



TOWN OF HUDSON

Board of Selectmen



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

BOARD OF SELECTMEN MEETING

August 10, 2021

Attorney-Client Session, pursuant to RSA 91-A:2 I
(not open to the public)
6:30 p.m.

Regular meeting will begin immediately after Attorney-Client Session

Board of Selectmen Meeting Room, Town Hall

Agenda

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE
4. PUBLIC INPUT
5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS
 - A. Nomination
 - 1) Building Board of Appeals - (1 member term vacancy to expire April 30, 2023)
Michael Lawlor (new applicant)
6. CONSENT ITEMS
 - A. Assessing Items
 - 1) 2020 Tax Abatement: Map 109, Lot 6, 209 Derry Road

(Assessing Items Cont.)

- 2) Current Use Lien Release: Map 105, Lot 17, 22-34 Brady Drive
- 3) Current Use Lien Release: Map 105, Lot 17-1, 203 Robinson Road

B. Water/Sewer Items

- 1) Water Abatements - W-UTL-21-04 Acct# 3507630103;
W-UTL-21-01 Acct# 3508127501
- 2) Sewer Abatement - S-UTL-21-04 Acct# 2753

C. Licenses & Permits & Policies

- 1) Raffle Permit - Historical Commission Old Home Days - Cash Raffle

D. Donations

- 1) Donation of \$5,000 from Digital Credit Union to Hudson Fire Department
- 2) Donation of \$5,000 from Digital Credit Union to Hudson Police Department

E. Acceptance of Minutes

- 1) Minutes of July 13, 2021
- 2) Minutes of July 27, 2021

F. Calendar

- 8/16 7:00 Traffic Advisory Committee - Buxton Meeting Room
- 8/17 7:00 Municipal Utility Committee - BOS Meeting Room
- 8/18 6:00 Library Trustees - Hills Memorial Library
- 8/18 7:00 Benson Park Committee - HCTV Meeting Room
- 8/23 7:00 Sustainability Committee - Buxton Meeting Room
- 8/24 7:00 Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on July 27, 2021

- 1) Selectman Roy made a motion, seconded by Selectman Morin to hire John Claydon as a part time animal control officer, with a starting salary of \$18.93 (Step 3), per hour, in accordance with the Hudson Police Employee Association Contract. Carried 3-0.
- 2) Motion to adjourn at 7:33 p.m. by Selectman Morin, seconded by Selectman Roy. Carried 3-0.

B. Proposed Amendment Town Code - Chapter 188 (Dogs and Other Animals) and Chapter 205 (Fees)

8. **NEW BUSINESS**

- A. Public Hearing - American Rescue Plan
- B. HFD - Donation Expenditure Authorization
- C. HFD - Notice of Retirement
- D. DPW - Permission to Advertise - 2022-2027 Trash/Recycling Contract

9. **REMARKS BY TOWN ADMINISTRATOR**

10. **REMARKS BY SCHOOL BOARD**

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

12. **NONPUBLIC SESSION**

RSA 91-A:3 II (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).

13. **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, August 19, 2021

RECEIVED

Aug.
02 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

5A



How may we help you?

Submission #49

Print Resend e-mails

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

Submission information

Form: Board & Committee Application
Submitted by Visitor (not verified)
Mon, 08/02/2021 - 1:45pm
165.225.39.66

Date

Mon, 08/02/2021

First Name

Michael

Last Name

Lawlor

Street Address

34 Bradford Circle, Hudson, NH 03051

Home Phone

6179396792

Work Phone**E-mail Address:**

michael.j.lawlor.jr@gmail.com

Education

UMass Amherst-Civil Eng. Bachelor's, Northeastern U.-Structural Eng. Master's

Occupation (or former occupation if retired)

Civil/Structural Engineer

Special Interests**Professional/Community Activities****Reference**

Michael McPeck - phone number available

Reason for Applying

I am a new member of the Town of Hudson and I would like to become involved in my community. I am a Registered Professional Engineer (PE) in the State of New Hampshire and have over eleven years of professional experience in both engineering and construction. I have both bachelor's and master's degrees in civil engineering. Being a civil/structural engineer, I am knowledgeable of the contents of the International Building Code (IBC), the NH amendments, and the other codes and standards referenced within.

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

Member

Please select area of interest

Building Board of Appeals

Areas of Expertise

- Construction
- Other

Are you a Hudson, NH resident?

yes

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



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12 School Street | Hudson, NH 03051 | (603) 886-6000

Angela Oka
8-10-21



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

August 10, 2021

From: Jim Michaud, Chief Assessor 

RECEIVED

Re: 2020 Tax Abatement Application
Map 109 Lot 6 – 290 Derry Road

AUG 05 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

The Assessing Department is introducing a proposed abatement settlement that has been successfully negotiated between the property owner and the Town on this 2020 property tax abatement appeal. The Subject property is located at 290 Derry Road, 4.93 AC +/- of land, 38,230 SF +/- of neighborhood shopping center building improvements.

The taxpayer appealed their 2020 assessment of \$2,704,000, the assessment ratio for 2020 was 80.73% and the implied market value for that tax year is \$3,349,436 (\$2,704,000/.8073), \$88 a square foot (SF). The property owner's taxpayer representative opined a value of \$2,400,000 in their abatement application based on an assortment of real estate rental income data, historical vacancy rates for this particular property, and sales comparables.

The department conducted a review of the property and engaged in market values discussions with the representative. The property has historically had a very difficult time reaching any occupancy rate above 60% or so and they typically find it necessary to offer below market rates, and even rent to relatives within the same ownership entity to fill space. The attached recommended settlement reflects a partial abatement for 2020, a further lowering of the assessed value of 2021, and for 2022 the settlement does not apply as we will be going through a full reassessment. The recommended adjustment for 2020 is from \$2,704,000 (\$88 per SF based on implied market value) to an assessment of \$2,320,760 (\$75 per SF based on implied market value). The property owner, and their assigns, agree to not further appeal the 2020 assessment, and they are barred from filing any appeal on the property for the 2021 property tax year.

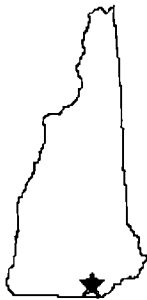
This negotiated proposal contains benefits to both the Town and/or the taxpayer that include:

- Risk avoidance of litigation costs;
- Risk avoidance of additional appraisal consulting fees;
- Risk avoidance of future abatement overlays;

The settlement proposal is recommended as being in the best interest of the Town as it is proactive in nature and has substantiated financial benefits (avoidance risk) to the Town. I have attached both the applicable abatement sheet to be considered for signing, as well as the attached settlement document to be considered for signing.

Draft Motion:

Motion to approve the attached abatement and settlement for property taxes, for the 2020 tax year, for Map 109 Lot 6 – 290 Derry Rd, as recommended by the Chief Assessor.



TOWN OF HUDSON

Office of the Assessor



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

www.hudsonnh.gov

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6A-2

MEMORANDUM

RECEIVED

AUG 05 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TO: Board of Selectmen
Steve Malizia, Town Administrator

FROM: Jim Michaud, Chief Assessor *JM*

DATE: August 10, 2021

RE: Current Use Lien Release
Map 105 Lot 17
22 – 34 Brady Drive

The attached Current Use Lien Release for the above referenced site is for the BOS's review and consideration to approve. The property owner has sold the remainder of the lands that are in current use that were contiguous to this site, leaving this site with 3.512 AC's that has been in current use, that now needs to be removed from current use as it is less than 10 acres. This particular acreage we have as "excess" land on the assessment record, as it was land not necessary for the prime building areas that support the self storage facilities that are there. The land itself is ledgy, slopes, difficult to develop, and has no approvals to be developed. In accordance with RSA 79-A:7 III,

"III. Whenever land of nonuniform value shall be subject to the land use change tax under this section, or whenever the full value assessment for the land subject to the tax shall not be readily available then the local assessing officials shall assess the RSA 75:1 full value of such land and the land use change tax shall be paid upon such assessed value." (emphasis added)

The Assessing Department is recommending a land use change bill as follows;

3.512 AC = assessed value of \$54,000 x 10% = \$5,400.00 for a land use change tax bill.

The department has researched a variety of commercial land sales data as applicable, communicated a number of times with the property owner and in that process we have reached an agreement on the above.

DRAFT MOTION

Motion to approve the attached Current Use Penalty Lien Release for Map 105 Lot 17 as recommended by the Chief Assessor.

CurrUseLienRelease2234BradyDrremainderBOSMemo



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

*agenda
8-10-21*

6A-3

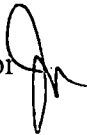
MEMORANDUM

RECEIVED

AUG 05 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TO: Board of Selectmen
Steve Malizia, Town Administrator

FROM: Jim Michaud, Chief Assessor 

DATE: August 10, 2021

RE: Current Use Lien Release
Map 105 Lot 17-1
203 Robinson Rd

The attached Current Use Lien Release for the above referenced site is for the BOS's review and consideration to approve. The current property owner, Steel Properties Inc., purchased this property 6/28/2021, however, the disqualification date of this property was actually on July 27 2020, as that is when the prior owner/seller of this property (Noury Investments LLC) was the owner of this site of less than 10 acres. In conversation with the prior owner, Noury Investments LLC, they stated that they would be responsible for this bill, though we still have to bill the owner of record. The property sold for \$600,000.00, however the following factors server to lessen/mitigate the determination of market value on this property;

1. The real estate market of 7/27/2020 is the market date for estimation of market value as that was the disqualification date from the current use program. It is estimated that there has been 1% +/- appreciation per month during the past year for this property type, so 12% needs to come off the 2021 sale price;

2. The sale was to an abutter, sales to abutters typically represent a premium as abutters are, typically, unduly influenced to pay more than market value as they seek to enhance their already existing investment in their neighboring property (properties in this case). We estimate a 10% premium for this, that needs to come off the sale price for market value estimation purposes. This approach and adjustment is consistent with a recent prior current use value estimate that we had applied to a property just up the road that was in current use that was purchased by the owner of the Hudson Speedway.

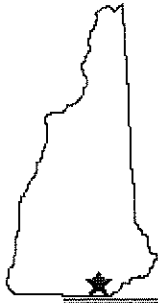
3. The seller of this property had agreed in the transaction details to take on the current use penalty, so the purchase price of \$600,000 represents the value of the property as if it was not in current use. However, the fact remains that it was in current use, and typically a property in current use will sell for less (than property that isn't) given that extra cost to be incurred, at 10% of market value. This adjustment also needed to be reflected to arrive at the market value estimate below.

Given all of the details and adjustments above, it is estimated that the fair market value of this property, for as of 7/27/2020, was \$435,600, with a corresponding land use change tax bill of \$43,600 as attached. This property does come of current use for this 2021 property tax year, so, in addition to the land use change tax bill, this property will also have a regular full assessed value tax bill as well for the 2012 property tax year.

DRAFT MOTION

Motion to approve the attached Current Use Penalty Lien Release for Map 105 Lot 17-1 as recommended by the Chief Assessor.

CurrUseLienRelease203RobinsonRdBOSMemo



TOWN OF HUDSON

Water Utility



6A

12 School Street Hudson, New Hampshire 03051 Tel: 603-886-6002 Fax: 603-881-3944

APPLICATION FOR WATER UTILITY ABATEMENT

ABATEMENT # W-UTL-2101

***** APPLICANT MUST FILL IN ALL SPACES BELOW AND SIGN *****

Water Account #: 3508127501 Date: 2/23/2021
Name of Applicant: Valerie Marquez
Name of Property Owner: Jersey Mike's
Address of Property: 6A Flagstone Drive
Parcel ID: 222-005-000 Amount: \$ 1217.70

I/We request an Abatement of water charges on the property listed above for the billing period

9/20/2020 - 12/31/2020, for the following reason(s): There was a problem with the settings on this new 1" meter that caused the first read to come in at 305 it should had been 0000-305 and estimated second one at 395. Had WW check and they confirmed the issue. We billed customer for 395 units

Signature of Applicant(s): Valerie Marquez Date: 2/23/2021
Date: _____

Mailing Address: Street: 12 School Street Town/City: Hudson
State: NH Zip Code: 03051 Phone #: 603-886-6002

RETURN COMPLETED APPLICATION TO THE WATER UTILITY CLERK

Do not write below this line- official use only

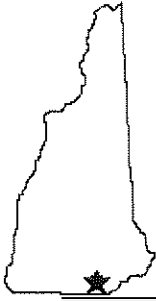
Date Received: 2/23/2021 Received By: V Marquez
Type of Request: _____

Monthly Utility Rents: _____ Monthly Fire Service Fee: _____ Water Connection Fee: _____ Water Access Fee: _____
Total Abatement Amount: \$ 1217.70 Refund Amount: \$ 1217.70

Continued -

actual usage is 37 units we owe
customer a total of 369 units.

7A



TOWN OF HUDSON Water Utility



12 School Street Hudson, New Hampshire 03051 Tel: 603-886-6002 Fax: 603-881-3944

APPLICATION FOR WATER UTILITY ABATEMENT

ABATEMENT # W-UTL-21-04

***** APPLICANT MUST FILL IN ALL SPACES BELOW AND SIGN *****

Water Account #: 3507630103 Date: 6/28/2021
 Name of Applicant: Valerie Marquez
 Name of Property Owner: Daniel & Kimberly Hoagland
 Address of Property: 132 Greeley Street
 Parcel ID: 140-049-000 Amount: \$ 126.81

I/We request an Abatement of water charges on the property listed above for the billing period

8/24/15 to 10/28/15, for the following reason(s): Customer applied for Chapter 13 Bankruptcy on 12/9/2014 and case was discharged on 1/30/2020 and case was closed on 3/31/2020.

Signature of Applicant(s): Valerie Marquez Date: 6/28/2021
 Date: _____

Mailing Address: Street: 12 School Street Town/City: Hudson
 State: NH Zip Code: 03051 Phone #: 603-886-6002

RETURN COMPLETED APPLICATION TO THE WATER UTILITY CLERK

Do not write below this line- official use only

Date Received: 6/28/2021 Received By: V Marquez
 Type of Request: _____
 Monthly Utility Rents: _____ Monthly Fire Service Fee: _____ Water Connection Fee: _____ Water Access Fee: _____
 Total Abatement Amount: \$ 126.81 Refund Amount: \$ _____

RECEIVED

Ref. No. 22-01

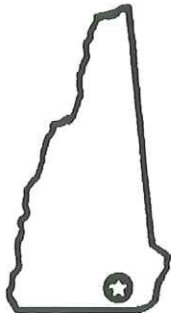
JUL 27 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

TOWN OF HUDSON
Sewer Utility Department

12 School Street Hudson, New Hampshire 03051 (603-886-6029)

6B-2



July 27, 2021

IN ACCORDANCE WITH ORDINANCE 092-13, the Municipal Utility Committee recommends to the Board of Selectmen that the following application(s) for abatement(s) of sewer utility charges be **APPROVED**:

S-UTL-21-04 (06/20/21) Town/RH Flagstone, LLC/Jersey Mike's 6A Flagstone Dr. m/l 222/005 Acct #2753

Applicant requests abatement of sewer charges because of an incorrect reading on the wrong water meter for this unit resulted in an overbilling. They were billed for 395 units (October – December 2021) and should have been billed for 26 units. Request abatement of the difference (395 – 26 = 369 units) or \$439.29 (369 x 1.1905).

Motion made by Dawn Lavacchia; second by Brian Prindiville “to recommend the Board of Selectmen approve abatement S-UTL-22-01 in the amount of \$439.29 for the reason given.” Motion carried.

APPROVED:

Date _____

Town of Hudson Board of Selectmen



RECEIVED

Aug. ~~JUL~~ 04 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

6C

RAFFLE PERMIT

Hudson, New Hampshire

Name of Organization: Hudson Historical Society
 Address: 211 Derry Rd 'Alvirne' Hills House
 Raffle Benefit of: Hudson Historical Society
 Date & Time of Raffle: Christmas Day + Month of Jan. 2022
 Raffle to be held at: Drawings at cable TV.
 Prizes: Cash each day -

PO
Box
475

Date of Ticket Sales: Aug. 12, 2021
 (must be after date of Board of Selectmen approval)

Applicant's Signature/Address/Phone Number

Leona L. Shanholts

Applicant's Signature

Leona L. Shanholts

Applicant's Printed Name

99 Robinson Rd Hudson

Address

603 882-7782

Phone Number

Approved on: _____, by

HUDSON BOARD OF SELECTMEN

Chairman

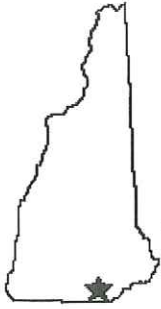
Selectman

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

FIRE DEPARTMENT

39 FERRY STREET, HUDSON, NEW HAMPSHIRE 03051

RECEIVED

JUL 28 2021

TOWN
SELE



6D

Emergency 911
Business 603-886-6021
Fax 603-594-1164

Robert M. Buxton
Chief of Department

TO: Marilyn McGrath
Chairman

FR: Robert M. Buxton
Fire Chief

DT: July 23, 2021

RE: Donation Acceptance – August 10, 2021 BOS Public Agenda

Please place the following item on the above-indicated agenda from the Fire Department:

Attached you will find a donation that was sent to the department by Digital Credit Union. The amount of the donation is \$5,000. We would request the Board of Selectmen accept this donation with thanks.

Upon your acceptance we will forward Digital Credit Union a thank you for this donation.

These monies shall be deposited into the Fire Department's General Donation fund.

Motion:

To authorize the Fire Chief to accept the \$5,000.00 donation from Digital Credit Union to be deposited into the Fire Department's General Donation fund for future use.



July 20, 2021

To Whom It May Concern,

On behalf of DCU – Digital Federal Credit Union, I am pleased to provide your organization with the enclosed donation. **This donation represents DCU's support of your organization's efforts in providing programs and services that make a difference in the common communities we serve.**

As a socially responsible organization, DCU is committed to giving back and helping provide the resources needed by your organization to do the good that you do each and every day. The donation is not a sponsorship or an opportunity for DCU to market our credit union. The objective for our donation is to directly affect the lives of our common community members who need help most.

Thank you for all that you do! I work with a volunteer on DCU's philanthropic work and to build our partnership with organizations that align with supporting our community members in need. The volunteer I work with is Amy Regan and her contact information is amyregandcu@gmail.com or (508) 804-9653. Please do not hesitate to reach out to Amy on any questions and/or inquiries you may have on this donation.

DCU also continues to explore volunteer opportunities to support our communities. If there are such opportunities at your organization, please do not hesitate to reach out to Maureen Spaulding, Foundation Manager, at mospaulding@dcu.org. For further information about DCU and our branch locations, or communities we serve, please visit our website at www.dcu.org.

Sincerely,

A handwritten signature in cursive script that reads 'Laurie M. LaChapelle'.

Laurie LaChapelle

SVP Finance

DCU – Digital Federal Credit Union

mail

220 Donald Lynch Blvd. | PO Box 9130
Marlborough, MA 01752-9130

connect

dcu.org | dcu@dcu.org
800.328.8797

Insured by NCUA



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

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AUG 05 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE



Agenda
8-10-21

6D-2

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: 04 August 2021

Re: Agenda Request – 10 August 2021

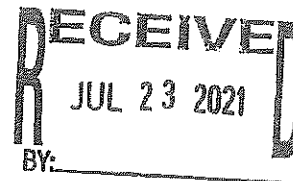
Scope:

The Police Department received a donation in the amount of a \$5,000.00 check (#072924) from Digital Federal Credit Union for deposit in our Equipment Donation Account.

Motion:

To accept the donation of \$5,000.00 from Digital Federal Credit Union.





July 20, 2021

To Whom It May Concern,

On behalf of DCU – Digital Federal Credit Union, I am pleased to provide your organization with the enclosed donation. **This donation represents DCU's support of your organization's efforts in providing programs and services that make a difference in the common communities we serve.**

As a socially responsible organization, DCU is committed to giving back and helping provide the resources needed by your organization to do the good that you do each and every day. The donation is not a sponsorship or an opportunity for DCU to market our credit union. The objective for our donation is to directly affect the lives of our common community members who need help most.

Thank you for all that you do! I work with a volunteer on DCU's philanthropic work and to build our partnership with organizations that align with supporting our community members in need. The volunteer I work with is Amy Regan and her contact information is amyregandcu@gmail.com or (508) 804-9653. Please do not hesitate to reach out to Amy on any questions and/or inquiries you may have on this donation.

DCU also continues to explore volunteer opportunities to support our communities. If there are such opportunities at your organization, please do not hesitate to reach out to Maureen Spaulding, Foundation Manager, at mspaulding@dcu.org. For further information about DCU and our branch locations, or communities we serve, please visit our website at www.dcu.org.

Sincerely,

Laurie LaChapelle
SVP Finance
DCU – Digital Federal Credit Union

mail

220 Donald Lynch Blvd. | PO Box 9130
Marlborough, MA 01752-9130

connect

dcu.org | dcu@dcu.org
800.328.8797

insured by NCUA

HUDSON, NH BOARD OF SELECTMEN

Minutes of the July 13, 2021 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of July 13, 2021 at 7:05 p.m. in the Selectmen Meeting Room
2. PLEDGE OF ALLEGIANCE led by former Selectman Roger Coutu
3. ATTENDANCE
Board of Selectmen: Marilyn McGrath, David Morin, Kara Roy
Staff/Others: Bill Avery - Police Chief; Tad Dionne - Police Captain; Jana McMillan - Animal Control Officer; Jim Michaud, Chief Assessor, Gary Gasdia - School Board Chairman; Jill Laffin - Executive Assistant

Absent: Selectman Brett Gagnon, Town Administrator Steve Malizia
4. PUBLIC INPUT
5. Recognition, Appointments and Interviews

Chairman McGrath said we have a recognition of Isaac Allen, a DPW volunteer. Chairman McGrath read a certificate of appreciation and thanked Isaac for all of his hard work and community service. The audience gave Isaac a round of applause.

Appointment - Craig Putnam - Alternate Member - Sustainability Committee

Selectman Roy made a motion, seconded by Selectman Morin to appoint Craig Putnam as an alternate member of the Sustainability Committee with a term to expire 4/30/24. Carried 4-0.

Interview - Roger Coutu - Alternate Member - Planning Board

Chairman McGrath invited former Selectman Roger Coutu forward and asked him to tell the Board why he was volunteering to serve on the Planning Board. Mr. Coutu said thank you Madame Chair. My name is Roger Coutu, I live at 7 Pond View Drive here in Hudson. I'm a former member of this Board of Selectmen. I realized that the position had been vacant for the alternate to the Planning Board and having spoken with Mr. Malley and understanding of the difference between an alternate and a full Board position, I don't think it would be cumbersome upon me to assume the role of an alternate on the Planning Board. As Tim (Malley) had relayed to me if something were to come up and I wasn't going to be able to attend, more than likely would not be problematic. The Planning Board is one of the most active boards we have in our community. I served on the Planning Board as liaison to the Board of Selectmen for the past year plus and I truly enjoyed. It's a tremendous learning experience as you can well attest, Madame Chair, you've been involved for many, many more years with planning and other land use matters in the Town of Hudson than I ever will be. It was a tremendous learning experience and I realize more than ever the importance of having the right people serving in the right positions especially when it comes to planning the future of our community. Planning is not just about someone coming in and making a proposal and we go ahead and do it. It's beyond that. How will that impact the future of our community and would it be a plus or

a detriment? So knowing and realizing how to weigh those facts, I think I'd be an asset. And therefore I am applying for the position.

Chairman McGrath asked anybody have any questions for Mr. Coutu? Seeing none she then said do we want to take this up tonight or do we want to wait? I mean the reason for us delaying an appointment is we like to vet the candidate. I think we all know Mr. Coutu enough to make a decision so is anybody willing to make a motion or do you want to wait the requisite two weeks?

Selectman Morin made a motion, seconded by Chairman McGrath to appoint Roger Coutu as an alternate member to the Planning Board with a term to expire 12/31/21. Motion Failed 2-2 with Selectmen Roy and Gagnon in opposition. Chairman McGrath said sorry. Thank you for volunteering. Mr. Coutu replied saying thank you. I'll be seeing everybody in March. It's not a problem.

Chairman McGrath asked if any member of the Board wish to remove any consent item for separate consideration. Seeing none Selectman Roy made a motion, seconded by Selectman Gagnon to approve items Consent Items A, C, D, E and F. Carried 4-0.

6. CONSENT ITEMS

A. Assessing Items

- 1) All Veteran Tax Credit: Map 191, Lot 113, 11 Coll Street
- 2) Disabled Exemption: Map 191, Lot 113, 11 Coll Street

B. Water/Sewer Items - none

C. Licenses & Permits & Policies

- 1) Hawker Peddler License - Cedi's Tasty Treats
- 2) Outdoor Gathering Permit - Hudson Old Home Days

D. Donations

- 1) \$250 from American Legion Post #48 to HPD for Haven the Comfort Dog

E. Acceptance of Minutes

Minutes of the June 15, 2021
Minutes of June 22, 2021

F. Calendar

- 7/14 7:00 Planning Board - Buxton Meeting Room
- 7/15 7:00 Benson Park Committee - HCTV Meeting Room
- 7/20 7:00 Municipal Utility Committee - BOS Meeting Room
- 7/21 6:00 Library Trustees - Hills Memorial Library
- 7/22 7:00 Zoning Board of Adjustment - Buxton Meeting Room

7/26 7:00 Sustainability Committee - Buxton Meeting Room
7/27 7:00 Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS

Votes taken after Nonpublic Session on June 22, 2021

1) Selectman Morin made a motion, seconded by Selectman Roy to hire Joseph McCarthy for the position of full-time Police Officer with a starting salary of \$26.37 (Step 1) per hour, all in accordance with the Hudson Police Employee Association Contract. Carried 4-0.

2) Selectman Gagnon made a motion, seconded by Selectman Roy to promote Grace Lemay from the position of Camera Operator to the position of HCTV Assistant for up to 29 hours per week, at a rate of \$16.50 per hour, moving to \$17.50 per hour after successful completion of a six month probationary period. Carried 4-0.

3) Selectman Morin made a motion, seconded by Selectman Gagnon to grant the FY2022 budgeted 3.0% Cost of Living Adjustment raises to non-union personnel effective July 1, 2021. Carried 4-0.

4) Motion to adjourn at 9:11 p.m. by Selectman Gagnon, seconded by Selectman Roy. Carried 4-0.

8. NEW BUSINESS

A. DPW - Request to Advertise for a Mechanic

Chairman McGrath recognized Jess Forrence, Director of Public Works. Mr. Forrence said I'm requesting to advertise to for a mechanic. We have one getting done, he's been here a long time. We're going to miss him. Getting a new guy to walk in the door with the qualifications we need for inspections, the license you have to have, is going to be a tough ordeal. This position is going to be vacated August 14th but his actual day of retirement will be September 1st. this position is in the Local 1801 AFSME Union with a starting pay of 24.10. I'd like the Board's permission to continue advertising until this position is filled. So I don't advertise for two weeks, stop and have to come back again because I think we're going to have a battle on our hands for it. It will be advertised in all the local, Indeed, Facebook, everything we've done in the past. Maybe send out a smoke signal. See if we can get some help out there but that's what I'm requesting tonight. Seeing no questions from the Board, Selectman Roy made a motion, seconded by Selectman Morin to advertise for a full time mechanic position at the DPW under the Local 1801 AFSCME contract with a starting pay of \$24.10 and to continue advertising until the position is full. Carried 4-0.

B. Public Hearing - Town Code Chapter 205 (Fees) ZBA Application Fee Proposed Increase

Chairman McGrath recognized Bruce Buttrick, Zoning Administrator who said, thank you Madame Chair, members of the Board. I believe we're going to be opening a public hearing for the proposed zoning application fees. Currently they're \$130.00. That includes the applications, the advertising in the newspapers for the public notice which is required for the RSA's and the recording of the decisions after the case is heard, either being approved or denied. So we're going from \$130 to \$185. Basically we did what the average costs over the years. Currently we're in the deficit of catching up because it's costing us more to do the advertising for our applications we're taking in. so we're at least trying to break even. Chairman McGrath asked if anybody has any questions. Selectman Morin asked Mr. Buttrick to give more information on what led to this but it was realized he was referring to the wrong public hearing. Chairman McGrath opened the public hearing at 7:25p.m. Seeing no members of the public present with comment, the hearing was closed at 7:26p.m. The Town Administrator then reminded the Board that we have the hearing tonight and then the Board votes on the Code change at their next meeting.

C. Public Hearing - Town Code Chapter 188 (Dogs and Other Animals) and Chapter 205 (Fees)

Chairman McGrath recognized Captain Dionne and Animal Control Officer Jana McMillan. ACO McMillan started by saying I'm just looking to introduce amendments to address complaints about noisy animals at large to include fowl and barking dogs. Chairman McGrath said, I read all of the changes that you made in the Code. It took a lot of work, thank you for doing that. Chairman McGrath asked is there anything else you'd like to add. Captain Dionne replied saying the only think to address whether we've had a lot of complaints about that, Jana has had I wouldn't say several documented logged complaints but several email and phone call complaints. ACO McMillan said it takes up a lot of time trying to address something that we don't have any ordinance to address. It's very difficult and it's very difficult for the residents who need quality of life. Chairman McGrath said especially from crowing roosters that will wake up people at early hours of the morning and through the night. Barking dogs too. Chairman McGrath opened the public hearing at 7:28p.m. Is there anyone here from the public that would like to speak? Come on up and give your name and address for the record please.

Sandra Martinage, 10 Forrest Road. I just want to add, I'm here to support Officer McMillan's code modifications. But I also believe that the Town should also address this in Zoning. As long as the Town stays silent in this the farming exclusions will always take precedent. I don't think it's fair to exclude non farming folks and their right to quiet enjoyment when the right to farm law seems to speak so loud. And seems to trump a lot of what's happened here in zoning. That's all. Chairman McGrath said, so zoning changes, that's under the prevue of the Planning Board and they take up zoning changes. They'll address that. So Bruce (Buttrick Zoning Administrator) if you could forward and email to Tim Malley and make sure he's aware of this and the complaints so they can take it up at their meetings for zoning changes.

Joe Fernald, 16 Old Coach Road. I'm here to speak in favor of the amendments to Town ordinances 188 and 205 which expands our Animal Control Officers jurisdiction to include other animals such as chickens. Several years ago our neighbors got a flock of chickens. Soon after we started noticing chicken droppings all over our driveway, our front and back decks our children's swing set, their toys, etc. we asked our neighbors if they'd please contain the chickens in their yard because they were making a mess in our yard. Nothing happened. The chickens continued to come into our yard. They'd defecate all over the yard, in our driveway etc. we went to our neighbors again and asked them to please stop this and we couldn't resolve it. That was when we called Jana and she told us that she didn't have the jurisdiction to cover chickens because they're livestock and not pets as seen as how our Town ordinance is written. So to try to resolve it we bought 200' of chicken wire and ran it from the end of our driveway up into the woods that separates our house from our neighbor's house. It worked for about a week and then the chickens found out they were able to fly over it, hop over it and do their thing in our yards. Another side effect of it was they didn't know how to get back into the other yard so they were stuck on our side of the fence. We had this problem for probably close to five years now.

Normally we're live and let live type of people unless it impacts our livelihoods, our quality of life. And it did one day. My son was out in our backyard and one of the roosters came up and pecked him in the leg. It didn't break the skin or anything but at that point I went over, had a word with my neighbor and they put up a chicken coop and have kept the animals contained ever since. We have friends who own chickens and we know there are responsible chicken owners. The situation we dealt with wasn't that, it was more careless and reckless. There was absolutely nothing we could do nor could Jana because of how the ordinances were structured, which is why I'm here tonight to support her amendments to the Town ordinances 188 and 205. Thank you very much.

Paul Martinage, 10 Forrest Road. Just following up with what my wife had to say. I support the amendments as well. It's got to be very frustrating for our Animal Control Officer when she gets complaints from residents for roosters that crow from dawn to dusk. Barking dogs she can do something about but chickens she can't. We've called her several times. She's gone to our neighbor, asked them to do something about it but she doesn't have any clout behind asking them. It is a quality of life issue for people that aren't farmers. One of my neighbors grew up with chickens. He has no problem with it. He said reminds me of my homeland. But for those of us that don't appreciate it and don't like to listen to that from dawn to dusk nonstop it gets to you after a while. I just want to support the amendment. I have no problem with chickens but roosters can be a bit of a bother. That's all. I just want to speak in favor of the amendment.

Bruce Buttrick, Zoning Administrator for the Town, came forward and said, thank you Madame Chair. During this public hearing I'd also like to speak in favor of the amendment. As you know the zoning ordinance is difficult to have this as a prohibition, especially for roosters, because we get preempted by the state statues of the Right to Farm. There's been a lot of criticisms of why can't do it for zoning or code enforcement. I wish we could. Jana and I tried to do it through the zoning amendment a year and a half ago and we were told politely by the state and the Commissioner of Agriculture that we could not because of the right to farm. So this tract through a Town ordinance is more of an operational code. You can have them, but they better behave. If they don't behave there's going to be some consequences obviously for the neighbors and their quality of life. So I do think this is a good approach and I think it's going to be a workable, enforceable ordinance amendment to the particular Town code to achieve both quality of life and be able to control the nuisance. It's a nuisance. It's out of control. Since I've been here it's always an issue, why can't zoning do it but we can't. We get preempted. So we can do it as an operational code, so to speak, keeping, maintaining them in a neighborly way. I'm in favor of it.

Selectman Gagnon was recognized and said question for Bruce and possibly maybe Steve. You know he spoke about it's tough to enforce the zoning rules due to the state overpowering it. Would you have the same issue with enforcement options so if someone were to violate one of these codes that we had and we went to go put some type of punishment of sorts on them would they still come back and say you know the right to farm still outweighs that? The Town Administrator responded saying this approach has been vetted by the Attorney so I believe those questions have been satisfied. You can approach it this way, you can't prohibit people from having livestock, but they have to control it. Got to keep the sound down, got to keep it on their property, they can't allow it on public way, it's another way to get to what you want to get to but it's a legal way to get to it. Selectman Gagnon replied, excellent. That answered my question. Thank you very much.

Chairman McGrath closed the public hearing at 7:37p.m. The Town Administrator added, you're required to have a second hearing on this so it will be at the next meeting on the 27th of July. So there will be a second hearing. After that hearing you have to wait to the meeting following before you can enact it should you choose to.

D. Public Hearing - Town Code Chapter 317 Vehicles and Traffic

Chairman McGrath recognized Captain Dionne who said we were asking, previously, for a stop sign to be added to the list 317:9, Stop Signs, Intersections, 317:30, we're asking for a stop sign to be posted at Madison Drive at Washington Street as approaching north. That was recommended by the Highway Safety Committee. At the same time we're also asking for a stop sign traveling north on Adelaide Street at the intersection of Travers. The Town Administrator said that's actually a separate second hearing. We probably should take them one at a time to keep it simple. Chairman McGrath asked if there was anyone from the public here to speak on this stop sign. Chairman McGrath opened the public hearing at 7:39p.m. and closed it at 7:39p.m.

E. Public Hearing - Town Code 317 Vehicles and Traffic

Chairman McGrath again recognized Captain Dionne. Captain Dionne explained we're asking for the addition for a stop sign posted at Adelaide Street approaching northbound at Travers and one to be posted at Travers Street westbound approaching Adelaide Street. We're asking that the stop signs be added to the list of stop sign intersections and also be posted there. That was recommended by the Highway Safety Committee as well. Chairman McGrath opened the public hearing at 7:40p.m. Seeing no one here to speak on the subject the public hearing was closed at 7:40p.m. We'll take that up at the next meeting.

F. HPD - Request to Purchase Vehicles

Chairman McGrath recognized Chief Avery who said thank you Madame Chair. Good evening members of the Board. I'm here tonight to ask to waive the bid process and allow us to purchase three new Ford Explorer Interceptors and one Chevy Colorado. This will be through the Greater Boston Police Council which we've been using for the past several years now. They are part of the state bid. If you recall the Public Works Director, Jess Forrence, also went through this company a couple weeks ago to purchase a roadside mower. There are the best prices around. We will be trading in three vehicles. The current Animal Control vehicle will be traded in along with three other police cars. So we are not adding to the fleet. The total cost for all four vehicles comes to a total of \$106,069.35. This is just to purchase the vehicles and not the up fit with all of the equipment, the graphics, the lights and whatnot. That's an additional about \$14,000. I have \$180,000 budgeted in this line item for the year. Chairman McGrath asked, anyone have any questions? Seeing none Selectman Roy made a motion, seconded by Selectman Morin to waive the competitive bidding requirements as outlined in Hudson Town Code 98-1C. Carried 4-0.

Selectman Roy made a motion, seconded by Selectman Gagnon to purchase three (3) Ford Police Utility Vehicles in the amount of \$84,675.05 and one (1) Chevy Colorado Extended Cab for \$21,394.30 from Colonial Municipal Group of Plymouth, MA, as recommended by the Police Chief and Finance Director.

G. HPD - Request to Apply for Grant

Chief Avery was again recognized and said two weeks ago I was contacted by the manager of Walmart requesting us to apply for a \$2,000 community grant. Obviously I informed her that I need approval to apply for this grant. Captain Bianchi as soon as it is approved. The \$2,000, what is it going to be used for? It's going to be used for equipment that's what we'll list it for. But the initial plan is to offset some of our spending that we're putting towards the body cameras. We're not going to be purchasing radars

this year. New radars. We're using that money to help offset the cost with the body cameras. So that \$2,000 will probably go, unfortunately, with the cost of the radars we'll get one radar out of it. But it will help. Every little bit helps in this obviously default budget year. That's my plan. If approved Captain Bianchi will complete the paperwork and off we go. Selectman Gagnon made a motion, seconded by Selectman Morin to authorize the Hudson Police Department to apply for a Local Giving Community Grant through Walmart. Carried 4-0.

H. Revenues and Expenditures

Chairman McGrath recognized the Town Administrator who said these are very preliminary, unaudited numbers for the end of the last fiscal year. Again, this is not audited. It is preliminary. There are still a few things that are outstanding that will come in. I think the last trash bill will still get reconciled out. But bottom line looks like from a general fund perspective we underspent about 1.6%. About four hundred and something thousand. But that's probably going to go down a little bit because we still need to get the last legal bill and I think the last trash bill will come in. but bottom line we ended on a positive note. We under expended. Water and Sewer came in well under. We did very well on the water and sewer. They're separate funds. Kind of doesn't really matter but just to identify. On the revenue side, I don't know where all the cars are coming from but we did six million dollars of registrations, which is almost \$700,000 more than we budgeted. That's a lot of cars and that's a lot of work by these folks up here who had to register them. So that's a very positive thing. That will go to surplus pretty much. So what that means is we might have some opportunities maybe in the future to appropriate some of that money, maybe for tax relief or maybe just to keep it for future use. Interest was pretty anemic but the car registrations more than made up for it. So this is preliminary. Again things are still hitting I think the last manifest for 2021 will be this week. So we'll still have a few expenses hit but should be pretty close to that number. Selectman Roy asked, when are we scheduled to be audited. The Town Administrator said I was going to take that under other remarks but seeing as you spoke to it I'll jump to it. The audit will commence on August 9th. So we're already doing field paperwork but they will physically be here August 9th. So that's one of my remarks I don't have to bring back up. So it's coming. And again the auditors will make certain adjustments to the books here. They will adjust encumbrances for example, if something's come in they'll adjust and encumbrance so we don't double count something. They do a really good job. Looks good right now.

I. Proposed Amendment to BOS Bylaws

Chairman McGrath recognized Selectman Roy who said, so um, on a couple of occasions, and quite frankly I've probably been guilty of it myself, we've had on the agenda items that don't have any context. Right? So what I'm proposing, and typically my observation has been, those are items that have been put on the agenda by members of this Board. So what I'm suggesting is that so that the Board can be properly. So that Department Heads, if it pertains to them, can be properly prepared and that the public, can be, if they want to comment on a given issue, that they can be prepared. And they know the context of the item on the agenda. So I am proposing that we change chapter D-2 of our bylaws in regards to agenda and add: that members that want to add an item to the agenda must do so in writing, provide a synopsis of the issue and include any supporting documents, if there are any. All agenda items, including documentation, must be received by the Administrative Assistant no later than noon on the Thursday before the meeting. Which I didn't realize was not codified. I guess that that suspense date wasn't codified. So then I would also obviously open up for discussion but then we do the amendment to the bylaw in accordance with chapter F of the bylaws, which I guess part of this discussion would be whether it needs to go for legal review and then the Board can take this information, and the discussion and we would, we would take action on it at the next meeting. If I read the bylaws correctly. So I guess at that point if anybody has any questions or any discussion points.

Selectman Gagnon was recognized and said thank you Madame Chair. Selectman Roy you said so you have a topic and a synopsis. Is there anymore defining description of what a synopsis is in length or anything of sorts? Just curious. Selectman Roy responded saying, no I really wasn't just that you know for example, kind of like this. Right, like you suggest you want to talk about an amendment to the bylaws. You put in what your thinking is and then I didn't, I want to thank Jill for including the bylaws but you know put the bylaws in there so that the Board has an opportunity to read all the information. Maybe do a little research on their own if they want. You know. Poke around to maybe what other bylaws look like and things like that. And then we can have a discussion about how that looks.

Selectman Morin was recognized and said, she said it has to go for review. We might as well send it off for review with the legal and bring it back up next meeting. Selectman Roy then said, I said if it's necessary and I don't, you know, I guess I would defer to Steve. Do you think a legal review is necessary? Either way we would bring it up for action at the next meeting. The Town Administrator said, either way you have to bring it up to the next meeting. It seems to be in plain English. I'm not quite sure that a legal review is going to add anything to it. It's your bylaws. It's not illegal. It's your bylaws. I'm not sure I want to spend legal money, unless the Board directs it. Chairman McGrath said why not? We're spending it next week when we have to go to court? The Town Administrator replied, it's certainly up to the Board, if the Board wants to. Selectman Roy said, I mean, if you don't find it necessary, and I would agree, it's in plain English. I just want to put that option out there.

Selectman McGrath said I'm not in favor of changing the bylaws and I'm not voting in favor of this. Selectman Morin said, I want to read it real quick again. After reading he asked, Selectman Roy, we have talked about this and I understand where you're coming from. My only concern at this point, where you say a brief synopsis, and I'm gonna use the School issue that we talked about last meeting. All you were going to get from me was there have been several School issues that we are aware of and there have been added ones. Is that all you're looking for? Selectman Roy replied, yeah and I would presume if someone wants further information they can reach out to you personally. Cuz obviously if there's issues that can't be discussed in public then you're not gonna put those in the synopsis right? Selectman Morin then said because in that case, and I'm just using this as an example, we also discussed that the Schools are not under our prevue, okay. So I had talked to Mr. Gasdia and gave him a notice that we were going to be talking about it and what I was gonna be talking about and I actually talked to him after our meeting. I'm just, so how do you wanna handle that type of situation, where it's not under our prevue, it's just something. In that case it's my Selectmen's comments because it has nothing to do with us. Selectman Roy said, I'll continue on with that example, if it simply said I've become concerned about certain safety issues that's arisen over, whatever the period of time was, that I want to discuss with the Board. And again, if it's something we don't know already or we want more information on it we can reach out to you and ask you.

Selectman Morin asked Mr. Gasdia, do you guys have anything like this in your bylaws how it works? Mr. Gasdia replied, so the way we operate, it's not in the bylaws but we did just adopt a procedure where essentially we're asking for if it's just going to be a discussion it can come in so we typically have our agenda meetings on Wednesday to set if for the following Monday. So we would want it in by like Tuesday. So our meeting tomorrow for our Monday meeting. We want everything in. if it's going to require Department Heads or research or anything like that, we are asking for two weeks with the understanding, again, that if we don't have it, we will push it. But it's not a bylaw per say, but it's a procedure we adopted because we ran into a situation where we had something that said, you know, I believe it was I'd like an update on communications. What exactly does that mean? Is there documentation is there things like that. So that's how we've been handling it. So far so good. Obviously as the Chair, if there's a pressing issue, there may not be time for that. But in general we have amended how our agenda look to try and give just a one sentence this is what we're talking about.

Selectman Morin said, I understand the Department Heads. I absolutely do. That I understand because it only gives them the fair. The Town Administrator said they're not going to have much time though. To be frank if I may, if you're going to have something from a member of the Board come in Thursday at noon you're not giving the Department Heads much time to look at anything and if I may be further,

you don't even know if everybody else agrees with what you want to do so I'm not sure the Department Heads are going to go running off doing something unless this Board has a conversation. Selectman Roy said, right, right. But at least there's some context there. You know, I'll use another example. The social media thing. There was not context. I know there was at least one Department Head sitting in the audience because that Department Head thought that it applied to that Department. It obviously did not, but again there was no context. And then there's the idea of the public and the public having as much information as we can make available to them so that if they have comment on it they have the ability to make that comment. Chairman McGrath said then maybe I could have printed out all of the comments that he had put on and they had them presented. Either put them on the Town's website so everybody could read them. Again, I'm not in favor of this. Selectman Morin said, there is a valid point that we need....Selectman Roy said what is the valid point exactly? Selectman Morin said the valid point is there are sometimes...actually it's going to come up in public anyway so it wouldn't be a nonpublic issue. Chairman McGrath asked are we ready to make a motion on this or take action? Selectman Morin said I thought we had to take it up next meeting. Selectman Roy said yeah according to the bylaws this is a first read if you will. So if we have any questions or discussions. Chairman McGrath so do you have any more discussion on this? Selectman Roy said I have nothing else. Selectman Morin said it will give us time to look at it a little more. The Town Administrator said amendment to the bylaws may be moved at one Board meeting but shall not be voted on until the next. So I presume the move means somebody makes a motion, somebody seconds it but you don't vote til the next meeting. I would assume that's what that means, just reading it. Selectman Roy asked so we do need a motion, we just don't vote on it? The Town Administrator said an amendment to these bylaws may be moved at one Board meeting but shall not be voted upon til the next regularly scheduled meeting. So my understanding is moved means somebody makes a motion, somebody seconds it but you don't vote. Selectman Roy made a motion to amend the Board of Selectmen bylaws chapter D-2, the heading of agenda to add the language: members of that want to add an item to the agenda must do so in writing, provide a synopsis of the issue and include supporting documents if any. All agenda items, including all backup documentation, must be received by the Administrative Assistant no later than noon time on the Thursday before the meeting. This was seconded by Selectman Morin. The Town Administrator asked, could I make one tweak to that motion? It should be Executive Assistant, so everyone knows that it's Jill. Jill's actually titled Executive Assistant. Selectman Roy said I'll make that amendment. Chairman McGrath said motion has been made and seconded. All those in favor signify by saying...The Town Administrator reminded the Chairman, at the next meeting. As I read it, you wouldn't vote this evening. It would be on your next agenda for a vote. Selectman McGrath said we'll move to remarks by Town Administrator.

9. Remarks by the Town Administrator

The Town Administrator said well you took one of them, but I will restate it, the audit will commence August 9th. That's a couple weeks from now. I also want to brief the public, there's a hearing on the Board of Selectmen vacancy scheduled for July 23rd, 9:30a.m., at Hillsborough Superior Court. There's information on the front of our webpage. I don't know who looks at it, I just want to put that information out there. Those are the only real relevant things I have for this meeting. Selectman Morin asked, the location of that building? The Town Administrator said Spring Street in Nashua. It's the Hillsborough Superior Court. I don't know what courtroom, but I'm assuming we'll find out when we get there.

10. Remarks by the School Board

Mr. Gasdia said, so it is summer vacation so what should I have to talk about? We do have a couple things. We have a Summer Scholars program that's being implemented this year for some of the students that were struggling due to the pandemic. That has gone off really well. We worried about the heat. We haven't had to worry about that. Also our Special Services is running something called the Extended School Year. So anyone that needs service gets it when they need it round the clock.

So that' working for them. And we're preparing for all doing a lot of new teacher training and professional development. And we've had three key hires. Nancy McGuire is going to be our new principal for the Library Street School. Bill McCarthy is going to be the new principal for Hills Garrison School and Eric Farwith is our new CTE Director at Alvrine.

11. Other Business/Comments by the Selectmen

Selectman Gagnon: I have nothing this evening, Madame Chair.

Selectman Morin: At the Conservation meeting last night the NRPC came in and provided a program on some services they're offering. Basically they come in and do a complete map of all our conservation land. They design the map that goes to it so anybody can go on the App and get all the trail maps. They will provide mapping, they will provide brochures, maps for the kiosks and also we could do if we get somebody that's injured or lost out there. The Conservation Committee had a good outlook with it. They want to move forward with it. We suggested they're going to be at the Benson Committee meeting Thursday night to give the same presentation and if we're going to do it do this, where they have trails and Conservation has trails we're going to do this all in one package. And get it done so everything is the same within Town. There is a cost to it but we don't know what that cost is yet. Depending on what the groups want, the NRPC to do. Pelham right now is in the process and Merrimack also. So that will be coming forward later on. But it's something we've been looking to do and it will take a lot of work off the volunteers trying to go out and do this and they'll do all the work.

Old Homes Day, we had a meeting the other day, Hudson resident Janie Delano, had put in a lot of work to get this well know, national signer, David Bray USA. He's well known. She had CD's from him so we could hear his music. He does shows all the way across the country. His shows are geared to honor veterans, police and firefighters. So on Sunday at 1:00p.m. at Old Homes Day there will be an actual concert taking place and the Committee for Old Homes Day is taking care of that. They met with the Police Chief, Fire Chief, Steve and myself so we're all set and that's moving forward. That's just a big event that has never taken place so just wanted to pass that along to the Board. The Town Administrator added, the Legion and VFW were participating in the meeting too, just so you know. He's a naval veteran who's performed these concerts. Does a lot of benefit things but she's managed to hook up with him. It should be a pretty good event. Chairman McGrath said okay, thank you. The Conservation Commission is doing a good job. Selectman Morin replied, they're moving forward.

Selectman Roy: so the only thing I have is the application for the American Rescue Plan, I believe that closed today or? The Town Administrator said I believe its August 16th. Selectman Roy went on to say, I know in talking with Chief Buxton said they had finished up the application they were just reviewing it and they were gonna send it forth. He wants to, when he comes back from vacation, he wants to start working on forming the working committee that he had talked about at the last meeting. So I think at some point either at this meeting or the next meeting we decide who want as participants from the Board here. Cuz I think he was looking for two. The Town Administrator said I seem to recall two. Selectman Roy said so two participants from the Board. So that's all I have.

Chairman McGrath: I don't really have any prepared comments but I do want to make mention of a couple of things. We each, I believe, received emails today from residents down in the Green Meadow area concerning activities on the property. That information has been forwarded to the Town Attorney for anybody that's watching this meeting. There's no need to send any more emails

because the ones that we received today, those are going to be forwarded to the Attorney tomorrow morning, along with the photographs attached. So that will be in his hands tomorrow morning.

The other thing, just for the public's information, this Board is going to be attending a court session next Friday morning at 9:30 to try and address the fact that we weren't able to come to a decision about appointing a member to this Board. And it's a shame that we're going to have to pay taxpayer money to address that when it was really unnecessary. So those are my two comments and I thank everybody for attending tonight.

12. Nonpublic Session

Motion by Selectman Morin at 8:05 p.m., seconded by Selectman Gagnon to go into non-public session under RSA 91-A:3 II (b) the hiring of any person as a public employee. A roll call vote was taken. Carried 4-0.

Chairman McGrath entered Nonpublic Session at 8:05 p.m. thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman McGrath entered open session at 8:13 p.m.

Motions made after nonpublic session

1) Selectman Morin made a motion, seconded by Selectman Roy to hire Raymond Lafortune for the position of full-time Police Officer with a starting salary of \$26.37 (Step 1) per hour, all in accordance with the Hudson Police Employee Association Contract. Carried 4-0.

13. ADJOURNMENT

Motion to adjourn at 8:14 p.m. by Selectman Gagnon seconded by Selectman Roy. Carried 4-0.

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

Marilyn E. McGrath, Chairman

David Morin, Selectman

Kara Roy, Selectman

Brett Gagnon, Selectman

HUDSON, NH BOARD OF SELECTMEN

Minutes of the July 27, 2021 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of July 27, 2021 at 6:59 p.m. in the Selectmen Meeting Room
2. PLEDGE OF ALLEGIANCE led by Town Assessor, Jim Michaud
3. ATTENDANCE

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

Staff/Others: Bill Avery - Police Chief; Tad Dionne - Police Captain; Jana McMillan - Animal Control Officer; Rob Buxton - Fire Chief; Gary Gasdia - School Board Chairman;
Jill Laffin - Executive Assistant
Absent: Steve Malizia, Town Administrator

4. PUBLIC INPUT

Leo Bernard, 3 Bungalow Ave, came forward and said, good evening. Without the Hudson Litchfield News or anything and I don't get to watch so much Selectmen meetings. I'm curious on when the Water and Sewer Utilities are going to be open up to come down and pay the bills. I know Covid's been putting us on a lot of back but I mean the Town's been open for paying your car and stuff and I know they put the new window in for the Sewer but I haven't head when I'm able to come in. we have to drop it or mail it. Chairman McGrath said I think that you can come in. Selectman Roy said I thought it was open too. Chief Buxton do you? Chief Buxton said you should be able to drop upstairs, pay at the Town Clerk's office or come downstairs. Mr. Bernard said, I was told we couldn't come downstairs. When asked when that was, he said when he paid his last bill. The Board assured him he can come into pay his water bill now.

5. Recognitions and Resignations

Recognition

Chairman McGrath this evening Hudson resident, 18 year old Tyler Blanchette, was going to join us to receive a Civilian Service Award from the Hudson Police Department. Over the years Tyler has raised over \$30,000, in our community, for the Alzheimer's Association. Tyler is ill and is unable to leave his home to join us here tonight. The Hudson Police and Hudson Fire Departments made a visit to Tyler's home yesterday to present Tyler with a Civilian Service Award.

The Board of Selectmen thank Tyler for being such an admirable member of our community and we keep Tyler and his family in our thoughts and prayers.

Resignations

Municipal Utility Committee - Resignation of Chelsea Prindiville and Brian Prindiville

Selectman Morin made a motion, seconded by Selectman Roy to accept the resignation of Chelsea Prindiville from the Municipal Utility Committee with the Boards thanks and appreciation. Carried 3-0.

Selectman Roy made a motion, seconded by Selectman Morin to accept the resignation of Brian Prindiville from the Municipal Utility Committee with the Boards thanks and appreciation. Carried 3-0.

Ethics Committee - Resignation of Connor Regan

Selectman Roy made a motion seconded by Selectman Morin to accept the resignation of Connor Regan from the Ethics Committee with the Boards thanks and appreciation. Carried 3-0.

Chairman McGrath asked if any member of the Board wish to remove any consent item for separate consideration. Selectman Roy asked that Item E, Minutes of July 13, 2021 be corrected and added to the next meeting packet for approval. Selectman Morin made a motion, seconded by Selectman Roy to approve items Consent Items A, C, D, and F. Carried 3-0.

6. CONSENT ITEMS

A. Assessing Items

1) All Certification of Yield Taxes Assessed/Timber Warrant: Map 115, Lot 5, 99R Old Derry Road; Map 123, Lot 1, 39R Old Derry Road

2) Current Use Lien Release: Map 194, Lot 9-9, 164 Standish Lane; Map 194, Lot 9-8, 160 Standish Lane; Map 195, Lot 1-1, 159 Standish Lane; Map 194, Lot 9-6, 152 Standish Lane; Map 194, Lot 10-8, 151 Standish Lane; Map 194, Lot 10-7, 149 Standish Lane; Map 194, Lot 10-5, 137 Standish Lane; Map 194

B. Water/Sewer Items - none

C. Licenses & Permits & Policies

1) Raffle Permit - Hudson Republican Committee

D. Donations - none

E. Acceptance of Minutes

Minutes of the July 13, 2021

F. Calendar

7/28 7:00 Planning Board - Buxton Meeting Room
8/4 8:30 Highway Safety Committee - Buxton Meeting Room
8/4 7:00 Budget Committee - Buxton Meeting Room
8/9 7:00 Conservation Commission - Buxton Meeting Room
8/9 7:00 Cable Utility Committee - HCTV Cable Access Center
8/10 7:00 Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on June 13, 2021

1) Selectman Morin made a motion, seconded by Selectman Roy to hire Raymond Lafortune for the position of full-time Police Officer with a starting salary of \$26.37 (Step1) per hour, all in accordance with the Hudson Police Employee Association Contract. Carried 4-0.

2) Motion to adjourn at 8:14 p.m. by Selectman Gagnon, seconded by Selectman Roy. Carried 4-0.

B. Proposed Amendment to Town Code Chapter 205 (Fees) Zoning Application Fee

Chairman McGrath stated that we held a public hearing on this matter at the July 13th meeting and there was no input from the public. Selectman Roy made a motion, seconded by Selectman Morin to amend Town Code Chapter 205-13, A (1) Zoning Fees, by increasing the fees from \$130 to \$180. Carried 3-0.

C. Proposed Amendment Town Code - Chapter 317-30 Stop Intersections
(Madison Drive at Washington Street)

Chairman McGrath stated a public hearing was held at the July 13th meeting. With no public input on this matter. Selectman Roy made a motion, seconded by Selectman Morin to amend Town Code Chapter 317-30 Schedule III: Stop Intersections by adding a stop sign on Madison Drive at Washington Street, approaching north. Carried 3-0.

D. Proposed Amendment Town Code - Chapter 317-30 Stop Intersections
(Adelaide Street at Travers)

Chairman McGrath stated a public hearing was held at the July 13th meeting. With no public input on this matter. Selectman Roy made a motion, seconded by Selectman Morin to amend Town Code Chapter 317-30 Schedule III: Stop Intersections by adding a stop sign on Adelaide Street at Travers Street, northbound, and Travers Street at Adelaide Street, westbound. Carried 3-0.

E. Proposed Amendment to Board of Selectmen Bylaws

This item was discussed and a motion made at the July 13th Board meeting and a vote is required tonight. Selectman Roy made a motion, seconded by Selectman Morin to amend Chapter D, Rules or Order, #2, Agenda, of the Board of Selectmen bylaws by adding the following language "Members that want to add an item to the agenda must do so in writing; providing a synopsis of the issue and including supporting documents, if any. All agenda items, including all backup documentation, must be received by the Executive Assistant no later than noon on the Thursday before the meeting. Carried 2-1, McGrath opposed.

8. NEW BUSINESS

A. 2022 Revaluation - Mass Appraisal Valuation Contract

Chairman McGrath recognized Town Assessor, Jim Michaud. Mr. Michaud started off by saying Board Members and members watching at home, the Board has two memos in front of it. A very nice, short, concise memo from Lisa Labrie, the Finance Director, recommending the appraisal reevaluation contract. And mine goes on a little bit longer just because I feel I would like to go through the reasons why I'm recommending that Vision Appraisal VGSI Inc. should be the company that we hire to do the reevaluation for next year in 2022. They're the same company that we approved to do a mass appraisal software conversion from Patriot Properties, our software of 20 plus years to Vision Appraisal. It'll be the fifth re-evaluation I think I've been here for. If not, the six and Vision Appraisal has done a number of communities all around us for decades, including last year, this year and next year. Nashua, Salem, Manchester, Keene, very knowledgeable with the southern New Hampshire market. They're obviously very knowledgeable with their own software. They have a great team in place. They have a great bench of people to call on and that's important these days. If someone goes down and you have folks that can stand up and do the job. I had a conversation today with their appraisal, vice president, who I've known for many years and I'm confident that they would be part of a good team to have a good re-evaluation for Hudson next year. We've already prior contracted with George Sansoucy for the public utility valuation. So this company would pick up the residential and commercial and industrial end. We have a lot of data. We have a lot of information. We're looking forward to it. I wouldn't mind having some calming in the market myself, but will we use the numbers that are there. It's a really competitive contract proposal that thirteen dollars a parcel. The money is in the capital reserve fund for future re-evaluation. And it doesn't clean out that fund either, which I think is important. You know, we've been doing reassessments once every five years. You can do reassessments more than once every five years. So if we do the reassessments and the day after we send out the notices next summer, you know, the market tanks, we want to be in a position that we could respond to that maybe in a less than five year time frame. So I think it's important that we have a good \$60,000 or so left in the left in the bank, if we had to do something, say, in 2024. So that's all I have unless the Board members have any questions I'm here.

Chairman McGrath asked, any questions from anyone? Is anyone prepared to make, there's two motions that need to be made. The first is to waive the competitive bid process as outlined in Hudson Town Code for the purpose of awarding the 2022 full statistical revaluation contract to VGSI. Selectman Morin made that motion, seconded by Selectman Roy. Carried 3-0.

Selectman Morin made a motion, seconded by Selectman Roy to authorize to expend \$149,000 from the Capital Reserve Fund for Future Property Reevaluation to fund the contract, as recommended by Jim Michaud, Chief Assessor, and Lisa Labrie, Finance Director. Carried 3-0.

Mr. Michaud then said, if anybody likes rhubarb, I brought rhubarb in this morning. It's over in the kitchen. Sometime you can't give it away.

B. Second Public Hearing - Town Code Chapter 188 (Dogs and Other Animals) and Chapter 205

Chairman McGrath explained that this was the second public hearing for this agenda item. The Chairman opened the public hearing at 7:14p.m. Seeing no one present to offer public input on the matter, the Chairman closed the public hearing at 7:14p.m. Selectman Roy was recognized and said that the Board had received an email of public input from a resident whose husband gave public input

at the first public hearing. The Chairman thanked Lorrie Fernald for her email and stated that this would be taken into account.

C. HFD - Request to Apply for Grant

Chief Buxton was recognized and said, good evening, Madam Chairman, members of the Board. First item on the agenda this evening is requesting permission to apply for a local community grant sponsored by Wal-Mart. This is a program they do yearly. The grant request would go in and we would be awarded between \$250 and \$5,000, depending on what their value setting measures are. This year we would use this to put into our safety programs for traffic vests or something along those lines or additional masking requirements. So we were asking the Board's permission to apply for the grant. Selectman Roy made a motion, seconded by Selectman Morin to authorize the Fire Chief to apply for the local community grant sponsored by Wal-Mart. Carried 3-0.

D. HPD - Acceptance of Donation from Southern NH Health

Chief Buxton said, this evening, we're happy to come forward and request that you accept the cash donation from the Mary and John Elliott Charitable Foundation, who would like to provide us \$4,920 to purchase three IV pumps. The Foundation is a non-profit organization that was created with the financial support of Elliot Health Care to support various health care needs throughout the state. And it comes to us through Southern New Hampshire Health Services and we are looking to purchase three or spectrum infusion pumps. This will bring us in line with the technology in the field today and we will have to continue to buy specialized tubing for the IV pumps. So that's a big upgrade. If I can just one second. I would like to thank far for the paramedic, Zachary Whitney, who was a paramedic student up to the Elliott and became aware of this program several years ago and has been pursuing this opportunity and brought this to closure. So we thank him for his efforts. So cash donation of \$4,920. Selectman Roy made a motion, seconded by Selectman Morin to accept a donation of \$4,920 from the Mary and John Elliott Charitable Foundation through Southern New Hampshire Health Services. Carried 3-0.

E. HFD - RSA 128 Town Health Officers

Chief Buxton explained so over the last year, the state did have a legislative season. We're starting to see those House bills and Senate bills be signed into law by the Governor, one of which was House Bill 79, which is relative to town health officer and health officer requirements for the Board of Health here in Hudson. The governor signed that bill into law and that makes adjustments to RSA 128 that I need to bring to your attention this evening. I provided you a brief PowerPoint that the state had given us. The one highlight that I would like to let you know is that the rules for these updates have not been fully written yet. So all the training has not been created, which the state is going to provide for us. So we're still in a pending process to what that means. A couple of a couple of administrative pieces, all terms for health officers and deputy health officers will now be concurrent on one on application. So they'll run together. But they'll also require, each time, a criminal background check that will be run by the Department of Safety. Additionally, this Board, which is the Town of Hudson's Board of Health, will be required to administer at least a minimum of one review meeting per year to look at health readiness throughout the community and look at nuisance claims, sanitary inspection practices, housing communicable diseases and health and safety plans for the community from a global perspective. Additionally, we require all health, the health officer and deputy

health officers to receive three hours of training within their first year of appointment to update their skill sets on enforcement inspection practices and regulation changes. So this is more information for you than anything, but we needed to get that in front of you tonight. So you know that there's new requirements for that yearly review, which will start this November.

Chairman McGrath said I read through this and I was wondering, I was questioning whether or not we needed to have a committee appointed or not or if it's considered to be us. Chief Buxton replied saying by state law it is the Board of Selectmen and I'm your health officer. So that puts us in a group together to get that accomplished. Selectman Morin asked with the new regulations is that going to affect how we're operating now with all the health officers and the deputy Health offices? Chief Buxton replied saying, once I see them in writing, I will be better prepared to answer that question. I haven't seen that in full writing yet.

F. HFD - American Rescue Plan Act

Chief Buxton said then the last agenda item this evening is regards to the American Rescue Plan, so in early in June, we discussed the American Rescue Plan and what that meant for the community. The value of the plan and our allotment is based on the 2019 census, which for Hudson showed us had 25,514 residents. And then that brought in approximately an award of \$2.5 two million dollars. To stay in compliance with RSA 31:95-b, the Town of Hudson needs to post to hold a public hearing to basically bring those moneys in. The application is ready to go and ready to hit submit, but we need to hold a public hearing prior to that. Your next Board meeting to get that accomplished would be August 10th. This will give the seven day period for advertisement and to get that accomplished.

Chairman McGrath asked Ok, so Jill, can you make a note of that? Ms. Laffin responded that the public hearing notice will get posted on the Town website and will run in the Nashua Telegraph on August 1st. Selectman Morin made a motion, seconded by Selectman Roy to hold a public hearing on the American Rescue Plan Act of 2021 funds at the August 10, 2021 Board of Selectmen Meeting. Carried 3-0.

Selectman Roy was recognized and said if we could just talk about one other things. The committee, when did you want to start that up? Chief Buxton responded, as we get through the application process, we'll start talking about oversight committees and how that's going to be facilitated. We need to have projects highlighted and identified before 2024. So we do have a little bit of time that was meshed into the rules to get that accomplished. And once we get the money stream established, then we can move forward with the committee in the oversight stuff.

9. Remarks by the School Board

Mr. Gasdia said, I will go quickly. I do have a very short list of items. First, there's been some questions about returning to school. Just in general, the Superintendent will be sending out sort of A Midsummer Update probably on Thursday to anyone that's in the School District email system. There's been a significant amount of traction online about the mask policy with the school. I just want to reiterate that at this time, masks are optional for all of our summer programs. There is not any ability on July 27th to say what will be the situation on August 26th so we can discuss. But anything you're seeing out there that says there is a definitive plan in place that is incorrect. As we get closer and things change, we'll know more. But, you know, just from this morning to now, the guidance has changed. I would imagine it's going to change many times between now and then. But our current policy is mask optional. Our hope is that continues and that little spike we're seeing now will dissipate well before school starts. And finally, on a sad note, Lois Connors, who was the principal of Hill's

Garrison School for many years and just retired this year, passed away. Big loss. She had a huge impact on many students and many families.

10. Other Business/Comments by the Selectmen

Selectman Roy: NRPC, Nashua Regional Planning Committee, is holding two household hazardous waste days on August 7 from 8:00 a.m. to 12:00 p.m. at 25 Crown Street in Nashua and on August 28 8:00 a.m. to 12:00 p.m. at the Pelham Municipal Building.

Also the Zoning Board is in the beginning stages of revamping their applications to make them more user friendly.

Selectman Morin: I will go quickly. I do have a very short list of items. First, there's been some questions about returning to school. Just in general, the Superintendent will be sending out sort of A Midsummer Update probably on Thursday to anyone that's in the School District email system. There's been a significant amount of traction online about the mask policy with the school. I just want to reiterate that at this time, masks are optional for all of our summer programs. There is not any ability on July 27th to say what will be the situation on August 26th so we can discuss. But anything you're seeing out there that says there is a definitive plan in place that is incorrect. As we get closer and things change, we'll know more. But, you know, just from this morning to now, the guidance has changed. I would imagine it's going to change many times between now and then. But our current policy is mask optional. Our hope is that continues and that little spike we're seeing now will dissipate well before school starts.

And finally, on a sad note, Lois Connors, who was the principal of Hill's Garrison School for many years and just retired this year, passed away. Big loss. She had a huge impact on many students and many families.

Chairman McGrath: So have I just have one thing, as the public quickly knows, and if they don't, they need to know. We went to court. The Board of Selectmen went to court last week, last Friday before the judge, about appointing a person to the Board of Selectmen. The judge ruled that we are to re-advertise, which seems that's what we tried to do and failed. Re-advertise the position. The applications must be in by August 13th and there's going to be a hearing at the courthouse on August 25th. She's going to take testimony from anybody from the public that wants to participate in that hearing. And then she'll and I believe she's going to interview the candidates that apply.

Selectman Roy spoke up saying to clarify the candidates are going to have 15 minutes to state their case. Chairman McGrath said she's going to be listening to it. So, you know, she's going to make a decision based on that. So in the end, we don't know when the decision is going to be made, if it's going to be made that day, which is the 25th, or it's going to be sometime afterwards, but hopefully, will come to a resolution at that time and we'll have a new member on this Board. If not, we'll just keep going at number four.

Selectman Roy said so if I could just add one more thing. She also said she would entertain written letters of recommendation or letters of opposition. Chairman McGrath said you can look on the Town's website, Town's Facebook page, which I've never gone on, so I don't even know. I didn't even know it existed. And so anybody can read about it, read who the applicants are so far and who who's being considered and if there's any other applicants that want to apply, you have to get your application in by the 13th. And the Town Attorney is going to upload those, I believe, to the states courts website or some method they will go before the court, so anyway, that's all I have to say about that at this moment.

12. Nonpublic Session

Motion by Selectman Morin at 8:05 p.m., seconded by Selectman Roy to go into non-public session under RSA 91-A:3 II (b) the hiring of any person as a public employee. A roll call vote was taken. Carried 3-0.

Chairman McGrath entered Nonpublic Session at 7:28 p.m. thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman McGrath entered open session at 7:33 p.m.

Motions made after nonpublic session

1) Selectman Roy made a motion, seconded by Selectman Morin to hire John Claydon as a part time animal control officer, with a starting salary of \$18.93 (Step 3), per hour, in accordance with the Hudson Police Employee Association Contract. Carried 3-0.

13. ADJOURNMENT

Motion to adjourn at 7:33 p.m. by Selectman Morin seconded by Selectman Roy. Carried 3-0.

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

Marilyn E. McGrath, Chairman

David Morin, Selectman

Kara Roy, Selectman

ABSENT
Brett Gagnon, Selectmen



TOWN OF HUDSON

Board of Selectmen



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

7B

To: Board of Selectmen

From: BOS Office 

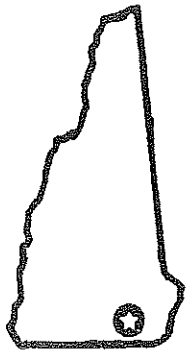
Date: August 2, 2021

Re: Code of the Town of Hudson Chapter 188, and Chapter 205

At their meetings on July 12, 2021 and July 27, 2021 the Board of Selectmen held Public Hearings to discuss amending Town Code Chapter 188, Dogs and Other Animals, and Chapter 205-9, Animal Control Fees. The Hudson Police Department and Animal Control Officer recommend changing Section 188-1 through 188-4 to add "noisy and at-large animals, and barking dogs". And by changing the applicable fees in Section 205-9 as these changes enable enforcement. Should the Board of Selectmen approve the motion to amend Town Code, the following motion is appropriate:

Motion: To amend Town Code Chapter 188-1-4, to include "noisy and at-large animals and barking dogs" and to amend Chapter 205-9 by adding the applicable fees for violations.

Agenda
7-27-21



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



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

8B

To: Board of Selectmen

From: Steve Malizia, Town Administrator

Date: July 20, 2021

Re: Code of the Town of Hudson Chapter 188, and Chapter 205

At their meeting on July 13, 2021 the Board of Selectmen held a Public Hearing to discuss amending Town Code Chapter 188, Dogs and Other Animals, and Chapter 205-9, Animal Control Fees. The Board is required to hold a second Public Hearing on July 27, 2021. After the second public hearing, the Board must wait to vote on amending Chapter 188 Dogs and Other Animals and Chapter 205-9 Animal Control Fees until their next meeting on August 10, 2021.

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

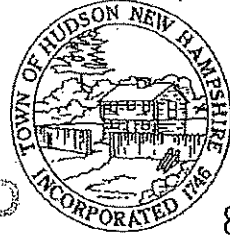


TOWN OF HUDSON

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



Agenda 6-22-21

RECEIVED

JUN 16 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

8C

*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: 22 June 2021

Re: Code of the Town of Hudson Chapter 188 and Chapter 205

Scope:

The Hudson Police Department is proposing changes to Chapter 188 titled "Dogs and Other Animals" and Chapter 205 titled "Fees" section 205-9 Animal control fees. Section 188-1 through 188-4 to add noisy and at-large animals and barking dogs. Our current ordinance does not address noisy animals, at-large animals, or barking dogs which are a significant quality of life issue for residents resulting in increased calls for service each year. Adding applicable fees to section 205-9.

Recommendation:

The Hudson Police Department recommends changes to the Code of the Town of Hudson Chapter 188 titled "Dogs and Other Animals", adding to and amending Section 188-1 "Dogs to be Controlled by Owners". Suggested changes to enable enforcement of said violations are included. In addition, add fees for violations to Chapter 205 "Fees," section 205-9 "Animal Control Fees".

Motion:

To accept the recommendation of the Hudson Police Department to amend Chapter 188 Section 188-1 through 188-5 and Chapter 205 Section 205-9 of the Code of the Town of Hudson and to bring forward to a public hearing.



A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

****INSERT NEW NUMBER §188-1 AUTHORITY**

§ 188-4 (RENUMBER) §188-1.1 Dogs to be controlled by owners.

[Amended 9-27-2011 by Ord. No. 11-03]

A. As used in this section, the following terms shall have the meanings indicated:

AT-LARGE

Not under the control of the owner or keeper by a leash. Electronic devices are not considered a form of physical restraint.

LEASH

A chain, rope, or strap, not to exceed six feet, attached to the collar or harness of a dog and used to lead it or hold it in check by a physically able, competent person.

DOG

Shall include any animal of the canine species whether licensed or unlicensed, including any animal which is considered to be a wolf-hybrid as defined in RSA 466-A.

OWNER

Shall include any person or persons, firm, association or corporation owning, keeping or harboring a dog. The owner identified on any current dog license shall be prima facie evidence of the ownership of the dog.

KEEPER

Any person or persons, firm, association or corporation who or which has temporary control or responsibility for a dog with the permission of the owner.

VICIOUS DOG

A dog that, without provocation, attacks or bites a person or other domestic animal.

B. At-large prohibited.

(1) Prohibition. Except as exempted below, no person or keeper shall permit a dog owned or kept by him/her to be at-large as defined by this section or to trespass upon the property of another, private or public, to include Town-owned or school district property.

(2) Exemptions. A dog shall not be deemed at-large if it is:

(a) On the premises of the dog's owner;

(b) On the premises of the person under whose control the dog is supervised;

(c) On the premises of another person as long as that person has given permission for the dog to be at-large;

(d) In any designated off-leash dog area regulated by the Town of Hudson. Designated off-leash areas shall be any Town property posted under the authority of the Board of Selectmen as an off-leash area.

(e) A working service dog for a disabled person (see ADA).

(f) Assisting a police officer who is engaged in law enforcement duties, to include training and exhibitions.

(3) No defense. Failure of a keeper to comply with this provision shall not relieve the owner of responsibility for compliance.

(4) Penalties.

(a) First offense: \$25. This section is in 205.9

(b) Second offense: \$50.

(c) Third offense: court action to be taken.

C. Dog waste.

(1) Duty to dispose. It shall be the duty of each person who owns, possesses or controls a dog to immediately remove any feces left by his/her dog on any sidewalk, street or other public area. It shall further be the duty of each person who owns, possesses or controls a dog to immediately remove any feces left by his/her dog on any private property neither owned or occupied by said person, unless said private property owner or occupant agrees otherwise. Disposal of such feces shall be in a manner consistent with all applicable laws.

(2) Duty to possess means of removal/disposal. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, street, park or other public area without the means of removal of any feces left by such dog. Disposal of such feces shall be in a manner consistent with all applicable laws.

(3) Exemption. Compliance with this regulation is not required by any handicapped person who, by reason of his/her handicap, is physically unable to comply with this subsection.

(4) Penalties.

(a) First offense: \$25. This section is in 205.9

(b) Second offense: \$50.

(c) Third offense: court action to be taken.

D. Conduct in off leash areas.

(1) Voice control and observation on public property. Every person who allows a dog to be off-leash in a designated area under Subsection A(2)(d) above shall maintain voice

control over the dog and shall keep the dog under observation at all times. The following also shall apply:

- (a) Dogs must wear current license tags and rabies vaccination tags.
- (b) Children 10 years or younger are not allowed in the off-leash area.
- (c) All handlers must be 18 or older.
- (d) Children 11 through 17 must be accompanied and supervised by an adult.
- (e) No female dogs in season (heat) are allowed in the off-leash area.
- (f) No prong or choke collars on dogs in the off-leash area.
- (g) No animals other than dogs are permitted in the off-leash area.
- (h) No more than two dogs to any one handler at a time in the off-leash area.
- (i) No vicious dogs allowed in the off-leash area.

~~§ 188-2 Picking up dogs at large; notice to owner. RENAME 188-2~~

All dogs which are found running at large will be picked up by the Animal Control Officer and held for a period of seven days. If the dog has an identification tag or license, the owner will be notified immediately and will have seven days in which to claim the dog.

~~§ 188-3 Disposal of unclaimed dogs.~~

~~At the expiration of the seven-day holding period, any unclaimed dog shall be disposed of at the discretion of the Animal Control Officer.~~

*******COMBINE 188-2 and 188-3 under 188-2*******

188-3 will include the new section

BELOW SECTION ALREADY IN 205-9

~~§ 188-4 Fines and fees.~~

~~All violations and/or services performed by the Animal Control Officer shall be subject to the following fines and fees, payable to the Town of Hudson:~~

~~A. Running at large:~~

~~(1) For unlicensed dogs, the fine shall be \$10 for the first offense and \$25 for all others (plus boarding charges).^m~~

~~[1]Editor's Note: The specific fees set forth in this subsection were removed at the request of the town. For current fees, see Ch. 205, Fees.~~

~~(2) For licensed dogs, if the Animal Control Officer has been notified, the fine shall be \$5 (includes boarding fee and pickup charge).²³~~

~~[2]Editor's Note: The specific fees set forth in this subsection were removed at the request of the town. For current fees, see Ch. 205, Fees.~~

~~(3) If the Animal Control Officer has not been notified, the fine for licensed dogs shall be the same as for unlicensed dogs.~~

B. Unwanted animals.

[Amended 10-14-2003]

~~(1) For dogs, the fee shall be \$120.~~

~~(2) For cats, the fee shall be \$60.~~

~~(3) Added to the fee shall be a \$20 pickup fee if not delivered by the owner.~~

C. Investigation of bites.

~~(1) The fee for inspection of an owner's property to determine proper facility for the required ten-day confinement, if the dog has had rabies shot, shall be \$5.~~

~~(2) The fee for confinement by the Animal Control Officer for the required ten-day period.²⁴~~

~~[3]Editor's Note: The specific fees set forth in this subsection were removed at the request of the town. For current fees, see Ch. 205, Fees. Former Subsection D, Sale of animals, was repealed 10-14-2003.~~

§ 188-5 4 (RENUMBER) Failure to pay fines and fees.

Failure to pay any of the fines or fees in § ~~188-4~~ ^(Add: §205-9) will result in the issuance of a summons, and the owner will be required to appear in Nashua District Court and be subject to such fines and/or other measures as the Court shall deem appropriate.

Chapter 188 Dogs and Other Animals

[HISTORY: Adopted by the Board of Selectmen of the Town of Hudson 8-1-1973 by Ord. No. 68; amended in its entirety 7-26-1976 by Ord. No. 70B. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Fees — See Ch. 205.

Parks and recreation areas — See Ch. 259.

Traps — See Ch. 314.

Zoning — See Ch. 334.

§ 188-1 Authority.

§ 188-1.1 Dogs to be controlled by owners.

§ 188-2 Disposition of Dogs, Animals, and Fowl at Large.

§ 188-3 Noisy and At Large Animals/Fowl and Barking Dogs.

§ 188-4 Failure to pay fines and fees.

Refer to §205-9 for all penalties for this section.

§ 188-1 Authority

This chapter is adopted pursuant to RSA 31:39 and RSA 466:39. The authority under this Chapter is in addition to any other generally applicable law.

§ 188-1.1 Dogs to be controlled by owners.

A. Definitions:

At-Large: Not under the control of the owner or keeper by a leash. Electronic devices are not considered a form of physical restraint.

Leash: A chain, rope, or strap, not to exceed six feet, attached to the collar or harness of a dog and used to lead it or hold it in check by a physically able, competent person.

Dog: Shall include any animal of the canine species whether licensed or unlicensed, including any animal which is considered to be a wolf-hybrid as defined in RSA 466-A.

Owner: Shall include any person or persons, firm, association or corporation owning, keeping or harboring a dog. The owner identified on any current dog license shall be prima facie evidence of the ownership of the dog.

Keeper: Any person or persons, firm, association or corporation who or which has temporary control or responsibility for a dog with the permission of the owner.

Vicious Dog: A dog that, without provocation, attacks or bites a person or other domestic animal.

B. At-large prohibited.

(1) Prohibition. Except as exempted below, no person or keeper shall permit a dog owned or kept by him/her to be at-large as defined by this section or to trespass upon the property of another, private or public, to include Town-owned or school district property.

(2) Exemptions. A dog shall not be deemed at-large if it is:

(a) On the premises of the dog's owner;

(b) On the premises of the person under whose control the dog is supervised;

(c) On the premises of another person as long as that person has given permission for the dog to be at-large;

(d) In any designated off-leash dog area regulated by the Town of Hudson. Designated off-leash areas shall be any Town property posted under the authority of the Board of Selectmen as an off-leash area.

(e) A working service dog for a disabled person (see ADA).

(f) Assisting a police officer who is engaged in law enforcement duties, to include training and exhibitions.

(3) No defense. Failure of a keeper to comply with this provision shall not relieve the owner of responsibility for compliance.

C. Dog waste.

(1) Duty to dispose. It shall be the duty of each person who owns, possesses or controls a dog to immediately remove any feces left by his/her dog on any sidewalk, street or other public area. It shall further be the duty of each person who owns, possesses or controls a dog to immediately remove any feces left by his/her dog on any private property neither owned or occupied by said person, unless said private property owner or occupant agrees otherwise. Disposal of such feces shall be in a manner consistent with all applicable laws.

(2) Duty to possess means of removal/disposal. No person who owns, possesses or controls such dog shall appear with such dog on any sidewalk, street, park or other public area without the means of removal of any feces left by such dog. Disposal of such feces shall be in a manner consistent with all applicable laws.

(3) Exemption. Compliance with this regulation is not required by any handicapped person who, by reason of his/her handicap, is physically unable to comply with this subsection.

D. Conduct in off leash areas.

(1) Voice control and observation on public property. Every person who allows a dog to be off-leash in a designated area under Subsection A(2)(d) above shall maintain voice control over the dog and shall keep the dog under observation at all times. The following also shall apply:

- (a) Dogs must wear current license tags and rabies vaccination tags.
- (b) Children 10 years or younger are not allowed in the off-leash area.
- (c) All handlers must be 18 or older.
- (d) Children 11 through 17 must be accompanied and supervised by an adult.
- (e) No female dogs in season (heat) are allowed in the off-leash area.
- (f) No prong or choke collars on dogs in the off-leash area.
- (g) No animals other than dogs are permitted in the off-leash area.
- (h) No more than two dogs to any one handler at a time in the off-leash area.
- (i) No vicious dogs allowed in the off-leash area.

§ 188-2 Disposition of Dogs, Animals, and Fowl at Large.

- A. All dogs which are found running at large will be picked up by the Animal Control Officer and held for a period of seven (7) days. If the dog has an identification tag or license, the owner will be notified immediately and will have seven (7) days in which to claim the dog.
- B. At the expiration of the seven-day holding period, any unclaimed dog shall be disposed of at the discretion of the Animal Control Officer.
- C. Animals and fowl.
 - 1) Any animal or fowl found running at-large, and not under the control of its owner or keeper, may be taken into custody by the Hudson Animal Control Officer or a Hudson Police Officer. The Officer shall make reasonable efforts to notify the owner or keeper of the animal or fowl, before seizing it.

Any animal or fowl that is seized for running at large by the Hudson Animal Control Officer or a Hudson Police Officer, where the owner or keeper cannot be identified or located, may be placed by the Town in an appropriate shelter or boarding facility. Any unclaimed animal may be disposed of by such facility in accordance with applicable law. The owner or keeper of the animals or fowl shall be responsible for all damages and expenses incurred in the capturing, transporting and holding of the at large or seized animal, boarding costs, and any medical care required by the holding facility, whether the animal is claimed or not.

§ 188-3 Noisy and At Large Animals/Fowl and Barking Dogs.

A. Definitions.

Animal: means and includes any domestic animal, including any pet, livestock, bovine animal, horse, mule, burro, sheep, goat, swine or other animal, except a dog or cat.

Fowl: means and includes any rooster, chicken, duck, turkey, poultry, goose or other domestic fowl.

Owner/Keeper: any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal. The occupant of any premises on which a domesticated animal remains, or to which it customarily returns, for a period of ten (10) days or more shall also be deemed to be the owner. This does not include a person caring for a feral cat as a feral cat caregiver.

At Large Animal: means off the premises of, and not physically restrained by the owner/keeper.

Noisy Animal: means an animal that makes any noise or sounds common to the species.*

Noisy Fowl: means fowl that make any noise or sounds common to the species, including but not limited to: squawk, quack, crow, or related noises.*

Barking Dog: means a dog that barks, bays, cries, howls or makes any noise common to the species.*

*Anytime between 9 p.m. and 7 a.m. OR between 7 a.m. and 9 p.m. when the sound is plainly audible *incessantly* for more than (10) ten minutes or *intermittently* for more than (30) thirty minutes, regardless of whether the animal/fowl or dog is physically situated in or upon private property.

Incessant: means continuing or following without interruption: unceasing. **

Intermittent: means coming and going at intervals: not continuous. **

**Merriam Webster

B. At Large Animal/Fowl Prohibited.

No owner/keeper owning or having charge of any animal or fowl shall permit the same to be at large on any highway, street, sidewalk, lane, alley or other public place, or upon any private property other than that of the owner unless such owner or person having charge of such animal or fowl has the consent of the owner of the private property. The mere fact that the animal as defined shall be off the property of its owner or keeper and not under control of its owner or keeper shall be construed as prima facie evidence of a violation of this chapter.

C. Noisy Animal/Fowl and Barking Dogs Prohibited.

No owner/keeper owning or having charge of any animal or fowl shall permit the same to make noise or for a dog to bark in the manner defined above. Each occurrence of a violation, or, in the case of continuous violations, each day (24-hour period) a violation occurs or continues, constitutes a separate offense and may be addressed separately.

D. Exclusions.

- a. An animal or fowl shall **not** be deemed a "Noisy Animal/Fowl" for purposes of this section if: at any time the animal/fowl is creating a noise disturbance, a person is trespassing upon private property in or upon which the animal/fowl is situated; or the animal/fowl is being teased or provoked; or the animal/fowl was responding to pain or injury; or was protecting itself, its living space, its offspring or a person from an actual threat.
- b. A dog shall **not** be deemed a "Barking Dog" for purposes of this section if, at any time the dog is barking, a person is trespassing upon private property in or upon which the dog is situated; or when the dog is being teased or provoked; or responding to pain or injury; or was protecting itself, its kennel, its offspring or a person from an actual threat.
- c. Agricultural properties or activities:
This section shall have no application to noises or disturbances made by livestock, fowl, or other animals emanating from an legitimate agricultural activity or legitimate farming operation, (per RSA 21:34-a, RSA 432, and RSA 674:32-(a-d) nor shall it apply to a properly permitted animal shelter established for the care and/or placement of unwanted or stray animals, nor a properly zoned commercial boarding kennel or other permitted animal facility.

E. How to Report a Noisy Animal/Fowl/Barking Dog.

If a person is disturbed by a noisy animal/fowl or barking dog that violates this ordinance, then that person may make a report to the Hudson Animal Control Division. ("Noise" below includes barking dogs)

Before submitting a complaint, it is recommended that the person suffering the disturbance contact the person responsible for the animal or for the property where the animal is kept, and notify them that their animal's noise is causing a disturbance. Sometimes the Responsible Person is unaware of the noise and grateful for the opportunity to address the issue. Experience shows that attempting to resolve a disturbance informally may avoid escalating tensions with one's neighbors.

To report a noisy animal, the Complainant **must** provide an **Affidavit sworn to before a Notary**. The sworn affidavit must include the following information: the complainant's name, address and phone number; provide the address where the disturbance occurred; provide the date and time when the disturbance occurred; indicate whether the noise qualifies as "incessant" or "intermittent" as explained above; and describe the animal. The initial report should also identify the person responsible for the animal and the property where the animal is kept. Only one complaint per household per incident. *A complaint should not be submitted unless the violation has been documented by recording the date(s), the time(s) of the noise and their duration and the*

Complainant can show the noise is either incessant or intermittent as explained and defined above.

After an investigation of the complaint, the Animal Control Officer, or other officer, may give a warning letter to the owner at the address identified in the initial report and inform them of the complaint. The responsible person has 15 days after receiving the warning letter to abate the noise by ensuring the noise does not continue.

§ 188-4 Failure to pay fines and fees.

Failure to pay any of the fines or fees in § 205-9 will result in the issuance of a summons, and the owner will be required to appear in Nashua District Court and be subject to such fines and/or other measures as the Court shall deem appropriate.

§ 205-9 Animal control fees.

[Amended 10-14-2003; 3-8-2010; 8-14-2012]

Animal control fees governed by state statute are not listed in this section but are set in accordance with RSA 466.

A. Transport animal: \$10.

B. Board per day: \$15.

C. Ten-day quarantine: \$150 (additional charges for longer quarantine.)

D. Dogs at large:

(1) First offense: \$25.

(2) Second offense: \$50.

(3) Third offense: Court action to be taken.

E. Waste removal:

(1) First offense: \$25.

(2) Second offense: \$50.

(3) Third offense: Court action to be taken.

F. Unwanted animals:

(1) Each dog: \$120

(2) Each cat: \$60.

(3) Pick-up fee: \$20.

G. Noisy Animal/Fowl/Barking Dog & At Large Animals

1) First offense: \$25

2) Second offense: \$50

3) Third offense: Court action to be taken

In addition to any penalty, in conjunction with any penalty, or as an alternative to any penalty imposed under this section, the Town of Hudson may request that the Court require the owner or keeper of any dog, animal, and/or fowl which has been impounded for running at large, to pay for the boarding and impoundment fees established by an animal shelter or holding facility and any reasonably necessary medical expenses incurred during the impoundment of the animal regardless of whether the owner or keeper retrieves the animal.



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Memo

Date: May 5, 2021

To: Jana McMillan - Animal Control Officer

From: Bruce Buttrick - Zoning Administrator/Code Enforcement Officer *BT*

Re: Your request for comment on proposed § 188-3 Noisy and At Large Animals/Howl and Barking Dogs ordinance.

.....
I would agree with your intro statement for justification for a regulation pertaining to "noisy" animals (especially roosters).

Our Zoning Ordinance has no prohibition against the keeping of roosters (or other animals), it allows them under Section §334—22 Table of Permitted Accessory Uses: "Traditional secondary accessory uses..... and other customary uses and structures." within all zoning districts.
And from the Zoning Ordinance definitions §334-6: Use- Accessory "Any use which is customary, incidental and subordinate to the principal use of a structure or lot."

State Law does, in my opinion, pre-empt any Zoning Ordinance that bans/prohibits the keeping of specific animals/species, especially farming/farm animals (roosters in particular).

Per RSA 672:1.III-d. "*For purposes of paragraphs III-a, III-b, III-c, and III-e, "unreasonable interpretation" includes the failure of local land use authorities to recognize that agriculture and agritourism operations or activities as defined in RSA 21:34-a,when practiced in accordance with applicable laws and regulations, are traditional, fundamental and accessory uses of land throughout New Hampshire, and that a prohibition upon these uses cannot necessarily be inferred from the failure of an ordinance or regulation to address them"*
This means to me that the Town must identify with specificity where agriculture uses: (principal and accessory) is permitted and prohibited, Hudson currently does not address accessory agricultural uses.

In accordance with RSA 672: I, III-d "whenever agricultural activities (accessory uses) are not explicitly addressed with respect to any zoning district or location, they shall be deemed to be permitted there, as either a primary or accessory use."

The Town of Hudson's Zoning Regulations do not have any prohibition against roosters (in particular) or other animals as accessory uses. The State RSA's have no provisions for addressing noisy animals (especially roosters) as you propose to do locally.

Therefore your proposed ordinance addresses the citizens' complaints of "the keeping of noisy animals" (roosters in particular). As you are aware of the numerous inquiries of keeping as well as the complaints about "roosters" etc., that we answer/act on.

I support your efforts.

Hudson NH Police Department Barking & Animal Noise Affidavit

YOUR NAME:	_____
YOUR ADDRESS:	_____
YOUR PHONE NUMBER & EMAIL:	_____

*Incident information (Be specific with all details, dates and times: fill in all fields use N/A if do not know)
Incomplete affidavits will NOT be processed and you will not be notified that the case is closed.*

DATE OF NOISE/BARKING: _____
Start Time (circle AM or PM): _____ AM/PM End Time: _____ AM/PM
Longest break in noise: _____ hours _____ minutes _____ seconds
Approximate number of interruptions or breaks during the listed time: _____
Do you have an audio or video recording of the incident? YES NO
Animal Description: _____
Address of Noise/Barking: _____
Approximate Distance from Noise to your Address: _____
Name of Owner/Keeper (if known): _____ Check if you spoke to them.

Do you know if the dog is tethered? <input type="checkbox"/> Yes <input type="checkbox"/> No
Is the dog/animals confined to a specific area <input type="checkbox"/> Yes <input type="checkbox"/> No
If "yes" – What area? _____
Does the dog/anima appear to be injured? <input type="checkbox"/> Yes <input type="checkbox"/> No
Other observations of dog/animal condition: _____

Detailed Description of the incident (please provide as much exact detail as possible, continue on page 2.

Hudson NH Police Department Barking & Animal Noise Affidavit
Page 2: Detailed Description of the Incident (continued from page 1)

Lined area for detailed description of the incident.

I declare under penalty of perjury, under the laws of the United States of America and NH RSA 641:1, that the foregoing is true and correct.

Signature and Date

State of New Hampshire, County of Hillsborough

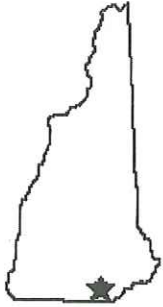
Sworn to (or affirmed) and subscribed before me this ____ day of ____, 20__,

by _____

Personally known ___ or Produced Identification ___

Type of Identification Produced:

Notary seal & signature



TOWN OF HUDSON FIRE DEPARTMENT

39 FERRY STREET, HUDSON, NEW HAMPSHIRE 03051

Agenda
RECEIVED 7-27-21

JUL 21 2021

TOWN OF
SELECTMEN



8A

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 *RMB*
Fire Chief

DT: July 21, 2021

RE: American Rescue Plan

As you are aware, in June we met with the Board of Selectmen to review the American Rescue Plan Act of 2021. This program was established to address the impact of the COVID-19 pandemic on state, local, territorial, and tribal governments.

The Act further specifies that each state shall receive "an amount which bears the same proportion to such reserved amount as the total population of all areas that are non-metropolitan cities in the State bears to the total population of all area that are non-metropolitan cities in all State."

The 2019 census information for each community was utilized to calculate the estimated allocation for each community. Utilizing a population of 25,514 for Hudson (2019) we are estimated to receive an award of **\$2,536,302.58**.

To remain in compliance with State of New Hampshire RSA 31:95-b the Town of Hudson shall need to hold a public hearing that is noticed at least 7 days before the hearing is held.

As we reviewed, August 10, 2021 would be the next available date to hold this hearing if the Board of Selectmen wish to move forward with this initiative.

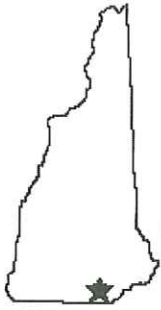
If you should have any questions or need me to follow up on any additional details please contact me.

Cc: ARAP File

RECEIVED

JUL 30 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE



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

8B

TO: Marilyn McGrath
Chairman

FR: Robert M. Buxton
Fire Chief

DT: July 30, 2021

RE: Donation Funds – August 10, 2021 BOS Public Agenda

Please place the following item on the above-indicated agenda from the Fire Department:

The Fire Department is requesting the ability to utilize \$4,000.00 of donation monies for purchasing gear bags for the department.

The gear bags would be utilized to transport turn out gear between stations. Each member would store his or her equipment in their own gear bag. This will assist in containing any contaminants, keep all their gear organized and protect the investment.

Motion:

To authorize the Fire Chief to withdraw \$4,000.00 from the Fire Department donation account (4557) to be used to purchase gear bags for the department.

RECEIVED

AUG 05 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE



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

8C

TO: Marilyn McGrath
Chairman

FR: Robert M. Buxton *Robert M. Buxton*
Fire Chief

DT: August 3, 2021

RE: August 10, 2021 BOS Public Agenda

Please place the following item on the above-indicated agenda from the Fire Department:

Notice of Retirement - The Fire Department has received a notice of retirement from Firefighter Jeff Sands effective Tuesday, August 31, 2021; notice documentation to be provided at a later date.

Firefighter Sands has been an employee of the Town of Hudson since September 17, 2000. We are grateful for his service and appreciate all that he has contributed during his tenure here with the department.

We ask the Board of Selectman to accept his notice to retire and we send him off with the best wishes in his future endeavors.

Motion #1:

To accept the notice of retirement from Firefighter Jeff Sands effective August 31, 2021 with the Board's thanks and appreciation.

Agenda
8-10-21

TOWN OF HUDSON

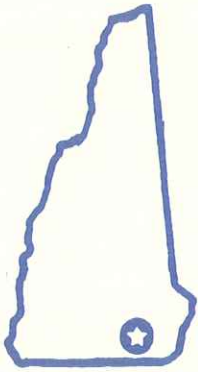
Public Works

RECEIVED

AUG 05 2021

TOWN OF HUDSON
SELECTMEN'S OFFICE

8D



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

Date: August 3, 2021

To: Board of Selectmen

From: Jess Forrence, Director of Public Works

Re: Permission to advertise for the 2022- 2027 Trash/ Recycling Contract

The town's current trash recycling contract will expire June 30, 2022. I would like to start advertising on Wednesday, August 11, 2021 with a mandatory pre-bid meeting on Thursday, August 17, 2021 in the Buxton meeting room at 10:00 am. All bids must be received by the Town Clerks office by 10:00 am on September 15, 2021 with the opening in the Buxton meeting room at 11:00 am. The winning bid will be announced at the September 28th Board of Selectmen meeting.

Please see the attached contract.

PUBLIC NOTICE

INVITATION TO BID

Trash / Recycling Collection and Disposal.

The Town of Hudson, New Hampshire, Public Works Department is requesting sealed bids for its 5-year 2022 to 2027 trash / recycling collection and disposal contract.

Bid specifications, or additional information, may be obtained from Jess Forrence, Director of Public Works at 2 Constitution Drive, Hudson NH at 886-6018 Monday through Thursday from 6:00 am to 4:00 pm or at jforrence@hudsonnh.gov.

Bids must be submitted to the Town of Hudson, Office of the Town Clerk, 12 School Street, Hudson, NH 03051 no later than 10:00 am Wednesdays September 15th, 2021 in a sealed envelope clearly marked **"Town of Hudson NH, 2022 Trash / Recycling Bid"**, on the outside of envelope.

The Town of Hudson reserves the right to waive any informalities, or reject any or all bids, as deemed in the best interest of the town.

The Town of Hudson is an Affirmative / Equal Opportunity Employer and encourages proposals from all qualified firms

**2022 REQUEST FOR BIDS AND THE BID SPECIFICATIONS
FOR TOWN OF HUDSON NH SOLID WASTE AND RECYCLING
COLLECTION AND DISPOSAL**

A. INSTRUCTION TO BIDDERS

The Town of Hudson, NH is seeking bids for a five (5) year contract for its Solid Waste and Recycling curbside collection and disposal.

Contractors seeking to submit a bid to the Town of Hudson, New Hampshire for curbside collection and disposal of residential and municipal solid waste and curbside recycling should review the attached specifications in order to fully understand the scope of work and services required by the Town of Hudson.

Bidders will be required to attend a Pre bid conference on August 17, 2021 at 10:00 A.M. The meeting will be at the Town Hall, Buxton Conference Room located at 12 School Street Hudson NH 03051. All questions regarding this bid shall be directed to Jess Forrence Public Works Director, 603-886-6018 or by email at Jforrence@hudsonnh.gov.

Sealed bids for the above-referenced collection-disposal task will be received at the Office of the Town Clerk, Town of Hudson 12 School Street, Hudson, New Hampshire 03051 until 10:00 A.M., September 28, 2021 after which the bids will be opened publicly and read aloud in the Buxton meeting room at 11:00 am. The winning bid will be announced at the September 28th Board of Selectmen meeting and by the Public Works Director the following day.

Each bid must be accompanied by an acceptable Bid Bond, payable to the Town of Hudson, in the amount of not less than five (5%) percent of the total bid as security that the Bidder will enter into a contract and furnish the required bonds and insurance within fourteen (14) days after the Notice of Award of the Contract has been received.

Each bid shall be placed, together with the bid security and other required documentation, in an envelope sealed and clearly identified as "**SOLID WASTE BID**" addressed to the Town of Hudson. Bids will not be accepted or considered unless received on or before the bid date and time. The Town of Hudson reserves the right to waive any informality or to accept or reject any or all bid(s).

Any bidder, upon written request, will be allowed to withdraw the bid no later than the time set for the opening thereof. Withdrawal of bids after the bid time will not be permitted.

The qualifications, experience, and demonstrated ability to perform the required work and services as specified are of importance to the Town of Hudson and will be given significant consideration in the selection of the successful Bidder. The following may be considered sufficient for the disqualification of a bidder and

the rejection of the bid:

- More than one bid for the same work from an individual, firm partnership or corporation
- Evidence of collusion among bidders
- Poor performance in the execution of work and services under previous contracts
- Being in arrears on existing contracts, or having defaulted on a previous contract
- Failure to include the mandatory information

The Town of Hudson reserves the right to waive any informalities in any or all bids, to reject any or all bids, or accept any bid submitted for the work and services, as deemed to be in the best interest of the Town of Hudson based upon the qualifications, experience, demonstrated ability to perform, cost, or other factors deemed by the Town of Hudson to bear on the successful outcome of the contract.

Following the bid opening, a bidder or bidders will be requested by the Town of Hudson to submit, within seven (7) days, a qualification statement establishing the Bidder's financial responsibility, experience and possession of such equipment as may be needed to perform work and services in an expeditious safe, and satisfactory manner. In addition, a list of references must be submitted with contact person, title, address, and telephone number.

Notice of Award will be given to the successful bidder(s) by the Town of Hudson by certified/registered mail to the address referenced on the Bid Form.

Bid security will be returned to all except three (3) Bidders within fifteen (15) days after the date of bid opening. The remaining securities will be returned promptly after the Town of Hudson and the successful bidder have executed a Contract, or within sixty (60) days after the date of bid opening, or upon request of the bidder at any time thereafter so long as it has not been notified of the acceptance of its bid.

The Contract will include all contract documents and pertinent specifications. Within fourteen (14) days after the award of Contract, the successful bidder shall execute the Contract in triplicate, and furnish the Town of Hudson with a Performance Bond in the full amount of the contract price executed by a surety company acceptable to the Town of Hudson.

The successful bidder, upon its failure or refusal to execute and deliver the Contract and Bonds required within fourteen (14) days after it has received Notice of Award, shall forfeit to the Town of Hudson, as liquidated damages for such failure or refusal, the security deposited with its bid.

The Contract will not be binding upon the Town of Hudson until it has been

approved and executed by the Town of Hudson Board of Selectmen.

B. MANDATORY INFORMATION

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THE BID SUBMITTAL:

1. Complete Bid Form – Attachment -A
2. Bid Bond
3. Disposal Site Certification for the entire term of the contract
4. Contractor Information Statement
5. Evidence of Insurance Coverage
6. A list of at least three (3) references for similar type services including a description of the services provided, and a contact person and telephone number.

C. GENERAL INFORMATION

Community Profile

The Town of Hudson is a suburban community of 30 square miles with approximately 149 miles of road. The Town has a population of approximately 25,619 people. As of January 2021, there are approximately 9,500 housing units included in this contract. Of this number approximately 8,850 units are serviced by automated curbside collection. The remaining are condominium units serviced with front load containers listed in Section W.

Solid Waste Profile

Solid waste tonnage and recycling tonnage reports for the previous four full fiscal years are attached.

D. TERMS AND DEFINITIONS

“Bulky Goods” (non-white goods) shall include large items such as furniture, mattresses and bedding, rugs, couches, NON-CFC appliances, household equipment, etc.

“Contractor” shall mean a person, business or entity performing solid waste, recycling collection and disposal service under contract for the Town of Hudson.

“Hudson Resident” or “Hudson Residential User” shall include residents of the Town of Hudson residing in single-family homes or buildings accommodating

four or less residential units per building, per lot, with frontage on a public street or roadway accepted by the Town or on a street or way which has been dedicated to the Town in conjunction with a prior Planning Board approval and residents residing in the condominium developments list in Section W.

“Recyclable Material” shall mean such materials as described in Section U, Recycling Program, or any other materials as deemed recyclable by the Town and the Contractor.

“Town” shall mean the Town of Hudson, New Hampshire and the Town’s government.

“User” shall mean a Hudson resident.

“Waste, Hazardous” shall mean any waste defined and/or described in Exhibit 7 “Hazardous and Special Wastes”.

“Waste, Solid” shall mean any putrescible or non-putrescible material or refuses and discarded and/or abandoned material ordinarily discarded by occupants of residential units or by the Town, but does not include Hazardous or Special Wastes, as defined above.

“Waste, Yard” shall mean grass clippings, leaves, garden debris, trees and shrubbery materials.

“White Goods” shall mean all CFC appliances, televisions, monitors, etc.

C. SCOPE OF WORK AND SERVICES

GENERAL SCOPE

During the entire contract period in accordance with the regular schedule, the contractor shall provide automated solid waste collection once each week to Hudson residents using 64 gallon automated carts supplied and owned by the contractor and shall transport and dispose of this solid waste in a legal manner. The Contractor will also provide automated curbside recycling using 96 gallon automated carts supplied and owned by the contractor on an every other week schedule.

C.1 COLLECTION FREQUENCY

The solid waste Contractor shall collect solid waste from Hudson Residential Users and from the Town once a week pursuant to a regular schedule. It is the Town’s aim to remain consistent with existing collection schedules if possible. Recycling shall be collected every other week. It is the intent of this program is to collect recyclables on a 52 week schedule, servicing every unit every other week.

C.2 COLLECTION DAYS AND TIMES

The solid waste and recycling Contractor shall make collections on weekdays only. The collections shall begin no earlier than 7:00 a.m. and shall be concluded before 7:00 p.m. except for good cause with the Public Works Director approval.

C.3 ALTERNATE SCHEDULE; WEEKEND COLLECTION

If due to a public holiday, inclement weather, or for other good cause, the Contractor cannot conduct a weekday collection, alternative collection on a Saturday and/or Sunday may be permitted with the advanced permission of the Public Works Director.

C.4 REASONABLE RULES; RESIDENTIAL USERS

The Contractor may request the Public Works Director to establish and enforce reasonable rules for Hudson Residential Users regarding location, packaging and weight of domestic solid waste. The Public Works Director shall review and approve all rules before they take effect.

C.5 RIGHT TO REGULATE CONTRACTOR

The Public Works Director has the right to issue written rules and regulations concerning the Contractor's performance of the contract that are reasonably related to the efficient and reliable performance of the Contract. Such rules and regulations shall not however increase the contractual obligations of the Contractor. The Contractor shall comply with all such rules and regulations.

- (a) No bidder shall use subcontractors without the written consent of the Public Works Director to carry out the performance of its contractual obligations.

C.6 TOLL FREE OR LOCAL TELEPHONE SERVICE LINE

Upon the commencement of the Contract and during the entire contract period, the Contractor shall maintain a telephone service line with a toll free or local telephone number to provide contract service assistance to Hudson Residential Users and the Town. The Contractor shall station an employee on the service line between 8:00 a.m. and 4:00 p.m. weekdays. The Contractor will publish and circulate the service line telephone number to Hudson Residential Users.

C.7 CONTRACTOR TO HANDLE COMPLAINTS; COMPLAINTS LOG

The Contractor will receive and make a good faith effort to resolve all complaints received on the telephone service line or a written complaint from the Town or from Hudson Residential Users. The Contractor shall maintain a complaint log setting forth the name and telephone number of each complainant, date of the

complaint, and the substance of and resolution of the complaint. The Public Works Director shall have the right to inspect and/or request a copy of the complaint log.

C.8 PUBLISH AND CIRCULATE COLLECTION SCHEDULE, ROUTES AND RULES

Prior to the date of first collection, the Contractor, at its own expense, shall publish and distribute, through Town wide mailing, webpage posting, and through social media, a notice for all Hudson Residential Users. The notice will be reviewed and approved by the Public Works Director, no less than two weeks prior to final scheduled publishing. The notice shall set forth the Contractor's Collection Schedule and Routes, its alternate schedule and its rules. In addition, the notice shall set forth how a user can obtain service for collection of large bulk items, such as furniture, white goods etc. The notice shall contain the contractor's service line telephone number for service and complaint calls. The Contractor shall publish and circulate the notice annually for the contract term.

D. SERVICE TO HUDSON RESIDENTIAL CURBSIDE USERS

- 1) Curbside collection and disposal of MSW for approximately 8850 Residential dwellings. These dwellings will require collection once weekly utilizing contractor provided 64 gallon automated carts. The Town expects solid waste collection and disposal to be bid separately. Included with this service the contractor is required to offer a subscription overflow cart rental program. Contractor will establish and conduct the invoicing and fee collection system. All proceeds derived from this program will be shared between The Town and Contractor based on the formula set forth in (Exhibit 1 - A).
- 2) Curbside collection and disposal of Single Stream recyclables for approximately 8850 Residential dwellings. These dwellings will require collection every two weeks utilizing contractor provided 95 gallon automated carts. The town is also asking the contractor to bid weekly automated curbside recycling collection using 64 gallon automated carts as an alternative program to be considered by the Town. The Town expects solid waste collection and disposal to be bid separately. Included with this service the contractor is required to offer a recycling overflow cart sales program. Contractor will establish and conduct the invoicing and fee collection system. All proceeds derived from this program will go to the Contractor. The details of this service are explained in (Exhibit 1 - B).
- 3) Curbside collection of bulky items and white goods, to be paid to the contractor by the resident directly for the collection and disposal of these items. These services must be offered at least once monthly. Contractor will establish and conduct the invoicing and fee collection system. All proceeds derived from this

program will go to the Contractor. The details of this service are explained in (Exhibit 1 - C).

- 4) The contractor shall be responsible to repair and/or replace any damaged or stolen carts on a weekly basis. Residents will be instructed to contact the Contractor's customer service department to request service/replacement to their automated carts. Carts damaged through normal life cycle use that are damaged beyond repair shall be replaced at the contractors expense. Carts damaged through negligence (i.e. burnt, hit by vehicle) of residential users shall be replaced at the users expense. The town shall act as the sole judge to determine if the damage is negligence or normal life cycle. The fee charged to the resident shall be \$85.

- 5) Stolen or misplaced automated carts must be reported to the Hudson Police as missing property by the vendor. Upon proof of a police report, and confirmation from the vendor that the police has investigated the loss. The town will authorize a replacement automated cart; the town will pay a flat fee of \$85 per unit for the cost of the cart and the delivery of the cart to the resident. The contract will invoice the town on a quarterly basis for stolen and/or misplaced automated carts.

- 6) New approved Residential Units will be entitled to receive one 64 gallon automated cart for Solid Waste Collection and one 95 gallon automated cart for Recycling Collection upon proof of occupancy provided by the Town. The contractor will be responsible to deliver the automated cart to the new Residential Unit.

EXHIBIT 1

A) Solid Waste Subscription Program

The bidder will be asked to submit pricing for the invoicing, delivery, collection and eventual removal of additional 64 gallon automated carts equipped with yellow lids to be used for Solid Waste This service is offered to any resident included in the Curbside program. Payments will be made to the contractor by the resident directly and the contractor must credit eighty five (85) dollars of the subscription price to the Town to offset disposal fees. The subscription period is July 1st through June 30th each year. The Contractor will be required to prorate Subscription pricing for any sales that are requested after July 1st each year, but will not be required to prorate for early termination requests. The current annual fee is \$201.00. The current numbers of subscriptions are approximately 490. Contractor will be required apply credits for this service to the July invoice following the end of each subscription period

B) Additional Recycling Cart Sales Program

The bidder will be asked to submit pricing to sell additional recycling carts to residents that request them. The pricing should include options for 64 and 96 gallon carts. The contractor will be responsible to deliver, service, and repair any carts that are sold in this program. Currently there are approximately 375 Additional carts in service. As part of the contract, the contractor will be required to rebrand these carts within 30 days after the start of the contract. A detailed list of all the carts will be provided to the successful bidder upon award of the contract. Replacement and repairs of carts sold in the previous contract will not be the responsibility of the new contractor.

C) Curbside Collection – Bulky Items- White Goods - CRT’S

The bidder will be asked to submit pricing for the collection and disposal of bulky items, crt’s, and white goods (including cfc/hcfc units). The Contractor will be responsible for the proper removal of all CFC/HCFC substances prior to disposal. The Contractor is to be paid by the resident directly. These services must be offered at least once monthly. All proceeds derived from this program will go to the Contractor.

E. HUDSON OLD HOME DAYS - DONATION

The Contractor will be responsible to donate two (2) 30 cubic yard open top containers to the “Hudson Old Home Days” event which is held annually in the month of August. The containers are need for a period of one (1) week. All costs are to be borne by the contractor. A certificate of Donation will be presented to the Contractor each year.

F. SERVICE TO CONDOMINIUM DEVELOPMENTS

During the contract period, the Contractor shall provide dumpsters at the town’s condominium developments described in Exhibit 2,

Cost for collection and disposal for condominiums requiring dumpsters shall be included under the category of dumpster collection. Contractors will be required to collect dumpster waste separately from curbside waste and will not be entitled to charge a tipping fee per ton for dumpster waste.

Condominiums receiving curbside collection are included in the 8,850 units being serviced as described in Section "D1 & D2" and are not additional units.

The listed condominiums in Exhibit 2 are eligible to participate in the monthly bulky waste/white goods/ crt, "User FEE" program as described in Exhibit 1-C

NOTE: Not all of the condominium developments are fully developed or occupied at this time.

Exhibit 2

SERVICE TO CONDOMINIUM DEVELOPMENTS

Curbside Condominiums								
ABBOTT FARM		ABBOTT FARM LANE	10	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
BONNIE HEIGHTS CONDO'S		BONNIE HEIGHTS DRIVE	4	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
COMPASS POINT		QUAIL RUN & HOLLY LANE	73	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
COMPASS POINT		QUAIL RUN & HOLLY LANE	73	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
ELMWOOD VILLAGE	1	ELMWOOD DRIVE	18	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
FOX HOLLOW		FOX HOLLOW DRIVE	240	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
FOX HOLLOW		FOX HOLLOW DRIVE	240	64	GALLONS	RECYCLING	1X WEEKLY	INCLUDED IN 8850
FRANKLIN ESTATES	31-45	ROOSEVELT AVENUE	3	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
HIGHLAND WOODS		GLASGOW CIRCLE & SCOTTSDALE DRIVE	107	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
HIGHLAND WOODS		GLASGOW CIRCLE & SCOTTSDALE DRIVE	107	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
HUDSON TERRACE		OLIVER DRIVE	25	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
HUDSON TERRACE		OLIVER DRIVE	25	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
LEXINGTON PLACE		LEXINGTON COURT	33	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
LEXINGTON PLACE		LEXINGTON COURT	33	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
LOCKWOOD PLACE		BARBARA LANE ,JOEL PATH & LOCKWOOD DRIVE	116	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
LOCKWOOD PLACE		BARBARA LANE ,JOEL PATH & LOCKWOOD DRIVE	116	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
MISSION POINT		OBLATE DRIVE	67	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
MISSION POINT		OBLATE DRIVE	67	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
OAK RIDGE ESTATES		BRODY LANE	100	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
OAK RIDGE ESTATES		BRODY LANE	100	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
REEDS BROOK VILLAGE		AMANDA DRIVE	30	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
REEDS BROOK VILLAGE		AMANDA DRIVE	30	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
ROLLING GREEN CONDO'S		MARSH ROAD	192	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
ROLLING GREEN CONDO'S		MARSH ROAD	192	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850

SHEPHERDS HILL CONDO'S	3	POOL COURT	200	45	GALLONS	RECYCLING	1X WEEKLY	INCLUDED IN 8850
SPARKLING RIVER		LEYBRIDGE DRIVE	130	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
SPARKLING RIVER		LEYBRIDGE DRIVE	130	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
THE VILLAGE AT BARRETT HILL		BARRETT HILL ROAD	82	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
THE VILLAGE AT BARRETT HILL		BARRETT HILL ROAD	82	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
WESTCHESTER COURT		WESTCHESTER COURT	42	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
WESTCHESTER COURT		WESTCHESTER COURT	42	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
WILLOW CREEK CONDO'S		WILLOW CREEK DRIVE	4	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850
WOODLAND HEIGHTS		OVERLOOK DRIVE	90	64	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850
WOODLAND HEIGHTS		OVERLOOK DRIVE	90	64	GALLONS	RECYCLING	1X WEEKLY	INCLUDED IN 8850

E. SERVICE TO THE TOWN OF HUDSON –PUBLIC BUILDINGS

During the contract period, the Contractor shall provide dumpsters at the town's public buildings and facilities set forth in Exhibit 3,

During the contract period in accordance with a regular schedule, the Contractor shall once per week provide the stated solid waste services to the following condominium developments: Cost for collection and disposal of condominiums requiring dumpsters shall be included under the category of dumpster collection. Contractors will be required to collect dumpster waste separately from curbside waste and will not be entitled to charge a tipping fee per ton for dumpster waste.

Public Buildings receiving curbside collection are included in the 8,850 units being serviced as described in Section "D1 & D2" and are not additional units.

EXHIBIT 3

**DUMPSTER REQUIREMENTS FOR THE TOWN OF HUDSON
PUBLIC BUILDINGS AND FACILITIES**

BENSON PARK - PARK CONTAINERS	19	KIMBALL HILL RD	1	8	CUBIC YARD	TRASH	1X WEEKLY	APRIL -NOVEMBER
BENSON PARK - PARK CONTAINERS	19	KIMBALL HILL RD	5	96	GALLONS	TRASH	1X WEEKLY	APRIL -NOVEMBER
BENSON PARK - SENIOR CENTER	19	KIMBALL HILL RD	1	8	CUBIC YARD	TRASH	1X WEEKLY	
BENSON PARK - SENIOR CENTER	19	KIMBALL HILL RD	1	96	GALLONS	RECYCLING	1X WEEKLY	
GREELEY PARK		CORNER GREELEY STREET & ROUTE 111	1	6	CUBIC YARD	TRASH	1X WEEKLY	APRIL -NOVEMBER
HUDSON COMMUNITY CENTER	12	LIONS AVENUE	1	8	CUBIC YARD	TRASH	1X WEEKLY	
HUDSON FIRE DEPT- ROBINSON RD	52	ROBINSON ROAD	2	96	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850 CURBSIDE
HUDSON FIRE DEPT- ROBINSON RD	52	ROBINSON ROAD	2	64	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850 CURBSIDE
HUDSON FIRE DEPT. - BURNS HILL	88	BURNS HILL ROAD	2	96	GALLONS	TRASH	1X WEEKLY	INCLUDED IN 8850 CURBSIDE
HUDSON FIRE DEPT. - BURNS HILL	88	BURNS HILL ROAD	2	64	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850 CURBSIDE
HUDSON POLICE STATION	1	CONSTITUTION DRIVE	1	10	CUBIC YARD	TRASH	1X WEEKLY	
HUDSON POLICE STATION	1	CONSTITUTION DRIVE	3	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850 CURBSIDE
HUDSON RECREATION DEPT.	4	OAKWOOD AVENUE	1	6	CUBIC YARD	TRASH	1X WEEKLY	
HUDSON TOWN HALL/ FIRESTATION	12	SCHOOL STREET	1	8	CUBIC YARD	TRASH	1X WEEKLY	
HUDSON TOWN HALL/ FIRESTATION	12	SCHOOL STREET	2	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850 CURBSIDE
HUDSON TOWN HALL/ FIRESTATION	12	SCHOOL STREET	8	64	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850 CURBSIDE
MERRIFIELD PARK	2	BURNHAM ROAD	1	6	CUBIC YARD	TRASH	1X WEEKLY	APRIL -NOVEMBER
PUBLIC WORKS FACILITY	2	CONSTITUTION DRIVE	1	10	CUBIC YARD	TRASH	1X WEEKLY	
PUBLIC WORKS FACILITY	2	CONSTITUTION DRIVE	1	10	CUBIC YARD	RECYCLING	1X WEEKLY	
ROBINSON POND TOWN BEACH		ROBINSON ROAD	1	6	CUBIC YARD	TRASH	1X WEEKLY	APRIL - NOVEMBER COMBO = 7933
RODGERS MEMORIAL LIBRARY	194	DERRY ROAD	1	8	CUBIC YARD	TRASH	1X WEEKLY	
RODGERS MEMORIAL LIBRARY	194	DERRY ROAD	2	96	GALLONS	RECYCLING	BIWEEKLY	INCLUDED IN 8850 CURBSIDE

F. TOWN CLEAN-UP DAYS

During to contract period, the Contractor shall stage (8) 30 cubic yard containers for Town Clean-up days held at the Town transfer facility The Public Works Director shall have the right to schedule up to 20 days of Saturday clean-up during the year. Each contractor shall bid a price per haul and a per ton disposal cost to empty each 30 yard roll off filled during Clean-up Periods. **The response must include costs for unacceptable or special handling items such as mattresses, box springs, tires, batteries crt's cfc's, hcfc's or other items.**

The Contractor must also provide two (2) 40 cubic yard containers for metal recycling and one (1) 30 cubic yard container for cardboard recycling such containers will not be included in the container count. Proceeds or fees from the metal and cardboard collection will go to the Contractor. The Town will not pay a disposal, hauling or rental fee for these 3 containers. Public Works personnel with front-end loader equipment will assist at each clean-up period. No CFC/HCFC white goods will be collected or accepted at the

Town clean-up site during the clean-up days. The primary purpose of town clean-up days is to permit residents to dispose of leafyard waste, construction\demolition and bulky materials. An alternative method of accomplishing Town clean-up days may be suggested and implemented by the Contractor if approved by the Public Works Director. It is anticipated that no contractor employees will be needed during clean-up periods.

G. CURBSIDE COLLECTION OF LEAF AND YARD WASTE.

The contractor shall provide weekly pricing for curbside collection of yard waste to all approved residences. The Town currently provides one (1) week in late fall each year, but reserves the right to request additional weeks or cancel the scheduled week if deemed necessary by providing a minimum 2 week notice to the contractor.

H. FUEL COST ADJUSTMENT

Adjustments due to changes in cost of diesel fuel will be calculated as follows.

The adjustment is to be based on the increase or decrease of diesel fuel cost, as measured by the U.S. Department of Energy, Energy Information Administration, https://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_r10_w.htm for the New England region, from the established baseline costs of \$3.80 per gallon (including taxes) of diesel fuel.

The increase or decrease, as determined above will be applied to the volume of fuel used, which will be fixed at number of gallons used per month bid by the contractor. The contractor must provide a fixed number of gallons used for any alternate proposals as well.

Adjustments will be made biannually on January 1 and July 1, based on the cost of diesel for the six calendar months prior to adjustment:

Adjustment Example: (1/1/20 to 6/30/20 for the July 2020 adjustment).

Fuel Price (avg 6 mos per DOE)	=\$2.74 per gal
Established Baseline Fuel price	=\$3.80 per gal
Increase/ (decrease)	=($\$1.06$ per gal)
Fuel Adjustment ($\$1.06 \times$ gals)	=($\$$ Credit) per mo

In the above example, the Town would receive a credit of \$1.06 multiplied by the monthly fuel usage for the six months subsequent to the first adjustment period.

I. COST ADJUSTMENT

Contractor must provide annual cost adjustment formulas or percentages for each service if applicable.

J. CONTRACT PERIOD

The Contract Period or Term shall commence on July 1, 2022 and shall continue

through June 30, 2027. The contract may be extended for an additional 5 year term at the town's request.

K. CONTRACT PAYMENT SCHEDULE

The Town shall pay the Contractor the contract amount in monthly installments

L. GROWTH COMPENSATION

The Town of Hudson is a desirable residential community and continues to grow. The town will pay the contractor on an annual basis for residential growth. For each block of 50 new residential units added to the contract in a contract year, the town shall pay the contractor \$500 for new residential units' collection responsibilities. This additional compensation shall be paid starting July 1st of each contract year.

M. NO ADDITIONAL COMPENSATION

The Contractor shall perform the work and provide all services under the Contract and shall not be entitled to any compensation in addition to the amount provided under the Contract for the term of the Contract.

N. SPILLAGE AND RESPONSIBILITY

If at any time waste is spilled onto a street or property by the Contractor, or the contents of a truck are spilled/dumped to a street or property, the Contractor shall clean up the spilled/dumped matter immediately before proceeding to the next point of collection. The waste should be cleaned up sufficiently so as to assure the cleanliness of the property and the safety of the residents.

Furthermore, once the Contractor collects solid waste or other materials, the Contractor shall be solely responsible for its lawful transportation and disposal. The Town shall have no obligation for such waste.

O. TOWN HAS RIGHT OF SET-OFF

If the Town incurs expenses and/or damages as direct result of the Contractor's improper performance of the Contractor or the Contractor fails to perform under the contract, the Town has the right to reduce any monthly payment by the amount of incurred expenses and/or damages or pro rata for each day of nonperformance. The Public Works Director shall promptly notify the Contractor in writing of the specific reasons for and the amount of any such reduction.

P. EDUCATION PROGRAM

The Contractor will record an Educational Program on the Town's HCTV and meet with the Sustainability Committee each year as needed.

Q. REPORTS

The contractor shall supply the town with a monthly report detailing the solid waste tonnage and recycling tonnage collected.

R. PLAN OF OPERATION AND COLLECTION ROUTES

30 days prior to commencing performance of the Contract, the Contractor shall submit a written Plan of Operation to service the Contract, including proposed routes of collection and the plan to deliver automated carts/containers to residences to the Public Works Director. The Public Works Director must approve any plan of operation and collection routes and shall have the right to require the Contractor to make reasonable changes to any plan or collection route.

S. INSURANCE REQUIREMENT

The Contractor must obtain and maintain during the entire contract period, at the Contractor's expense, insurance coverage as set forth below:

Comprehensive Liability Insurance
(Bodily Injury, Personal Injury, and Property Damage coverage, to include contractual liability coverage) with the Town of Hudson named as a co-insured with the minimum policy limits of:

Per Occurrence: \$1,000,000
Per Aggregate: \$3,000,000

Automobile/Motor Vehicle Liability and Property Damage Insurance, with the Town of Hudson named as co-insured, covering all motor vehicles the Contractor uses for the Contract. Minimum policy limits of:

Per Occurrence: \$1,000,000
Per Aggregate: \$3,000,000

The Contractor should provide the Town with a copy of the insurance coverage prior to the commencement of the contract and on the annual anniversary thereafter.

Umbrella Coverage to supplement all above insurance, with the Town of Hudson named as co-insured to provide the coverage to at least \$5,000,000 per occurrence.

In addition, during the entire contract period, the Contractor, at its own expense, shall maintain for its employees all Workers Compensation coverage required by New Hampshire Law.

T. BOND REQUIREMENTS

Prior to commencing performance of the Contract, the Contractor must provide a Performance Bond in the amount of 100% of the annual contract price executed by a Surety company acceptable to the Town of Hudson.

U. INDEMNIFICATION

The Contractor acknowledges that it is an independent Contractor responsible for its own acts and performance, including acts of its employees and performance of its equipment. In addition to maintaining the required insurance, the Contractor shall defend, hold harmless, and indemnify the town, its officials, officers, and employees against all claims and suits, even if frivolous, and from liability or judgments arising out of or concerning the Contract or performance of the Contract. The Contractor shall also be liable for all deductibles payable under any insurance coverage.

V. PERMITS AND LICENSES

The Contractor, at its expense, shall maintain throughout the entire contract period, all permits, licenses and approvals necessary or required for the Contractor to perform the work and services described herein.

W. CHANGES TO THE CONTRACT

The Town and the Contractor may agree to make changes to the Contract. All changes to the Contract shall be in writing and shall be signed by both parties.

X. CONTRACT IN NON-EXCLUSIVE

Nothing contained in the Contract shall prevent a "Hudson Resident" from employing another contractor for solid waste collection and disposal service.

Y. BREACH/DEFAULT

In the event that the Contractor fails to perform consistent with the terms of the contract, the Selectmen shall notify the Contractor in writing of the breach and the contractor shall have 48 hours from notification of the breach to remedy the breach. Failure to remedy shall be grounds to declare the contract in default and the Town may draw upon the performance bond to hire another Contractor to complete the contract.

Z. STICKERS

The Contractor shall purchase and provide all collection truck attendants with fluorescent- colored stickers to be placed on any Unacceptable Material or Non-Allowable Items that can easily be seen. The attendant shall then leave the material at the curb.

The wording of the sticker shall be determined by the Town, 30 (thirty) days prior to the beginning of the contract period. The sticker shall have glue that can adhere in all weather conditions, and shall be a minimum of 5 inches by 5 inches in size.

EXHIBIT 4

CURBSIDE/TRASH-RECYCLING & TRANSFER STATION WEIGHTS

	FY2020	FY2019	FY2018	FY2017	FY2016
Trash Tons	7396.6	7091.18	6950.4	6740.68	6626.3
Recycling Tons	2300.96	2533.28	2534.55	2469.42	2503.01
Transfer Station Tons	1028.47	847.4	710.34	670.41	719.21
TOTAL	10726.03	10471.86	10195.29	9880.51	9848.52

EXHIBIT 5

SINGLE STREAM RECYCLING PROGRAM

During the contract period in accordance with a regular every other week schedule, the contractor will collect curbside single stream recyclable from 96 gallon totters owned and supplied by the contractor. In some cases the town may request smaller totters for recycling to accommodate the congested areas or for people unable to handle the 96 gallon totters.

The Contractor will accept the following recyclable items:

1. Newspapers
2. Glass jars and bottles
 - clear
 - brown
 - green
3. Aluminum cans
4. Tin cans
5. "Recyclable Container" shall mean empty and rinsed containers with labels attached of the following types:
 - High Density Polyethylene #2 (HDPE) plastic
 - Plastics #3,4,5, & 7
 - Polyethylene Terephthalate (PET #1) plastic
 - Aluminum cans
 - Clean Aluminum plates and foil
 - Steel (tinned) cans
 - Clear glass jars and bottles
 - Brown glass jars and bottles
 - Green glass jars and bottles
6. "Recyclable Paper and Cardboard" shall mean clean, dry paper of the following types:
 - Envelopes
 - Junk Mail
 - Letterhead, stationary and office paper
 - Classroom paper
 - Index Cards
 - Computer paper
 - Paper bags (Any color, but excluding glossy paper and including craft paper)
 - Magazines and catalogues
 - Newspaper (including inserts)
 - Corrugated cardboard, flattened
 - Telephone books
 - Asian cardboard; tan, light brown orange or yellow board that has gray- colored fiber between the top and bottom layers of the board

- Merchandise packing boxes such as cereal boxes and tubes (otherwise known as chipboard, paperboard or boxboard but excluding plastic coated board, detergent boxes and beverage carriers)
- Excluded from paper materials are paper towels, tissues, food service paper and laminated composite, wax-coated paper, foil backed paper, spoiled or wet paper.

The Contractor may suggest additional recyclable items which may be included at a later date at the exclusive option of the Town at a price to be negotiated between the parties.

EXHIBIT 6

RECYCLING

HISTORY: Adopted by the Town Council of the Town of Hudson 05-29-1990 as Ord. No. 090-2. Amendments noted where applicable.

266-1. Purpose

The TOWN OF HUDSON has adopted a recycling program which is part of its solid waste management efforts. Undertaking this program involves residents placing their recyclables at curbside, in designated containers, together with their normal trash, for collection of the day designed for that section of town where they live. It has been observed that a person or persons have on occasion taken these recyclable items placed in front of residences as part of the town's recycling program. Such actions by that person greatly inhibit the town's ability to move forward with a successful recycling program.

266-2.1. Collection by unauthorized persons.

From the time of placement of any recyclables at the curb of any resident, it shall be unlawful for any person, persons, firms or corporations to collect, remove or dispose of recyclables. Each such collection, removal or disposal in violation hereof from one (1) or more residences shall constitute a separate and different offense.

266.3. Violations and penalties.

A person, persons, firm or corporation convicted of violating any provisions of the chapter shall be guilty of a violation, which is punishable as follows:

- A. For a first conviction, by a fine of twenty-five dollars (\$25.)
- B. For a second conviction, by a fine of fifty dollars (\$50.)
- C. For a third, and all subsequent convictions, by a fine of not less than two hundred fifty dollars (\$250.) nor more than five hundred dollars (\$500.).

EXHIBIT 7

HAZARDOUS AND SPECIAL WASTE

1. Chemical waste from laboratories, including discarded containers of laboratory chemicals, lab clothing, and debris from lab cleanup.
2. Large containers of waste commercial product or chemicals (e.g. portable tanks, drums, barrels, etc.) which may hold residual of product.
3. Asbestos containing waste from building demolition or cleaning (e.g. wallboard, wall spray coverings, pipe insulation, etc).
4. Off-Specification, outdated, contaminated or banned commercial products or chemicals (e.g. off-specification fertilizer, outdated food, contaminated medicine, etc.).
5. Residue and debris from cleanup of spills of single chemical substance (e.g. diesel fuel, tar, etc.).
6. Waste produced by mechanical processing of fruit vegetables or grain (e.g. rinds, hulls, husks, pods, shells, etc.).
7. Closed cartridge filters from dry-cleaning establishments.
8. A containerized waste (e.g. drum, barrel, portable tank, box pail, etc.), which contains waste.
9. Waste from an industrial process (e.g. waste from the production of computers, parts, asphalt, etc).
10. Sludge waste other than from a publicly owned sewage treatment plant serving primarily domestic users.
11. Residue and debris from the cleanup of a spill or release of chemical substance, commercial product or waste listed above in 1, 3, or 5.

CONTRACTOR INFORMATION STATEMENT

1. CONTRACT TITLE OR DESCRIPTION: _____

2. CONTRACTOR'S FULL NAME : _____

BUSINESS OR TRADE NAME: _____

BUSINESS ADDRESS: _____

(INCLUDE POST OFFICE BOXES) _____

CONTRACTOR'S BUSINESSES AND OR PRODUCTS AND SERVICES

CONTRACTOR PROVIDES _____

3. CONTRACTOR IS A (check and /or complete where applicable)
____ CORPORAATION, STATE OF INCORPORATION _____
____ SOLE PROPRIETORSHIP
____ PARTNERSHIP OR ASSOCIATION
____ OTHER _____

4. IF THE CONTRACTOR IS A CORPORATION, STATE THE (1) NAME (S), (2) BUSINESS ADDRESS (ES) AND (3) BUSINESS PHONE NUMBERS OF CONTRACTOR'S PRESIDENT AND CHIEF EXECUTIVE OFFICER.

5. SET FORTH THE (1) NAME (S), (2) BUSINESS ADDRESS (ES), AND (3) PERCENTAGE (S) OF INTEREST OF EACH PERSON, PARTNERSHIP, ASSOCIATION, OR CORPORATION WHO HAS AN INTEREST IN THE CONTRACTOR OF TEN PERCENT (10%) OR MORE, "INTEREST" INCLUDES OWNERSHIP INTEREST OR A RIGHT TO EARNINGS & PROFITS.

NAME: _____

BUS. ADDRESS: _____

NAME: _____

BUS. ADDRESS: _____

INTEREST: _____ %

NAME: _____

BUS. ADDRESS: _____

INTEREST: _____ %

6. IDENTIFY THE OFFICIAL (S) OF CONTRACTOR WHO WILL MANAGE THIS CONTRACT AND WHOM TOWN OFFICIALS MAY CONTACT

CONCERNING CONTRACT PERFORMANCE PROBLEMS.

NAME (S): _____

TITLE(S): _____

BUS. ADDRESS: _____

TELEPHONE NO(S) _____

7. IDENTIFY THE OFFICIAL OF THE CONTRACTOR ON WHOM TOWN OFFICIALS MAY SERVE ALL NOTICES CONCERNING THE CONTRACT.

NAME: _____

TITLE(S): _____

BUS. ADDRESS: _____

TELEPHONE NO(S) _____

8. SET FORTH ALL LICENSE (S) OR PERMITS (S) ISSUED BY FEDERAL, STATE, OR LOCAL GOVERNMENT AUTHORITIES WHICH THE CONTRACTOR HAS AND WHICH ARE REQUIRED FOR THE PERFORMANCE OF THIS CONTRACT, INCLUDING PROFESSIONAL OR TRADE LICENSES OR PRINCIPALS OR STAFF MEMEBERS OF THE CONTRACTOR. IF NOT REQUIRED, STATE "NONE REQUIRED:"

LICENSE/PERMIT: _____

LICENSE
HOLDER: _____

DATE LICENSE EXPIRES: _____

ISSUING AUTHORITY: _____

ADDRESS OF ISSUING AUTHORITY: _____

LICENSE/PERMIT: _____

LICENSE
HOLDER: _____

LICENSE

NO.: _____

DATE LICENSE EXPIRES: _____

ISSUING AUTHORITY: _____

ADDRESS OF ISSUING AUTHORITY _____

LICENSE/PERMIT: _____

LICENSE/HOLDER: _____

LICENSE NO: _____
DATE LICENSE EXPIRES: _____
ISSUING AUTHORITY: _____
ADDRESS OF ISSURING AUTHORITY: _____

IF THE CONTRACTOR HAS A REGISTERED AGENT WHO IS AUTHORIZED TO RECEIVE LEGAL PROCESS IN THE STATE OF NEW HAMPSHIRE FOR THE CONTRACTOR, IDENTIFY THE AGENT.

NAME: _____

BUSINESS ADDRESS: _____

CERTIFICATION

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND IS BASED UPON A THOROUGH INVESTIGATION BY ME. I FURTHER CERTIFY THAT I HAVE APPROPRIATE AUTHORITY FROM THE CONTRACTOR TO PROVIDE THE INFORMATION STATED ABOVE AND TO BIND THE CONTRACTOR TO THAT INFORMATION. I UNDERSTAND THAT THE CONTRACTOR IS PROVIDING THE ABOVE INFORMATION TO INDUCE THE TOWN OF HUDSON TO AWARD IT A CONTRACT.

IF THE ABOVE INFORMATION CHANGES, I UNDERSTAND IT IS THE CONTRACTORS DUTY TO PROMPTLY NOTIFY THE TOWN OF HUDSON IN WRITING OF THE CHANGES.

DATE

SIGNED

ATTACHMENT - A

**2022
 BID FORM
 SOLID WASTE AND RECYCLING
 COLLECTION DISPOSAL**

TOWN OF HUDSON, NEW HAMPSHIRE

DATE: _____

PROPOSERS NAME: _____

PROPOSERS ADDRESS: _____

PROPOSAL TO: THE TOWN OF HUDSON NEW HAMPSHIRE
ORGANIZED AND EXISTING UNDER THE LAWS OF STATE OF
N.H.

CORPORATION _____, PARTNERSHIP _____, INDIVIDUAL _____

The Bidder, having examined the specification and related documents referenced therein, and further having examined the proposed work, and being familiar with the conditions surrounding proposed Solid Waste, Recycling Collection Disposal, hereby propose to furnish all labor, materials, supplies, in accordance with the time set forth herein, and at the price stated below.

It is hereby understood that the Town may reject any or all bids.

1) Solid Waste Collection - Curbside	Annual - Lump Sum	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
2) Solid Waste Disposal	Per Ton	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
3) Recycling Collection - Every other week collection option	Annual - Lump Sum	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
4) Recycling Disposal - Every other week collection option	Per Ton	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	

5) Recycling Collection - Weekly collection option	Annual - Lump Sum	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
6) Recycling Disposal - Weekly option	Per Ton	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
7) Dumpster Collection/Disposal	Annual - Lump Sum	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
8) Clean-Up Period Containers - Hauling Fee	Haul Fee - Per Container	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
9) Clean-Up Period Disposal Fee	Per Ton	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I	Fixed Rate or Formula	
10) Fuel Cost Adjustment, Sec H - Fixed monthly gallons- Every other week Recycling option	Fixed Monthly Gallons	
11) Fuel Cost Adjustment, Sec H - Fixed monthly gallons-Weekly Recycling option	Fixed Monthly Gallons	
12) Bulky Items- Non Metal	Per Item	
	Dollars & Cents	
13) White Goods -CFC/HCFC	Per Item	
	Dollars & Cents	
14) White Goods – Non CFC/HCFC	Per Item	
	Dollars & Cents	
15) CRT'S & Televisions	Per Item	
	Dollars & Cents	
Annual Price Adjustment, See-Sec I Items 12 through 15	Fixed Rate or Formula	

RESPECTFULLY SUBMITTED:

COMPANY NAME: _____

ADDRESS: _____
NAME: _____
SIGNATURE: _____
TITLE: _____ DATE: _____

CORPORATE SEAL

ATTESTED