



# 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

March 5, 2024

7:00 PM

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 - Conservation Commission (1 member vacancy to expire 12/31/26 and 1 alternate member vacancy expiring 12/31/25)

John Walter
6. CONSENT ITEMS
  - A. Assessing Items
    - 1) Disabled Veteran Tax Credit: map 240, lot 007
    - 2) 2025-2029 PILOT Agreement Renewal: map 109, lot 10 - Southern New Hampshire Medical Center
  - B. Water/Sewer Items - none
  - C. Licenses & Permits & Policies - none
  - D. Donations - none
  - E. Acceptance of Minutes
    - 1) Minutes of February 26, 2024
    - 2) Minutes of February 27, 2024
  - F. Calendar

03/11	7:00	Conservation Commission	Buxton Meeting Room
03/12		Town Elections - Polls Open 7AM-8PM - Visit Hudsonnh.gov for more info	
03/13	7:00	Planning Board	Buxton Meeting Room
03/19	7:00	Municipal Utility Committee	BOS Meeting Room
03/20	6:00	Library Trustees	Hills Memorial Library
03/20	7:00	Hudson Electric Aggregation Cmte.	Rodgers Memorial Library
03/25	7:00	Sustainability Committee	Buxton Meeting Room
03/26	7:00	Board of Selectmen	BOS Meeting Room

7. **OLD BUSINESS**

A. Votes taken after Nonpublic Session on February 27, 2024

1. Selectman Guessferd made a motion, seconded by Selectman Morin to hire Christopher Penny for the position of Firefighter/EMT in the Fire Department at the contracted salary of \$18.14 per hour (step 1). This assignment will be a non-exempt position in accordance with the International Association of Firefighters Local #3154, as recommended by the Fire Chief. Carried 5-0.

2. Selectman Roy made a motion, seconded by Selectman Guessferd to amend the motion made at the January 30, 2024 Board of Selectmen meeting to hire Connor Roche for the position of Firefighter/EMT, as he has already accepted a position with another department. Carried 5-0.

3. Selectman Guessferd made a motion, seconded by Selectman Dumont to authorize the Fire Chief to extend the probation of Firefighter Kenneth Ballou, Firefighter Gabriel Burgess-Labonte, Firefighter Logan Falk, and Firefighter Earvin Wanjohi for an additional three (3) months or the completion of their probationary requirements with a completion date of no date later than June 5, 2023, as recommended by the Fire Chief. Carried 5-0.

4. Selectman Morin made a motion, seconded by Selectman Roy to seal the minutes of the February 27, 2024 nonpublic session. Carried 5-0.

5. Selectman Morin made a motion to adjourn at 8:38p.m. this was seconded by Selectman Guessferd. Carried 5-0.

B. Benson Park Golf Cart - Proposed Golf Cart Policy (Second Reading) - Decision

8. **NEW BUSINESS**

A. Sustainability Committee Roadside Cleanup Request - Decision

B. Proposal for Legal Services 2024 - 2025 - Town Administrator - Decision

C. VFW Post 5791 Loyalty Day Nomination - Town Administrator - Decision

D. Senate Bill 468 - Senator Clegg Memorial Highway - Decision

9. **SELECTMEN LIASON REPORTS/OTHER REMARKS**

10. **REMARKS BY TOWN ADMINISTRATOR**

11. **REMARKS BY SCHOOL BOARD**

12. **NONPUBLIC SESSION**

**RSA 91-A:3 II (b)** The hiring of any person as a public employee. **(m)** Consideration of whether to disclose minutes of a nonpublic session due to a change in circumstances under paragraph III. However, any vote on whether to disclose minutes shall take place in public session. *(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, March 21, 2024.**

FEB 16 2024

TOWN OF HUDSON  
SELECTMENS OFFICE

5A



**TOWN OF HUDSON**  
**Board & Committees Vacancy Application**  
(Hudson, NH Residents Only)

Name John Walter Street Address [REDACTED]

Home Phone Number — Work Phone Number 603-321-8705

Occupation (or former occupation if retired) Middle School Teacher - Amherst NH, Builder/Remodeling  
Email Address KSC

Education/Special Interests B. Ed. Ed. Education, M. Teaching Science

Professional/Community Activities Building Remodeling, Volunteer Playground improvement

Interest in conservation commission

Reason for Applying Richard/Peg Pietrowski: 16 Riverview Ave

Reference(s) Thomas Barrett 17 Tessier St

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

Member or  Alternate  Reappointment

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

Area(s) of Expertise:

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

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

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Stan + Patricia Zube, 92 Spear Rd

Victor Oates 77 Sousa Boulevard

Chris Haiqs 6 Watersedge



# TOWN OF HUDSON

Office of the Assessor

Jim Michaud  
Chief Assessor, CAE  
email: [jmichaud@hudsonnh.gov](mailto:jmichaud@hudsonnh.gov)

[www.hudsonnh.gov](http://www.hudsonnh.gov)



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

TO: Board of Selectmen  
Steve Malizia, Town Administrator

DATE: March 5, 2024

FROM: Jim Michaud, Chief Assessor 

**RECEIVED**

FEB 29 2024

RE: Disabled Veteran Tax Credit:

TOWN OF HUDSON  
SELECTMENS OFFICE

11 Eagle Dr. – map 240/ lot 007

I recommend the Board of Selectmen sign the PA-29 form granting a Disabled Veteran Tax Credit to the property owner listed below. The resident has provided documentation verifying that they do qualify for this credit.

John Dubuc - 11 Eagle Dr. – map 240/ lot 007

***MOTION: Motion to grant a Disabled Veteran Tax Credit to the property owner referenced in the above request.***



# TOWN OF HUDSON

Office of the Assessor



Jim Michaud  
Chief Assessor, CAE  
email: [jmichaud@hudsonnh.gov](mailto:jmichaud@hudsonnh.gov)

[www.hudsonnh.gov](http://www.hudsonnh.gov)

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

TO: Board of Selectmen  
Steve Malizia, Town Administrator

March 5, 2024

FROM: Jim Michaud, Chief Assessor 

**RECEIVED**

RE: 2025-2029 PILOT agreement renewal  
Map 109 Lot 10 – Southern NH Medical Center

FEB 29 2024

TOWN OF HUDSON  
SELECTMENS OFFICE

The Town has a PILOT (Payment In Lieu of Taxes) agreement on the property that Southern New Hampshire Medical Center (SNHMC) owns at 300 Derry Road. The Town has had continuing PILOT agreements on this property since 2013. The department has had discussion with SNHMC to renew the agreement, that proposed renewal agreement is attached, and it has been reviewed favorably by Attorney Dave LeFevre, as well as SNHMC is in agreement. A PILOT agreement, as allowed for under RSA 72:23-n, allows a municipality to negotiate a voluntary payment of some property taxes from entities that are typically property tax exempt. This particular facility has both the traditional charitable exemption components (hospital-based services that have a charity component), as well as other, less traditional, exemption qualifying components (i.e. a medical office building etc).

The request is to have the BOS sign the attached PILOT agreement. The basis of the voluntary property tax load is the same as in prior agreements, two-fold ; (1) that 66.67% of the facility is taxable, and (2) that they pay on 37% of the total tax rate. The 66.67% is based on the agreed to non-charitable value of the entire facility, one takes the current total assessment of \$2,824,700 x .6667 = \$1,883,227 taxable assessment basis. For example purposes the 37% tax rate figure (\$5.80) represents an approximation of what the municipal (\$4.71) and county (\$.89) portions of the total prior 2023 tax rate (\$15.68) are. The 2023 PILOT taxes amounted to; \$10,922.70 The above approach is reasonably consistent, though not exactly so, with the PILOT agreements worked out with SNHMC in Nashua, Pelham, Amherst and Milford, all facilities not being exactly the same in design nor use.

This agreement covers a 5-year term, with an allowance for another 5-year term, with various breakpoints for either side to remove itself from the agreement if necessary, and also further language that allows for a mutual process to occur when the facility expands, which is more likely than not. It should be pointed out that SNHMC is a welcome corporate property owner in the Town, that they not only provide good jobs within their facility, they also provide a latest reported Community Benefit of \$69,636,081, of which \$2,317,725 represents uncompensated and charity care provided

to over 2,468 residents of Hudson, over \$165,927 of this care was provided at the Hudson facility.

This initiative that my office has undertaken represents approx. \$10,922,70 in 2023 tax dollars, the 2024 tax rate likely will be higher than the 2024 tax rate, thus a few more dollars than that for the 2024 tax year. The PILOT tax bill will be a separate tax warrant for the BOS to sign towards the end of each calendar year, once a year. I ask for BOS support of this PILOT agreement renewal.

***Motion:***

***To approve the "Payment in Lieu of Taxes" (PILOT) agreement as negotiated by the Chief Assessor for the Southern New Hampshire Medical Center at 300 Derry Road, Tax Map 109 Lot 10.***

Cc: File

2024SNHMCPILOTBosMemo

TOWN OF HUDSON  
PAYMENT OF LIEU OF  
TAXES  
AGREEMENT

This agreement is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by and between the Town of Hudson of 12 School Street, Hudson, New Hampshire, (hereinafter referred to as the "Town") and Southern New Hampshire Medical Center of 8 Prospect Street, Nashua, New Hampshire, (hereinafter referred to as the "Taxpayer"), the parties agree as follows:

WHEREAS; the Taxpayer owns real property located in the Town of Hudson with an address of 300 Derry Road, Map 109 Lot 10. Said property is utilized by the taxpayer as a medical center;

WHEREAS; the Taxpayer believes its real estate and its facility located in the Town of Hudson qualifies as a charitable use and should therefore be exempt from the payment of real estate taxes pursuant to RSA 72:23;

WHEREAS; the Town has questioned the position of the Taxpayer in the past and had intended to deny the Taxpayer the charitable tax exemption in its totality in the past;

WHEREAS; the Town and the Taxpayer have concluded that it is in their respective best interests to enter into a good faith compromise and to enter into this agreement without admission by either party;

WHEREAS; the parties believe that such an agreement is fair, reasonable and will provide long term certainty with respect to the annual payments to be made by the Taxpayer and to be received by the Town of Hudson; and

WHEREAS; accordingly, the parties have reached an agreement to have the Taxpayer make an annual payment to the Town of Hudson in lieu of taxation as is more particularly described



below.

NOW THEREFORE, the Town and the Taxpayer, for good and sufficient consideration, the receipt of which is hereby acknowledged agree as follows:

1. At all times during the term or extended term of this agreement, the Taxpayer will timely file the list of property required by RSA 72:23-c on BTLA Form 9 (or its successor form), and shall timely file statements of financial condition for the preceding fiscal year as are required by RSA 72:23 V on BTLA Form 12 (or its successor form). Further, each year by June 1 the Taxpayer will provide the Town with a report setting forth the alleged charitable work that purports to support their claim for an exemption in the Town of Hudson.

2. So long as the taxpayer complies with the terms of this agreement, the Town of Hudson shall cause the calculation of the tax obligation pertaining to the property of the Taxpayer to be established as set forth below and within thirty (30) days of receiving the annual notice of tax from Hudson each year, Taxpayer will make payment of the amount specified therein, which payment will be calculated pursuant to Section 4 below. Such assessment of tax shall be subject to statutory collection proceedings against real estate as prescribed by RSA 80.

3. Approximately one third of the existing facility is utilized for outpatient hospital services, such as Radiology Services, Physical Rehabilitation, and Lab Services. Accordingly Hudson will exempt from this agreement one-third percent (33.333%) of the total assessment of the existing facility. Thus the calculation of the PILOT payment agreed to herein will be based on 2/3rds (66.667%) of the assessed values of the existing land and building assessments on a year to year basis

4. Hudson shall, for each year, in accordance with the same methodology it uses to assess comparable real estate subject to its taxing authority, will assess the Taxpayer's property and impose a tax calculated at thirty-seven percent (37%) of Hudson's overall tax rate multiplied by .6667% of the assessed value of the property. Hudson will send to the Taxpayer one annual tax notice to coincide with the tax billing generated in general within the Town of Hudson.

5. The Taxpayer will make the annual payments in lieu of taxation within thirty (30) days of receipt of the annual bill. Notwithstanding the foregoing, the parties agree that the Taxpayer will have the right to challenge the assessed value that Hudson assigns to its property, which challenge shall be governed and decided by the laws that apply to tax abatement actions (RSA 76:16 and RSA 76:17 etc).

6. The property that is subject to this agreement is the land and existing buildings at 300 Derry Road, Hudson, New Hampshire (Map 109, Lot 10). In the event the Taxpayer increases or decreases the property it owns in the Town of Hudson, by acquisition, improvement or sale, the amount subject to assessment per this Agreement will be increased or decreased based on the assessed value of the property the Taxpayer owns, uses and occupies for the same purposes as the subject property as of April 1 of each tax year calculated as is set forth herein. If the taxpayer increases or decreases the amount or percentage of building square footage and for outpatient hospital services both parties will mutually agree, within 30 days of the changed building square footage, on a different percentage of the assessment that should be classified as exempt for purpose of this PILOT agreement herein.

7. It is the intent of the parties that the arrangement expressed in this agreement shall, unless terminated by either party, pursuant to the provisions of this agreement, continue for a minimum of five (5) years, covering the 2025 through 2029 property tax years. The Taxpayer shall

have the right to extend this agreement for additional five (5) year terms by giving written notice to Hudson prior to the April 1, 2029 tax year, and April 1 of the last tax year of any extension of this agreement.

8. Notwithstanding the foregoing, either party may terminate this agreement by giving written notice of termination to the other party prior to April 1, 2029, or the last year of any extension of this agreement. Additionally, this agreement may be terminated by either party in the event that there is a change in New Hampshire or Federal Law that relates to the entitlement to a tax exemption for charitable purposes. In addition, the Taxpayer has the right to terminate this agreement in the event there is a change in law that has or will have a material effect on their financial condition. Any party terminating this agreement for reasons set forth in this paragraph shall give notice to the other party no later than April 1 of the year in which such termination is intended to take effect.

9. This agreement shall not be construed and is not intended to constitute an agreement by the Town of Hudson that the Taxpayer is entitled to the charitable exemption claimed nor, correspondently, shall this agreement be construed or intended to constitute an agreement by the Taxpayer that they are not entitled to the claimed exemption and, therefore, owe taxes to the Town of Hudson. This agreement shall not constitute an admission by either party as to the validity of the respective legal positions advanced by either party. It is clearly understood that this agreement is being entered into by the parties for the purpose of resolving any potential dispute involving past competing claims in order to purchase peace and avoid the cost, inconvenience and uncertainty of any protracted litigation. As such, each party reserves their right to pursue any argument or claim that may be available to them upon the expiration or earlier termination of this agreement. In this regard, upon the expiration or earlier termination of this agreement, by either party, the Taxpayer may apply

for a charitable exemption and Hudson reserves all rights in its review and action on such application.

10. In the event of a breach of this agreement the non-breaching party shall be entitled to all remedies available at law and or in equity including the right of specific enforcement of this agreement.

11. Hudson and the Taxpayer represent and warrant that pursuant to RSA 72:23-n, that each has authority to enter into this agreement and that all applicable laws, ordinances, rules and procedures have been met regarding the approval and execution of this agreement.

12. Any written notice required by this agreement shall be given in writing or by Electronic means, with proof or acknowledgement of receipt required. Notice to the Town shall be sent to the Board of Selectmen, Town of Hudson, 12 School Street, Hudson, New Hampshire. Notice to the Taxpayer shall be sent to: Scott Cote, Vice President of Facilities and Emergency Management, Southern NH Health System, 8 Prospect Street, Nashua, New Hampshire.

13. The Taxpayer upon written notice to the Town that sets forth the reason for exercising its rights under this paragraph has the right to assign the agreement to another charitable organization upon approval of the Town of Hudson, which approval shall not be unreasonably withheld.

14. This agreement contains the entire agreement between the parties with respect to the Taxpayer's entitlement to a charitable tax exemption, and it supersedes any prior understandings, agreements or representations by or between the parties, written or oral, that might have related to the subject matter of the agreement in any way.

15. This agreement shall be governed and interpreted under New Hampshire Law.

TOWN OF HUDSON  
BOARD OF  
SELECTMEN

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Duly Authorized

SOUTHERN NEW HAMPSHIRE  
HEALTH SYSTEM

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Duly Authorized

HUDSON, NEW HAMPSHIRE BOARD OF SELECTMEN

Minutes of the February 26, 2024  
Public Hearing - Warrant Article #30  
Change the Date of Election Day

1. CALL TO ORDER - by Vice-Chairman Morin the meeting of February 26, 2024 at 5:00 p.m. in the Selectmen Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE led by Selectman Morin
3. ATTENDANCE  
Board of Selectmen: Dillon Dumont, Dave Morin, Kara Roy  
Selectman Guessferd, Chairman McGrath and Town Administrator Steve Malizia had excused absences this evening.  
Staff/Others: Jill Laffin, Executive Assistant
4. PUBLIC HEARING

Vice-Chairman Morin explained that Warrant Article #30, Change Election Day Date, which was submitted by petition, needs its own public hearing, per RSA 40:14XI(b). Though there was lots of public input received on this warrant article at Deliberative Session. Vice-Chairman Morin asked Selectman Roy and Selectman Dumont if they had any questions, which neither did.

Vice-Chairman Morin opened the public hearing at 5:01p.m. and asked if there was anyone present who would like to make comment. There was no comment. Vice-Chairman Morin closed the public hearing at 5:01p.m.

Selectman Roy made a motion to adjourn at 5:01p.m. Selectman Dumont seconded the motion and it carried 3-0.

5. ADJOURNMENT

*Motion to adjourn at 5:01 p.m. by Selectman Roy seconded by Selectman Dumont. Carried 3-0.*

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

ABSENT  
Marilyn McGrath, Chairman

\_\_\_\_\_  
Dave Morin, Vice Chairman

\_\_\_\_\_  
Kara Roy, Selectman

ABSENT  
Bob Guessferd, Selectman

\_\_\_\_\_  
Dillon Dumont, Selectman

## HUDSON, NEW HAMPSHIRE BOARD OF SELECTMEN

## Minutes of the February 27, 2024 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of February 27, 2024 at 6:59 p.m. in the Selectmen Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE led by Town Engineer Elvis Dhima

3. ATTENDANCE

Board of Selectmen: Dillon Dumont, Bob Guessferd, Dave Morin, Kara Roy, Marilyn McGrath

Staff/Others: Elvis Dhima, Town Engineer; Lisa Labrie, Finance Director; Scott Tice, Fire Chief; Gary Gasdia, School Board Member; Jill Laffin, Executive Assistant

4. PUBLIC INPUT - there was no public input.

5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS

A. Appointment

Benson Park Committee

Nathan Muir - (1 alternate member term to expire 4/30/25 and 1 alternate member term to expire 4/30/27.)

*Selectman Morin made a motion, seconded by Selectman Guessferd to appoint Nathan Muir as an alternate member of the Benson Park Committee with a term to expire 4/30/27. Carried 5-0.*

6. CONSENT ITEMS

Chairman McGrath asked, does anyone have anything they'd like removed for separate consideration? *Selectman Dumont made a motion, seconded by Selectman Morin to approve Consent Items A, B, C, D, E, & F. Carried 4-0.*

A. Assessing Items

1) Veteran Tax Credit: map 183, lot 112, 11 Greentrees Drive

2) Disabled Veteran Tax Credit & Regular Veteran Tax Credit: map 194, lot 001, sub 1-1, 30A Speare Road

3) All Veteran Tax Credit: map 173, lot 037, 39 Baker Street

4) Disabled Veteran Tax Credits: map 190, lot 038, 19 Andrews Ave.; map 149, lot 001, sub 051, 24 Glasgow Circle

5) Solar Exemptions: map 142, lot 004, 42 Pinewood Drive; map 160, map 035, 39 Rangers Drive

6) Elderly Exemption: map 122, lot 013, 11 Circle Drive

7) Certification of Yield Taxes Assessed/Timber Warrant: map 160, lot 048, 70 Rangers Drive

B. Water/Sewer Items

1) Water Abatement W-UTL-24-01, Acct#3506095203

C. Licenses & Permits & Policies

1) Tag Day Permit - Humane Society for Greater Nashua

D. Donations - none

E. Acceptance of Minutes

1) Minutes of February 13, 2024

F. Calendar

02/28 6:00

Library Trustees

Hills Memorial Library

02/28 7:00

Planning Board

Buxton Meeting Room

03/05 7:00

Board of Selectmen

BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on February 13, 2024

1. Selectman Morin made a motion, seconded by Selectman Guessferd to seal the minutes of the first nonpublic session of February 13, 2024. Carried 5-0.

2. Selectman Dumont made a motion, seconded by Selectman Guessferd to terminate Paul Bolduc from his position of Dispatcher effective 1300 on February 5, 2024 and not pay out the seven (7) hours of earned time for the remainder of that shift and withhold payout of any remaining earned time that he has available, as recommended by the Fire Chief. Carried 5-0.

3. Selectman Dumont made a motion, seconded by Selectman Morin to authorize the Fire Chief to participate in an unpaid four month internship through the Army Career Skills Program with Isaiah Whiteside, as recommended by the Fire Chief. Carried 5-0.

4. Selectman Guessferd made a motion to adjourn at 8:59 p.m. this was seconded by Selectman Dumont. Carried 5-0.

8. NEW BUSINESS

A. Melendy Road Bridge Rehabilitation

Town Engineer Elvis Dhima was recognized and said, thank you, Madam Chair. Good evening, everyone. As you recall, we've been working on multiple bridges in town. This is one of them. We're using bridge aide funds to do the design and the permitting. And during the evaluations, you recall, once we got under it, we find out that this was rated a four versus a five. We made the case of the State, and the State has agreed that this is one of the projects that could be funded from the feds. And I am in front of you tonight to let you know that we did get in the program, it's a million dollars. We have our portion for \$200,000, and the State is coming up with \$800,000. This is in front of you tonight for acceptance and moving forward. Again, it's another project that we were able to put in at the last minute, just like the Twin Bridges. We continue to be very fortunate and very lucky getting this federal aid at the last minute with projects that basically are gonna reduce the burden on the taxpayers. So not bad for a bunch of country pumpkins. But we're around. We continue to enjoy good relationship with the State. But



this was very surprising to me. And I'm grateful that they were able to put this in at the last minute. I'll take any questions you might have.

Selecting Roy was recognized and asked what's an LPA certificate? Mr. Dhima replied jokingly, it's a secret society of nerds, and I'm one of them. We're going to take over the world. It's federal aid projects that are administrated by local agencies like us. So the State requires all agencies or all municipalities to have someone that's certified to handle all federal regulatory projects because it's federally funded. It's not just the construction part of it, but it's also the labor part of it. We're subject to two to three days training, and we have to take an exam, and if you score less than 88, which is an A minus, you don't pass, it's ridiculous. But it's good for, it used to be good for three years, now it's good for six years. But it's a very strict program that basically everyone that handles federal money has to be certified to handle that. And they want someone to be the principal, they want someone to be in charge of this, that truly understands all the -- all the requirements of the feds required and as I said it's not just the construction piece it's also the the labor piece and everything that goes with it. But that's what that is. Selectman Roy replied, okay thank you.

Seeing no further questions from the Board, Selectman Morin made a motion, seconded by Selectman Dumont to assign the Town Engineer LPA certificate number 1573, as the principal for this project. Carried 5-0.

Selectman Morin made a motion, seconded by Selectman Guessferd to authorize the Town Engineer to sign the agreement between the New Hampshire Department of Transportation and the Town of Hudson. Carried 5-0.

#### B. Garden Circle 8 " Water Main Acceptance

Chairman McGrath recognized Town Engineer Elvis Dhima. Mr. Dhima said, Thank you, Madam Chair. As you might be familiar with what's going on in town, there is an eight or nine lot subdivision right down the street from Library. It used to be known as Frenette Gardens also at 65 Central Street. This is a single family development. They've been installing the water, the sewer and the road. Part of them applying for the certificate of occupancy for the buildings, is basically a requirement from us to have the water and the sewer taken care of and basically operational. And this is what you have in front of you tonight. The first one is the water and the second one is the sewer. The water becomes Town property, it comes with a one year warranty after you sign it tonight. And it comes recommended by myself, Public Works Director and Municipality Utility Committee. With that said, I'll take any questions from my house. Seeing no questions from the Board, Selectman Guessferd made a motion, seconded by Selectman Dumont to accept the Garden Circle water main and fire hydrant as recommended by the Town Engineer, Public Works Director and Municipal Utility Committee. Carried 5-0.

#### C. Garden Circle 8" Sewer Main Acceptance

Town Engineer Elvis Dhima, having just explained the Water Main Acceptance, was asked by Chairman McGrath, this is the same as the water? To which Mr. Dhima replied, that is correct. Selectman Guessferd made a motion, seconded by Selectman Roy to accept the Garden Circle sewer main as recommended by the Town Engineer, Public Works Director and Municipal Utility Committee. Carried 5-0.

D. Benson Park Golf Cart Proposed Policy (First Reading)

Chairman McGrath said, Mr. Madden is not present currently and if he comes in we'll take it up when he does. Otherwise we'll postpone it. Selectman Dumont was recognized and said, I think I could speak to it if that's all right with everybody. Pretty simple, but they produced their policy a little bit of back and forth and some vetting through the Attorney. It was recommended to have the Attorney draft up the final one and that's why that what's in front of you here tonight. So it was approved unanimously by the committee. They're all in favor of it. I think Attorney Lefevre did a good job in strengthening it up for them. Chairman McGrath spoke up saying, excuse me for just a minute. Was Mr. Madden aware that you were going to present it tonight? Selectman Dumont replied, no, he was not. He did not ask me to do that. Being the liaison for the committee, I just wanted to give that. Chairman McGrath replied, no, no, no, I'm fine with that. I'm just questioning whether or not he's going to, to be walking through the door at any moment. That's all.

Selectman Roy was recognized and said I have a quick question. Where is that stored? Selectman Dumont replied, right now, it's my understanding, it was stored at the DPW garage, but it's at Benson Park now. Selectman Roy asked is it in a garage? To which Selectman Dumont replied, yes. It's in a locked location. Selectman Roy replied, okay. That was my only question.

Selectman Dumont was recognized and said, just one more question. Did they get a power source for it finally? Selectman Dumont replied, so they found a location, they do have the power source, it's just getting the plug close enough to it. So they're trying to figure out a couple options whether it's moving that plug or getting a longer cord for it, but they do have a spot for it.

Chairman McGrath then asked, how does everybody feel about taking this up without Mr. Madden present? Selectman Guessferd said, I'm okay with it. Selectman Dumont added, although it's a first reading. Selectman Roy said, yeah, I'd say he can come next time if he's got anything. If he wants to add anything on or anything. Chairman McGrath replied, sounds like everybody's okay with this too. So I guess we're not going to vote on this tonight. Selectman Roy replied, no, because it's the first read.

9. Board Liaison Reports/Other Remarks by Selectmen

Selectman Roy: So I don't have any reports. I do have a Library Trustee meeting tomorrow night, but I do have something I want to say. Tonight I'm disappointed. Transparency is paramount to this Board's function incorrectly. Transparency with our citizens and transparency within the Board. Recently, there was an incident within the town. Due to the nature of the incident, the matter will be more than likely taken up for discussion in non-public session. But the substantive matter of the incident is not what is at issue here. It's the abject failure to keep this Board informed. Two selectmen were aware of the incident, unfortunately they chose not to share it with the rest of the Board. The Town Administrator was aware of this matter and failed to notify the Board. I'm not sure which dereliction is more serious. That may well be a question for the Ethics Committee. But this was a unilateral decision disregarding their inherent duty of consulting and seeking consensus of the Board. Their actions foster mistrust between Board members and that leaves three questions. What did you know? When did you know it? And when were you going to notify the Board? That's all I have.

Selectman Morin was recognized and said, Oh, Selectman Roy, since you brought it up in public, I guess we're going to talk about it a little in public. Selectman Roy replied, well, we won't talk about the substantive issue. Selectman Morin replied, what? I'm sorry? To which Selectman Roy replied, the substance, the process. Selectman Morin responded, oh, no, no. And I'm good. That's what I'm going to talk about the process. Because people in glass houses really shouldn't throw stones. Okay. And I'm going to bring that back to the Greeley Street fire. Okay, how that all went down.

So if we want to do this, we'll bring that up too. Okay. First of all, the situation was brought to a supervisor as it was supposed to. It didn't go too far. The concerned parties wanted to make sure that it did. And we will talk about where I'm going with this in non-public. But the people within town were asked where we should go with this. And we were told to follow the town policy. So I looked at the town policy, there is no policy. So it was turned over to the Town Administrator and that was the only, other than an interview because I was asked to sit in the interview, was the only thing that the members of the Board of Selectmen were involved in. And Mr. Malizia took care of the rest of it without even knowing, we had no idea what he did because that was the procedure that he was given to do by the people that we needed to talk to. The only reason Selectman McGrath knew is because the employees went to her because of their concerns, which is totally acceptable. And the only reason that I was told is because Selectman McGrath couldn't get down here to deal with the situation. I dealt with the situation and then the Town Administrator handled the rest. So where the conspiracy is that the Selectmen didn't tell you we had nothing to tell you because...Selectman Roy interjected saying, No, you did know something. You knew what, you knew what the substance of the issue was. It's a simple email, text message, phone call. One of those three things, either somebody from the Board makes us aware of it. And by the way, I want to point out, you had no plan on talking about it because it's not on the non-public agenda. And unless I brought it up, we would have never (inaudible)...Selectman Morin interjected saying let me answer that question saying, I understand Selectman Guessferd had a discussion with the Town Administrator am I correct? Selectman Guessferd replied, after it was brought to my attention, yes. Selectman Morin continued saying, okay well that's what I was told so I assumed that you knew from the Town Administrator, so there you go. Selectman Guessferd then said, but I, it was not initiated by him I went to him because I heard something about it. What I will say is, without trying to get you know into personal issues or anything, I agree with Selectman Roy's concern in general, just the general concept that I think this is something that probably should probably should have been raised to the entire Board's attention. Might have taken like two minutes, whatever, you know an email or something that should have been said hey, this happened because it involved town employees and and we just I just that's it. I mean, that's all I'm not saying that we should have made a a molehill, mountain out of a molehill if it was a molehill. I'm just saying that in general, that is something like that comes up that we should at least be aware from a notification. I think probably the Administrator should have probably just sent something out and said, "Hey, this happened." And just so everybody knows, and if anybody wants to talk about it in non-public, we can do that, that's all.

Selectman Morin then said, and here's my answer to Selectman Roy. And you know what? I tried to tell Selectman Roy once about some issues with the Greeley Street fire. And I was accused of interfering with an investigation when we really found out who was the problem with the investigation. So I'm not telling Selectman Roy anything until I have to. Because I had nothing to tell her. Selectman Roy replied, wow, wow, wow, while Selectman Morin was speaking. Selectman Morin continued saying, because she's already proved that she can't take care of the here she is complained, but she couldn't do that for the Board because I gave her information that was crucial to that investigation on the Greeley Street fire and what she did with it. Selectman Roy replied saying that sends tons Selectman Morin, that you won't talk to a fellow selectman about issues. Selectman Morin began replying, I tried...when Selectman Roy yelled, I HAVE THE FLOOR, that issues concerning the town you want to make it a personal issue. It's not a personal issue. (Selectman Morin laughed. Selectman Roy continued saying, it's not a personal issue. To which Selectman Morin replied, no it is a personal issues. Selectman Roy replied, no, it's not. It is, it is, it is the abject failure of two selectmen in the Town Administrator to make us aware of a serious issue that happened in this, that happened in this town hall.

Selectman Morin replied, Selectman Roy, we had a firefighter fall through the floor who could have been killed. Selectman Roy replied, I understand it. I understand that. Selectman Morin replied, now I got the floor. He got could have got killed. You did everything in your power to politically protect somebody who was going to get another job. That was a serious incident and you took all the information I gave you to make sure that an investigation wouldn't go further. I'm going to state

again. I'm not telling you anything such thing. Really? You want to prove it? Yeah. All right, I'll bring in the report. We'll open it up. We'll get people in here and have a full investigation and I'll prove that you interfered with that investigation where a firefighter could have been killed and you did nothing about it because you wanted to protect the political position. Selectman Roy replied, well you're wrong I never.....Selectman Morin replied, I know I'm not wrong. Selectman Roy then said, I never interfered with an investigation. Selectman Morin then said, yeah of course you're not. Because it's okay it's always okay for you do this stuff but when somebody else does it. I'm not giving you any information until I had something from you weren't hearing from me. Selectman Roy then said, well there was another selectman an a town administrator that could have, that could have done that. Selectman Morin replied that's correct. But you and me, after you screwed our employees when somebody could have been killed, not happening.

Selectman Guessferd, addressing Selectman Dumont asked, were you aware of this incident? Selectman Dumont replied, no, I was not aware of it. And I got to say, Selectman Roy you're upset about them. You informed Selectman Guessferd, but nobody felt the necessary. So I was going to say...Selectman Roy interrupted saying, my point exactly. Selectman Dumont continued saying, but it would go to both directions. The argument is that we should all be talking. That is the argument, we should all be talking. You can't accuse that, and you did the same to me, left me in the dark. Selectman Roy replied, and I'll apologize. Selectman Dumont continued saying, for everybody here, I do believe we need to communicate. And let me tell you, the people watching at home don't need this. Selectman Guessferd replied, I would agree. Selectman Dumont replied, so let's move forward. Chairman McGrath replied, thank you Selectman Dumont.

Selectman Dumont: We have a couple upcoming ZBA and Benson Park Committee meetings. I apologize, I don't have the dates in front of me at this time. We do have a cleanup day coming. And Earth Day coming up around the corner, they're going to be planning a big cleanup over there. We've got some volunteers lined up from Integra Bioscience. They're very helpful looking forward to try to clean up the park over there. So I would suggest if anybody has the time to volunteer to get down and help out as well. Thank you.

Selectman Guessferd: I don't have a Rec update right now. I will for next week's meeting, because we're going to be meeting next week, so on the Rec Department. So I'll have an update for that.

As far as Planning Board, we are continuing tomorrow night. We're going to be the only one item on the agenda tomorrow night. And that is the Central Street gas station. And so that meeting could be a long meeting or it could be a shorter meeting, who knows. But I guarantee you we'll probably have a lot of public input on that. Chairman McGrath asked, is that the first hearing on it? Selectman Guessferd replied, that's the second time we brought it, it's come to us. We moved it forward because there were some additional things that we needed. In the last meeting, it came up toward the end of the meeting, we decided to have the public input. Well, we did have public input, and then we're going to all discuss tomorrow night, and then see where that goes. Chairman McGrath asked, see where it goes in a second round of public input? To which Selectman Guessferd replied, I'm not sure there's going to be a second round tomorrow night, but we're definitely going to be discussing it amongst the members of the Board, and addressing any concerns and questions that the board has with the applicant. So that's where we are right now on that one. So if anybody's interested in public input or anything, or at least finding out more about it, make sure they come to more tonight's meeting.

The only other thing, Sustainability. I neglected last meeting to bring up the fact that, as we all know, we were in the opt-out period during the last month. It ended yesterday, so the initial opt-out period, if you didn't opt-out and you have ever sourced as your provider, you're in. If you want to opt-out, you still can at any point. It's just you won't see any changes on your bill for those that did opt-out or opt-in, I should say that stayed in. There will be meter readings in March, so they will be coming in to take a look at the meters and you'll see it on your bill. bill coming up probably in the in the in the uh in mid-march uh oh no you'll see it on the bill on the

April bill after that you have any every opportunity to opt out at any point uh if you'd like anytime there's a lot of information out there and there's a lot of questions that have been asked and thank you select more for asking a few questions yourself that you were that you had uh received um but if you want want to go to [communitypowernh.gov/Hudson](http://communitypowernh.gov/Hudson) that is where you can get all the information. That's where you can go in and choose to either opt out or get any information. There's also an 800 number there on that website. People can call for that as well. So it's all contained pretty much there, and you should be able to get answers to most of your questions.

Chairman McGrath replied, I'm already in another program. Selectman Guessferd replied, me too. I'm not changing. Yeah, no, it's just want to make sure people know. Right, thank you. I don't have the numbers yet. Hopefully we'll have it at their next meeting. It'll be interesting to see what that right that's percentages or yeah yeah to see how it turned out, right? Yeah Okay, and that's that's that's all I have.

Selectman Morin: All set tonight.

Chairman McGrath: and I'm last and I don't have anything to offer tonight because I Haven't I haven't been able to meet with anybody

10. Remarks by Town Administrator - Town Administrator Steve Malizia had an excused absence this evening.

11. Remarks by School Board

Chairman McGrath recognized School Board Member Gary Gasdia who said, it is school vacation week, but I do have a few things I'd just like to throw it out there for the public. The Hudson School District, right now, we're in the process of redoing our strategic plan for the next five years. We've held several sessions, some during the day, some evenings, for people to come and give feedback, being honest, they were very, very lightly attended, a couple people here. There's one more session left on March 6th at one o'clock that's virtual, but we've also put a survey out on our website, [sau81.org](http://sau81.org). It's not just for parents and students. The school is a huge part of your tax bill, so we'd love to hear from anyone in the community, what do you think the school should represent? What should we be doing? What should be our vision? So go out, there's a survey. survey out there for the next week would love to hear from folks.

I do also want to bring attention just to the community at the last school board meeting the Lieutenant Colonel Cheatham and Colonel Cole who run our Air Force Junior ROTC program at Alvirne they do an absolutely phenomenal job the program has put many kids kids, taught them leadership, character, given them opportunities to learn how to be pilots, but it's a federal program. And the requirement is that we need 100 students. We currently have 79, and so they're working up through the legislator to see if they can get an exception. We're working to try and build more interest in the program to get to 100. I'm really just mentioning this now for anyone that has someone that's around that age that you know, let them know. If we can get more kids into the program, we'll be good. It's not that it's guaranteed that they're going to shut it down. They may keep us under there forever, but we did receive a letter just letting us know we're under the required number, and there could be consequences. So I just wanted to bring that to the public to let them know that anything they can do, whether it's writing to your representative, or just drumming up interest would be greatly appreciated.

Chairman McGrath asked, so are there companies such as BAE or Raytheon that could, if they have young children in their households, some of the employees that they might be, might not be aware of the program and they could be advised. Mr. Gasdia replied, I honestly don't know. I think we're open to anything. It's a very, it's a curriculum based program so you have to meet certain criteria. And there's, and they explained a lot of this at the meeting. So, if we can get folks to enroll, how they enroll and where they're going to be, come from is sort of irrelevant, right? But they would need to take the class and it is pretty aggressive, right? So, it's some of the kids that come from non-album students are taking, you know, two hours a day in this program so that they can meet all of the qualifications. Which is probably one of the reasons why it is difficult. There's a lot of kids that don't. There's a lot of kids that don't... thing is this, the number of 100 was made at a very different time when there wasn't as many opportunities and choices. And so but we're open to any ideas. I'll certainly float that out there, because again, it's a great program, and while there's no we're definitely losing it, you never want to get that letter. So I'm going to ask another question. So I always thought it was a percentage of the student population, but is it that and the minimum is 100, you can't have any under 100? So it is 10 % or 100, and we have just over a thousand, so for us it would be 100. That's the number. And with the, you know, even with our projections where, you know, we talk about the class enrollment, but it's not declining at a rate, it's not like we're going to get to 700 anytime soon. Probably never based on the projections, so you're still going to be at 100. Maybe I think the lowest projection we have is like 980 kids point in the next five years. So it's not going to get us to that point. Not that we want to get to that point either, but.

Selectman Guessferd spoke up saying, right, this is just a subject near and dear to my heart. [BLANK\_AUDIO] I've been very close to that program over the years. I just want to say, just in case anybody's watching as well, that it's all about good citizenship. That's the number one thing about becoming a good citizen. And it takes a lot of kids that would otherwise maybe have chosen different paths in high school, not good ones. And-- and turn them into amazing citizens when they graduate, no matter what they do, whether they get a trade, whether they go on to college, go to the military, because it's not about the military per se. It is a structured citizenship - based requirement or program. And that is-- it really has turned the lives around of a lot of young people who have graduated from Alvirne High School. So I've seen it happen. I've seen so many of these kids come out, and they just really end up being very great citizens. And the instructors over the years have done a really, really good job of that. So I would absolutely support what you're saying. Mr. Gasdia replied, so again, just wanted to get the message out for that.

In other news, as we speak, our girls' basketball team is in the playoffs playing Goffstown. [AUDIO OUT] our boys' basketball team is in the playoffs, tomorrow night playing Keen, our hockey team is in the playoffs, this Saturday playing Winnacunnet which I probably just botched, and we had some wrestling state champions. On February 17th, Sean Boudreau, Logan Jacques and Cam Steed won the Division II State Championship in wrestling. This past weekend, Sean Boudreau in what's called the Meet of Champions, so that's when all the champions compete against each other, was the champion in the 215 weight class, and Morgan Goira won the Girls New Hampshire State Wrestling Champion and is the first female wrestling champion for Alvirne. So congratulations to all of them, and thank you to the Hudson Fire Department and Police Department for a great welcome back on all of those occasions and escort into town. A lot a lot of great stuff going on and I'll just end with another organization that's very dear to Mr. Guess what's art. Alvirne Cabaret is back Saturday, March 16th 1 p.m. to 6 p.m. Sunday 1 p.m. Tickets are available at Alvirnemusic.com for fifteen dollars and....Chairman McGrath then said, I didn't want to interrupt you but but B.A.E. has programs, one of which my niece took advantage of and she went in and they had people that were working there and they were mentoring the, like my niece and the program that she was in. So again, you know, I think that B.A.E. might be a company that. that would be willing to mentor kids that might be somewhat interested in the ROTC program and might not know enough about it, and they want to be part of a group at B.A.E. I mean, I just think it's worth researching. Mr. Gasdia replied, definitely worth passing on, and that's what we

need. We need different ideas, right, because, again, these kids have a lot of different choices and so if we can find other ways to get different students in, that'll be great. Chairman McGrath then said, I know the company has pilots working for them because I can vouch for that and my niece wanted to be an engineer and so she was part of an engineering group that was students that wanted to be engineers. And so I think that they have other programs that they'd be willing to at least, you could reach out. Bob could reach out because he's still on the inside. I'm not. Selectman Guessferd replied, for the time being. (laughing) Chairman McGrath then said, well, no, I mean, unfortunately for me, I can't, but it's a great company and they have lots of areas of expertise that you could probably tap into. Mr. Gasdia replied, yeah, I know we've worked with them in the past on different things, so, you know, again, I'm gonna pass these all of these ideas over to Lieutenant Col. Cheatham. And again, we'll see what happens, right? And this is just what we need. Anything we can do to try and drum up interest and help save the program, I think it's beneficial for us to have that program for the kids. It's good for the town. It's good for the government. Chairman McGrath then said, I mean, it's good for everybody. It's good for everybody it's good for all of us because they may be the leaders at some point in the military that's protecting us so you know it's it I think it's a vital program and even though I haven't been involved with it I can see the worth-whileness of it.

12. Nonpublic Session

Motion by Selectman Dumont at 7:35 p.m., seconded by Selectman Morin to go into non-public session under RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted (b) The hiring of any person as a public employee. A roll call vote was taken. Carried 5-0.

Nonpublic Session was entered at 7:35 p.m. thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public was asked to leave the room.

The Board entered into public session at 8:35 p.m.

Motions made after nonpublic session:

1. Selectman Guessferd made a motion, seconded by Selectman Morin to hire Christopher Penny for the position of Firefighter/EMT in the Fire Department at the contracted salary of \$18.14 per hour (step 1). This assignment will be a non-exempt position in accordance with the International Association of Firefighters Local #3154, as recommended by the Fire Chief. Carried 5-0.
2. Selectman Roy made a motion, seconded by Selectman Guessferd to amend the motion made at the January 30, 2024 Board of Selectmen meeting to hire Connor Roche for the position of Firefighter/EMT, as he has already accepted a position with another department. Carried 5-0.
3. Selectman Guessferd made a motion, seconded by Selectman Dumont to authorize the Fire Chief to extend the probation of Firefighter Kenneth Ballou, Firefighter Gabriel Burgess-Labonte, Firefighter Logan Falk, and Firefighter Earvin Wanjohi for an additional three (3) months or the completion of their probationary requirements with a completion date of no date later than June 5, 2023, as recommended by the Fire Chief. Carried 5-0.

4. Selectman Morin made a motion, seconded by Selectman Roy to seal the minutes of the February 27, 2024 nonpublic session. Carried 5-0.

13. ADJOURNMENT

*Motion to adjourn at 8:38 p.m. by Selectman Morin seconded by Selectman Guessferd. Carried 5-0.*

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

\_\_\_\_\_  
Marilyn McGrath, Chairman

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Dave Morin, Vice Chairman

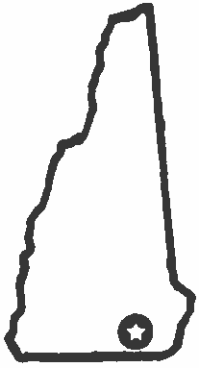
\_\_\_\_\_  
Kara Roy, Selectman

\_\_\_\_\_  
Bob Guessferd, Selectman

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Dillon Dumont, Selectman

DRAFT





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

Agenda  
2-27-24



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

**7B**

To: Board of Selectmen

From: Steve Malizia, Town Administrator

Date: February 20, 2024

Re: Proposed Policy Benson Park Golf Cart – 1<sup>st</sup> Reading, **2nd Reading 3/5/24**

At their meeting on September 12, 2023, the Board of Selectmen held a public hearing and accepted a golf cart for use at Benson Park. The Board directed the Benson Park Committee to prepare a policy for the usage of the golf cart at the park. Attached is the policy that has been prepared for the Board of Selectmen's consideration. Attorney Lefevre was involved in the drafting of the policy and the release of liability form that goes with it. This is being placed on the Board's February 27, 2024 agenda for a 1<sup>st</sup> reading. If the Board finds the policy to be acceptable it should be placed on the Board's March 5, 2024 agenda for a 2<sup>nd</sup> reading and adoption.

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

Classification: Public

**Table of Contents**

**1.0 Purpose**

**2.0 Policy**

**3.0 Operating Standards**

**Addendum - Golf Cart Agreement and Release of Liability Form**

### **1.0 Purpose**

The purpose of this Policy is to establish standards for the use of the golf cart at Benson Park.

### **2.0 Policy**

The golf cart owned by the Town of Hudson may only be used for official Town business by members of the Benson Park Committee, employees of the Hudson Public Works Department, and designated members of the Friends of Benson Park. The golf cart may not be used for personal business or recreational purposes. The golf cart may only to be used within the property boundaries of Benson Park, its parking lots, and the dog park.

### **3.0 Operating Standards**

Operator:

- No one under the age of eighteen (18) is allowed to operate the golf cart.
- All operators must possess a valid driver's license.
- Operators shall not be under the influence of alcohol or drugs.
- Operators shall not wear headsets or earplugs.
- Distracted driving (use of cell phone, text messaging, etc.) is prohibited.
- All drivers, occupants, and passengers shall ride in the seats; riding in the bed, on the sides, rear, etc., is prohibited.
- Seat belts (if so equipped) must be worn.
- The operator shall be solely responsible for the security of the key and the golf cart.
- All occupants shall keep their extremities (hands, arms, legs, feet, etc.) within the confines of the golf cart during its operation.

Checklist:

- All operators must have reviewed the Operator's Manual and be familiar with the operation of the golf cart prior to use.
- Each user must sign the User Log before taking the key.
- Prior to operation, each user must perform a safety inspection, to include visual damage, tire condition and inflation, brakes, and fluid leaks.
- If the golf cart is damaged or in need of repair or maintenance, it should not be used; all safety or maintenance concerns must be reported to the Benson Park Committee immediately.
- Disconnect the charging unit from the golf cart prior to use.
- Connect the charging unit to the golf cart after each use.
- Return the key and sign out on the User Log after each use.
- Secure the storage building after each use.

Operating:

- Operators must comply with the "rules of the road."
- The golf cart should not be operated at speeds in excess of 10 mph.
- Operators must be mindful of terrain, weather conditions, and pedestrians at all times.
- The golf cart should be operated on paths and trails whenever possible.
- The golf cart should not be operated on slopes greater than 10 degrees.

## Classification: Public

- When operating in “blind spots” or areas with limited site distance, the golf cart should be brought to a complete stop before proceeding with caution.
- Yield to pedestrians at all times; the golf cart should not be operated in a manner that interferes with or impedes pedestrians.
- The operator should reduce speed and maintain a safe distance when pedestrians are present.
- Headlamps (if so equipped) shall be utilized when operating the golf cart; golf carts without headlamps may only be used during daylight hours.
- The number of occupants, capacity, or load limit shall not exceed the maximum capacity per the manufacturer.
- The golf cart shall not be operated with any public highway.
- The golf cart shall not be operated in any manner which endangers property or persons, including the operator, passengers, and pedestrians.
- The golf cart shall not be operated in an irresponsible, negligent, or reckless manner.

### Parking:

- When unattended, the golf cart shall be turned off, with the key removed from the ignition, which key shall be in the possession of the responsible operator.
- When the golf cart is not in use, the parking brake must be engaged.
- The golf cart shall not be parked in areas reserved for emergency services (fire lanes, etc.), vehicle parking spaces, handicap accessible areas, within twenty (20) feet of any building entrance, within the traveled portions of any walkway, stairway, path or trail, or in any manner that may interfere with or impede pedestrian traffic.

### Equipment:

- The golf cart must be maintained in good working condition.
- The golf cart will not be modified in any manner.
- Only an approved battery charger shall be used for charging the golf cart.

### Accidents:

- Any accident involving the golf cart shall be reported immediately to the Benson Park Committee and Board of Selectmen.
- Any accident involving property damage or personal injury shall also be reported immediately to the Hudson Police Department.

### Agreement:

- Responsible operators must review the Operator’s Manual and this Policy.
- Responsible operators must sign the Golf Cart Agreement and Release of Liability Form (Addendum)
- Use of the golf cart is a privilege; the privilege to use the golf cart may be revoked at any time.

**Addendum**

Town of Hudson  
Golf Cart Agreement and Release of Liability Form

In exchange for the privilege to operate the golf cart at Benson Park, I hereby agree to operate the golf cart in a safe manner, and adhere to all rules and policies of the Town of Hudson.

I am at least 18 years of age and attached hereto is a copy of my valid driver's license.

The golf cart must be operated in accordance with the Operator's Manual and the rules and policies of the Town of Hudson, which I have received, reviewed, and understand.

I am solely responsible for the golf cart and keys when it is in my possession and control.

Golf carts are a motorized vehicle and driving or riding in these vehicles can lead to serious injury, property damage and even death.

I acknowledge that I am liable for all medical and legal claims that may arise from my use of the golf cart. I voluntarily agree to accept the risks of using a golf cart and on behalf of myself, my personal representatives and my heirs hereby voluntarily release the Town of Hudson, and its directors, officers, employees, and agents from any and all claims, actions, causes of actions, suits, judgments and demands for bodily injury, property damage, loss of life and/or loss of services, in law or equity, that may in any way or manner arise out of my use of the golf cart.

I agree to indemnify and hold harmless and defend the Town of Hudson and its directors, officers, employees, and agents from any and all claims, actions, causes of actions, suits, judgments and demands for bodily injury, property damage, loss of life and/or loss of services, in law or equity, that may in any way or manner arise out of my use of the golf cart.

I HAVE CAREFULLY READ, UNDERSTAND AND VOLUNTARILY AGREE TO THE TERMS ABOVE AND THE RULES AND POLICIES OF THE TOWN OF HUDSON.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

License No.: \_\_\_\_\_

Address: \_\_\_\_\_

Issuing State: \_\_\_\_\_

Received By: \_\_\_\_\_



# TOWN OF HUDSON

## Board of Selectmen Office

8A



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

To: Board of Selectmen

From: Jill Laffin, Executive Assistant 

Date: February 29, 2024

Re: Sustainability Committee Roadside Cleanup Approval

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Debbie Putnam, Chairperson of the Sustainability Committee, has requested that a place be reserved on the Board of Selectmen's March 5, 2024 agenda for the Sustainability Committee to discuss their next roadside cleanup day. The attached memo from Chairperson Putnam will give some additional details.

February 29, 2024

To: Board of Selectmen

Ref: Proposed Roadside Cleanup on April 20<sup>th</sup>

CC: Chief Dionne, Jay Twardosky, DPW Director and Lieutenant Kevin Riley

The Sustainability Committee is respectfully requesting that the Board of Selectmen approve the hosting of a Roadside Cleanup covering Musquash Rd. This road was chosen after consultations and suggestions from members of the Sustainability Committee, the Hudson Police Department, and the Department of Public Works.

Craig and I drove Musquash Rd. on Wednesday, Feb 28, to identify specific areas needing attention and two areas where volunteers can safely park their cars. The concept being that Burns Hill Fire Station parking lot will be the main meeting place at 9am. Items would be distributed and protocols that all must abide by will be explained. There will be a sign-in sheet. One group will then drive to the parking area for the Musquash Pond trail head and start at the other end of Musquash Rd. The second group would start out from the Burns Hill Fire Station parking lot.

The Sustainability Committee will supply the safety/reflective vests, blue bags specifically for recyclables, black trash bags, and make available four "grabbers". As bags are filled they will be tied closed and left on the shoulder of the road along with any large items pulled from the woods.

The DPW will position orange road signs as appropriate prior to April 20. Those signs will be set upright the morning of. DPW staff will then pick up all filled bags plus any larger items on the following Monday.

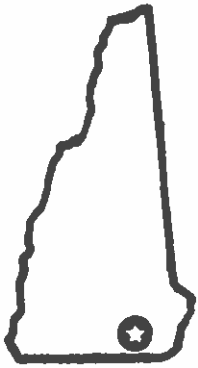
By/on April 13 the Sustainability Committee's roadside cleanup signs will be deployed. Those signs will be picked up by April 24.

This project will not move forward until at least 8 adult residents (preferably 10) commit to helping out from 9am-12:30pm on April 20. Should there not be sufficient volunteers signed up by the Wednesday prior, the Committee will notify the DPW, HPD and post on social media that same day. Also should the weather forecast not be suitable for Saturday, the project will be cancelled.

If the BOS approves this project during their March 5<sup>th</sup> meeting the Sustainability Committee would then start promoting it. The committee will be using the Town website, Hudson Times and social media to promote this project and solicit volunteer engagement. I, as Chair, will reach out to Paul Inderbitzen about putting a sign at each voting location on March 12. Some of the promotion will be reaching out to those who live along Musquash....as such an approach has been effective in the past. Residents are then cleaning up along "their road" with full support from the Sustainability Committee, the DPW and the HPD.

Respectfully submitted,

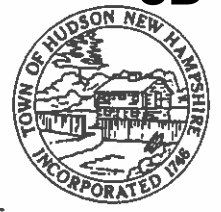
Debbie Putnam, Sustainability Committee Chair



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

Agenda  
3-5-24

8B



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

To: Board of Selectmen

From: Steve Malizia, Town Administrator

Date: March 16, 2024

Re: Proposal for Legal Services 2024-2025

Attached please find correspondence from Town Attorney David Lefevre offering to continue to serve as general legal counsel for the Town of Hudson for Fiscal Year 2025 (July 1, 2024 to June 30, 2025) for the current rate of \$145.00 per hour. Attorney Lefevre has served as the Town's general counsel for the past nine (9) years and has not raised his hourly rate in the nine years he has been the Town's general counsel. The Board also has the option of going out to bid for general legal services should the Board choose to do so. Should the Board of Selectmen vote to renew Attorney Lefevre's contract for legal services, the following motion is appropriate:

***Motion: To enter into a contract for legal services with the law firm of Tarbell & Brodich, PA for the period of July 1, 2024 through June 30, 2025 for the terms as specified in the Proposal for Legal Services 2024-2025 letter as prepared by Attorney David Lefevre.***

Should the Board of Selectmen vote to go out to bid for legal services, the following motion is appropriate:

***Motion: To authorize the Town Administrator to request proposals to provide legal services for the Town of Hudson for fiscal year 2025 (July 1, 2024 through June 30, 2025).***

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





February 15, 2024

**RECEIVED**

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

FEB 15 2024

TOWN OF HUDSON  
SELECTMENS OFFICE

RE: Proposal for Legal Services 2024-2025

Dear Chair and Members of the Board of Selectmen:

Please accept this letter as my proposal to continue to serve as general legal counsel for the Town of Hudson.

My office will continue to provide legal services to the Town at the present reduced rate of \$145.00 per hour, which is the same rate for all attorneys, will not vary between litigation and non-litigation services, and will not be increased after a certain number of hours. Non-attorney paralegal time will also be charged at the current reduced rate of \$60.00 per hour. As always, no retainer is requested. Fees for legal services will continue to be billed in increments of 1/10 of an hour and invoiced on a monthly basis.

Routine overhead and expenses will not be billed to the Town. Out-of-pocket expenses such as filing fees, sheriff's service fees, registry recording fees, etc., will be billed to the Town and itemized separately on the monthly invoices, as would other non-typical costs such as excessive postage or copying charges.

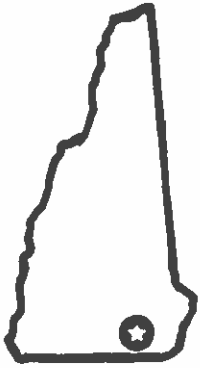
This proposal would be in effect for a period of one (1) year following the date of acceptance.

I would like to convey to the Selectmen my thanks for being given the opportunity to work for the Town, and I hope to continue to represent the Town in the future.

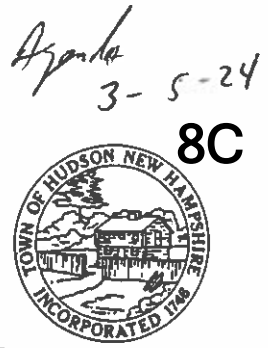
Sincerely,

TARBELL & BRODICH, P.A.

By: David E. LeFevre, Esq.  
e-mail: [dlefevre@tarbellpa.com](mailto:dlefevre@tarbellpa.com)



**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

To: Board of Selectmen

From: Steve Malizia, Town Administrator

Date: February 22, 2024

Re: VFW Post 5791 Loyalty Day Award Nomination

As part of its Annual Loyalty Day awards program, Hudson VFW Post 5791 has requested that the Board of Selectmen provide the name and biography of a Town employee, other than a member of the police and fire departments, who has made a contribution to the well being of the community.

This year, we would like to nominate Elvis Dhima for this award. As you all know, Elvis is the Town Engineer and has been employed by the Town since October 2014. During his tenure as Town Engineer, Elvis has brought in millions of dollars of grants and has worked diligently to ensure that the Town's infrastructure is in the best shape it can be given our budget constraints. Should the Board of Selectmen concur with this nomination, the following motion would be appropriate:

***Motion: To nominate Elvis Dhima, Town Engineer, for the 2024 Hudson VFW Post 5791 Loyalty Day Award.***

Should this motion pass, I will forward the Board's nomination to the VFW in time for the proper arrangements to be made.

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

## Elvis Dhima

### Town of Hudson Employee Nominee

Elvis Dhima has been employed as the Town Engineer by the Town of Hudson since October 2014. Prior to working for the Town of Hudson, Elvis was a Senior Staff Engineer for the City of Nashua. Prior to that, Elvis worked for several local engineering firms. Elvis earned his Bachelor's Degree in Civil Engineering from the University of Massachusetts, Lowell in 2004 and he is a licensed Professional Engineer. Elvis has overseen many projects in Town including, bridge repairs, water system and sewer system upgrades and major road projects. Elvis has worked tirelessly to secure millions of dollars' worth of grants to help defray the cost to the Hudson taxpayers of many of the projects. Elvis works closely with the Public Works Department, the Water and Sewer Utilities and the Conservation Commission to ensure that they have the resources they need to keep the Town's infrastructure and open space in top notch condition. Elvis resides in Sandown, NH with his wife Laura and their two children. We are pleased to nominate Town Engineer Elvis Dhima for the 2024 Loyalty Day Award.



HUDSON MEMORIAL POST NO. 5791  
P.O. Box 430  
Hudson, New Hampshire 03051-0430

RECEIVED

FEB 15 2024

TOWN OF HUDSON  
SELECTMENS OFFICE

6 February 2024

Mr. Steve Malizia, Town Administrator  
Town of Hudson  
12 School St.  
Hudson NH 03051

Dear Mr. Malizia,

Hudson Memorial Post 5791 and Auxiliary will be hosting its annual Loyalty Day/Scholastic Awards ceremony on Friday, May 10, 2024 at 7pm. We plan to honor citizens, students, educators, public servants and others who have made significant contributions to the well being of our community. On behalf of our Commander and Auxiliary President, I ask that you nominate a town employee (except fire and police) to be recognized on this date. I have sent an invitation to the Fire and Police Chiefs to recognize members of their departments separately.

You may use any method you would like to choose your nominee. In order to allow sufficient time to prepare the awards and invite the recipients I ask that I have your nomination no later than March 15<sup>th</sup>. If you have any questions feel free to contact me at (603) 229-7319 or [rie7@hotmail.com](mailto:rie7@hotmail.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "R. J. Everett", is written over a light blue horizontal line.

Robert J. Everett, Past President, Auxiliary 5791

NO ONE DOES MORE FOR VETERANS.

**VFW POST 5791  
PAST LOYALTY DAY RECEIPIENTS**

2023

Pam Bisbing

2022

Doreena Stickney

2021

Mike Johnson & Jacquie Lemay

2020

Chrissy Peterson

2019

Cheryl Chartier

2018

Wayne Madeiros

2017

Jay Twardosky

2016

Helen Cheyne

2015

Lisa Labrie

2014

Danny Arsenault

2013

Donna Staffier-Sommers

2012

Kathy Wilson

2011  
Elizabeth Holt

2010  
Susan Kaempf

2009  
Jennifer Riel

2008  
William Oleksak

2007  
Priscilla Zakos

2006  
Kathleen Voisine

2005  
Joseph Anger

2004  
Richard Melanson

2003  
Gary Webster



# TOWN OF HUDSON

## Board of Selectmen Office



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

To: Board of Selectmen

From: Jill Laffin, Executive Assistant

Date: March 1, 2024

Re: Senate Bill 468 - Designating a portion of Route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway

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As you recall, the Board approved sending a letter in support of Senate Bill 468 at your January 9, 2024 meeting. As you'll see in the attached letter from Senator Carson, Senate Bill 468 unanimously passed the Senate and will now move on to the House for consideration.

Senator Carson is asking for your support in writing House Leadership in support of this bill, and for a member of the Board to come and testify when the bill is scheduled for a public hearing in the House. Should the Board agree, the following motions would be appropriate:

**Motion #1:** To send a letter to the Chair of the State House Leadership expressing the Board of Selectmen's support for SB468 which proposes to designate a portion of Route 111 in Hudson as the Senator Robert E. Clegg Memorial Highway.

**Motion #2:** To designate Selectman \_\_\_\_\_ to testify in favor of SB 468 at the Public Hearing for the bill.



## The Senate of the State of New Hampshire

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107 North Main Street, Concord, NH 03301-4951

RECEIVED

MAR 01 2024  
TOWN OF HUDSON  
SELECTMENS OFFICE

Chairman Marilyn E. McGrath

12 School Street

Hudson, NH 03051

RE: SB 468

Dear Chairman McGrath,

Thank you for your support on Senate Bill 468, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway. I am pleased to inform the Board that this bill unanimously passed the Senate and will now move over to the House for consideration.

It would be very helpful if the Board write to House Leadership in support of this bill, and for a member of the Board to come and testify when the bill is scheduled for a public hearing in the House.

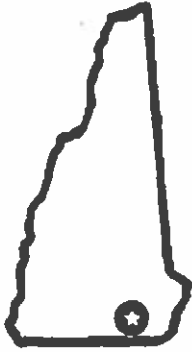
Thank you for all the great work you do.

Sincerely,

A handwritten signature in blue ink that reads "Sharon M. Carson".

Senator Sharon Carson





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

Malizia  
1-9-24



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

To: Board of Selectmen

From: Steve Malizia, Town Administrator

Date: December 15, 2023

Re: Senate Bill 468- Designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway

Chief Assessor Jim Michaud has brought Senate Bill 468 to our attention. Senate Bill 468 proposes to designate a portion of route 111 in Hudson as the Senator Robert E. Clegg Memorial Highway. I am recommending that the Board of Selectmen vote to send a letter to the Chair of the Transportation Committee, with a copy to Senator Carson and Hudson's legislative delegation, in support of this bill. I have attached a copy of the bill to this memo for your information. Should the Board agree with my recommendation, the following motion would be appropriate:

***Motion: To send a letter to the Chair of the State Senate Transportation Committee, State Senator Carson and Hudson's legislative delegation, expressing the Board of Selectmen's support for SB 468 which proposes to designate a portion of route 111 in Hudson as the Senator Robert E. Clegg Memorial Highway.***

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

SB 468 - AS INTRODUCED

2024 SESSION

24-3016

11/02

SENATE BILL **468**

AN ACT relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway.

SPONSORS: Sen. Carson, Dist 14; Sen. Avard, Dist 12; Sen. Bradley, Dist 3; Sen. D'Allesandro, Dist 20; Sen. Innis, Dist 7; Rep. Renzullo, Hills. 13; Rep. Ulery, Hills. 13; Rep. A. Lekas, Hills. 38; Rep. T. Lekas, Hills. 38; Rep. Wherry, Hills. 13

COMMITTEE: Transportation

ANALYSIS

This bill designates a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

24-3016

11/02

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Four*

AN ACT relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Town of Hudson; Senator Robert E. Clegg Jr. Memorial Highway. Pursuant to RSA 4:43, the portion of route 111 in Hudson from the town line to the intersection of route 128 shall be named the Senator Robert E. Clegg Jr. Memorial Highway. The commissioner of the department of transportation shall erect a suitable memorial marker in the right-of-way designated section.

2 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers required under this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers required under this act shall be as directed by the department.

3 Effective Date. This act shall take effect upon its passage.