

HUDSON, NH BOARD OF SELECTMEN
Minutes of the March 15, 2017 Meeting

1. CALL TO ORDER - by Chairman McGrath the meeting of March 17, 2017 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE - led by Selectman Nichols.

3. ATTENDANCE

Board of Selectmen: Ted Luszey (arrived at 7:15), Marilyn McGrath, Pat Nichols, Angela Routsis

Absent: Roger Coutu

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Elvis Dhima, Town Engineer; Rob Buxton, Fire Chief

4. PUBLIC INPUT

Chairman McGrath asked if anyone in the audience wished to address the Board on any issue which the Board has control of at this time. There isn't anyone present so I'll move on.

5. NOMINATIONS AND APPOINTMENTS - None

6. CONSENT ITEMS

Chairman McGrath asked does any Board member have any item they wish to remove for separate consideration.

Motion by Selectman Routsis, seconded by Selectman Nichols, to approve consent items A, B, C, D, E and F as noted or appropriate, carried 3-0.

A. Assessing Items

- 1) Elderly Exemption - Map 165, Lot 133 - 4 Summer Ave., w/recommendation to approve
- 2) Blind Exemption - Map 167, Lot 061 - 109 Highland St., w/recommendation to grant
- 3) Veteran Tax Credits - Map 153, Lot 046 - 6 Lund Dr.; Map 237, Lot 008 - 5 Winding Hollow Rd.; Map 116, Lot 003 - 5 Heritage Circle; Map 190, Lot 098 - 6 Watersedge Dr.; Map 198, Lot 084 - 10 Wayne St.; Map 185, Lot 044 - 16 Bush Hill Rd., w/recommendation to grant
- 4) Requalification of Elderly Exemptions - Map 178, Lot 013, Sub 045 - 35 Mobile Dr.; Map 147, Lot 029, Sub 001 - 11 Bowes Circle; Map 197, Lot 105 - 19 Cedar St.; Map 156, Lot 056 - 7 Hill St.; Map 167, Lot 062 - 105 highland St.; Map 204, Lot 006, Sub 927 - 927 Fox Hollow Dr.; Map 204, Lot 006, Sub 925 - 925 Fox Hollow Dr.; Map 175, Lot 034, Sub 002 - 6 Village Ln.; Map 198, Lot 120 - 5 Lorraine St.; Map 234, Lot 028 - 2 Bruce St.; Map 173, Lot 037 - 39 Baker St.; Map 174, Lot 071 - 8 Newton St.; Map 157, Lot 066, Sub 021 - 32 Barbara Ln., w/recommendation to requalify

B. Water/Sewer Items - None

C. Licenses & Permits

- 1) Request to Solicit Funds - The Half Moon Sober Festival, Inc.
- 2) Request to Solicit Funds - Girl Scouts Cadette Troop 10426
- 3) Request to Solicit Funds - Girl Scouts of Hudson and Pelham

D. Donations

- 1) Southern New Hampshire Radio Control Club in the amount of \$1,000

E. Acceptance of Minutes

- 1) Minutes of the February 28, 2017 meeting

F. Calendar

03/15 7:30 Senior Affairs Cte - BOS Meeting Room
03/16 7:00 Benson Park Cte - HCTV Meeting Room
03/21 7:00 Cable Utility Cte - HCTV Ctr.
03/21 7:00 Municipal Utility Cte - BOS Meeting Room
03/22 7:00 Planning Brd - Buxton CD Meeting Room - CANCELLED
03/23 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
03/27 7:00 Sustainability Cte - Buxton CD Meeting Room
03/28 7:00 Board of Selectmen - BOS Meeting Room
03/29 7:00 Planning Brd - Buxton CD Meeting Room

7. OLD BUSINESS

A. Bid Recommendation Traffic Light Design for Lowell & Pelham Roads

Chairman McGrath recognized Town Engineer Elvis Dhima.

Thank you Selectman McGrath. Good evening everyone. About a month ago I was here in front of the Board to discuss Pelham and Lowell Road. At that time, we decided to move forward with engineering services. By the end of that week, we went out for advertising at the Union Leader and we were advertising on our town website. Last week the bids were due. We had three of those. I'm presenting to you tonight three official ones that we have. The lowest one was \$18,908.87 and the highest is \$34,965.50. I had three references checked to the lowest bidder McFarland Johnson - City of Concord, Laconia and Goffstown. They were very happy with the services they were receiving from them. This company has done similar work for other municipalities and NH DOT. With that said, I'm here to recommend you to hire McFarland Johnson to do the design for Pelham and Lowell Road traffic light intersection.

Just as another point, Steve Malizia stated the Finance Director reviewed it. She is also recommending it. This is the low bidder. This, again, is coming from corridor funds. This was a project approved by this Board approximately a month ago and this the engineering phase of that project.

Chairman McGrath asked any discussion? Any questions? I have a question. I wasn't here the night that this was discussed and voted on. I just have a question about the light that is currently at Fox Hollow. Can that be manipulated so that it's in sync with any other lighting in that area of town so that there's a good travel through? Elvis Dhima said there still will be. As a matter of fact, we may even get a traffic count of that intersection to see how that behaves and if that needs any additional tweaking. Basically that on - the existing light - and this one will act as one. That's the intent and we're going to connect them through a wireless network to make sure that they can interact with each other. That's the idea. We're also looking at maybe delaying any activation of this light for right turns. If there's anyone that wants to make a right turn because that's not critical, we want to have a 30 second delay. If that person can make it through that intersection through a right turn without triggering the light that would be the case to minimize the stops on Lowell Road. There will be a few things that we will look to minimize that and also make it safer for people in Pelham to make it to Lowell.

Chairman McGrath's concern is primarily the peak hours especially in the afternoon and evening. There's an awful lot of traffic that's generated through that area and it gets back up past PMA. Any signaling that we can manipulate it so that we're not getting stopped at the light at the plaza and then all of a sudden there's a very short distance between there and Pelham Road and then all of a sudden you're coming to a standstill again for another traffic light. I'd like to see it so that we don't have that type of problem.

Elvis Dhima said we will work to make sure that that gets avoided. There will probably be cases like that depending on the demand and depending on when the lights get triggered. What we'll also do is we'll set up cameras so not just the loop detectors which only detect vehicles there. The cameras detect how far or how bad the backup is. That would help a little bit. We'll make sure that's the case because you're right.

There is only about 650 feet there. You can only squeeze about 30 - 35 cars and that's part of the challenge. We don't want to turn this into Main Street. That kind of comes with it every time you introduce a light. Also there is the fact that there is an issue with people getting out of Pelham Road on a left turn. It sounds like that was taken in consideration. That was the biggest factor right there. We'll try to make sure that everyone is in harmony there and everything works out okay. There will be like it or not some additional delays on Lowell Road in the name of people on Pelham getting safely on Lowell through a left turn. Chairman McGrath said that was okay as long as we can try to manipulate it so that those delays are less intrusive.

Motion by Selectman Routsis, seconded by Selectman Nichols, to award the bid for the traffic light design for Lowell Road and Pelham Road intersection in an amount not to exceed \$18,908.87 using Corridor Account 2070-000-090 to McFarland Johnson, the lowest bidder, as recommended by the Town Engineer and the Finance Director, carried 3-0.

8. NEW BUSINESS

A. Request to enter into a GIS High Resolution (4") Flyover Agreement

Chairman McGrath recognized Town Engineer Elvis Dhima.

Elvis Dhima stated the next item I have in front of you tonight is GIS High Resolution Flyover Agreement. Basically in a nutshell in 2005 the town did a flyover for the amount of \$25,000 that was a 6 inch resolution. The town hasn't done one since then. We had free images obtained by DOT and NH Granite State for a 16 inch resolution and 12 inch resolution. To show you real quick where the differences are, I have three attachments prepared for you. Appendix A is the 4 inch resolution. You can see basically the quality of the picture and the images you get. The next one is a 6 inch resolution. It's blurry. It's not as clear as the first one. Then you have a 12 inch resolution which is kind of hard to even determine what's what. Recently about 3 weeks ago our consultant who does our GIS work informed me that there's another municipality adjacent to us is doing a flyover and we would piggyback. If we use the same plan, we can get it for half the price. So for something that usually costs \$40,000 to \$50,000, we can get it down for just under \$20,000. With that said, I thought it was a great opportunity. I presented it to the Town Administrator and I'm presenting it in front of you tonight with the pros and cons why we should do it. Basically I'm here in front of you to ask for permission to move forward with this flyover which will be done in the spring of April 2017.

Steve Malizia explained half the funding would come from the tax mapping account which we collect money from developers for tax mapping. The other half would be split between water and sewer because they use GIS data and it benefits them also. What I'm trying to say is it's not a taxpayer expenditure. There's water, sewer, and tax mapping funds which come from developers. You can clearly see the image. The other thing that Elvis didn't mention is anything new that gets built gets picked up as an image. So then we now have a more current data base. Our original database from 2005 what's been built since then we don't have it and we've been using these other 6 and 12 inch images which we got from basically other institutions either the DOT or UNH did it. The resolution isn't as good. Again it's an opportunity that came to us. We're recommending that we move forward. If you don't do it, you'll still have resolution and it would be just up to 6 inch or the 12 inch. We think it's a prudent expenditure. Again they're doing it. We're not paying the lions share. We're just basically piggybacking. So the cost is just to continue to fly over Hudson.

Selectman Routsis had a quick question and it's just for lack of knowledge on my part because I've heard GIS used and I guess referenced with NRPC. Mr. Dhima said they don't have money to do a flyover like this. They don't have it. The City of Nashua does one every year. It cost them about \$50,000. They go fancy but nothing that NRPC can. As I stated, I think the latest one we got was in 2015 flyover. We got it from UNH through the Granite State funding. Basically it's the last attachment - the 12 inch resolution. I don't know when the next one is going to be. Maybe never. I don't know what the funding looks like but basically if we don't do this, our latest and greatest images will be a 12 inch resolution from 2015. If someone wants to come and see what things look like in Hudson now or for a development or something, they won't be able to do that unless they do obviously Google. It doesn't put the property lines. It doesn't put the infrastructure that we have there - water, sewer, gas, fiber optic and all that. This will allow us to do that. This will bring it in and it will reference to all the properties, town boundaries, and all the infrastructure within. So we can tell someone this is what it looks like now. This is what you have in front of you. This is what you can and cannot do. It's very beneficial because kind of can tell what happened in the past year or two and what things look like - zoning, assessing, anything - engineering, planning. Everyone can use it

including businesses and residents that live and work in town. Dispute over a fence - oh it was for 20 years. I don't think so. I can look at images from 2005 and it wasn't there. Things like that.

Selectman Nichols asked we would have the 4 inch resolution image right. That's the good one because the others really...Mr. Dhima indicated they're okay but for the price we're getting, we'll be getting one of the best images.

Chairman McGrath had one slight question. I would assume that the Police Department would find this really beneficial and the Fire Department. Probably more so police I would think. Elvis Dhima noted it was outlined in the Memo but yes you are absolutely right. One of the things - and I don't want to talk too much about it - I was talking to Chief Lavoie in the past was regarding there's a situation out there and they're looking at an aerial to see what the parameter looks like, control points, and all that. This will come in effect now because you put it against property lines and everything. In the past, you can put it with imagery and Google. You can't see where people's property ends and begins right away. It will be beneficial to everyone internally.

Steve Malizia read the appropriate motion.

Motion by Selectman Routsis, seconded by Selectman Nichols, to waive the bid process and proceed with Option 1 to fund the GIS high resolution aerial flyover using Planning Board Tax Map Update Account 1312-505 in the amount of \$9,995, Water Utility Account 5592-252 in the amount of \$4,998, and Sewer Utility Account 5562-252 in the amount of \$4,998, carried 3-0.

Chairman McGrath stated let the record show that Selectman Luszey arrived at 7:15 p.m.

B. Request to advertise for a Summer Program Coordinator

Chairman McGrath recognize Town Administrator Steve Malizia.

On the reverse of the item in your packet, Steve Malizia noted you have an e-mail basically corresponding from Mr. Girginis who has been the Summer Program Coordinator for three seasons. He is leaving to spend time with his family. I believe he teaches or he's a paraprofessional in the school system. Now that his kids are getting older, he wants to spend time with them. What we're recommending is looking to advertise for the Summer Coordinator. This position is in charge of 16 counselors, 4 CITs, day to day 420 kids plus or minus. It's a stipend. It gets paid \$5,500 for the 8 week program. It's a seasonal employee but it's the person that makes sure that it all works well. Mr. Girginis has done a great job but he's leaving to spend time with his family. We want to open it up. We don't want to just pick somebody. We want to make sure we get the best person for the job.

Selectman Nichols asked would you put that in the paper. Mr. Malizia indicated it would go in the newspaper. It will go on the webpage. More than likely advertise in the HLN and probably circulate through at least the Hudson School system because a lot of these folks are teachers and obviously posted at the Rec. Center. There's already been interest expressed because people are aware - people that are in the program already. Again we want to make sure that we're getting a broad cross section so we can get the right person. It's a pretty responsible job. It's not a beginner position.

Motion by Selectman Routsis, seconded by Selectman Nichols, to authorize the Recreation Director to advertise for the Summer Program Coordinator, carried 4-0.

C. VFW Post 5791 Loyalty Day Award Nomination

Chairman McGrath recognized Town Administrator Steve Malizia.

Steve Malizia explained every year the VFW asks us to name someone from the town side of the operation for the Loyalty Day Award. They have a separate award for Police, a separate one for Fire, and I believe a separate one for teacher of the schools. They've asked us for a nominee. When I basically looked at the past nominees and considered this, it's been a while since we've had a Highway nominee. Mr. Twardosky as you are probably aware is a Highway Foreman but nonetheless it's out in the field doing a lot of work. Mr. Twardosky is approaching 20 years with the town. I think this December is his 20th year. If you recall,

he did a lot of work on the cannon project. I just talked to Kevin Burns and we thought it would be appropriate to nominate Mr. Twardosky for this year's Loyalty Day Award. I believe there's a ceremony or some sort of awards dinner at the VFW at the beginning of May so they needed it in advance so they could print up whatever materials they need to print up. As I said, Fire and Police will have separate nominees. Again working with the Road Agent, we thought Jay would be an appropriate choice.

Motion by Selectman Nichols, seconded by Selectman Routsis, to nominate Jay Twardosky, Highway Street Division Foreman, for the 2017 Hudson VFW Post 5791 Loyalty Day Award, carried 4-0.

D. Town Planner Interview Committee

Chairman McGrath recognized Town Administrator Steve Malizia.

As you recall on the 14th of February, Steve Malizia said we had a discussion. The Board wanted to lead this. I think the thought was we were going to have the election, then we were going to have this meeting and you'd know who you want to pick. Obviously we didn't have the election. I'm not sure what the Board would like to do.

Selectman Luszey said we could postpone this because we're not ready for interviewing. Mr. Malizia stated when I did this on the agenda, I didn't know we were going to postpone the election. It's an item but you can certainly defer it if you'd like.

Motion by Selectman Luszey, seconded by Selectman Routsis, to defer, carried 4-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Routsis - I have nothing other than I want to complement our Highway Department on the job that they did yesterday. The morning was light and not a lot fell then all of a sudden we got I'd say about 10 inches in a couple of hours. For what we got hit with, they did a great job along with our Fire and Police having to work out in that as well taking care of everyone in the town. I appreciate everything that they did and everything that was done. I hope we don't have any more this year. I'll see everyone tomorrow.

Selectman Nichols - I'll second what Angela said about the town. They were wonderful. I hope everyone shows up for voting tomorrow for those that maybe couldn't have even come on Tuesday might show up tomorrow which would be very good. I would love to see a big crowd. I'll do my best to be there but I don't know for how long.

Selectman Luszey - Just to add to the previous two speakers. The Highway had to pull double duty yesterday with the storm. We had a number of trees and limbs fall across roadways. If folks don't know it, it's the same folks that are plowing the roads that have to take the trees and limbs out of the road which caused even more stress on not only the people of the Highway but the equipment. As they were cutting trees, that snow was falling. It got pretty intense at points. I actually watched a 10-wheeler get pushed away from the snowbank and as they're trying to push the snow back. You can imagine how heavy that snow was.

The Fire Chief called me before noon and the ambulances were quite busy also. Hats off to all of the folks that were on duty yesterday and supporting them. Great job.

Selectman McGrath - I'll just echo what you've all just stated. We really are very fortunate in the employees that we have working for the town whether it's the Public Works Department that are going out plowing the streets and taking the abuse of some that don't think they're moving fast enough, our Fire and our Police Departments that keep us safe and answer the calls when we need them. I think that we're very fortunate.

Also the other thing that Selectman McGrath thought should be mentioned too is that the Public Works Department worked in conjunction with the Moderator and with our Tax Collector Patti Barry yesterday trying to get the Community Center in order. They also staffed the Community Center yesterday for a number of hours in case people came in to vote and didn't realize that we weren't voting yesterday. It's

my understanding that there were some that weren't too happy with that process either and voice that dismay in some unfriendly terms. Hudson is very lucky. We've got very good staff and hats off to all of them. That's all that I have. Mr. Chairman now that you're here, I'll step down so that you can carry on the rest of the meeting.

Real quick. Steve Malizia noted I left something on your desk regarding the BYOB. I actually had Attorney Lefevre do the research because Attorney Lefevre has resources. Basically from what I gathered from Attorney Lefevre's opinion that you have in front of you and he researched it, it appears the Liquor Commission doesn't regulate BYOB. They take a hands off approach. We have no ordinances regarding BYOB. We don't license restaurants that I'm aware of. Chief could confirm that but we don't license restaurants. In essence what Attorney Lefevre has come down to absent any ordinance, they can just do it. I just wanted to put that out there. If at some point the Board would like to regulate it, then we would have to develop some sort of ordinance. If you'd like me to, I can have Attorney Lefevre look into that but right now there is no ordinance.

Selectman McGrath said I would like to see some information if the Town Attorney can provide to us about establishing some sort of an ordinance. If this starts getting out of hand - I mean this restaurant - I thought they just served breakfast. Having bringing in booze in the morning I think is a little...Just to clarify, Mr. Malizia said my understanding is at least starting approximately this time of year probably because of Lent, they open on Friday evenings and they tend to do a fish type of offering. Not every night from what I understand and it may be more than Friday but I know its Friday night. I believe that's what they're looking for. They're not the typical establishment. They might have a liquor license. As you said, it's breakfast. It's a breakfast and lunch place. I think they're just looking to do something for their evening when they do their limited fish fry, lobster roll, whatever they're doing because I'm hoping you're not going to bring a 6-pack to breakfast. Just so you know, Captain Avery did provide us with some information that there's been no issues with the restaurant. From what we can ascertain right now, they can do it. I just wanted to bring that up so you at least were aware. Again we can look to do something if the Board would like to.

Selectman McGrath guessed if it becomes more of an issue. Again in my tenure here, Steve Malizia said if it's going on, I am not aware of it. If it's been widespread, I haven't heard of it and I haven't heard any complaints. It doesn't seem to be a problem at this point in time. Selectman McGrath said this is just the BYOB. At that meeting, we also discussed a bakery that wants to have. Mr. Malizia said this is specifically BYOB and how is that regulated. Basically the Liquor Commission is like we don't regulate it. It doesn't make a lot of sense to me but I'm not the Liquor Commission. Selectman McGrath thought maybe they're not selling.

10. NONPUBLIC SESSION

Motion by Selectman McGrath, seconded by Selectman Nichols, to enter Nonpublic Session pursuant to 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; (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; and (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 4-0 by roll call.

Chairman Luszey entered Nonpublic Session at 7:30 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 was entered into at 7:56 p.m.

Motion by Selectman Nichols, seconded by Selectman McGrath, to hire Judith MacNeil as a Part-Time Office Assistant in the Highway Department, 20 hours per week, at a rate of \$15.75 per hour effective March 26, 2017, carried 4-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to authorize the Fire Chief to extend the probationary period of Firefighter Andrew Gardner for an additional three (3) months with a completion date of July 17, 2017, for a total of 12 months, as recommended by the Fire Chief, carried 4-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to accept the resignation of Dispatcher David Bryce of the Fire Department effective February 23, 2017, carried 4-0.

Motion by Selectman Nichols, seconded by Selectman McGrath, to hire Adam Frederick for the position of Dispatcher in the Fire Department at the contracted starting salary of \$16.53 per hour (step 1) effective April 9, 2017. This assignment will be a non-exempt position in accordance with the International Association of Firefighters Local #3154 Contract, carried 4-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to hire Robert McNally as a Full-Time Police Officer with a starting salary of \$22.76 per hour effective April 2, 2017 in accordance with the Hudson Police Employee Association Contract, carried 4-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to allow Dave Yates to cash out 224 hours of vacation time, carried 4-0.

Motion by Selectman McGrath, seconded by Selectman Nichols, to sell town owned, tax deeded property located at 405 Elmwood Village to Cindi Ray in the amount of \$95,051, carried 4-0.

A discuss between the Board members ensued relative to turtle crossing signs on Musquash Road.

Motion by Selectman McGrath, seconded by Selectman Nichols, to reaffirm the Town's Policy on Signs, Street (Slow; Children at Play; Dangerous Intersection, etc.) adopted on 5/9/1995 which did not allow for the installation of turtle crossing signs, carried 4-0.

11. ADJOURNMENT

Motion to adjourn at 8:01 p.m. by Selectman McGrath, seconded by Selectman Nichols, carried 4-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

Thaddeus Luszey, Chairman

Marilyn E. McGrath, Vice-Chairman

Patricia Nichols, Selectman

Angela Routsis, Selectman