

(Fax completed form to 603-598-6481 or e-mail to lweissgarber@hudsonnh.gov, with Raffle Permit in subject line.)

Agenda 4-13-21

RECEIVED

MAR 24 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE



6C-2

RAFFLE PERMIT

Hudson, New Hampshire

Name of Organization: Hannah Dustin Quilters Guild
 Address: PO BOX 121 Hudson NH 03051
 Raffle Benefit of: Hannah Dustin Quilters Guild, non-profit org.
 Date & Time of Raffle: April 30, 2022, at 4:00 p.m
 Raffle to be held at: Lions Hall, 12 Lions Ave, Hudson, NH 03051
 Prizes: One Queen Sized, Unique Quilt, made by members of the guild
 Date of Ticket Sales: April 6-2021 - April 30, 2022 (period of over 1 year)
 (must be after date of Board of Selectmen approval)

Applicant's Signature/Address/Phone Number

Jennifer Varney
 Applicant's Signature
Jennifer Varney
 Applicant's Printed Name
285 Lowell Rd, Hudson NH
 Address
603 233-0560
 Phone Number

Approved on: _____, by

HUDSON BOARD OF SELECTMEN

 Chairman

 Selectman

 Selectman

 Selectman

 Selectman

(Fax completed form to 603-598-6481 or e-mail to lweissgarber@hudsonnh.gov, with Raffle Permit in subject line.)

Agenda
RECEIVED 4-13-21

APR 07 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

6C-3



RAFFLE PERMIT

Hudson, New Hampshire

Name of Organization: Hudson Fish and Game club

Address: 53 Pine Rd Hudson, NH

Raffle Benefit of: Hudson Fish and Game

Date & Time of Raffle: August 14th 1:00 pm

Raffle to be held at: HFG Club

Prizes: Bass pro gift card, Savage Rifle, Cross bow

Date of Ticket Sales: May 3rd

(must be after date of Board of Selectmen approval)

Applicant's Signature/Address/Phone Number

[Signature]
Applicant's Signature

JOE VENSKEVUS JR
Applicant's Printed Name

7a Rangers Pt Hudson, NH
Address

603-886-3635
Phone Number

Approved on: _____, by

HUDSON BOARD OF SELECTMEN

Chairman

Selectman

Selectman

Selectman

Selectman

(Fax completed form to 603-598-6481 or e-mail to lweissgarber@hudsonnh.gov, with Raffle Permit in subject line.)



TOWN OF HUDSON

Police Department

Partners with the Community

1 Constitution Drive, Hudson, New Hampshire 03051
Voice/TTY (603) 886-6011/Crime Line (603) 594-1150/Fax (603) 886-0605



William M. Avery, Jr.
Chief of Police

Captain Tad K. Dionne
Operations Bureau

Captain David A. Cayot
Special Investigations Bureau

Captain David A. Bianchi
Administrative Bureau

6D-1

To: The Board of Selectmen
Steve Malizia, Town Administrator

From: William M. Avery, Chief of Police *WMA*

Date: 06 April 2021

Re: Agenda Item – 13 April 2021

Scope:

The Hudson Police Department would like to meet regarding the offer of a donation for one (1) 65" HD LED Monitor which is valued at \$480.00. Walmart has offered to donate this to the Hudson Police Department to replace the broken LED monitor which is used to monitor the safety of town employees; as well as the safety of our schools.

Motion:

To accept the donation of one (1) 65" HD LED Monitor which is valued at \$480.00 for the Communications Division.



A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

Agenda
4-13-21



TOWN OF HUDSON

Recreation Department

Community Center 12 Lions Ave Hudson, NH 03051 Phone: 603-880-1600



6D-2

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TO: Steve Malizia
FROM: Chrissy Peterson
DATE: April 8, 2021
SUBJECT: Selectmen Meeting Agenda Item

Could you place the following item on the agenda of the next Board of Selectman Meeting:

Jay Mousseau recently passed away. His family has made a request that donations be made in his memory to the Hudson Recreation Department. In addition to the previously accepted donations totaling \$960.00, I have received a donation for \$50.00 from Hudson Memorial Middle School on behalf of Madolyn Sullivan. Request the BOS accept this donation to be put in the Hudson Recreation donation account.

Thank you,

Chrissy Peterson
Recreation Director

1 Attachment
Copy of donation check



HUDSON MEMORIAL MIDDLE SCHOOL
 1 MEMORIAL DRIVE
 HUDSON, NH 03051

TD Bank
 MANCHESTER, NH 03101
 54-7714

CHECK NO. 008155
 017-8155

DATE
 03/25/2021

AMOUNT
 \$*****50.00

PAY FIFTY DOLLARS AND 00/100 CENTS

TO THE
 ORDER OF Town of Hudson
 12 School Street
 Hudson, NH 03051

[Signature]
[Signature]
 AUTHORIZED SIGNATURES

⑈008155⑈ ⑆011400071⑆ 9029618406⑈

008155

HUDSON MEMORIAL MIDDLE SCHOOL

townofhuds	Town of Hudson	Donation-J.Moussea	03/25/2021	017-8155
PO NUMBER	INVOICE NO	ACTIVITY	ACTIVITY NAME	AMOUNT
		2	Principals Account	50.00

CHECK TOTAL: 50.00

HUDSON, NH BOARD OF SELECTMEN

Minutes of the March 23, 2021 Meeting

1. CALL TO ORDER - by Chairman Morin the meeting of March 2, 2021 at 7:00 p.m. in the Hudson Community Center.
2. PLEDGE OF ALLEGIANCE led by Recreation Director, Chairman Dave Morin
3. ATTENDANCE

Board of Selectmen: David Morin, Kara Roy, Marilyn McGrath, Roger Coutu, Brett Gagnon

Staff/Others: Town Administrator Steve Malizia; Bill Avery - Police Chief; Dave Cayot - Police Captain; Jess Forrence - DPW Director; Elvis Dhima - Town Engineer; Paul Inderbitzen - Town Moderator; Gary Gasdia- School Board Member; Jill Laffin - Executive Assistant

After reading the attendance the Chairman asked can I have a show of hands how many people plan on speaking at public input? After seeing a handful of hands raised the Chairman said I would like to change the order of business to recognize the police officers so we can the crews back out onto the streets but they're here to support their members. So I'd like to change the order of business if everybody's good with that.

RECOGNITIONS, NOMINATIONS & APPOINTMENTS

A. Recognitions

MPO Allison Cummings - 20 Years of Service with the Hudson Police Department

Chairman Morin asked MPO Cummings to come forward and read Master Patrol Officer Allison Cummings began her Law Enforcement career with the Hudson Police Department February 12, 2001. She graduated in the top three academically from the 125th New Hampshire Police Academy; earning her the Hudson Police Department Academy Graduate Commendation Bar in May 2001. MPO Cummings has a Bachelor's Degree in Criminal Justice from Endicott College in Beverly, Massachusetts.

MPO Cummings was elevated to Master Patrol Officer in 2006 and has spent her career between the Patrol Division and Detective Division. MPO Cummings is currently an investigator with NH ICAC (Internet Crimes Against Children). MPO Cummings served in the Detective Unit from 2014 to 2018. She is a member of our CIRT (Crash Investigation Reconstruction Team) and our Ceremonial Unit. MPO Cummings has spent time volunteering at Old Home Days, Fright Night, Red Cross Blood Drives, Special Olympics, Toys for Tots, Salvation Army Bell Ringing and the Hudson Citizens Police Academy.

MPO Cummings is always willing to help the department in any way she can and is never afraid to take on extra responsibilities. MPO Cummings was recognized by Bridges Domestic and Sexual Violence Support and by the Hillsborough County Attorney for a "stellar" performance while testifying at a jury trial in Hillsborough County Superior Court.

MPO Cummings is dedicated to her job and has certainly been an asset to the Hudson Police Department.

MPO Parith Deng - 20 Years of Service with the Hudson Police Department

Chairman Morin called MPO Deng forward and read Master Patrol Officer Deng began his law enforcement career with the Hudson Police Department February 12, 2001. MPO Deng graduated from the New Hampshire 125th Police Academy. He holds a bachelor's degree in sociology with concentration in criminal justice from LeMonyne College.

MPO Deng is currently assigned to the Detective Unit and is also a Certified Field Training Officer. MPO Deng serves on the Crime Scene Investigation Team and the Motorcycle Unit. MPO Deng is very loyal to the Hudson Police Department and has spent time volunteering at the Red Cross blood drives, Salvation Army, Toys for Tots, and the Special Olympics. He received a Life Saving Commendation Award in 2012 for his CPR assistance with an unresponsive female subject. MPO Deng is dedicated to his job and has certainly been an asset to the Hudson Police Department.

Donna Melanson - 20 Years of Service with the Town Clerk/Tax Collector Office

Donna was not able to attend the meeting to receive her certificate but was recognized by the Chairman.

4. PUBLIC INPUT

Chairman Morin said before we start public input we do have an agenda tonight that we do have to cover and there's considerable people that want to speak so we will be holding your comments to five minutes tonight. That is what they Board of Selectmen allows, that's what we're going to hold them to. Who's first? Please come on up sir. State your name and address for the record.

James Crowley, 4 Fairway Drive said, I have several items I want the Board to be aware of. First is Mr. Martin's appointment. It appears Mr. Martin is passionate about the quality of Hudson's community and I agree with that. But statements in the past about reluctance to read legal documents is not a good combination for a ZBA position. I've observed Mr. Martin in the past reverse his vote based on his conception of possible conspiracies with no new information presented to change his original vote. Again not a good combination for a ZBA position. In general I've noticed the Planning Board and various Town boards caution the public, do not repeat what has already been presented earlier. As far as the Board of Selectmen Hudson Logistic Center sewer allocation reconsideration vote goes the Board took this to a new level with the applicant as well. The Board reversed their first sewer allocation vote without even allowing the applicant to speak or present any new information to counter the earlier negative vote. I would ask the Board to allow the full process to be followed on all hearing cases. My final one is on Right to Know. As far as right to know goes, the Town of Hudson seems to be good at archiving and releasing various emails from Town personnel that attack my character and me personally. However not so much the content pertinent to details concerning important Town issues and projects. The Board of Selectmen should allocate funds and commission a study on Right to Know compliance issues to investigate how to best adhere with RSA requirements. The current technical level of Right to Know compliance, the Town Manager and Board of Selectmen allows, does not seem to fully protect the Town and exposes them to legal entanglements. I think the Board of Selectmen you do not have an easy job and I thank you for all the time you put in.

Dean Sakati, 11 Fairway Drive. Mr. Sakati said, I have two issues I'd like to speak to tonight. One, reopening the sewer issue as it relates to the Green Meadow Golf Course and secondly appointing Mr. Martin to the Zoning Board. First, we'd like to ask the Board of Selectmen to reopen the sewer allocation decision that was awarded to Hillwood Enterprises, the applicant looking to develop the Green Meadows Golf Club/Course on behalf of Amazon. The Board of Selectmen's last vote pertaining to this issue was made without basis. It was contrary to the code that is extremely clear and limits the extension of sewerage to the southern part of Hudson. As an aside, Mr. Passe, one of

the attorneys representing Hillwood, demanded that Hudson apply its code literally with no room for interpretation, he should therefore welcome this same standard to the sewerage allocation which Hillwood and the property owners evidently did not do their simple due diligence around.

Secondly, I'm asking in the most respectful way possible, that Mr. Martin not be appointed to the Zoning Board. I do not believe that Mr. Martin represents, at this moment, what our Town needs. He has argued with residents. He has referred to the public as the peanut gallery. He broke code in approving a sewerage allocation seemingly without basis. As I recall he stated that he does not read lawyer briefs because they bore him. Going with our gut is applicable at times, not now. For the Zoning Board we specially need attributes that are the attention to the detail and the code and to refining the code. The code is not been, you know I found out through the Hillwood project just how poor our Zoning Codes are. For example, I abut the Green Meadow Golf Course. My neighbors across the street, everyone, it's a residential neighborhood. I'm sure you're familiar with the properties by now, my neighbor across the street is residential. I for some unbeknownst reason was zoned like the Golf Course itself. All seems to be an error to me and it seems that it's literally negligent that these types of details could slip through the cracks. So we need members on the Zoning Board that will go through the entire Town and appropriately zone things so there's no surprises. And I own it. That is we voted, and it may not be the Zoning Board, but we voted for 50 foot high buildings. We trusted members of the Town when we see that there's a majority of members that endorse it. I voted for it. I thought maybe it was going to be a dentist or a medical office inside the Town. In my wildest dreams I could not imagine that an industrial complex of 2.6 million square feet, some of the largest in the Country, would be proposed for a spot within our Town. And I'll leave it at that. So at this point we need trust and Mr. Martin, I'm sorry to have to bring this up.

Jim Dobens, 4 Eagle Drive. Mr. Dobens said, I reside at 4 Eagle Drive and I've been there for the last 38 years. I have four topics I would like the Board of Selectmen to consider and reconsider. First, the impact of the Hudson Logistics Center to our Town's emergency services. I was disappointed that we could not ask questions to our Department Heads during that last meeting. The evidence is readily available what these type of facilities cause and create to our Town's emergency services and what they will have to deal with. I pulled the data from Fall River. I forwarded it to everybody. These things are available from every town that has one of these sites. Hillwood asked us to compare Fall River to here even though it's only half the size. Please do not use Town comparisons to make a decision on impact and needs. Real data does not lie. I encourage our Department Heads to reach out and do the due diligence of what they're about to face. Two, I strongly recommend that the Board take up and reconsider the sewer allocation decision that was made. There was not any new evidence provided. This facility does not meet the Town's requirements. This facility is not in the sewer district and there was no agreement. Three, I urge the Board not to consider Normand Martin for the Zoning Board. He has demonstrated to many he makes decisions without taking or reading legal advice. As a disregard for education by saying the School ranking does not matter. And calling the residents of this Town the peanut gallery. People make decisions to move to a community based on its school systems and quality of life. He does not have the qualities to serve on the Town's Board based on his behaviors and actions. Probably why he wasn't reelected. Four, please do your due diligence on the financial impact this facility will have on our Town. The supposed \$5 million in tax revenue is around 5% of our total budget. When you combine Town and School. That excludes its impact. You may get a year or so of a flat tax but that will quickly change. It was nice of them to offer up a platform truck for the Fire Department because it will be needed. And maybe another pumper engine. I'm not sure. What about the additional six-eight fire fighters we will need to staff it? Plus all the equipment that they will need. We're not staffed up enough for a facility like that. The financial impact will be far reaching. I'm sure the Budget Committee will have their work cut out for them should this warehouse be approved. Thank you for your time.

John Debuc, 11 Eagle Drive. Mr. Debuc said, I live at 11 Eagle Drive with my family for the past 19 years. I want to speak about a couple of items tonight and thank you for the opportunity to speak. I want to start speaking about the January 12, 2021 Planning Board. I'm going to talk about the sewer allocation. During that Board meeting Mr. Dhima started that the developer is requesting a sewer

application because they are currently outside of the sewer district. Then it was stated the intent back then was to connect the property to the sewer. They are not saying they're entitled to it, they are just providing information related to it from 1990. I'll first start about the allocation they asked for during the meeting and why is the number so low. Mr. Dhima stated they based the sewer usage on maximum employees per day at 20 gallons per day which made 36,900 gallons per day, 1845 employees. A Dartmouth College paper on water usage in 2019 stated, the average domestic demands in commercial industrial settings range between 20 and 35 gallons per day per employee. The state of North Carolina noted in a wastewater design flowrates regulation business, offices and factories, factories or businesses with shower or food preparation use 35 gallons, per employee, per shift. The state of Maryland design guidelines for wastewater facilities also calls for 35 gallons per employee, per shift. How did Hillwood use 20 gallons per day when simple research that I did shows a much higher standard. By my calculations this facility could be producing, at the highest level, 64,575 gallons per day. Not the 36,900 as requested. That's an increase of 27,675 gallons per day. Mr. Coutu questioned Mr. Dhima how this roll covering the Town regulations how this facility meets the standard. Mr. Dhima did not answer for the Town but he called up Mr. Smollack to answer. Mr. Smollack stated the five ways that the Town met the criteria and myself and many others noted that all five of those reasons were invalid. Mr. Smollack also stated that it's technically feasible that a septic system but there's a possibility for a catastrophic event in the case of a discharge. This was an invalid argument as we've been told time and time again there's no change for any discharges for any of the catch basin for storm water into the Merrimack River. How could the septic be designed properly and be any different than those storm basins we're told will not be damaging the Merrimack River. At the end of the meeting you all took a vote to deny this, which was the correct decision with all the information you were provided. I know that you're aware that on September 3, 2020, the Sewer Utility Administrative Aide sent an email to the Town Engineer stating I don't know what the intent is in regard to the sewer for this project this address does not have access and is outside the sewer district. During that meeting Mr. Dhima stated the development is currently outside the sewer district. Two Town employees with knowledge stated this property is not in the sewer district and our Town ordinance clearly defines the sewer district that this development is not part of. And when they had the chance to connect within a reasonable time frame they chose not to and lost their access to connect to the Town's limited sewer supply. I was in shock when this came up again for a vote on the January 26, 2021 Board of Selectmen meeting. Ms. Roy stated that there should have been substantial activity or development since the approval in 1991 and they have done none of this. In an article titled Rehearing's by the Planning Board by Attorney Paul Sanderson in New Hampshire Municipal Organization. Attorney Sanderson states the following; there are two ways to look at this issue based on this fundamental statement of municipal authority. A municipality has only such powers as are expressly granted by the legislature and such as are necessarily implied or incidental thereto. In the first view, since there is no statute that either requires or authorize the planning board to conduct a rehearing once a decisions been rendered, no hearing ever should have been conducted. This is his words, if a participant is aggrieved an appeal is available to superior court or to the zoning board of adjustment if the issue involves and interpretation of the zoning ordinance. If an error has been made either the superior court will remand the case back to the board for further proceedings or the zoning board of adjustment will grant any necessary zoning relief. In the second point of view, participants cite Zimer vs. the City of Portsmouth for the idea that the local board should the first opportunity to pass on any alleged errors in its decision so the court may have the benefit of the boards' judgment in hearing the appeal. You made no errors in your decision, with all the information the applicant presented you in January which states the following. The decisions based on what was presented when the decision was made, not any new material that may have been produced. The Developer was required to present all of their material when they applied for the sewer allocation. They did and they were denied on January 12, 2021. As Attorney Sanderson said, (at this point Chairman Morin said, excuse me sir, you've got to wrap it up), Mr. Debut went on to say, a municipality has only such powers as expressly granted by the legislature. I have one more thing to cover and I don't think I've been five minutes...Chairman Morin said, I've got to hold you to five minutes. You've got to wrap it up. Mr. Debut then said, alright, so, the last thing I want to talk about, and I'll paraphrase this, is one of your duties is how the finances of the Town are spent. We had a peer review done on the first study of the property values that was done. We had a peer review

done. We paid a peer company to look at that statement. We had a second property value that came and had different values and we have not had a peer review done on the second property value. How are we allowing what every other thing that we've asked for have been peer reviewed, how are we allowing that second study of the property values and how they're gonna be impacted without having a peer review on done. I looked at emails as of the 6th of June last year we have not been in touch with that peer reviewer....Chairman Morin said okay sir, sorry, you were at six minutes. I gave you an extra minute to wrap it up. Mr. Debut replied, thank you for your time sir, I appreciate it.

Urs Nager, 8 Par Lane. Mr. Nager said, real quick, the Amazon-Hillwood project is estimated to be in excess of \$100 million dollars. That's an awful lot of money to take out a golf course. But we are where we are. I really want to thank all of you for the input and all the time you're spending. I don't know how you keep up with it. I have a full time job and I'm struggling with all the stuff that's coming out. And all the stuff that's coming in. My comments are about March 8th meeting. We finally got the final plan from Hillwood and during that night we also got requests for seven waivers. I did a little bit of research on the plan. Building A has increased in size by about 300,000 square feet. Don't know whether Hillwood's going to ask for an additional sewer allocation. Don't even know what it's for, but I do know that it's going to impact the traffic study at 40% capacity and some of the other issues here. Hillwoods already indicated that there would be impacts on traffic buffers, berms, wetlands and so on. Don't really know what the costs of those are but as we sat that night and listed, after the Attorney's for the Friel's and for Hillwood it said they met the standard but if you look in your packet today Attorney Manzelli has indicated that a lot of areas have not been met. So please read that carefully. At least it shows you both sides of the story. What really hit me, interestingly enough, was the project impact mitigation. I had to take a picture of it because I really hadn't heard of that but it looked like an incentive of about 9.7 million dollars being thrown out at the end of a very long meeting and a very long process, that all of you, and all of us, have been through. A project impact fee has to be paid. Not really mitigation, that's part of the process. Community fee for \$100K, didn't really know what that meant. STEM program, that would really be nice for the Schools, I hope you deposit that in the School budget. And I hope you collect that up front. The STEM program is \$3 million. Public safety was \$1 million dollars. Is that mitigation or an admission of problems to come? We hadn't heard about that situation in the meeting I sat in on March 10th. Recreation and riverfront. I keep hearing about a ramp and a not ramp. I keep hearing about we're gonna do something else for the Town here. That was budgeted for \$1.5 million. I was glad to see the Fire Department platform for \$1.4 million. Is that mitigation or admission that you really gonna need equipment to get on top of those buildings to put them out? The Fire Marshall also indicated that the sprinklers are not going to be the four gallon sprinklers. They're gonna be a hundred gallon. Explains why there's a 250,000 gallon tank on the property and a fire pump just to knock out fires that take place inside the building. There's a master planning fee here of about \$200,000. Don't know whether this is gonna push the Hudson Boulevard or the aka Circumventual. Not really sure what that's gonna do. Then there's a regional hazmat material program of \$50,000. So this is an indication of the word mitigation doesn't necessarily mean eliminate. It may mean mitigate but there's also admission that this project is going to create a number of challenges for the Hudson community and potentially will change the character of this Town forever. I'm really glad I'm not sitting in your seats right now. This is gonna be a very tough decision because one way or another there will be very grave consequences that affect the character of this Town for decades to come. Thank you very much for the opportunity tonight to speak and give input.

Chris Mulligan, 5 Fairway Drive. Mr. Mulligan said, I'm requesting this Board reconsider the sewer connection that was previously granted for the Hudson Logistics Center. At the time of the vote, one Board member indicated that he only voted to approve the connection in order to allow him to view the full site plan. Unfortunately that reason does not meet what is required that the project is essential for public health, safety and welfare of the Town of Hudson. Despite this, now that the full site plan has been received, a new vote should be taken based on this site plan that was so desperately needed. An additional Board member provided a rationale for his vote by holding up a letter from Governor Sununu. The letter included a list of essential industry sectors that did include logistics. But to suggest that this letter would include an undeveloped parcel of land is a reach at best. The letter

dated March 27, 2020 was associated with an order relative to essential employees and Covid. The Governor provided a list of industry sectors that would continue to operate to provide essential services to support Covid-19. By indicating these sectors will continue to operate, he was obviously referring to existing businesses and their employees. The letter in no way suggests that potential future developments are deemed essential to any town or community, as non-existing businesses have provided no relief to support the Covid-19 efforts. The applicant did not show the proposed development met the criteria that is essential for the public health, safety and welfare of this Town. I would even suggest that the development is the exact opposite of what the criteria called for. The only other thing I wanted to mention is regarding Mr. Martin. I would say that recent elections, basically the Town voiced their opinion when they didn't re-elect him so I would suggest that I am not in favor of his appointment to the Zoning Board. Thank you.

Karen Nevin, 3 Eagle Drive. Ms. Nevin said thank you for allowing me the opportunity to speak. The Board of Selectmen appoints members to the Planning Board. Seems as though Planning Board members are listening to what the developer wants and not to what the Town residents want. Sewer decisions, the Town Engineer in internal emails stated that this land is not in the sewer district. The record failed to show that there was new evidence to vote on the sewer and therefore there was no cause to reconsider and vote but that did not happen. It was even mentioned that the Town Attorney should be consulted and that was not agreed upon. It is time to act and the Town of Hudson should reconsider their decision that was made. Medical emergency. There's a medical emergency for a resident of Hudson. Anyone in Hudson shopping at Walmart, Sam's or maybe due to a traffic accident in south Hudson. There is only one way to get to a Nashua hospital quickly and that is across the Sagamore Bridge. Can you imagine an ambulance and fire department trying to get across the bridge in rush hour traffic? That's going to be a nightmare. With all the Amazon tractor trailer trucks, box trucks and Amazon employee passenger vehicles causing a traffic jam backup. Now think if a life is lost due to not getting to a hospital in time because of this. This makes me upset and very sad to think that this is a real life possibility. But it is. Taxes. Town of Hudson taxpayers, be prepared that your taxes are going up. This project will take care of our Town as we know it. Hudson clearly will not make the list to be one of the desirable places to live and purchase your home. Being a good neighbor. Hillwood has been promoting that they will be a good neighbor. Would a good neighbor not allow reasonable questions and comments to their social media sites? Hillwood is quick to remove, block and delete comments that are contradictory to their views. From concerned citizens, not only from Hudson, but surrounding communities. You tell me. Does this sound like a good neighbor to you? Hillwood also proposed mitigation impact of \$9.7 million dollars. Could this be considered a Hillwood incentive to the Town of Hudson to approve the project? Health and well-being. Your families are important to you. You want the best for your families and to live in a safe haven free from having to deal with living near or next to a massive project equivalent to three-plus Gillette Stadiums, 24/7 operation. And resulting impact such as traffic from construction and later operations. Noise levels, air quality and looking out the window of your home and seeing massive buildings on a daily basis, to name just a few. Well guess what? We the residents in the small town of Hudson New Hampshire want the same thing. To live in a safe haven free from having to deal with living near or next to a massive project. Can any of you honestly say that you and your families would want this proposed logistics center in your neighborhood? At your backdoor? Or in your town or city? Hudson Town officials are here to make sound informed decisions in the best interest of the residents of our Town of Hudson a great to place call home. Thank you.

At this point Chairman Morin said, Mr. Dhima I saw your hand raised but I'm going to ask that we change the order of business in a minute again. And if we do and the Board decides to do it we will have you come up. You need to update the Board, especially Selectman Gagnon so he's on page where we are at. Okay? He went on to say, at this time I'm gonna ask the Board of Selectmen for a change in the agenda. When we originally did a reconsideration on this project it was due to the fact that we received a letter from the lawyer representing Green Meadows with new information. Where we have received a letter from Attorney Manzelli asking us again to do a reconsideration I think it's only fair that this Board at least look at it again. So before we get into any discussion, and I will continue, if the Board decides that they would like to do it, so is there a motion on the floor to change

the order of business. Selectman McGrath made a motion to change the order of business. This was seconded by Selectman Roy. Carried 5-0. The Chairman went on to say, when we do this I want to make it clear to the Board that this has to be looked at under the same rules that we did the first reconsideration. Mr. Gagnon if you have any questions we will answer those for you. There must be new information to present. It's not opinions. It's not you know do I believe this, do I believe that. There must be new information to the Board for us to take this up. Before we take this up though we have another item that we need to discuss. There are members on this Board that at this time have perceived or have been, let me think of the correct word, challenged that there may be some type of conflict of interest. So we cannot make anyone on this Board step down or recuse themselves but it is out there and if we have this and we pass this or we don't pass this we're all going to end up in court. So I would caution the Board very strongly, think about if you have any conflicts before we move forward because I'm sure it's gonna come up later. Let's bring Mr. Dhima up first.

Elvis Dhima, Town Engineer came forward and said thank you Mr. Chairman. I just want to clarify a couple things that were mentioned during the public input. The one thing that I want to talk about, and I think it's very important to understand, is that when we're thinking of the sewer allocations we have a standard to go by and that's the State of New Hampshire. New Hampshire DES. On the memo I prepared for you at the time of the sewer allocation it clearly stated what we hit. It was basically factory, showers and cafeterias. We do not go by what other states are using and an average worst case scenario, best case scenario. We have a standard that we go by and that's by New Hampshire DES design flow. That's what that was based on. 20 gallons a day per employee times the maximum number of employees during the peak season. That number came from the traffic analysis. So that's where this comes from. That's not a number out there that gets looked at, thrown around, what do we think. That's specific to the use of the building. And it goes by what they do and have in there. I could go on a couple other things but that's my main thing so just be careful with that number because it's very specific. If you want to get the details of where their number came from please go back to the packet, or the memo, I can make it available to anyone to make sure that we're all starting from the same point. That's all I have Mr. Chairman.

Chairman Morin then said, Mr. Dhima, before we get started, again, just to refresh everybody's memories, I'm gonna ask you a couple questions because it comes from the Engineering Department. This Board, and I don't have the date in front of me, I apologize, approved a sewer to be extended up Greeley Street into a new development that is not part of the sewer area at this time and that is basically something new that's never been done before but this Board unanimously voted to accept that sewer that is out of the sewer district. Is that correct? Mr. Dhima replied, that is correct. Chairman Morin then said, could you explain that a little bit please? Mr. Dhima explained, recently prior to dealing with this sewer allocation for the Hillwood project an owner of two lots, which are adjacent to sewer district, which were left out of the sewer district at the time, reached out to the Board of Selectmen for them to consider to allow this land to be connected to the sewer, if it gets developed. The intent was, and still is I believe, for a residential area. I'm not sure what exactly, but they came up with a sewer allocations, again that was based on the number of units, maximum number of units, and number of bedrooms. That number was 14,700 gallons per day. That's what they asked for. The Board considered it. I believe there was different reasons for the Board to consider it. One of them might be the drought. The fact that if it's possible to connect to sewer that would be the way to go. Again the sewer was created to get everyone off the septic. There's safety issues, health issues, the best thing to do is collect it, treat it, and recharge it. So the Board of Selectmen approved that one. That was for two lots. It was outside of the sewer district. It was adjacent to the sewer district. There was no sewer within that area or within that property at the time and they got approved for 14,700 gallons per day. Chairman Morin asked, is that a normal thing the Board of Selectmen has done in the past? Mr. Dhima responded, you have not done that in the past. This is new. This is based on a couple things. The fact that the Town is in a better position than we were in the past when it comes to the sewer allocations, the capacity was an issue in the past. It's not as much of an issue now. It's been identified there's 200,000 gallons that can be sold to anyone within the sewer district or adjacent to it. The sewer ordinance clearly states it's up to the Board of Selectmen to make the decision for request outside the sewer district based on certain facts. Based

on certain information that's been provided. So these two will be the only two that I'm aware of that the Board has processed. That would be correct, Mr. Malizia?

At this point Chairman Morin asked Mr. Dhima, can you please explain so we're all refreshed and Selectman Gagnon understands how the sewer is given out. How much we have, what we have in reserves and things to that nature. Mr. Dhima explained, the Town of Hudson has an agreement with the City of Nashua to discharge just over two million gallons a day. Based on the daily flows from 2008 to today, we have been sending over there about 1.2 million gallons. So it leaves basically the difference. In addition we have identified all the land within the sewer district that could be developed. So we've put aside about 365,000 gallons for that future development within the sewer district. That leaves the Town with about 400,000 gallons per day that could be basically sell it to anyone within the sewer district or give to anyone adjacent to the sewer district based on what the Board of Selectmen wishes. In May of 2020, the Board of Selectmen made a decision to consider to rebalance or redo the balance of the sewer. At that time, I recommended that instead of putting in the books 400,000 to only put in the books 200,000 gallons so that's basically the balance right now to what's available. If the Board wishes to sell it to anyone within the sewer district or outside the sewer district. That's kind of where you're at. Chairman Morin then said, now we're gonna look at the two circumstances. There was some confusion. There is a pipe on a piece of the Green Meadow property but also it doesn't fall within the sewer district. Is that correct? Mr. Dhima replied, yes. So the property itself is outside of the sewer district. The boundary. But there is a sewer main that belongs to the Town of Hudson that cuts within this property. There is an easement for it. There's documentation for it. So yes, they are outside of the sewer district but there is a sewer main that belongs to the Town of Hudson that's located within their property. Chairman Morin then asked, how are those lines that cover the whole sewer district, not just that one area, the whole sewer district, how is that determined? Mr. Dhima replied, it's my understanding it was done through a public decision, public meeting. Back somewhere in the 90's and basically it was public outreach. Just like they do the massive plan for the planning. It was basically put out there. Input was taken. And for some reason, I want to say 1998, not 1990. 1990 is when the discussion about putting this property in. 1998, basically based on that input a line was drawn basically saying this is where the sewer district is going to go. It's not any different when a zoning amendment gets done and it gets voted in and then basically you follow that when you do different things through planning. But that's my understanding that there was some kind of vote at the Town level to basically put the district line at a certain place. Chairman Morin reiterated, so to be clear Green Meadows is outside of the district but there is a pipe that does touch a piece of, goes through a piece of that property. Mr. Dhima replied, correct.

Chairman Morin then said, I have here, and all the Board of Selectmen received this when we had the reconsideration. It's an easement deed dated April 15, 1992. It is signed by a justice of the peace, a Friel, the State of New Hampshire and the Town. Can you explain what that deed means and why we got it? Mr. Dhima explained, it's my understanding and we typically do this with the water as well as when there is a Town asset going through private property we either can buy the property or we can require an access easement or an easement basically allowing that asset to go through part of their property. So basically, what that deed is that you have in front of you, Mr. Chairman, is basically a description to where the pipe is or the land that the Town has rights to get access to for maintaining it or clearing it or whatever the purpose of getting to that pipe is. Chairman Morin then said, so in theory the Town agreed that there would be sewer on that property? That's why the pipe was put there. That was the discussion, back in 1993. You weren't there. I wasn't there. I don't believe any of the Board members were there but what would be the reason for that deed? Mr. Dhima replied typically there's, and it's hard to describe the reasons why they did it that way, but typically it's an issue with getting access to certain. So my take on it was that they could not get access to the state or the turnpike right away to get to a certain location or maybe the wetland or maybe they hit something, I am not sure. But it appears that they're about 10-15 feet within the Green Meadow property. And they continue on that path before they went under the bridge. Exactly why, how, it's very hard to explain because I wouldn't know. It could be as easy as them intending to be outside of it and then hitting a boulder or ledge and change the direction of it. It's very hard. I don't have that

information but the bottom line, it is located within it. There is an easement to get access to it. It is our asset.

Chairman Morin then asked Mr. Dhima, when the Board of Selectmen first took up the sewer allocation for the Green Meadow property, this deed was not a part of our package, correct? This information came later and from who? Mr. Dhima responded correct, so the first time the Board considered this it was voted down 3-2. Selectman Martin, at the time, basically stated towards the end that he's willing to reconsider this if there's any new information coming in front of the Board. What happened after that is that the applicant asked for any information that's available related to this. We found the deed. We found some information related to contributions made for increasing the pipe size at the booster station at the Sagamore which serves this area. That was made available to Attorney Manzelli and Mr. Smollack. Also the Hillwood legal team found basically documentations or notes within the Planning Board when Sam's Club was approved, I believe, it stated that the intent was to connect this property to it. Also there was documentation that was part of the packet as well that stated that it appeared the Sewer Utility Committee, at the time, had discussions with the Town Engineer at the time, as well, to increase the pipe from 12-18" to accommodate this property basically for future development. And we can see that from the plans that it is an 18" pipe so there was changes made to that, physical changes, made to that pipe from 12-18" to accommodate the future. That happened in the 90's. In 1998 that's when the line was drawn for the sewer district. So that happened about eight years later. So Hillwood's case basically was that it appeared to be commitments or certain things done prior to the sewer district going in place that indicated that this was intended to be connected to Town sewer. There was contributions made to increase the booster station to accommodate future development of this property. There was pipe size increase from 12" to 18" to accommodate future development of this. And I think that was the evidence that was brought up on the second Board of Selectmen meeting and that's why Mr. Martin took that information and the decision was made to go from a 3-2 against it to 3-2 in favor of it.

Chairman Morin then said, so this document, the deed, that's dated April 15, 1992 was the new information that the Board was presented which Selectman Martin, at the time, had brought forward for the reconsideration. Mr. Dhima replied it was one of the pieces, yes. This was one of multiple documentation that was provided in that packet, yes. Chairman Morin then asked, can you give a brief overview of what the other documentation was? Mr. Dhima said, so the other documentation, or the overall picture of the overall documentation was the easement for the sewer within that. There was documentation related to plans and notes within the plans when Sam's Club was approved it stated that the intent was to connect this property to the sewer. There was financial documentation that either Sam's Club or the Friel's or a combination of both, I think it was about a \$60,000 contribution and we had payment for the first one which was about \$5,000. There was a couple other things but I forget now. Oh, there was documentation from the Town Engineer at the time requesting an increase of the pipe from 12" to 18" as well. That was part of the packet as well.

Chairman Morin then said to Mr. Dhima, we're gonna take these two properties that are out of the sewer district that we're talking about, Greeley Street and Green Meadows. Just say yes or no. Both are outside the sewer district? Mr. Dhima replied, yes. Chairman Morin asked, previous financial contributions. Upsize the pipe, Green Meadows yes, Greeley Street no. Mr. Dhima replied, correct. Chairman Morin asked Planning Board commitment, Green Meadow yes, Greeley Street no? Mr. Dhima replied correct. Chairman Morin asked, sewer municipal commitment, Green Meadow yes, Greeley Street no. Mr. Dhima replied, yes from the packet, yes it appears so. Chairman Morin asked, sewer main within the property, Green Meadow yes, Greeley Street no? Mr. Dhima replied, correct. Chairman Morin asked, sewer capacity available, both are yes? Mr. Dhima replied at this time, yes. Chairman Morin then asked and it leaves the Town still in good shape? Mr. Dhima replied, correct. It leaves about 180,000 gallons. Chairman Morin asked, Board of Selectmen approval, both yes? Mr. Dhima replied, yes. Chairman Morin went on to say and the votes were for Green Meadow three yes, two no? Mr. Dhima replied, correct. Chairman Morin said and for Greeley Street was five yes? Mr. Dhima replied, yes, correct. Chairman Morin asked Mr. Dhima, can you explain a little bit why we have one site that committed yes to everything and we didn't have to do the yes's to the other one?

Mr. Dhima said, I can't answer that. Based on the ordinance it appears that it's up to the Board of Selectmen to make that decision but yes. The Green Meadow was a 3-2 the other one was a 5-0. I don't know I can't answer that. The Chairman thanked Mr. Dhima then asked does any Board member, I saw Mr. Gagnon's hand, Mr. Gagnon. Selectman Gagnon said, a couple quick questions, I follow your logic about comparing and contrasting and I see that you're trying to make kind of an interpretation of what was intended but to me the facts were, if everything you're saying is true, and I'm following down the yellow brick road, why wasn't the sewer district just expanded on the map and it would have fixed all of these problems before us right now. Mr. Dhima replied, that's a fair question. So it would take a public meeting to basically adjust the line. So what we've done is because we're seeing the development and we're seeing a lot of issues with the sewers, or the septic I should say and the drought, a lot of people are home because of the pandemic, we're having a lot of failures. We get a lot of calls people basically saying, can we connect to Town water or Town sewer. That's been the case for the past 18 months. But it takes a public meeting to adjust the line. We're basically simply saying it's up to the Board of Selectmen to make a decision if they would like to have them connected to the Town sewer. At the end of the day they're still outside of the sewer district but they'll be allowed to discharge into the Town sewer. That's all. So you're not changing the line. You're just simply making a decision on a piece of property adjacent to the sewer district if you're willing to let them connect to it or not. Selectman Gagnon then said, Mr. Chair, one more question, for my own laymen knowledge, does wastewater include drains from the road meaning rainwater as well? Mr. Dhima replied, that's a good question. Nashua has them combined. Town of Hudson has 100% separated. Selectman Gagnon asked you said Hudson does or Nashua? Mr. Dhima said Nashua is combined over there. They're working on it. But in Hudson you're 100% separated. We might have some illegal connections, but on the books we're 100% disconnected from the drain. The reason for that is we don't want to pay for grey water the same rates for the sewer. So everything that we sent out is 99.99% sewerage.

Selectman Roy was recognized and asked so all of these documents that we talked about, the easement, the financial stuff, those were all public records? Mr. Dhima replied yes that was part of the package. Selectman Roy then asked and they were all available prior to January 12th? Mr. Dhima replied, I don't know. We started looking for them after the Board denied them the first time. Selectman Roy said, okay, so nobody asked for them prior to the January 12th meeting? Mr. Dhima replied I don't believe so, no. Selectman Roy then said, when you say we started looking for them after the Board denied it, who do you mean by we? Mr. Dhima replied, well I looked into it, Donna looked into it and that's basically one of the emails saying this is not it. Basically emails flying back and forth about what the situation of this is. Is there anything...Selectman Roy interrupted Mr. Dhima asking at whose behest did you start looking for those documents? Mr. Dhima asked Selectman Roy to say that again. Selectman Roy said again, at whose behest, who asked you to look for those documents? Mr. Dhima replied the applicant asked for any information that was available about this. Selectman Roy then asked, but they asked after the January 12th meeting? Mr. Dhima said after the denial. After the denial, correct. Selectman Roy replied, okay so they didn't think they needed to provide any of that prior? Okay.

Seeing no further questions from the Board at this time Chairman Morin said, okay before we move on, it was also brought to my attention that you all received two rather lengthy documents tonight that we have not reviewed and some of them are about some of the topics I already discussed and to tell you the truth I really haven't had a chance to look at what the second one was. Does this Board want to continue with this tonight or do we want to defer this so everybody can review this new documentation? Selectman Roy said I prefer to defer so that we have enough time. The Chairman asked is that a motion Selectman Roy? She replied yes. Chairman Morin said motion on the floor by Selectman Roy seconded by Selectman McGrath. Any further discussion? Seeing none, all those in favor? Motion carried 5-0.

At this time Chairman Morin asked for a motion to go back to the regular order of business. Selectman Roy made this motion, seconded by Selectman McGrath. Carried 5-0.

5. Zoning Board of Adjustment - (5 vacancies - 1 member term to expire 12/31/21; 4 alternate terms. 3 to expire 12/31/23, 1 to expire 12/31/22)

Chairman Morin recognized Normand Martin and asked him to come forward, state his name and tell the Board a little bit about him. Mr. Martin said, good evening Mr. Chairman, members of the Board. I'm Normand Martin. I live at 3 Edgar Court. Prior to being elected to the Board of Selectmen, I served, proudly, 14 years on the ZBA as alternate and a member. Proudly I said. When I stated that I don't read lawyers briefs, I stated it because I had evidence in front of me at the time. Apparently I shouldn't be appointed to a board because I'm volunteering, but I served that Board 14 years plus an additional five years where I was elected to the Budget Committee twice. I still want to serve the Town. I look forward to serving the people and the residents and the developers that come in front of the Zoning Board with due respect and I want to continue to serve. Thank you Mr. Chairman.

Chairman Morin then said, Board's wishes? Selectman Coutu was recognized and asked Mr. Martin, on your 14 years on the ZBA both as a full member and an alternate member, did you ever serve as chairman? Mr. Martin replied, I have. Selectman Coutu asked, how many years did you serve as chairman? Mr. Martin replied, I believe I served two years as the chairman. Selectman Coutu then asked the five years on the Budget Committee does that exclude or include your service as a member of the Board of Selectmen? Mr. Martin replied, that excludes my service of the Board of Selectmen. Selectman Coutu then asked, did you ever serve as chairman to the Budget Committee? Mr. Martin replied, one year. Selectman Coutu asked, have you ever been up on a conflict of interest? Mr. Martin said, well, I was sitting on a Zoning Board case where my neighbor came in for a variance and I stepped down. Pretty simple. I've never been brought up in front of the Ethics Committee for any reason whatsoever. Selectman Coutu then asked has anybody, during your terms of service, both on the Budget Committee and on the ZBA, ever....did you ever have a situation where you were in conflict with either an agreement or with what somebody in the audience might have said that rose to the level of what is perceived by your actions while you were a member of the Board of Selectmen? Mr. Martin replied not to my knowledge. Selectman Coutu asked anything similar to that either on the Budget Committee or the Planning Board? Mr. Martin replied, no sir. Selectman Coutu went on to say, Mr. Martin, if I might Mr. Chairman, for the record Mr. Martin, I'm fully aware of your years of service on both boards. As a matter of fact you helped to rewrite the ZBA bylaws and I assisted you at your request with editing some of the material. I assisted you and I thought we worked well together. I'm aware, as I am for the past 13 years, of most of the people who've served on every board, every commission and every employee in this Town and I value their dedication and their workmanship. I valued your dedication, your volunteerism and your ability to lead when called upon to do so. And you should be proud of that service. Mr. Martin said, I sure am. Selectman Coutu went on to say there is one elephant in the room, Mr. Martin. The elephant in the room is that you made a comment that was somewhat offensive. Could have said a lot worse, but it was offensive. People took it that way. And to this day, knowing how they felt, you have yet to apologize to the people and that bothers me. I make mistakes, I apologize for them. You've heard me apologize for them. Mr. Martin then said, Selectman Coutu, I was at candidate's night and asked that very question. Selectman Gagnon was right beside me and I stated there was no ill will towards anybody. That was the first thing out of my mouth. I have respect for people listening. I have respect to listen to people. I would think that people would have the same respect to listen to the people that were speaking that night. I said it cuz it was the first thing that came out of my mouth. If you're looking for an apology well I'm not here to give one. Selectman Coutu said I didn't ask you to apologize. What I said there's an elephant in the room. Mr. Martin then said and I'm stating to you tonight the elephant can walk out the door cuz I didn't mean anything offensive by it. It was the first thing out of my mouth. It was a sign of disrespected that night and you know it Selectman Coutu. I have the utmost respect for you and I have the utmost respect for every member on this Board and every employee in this Town and every member of this Town. To state that I wasn't re-elected because of that comment is wrong. Selectman Coutu said, I didn't say that. Mr. Martin replied, no you didn't say that, I've heard statements to that effect tonight. So I'm more than willing to continue to serve this Town in the

capacity as a volunteer if you so choose to appointment me. Selectman Coutu then said, Mr. Martin, I know your years of service to this Town. You didn't get paid a dime to serve on either of those committees. You showed up if not all the meetings, I would say perhaps more regularly than a lot of other people you were present at the meetings and from my perspective being an observer, being one who was, when I was initially appointed and then elected to the Board of Selectmen, was an avid watcher of HCTV because I wanted to know the goings on both on the School side and the Town side as well as what our committees were working on and coming before the Town. Sometimes it was an advantage to know that because some of this material would come before the Board.

Selectman Coutu continued said, Mr. Martin here's how I feel. I feel that you made an honest mistake. I said so. I don't know if I used this term but in essence what I said was that it wasn't the right thing to say. And I respect people enough that if I say something to anybody, whether it's you or a member of the audience or whoever, and I feel they were offended by it and I know they're offended by it because they confront me with it, I will apologize. Because they were offended. I still believe that you own them an apology, but I know your years of service and that has value. I'm willing to forgive your oversight and if a motion is made, and if I have to make it I will, to appoint you to the ZBA. 14 years of dedicated, committed, and honest service is merit enough for me to want to reappoint you and I know a lot a of people are not going to like me for doing this. They probably like me, they just don't like this action but I think it's the right nothing to do and I will support your nomination. I thank you for your integrity and thank you for volunteering to serve our town one more time.

Chairman Morin asked, anyone else? No other Board members wished to speak. The Chairman went on to say, Mr. Martin, along with Selectman Coutu, when you made your comment, it shocked me. I've got to admit to it. But I also know you and through discussions we've had things have both been said that way between us both. I get it. It happens. It's the moment you know I've come close several times. Just haven't gone that far. There was another situation that you were a part of that you made a mistake and we had a discussion with the Board and you went forward and corrected that because you saw your ways and we're very appreciative of that. So I know you care and you want to do the right things. I fully agree with that. Fully understand that. I'm aware, being in the Town for a long time how much you have done working on all these committees. I've seen you on the Budget Committee, you take it seriously. Zoning is your thing. I've seen how serious you've taken it. Selectman Coutu had highlighted all of that so I'm not gonna hit on it again. I too believe this Town is hurting for volunteers and we see it every single day if you look at all of our committees we don't have the people to properly serve our Town. And we have somebody who wants to, who has the knowledge to, and has the fortitude to move forward and do something good for the Town. You made a mistake. Everybody makes mistakes. Things get said. I too will support it if it comes up as a motion to move you forward. Chairman Morin then asked, what is the will of the Board? Selectman Coutu made a motion so appoint Normand Martin as a member of the Zoning Board of Adjustment for one member term to expire 12/31/21. Chairman Morin asked, is there a second? Seeing none, Chairman Morin seconded the motion. Chairman Morin asked if there was further discussion and recognized Selectman Gagnon. Selectman Gagnon said, Normand, I'd just like to say I know it's tough to sit up there. I'll make this really short. I commend you for sitting there and listening through all of this. That's all I have to say, thank you. Selectman Coutu asked the Chairman for a roll call vote. Motion failed 2-3 with Selectmen Gagnon, McGrath and Roy in opposition.

Chairman Morin went on to Consent Items and asked, does any Board member wish to remove any item for separate consideration on consent items?

Selectman Coutu made a motion, seconded by Selectman Roy to approve consent items A, C, D, & F as noted and appropriate. A roll call vote was taken. Carried 5-0.

Selectman Coutu made a motion, seconded by Selectman Roy, as a result of Selectman Gagnon being a new member. He wasn't present for the two meetings in acceptance of minutes. So he could abstain on the motion, a motion was made to approve Consent Item E as noted and appropriate. Carried 4-0 with one abstention.

6. CONSENT ITEMS

Assessing Items

- 1) 1 Elderly Exemption - Map 156, Lot 006, Sub 033 - 2B Doveton Lane; Map 168, Lot 002, Sub 021, 33 Krystal Drive; Map 234, Lot 026 - 5 Steele Road
- 2) Blind Exemption - Map 191, Lot 069 - 37 B Street
- 3) Veteran Tax Credits - Map 156, Lot 063, Sub 101 - 709 Elmwood Drive; Map 190, Lot 074 - 4 Stanley Drive; Map 168, Lot 108 - 18 Frenette Drive; Map 174, Lot 082 - 80 Ferry Street
- 4) All Veterans Tax Credits: Map 197, Lot 154 - 18 Hemlock Street; Map 234, Lot 042 - 2 Davenport Road
- 5) Disabled Veteran Tax Credit: Map 166, Lot 025 - 8 St. Johns Street
- 6) 2020 Property Tax Supplemental Tax Bill: Map 186, Lot 26 - 61 Speare Road
- 7) 2020 Property Tax Supplemental Tax Bill: Map 168, Lot 14 - 12 Madison Drive
- 8) 2020 Property Tax Supplemental Tax Bill: Map 168, Lot 2-3 - 34 Krystal Drive
- 9) 2020 Property Tax Supplemental Tax Bill: Map 175, Lot 34-3 - 8 Village Lane
- 10) Certification of Yield Taxes Assessed/Timber Warrant: Map 102, Lot 010 - 171 Old Derry Road

B. Water/Sewer Items - none

C. License, Permits, Policies - none

D. Donations

\$435.00 from Hudson citizens for the care of Haven the HPD Comfort Dog

E. Acceptance of Minutes

- 1) Minutes of the January 30, 2021 Meeting
- 2) Minutes of the February 23, 2021 Meeting

E. Calendar

3/24 7:00 Planning Board - Hudson Community Center
3/25 7:00 Zoning Board - Hudson Community Center
4/07 8:30 Highway Safety Committee - Buxton Meeting Room
4/07 7:00 Budget Committee - Hudson Community Center
4/12 7:00 Conservation Commission - Hudson Community Center
4/13 7:00 Board of Selectmen - Hudson Community Center

7. OLD BUSINESS

A. Votes taken after nonpublic session March 2, 2021

1) Selectman Coutu made a motion, seconded by Selectman Martin to adjust the Recreation Director, Chrissy Peterson's salary from \$52,000 per year to \$62,200 per year effective March 23, 2021. A roll call vote was taken. Carried 5-0.

2) Motion to adjourn at 9:14 p.m. by Selectman Martin, seconded by Selectman Roy. A roll call vote was taken. Carried 5-0.

8. NEW BUSINESS

A. Hudson Speedway 2021 Permit

Chairman Morin recognized the Town Administrator who explained, typically the Speedway permit is done under the consent agenda but due to all the discussion we had this year I put it out separate just so the Board understood that Mr. Bosowski is looking to get a standard permit this year. He will not be doing the beer tent that he came to speak to you about. There's a letter in your packet to that effect. He's basically looking for his standard race package which is Sunday's and holidays. He's also looking for the Hudson Heroes Driving School which would be on Thursday's which I believe you've all assented to, or you've all agreed in principal to. So I just thought it was appropriate to do a separate motion to approve the Hudson Speedway Racing license and the Hudson Heroes race program for this year. I thought it would be appropriate to do it separate. The Chairman asked if there were any questions. Selectman McGrath said just to clarify, the Hudson Heroes Driving School the hours are going to be 3:00pm to 7:30pm. Mr. Malizia said that is correct. That would be the young students coming in different time frames. Selectman McGrath then said because this packet has other documents which refer to other hours, other days. So I just want to clarify. The Town Administrator said it's the document at the top of the packet that is correct. Selectman Roy said I just want to be clear it's not the expanded thing that we had several public hearings on but we did not change the ordinance. Mr. Malizia said, we did not change the ordinance. It's the standard license of Sunday's and holidays. Selectman Coutu made a motion, seconded by Selectman Roy to approve the Hudson Speedway license to operate a motor vehicle racetrack for the 2021 racing season and for the Hudson Heroes Driving School with the conditions required by the Police Chief and the Inspectional Services division and subject to the State of New Hampshire Covid-19 state emergency restrictions. Carried 5-0.

B. HPD Request to Apply for A.C.E. Grant

Chairman Morin recognized Captain Cayot of the Hudson Police Department. Cpt. Cayot explained I'm here requesting approval to apply for the Alcohol Compliance Education Grant through the New Hampshire Division of Liquor Enforcement and Licensing. This grant would allow us to work with the NH Division of Liquor Enforcement and Licensing to conduct compliance checks at the 55 liquor licenses in the Town of Hudson. The anticipated funds we'd receive is approximately \$910.00 for this grant if we apply and are accepted for it. Selectman Coutu was recognized and asked, we had this grant last year and previous years? Cpt. Cayot replied, yes we have worked with them before. Selectman Coutu then asked, has it been successful in the past? Cpt. Cayot replied, yes it has. Selectman Coutu asked, how have the compliance checks been in the past few years? Cpt. Cayot responded, the one we did last year, all of but five were in compliance. Selectman Coutu asked, typically are they required to take a class if they're not in compliance with the alcohol beverage control? Cpt. Cayot replied that is correct. Selectman Coutu asked, have the five completed the class, the five that were found to not be in compliance? Cpt. Cayot replied to my knowledge they have. That part is done by the NH Liquor Commission but they would have notified us if that hadn't been the case. Selectman Coutu made a motion, Seconded by Selectman McGrath, to authorize the Hudson Police Department approval to apply for the Alcohol Compliance Education A.C.E. Grant through the New Hampshire division of Liquor Enforcement and Licensing with anticipated funds of \$909.60. Carried 5-0.

C. Town Moderator Election Wrap

Chairman Morin recognized Town Moderator Paul Inderbitzen. Mr. Inderbitzen said, good evening ladies and gentlemen. First of all I'd like to thank some people who made the Town and School elections runs smoothly given the pandemic procedures we had to implement and the difficulties they presented in holding an election. My staff and the Supervisors of the Checklist. Their work and dedication was very much appreciated and they put in extra time training and going through extra meetings that we don't pay them for so I appreciate that. Many of them helped out in the absentee process, coming in extra hours. Also the members of the Hudson Women's Club helped out before, during and after the election doing some of the statistical work and the counting that needed to be done. I appreciate Select Board members Morin and Roy for their presence and help and also the new Town Clerk, Roger Ordway, who jumped right in and provided and right to learn the election process. He's still learning and I'll be helping him with that. The DPW staff set up and took down the polls. The Fire Department for the use of their pop up tent. As well as Wayne Madeiros our custodian who was always there and responded if I had anything to ask for. He's a real Town treasure. He does a lot of work. Thanks to Police Officer Golacki and Det. Dang for standing at the door all day and making sure things went smoothly. And in particular the HCTV staff who had to take down all their equipment so we could hold the election then put it back up the next day for a meeting that night. I know it was a major inconvenience for them. It's unfortunate that the Hudson voters do not consider Town and School elections as important as the national ones. As you'll see from the information I sent you, we have 20,325 registered voters and only 3,031 voted in the election. A turnout of 14.9%. Perhaps there was some voter fatigue with the cycle of the national election. I'm not sure. As you'll see from the statistics, we processed 222 voters per hour through the checklist. So it wasn't our busiest election but it gave the new people a chance to see how election goes when things aren't so crazy like they were in November.

Moving on to the future. Since the voters approved an additional voting location the law assigns to you, the Board of Selectmen, to the requirement to create the districts. I've checked with the NRPC Director to ask if they had population information. They do, they have it based on the censuses. They have statistics down to the block level. So my suggestion would be that you seek a proposal for them to create in the assistance of the districts. It will be helpful. But it is your responsibility. We should not wait too long to start this process because it takes a while to figure it out and then get the information out to people. Part of the process would be to determine where the best location for a second polling

place would be and how to administer two places. I'm also looking into how we could set up two places with the voting equipment taking up space in the Community Center here I'd like to consolidate some of that equipment in such a way to make it easier to transport the supplies to both here and a second location. I think we can get into that later. But I would think that we should start talking about that. Right now it takes up space and has to be moved around. We did have one of our boxes broken in the transport to the Memorial School. Luckily I got LHS to switch out a box for us. So I will answer any questions you might have about the statistics I sent you. If anybody has any questions.

Selectman Gagnon was recognized and said two questions for you. You talk about the census data and NRPC. If we outsource this to NRPC to do some of this work, are they going to use the old census or will they have the new census data from 2020? Mr. Inderbitzen replied, well he told me that he wasn't sure if they'd have the new data yet. There's going to be some delay in getting it out. But I think how critical is that gonna be? I don't know what their data is. I don't know if it's the census data or if they update it with assessments and stuff like that. But Jay Menkara, we've used him before in terms of a traveling planner. They're easy to work with. A nice group of people and I don't know anybody else that would have that kind of assistance. There are planning groups, you could hire a company to do that but I think NRPC does our region. We pay dues to them and we should utilize them. Selectman Gagnon then said, just to clarify, I do support them, I was just curious if the new census data would have a drastic effect or not. The Moderator replied, he didn't know when they would have that data. Selectman Gagnon then said, one more Mr. Chairman, just looking at your statistics, and for the public to know, it was quite sad March 2021 had 14.9% turnout the lowest turnout in like 10 years. So that's pretty unfortunate. So with that in mind and seeing that we did vote for a secondary voting location, to ask the question, could this ever be reversed back to one voting location if that is possible, what poor statistics would we have to hit before it would just make sense to go back to one? The Moderator replied, well for the state elections I would think two would probably work. Even in '22 we'll have a state election and a state primary. Now the state primaries are usually pretty lite like 2,200-2,500 people show up for a state primary as it's mostly for the parties, though the undeclared can come in and vote on that. Even the state election with governor and a US senator and a representative, those are usually more heavily attended. Then of course the presidential every four years. So we would have to take a vote at Town meeting to revert back to one. My question I'm going to be asking the Secretary of State and exploring this possibility is can we designate one location as two spaces? Can we do district one here? The district 2 her for those light elections where we don't expect a lot of people. I don't know if that's legal or not. Also there's a whole bunch of laws about elections being proposed and battered about up in Concord. Who knows how that's going to affect us.

Chairman Morin asked, wouldn't schools be the way to go now? The Moderator replied, well you want some place consistent. Even when we had Memorial in November there were a handful of people that showed up here. We had signs out and everything but people came here first. But people do get locked into a certain place to go. We do need to think of that. A school would probably be best especially if we're splitting it. As long as we have sufficient parking for half of what we have we could do that. The furthest south we have a school is Nottingham. Then we'd have to ask the School Department and plan ahead on that. Chairman Morin said, and you just said we need to start educating people now so we can work on the people that come here. No matter what we put out, people are still gonna come here. It's gonna happen. But after a while we use the same school and it becomes second nature. So we'll cure that problem over time. is it better that we put a committee together and then that committee can report to the BOS on how we're gonna do this? Mr. Inderbitzen said, I think that probably is a good idea. I was considering a committee of my own staff, assistant moderator and ballot clerks to talk about how we would do this. And just get some feedback from them. The Town Clerk needs to be involved in that. I think it would be worthwhile to have a group that meets on a regular basis. The law requires the Board notifies the people of what district they're in at least 30 days before the election. That's in the law there. I'll send you a copy of the relevant thins about a second location. Chairman Morin said, to tell you the truth I think we're gonna need 30 days, 60 days and 90 days to make sure our citizens are educated on where they got to go.

Selectman Roy said, so I just want to, you had talked about maybe having district one and two here but wouldn't making the split just the split until it's turned over by the Town Meeting more? The Moderator said if we can do it consistently then I think that's better. I was going to explore that possibility. We had 3,000 people show up here and we didn't have any problems. We had eight checks ins. If we have four here and four someplace else it's gonna be the same at least in activity. Selectman Roy said, I just think it would be problematic to say you come here to vote in this election and then here for this other election. You know to be consistent and to kind of cut the cord on having one voting location. The Moderator agreed. Chairman Morin then asked anybody want to make a motion to form a committee to come up with the plan for the elections and report back to the Board of Selectmen? Selectman McGrath made that motion. It was seconded by Selectman Roy. Carried 5-0.

D. Town Wide Paving Contract

Chairman Morin recognized DPW Director, Jess Forrence. Mr. Forrence said good evening. The proposal you have before you tonight is pretty much the same as last year. Public Works is looking ot extend the Brox paving 2022 contract. As you read down through it, they are proposing a \$1.00 increase. Of course the concern, just like everybody else is the cost of oil. They feel very comfortable with that. So do I. they're pretty good at holding things, even if it goes up above \$1.00. if it continues going up they said they'd come back to us and I said if you do that then I will come back to the Board. So the escalation, if it goes above what's approved, and I still have to keep everything into a bottom line. We've taken worse to best. Worst being done first. Things that might come up, we've included in the contract also. But in the proposal I gave you, I always compare with other towns. What they are paying for paving. Usually across the bridge and it shows where they are right now. We've done Salem, which is even more expensive. So between the paving, the reclaiming and the milling, we have proposed, and what Nashua has in place, we should be over \$100,000 in savings. Seeing no further questions Selectman Coutu made a motion. Seconded by Selectman Roy to waive the bid process and accept the offer from Brox Industries to extend the town-wide paving contract for fiscal year 2022. Carried 5-0.

E. Lease Agreement - LED Streetlight Project

The Chairman recognized Town Administrator, Steve Malizia. Mr. Malizia said, this is lining up the financing, lease purchase financing which will be spread out over three years for the LED project that the Board approved. We had to go through contract with the contractor. Once we resolved that we went through the financing with the finance company. Our Attorney has reviewed this agreement and finds it to be appropriate. But I need a resolution from this Board so we can sign the documents, get the escrow payments made and get the project in full swing. Selectman Roy made a motion. Seconded by Selectman Gagnon to approve the resolution of the Town of Hudson authorizing the execution and delivery of a master equipment lease purchase agreement with respect to the acquisition, purchase, financing and leasing of certain equipment or capital items for the public benefit authorizing the execution and delivery of documents required in connection therewith, and authorizing all other actions necessary to the consummation of the transaction contemplated by the resolution. The full text of the resolution on page two and three is hereby adopted and approved by the Board of Selectmen. Carried 5-0

F. Involuntary Merged Lot - 4 County Road

The Chairman recognized the Town Administrator who explained, you have an application in front of you from Alan Ray properties for the restoration of involuntary merged lots pursuant to RSA 674:39-aa the lot is identified as Map 198, Lot 29, 4 County Road. The applicant submitted the documentation

you have in your packet. The documentation was reviewed by Land Use, Zoning, Town Planner, Town Engineer, the Town Assessor. Once they determined that it appeared that the lot was involuntarily merged we reviewed it by the Attorney. He's in concurrence so in effect, I recommend that you approve the application for the restoration of Map 198, Lot 29. Selectman McGrath was recognized and said, I just have a couple of comments. I looked over the documents and it's hard to discern who the owner is. It's a signature, there isn't a printed name. It says manager behind the signature so that's not the owner. I wouldn't think. Then the document to whom it may concern it's the same thing. You can't discern who the signature belongs to. So I can't vote for this not knowing that information. Selectman Roy pointed out where the owner was listed to Selectman McGrath. Selectman Roy went on to say it states on the application for restoration the owner's name, Alan Ray Properties. The fourth page up at the top it says the owners name, Alan Ray properties. I'm assuming that's the owner. The Town Administrator said, yes, that is the entity that owns it. If you go look down on the book and page data it appears that the managing or the trustee of the property is Donald Dumont. Selectman McGrath then stated so that's not clear by what I found in this document. In any event, that's my concern. And it's true of any other document. Planning Board they submit information to Planning Board and if it's not clear I can't vote to approve it. In any event, I'll be a no vote on this. Selectman Roy made a motion, seconded by Selectman Gagnon to approve the application for the restoration of Map 198, Lot 029, 4 County Road as three separate lots of record. This action is taken pursuant to NH RSA 674:39-aa. Carried 4-1 with Selectman McGrath in opposition.

G. Appointing of Town Treasurer

The Town Administrator was recognized and he said, at the Town Meeting that was held on March 10, 2020, the voters approved changing from an elected Town Treasurer to an appointed one in accordance with RSA 41:26-e. The voters also authorized the Board of Selectmen as the appointing authority. Reading further in the statute it basically says that the incumbent that was just elected last year holds the office until the next election, which you just had March 9th. So therefore a motion is needed to appoint a treasurer. I'm recommending that you appoint Rachel Burnell, who was originally appointed by this Board in November of 2019. She was subsequently elected by the people on March 10th 2020. So it's my recommendation you appoint Ms. Burnell to the position of appointed Town Treasurer effective March 23, 2021 with a term to expire on March 23, 2024 at an annual stipend of \$7,500 which has been the budgeted stipend for the last 20 years. Selectman Roy asked, she's willing to serve? To which the Town Administrator replied yes. Selectman Coutu made a motion, seconded by Selectman Roy to appoint Ms. Burnell to the position of appointed Town Treasurer effective March 23, 2021 with a term to expire on March 23, 2024 at an annual stipend of \$7,500. Carried 5-0.

H. House Bill 111 - Eliminating Municipal Immunity

The Chairman recognized the Town Administrator who said, NHMA has brought House Bill 111 to our attention. Basically House Bill 111 eliminates various immunities from law suits that protect their local officials and employees from tort liabilities for good faith decisions made in the performance of their duties. NHMA has provided some examples in the handout I provided you. NHMA is asking us to contact our representatives to have them vote no on this bill. It's actually made it out of committee and I believe it will be coming up for a vote on the floor. It has some implications for all of you and for all the Town employees. So the concern is that if the municipal immunity goes away we'll have a difficult time for our police officers, our fire personnel, EMT personnel, and Board members who could be subject to individual liability lawsuits. So it is recommended by NHMA that we send correspondence to our legislatures asking them to vote no.

Selectman Gagnon was recognized and he said Mr. Malizia, can you explain a little bit of the now and the proposed then. With our liability I think we had a discussion about gross negligence now we could

be held liable but generally speaking the volunteers at least at this table are protected. What would this do, could you give a scenario? The Town Administrator said so as I understand it I'll give you an employee example but like Police, if they arrest the wrong person under good faith they could be liable. That officer could be liable for that decision and could be terminated from his or her employment. Again there's some other cases here that the NHMA puts out there. Let's say a building inspector on good faith denies a building permit or does something in the field that decision was reversed by a court he could potentially now faces a liability from someone who wants to file a lawsuit. He or she could be terminated from their position. It's a big shift from what currently is out there now if you're performing your duties in good faith. Doesn't mean people can't currently sue people it just means if you're making good faith decisions you have some immunity. There is that protection. This bill appears to be removing those protections as NHMA understands it and as they've conveyed to us.

Selectman Roy said this is a huge, huge departure of what is traditionally a standard for filing a suit against a municipality. I can't advocate strongly enough that we contact our state reps in opposition to this bill. It will open us up to just crazy stuff that I can't even imagine. You know? Yeah, I can't advocate enough that we oppose this bill.

Selectman McGrath made a motion, seconded by Selectman Roy to send a letter to our Hudson State Representatives asking that they either vote to declare House Bill 111 inexpedient to legislate or to vote no on the bill. Carried 5-0.

I. Nomination and Appointment of BOS Chairman and Vice Chairman

Chairman Morin said the best part of the night. Before we go further, I want to tell the Board that since I got up this morning looking in the mirror my hair has been getting blonder, the grey's been going away. So I've been looking forward to this all day. But I do want to thank you all. It's been two years. It was a rough two years. It really was. I appreciate you putting me back into Chairman for the second year due to the fact of what was going on in Town and that you believed I could make sure we got through it as we did. Without this Board we wouldn't have. Without Mr. Malizia and specifically our employees, our Department Heads, and Chief Buxton this would have been a very miserable year for this Town. We did very, very well. We came out of it pretty much unscathed. Yeah we did have some people that did get effected by it but everybody made it through safely and everybody is healthy today. The Town really didn't suffer financially due to the work of Chief Buxton and the EOC recouping a lot of the money we would have lost. So again I just want to thank you and I want to certainly say good luck to the next chairman it's all yours.

Chairman Morin then asked any motions? Nominations? Selectman McGrath made a motion to nominate Selectman Coutu as Chairman of the Board of Selectmen. Chairman Morin asked for a second. Seeing none Chairman Morin seconded the motion. Chairman Morin then asked, any other motions? Any other nominations? Selectman Gagnon made a motion to nominate Mrs. Roy as Chairman, Sir. Selectman Roy seconded this motion. There was no discussion. Chairman Morin took a vote on Selectman McGrath's motion to nominate Selectman Coutu as Chairman, which was seconded by Chairman Morin. Carried 3-2 with Selectman Gagnon and Selectman Roy in opposition.

Chairman Morin then said motion on the floor by Selectman Gagnon to nominate Selectman Roy as Chairman. Motion failed 2-3 with Selectmen Morin, McGrath and Coutu in opposition.

Chairman Morin said, Vice Chairman any motions? Selectman Coutu made a motion to nominate Selectman McGrath as Vice Chair. Chairman Morin seconded the motion. Carried 4-1 with Selectman Gagnon in opposition.

Chairman Morin said, congratulations to Selectman Coutu and Selectman McGrath.

9. REMARKS BY THE SCHOOL BOARD - Mr. Gasdia was recognized and said first off to outgoing Chairman Morin and Vice Chair Roy, thank you for the great partnership. I agree with everything Mr. Morin said about the work that was done last year to get us through and the Town. We all owe you a great debt. And to the new Chairman Coutu and Vice Chair McGrath congratulations. Looking forward to continuing th partnership and working together. Speaking of that you know, our Covid stats in the schools are really good. The big news over the last two weeks was the vaccinations. Again, he's already been praised once but it wouldn't have happened without Chief Buxton. He and our Superintendent among others working together. So as of now all of our staff has been vaccinated once. They'll be vaccinated again by the end of the month. So things are looking up.

With that spring sports will be starting soon. Looking forward these are being outdoor sports. We're very confident that we'll be able to get full seasons in for all fo them so I know a lot of the students are looking forward to that. In a piece of good news, if you watched the School Board meeting you already knew this but our Special Ed Director, Rachel Bourge was named the Special Ed Director of the year for the entire state of New Hampshire. So congratulations to her for all the good works she's doing and for all of the folks in the District that work in that department. That's never an easy job but in these circumstances it's even more so. Finally to all the students taking the SAT's this week, good luck.

10. REMARKS BY THE TOWN ADMINISTRATOR - Just a couple of quick things. You know spring is here when the street sweeper is out. So the street sweeper is out in the middle of Town right now. It will then proceed to the north end of Town first then go to the south end second. It alternates every year. This year the north end is first, the south end will be second.

I just want to let the residents know too, that there's a New Hampshire emergency rental assistance program that if you go onto the Town's webpage at www.Hudsonnh.gov there are resources for folks having difficulty with rent, utilities. It's a state program, I just wanted to point out the link to you. It's for eligible residents who can't pay their rent or utilities due to Covid. I just wanted to point out that resource is on the front of our webpage. It just came up so if people need to click on it and see what they qualify for I recommend they do so.

11. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Gagnon - I have nothing this evening

Selectman McGrath - nothing this evening

Selectman Roy - First I want to welcome Selectman Gagnon to the dais. Congratulations on your win. I want to thank Dave for his leadership throughout the Covid-19 crisis and his leaderships in the Chairman Board. I think that we've made a lot of strides with the help of our employees, particularly Chief Buxton, we've done very well with the Covid-19 pandemic. So again, thank you for your leadership, I look forward to continuing to serve.

Selectman Coutu - Thank you Mr. Chairman. Mr. Gagnon, I welcomed you when we first sat at the table this evening. As you will see as time goes on it is not always as it appears sometimes. And having served yourself as a volunteer for our community and the examples that were show to you by

your father. With his commitment to the Town of Pelham you've had a good mentor. So we look forward to working with you and I hope we'll work together, continue to work together as a team.

Selectman Coutu went on to say, Covid is not behind us. It's an emergency crisis but it's in abeyance. We'll get there. The news from the school system tells me that we've made tremendous strides with regard to containing the virus as best we could for a municipality that draws in an awful lot of people from across the border. I want to thank my peers, the majority of my peers, but I'm sure, I hope to win over Selectman Gagnon and Selectman Roy. I thank you for your confidence to serve you as your chair. This is not new to me, I've done it several times before. I know I have a good working relationship with every municipal department head as I've come to know them very well over the period of time I've served on the Board of Selectmen. I enjoy working with them and I made every effort possible to visit Town Hall on a regular basis and walk in and out of offices. I'm not as generous as Selectman McGrath, I don't walk around with a bag of goodies, and I feel guilty and maybe I should. But she's always bringing something delicious for the employees and when I go in the office they all ask me when is Selectman McGrath coming. She's not just there for the goodies. Like me and like all of us when we go into an office I'd hope we'd all be respectful and have some gratitude for the amount of work that goes into running a municipality. You'll find that out Mr. Gagnon. Lastly, Jill, do you have the municipal assignment sheets for the Board of Selectmen? Are those ready tonight? Ms. Laffin replied, they're not ready tonight. They're on the next agenda. Selectman Coutu said, okay it will be in your mailboxes for your committee assignments. Just let me know what you're interested in and I'll do the best I can to accommodate you.

Mr. Chairman, last but certainly not the least. You learn very well my son. You served two years, I am so proud of you Dave. We've done so much together over the years. We're going to continue to do so much. Hopefully the Board will join us. We have our annual food drive. This year we're going to celebrate the 20th anniversary of 9/11 so we're going to work on that diligently. I'm gonna put the wheels in motion. I've talked to the girls in the office, did I speak to you about it? I don't want to get caught lying on the first night. I talked to them about preparing and sending out invitations for the anniversary. Hopefully Covid will be completely abated by then and we can gather as a community to remember 9/11. I invite all of you to come to Benson Park and be with us on September 11th to help celebrate the 20th anniversary. We committed never letting anyone forget as long as we breathe a breath on this earth. We will not let people forget that we were attacked on our soil and it was for the very first time that our United States were attacked so we're committed to remembering that. We will have a memorial celebration.

Chairman Morin your leadership was exemplary and I applaud you for that from the bottom of my heart. I don't think people know how much your put in. I'm glad you're longer chairman. I don't have to answer 22 calls a day. But I'm gonna make sure I return the favor. Thank you sir.

Chairman Morin - Again, I just want to thank you all. School Board, Mr. Gasdia, for all their help, but I did forget two people. I forgot to thank them and they basically run the Town even though we think we do and Mr. Malizia does. That'd be Lorrie and Jill. They actually run the Town and I appreciate everything you guys have done also, thank you.

12. NONPUBLIC SESSION

The Town Administrator said, the Chairman will entertain a motion to go into non-public under RSA 91-A: 3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

Motion by Selectman McGrath at 8:59 p.m., seconded by Selectman Coutu, to go into non-public session. A roll call vote was taken. Carried 5-0.

Chairman Morin entered Nonpublic Session at 8:59p.m. thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman Morin entered open session at 9:31 p.m.

1) Selectman Roy made a motion, seconded by Selectman Gagnon to seal the nonpublic minutes from the March 23, 2021 Board of Selectmen meeting. Carried 5-0.

2) Selectman Roy made a motion, seconded by Selectman Gagnon to deny the Town Clerk/Tax Collector's request to increase the position salary from Step 1 to Step 3. Carried 5-0.

13. ADJOURNMENT

Motion to adjourn at 9:32 p.m. by Selectman Coutu seconded by Selectman Roy. Carried 5-0.

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

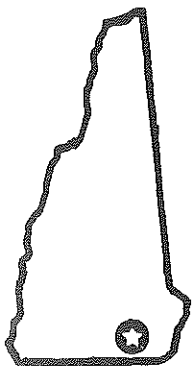
David S. Morin, Chairman

Kara Roy, Vice-Chairman

Marilyn E. McGrath, Selectman

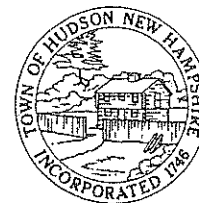
Roger E. Coutu, Selectman

Brett Gagnon, Selectman



TOWN OF HUDSON
Office of the Town Administrator
12 School Street
Hudson, New Hampshire 03051

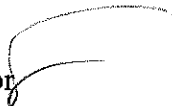
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4-13-21



Stephen A. Malizia, Town Administrator – smalizia@hudsonnh.gov – Tel: 603-886-6024 Fax: 603-598-6481

7B

To: Board of Selectmen

From: Steve Malizia, Town Administrator 

Date: April 7, 2021

Re: Hudson Logistics Center Request for Reconsideration – Sewer Allocation

At their meeting on March 23, 2021, the Board of Selectmen deferred discussion of a request for reconsideration of the Hudson Logistics Center sewer allocation that was filed by Attorney Manzelli on behalf of her clients until members of the Board could review the information presented by Attorney Manzelli. I am attaching a copy of the request for reconsideration from Attorney Manzelli along with the documents that she provided to support her request so that the Board can discuss Attorney Manzelli's request for reconsideration.

Should you have any questions or need additional information, please feel free to contact me. Thank you.

March 23, 2021

Via Email & Hand Delivery
Town of Hudson Board of Selectmen
bos@hudsonnh.gov

Re: Further Support for Request for Reconsideration of New Sewer Allocation

Dear Members of the Selectboard,

I write again on behalf of more than fifty Hudson households about the Selectboard's 1/26/21 decisions to reconsider and then to approve a new sewer allocation. In summary, the Selectboard made legal errors in its actions on 1/26/21 when it allowed reconsideration and when it voted to grant a new sewer allocation. The first error was that the Applicant did not provide anything new or argue any legal error, so the Selectboard should not have granted reconsideration. The second error was that the Applicant did not prove the legal requirements, so the Selectboard should not have voted to approve the new sewer allocation. Please make this letter a part of your record in this matter.

Procedural History

By way of background, this matter involves a request from Hillwood Enterprises, L.P. ("Applicant") (and of the Friel Family) for the Selectboard to approve the Applicant's 1/5/21 request for a new sewer allocation ("Sewer Request"). Applicant made the Sewer Request in connection to Applicant's proposal to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 ("Property"), into the proposed Hudson Logistics Center ("Proposed Project"). On 1/12/21, the Selectboard denied the Sewer Request. On 1/26/21, the Selectboard granted the Applicant's request to reconsider the Selectboard's 1/12/21 denial. Upon reconsideration that same evening, the Selectboard then voted differently on the merits, voting to approve the Sewer Request ("Decision"). By my letter to the Selectboard of 2/5/21, my clients respectfully requested that the Selectboard reconsider the Selectboard's 1/26/21 vote to approve the new sewer allocation and then, upon reconsideration, vote to deny the new sewer allocation. These requests from 2/5/21 are the requests now pending before you.

Notice & Tonight's Agenda

I note that this matter is not on the published agenda for your meeting tonight (https://www.hudsonnh.gov/sites/default/files/fileattachments/board_of_selectmen/meeting/47021/bos-a2021-03-23.pdf). In reliance on that agenda, I will plan to not participate in your meeting tonight. As I have requested previously, please provide me with advance notice of when the Selectboard plans to take up my request so that my clients and I may participate in the meeting.

Summary of Legal Argument & Materials

I summarize here the content of the materials I have submitted to date to ease your consideration of this matter based on the totality of information I have presented on behalf of my clients. A copy of each of these is also attached to this letter.

1. January 12, 2021 letter from me to the Selectboard:
 - a. Request for new sewer allocation lacks sufficient information, please deny:
 - i. Hudson law: new sewer allocations generally not allowed but may be granted only in narrow exception: when doing so is essential for the public health, safety, and welfare of the Town of Hudson;
 - ii. No supporting evidence that 195,800 gallons per day of sewer allocation currently available;
 - iii. No information about long-term maintenance costs to the Town;
 - iv. No information about a Main Line Extension Agreement, which ought to be required and provided as part of the process;
 - v. Expectations claimed to be developed on the part of the Friel family in the early 1990s do not supersede current Town of Hudson laws;
 - vi. No information to support all three parts of the legal requirement: public health, safety, *and* welfare of the Town of Hudson;
 - vii. Provision of goods (proposed use requiring new sewer allocation) is not essential for the public health, safety, and welfare of the Town of Hudson; and
 - viii. No information about alternatives, such as handling sewer on-site.
2. January 26, 2021 letter from me to the Selectboard:
 - a. Requested the Selectboard affirm its January 12, 2021 decision to deny a new sewer allocation:
 - i. Applicant provided no new information in its request for reconsideration, only documents corroborating information it already provided;
 - ii. Selectboard made no error;
 - iii. The Property being outside of the sewer system boundary is a final, unappealable determination from last September;
 1. Enclosed Town records that Property is outside of the sewer boundary;
 - iv. New sewer allocation for the Property is not a vested right; and
 - v. Applicant requests a new sewer allocation but still does not meet the requirements.
3. February 5, 2021 letter from me to the Selectboard (“Request for Reconsideration”):
 - a. Requests reconsideration of the Decision:
 - i. The prior decision that the Property is outside of the sewer system boundary is a final, unappealable determination from last September;

- ii. New sewer allocation for the Property is not a vested right;
 - iii. The Applicant requests a new sewer allocation but still does not meet the requirements; and
 - iv. Incorporates by reference and encloses copies of my prior letters of January 12 and 26, 2021.
4. March 19, 2021 letter from me to the Selectboard:
- a. Requests action on the Request for Reconsideration; and
 - b. Argues that the Selectboard is authorized to reconsider the Decision.

Reconsideration Authorized for Either New Evidence or Legal Error

With respect to the standard for reconsideration, the Selectboard is authorized to reconsider its 1/26/21 Decision. As analyzed in my 1/26/21 letter to the Selectboard, the Town of Hudson Selectboard By-Laws do not address requests for reconsideration. Looking to other legal sources, generally, reconsideration “should be granted only if the petitioner can demonstrate that the board committed technical *error or* that there is *new evidence* that was not available at the time of the first hearing.” 15 Land Use Planning and Zoning § 21.18 (citing New Hampshire Office of State Planning, *The Board of Adjustment in New Hampshire, A Handbook for Local Officials*, at 56-57 (1997)) (emphasis added.) Based on the Selectboard’s record, it appears that the Selectboard uses this “error” or “new evidence” standard with respect to requests for reconsideration. Use of this standard is legally correct.

By definition, “new” means evidence that evidence that has recently come into existence. *See Merriam Webster Dictionary*, <https://www.merriam-webster.com/dictionary/new>, visited 3/23/21. When the Applicant requested reconsideration, the Applicant provided no “new” information. Instead, the Applicant belatedly provided documents it should have provided earlier but did not. The documents it provided when it requested reconsideration are the very antithesis of recently having come into existence. They are not new. In fact, in some cases, they were approaching half a century old. The Applicant showed no good cause why it could not have obtained and provided them earlier. Moreover, those documents only corroborated information from 1991 that the Applicant provided already in connection to the Selectboard’s original consideration of the Sewer Request. Accordingly, through its course of conduct, the Selectboard has set a low bar for this threshold for reconsideration, very loosely (indeed perhaps unlawfully) interpreting the requirement for “new.”

As an aside, I note that at the 1/26/21 meeting some Selectboard members thought what the Applicant submitted in support of reconsideration amounted to nothing new, while others claimed that it did amount to new evidence. At least one member claimed that he himself found the so-called “new information”. *See* attached Facebook post from former Selectboard member Martin. My position is that nothing the Applicant submitted amounted to anything new. Plus, the record reflects that the Applicant, not former Selectboard Martin, requested reconsideration and provided the claimed “new” information. But, as discussed next, the pending Request for Reconsideration is

based on claim of legal error, not based on new evidence. So, these considerations of whether what the Applicant submitted was or was not new, and whether what I have submitted is or is not new, these are mostly immaterial to the pending Request for Reconsideration.

More to my point, the requirement of “new” evidence is not the only valid basis upon which the Selectboard is authorized to grant reconsideration. As an alternative, the Selectboard is also authorized to grant reconsideration upon a claim, such as I make, that the Decision was in error. The key conjunction in the legal standard for reconsideration is new evidence *or* error. One need not claim both new evidence *and* error. A claim of legal error alone suffices to confer authority in the Selectboard to grant reconsideration.

Appellate Process

I also wanted to address the process for my clients to challenge the Decision. Since the Selectboard’s 1/26/21 Decision, my clients have diligently pursued challenge of the Decision based on claims of legal error. First, I requested reconsideration on 2/5/21. Next, on 3/8/21, I inquired when the Selectboard would take up the request because I had received no response. Next, on 3/19/21, I sent a formal letter to the Selectboard urging the Selectboard to act on the Request for Reconsideration. Now, I write again in furtherance of my efforts to move this matter forward.

The Town of Hudson Selectboard Bylaws are silent on how to appeal a decision of the Selectboard. However, other sources and administrative law in general indicate that the correct process is as follows:

1. Request reconsideration from the decision-maker because the decision-maker is in the best position to correct any errors; and
2. Appeal to court or further administrative processes only after the original decision-maker has been given an opportunity to correct its decision.

The state’s general act on administrative procedure calls for this type of process:

1. RSA 541:3 – Within 30 days after any order or decision has been made by the commission, any party to the action or proceeding before the commission, or any person directly affected thereby, may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion all grounds for rehearing, and the commission may grant such rehearing if in its opinion good reason for the rehearing is stated in the motion.
2. RSA 541:4 – Such motion shall set forth fully every ground upon which it is claimed that the decision or order complained of is unlawful or unreasonable. No appeal from any order or decision of the commission shall be taken unless the appellant shall have made application for rehearing as herein provided, and when such application shall have

been made, no ground not set forth therein shall be urged, relied on, or given any consideration by the court, unless the court for good cause shown shall allow the appellant to specify additional grounds.

3. RSA 541:6 – Within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the decision on such rehearing, the applicant may appeal by petition to the supreme court.

Accordingly, my clients will be entitled to file an appeal to superior court within thirty days if the Selectboard either declines to grant reconsideration, or, grants reconsideration but then votes again to approve the Sewer Request. On the other hand, should the Selectboard, as we urge it to, grant reconsideration and then vote to deny the Sewer Request, the Applicant would have the right to appeal to court within thirty days of those decisions. Should the Selectboard continue to refuse to act on the Request for Reconsideration, my clients may seek judicial relief that they are not required to seek reconsideration and that they can pursue an appeal in court without the Selectboard acting on the Request for Reconsideration.

Conclusion

I urge the Selectboard to take this matter up at its earliest opportunity, following duly published notice, which appears as if it may be the Selectboard's meeting scheduled for 4/13/21 (because 4/6/21 is a workshop meeting). When the Selectboard takes this up, I urge the Selectboard to first move and vote in favor of granting reconsideration. The Selectboard is authorized to do this because the standards for reconsideration are met by my clients' claim that the Selectboard's 1/26/21 Decision was in error. After granting reconsideration, I urge the Selectboard to consider again the Sewer Request and note the deficiencies I have identified on behalf of my clients. Namely, the Applicant has fallen woefully short of satisfying the legal requirements to prove that the Proposed Project is "essential" for the public health, safety, and welfare of the Town of Hudson.

Accordingly, and on behalf of my clients, I respectfully request that the Selectboard then move and vote in favor of denying the Sewer Request. Thank you for your attention to my clients' requests and for your work on behalf of the Town of Hudson.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc: Clients



Normand Martin

I have to agree with Terry Stewart Bouchard that the cost to connect to the sewer is really a lot of money. Now the cost to extend the sewer to all neighborhoods in Town would be even more, however since the Town of Hudson does not own the sewer treatment plant in totality there is no way the entire Town would be hooked to the sewer. Remember I did not say the Town of Hudson does not own some of the sewer, I said they do not own it out right and that is of course because the City of Nashua owns the sewer treatment plant. I do not think in any of our life time there would be sewer to the entire town. Now my decision to reconsider was based on NEW INFORMATION that was not in my packet when I originally denied the request. So between meetings I found new information and had it submitted into the packets of all the BOS at the time and that is why I voted to allow the connection. Look it up it is on the website of the Town.

18h Like Reply

1 

January 12, 2021

Via Email Only
Town of Hudson
Board of Selectmen
bos@hudsonnh.gov

Re: Hillwood Request for Sewer Access and Allocation

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households that I represent in connection to concerns with the January 5, 2021 request of Hillwood Enterprises, L.P. to extend Hudson's sewer line in connection with a pending proposal to convert the Green Meadows Golf Course into a logistics and distribution center for Amazon (and another, unknown, tenant) ("Request"). My clients respectfully request that the Selectboard deny the Request. Please make this letter a part of your record in this matter.

Overall, the Request lacks sufficient information to demonstrate that it should be granted. The Hudson law makes clear that the general rule is that the sewer line should not be extended. It then sets forth a narrow exception to allow extension only when doing so is essential for the public health, safety, and welfare of the Town of Hudson. It is important to note that any application must prove essentiality for all three parts of the law: public health, and safety, and welfare, each of which has a different meaning. The Applicant has not done that.

Turning to specific insufficiencies, there is no supporting evidence from any third-party peer reviewer or otherwise that there is 195,800 gallons per day of sewer allocation currently available. There is no information about the potential likelihood of long-term maintenance costs to the Town. There should be a written and detailed Main Line Extension Agreement between the Town and the Applicant that the Selectboard would consider as part of the request. Nothing of this nature is included in the Selectboard's packet associated with the Request.

The alleged expectations of the Friel Family resulting from apparent cooperation with the Town in the early 1990s do not supersede Hudson law. If there was a legally enforceable entitlement that resulted from those efforts, that would have been provided to the Selectboard. Nothing having been provided demonstrates that there is no legally enforceable right to this access or allocation. If this expectation was as universally understood, relied-upon, and presumed as has been claimed, the Friel Family should have, before the sewer district boundary was established, undertaken efforts to make sure that the Friel Family's land was fully included inside the sewer district. Having slept on those rights for years, the Friel Family has no claim to this entitlement now.

The Applicant has not provided specific evidence or any information to support its six purported reasons why granting the request would be essential for the public health, safety, and

welfare of the Town of Hudson. The Applicant seems to conflate the provision of goods (which the proposed use would do) with the provision of services which are truly essential, such as police, emergency medical services, fire fighters, and teachers. While easing the flow of goods may be helpful, it does not rise to the level of “essential” as used in Hudson law.

In particular, the Applicant has not, but should have, provided engineering and other analysis to show what it would be like if sewage were managed on-site. This should not be ruled out as an option without any information about it. It does not matter if the Applicant is requesting only 20% of what might be allowed if the use really was “essential”. The threshold question is whether the proposed use is essential, and because it is not, the Applicant is entitled to no sewer access and allocation. Of course, in general, tax revenue and jobs are essential to the public welfare of the Town of Hudson. But the Applicant has provided no specific evidence or supporting information as to why the particular tax revenue and jobs of this proposed use, as opposed to others, are essential. So long as there are tax revenue and jobs, which there already are, the public welfare is already met.

In conclusion, my clients respectfully request that you deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:

Clients

Elvis Dhima, Town Engineer, via email only to edhima@hudsonnh.gov

January 26, 2021

Via Email Only
Town of Hudson
Selectboard
bos@hudsonnh.gov

**Re: Hillwood Request for Sewer Access and Allocation
Request to Affirm Denial**

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households about the request of Hillwood Enterprises, L.P. (“Applicant”) (and of the Friel Family) for the Selectboard to reconsider its January 12, 2021 denial of the Applicant’s January 5, 2021 request for a new sewer allocation (“Request”). Applicants made the Request in connection to Applicant’s proposal to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center (“Proposed Project”). My clients respectfully request that the Selectboard affirm its decision to deny the Request. Please make this letter a part of your record in this matter.

As a summary of this letter, the Selectboard should affirm its decision to deny, which was the correct decision, for the following reasons:

1. The Applicant has provided no new information, only documents corroborating information the Applicant already provided, and the Selectboard made no error.
2. That the Property is outside of the system boundary is a final, unappealable determination from last September.
3. New sewer allocation for the Property is not a vested right.
4. The Applicant requests a new sewer allocation but still does not meet the requirements.

Additionally, before taking up the Request, please poll all members of the Selectboard to determine whether any member should recuse himself or herself. Upon information and belief, members of the Selectboard have been promoting the proposed Hillwood Logistics Center on social media, including on Facebook, which appears to indicate a conflict of interest due to bias, prejudice, or similar issue.

Standard for Reconsideration Not Met

No provision appears in the Town of Hudson Selectboard By-Laws for a request for reconsideration of a decision of the Selectboard. In fact, the By-Laws state that “[n]o action shall be considered at a subsequent meeting in the same calendar year except by majority vote of the members present and voting.” Town of Hudson Selectboard By-Laws at 6. This section appears to say the Request cannot even be considered by the Selectboard without such a vote.

Looking to other legal sources, generally, reconsideration “should be granted only if the petitioner can demonstrate that the board committed technical error or that there is new evidence that was not available at the time of the first hearing.” 15 Land Use Planning and Zoning § 21.18 (citing New Hampshire Office of State Planning, *The Board of Adjustment in New Hampshire, A Handbook for Local Officials*, at 56-57 (1997)). In this case, the Applicant has demonstrated nothing new. Instead, the Applicant has belatedly provided documents it should have provided earlier, but did not, and those documents only corroborate the information from 1991 that the Applicant provided already. Those documents do not provide any new factual information.

Consequently, the Selectboard should not reconsider the Request because the Applicant has not provided anything new and, as explained in the subsequent sections, the Applicant has not identified any error on the part of the Selectboard.

It is Final and Unappealable that the Property is Not Inside the System Boundary

The Applicant requested on September 3, 2020 that the Town of Hudson complete a “will serve” letter so that a new sewer allocation would be permitted for the Property. Town employees had internal communications about the Property not being inside the system boundary. *See* Emails attached as **Exhibit A**. Upon information and belief, the Town determined in September of 2020 that the Property is not inside the system boundary.

That determination represents an “order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16” that is appealable to the Zoning Board of Adjustment within thirty days. *See* RSA 674:33, I(a)(1) (conferring authority on Zoning Boards of Adjustment to hear such appeals); RSA 676:5, I (requiring such appeals to be taken “within a reasonable” time); Town of Hudson Zoning Board of Adjustment Rules of Procedure, Section 143.8(1)(b) (setting the “reasonable time” as thirty days). To my knowledge, no such appeal was filed.

As a consequence of no appeal having been made, the September 2020 determination that the Property is not inside the system boundary constitutes the legally binding and final word on this matter.

Nothing suggests that the determination is erroneous in any way. However, assuming for the sake of argument there was a legal or factual error, the determination would still remain final and unappealable. Such is the nature of the doctrine of judicial finality; whether a decision is right or wrong, if a decision is not appealed by the deadline, the decision stands.

Accordingly, the Property is not subject to the provisions of Section 270-17(A)(3) regarding “land uses within the presently served region.”

New Sewer Allocation is Not a Vested Right

No New Hampshire law vests any right to develop any aspect of any subdivision or site plan that was approved, but not substantially and actively begun before the approval expired, or that was never even requested. Subdivision and site plan approvals expire after five years without active and substantial development or building, among other requirements. RSA 674:39, I. Upon expiration, the right to construct any previously approved but now-expired improvements are extinguished. *See* RSA 674:39, I.

In this case, the 1991 subdivision and site plan approvals related to the subdivision of land so that Walmart Stores, Inc. could develop a Sam's Club on unimproved land. The improvements applied for were constructed, namely Sam's Club, its parking lot and accessway, and other ancillary features. So, those improvements now enjoy certain vested right pursuant to RSA 674:39, II.

As was common in 1991 and remains common now, the approvals required that the terminus of the sewer line that would serve Sam's Club be sized to accommodate any future development. That in no way represents any type of request or approval — especially not of any new sewer allocation — of any future development. No future development beyond Sam's Club was requested or approved in 1991. Simply put, neither the proposed Hillwood Logistics Center, nor any of its ancillary features such as the requested new sewer allocation, were requested or permitted by any action taken in 1991.

Imagine if every time a board required the terminus of utility line to be prepared for future development, that automatically meant that all such future development, including extension and allocations for all utility lines, were approved without any further application, not even submission of a site plan. That interpretation would detrimentally divest the Town of its regulatory authority and violate many laws.

It is telling that the Applicant cited no legal support for its proposition that the sewer allocation requested now for a sewer line that was never requested, never approved, and never built was somehow already granted in 1991.

Because there is no vested right pursuant to RSA 674:39 (or otherwise) to a new sewer allocation, the Applicant is also not exempt from the "new allocation system" pursuant to Town Code Section 270-17(C)(1)(a). That section uses similar language as the state statute. Only improvements that "commenced active and substantial construction at the project site within one year of the date of approval and must have completed substantial improvements within four years of the date of approval and recording at the Registry of Deeds; or still be within the four year period of exemption pursuant to RSA 674:39 after commencement of substantial improvements." Again, because no new sewer allocation to serve a sewer line across the Property was requested, and therefore was not actively and substantially completed, none is exempt pursuant to Section 270-17(C)(1)(a).

Applicant Requests a New Sewer Allocation But Does Not Meet Requirements

The Applicant makes much of the distinction between sewer extension versus sewer connection, arguing that it merely requests a sewer connection and not a sewer extension. In fact, the correct terminology pursuant to the Sewer Use Ordinance is that the Applicant requests a new sewer allocation.

By contract, the Town of Hudson is allowed to send up to 2,000,000 gallons per day to the City of Nashua's wastewater treatment facility. The vast majority of that capacity has already been allocated. Of whatever amount is available to be allocated, which is not adequately documented in the Application or the Selectboard's record of the Request, the Applicant seeks a new allocation of 36,900 gallons per day.

New sewer allocations are expressly governed by Chapter 270 "Sewers" of the Town's code, Section 270-1 through 270-17. Neither the 5/03/99 Town of Hudson Sewer Utility Policies and Procedures, nor anything contained in them, applies anymore because of the adoption of revisions to Chapter 270 subsequent to them. Plus, the Policies and Procedures, by their very terms, never constituted a law and are therefore not binding or enforceable.

Moreover, in the Applicant's original submission and during presentations on January 12, 2021, the Applicant argued strenuously that it satisfied the requirements of Section 270-17(B)(1) of the Sewer Use Ordinance. The represents an admission on the Applicant's part that Section 270-17(B)(1) is the operative regulatory provision. The Applicant may not now claim that other laws or legal theories permit it to the requested new sewer allocation.

For reasons more fully discussed in my January 12, 2021 letter, the Request lacks sufficient supporting information. Further, any narrow exception that may exist to the general rule in Hudson that new sewer allocations are not given does not apply to this project. The Applicant has not proven their requested new sewer allocation is essential for public health, *and* safety, *and* welfare and has provided so little information to support its position that the only conclusion can be reached is that the Applicant has not met this burden. Because the proposed use is not essential, the Applicant is not entitled to any sewer access or allocation.

The Applicant argues that the current Selectboard should impute to the 1991 Planning Board an intention on the part of the 1991 Planning Board to determine that the new sewer allocation requested in 2020-21 would satisfy the current legal requirements. Such an imputation is entirely inappropriate. No part of the 1991 record demonstrates a finding by the 1991 Planning Board that the Hillwood Logistics Center being given a new sewer allocation in 2021 would be essential for public health, and safety, and welfare. The laws the Applicant cited do not support that proposition.

My January 12, 2021 letter also points out numerous deficiencies that the Applicant has not filled. In addition to those problems, Section 270-15 sets forth limitations on various



substances to be discharged into the system, which is another body of information the Applicant has not provided, but which is required.

In conclusion, my clients respectfully request that you affirm your previous, correct decision to deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,

A handwritten signature in black ink, appearing to read "Amy Manzelli". The signature is fluid and cursive.

Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:

Clients

Elvis Dhima, Town Engineer, via email only to edhima@hudsonnh.gov

Dhima, Elvis

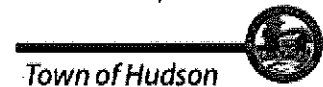
From: Staffier-Sommers, Donna
Sent: Thursday, September 03, 2020 4:05 PM
To: Dhima, Elvis
Subject: FW: Hudson Logistics Center Sanitary Will Serve
Attachments: 001L - Sanitary Will Serve.pdf; 2020-09-01 Hudson Overall Utility Plan DRAFT.pdf

Forwarding this to you.

I don't know what the intent is in regards to sewer for this project. This address doesn't have access and is outside the sewer district.

Thanks,

Donna Staffier-Sommers
Sewer Utility Administrative Aide



Town of Hudson NH - 12 School Street - Hudson, NH 03051
Phone - 603-886-6029 Fax - 603-598-6481

From: Casey Raczkowski [mailto:craczkowski@langan.com]
Sent: Thursday, September 3, 2020 3:51 PM
To: Staffier-Sommers, Donna <dsommers@hudsonnh.gov>
Cc: Timothy O'Neill <toneill@langan.com>; Nathan Kirschner <nkirschner@Langan.com>
Subject: Hudson Logistics Center Sanitary Will Serve

Good Afternoon Ms. Staffier-Sommers,

We are working on the proposed Hudson Logistics Center project located at 59 Steele Road in Hudson. We'd like to start the conversation for getting sanitary sewer service to the site.

Can you please fill out the attached will serve letter and return to us at your earliest convenience?

Please let me know if you have any questions or if I can provide any additional information.

Thank you,

Casey Raczkowski
Staff Engineer

LANGAN
Celebrating 50 years in business | 1970-2020

Direct: 203.784.3064
[File Sharing Link](#)

Via Email Only
Town of Hudson Selectboard
bos@hudsonnh.gov

February 5, 2021

**Re: Hillwood Request for Sewer Access and Allocation
Request to Reconsider Approval**

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households to request the Selectboard to reconsider its decision to approve the Hillwood Enterprises, L.P. (“Applicant”) request for a new sewer allocation (“Request”) on reconsideration. Applicants made the Request in connection to Applicant’s proposal to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center (“Proposed Project”). My clients respectfully request that the Selectboard reconsider its approval and deny the Request. Please make this letter a part of your record in this matter.

As a summary of this letter, the Selectboard should reconsider its approval and deny, which was the original, correct decision, for the following reasons:

1. The decision that the Property is outside of the system boundary is a final, unappealable determination from last September.
2. New sewer allocation for the Property is not a vested right.
3. The Applicant requests a new sewer allocation but still does not meet the requirements.

The Property is Not Inside the System Boundary

The Applicant requested on September 3, 2020 that the Town of Hudson complete a “will serve” letter so that a new sewer allocation would be permitted for the Property. Town employees had internal communications about the Property not being inside the system boundary. *See* Letter dated 1/26/21 attached as **Exhibit A**. Upon information and belief, the Town determined in September of 2020 that the Property is not inside the system boundary.

That determination represents an “order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16” that is appealable to the Zoning Board of Adjustment within thirty days. *See* RSA 674:33, I(a)(1) (conferring authority on Zoning Boards of Adjustment to hear such appeals); RSA 676:5, I (requiring such appeals to be taken “within a reasonable” time); Town of Hudson Zoning Board of Adjustment Rules of Procedure, Section 143.8(1)(b) (setting the “reasonable time” as thirty days). To my knowledge, no such appeal was filed.

As a consequence of no appeal having been made, the September 2020 determination that the Property is not inside the system boundary constitutes the legally binding and final word on

this matter. Accordingly, the Property is not subject to the provisions of Section 270-17(A)(3) regarding “land uses within the presently served region.”

New Sewer Allocation is Not a Vested Right

Subdivision and site plan approvals expire after five years without active and substantial development or building, among other requirements. RSA 674:39, I. Upon expiration, the right to construct any previously approved but now-expired improvements are extinguished. *See* RSA 674:39, I. The 1991 subdivision and site plan approvals related to development of a Sam’s Club that has been constructed and now enjoys certain vested right pursuant to RSA 674:39, II.

Those approvals required the sewer line be sized to accommodate any future development, but that represents no request or approval of any future development. Nothing about the proposed Hillwood Logistics Center or its new sewer allocation were requested or permitted by any action taken in 1991. The Applicant cited no legal support for its proposition that the sewer allocation requested now was already granted in 1991.

The Applicant is not exempt from the “new allocation system” pursuant to Town Code Section 270-17(C)(1)(a). That section uses similar language as the state statute. Only improvements that “commenced active and substantial construction at the project site within one year of the date of approval and must have completed substantial improvements within four years of the date of approval and recording at the Registry of Deeds; or still be within the four year period of exemption pursuant to RSA 674:39 after commencement of substantial improvements.” Again, because no new sewer allocation to serve a sewer line across the Property was requested, and therefore was not actively and substantially completed, none is exempt pursuant to Section 270-17(C)(1)(a).

Applicant Requests a New Sewer Allocation But Does Not Meet Requirements

The Applicant makes much of the distinction between sewer extension versus sewer connection. However, the correct terminology under the Sewer Use Ordinance is a new sewer allocation. By contract, the Town of Hudson is allowed to send up to 2,000,000 gallons per day to the City of Nashua’s wastewater treatment facility. The vast majority of that capacity has already been allocated. Of whatever amount is available to be allocated, the Applicant seeks a new allocation of 36,900 gallons per day.

New sewer allocations are expressly governed by Chapter 270 “Sewers” of the Town’s code, Section 270-1 through 270-17. None of the 5/03/99 Town of Hudson Sewer Utility Policies and Procedures (“Policies”) applies anymore. The adoption of revisions to Chapter 270 supercedes them. Moreover, the Policies never constituted law and are therefore not binding or enforceable. Finally, the Applicant has argued strenuously that it satisfied the requirements of Section 270-17(B)(1) of the Sewer Use Ordinance, which is an admission that the Policies are irrelevant.

For reasons more fully discussed in my January 12, 2021 letter, the Request lacks sufficient supporting information. *See* Letter dated 1/12/21 attached as **Exhibit B**. Further, no exception that may exist to the general rule in Hudson that new sewer allocations are not given applies here. The Applicant has not proven their requested new sewer allocation is essential for public health, *and* safety, *and* welfare and has provided too little information to have met this burden. Because the proposed use is not essential, the Applicant is not entitled to any sewer access or allocation.

My January 12, 2021 letter also points out numerous deficiencies that the Applicant has not filled. In addition to those problems, Section 270-15 sets forth limitations on various substances to be discharged into the system, which is another body of information the Applicant has not provided, but which is required.

In conclusion, my clients respectfully request that you reconsider your approval and deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:
Clients

January 26, 2021

Via Email Only
Town of Hudson
Selectboard
bos@hudsonnh.gov

**Re: Hillwood Request for Sewer Access and Allocation
Request to Affirm Denial**

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households about the request of Hillwood Enterprises, L.P. (“Applicant”) (and of the Friel Family) for the Selectboard to reconsider its January 12, 2021 denial of the Applicant’s January 5, 2021 request for a new sewer allocation (“Request”). Applicants made the Request in connection to Applicant’s proposal to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center (“Proposed Project”). My clients respectfully request that the Selectboard affirm its decision to deny the Request. Please make this letter a part of your record in this matter.

As a summary of this letter, the Selectboard should affirm its decision to deny, which was the correct decision, for the following reasons:

1. The Applicant has provided no new information, only documents corroborating information the Applicant already provided, and the Selectboard made no error.
2. That the Property is outside of the system boundary is a final, unappealable determination from last September.
3. New sewer allocation for the Property is not a vested right.
4. The Applicant requests a new sewer allocation but still does not meet the requirements.

Additionally, before taking up the Request, please poll all members of the Selectboard to determine whether any member should recuse himself or herself. Upon information and belief, members of the Selectboard have been promoting the proposed Hillwood Logistics Center on social media, including on Facebook, which appears to indicate a conflict of interest due to bias, prejudice, or similar issue.

Standard for Reconsideration Not Met

No provision appears in the Town of Hudson Selectboard By-Laws for a request for reconsideration of a decision of the Selectboard. In fact, the By-Laws state that “[n]o action shall be considered at a subsequent meeting in the same calendar year except by majority vote of the members present and voting.” Town of Hudson Selectboard By-Laws at 6. This section appears to say the Request cannot even be considered by the Selectboard without such a vote.

Looking to other legal sources, generally, reconsideration “should be granted only if the petitioner can demonstrate that the board committed technical error or that there is new evidence that was not available at the time of the first hearing.” 15 Land Use Planning and Zoning § 21.18 (citing New Hampshire Office of State Planning, *The Board of Adjustment in New Hampshire, A Handbook for Local Officials*, at 56-57 (1997)). In this case, the Applicant has demonstrated nothing new. Instead, the Applicant has belatedly provided documents it should have provided earlier, but did not, and those documents only corroborate the information from 1991 that the Applicant provided already. Those documents do not provide any new factual information.

Consequently, the Selectboard should not reconsider the Request because the Applicant has not provided anything new and, as explained in the subsequent sections, the Applicant has not identified any error on the part of the Selectboard.

It is Final and Unappealable that the Property is Not Inside the System Boundary

The Applicant requested on September 3, 2020 that the Town of Hudson complete a “will serve” letter so that a new sewer allocation would be permitted for the Property. Town employees had internal communications about the Property not being inside the system boundary. *See* Emails attached as **Exhibit A**. Upon information and belief, the Town determined in September of 2020 that the Property is not inside the system boundary.

That determination represents an “order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16” that is appealable to the Zoning Board of Adjustment within thirty days. *See* RSA 674:33, I(a)(1) (conferring authority on Zoning Boards of Adjustment to hear such appeals); RSA 676:5, I (requiring such appeals to be taken “within a reasonable” time); Town of Hudson Zoning Board of Adjustment Rules of Procedure, Section 143.8(1)(b) (setting the “reasonable time” as thirty days). To my knowledge, no such appeal was filed.

As a consequence of no appeal having been made, the September 2020 determination that the Property is not inside the system boundary constitutes the legally binding and final word on this matter.

Nothing suggests that the determination is erroneous in any way. However, assuming for the sake of argument there was a legal or factual error, the determination would still remain final and unappealable. Such is the nature of the doctrine of judicial finality; whether a decision is right or wrong, if a decision is not appealed by the deadline, the decision stands.

Accordingly, the Property is not subject to the provisions of Section 270-17(A)(3) regarding “land uses within the presently served region.”

New Sewer Allocation is Not a Vested Right

No New Hampshire law vests any right to develop any aspect of any subdivision or site plan that was approved, but not substantially and actively begun before the approval expired, or that was never even requested. Subdivision and site plan approvals expire after five years without active and substantial development or building, among other requirements. RSA 674:39, I. Upon expiration, the right to construct any previously approved but now-expired improvements are extinguished. *See* RSA 674:39, I.

In this case, the 1991 subdivision and site plan approvals related to the subdivision of land so that Walmart Stores, Inc. could develop a Sam's Club on unimproved land. The improvements applied for were constructed, namely Sam's Club, its parking lot and accessway, and other ancillary features. So, those improvements now enjoy certain vested right pursuant to RSA 674:39, II.

As was common in 1991 and remains common now, the approvals required that the terminus of the sewer line that would serve Sam's Club be sized to accommodate any future development. That in no way represents any type of request or approval — especially not of any new sewer allocation — of any future development. No future development beyond Sam's Club was requested or approved in 1991. Simply put, neither the proposed Hillwood Logistics Center, nor any of its ancillary features such as the requested new sewer allocation, were requested or permitted by any action taken in 1991.

Imagine if every time a board required the terminus of utility line to be prepared for future development, that automatically meant that all such future development, including extension and allocations for all utility lines, were approved without any further application, not even submission of a site plan. That interpretation would detrimentally divest the Town of its regulatory authority and violate many laws.

It is telling that the Applicant cited no legal support for its proposition that the sewer allocation requested now for a sewer line that was never requested, never approved, and never built was somehow already granted in 1991.

Because there is no vested right pursuant to RSA 674:39 (or otherwise) to a new sewer allocation, the Applicant is also not exempt from the "new allocation system" pursuant to Town Code Section 270-17(C)(1)(a). That section uses similar language as the state statute. Only improvements that "commenced active and substantial construction at the project site within one year of the date of approval and must have completed substantial improvements within four years of the date of approval and recording at the Registry of Deeds; or still be within the four year period of exemption pursuant to RSA 674:39 after commencement of substantial improvements." Again, because no new sewer allocation to serve a sewer line across the Property was requested, and therefore was not actively and substantially completed, none is exempt pursuant to Section 270-17(C)(1)(a).

Applicant Requests a New Sewer Allocation But Does Not Meet Requirements

The Applicant makes much of the distinction between sewer extension versus sewer connection, arguing that it merely requests a sewer connection and not a sewer extension. In fact, the correct terminology pursuant to the Sewer Use Ordinance is that the Applicant requests a new sewer allocation.

By contract, the Town of Hudson is allowed to send up to 2,000,000 gallons per day to the City of Nashua's wastewater treatment facility. The vast majority of that capacity has already been allocated. Of whatever amount is available to be allocated, which is not adequately documented in the Application or the Selectboard's record of the Request, the Applicant seeks a new allocation of 36,900 gallons per day.

New sewer allocations are expressly governed by Chapter 270 "Sewers" of the Town's code, Section 270-1 through 270-17. Neither the 5/03/99 Town of Hudson Sewer Utility Policies and Procedures, nor anything contained in them, applies anymore because of the adoption of revisions to Chapter 270 subsequent to them. Plus, the Policies and Procedures, by their very terms, never constituted a law and are therefore not binding or enforceable.

Moreover, in the Applicant's original submission and during presentations on January 12, 2021, the Applicant argued strenuously that it satisfied the requirements of Section 270-17(B)(1) of the Sewer Use Ordinance. The represents an admission on the Applicant's part that Section 270-17(B)(1) is the operative regulatory provision. The Applicant may not now claim that other laws or legal theories permit it to the requested new sewer allocation.

For reasons more fully discussed in my January 12, 2021 letter, the Request lacks sufficient supporting information. Further, any narrow exception that may exist to the general rule in Hudson that new sewer allocations are not given does not apply to this project. The Applicant has not proven their requested new sewer allocation is essential for public health, *and* safety, *and* welfare and has provided so little information to support its position that the only conclusion can be reached is that the Applicant has not met this burden. Because the proposed use is not essential, the Applicant is not entitled to any sewer access or allocation.

The Applicant argues that the current Selectboard should impute to the 1991 Planning Board an intention on the part of the 1991 Planning Board to determine that the new sewer allocation requested in 2020-21 would satisfy the current legal requirements. Such an imputation is entirely inappropriate. No part of the 1991 record demonstrates a finding by the 1991 Planning Board that the Hillwood Logistics Center being given a new sewer allocation in 2021 would be essential for public health, and safety, and welfare. The laws the Applicant cited do not support that proposition.

My January 12, 2021 letter also points out numerous deficiencies that the Applicant has not filled. In addition to those problems, Section 270-15 sets forth limitations on various



substances to be discharged into the system, which is another body of information the Applicant has not provided, but which is required.

In conclusion, my clients respectfully request that you affirm your previous, correct decision to deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,

Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:

Clients

Elvis Dhima, Town Engineer, via email only to edhima@hudsonnh.gov

Dhima, Elvis

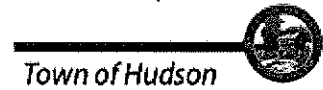
From: Staffier-Sommers, Donna
Sent: Thursday, September 03, 2020 4:05 PM
To: Dhima, Elvis
Subject: FW: Hudson Logistics Center Sanitary Will Serve
Attachments: 001L - Sanitary Will Serve.pdf; 2020-09-01 Hudson Overall Utility Plan DRAFT.pdf

Forwarding this to you.

I don't know what the intent is in regards to sewer for this project. This address doesn't have access and is outside the sewer district.

Thanks,

Donna Staffier-Sommers
Sewer Utility Administrative Aide



Town of Hudson NH - 12 School Street - Hudson, NH 03051
Phone - 603-886-6029 Fax - 603-598-6481

From: Casey Raczkowski [mailto:craczkowski@langan.com]
Sent: Thursday, September 3, 2020 3:51 PM
To: Staffier-Sommers, Donna <dsommers@hudsonnh.gov>
Cc: Timothy O'Neill <toneill@langan.com>; Nathan Kirschner <nkirschner@Langan.com>
Subject: Hudson Logistics Center Sanitary Will Serve

Good Afternoon Ms. Staffier-Sommers,

We are working on the proposed Hudson Logistics Center project located at 59 Steele Road in Hudson. We'd like to start the conversation for getting sanitary sewer service to the site.

Can you please fill out the attached will serve letter and return to us at your earliest convenience?

Please let me know if you have any questions or if I can provide any additional information.

Thank you,

Casey Raczkowski
Staff Engineer

LANGAN
Celebrating 50 years in business | 1970-2020

Direct: 203.784.3064
[File Sharing Link](#)

January 12, 2021

Via Email Only
Town of Hudson
Board of Selectmen
bos@hudsonnh.gov

Re: Hillwood Request for Sewer Access and Allocation

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households that I represent in connection to concerns with the January 5, 2021 request of Hillwood Enterprises, L.P. to extend Hudson's sewer line in connection with a pending proposal to convert the Green Meadows Golf Course into a logistics and distribution center for Amazon (and another, unknown, tenant) ("Request"). My clients respectfully request that the Selectboard deny the Request. Please make this letter a part of your record in this matter.

Overall, the Request lacks sufficient information to demonstrate that it should be granted. The Hudson law makes clear that the general rule is that the sewer line should not be extended. It then sets forth a narrow exception to allow extension only when doing so is essential for the public health, safety, and welfare of the Town of Hudson. It is important to note that any application must prove essentiality for all three parts of the law: public health, and safety, and welfare, each of which has a different meaning. The Applicant has not done that.

Turning to specific insufficiencies, there is no supporting evidence from any third-party peer reviewer or otherwise that there is 195,800 gallons per day of sewer allocation currently available. There is no information about the potential likelihood of long-term maintenance costs to the Town. There should be a written and detailed Main Line Extension Agreement between the Town and the Applicant that the Selectboard would consider as part of the request. Nothing of this nature is included in the Selectboard's packet associated with the Request.

The alleged expectations of the Friel Family resulting from apparent cooperation with the Town in the early 1990s do not supersede Hudson law. If there was a legally enforceable entitlement that resulted from those efforts, that would have been provided to the Selectboard. Nothing having been provided demonstrates that there is no legally enforceable right to this access or allocation. If this expectation was as universally understood, relied-upon, and presumed as has been claimed, the Friel Family should have, before the sewer district boundary was established, undertaken efforts to make sure that the Friel Family's land was fully included inside the sewer district. Having slept on those rights for years, the Friel Family has no claim to this entitlement now.

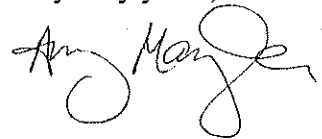
The Applicant has not provided specific evidence or any information to support its six purported reasons why granting the request would be essential for the public health, safety, *and*

welfare of the Town of Hudson. The Applicant seems to conflate the provision of goods (which the proposed use would do) with the provision of services which are truly essential, such as police, emergency medical services, fire fighters, and teachers. While easing the flow of goods may be helpful, it does not rise to the level of “essential” as used in Hudson law.

In particular, the Applicant has not, but should have, provided engineering and other analysis to show what it would be like if sewage were managed on-site. This should not be ruled out as an option without any information about it. It does not matter if the Applicant is requesting only 20% of what might be allowed if the use really was “essential”. The threshold question is whether the proposed use is essential, and because it is not, the Applicant is entitled to no sewer access and allocation. Of course, in general, tax revenue and jobs are essential to the public welfare of the Town of Hudson. But the Applicant has provided no specific evidence or supporting information as to why the particular tax revenue and jobs of this proposed use, as opposed to others, are essential. So long as there are tax revenue and jobs, which there already are, the public welfare is already met.

In conclusion, my clients respectfully request that you deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:

Clients

Elvis Dhima, Town Engineer, via email only to edhima@hudsonnh.gov

March 19, 2021

Via Certified Mail, Return Receipt Requested,
US Mail, and Email
Town of Hudson Board of Selectmen
12 School Street
Hudson, NH 03051
Phone: (603) 886-6024
Email: bos@hudsonnh.gov

Re: Prior Request for Reconsideration; Request for Action

Dear Members of the Selectboard,

I write on behalf of my clients to express two points about my pending request that the Selectboard reconsider its 1/26/21 decision to approve a new sewer allocation for Hillwood Enterprises, L.P. ("Decision")

First, my clients and I are extremely concerned about the absence of any response, action, or acknowledgement of receipt of my request for reconsideration. By letter dated 2/5/21, I wrote to the Selectboard to request reconsideration of the Decision. I submitted that letter to the Selectboard's official email address, bos@hudsonnh.gov, which is the address listed on the Selectboard's website and the address which I and many of my clients have successfully used over these past several months. Having had no response of any kind after a month, I inquired by email on 3/8/21, but have also received nothing in response to that inquiry. I enclose copies of my original 2/5/21 request, along with my 3/8/21 inquiry, so I can be sure the Selectboard has received them. I respectfully request that the Selectboard promptly take up this pending request and provide me advance notice of when it will take it up so that I may participate.

Second, the Selectboard is empowered to take up this request. There may be some question about when the Selectboard is empowered to reconsider its decisions. An important distinction is when someone outside of the Selectboard requests reconsideration versus when a Selectboard member requests reconsideration, each of which I address in turn.

The first scenario, which is what we have here, is when someone outside of the Selectboard requests reconsideration. In that case, the Selectboard is duty-bound by RSA 41:8 to take up the request. It is part of the prudential affairs of the town and performing the duties which the law prescribes. RSA 41:8. Selectboards do not have the discretion to ignore requests made to them. Of course, Selectboards have the discretion to deny, approve, or take other actions in response to requests. But, the key point is that taking no action does not comport with the Selectboard's statutory duties and is therefore not an option available to this Selectboard in these circumstances.

The Selectboard's duty to take up a request for reconsideration applies regardless of whether the Selectboard has already taken up a request for reconsideration on the same issue.

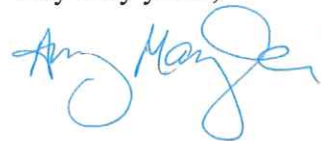
The Selectboard taking up this request is an important, and possibly required, administrative step to allow my clients to appeal the Decision in court. All of the Town of Hudson's laws appear to be silent on the process to follow in order to appeal the Decision. To take the most conservation approach and in keeping with the procedural process used in this matter to date, we have sought reconsideration instead of filing an appeal in Superior Court directly. Administrative law strongly favors giving an opportunity to the decision-maker, in this case the Selectboard, to correct any mistakes before involving the courts. Without the Selectboard acting on the request, my clients may be stuck in a procedural legal limbo and/or may have to seek court relief without the Selectboard having had the benefit of reconsidering its Decision.

The second scenario, irrelevant here, is when a Selectboard member requests reconsideration, that request *may* be subject to Robert's Rules of Order. Those rules set forward a number of considerations, including that only someone who voted on the prevailing side of the decision is empowered to request reconsideration. The Selectboard is not governed strictly by Robert's Rules of Order. Section D(5) of the Selectboard's Bylaws requires meetings to "be conducted in accordance with generally accepted practices of order and decorum." They continue to say that if members of the Selectboard disagree about how to proceed regarding procedural matters "Robert Rules of Order shall serve as a *guideline* with a vote of the Board being the final deciding authority." (Emphasis added.) So, the Selectboard is free to follow Robert's Rules of Order, or not.

Circling back to the scenario we have here, where someone outside of the Selectboard has requested reconsideration, none of the considerations above (the ones that come into play when a Selectboard member requests reconsideration) come into play. When someone outside of the Selectboard makes the request, the law requires the Selectboard to take it up.

Thank you for your time and attention to this letter and its enclosures.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

cc: Clients

Via Email Only
Town of Hudson Selectboard
bos@hudsonnh.gov

February 5, 2021

**Re: Hillwood Request for Sewer Access and Allocation
Request to Reconsider Approval**

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households to request the Selectboard to reconsider its decision to approve the Hillwood Enterprises, L.P. (“Applicant”) request for a new sewer allocation (“Request”) on reconsideration. Applicants made the Request in connection to Applicant’s proposal to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center (“Proposed Project”). My clients respectfully request that the Selectboard reconsider its approval and deny the Request. Please make this letter a part of your record in this matter.

As a summary of this letter, the Selectboard should reconsider its approval and deny, which was the original, correct decision, for the following reasons:

1. The decision that the Property is outside of the system boundary is a final, unappealable determination from last September.
2. New sewer allocation for the Property is not a vested right.
3. The Applicant requests a new sewer allocation but still does not meet the requirements.

The Property is Not Inside the System Boundary

The Applicant requested on September 3, 2020 that the Town of Hudson complete a “will serve” letter so that a new sewer allocation would be permitted for the Property. Town employees had internal communications about the Property not being inside the system boundary. *See* Letter dated 1/26/21 attached as **Exhibit A**. Upon information and belief, the Town determined in September of 2020 that the Property is not inside the system boundary.

That determination represents an “order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16” that is appealable to the Zoning Board of Adjustment within thirty days. *See* RSA 674:33, I(a)(1) (conferring authority on Zoning Boards of Adjustment to hear such appeals); RSA 676:5, I (requiring such appeals to be taken “within a reasonable” time); Town of Hudson Zoning Board of Adjustment Rules of Procedure, Section 143.8(1)(b) (setting the “reasonable time” as thirty days). To my knowledge, no such appeal was filed.

As a consequence of no appeal having been made, the September 2020 determination that the Property is not inside the system boundary constitutes the legally binding and final word on

this matter. Accordingly, the Property is not subject to the provisions of Section 270-17(A)(3) regarding “land uses within the presently served region.”

New Sewer Allocation is Not a Vested Right

Subdivision and site plan approvals expire after five years without active and substantial development or building, among other requirements. RSA 674:39, I. Upon expiration, the right to construct any previously approved but now-expired improvements are extinguished. *See* RSA 674:39, I. The 1991 subdivision and site plan approvals related to development of a Sam’s Club that has been constructed and now enjoys certain vested right pursuant to RSA 674:39, II.

Those approvals required the sewer line be sized to accommodate any future development, but that represents no request or approval of any future development. Nothing about the proposed Hillwood Logistics Center or its new sewer allocation were requested or permitted by any action taken in 1991. The Applicant cited no legal support for its proposition that the sewer allocation requested now was already granted in 1991.

The Applicant is not exempt from the “new allocation system” pursuant to Town Code Section 270-17(C)(1)(a). That section uses similar language as the state statute. Only improvements that “commenced active and substantial construction at the project site within one year of the date of approval and must have completed substantial improvements within four years of the date of approval and recording at the Registry of Deeds; or still be within the four year period of exemption pursuant to RSA 674:39 after commencement of substantial improvements.” Again, because no new sewer allocation to serve a sewer line across the Property was requested, and therefore was not actively and substantially completed, none is exempt pursuant to Section 270-17(C)(1)(a).

Applicant Requests a New Sewer Allocation But Does Not Meet Requirements

The Applicant makes much of the distinction between sewer extension versus sewer connection. However, the correct terminology under the Sewer Use Ordinance is a new sewer allocation. By contract, the Town of Hudson is allowed to send up to 2,000,000 gallons per day to the City of Nashua’s wastewater treatment facility. The vast majority of that capacity has already been allocated. Of whatever amount is available to be allocated, the Applicant seeks a new allocation of 36,900 gallons per day.

New sewer allocations are expressly governed by Chapter 270 “Sewers” of the Town’s code, Section 270-1 through 270-17. None of the 5/03/99 Town of Hudson Sewer Utility Policies and Procedures (“Policies”) applies anymore. The adoption of revisions to Chapter 270 supercedes them. Moreover, the Policies never constituted law and are therefore not binding or enforceable. Finally, the Applicant has argued strenuously that it satisfied the requirements of Section 270-17(B)(1) of the Sewer Use Ordinance, which is an admission that the Policies are irrelevant.

For reasons more fully discussed in my January 12, 2021 letter, the Request lacks sufficient supporting information. *See* Letter dated 1/12/21 attached as **Exhibit B**. Further, no exception that may exist to the general rule in Hudson that new sewer allocations are not given applies here. The Applicant has not proven their requested new sewer allocation is essential for public health, *and* safety, *and* welfare and has provided too little information to have met this burden. Because the proposed use is not essential, the Applicant is not entitled to any sewer access or allocation.

My January 12, 2021 letter also points out numerous deficiencies that the Applicant has not filled. In addition to those problems, Section 270-15 sets forth limitations on various substances to be discharged into the system, which is another body of information the Applicant has not provided, but which is required.

In conclusion, my clients respectfully request that you reconsider your approval and deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:
Clients

January 26, 2021

Via Email Only
Town of Hudson
Selectboard
bos@hudsonnh.gov

**Re: Hillwood Request for Sewer Access and Allocation
Request to Affirm Denial**

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households about the request of Hillwood Enterprises, L.P. ("Applicant") (and of the Friel Family) for the Selectboard to reconsider its January 12, 2021 denial of the Applicant's January 5, 2021 request for a new sewer allocation ("Request"). Applicants made the Request in connection to Applicant's proposal to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 ("Property"), into the proposed Hudson Logistics Center ("Proposed Project"). My clients respectfully request that the Selectboard affirm its decision to deny the Request. Please make this letter a part of your record in this matter.

As a summary of this letter, the Selectboard should affirm its decision to deny, which was the correct decision, for the following reasons:

1. The Applicant has provided no new information, only documents corroborating information the Applicant already provided, and the Selectboard made no error.
2. That the Property is outside of the system boundary is a final, unappealable determination from last September.
3. New sewer allocation for the Property is not a vested right.
4. The Applicant requests a new sewer allocation but still does not meet the requirements.

Additionally, before taking up the Request, please poll all members of the Selectboard to determine whether any member should recuse himself or herself. Upon information and belief, members of the Selectboard have been promoting the proposed Hillwood Logistics Center on social media, including on Facebook, which appears to indicate a conflict of interest due to bias, prejudice, or similar issue.

Standard for Reconsideration Not Met

No provision appears in the Town of Hudson Selectboard By-Laws for a request for reconsideration of a decision of the Selectboard. In fact, the By-Laws state that "[n]o action shall be considered at a subsequent meeting in the same calendar year except by majority vote of the members present and voting." Town of Hudson Selectboard By-Laws at 6. This section appears to say the Request cannot even be considered by the Selectboard without such a vote.

Looking to other legal sources, generally, reconsideration “should be granted only if the petitioner can demonstrate that the board committed technical error or that there is new evidence that was not available at the time of the first hearing.” 15 Land Use Planning and Zoning § 21.18 (citing New Hampshire Office of State Planning, *The Board of Adjustment in New Hampshire, A Handbook for Local Officials*, at 56-57 (1997)). In this case, the Applicant has demonstrated nothing new. Instead, the Applicant has belatedly provided documents it should have provided earlier, but did not, and those documents only corroborate the information from 1991 that the Applicant provided already. Those documents do not provide any new factual information.

Consequently, the Selectboard should not reconsider the Request because the Applicant has not provided anything new and, as explained in the subsequent sections, the Applicant has not identified any error on the part of the Selectboard.

It is Final and Unappealable that the Property is Not Inside the System Boundary

The Applicant requested on September 3, 2020 that the Town of Hudson complete a “will serve” letter so that a new sewer allocation would be permitted for the Property. Town employees had internal communications about the Property not being inside the system boundary. *See* Emails attached as **Exhibit A**. Upon information and belief, the Town determined in September of 2020 that the Property is not inside the system boundary.

That determination represents an “order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16” that is appealable to the Zoning Board of Adjustment within thirty days. *See* RSA 674:33, I(a)(1) (conferring authority on Zoning Boards of Adjustment to hear such appeals); RSA 676:5, I (requiring such appeals to be taken “within a reasonable” time); Town of Hudson Zoning Board of Adjustment Rules of Procedure, Section 143.8(1)(b) (setting the “reasonable time” as thirty days). To my knowledge, no such appeal was filed.

As a consequence of no appeal having been made, the September 2020 determination that the Property is not inside the system boundary constitutes the legally binding and final word on this matter.

Nothing suggests that the determination is erroneous in any way. However, assuming for the sake of argument there was a legal or factual error, the determination would still remain final and unappealable. Such is the nature of the doctrine of judicial finality; whether a decision is right or wrong, if a decision is not appealed by the deadline, the decision stands.

Accordingly, the Property is not subject to the provisions of Section 270-17(A)(3) regarding “land uses within the presently served region.”

New Sewer Allocation is Not a Vested Right

No New Hampshire law vests any right to develop any aspect of any subdivision or site plan that was approved, but not substantially and actively begun before the approval expired, or that was never even requested. Subdivision and site plan approvals expire after five years without active and substantial development or building, among other requirements. RSA 674:39, I. Upon expiration, the right to construct any previously approved but now-expired improvements are extinguished. *See* RSA 674:39, I.

In this case, the 1991 subdivision and site plan approvals related to the subdivision of land so that Walmart Stores, Inc. could develop a Sam's Club on unimproved land. The improvements applied for were constructed, namely Sam's Club, its parking lot and accessway, and other ancillary features. So, those improvements now enjoy certain vested right pursuant to RSA 674:39, II.

As was common in 1991 and remains common now, the approvals required that the terminus of the sewer line that would serve Sam's Club be sized to accommodate any future development. That in no way represents any type of request or approval — especially not of any new sewer allocation — of any future development. No future development beyond Sam's Club was requested or approved in 1991. Simply put, neither the proposed Hillwood Logistics Center, nor any of its ancillary features such as the requested new sewer allocation, were requested or permitted by any action taken in 1991.

Imagine if every time a board required the terminus of utility line to be prepared for future development, that automatically meant that all such future development, including extension and allocations for all utility lines, were approved without any further application, not even submission of a site plan. That interpretation would detrimentally divest the Town of its regulatory authority and violate many laws.

It is telling that the Applicant cited no legal support for its proposition that the sewer allocation requested now for a sewer line that was never requested, never approved, and never built was somehow already granted in 1991.

Because there is no vested right pursuant to RSA 674:39 (or otherwise) to a new sewer allocation, the Applicant is also not exempt from the "new allocation system" pursuant to Town Code Section 270-17(C)(1)(a). That section uses similar language as the state statute. Only improvements that "commenced active and substantial construction at the project site within one year of the date of approval and must have completed substantial improvements within four years of the date of approval and recording at the Registry of Deeds; or still be within the four year period of exemption pursuant to RSA 674:39 after commencement of substantial improvements." Again, because no new sewer allocation to serve a sewer line across the Property was requested, and therefore was not actively and substantially completed, none is exempt pursuant to Section 270-17(C)(1)(a).

Applicant Requests a New Sewer Allocation But Does Not Meet Requirements

The Applicant makes much of the distinction between sewer extension versus sewer connection, arguing that it merely requests a sewer connection and not a sewer extension. In fact, the correct terminology pursuant to the Sewer Use Ordinance is that the Applicant requests a new sewer allocation.

By contract, the Town of Hudson is allowed to send up to 2,000,000 gallons per day to the City of Nashua's wastewater treatment facility. The vast majority of that capacity has already been allocated. Of whatever amount is available to be allocated, which is not adequately documented in the Application or the Selectboard's record of the Request, the Applicant seeks a new allocation of 36,900 gallons per day.

New sewer allocations are expressly governed by Chapter 270 "Sewers" of the Town's code, Section 270-1 through 270-17. Neither the 5/03/99 Town of Hudson Sewer Utility Policies and Procedures, nor anything contained in them, applies anymore because of the adoption of revisions to Chapter 270 subsequent to them. Plus, the Policies and Procedures, by their very terms, never constituted a law and are therefore not binding or enforceable.

Moreover, in the Applicant's original submission and during presentations on January 12, 2021, the Applicant argued strenuously that it satisfied the requirements of Section 270-17(B)(1) of the Sewer Use Ordinance. The represents an admission on the Applicant's part that Section 270-17(B)(1) is the operative regulatory provision. The Applicant may not now claim that other laws or legal theories permit it to the requested new sewer allocation.

For reasons more fully discussed in my January 12, 2021 letter, the Request lacks sufficient supporting information. Further, any narrow exception that may exist to the general rule in Hudson that new sewer allocations are not given does not apply to this project. The Applicant has not proven their requested new sewer allocation is essential for public health, *and* safety, *and* welfare and has provided so little information to support its position that the only conclusion can be reached is that the Applicant has not met this burden. Because the proposed use is not essential, the Applicant is not entitled to any sewer access or allocation.

The Applicant argues that the current Selectboard should impute to the 1991 Planning Board an intention on the part of the 1991 Planning Board to determine that the new sewer allocation requested in 2020-21 would satisfy the current legal requirements. Such an imputation is entirely inappropriate. No part of the 1991 record demonstrates a finding by the 1991 Planning Board that the Hillwood Logistics Center being given a new sewer allocation in 2021 would be essential for public health, and safety, and welfare. The laws the Applicant cited do not support that proposition.

My January 12, 2021 letter also points out numerous deficiencies that the Applicant has not filled. In addition to those problems, Section 270-15 sets forth limitations on various

substances to be discharged into the system, which is another body of information the Applicant has not provided, but which is required.

In conclusion, my clients respectfully request that you affirm your previous, correct decision to deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:

Clients

Elvis Dhima, Town Engineer, via email only to edhima@hudsonnh.gov

Dhima, Elvis

From: Staffier-Sommers, Donna
Sent: Thursday, September 03, 2020 4:05 PM
To: Dhima, Elvis
Subject: FW: Hudson Logistics Center Sanitary Will Serve
Attachments: 001L - Sanitary Will Serve.pdf; 2020-09-01 Hudson Overall Utility Plan DRAFT.pdf

Forwarding this to you.

I don't know what the intent is in regards to sewer for this project. This address doesn't have access and is outside the sewer district.

Thanks,

Donna Staffier-Sommers
Sewer Utility Administrative Aide



Town of Hudson NH - 12 School Street - Hudson, NH 03051
Phone - 603-886-6029 Fax - 603-598-6481

From: Casey Raczkowski [mailto:craczkowski@langan.com]
Sent: Thursday, September 3, 2020 3:51 PM
To: Staffier-Sommers, Donna <dsommers@hudsonnh.gov>
Cc: Timothy O'Neill <toneill@langan.com>; Nathan Kirschner <nkirschner@Langan.com>
Subject: Hudson Logistics Center Sanitary Will Serve

Good Afternoon Ms. Staffier-Sommers,

We are working on the proposed Hudson Logistics Center project located at 59 Steele Road in Hudson. We'd like to start the conversation for getting sanitary sewer service to the site.

Can you please fill out the attached will serve letter and return to us at your earliest convenience?

Please let me know if you have any questions or if I can provide any additional information.

Thank you,

Casey Raczkowski
Staff Engineer

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Direct: 203.784.3064
[File Sharing Link](#)

January 12, 2021

Via Email Only
Town of Hudson
Board of Selectmen
bos@hudsonnh.gov

Re: Hillwood Request for Sewer Access and Allocation

Dear Chairman Morin and Members of the Hudson Selectboard,

I write on behalf of more than fifty Hudson households that I represent in connection to concerns with the January 5, 2021 request of Hillwood Enterprises, L.P. to extend Hudson's sewer line in connection with a pending proposal to convert the Green Meadows Golf Course into a logistics and distribution center for Amazon (and another, unknown, tenant) ("Request"). My clients respectfully request that the Selectboard deny the Request. Please make this letter a part of your record in this matter.

Overall, the Request lacks sufficient information to demonstrate that it should be granted. The Hudson law makes clear that the general rule is that the sewer line should not be extended. It then sets forth a narrow exception to allow extension only when doing so is essential for the public health, safety, and welfare of the Town of Hudson. It is important to note that any application must prove essentiality for all three parts of the law: public health, and safety, and welfare, each of which has a different meaning. The Applicant has not done that.

Turning to specific insufficiencies, there is no supporting evidence from any third-party peer reviewer or otherwise that there is 195,800 gallons per day of sewer allocation currently available. There is no information about the potential likelihood of long-term maintenance costs to the Town. There should be a written and detailed Main Line Extension Agreement between the Town and the Applicant that the Selectboard would consider as part of the request. Nothing of this nature is included in the Selectboard's packet associated with the Request.

The alleged expectations of the Friel Family resulting from apparent cooperation with the Town in the early 1990s do not supersede Hudson law. If there was a legally enforceable entitlement that resulted from those efforts, that would have been provided to the Selectboard. Nothing having been provided demonstrates that there is no legally enforceable right to this access or allocation. If this expectation was as universally understood, relied-upon, and presumed as has been claimed, the Friel Family should have, before the sewer district boundary was established, undertaken efforts to make sure that the Friel Family's land was fully included inside the sewer district. Having slept on those rights for years, the Friel Family has no claim to this entitlement now.

The Applicant has not provided specific evidence or any information to support its six purported reasons why granting the request would be essential for the public health, safety, *and*

welfare of the Town of Hudson. The Applicant seems to conflate the provision of goods (which the proposed use would do) with the provision of services which are truly essential, such as police, emergency medical services, fire fighters, and teachers. While easing the flow of goods may be helpful, it does not rise to the level of “essential” as used in Hudson law.

In particular, the Applicant has not, but should have, provided engineering and other analysis to show what it would be like if sewage were managed on-site. This should not be ruled out as an option without any information about it. It does not matter if the Applicant is requesting only 20% of what might be allowed if the use really was “essential”. The threshold question is whether the proposed use is essential, and because it is not, the Applicant is entitled to no sewer access and allocation. Of course, in general, tax revenue and jobs are essential to the public welfare of the Town of Hudson. But the Applicant has provided no specific evidence or supporting information as to why the particular tax revenue and jobs of this proposed use, as opposed to others, are essential. So long as there are tax revenue and jobs, which there already are, the public welfare is already met.

In conclusion, my clients respectfully request that you deny the Request. Thank you for your time and attention to my clients input.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc:

Clients

Elvis Dhima, Town Engineer, via email only to edhima@hudsonnh.gov

Nicole Manteau

From: Amy Manzelli
Sent: Monday, March 8, 2021 10:46 AM
To: 'bos@hudsonnh.gov'
Subject: RE: Request to Reconsider Approval of Hillwood Request for Sewer Access and Allocation

Good Morning,

I'm just checking in briefly to inquire as to when the Selectboard will take up the request for reconsideration I filed on 2/5?

Thank you,
Amy

Amy Manzelli, Esq.
Offices in Concord, New Hampshire and Portland, Maine
manzelli@nhlandlaw.com
Phone 603.225.2585



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From: Amy Manzelli
Sent: Friday, February 5, 2021 9:19 AM
To: 'bos@hudsonnh.gov' <bos@hudsonnh.gov>
Subject: Request to Reconsider Approval of Hillwood Request for Sewer Access and Allocation

Good Morning,

Please see attached a request for reconsideration.

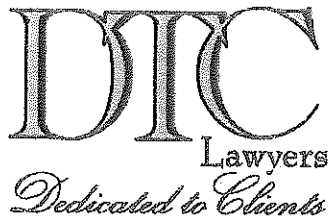
Kindly advise me of when the Selectboard will take up this request and the connection information for me to participate in the meeting online.

Regards,
Amy

Amy Manzelli, Esq.
Offices in Concord, New Hampshire and Portland, Maine
manzelli@nhlandlaw.com
Phone 603.225.2585



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RETIRED
MICHAEL J. DONAHUE
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ROBERT D. CIANDELLA
NICHOLAS R. AESCHLIMAN

April 8, 2021

Roger E. Coutu, Chair
Board of Selectmen
Town of Hudson
12 School Street
Hudson, NH 03051

Dear Chairman Coutu and Other Members of the Board of Selectmen:

As you are aware, this firm represents Hillwood Enterprises, LP (“Hillwood”) pursuant to its efforts to permit the Hudson Logistics Center on property known as the Greenmeadow Golf Course (the “Property”). This correspondence is filed on behalf of Hillwood in response to the “Request for Reconsideration” filed by Attorney Amy Manzelli on February 5, 2021 on behalf of unidentified opponents of Hillwood’s (hereinafter “the Anonymous Opponents”), and re-filed on March 19, and March 23, 2021, all with regard to the Board of Selectmen’s approval of Hillwood’s request for sewer access and capacity allocation on January 26, 2021 (the “Sewer Approval”). This correspondence incorporates all of Hillwood’s previous filings on the issue of sewer to the Board of Selectmen, and those of Attorney Thomas Jay Leonard, representing the Friel family.

Executive Summary

The Anonymous Opponents are inappropriately urging the Board of Selectmen to overturn the Sewer Approval in contravention of the law of New Hampshire and of the clear procedural law of this case regarding reconsideration by the Board, as discussed at length by the Selectmen on January 26, 2021. The Anonymous Opponents’ request violates basic notions of administrative finality and fairness and unnecessarily exposes the Town to significant legal liability.

DONAHUE, TUCKER & CIANDELLA, PLLC
16 Acadia Lane, P.O. Box 630, Exeter, NH 03833
111 Maplewood Avenue, Suite D, Portsmouth, NH 03801
Towle House, Unit 2, 164 NH Route 25, Meredith, NH 03253
83 Clinton Street, Concord, NH 03301

Hillwood reasonably relied on the finality of the Town's Sewer Approval and is on the cusp of a decision in the Planning Board's nearly year-long review of Hillwood's proposed Hudson Logistics Center site plan, and corresponding applications. The Anonymous Opponents are not presenting any new evidence and the Board of Selectmen already considered and rejected every one of the Anonymous Opponents' arguments.¹ The Board of Selectmen has no duty, obligation, or authority to reconsider its Sewer Approval at this time. To the extent the Anonymous Opponents wanted to contest the Sewer Approval, the only avenue for relief, if any, was via a writ of certiorari to the Superior Court. As the Anonymous Opponents did not file that appeal², the Sewer Approval is the law of this case and cannot be reversed at this late juncture due to well-settled notions of administrative finality and other considerations outlined below. We urge the Board of Selectmen to decline to take up or deny the Anonymous Opponents' request.

Finally, Selectmen Gagnon has a clear conflict of interest and should recuse himself from consideration of any potential reconsideration of the Sewer Approval and any other matter concerning Hillwood's Project.

Factual Context

Review and consideration of the discussions at the January 12, January 26 and March 23, 2021 Board of Selectmen meetings is critical to appreciating the context of the Board's original reconsideration and the procedure the Board must follow in this matter moving forward.

On January 5, 2021, Hillwood applied to the Board of Selectmen for sewer access and capacity allocation under Hudson Ordinance §270-17. The Anonymous Opponents, who are third parties who are not directly affected by Hillwood's request, submitted a January 12 letter setting forth all their arguments regarding why the Board should not grant approval.³ That same day, the Board of Selectmen had a public hearing to address Hillwood's sewer access request. Opposition to Hillwood's application appeared and opposed sewer allocation during the meeting's public comment portion.

Thereafter, the Town Engineer presented the basis of Hillwood's sewer allocation request to the Board of Selectmen.⁴ A discussion then ensued between members of the Board of Selectmen, the Town Engineer and legal representation from Hillwood regarding the nature of Hillwood's request, the nature of the public sewer line on the Property and its history, and the

¹ The Anonymous Opponents' latest filings merely repeat their meritless arguments previously advanced that: (i) an internal town e-mail from an administrative aide that was never sent to Hillwood somehow constitutes an "administrative decision" under the law; (ii) Hillwood had no right to a sewer allocation (ignoring the Greenmeadow Golf Club 1991 Subdivision and attendant Planning Board conditions, the public sewer easement conveyed to the Town, and the presence of the public sewer within that easement on the Property, among other things, all of which reflect Hillwood's right to the requested allocation); and (iii) Hillwood did not meet the criteria under Hudson Ordinance §270-17. The Board was fully aware of and rejected these previously-raised arguments when the Board granted Hillwood Sewer Approval on January 26, 2021.

² There are several likely reasons for the Anonymous Opponents' neglect to file such an appeal: as a threshold matter, any such petition for a writ of certiorari would require the Anonymous Opponents to discard their veil of anonymity.

⁴ See Board of Selectmen Meeting Video, January 12, 2021, at 1:43:45

issue of whether the Property was inside or outside of the Sewer District.⁵ During that discussion, Selectmen Martin asked the Town Engineer the below paraphrased questions⁶:

- Do we have any documentation ... any copy of this easement, and any agreement to give this allocation to this property?
- The reason why I ask is Is there any promise from the Town in any agreement to say that the Town would do this?
- Why does this property not now ... if we already have sewer on the property?"⁷

In response to Selectmen Martin's last question, the Town Engineer stated "It's a good question, why wasn't the whole thing included? I don't know." Selectmen Martin responded "It should be included."⁸

Later in the discussion, and in response to a question directed to her by Chairman Morin regarding what Selectwoman McGrath's recollection was about the public sewer easement over the Property at the time it was conveyed to the Town, Selectwoman McGrath stated that she did "not have a recollection about that."⁹ Moments later, Selectwoman McGrath stated:

I would recommend that a good research of the historical documents that are in the town, that you can go back and look at meeting minutes, you can determine whether or not the Friel family ever talked about being put in the sewer district...¹⁰

A few minutes later, Selectwoman McGrath made a motion to deny Hillwood's request.¹¹ Rollcall was then taken, which led to a 3-2 vote to approve Selectwoman McGrath's motion to deny Hillwood's request.

Thereafter, a discussion between Hillwood's legal representative and the Board of Selectmen ensued. Specifically, after Selectwoman McGrath's motion to deny was approved, Attorney John Smolak requested that the Board reconsider the vote to look at the history of the Property and avoid making the sewer allocation vote a referendum on the Project.¹² In response, Selectwoman McGrath made a motion to deny Attorney Smolak's "request for reconsideration."¹³ Selectmen Coutu then noted the following in a point of order:

The representative from Hillwood didn't make any motion, he's not entitled to make any motion, we are denying a motion that was never made.
Reconsideration at this point Mr. Chairman, on a point of order. Parliamentary

⁵ *Id.* at 1:43:45 – 1:59:17.

⁶ Hillwood notes that all quotes provided herein are as close to verbatim as possible acknowledging that a stenographic transcript of the underlying hearings was not produced.

⁷ *Id.* at 1:59:18.

⁸ *Id.* at 2:00:49.

⁹ *Id.* at 2:05:32.

¹⁰ *Id.* at 2:07:39.

¹¹ *Id.* at 2:12:38.

¹² *Id.* at 2:14:00.

¹³ *Id.* at 2:14:30.

procedure ... The majority vote was “no.” Any one of them would have to make a motion to reconsider, [Chairman Morin] and I cannot make the motion. So to take a vote now on reconsideration is moot, is out order, there is no motion on the floor to reconsider.¹⁴

The Town Administrator, Steve Malizia, then opined that “you have to wait until the next meeting before you can even take such a vote.¹⁵ Mr. Malizia then reiterated that “the prevailing side would have to raise that for reconsideration[,]” a statement Selectmen Coutu agreed with by stating “somebody on the prevailing side would have to move to reconsider because ... they want to hear more evidence or maybe they changed their mind in the meantime.”¹⁶

Critically, Selectman Martin then stated:

Just to clarify. If there was available information to persuade me to make that motion, then I would make that motion at the next meeting. If the information came to me and I said ‘oh, wait a minute, we made some kind of agreement’ ...¹⁷

Echoing Selectmen Martin’s invitation for additional information, Chairman Morin stated:

And I understand what you’re saying. But, you know the records of this Town in the past, you know what I’m saying. So, it’s kind of unfair because we didn’t do our job on our side with the information we should have had to give us a clear answer to make a good decision. And that’s been a problem numerous times in the past for us. If anybody wants to bring up next meeting a reconsideration or if [Hillwood] comes up with some new information that the Town Engineer forwards to us we can make that decision and someone can go for reconsideration at the next meeting and we’ll take it from there at this point.¹⁸

In response to the Board of Selectmen’s invitation for more information and potential reconsideration at its next meeting, Hillwood compiled a substantive analysis with seven (7) exhibits and filed same with the Board on January 20, 2021. Hillwood’s filing complimented that of Attorney Jay Leonard on behalf of the Property owners, who filed a formal Request for Reconsideration on the same day with additional information. On January 26, 2021, the Anonymous Opponents filed another letter that repeated and extensively detailed the arguments previously raised in their January 12th letter.

The Board of Selectmen’s next meeting occurred on January 26, 2021. For nearly 40 minutes several members of the public spoke in opposition to Hillwood’s sewer allocation reiterating many of the arguments raised by the Attorney Manzelli in her letters to the Board.¹⁹

¹⁴ Id. at 2:14:50.

¹⁵ Id. at 2:15:50.

¹⁶ Id. at 2:16:00.

¹⁷ Id. at 2:16:17.

¹⁸ Id. at 2:16:29.

¹⁹ See Board of Selectmen Meeting Video, January 26, 2021, at 00:04:00 – 00:41:16.

Later in the meeting, Hillwood's sewer allocation request was addressed.²⁰ After remarks by Selectwomen McGrath and Roy, Selectmen Martin stated the following in relevant part:

Thank you Mr. Chairman. The reason why this is front of this board again is because of me. Ok? Me . . . The reason why I did not vote to approve the allocation was because I thought, and no ill will towards anybody, that it was a backdoor deal, a backroom deal done in 1991 where people shook hands in a meeting and said 'Yep, we'll guarantee this.' But I found out, and if you look at the Board's packet online, there is documentation submitted. And I asked for that documentation. I didn't vote 'no' to stop a project, I voted 'no' because I thought it was a backdoor deal . . . If you look at the documentation, don't even read the letter, look at the documentation submitted . . . This is from a Planning Board meeting July 24, 1991, 7:00 PM. 'Proposal to consolidate Map 7, Lots 39, 40, 41 and 42 and part of Tax Map 7, Lot 5' . . . If I go down to this next exhibit it says 'notes' . . . it says 'owners of record are, Lot 7-5, Greenmeadow Golf Course.' I heard people say that it was never mentioned in any of the meetings, tonight, I heard people say that . . . And number five specifically on this document says 'the intent of this plan is to consolidate five parcels of land totaling 367.829 acres, and then resubdivide this new parcel into seven parcels . . . and the remaining 331.847 acres to remain as Lot 7-5.' Now, remember I just said, Lot 7-5, Greenmeadow Golf Course. Ok? . . . Number seven, 'site is to be served by municipal sewer and water. Sewage pump station is required.' Remember I said, 'I thought it was a backdoor deal.' Well here's somebody, some people went together and had a meeting and put plans together for future development of Greenmeadow Golf Course. And I believe that in 2002, was the last year they made the payment to the Town with regards to that sewer pump station. And then, low and behold, here we are in 2021 saying that the Town accepted money for the . . . 18 inch pipe and Greenmeadow property gave the Town an easement, but yet, 'wait a minute, we'll take the money but we're not going to allow you to connect?' I think that's highway robbery Mr. Chairman. And in my mind, because I asked for more evidence, I'm ready, when the discussion is over, to make a motion to reconsider because this documentation . . . I read what I needed to read to make up my mind. . . So, it was me that requested it, it's me that's here and its me that neither voted to deny it to hold up a project or am voting to overturn my vote to get it going. It's the right thing to do . . . and that's why I'm voting the way I'm voting.²¹

Thereafter, Selectmen Coutu reminded the public that a "few weeks ago" a developer came to the Board of Selectmen requesting sewer access and the Board of Selectmen gave it to him.²² Mr. Coutu stated that that project was "distinctly out of the district." Elaborating, Selectmen Coutu stated the following with regard to the Board's decision:

²⁰ *Id.* at 1:03:15.

²¹ *Id.* at 1:03:15.

²² *Id.* at 1:16:20.

We didn't want to prohibit his ability to have access. The pipes were readily available immediately adjacent to the property as is the pipe coming down the Circumferential Highway towards the Friel property.²³

Thereafter, Chairman Morin made a few comments before Selectwoman McGrath raised an issue and directed a question to Selectmen Coutu.²⁴ Specifically, Selectwoman McGrath asked:

After reviewing the plans . . .if after the Planning Board reviews [Hillwood's] plans and decides that the sewer allocation isn't appropriate for that project, would you reconsider the vote that's taken tonight if it's a positive vote to allow them to go ahead and present to the Planning Board that they have the sewer allocation?²⁵

In response, Selectman Coutu stated:

I want to make sure I understand the question . . . if there is a motion to reconsider, you can only reconsider a motion once. This would be the end of it. If it fails . . . if the motion to reconsider fails then the Board is voting . . . by majority either way. Then it's a moot point. Hillwood . . . would . . . have several options available at that point. They can take legal action to get an interpretation from the Court. They can appeal to the Board of Selectmen who are sewer commissioners or an allocation directly. And they have other avenues to pursue . . . I think you're asking if a majority of the members of the Planning Board felt that sewer allocation was not deemed legal, would I change my vote? . . . If they say they don't feel it's appropriate, and there's a majority voting to support that statement? Legally, that's not binding. The decision made here is what's binding. We are the sewer commissioners.

Clarifying her question to Selectman Coutu, Selectwoman McGrath stated:

You had mentioned in your comments that . . . the Planning Board hasn't seen the plans, the full plan set yet, and if at that time, they think that the Board of Selectmen made a premature, or, a premature decision, or one that probably wasn't in the best interest of the Town, would that be something that we could reconsider and bring it back before the Board of Selectmen, and then deny the request again?²⁶

²³ Id. at 1:20:15.

²⁵ Id. at 1:22:00

²⁶ Id. at 1:23:00.

Selectmen Coutu's response was unequivocal:

No. You can only reconsider once, and if a motion is made this evening . . . it would be the final reconsideration.²⁷

Thereafter, Selectwoman McGrath stated "I think that we need get some good legal advice about whether or not if we made a decision in haste that we couldn't reconsider it in the future."²⁸ The Board then discussed obtaining legal advice from the Town Attorney on the issue of reconsideration and the idea of waiting to take up a reconsideration after the Planning Board took action on the matter. In that context, Selectmen Coutu stated:

I don't believe . . . that this board has ever formally adopted Robert's Rules. From my understanding . . . it's just been used as a guide for us. Because typically, the rules of order are, if a motion is made, and somebody on the prevailing side wishes to have it reconsidered because they acquired new information, or they discovered that someone gave them false information initially to . . . make a vote one way or the other . . . we can reconsider, but it has to be done at the next official meeting of the body in which this pertains too . . . Planning Board, Board of Selectmen, ZBA, or other boards.²⁹

Selectman McGrath then made a duly seconded motion to defer action until the next Board meeting so that the Board could hear from the Town Attorney "whether or not we can defer this until after the plans have been submitted to the Planning Board . . ."³⁰ Selectwoman McGrath's motion to defer did not pass.

Selectman Martin then made a duly seconded motion to reconsider the sewer allocation vote. A substantive rebuttal to Hillwood's filing was made by Selectwoman Roy which consisted in large part of reading quotes from Attorney Manzelli's letter to the Board.³¹ In a discussion between the Town Engineer and Chairman Morin, Chairman Morin confirmed that the Town Attorney had received and reviewed the entire package for the Board's meeting, had offered no substantive comment, and had provided draft motions to the Board for their consideration. Chairman Morin stated "I'm comfortable that we went through our proper channels with our Attorney . . ."³² Finally, confirming the context of the meeting and the process that had been undertaken regarding same, the Town Engineer stated to Selectwoman Roy "remember, most of the information that's being presented to you tonight, the exhibits, were produced by the Town of Hudson, after the last meeting . . . at Selectmen Martin's request . . ."

Selectman Martin's motion to reconsider the sewer allocation vote passed by a vote of 3-2. Selectmen Coutu then made a motion to grant Hillwood's sewer allocation request and the Town Engineer summarized the intent, meaning and obvious finality of the vote when he said

²⁷ *Id.* at 1:23:41.

²⁸ *Id.* at 1:25:15.

²⁹ *Id.* at 1:32:40.

³⁰ *Id.* at 1:39:00.

³¹ *Id.* at 1:41:00.

³² *Id.* at 1:49:10.

“[i]t would be easier for the Planning Board to know or for the applicant to know which way they need to go . . . it’s my understanding they were trying to get a decision tonight from the Board of Selectmen, if they can connect to sewer or not. So I think that would serve them and you better, and the Planning Board better, to understand which way this is going to go.”³³ Selectman Coutu’s motion to grant Hillwood’s sewer allocation request then passed 3-2.

The issue of Hillwood’s Sewer Approval came up again at the Board of Selectmen’s March 23, 2021 hearing at which time, Chairman Morin stated:

When we originally did a reconsideration on this project, it was due to the fact that we received a letter from the lawyer representing Greenmeadows with new information. Where we have received a letter from Attorney Manzelli, asking us again to do a reconsideration, I think its only fair that this Board look at it again . . . This has to be looked at under the same rules that we did the first reconsideration . . . There must be new information to present. It’s not opinions, it’s not ‘do I believe this, do I believe that,’ there must be new information to present to the Board for us to take this up.³⁴

These discussions by the Board of Selectmen memorialize the context of this issue and establish the law of this case regarding the notion of reconsideration as follows:

- The Board’s original reconsideration was the result of express invitations extended to Hillwood by the Board of Selectmen to provide supplemental context and information for potential reconsideration vote by the Board.
- Motions for reconsideration may only be made by a member of the prevailing party.
- Motions for reconsideration may only be raised once, at the meeting after the original vote was taken.
- Motions for reconsideration cannot be reconsidered.
- The Select Board does cannot to reconsider the Sewer Approval at a later date.
- At a minimum, if the Board of Selectmen does take up a request for reconsideration, there must be new evidence.

Discussion

1. The Board of Selectmen has no obligation to act.

The Anonymous Opponents wrongfully suggest that this Board is compelled to review and reconsider the Sewer Approval pursuant to 1) RSA 41:8, which has nothing to do with review of decisions, and 2) RSA 541:6, which is only applicable to certain State agencies, not the Town’s Board of Selectmen. On the contrary, the Board’s decision regarding sewer allocation implicates RSA 43:1, which governs hearings by Selectmen. RSA Chapter 43 provides no procedural mechanism for further review of final Board decisions, and, as the Board of Selectmen discussed at great length during the January 26, 2021 meeting, motions for reconsideration may only be raised by a member of the prevailing side, at the meeting after the

³³ Id. at 1:58:20.

³⁴ See Board of Selectmen Meeting Video, March 23, 2021, at 00:30:00.

original vote, and votes may only be reconsidered once. These parameters are rooted in the doctrine of administrative finality, discussed below, and in notions of fundamental fairness.

The Anonymous Opponent's only avenue for relief from an RSA 43:1 final decision, particularly to avoid implicating the very administrative finality considerations discussed at the January 26 Board meeting, was to file a writ of certiorari.³⁵ The Anonymous Opponents failed, refused or neglected to so file such a petition.³⁶ The Anonymous Opponent's failure to pursue their only legal remedy potentially available is not a legal justification for the Board to reverse its well-founded and openly discussed procedural interpretation regarding the doctrine of reconsideration, particularly where, as here, the result of a reversal of the original decision would be so damaging.

The Board of Selectmen is not compelled or required to take up the Anonymous Opponent's request for reconsideration and should disregard the same for the same reasons it previously rejected their arguments.

2. The Board of Selectmen's Sewer Approval is a final administrative decision not subject to review.

New Hampshire Courts have repeatedly recognized the need for finality in administrative decisions, especially where an administrative agency or board is acting in a judicial or quasi-judicial capacity. *See, e.g., CBDA Dev. v. Town of Thornton*, 168 N.H. 715, 721 (2016). Finality in municipal decisions is "essential" and "prevents repetitive duplicative applications" thereby conserving the resources of the Town and "interest third parties that may intervene." *Id.* Administrative finality further "limits arbitrary and capricious administrative decision-making" and thereby generally prevents revisiting decisions. *Id.*

Although the Board initially denied Hillwood's request, Selectmen Martin and Selectman Morin specially invited additional information from Hillwood to clarify the history of the Property vis-à-vis the existing public sewer pipe that traverses the same, for a potential vote for reconsideration at the next Board meeting. Hillwood and the Property owner submitted the requested supplemental information along with a request for reconsideration. *Cf. CBDA Dev.*, 168 N.H. at 725 (stating that it is proper for a municipal body to review its decision to account for new information that the body requested).

Hillwood also extensively explained its arguments regarding why the Board should approve Hillwood's sewer request. Similarly, the Anonymous Opponents submitted another letter on January 26 that repeated and extensively detailed their arguments opposing the Board's approval. On information and belief, that letter was quoted at length by Selectwoman Roy

³⁵ An analogy would be a motion for reconsideration or rehearing filed with a Planning Board. Filing such motion does not absolve the applicant from complying with the statutory appeal period delineated in RSA Chapter 677.

³⁶ Hillwood registers here its belief that the Anonymous Opponents would not have standing to prosecute such a lawsuit. Among other things, the Anonymous Opponents may not proceed anonymously were they to file a petition for writ of certiorari, as their identities will be central to whether they can establish standing for such an action. The Anonymous Opponents clearly made a choice, preferring their anonymity; this underscores the inappropriateness of repeatedly entreating this Board to exercise authority the Board does not enjoy, where the Anonymous Opponents themselves chose not to pursue their own avenues for relief.

during the hearing on January 26. The Board extensively discussed the procedure for reconsideration and appeared to agree that motions for reconsideration may only be raised by members of the prevailing side, and at the meeting after the original vote. Ultimately, the Board took into consideration the supplemental information Hillwood provided, took into consideration Hillwood's arguments and the arguments of the Anonymous Opponents, and voted to approve Hillwood's sewer request. By making a decision following a request for reconsideration, the Board's decision became a final administrative decision.

Without providing Hillwood any notice, ten days later the Anonymous Opponents requested reconsideration via letter dated February 5, 2021. However, the Anonymous Opponents' letter merely reiterates the exact same arguments they had already raised, and the Board had already considered and rejected. By the Anonymous Opponents' own admission, they have not raised any new arguments. Similarly, in their March 23, 2021 letter, the Anonymous Opponents list the exact same arguments raised in their January 26 and February 5 letters. In other words, the Anonymous Opponents simply continue to repeat the same arguments that the Board has already rejected.

This is precisely the situation that the doctrine of administrative finality seeks to avoid. Administrative decisions need finality. The parties need finality. The Board's decision cannot be repeatedly reconsidered based on the same arguments simply because the Anonymous Opponents do not like the result, particularly where Hillwood has relied on the Sewer Approval to its detriment, as discussed below.

3. Hillwood justifiably relied on the Board's approval.

The Board granted Hillwood its sewer access and capacity two and a half months ago. Since that time Hillwood has invested considerable financial resources in reliance on the same. The process through which Sewer Approval was obtained, outlined above, clearly delineated the effect of Board of Selectmen's vote, that no additional votes for reconsideration would be authorized because reconsideration of votes can only happen once, and only after a motion from the prevailing side. Attorney Manzelli and the Anonymous Opponents were clearly aware of these circumstances. Further, the Board of Selectmen declined to adopt a motion that would have deferred its meeting to get guidance from the Town Attorney on this issue, presumably because Selectman Morin suggested the Town Attorney had received and reviewed the entire package for the Board's meeting, had offered no substantive comment, and had provided draft motions to the Board for its consideration as noted above.

New Hampshire has recognized that a person may maintain a claim against a municipality for detrimental reliance on a permit or approval. See Socha v. Manchester, 126 N.H. 289, 291 (1985). Thus, a person who justifiably relies upon a final municipal permit or approval has a vested right to that approval. Id. If the person relies upon an approval and has incurred substantial liabilities relating to that approval, the municipality can be liable for the person's damages if the municipality subsequently seeks to revoke the approval. Id.

In this case, Hillwood reasonably relied on the Sewer Approval as a final administrative decision and through that reliance, has expended substantial resources. If the Board improperly

reviews or revokes Hillwood's Sewer Approval, Hillwood would incur significant financial damages based on its detrimental reliance on the Board's approval, and the Town would be unnecessarily exposed to significant legal liability.

4. The Board cannot review its decision because there has been no change in circumstances.

The Board issued a final decision granting Hillwood's Sewer Approval. No circumstances, surrounding Hillwood's sewer approval, aside from the composition of the Board of Selectmen, have changed in any way.

State Courts have repeatedly warned municipal officials that they cannot act arbitrarily in bad faith. See, e.g., Guarrancino v. Beaudry, 118 N.H. 435, 437 (1978) (Courts will overturn the decisions of officials if they were made "arbitrarily or in bad faith."). Recognizing the importance that municipal officials adhere to their duty to act in good faith, the State legislature specifically authorized suits against officials in their individual capacity when the officials have acted in bad faith. RSA 491:24.

In this case, nearly two and half months have elapsed since the Sewer Approval. The Anonymous Opponents' most recent letter of March 19 merely reiterates the exact same arguments raised in their previous letters to the Board and already rejected by the Board. The only changed circumstance is the composition of the Board of Selectmen itself after the March election. There are no legitimate grounds for reconsideration.

The Anonymous Opponents' requested course of action unnecessarily exposes the Town to significant liability.

5. The Anonymous Opponents' request for reconsideration implicate broader issues of due process and fundamental fairness in light of their anonymity.

The Anonymous Opponents' request for reconsideration implicates a broader problem that is permeating Hillwood's application process: anonymous individuals or entities are desperately attempting to derail the permitting process, often by repeating rejected arguments or otherwise advancing fundamentally untrue facts to oppose the application.³⁷

The anonymous nature of Hillwood's opponents creates core problems for Hillwood and this Board. It was already revealed that a former Planning Board alternate was represented in connection with Hillwood's application, along with his wife, by Attorney Manzelli, counsel for the Anonymous Opponents. When this issue came to light, the former Planning Board alternate declined to recuse himself from the proceedings and was ultimately removed from his position

³⁷ Hillwood notes that four (4) individuals sued the Town by a complaint filed March 24, 2021, expressly seeking to halt all proceedings on Hillwood's applications before all municipal boards on the allegation that the Town violated RSA 91-A, et seq by not providing documents. In that complaint, the plaintiffs admit that they are part of the collective represented by Attorney Manzelli, but also reveal that their group includes "more than 50 families." As such, while the identity of four (4) individuals were recently revealed, the identities of Anonymous Opponents remain overwhelmingly shrouded.

by the Board of Selectmen. Connections such as these underscore the problem with allowing opponents to the project to proceed anonymously: any number of inappropriate connections, biases or disqualifications may exist with no true way for this Board, the Planning Board, or Hillwood to meaningfully address (or even know about) same.

Furthermore, there is no way for this Board (or the Planning Board) to know whether the Anonymous Opponents are residents of the Town, the members' constituents, or can even establish an aggrieved status. Indeed, the Anonymous Opponents could include economic competitors of Hillwood or its end user: neither Hillwood nor this Board have any way to assess the standing, bias or aggrieved status of the Anonymous Opponents given their insistence on anonymity.

This issue implicates whether the proceedings before this Board and those before the Planning Board meet the requirements of due process and fundamental fairness. As a threshold matter, it cannot be determined whether all members of the Anonymous Opponents have, at minimum, a "direct interest" in the application. See, RSA 676:4(I)(e). This is not speculative: in connection with Hillwood's local permitting efforts there was already colorable concerns regarding a Planning Board alternate. This is underscored here where the Board of Selectmen is asked by an anonymous group of individuals and/or entities to take action contrary to applicable fact and law, as set forth at length above.

To that end, and for the sole reason of the Anonymous Opponents' anonymity, the request for reconsideration should be denied.

6. Board of Selectmen Member Brett Gagnon's extensive conflicts of interest prohibit him from participating in any discussion regarding the Sewer Approval or Hillwood.

Member Brett Gagnon's lengthy history of vocal, public opposition to Hillwood's development of the Property, including his leadership of a group that has vocally and publicly opposed the Hillwood Project, make him ineligible to participate in any decisions regarding the Sewer Approval or Hillwood.

When a public official is acting in a judicial or quasi-judicial capacity, such as voting on permit or approval applications, that official's participation must satisfy the strict conflict of interest "juror standard." See Appeal of City of Keene, 141 N.H. 797 (1997); see also N.H. Const. Pt. I, Art. 35 ("It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as impartial as the lot of humanity will admit.").

The juror standard requires officials to be as impartial as a juror, meaning indifferent. In other words, an official that has given the appearance of having pre-judged an issue is not "indifferent" and therefore must be disqualified from participating in any decisions regarding that issue. See State v. Anaya, 131 N.H. 330, 331 (1988) (Any juror who is not indifferent shall be excused.").

An objective standard is used to determine whether a person is qualified to judge an issue. Cf. Sherryland, Inc. v. Snuffer, 150 N.H. 262, 268 (2003). This means that even the appearance of impropriety is sufficient for disqualification. If an “objective, disinterested observer, fully informed of the facts, would entertain significant doubt” that the person can be as indifferent as a juror, then that person cannot participate. Id.

Here, Selectmen Gagnon’s lengthy, public history of opposition to Hillwood’s development of the Property demonstrate that he is not as “impartial as the lot of humanity will admit.” N.H. Const. Pt. I, Art. 35. Selectmen Gagnon co-lead a group that opposed Hillwood’s development of the Property. On information and belief, the Hudson Alliance for Responsible Development (“HARD”), established itself on or about July of 2019. Selectmen Gagnon was an early supporter and commenter on HARD’s Facebook posts from the outset and throughout 2019.

HARD expressly and publicly declared its opposition to Hillwood’s Project in late April of 2020, just after the project was announced to the public. Despite being a member of the Town’s Conservation Commission, Selectmen Gagnon inappropriately supported HARD’s Facebook posts as well as comments from people opposing Hillwood’s Project (while intentionally hiding the fact that he was a leader of HARD). Selectmen Gagnon’s actions included liking and sharing numerous HARD posts and comments opposing Hillwood’s Project. Significantly, HARD issued a “Call to Action” in May of 2020 that urged the public to voice their opposition of the Hillwood Project to Town leaders and provided a template opposition letter. HARD also publicly supported the group “Save Hudson,” whose purpose is to oppose the Hillwood Project.

After Selectmen Gagnon was not re-nominated to the Conservation Commission in December 2020, HARD officially announced on January 6, 2021 that it **would be co-led by Brett Gagnon**. Moreover, Selectmen Gagnon admitted in a Facebook post that same day that he had been co-leading HARD all along. In response to a comment stating: “Everyone already knew that HARD was run by Jennifer and Brett,” Selectmen Gagnon stated **“I giggled a bit to be honest. Can’t really disagree but now it’s more officially. We don’t need to side step, hide, or cover our work because it may cause waves with those who adamantly support for these big projects.”**³⁸ In other words, Selectmen Gagnon publicly admits that he has been hiding his affiliation and leadership role with HARD from the outset to avoid “causing waves.” It is particularly troubling that Selectmen Gagnon’s comments demonstrate that he **intentionally** hid his leadership of this group while he was a member of another Town board—the Conservation Commission. It comes as no surprise then, that when provided the opportunity to recuse himself from participation in the Sewer Approval discussion at the March 23, 2021 Board of Selectmen meeting, Selectmen Gagnon declined to do so.³⁹

³⁸ See Enclosure 1.

³⁹ See Board of Selectmen Meeting Video, March 23, 2021 at 00:33:45.

This lack of candor erodes public trust that Town officials will act impartially, and it is sufficient basis alone to prove that Selectmen Gagnon cannot act impartially with respect to Hillwood's Project.

Further, HARD, under Selectmen Gagnon's leadership, issued a strong, public rebuke of the Hudson Board of Selectmen for its vote to reconsider and approve Hillwood's sewer allocation. Mr. Gagnon liked the post and posted a "wow" emoji. Mr. Gagnon also liked Hudson NH Democrats "share" of HARD's rebuke.

In sum, from the moment Hillwood's Project was announced publicly, Selectmen Gagnon has been affiliated with and/or leading HARD, which has been publicly and vocally opposing the Hillwood Project. Moreover, it is clear that Selectmen Gagnon has prejudged the specific issue of sewer allocation because under his leadership and with his public support, HARD expressly and publicly criticized the decision of the Hudson Board of Selectmen for its vote to reconsider and approve Hillwood's sewer allocation. It would be impossible for Selectmen Gagnon to impartially weigh a new decision regarding sewer allocation, to the extent the Board of Selectmen decide to take it up, as he is required to under the law.

Selectmen Gagnon's lengthy history of organizing and opposing Hillwood's Project prohibit him from acting on any Board of Selectmen decisions with regard to the Hillwood Project because Selectmen Gagnon is clearly not as "impartial as the lot of humanity will admit." N.H. Const. Pt. I, Art. 35. Therefore, Mr. Gagnon must not participate in any decisions relating to Hillwood's sewer allocation, including any decisions regarding whether to grant rehearing or to reconsider the final Sewer Approval.

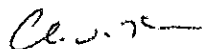
Conclusion

The Anonymous Opponents have not provide a single compelling or legitimate reason for why reconsideration of the Sewer Approval is proper and such reconsideration is not proper in light of the law of this case. The Board has already rejected the few arguments the Anonymous Opponents actually raise and Hillwood has reasonably relied on the Sewer Approval. As a result, there is no basis to reconsider the Sewer Approval and doing so unnecessarily exposes the Town to significant legal liability. We appreciate the Board's review and consideration of this letter.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC



Justin L. Pasay, Esq.



Christopher T. Hilson, Esq.

SMOLAK & VAUGHAN, LLP



John T. Smolak, Esq.

January 6, 2021 - Brett Gagnon shared the HARD statement of his co-leadership. Mike Coumas posts that "everybody already knew that HARD was run by Jennifer and Brett." Gagnon admits to it.



Brett Gagnon shared a link.

22h · 🌐

...

HARD would like to publicly highlight its dedicated leaders behind the research, efforts and passion. Even more so now, these two individuals are dedicated to listening to the community and pushing for a better quality of life for all.



HUDSONALLIANCEFORRESPONSIBLEDEVELOPMENT.HOME.BLOG

Former Hudson Conservation Commission Members Drive H.A.R.D. Forward

👍❤️ 6

7 Comments 3 Shares



Mike Coumas

Everyone already knew that HARD was run by Jennifer and Brett. Did you think it was not known?



Brett Gagnon

Mike Coumas I giggled a bit to be honest. Can't really disagree but now it's more official. We don't need to side step, hide, or cover our work because it may cause waves with those who adamantly support for these big projects. The work HARD has done was being used against us to threaten expulsion from our volunteer positions but now since that threat no longer exists we can work without chains and really start to do big things.

Like Reply Share · 22h

👍 1



Brett Gagnon

And for the record, I know we don't always see eye to eye on things but keeping critics around is always good to solidify an idea. I appreciate your feedback and hope we have more respectful discussions to come.



Mike Coumas

Brett Gagnon well not really a critic because I agree conservation is important... but I am more a realist and see a common ground between growth, conservation and development. I know development will occur and understand that common ground can be achieved between conservation and development. Looking forward to see your active involvement in Hudson conservation activities.



Brett Gagnon

Mike Coumas well then I stand corrected and we agree on more than I realized sir.

Jan 31, 2021 – HARD FB post on its rebuke of BOS over sewer allocation vote. Gagnon ‘wows’ and ‘likes’ it.

facebook.com/HudsonAllianceRD

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Hudson, NH 03051

Hudson Alliance for Responsible Development (HARD) believes our town's true wealth lies in its unique rural character, natural beauty and sense of community.

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<https://hudsonallianceforresponsibledevelopmenthome.blog/home-page/>

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Hudson Alliance for Responsible Development
January 31 · 🌐

A residents point of view recapping the most recent Hudson Board of Selectmen meetings regarding the sewer connection request by the Hudson Logistics Center



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HLC Sewer Connection Request: Residents send strong words to Hudson Select Board

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Gagnon responds to post with ‘wow’ emoji.

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January 26 ·
INFORMATIONAL: 2016 HLC Municipal Land Use Regulation Comm...



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Attorneys at Law

THOMAS J. LEONARD
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RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

April 7, 2021

Board of Selectmen
Town of Hudson
12 School Street
Hudson, NH 03051

RE: Sewer

Dear Members of the Board:

As you know, this office represents Greenmeadow Golf Club, Inc., and the Friel family as owners of property located off Steele Road presently used as Greenmeadow Golf Course (the "Property"). As you know, Hillwood Enterprises, LP ("Hillwood") has a contract to acquire the Property and redevelop the Property into the Hudson Logistic Center.

I write relative to the "Request for Reconsideration" letter submitted by Attorney Amy Manzelli on February 5, 2021, and her most recent follow-up letter dated March 23, 2021.

In sum, the Board need not respond to Attorney Manzelli's request. Certainly, the Board need not act upon it. And in any event, Attorney Manzelli has not supplied any information justifying reconsideration of the Board's January 26, 2021 decision.

A. No response from the Board is required.

As Attorney Manzelli acknowledges, the Board by-laws do not allow non-Board-members to petition for reconsideration or rehearing. While the Applicant *did* request reconsideration following the Board's initial sewer decision on January 12, it did so at the express invitation of a Board member who was contemplating moving for reconsideration himself. The Board did not vote directly upon the Applicant's request, but rather voted on reconsideration only when a Board member made a formal motion himself. No such situation is currently before the Board, and there is no requirement that the Board act upon Attorney Manzelli's request.

1. Background

The minutes of the January 12, 2021 Board meeting provide the following information. Selectman McGrath made a motion to deny the sewer allocation request, which carried. SELECT BOARD MINUTES (Jan. 12, 2021), at 19.¹ Following the Board's vote, a representative of Hillwood (Attorney Smolak) "asked for a request for reconsideration." *Id.* After some discussion, the Board determined that the "representative from Hillwood [is] not entitled to make any motions. . . . [O]ne of [the members on the prevailing side] would have to make a motion to reconsider." *Id.* The Town Administrator also opined that "you have to wait [un]til the next meeting before you can take such a vote." *Id.*

Thereafter, one of the members of the prevailing side (Selectman Martin) stated that "if there was available information to persuade me to make that motion [to reconsider], then I would make that motion at the next meeting." *Id.* The Chairman agreed with this course of action. *Id.*

Further information was indeed provided by the Applicant. Thereafter, at the Board's next meeting (January 26, 2021), Selectman Martin made a motion to reconsider the sewer permit denial. SELECT BOARD MINUTES (Jan. 25, 2021), at 16.² The motion passed. *Id.* at 18. The sewer permit was then approved by the Board. *Id.*

2. The Board is not required to act.

Attorney Manzelli has not supplied adequate support for her assertion that "the Selectboard is duty-bound . . . to take up the request" for reconsideration. MANZELLI LETTER (Mar. 19, 2021). The only citation provided is to RSA 41:8. That statute simply states: "Every town, at the annual meeting, shall choose, by ballot, one selectman to hold office for 3 years. The selectmen shall manage the prudential affairs of the town and perform the duties by law prescribed. A majority of the selectmen shall be competent in all cases."

Attorney Manzelli apparently suggests that the Board must act upon her request because the statute provides that the "selectmen shall manage the prudential affairs of the town and perform the duties by law prescribed." RSA 41:8. However, the statute only obligates the selectmen to "perform the duties by law prescribed": that is, those duties imposed by statute. *Gordon v. Town of Rye*, 162 N.H. 144, 150 (2011). Attorney Manzelli has not pointed to any statute or other legal authority requiring the Board to act upon or consider every request received from a member of the public. *Cf. Cronin v. Town of Amesbury*, 895 F. Supp. 375, 389-90 (D. Mass. 1995), *aff'd* 81 F.3d 257, 261 n.4 (1st Cir. 1996) ("The right to petition government does not create in the government a corresponding duty to act."). As such, the Board need not respond to her request, let alone act upon it.³

¹ https://www.hudsonnh.gov/sites/default/files/fileattachments/board_of_selectmen/meeting/46971/bos-m2021-01-12.pdf.

² https://www.hudsonnh.gov/sites/default/files/fileattachments/board_of_selectmen/meeting/46981/bos-m2021-01-26.pdf

³ This is especially true because the identities of Attorney Manzelli's clients are unknown. She identifies her clients

3. There is no appeal available.

The March 23 letter from Attorney Manzelli asserts that her “clients will be entitled to file an appeal to superior court within thirty days if the Select board either declines to grant reconsideration, or grants reconsideration but then votes again to approve the Sewer request.” In support, she cites to RSA ch. 541.

This assertion is simply incorrect. By its express terms, chapter 541 applies only to requests for rehearing at “state departments.” RSA 541:1. It does not apply to municipal boards.

If Attorney Manzelli had an opportunity for an “appeal” it was probably in the form of a writ of certiorari. Thirty days is generally considered reasonable. *Wilson v Personnel Commission* 117 N.H. 783 (1977). The time for filing such an “appeal” has passed. She cannot extend the time for filing by simply remaking requests for reconsideration. *In Re Ellis* 138 N.H. 159 (1993) Administrative bodies may reconsider their own decisions during the time period allotted for appeal. *74 Cox street LLC v Nashua* 156 N.H. 228 (2007)

Attorney Manzelli and her clients were on notice that the Board is not required to act upon petitions from non-Board-members. This was clearly discussed at the January 12, 2021 Board meeting described above. *See* SELECT BOARD MINUTES (Jan. 12, 2021), at 19. Further, Attorney Manzelli was on notice that the Board would only vote on a reconsideration request if a member of the Board (who voted on the prevailing side) made such a motion at the next meeting. *Id.*

While Attorney Manzelli and her clients were certainly permitted to petition the Board (the same as any other members of the public), doing so did not suspend the timeframe for an appeal of the Board’s decision. The Board conducted several hearings since Attorney Manzelli’s reconsideration letter without taking any action upon it. Having received no response from the Board — and being on notice that no response was required — Attorney Manzelli had an opportunity to file an “appeal” with the Superior Court. But she did not, and now more than two months have elapsed since the Board’s decision. Any opportunity to appeal has now expired.

By voting on Attorney Manzelli’s request at this late date, the Board could re-open the possibility of legal challenge to its decision. By refusing to act at all, the Board would simply confirm its previously stated policy that it is not obligated to take a formal vote upon every petition proffered by opponents to a project.

B. Reconsideration is not warranted.

only as “more than fifty Hudson households.” Attorney Manzelli has not even demonstrated to this Board that she (or her clients) has the standing to challenge or appeal the Board’s decisions. She has not offered any explanation about how her clients will be directly impacted by “wrongful” allocation of sewer capacity. *See Nautilus of Exeter v. Town of Exeter*, 139 N.H. 450, 452 (1995) (discussing standing requirements for land use appeals); *see also Exeter Hosp. Med. Staff v. Bd. of Trs. of Exeter Health Res.*, 148 N.H. 492, 495 (2002) (plaintiff’s burden to demonstrate a right to sue).

Even if the Board takes up Attorney Manzelli's request, there are no grounds for reconsideration.

1. The Board has already considered and rejected the exact arguments now raised by Attorney Manzelli.

In her letters, Attorney Manzelli complains that “[w]hen the Applicant requested reconsideration, the Applicant provided no ‘new’ information.” MANZELLI LETTER (Mar. 23, 2021). Ironically, she now requests reconsideration herself while presenting the exact same arguments previously rejected by this Board.

In her letter *objecting* to the Applicant's request for reconsideration, Attorney Manzelli argued: (1) “That the Property is outside of the system boundary is a final, unappealable determination from last September,” (2) “New sewer allocation for the Property is not a vested right,” and (3) “The Applicant requests a new sewer allocation but still does not meet the requirements.” MANZELLI LETTER (Jan. 26, 2021). In her February 5, 2021 letter *requesting* reconsideration, Attorney Manzelli argued: (1) “The decision that the Property is outside of the system boundary is a final, unappealable determination from last September, (2) New sewer allocation for the Property is not a vested right, (3) The Applicant requests a new sewer allocation but still does not meet the requirements.” MANZELLI LETTER (Feb. 5, 2021).

In short, the arguments made in support of the current request for reconsideration are —verbatim— the exact grounds advanced in Attorney Manzelli's previous letters to the Board. These arguments have already been considered and rejected by the Board. “Reconsideration is not a vehicle for rehashing the same argument.” *FDIC v. O'Flahaven*, 857 F. Supp. 154, 167 (D.N.H. 1994). Rather, a valid motion for reconsideration must be based upon some genuinely new fact or legal argument. Without such a standard, “there would be no finality to the proceeding, and the first decision would be capable of change at the whim of the agency or, worse still, through improper influence exerted on its members.” *Fiorilla v. Zoning Board of Appeals*, 129 A.2d 619, 621 (Conn. 1957). Thus, where a party “fails to show that any controlling authority or facts have actually been overlooked, and merely offers substantially the same arguments he offered on the original motion, the motion for reconsideration must be denied.”⁴ *Alzamora v. Vill. of Chester*, 534 F. Supp. 2d 436, 439 (S.D.N.Y. 2008).

2. The Board's decision was correct.

Lastly, reconsideration is not warranted because the Board's decision was correct.

The purpose of the Sewer Ordinance is to fairly allocate sewer capacity. The ordinance states that the goal is to provide sewer to all land uses in the “presently serviced region”. The Board's decision was consistent with the purposes of the ordinance. Further, the decision did not adversely

⁴ When a board reverses itself without adequate justification, it acts in an unlawfully arbitrary manner. *See Appeal of Bd. of Trustees*, 129 N.H. 632, 536 (1987) (“The common meaning of ‘arbitrary’ is a decision based on random or convenient selection or choice rather than on reason, or one made without adequate determining principle; nonrational; capriciously.” (cleaned up)).

impact any other sewer user, or potential user. It was a reasonable decision made by the Select board – the Board charged with allocation.

A public sewer main already exists on the Property. The sewer main was placed there upon the review and approval of the Town. Both the Town and the property owners understood that the purpose of the sewer main was to allow for future development on the Property, and as a result the property owners upsized the sewer pipe at considerable expense and granted an easement to the Town for public use and maintenance.

Since a sewer main already exists on the Property, no extension of the current sewer system is required. The Property is within the “existing system boundary” and thus “the Town must . . . provide sewer” to the Property. HUDSON CODE, § 270-17, A (3). Also, the Property is a lot established by a subdivision plan and approval that required sewer for all lots shown on the plan and which plan was recorded as an approved subdivision plan in 1990 – an exempt subdivision plan under the Sewer Ordinance. HUDSON CODE, § 270-17, C. In fact, to deny a property owner access to an on property public sewer line (which has ample capacity) in this context would be contrary to the Hudson Sewer Ordinance and would be an unlawful restriction of the owner’s property rights. *See UniFirst Corp v. Nashua*, 130 N.H. 11, 14-15 (1987); *Dow v. Town of Effingham*, 148 N.H. 121, 124 (2002). Furthermore, the proposed connection is “essential for public health, safety and welfare.” *See Meredith v. State Bd. of Health*, 94 N.H. 123, 132 (1946). For all these reasons, the Board’s decision was correct.

C. Conclusion

The Board should decline Attorney Manzelli’s offer to once again take up this sewer issue. A final decision has been made and no member of the prevailing side has timely moved to reconsider the decision. Further, any applicable appeal period has now passed. The matter is closed and the only consequence of re-opening it now would be to subject the Board to further legal challenge.

Even if the Board were to consider Attorney Manzelli’s latest arguments, they should be rejected. The grounds for reconsideration proffered are the exact grounds already considered and rejected by the Board. It would be arbitrary and capricious for the Board to reverse itself based on the exact arguments it has already rejected. The Board’s decision to grant the sewer permit was legally proper and should not be disturbed.

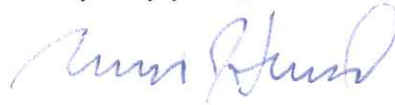
At bottom, the present push for reconsideration is clearly an effort to force a “referendum” on the Hillwood Project. Attorney Manzelli is urging Select Board members to take actions which are arbitrary and capricious. It is arbitrary and capricious to change a decision to allocate sewer when there are no allegations of adverse impact to the sewer system or other sewer users. This decision is about sewer capacity, not zoning, planning, or politics. What should have been a routine matter has now become a political referendum on the use of private property.

The Board should refuse Attorney Manzelli’s invitation to treat a sewer permit as a referendum on the project itself. That is a job for the Planning Board. It is improper to use the Sewer Ordinance for zoning or planning purposes, or as a means to stop growth or otherwise interfere with permitted

development. The Board should resist any attempts to subvert or circumvent the lawful land use permitting process.

Thank you for your consideration.

Very truly yours,



Thomas J. Leonard

cc: Steve Malizia, Town Administrator
Elvis Dhima, P.E., Town Engineer
David Friel
Tom Friel
Philip Friel

H:\tjleonard\Clients\FRIEL MATTERS\GreenMeadow Golf\Hillwood\Board of Selectmen\Final Selectman Letter 4-7-2021.docx



TOWN OF HUDSON

Police Department

Partners with the Community

1 Constitution Drive, Hudson, New Hampshire 03051
Voice/TTY (603) 886-6011/Crime Line (603) 594-1150/Fax (603) 886-0605



8A

William M. Avery, Jr.
Chief of Police

Captain Tad K. Dionne
Operations Bureau

Captain David A. Cayot
Special Investigations Bureau

Captain David A. Bianchi
Administrative Bureau

To: The Board of Selectmen
Steve Malizia, Town Administrator

From: William M. Avery, Chief of Police *WMA*

Date: 01 April 2021

Re: Agenda Item – 06 April 2021

Scope:

The Police Department is requesting to meet at the next scheduled Board of Selectmen meeting on Tuesday, 06 April 2021 to request approval to accept the awarded Alcohol Compliance Education Grant (A.C.E.). The New Hampshire Division of Liquor Enforcement and Licensing has granted \$909.60 to the Hudson Police Department to cover salaries during the compliance checks of all licensed establishments in Hudson.

Motion:

To authorize the Hudson Police Department to accept the Alcohol Compliance Education Grant (A.C.E.) awarded by the New Hampshire Division of Liquor Enforcement and Licensing in the amount of \$909.60.





Mark C. Armaganian
Chief
mark.armaganian@liquor.nh.gov
Phone: (603) 271-3523
Fax: (603) 271-3758

State of New Hampshire
LIQUOR COMMISSION
Division of Enforcement & Licensing

50 Storrs Street
P.O. Box 1795
Concord, NH 03302-1795
Phone: (603) 271-3521
Fax: (603) 271-3758

Joseph W. Mollica
Chairman

Nicole Brassard Jordan
Deputy Commissioner

March 24, 2021

Hudson Police Department
1 Constitution Drive
Hudson, NH 03051

Chief Avery,

The New Hampshire Division of Enforcement is pleased to announce your department has been selected as a recipient of the Alcohol Compliance Education (A.C.E.) grant. The grant award is based upon the liquor license density of each municipality and authorizes spending for operation(s) resulting in all on-sale and off-sale licensees in your community.

Attached you will find the A.C.E. reporting form, which must be submitted for reimbursement for each officer assigned to the operation (One form for each officer assigned to the detail).

The authorized grant award amount for your department is \$909.60.

The New Hampshire Division of Enforcement looks forward to our continued partnership with your agency to educate liquor licensees and ensure they are complying with New Hampshire law. An Investigator will be contacting your agency shortly to schedule a date(s) for the compliance check operations.

Sincerely,

Chief Mark Armaganian
Director of Enforcement
NH State Liquor Commission

Agenda
4-13-21



TOWN OF HUDSON

Recreation Department

12 Lions Ave • Hudson, New Hampshire 03051 • Tel: 603-880-1600



8B

RECEIVED

APR 08 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TO: Steve Malizia

FROM: Chrissy Peterson

DATE: April 8, 2021

SUBJECT: Recreation Department 2021 Spring Adult Softball

I would like to be placed on the agenda of the next Board of Selectman Meeting to seek approval to afford the opportunity for residents to participate in our Adult Men's and our Adult Women's Softball Leagues. I have received EOC approval from Chief Buxton.

I have attached an Emergency Operation Center (EOC) approved *Covid-19 Policy*, and season *Objectives in Response to Covid-19*.

Thank you,

Chrissy Peterson
Recreation Director

Attachments (3 pages)
Objectives in Response to Covid-19
Covid-19 Guidance Policy



Town of Hudson

Recreation Department



12 Lions Ave • Hudson, New Hampshire 03051 • Tel: 603-880-1600

In response to the Covid-19 pandemic, the 2021 softball season for both the Adult Men and Adult Women's leagues, will reflect a strict Covid-19 Policy that participants will be required to abide by. The health and safety of our participants is top priority.

The Covid-19 Guidance has been approved by the Emergency Operations Center.

Objectives in Response to Covid-19

- The season will be shortened from twelve weeks to ten weeks, and begin mid-May.
- Registration will be online to avoid cash handling contact.
- The online registration system will consist of a Participant Waiver and a Covid-19 Guidance Agreement that participants will be required to agree to.
- A Zoom Meeting will be setup for me to discuss with coaches, the Covid-19 Policy and changes that will take place during the season.
- The schedule will consist of extra time in between games to allow teams to exit the field before the following game arrives. *Dependent on final team numbers, double headers may potentially be implemented to eliminate multiple team exposure.*
- Athletes, coaches, umpires, and spectators will wear masks.
- Umpires will be made aware of our Covid-19 Policy and will have authority to stop games if the policy is not being followed.
- Congregating after games will not be permitted. Coaches and coordinators will be responsible to mandate teams leave immediately following game ending.
- Covid-19 exposures will be reported to the Recreation Director and Softball Coordinators.



TOWN OF HUDSON

RECREATION DEPARTMENT

12 Lions Ave, Hudson NH 03051



COVID-19 State of Emergency Adult Softball Guidelines

DISCLAIMER: Participants, family, and spectators engaging in softball and activities related to softball do so with knowledge of the risk and potential exposure involved and agree to accept any and all inherent risks to their personal health.

Anyone who is sick or has been in contact with someone who has COVID-19— including players, family members, and spectators — should not attend practices or games. Be on the lookout for symptoms of COVID-19, which include fever, cough, or shortness of breath. Call your doctor if you think you or a family member is sick.

All parties registering should only do so after reviewing the Covid-19 Guidelines and agreeing to comply. Failure to comply with the policy will result in potential athlete suspension, team removal, and or program cancelation. We take the health and safety of our participants as top priority.

ATHLETES

- Will tell the coach if they are not feeling well and **stay home if sick.**
- Will **wear a cloth mask** before and during games, and when entering and exiting the field.
- Will keep all personal belongings/bags at least 3-6 feet from the personal belongings of others in a location directed to them by the coach.
- Will not share any equipment with teammates.
- Will maintain social distance (3-6 feet) when not engaged in play.
- Will **disperse immediately** upon the end of their practice and or game and **will NOT congregate.**
- Will refrain from all mouth-based activities including but is not limited to: spitting, chewing gum, and licking fingers.
- Will avoid high fives, handshakes, fist bumps or hugs.
- Will practice good hand hygiene.
- Will bathe and wash athletic wear immediately following play.

Report to coaching staff if an athlete:

- Has symptoms of COVID-19.
- Fever of 100.4 or higher.
- Contact with anyone suspected/confirmed to have/had COVID-19 in the past 14 days.

SPECTATORS

General:

- Facemasks are **MANDATORY** for spectators, and children above the age of two. *No exceptions.*
- Spectators will maintain social distancing at games and practices.
- Spectators will disperse immediately following the game and will NOT congregate.

COACHES

- ✓ Will carry hand sanitizer with team equipment. *Players will also carry hand sanitizer in a personal equipment bag.*
- ✓ Will have a Covid-19 Team Bucket to include hand sanitizer, extra masks, gloves, and disinfected spray for equipment given to them by the Recreation Department.
- ✓ Will maintain social distance (3-6 feet) when not engaged in coaching/training.
- ✓ Will wear a mask during games and practices, and when entering and exiting the field.
- ✓ Will disperse immediately (*maximum of 15 minutes*) upon the end of their intended activity.
- ✓ **Will be responsible to mandate their teams leave immediately (within 15 minutes), following the game.**
- ✓ Will set up designated spots 3-6 feet apart for athlete's personal belongings.
- ✓ Will ask all athletes if they feel sick at practices and games.
- ✓ Will disinfect/clean commonly touched equipment in between sessions.
- ✓ Will bring trash bags to sessions and remove all garbage following each session.
- ✓ Will report to the Recreation Director, Chrissy Peterson @ 880-1600, and the Softball Coordinator if a Covid-19 exposure has occurred on their team. *Athletes name will not be disclosed.*

Please note that game times will be adjusted this season to avoid teams overlapping when entering and exiting the field. All teams will be required to exit the field and property within fifteen minutes of the end of their game. Second game participants are not permitted to enter the field until fifteen minutes prior to their game. Once registration ends and we have final league counts the schedule will be announced.

Thank you,



Chrissy Peterson
Recreation Director



TOWN OF HUDSON
Finance Department



Agenda
4-13-21

8C

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6000 • Fax: 603 881-3944

To: Board of Selectmen
From: Lisa Labrie, Finance Director *LL*
Date: April 8, 2021
Subject: **Vector Truck Purchase**

Please accept this recommendation to be placed on the Board of Selectmen's next agenda.

Recommendation:

I agree with Jess Forrence to bypass the formal bid process in this instance. Two quotes were obtained through the Greater Boston Police Council. After looking at other sources and comparing, the Greater Boston Police Council has provided the lowest price.

Funding: The expenditure is to be funded thru the Vac-Con truck replacement Capital Reserve Fund set up for this purpose. As of December 2020 (our latest update of the Trust Funds), there was \$367,194 in this account. With the passing of Warrant article 10, to add \$60,000, there will be sufficient funds to purchase the truck.

Information: Item not to be delivered before July 1, 2021

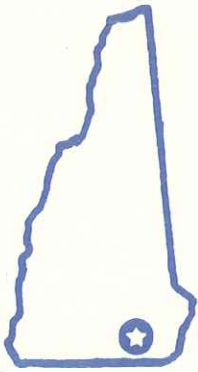
Motion:

To waive the competitive bidding requirements as outlined in Town Code 98-1(C) and to purchase a 2022 Vector truck from Vector Industries at the price of \$392,079 as recommended by the Public Works Director and Finance Director. The truck is to be funded through the Capital Reserve Fund.

Cc: Jess Forrence, Public Works Director

TOWN OF HUDSON

Public Works



2 Constitution Drive Hudson, New Hampshire 03051 603/886-6018 Fax 603/594-1143



To: The Board of Selectmen

From: Jess Forrence, Public Works Director

Date: April 7, 2021

RE: Truck Purchase

Public Works has received quotes from Vactor Industries and Vac-Con Industries for the replacement of our 2009 vacuum sewer cleaning truck. The bids for these proposals were obtained through the Greater Boston Police Council. This system has been used by Chief Avery for purchasing vehicles below market value. Other entities such as Source-Well and HGAC were reviewed for this purchase and GBPC was the lowest cost vender for this product. The expenditure will be funded thru the Vac-Con truck replacement Capital Reserve Fund, which will have a balance of \$405,000 as of July 1st 2021.

Comparing the two bids

Vactor was low bid at \$392,079

Vac-con came in at \$402,343

I would like to move forward with the purchase of a 2022 Vactor with the low bid of \$392,079

Thank you

CC; Lisa Labrie Finance Director

Prepared for:
Jim Lavacchia
HUDSON TOWN OF
2 Constitution Dr
Hudson, NH 03051
Phone: 603-886-6018



Prepared by:
Charlie Grandll
ATG MANCHESTER LLC
222 FRONTAGE ROAD
MANCHESTER, NH 03103
Phone:

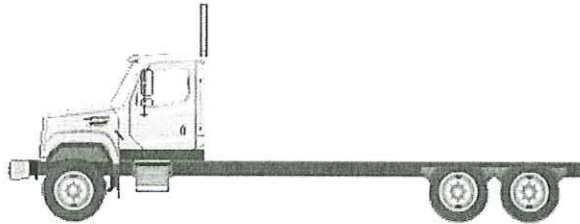
A proposal for
HUDSON TOWN OF

VACTOR
Low Bid

Prepared by
ATG MANCHESTER LLC
Charlie Grandll

Apr 06, 2021

Freightliner 114SD



Components shown may not reflect all spec'd options and are not to scale



Prepared for:
Jim Lavacchia
HUDSON TOWN OF
2 Constitution Dr
Hudson, NH 03051
Phone: 603-886-6018



Prepared by:
Charlie Grandil
ATG MANCHESTER LLC
222 FRONTAGE ROAD
MANCHESTER, NH 03103
Phone:

TABLE OF CONTENTS

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DIMENSIONS	19



Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018



Prepared by:
 Charlie Grandll
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

Q U O T A T I O N

114SD CONVENTIONAL CHASSIS

SET FORWARD AXLE - TRUCK
 CUM X12 455V HP @ 1900 RPM, 1550 LB-FT @ 1000
 RPM, 2000 GOV RPM, VOC
 ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH
 PTO PROVISION
 RT-46-160P 46,000# R-SERIES TANDEM REAR AXLE
 HENDRICKSON RT463 @46,000# REAR SUSPENSION
 MFS-20-133A 20,000# FL1 71.0 INCH KPI/3.74 INCH
 DROP SINGLE FRONT AXLE
 20,000# FLAT LEAF FRONT SUSPENSION

114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL
 CAB
 7025MM (277 INCH) WHEELBASE
 7/16X3-9/16X11-1/8 INCH STEEL FRAME
 (11.11MMX282.6MM/0.437X11.13 INCH) 120KSI
 1800MM (71 INCH) REAR FRAME OVERHANG
 1/4 INCH (6.35MM) C-CHANNEL INNER FRAME
 REINFORCEMENT

		PER UNIT	TOTAL
VEHICLE PRICE	TOTAL # OF UNITS (1)	\$ 437,355	\$ 437,355
EXTENDED WARRANTY		\$ 0	\$ 0
DEALER INSTALLED OPTIONS		\$ 0	\$ 0
CUSTOMER PRICE BEFORE TAX		\$ 437,355	\$ 437,355

TAXES AND FEES

FEDERAL EXCISE TAX (FET)	\$ (276)	\$ (276)
TAXES AND FEES	\$ 0	\$ 0
OTHER CHARGES	\$ 0	\$ 0

TRADE-IN

TRADE-IN ALLOWANCE	\$ (45,000)	\$ (45,000)
BALANCE DUE	(LOCAL CURRENCY) \$ 392,078	\$ 392,078

COMMENTS:

Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Customer: X _____ Date: ___ / ___ / ___.



See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at Information@dtfoffers.com.
 Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at www.daimler-truckfinancial.com.



Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
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 Hudson, NH 03051
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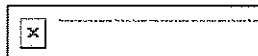


Prepared by:
 Charlie GrandII
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

S P E C I F I C A T I O N P R O P O S A L

Data Code	Description	Weight Front	Weight Rear	Retail Price
Price Level				
PRL-24D	SD PRL-24D (EFF:01/19/21)			STD
Data Version				
DRL-011	SPECPRO21 DATA RELEASE VER 011			N/C
Vehicle Configuration				
001-177	114SD CONVENTIONAL CHASSIS	7,934	6,476	\$155,955.00
004-222	2022 MODEL YEAR SPECIFIED			N/C
002-003	SET FORWARD AXLE - TRUCK			STD
019-002	STRAIGHT TRUCK PROVISION			STD
003-001	LH PRIMARY STEERING LOCATION			STD
General Service				
AA1-002	TRUCK CONFIGURATION			STD
AA6-001	DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES)			STD
A85-010	UTILITY/REPAIR/MAINTENANCE SERVICE			N/C
A84-1GM	GOVERNMENT BUSINESS SEGMENT			N/C
AA4-002	LIQUID BULK COMMODITY			N/C
AA5-006	TERRAIN/DUTY: 10% (SOME) OF THE TIME, IN TRANSIT, IS SPENT ON NON-PAVED ROADS			N/C
AB1-008	MAXIMUM 8% EXPECTED GRADE			STD
AB5-003	MAINTAINED GRAVEL OR CRUSHED ROCK - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE			N/C
995-1AE	FREIGHTLINER LEVEL II WARRANTY			N/C
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 20000.0 lbs			
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 46000.0 lbs			
A63-99D	EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 66000.0 lbs			
Truck Service				
AA3-034	SEWER/INDUSTRIAL VACUUM BODY			N/C
AF3-1DN	VACTOR			N/C

Application Version 11.6.103
 Data Version PRL-24D.011
 Town of Hudson vac truck VACTOR



04/06/2021 8:20 AM

Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018



Prepared by:
 Charlie Grandli
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

	Data Code	Description	Weight Front	Weight Rear	Retail Price
Engine					
N	101-26J	CUM X12 455V HP @ 1900 RPM, 1550 LB-FT @ 1000 RPM, 2000 GOV RPM, VOC	-390	-45	\$2,357.00
Electronic Parameters					
	79A-070	70 MPH ROAD SPEED LIMIT			N/C
	79B-000	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT			N/C
	79K-005	PTO MODE ENGINE RPM LIMIT - 900 RPM			N/C
	79L-005	PTO MODE THROTTLE OVERRIDE - LIMIT TO 1100 RPM			N/C
	79M-001	PTO MODE BRAKE OVERRIDE - SERVICE BRAKE APPLIED			N/C
	79P-002	PTO RPM WITH CRUISE SET SWITCH - 700 RPM			N/C
	79Q-003	PTO RPM WITH CRUISE RESUME SWITCH - 800 RPM			N/C
	79S-001	PTO MODE CANCEL VEHICLE SPEED - 5 MPH			N/C
	79U-007	PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND			N/C
	80G-002	PTO MINIMUM RPM - 700			N/C
	80J-002	REGEN INHIBIT SPEED THRESHOLD - 5 MPH			N/C
Engine Equipment					
	99C-021	2016 ONBOARD DIAGNOSTICS/2010 EPA/CARB/GHG21 CONFIGURATION			N/C
	99D-009	2008 CARB EMISSION CERTIFICATION - CLEAN IDLE (INCLUDES 6X4 INCH LABEL ON LEFT SIDE OF HOOD)			\$109.00
	13E-001	STANDARD OIL PAN			STD
	105-001	ENGINE MOUNTED OIL CHECK AND FILL			STD
	014-1B5	SIDE OF HOOD AIR INTAKE WITH DONALDSON HIGH CAPACITY AIR CLEANER WITH SAFETY ELEMENT, FIREWALL MOUNTED			STD
	124-1D7	DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE			STD
N	292-235	(2) DTNA GENUINE, FLOODED STARTING, MIN 2000CCA, 370RC, THREADED STUD BATTERIES	-50	-10	(\$106.00)
	290-017	BATTERY BOX FRAME MOUNTED			STD
	281-001	STANDARD BATTERY JUMPERS			STD
	282-001	SINGLE BATTERY BOX FRAME MOUNTED LH SIDE UNDER CAB			\$18.00
	291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN			STD

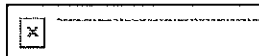


Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018



Prepared by:
 Charlie Grandl
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

Data Code	Description	Weight Front	Weight Rear	Retail Price
289-001	NON-POLISHED BATTERY BOX COVER			STD
293-061	POSITIVE LOAD DISCONNECT WITH CONTROL SWITCH WITH LOCKING PROVISION MOUNTED OUTSIDE OF CAB	2		\$202.00
295-029	POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER	2		\$88.00
107-048	CUMMINS NATURALLY ASPIRATED 25.9 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE			N/C
152-040	ELECTRONIC ENGINE INTEGRAL WARNING AND DERATE PROTECTION SYSTEM			N/C
128-004	CUMMINS INTEBRAKE BRAKE WITH HIGH MED LOW BRAKE			N/C
016-1C2	RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE	30	25	\$816.00
28F-002	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH			STD
239-200	INTEGRATED STACK AND B-PILLAR PIPE WITH MINIMUM STACK PROTRUSION ABOVE CAB			\$131.00
233-017	STANDARD CURVE BRIGHT UPPER STACK(S)			\$123.00
237-1CR	RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP			N/C
23U-002	13 GALLON DIESEL EXHAUST FLUID TANK			STD
30N-003	100 PERCENT DIESEL EXHAUST FLUID FILL			STD
23Y-001	STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING			STD
43X-002	LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION			STD
43Y-001	STANDARD DIESEL EXHAUST FLUID TANK CAP			STD
242-001	STAINLESS STEEL AFTERTREATMENT DEVICE/MUFFLER/TAILPIPE SHIELD			\$48.00
273-048	HORTON 2-SPEED DRIVEMASTER ADVANTAGE POLAREXTREME FAN DRIVE			\$285.00
276-002	AUTOMATIC FAN CONTROL WITH DASH SWITCH AND INDICATOR LIGHT, NON ENGINE MOUNTED			\$10.00
110-003	CUMMINS SPIN ON FUEL FILTER			N/C
118-008	COMBINATION FULL FLOW/BYPASS OIL FILTER			N/C
266-057	1500 SQUARE INCH ALUMINUM RADIATOR			STD



Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018



Prepared by:
 Charlie Grandl
 ATG MANCHESTER LLC
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 MANCHESTER, NH 03103
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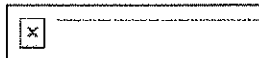
Data Code	Description	Weight Front	Weight Rear	Retail Price
103-036	ANTIFREEZE TO -34F, ETHYLENE GLYCOL PRE-CHARGED SCA HEAVY DUTY COOLANT			\$18.00
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT			STD
172-001	CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES			STD
270-016	RADIATOR DRAIN VALVE			N/C
138-005	PHILLIPS-TEMRO 1500 WATT/115 VOLT BLOCK HEATER	4		\$117.00
166-002	PHILLIPS-TEMRO 150 WATT/115 VOLT OIL PREHEATER	4		\$100.00
140-022	CHROME ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR			\$6.00
155-055	DELCO 12V 39MT HD/OCP STARTER WITH THERMAL PROTECTION AND INTEGRATED MAGNETIC SWITCH			N/C

Transmission

N	342-582	ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION		STD
---	---------	--	--	-----

Transmission Equipment

	343-339	ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV		STD
	84B-012	ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES		N/C
	84C-023	PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		STD
	84D-023	SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		STD
	84E-013	S1 PERFORMANCE PRIMARY SHIFT SCHEDULE, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		N/C
	84F-012	S1 PERFORMANCE SECONDARY SHIFT SCHEDULE, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY		N/C
	84G-010	1900 RPM PRIMARY MODE SHIFT SPEED		N/C
	84H-010	1900 RPM SECONDARY MODE SHIFT SPEED		N/C
	84N-200	FUEL SENSE 2.0 DISABLED - PERFORMANCE - TABLE BASED		STD
	84U-000	DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES		STD



Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018

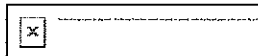


Prepared by:
 Charlie Grandl
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

Data Code	Description	Weight Front	Weight Rear	Retail Price
84V-001	DIRECTION CHANGE ENABLED WITH MULTIPLEXED SERVICE BRAKES - ALLISON 5TH GEN TRANSMISSIONS			STD
353-022	VEHICLE INTERFACE WIRING CONNECTOR WITHOUT BLUNT CUTS, AT BACK OF CAB			\$49.00
34C-001	ELECTRONIC TRANSMISSION CUSTOMER ACCESS CONNECTOR FIREWALL MOUNTED			\$23.00
362-1Y2	(2) CUSTOMER INSTALLED MUNCIE CS10 SERIES PTO'S			N/C
363-011	PTO MOUNTING, LH AND RH SIDES OF MAIN TRANSMISSION			N/C
341-018	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN			STD
345-003	PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED			STD
97G-004	TRANSMISSION PROGNOSTICS - ENABLED 2013			STD
370-011	WATER TO OIL TRANSMISSION COOLER, FRAME MOUNTED			STD
346-003	TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK			STD
35T-001	SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)			STD

Front Axle and Equipment

400-1AC	MFS-20-133A 20,000# FL1 71.0 INCH KPI/3.74 INCH DROP SINGLE FRONT AXLE	260		\$3,576.00
402-030	MERITOR 16.5X6 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES	10		N/C
403-002	NON-ASBESTOS FRONT BRAKE LINING			STD
419-023	CONMET CAST IRON FRONT BRAKE DRUMS			\$8.00
427-001	FRONT BRAKE DUST SHIELDS	5		\$102.00
409-006	FRONT OIL SEALS			STD
408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL			STD
416-022	STANDARD SPINDLE NUTS FOR ALL AXLES			STD
405-002	MERITOR AUTOMATIC FRONT SLACK ADJUSTERS			STD
406-001	STANDARD KING PIN BUSHINGS			STD
536-055	TRW THP-60 POWER STEERING WITH RCH45 AUXILIARY GEAR	130		N/C
539-003	POWER STEERING PUMP			STD
534-003	4 QUART POWER STEERING RESERVOIR			N/C
533-001	OIL/AIR POWER STEERING COOLER			N/C

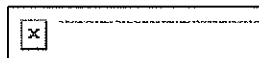


Prepared for:
 Jim Lavacchia
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Data Code	Description	Weight Front	Weight Rear	Retail Price
40T-001	MINERAL SAE 80/90 FRONT AXLE LUBE			STD
Front Suspension				
620-006	20,000# FLAT LEAF FRONT SUSPENSION	310		\$815.00
619-004	GRAPHITE BRONZE BUSHINGS WITH SEALS - FRONT SUSPENSION			N/C
62G-998	NO FRONT SUSPENSION OPTIONS			STD
410-001	FRONT SHOCK ABSORBERS			\$121.00
Rear Axle and Equipment				
420-111	RT-46-160P 46,000# R-SERIES TANDEM REAR AXLE		450	\$4,398.00
421-563	5.63 REAR AXLE RATIO			N/C
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING			STD
386-073	MXL 17T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES	40	40	\$499.00
388-073	MXL 17T MERITOR EXTENDED LUBE INTERAXLE DRIVELINE WITH HALF ROUND YOKES			STD
878-019	(1) INTERAXLE LOCK VALVE FOR TANDEM OR TRIDEM DRIVE AXLES			STD
87A-001	BLINKING LAMP WITH EACH INTERAXLE LOCK SWITCH, INTERAXLE UNLOCK DEFAULT WITH IGNITION OFF			STD
423-020	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES			STD
433-002	NON-ASBESTOS REAR BRAKE LINING			STD
434-003	STANDARD BRAKE CHAMBER LOCATION			STD
451-023	CONMET CAST IRON REAR BRAKE DRUMS		20	\$87.00
425-002	REAR BRAKE DUST SHIELDS		10	\$130.00
440-006	REAR OIL SEALS			STD
426-101	WABCO TRISTOP D LONGSTROKE 2-DRIVE AXLE SPRING PARKING CHAMBERS			STD
428-003	HALDEX AUTOMATIC REAR SLACK ADJUSTERS			\$93.00
41T-001	MINERAL SAE 80/90 REAR AXLE LUBE			(\$197.00)
42T-001	STANDARD REAR AXLE BREATHER(S)			STD
Rear Suspension				
622-1CJ	HENDRICKSON RT463 @46,000# REAR SUSPENSION		750	\$3,124.00
621-015	HENDRICKSON RT/RTE - 6.00" SADDLE			(\$17.00)
431-001	STANDARD AXLE SEATS IN AXLE CLAMP GROUP			STD

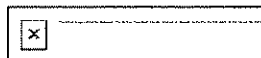


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Data Code	Description	Weight Front	Weight Rear	Retail Price
624-009	54 INCH AXLE SPACING		10	\$245.00
628-005	STEEL BEAMS AND BRONZE CENTER BUSHINGS WITH BAR PIN ADJUSTABLE END CONNECTIONS			N/C
623-005	FORE/AFT CONTROL RODS			N/C
Brake System				
490-100	WABCO 4S/4M ABS			STD
871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES			STD
904-001	FIBER BRAID PARKING BRAKE HOSE			STD
412-001	STANDARD BRAKE SYSTEM VALVES			STD
46D-002	STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM			STD
413-002	STD U.S. FRONT BRAKE VALVE			STD
432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE			STD
N 480-009	BW AD-9 BRAKE LINE AIR DRYER WITH HEATER	20		N/C
* 483-003	BENDIX OIL COALESCING FILTER FOR AIR DRYER			\$20.00
479-003	AIR DRYER MOUNTED INBOARD ON LH RAIL			N/C
* 460-093	STEEL AIR BRAKE RESERVOIRS; CUSTOMER ACCEPTS TANKS MOUNTED PERPENDICULAR TO RAIL	10	10	\$459.00
	MOUNT PERPENDICULAR REAR OF AFTERTREATMENT AT 2950. MOUNT REMAINING TANKS IN AFTERFRAME			
477-001	PULL CABLE ON WET TANK, PETCOCK DRAIN VALVES ON ALL OTHER AIR TANKS			STD
485-045	METALLIC AIR MANIFOLD MOUNTED TO BACK OF CAB CROSSMEMBER WITH SIX 1/4 INCH FITTINGS AND 70 PSI PROTECTION VALVE	5		\$172.00
Trailer Connections				
335-004	UPGRADED CHASSIS MULTIPLEXING UNIT			STD
Wheelbase & Frame				
545-702	7025MM (277 INCH) WHEELBASE			N/C
546-102	7/16X3-9/16X11-1/8 INCH STEEL FRAME (11.11MMX282.6MM/0.437X11.13 INCH) 120KSI	810	140	\$2,016.00
547-001	1/4 INCH (6.35MM) C-CHANNEL INNER FRAME REINFORCEMENT	240	460	\$1,500.00
552-038	1800MM (71 INCH) REAR FRAME OVERHANG			N/C
55W-007	FRAME OVERHANG RANGE: 71 INCH TO 80 INCH	-30	130	N/C
549-002	24 INCH INTEGRAL FRONT FRAME EXTENSION	140	-20	\$691.00

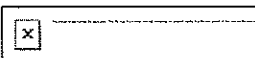


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Data Code	Description	Weight Front	Weight Rear	Retail Price
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 193.11 in			
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 190.11 in			
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 399.17			
FSS-0LH	CALCULATED FRAME SPACE LH SIDE : 107.09 in			N/C
FSS-0RH	CALCULATED FRAME SPACE RH SIDE : 234.96 in			N/C
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 187.54 in			
553-001	SQUARE END OF FRAME			STD
550-001	FRONT CLOSING CROSSMEMBER			STD
559-001	STANDARD WEIGHT ENGINE CROSSMEMBER			STD
* 562-054	STANDARD MIDSHIP #1 CROSSMEMBERS LOCATED AT H:3150 AND H:4750			N/C
* 569-005	INCREASED CROSSMEMBER SPACING REQUIRED BY ENGINEERING			N/C
* 572-067	STANDARD REAR MOST CROSSMEMBER MOUNTED 960MM AFT OF REAR SUSPENSION CENTERLINE			N/C
565-001	STANDARD SUSPENSION CROSSMEMBER			STD
Chassis Equipment				
556-997	OMIT FRONT BUMPER, CUSTOMER INSTALLED SPECIAL BUMPER, DOES NOT COMPLY WITH FMCSR 393.203	-100		(\$294.00)
551-017	GRADE 8 THREADED HEX HEADED FRAME FASTENERS INSTALLED WITH BOLT HEADS ON OUTSIDE OF FRAME			N/C
* 606-1T3	DRILLING PREP FOR VACTOR PER DRAWING 504400J, REVISION B, 12/09/2014			\$104.00
605-1AB	D15-16004-000 CENTER PUNCH TO MARK CENTERLINE OF REAR SUSPENSION ON FRAME WEB			\$32.00
Fuel Tanks				
204-156	100 GALLON/378 LITER ALUMINUM FUEL TANK - LH	20		\$288.00
218-006	25 INCH DIAMETER FUEL TANK(S)			STD
215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS			STD
212-007	FUEL TANK(S) FORWARD			STD
664-001	PLAIN STEP FINISH			STD
205-001	FUEL TANK CAP(S)			STD

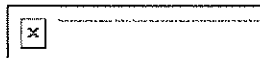


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Data Code	Description	Weight Front	Weight Rear	Retail Price
122-075	ALLIANCE FUEL FILTER/WATER SEPARATOR	15		N/C
216-020	EQUIFLO INBOARD FUEL SYSTEM			STD
20E-004	AUXILIARY FUEL SUPPLY AND RETURN PORTS LOCATED ON LH FUEL TANK			\$22.00
202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE			STD
* 221-011	FUEL COOLER MOUNTED LEFT HAND OUTBOARD AT 3250			\$226.00
Tires				
093-0TB	MICHELIN XZY-3 425/65R22.5 20 PLY RADIAL FRONT TIRES	196		\$1,000.00
094-1UX	MICHELIN X MULTI D 11R22.5 14 PLY RADIAL REAR TIRES		192	(\$288.00)
Hubs				
418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS			STD
450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS			STD
Wheels				
502-1H5	ALCOA LVL ONE 82462X 22.5X12.25 10-HUB PILOT 4.68 INSET 10-HAND ALUMINUM DISC FRONT WHEELS	-8		\$604.00
505-693	ALCOA LVL ONE 88267X 22.5X8.25 10-HUB PILOT ALUMINUM DISC REAR WHEELS		-224	\$944.00
524-022	POLISHED DISC SIDE FRONT WHEELS WITH DURA-BRIGHT FINISH			\$170.00
525-023	POLISHED OUTER (DISHED SIDE) REAR WHEELS WITH OUTER ONLY DURA-BRIGHT FINISH			\$400.00
Cab Exterior				
829-1A2	114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB			STD
650-008	AIR CAB MOUNTING			STD
648-002	NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE			STD
667-001	FRONT FENDERS			STD
754-002	3-1/2 INCH FENDER EXTENSIONS	15		\$169.00
678-018	LH AND RH EXTERIOR GRAB HANDLES WITH SINGLE RUBBER INSERT			\$54.00
645-002	BRIGHT FINISH RADIATOR SHELL/HOOD BEZEL			\$253.00
646-042	STATIONARY BLACK GRILLE WITH BRIGHT ACCENTS			\$88.00



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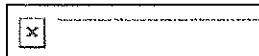


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65X-003	CHROME HOOD MOUNTED AIR INTAKE GRILLE			\$15.00
644-004	FIBERGLASS HOOD			STD
690-002	TUNNEL/FIREWALL LINER			\$114.00
727-1AF	SINGLE 14 INCH ROUND HADLEY AIR HORN UNDER LH DECK			(\$23.00)
726-001	SINGLE ELECTRIC HORN			STD
728-001	SINGLE HORN SHIELD			STD
657-001	DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME			STD
78G-004	KEY QUANTITY OF 4			\$18.00
575-001	REAR LICENSE PLATE MOUNT END OF FRAME			STD
312-067	HALOGEN COMPOSITE HEADLAMPS WITH BRIGHT BEZELS			N/C
302-047	LED AERODYNAMIC MARKER LIGHTS			\$34.00
311-012	DAYTIME RUNNING LIGHTS - LOW BEAM ONLY			\$21.00
294-042	FREIGHTLINER LED FLANGE MOUNTED STOP/TAIL/TURN LIGHTS WITH SEPARATE INCANDESCENT BACKUP LIGHTS		5	\$110.00
300-015	STANDARD FRONT TURN SIGNAL LAMPS			STD
744-103	DUAL WEST COAST BRIGHT FINISH HEATED MIRRORS WITH LED LIGHTS AND LH AND RH REMOTE			\$403.00
797-001	DOOR MOUNTED MIRRORS			STD
796-001	102 INCH EQUIPMENT WIDTH			STD
743-204	LH AND RH 8 INCH BRIGHT FINISH CONVEX MIRRORS MOUNTED UNDER PRIMARY MIRRORS			N/C
74A-001	RH DOWN VIEW MIRROR			\$21.00
729-001	STANDARD SIDE/REAR REFLECTORS			STD
677-054	RH AFTERTREATMENT SYSTEM CAB ACCESS WITH PLAIN DIAMOND PLATE COVER			\$87.00
764-010	COMPOSITE EXTERIOR SUN VISOR	10		\$247.00
768-043	63X14 INCH TINTED REAR WINDOW			STD
661-004	TINTED DOOR GLASS LH AND RH WITH TINTED OPERATING WING WINDOWS			STD
654-027	RH AND LH ELECTRIC POWERED WINDOWS, PASSENGER SWITCHES ON DOOR(S)	4		\$218.00
663-013	1-PIECE SOLAR GREEN GLASS WINDSHIELD			STD
659-006	8 LITER (2 GAL) WINDSHIELD WASHER RESERVOIR, CAB MOUNTED, WITH FLUID LEVEL INDICATOR			\$15.00

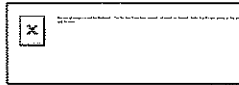
Cab Interior

Application Version 11.6.103
 Data Version PRL-24D.011
 Town of Hudson vac truck VACTOR



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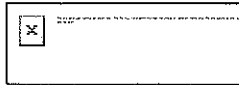


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Data Code	Description	Weight Front	Weight Rear	Retail Price
707-1AK	OPAL GRAY VINYL INTERIOR			STD
706-026	MOLDED PLASTIC DOOR PANEL WITHOUT VINYL INSERT WITH ALUMINUM KICKPLATE LOWER DOOR			\$27.00
708-026	MOLDED PLASTIC DOOR PANEL WITHOUT VINYL INSERT WITH ALUMINUM KICKPLATE LOWER DOOR			\$27.00
772-006	BLACK MATS WITH SINGLE INSULATION			STD
785-001	DASH MOUNTED ASH TRAYS AND LIGHTER			(\$2.00)
691-008	FORWARD ROOF MOUNTED CONSOLE WITH UPPER STORAGE COMPARTMENTS WITHOUT NETTING			STD
694-010	IN DASH STORAGE BIN			N/C
742-007	(2) CUP HOLDERS LH AND RH DASH			STD
680-006	GRAY/CHARCOAL FLAT DASH			(\$309.00)
860-004	SMART SWITCH EXPANSION MODULE			\$196.00
720-002	2-1/2 LB. FIRE EXTINGUISHER	5		\$37.00
700-002	HEATER, DEFROSTER AND AIR CONDITIONER			STD
701-008	STANDARD HVAC DUCTING WITH SNOW SHIELD FOR FRESH AIR INTAKE			\$31.00
703-005	MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH			STD
689-804	PREP KIT FOR CUSTOMER INSTALLED AUXILIARY HEATER, PLUMBING FROM ENGINE TO RAIL UNDER CAB WITH SHUTOFF VALVES	25		\$311.00
170-002	STANDARD PLUMBING WITH BALL SHUTOFF VALVES AND INSULATED LINES			\$59.00
130-041	VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR			STD
702-002	BINARY CONTROL, R-134A			STD
739-034	PREMIUM INSULATION			\$145.00
285-013	SOLID-STATE CIRCUIT PROTECTION AND FUSES			STD
280-007	12V NEGATIVE GROUND ELECTRICAL SYSTEM			STD
324-011	DOME DOOR ACTIVATED LH AND RH, DUAL READING LIGHTS, FORWARD CAB ROOF			\$63.00
655-005	LH AND RH ELECTRIC DOOR LOCKS			\$36.00
284-023	(1) 12 VOLT POWER SUPPLY IN DASH			STD
722-002	TRIANGULAR REFLECTORS WITHOUT FLARES	10		\$24.00
756-339	PREMIUM (L2) ISRI HIGH BACK AIR SUSPENSION DRIVERS SEAT WITH 2 AIR LUMBAR, INTEGRATED CUSHION EXTENSION, TILT AND ADJUSTABLE	70		\$414.00



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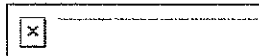


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760-339	PREMIUM (L2) ISRI HIGH BACK AIR SUSPENSION PASSENGER SEAT WITH 2 AIR LUMBAR, INTEGRATED CUSHION EXTENSION, TILT AND ADJUSTABLE SHOCK	60	20	\$451.00
759-005	DUAL DRIVER AND PASSENGER SEAT ARMRESTS	8		\$138.00
711-004	LH AND RH INTEGRAL DOOR PANEL ARMRESTS			STD
758-036	VINYL WITH VINYL INSERT DRIVER SEAT			STD
761-036	VINYL WITH VINYL INSERT PASSENGER SEAT			STD
763-102	HIGH VISIBILITY ORANGE SEAT BELTS			N/C
532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN	10		\$478.00
540-015	4-SPOKE 18 INCH (450MM) STEERING WHEEL			STD
765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS			STD

Instruments & Controls

732-004	GRAY DRIVER INSTRUMENT PANEL			STD
734-004	GRAY CENTER INSTRUMENT PANEL			STD
* 87L-005	ENGINE REMOTE INTERFACE WITHOUT INTERLOCKS			N/C
870-001	BLACK GAUGE BEZELS			STD
486-001	LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM			STD
838-001	(1) SINGLE BRAKE APPLICATION AIR GAUGE			\$67.00
840-002	2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES			STD
198-003	DASH MOUNTED AIR RESTRICTION INDICATOR WITH GRADUATIONS			\$25.00
721-001	97 DB BACKUP ALARM		3	\$47.00
149-013	ELECTRONIC CRUISE CONTROL WITH SWITCHES IN LH SWITCH PANEL			\$2.00
156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY			STD
811-042	ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28 LED WARNING LAMPS AND DATA LINKED			STD
160-039	(1) HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH AND (1) SAE J1939 DIAGNOSTIC INTERFACE CONNECTOR LOCATED CENTER OF DASH			\$9.00
844-001	2 INCH ELECTRIC FUEL GAUGE			STD
148-071	ENGINE REMOTE INTERFACE WITH INCREMENT/DECREMENT			\$110.00



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163-004	ENGINE REMOTE INTERFACE CONNECTOR IN ENGINE COMPARTMENT			N/C
* 33U-002	VACTOR INTERLOCK PREP			N/C
856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE			STD
864-005	TRANSMISSION OIL TEMPERATURE INDICATOR LIGHT			(\$28.00)
830-017	ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY			STD
372-043	(1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP - PARK BRAKE AND NEUTRAL INTERLOCK	10		\$73.00
852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE			STD
679-001	OVERHEAD INSTRUMENT PANEL			\$74.00
746-137	AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH, USB AND AUXILIARY INPUTS, J1939	10		\$490.00
747-001	DASH MOUNTED RADIO			N/C
750-002	(2) RADIO SPEAKERS IN CAB			N/C
753-001	AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF			\$23.00
748-009	POWER AND GROUND STUDS IN DASH PLUS ROOF CONSOLE WIRING			\$24.00
749-001	ROOF/OVERHEAD CONSOLE CB RADIO PROVISION			\$76.00
810-027	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER			STD
817-001	STANDARD VEHICLE SPEED SENSOR			STD
812-001	ELECTRONIC 3000 RPM TACHOMETER			STD
813-998	NO VEHICLE PERFORMANCE MONITOR	-5		N/C
162-002	IGNITION SWITCH CONTROLLED ENGINE STOP			STD
81Y-001	PRE-TRIP LAMP INSPECTION, ALL OUTPUTS FLASH, WITH SMART SWITCH			\$12.00
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY			STD
660-008	SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY			STD
304-001	MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH			STD
882-009	ONE VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR			STD



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Data Code	Description	Weight Front	Weight Rear	Retail Price
299-013	SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE			STD
298-039	INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS			STD

Design

065-000	PAINT: ONE SOLID COLOR			STD
---------	------------------------	--	--	-----

Color

980-5F6	CAB COLOR A: L0006EY WHITE ELITE EY			STD
986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT			STD
976-995	SUNVISOR PAINTED SAME AS CAB COLOR A			N/C
963-003	STANDARD E COAT/UNDERCOATING			STD

Certification / Compliance

996-001	U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS			STD
---------	---	--	--	-----

Raw Performance Data

AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 190.11 in			
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 187.54 in			

Sales Programs

NO SALES PROGRAMS HAVE BEEN SELECTED

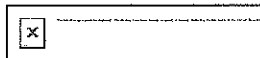
TOTAL VEHICLE SUMMARY

Adjusted List Price

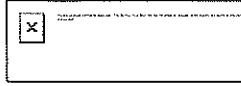
Adjusted List Price ** \$186,373.00

Weight Summary

	Weight Front	Weight Rear	Total Weight
Factory Weight ⁺	9841 lbs	8442 lbs	18283 lbs



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2 Constitution Dr
Hudson, NH 03051
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ATG MANCHESTER LLC
222 FRONTAGE ROAD
MANCHESTER, NH 03103
Phone:

Total Weight ⁺	9841 lbs	8442 lbs	18283 lbs
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ITEMS NOT INCLUDED IN ADJUSTED LIST PRICE

Other Factory Charges

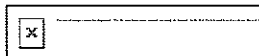
PMV-021	GHG21 ENHANCEMENT PRICE	\$450.00
P73-2FT	STANDARD DESTINATION CHARGE	\$2,200.00

(+) Weights shown are estimates only.

If weight is critical, contact Customer Application Engineering.

(**) Prices shown do not include taxes, fees, etc... "Net Equipment Selling Price" is located on the Quotation Details Proposal Report.

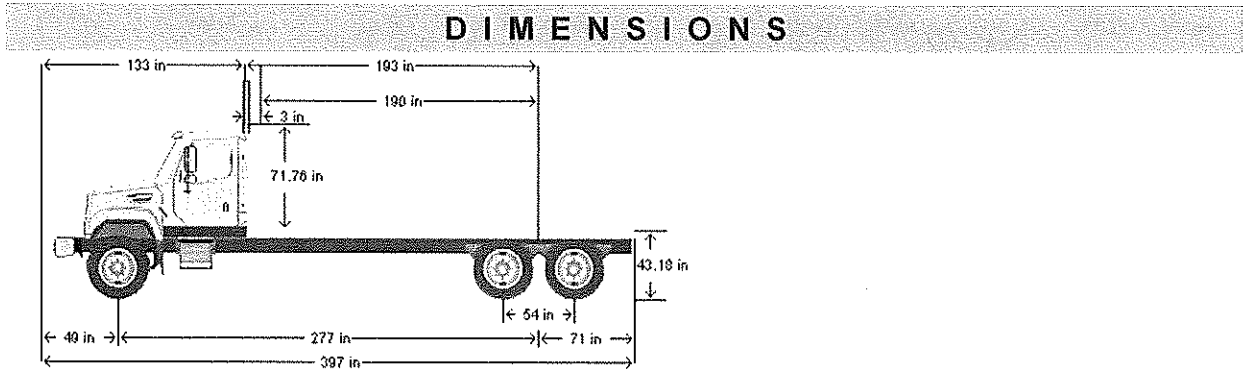
(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.



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VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Model.....	114SD
Wheelbase (545)	7025MM (277 INCH) WHEELBASE
Rear Frame Overhang (552)	1800MM (71 INCH) REAR FRAME OVERHANG
Fifth Wheel (578)	NO FIFTH WHEEL
Mounting Location (577).....	NO FIFTH WHEEL LOCATION
Maximum Forward Position (in)	0
Maximum Rearward Position (in)	0
Amount of Slide Travel (in).....	0
Slide Increment (in).....	0
Desired Slide Position (in).....	0.0
Cab Size (829).....	114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
Sleeper (682).....	NO SLEEPER BOX/SLEEPER CAB
Exhaust System (016).....	RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE

TABLE SUMMARY - DIMENSIONS



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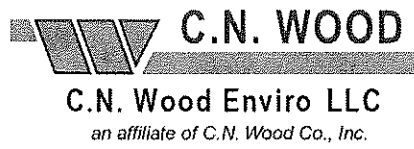


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Dimensions	Inches
Bumper to Back of Cab (BBC)	132.9
Bumper to Centerline of Front Axle (BA)	49.4
Min. Cab to Body Clearance (CB)	3.0
Back of Cab to Centerline of Rear Axle(s) (CA)	193.1
Effective Back of Cab to Centerline of Rear Axle(s) (Effective CA)	190.1
Back of Cab Protrusions (Exhaust/Intake) (CP)	2.0
Back of Cab Protrusions (Side Extenders/Trim Tab) (CP)	0.0
Back of Cab Protrusions (CNG Tank)	0.0
Back of Cab Clearance (CL)	3.0
Back of Cab to End of Frame	264.0
Cab Height (CH)	71.8
Wheelbase (WB)	276.6
Frame Overhang (OH)	70.9
Overall Frame Length	399.2
Overall Length (OAL)	398.9
Rear Axle Spacing	54.0
Unladen Frame Height at Centerline of Rear Axle	43.2

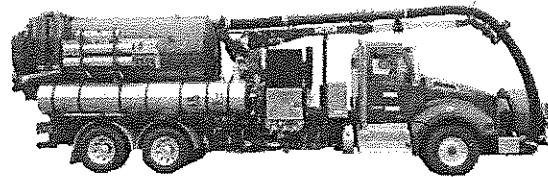
Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.





Presents a Proposal Summary

of the



2112i

Combination Single Engine Dual Stage Sewer Cleaner with Hydrostatic Driven Vacuum System Mounted on a Heavy-Duty Truck Chassis

for

Town of Hudson
2 Constitution Drive
Hudson, NH

PRODUCT DESCRIPTION

- 2100i with Single Engine Dual Stage Fan, 12 Yard Debris Body, 1300 Gallons of Fresh Water

STANDARD FEATURES

- 24" x 26" x 69" Curb Side Aluminum Toolbox
- Aluminum Fenders
- Mud Flaps
- Electric/Hydraulic Four Way Boom
- Color Coded Sealed Electrical System
- Remote Pendant Control w/35' Cord
- Intuitouch Electronic Package
- Double Acting Dump Hoist Cylinder
- Handgun Assembly
- 3" Y-Strainer at Water Pump Inlet
- Ex-Ten Steel Cylindrical Debris Tank
- Flexible Hose Guide
- 30 Deg. Sand Nozzle w/Carbide Inserts
- 30 Deg. Sanitary Nozzle w/Carbide Inserts
- 15 Deg. Penetrator Nozzle w/Carbide Inserts
- Nozzle Storage Rack
- Vacuum Tube Storage: Curbside (2) Pipe, Rear Door (2) Pipe
- 1" Nozzle
- 10' Leader Hose
- Flat Rear Door w/Hydraulic Locks and Door Power-up/Down, Open/Close Feature
- Dual 10" Stainless Steel Float Shut Off System/Rear Mounted
- Debris Body Vacuum Relief System
- Debris Deflector Plate
- 60" Dump Height
- Water Sight Gauge DS/PS
- Liquid Float Level Indicator
- Boom Transport Post Storage
- 3" Y-Strainer @ Water Pump w/3" Drain Valve
- Performance Package: (Hyd Variable Flow, Dual PTO's. Dual Hyd. Pumps)
- 1" Water Relief Valve for Vactor Water Pump
- Midship Handgun Coupling
- Side Mounted Water Pump
- Hose Wind Guide (Dual Roller)
- Hose Reel Manual Hyd. Extend/Retract
- Hose Reel Chain Cover (Full)
- Tachometer/Chassis Engine W/Hourmeter
- Circuit Breakers
- LED Lights. Clearance, Back-Up, Stop, Tail & Turn
- Tow Hooks, Front and Rear
- Electronic Back-Up Alarm
- Hydraulic Tank Shutoff Valves
- 8" Vacuum Pipe Package
- Emergency Flare Kit
- Fire Extinguisher 5 Lbs.
- Low Water Alarm with Water Pump Flow Indicator
- Front Joystick Boom Control
- Rodder System Accumulator- Jack Hammer on/off control w/ manual valve
- Digital Hose Footage Counter
- Water Pump Hour Meter
- PTO Hour Meter
- Camera System, Rear Only
- Hydraulic Oil Temp Alarm

- Digital Water Pressure Gauge
- Chassis Modifications

ADDITIONAL FEATURES

- 180 Degree Rotation, 10 Ft. Hydraulic Telescoping Boom, Front Loading 8" Suction Hose
- 80 GPM Variable Flow Water System
- 2500 PSI Water Pressure
- 1" x 600' Piranha Sewer Hose, 2500 PSI
- Hydraulic Extending/Rotating 15" Hose Reel (1" x 800') Capacity
- Module Paint, Dupont Imron Elite - Sanded Primer Base
- Debris Body Flush Out System
- 6" Knife Valve w/Cam-Loc, Rear Door, 6:00 Position
- Standpipe and Screen for 6:00 Port
- Centrifugal Separators
- Folding Pipe Rack, Curbside, 8" Pipe
- Folding Pipe Rack, Streetside, 8" Pipe
- Rear Door Pipe Rack Removed
- Rear Door Splash Shield
- Lube Manifold
- Plastic Lube Chart
- Air Purge
- Water Ring Assembly, at Debris Body Inlet
- Rotatable Boom Inlet Hose, Telescoping Boom
- Cold Weather Recirculator, PTO Driven, 25 GPM
- Hydro Excavation Kit - Includes Lances, Nozzles, Storage Tray, and Vacuum Tubes
- Automatic Hose Level Wind Guide, Non-Indexing
- Fan Flushout System
- High Pressured Hose Reel
- Rodder Pump Drain Valves
- Rear Directional Control, LED Arrowboard
- 6 Lighting Package, 6 Federal Signal Strobe Lights, LED
- Worklights (2), LED, Telescoping Boom
- Worklights (2), LED, Rear Door
- Worklight, LED, Hose Reel Manhole
- Toolbox, Behind Cab
- Toolbox, Driver Side Chassis Frame, 24w x 24h x 24d
- Safety Cone Storage Rack - Drop in Style
- Digital Water Level Indicator
- Digital Debris Body Level Indicator
- (4) 8" Quick Clamp Assembly
- Vactor Standard Manual and USB Version – 1

Chassis Source - Customer Supplied

Module Paint Match Cab - Yes

Module Paint Color - White

Cab Color - White

Door Stripe Color - None

Chassis Axle - Tandem

Sell Price – Vactor Body Only:	\$323,120.00
Trade Allowance – 2009 Vac-Con:	\$45,000.00
Total:	\$278,120.00

LIMITED WARRANTY

Limited Warranty. Each machine manufactured by VACTOR MANUFACTURING (or, "the Company") is warranted against defects in material and workmanship for a period of 12 months, provided the machine is used in a normal and reasonable manner and in accordance with all operating, maintenance and safety instructions. In addition, certain machines and components of certain machines have extended warranties as set forth below. If sold to an end user, the applicable warranty period commences from the date of delivery to the end user. If used for rental purposes, the applicable warranty period commences from the date the machine is first made available for rental by the Company or its representative. This limited warranty may be enforced by any subsequent transferee during the warranty period. This limited warranty is the sole and exclusive warranty given by the Company.

STANDARD EXTENDED WARRANTIES (Total Warranty Duration)

2100 Series, HXX Series and Jetters

10 years against water tank leakage due to corrosion. Nonmetallic water tanks are covered for 5 yrs. against any factory defect in material or workmanship.

2100 Series, HXX Series and Guzzler only

5 years against leakage of debris tank, centrifugal compressor or housing due to rust-through.

2100 Series and Jetters

2 years - Vactor Rodder Pump

Exclusive Remedy. Should any warranted product fail during the warranty period, the Company will cause to be repaired or replaced, as the Company may elect, any part or parts of such machine that the Company's examination discloses to be defective in material or factory workmanship. Repairs or replacements are to be made at the selling Company's authorized dealer's or distributor's location or at other locations approved by the Company. In lieu of repair or replacement, the Company may elect, at its sole discretion, to refund the purchase price of any product deemed defective. The foregoing remedies shall be the sole and exclusive remedies of any party making a valid warranty claim.

This Limited Warranty shall not apply to (and the Company shall not be responsible for):

1. Major components or trade accessories that have a separate warranty from their original manufacturer, such as, but not limited to, trucks and truck chassis, engines, hydraulic pumps and motors, tires and batteries.
2. Normal adjustments and maintenance services.
3. Normal wear parts such as, but not limited to, oils, fluids, vacuum hose, light bulbs, fuses and gaskets.
4. Failures resulting from the machine being operated in a manner or for a purpose not recommended or not in accordance with operating, maintenance or safety instructions provided by the Company.
5. Repairs, modifications or alterations without the express written consent of the Company, which in the Company's sole judgment, have adversely affected the machine's stability, operation or reliability as originally designed and manufactured.
6. Items subject to misuse, negligence, accident or improper maintenance.

NOTE The use in the product of any part other than parts approved by the Company may invalidate this warranty. The Company reserves the right to determine, in its sole discretion, if the use of non-approved parts operates to invalidate the warranty. Nothing contained in this warranty shall make the Company liable for loss, injury, or damage of any kind to any person or entity resulting from any defect or failure in the machine.

THIS WARRANTY SHALL BE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND TO THE EXTENT PERMITTED, CONFERRED BY STATUTE, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE, OR ANY WARRANTY AGAINST FAILURE OF ITS ESSENTIAL PURPOSE, ALL OF WHICH ARE DISCLAIMED.

This warranty is in lieu of all other obligations or liabilities, contractual and otherwise, on the part of the Company. For the avoidance of doubt, the Company shall not be liable for any indirect, special, incidental or consequential damages, including, but not limited to, loss of use or lost profits. The Company makes no representation that the machine has the capacity to perform any functions other than as contained in the Company's written literature, catalogs or specifications accompanying delivery of the machine. No person or affiliated company representative is authorized to alter the terms of this warranty, to give any other warranties or to assume any other liability on behalf of the Company in connection with the sale, servicing or repair of any machine manufactured by the Company. Any legal action based hereon must be commenced within eighteen (18) months of the event or facts giving rise to such action.

The Company reserves the right to make design changes or improvements in its products without imposing any obligation upon itself to change or improve previously manufactured products.



VACTOR MANUFACTURING
1621 S. Illinois Street
Streator, IL 61364



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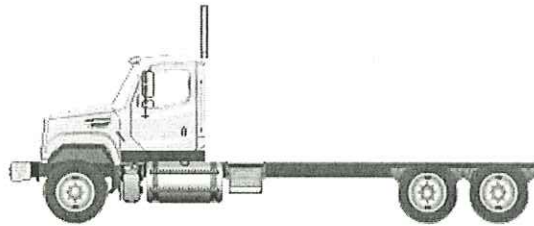
VAC-CON

A proposal for
HUDSON TOWN OF

Prepared by
ATG MANCHESTER LLC
Charlie Grandll

Apr 07, 2021

Freightliner 114SD



Components shown may not reflect all spec'd options and are not to scale



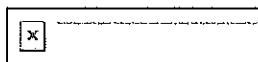
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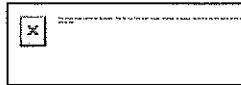
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QUOTATION

114SD CONVENTIONAL CHASSIS

SET FORWARD AXLE - TRUCK
 CUM X12 410V HP @ 1900 RPM, 1450 LB-FT @ 1000
 RPM, 2000 GOV RPM, VOC
 ALLISON 4500 RDS AUTOMATIC TRANSMISSION WITH
 PTO PROVISION
 RT-46-160P 46,000# R-SERIES TANDEM REAR AXLE
 HENDRICKSON RT463 @46,000# REAR SUSPENSION
 DETROIT DA-F-20.0-5 20,000# FL1 71.0 KPI/3.74 DROP
 SINGLE FRONT AXLE
 20,000# FLAT LEAF FRONT SUSPENSION

114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL
 CAB
 6700MM (264 INCH) WHEELBASE
 11/32X3-1/2X10-15/16 INCH STEEL FRAME
 (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI
 2275MM (90 INCH) REAR FRAME OVERHANG
 1/4 INCH (6.35MM) C-CHANNEL INNER FRAME
 REINFORCEMENT

	TOTAL # OF UNITS (1)	PER UNIT	TOTAL
VEHICLE PRICE	\$	462,653	\$ 462,653
EXTENDED WARRANTY	\$	0	\$ 0
DEALER INSTALLED OPTIONS	\$	0	\$ 0
CUSTOMER PRICE BEFORE TAX	\$	462,653	\$ 462,653

TAXES AND FEES

FEDERAL EXCISE TAX (FET)	\$	(310)	\$ (310)
TAXES AND FEES	\$	0	\$ 0
OTHER CHARGES	\$	0	\$ 0

TRADE-IN

TRADE-IN ALLOWANCE	\$	(60,000)	\$ (60,000)
BALANCE DUE	(LOCAL CURRENCY) \$	402,343	\$ 402,343

COMMENTS:

Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:

Please indicate your acceptance of this quotation by signing below:

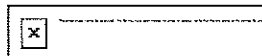
Customer: X _____ Date: ___ / ___ / ___.

Daimler Truck Financial

Financing that works for you.

See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at Information@dtfoffers.com.

Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at www.daimler-truckfinancial.com.



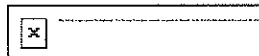
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S P E C I F I C A T I O N P R O P O S A L

Data Code	Description	Weight Front	Weight Rear	Retail Price
Price Level				
PRL-24D	SD PRL-24D (EFF:01/19/21)			STD
Data Version				
DRL-011	SPECPRO21 DATA RELEASE VER 011			N/C
Vehicle Configuration				
001-177	114SD CONVENTIONAL CHASSIS	7,934	6,476	\$155,955.00
004-222	2022 MODEL YEAR SPECIFIED			N/C
002-003	SET FORWARD AXLE - TRUCK			STD
019-002	STRAIGHT TRUCK PROVISION			STD
003-001	LH PRIMARY STEERING LOCATION			STD
General Service				
AA1-002	TRUCK CONFIGURATION			STD
AA6-001	DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES)			STD
A85-010	UTILITY/REPAIR/MAINTENANCE SERVICE			N/C
A84-1UT	UTILITY BUSINESS SEGMENT			N/C
AA4-002	LIQUID BULK COMMODITY			N/C
AA5-002	TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS			STD
AB1-008	MAXIMUM 8% EXPECTED GRADE			STD
AB5-001	SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE			STD
995-1AE	FREIGHTLINER LEVEL II WARRANTY			N/C
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 20000.0 lbs			
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 46000.0 lbs			
A63-99D	EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 66000.0 lbs			
Truck Service				
AA3-034	SEWER/INDUSTRIAL VACUUM BODY			N/C
AF3-2BP	VAC CON			N/C

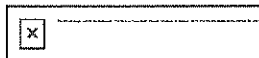


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Data Code	Description	Weight Front	Weight Rear	Retail Price
Engine				
101-26V	CUM X12 410V HP @ 1900 RPM, 1450 LB-FT @ 1000 RPM, 2000 GOV RPM, VOC	-390	-45	\$2,020.00
Electronic Parameters				
79A-065	65 MPH ROAD SPEED LIMIT			N/C
79B-000	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT			N/C
79K-009	PTO MODE ENGINE RPM LIMIT - 1200 RPM			N/C
79L-007	PTO MODE THROTTLE OVERRIDE - LIMIT TO 1200 RPM			N/C
79M-001	PTO MODE BRAKE OVERRIDE - SERVICE BRAKE APPLIED			N/C
79P-009	PTO RPM WITH CRUISE SET SWITCH - 1200 RPM			N/C
79Q-009	PTO RPM WITH CRUISE RESUME SWITCH - 1200 RPM			N/C
79S-001	PTO MODE CANCEL VEHICLE SPEED - 5 MPH			N/C
79U-006	PTO GOVERNOR RAMP RATE - 200 RPM PER SECOND			N/C
79W-001	ONE REMOTE PTO SPEED			N/C
79X-009	PTO SPEED 1 SETTING - 1200 RPM			N/C
* 80P-998	NO FLEET SPEC FOR PARAMETERIZATION			N/C
80G-002	PTO MINIMUM RPM - 700			N/C
80J-002	REGEN INHIBIT SPEED THRESHOLD - 5 MPH			N/C
Engine Equipment				
99C-021	2016 ONBOARD DIAGNOSTICS/2010 EPA/CARB/GHG21 CONFIGURATION			N/C
99D-011	2008 CARB EMISSION CERTIFICATION - CLEAN IDLE (INCLUDES 6X4 INCH LABEL ON LOWER FORWARD CORNER OF DRIVER DOOR)			\$109.00
13E-001	STANDARD OIL PAN			STD
105-015	OIL FILL AND DIPSTICK LOCATED FOR ENHANCED SERVICEABILITY			\$83.00
014-1B5	SIDE OF HOOD AIR INTAKE WITH DONALDSON HIGH CAPACITY AIR CLEANER WITH SAFETY ELEMENT, FIREWALL MOUNTED			STD
124-1D7	DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE			STD
292-236	(3) DTNA GENUINE, FLOODED STARTING, MIN 3000CCA, 555RC, THREADED STUD BATTERIES			STD
290-017	BATTERY BOX FRAME MOUNTED			STD



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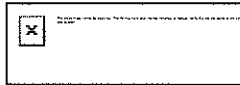


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Data Code	Description	Weight Front	Weight Rear	Retail Price
281-001	STANDARD BATTERY JUMPERS			STD
282-003	SINGLE BATTERY BOX FRAME MOUNTED LH SIDE BACK OF CAB			STD
291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN			STD
289-001	NON-POLISHED BATTERY BOX COVER			STD
293-061	POSITIVE LOAD DISCONNECT WITH CONTROL SWITCH WITH LOCKING PROVISION MOUNTED OUTSIDE OF CAB	2		\$202.00
295-029	POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER	2		\$88.00
107-048	CUMMINS NATURALLY ASPIRATED 25.9 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE			N/C
152-041	ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM			STD
128-004	CUMMINS INTEBRAKE BRAKE WITH HIGH MED LOW BRAKE			N/C
016-1C2	RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE	30	25	\$816.00
28F-002	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH			STD
239-200	INTEGRATED STACK AND B-PILLAR PIPE WITH MINIMUM STACK PROTRUSION ABOVE CAB			\$131.00
233-017	STANDARD CURVE BRIGHT UPPER STACK(S)			\$123.00
237-1CR	RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP			N/C
23U-002	13 GALLON DIESEL EXHAUST FLUID TANK			STD
30N-003	100 PERCENT DIESEL EXHAUST FLUID FILL			STD
23Y-001	STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING			STD
23Z-002	NON-POLISHED ALUMINUM DIAMOND PLATE DIESEL EXHAUST FLUID TANK COVER	15	5	\$144.00
43X-002	LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION			STD
43Y-001	STANDARD DIESEL EXHAUST FLUID TANK CAP			STD
242-011	ALUMINUM AFTERTREATMENT DEVICE/MUFFLER/TAILPIPE SHIELD(S)			N/C
273-036	BORG WARNER (KYSOR) REAR AIR ON/OFF ENGINE FAN CLUTCH			STD



Prepared for:
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Data Code	Description	Weight Front	Weight Rear	Retail Price
276-001	AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED			STD
110-003	CUMMINS SPIN ON FUEL FILTER			N/C
118-008	COMBINATION FULL FLOW/BYPASS OIL FILTER			N/C
266-057	1500 SQUARE INCH ALUMINUM RADIATOR			STD
103-039	ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT			STD
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT			STD
172-001	CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES			STD
270-016	RADIATOR DRAIN VALVE			N/C
360-013	1350 ADAPTER FLANGE FOR FRONT PTO PROVISION	20		\$297.00
138-005	PHILLIPS-TEMRO 1500 WATT/115 VOLT BLOCK HEATER	4		\$117.00
166-005	PHILLIPS-TEMRO 300 WATT/115 VOLT OIL PREHEATER	4		\$103.00
140-022	CHROME ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR			\$6.00
155-055	DELCO 12V 39MT HD/OCP STARTER WITH THERMAL PROTECTION AND INTEGRATED MAGNETIC SWITCH			N/C

Transmission

342-1M3	ALLISON 4500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION	260	100	\$13,687.00
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Transmission Equipment

343-339	ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV			STD
84B-012	ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES			N/C
84C-023	PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			STD
84D-023	SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			STD
84E-013	S1 PERFORMANCE PRIMARY SHIFT SCHEDULE, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			N/C



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84F-012	S1 PERFORMANCE SECONDARY SHIFT SCHEDULE, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			N/C
84G-007	1700 RPM PRIMARY MODE SHIFT SPEED			N/C
84H-007	1700 RPM SECONDARY MODE SHIFT SPEED			N/C
84U-000	DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES			STD
84V-001	DIRECTION CHANGE ENABLED WITH MULTIPLEXED SERVICE BRAKES - ALLISON 5TH GEN TRANSMISSIONS			STD
353-023	VEHICLE INTERFACE WIRING CONNECTOR WITHOUT BLUNT CUTS, AT END OF FRAME			\$53.00
34C-001	ELECTRONIC TRANSMISSION CUSTOMER ACCESS CONNECTOR FIREWALL MOUNTED			\$23.00
362-823	CUSTOMER INSTALLED CHELSEA 280 SERIES PTO			N/C
363-001	PTO MOUNTING, LH SIDE OF MAIN TRANSMISSION			N/C
341-018	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN			STD
345-003	PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED			STD
97G-004	TRANSMISSION PROGNOSTICS - ENABLED 2013			STD
370-011	WATER TO OIL TRANSMISSION COOLER, FRAME MOUNTED			STD
346-003	TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK			STD
35T-001	SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)			STD

Front Axle and Equipment

400-1BB	DETROIT DA-F-20.0-5 20,000# FL1 71.0 KPI/3.74 DROP SINGLE FRONT AXLE	190		\$3,436.00
402-030	MERITOR 16.5X6 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES	10		N/C
403-002	NON-ASBESTOS FRONT BRAKE LINING			STD
419-023	CONMET CAST IRON FRONT BRAKE DRUMS			\$8.00
427-001	FRONT BRAKE DUST SHIELDS	5		\$102.00
409-006	FRONT OIL SEALS			STD
408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL			STD
416-022	STANDARD SPINDLE NUTS FOR ALL AXLES			STD



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Data Code	Description	Weight Front	Weight Rear	Retail Price
405-002	MERITOR AUTOMATIC FRONT SLACK ADJUSTERS			STD
406-001	STANDARD KING PIN BUSHINGS			STD
536-055	TRW THP-60 POWER STEERING WITH RCH45 AUXILIARY GEAR	130		N/C
539-003	POWER STEERING PUMP			STD
534-003	4 QUART POWER STEERING RESERVOIR			N/C
533-004	OIL/AIR POWER STEERING COOLER MOUNTED ABOVE FRONT CLOSING CROSSMEMBER	5		\$43.00
40T-001	MINERAL SAE 80/90 FRONT AXLE LUBE			STD
Front Suspension				
620-006	20,000# FLAT LEAF FRONT SUSPENSION	310		\$815.00
619-004	GRAPHITE BRONZE BUSHINGS WITH SEALS - FRONT SUSPENSION			N/C
62G-998	NO FRONT SUSPENSION OPTIONS			STD
410-001	FRONT SHOCK ABSORBERS			\$121.00
Rear Axle and Equipment				
420-111	RT-46-160P 46,000# R-SERIES TANDEM REAR AXLE		450	\$4,398.00
421-489	4.89 REAR AXLE RATIO			N/C
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING			STD
386-074	MXL 176T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES	45	45	\$531.00
388-073	MXL 17T MERITOR EXTENDED LUBE INTERAXLE DRIVELINE WITH HALF ROUND YOKES			STD
878-019	(1) INTERAXLE LOCK VALVE FOR TANDEM OR TRIDEM DRIVE AXLES			STD
87A-001	BLINKING LAMP WITH EACH INTERAXLE LOCK SWITCH, INTERAXLE UNLOCK DEFAULT WITH IGNITION OFF			STD
423-020	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES			STD
433-002	NON-ASBESTOS REAR BRAKE LINING			STD
434-003	STANDARD BRAKE CHAMBER LOCATION			STD
451-023	CONMET CAST IRON REAR BRAKE DRUMS		20	\$87.00
425-002	REAR BRAKE DUST SHIELDS		10	\$130.00
440-006	REAR OIL SEALS			STD
426-1B3	BENDIX EVERSURE LONGSTROKE 2-DRIVE AXLES SPRING PARKING CHAMBERS			\$51.00
428-003	HALDEX AUTOMATIC REAR SLACK ADJUSTERS			\$93.00



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41T-001	MINERAL SAE 80/90 REAR AXLE LUBE			(\$197.00)
42T-001	STANDARD REAR AXLE BREATHER(S)			STD
Rear Suspension				
622-1CJ	HENDRICKSON RT463 @46,000# REAR SUSPENSION		750	\$3,124.00
621-016	HENDRICKSON RT/RTE - 7.19" SADDLE			N/C
431-001	STANDARD AXLE SEATS IN AXLE CLAMP GROUP			STD
624-009	54 INCH AXLE SPACING		10	\$245.00
628-005	STEEL BEAMS AND BRONZE CENTER BUSHINGS WITH BAR PIN ADJUSTABLE END CONNECTIONS			N/C
623-005	FORE/AFT CONTROL RODS			N/C
Brake System				
490-100	WABCO 4S/4M ABS			STD
871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES			STD
904-001	FIBER BRAID PARKING BRAKE HOSE			STD
412-001	STANDARD BRAKE SYSTEM VALVES			STD
46D-002	STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM			STD
413-002	STD U.S. FRONT BRAKE VALVE			STD
432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE			STD
N	480-086	BW AD-9SI BRAKE LINE AIR DRYER WITH HEATER		\$2.00
*	483-003	BENDIX OIL COALESCING FILTER FOR AIR DRYER		\$20.00
	479-006	AIR DRYER MOUNTED OUTBOARD ON RH RAIL		N/C
*	460-089	(1) 12 INCH STEEL AIR TANK MOUNTED ABOVE FRAME BACK OF CAB, 20 INCHES MAXIMUM BACK OF CAB PROTRUSION		\$177.00
	477-001	PULL CABLE ON WET TANK, PETCOCK DRAIN VALVES ON ALL OTHER AIR TANKS		STD
Trailer Connections				
	335-004	UPGRADED CHASSIS MULTIPLEXING UNIT		STD
Wheelbase & Frame				
	545-670	6700MM (264 INCH) WHEELBASE		N/C
	546-101	11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI	360	120 \$1,244.00

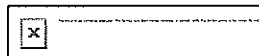


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Data Code	Description	Weight Front	Weight Rear	Retail Price
547-001	1/4 INCH (6.35MM) C-CHANNEL INNER FRAME REINFORCEMENT	220	435	\$1,500.00
552-054	2275MM (90 INCH) REAR FRAME OVERHANG			N/C
55W-008	FRAME OVERHANG RANGE: 81 INCH TO 90 INCH	-40	190	N/C
549-036	12 INCH INTEGRAL FRONT FRAME EXTENSION	60	-10	\$639.00
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 180.32 in			
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 177.32 in			
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 393.06			
FSS-0LH	CALCULATED FRAME SPACE LH SIDE : 97.83 in			N/C
FSS-0RH	CALCULATED FRAME SPACE RH SIDE : 222.17 in			N/C
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 174.54 in			
553-001	SQUARE END OF FRAME			STD
550-001	FRONT CLOSING CROSSMEMBER			STD
559-001	STANDARD WEIGHT ENGINE CROSSMEMBER			STD
562-001	STANDARD MIDSHIP #1 CROSSMEMBER(S)			STD
572-001	STANDARD REAR MOST CROSSMEMBER			STD
565-001	STANDARD SUSPENSION CROSSMEMBER			STD
Chassis Equipment				
556-1AG	16.5 INCH PAINTED STEEL STRAIGHT BUMPER			STD
574-001	BUMPER MOUNTING FOR SINGLE LICENSE PLATE			STD
551-007	GRADE 8 THREADED HEX HEADED FRAME FASTENERS			STD
* 606-119	DRILLING PREP FOR VAC-CON PER DRAWING #670-30226, REVISION C, 04/20/17			\$104.00
Fuel Tanks				
204-156	100 GALLON/378 LITER ALUMINUM FUEL TANK - LH	20		\$288.00
218-006	25 INCH DIAMETER FUEL TANK(S)			STD
215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS			STD
212-007	FUEL TANK(S) FORWARD			STD
664-001	PLAIN STEP FINISH			STD
205-001	FUEL TANK CAP(S)			STD
122-075	ALLIANCE FUEL FILTER/WATER SEPARATOR	15		N/C

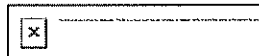


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Data Code	Description	Weight Front	Weight Rear	Retail Price
216-020	EQUIFLO INBOARD FUEL SYSTEM			STD
202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE			STD
221-001	FUEL COOLER	10		\$155.00
Tires				
093-0TB	MICHELIN XZY-3 425/65R22.5 20 PLY RADIAL FRONT TIRES	196		\$1,000.00
094-1UY	MICHELIN X MULTI D 11R22.5 16 PLY RADIAL REAR TIRES		120	(\$80.00)
Hubs				
418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS			STD
450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS			STD
Wheels				
502-1H5	ALCOA LVL ONE 82462X 22.5X12.25 10-HUB PILOT 4.68 INSET 10-HAND ALUMINUM DISC FRONT WHEELS	-8		\$604.00
505-693	ALCOA LVL ONE 88267X 22.5X8.25 10-HUB PILOT ALUMINUM DISC REAR WHEELS		-224	\$944.00
Cab Exterior				
829-1A2	114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB			STD
650-008	AIR CAB MOUNTING			STD
648-002	NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE			STD
667-001	FRONT FENDERS			STD
754-002	3-1/2 INCH FENDER EXTENSIONS	15		\$169.00
678-001	LH AND RH GRAB HANDLES			STD
645-002	BRIGHT FINISH RADIATOR SHELL/HOOD BEZEL			\$253.00
646-042	STATIONARY BLACK GRILLE WITH BRIGHT ACCENTS			\$88.00
65X-003	CHROME HOOD MOUNTED AIR INTAKE GRILLE			\$15.00
644-006	FIBERGLASS HOOD WITH ACCESS HATCHES	10		\$682.00
690-002	TUNNEL/FIREWALL LINER			\$114.00
727-1AF	SINGLE 14 INCH ROUND HADLEY AIR HORN UNDER LH DECK			(\$23.00)
726-002	DUAL ELECTRIC HORNS			\$14.00
728-001	SINGLE HORN SHIELD			STD
657-001	DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME			STD



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78G-004	KEY QUANTITY OF 4			\$18.00
575-001	REAR LICENSE PLATE MOUNT END OF FRAME			STD
312-067	HALOGEN COMPOSITE HEADLAMPS WITH BRIGHT BEZELS			N/C
302-047	LED AERODYNAMIC MARKER LIGHTS			\$34.00
311-012	DAYTIME RUNNING LIGHTS - LOW BEAM ONLY			\$21.00
294-042	FREIGHTLINER LED FLANGE MOUNTED STOP/TAIL/TURN LIGHTS WITH SEPARATE INCANDESCENT BACKUP LIGHTS		5	\$110.00
300-015	STANDARD FRONT TURN SIGNAL LAMPS			STD
744-103	DUAL WEST COAST BRIGHT FINISH HEATED MIRRORS WITH LED LIGHTS AND LH AND RH REMOTE			\$403.00
797-001	DOOR MOUNTED MIRRORS			STD
796-001	102 INCH EQUIPMENT WIDTH			STD
743-204	LH AND RH 8 INCH BRIGHT FINISH CONVEX MIRRORS MOUNTED UNDER PRIMARY MIRRORS			N/C
729-001	STANDARD SIDE/REAR REFLECTORS			STD
677-054	RH AFTERTREATMENT SYSTEM CAB ACCESS WITH PLAIN DIAMOND PLATE COVER			\$87.00
764-010	COMPOSITE EXTERIOR SUN VISOR	10		\$247.00
768-043	63X14 INCH TINTED REAR WINDOW			STD
661-003	TINTED DOOR GLASS LH AND RH WITH TINTED NON-OPERATING WING WINDOWS			(\$117.00)
654-027	RH AND LH ELECTRIC POWERED WINDOWS, PASSENGER SWITCHES ON DOOR(S)	4		\$218.00
663-013	1-PIECE SOLAR GREEN GLASS WINDSHIELD			STD
659-007	8 LITER (2 GAL) WINDSHIELD WASHER RESERVOIR, CAB MOUNTED, WITHOUT FLUID LEVEL INDICATOR			STD

Cab Interior

707-1AK	OPAL GRAY VINYL INTERIOR			STD
706-013	MOLDED PLASTIC DOOR PANEL			STD
708-013	MOLDED PLASTIC DOOR PANEL			STD
772-006	BLACK MATS WITH SINGLE INSULATION			STD
785-001	DASH MOUNTED ASH TRAYS AND LIGHTER			(\$2.00)
691-008	FORWARD ROOF MOUNTED CONSOLE WITH UPPER STORAGE COMPARTMENTS WITHOUT NETTING			STD
694-010	IN DASH STORAGE BIN			N/C
742-007	(2) CUP HOLDERS LH AND RH DASH			STD



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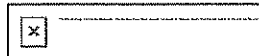


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Data Code	Description	Weight Front	Weight Rear	Retail Price
680-006	GRAY/CHARCOAL FLAT DASH			(\$309.00)
860-004	SMART SWITCH EXPANSION MODULE			\$196.00
720-002	2-1/2 LB. FIRE EXTINGUISHER	5		\$37.00
700-002	HEATER, DEFROSTER AND AIR CONDITIONER			STD
701-001	STANDARD HVAC DUCTING			STD
703-005	MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH			STD
170-002	STANDARD PLUMBING WITH BALL SHUTOFF VALVES AND INSULATED LINES			\$59.00
130-041	VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR			STD
702-002	BINARY CONTROL, R-134A			STD
739-033	STANDARD INSULATION			STD
285-013	SOLID-STATE CIRCUIT PROTECTION AND FUSES			STD
280-007	12V NEGATIVE GROUND ELECTRICAL SYSTEM			STD
324-011	DOMED DOOR ACTIVATED LH AND RH, DUAL READING LIGHTS, FORWARD CAB ROOF			\$63.00
655-005	LH AND RH ELECTRIC DOOR LOCKS			\$36.00
284-023	(1) 12 VOLT POWER SUPPLY IN DASH			STD
722-002	TRIANGULAR REFLECTORS WITHOUT FLARES	10		\$24.00
756-339	PREMIUM (L2) ISRI HIGH BACK AIR SUSPENSION DRIVERS SEAT WITH 2 AIR LUMBAR, INTEGRATED CUSHION EXTENSION, TILT AND ADJUSTABLE	70		\$414.00
760-339	PREMIUM (L2) ISRI HIGH BACK AIR SUSPENSION PASSENGER SEAT WITH 2 AIR LUMBAR, INTEGRATED CUSHION EXTENSION, TILT AND ADJUSTABLE SHOCK	60	20	\$451.00
759-005	DUAL DRIVER AND PASSENGER SEAT ARMRESTS	8		\$138.00
711-004	LH AND RH INTEGRAL DOOR PANEL ARMRESTS			STD
758-036	VINYL WITH VINYL INSERT DRIVER SEAT			STD
761-036	VINYL WITH VINYL INSERT PASSENGER SEAT			STD
763-102	HIGH VISIBILITY ORANGE SEAT BELTS			N/C
532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN	10		\$478.00
540-015	4-SPOKE 18 INCH (450MM) STEERING WHEEL			STD
765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS			STD

Instruments & Controls

732-004	GRAY DRIVER INSTRUMENT PANEL			STD
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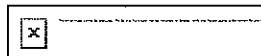


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734-004	GRAY CENTER INSTRUMENT PANEL			STD
87L-003	ENGINE REMOTE INTERFACE WITH PARK BRAKE AND NEUTRAL INTERLOCKS			N/C
870-001	BLACK GAUGE BEZELS			STD
486-001	LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM			STD
838-001	(1) SINGLE BRAKE APPLICATION AIR GAUGE			\$67.00
840-002	2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES			STD
198-003	DASH MOUNTED AIR RESTRICTION INDICATOR WITH GRADUATIONS			\$25.00
721-003	PRECO/ECCO 1040 87 DECIBELS TO 112 DECIBELS AUTOMATIC SELF-ADJUSTING BACKUP ALARM		3	\$77.00
149-013	ELECTRONIC CRUISE CONTROL WITH SWITCHES IN LH SWITCH PANEL			\$2.00
156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY			STD
157-007	MANUAL REMOTE ENGINE STOP/START WITH PTO RE-ENGAGE			\$74.00
811-042	ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28 LED WARNING LAMPS AND DATA LINKED			STD
160-038	HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH			STD
844-001	2 INCH ELECTRIC FUEL GAUGE			STD
148-071	ENGINE REMOTE INTERFACE WITH INCREMENT/DECREMENT			\$110.00
163-001	ENGINE REMOTE INTERFACE CONNECTOR AT BACK OF CAB			N/C
33U-007	CHASSIS MODULE JUMPER AND BRACKET FOR BODY BUILDER TO RELOCATE THE CHASSIS MODULE INTO THE CAB			\$257.00
856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE			STD
864-001	2 INCH TRANSMISSION OIL TEMPERATURE GAUGE			STD
830-017	ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY			STD
372-043	(1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP - PARK BRAKE AND NEUTRAL INTERLOCK	10		\$73.00
852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE			STD
679-001	OVERHEAD INSTRUMENT PANEL			\$74.00

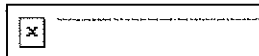


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746-137	AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH, USB AND AUXILIARY INPUTS, J1939	10		\$490.00
747-001	DASH MOUNTED RADIO			N/C
750-002	(2) RADIO SPEAKERS IN CAB			N/C
748-009	POWER AND GROUND STUDS IN DASH PLUS ROOF CONSOLE WIRING			\$24.00
749-001	ROOF/OVERHEAD CONSOLE CB RADIO PROVISION			\$76.00
752-017	MULTI-BAND AM/FM/WB/CB LH MIRROR MOUNTED ANTENNA SYSTEM			\$293.00
810-027	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER			STD
817-001	STANDARD VEHICLE SPEED SENSOR			STD
812-001	ELECTRONIC 3000 RPM TACHOMETER			STD
813-998	NO VEHICLE PERFORMANCE MONITOR	-5		N/C
* 162-018	IGNITION SWITCH CONTROLLED ENGINE STOP WITH CONTROL MOUNTED AT FIREWALL			\$6.00
329-083	SIX ON/OFF ROCKER SWITCHES IN THE DASH WITH INDICATOR LIGHTS; FOUR WIRE TO CHASSIS AT BACK OF CAB, TWO UNWIRED, LABEL ALL OPT			\$132.00
81Y-001	PRE-TRIP LAMP INSPECTION, ALL OUTPUTS FLASH, WITH SMART SWITCH			\$12.00
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY			STD
660-008	SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY			STD
304-001	MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH			STD
882-009	ONE VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR			STD
299-013	SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE			STD
298-039	INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS			STD
Design				
065-000	PAINT: ONE SOLID COLOR			STD
Color				
980-5F6	CAB COLOR A: L0006EY WHITE ELITE EY			STD



Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018



Prepared by:
 Charlie Grandl
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

Data Code	Description	Weight Front	Weight Rear	Retail Price
986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT			STD
964-020	STANDARD BLACK BUMPER PAINT			STD
976-995	SUNVISOR PAINTED SAME AS CAB COLOR A			N/C
963-003	STANDARD E COAT/UNDERCOATING			STD

Certification / Compliance

996-001	U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS			STD
---------	---	--	--	-----

Secondary Factory Options

*	100-410	ENGINE RATING 410HP		N/C
*	923-005	GEN 2, DEDICATED PATHWAY, ROUTING AND CLIPPING		N/C

Raw Performance Data

AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 177.32 in
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 174.54 in

Sales Programs

NO SALES PROGRAMS HAVE BEEN SELECTED

TOTAL VEHICLE SUMMARY

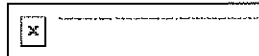
Adjusted List Price

Adjusted List Price ** \$199,251.00

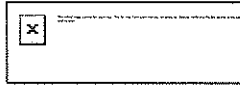
Weight Summary

	Weight Front	Weight Rear	Total Weight
Factory Weight ⁺	9626 lbs	8505 lbs	18131 lbs
Total Weight ⁺	9626 lbs	8505 lbs	18131 lbs

ITEMS NOT INCLUDED IN ADJUSTED LIST PRICE



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222 FRONTAGE ROAD
MANCHESTER, NH 03103
Phone:

Other Factory Charges

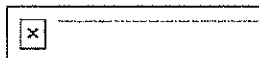
PMV-021	GHG21 ENHANCEMENT PRICE	\$450.00
P73-2FT	STANDARD DESTINATION CHARGE	\$2,200.00

(+) Weights shown are estimates only.

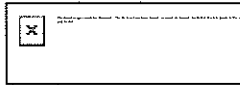
If weight is critical, contact Customer Application Engineering.

(**) Prices shown do not include taxes, fees, etc... "Net Equipment Selling Price" is located on the Quotation Details Proposal Report.

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.

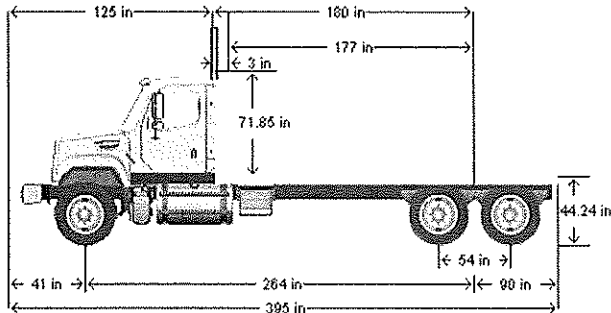


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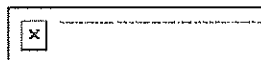
DIMENSIONS



VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Model..... 114SD
 Wheelbase (545) 6700MM (264 INCH) WHEELBASE
 Rear Frame Overhang (552) 2275MM (90 INCH) REAR FRAME OVERHANG
 Fifth Wheel (578) NO FIFTH WHEEL
 Mounting Location (577)..... NO FIFTH WHEEL LOCATION
 Maximum Forward Position (in).....0
 Maximum Rearward Position (in)0
 Amount of Slide Travel (in).....0
 Slide Increment (in).....0
 Desired Slide Position (in).....0.0
 Cab Size (829)..... 114 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
 Sleeper (682)..... NO SLEEPER BOX/SLEEPER/CAB
 Exhaust System (016)..... RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE

TABLE SUMMARY - DIMENSIONS



Prepared for:
 Jim Lavacchia
 HUDSON TOWN OF
 2 Constitution Dr
 Hudson, NH 03051
 Phone: 603-886-6018



Prepared by:
 Charlie Grandl
 ATG MANCHESTER LLC
 222 FRONTAGE ROAD
 MANCHESTER, NH 03103
 Phone:

Dimensions	Inches
Bumper to Back of Cab (BBC)	125.0
Bumper to Centerline of Front Axle (BA)	41.5
Min. Cab to Body Clearance (CB)	3.0
Back of Cab to Centerline of Rear Axle(s) (CA)	180.3
Effective Back of Cab to Centerline of Rear Axle(s) (Effective CA)	177.3
Back of Cab Protrusions (Exhaust/Intake) (CP)	2.0
Back of Cab Protrusions (Side Extenders/Trim Tab) (CP)	0.0
Back of Cab Protrusions (CNG Tank)	0.0
Back of Cab Clearance (CL)	3.0
Back of Cab to End of Frame	269.9
Cab Height (CH)	71.9
Wheelbase (WB)	263.8
Frame Overhang (OH)	89.6
Overall Frame Length	393.1
Overall Length (OAL)	394.9
Rear Axle Spacing	54.0
Unladen Frame Height at Centerline of Rear Axle	44.2

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.





Sanitary Equipment Co, Inc.
PO Box 26006
West Haven, CT 06516

--- This quotation is valid for **30 days**
from the quotation date --- Date 04/07/2021
Number 103444
Type of Quote Titan Single
PO
Attn Jim Lavacchia

Quote

Retail Purchaser Town of Hudson DPW
2 Constitution Dr.
Hudson, NH 03051
Retail ID #1254
Comments

Ship To Sanitary Equipment Co., Inc.
1140 Turnpike St.
Stoughton, MA 02072

Price excludes any applicable F.E.T., sales taxes, tag, title or registration fees.

Option content is subject to engineering approval.

Model Number - VTA312EN/1300LXA Titan Single Engine

Standard Equipment Includes:

- 3-stage Aeroboost Fan System with Centrifugal Compressor - high efficiency airflow design (more overall pulling power, less noise, and more reliability than any other Fan System in the industry) *
- Twin Cyclone Filtration Separators – one located on each side of truck; optimize efficiency and filtration*
- Aeroboost Q-Drive (only available on Dual Engine Titan) - Upgraded hydrostatic and auxiliary drive systems that operate the vacuum and water functions, substantially reduce noise, emissions and overall fuel consumption*
- Hinge-Type Body Prop - Permanently mounted debris body prop (hinge-type) **
- Lazy Susan pipe rack (5-pipe) **
- Vacuum Drive: hydrostatic drive via transfer case*
- 1/4" Corten steel debris tank* (12-cubic-yard capacity)
- Hydraulic rear door locks
- 6" knife valve with 10' lay flat hose**
- Debris tank dumping: minimum 50-degree, hydraulic cylinder lift- power up/power down
- Cross-linked polyethylene water tanks (1,300-gallon capacity)
- Automatic vacuum breaker and overfill protection
- 8" vacuum intake hose
- 6 Way hydraulic boom with 230-degree rotation and joystick control
- Front mounted 600' capacity articulating hose reel
- 60gpm/2000psi water pump system
- Water pump drive: Hydrostatic Drive
- 400' high pressure jet rodder hose
- Heavy-duty dual roller level wind guide (aluminum) **
- Flexible hose guide (Tiger Tail)
- 30" leader hose
- 20gpm/800psi wash-down system w/hand-gun and 25' of hose
- Steel Storage Box Behind Cab 16" x 42" x 96" **
- 1 Sanitary Nozzle and 1 Penetrator Nozzle

- 25' aluminum suction pipe (1-3', 2-5', 1-6' and 1-6.5' catch basin nozzle) w/quick clamps**
- Zinc, PPG Paint - line on process. "Aircraft-grade" primer
- 5# Fire Extinguisher
- 5-year centrifugal compressor (fans) warranty
- 10-year water tank warranty
- Remote Transfer Case Engagement*
- Set Triangles
- 12-month standard warranty for module

* = Available only with Titan models

** = Standard on Titan models, optional on all other models

Main Information

Model	TA312EN/1300
Blower	3-stage Aeroboost Fan System with Centrifugal Compressor
Boom	10' Aluminum Telescoping Boom with 10" Inlet and Pendant Control Station (With 8" Diameter Intake Hose (Reduce Clogs); Limits Rotation to Approx. 180-Degrees)
Hose Reel	Front Mounted, Articulating to Driver's Side, 600' (1") Capacity (Std Pivot)
Jet Rodder Hose	500' x 1" Jet Rodder Hose
Water System	80 GPM @ 2500 PSI, FMC Triplex Water Pump

Debris Body Options

QtyDescription

- 1 Flat Style Rear Door in lieu of Dome Style Door (Includes: Hydraulic Opener, Hydraulic Locks & Swing Style Wear Plate)
- 1 Rear Splash Shield - Rear Flange Mounted
- 1 Stainless Steel Ball on Debris Body Level Indicator in lieu of Plastic

Water System Options

QtyDescription

- 1 1/4 turn ball valve water drain
- 1 50' Capacity Retractable Hand Gun Hose Reel
- 1 Air Purge System
- 1 Artic Winter Recirculating System Rodder Hose, includes plumbing to upper water tanks.
- 1 Debris Body "Power Flush" System, 8 jets
- 1 Hydroexcavation Pkg Inc- 50' Handgun Hose Reel w/ 1/2" hose, 72" X 1/2" Sch. 80 QD Lance w/ single Forward Spray Nozzle, Storage Tubes for Lances, Heavy Duty Unloader Valve, Main Control Ball Valve, Variable Flow Valve
- 1 Pulsation Feature for Water Pump to Achieve Jackhammering Effect
- 1 Upgrade ball valves 1 1/4" plumbing + heavy duty ball valves
- 1 Water Pump Remote Oil Drain
- 1 Water Ring Assembly (inlet mounted)
- 1 Winter Recirculating connection for high pressure hand-gun
- 1 Winter Recirculating connection for low pressure hand-gun

Hose Reel Options

QtyDescription

- 1 Hose Footage Counter (Standard - Driver Side)

Misc. Machine Options

QtyDescription

- 1 Centrifugal Compressor Quiet Silencer, Class 4, 304 Stainless Steel Construction, 14in x 40in with 8in discharge
- 1 Cone Storage Rack - MUST SELECT PLACEMENT BELOW
- 1 Cone Storage Rack Placement - Best Location - Vac-Con to select
- 1 Grease Assembly Articulating Hose Reel
- 1 Long Handle Storage Placement - Mounted in Storage Box Under Shelf (Standard with Hydro-X Package)
- 1 Rear Mounted Tow Hooks
- 1 Remote Boom Grease Zerk Assembly (Ground Level - includes water pump drive) - If Applicable
- 1 Remote Debris Tank Grease Assembly (Ground Level)
- 1 HEAVY DUTY SEGMENTED WEAR BACK BOOM ELBOW

Lighting Options

QtyDescription

- 1 LED 4 Strobes - (2) front bumper / (2) rear bumper - Whelen 50A03ZCR - Amber
- 1 LED Arrow stick - Whelen TAM85 Traffic Advisor
- 1 LED Boom Mounted Flood Lights with Limb Guard - Whelen NP6BB Worklight
- 1 LED Flood Light - Level Wind Guide with Limb Guard - Whelen NP6BB Worklight
- 1 Midbody LED Strobes - Frame Mounted - Whelen 50A03ZCR - Amber

Electrical Options

QtyDescription

- 1 Low Water Alarm with Light
- 1 Rear Camera Placement
Remote Control (Wireless): Boom, Vacuum Breaker, Throttle & Debris Body (includes Hi-Dump, if applicable). Does not include remote cable pendant controls for boom or hi dump.
- 1 Traffic Camera with Color Monitor - MUST PICK CAMERA PLACEMENT

Misc. Accessories

QtyDescription

- 1 Anti-Sail Mud Flaps (rear)

Spare Nozzles

QtyDescription

- 1 1" Nozzle rack

Leader Hose

QtyDescription

- 1 1" x 15' Length Leader Hose

Pipe Storage Racks

QtyDescription

- 1 Additional Pipe Rack(s), specify any requested locations in comments section, otherwise engineering will place in best available locations.

Tool/Storage Boxes

Qty Description

- 1 (2) 24" x 18" x 18" Steel Rear Tool Boxes, mtd each side of extended frame units, 1000 or 1300 gallons only

Vacuum Tubing

Qty Description

- 1 6 1/2' x 8" Catch Basin Nozzle with Serrated End
- 1 8" Adjustable Air Gap w/quick clamp
- 1 8" Quick Clamp, spare, 680-0015

Paint

Qty Description

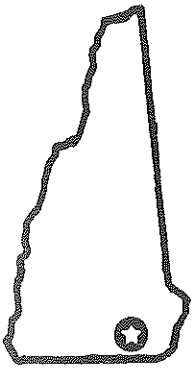
- 1 Paint: To be advised
- 1 Standard Striping Package - White or Blue (other colors available for an additional cost)

Mounting	\$5,000.00
Machine Subtotal	\$340,493.00
Trade-In Offer	- <u>\$60,000.00</u>
After Trade Discount Total	\$280,493.00
Delivery Cost	<u>\$2,000.00</u>
Total	<u>\$282,493.00</u>

Offered by: Andrew Tantillo

Accepted by: _____

PLEASE NOTE: Trade-In Offer is contingent upon chassis, combination machine, and all related components, working and being fully functional.



TOWN OF HUDSON
Office of the Town Administrator
12 School Street
Hudson, New Hampshire 03051

Agenda
4-13-21



Stephen A. Malizia, Town Administrator – smalizia@hudsonnh.gov – Tel: 603-886-6024 Fax: 603-598-6481

To: Board of Selectmen

From: Steve Malizia, Town Administrator

Date: April 8, 2021

Re: Fiscal Year 2022 Default Budget

As you are all aware, Warrant Article 4, the Town of Hudson General Fund Operating Budget for Fiscal Year 2022, did not pass at the March 9, 2021 Town Meeting. Therefore, unless the Board of Selectmen choose to hold a special meeting in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget, the Town will be operating under a Default Budget for Fiscal Year 2022. The default operating budget is \$30,479,143 which is \$773,621 less than the proposed operating budget of \$31,252,764. Similar to the last time the Town had a Default Budget in Fiscal Year 2015, Department Heads reviewed the default budget for their departments and prepared memos proposing their top priorities and funding sources. Those memos have been included in this packet and those Department Heads will be in attendance to answer questions from the Board as to the impact of the Default Budget on their department. Based on the Department Head reviews, \$492,036 of the \$773,621 deficit can be resolved via transfers from other accounts, capital reserve account funding or accelerating expenditures to Fiscal Year 2021.

Should you have any questions or need additional information, please feel free to contact me. Thank you.

Town of Hudson, NH
Fiscal Year 2022 Default Budget by Fund

<u>Fund</u>	<u>FY2021 Budget</u>	<u>FY2022 Default Budget</u>	<u>FY2022 BOS Proposed Budget</u>	<u>Incr/(Decr)</u>
General (*)	28,232,697	30,479,143	31,252,764	773,621
Sewer	2,110,633	1,833,655	2,242,825	409,170
Water	3,802,291	3,745,037	3,871,994	126,957
Total	<u>34,145,621</u>	<u>36,057,835</u>	<u>37,367,583</u>	<u>1,309,748</u>

* includes Library and Conservation

Town of Hudson NH
General Fund Default Budget Fiscal Year 2022

Town Meeting Approved Fiscal Year 2021 **\$28,232,697**

Adjustments:

Less:	Moderator Election Costs	(\$17,493)	5041
	Town Hall Feasibility Study	(\$10,000)	5120-252
	IT- Upgrade email system to 2019	(\$36,000)	5330-411
	IT- Fire Teleconference Equipment	(\$9,000)	5777-403
	Public Works - Engineering/Design Transfer Station	(\$40,000)	5515-224
	Public Works - Asphalt Roller for Trench Patching	(\$25,000)	5552-403
	Planning - Comprehensive Review Regs and Ordinances	(\$5,000)	5571-252
	Recreation - Remodel Kitchen at Community Center	(\$12,000)	5814-224
Add:	Approved Labor Costs	\$205,029	other 100's
	Health Insurance	\$134,816	121 and 122
	Retirement Benefits	\$566,546	112, 113, 114
	Worker's Compensation	\$15,000	5910-117
	Property Liability Insurance	\$7,000	5910-201
	Solid Waste Contract Price Adjustment	\$33,254	5970-242
	Checklist Purge Postage	\$2,500	5042-238

Adjusted Town Meeting Approved Fiscal Year

\$29,042,349

Add: Recurring Items from Approved Prior Fiscal Year's Warrant Articles:

Hire Two Truck Drive Laborers	\$111,111	5552-XXX
Hire Four Firefighter/AEMT's	\$363,568	5730-XXX
Hudson Firefighters IAFF Local 3154 Union Contract	\$129,597	
Hudson Police, Fire and Town Suprv Assoc Contract	\$113,465	
Hudson Support Staff Local 1801 Union Contract	\$37,757	
Hudson Police Employees Association Contract	\$580,709	
Hudson Public Works Local 1801 Union Contract	\$100,587	

Total General Fund Default Budget

\$30,479,143

**Town of Hudson
Fiscal Year 2022 Budget**

State Code	Dept #	DEPARTMENT	Approved Budget FY 2021	Budget Committee Proposed FY 2022	Town Meeting Changes FY 2022	Town Meeting Approved FY 2022	% Increase
General Fund							
4199	5020	Trustees of Trust Funds	2,818	2,875		2,875	2.0%
4195	5025	Cemetery Trustees	1,250	1,250		1,250	0.0%
4140	5030	Town Clerk/Tax Collector	400,467	430,917	(20,898)	410,019	2.4%
4140	5041	Moderator	32,762	15,629	(570)	15,059	-54.0%
4140	5042	Supervisor of The Checklist	6,286	8,786		8,786	39.8%
4199	5050	Town Treasurer	8,074	8,074		8,074	0.0%
4199	5055	Sustainability Committee	1,300	1,300		1,300	0.0%
4520	5063	Benson Park Committee	1,100	1,100		1,100	0.0%
4199	5070	Municipal Budget Committee	800	800		800	0.0%
4140	5077	IT - Town Clerk/Tax Collector	4,170	11,170	(7,000)	4,170	0.0%
4199	5080	Ethics Committee	100	100		100	0.0%
		TOTAL TOWN OFFICERS	459,127	482,001	(28,468)	453,533	-1.2%
4130	5110	Board of Selectmen/Administration	392,579	391,710	59	391,769	-0.2%
4194	5115	Oakwood	2,275	2,275		2,275	0.0%
4194	5120	Town Hall Operations	104,633	97,624	(300)	97,324	-7.0%
4442	5151	Town Poor	80,000	80,000		80,000	0.0%
4130	5177	IT - Town Admin	800	3,920	(3,120)	800	0.0%
		TOTAL ADMINISTRATION	580,287	575,529	(3,361)	572,168	-1.4%
4153	5200	LEGAL	136,560	136,560		136,560	0.0%
4150	5310	Finance Administration	196,214	203,843	1,114	204,957	4.5%
4150	5320	Accounting	286,671	305,107	(984)	304,123	6.1%
4150	5377	IT - Finance	2,350	2,250		2,250	-4.3%
		TOTAL FINANCE	485,235	511,200	130	511,330	5.4%
4150	5330	INFORMATION SERVICES	751,454	754,416	(12,313)	742,103	-1.2%
4152	5410	Assessing	444,911	678,655	(209,227)	469,428	5.5%
4152	5477	IT - Assessing	14,650	94,662	(80,012)	14,650	0.0%
		TOTAL ASSESSING	459,561	773,317	(289,239)	484,078	5.3%
4312	5515	Public Works Facility	99,903	56,264	3,639	59,903	-40.0%
4312	5551	Public Works Administration	272,461	291,167	(295)	290,872	6.8%
4312	5552	Streets	2,836,891	3,014,635	(34,512)	2,980,123	5.0%
4312	5553	Equipment Maintenance	474,079	514,793	(16,000)	498,793	5.2%
4312	5554	Drainage	531,385	690,545	(4,770)	685,775	29.1%
4312	5556	Parks Division	237,327	257,754	(3,500)	254,254	7.1%
4312	5577	IT - Public Works	5,240	8,754	(4,464)	4,290	-18.1%
		PUBLIC WORKS	4,457,286	4,833,912	(59,902)	4,774,010	7.1%
4191	5571	Planning	245,819	298,020	(40,000)	258,020	5.0%
4191	5572	Planning Board	8,350	8,350		8,350	0.0%
4191	5581	Zoning	202,221	215,721		215,721	6.7%
4191	5583	Zoning Board of Adjustments	16,500	16,500		16,500	0.0%
4311	5585	Engineering	390,578	468,303	(52,714)	415,589	6.4%
4191	5277	IT - Land Use	6,300	6,300		6,300	0.0%
		LAND USE DIVISION	869,768	1,013,194	(92,714)	920,480	5.8%
4210	5610	Police Administration	333,864	350,439	1,500	351,939	5.4%
4210	5615	Police Facility Operations	287,732	292,354	(4,500)	287,854	0.0%
4210	5620	Police Communications	685,916	855,856	(55,090)	800,766	16.7%
4210	5630	Police Patrol	6,233,526	7,090,062	(1,000)	7,089,062	13.7%
4210	5640	Investigations	13,820	14,220	200	14,420	4.3%
4414	5650	Animal Control	120,509	130,239	(150)	130,089	7.9%
4210	5660	Information Services	154,488	187,189		187,189	21.2%
4210	5671	Support Services	88,023	201,723	(113,700)	88,023	0.0%
4210	5672	Crossing Guards	58,755	58,755		58,755	0.0%
4210	5673	Prosecutor	321,692	364,372		364,372	13.3%
4210	5677	IT - Police	93,629	95,212	(1,583)	93,629	0.0%
		POLICE DEPARTMENT	8,391,954	9,640,421	(174,323)	9,466,098	12.8%

**Town of Hudson
Fiscal Year 2022 Budget**

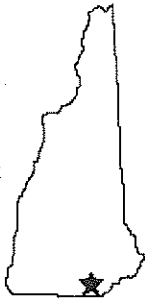
State Code	Dept #	DEPARTMENT	Approved Budget FY 2021	Budget Committee Proposed FY 2022	Town Meeting Changes FY 2022	Town Meeting Approved FY 2022	% Increase
4220	5710	Fire Administration	726,510	772,490	(415)	772,075	6.3%
4220	5715	Fire Facilities	141,635	141,578	431	142,009	0.3%
4220	5720	Fire Communications	384,845	426,054	2,000	428,054	11.2%
4220	5730	Suppression	5,265,180	5,969,468	(75,252)	5,894,216	11.9%
4220	5740	Inspectional Services	513,274	501,320	605	501,925	-2.2%
4220	5750	Ambulance	0	0		0	0.0%
4220	5765	Fire Alarm	3,746	3,000	746	3,746	0.0%
4220	5770	Emergency Management	86,368	86,868	(500)	86,368	0.0%
4220	5777	IT - Fire	45,506	56,631	(20,125)	36,506	-19.8%
		FIRE DEPARTMENT	7,167,064	7,957,409	(92,510)	7,864,899	9.7%
4520	5810	Recreation Administration	160,645	179,067	(986)	178,081	10.9%
4520	5814	Recreation Facilities	77,384	78,122	(12,000)	66,122	-14.6%
4520	5821	Supervised Play	120,063	120,113	(50)	120,063	0.0%
4520	5824	Ballfields	12,242	12,142	100	12,242	0.0%
4520	5825	Tennis	0	3,300	(3,300)	0	100.0%
4520	5826	Lacrosse	12,366	10,530	1,836	12,366	0.0%
4520	5831	Winter Basketball	52,604	51,159	1,445	52,604	0.0%
4520	5834	Soccer League	13,314	12,928	386	13,314	0.0%
4520	5835	Senior Operations	60,150	62,878	(249)	62,629	4.1%
4520	5836	Teen Dances	1,500	1,900	(400)	1,500	0.0%
4520	5839	Community Activities	7,060	7,220	(160)	7,060	0.0%
4520	5877	IT - Recreation	7,065	7,065		7,065	0.0%
		RECREATION DEPARTMENT	524,393	546,424	(13,378)	533,046	1.7%
4196	5910	Insurance	519,000	541,000		541,000	4.2%
4199	5920	Community Grants	90,508	90,484		90,484	0.0%
4583	5930	Patriotic Purposes	5,600	5,600		5,600	0.0%
4199	5940	Other Expenses	165,460	164,060	(2,491)	161,569	-2.4%
4220	5960	Hydrant Rental	276,971	276,971		276,971	0.0%
4321	5970	Solid Waste Contract	1,677,130	1,710,384		1,710,384	2.0%
		TOTAL NON DEPARTMENTAL	2,734,669	2,788,499	(2,491)	2,786,008	1.9%
		TOTAL GENERAL FUND BUDGET	27,017,358	30,012,882	(768,569)	29,244,313	8.2%
4326	5561	Sewer Billing & Collection	159,899	165,643		165,643	3.6%
4326	5562	Sewer Operation & Maintenance	1,165,734	1,207,182		1,207,182	3.6%
4326	5564	Sewer Capital Projects	785,000	870,000		870,000	10.8%
		TOTAL SEWER FUND BUDGET	2,110,633	2,242,825	0	2,242,825	6.3%
4332	5591	Water - Administration	285,543	299,122		299,122	4.8%
4332	5592	Water - Ops & Maintenance	1,409,742	1,529,042		1,529,042	8.5%
4335	5593	Water - Supply	809,000	794,174		794,174	-1.8%
4711/4721	5594	Water - Debt Service	1,298,006	1,249,656		1,249,656	-3.7%
		TOTAL WATER FUND BUDGET	3,802,291	3,871,994	0	3,871,994	1.8%
4550	5060	Library	1,162,586	1,187,129	(5,052)	1,182,077	1.7%
4619	5586	Conservation Commission	52,753	52,753		52,753	0.0%
		TOTAL BUDGET	34,145,621	37,367,583	(773,621)	36,593,962	7.2%
WA#	Warrant Articles						
4	General Fund Operating Budget (includes Libr and Consv Comm)		28,232,697	31,252,764	(773,621)	30,479,143	
5	Sewer Fund Operating Budget		2,110,633	2,242,825	0	2,242,825	
6	Water Fund Operating Budget		3,802,291	3,871,994	0	3,871,994	
7	Purchase a Replacement VacCon Truck			400,000		400,000	
10	VacCon Truck Replacement CRF Funding			60,000		60,000	
12	Property Revaluation CRF Funding			15,000		15,000	
11	Fire Apparatus Refurb/Repair CRF Funding			25,000		25,000	
13	Major Repairs to Town Buildings CRF Funding			50,000		50,000	
3	Police Facility Expansion and Renovation			4,920,000	(4,920,000)	0	
8	Transfer Station Retaining Wall			525,000	(525,000)	0	
9	Town Wide Paving			200,000		200,000	
15	Establish CRF for Hills Memorial Library			25,000		25,000	
16	Revised Veteran's Tax Credits					0	
17	Revised Disabled Veteran's Tax Credits					0	

**Town of Hudson
Fiscal Year 2022 Budget**

State Code	Dept #	DEPARTMENT	Approved Budget FY 2021	Budget Committee Proposed FY 2022	Town Meeting Changes FY 2022	Town Meeting Approved FY 2022	% Increase
14		Establish CRF for Police Safety Equipment		50,000			
18		Additional Polling Place					
19		Discontinue Caldwell Road					
20		Change Planning Board to Elected (By Petition)					
21		Designate Parcel 224-004 as Town Forest (By Petition)					
22		NH Resolution for Fair Redistricting (By Petition)					
<u>PRIOR Warrant Articles not in Operating Budget</u>							
		VacCon Truck Replacement Capital Reserve Fund Funding	30,000				
		Hire Four (4) Firefighter/AEMT	363,568				
		Fire Apparatus Refurbishment/Repair CRF Funding	25,000				
		Purchase a New Fire Squad Vehicle	170,000				
		Town of Hudson Communication System	810,000				
		Library Improvements Capital Reserve Fund Funding	25,000				
		Taylor Falls and Veterans Memorial Bridge Rehabilitation	125,000				
		Hire Two (2) Truck Driver/Laborer	148,148				
		Property Revaluation Capital Reserve Fund Funding	15,000				
		Establish an Energy Efficiency CRF	25,000				
		Hudson Police Employees Association	377,464				
		Hudson Public Works Local 1801 Union Contract	88,209				
TOTAL APPROPRIATIONS			36,348,010	43,637,583	(6,218,621)	37,368,962	
<u>TAX IMPACT ANALYSIS</u>							
		Less: Non-Property Tax Revenue	(17,673,854)	(22,023,198)	4,975,000	(17,048,198)	
		Add: Overlay	185,000	185,000		185,000	
		Add: War Service Credits	650,330	810,600		810,600	
NET TAX IMPACT			19,509,486	22,609,985	(1,243,621)	21,316,364	
TOWN VALUATION			3,179,000,329	3,209,000,329		3,209,000,329	0.9%
ESTIMATED TOWN TAX RATE			\$6.14	\$7.09		\$6.64	\$0.51
Town Tax Rate Percent Increase/(Decrease)				15.5%		8.2%	

**Town of Hudson NH
General Fund Default Budget Fiscal Year 2022**

<u>Dept.</u>	<u>Description</u>	<u>Default Reduction</u>	<u>Funded Amount</u>	<u>Recommended Action</u>
5030-XXX	Town Clerk/Tax Collector Salary & Benefits	\$20,928	\$0	No action needed
5077-411	Budget Committee - Purchase laptops	\$7,000	\$0	Will not purchase
5177-215	Town Admin IT - Time clock contract	\$3,240	\$0	Will not renew
5300-XXX	IT Penetration testing	\$12,313	\$4,104	Defer replacement PC's
5410-252	Assessing - Town wide property reassessment	\$175,000	\$175,000	From Property Valuation CRF
5410-252	Assessing - Logistics Center property valuation	\$35,000	\$15,000	Transfer from Legal (Property Defense)
5477-412	Assessing - Mass Appraisal software replacement	\$80,112	\$0	Purchase in FY 21
5552-401	DPW Streets - Replacement brush tractor	\$22,162	\$22,162	Transfer from Street Paving Acct.
5552-405	DPW Streets - Guardrail and fence	\$4,000	\$4,000	Transfer from Street Paving Acct.
5553-205	DPW Equipment Maintenance repairs and materials	\$16,000	\$16,000	Transfer from Street Paving Acct.
5554-401	DPW Drainage - Replacement brush tractor	\$2,770	\$2,770	Transfer from Street Paving Acct.
5577-XXX	DPW - IT Time clock, landfill connection	\$4,290	\$4,290	Transfer from Street Paving Acct.
555X-XXX	DPW - All other items	\$7,180	\$7,180	Transfer from Street Paving Acct.
5556-224	DPW Parks - Benson Park Train Station asbestos removal	\$3,500	\$0	Will not do project
5571-252	Planning - Part time NRPC contract planner	\$40,000	\$0	Will not contract for service
5585-225	Engineering - Design First Brook bridge rehabilitation	\$50,000	\$0	Project will be deferred to FY 23
5620-XXX	Police Dispatch - Convert part time to full time dispatcher	\$55,000	\$55,000	Patrol salaries from military deployment
5671-403	Police Support Services - Body cameras	\$70,000	\$70,000	1/2 from new CRF 1/2 from Radar/Radio
5671-403	Police Support Services -Replace Tasers	\$30,060	\$30,060	Transfer from Vehicle Radar/Portable Radio
56XX-XXX	Police all other line items	\$19,263	\$19,263	Department vacancies
5730-404	Fire Suppression replacement pumper lease (year 2)	\$67,207	\$67,207	Transfer from Accrued Time/Contingency
5710-237	Fire training and education	\$3,000	\$0	Reduce training/education reimbursement
5777-215	IT-Fire - Inventory and training and tracking software	\$11,000	\$0	Project will be deferred to FY 23
5777-403	IT-Fire Telephone Upgrade	\$8,762	\$0	Project will be deferred to FY 23
5777-411	IT-Fire defer PC replacement	\$3,150	\$0	Purchase of 3 PCs deferred to FY 23
5810-XXX	Recreation	\$13,378	\$0	Reduce Program Activities
5060-XXX	Library	\$5,052	\$0	No action needed
	All other department budget increases	\$4,254	\$0	No action needed
	Total	<u>\$773,621</u>	<u>\$492,036</u>	
			<u>\$281,585</u>	Unfunded Difference



TOWN OF HUDSON

Office of the Assessor



Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov

www.hudsonnh.gov

12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-594-1160

TO: Steve Malizia, Town Administrator

April 7, 2021

FROM: Jim Michaud, Chief Assessor *JM*

RECEIVED

APR 08 2021

RE: Default Budget considerations

TOWN OF HUDSON
SELECTMEN'S OFFICE

The Town is in the midst of dealing with its 4th default budget, in the middle of a pandemic. The Assessing Department's estimated share of the Default Budget shortfall is an outsized 38% of the total (\$290,112/\$773,621). I have included a spreadsheet that speaks to the following:

1. 5410 – Assessing Town wide property reassessment \$175,000

We believe that the cost of the revaluation will be approx. \$162,100 +/-, details attached. We received an estimated contract amount from Vision (VGSI) (as well as George E. Sansoucy specifically for public utility revaluation) to do the project, we have checked with other recent revaluation contracts in other NH communities, we are below those contracts on a per parcel basis metric, which is good news.

We anticipate that the Capital Reserve Fund for Property Revaluation, with an approx.. balance of \$241,200, will be able to cover this. NHMA, legal counsel as well as our auditors agree that the funding for this can come from the Capital Reserve for Property Revaluation fund.

2. 5410 – Assessing Mass Appraisal software replacement - \$80,112

As was agreed to during budget discussions last fall, by IT Director Lisa Nute and myself, Assessing must replace its 20 year old Mass Appraisal software and contract for it in the current fiscal year. We have received estimates from the selected vendor, Vision (VGSI) at a cost of \$80,112+/-.

Assessing has identified approx. \$56,250 +/- in the current fiscal year, assuming the Trustees of the Trust Fund approve the 3rd phase of Cyclical Data Collection contract to come out of the Capital Reserve for Property Revaluation fund (as has been approved by them for the prior 2 Cyclical Data Collection contracts).

This leaves a gap of approx.. \$23,900 +/- that would need to be found from outside Assessing budget, within the current fiscal year, so we can award the contract in this fiscal year.

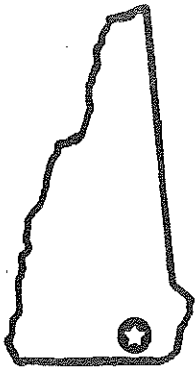
3. 5410 – Assessing – Logistics Center property revaluation - \$35,000

This was budgeted for the default budget year, not the current budget year, to hire an expert appraisal firm, on a 2-4 year long-term project basis, to complete on an on-going yearly basis, the appraisal assignment of this massive project from pre-construction, during construction, and after construction. We had originally thought that there was a possibility that the value change would hit the Green Meadow site for the 2021 tax year. We now know that there will be no value change as there has been no plan approval for this project for the 2021 tax year.

Nonetheless, we anticipate that there is a possibility of plan approval effective for the 2022 property tax year, which is the default budget year. The necessity for funding for this multi-year appraisal assignment would be needed if that is the case. There is also likely a necessity to hire an external appraisal contractor examine if there is a value impact to the abutters and near abutters to this property, pre-construction, during construction, and post-construction. At this point the Town has 1 expert appraiser's opinion submitted into the public record that there is no adverse impact to the abutters to the proposed project. There has been no other appraisal opinion offered into the record that states otherwise.

For funding these assignments, after consultation with Steve Malizia, we have identified a probable source of funding for this in the Legal budget, though we envision a multi-year contract, we only have to pay for 1 year at time, and the belief is that the Legal budget can absorb that.

Capital Reserve Fund for Property Revaluation Balance 10-2020	\$226,200
Further Funding Warrant Article Approved 3-2021	<u>\$15,000</u>
Approx. balance 3-2021	\$241,200
The following to come out of that fund	
3rd Cyclical Data Collection Contract	\$56,250
<u>Estimated</u> General Reassessment Contract	\$136,000
<u>Estimated</u> Public utility & cell tower valuation contract	<u>\$26,100</u>
2022 Revaluation Costs +/-	\$218,350
Balance left in reserve fund	\$22,850 +/-
#####	#####
Mass Appraisal Software replacement -estimated cost	\$80,112
From Assessing Budget - (assuming 3rd Cyclical Data Collection contract is approved by Trustees of Trust Fund to come out of Capital Reserve for Property Revaluation)	<u>\$56,250</u>
Additional funding needed in <u>current FY</u>	\$23,862 +/-



TOWN OF HUDSON

Public Works

2 Constitution Drive. Hudson, New Hampshire 03051 603/886-6018 Fax 603/594-1143



To ; Steve Malizia

From ; Jess Forrence Public Works Director

Re; 2022 Default Budget

In preparing the Public Works FY22 default budget there are a few line items we feel still need to be funded going forward. The first item is the Roadside Brush Tractor, with the first year of a five-year lease purchase cost of \$25,000 per year. This tractor has a shared cost split between Streets, Drains and Sewer.

I also want to continue funding Radio Communications at the Transfer Station, updating Public Works Computers with IT, the monthly payment on the Public Works time clock and Guardrail repair/replacements. Approximately \$56,000 will be transferred out of 5552-248 town wide paving. The reduction in Town Wide Paving will cause (3) three streets that received base pavement last year to forego finished pavement installation until FY23.

Public Works is not looking to fund the asbestos removal at the Benson Park train station for \$3,500

I will be happy to answer any questions.
Thank you



TOWN OF HUDSON

Police Department

Partners with the Community

1 Constitution Drive, Hudson, New Hampshire 03051
Voice/TTY (603) 886-6011/Crime Line (603) 594-1150/Fax (603) 886-0605



William M. Avery, Jr.
Chief of Police

Captain Tad K. Dionne
Operations Bureau

Captain David A. Cayot
Special Investigations Bureau

Captain David A. Bianchi
Administrative Bureau

To: Steve Malizia, Town Administrator

From: William M. Avery, Chief of Police *WMA*

Date: April 1, 2021

Ref: FY 2022 Default Budget

Steve,

After reviewing our proposed FY 2022 Default Budget, we determined the Hudson Police Department will have a shortfall of \$174,323. The shortfall is a result of two major projects, and the conversion of 40 hours of part-time dispatch (made in FY 2021) to one full-time dispatcher position. The two projects which I eluded to are the implementation of Body Cameras for all sworn personnel and the replacement of our Tasers.

The breakdown of our shortfall is as follows:

5615-101 Full Time Dispatcher Position	\$55,000
5671-403 Lease Purchase Body Cameras	\$70,000
5671-403 Replace Tasers	\$30,060
Total:	\$155,185

In order to overcome this shortfall I am proposing the following:

Full-Time Dispatch:

Unfortunately, Officer Kraig Hoag is going to be deployed with the New Hampshire National Guard for approximately 10 months during the FY 2022 Budget cycle. Based on his rate of pay with the United States Military, he has decided to forgo his Hudson Police Salary during his



deployment. Therefore, I propose to offset our salary/benefits shortfall with the use of Officer Hoag's salary and benefits package.

Body Cameras and Taser Replacement:

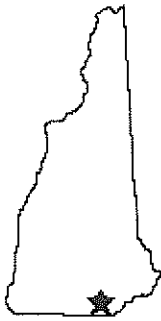
In order to fund both of these projects I will be forced to forego two important projects during FY 2022. During the last couple of years we have budgeted \$8,000 to replace in-cruiser radars, and \$56,000 to replace portable radios for a total of \$64,000. Again, due to the shortfall I am proposing to take the \$64,000 to assist in offsetting the cost for the body cameras and the Taser replacements. If we use \$30,060 of the \$64,000 to pay for the Taser replacement we would have a remaining balance of \$33,940. This remaining balance would be used to assist in the lease/purchase of the body cameras. We will owe \$70,000 to Utility/Body Worn Cameras in FY2022. The remaining balance of \$36,060 would be paid from the \$50,000 Capital Reserve Fund which was established and passed for the FY2022.

Remaining Shortfall:

The police department administration will closely monitor our budget as we provide through the FY 2022 Budget. History has shown that the police department will experience some vacancies throughout the year. Any vacancies will assist us in making up the remaining \$46,263 shortfall. Although, leaving any positions within the police department vacant for a period of time is not ideal; it will alleviate me from reducing our training and/or equipment which is imperative to ensuring our officers and the citizens of Hudson remain safe.

If you or the BOS should have any questions please feel free to contact me.

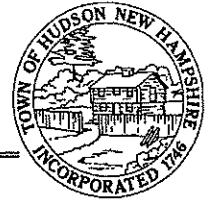




TOWN OF HUDSON

FIRE DEPARTMENT

39 FERRY STREET, HUDSON, NEW HAMPSHIRE 03051



Emergency 911
 Business 603-886-6021
 Fax 603-594-1164

Robert M. Buxton
 Chief of Department

TO: Steve Malizia
 Town Administrator

FR: Robert M. Buxton
 Fire Chief

DT: April 6, 2021

RE: Default Budget

As requested, the Fire Department has reviewed the impacts of the Default Budget for FY22. Below you will find a proposal for how to handle needed reductions. The entire short fall for FY22 is \$92,510. This reduction represents approximately a 1% reduction in the FY22 budget. As you will note, the Fire Department will not be able to cover the entire short fall. We have highlighted impact for \$43,688 worth of reductions. This will leave us with a \$48,822 delta.

In the FY22 budget proposal, the Board of Selectmen added some additional funding to the Fire Department for a new training software program for a value of \$11,000. This was added to 5777-215. Unfortunately we will not be able to pursue this project in FY22.

The other additional payment is the costing for the second year of the lease purchase of the new pumper that was purchased in FY21 to replace the 2008 Pierce.

Additional reductions to the FY22 Budget can be seen below.

Cost Center	Impact	Value
5710 Fire Administration	No additional training and development	\$5,723
5715 Fire Facilities	Reduction is facility maintenance	\$6,015
5730 Fire Suppression	Defer equipment, maintenance and protective clothing programs.	\$26,200
5740 Inspectional Service	Continuing education	\$750
5765 Fire Alarm	Municipal Fire Alarm Maintenance	\$3,000
5770 Emergency Management	Small Equipment Repair	\$2000
	Total Reduction	\$43,688

All of the reductions listed above will have large impacts on the Fire Department. I have grave concern surrounding the deferring of any equipment maintenance and protective clothing programming as this is related to employee safety. The additional delay of facility maintenance will have impact on the long-term lifecycle of our mechanical, electrical and plumbing infrastructure.

I look forward to having further conversation with you on this topic. As we identify ways to address the expectations of the community and provide a safe and effective emergency services program.



TOWN OF HUDSON

Information Technology Department



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6000 • Fax: 603-881-3944

To: Steve Malizia, Town Administrator
 From: Lisa Nute, IT Director *[Signature]*
 Date: April 7, 2021
 Subj: FY2022 Default Budget Impact on IT Services

RECEIVED

APR 08 2021

TOWN OF HUDSON
 SELECTMEN'S OFFICE

I've outlined the impact that the Fiscal Year 2022 default budget will have on current or proposed projects related to the IT Department. The total deficit to the 5330 IT Department budget is \$12,313.

A priority is the Assessing Software upgrade and Chief Assessor Michaud is noting that one on his default budget impact report so you won't find that repeated on mine here.

Dept	Account	Deficit	Projects Affected/Cut	Impact to Department/Town
IT	5330	12,313	Penetration Testing	Recommendation made by Municipal Resources Inc. was that we conduct penetration testing on an annual basis. This funding loss affects security in that testing would show us where weaknesses may be on our internal and external networks, as well as Wi-Fi. I will forego replacement PC's in Town Clerks Office, Assessing, Land Use and elsewhere to conduct at least one of three tests.
DPW	5577-208	1,548	Comcast Contract	This is 50% of a three year contract for Internet service at the landfill. The second half was to be paid in Police IT, 5677. To pay this obligation, we will forego scheduled desktop replacements (100%). This pushes the replacement cycle from 5 to 6 years.
	5577	2,616	Checkmate Time Clock	There is no account in IT that can cover this loss. Director Forrence will try to cover this in his paving schedule.

Police	5677-208	1,548	Comcast Contract	This Internet connection gives the Police Dept access to phone and Internet from the firing range. To pay this contract, we will forego 18% of desktop replacements.
Fire	5777-215	11,000	Inv & Training Tracking	Fire will forego this subscription at this time.
	5777	2,670	Various Software Maint	There is a deficit of \$2,670 that must be paid for software vendors whose services increased from FY21 to FY22. To meet these obligations, 40% of desktops will not be upgraded, pushing the replacement cycle from 5 to 6 years.
	5777-403	8,762	Upgrade desk phones	The Lenny Smith Central Fire building was slated for an upgrade in their phone technology, as that facility is running some of the oldest desk phones in Town. We will postpone this project for another year before moving them to IP based phones.

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 40

GOVERNMENT OF TOWN MEETING

Optional Form of Meeting-Official Ballot Referenda

Section 40:13

40:13 Use of Official Ballot. –

I. Notwithstanding RSA 39:3-d, RSA 40:4-e, or any other provision of law, any local political subdivision as defined in RSA 40:12 which has adopted this subdivision shall utilize the official ballot for voting on all issues before the voters.

II. The warrant for any annual meeting shall prescribe the place, day and hour for each of 2 separate sessions of the meeting, and notice shall be given as otherwise provided in this section. Final budgets and ballot questions shall be printed in the annual report made available to the legislative body at least one week before the date of the second session of the annual meeting.

II-a. Notwithstanding any other provision of law, all local political subdivisions which adopt this subdivision, who have not adopted an April or May election date under RSA 40:14, X, shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in January.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in January, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in January. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in January.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in January.

II-b. Notwithstanding any other provision of law, all political subdivisions which hold their annual meetings in April shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting.

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in February.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in February, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in February. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last

Monday in February.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in February.

II-c. Notwithstanding any other provision of law, all political subdivisions which hold their annual meetings in May shall comply with the following schedule pertaining to notice, petitioned articles, hearings, and warrants for the annual meeting:

(a) The final date for posting notice of budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be the second Tuesday in March.

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in March, provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.

(c) Budget hearings under RSA 32:5 and RSA 195:12 and hearings under RSA 33:8-a shall be held on or before the third Tuesday in March. One or more supplemental budget hearings may be held at any time before the first session of the annual meeting, subject to the 7-day notice requirement in RSA 32:5. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. In a political subdivision that has adopted a municipal budget committee pursuant to RSA 32:14, the last day for the budget committee to deliver copies of the final budget and recommendations to the governing body pursuant to RSA 32:16, IV shall be the Thursday before the last Monday in March.

(d) Warrants under RSA 39:5 and RSA 197:7 and budgets shall be posted and copies available to the general public on or before the last Monday in March.

II-d. The voter checklist shall be updated in accordance with RSA 669:5 for each session of the annual meeting.

III. The first session of the annual meeting, which shall be for the transaction of all business other than voting by official ballot, shall be held between the first and second Saturdays following the last Monday in January, inclusive of those Saturdays; between the first and second Saturdays following the last Monday in February, inclusive of those Saturdays; or between the first and second Saturdays following the last Monday in March, inclusive of those Saturdays at a time prescribed by the local political subdivision's governing body.

IV. The first session of the meeting, governed by the provisions of RSA 40:4, 40:4-a, 40:4-b, 40:4-f, and 40:6-40:10, shall consist of explanation, discussion, and debate of each warrant article, including warrant articles pertaining to the operating budget and the default budget. A vote to restrict reconsideration shall be deemed to prohibit any further action on the restricted article until the second session, and RSA 40:10, II shall not apply. Warrant articles may be amended at the first session, subject to the following limitations:

(a) Warrant articles whose wording is prescribed by law shall not be amended.

(b) Warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended.

(c) No warrant article shall be amended to eliminate the subject matter of the article. An amendment that changes the dollar amount of an appropriation in a warrant article shall not be deemed to violate this subparagraph.

V. [Repealed.]

V-a. The legislative body of any town, school district, or village district may vote to require that all votes by an advisory budget committee, a town, school district, or village district budget committee, and the governing body or, in towns, school districts, or village districts without a budget committee, all votes of the governing body relative to budget items or any warrant articles or ballot questions shall be recorded votes and the numerical tally of any such vote shall be printed in the town, school district, or village district warrant next to the affected warrant article or on the ballot next to the affected ballot question. Unless the legislative body has voted otherwise, if a town or school district has not voted to require such tallies to be printed in the town or school district warrant next to the affected warrant article or on the ballot next to the affected ballot question, the governing body may do so on its own initiative.

VI. All warrant articles shall be placed on the official ballot for a final vote, including warrant articles as amended by the first session. All special warrant articles shall be accompanied on the ballot by recommendations as required by RSA 32:5, V, concerning any appropriation or appropriation as amended. For any article that proposes the adoption or amendment of an ordinance, a topical description of the substance of the ordinance or amendment, which shall be neutral in its language, may be placed on the official ballot instead of the full text of the ordinance or amendment, subject to the provisions of paragraphs VII-a and VIII-a. With respect to the adoption or amendment of a zoning ordinance, historic district ordinance, or building code, the provisions of RSA 675:3 shall govern to the extent they are inconsistent with anything contained in this paragraph or in paragraph VII-a or VIII-a.

VII. The second session of the annual meeting, which is the official ballot voting day as defined in RSA 652:16-g, to elect officers of the local political subdivision by official ballot, to vote on questions required by law to be inserted on said official ballot, and to vote on all warrant articles from the first session on official ballot, shall be held on the second

Tuesday in March, the second Tuesday in April, or the second Tuesday in May, as applicable unless it is postponed in accordance with RSA 40:4, II(b) and RSA 669:1. Notwithstanding RSA 669:1, 670:1, or 671:2, the second session shall be deemed the annual election date for purposes of all applicable election statutes including, but not limited to, RSA 669:5, 669:19, 669:30, 670:3, 670:4, 670:11, 671:15, 671:19, and 671:30 through 32; and votes on zoning ordinances, historic district ordinances, and building codes under RSA 675.

VII-a. When a topical description of the substance of a proposed ordinance or amendment to an ordinance is to be placed on the official ballot, an official copy of the proposed ordinance or amendment, including any amendment to the proposal adopted the first session, shall be placed on file and made available to the public at the office of the clerk of the political subdivision not later than one week prior to the date of the second session of the annual meeting. An official copy of the proposed ordinance or amendment shall be on display for the voters at the meeting place on the date of the meeting.

VIII. The clerk of the local political subdivision shall prepare an official ballot, which may be separate from the official ballot used to elect officers, for all warrant articles. Wording shall be substantively the same as the main motion, as it was made or amended at the first session, with only such minor textual changes as may be required to cast the motion in the form of a question to the voters.

VIII-a. A question as to the adoption or amendment of an ordinance shall be in substantially the following form:

"Are you in favor of the adoption of (amendment to) the ordinance as proposed by the selectmen as follows: (here insert text or topical description of proposed ordinance or amendment)?" In the event that there shall be more than a single proposed amendment to an ordinance to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of Amendment No. ___ to the ordinance as proposed by the selectmen as follows: (here insert text or topical description of proposed amendment)?"

IX. (a) "Operating budget" as used in this subdivision means "budget," as defined in RSA 32:3, III, exclusive of "special warrant articles," as defined in RSA 32:3, VI, and exclusive of other appropriations voted separately.

(b) "Default budget" as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget and by salaries and benefits of positions that have been eliminated in the proposed budget. For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, and eliminated positions shall not include vacant positions under recruitment or positions redefined in the proposed operating budget, as determined by the governing body, unless the provisions of RSA 40:14-b are adopted, of the local political subdivision. In calculating the default budget amount, the governing body shall follow the statutory formula which may result in a higher or lower amount than the proposed operating budget.

(c) "Contracts" as used in this subdivision means contracts previously approved, in the amount so approved, by the legislative body in either the operating budget authorized for the previous year or in a separate warrant article for a previous year.

X. If no operating budget article is adopted, the local political subdivision either shall be deemed to have approved the default budget or the governing body may hold a special meeting pursuant to paragraph XVI to take up the issue of a revised operating budget only; provided that RSA 31:5 and RSA 197:3 shall not apply to such a special meeting. If no operating budget article is adopted the estimated revenues shall nevertheless be deemed to have been approved.

XI. (a) The default budget shall be disclosed and presented for questions and discussion at the first budget hearing held pursuant to RSA 32:5 or RSA 197:6. The governing body, unless the provisions of RSA 40:14-b are adopted, shall complete a default budget form created by the department of revenue administration to demonstrate how the default budget amount was calculated. The line item details for changes under subparagraph (2) shall be available for inspection by voters. The form and associated calculations shall, at a minimum, include the following:

- (1) Appropriations contained in the previous year's operating budget;
- (2) Reductions and increases to the previous year's operating budget including identification of specific items that constitute a change by account code, and the reasons for each change;
- (3) One-time expenditures as defined under subparagraph IX(b); and
- (4) Reductions for eliminated positions and benefit expenditures as defined under subparagraph IX(b).

(b) This amount shall not be amended by the legislative body. However, this amount may be adjusted by the governing body, unless the provisions of RSA 40:14-b are adopted, acting on relevant new information at any time before the ballots are printed, provided the governing body, unless the provisions of RSA 40:14-b are adopted, completes an amended default budget form.

(c) The wording of the second session ballot question concerning the operating budget shall be as follows:

"Shall the (local political subdivision) raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$ _____? Should this article be defeated, the default budget shall be \$ _____, which is the same as last year, with certain adjustments

required by previous action of the (local political subdivision) or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."

XI-a. If a political subdivision maintains a separate fund for the revenues and expenditures related to the operation, maintenance, and improvement of a water or sewer system, and if any appropriation for such fund is to be raised through user fees or charges and is included in a warrant article separate from the operating budget, the warrant article may include a default amount for such appropriation, which shall be deemed to have been approved if the proposed appropriation is not approved. The default amount shall be determined by the governing body, or by the budget committee if the political subdivision has adopted the provisions of RSA 40:14-b, and shall equal the amount of the same appropriation for the preceding fiscal year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the previous year's appropriation. The warrant article shall state the default amount for the appropriation and shall state that if the appropriation proposed in the article is not approved, the default amount shall be deemed to have been approved.

XII. Voting at the second session shall conform to the procedures for the nonpartisan ballot system as set forth in RSA 669:19-29, RSA 670:5-7 and RSA 671:20-30, including all requirements pertaining to absentee voting, polling place, and polling hours.

XIII. Approval of all warrant articles shall be by simple majority except for questions which require a 2/3 vote by law, contract, or written agreement.

XIV. Votes taken at the second session shall be subject to recount under RSA 669:30-33 and RSA 40:4-c.

XV. Votes taken at the second session shall not be reconsidered.

→ XVI. The warrant for any special meeting shall prescribe the date, place and hour for both a first and second session. The second session shall be warned for a date not fewer than 28 days nor more than 60 days following the first session. The first and second sessions shall conform to the provisions of this subdivision pertaining to the first and second sessions of annual meetings. Special meetings shall be subject to RSA 31:5, 39:3, 195:13, 197:2, and 197:3, provided that no more than one special meeting may be held to raise and appropriate money for the same question or issue in any one calendar year or fiscal year, whichever applies, and further provided that any special meeting held pursuant to paragraphs X and XI shall not be subject to RSA 31:5 and RSA 197:3 and shall not be counted toward the number of special meetings which may be held in a given calendar or fiscal year.

XVII. Notwithstanding any other provision of law, if the sole purpose of a special meeting is to consider the adoption, amendment, or repeal of a zoning ordinance, historic district ordinance, or building code pursuant to RSA 675, including the adoption of an emergency zoning and planning ordinance pursuant to RSA 675:4-a, the meeting shall consist of only one session, which shall be for voting by official ballot on the proposed ordinance, code, amendment, or repeal. The warrant for the meeting shall be posted in accordance with RSA 39:5.

Source. 1995, 164:1, eff. July 31, 1995. 1996, 276:1, 2, eff. June 10, 1996. 1997, 318:4, 5, 12, eff. Aug. 22, 1997. 1999, 86:1-3, eff. Aug. 2, 1999. 2000, 16:2, 3, 4, 5, eff. April 30, 2000. 2001, 71:5-7, eff. July 1, 2001. 2004, 219:1, eff. Aug. 10, 2004. 2007, 305:2, eff. Sept. 11, 2007. 2009, 2:2, eff. Feb. 20, 2009. 2010, 69:1, eff. July 18, 2010; 90:2-4, eff. July 24, 2010. 2011, 1:1, eff. Feb. 4, 2011; 57:1, eff. May 9, 2011. 2012, 217:2, eff. July 1, 2013. 2013, 116:1-3 eff. Aug. 24, 2013; 191:2, eff. Aug. 31, 2013. 2014, 7:1-4, eff. July 5, 2014; 190:1-3, 8-10, eff. Sept. 9, 2014. 2018, 241:1, 2, eff. Aug. 11, 2018; 313:1, 2, eff. Aug. 24, 2018. 2019, 192:2, eff. July 10, 2019.

Town of Hudson

Revenues and Expenditures

Through March 31, 2021

Stall

Town of Hudson, NH
Appropriations and Revenue Summary
Month Ending: March 31, 2021

State #	Dept #	Department	Budget FY 2021	Prior Year Encumbered	Budget and FY Adjustmts	Available Appropriation	Expended To Date	Encumbered	Balance Available	% Expended
01	General Fund									
4199	5020	Trustees of Trust Funds	2,818	0	0	2,818	966	0	1,852	34%
4195	5025	Cemetery Trustees	1,250	0	0	1,250	135	0	1,115	11%
4140	5030	Town Clerk/Tax Collector	400,467	0	49,468	449,935	321,943	3,803	124,189	72%
4140	5041	Moderator	32,762	0	2,934	35,696	19,535	825	15,336	57%
4140	5042	Supervisors of The Checklist	6,286	0	0	6,286	3,805	0	2,481	61%
4199	5050	Town Treasurer	8,074	0	0	8,074	6,055	0	2,019	75%
4199	5055	Sustainability Committee	1,300	0	0	1,300	220	0	1,080	17%
4520	5063	Benson Park Committee	1,100	0	0	1,100	277	0	823	25%
4199	5070	Municipal Budget Committee	800	0	0	800	11	0	789	1%
4140	5077	IT - Town Officers	4,170	0	0	4,170	3,227	16	927	78%
4199	5080	Ethics Committee	100	0	0	100	43	0	57	43%
		Town Officers	459,127	0	52,402	511,529	356,216	4,644	150,668	71%
4130	5110	Board of Selectmen/Administration	392,579	2,500	30,758	425,837	322,822	1,533	101,482	76%
4194	5115	Oakwood	2,275	0	0	2,275	3,304	0	(1,029)	145%
4194	5120	Town Hall Operations	104,633	0	243,650	348,283	318,937	200	29,146	92%
4442	5151	Town Poor	80,000	0	0	80,000	28,883	0	51,117	36%
4130	5177	IT - Town Administration	800	0	2,737	3,537	9,191	0	(5,654)	260%
		Administration	580,287	2,500	277,145	859,932	683,137	1,733	175,062	80%
4153	5200	Legal	136,560	0	(2,737)	133,823	75,022	4,797	54,004	60%
4150	5310	Finance Administration	196,214	0	0	196,214	145,270	6,304	44,641	77%
4150	5320	Accounting	286,671	0	0	286,671	189,181	12,882	84,608	70%
4150	5377	IT - Finance	2,350	0	816	3,166	1,348	474	1,343	58%
		Finance	485,235	0	816	486,051	335,799	19,660	130,592	73%
4150	5330	Information Technology	751,454	0	475	751,929	608,549	21,543	121,837	84%
		Information Technology	751,454	0	475	751,929	608,549	21,543	121,837	84%
4152	5410	Assessing Department	444,911	0	0	444,911	257,226	65,870	121,815	73%
4152	5477	IT- Assessing	14,650	0	0	14,650	1,684	0	12,966	11%
		Assessing	459,561	0	0	459,561	258,911	65,870	134,780	71%
4312	5515	Public Works Facility	99,903	800	(150)	100,553	107,324	1,950	(8,721)	109%
4312	5551	Public Works Administration	272,461	0	5,518	277,979	216,841	174	60,964	78%
4312	5552	Streets	2,836,891	0	99,577	2,936,468	2,458,554	63,001	414,913	86%
4312	5553	Equipment Maintenance	474,079	0	6,489	480,568	307,074	17,288	156,206	67%
4312	5554	Drainage	531,385	0	82,304	613,689	446,625	110	166,953	73%
4522	5556	Parks Division	237,327	0	6,716	244,043	130,927	10,317	102,800	58%
4312	5577	IT - Public Works	5,240	0	0	5,240	7,148	387	(2,295)	144%
		Public Works	4,457,286	800	200,454	4,658,540	3,674,494	93,226	890,820	81%

Town of Hudson, NH
Appropriations and Revenue Summary

Month Ending: March 31, 2021

State #	Dept #	Department	Budget FY 2021	Prior Year Encumbered	Budget and PY Adjustmts	Available Appropriation	Expended To Date	Encumbered	Balance Available	% Expended
4191	5277	IT - LUD	6,300	0	0	6,300	6,197	1,328	(1,225)	119%
4191	5571	LUD - Planning	245,819	0	0	245,819	195,925	25,683	24,211	90%
4191	5572	LUD - Planning Board	8,350	0	0	8,350	698	0	7,652	8%
4191	5581	LUD - Zoning	202,221	0	0	202,221	145,120	1,095	56,006	72%
4191	5583	LUD - Zoning Board of Adj	16,500	0	0	16,500	12,436	4,333	(269)	102%
4311	5585	LUD - Engineering	390,578	0	0	390,578	242,066	90,149	58,363	85%
		Land Use	869,768	0	0	869,768	602,442	122,588	144,738	83%
4210	5610	Police Administration	333,864	0	16,052	349,916	305,452	9,584	34,881	90%
4210	5615	Police Facility Operations	287,732	30,690	0	318,422	252,030	20,234	46,158	86%
4210	5620	Police Communications	685,916	0	39,462	725,378	565,610	297	159,471	78%
4210	5630	Police Patrol	6,233,526	3,554	298,958	6,536,038	4,860,750	67,351	1,607,937	75%
4210	5640	Investigations	13,820	0	0	13,820	7,644	948	5,229	62%
4414	5650	Animal Control	120,509	0	1,480	121,989	79,841	1,056	41,092	66%
4210	5660	Information Services	154,488	0	14,335	168,823	131,828	8	36,986	78%
4210	5671	Support Services	88,023	0	2,767	90,790	64,765	5,580	20,446	77%
4210	5672	Crossing Guards	58,755	0	0	58,755	34,303	0	24,452	58%
4210	5673	Prosecutor	321,692	0	13,030	334,722	254,368	(162)	80,516	76%
4210	5677	IT - Police	93,629	0	0	93,629	83,908	384	9,337	90%
		Police	8,391,954	34,244	386,085	8,812,283	6,640,498	105,279	2,066,506	77%
4220	5710	Fire Administration	726,510	0	31,941	758,451	543,158	17,154	198,140	74%
4220	5715	Fire Facilities	141,635	0	4,705	146,340	109,485	8,582	28,273	81%
4220	5720	Fire Communications	384,845	0	0	384,845	310,201	2,689	71,955	81%
4220	5730	Fire Suppression	5,265,180	7,103	486,476	5,758,759	4,388,183	43,855	1,326,721	77%
4220	5740	Fire Inspectional Services	513,274	0	0	513,274	342,152	1,340	169,782	67%
4220	5750	Fire Emergency Medical Services	0	0	(33)	(33)	0	(62)	28	186%
4220	5765	Fire Alarm	3,746	0	0	3,746	5,004	715	(1,973)	153%
4220	5770	Emergency Management	86,368	0	57,239	143,607	76,510	1,781	65,316	55%
4220	5777	IT - Fire	45,506	0	0	45,506	36,389	789	8,329	82%
		Fire	7,167,064	7,103	580,328	7,754,495	5,811,083	76,843	1,866,569	76%
4520	5810	Recreation Administration	160,645	0	0	160,645	52,239	650	107,757	33%
4520	5814	Recreation Facilities	77,384	0	0	77,384	49,307	3,149	24,927	68%
4520	5821	Supervised Play	120,063	0	(53,991)	66,072	2,922	0	63,150	4%
4520	5824	Ballfields	12,242	0	0	12,242	337	0	11,905	3%
4520	5825	Tennis	0	0	0	0	1,750	0	(1,750)	0%
4520	5826	Lacrosse	12,366	0	0	12,366	0	0	12,366	0%
4520	5831	Basketball	52,604	0	(4,000)	48,604	6	20	48,578	0%
4520	5834	Soccer	13,314	0	0	13,314	7,492	0	5,822	56%
4520	5835	Senior Activities Operations	60,150	0	0	60,150	1,567	223	58,360	3%
4520	5836	Teen Dances	1,500	0	0	1,500	0	0	1,500	0%
4520	5839	Community Activities	7,060	0	0	7,060	1,401	121	5,538	22%
4520	5877	IT - Recreation	7,065	0	0	7,065	1,570	0	5,495	22%
		Recreation	524,393	0	(57,991)	466,402	118,591	4,163	343,648	26%

Town of Hudson, NH
Appropriations and Revenue Summary
 Month Ending: March 31, 2021

State #	Dept #	Department	Budget FY 2021	Prior Year Encumbered	Budget and PY Adjustmts	Available Appropriation	Expended To Date	Encumbered	Balance Available	% Expended
4196	5910	Insurance	519,000	0	0	519,000	500,807	0	18,193	96%
4199	5920	Community Grants	90,508	0	0	90,508	76,008	0	14,500	84%
4583	5930	Patriotic Purposes	5,600	0	0	5,600	0	0	5,600	0%
4199	5940	Other Expenses	165,460	0	0	165,460	24,491	1,274	139,695	16%
4220	5960	Hydrant Rental	276,971	0	0	276,971	207,728	0	69,243	75%
4321	5970	Solid Waste Contract	1,677,130	0	0	1,677,130	1,272,082	377,210	27,837	98%
		Non-Departmental	2,734,669	0	0	2,734,669	2,081,117	378,484	275,068	90%
General Fund Appropriation Subtotal			27,017,358	44,647	1,436,976	28,498,981	21,245,859	898,830	6,354,292	77.7%
Warrant Articles										
4901	6015	Widening Lowell Rd from Wason to Sag	0	1,406,338	0	1,406,338	39,957	1,366,381	0	100%
4152	6040	Future Prop. Revaluation CRF	15,000	0	0	15,000	15,000	0	0	100%
4220	6054	Hire Four Firefighters/AEMTs	363,568	0	(363,568)	0	0	0	0	100%
4220	6057	Fire Apparatus Refub & Repr CRF	25,000	0	0	25,000	25,000	0	0	100%
4210	6058	Police Union Contract	377,464	0	(377,464)	0	0	0	0	100%
4312	6062	Public Works Union Contract	85,493	0	(85,493)	0	0	0	0	100%
4902	6089	Communication Systems	0	131,800	(32,950)	98,850	98,850	0	0	100%
4326	6095	Vaccon Truck Cap Rsrv Fund	15,000	0	0	15,000	15,000	0	0	100%
4902	6200	Fire Squad Vehicle	170,000	0	0	170,000	0	0	170,000	0%
4915	6201	Commun Equip & Infrast CRF	810,000	0	0	810,000	158,750	476,250	175,000	78%
4915	6208	Library Improvements CRF	25,000	0	0	25,000	25,000	0	0	100%
4909	6212	Taylor Falls & Vet Bridge Rehabilitation	125,000	0	0	125,000	0	0	125,000	0%
4312	6213	Hire Two Truck Driver/Laborers	111,111	0	(111,111)	0	0	0	0	100%
3319	6319	Establish an Energy Efficiency CRF	25,000	0	0	25,000	25,000	0	0	100%
0000	6434	Operating Transfer to Library	0	0	0	0	230,283	0	(230,283)	100%
0000	6436	Operating Transfer to Cons Co.	0	0	0	0	0	0	0	100%
General Fund Warrant Articles			2,147,636	1,538,138	(970,586)	2,715,188	632,839	1,842,631	239,717	91%
General Fund Total Budget			29,164,994	1,582,785	466,390	31,214,169	21,878,698	2,741,462	6,594,010	79%
02 Sewer Fund										
4326	5561	Sewer Billing & Collection	159,899	0	0	159,899	127,826	3,661	28,413	82%
4326	5562	Sewer Operation & Maintenance	1,165,734	120,000	34,873	1,320,607	718,232	339,230	263,144	80%
4326	5564	Sewer Capital Projects	785,000	0	0	785,000	461,600	13,767	309,633	61%
4312	6062	Public Works Union Contract	2,716	0	(2,716)	0	0	0	0	100%
4312	6213	Hire Two Truck Driver/Laborers	37,037	0	(37,037)	0	0	0	0	100%
4326	6095	Vaccon Truck Cap Rsrv Fund	15,000	0	0	15,000	15,000	0	0	100%
Sewer Fund			2,165,386	120,000	(4,880)	2,280,506	1,322,658	356,658	601,190	74%
03 Water Fund										
4332	5591	Water - Administration	285,543	0	0	285,543	226,986	6,694	51,863	82%
4332	5592	Water - Ops & Maintenance	1,409,742	0	0	1,409,742	866,532	196,995	346,215	75%
4335	5593	Water - Supply	809,000	41,537	0	850,537	529,298	300,946	20,293	98%
4332	5594	Water - Debt Service	1,298,006	0	0	1,298,006	1,298,006	0	1	100%
Water Fund			3,802,291	41,537	0	3,843,828	2,920,821	504,636	418,371	89%
Total General, Sewer, Water Funds			35,132,671	1,744,322	461,510	37,338,503	26,122,177	3,602,756	7,613,571	80%

Town of Hudson, NH
 Appropriations and Revenue Summary
 Month Ending: March 31, 2021

State #	Dept #	Department	Budget FY 2021	Prior Year Encumbered	Budget and PY Adjustmts	Available Appropriation	Expended To Date	Encumbered	Balance Available	% Expended
			<u>Budgeted Revenue</u>		<u>Supplemental Budget</u>	<u>Adjusted Revenue</u>	<u>Revenues</u>	<u>Use of Fund Balance</u>	<u>Balance</u>	
		General Fund Revenue	30,383,049		1,159,651	31,542,700	27,603,729	0	3,938,971	88%
		Sewer Fund Revenue	2,162,670		0	2,162,670	969,723	0	1,192,947	45%
		Water Fund Revenue	3,802,291		0	3,802,291	2,947,945	0	854,346	78%
Total General, Sewer, Water Funds Revenue			36,348,010	0	1,159,651	37,507,661	31,521,397	0	5,986,265	84%
Other Funds										
State #	Dept #	Department	Budget FY 2021	Prior Year Encumbered	Budget and PY Adjustmts	Available Appropriation	Expended To Date	Encumbered	Balance Available	% Expended
04	5060	Library	1,162,586	0	0	1,162,586	808,537	470	353,579	70%
05	5598	Land Use Change Tax Fund	0	0	0	0	0	0	0	100%
06	5586	Conservation Commission	52,753	40,204	(24,368)	68,589	31,510	36,030	1,049	98%
14	5630	Police Forfeiture Fund	0	40,220	0	40,220	143,803	387	(103,969)	100%
35	5845	Senior Activities Revolving Fund	0	51,244	0	51,244	0	51,244	0	100%
45	5045	Community TV Revolving Fund	0	0	7,904	7,904	328,024	115,906	(436,027)	100%
46	8901	Grants	0	0	0	0	0	0	0	100%
50	5750	EMS Revolving Fund	423,322	0	270	423,592	182,995	15,276	225,320	47%
		Other Funds	1,638,661	131,668	(16,195)	1,754,135	1,494,869	219,313	39,952	98%
			<u>Budgeted Revenue</u>		<u>Supplemental Budget</u>	<u>Adjusted Revenue</u>	<u>Revenues</u>	<u>Use of Fund Balance</u>	<u>Balance</u>	
		Senior Activities Revolving Fund	0			0	(5,808)		5,808	0%
		Community TV Revolving Fund	0			0	235,547		(235,547)	0%
		EMS Revolving Fund	423,322			423,322	249,416		173,906	0%
Total Expenditures All Funds			36,771,332	1,875,991	445,316	39,092,638	27,617,046	3,822,069	7,653,523	80%

Revenue Report
Month End Revenue
Town of Hudson, NH
As Of: March 2021, GL Year 2021

Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
General Fund						
01-0000-4913-000-000	Transfer from Land Use Change Fund	0.00	0.00	0.00	0.00	0.000
01-0000-4914-000-000	Library Revenue	9,675.00	0.00	0.00	9,675.00	0.000
01-3110-4100-000-000	General Property Taxes	19,509,486.00	4,118.39	18,946,575.57	562,910.43	97.115
01-3110-4101-000-000	Overlay	-185,000.00	-1,011.56	-32,690.34	-152,309.66	17.670
01-3185-4120-000-000	Yield Taxes and Interest	1,500.00	0.00	0.00	1,500.00	0.000
01-3186-4115-000-000	In Lieu of Taxes	12,816.00	0.00	0.00	12,816.00	0.000
01-3189-4121-000-000	Excavation Activity Tax	3,000.00	0.00	0.00	3,000.00	0.000
01-3189-4127-000-000	Boat Tax	7,000.00	1,493.60	4,074.99	2,925.01	58.214
01-3190-4203-000-000	Charges on Property Taxes	5,000.00	303.40	-2,017.70	7,017.70	-40.354
01-3190-4204-000-000	Interest on Property Taxes	160,000.00	22,219.74	101,881.49	58,118.51	63.676
01-3220-4201-000-000	Motor Vehicle Permits	5,420,000.00	627,048.00	4,505,269.80	914,730.20	83.123
01-3230-4216-000-000	Certificate of Occupancy Permit	15,000.00	1,100.00	9,200.00	5,800.00	61.333
01-3230-4218-000-000	Building Permits	275,000.00	29,383.60	246,575.64	28,424.36	89.664
01-3230-4381-000-000	Septic Inspection Fees	6,000.00	500.00	6,400.00	-400.00	106.667
01-3290-4209-000-000	Excavation Permits	5,000.00	0.00	300.00	4,700.00	6.000
01-3290-4214-000-000	Driveway Permits	2,000.00	700.00	2,500.00	-500.00	125.000
01-3290-4217-000-000	Health Permits	0.00	0.00	0.00	0.00	0.000
01-3290-4221-000-000	Pistol Permits	4,000.00	240.00	1,822.00	2,178.00	45.550
01-3290-4233-000-000	Oil Burner/Kerosene Permits	0.00	0.00	350.00	-350.00	0.000
01-3290-4238-000-000	Police Alarm Permit	2,800.00	325.00	2,480.00	320.00	88.571
01-3290-4239-000-000	Fire - Place of Assembly	2,000.00	100.00	1,080.00	920.00	54.000
01-3290-4254-000-000	Fire Alarm Permits	1,500.00	30.00	1,383.00	117.00	92.200
01-3290-4312-000-000	Zoning Application Fees	3,000.00	971.30	4,260.10	-1,260.10	142.003
01-3290-4313-000-000	Planning Board Fees	120,000.00	538.55	89,125.84	30,874.16	74.272
01-3290-4315-000-000	Sewer Service Permit	3,000.00	50.00	850.00	2,150.00	28.333
01-3290-4321-000-000	UCC Filings	7,000.00	1,665.00	6,885.00	115.00	98.357
01-3290-4322-000-000	Vital Statistics	7,000.00	1,666.00	23,200.25	-16,200.25	331.432
01-3290-4323-000-000	Police Fines, Forfeit, Court	0.00	0.00	0.00	0.00	0.000
01-3290-4325-000-000	Animal Control Fines/Fees	8,000.00	250.00	9,814.00	-1,814.00	122.675
01-3290-4326-000-000	Notary Fees	100.00	0.00	0.00	100.00	0.000

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Month End Revenue
Town of Hudson, NH
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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
01-3290-4327-000-000	Parking Violation Fees	2,000.00	245.00	1,080.00	920.00	54.000
01-3290-4328-000-000	Street Acceptance/Opening Fee	0.00	0.00	0.00	0.00	0.000
01-3290-4334-000-000	Construction Inspection Fee	15,000.00	0.00	6,865.00	8,135.00	45.767
01-3290-4335-000-000	Animal Boarding Fees	1,100.00	120.00	415.00	685.00	37.727
01-3290-4343-000-000	Copy Fees and Sale of Books	1,500.00	11.00	442.25	1,057.75	29.483
01-3290-4347-000-000	Bad Check Fees	2,500.00	25.00	1,093.46	1,406.54	43.738
01-3290-4356-000-000	Police False Alarm Fines	10,000.00	950.00	6,950.00	3,050.00	69.500
01-3290-4421-000-000	Marriage Licenses	4,000.00	-1.00	2,157.00	1,843.00	53.925
01-3290-4422-000-000	Hawker/Peddler License	1,000.00	10.00	817.00	183.00	81.700
01-3290-4427-000-000	Articles of Agreement	0.00	0.00	30.00	-30.00	0.000
01-3290-4428-000-000	Pole Licenses	0.00	0.00	0.00	0.00	0.000
01-3290-4430-000-000	Scrap Metal License	0.00	0.00	50.00	-50.00	0.000
01-3290-4450-000-000	Animal Control Licenses	18,000.00	9,141.00	20,882.00	-2,882.00	116.011
01-3290-4451-000-000	Drain Layers License	1,000.00	500.00	3,000.00	-2,000.00	300.000
01-3351-4840-000-000	Shared Revenue - Municipal Aid	268,277.00	0.00	262,412.93	5,864.07	97.814
01-3352-4841-000-000	Shared Revenue - Meals and Rental Tax Distribution	1,291,333.00	0.00	1,291,077.46	255.54	99.980
01-3353-4610-000-000	Shared Revenue - Highway Block Grant	539,910.00	0.00	431,927.67	107,982.33	80.000
01-3359-4656-000-000	Grants - Police	26,000.00	3,082.21	32,649.11	-6,649.11	125.574
01-3359-4657-000-000	Grants - Fire	569,837.12	81,996.25	172,878.51	396,958.61	30.338
01-3359-4659-000-000	Grants - Other	10,000.00	14,576.40	16,210.87	-6,210.87	162.109
01-3359-4660-000-000	Grants - Pandemic	418,362.07	12,615.00	538,149.46	-119,787.39	128.632
01-3379-4300-000-000	Sewer Utility Admin Fee	44,000.00	0.00	44,000.00	0.00	100.000
01-3379-4301-000-000	Water Utility Admin Fee	66,000.00	0.00	66,000.00	0.00	100.000
01-3401-4324-000-000	Police Record Fees	7,000.00	820.00	5,582.00	1,418.00	79.743
01-3401-4342-000-000	Sale of Checklists	500.00	25.00	162.00	338.00	32.400
01-3401-4708-000-000	Welfare Reimbursement	1,000.00	32.94	2,341.57	-1,341.57	234.157
01-3401-4716-000-000	Cash Over/Short	0.00	0.00	64.03	-64.03	0.000
01-3401-4720-000-000	Police Outside Detail	150,000.00	31,020.35	196,683.85	-46,683.85	131.123
01-3401-4729-000-000	Contracted Services - Litchfield	30,000.00	0.00	31,196.31	-1,196.31	103.988
01-3401-4730-000-000	Ambulance Billings	422,000.00	0.00	263,304.38	158,695.62	62.394
01-3401-4731-000-000	Charges on Ambulance Receivables	-22,000.00	0.00	-13,638.78	-8,361.22	61.994

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Town of Hudson, NH
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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
01-3401-4732-000-000	Fire Incident Reports	500.00	30.00	1,001.00	-501.00	200.200
01-3401-4745-000-000	Cable Franchise Fees	77,000.00	0.00	58,886.73	18,113.27	76.476
01-3401-4746-000-000	Police Testing and Application Fees	0.00	0.00	1,490.00	-1,490.00	0.000
01-3401-4748-000-000	Insurance Reimbursement	107,236.22	472.25	183,470.03	-76,233.81	171.090
01-3401-4756-000-000	Misc Rev - Police	500.00	-3,678.39	2,630.95	-2,130.95	526.190
01-3401-4757-000-000	Misc Rev - Fire	500.00	80.00	2,498.41	-1,998.41	499.682
01-3401-4758-000-000	Misc Rev - Recreation	0.00	0.00	0.00	0.00	0.000
01-3401-4759-000-000	Misc Rev - Other	500.00	0.00	2,646.00	-2,146.00	529.200
01-3401-4761-000-000	Rec Rev - Basketball	0.00	0.00	0.00	0.00	0.000
01-3401-4762-000-000	Rec Rev - Supervised Play	0.00	0.00	1,800.00	-1,800.00	0.000
01-3401-4764-000-000	Rec Rev - Soccer	20,000.00	0.00	-150.00	20,150.00	-0.750
01-3401-4765-000-000	Rec Rev - Tennis	4,000.00	0.00	0.00	4,000.00	0.000
01-3401-4766-000-000	Rec Rev - Teen Dances	1,500.00	0.00	0.00	1,500.00	0.000
01-3401-4767-000-000	Rec Rev - Adult Softball	13,000.00	0.00	0.00	13,000.00	0.000
01-3401-4768-000-000	Rec Rev - Lacrosse	12,000.00	0.00	0.00	12,000.00	0.000
01-3401-4769-000-000	Rec Rev - Community Activities	5,000.00	0.00	0.00	5,000.00	0.000
01-3501-4704-000-000	Sale of Town Property	55,000.00	0.00	1,892.25	53,107.75	3.440
01-3502-4702-000-000	Bank Charges	-10,000.00	-445.00	-6,512.86	-3,487.14	65.129
01-3502-4703-000-000	Interest on Investments	261,000.00	210.36	16,872.93	244,127.07	6.465
01-3503-4373-000-000	Rents of Town Property	3,000.00	0.00	0.00	3,000.00	0.000
01-3508-4556-000-000	Donations - Police	3,767.49	435.00	13,485.00	-9,717.51	357.931
01-3508-4557-000-000	Donations - Fire	0.00	0.00	7,100.00	-7,100.00	0.000
01-3508-4558-000-000	Donations - Recreation	0.00	200.00	1,315.80	-1,315.80	0.000
01-3508-4559-000-000	Donations - Other	0.00	0.00	1,200.00	-1,200.00	0.000
01-3914-4996-000-000	Voted from Surplus	935,000.00	0.00	0.00	935,000.00	0.000
01-3915-4922-000-000	From Capital Reserve Fund	170,000.00	0.00	0.00	170,000.00	0.000
01-3939-4999-000-000	Use of Fund Balance	600,000.00	0.00	0.00	600,000.00	0.000
Totals	General Fund	31,542,699.90	844,164.39	27,603,728.96	3,938,970.94	87.512

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Month End Revenue
Town of Hudson, NH
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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
Sewer Fund						
02-3190-4180-000-000	Interest on Sewer Utility	21,000.00	558.42	14,403.75	6,596.25	68.589
02-3190-4181-000-000	Sewer Betterment Interest	500.00	0.00	0.00	500.00	0.000
02-3401-4716-000-000	Cash Over/Short	0.00	0.00	0.00	0.00	0.000
02-3403-4780-000-000	Sewer Base Charges	555,500.00	0.00	418,913.89	136,586.11	75.412
02-3403-4781-000-000	Sewer Consumption Charges	628,259.00	0.00	448,936.83	179,322.17	71.457
02-3409-4783-000-000	Sewer Capital Assessment Other Chg	500.00	0.00	0.00	500.00	0.000
02-3500-4773-000-000	Otarnic Pond Betterment Assessment	24,911.00	0.00	24,911.00	0.00	100.000
02-3500-4782-000-000	Sewer Capital Assessment	50,000.00	1,705.00	34,001.62	15,998.38	68.003
02-3502-4702-000-000	Bank Charges	-3,000.00	0.00	-1,161.95	-1,838.05	38.732
02-3508-4561-000-000	Donations - Sewer	0.00	0.00	30,000.00	-30,000.00	0.000
02-3509-4786-000-000	Sewer - Other Income/(Expenses)	0.00	0.00	-282.55	282.55	0.000
02-3915-4922-000-000	From Capital Reserve Fund	745,000.00	0.00	0.00	745,000.00	0.000
02-3939-4999-000-000	Use of Fund Balance	125,000.00	0.00	0.00	125,000.00	0.000
02-4915-4915-000-000	To Capital Reserve Fund - Sewer	15,000.00	0.00	0.00	15,000.00	0.000
Totals	Sewer Fund	2,162,670.00	2,263.42	969,722.59	1,192,947.41	44.839

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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
Water Fund						
03-3190-4794-000-000	Interest on Delinquent Accounts	10,000.00	0.00	4,060.67	5,939.33	40.607
03-3290-4394-000-000	Backflow Testing Fees	25,000.00	3,040.00	24,795.00	205.00	99.180
03-3290-4395-000-000	Water Hookup Fee	20,000.00	1,400.00	10,655.00	9,345.00	53.275
03-3290-4396-000-000	Water Service Fees	12,000.00	885.00	7,913.00	4,087.00	65.942
03-3290-4397-000-000	Shutoff/Reconnect Fee	8,500.00	0.00	1,625.00	6,875.00	19.118
03-3401-4716-000-000	Cash Over/Short	0.00	0.00	11.03	-11.03	0.000
03-3401-4748-000-000	Insurance Reimbursement	0.00	0.00	0.00	0.00	0.000
03-3402-4390-000-000	Rental Fee - Private Hydrant	61,000.00	5,356.47	48,208.23	12,791.77	79.030
03-3402-4391-000-000	Rental Fee - Public Hydrant	78,000.00	6,496.20	51,969.60	26,030.40	66.628
03-3402-4392-000-000	Public Fire Protection	224,000.00	18,990.44	169,731.46	54,268.54	75.773
03-3402-4790-000-000	Water Base Charges	955,000.00	80,069.38	723,624.53	231,375.47	75.772
03-3402-4791-000-000	Water Usage Charges	2,122,291.00	116,948.70	1,736,783.23	385,507.77	81.835
03-3402-4792-000-000	Fire Access Charges	199,000.00	16,584.67	155,758.23	43,241.77	78.270
03-3402-4799-000-000	Water Sales to Pennichuck	80,000.00	0.00	10,948.27	69,051.73	13.685
03-3502-4702-000-000	Bank Charges	-2,500.00	0.00	-123.49	-2,376.51	4.940
03-3509-4793-000-000	Other Income - Water	10,000.00	150.00	1,985.20	8,014.80	19.852
03-3915-4922-000-000	From Capital Reserve Fund	0.00	0.00	0.00	0.00	0.000
Totals	Water Fund	3,802,291.00	249,920.86	2,947,944.96	854,346.04	77.531

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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
Sr Activities Revolving Fund						
35-3401-4735-000-000	Misc Rev - Senior Activities	0.00	0.00	-5,808.00	5,808.00	0.000
35-3401-4736-000-000	Membership Fees	0.00	0.00	0.00	0.00	0.000
Totals	Sr Activities Revolving Fund	0.00	0.00	-5,808.00	5,808.00	0.000

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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
Community TV Revolving Fund						
45-3401-4745-000-000	Cable Franchise Fees	0.00	0.00	235,546.92	-235,546.92	0.000
Totals	Community TV Revolving Fund	0.00	0.00	235,546.92	-235,546.92	0.000

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Account Number		Est Rev	MTD Rev	YTD Rev	Balance	%Coll
EMS Revolving Fund						
50-0000-4729-000-000	EMS - Contracted Services	15,000.00	0.00	0.00	15,000.00	0.000
50-0000-4730-000-000	EMS - 50% Ambulance Billings	430,322.00	0.00	263,304.36	167,017.64	61.188
50-0000-4731-000-000	EMS - 50% Charges on Amb Billings	-22,000.00	0.00	-13,888.81	-8,111.19	63.131
Totals	EMS Revolving Fund	423,322.00	0.00	249,415.55	173,906.45	58.919

**TOWN OF HUDSON
AUTOMOBILE REGISTRATION BY MONTH
FISCAL YEARS 2016, 2017, 2018, 2019, 2020, 2021**

	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>1st half Fiscal Year</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>2nd half Fiscal Year</u>	<u>Actual Fiscal Year Total</u>	<u>Budget Fiscal Year Total</u>
FY2016	\$355,622	\$375,666	\$396,497	\$432,624	\$383,736	\$331,951	\$2,276,095	\$464,698	\$434,255	\$466,096	\$378,514	\$463,070	\$492,415	\$2,699,048	\$4,975,135	\$4,200,000
vs. Budget	8.5%	17.4%	26.9%	37.2%	46.3%	54.2%	54.2%	65.3%	75.6%	86.7%	95.7%	106.7%	118.5%	64.3%	vs. Budget	118.5%
FY2017	\$327,635	\$400,991	\$435,251	\$400,872	\$390,525	\$422,355	\$2,377,628	\$527,661	\$425,856	\$464,481	\$397,461	\$521,282	\$460,464	\$2,797,204	\$5,174,832	\$4,550,000
vs. Budget	7.2%	16.0%	25.6%	34.4%	43.0%	52.3%	52.3%	63.9%	73.2%	83.4%	92.2%	103.6%	113.7%	61.5%	vs. Budget	113.7%
FY2018	\$345,710	\$427,939	\$416,805	\$443,016	\$371,576	\$453,830	\$2,458,875	\$582,567	\$460,122	\$473,141	\$402,980	\$543,706	\$507,592	\$2,970,108	\$5,428,983	\$4,700,000
vs. Budget	7.4%	16.5%	25.3%	34.8%	42.7%	52.3%	52.3%	64.7%	74.5%	84.6%	93.1%	104.7%	115.5%	63.2%	vs. Budget	115.5%
FY2019	\$429,067	\$457,722	\$389,685	\$464,888	\$471,953	\$454,133	\$2,667,448	\$531,274	\$504,668	\$444,548	\$561,605	\$513,577	\$511,323	\$3,066,993	\$5,734,441	\$5,000,000
vs. Budget	8.6%	17.7%	25.5%	34.8%	44.3%	53.3%	53.3%	64.0%	74.1%	83.0%	94.2%	104.5%	114.7%	61.3%	vs. Budget	114.7%
FY2020	\$437,974	\$485,183	\$410,994	\$530,162	\$446,610	\$470,237	\$2,781,159	\$638,551	\$515,784	\$416,309	\$331,136	\$452,398	\$745,339	\$3,099,517	\$5,880,675	\$5,420,000
vs. Budget	8.1%	17.0%	24.6%	34.4%	42.6%	51.3%	51.3%	63.1%	72.6%	80.3%	86.4%	94.7%	108.5%	57.2%	vs. Budget	108.5%
FY2021	\$516,858	\$430,094	\$461,725	\$494,524	\$440,822	\$489,084	\$2,833,106	\$542,186	\$502,930	\$627,048				\$1,672,163	\$4,505,270	\$5,420,000
vs. Budget	9.5%	17.5%	26.0%	35.1%	43.2%	52.3%	52.3%	62.3%	71.6%	83.1%				30.9%	vs. Budget	83.1%

**TOWN OF HUDSON
GENERAL FUND INTEREST BY MONTH
FISCAL YEARS 2016, 2017, 2018, 2019, 2020, 2021**

	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>1st half Fiscal Year</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>2nd half Fiscal Year</u>	<u>Actual Fiscal Year Total</u>	<u>Budget Fiscal Year Total</u>
FY2016	\$2,934	\$0	\$2,630	\$417	\$1,262	\$990	\$8,232	\$1,703	\$2,866	\$2,296	\$2,094	\$2,444	\$2,881	\$14,284	\$22,516	\$5,000
vs. Budget	58.7%	58.7%	111.3%	119.6%	144.8%	164.6%	164.6%	198.7%	256.0%	301.9%	343.8%	392.7%	450.3%	285.7%	vs. Budget	450.3%
FY2017	\$6,112	\$0	\$5,786	\$4,242	\$3,440	\$2,256	\$21,836	\$0	\$5,991	\$9,498	\$16,578	\$6,333	\$7,235	\$45,635	\$67,471	\$19,000
vs. Budget	32.2%	32.2%	62.6%	84.9%	103.1%	114.9%	114.9%	114.9%	146.5%	196.4%	283.7%	317.0%	355.1%	240.2%	vs. Budget	355.1%
FY2018	\$14,877	\$14,656	\$7,236	\$4,331	\$9,647	\$6,947	\$57,694	\$16,560	\$18,741	\$14,208	\$15,488	\$19,596	\$16,919	\$101,512	\$159,206	\$25,000
vs. Budget	59.5%	118.1%	147.1%	164.4%	203.0%	230.8%	230.8%	297.0%	372.0%	428.8%	490.8%	569.1%	636.8%	406.0%	vs. Budget	636.8%
FY2019	\$0	\$45,557	\$38,553	\$27,494	\$0	\$46,686	\$158,289	\$45,246	\$52,094	\$42,049	\$0	\$66,149	\$19,534	\$225,072	\$383,361	\$120,000
vs. Budget	0.0%	38.0%	70.1%	93.0%	93.0%	131.9%	131.9%	169.6%	213.0%	248.1%	248.1%	303.2%	319.5%	187.6%	vs. Budget	319.5%
FY2020	\$0	\$42,580	\$39,013	\$33,695	\$24,052	\$13,649	\$152,989	\$6,066	\$35,128	\$32,541	\$8,141	\$5,937	\$21,179	\$108,992	\$261,981	\$361,000
vs. Budget	0.0%	11.8%	22.6%	31.9%	38.6%	42.4%	42.4%	44.1%	53.8%	62.8%	65.1%	66.7%	72.6%	30.2%	vs. Budget	72.6%
FY2021	\$0	\$0	\$12,143	\$0	\$0	\$3,909	\$16,052	\$0	\$611	\$210				\$821	\$16,873	\$261,000
vs. Budget	0.0%	0.0%	4.7%	4.7%	4.7%	6.2%	6.2%	6.2%	6.4%	6.5%				0.3%	vs. Budget	6.5%