

HUDSON, NH BOARD OF SELECTMEN
Minutes of the February 7, 2011 Workshop Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of February 7, 2012 at 7:01 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Timothy Quinn.

Point of privilege. Selectman Coutu asked everyone to rise please. This past weekend Chairman Jasper's Father passed away. The man served our community well and was a well respected businessman. In this community and recognized throughout the State of New Hampshire for his dedication and his work in the agricultural field. According to a conversation I've had with Chairman Jasper, his Father passed away very peacefully surrounded by his loving family. Our hearts go out to Selectman Jasper, his wife Laurie, and certainly his daughter - I know it's a much larger contingent in the family, but those are the people who lived with or near them and took care of them for all these many weeks that he's been in bad health. Again according to Selectman Jasper, the man went the way he wanted to go his own way but without pain. Knowing what I know about the family and the prayers that have been said with, by him, and near him, this man is in heaven. If you'll all pause for one moment please. Thank you. You have our sincere condolences Chairman Jasper.

Chairman Jasper thanked Selectman Coutu. On that I would want to remember my Mother's care of my Father particularly over the last nine months of his illness. She's been with him constantly. Thank you again. He was a true public servant for many years, although he's been retired from public service for quite a while, he spent a very large part of his life serving the Town and the State.

3. ATTENDANCE

Board of Selectmen: Shawn Jasper, Roger Coutu, Rick Maddox, Ben Nadeau (arrived at 7:12 p.m.), Ted Luszey

Staff/Others: Steve Malizia, Town Administrator; Chief Shawn Murray; Chief Jason Lavoie; Deputy Fire Chief Rob Buxton; Tim Quinn, Chairman of the Conservation Commission

4. NOMINATIONS & APPOINTMENTS

1. Resignation of Catherine Valley as a member of the Water Utility Committee

Motion by Selectman Coutu, seconded by Selectman Maddox, to accept the resignation of Catherine Valley as a member of the Water Utility Committee.

Just a comment briefly. Selectman Coutu said the original letter came in and I had said that I would get a hold of Catherine. I asked you all to give me an opportunity to speak with her in that she was of ill health. I've spoken to her on a couple of occasions. She's recuperating very well. She is going to continue serving on the Sewer Utility Committee. That she has a tremendous passion for. She's lost interest in the Water Utility Committee. I told her that it wouldn't be a problem. She could continue to serve on the Sewer Utility. Her term, I believe, expires this coming December and she can reassess at that point on that particular Committee. She served our community very well and both boards for quite some time. She's going to be missed on the Water Utility.

Vote: Motion carried 4-0.

5. CONSENT ITEMS

A. Licenses & Permits

- 1) Request to Solicit Funds by Girl Scout Troop 66457, Tyngsboro, MA

Motion by Selectman Maddox, seconded by Selectman Coutu, to approve the Request to Solicit Funds by Girl Scout Troop 66457, Tyngsboro, MA, carried 4-0.

6. DISCUSSION ITEMS

A. Conservation Committee 2012 Goals

Chairman Jasper recognized Selectman Luszey.

Being the liaison to the Conservation Commission, what Selectman Luszey found over the last few months is that there really is no set goal by this Board as to what they should be marching towards. As I mentioned in a previous meeting is I would like to have a conversation with the Board about what they would like the Conservation Commission to be working on - acquisitions of property, taking care of what we have, or whatever. My reasoning for that is it seems that we as a Board sends the group out to fetch rocks yet we really don't tell them how big, what color, or what shape rock we'd like them to fetch. If we could set some guidelines or goals around the types of properties we might like them to be looking at, or strategies. Instead of buying maybe having them look at buying the development rights because I know at one time that was the strategy for the Town. I want to confirm what the strategies and direction this Board would like us to take the Conservation Commission in. The Chairman of the Conservation Commission is here.

In terms of goals, Mr. Quinn said we have a list on the open space plan which will be done at the meeting we're going to have next week. In there will be a set of goals. Also in there will be a list of properties that appear to be available for conservation commission easements. We limited it to properties over 10 acres. Then we went back and looked to see how many of them were developed. By the time we were finished weeding down the list, we came down from 40 to I think 12. Then we prioritized those 12 in terms of how attractive each one was. In that also was an understanding that some of them aren't developed but maybe developed soon. So those don't go on the high priority list. We ended up I think with 3 properties that look very much like we would like to pursue conservation easements or acquisition of the property. This is the case where we would like guidance. There's advantages and disadvantages to both ways.

Selectman Luszey said listening to some of the conversations at their meetings what's not clear at least for me is do we want to pursue properties that have value in terms of accessibility for public use - trails or whatever or are we interested in preserving just open space, which would give them a different set of properties to look at. So what I'm really looking forward is that guidance from this Board as to what are some of the main criteria that the commission should be using to help prioritize those properties and is this Board looking at the continuation of acquiring open space because it does affect the tax rolls and all that. Any comments?

Selectman Maddox thought we should be looking to protect aquifer areas as we are still trying to pull something into our community. I think that is important. Buying a land locked property out in the middle of nowhere doesn't seem to make a lot of sense to this Selectman. I think we should use our money wisely. Again, conservation does their homework to find out - there's a lot of criteria for picking out a piece of conservation land. My primary would be to look at something that would do either in conjunction with our water utility or to protect the aquifer feeding into it. So that would be my number one selection.

Chairman Jasper asked to let the record show that at 7:12 p.m. Selectman Nadeau has arrived.

Chairman Jasper indicated that he tends to agree with Selectman Maddox. I might go in a slightly different direction. I personally think that as far as open space and trails, we have an adequate amount of (inaudible) with the Benson Park and the trails that are being developed there. We have the Musquash piece that I think is underutilized and probably we could put more resources and effort into developing that. I'm not sure that we really need to start looking for other places to develop trails. It is true that we did do acquisition of development rights on the Hills property on Barretts Hill Road. My preference would be to try to seek out the areas remaining agricultural land that we have and look towards preserving those as active agricultural parcels by looking into development rights like we did with the Hills Farm.

Chairman Jasper agreed with Selectman Maddox on aquifers. When we can identify those, I think we've gotten a pretty good set of wetland regulations in place so that we don't have a lot of danger to some of those but certainly we ought to be cognizant of what's going on perhaps upstream from there and looking at what we can do in those areas. I'm not just in general in favor of taking property off the tax rolls and particularly when I said the agricultural land looking at that land that's already in current use and so that purchasing it would diminish what's on the tax roll but maintain that rural character. When we do surveys in this town even though we have become less and less rural, it's still something that is important to people. I'm sure (inaudible) what people like about Hudson. We only have really one active farm outside of the Alvirne Farm which we don't need to worry about that property. There are fields here and there and there are areas that we could look at if that's an interest in the Board. Does anyone else have anything else?

Selectman Maddox indicated that maybe some of our direction to the Conservation Committee is to look at what we already have. Developing a 5-year plan to how we better manage. Going in and doing some selective cutting to make the properties bring in some money if you would but also to do good forestry management and at the same time look at issues as far as safety security so we could develop over a 5-year timeframe better trails. As we see at Benson's, they're being used. If that was available at Musquash or the Town Forrest would they also be getting used? So again some of the properties we already have maybe we need to step back and see if there's value in developing a plan for those.

Chairman Jasper said he would certainly agree with Selectman Maddox in that and that was one of the things that I neglected to say so thank you.

Selectman Nadeau said he'd also have to agree with Selectman Maddox. One of things is proper forest management, which Pelham does it very often. They go in and they ask us for permission to go through Jeremy or Compass Point, or whatever up there, where they can go through and do some selective foresting. I think if we did that down in Musquash and in the Town Forrest up off of Kimball Hill Road and then we have one off of Bockes Road that abuts Londonderry...Mr. Quinn indicated that was the Guertin property - Ingersoll. Selectman Nadeau thought they ought to look at maybe putting some parking so that it is easily accessible, upgrade the parking areas and secure them against 4 wheeler and motorcycles and dirt bike use. Again, I think that was one of the things that we need to look at as far as preserving what we have and making it better for the residents to use.

Mr. Quinn said he would agree with Selectman Nadeau. I actually championed this during the budgeting commission. I wanted to put some money in the budget for doing this. I think some did go in eventually.

Selectman Luszey stated he's heard three things I've heard so far. Correct me if I didn't get it. It sounds like that the Board's really looking for the Commission to shift its focus on management of the current space we have and put together a 5-year plan on what that might look like. Whether its trail development, selective cutting, harvesting, and all that. The second item I got out of it was focus on purchasing development rights versus outright acquisition. The third thing was to take a look at protecting aquifers or actually acquiring properties that could be used for town wells. That's kind of what I heard. Yes? No? Maybe?

Selectman Coutu said that was a good summation.

Selectman Luszey thought that would change your plan that you all have today. Mr. Quinn thought that would too.

Chairman Jasper would agree obviously with that summation. I think we have a pretty good summation, a pretty good consensus on that. I certainly think that one of the things that we haven't done terribly well is maintain the properties that we have so acquiring more properties outright for the sake of acquiring them probably doesn't serve a good purpose when we're not the best stewards of the property we already have. Certainly the Town Forrest is not managed really at all. It's probably been unclear as to who's charge that is. Certainly that's a charge I think if the Conservation Commission were willing to take on...Mr. Quinn said we were willing but when we drew the stewardship plan up, they made the Community Development office the stewards. Chairman Jasper thought they needed to revisit that. I think the Conservation Commission is better able to look at that than town staff and perhaps work with the County Forrester and there are other people out there who can do those types of plans and actively make sure that it's managed as a forest much as the students at Alvirne do as the Alvirne Tree Farm. It's probably what that should really be is a Town Forrest should be a certified tree farm. That should be a goal I think we should work towards.

Mr. Quinn indicated there is a forestry plan for the Town Forrest. I can get you a copy if you want. We would be due to do another forestry cut in 4 years on that.

Selectman Luszey saw that as goal number 4 - getting that certification.

Looking to the interns in the Engineering Department with their GPS unit, Selectman Maddox said they've done a great job out at Benson's to map out some of the trails, to give some definition on a piece of paper that we can actually look at I think would be helpful. So something to look for whether it be in Engineering's budget, working with the University of NH, get some interns for the summer - maybe an additional one, to do some work on the conservation side to find some areas of concern, mark some trails that kind of thing. For short money, be able to start the process.

If I may, Mr. Quinn said when we put the signs up on Musquash Pond and the Town Forrest, we did GIS data and we provided to both the Fire Department and the Police Department.

Selectman Maddox said if you've seen what they've done at Benson's, it's amazing what they've done over there.

One of the problems Chairman Jasper thought that we have at Musquash is we really need to develop a plan. This type of year is the year where we would have the opportunity right now probably to get the Highway Department out there and to actually block off the accesses. One of the things, and it's been a while since I've been out there, the 4-wheelers really are tearing up some of that property. There's nothing more unpleasant than walking through there with your children and then suddenly being - certainly in terms of your senses being assaulted by those 4 wheelers coming through. It's very troubling when you have small children with you and suddenly you don't know where they're

coming from and they're extremely loud and we need to be working at keeping them out of that parcel and restoring the areas that they have torn up and essentially destroyed.

Mr. Quinn indicated a year or two ago we came in with a plan to fine them severely the same way the State does. We use the State things and it was shot down. Chairman Jasper thought maybe it's time to revisit that. The Board changes, opinions change when things can't happen. I think one of the things is that we need to be able to put physical barriers up. It's easy enough to identify where they are coming in but put the barriers in place to keep them from coming through. That's probably the first thing we need to do. I don't know if that did happen. I have a feeling it didn't.

Mr. Quinn said it didn't. The other thing is we did that at the Ingersoll property. What they did is they put a new road in underneath the power lines that came in through the side. They're going to find a way.

Chairman Jasper said we've been pretty successful at Benson's and preventing that where they were really in there before. It's a little bit more difficult I understand under the power lines. There are creative ways of making sure that they stay out. We just have to create the right barriers to see that that doesn't happen. As I say perhaps right now where we don't have the snow and we have the accessibility to the property, it might be a good time to be working a little bit more hand in hand with the Highway Department to create those barriers.

Selectman Maddox thought one of the successes at Benson's is the amount of people that go through there. I think that if we develop a plan that clearly marks trails, maybe there's more people going through these other properties that will, again, give us input to things that we don't even know about at this point.

Mr. Quinn indicated that the trails at Musquash are marked. The problem is the parking is very, very limited.

Chairman Jasper said that the Highway Department is very good at making parking areas.

What Selectman Luszey has is working on getting the Town Forrest certified as a Town Forrest, continue the GIS marking of all of the trails and all of the parcels, and update the Stewardship Policy. I've heard who, how, when and for lack of better words code enforcement of those policies on how we can intrusive vehicles and things like that out of there. Mr. Quinn said it sounds like a good deal. Selectman Luszey said that was 7, which is usually a little more than I like but that's okay.

Mr. Quinn said the enforcement of the ATVs has been a serious problem on all of the town properties. I have talked directly with the Police Department and they basically said they don't have the resources to patrol it. You have to catch them in the act.

Chairman Jasper said that's why it's so important that we create the barriers that do that. Boulders are very effective. Sometimes it takes more than that.

Selectman Luszey said there's technology available today that we might be able to use some spot monitor stuff. Selectman Nadeau said wildlife cameras. "Exactly" said Selectman Luszey. You don't necessarily have to send somebody out there. Chief if we got an identification serial number off the side of an ATV you can track down. Selectman Coutu said we have no authority. Selectman Luszey said that technology exists. Chairman Jasper said that we have to put our ordinance in place and post it. If we put the authority in place and if they properly post the property, and I think that's been a part of it, we haven't done that. I think then we probably have a little bit more success. I know that for instance to the best of my recollection, we've only had that one problem out at Benson Park that one time. Somebody snapped a picture, got it to the police, and the police were able to use their school resource officers and very quickly identified who that trail bike belonged to and who was on there. Again, if we don't have the ordinances in place and we don't have the signs in place, that's not going to happen. I'm sure that if everyone entering there knew it was an area where you couldn't have trail bikes, you'd have people snapping pictures pretty quickly and tracking those people down. Once the word got around, and I think that's what happened out at Benson Park is once word got around when the police were serious about it, I said all right this is a place to stay away from.

Selectman Luszey indicated that they have more than enough for a couple of years worth of work here now. I think it definitely does give your Committee a whole different direction and focus on what they've been doing.

There's one thing that Mr. Quinn would ask for, help me fill the 4 vacant positions on the Conservation Commission.

Chairman Jasper said the change in direction and if we actually get these goals out there to the public, we may find that we have people that are interested in different things than where the Conservation Commission seemed to be going and may in fact be more interested in working on particular projects. I think the first thing is going to be to get this essentially the goals and objectives done, probably up there on the web site, and we will continue to try to fill

those positions and hopefully come March have that information also available at the elections. Selectman Maddox is very good at beating the bushes at elections looking for volunteers. Selectman Coutu said that would be "Recruiter Rick".

Mr. Quinn said they talked about a certification for the Town Forrest as a forestry unit. I think it is already certified as a tree farm. Selectman Luszey said they'd find out. Chairman Jasper thought maybe it is and that would be good. Mr. Quinn said there's a tree management plan for the place. Chairman Jasper said they need to get a sign. These are the things that sometimes people are doing and we're not even aware of. That's something we need to do a better job of PR I guess even here. Mr. Quinn said the plan is about 6 years old.

If there's nothing else from you Mr. Quinn or the Board, Chairman Jasper thanked Mr. Quinn for taking the time to come in and talking with us this evening. Thank you. We do appreciate the work that the Conservation Commission does on behalf of the citizens of the Town. It probably often seems like a very thankless task. Unfortunately we probably send you very mixed messages at times. Hopefully we can do a better job of not doing that.

The Board thanked Mr. Quinn.

B. Resignation of Assistant Town Administrator Mark Pearson

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said we put it on the agenda (inaudible) Mr. Pearson has resigned and has accepted another position I believe in southern Maine. He'll be leaving our employment next Tuesday. Just for way of information on the Chairman's request, I did put together a package of information relative to the position. (inaudible) financial information, i.e. what the budget is, possible salary range, etc. (inaudible).

Thank you Steve. Chairman Jasper was not suggesting that we need to do anything. I think certainly in conversations with the Town Administrator and with some of you, we probably can go along a while without filling the position. I also as we're moving into Deliberative Session on Saturday, it would've also been remiss if we didn't look over the numbers or if we decide come July 1 this isn't working out and we need to fill the position, how much money do we need in the budget and should we take any action to increase the budget. As I look at the numbers here on page 4, I'm fairly comfortable that we would be able to fill the position. We've got a low of being short. Less than \$1,000 in the maximum if we were to hire somebody at the high range, we'd be short \$43,000. I think the reality is that even if were to go somewhere to the middle of that, we couldn't go to the minimum, we could probably find enough money in the budget to get through a year. I just wanted it available to you because the worse thing we can do is come to a situation at some point in the next fiscal year and say I wish we talked about that. I wish we'd known what the situation was. That is the reason this information is here. Even though if that were to blow up, I wouldn't be Chairman at that point but I am tonight and I would ultimately be responsible for making sure. Any discussion?

As the liaison to Community Development, Selectman Maddox thought that we're of a big enough size that it's a position that at some point we're going to need to fill. At this point we can see how it goes but as we're going to have some turnover in that department coming forward, I think we need to have someone overseeing that department. I think again with 25,000 citizens, a Town Administrator is sometimes stretched. I've always said I've always liked to have a backstop for that position. It is that important. The 5 of us aren't going to run the day to day. It is unfortunately a position that is probably, again not necessarily today, but it's something that's going to catch up with us in the future. As long as we're all comfortable with doing nothing on Saturday, we'll find the monies and see when it's necessary.

Just to help out, Mr. Malizia indicated that he has met with a few people over there. Obviously we have an Assistant Town Administrator, a Zoning Administrator, and a Town Engineer. So we've all met and discussed this situation. I've give them the expectations how I think they should go from here on out. I'm confident at least for the short term given the level of the activity, economy and what not that we the staff here will deal with pretty much whatever comes up for the next few months. I'm confident with the people that we have. I don't see anybody retiring next week or next month but down the road we're going to have a couple of retirements or possibly some transitions. The Town Engineer has already stated one and there might be another one. Again, they're reporting to me. They're coming to me. I'm making sure there's no surprises. They're going to keep doing the efforts that they've been doing, i.e. the consistent enforcement, fairness and if you have a problem come to me and we can deal with it. We can discuss it if it's something that's really big of a problem, we can discuss it with the Board. I think for the time being, we should be able to manage the level of activity and provide that service to the citizens. Again, fair and consistent.

Chairman Jasper thought I think that while we don't have any big projects at the moment, we can certainly be thankful to Mark Pearson for the job that he did for us. The first thing that we had been looking for in an Assistant Town Administrator to do was provide that fairness in our zoning and code enforcement. I think he did an admirable job of

making sure that the policies and procedures were put in place to ensure that that happened. One of the common complaints that this Board had was that lack of consistency. You could see somebody getting cited perhaps on one side of the road for a violation and then someone else on the other side of the road didn't get cited for the same violation. While I think somewhat inaccurately has been quoted as saying "brought somebody in to clean up the town", which I don't recall saying it that way because I don't consider that we particularly had a town in need of cleaning up. I did feel that we needed to be consistent and fair and we did bring someone in to provide that. He also did a great job for us in working on the brownfields grant over at the Tompkins field and getting that going. He had early on also done some work for us that turned out well, and getting buildings taken care of Benson Park. Many of those things were very time consuming. Right now I don't see that type of activity going on. If we're not careful, it will be easy for us to fall behind again and find ourselves in a hole that we need to dig out of. We need to be mindful of what's going on and if the work is backlogged. At this particular time, I think we're safe and relying just on Steve and the very capable staff that we have in Community Development.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to accept the resignation of the Assistant Town Administrator Mark Pearson and the Board wishes for a successful career in his new position, carried 5-0.

6. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Luszey - Thank you Mr. Chairman. We had a Senior Building Committee meeting again tonight. We're moving along. We sent out the request for proposals for the architects. We're expecting those back on the 17th. We are hoping to be back here the middle of March for this Board's approval to actually begin the work on the drawings. I think we're making good progress there.

The Highway Department has been quite busy without any snow. Most folks probably know if they take a ride down by Benson Park, they've been working extending the parking lot down there to take some of the pressure off the little hill parking lot. They're still working on trimming broken branches from the October storm. They've got a good handle on that. They grubbed out the cross country sewer line to ensure access in case of a blockage. We could have some heavy spring rains. You never know. Last but not least, he brought out the street sweeper, which is not a good sign. I wouldn't put your snow shovels away because as soon as he starts sweeping the streets of all the sand he put down in October, we'll be using it again. With that, that's all I have right now.

Selectman Nadeau - I have a couple of things. The first one is speaking of the sewer line, this weekend I got to see the Vactor truck right out here in operation. They had a blocked line that was blocked with tree roots. The sewer manhole cover was bubbling up out at the street corner. It didn't do any damage to any properties luckily because they got there in time and got to see how they use the Vactor truck and its operation. I'm very glad to have a new Vactor truck in working condition. It's a very important piece of machinery after seeing it in use. I've seen them cleaning the storm drains with it in the past but seeing it actually taking care of a sewer blockage is a different story.

The next thing is Mal's Pals was scheduled for this Saturday for the sled race that was supposed to happen at Hills Garrison. Unfortunately it's been postponed. You can find it on the Mal's Pals website. It's malpals.org. They're going to reschedule it when they get some snow. Hopefully they might have that before spring hits. I'm sure we'll have at least one more good snow storm.

The last thing I have is this Saturday I will not be at the Town Meeting. Unfortunately I'll be out of town doing some business. That's all I have this evening.

Selectman Maddox - With that Mr. Chairman, I'm willing to take Selectman Nadeau's speaking parts next Saturday. Chairman Jasper said as he recalled he didn't have any.

Selectman Maddox said that the Planning Board met last week and the subject CIP came up. It's been a number of years since we've done a complete CIP. We're talking about doing a review. The Planning Board would ask of this body is they wanted to have the department heads come in and do a CIP. Without having the department heads come before this Board for input - I'm looking for what this Board would like to do.

Chairman Jasper asked if anyone had any thoughts. Of course you do Selectman Maddox.

Selectman Maddox told them he didn't think as we're the people that deal with the political side of the house if we're not willing to support something having a department head come in and say they want to do X and we don't want to expend the political will to do it, it seems in my mind senseless to put it on a CIP. If this Board wants the department heads to go in unfiltered, I can see that also. Again, I'd hate to see something come up that we didn't want to support. It would be counterproductive.

Selectman Luszey tended to agree. I actually sat on that Board once and I was awestricken the way we put CIP plans together where they were voted on based on their criteria that didn't make a whole lot of sense to me. I think if we are going to put a plan together for that. This Board should vet out what we believe is important so that that plan would be reflected in the budget. Even right now I don't believe the current plan is reflected in the budget of the Town.

As a matter of fact, Chairman Jasper said we didn't even review CIP this year when we did our budget. We have done that I won't say consistently but that's the purpose of it. Certainly when we're pretty much in this holding pattern budget wise, it doesn't make much sense. In the past, we have had department heads come here before we went to CIP. I do recall that we had recommended to the Planning Board that they make some changes in how often CIP is done or that in fact if I recall that perhaps it be done in sections. Did anything happen with that? Maybe it was just do it every 5 years or, and I can't recall the specifics, I know there was some discussion about perhaps this year we focus on fire facilities and ranking there so that we're not putting everybody through the whole process every year. Did anything happen with that or are we still in this everybody is supposed to come in once a year?

Selectman Maddox indicated that we haven't done it for 3 years and I think that that is prudent. Now we're getting to year 4, we have really 3 options. Do nothing, do a full, or do a review of the existing. Again with 4 year's time, some of the items have been taken off the list. To do a full one this year a review in two years after that, that kind of set up might be more productive. Or we wait another year because we're probably not going to put anything on the ballot. Again, if we don't do this and by Statute there's no fixed time. It says you have to have one so that we can collect money for impact fees. Again if we feel that it would be a stress to our department heads or that type of mentality or we're not going to put anything on the ballot anyway, we wait another year.

Chairman Jasper didn't think it wasn't a bad idea to review what we've got. We're on the town side collecting impact fees which I assume are still the corridors, schools but that's really the school side. I think the CIP Committee needs to deal with the schools separately. Obviously we don't have any input as Selectmen into that. What are we actually collecting money for? Is it just the roads? Selectman Maddox said yes. Selectman Nadeau - "Not the library anymore?" Chairman Jasper said no. Selectman Maddox indicated that the Planning Board said that they have a library. They'd have to go back out and do another whole justification and we're only collecting \$124 per house or a residential unit. At the rate we're building residential units, it wasn't cost effective to go out and do the study.

If we're doing just roads, Chairman Jasper said that's where our focus ought to be on looking at having a 5 year plan on roadway and probably keeping that updated. Our picking away at some of those such as the Pelham Road intersection. We've been using our CAP fees for that but let's be looking at what is the next thing. We have a number of irons in the fire there. Is it really necessary to do the other elements if we're not collecting CAP fees. We keep putting all the other departments through all this stuff yet as a matter of practice, it's all totally irrelevant.

Selectman Maddox indicated it's not relevant. It is part of the whole CIP process. Unfortunately because road work is mostly match 80/20, it gets the highest scores. The police station was on it at one point. The library had been on it. When two of the questions revolve around funding and getting it from an outside source, they go to the head of the list.

Chairman Jasper stated that's why he was going to stick with my statement that pretty irrelevant.

Given that we started talking about looking for additional water sources, I think that would be an item you would want to include on that. I don't know if you could get that...as Mr. Malizia understands the CIP, it said totality of capital improvement projects. It doesn't differentiate on the CIP what's a road. While they have the priority and we tend to get the most amount of funding, as I understand the CIP and how it relates to the impact fees and what we get to collect, and how we get to get developers to participate or contribute funds, it's based on a consolidated or a large capital improvement project list that includes other elements and not just roads. Whether you do them or not, you've vetted that process, you've looked at it and maybe identified a timeline where we need to do fire stations. We need to do a school. I'm just throwing things out there that have been on it. It's not just for roads. If it was, they would just do it in the Planning Board and be done with it I'd assume.

That's Selectman Luszey's point. I'm thinking we know we have problems with roads because we have the warrant article to try to catch up on some of that. We're actively looking for water sources because we know we have problems with our water capacity. Mr. Malizia said we have (inaudible) that we tried to bond a few years ago. We were going to cross country connection, some high service area for water storage if you remember. So those things are legitimate viable projects that you had listed on your CIP. You might be able to develop other fees or at least certainly justify the fees that you charge. That's really what the whole goal of this process is. It's to identify the projects. You also have to make sure that if you're charging impact fees you have a justification to do so because without it, that goes away.

Chairman Jasper thought the first thing perhaps for the CIP Committee to do is to really look at the current CIP and see if they feel now is the time to update it or if it can wait another year.

Selectman Maddox said Chairman Jasper missed last Wednesday's meeting because we did that. Chairman Jasper asked what the recommendation was. Selectman Maddox said they would like to either do the review or a full blown CIP. They feel that it's been 4 years. There are a number of things that have been on there. Chairman Jasper said we can certainly go through the process if that's their request. If they want to do a full CIP but I'd like a specific request because you're saying well they'd like to do a review or a whole new one. Selectman Maddox said you did answer the question that they asked if this Board would send the department heads in without first to be reviewed by this Board. Chairman Jasper didn't think that is a good idea. I think if they want to do a full one, review the requests and say no absolutely this isn't going to happen and take it off the list. I think that's appropriate.

Chairman Jasper asked if we have consensus on that. Selectman Maddox said he'd bring that back and then we'll talk about whether we want to just do a review this year or a full one and I'll get back.

Selectman Maddox was looking forward to seeing all the people this Saturday at Deliberative Session and see if we can break the school's 45 minute record. Chairman Jasper thought they'll go beyond that.

Selectman Coutu - Thank you Mr. Chairman. The first thing I want to discuss is a result of the School Committee meeting yesterday evening - an exchange of e-mails that I had with the School Board Chair Lee Lavoie last night. Again, several exchanges today relative to something that's transpired that's bothered me greatly. Apparently Mr. Chairman I missed a School Board meeting, I believe it was the one prior to this one where you made an appearance at the School Committee. You were there to ask them to reconsider the position that was taken by the School Board Representative on the Budget Committee relative to not supporting a 3 percent pay raise for the Town Clerk. Apparently as a result of your remarks before the School Committee, Chairman Lavoie broached the topic yesterday evening and suggested to the School Committee that perhaps they might want to reconsider and discussion ensued.

Selectman Coutu first wanted to preface my remarks by saying that I contacted the Superintendent of Schools shortly after they finished deliberating all of the budget relative to the Town and the School. I applauded the outgoing Superintendent who will be greatly missed for an outstanding job this year in putting together a school budget that will meet their needs. I realize some of the sacrifices they made in terms of having to cut some positions. I extended myself as an individual and as obviously a Town Father to show my appreciation for all the hard work that they did. So there was absolutely no animosity and I rather enjoyed the budget process this year. It went relatively smooth and the Budget Committee did its due diligence and did an outstanding job.

Mr. Chairman, Selectman Coutu said he was able to gather enough information in order for me to address this intelligently relative to your appearance before that Board. From what I've gathered and from what I've heard from you, there was no intent on your part to intimidate anyone to change their minds. As a matter of fact, I applaud you because you were standing up for one of our town employees who has served that position I believe 5 years without a raise. The woman who holds that position has done an outstanding job. We've all recognized that. The townspeople the comments that I hear more often than not about town employees, not that every town employee doesn't do an outstanding job, but because that office is so visible because people go there to pay their taxes, register their vehicles, they see firsthand the work load, the lines, and what these people go through. She has restructured that office to accommodate needs after regular hours that were held and is open at least one evening. She's increased our revenue source by introducing boat registrations. We felt that 3 percent was adequate. She didn't come in here and solicit a pay raise. I don't think she would quit if she didn't get a pay raise. I don't think she would have quit had we not proposed a pay raise. I applaud Chairman Lavoie for broaching the subject. I also want to thank School Committee member Laura Bisson for her courageous attempt through a motion which was not seconded to ask the School Committee to reconsider.

What Selectman Coutu took exception to was that School Committee member Amy Sousa labeled our approach for the criteria that we established for pay raises as being sophomoric. There was no reasoning given why for certain employees we opted for the \$1,000 and \$1,500 first year, second year pay raises for some of the bargaining units and yet we opted for 3 percent for the Town Clerk. I can't speak for everyone else but I know that when I sit here and I make a decision I have to try to rationalize what's in the best interests of our employees and what's in the best interests of the Town. I know that the \$1,000 and \$1,500 proposal that we accepted was something that you presented Selectman Maddox. Obviously we all agreed with it and from my perspective anyway, I thought it was an outstanding idea because it gave a dollar value to each and every employee that we were going to propose this to in our contract negotiations. It was offered to all of the groups. I think that because from my perspective when I decided to agree to this, and I represented this Board in negotiations with Fire; Selectman Maddox you represented the Board with the Police; Selectman Luszey you represented us in the Supervisors; and Chairman Jasper represented us with the Clerks. I thought that the \$1,500, \$1,000 gave an actual dollar value and we were being very transparent

individually for each employee what they were going to get. Not just the 3 percent. It's like going to a Kohl's sale and it says 20 percent off. Twenty percent off of what? Three percent of what? This gave an actual dollar value.

In terms of the Town Clerk, Selectman Coutu said the 3 percent represents approximately \$76 more than what we were going to give the other employees. She's a department head number one. Number two, she's been 5 years without a pay raise and \$74 I guess is a sophomoric approach that we're giving her \$74 more. I take exception to that. I take exception to her stating that she felt that this was a bully tactic on your part. I didn't see it as a bully tactic. I saw it as a representative of this Board standing up for one of our employees. I think that I certainly appreciate it and I'm sure other members of this Board appreciate it as well.

Further, Selectman Coutu said this member of the School Committee has hindered our ability to negotiate when she goes and speaks to union representatives in one of our departments. I would no more think of going to the school teacher's union and start sitting down with them and asking them what the problem was or what problems they were having in terms of negotiating with the School Board. We have enough to do on our side of town that I'm not going to butt in to the processes and the criteria that they establish for negotiating contracts on the school side. She was wondering why we didn't achieve a contract with Fire and Police. She nor do any other members of the School Board have any idea what goes on in the negotiating processes because they are held behind closed doors. They did so for a reason. Just as we don't know what the criteria is and how they negotiate their contracts because they hold them behind closed doors. I never heard a member of this Board question why the custodians and the secretaries in the School Department aren't getting a raise this year. They negotiated a contract. They have a couple of extra sick days but they're not getting a raise. I don't know how they arrived at that. I don't think it's sophomoric. They agreed to it. They negotiated it, and it was successful and it's going on the ballot and the voters will ultimately decide. No one is twisting anybody's arm. I am going to state quite publicly because it was implied last night that there could be severe repercussions if they didn't change their vote. That is not true. I for one am not going to look at a well negotiated teacher's contract which is up for renewal next year and go on an attack to ask the voters not to vote for it because they didn't support this one pay raise for an individual employee who we hold in high esteem. Again, Selectman Coutu applauded Chairman Lavoie. I thank him and Laura Bisson and I don't understand the logic of why they wouldn't reconsider. That was their decision and obvious the majority rules.

With that said, Selectman Coutu wanted to suggest to the Benson Committee Mr. Chairman because I have received a few complaints. The complaints deal with the playground area. There are animals being allowed to run in there. One person witnessed a child coming down a slide and landing in a pile of dog poop. I think it is unhealthy to have dogs roaming in the playground area. I think that's something that needs to be addressed. I know that it could be an expensive proposition but I wish that the Benson Committee would at least entertain the discussion of somebody watching and seeing what's going on there and see how many animals actually go in the park. I know that one day I was there back in November and there were 3 or 4 dogs running around at the playground while there were children there. I heard people discussing how that's inappropriate and they shouldn't be allowed. We don't have fencing or gating in that area. It might be something we want to look at. Maybe we need to ask some of the people who frequent Benson Park who are volunteers to report back to us if they see that occurring. If it is as flagrant as people are suggesting that it is. I'm offering that out.

The last thing Mr. Chairman is, again, Selectman Coutu wanted to remind everyone that St. Patrick's Day is coming - March 17th. Obviously it's on a Saturday. Mal's Pals the group who is trying to build an amphitheater/gazebo down by Swan Pond at Benson Park is trying to raise funds. I'm going to be hosting a St. Patrick's Day first annual I hope St. Patrick's Day dinner and roast. I know you don't like corned beef and cabbage Selectman Maddox but I need a target. I wish you'd show up for the roast. It will be held at the White Birch. I'm still waiting to hear from the Governor. I expect that he will show up. It's \$50 a couple, \$200 for a table of 8. There will be a cocktail hour from 4 p.m. to 5 p.m. Dinner will be served 5 p.m. to 6 p.m. The roast will follow and there will be an evening of dancing and karaoke music. My brother will be the DJ. He's quite the entertainer and DJ. If we're lucky, Elvis Presley may show up that night as well if I can get Selectman Jasper into the costume. I am serious about an Elvis Presley impersonator. I think I can get him to volunteer his time as well. Tickets are available. Members of the Mal's Pal Committee which is Lee Lavoie and Jeremy Griffus and a few other people on the committee and several people who work in the School Department also have tickets available. I have tickets available at the store. I've sold quite a few so far but we still have plenty to go. We hope to have a minimum of 200 people there. It's a great cause and a great opportunity for us to help this organization to raise the funds necessary to build this gazebo. With that Mr. Chairman, I thank you.

Along with Selectman Coutu talking about the problem with the dogs at the park, Selectman Nadeau has been there with my son in the playground. Just recently on one of the warm 50° days, there were 2 or 3 dogs that would go into that area. I do think we could just simply solve the problem by posting no dogs allowed in the playground area. It is a sanitary thing too. If the dogs do go to the bathroom in the wood chips, it does absorb it. It looks like it's not there. It is there. Those wood chips are quite expensive to replace. They're not just regular wood chips. They're for

playgrounds. I think it would be a very easy fix for us just to get some signs up that say "no dogs in the playground area".

Motion by Selectman Nadeau, seconded by Selectman Luszey, to post signs in the playground area stating "No dogs in the playground area".

Selectman Luszey's only comment is did we not pass a leash law. Are these dogs running loose or are they on leashes? Selectman Nadeau said some of them are 6, 8 10 foot leashes. Some of them are on the little retractables that only go out 4 or 5 feet. But they add on the leashes it doesn't matter. They still go in that area and use it as their bathroom. Chairman Jasper said at least if we have it posted the police aren't really going to be able to really do anything but everybody else can and I'm sure will chase them out of there. I think this is a reasonable first step to see if we can control the situation.

Vote: Motion carried 5-0.

Chairman Jasper asked Selectman Nadeau if he'd speak to Dave Yates about ordering said signs and coordinating with the Highway Department.

Selectman Jasper - I'm going to touch a little bit about what went on with the School Board relative to the Town Clerk. I am quite disturbed to hear that I was somehow bullying and that our approach is sophomoric or juvenile. I was quite troubled when I heard what the vote was and that issue was over the \$76. I went in and appearing before another Board I was polite. I was under public input and made it clear I hadn't spoken to the Board so I wasn't there on behalf of the Board. I was there as a member of the Board but that I felt that they should reconsider their decision. I explained to them just what Selectman Coutu said and since the Town Clerk is the only employee there covered in that Warrant Article, 3 percent of \$1,500 really didn't seem to make any difference and it wasn't part of our discussion and asked them to take into consideration that she had not ever had a raise and she took the job and asked if there were any questions. What was really disappointing is that there were none but I went home and watched the rest of the meeting and then when I was not there, they went on about our inconsistent policy. They went on to the point that they did not even understand that it was not a contract because the discussion continued to be about our contract with the Town Clerk. The Town Clerk is an elected official and she has no contract. So if you want to talk about sophomoric, it's somewhat sophomoric not even to understand the basic nature.

Chairman Jasper indicated that they went on to ask whether this was anything that ever went on before. I was essentially accused of doing something that had never been done before. In fact when I represented the Board once before and the Board had taken a position on something, I actually went to lunch with the Superintendent. He called me and said could we have lunch and talk about this. I think some of the other members particular Selectman Maddox and I think Selectman Nadeau will remember, the Chairman of the School Board Gary Rodgers sitting right here before us under other input talking to us about a warrant article and the position that the Board had initially taken. So for the School Board to suggest that I was doing something that had never been done was totally off base. As much as I do appreciate what Chairman Lavoie tried to do, one of the things he said because I had said I'd really like to see this as a unanimous recommendation. There was sort of a snarky remark - well the School Board wasn't the only vote against it. Of course my intent was if I was able to change their vote, that if anybody else had voted against it, I would talk to that individual. It was suggested that Stu Schneiderman voted against it. I have no evidence that he did but that was...

Selectman Luszey said he voted against the police, fire and supervisors.

Chairman Jasper said it was a rather snarky comment that I found to be totally unnecessary. Then it was said that the Budget Committee never has unanimous votes. Well while sitting there I immediately pulled out last year's Town Report and saw that there were at least 3 just last year on town recommendations, including the operating budget that were unanimous and a couple of others. So that comment was way off base. I certainly agree with Selectman Coutu about the involvement that the member from the School Board has had in our departments. The only thing, and I did suggest this to the Chairman of the School Board, if you think this is appropriate, would you really like us to get involved in your policy decisions? I said there have been comments that have been made about what's going on in the old library. Would you really want us to go there? We haven't to this point but if you're going to get in there and talk about the \$76 difference here and how we're inconsistent and you're going to send members over and start riding on fire trucks and observing what's going on, and Selectman Maddox knows I've said this, would you really like us to send Selectman Maddox in to observe teachers in the classroom? I think you really don't want to go down this road. This is not something we've ever done. When it comes to policy of the boards, both boards stay out of policy. Clearly the School Board has gotten into the policy here because it's not a matter of \$74 or \$76. They are objecting to our policy. It was actually said if the Board of Selectmen change the warrant article to \$1,500, I'll change my vote. That is just ridiculous. Talk about sophomoric to say that a dedicated public servant is not going to get the recommendation for a raise because we chose to say this is contract negotiation, and this is our stance for contract negotiation, and

this is what we do on warrant articles for elected officials. To make that official, suffer and to make that comment is totally inappropriate. I am extremely disappointed in the School Board for taking that approach.

Chairman Jasper's never seen anything quite like that. It is very disturbing. I would certainly suggest when people are considering the warrant article for the Town Clerk's pay raise that they totally discount the vote that the School Board cast or the School Board's Representative. I understand that one member of the School Board said we don't get involved in that. We're not political in this yet they voted no. So I don't even know how that member could make a comment anything like that because that's exactly what they did. They got political. They got in policy and they didn't look at whether the raise for the Town Clerk/Tax Collector was in the best interests of the taxpayers and the voters of the Town of Hudson. They did exactly the opposite. That's all I'm going to say on that one.

The other thing, which you are all aware of and its time we have a discussion because if we do have consensus, Chairman Jasper is going to ask our Budget Committee Representative have a discussion with the Budget Committee. As you all know, we spent a tremendous amount of money renting a bucket truck during the October storm and the cleanup afterwards. We spent a tremendous amount during the course of the year and that the very aged Fire Department truck is not adequate for what we need it. We're fortunate, although as a taxpayer of the United States, I'm not very pleased with the way it works. When we got reimbursed from FEMA for the cleanup that we did, the federal government pays us and hourly rate for the trucks which we already own and the people. We're actually being reimbursed more money than we expended because of the fact that we own our fleet of trucks and they paid us for that. Certainly we've had a very light winter since then and it is suggested that we have the opportunity to buy a bucket truck with a 50 foot reach. A new one that is a model we can buy that truck, I believe, the number I saw was \$80,000. Mr. Malizia said it was somewhere under \$100,000. Selectman Luszey thought \$89,000. Chairman Jasper said we're not signing a purchase order tonight. Forgive me. It was under \$100,000 and it was in the \$80,000 to \$90,000 range. We have the ability to move and to do that on our own. My recommendation is that we have a discussion with the Budget Committee and see if we can get their blessing. If we don't, we're likely to have problems down the road. Certainly buying a bucket truck has been something that we have been discussing for the last two or three budget cycles. We have the opportunity here. We have the cash available without affecting our budget or even really the potential surplus of town funds. As much as I hate to say it, in this case it really was free money to the Town. If we are of a consensus that this is something that we should do, I would ask that after the Deliberative Session when the Budget Committee has their meeting if you would discuss that with them and see if they would be amenable to doing that without creating a lot of hate and discontent.

Selectman Coutu certainly agreed. I would suggest however that if Selectman Luszey should have this item put on the agenda for the Budget Committee and that he invite to speak Road Agent Kevin Burns. He will have the facts and the numbers that will more than justify why it behooves us what the benefits are in terms of what the rental expense has been, the repair costs of the old bucket truck, it's life expectancy which is nil to none right now, and what a great benefit and what a bargain we're going to be getting with this new truck. We're buying a truck that matches our color scheme black and white. All we need to do is put a decal on it. I think it's a great bargain. We need to jump on it. I think that he can make the case for it. I think the Budget Committee certainly respects our department heads. I'm sure they'll listen to them. Once they see the benefit, they'll go along with it.

Chairman Jasper would certainly say that you should have a conversation with Kevin and do that.

Selectman Maddox saw those e-mails. The thing that snapped right to the top of my list was that the Fire Chief was on board with it. We have something here that's not only a good bargain but a good fit for both sides. So it's not one gets something and the other doesn't. This sounded like a win/win all the way around Sir.

Selectman Nadeau agreed with that. Again, the Road Agent did a good job finding a piece of equipment that we can use at a very reasonable price. I would hope that by Monday we could all, with the Budget Committee's blessing, purchase this truck so that we can start using it.

If in fact they are agreeable to that, Chairman Jasper said we'll have it on the agenda for next Tuesday to authorize that and cut the purchase order. In fact they are holding it for us and it may not be a deal that's available a couple of weeks down the road.

Mr. Malizia was going to suggest that the Budget Committee is meeting next Thursday. I don't know if you wanted to do that at that meeting but if you're looking to do it quicker...Selectman Luszey said Saturday. Mr. Malizia said they're meeting the week after which is sometimes at Town Meeting it gets a little hectic. Folks are focused and they're sometimes in a hurry to get out of there on a Saturday. I was just going to say that's another opportunity if you weren't in as big of a hurry but if you're trying to get it for the 14th ...

Chairman Jasper indicated that the problem is as I see it I talked to the Road Agent and he said they'd hold it for us for a couple of weeks. That was almost a week ago. If we wait until next Thursday, we're at the end of the month. I'd

rather try to wrap this up and do it right. We could take a motion now but it hasn't been on an agenda. This is a discussion. I'd rather just have this as clean as possible.

In talking with Kevin, Selectman Luszey said the School District could actually use it also to change their lights in the parking lot. So it would fit all the way around.

7. NONPUBLIC SESSION

Motion by Selectman Coutu, seconded by Selectman Luszey, to enter into Nonpublic Session under RSA 91-A:3 (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: (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community; (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph, carried 5-0 by roll call.

Nonpublic Session is being entered at 8:23 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.

Open session is being entered at 9:47 p.m.

Motion by Selectman Coutu, seconded by Selectman Maddox, to end the practice of retaining retired officers for outside detail purposes, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Luszey to accept the offer of \$80,000 from James and Cheryl Courounis for the purchase of 47 Ferry Street, carried 4-1. Selectman Maddox in opposition.

Chairman Jasper declared the meeting adjourned at 9:50 p.m.

11. ADJOURNMENT

Chairman Jasper declared the meeting adjourned at 9:50 p.m.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Shawn Jasper, Chairman

Roger E. Coutu, Vice Chairman

Richard J. Maddox, Selectman

Benjamin Nadeau, Selectman

Ted Luszey, Selectman