

HUDSON, NH BOARD OF SELECTMEN
Minutes of the August 8, 2017 Meeting

1. CALL TO ORDER - by Chairman Luszey the meeting of August 8, 2017 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Donna Graham.
3. ATTENDANCE

Board of Selectmen: Ted Luszey, Marilyn McGrath, Roger Coutu, Angela Routsis, David Morin

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Jim Michaud, Assistant Assessor; Dave Yates, Recreation Director; Fire Chief Rob Buxton

4. PUBLIC INPUT

Chairman Luszey asked does anyone in the audience wish to address the Board on any issue which the Board has control of at this time. Please state your name and address for the record.

Peggy Huard - 13 David Drive. Good evening. I'm here tonight to see if I can't resolve something with the Board of Selectmen ongoing issues with Eversource and the Merrimack Valley reliability project. We've gone through a significant amount of issues with them and the most recent one they are trying to construct on Saturday as if the rest of the week isn't bad enough. I had called the Police Department yesterday and talked to a male Officer Morin - no relation to you daughter I don't believe. He claimed they were merely enforcing the Town Code by allowing them to construct on Saturday because the ordinance says that they can only construct Monday through Saturday from the hours of 7 a.m. to 7 p.m. My point was that there are other parameters to that ordinance. I'll read the beginning of the ordinance to you.

"Recognizing that people have a right to and should be ensured an environment free from excessive sound and vibration capable of jeopardizing their health or safety or welfare or of degrading their quality of life, this chapter is enacted to protect, preserve and promote the health, safety, welfare and quality of life for the citizens of Hudson, New Hampshire, through the reduction, control and prevention of noise by establishing maximum noise levels upon and between premises, prohibiting certain noise-producing activities and providing for inspection, definition of offenses and penalties."

Under 249-4 Prohibited noise, emissions, and conditions. There are several limits that are outlined in this ordinance. It starts with, No person or persons owning, leasing or controlling the operation of any source or sources of noise shall willfully, negligently or through failure to provide necessary equipment or facilities or through failure to take necessary precautions, make or permit the emissions of noise levels or conditions exceeding the following noise limits for the applicable land use. A noise level 1 is a general prohibition of noise emissions. No person or persons owning, leasing, or controlling the operations or any source or sources of noise shall willfully, negligently, or through failure to provide necessary equipment or facilities or to take necessary precautions, permit the establishment of a condition or conditions constituting noise, pollution as defined in 249-2 of this chapter. The chapter defines "noise pollution" as a presence of that amount of acoustic energy for that amount of time necessary to cause one or more of the following affects: temporary, permanent hearing loss in persons exposed, injury to or tendency to injure on the basis of current information, the public health or welfare, a nuisance which I believe I feel is a public nuisance to be subject to this at 7 a.m. on Saturday morning or interference with the comfortable and reasonable enjoyment of life and property or interference with the conduct of business.

So Mrs. Huard said my point and my argument is it's annoying anyway, okay, but to have them come on a Saturday morning just because your ordinance claims that they can. They have obtained a certificate but they still have other laws to follow. Public nuisance is something that is in the hands of the Police Department. When I called the Police Department yesterday, Officer Morin wasn't very receptive. There was a police car there today on detail in front of my neighbor's house. I'm four houses down. So mildly affected. I'm affected. I have to go through there but she's grossly affected. I tried to get her to come tonight. So he sat there for the entire day with his lights going. The construction is off road. There is actually no need for a police officer and it gives the impression that the police officer is favoring the construction company. The criminally corrupt construction company.

Chairman Luszey asked please don't use that type of...it's not criminally corrupt construction company. Peggy Huard stated it is a criminally corrupt in my opinion. Chairman Luszey said in your opinion but it's not. The police officer was there because we required it to be there to make sure there's safe travel on that road while that work is being done. Peggy noted that's only if there is traffic going on the road. Chairman Luszey asked there's no traffic on that road. Is it a closed road? Is it a public way? Mrs. Huard said it's a side street.

Point of order Mr. Chairman. Selectman Coutu said as I stated in my conversation with you, Peggy you've inundated me with messages about this today. We have no control. Peggy Huard disagreed. Selectman Coutu indicated I have the floor. I'm speaking on a point of order. We have no control. This is controlled by the Public Utilities Commission. We've had this discussion. I cited you chapter and verse, the rules and regulations that govern construction. For you to select Saturday would be insurmountable the case for you to be able to compel someone to change it because you're excluding Monday through Friday. There are people that sleep Monday through Fridays. They have a job to do. They're doing it on their own property. They are meeting all of the statutory requirements that are set forth by the Public Utility Commission. The structure is such that it complies with our own town ordinance. Number two, the police detail is there because that is their choosing to hire a police officer not our choosing. That is a detail that is paid by them not by the taxpayers of the town. Number three, the Police Department does not have within its confines or for its use any meter to determine the noise level and whether or not the noise is in compliance with whatever regulation there is that sets the decibels at which they can attain legally. We don't have the equipment. We had the equipment. It's been broken for many, many years. It's never been repaired. They're very expensive to buy and it's never been a priority because we don't get these types of complaints. Other than to tell you exactly the same thing as what I told you today that it is out of our hands. They're not going to skip Hudson. They need to build these poles and bring these new lines in in order to bring energy more efficiently to the communities that they serve and that's what they're doing. What you expect us to do, I don't know. We can't go out there and put out a cease and desist order on something that's been approved by the PUC - and I think you Mr. Malizia could expand on that in terms of our town land and the easements on our town land.

Peggy Huard interrupted and asked if I may...Selectman Coutu said no I'm still speaking on a point of order.

Steve Malizia said if they're on town land, they have an easement to be so on town land. Peggy Huard indicated they're not on town land with all due respect.

Selectman Coutu said okay so they're on their own easements. Mrs. Huard noted they're on private property. The citizen actually owns the property. Selectman Coutu stated to bring this to a culmination, what do you expect this Board to do? Peggy Huard expected the Police Department to act as public servants and protect the public not take special payments from private, for profit companies. Appearance that they favor the for profit company and appear to be performing color of the law violations. They're favoring one part over another.

Selectman Coutu noted I'm still on my point of order. I gave you some latitude. For you to sit here and accuse our Police Department of accepting what you would label as "corrupt money", they are doing the job that the company has paid them to do. Our Police Department takes very seriously the extra duty that's assigned to them and they were doing whatever it is that the company that's paying to do that's what they're doing. To say that the company is corrupt, that the Police Department is not acting on behalf of your safety, I can assure you that regardless of the fact that that police officer whoever he or she may be is sitting there and doing what they're paid to do. If there were an emergency at your home, they would leave that cruiser and go over there and protect you as best they can. They know the difference between a work assignment and a priority issue for the safety of our public. We have an outstanding Police Department and I'm not going have you sit here and tell us that we don't. That's basically what you're saying. This is how you feel personally. This is not the way the town operates. You know better than that. I'm not going to have you come in here and do to us what you did to the School Committee or the Budget Committee. You're just not going to do it.

With all due respect, Peggy Huard said I'll have to report it to the FBI as a color of law violation and let them determine it. If you can't do anything to help us...Selectman Coutu said that's what I suggest you do...Mrs. Huard said if you can't do anything to help us I will report it as a color of law violation. Selectman Coutu suggested you do. You've already threatened us with that. That's what you told us. Peggy Huard agreed.

You don't have any respect for us so I'm so sorry if you think...Selectman Coutu said we have respect for you. Peggy said no you don't. We're dealing with an unbelievable project and the Police Department is sitting there taking payments from a company that is grossly profitable and has lied their way into getting certificate and no one in this town has bothered to listen. No one in this town has bothered. You are sadly misinformed that it is not a reliability project. They have performed acts of gross fraud to obtain...

Chairman Luszey told Ms. Huard we are not here to discuss that. We are here to do what's in our legal right. Peggy understood that. I'm trying to express...Chairman Luszey said we don't have a legal right to stop them. The Public Utility Commission...Peggy said but your Police Department does and your Police Department failed. Chairman Luszey told Mrs. Huard the conversation is now ended. We're not going to argue that. Peggy Huard said that's fine. We'll have a full federal investigation of this town. Thank you very much.

5. NOMINATIONS AND APPOINTMENTS - None

6. CONSENT ITEMS

Chairman Luszey asked does any Board member wish to remove any item for separate consideration. Not on your papers but I was notified that under the Calendar F, the Zoning Board of Adjustment has been cancelled for August 10.

Motion by Selectman Coutu, seconded by Selectman Routsis, to approve consent items A, B, C, D, E and F as amended and as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) Requalification of Elderly Exemptions - Map 173, Lot 025, Sub 054 - 54 Willow Creek Drive; Map 149, Lot 001, Sub 105 - 6 Scottsdale Drive, w/recommendation to requalify

B. Water/Sewer Items - None

C. Licenses & Permits - None

D. Donations

- 1) \$305.65 from Derry Hannaford to be placed in the Police DARE Donation Account

E. Acceptance of Minutes

- 1) Minutes of the July 25, 2017 meeting

F. Calendar

- 08/09 7:00 Planning Brd - Buxton CD Meeting Room - CANCELLED
- 08/10 1:00 Trustees of the Trust Fund - Buxton CD Meeting Room
- 08/10 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room - CANCELLED
- 08/14 7:00 Conservation Cmsn - Buxton CD Meeting Room
- 08/14 7:00 Cable Utility Cte - HCTV Ctr.
- 08/15 7:00 Municipal Utility Cte - BOS Meeting Room
- 08/16 7:00 Planning Brd - Buxton CD Meeting Room
- 08/17 7:00 Benson Park Cte - HCTV Meeting Room
- 08/22 7:00 Board of Selectmen - BOS Meeting Room
- 08/23 7:00 Benson Park Landscape Cte - BOS Meeting Room
- 08/23 7:00 Planning Brd - Buxton CD Meeting Room - CANCELLED
- 08/24 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room
- 08/28 7:00 Sustainability Cte - Buxton CD Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on July 25, 2017

- 1) *Motion by Selectman Routsis, seconded by Selectman Morin, to deny the hardship application of Map 182, Lot 39 - 5 Reed Street, carried 4-0.*
- 2) *Motion to adjourn at 8:19 p.m. by Selectman Coutu, seconded by Selectman Morin, carried 4-0.*
- 3) *Motion by Selectman Routsis, seconded by Selectman Morin to adjourn at 8:34 p.m., carried 4-0.*

B. Deferred Assessing Items

- 1) Current Use - Land Use Change Tax Abatement - Map 110, Lot 56 - 12 Senter Farm Road

Chairman Luszey recognized Assistant Assessor Jim Michaud. Just bring everybody up to speed on why the motion to rescind and then motion to reapprove if you could for the public without having to read this whole thing.

Jim Michaud explained I did an original estimate of land use change tax penalty at \$190,000. The Board approved that. A bill was sent out for 10 percent of that - \$19,000, and the property owner who is here today, the developer/owner of the property, came in and discussed it with me and said I have a Purchase and Sales Agreement on this property for \$120,000. The \$190,000 seems to be well in excess of the Purchase and Sales Agreement. This particular property has been on the market for almost four years. It's been very well exposed to the market. The property site characteristics include underground utilities for a 900 foot plus driveway. There's items that go to the cost to build on this site that have limited its market value in the open marketplace. My original estimate did not take those items into account. I don't believe that we'd succeed in sustaining a \$190,000 value on a property that has a \$120,000 Purchase and Sales Agreement. I do want to address - we do see sale prices and asking Purchase and Sales on improved properties that are really quite hot. So people are bidding over the purchase and sales prices. That's not true in the land arena. The history of this property - both of these properties - demonstrates that that's not true. If it could have gone for more than \$120,000 in the four years it's been on the market, it would have gone for more than \$120,000. While I don't appreciate coming in here saying I got it wrong the first time, then the less I feel an obligation to come in here and save the town additional costs if we were to deny and then have to go to court. I'm sure the person would go to court because there's enough money at stake.

The problem Selectman Coutu said I had Jim with all due respect is that I think that from my perspective anyway that this is a little premature for us. Here's a Purchase and Sales Agreement. Nothing has been finalized and if we're going to start reassessing properties every time somebody gets a purchase and sales agreement, they're going to come in here and say look I have a Purchase and Sales Agreement for \$20,000 less than what you value my property at. We're going to be inundated. I think we're setting a bad precedent. I think that once the land is sold and the deal is finalized, then we know as a matter of fact that the value of the land has not depreciated from \$190,000 to \$120,000. A purchase and sales agreement is exactly that, a purchase and sales agreement. I just signed one a couple of months ago and I could have run around and said I have a purchase and sales agreement but two days later the seller decided not to sell. A purchase and sales agreement doesn't mean much of anything. What matters is what the bank signs and how much money transfers from one hand to the other. I thought it was premature. I don't dispute that you know best that whether or not it was over assessed. I'm concerned that we're going to be inundated with people coming in here with purchase and sales agreements.

Jim Michaud said point taken. I'm hearing what you're saying. I would separate the market from improved property versus land. The history of this property - if he could have gotten somebody to buy it for more in the four years it's been on there - I mean I don't know what makes us think it's going to sell for more than \$120,000.

Chairman Luszey thought the question is...I'm sorry, I'll wait.

So I will let you know Selectman Routsis said my thing with the purchase and sale. I understand the difference between improved land and not. I will go back to my experience five years ago. I called the Assessing Office when I was in the process of buying my house. I said hey you're assessing me at like 300 and change. I have a Purchase and Sale for \$227,000. I was told that Purchase and Sale meant nothing. An appraisal is what meant something. After my sale when through, I called back. Someone came out to my house, said where's your appraisal - I kid you not - said okay it's going to be 10 percent more than your appraisal and that was what my new assessment of my house was based on was my appraisal and not my Purchase and Sale because my Purchase and Sale was less than my appraisal. That's where I struggle with this. I understand the difference between land and having something that has something built on it but being someone that had called and was like hey I have this Purchase and Sale that's close to \$80,000 less than what you're assessing me for and being told no that's not how we do it. That is where I struggle with this. My question to you though is if you were to go out there and physically assess it not knowing what that Purchase and Sale is, what would your assessment be?

Jim Michaud said I had the estimate of \$190,000. What I didn't do was go look on MLS to see what it's currently on the market for or what it came off the market at. Selectman Routsis asked do you normally do that. Mr. Michaud said yes. I took the matrix of what the dollars per acre were - there's 20 properties that have sold there - 20 out of 30 sites. Using that matrix is where I arrived at the value. Certainly going out to MLS and taking a look at the asking price, again, they're not paying more than the asking price on land. It would have been better if I had not come in at \$190,000 in the first place. This discussion would have been a little bit more truncated.

Selectman McGrath asked Jim is there a time restraint on this or time a factor in getting this approved. Jim Michaud said I did print out the land use change tax abatement process. The property owner has appealed within two months of the notice of tax. So they have done their job. Upon receipt of the application, the Selectmen or Assessor shall review and grant or deny in writing within six months after the date of notice of tax. From that original land use change tax form that the Board signed, we have to act within six months of when the bill went out but the Board has to act within six months. SO there is time. Selectman McGrath asked if we deferred any action on this, how much time would we have before we would have to act on it. Mr. Michaud answered the date of notice of tax was July 25th. So we're looking at approximately January 25th. There was a fly in the ointment. This first current use one - the one for \$190,000 - was triggered to come out of current use before April 1st of this year. So that's going to have a regular ad valorem assessment on it for the revaluation numbers for the final bill of this year. So I'm going to be assessing it at a number close to that 120 range but we're going to have a pending appeal on the 190. It's going to look at little odd.

Chairman Luszey agreed and that's actually what I was going to ask you about. That's kind of a standard process because everyone that's in current use would probably want to come in and make this same argument that their land is worth less right now today because of improvements they have to do. It was based on an assessment ten years ago or whatever. You're about ready to do a reassessment. This would automatically get changed during that reassessment process or upon the sale of the land. Jim Michaud indicated I'd have to an ad valorem assessment on it - all property in the community to do the MS1 so we can get our tax rate. I can't wait and not put an ad valorem assessment on this property that's subject to the land use change tax appeal. I'm not going to be putting 190 on it. Maybe I'm not following you completely but I can't wait to put an ad valorem assessment. The Board can wait to act on the appeal.

Chairman Luszey agreed and I guess that's my real question. If we wait to act on the appeal, it will happen automatically because you do your thing. The property gets sold. We're going to be back here doing a rebate. Jim Michaud indicated that is the question for the Board. Chairman Luszey said you can decide to not issue that or deem deny - no action. Then they go to the next level. We're going to pay 12 percent interest if we lose. I just don't see any winning here. I'm about cutting loses and not spending money on attorneys. Chairman Luszey said I'm kind of in Selectman Coutu's court and that is if we do this, I can see a whole lot of people coming in asking for adjustments on the assessments of their land that's in current use. Jim Michaud indicated we don't have a volume of that. We have a volume of land - it's in current use but we don't have a volume of land coming out of current use. In terms of scalability - 9,600 accounts. We have like 20 or 30 active parcels out there that are in current use that are going to be built on.

Selectman McGrath said the argument that you just made if I understand it correctly if we don't grant the abatement tonight at this \$120,000 versus \$190,000 and then you go out in the field what you're doing and assessing the property and you're looking at it, then you're in a box because it's either you agree with the number the \$120,000 that they're suggesting that it's valued at or you come up with a different number. Let me just through another wrinkle into this. They have the Purchase and Sales Agreement, when are they going to close on the property?

Jim Michaud said I want to make sure I'm not treading on confidential information. Tai-Deh Hsu indicated it's an owner Sales Agreement. I'm a developer off of Senter Farm Estate. For this lot, it was on the market for like \$126,000. We end up going to sell it for \$120,000. The reason is because this lot is very tough to sell because of the long driveway. The driveway is around 900 feet from the common driveway. So the private driveway is around 900 feet. The town requires for this subdivision is all utilities have to be underground. So you have a 900 of conduit for electrical, telephone, and cable. The cost for this concession alone it's probably around \$15,000 - \$20,000. On top of that, the power company charges \$15 a foot (inaudible) to your property. So the cost is very high. On top of that, you also have paving. Of course you don't have to pave but most people pave it. Also after the house is built, you have a high cost of the driveway maintenance for 900 feet for the snow plowing. Chairman Luszey said what we're trying to get to I think is when the estimated closing is. Mr. Hsu indicated normally when we sign a Purchase and Sales Agreement, we close around 90 days. For this particular one, it was signed in April and we have one year to close and I agreed to that. Because I didn't want to lose the deal. Otherwise I wouldn't allow one year to close and someone mentioned instead of coming back out and putting it on the market and sell it at a different price, you can't because this is a binding agreement. If the seller wants to buy it, I cannot say I don't want to sell. I already agreed to a price and allowed them to close April 30, 2018.

Chairman Luszey said you answered our question and if you want to make any further comment.

Selectman Coutu noted ergo Pandora's Box. Let's assume that he withdraws from the P&S between now and then and you put it back on the market and somebody offers you \$185,000. Are you going to come in and ask us to look at it again at \$185,000? Mr. Hsu said of course I will but is it going to happen? It's like when you own stock option. If someone is not willing to pay \$120,000, do you think I can sell it for \$185,000 or \$200,000? You have to use your judgement. Selectman Coutu stated say you're the innocent bystander of something that we're trying to correct and we don't want to see in the future. This is not anything against you. I have not had any complaints about the Senter Farm project. I know you're anxious to get rid of a parcel of land that is very difficult to develop so obviously somebody with some wealth will have to get in there and decide what they want to do with the property. I know if it were me, I'd want to get rid of it too. I understand that. We're trying to shed some light on a problem that could arise again in the future by having people come in here with Purchase and Sales Agreements saying my land is only worth X number of dollars. I understand the complexity of the land. We're trying to correct it.

Tai-Deh Hsu said if someone can prove that's why they can sell (inaudible) deny that's the fair market value.

Chairman Luszey said the closing date for me is so far out, it's almost a non-Purchase and Sales Agreement for me. It's more like a letter of intent. Mr. Hsu noted I have a \$10,000 deposit into it. Chairman Luszey said in the course of normal business now if there was no purchase and sale what would happen to the valuation of this property within the next year given you're going into a reval.? Jim Michaud asked it doesn't have a Purchase and Sales Agreement. It's coming out of current use because it's less than 10 acres contiguous to other land. That's the trigger. It was in a building being built on it. It's a trigger cuz it's not contiguous. Chairman Luszey said whether it's coming out of current use or not, this is all based on the assessed value this amount, correct? Mr. Michaud said the chicken or the egg. I'm doing the reval. now. I did this estimate before I got into the thick of the reval. In the normal course of events, what would the assessment on this property be when we already have a land use change tax issues at 190?

Selectman Routsis said if you didn't know about the price on that Purchase and Sale what would you have assessed it at. Jim Michaud indicated it probably would have been close to 190. When I receive new information, or more information, or I get information that I should have obviously got in the first place, I feel a responsibility to come in and make a recommendation. You look at the history, it's been on the market for four plus years. Selectman Routsis thought the question is though if you knew that the utilities had to come in and they're underground if you knew everything you knew now minus that price, what would you

evaluation have been. Jim Michaud said I can't unspill the milk. I can't recreate something in my head. All due respectfully.

Selectman McGrath stated the property has been for sale for four years. How many of the other approved lots in that subdivision have been sold. Mr. Hsu said around 20. Selectman McGrath asked how many remain. Mr. Hsu said 10. After the closing, I would say around 20. This one I already concede as sold but it hasn't been closed yet. Selectman McGrath noted about 10 left to sell. Are they similar in value the remaining lots to the 190 figure or the 120 figure. Jim Michaud explained I think what Selectman McGrath is asking is that the asking prices range on the remaining lots at least on MLS range from 168 to 180. They're actually pretty tight. The range of the 20 sales that have happened is pretty broad but we're talking about reaching back to '13 and '14. I have a whole history here of how many sold in '13 and '14, '15, and '16.

Selectman McGrath said in those years the economy wasn't as strong and things are changing. The remaining lots are close enough in value to the 190 as opposed to the 120. The 120 evaluation is it because of the topography and the difficulty in developing and putting any kind of homes or all of the things that are necessary to build on that lot? Jim Michaud indicated after Mr. Hsu told me about it, I looked at it. Yes it's going to require that length of driveway. I know it's going to require underground utilities. Selectman McGrath asked is it 900 feet and it is...Mr. Michaud said there's a certain hill to it. It's not ledgey but it's just a volume of linear feet. The length of the driveway it's going to cost this much money just before you can start putting a foundation on the lot.

Selectman McGrath asked to let me keep going here. Making the argument that the topography of the property, the cost of actually developing the property probably reduces the value of this particular lot but that's not the same for the other lots. You couldn't make the same argument for the other lots because if you can, then we're going to be looking at another ten lots for reduced value. Jim Michaud explained this is probably the most difficult lots in the subdivision to develop given the length of the driveway, given how much underground utilities he has to run. Each piece of land is different. There's ones that are right on the road. So the cost to develop them was not what this one is like. Each piece is very different. This is one of the most challenging subdivisions in the community. Restrictive covenants, cross agricultural easements, conservation easements, the length of the driveways, I don't want to go down a 900 foot driveway to put my trash out but somebody does. It's a beautiful subdivision but it's a unique buyer that's buying into this subdivision.

Selectman McGrath said the question that I have is that if this isn't reassessed at the lower value and if the sale falls through and then it remains on the market for another length of time or doesn't sell, then that reduces the value of the property as well. Jim Michaud asked what is a market date of the value when this property came out was November of last year. That's actually the market. The triggering event was when it got non-contiguous to other land owned in identical ownership. So this is really a value and this was on the land use change tax form. This is really a value that goes back in November of last year as opposed to future.

Chairman Luszey had two more questions. What happens if the sale does not occur? Does it stay in current use? Jim Michaud said no it's already out of current use. Chairman Luszey's second question is the next lot that we're going to talk about is another difficult lot of that same subdivision. Mr. Michaud indicated it's not as difficult. Chairman Luszey's thinking and it was from Selectman McGrath is if the subdivision has its challenges to it, we've already got two in front of us, how many more or should we defer these and ask you to go out and do the whole subdivision and tell us what is the correct assessment if you will for it. Mr. Michaud stated we have ten lots to go that haven't sold. Chairman Luszey indicated so we'll see ten more of these. Mr. Michaud said one would think I would not come up with the same differential between my starting and where I am today. Chairman Luszey's point is we've got two sitting in front of us right now. Are other lots similar given it's the same subdivision if you will. I would think that the topology is similar throughout or it's some kind of...Mr. Michaud said it's really different. It's not like driving down Federal Street. There's a lot of difference in the topology from one lot to the next. I think what does define it is the length of the driveways for those lots that you really have to go that far to get to. Chairman Luszey's question is are we going to see more of these from that subdivision. Mr. Michaud said I have a market value estimate that's not going to be in excess of what the maximum asking prices are, we probably won't see them. We haven't seen any yet. These are my first land use change tax abatement applications in 21 years.

Selectman McGrath pointed out just so everybody realized. The last ten or so lots, the value is between \$168,000 and \$180,000. I wouldn't expect that they're going to be coming in for that. I wouldn't expect so. I think if I can it's difficult to wrap my head around the whole thing. I think with not necessarily if you take the P & S out of the equation and you just think about the lot itself and the difficulties of developing that lot, the length of the driveway alone you have to be pretty well healed in order to pay for that. That doesn't include the construction costs and the lines that have to go in, the utilities that have to go into the lot where they can place the house. I think that that argument alone I can get to lowering the value because I don't know of very many people that would want to have a 900 foot driveway. Not only to drive in and out of on a daily basis but think about the plowing in the winter time and all of the maintenance that goes with it. I can be comfortable I think in making the determination that the \$120,000 value is acceptable for those reasons alone.

Selectman Coutu concurred with Selectman McGrath. It's not fair to the developer to push this off. I understand all of the arguments. I was one of the complainants about this whole process. I certainly respect what you went through yourself and I was aware of that because you had mentioned that before. In light of the fact that we have a better understanding of the nature and the difficulty of developing that parcel. I like Selectman McGrath have come to the conclusion that it's fair for us to accept the recommendation of the Assistant Assessor and reduce the value. From my perspective Mr. Michaud without any disrespect whatsoever - you know how I feel about you and your office, you're the bad guy because you're out there assessing and if it's too high you're the bad guy. You're not the bad guy. You're looking out for the best interest of the Town of Hudson. I would hope that in some small way for us less knowledgeable minds that this was a lesson in assessing 101. We take a close look at these kinds of lots and look at the - you know now that it's a non-contiguous lot. There are going to be some serious obstacles to overcome and the only person who's going to buy that lot is somebody that has given this a lot of thought and has an awful lot of money just for the prep work as cited by Selectman McGrath and Mr. Hsu.

Selectman Coutu looked at the other one. The other one is not as bad as this one but it was brought up because the same arguments were used. My argument again would be on the next one the P & S or whatever it was - the sale price. We just can't keep doing this lot, after lot, after lot. We need to take a look at all of these lots, make a determination, come back and let's treat the developer fairly. With that Mr. Chairman at this time if there - of course we could continue discussion after the motion is made. We have to do both of these motions if I'm not mistaken.

Motion by Selectman Coutu, seconded by Selectman McGrath, to rescind the prior approved Current Use Penalty Lien Release for Map 110, Lot 56, with a release amount of \$19,000 a recommended by the Assistant Assessor.

Selectman McGrath had a procedural question. I wasn't here when this was discussed previously. Should I even vote on the motion to rescind? Chairman Luszey said yes. Selectman McGrath said okay just trying to be.

Vote: Motion carried 5-0.

Motion by Selectman Coutu, seconded by Selectman McGrath, to approve a Current Use Penalty Lien Release for Map 110, Lot 56, with a revised release amount of 12,000 a recommended by the Assistant Assessor, carried 5-0.

- 2) Current Use - Land Use Change Tax Abatement - Map 116, Lot 98 - 29 Senter Farm Road

Motion by Selectman Coutu, seconded by Selectman McGrath, to abate \$1,500 from the prior approved Current Use Penalty Lien Release for Map 116, Lot 98, as recommended by the Assistant Assessor.

To my motion Mr. Chairman and Jim, Selectman Coutu said, again, the same argument I said prior. Again we need to look at all of these tax liens and make sure that we're right on the money. We're going to have reassessment this year. I'm sure you'll evaluate and review. I just want the developer to be able to move on and know it's not against him. It had something to do with the process and we're trying to correct it as best we can. Thank you Mr. Chairman.

Vote: Motion carried 5-0.

C. Reconsideration of Elderly Exemption Denial

1) Map 153, Lot 017 - 11 Cheney Drive

Chairman Luszey recognized Assistant Assessor Jim Michaud.

In the Department's original recommendation to deny the elderly exemption on this for being over income, Jim Michaud indicated we relied upon information that was in an income tax form for last year. We were pretty confident that when it says income received, it means income received. The property owner to their credit persevered. After the denial contacted NH Legal Assistance. While NH Legal Assistance didn't get it exactly right between Attorney Lefevre and myself, it actually was not money received in that year. It's received for income tax purposes. I want to be careful I don't get into too many details in the public session but it's like a false positive. The person is under income. The way the Statute reads is all monies received. It was not received. It was accounted for on an IRS form. I talked to the Director of the Appraisal Division at DRA Steve Hamilton about it and he said Jim you should teach an hour long on this because this is a really fine point. I said maybe not. Maybe somebody that gets it right the first time should. We don't run across this too often but now that Amy McMullen and myself have run across it, we're going to have a little bit more insight the first time around. I think she plainly does qualify. She was correct the whole time - the property owner.

Chairman Luszey said in your packet there is a letter from Attorney Lefevre that discusses how what we thought was income is not income. Hence it drops the person's into the eligibility range that we should be approving. Are there any other questions?

Selectman Coutu asked about the tax form. Has the tax form been formally amended? We have a lot of lines crossed out and somebody wrote numbers in. Has it been amended or the original numbers what it had to be reported? Jim Michaud said when she gave it to us, she was trying to point out that while the form says it was income received, it wasn't actual income received in that tax year.

Chairman Luszey asked are you referring to this. This is the person's 1040 which we use. That's why you need to look at our Attorney's letter because it talks about certain assets that are excluded even though they're included on the 1040. We need to exclude them. Jim Michaud said State law says proceeds from the sale of assets. So I don't count his income. Chairman Luszey indicated that's what they're trying to show here with the handwritten numbers. If you take those out, that's how the income gets down to...

Selectman Coutu asked who put in the handwritten numbers. That's my question. Who did that work? Mr. Michaud believed it was the property owner trying to explain that for our purposes, this is not income. For IRS purposes, that's the year they had to count it. My recollection is that is the property owner. Selectman Coutu asked shouldn't the accountant have defined that in other forms. The person who filled out this form should have defined excluded...Chairman Luszey said no. That's the point. Jim Michaud indicated Federal Statute and State Statute. Chairman Luszey noted that's the point. This is a 1040. It's included. NH RSA says there are certain assets you exclude from their income. Even though they're listed in a person's 1040 tax form, it doesn't mean we can use it to determine the person's gross income for the year.

Selectman Coutu asked one question. It will probably resolve a lot for me. I don't want to get too much into the history. Jim there's a form in here that says that something was sold that had cash value. Is that the item that was included as income? Mr. Michaud said yes it kind of does. Selectman Coutu noted that explains it all. That is not income. I'm good with that.

Motion by Selectman Coutu, seconded by Selectman Routsis, to rescind the May 8, 2017 denial of an Elderly Exemption for Map 153, Lot 017 - 11 Cheney Drive, carried 5-0.

Motion by Selectman McGrath, seconded by Selectman Morin, to approve an Elderly Exemption for Map 153, Lot 017 - 11 Cheney Drive, carried 5-0.

Jim Michaud wanted to make one comment. Whether we're 100 percent accurate in our office on assessments or not, we're always going to receive abatement applications. As a percentage of lots of things

- right you can run lots of statistics, we don't have a large volume of abatement applications. In the year of reval., I have a whole history here. There's a spike in the year of reval. because people don't like change first of all. Second of all, 2012 was a year in which values were being dumped. 2017 is not a year in which values are being dumped. I'm just trying to make sure when I come back here 2, 3, 4, 5 months from now with abatement applications, they're going to happen. Excellence is not perfection. We're reflecting an imperfect market imperfectly doing our best.

Selectman Coutu told Mr. Michaud you're doing a good job. Thank you. I appreciate all your hard work. I know what you're up against. Markets fluctuate.

8. NEW BUSINESS

A. Bid Recommendation - Greeley Park Basketball Court Lighting

Chairman Luszey recognized Recreation Director Dave Yates.

Good evening. Dave Yates indicated we went out to bid for the basketball court lighting at Greeley Park. This was in our capital reserve fund. We have \$20,200 in that fund. We had one person bid on the project which was Brian Mason for the amount of \$19,875.

Selectman Coutu asked what kind of light is it going to be. Is it going to be low lumens energy saving? Mr. Yates said the bid was for two 25' steel poles with three head mounted brackets, six 600 watt LED floodlights. Selectman Coutu indicated that's what I wanted to hear - LED. I just wanted to make sure we're as energy efficient as possible.

Steve Malizia stated many years ago we had lighting there and it brought it out. When Kevin repaved the court, he kept the standards and made sure the conduit was there. We had to complete this part of the project for two reasons: 1) it gets a little bit more use in the summer, and 2) police can keep a better eye on it from the street when it's lit.

Selectman Coutu said considering the work and this should wrap it up now because we have the new baskets. We have the pavement done. What should be the life expectancy over there? Mr. Malizia said probably 30 years since it's been touched before. Selectman Coutu said another \$30,000 to give 30 years of life to something that's used. It seems to me every time I go up to this end of town I'm always going by that park. I've talked to several of the neighbors that live immediately across the street. There's some apartments there and I talked to some of the tenants there. They have no complaints about the park and they're very impressed with how clean it's kept and how beautiful the baseball diamond is. I support it.

Motion by Selectman Routsis, seconded by Selectman Morin, to award the bid for basketball court lighting at Greeley Park to Brian Mason Electric, the only bidder, in the amount of \$19,875 as recommended by the Recreation Director and the Finance Director and to authorize the Finance Director to apply for reimbursement from the Recreation Equipment Capital Reserve Fund as budgeted in the amount of \$19,875 from the Trustees of the Trust Funds, carried 5-0.

B. Status of Lease With Hudson United Soccer Club - Freedom Field I and II

Chairman Luszey recognized Town Administrator Steve Malizia and Recreation Director Dave Yates.

As you are well aware, Steve Malizia said we are trying to construct a second multi-purpose field in the vicinity of Freedom Field I. Freedom Field I for those who don't know is by the Hills Garrison School. It's a soccer field that was constructed with private funds back in 2003 I believe. They had a 15 year lease which will expire next August. They had the right to build two fields at that location. They built one. The second field I think they did some modest clearing way back when and never constructed it. They didn't have the funds. They didn't have the enrollment whatever the case. We've been putting money aside as you're well aware through the sale of town property, and through capital reserve, and we've been collecting Rec. donation fees from developers that we have a sufficient amount of money it appears to construct a multi-purpose - when I say multi-purpose I don't want to just use the word "soccer". It could be used for lacrosse. It could be used for whatever else you'd use a large rectangular field for.

Steve Malizia explained the Hudson United Soccer Club controls the right to that land until 2018. In other words, they had the right to develop two fields. They have an agreement that states that. Mr. Yates has been working with them to try to get them to release that right so that we could then go out to bid if this Board chose to to construct a field. We were pretty close to doing so when it was brought to our attention that because they are leasing public land, a private organization, there may be some property tax liability on their part. Unbeknownst to them and frankly unbeknownst to us, it kind of came up at the last minute. It has obviously caused them concern they are a nonprofit and quite frankly they're registered as a charity with the State. Now whether they meet the charitable definition there, I think four criteria and you have to meet all four. We're not certain and there's some concern that they don't meet all four. Therefore we are trying to comply with the law and in doing so, we're trying to put language into an agreement that would release Freedom Field II early. In other words, we're trying to get it out of their control and into our control before the lease expires next August 31st I believe. What we're trying to do is to get that release from servitude or from their control. They have concerns.

Mr. Malizia indicated we met in June. We discussed it and they provided us with a draft of their charter for our attorney to review and he has reviewed it. Now it's going to the Assessor who also takes into account all the taxes and everything. Our next step is we need to meet again with them with the Assessor to determine what if any tax liability they may have. They have concerns and they have questions. Before they sign off on because they have not signed off on an agreement giving us the right to or releasing that field early. I was waiting for them to get back to me. Obviously no fault of their own. Its summer time and the schedules. At this point in time, I'm trying to set something up for next week with the Assessor, with Hudson United Soccer people so that we can sit down and finally put the early release to bed. If we don't get an early release, we have to renegotiate I'm assuming a successor agreement because that agreement runs out next August as I said and they will have no agreement for the field that they constructed. That's sort of where we're at right now.

Selectman Routsis asked have either of you - and I think you are dealing with them mostly now - have you heard back from them with a definitive date next week when we may get them. Steve Malizia indicated I have to make sure the Assessor is available. That's the definitive date. Jim is right in the middle of a reval. So he is a key component only because he has the answers to a lot of the questions that they're concerned with. We have the language and put it in, they have questions how is this going to work.

Selectman Routsis asked are we able to make a separate agreement with them that I guess doesn't change anything about their existing lease that says...Mr. Malizia said that's what we're trying to do. We're trying to release this piece of land. Selectman Routsis said with us trying to release this land, we're making changes to the existing lease by adding that tax part. Mr. Malizia said we're going to need a successor agreement to the agreement that's in place. Any successor agreement in our opinion needs to have language in it that deals with the tax issue. We can do it now. We can do it next year. If we're going to do it, we need to do it for this year's warrant to get it onto the warrant article. That's why we're trying to work all of this out. A - we get the second field or the land for the second field released to us immediately and then we would have an agreement that we'd bring to the voters to approve in this year's warrant because their agreement is going to run out next year. Does that answer what you're asking? Selectman Routsis said kind of. Steve Malizia said that would be the only agreement we have going forward would be for the one lot and it has to have some sort of language in there that addresses the private use of town property.

Selectman Routsis was trying to see if there is something that we can do to separate them so that language that has to go in doesn't hold us getting this field now. Mr. Malizia said we have an agreement with them now that runs out next August. To get out of an agreement, they would like a successor agreement that gives them the right to use the field they constructed and have been using for 15 years. We also have the right to use it too but they're the priority and they're also maintaining it. What we're trying to do is get the second field constructed will be our right, will be under our control, and it will be for Hudson Rec. purposes. Still serving the same basic youth but multi-purpose.

Selectman Coutu said we've done this a long time. Nine years ago I promised we'd get more parks, more fields when I first ran. This has been a priority. I worked with Mr. Yates. We've worked with these people and I've worked with you in seeing this come to fruition. This tax problem will remain whether they sign a release or not. If the voters say no, we're putting the whole thing off another full year or we just don't sign the new lease with them next year and we take over the whole thing. I want it out there. I told you that it could come to that. We're just going to say fine we're just not going to sign the lease with you next year.

Your lease has expired. We're taking both fields. They're still obligated for the taxes. The contract is over with us, then they get to deal with the other issue on their own. They should be able to release this land to us immediately. Every time we put this off, we're increasing the cost of construction. This is going to become a little more costly than what we anticipated. We're almost a year behind schedule. We had thought that we could start this past spring. That was our plan. We had a lot of private meetings. We had a nonprofit field and I told them to sit tight, let us do the work, we'll get a field. We found it. We're working on it and now this thing is held up. Now we've put off construction until next year. Every year that goes by we're increasing costs of building this field to the point where we're going to want to abandon it. Then we're going to have two fields that's going to rot away because we don't have the funds to support both fields. I would like to see then continue the use of the existing field. I wouldn't say they're very profitable but they're self-sustaining. They're doing okay. They have a well-oiled, fine-tuned machine for their soccer program over there. I think they have every right to be proud. I've gone there. I've watched them play. I've talked to a lot of the parents. I've talked to some of the Board members. That does not preclude them from releasing the other field to us immediately with an agreement that we sign for September 1, 2018 a new lease for the existing field. Their tax problem is going to remain no matter what they do. That's their issue not ours. I'm looking out for the interest of the youth of this town who are practicing at Market Basket after they close at 9 o'clock at night. That is not where our youth should be practicing soccer, lacrosse - it's mostly lacrosse over there. That's not fair to them. We have an obligation to our youth, as we do to our seniors, as we do to all citizens. Fields has always been a contentious issue especially for me in this community. This was going to resolve a serious problem. I felt that this park under the guise of our Recreation Director and the recreation program could resolve a lot of issues especially with the lacrosse program which has become not necessarily profitable for us but we're not losing any money on the lacrosse program and it has been well received by the community and it prepares these kids when they move up into high school they know the rules and regulations of the sport and they know all of the refinements of how it could be a very interesting and challenging sport as I know it can be. I've been hit on the head a couple of times by my grandsons. Those are not balls. They're rocks. Selectman Coutu didn't understand why we can't have our lawyer say to them just release the land. We'll work on the tax issue. It's just going to go to the voters either way regardless.

Steve Malizia thought they would like to have some sort of idea of what they're getting themselves into. Selectman Coutu noted they're already in it. Mr. Malizia said they haven't been taxed for the 14 years that they've had it. They have it in the agreement.

Chairman Luszey said if it's a year from now when that lease expires, they're in it. Whatever it is they're in because of their nonprofit/charitable status, they're in it. I'm in full agreement with Selectman Coutu and Selectman Routsis. All we need is an addendum to the current lease that says we are releasing Freedom Field back to the Town of Hudson. That has nothing to do with any tax that they are obligated for Freedom I. Mr. Malizia didn't disagree. All I'm trying to say is they're trying to get...Selectman Coutu asked can't we have our attorney relay that. Mr. Malizia indicated I can relay it to them too.

Selectman McGrath had a question. Are they concerned that this action may trigger the tax to kick in earlier than they would have anticipated or that...Steve Malizia said no. I think it would be with the subsequent agreement. We don't really have anything to hang our hat on right now with the subsequent agreement. Selectman McGrath understood that but it maybe I don't know them. I've never dealt with them so I'm only guessing that maybe they're concerned that this action of releasing Freedom Field II may trigger the tax implication to be assessed to them sooner rather than later. Mr. Malizia said if anything, it would be only a year sooner than it would normally be. Selectman McGrath said if they didn't know about it to begin with - this is my thinking. They might be looking at saying if we do this now, we're going to have to take care of the tax issue now no matter what it is whether it's \$100 or whatever. They may be thinking we can put it off until next year when - I don't know.

Chairman Luszey said they would be incurring penalties and interest for an additional year. Why would you want to do that? Steve Malizia explained the reality is their agreement runs out next year. We need a subsequent, I would presume if both parties agree, we would have a subsequent agreement to follow that. A renewal sort to speak. That's what they're looking for and I think we probably want to accommodate that provided it's all within the legal parameters of what we're aware of.

Selectman Coutu believed that that was relayed to them. Their initial fear, and correct me if I'm wrong Dave, their initial fear in one of the meetings that we had was that we were not going to renew the lease. They

had no guarantee that we were going to renew the lease in 2018. The message that I asked you to send back to them was that after conferring with the Town Administrator, we would agree based on the success of the program we'd be fools not to write a new lease for the land that they're using because they have no intent on the other land. I said let's get them to release it last February, March when you were holding all these meetings at the library. They were going to do it and then it's been one stall after another. Now it's a tax issue. If it was a tax issue for them is it going to be a tax problem for the Zach Tompkins' field? We have an agreement with them and we're walking away from it. We're not going to spend an additional \$300,000 to clean up the mess that's over there. We're going to find something else to build on hopefully because we're still raising funds in memory of Zach and we need a football stadium to help that nonprofit. I don't see why we can't pressure them into doing what is best. I don't want to use the word "pressure". That's not a good word but to ask them to...Mr. Malizia interrupted come to an agreement. We're just trying to come to an agreement so that we can...Selectman Coutu said to release that field so that we can begin construction. This is going to cost us more as time progresses. We're getting nowhere fast with this organization.

Chairman Luszey thought we already have the agreement. If you look at the memo that was dated August 1st from Mr. Yates, a new lease was drafted and sent to our attorney. It was all signed. Then somebody said oh you need this tax language. Mr. Malizia said you need language in the lease that about taxation of the property. From Chairman Luszey's point of view, we now have an agreement between the two parties that says yes we're going to release the fields. Now it may not have the right language in it to accommodate them for Freedom Field I but I'm sure they could take Freedom Field I off it and make it Freedom Field II only and that would serve the purpose of leasing that field to us so that we could go do what we needed to do.

Selectman Routsis asked the current signed agreement does that only go to August 18. Steve Malizia said August 31, 2018. Selectman Routsis said the one that they signed though that doesn't have the tax language in it does that go to August 2018? Selectman Coutu asked the addendum or the new lease. We haven't written a new lease. We just wrote the addendum to the existing lease - the sidebar.

Chairman Luszey indicated that's not the way I read this. I read it as a new lease. That's what I'm trying to get to. It's an addendum to the current lease. All we need is putting an addendum on it that says we're releasing Freedom Field back to the town and they've got a year to work their tax issue and we have the field. Steve Malizia said this renewal agreement would have gone another 15 years.

Selectman Coutu asked effective upon what date. Effective upon its signing? Steve Malizia said beginning September 1, 2018. This would have been the successor agreement. Selectman Coutu stated we need a side bar on the existing lease for them to release the land.

Selectman Routsis thought we should just be able to do like you said a sidebar to the existing lease that says we're releasing Freedom Field II so we can at least get started with that and then we can work out the rest of the lease issues between now and whenever they sign it.

Selectman Coutu said that would be up to the Assessor to ascertain whether or not they're tax exempt like the issue we went through with Good Will. There are issues they have to meet. Mr. Malizia indicated there are criteria that you have to meet and there's definitely some questions. Regardless, Selectman Coutu said August 31, 2018 we either have to renew the lease or we're not and again we want Freedom Field II. We'll renew the lease but only for Freedom Field I. Steve Malizia said that would be correct. Selectman Coutu said why don't we just ask them to release it now.

Selectman Routsis asked can we just bring an addendum to them when you...Mr. Malizia said if I'm looking from their side, they would like to know that we're going to sign a lease for the next 15 years for the field they've already...Selectman Coutu asked to find out how much the tax is and we'll see if we can raise the money for them and pay the taxes.

Chairman Luszey said what I'd rather have is an addendum for next meeting so we can have it signed so that we can make a motion. Selectman Coutu said we the Board of Selectmen as an individual I'll go out and help them raise the money to pay the tax. Mr. Malizia said I don't even know what that may or may not be because again you're looking at a field. Selectman Coutu said it's not a 9/11 and I'm going out asking for money.

Selectman Routsis asked can we do an addendum for when you meet with them next week and then we'll...Selectman Coutu thought that was a good idea right now. Mr. Malizia said we can certainly propose it. Selectman Routsis was not opposed to resigning for them to have field 1 for their next lease as long as all the language is correct like we're trying to do. It doesn't benefit us, or the community, or the kids in the community for us not to sign it. It gives them some security out there looking for but I think if we can at least get that addendum for the release so that we can start doing that other part, that's the goal we need to go to. Chairman Luszey said I'll go as far as saying if you can't get an addendum written and signed to bring here for our next meeting, I would invite them here at our next meeting to work it through. Whoever needs to be here from their Board of Directors that can sign that thing to bring it here so that we can take care of it.

Selectman Routsis asked if we had September workshop. Chairman Luszey said you don't want to do that at a workshop. This is a regular meeting matter. Selectman Routsis said we could use that night. Chairman Luszey said not because we already got stuff for the September workshop. Are you okay with that? Enough on that one. We will defer this until our next meeting with the expectation to have an addendum that we can move on. So we have no motion on that. Steve Malizia said at this point in time no. I think it was just an update. Chairman Luszey indicated it's to have them here or to get an addendum.

C. Discussion Relative to Recreation Department Office Assistant

Chairman Luszey recognized Recreation Director Dave Yates.

Back in June, Dave Yates indicated I came to the Board. I did receive a letter of resignation from the current administrator. I came to the Board requesting that we go out and be allowed to post for this full-time position. It was tabled by the Board that night. I'm back tonight to see if we can go out and post for this position. As a reminder - and I think many of you were involved - we went through the right process and providing the justification for this position. During the budget cycle two years, this Board voted 3 to 1 to forward it to the warrant. The Budget Committee voted 9 to 1 to forward it to the warrant and the taxpayers/voters I think it was over 2,000 in favor and 1,500 opposed. We went through the right process. It's a big need. We're a two person department. I think we do a lot of volume for this community and I request the Board to allow me to go out and post for this position.

Selectman Routsis said I am still in favor of this full time position and posting it. There is a lot that goes into the planning of the events that they do. It seems seamless from when people come in and there's a routine to it as you get to do it. There's a lot that goes into it. There's a lot of things that we don't see that happen on the back end. It's in my opinion too much for one person to do. It's too much for 1 ½ people to do. Having done a couple of events myself, I know how stressful and strenuous it can get because of the things that they do and they do for our community. I still believe that Rec. Department needs that full time person. What I would like to offer if this ends up going forward is that we utilize Chrissy for a 30 day period on a part time basis while that new person learns some of the things she does like on Facebook or any of the other social media she does and get some of an idea of some of the things that Chrissy may do that Dave doesn't do for a 30 day period for that person to learn some of it.

Selectman Coutu indicated we had not a lengthy discussion, we had a discussion. I think we concluded - well it was pretty evident to me anyway that we have removed several tasks that we had assigned to the Recreation Director. We removed all of those tasks from him which precipitated my asking for an increase in salary a couple of years ago. Now those assignments have been removed. He's no longer in charge of Benson Park, and going through the invoices, and dealing with the portable toilets. That's not his responsibility any further. That was turned over to the Road Agent. You're looking pensively. Steve Malizia concurred that was what the Board did. Selectman Coutu had discussions with the person who served as the full time assistant or administrative aide whatever the title is. I asked you several questions relative to would as a result of the voters approving a full time position would asking the person who served in the full time position to go back and work 24 hours...Mr. Malizia indicated it's no more than 29 ½ hours because that's the...

Selectman Coutu asked would that jeopardize the full time position and I think the answer was no it would not. Now we're asking for 1 ½ people to do the work that we thought we only needed one for. Now we're up to 1 ½. I think 29 hours from my perspective is more than sufficient. We're doing repetitive work year

after year after year. It's the same registration forms. It's the same activities - the Easter egg hunt. Granted there's work that's involved. There's physical labor. I would hope that the seniors would continue to help stuff the Easter eggs. There's just the matter of picking up the phone and asking them. The foundation has been laid for all of these things by this woman and by the Recreation Director through their past experiences. A father/daughter dance is a father/daughter dance. Movie night is movie night. Comedy night is comedy night. It's just a matter of selling the tickets. A lot done at the Recreation Department and a lot of them are being sold right here at Town Hall at the Collector of Taxes her office. I don't see the need for 1 ¾ people really - 29 hours is almost ¾ of a person not 1 ½ people. Now we're requesting for 1 ¾ hour person. I think that the person serving in the position right now at 29 hours could conceivably go back into the full time position once the family burden is released. I don't know if you got that in that conversation. I certainly did in my preliminary talks with her prior to asking her to meet with you that ultimately you would present something to the Board. I believe you had recommended and I may be wrong that it would be fine to have her do that 29 hours. That's what she's doing right now until we make a final decision.

Steve Malizia said I'm not sure I recommended anything. Selectman Coutu said I didn't say you recommended it, we're allowing her to continue to work through the summer. Mr. Malizia indicated she's still on staff. Selectman Coutu said she's willing to stay on staff. Mr. Malizia said she has expressed that...Selectman Coutu said to stay up to 29 hours a week. Mr. Malizia said 29, 24, or 25 whatever it is. It's somewhere in the 20s. Selectman Coutu asked did she say to you in conversation with you that she felt that the job couldn't be done with that amount of work. Steve Malizia said I didn't get specific as to whether she thought it could be done in that amount of work. She'd be willing to do that with her circumstances but she did not unequivocally say it can just be done in that. She didn't say its 40 hours, its 20 hours, its 10 hours. She said this is what I can do. This is what I can do with my situation.

Selectman Coutu felt that with her expertise, her talent, and her prior experience that it can be accomplished with Dave and her serving in that position. As time progresses and her calendar is clear that she can resume the full time role - it could be 6 months from now, it could be a year from now - she moves right back into where she was comfortable. She's devastated as I'm sure she might have relayed to you. I can only say what was relayed to me is that she's devastated that she would leave the position. Family comes first and I understand that as do you. I don't see the need to put in an additional full time person unless the intent is to just tell the other person that we're not going to keep her.

Selectman Morin said when Selectman Routsis first explained the 1 ½ so there's a clarification there. Selectman Routsis said that would be for a 30 day period both of them at part time status working side by side so that the new person (inaudible) what Chrissy does, Chrissy can go through any of the events that you do and say these are the things we need to do for it, or say this is the paperwork that I do, or the reports that I do. I don't know exactly what she does on a daily basis. So she can show this person through a 30 day period of everything that she does. Then what then 30 day period is over, that new person transitions into the full time role.

Selectman Morin asked what happens to the person we have now. Selectman Routsis said they are no longer with us. AT the end of that 30 days...Selectman Morin said that's what I needed clarified.

Chairman Luszey said that to me is where I have difficulty now. The job is getting done with the person that's there now. We would not be having this conversation if she never put in her letter of resignation and then rescinded it to a part time position. If we need a full time person there, we should put a full time person there. If the work is getting done at a part time level with this particular person, why would we go to the extra expense of putting a full time person there when the part timer is doing the work?

Selectman Routsis explained my recollection - if I'm wrong please someone correct me. I don't recall her rescinding her resignation so much as saying that she would work through X date to help us out on a part time basis. So we said okay she can work until X date. The summer is the slower time. More of the events are done through other seasons towards the end of the summer I believe it is when you start doing a lot more of the registration process for things. I don't recall it being a full rescinding of the resignation.

Selectman Coutu told Dave Yates I have been on the Recreation as the liaison from the Board of Selectmen to the Recreation Department for how long Dave. Mr. Yates indicated six years. Selectman Coutu asked how long does it take to register people for a basketball program and how many days do you occupy space to...let's look at the fall events. Dave Yates noted there's checklists in your package that I provided you.

There's also...Selectman Coutu said I'm not interested in checklists. I'm asking you a question. Just to register for basketball. How many nights does it...Mr. Yates said we did soccer registration starting in May. We were taking soccer registrations up until yesterday. We took another one. It never ends. We have two evenings, 3 to 4 hours, but people procrastinate and it never ends. If I could speak, this is a 40 hour a week job. If you're looking to retain Chrissy, and I love Chrissy and I love what she does...Selectman Coutu wished we would stop using people's names. Dave Yates said the administrator. If we're looking to retain her it seems like you were talking about earlier Selectman Coutu and we do the 40 hours, why don't I do job sharing and have two part timers that do job sharing and we obtain her and her knowledge and then you have another part timer. She's willing to work part time. We would have two part timers. This job isn't just a couple of hours here and there. Both of us put a lot of evening hours in. A lot of weekend hours in. We presented this to the Board two years ago and it was approved. It was approved by the voters. I'm not sure why - if the administrator never resigned, we wouldn't be here today. We do a good job for this community. There's a lot of value in what we do and it's not a one person or one half person job. It is a two person job but if you did the job sharing, you wouldn't have to pay out benefits and it gives the second person to also fill in at the senior center as a backup. That might be an option if we're looking to retain this person.

Selectman Coutu wholeheartedly agreed. If he wants to go two people 20 hours each, I'm satisfied.

Selectman McGrath indicated I read over the package that you provided to us. This was the first time I had seen the mission statement of the Recreation Department. I just now counted out the items that you've got for the programs that you've got listed here. I counted up 92 programs that you offer. I think that this is a little outdated based on some of the things that you have listed here. That's an extensive number of programs that you offer to the community. It's not something that I know in my former life when I did secretarial work and clerical work in an office that took an awful lot of time. I'm certainly in favor as Selectman Routsis indicated earlier of keeping the full time position. If you're willing to split it into two part time positions however you want to run that department is fine with me. I would say that that might cause some problems going forward. There may be some other issues that you're not thinking about or that you might never had encountered before. When you're putting two different people and you're trying to schedule, timing and all of that, there can be some issues that would arise. That would be my caution about doing something like that. If that's how you want to run the Recreation Department and you want to have two part time people assisting you, I'm okay with that. I'm also okay with having a full time person. Let me just say this about the individual that has resigned and then has reconsidered and whether or not she's fully reconsidered or not, I don't think that this department based on the number of programs that they have and by the way I also went to the summer program because I had never gone to that before. There were a number of children there. I'd be out of my mind if I had to - I have nieces and nephews but that number of kids in one place all yelling, running, I'd be a little crazy. That takes a lot of work, a lot of dedication and I think it shows the integrity and the caring of the people that run those programs that they can deal with that number of children and number of issues that they run into. I think it's a great benefit for the town and however you want to run that department is okay. I'm not in favor of holding a job open for somebody until they make a decision about whatever issue they're facing today. It's nice if you can do it but I don't think that we should get in the habit of doing that.

Selectman Morin was in favor of full time of the two people. My only question is if the assistant that you have now decides to go back full time what's going to happen are we going to be back here discussing this again? We're going to stay with the two part time people? Dave Yates said if that's what the Board decides yes.

Selectman Coutu had another question but I'm trying to resolve what's going on in your mind. I don't know if you could agree with me because I'm not privy to the conversation you had nor are you privy to the conversation I had. It was my understanding that she would do whatever she could to accommodate the town. I didn't want to lose her expertise. I think I frankly believe that if we saw 20/20 or 50/50, 20 hours - 20 hours, she would be very receptive to it. She did not want to give it up. She thought that because we were going to - and it might shed a little light on some of the things that Selectman McGrath was talking about. It wasn't so much that I felt that we should be holding a position for a person. I felt that in my conversations with her and in my subsequent conversation with the Town Administrator that I wanted to retain and I'm sure Dave would agree with me a person who I felt was the cornerstone to growing our Recreation Department, to giving life to our Recreation Department with all of the colorful brochures. I can't expect him to do that no more than I would expect me to be able to do it. I don't know how to do this stuff and I don't want to learn how to do this stuff because my services would be in demand and so would yours.

Everybody would be calling you hey can you do a brochure for me. I didn't want us to lose - I wanted to be able to retain it for as long as we could and she assured me she wanted to stay on but she felt that because it was now a full time position she couldn't commit to it. I said what if we could arrive at some sort of an alternative and I think we were going to ride it through the summer, see what we come up with because we knew that this was going to come back to us. I think that's where that stood. She would be fine with it.

Selectman McGrath, Selectman Coutu said I'm going to ask you, you threw out a number about how many programs - did you say 93 or 73? Selectman McGrath said I just counted them up on the pages. I've got 92. Selectman Coutu asked did you read all these or did you just count them. Selectman McGrath answered I didn't read them now. I read them this afternoon when I was reading the packet. Ordering shirts, Selectman Coutu said that's not a program. These are all job tasks. Selectman McGrath noted it's something that needs to get done. Selectman Coutu read - "complete a PO for a DJ". How long does it take to do a PO? Selectman McGrath noted it's listed as programs. Selectman Coutu asked how long does it take to order a PO. These are not programs. I don't want people to think that we have 93 programs. Dave could not handle it. We'd need 3 Recreation Directors to do that.

Selectman McGrath said I was reading what was given to us.

Selectman Coutu noted so we don't have 93 programs. We have a huge basketball program which is well run. They do an outstanding job for both the boys and the girls. Then we have the typical fall and winter movie nights, comedy nights, and all of those things fall into place. Again I reiterate, I think that the 50/50 would work well. I think that even though I'm sure you'd like to have a person and a half, we're back to getting to a full position. I think you should be happy. I'm sure you are.

Motion by Selectman Routsis, seconded by Selectman Morin, to allow the Recreation Director to post for a part-time Office Administration position, carried 5-0.

D. Request to Apply for a NH Homeland Security Emergency Management Performance Grant

Chairman Luszey recognized Fire Chief Rob Buxton.

Good evening Mr. Chairman and members of the Board. Tonight I have before you one of my collateral duties which is dealing with emergency management for the community. It has been just about five years since the last time we updated our local emergency operations plan. We were requesting the ability to apply for a grant through the federal government to update our plan. One of the things that will take place is this is a 50/50 match. I would remove the \$5,000 match portion from the emergency management budget which is located in the Fire Department budget. We also have the ability to use in-kind services to offset that 50 percent match. Basically what that means is when we have the facilitator that comes in and facilitates the process of updating it and we have all the department heads in, we calculate all their salaries, put that into a pot, and that is an in-kind contribution towards the grant and that's how that's calculated out. Any administrative time that we realize. On top of that, we also have the ability to utilize any training that takes place. Certainly after a plan is written, you want to exercise it and make sure that everybody is up to date on the new updates to the program. That would also be inclusive in that.

Motion by Selectman Coutu, seconded by Selectman Morin, to allow the Fire Chief to apply for the New Hampshire Homeland Security Emergency Management Performance Grant, carried 5-0.

E. Bid Recommendation - Construction of a New Fire Station

Chairman Luszey recognized Fire Chief Rob Buxton.

Chief Buxton told the Chairman after three years, we're very excited to be here with you this evening and be talking about the awarding of the bid for the construction of the new south end fire station. This project started back when I believe it was Selectman Maddox was Chairman of this Board when we first pitched the renovation of the Central Station project and the construction of a new station as a bond vote. This past year we received a successful vote at the town polls to move forward with this project and we're very excited about the work that we've done over the winter months preparing for this. I have a short slide presentation to take you through this evening and answer a whole bunch of questions that I'm sure we'll have to move this project forward.

Chief Buxton asked to take the Board through a quick review. In March of 2017, we received a successful vote at the ballot. In June of this past year we posted the RFP and what the RFP was based on was a conceptual design that the town to purchase from Port One Architecture along with a conceptual site plan that was developed this past June by Keach Nordstrom utilizing some pre-engineering funds that will be brought forward. We also at that point conducted a couple of other events on the site. We did a full geotechnical review of the site, meaning we checked for any hazardous materials in the ground, any concerns regarding the soils, so we could get a good number for construction from foundation densities to those sorts of things. We also conducted five borings on the site. Keach Nordstrom took the conceptual design, laid it out on the property, and bored each of the four corners of the project and one directly in the middle. The good news at that point in time was we did not find any ledge and we found no contaminants on the site itself.

Selectman McGrath asked no water.

Chief Buxton said no water. The water is sheet drainage across the back of the site. That is from spring runoff which directly comes from a lot next door from snow storage and those types of things. We also put our RFP together based on the conceptual design. Basically conceptual design called for six dormitories, called for a fitness area, bathroom, locker rooms, along with four apparatus parking spots within the bay space. It also called for offices, day room, and so forth. We asked for three alternatives within the RFP. If I could just take a second to review the RFP. We asked for three alternatives to be priced out within the RFP. One was for a brick veneer on the building basically to give some character to the building. The second was for concrete mortar unit construction within the building. Basically concrete block walls for the interior partitions. The thought process behind that was to provide a 50 to 75 year type structure versus a 20 year structure. Sheetrock wall walking down the hallway in a 24 hour operation we thought would be a wise investment. The third alternative that we priced out was the alternative to a metal roof and what would that cost us. That was all put together in the RFP and move forward. We also in the RFP because this was a design build process that the Board had instructed us to move on, we also asked for guarantee maximum pricing built on those types of things with the alternatives outside of the guaranteed maximum price. We also in there knew that there was concern regarding bidding of the different trades and how that would work. So they needed to give us a description of how they would come up to their guaranteeing maximum price when the final design was done for the building. In there was a requirement for them to be 100 percent transparent with us. We would be actively involved in seeing the bids and selecting the subcontracts. Not that we wanted to direct the project but we wanted to see if their estimates that they had developed were above or below where they had said. There was also a requirement in there that said all cost savings came back to the community. There was no cost sharing. That was part of the original RFP. That's important because we're dealing with a project from a conceptual design and a conceptual site that we would sit down and come to final design on with the contractor once we got down to one contractor.

Chief Buxton stated that was all part of the RFP. We also as part of the RFP basically told them that we wanted to deal with a schedule that had this project built within 12 months. That's a pretty aggressive schedule for this type of project. The reason we wanted to move on that was we wanted to get it done in one fiscal year. We felt the need for the project was of such that we needed to get that accomplished. So the bids that we have before us tonight are active for the next 90 days and we review them with you this evening and hopefully you get a recommendation and award out of you. Continuous with that, the Town Clerk/Tax Collector's office opened the bids on July 19th. All the bids were sealed and sent to Patti. She opened them. We sent them to 17 different contracting firms. That sounds like a great bid number but looking at the construction activity in Southern New Hampshire, we were concerned that who was actually going to bid the project and how many bids will come in. Coming on the heels of the renovation at Central Station, we were delighted to find that we actually received 7 bids. One bid was disqualified. The bid when it was opened was strictly for siding, windows, doors, roofing material. It was not for a structure. So that bid was moved forward. We then took the bids and moved them into an internal review. I read them and reviewed them and compared them to the specs. I asked the Inspector and Captain of Facilities to review both of those and provide me with a couple of notes. On August 2nd, we conducted an interview with the contractors. We did all of them in one day. We started at 7 in the morning and were done by 2. Each contract was provided a 45 minute window to come in, 15 minutes to pitch their project, and 30 minutes to answer questions.

Chief Buxton indicated we're here tonight to basically talk to you about the bids. These are the six firms that have bid to build you a fire station in the Town of Hudson - Eckman Construction, Hutter Construction, North Branch Construction, NorthPoint Construction Management, StructureTone, and Ricci Construction. NorthPoint is the contractor that we utilized on Central Station. Eckman Construction is from Bedford, NH. Hutter Construction is from New Ipswich. North Branch is from Concord, NH. StructureTone is from Salem, NH, and Ricci Construction is from Portsmouth. Provided in your packet, and I know this is a terrible slide for projection purposes but provided in your packages is a comparison of the different contractors and where their base prices were and how they roll together. You can see through this presentation that there was different variables within the packages for the pricing. You see the brick veneer, the CMU walls, and the metal roofs, and what the different contractors had provided within their different bid packages. As I stated on August 2nd, we held interviews with each of these firms. The interviews were conducted by Selectman Coutu, Brian Mason of Mason Electric, Todd Graham from Sousa Realty, Gary Webster retired Town Engineer, and myself. Basically we sat in for 45 minutes with each of the firms. I felt that this was a good group to come in and look at the different bids and to examine them. Each of the firms was rated on four pieces - experience, project approach, ability to meet the schedule, and costs.

Chief Buxton explained we forwarded a recommendation from the interview team to the Finance Director to award the bid to StructureTone. That is what's before you this evening and build that on this site. This is the site layout that we have chosen to look at with trying to take into account the traffic concerns that had been highlighted during our public venues and you had brought forward Selectman McGrath. We said how do we deal with the traffic. We came up with a design that would allow one in and one out for emergency apparatus and allow an apparatus apron that would provide for the apparatus to be on site, turn around, get into the bay, and not have to stop traffic. We would control the intersection of Hampshire Drive, Oblate Drive, and Lowell Road to get out into the traffic for emergency response. The one piece that we are working with Attorney LeFevre on is in regards to an easement to be able to utilize Hardy Road for the driveway access for employees to basically get into the parking area. That is the piece that is hanging out there.

Before we get off this slide, Chairman Luszey asked do you want to talk about the planning process. Chief Buxton said sure. That's really more down to the schedule. Each of the bids if you reviewed the bid packages that were upstairs talked about the schedule basically starting in the month of September for construction and basically what that would take would be the ability for the town to utilize RSA 674 which basically says the Board of Selectmen would send me to the Planning Board for a cursory review and a presentation to them by our engineering and design staff. That would be no different than we did for the Highway garage, the senior center, any of the school projects, municipal projects instead of going through a full four month review from the land use boards. We would go over there and project our project and go from there.

Selectman McGrath asked to interject. I don't have an issue with that but our Town Engineer was just in before the Planning Board for a small structure to house a pump in the event that he needed to use that. I can tell you that it wasn't well received by Planning Board members. You can go back and review that tape but it wasn't well received. They thought that if the town doesn't abide by its own regulations as they require every other developer to do, then they weren't in favor of that. I'm giving you a heads up. Chief Buxton said I did review the project on Friday with the interim Town Planner and reviewed those exact concerns. I asked John how do you think this works out. His expectation was that having their engineering firm that's under contract, I'm going to make that presentation would provide the answers that we're looking for. I'm not talking about me going in and giving a simple presentation. Selectman McGrath asked are you talking about Keach Nordstrom. Chief Buxton said Keach Nordstrom coming in and going through the review with them. Selectman McGrath indicated that's not the Planning Board's engineering firm. Chief Buxton indicated the contractor's engineering firm.

Chairman Luszey said if we require them to go through the planning process, we don't meet the deadline for the bids. Chief Buxton noted the 90 day window on the bids.

Selectman McGrath explained I'm just telling you what transpired. I think Dave you were there that night and that was for a simple structure that might not be needed. Chairman Luszey understood. I just don't know if we need a formal motion or is it just a consensus that we're going forward. Chief Buxton said I would take a motion. It's RSA 674.

Selectman Coutu asked what would the motion be. Chief Buxton said theoretically to instruct the Fire Chief to exercise the ability of the town under RSA 674 to go to the Planning Board for a cursory review of the proposed fire station project.

Motion by Selectman Coutu, seconded by Selectman Morin, to instruct the Fire Chief to exercise the ability of the town under RSA 674 to go to the Planning Board for a cursory review of the proposed fire station project.

Selectman Morin wanted to say I was at the meeting Selectman McGrath but I don't think they really gave the Planning Board a presentation. Basically this is what we are doing. I talked with the Chief earlier this week and he plans on giving a presentation so they understand exactly what's going to take place. Selectman McGrath said they could have deferred that action but they weren't inclined. Selectman Morin thought a little different circumstances but absolutely. Selectman McGrath said just as an added thought, I'm not certain that you'll get an approval in one night like Irving Oil did but we'll see.

Vote: carried 5-0.

Chief Buxton said basically the last slide that we fall off with is basically the firm that we've projected to you or suggested to you tonight from the committee is StructureTone and this is a conceptual plan of the building that they would like to build for you on Lowell Road. The Finance Director forwarded you a review of the bid process, the bid plan agreeing with the recommendation and I'm asking you to move that piece of that process forward.

Selectman Routsis asked you had mentioned wanting brick veneer. Is StructureTone going to have it because there's no money allotted in that like the other ones have. Chief Buxton indicated StructureTone has built it into their base price.

Selectman Routsis's only other question is and this is just because it's my lack of knowledge. We are reducing their maximum amount by almost \$100,000 for additional allowances for masonry work and the emergency exhaust system. What is causing that reduction? Chief Buxton explained in their proposal also carried the additional 1,200 square feet of brick veneer which was an error on their part. The second error on their part was they also carried \$40,000 worth of monies for an exhaust system that was covered under \$125,000 allowances built into each of the bids for all that specialty equipment that the Fire Department requires.

Selectman McGrath had some questions. It's a beautiful looking station. I can see that that will be a nice asset for the town that the residents will be pleased with. I have a couple of questions and just based on the presentation that you gave us when Keach Nordstrom went out and did the borings was there any consideration given - and I don't know. Let me just preface this by saying that I don't know if it would be a good use of time or not or whether or not it would save the taxpayers any money but was there any consideration given to geothermal for the heating? Chief Buxton said we did not. Basically my experience from looking at those projects is it takes a long time to get your return. There's a heavy escalation in installation costs. I apologize I didn't bring that with me but the research in the original plan that we had looked at was the geothermal is very expensive up front. It takes you several years to get that return on your investment. That is a method of heating and cooling but that was not something that we had requested in the package. Selectman McGrath said normally I wouldn't have even thought of it but you mentioned the borings but there was a building up...Chief Buxton said 208 Robinson Road is a lead certified building and there's no ability to open the windows. Its 100 percent climate controlled facility. That was not part of the base process that we looked at. From an estimate standpoint and what I wanted to also include was we had done due diligence with PortOne and Harvey Construction at the time who had built this facility in Londonderry. Basically they provided us with an update in regards to costing and then we added a five percent escalator to come up with the budgetary figure. One of the things that I'm very pleased with is with the increase in the construction activity in the State that we came in underneath the \$2.9 million. Does that mean that we're done spending money and there's an easement piece to look at and a couple other odds and ends that are outside of the contract. Budgetary wise we're in very good shape from where candidly you get a little nervous as you watch the construction world going round and round. You see the pricing of things going up and down. That's why we added those alternatives so we had a base price that had sheetrock within the building and then we had the alternatives for the concrete which is in my eyes the way to go from an investment and municipal building like that.

Selectman McGrath said my other questions are and you talked that it's a guaranteed maximum price that's been bid and that any cost savings will come back to the town. Who's going to monitor that? Are you going to monitor that? Chief Buxton stated it will be my responsibility as we negotiate the contract under the AIA contract and we go out for formal bidding on that. The numbers get recorded to basically monitor that coming back in. Selectman McGrath asked we won't anticipate any kind of cost creep. Chief Buxton said that's my intention at this point. That's why we bid it that way.

Chairman Luszey noted I can bring a copy of the contract he's talking about in next time if you want to see one from the one that I'm working on right now. Selectman McGrath indicated I'd like to see it. Chief Buxton said that is the same contract that we utilized - very similar contract. It may not be the same contract because I think this is a 141 and that was a 139 but anyways it is an industry standard contract for this type of project that basically outlines all those costings. That is something that we throw by the town's legal staff to make sure the retainage is in there. Basically we would negotiate the retainage so when they sent us a bill, we would keep a retainage piece. When you got to a 50 percent completion, you would reduce the retainage and that's all figured into this format. That's why I like using this contract because it's so black and white and allows that piece. Full disclosure. There's no secrets.

Selectman McGrath said the 12 month schedule if you start in September we can anticipate that it's going to be completed by September of 2018. Chief Buxton said their goal is July. So we're looking at a 10 month construction window.

Selectman McGrath had two more quick questions. You mentioned using Harvey Road for the employees to access the building. That's a dirt road isn't it? Chief Buxton indicated right we would have to do an upgrade for pavement to come in and out of that road. We would work that in our easement with the condo association that is actually owned by the condo association in the back - the old (inaudible). Selectman McGrath asked if you were using it just for employees would you need to pave it or could you use the granular. Chief Buxton thought for long-term care of that area and snow removal of that area that it would behoove us to clean that entry way up coming out onto the road so we're not bringing that out into Lowell Road and causing any road hazards. I would be in favor of paving that piece.

Selectman McGrath's last question is about the metal roof. This picture doesn't show a metal roof. Chief Buxton said we actually at the committee meeting had a lengthy conversation in regards to the metal roofing on this project. At the end of the day basically decided that we would not recommend the metal roof and there were a couple of reasons why. Basically the seamless metal roofs we don't have a lengthy enough history on where they're at. If you notice if you go up to the Police Department which does have a metal roof, you've seen some fading over the years regarding the roofing. If you get a panel that goes bad and you could receive some rot, it doesn't provide for a continuous view. You would have blotching on there. The second piece as we talked with the vendors there was also a concern regarding snow and ice. Basically you end up with the snow and ice sliding off the roof and causing other hazards on the site. With the asphalt shingles is that technology has moved forward. You can get a 50 year shingle now that is going to provide us with the needed wear and tear that we're looking for. Selectman McGrath said the cost differential between some of these - Hutter bid it at \$240,000; StructureTone at \$82,000; and North Branch at \$34,000. That's quite a difference in pricing for a metal roof. That's all I have. Thank you.

Not related to the construction, Selectman Morin wanted to say that the improvements to the Fire Department have gone through are unbelievable and my whole career there we have not improved this much moral goes way up and my personal moral and I'm not even on the Fire Department. It's a good thing. Chief has done an excellent job in bringing the department forward and this is a much needed thing.

Chairman Luszey said let's bring it down a different conversation. I've talked with the Chief about this and in terms of full disclosure, I've worked with NorthPoint. I know their work. You can see their work throughout all of Southern NH and Massachusetts. They are a local business. They employ many people local to this town. They just redid I think it was this past spring they opened Hampshire Drive. We have a building there. This one here is StructureTone's view of what they believe - Chief Buxton interrupted and asked to wait until he brought the slide up. Chairman Luszey wanted to take a look at while he's bringing that up - it's this sheet in the packet. It's the construction review costs. What I did to try to compare apples and apples, I took all of the figures in that column that were there are figures and I added them all up. If you do that, NorthPoint comes out to \$25 million and StructureTone comes out to \$2.5 million and \$2.9 million.

Selectman Coutu asked is this an attempt to subvert what we just went through. Chairman Luszey said it is yes. I would like to propose that we go and award it to NorthPoint. I have some arguments on why. You don't have to. Selectman Coutu said, "Are you kidding me?" Chairman Luszey said no I'm not kidding you. We can save \$366,317. Selectman Coutu said, "You don't know what you're talking about." Chairman Luszey indicated I do know what I'm talking about. Selectman Coutu said, "because they're working for you?" Chairman Luszey said, "No, absolutely not." They are working for United Main Street Methodist. Selectman Coutu asked are you participating in the construction of that. Chairman Luszey said I am over there but I'm an argument that I believe that for the amount of money that we could save - because in here there are items that I think need to be discussed - builders risk. StructureTone includes builder risk in their price. NorthPoint doesn't and there's a significant savings if we provide that on our own. Snow removal - it's in there on StructureTone. NorthPoint isn't. If you try to strip this down to get to real apples and apples, I believe NorthPoint is actually a better deal.

Selectman Routsis thought because StructureTone includes the snow removal. Depending on the winter we have can be pretty expensive. You have the temporary heat. You have the temporary electric, utilities fees, and third party testing. Those are all things that can depending on what the outside or environmental effects are can be pricey. You can't put a dollar amount on them but have them added in and not having to worry about us paying for it and it potentially going over. I think it's more of a benefit to know that our final cost is going to be X without having to worry about those things. Chairman Luszey indicated you're getting the same with NorthPoint. You're getting a final cost. Selectman Routsis said it's not going to include your snow, your heat, your electric, your third party testing. Those are all going to be additional costs. So you're not getting your final cost.

Chairman Luszey asked you think there's no value in looking at keeping money within the community and providing an example of a business friendly community and awarding work to a tax paying business when they could be potentially save us \$366,000. Selectman Routsis noted your other things could potentially cost you more than that and if that's the...Chairman Luszey said when you write the contract you can fix them. Selectman Routsis said if that's the stance that we're going to take, then what's the purpose of having it go out to bid. We might as well (inaudible). Chairman Luszey said so that we could compare these. If you want to go down that route, why don't we go to Ricci Construction at \$2.1 million?

Selectman Coutu asked how many people sat on the panel Chief. Chief Buxton indicated there was five of us. Selectman Coutu explained they made a 15 minute presentation each one of them. Would you say that we took good advantage of the other half hour to ask in-depth questions about construction costs? Chief Buxton stated there was one interview that ended at 30 minutes and the rest of them were pushing the 45 minute window. The dialog back and forth between all of the vendors and the committee was very in depth and very engaged on all parties. Selectman Coutu asked was the consensus unanimous - well first of all before I get to that did you find that at any point that there was any collusion on the part of those of us who sat on the panel to interview who tried to influence one another in any way with our questions, did we have...Chief Buxton said no. Everybody got the same questions. Everybody got the same concerns. I put up on the board the four areas that the contractors were ranked on from experience, to project's approach, to meeting the schedule, to cost. Those were the four areas that we scored on.

From your observation, Selectman Coutu asked was there interpersonal discourse between the members or were we just dealing with the contractors. Chief Buxton said we were very focused on the task at hand dealing with the contract. Selectman Coutu asked did we not award the bid to the lowest bidder only because it's a one may show. We lacked confidence in his ability to do all of the things that he said he was going to do because he just didn't have the team. Chief Buxton stated we didn't feel there was enough depth there and we felt that there was a lot of challenges to their pricing. He is a licensed engineer so my concern that I pushed forward was is there a lack of oversight when you have the owner who was also the project manager, who also was going to be the civil engineer. Too many hats in one area and I felt there was a potential liability for a misstep within the project. He's built some fire houses but he was part of construction teams. When I say teams, I mean there was an architect involved. There was a civil engineer involved and he was the project manager for those projects. He wasn't coordinating all the events. The design build process is a much different venue than being involved in the...

Selectman McGrath asked for a clarification. Who? Chief Buxton indicated that was Ricci Construction. Selectman McGrath said Selectman Luszey suggested NorthPoint versus StructureTone.

Selectman Coutu said he mentioned why we didn't go with Ricci Construction. My final question was at the end of the interview process was it not relayed by each of us independently those of us who were on the panel that we felt that of all the presenters that the one who ultimately convinced us that the company could provide us with significant cost savings from their bid if they were available depending on construction costs would be StructureTone. Chief Buxton stated it was agreed upon at the end of the process and the end of the review that StructureTone gave us the best package that day and the best presentation. Selectman Coutu thanked the Chief.

Chairman Luszey said learning what you know is important here because when you say "package, presentation at the end of the day" does not equate to the best package in terms of the ability to deliver cost savings to the town. Right now my piece of paper says they're more expensive than NorthPoint and they will deliver if not...Chief Buxton said what you basically have asked is the difference between NorthPoint and StructureTone is if you look down from starting at "builders risk" all the way through third party testing, that would mean that if you award the contract to NorthPoint all those administrative costs and all those administrative tasks would be rolled back to the community. Specifically to the Fire Department to manage. That has approximately \$100,000 tag to that. One of the things that I had said to Selectman Luszey when he asked me this question earlier was those are administrative tasks that we would have to follow up on. The proposal that StructureTone pushed forward included all of those things inclusive of that \$100,000. That is a costing that is in there. Basically they're going to take the responsibility for managing those different pieces and parts.

Chairman Luszey indicated it was more than \$100,000. It's \$366,000 unless my numbers are wrong. Chief Buxton thought when we talked about the leveling fees I termed it. I referenced it to six areas - builder's risk insurance, snow removal, temporary heat, temporary electrical, utility fees, and third party testing and inspection which we were carrying. Those were the six areas that made up that \$100,000. You are correct that at the end of the day they come in under StructureTone's piece underneath their bid.

Chairman Luszey didn't know if this committee wants to talk about saving money but if no, then okay.

Selectman McGrath commented when I read over the packet and looked at the numbers, I was surprised that NorthPoint didn't rise to the top. I didn't participate in the bid review and the interviewing process. I thought looking at the number they weren't the lowest bidder but they also were a bidder that just worked on the Lenny Smith Station and I thought that you were satisfied with them. Don't take exception to anything that I'm saying because I had the same question. Chief Buxton noted I had the same comment to Selectman Luszey when he asked that. We had an outstanding relationship with NorthPoint towards the renovation. I have no concerns regarding the renovation. I am the ultimate responsible party for that project. At the end of the day, I enjoyed that process when we went through them. I want to be crystal clear that the renovation of the Lenny Smith Central Fire Station can't even be compared to the construction of a new building. That facility in its own was its own animal based on the fact that we stayed open 24 hours a day, 7 days a week through the entire process. You can't even compare that experience. Do I believe that they would perform well? Yeah I believe they would perform well. At the end of the day, the committee came to the conclusion that this would be the presentation for the town and the best invest on the town's part.

To continue with my comment, Selectman McGrath said when I looked at this and I looked at the pricing I was just surprised that they weren't at the top only because of pricing. Again I didn't participate in the bid review process. I didn't interview the people that submitted bids. I don't think that anybody here that served on that committee to review those bids should take any kind of - it's nothing personal. It's just questioning how you arrived at that and I'm satisfied with your presentation. I can't go any further than that other than when Selectman Luszey brought it up, I wasn't going to say anything tonight because I figured I'd hear the presentation and listen to it. I had the same thought. I'm not casting any aspersions on any single person because I know it was a long day and tedious process. Chief Buxton said it was a very lengthy project.

Motion by Selectman Coutu, seconded by Selectman Morin, to award the bid for the construction of a new fire station to Structure Tone Construction Managers/General Contractors at the anticipated project cost of \$2,671,235 as recommended by the Fire Chief and the Finance Director, carried 5-0.

F. Police Department - CALEA Conference

Chairman Luszey stated the time has come upon us where we need to decide whether or not we're going to send anyone. I have talked with the Chief and his comment back to me is over the last few years more and more towns and cities that are going are not sending basically Selectmen reps. The initial reviews are here on site. The questions that are being asked are being asked here on site. This is a reval. I guess I'm looking for consensus as to whether or not we need to send anyone.

Selectman Morin asked the people who have gone in the past have they found it a useful tool for them. I know it helps the department listening to the Chief the other day but do we get something out of that. Steve Malizia indicated Selectman Massey went previous to Selectman Coutu. I've been to the last four.

Selectman Coutu indicated the Town Administrator has been to all four. My personal observation was and I maintain that they were very impressed that a representative from the municipal government would go. They find that that doesn't happen that often. It's not that people are sending them less and less, it's that some municipalities aren't bright enough to send a municipal representative. I know that when we were in Mobile, Alabama five years ago, they were extremely impressed and I was interrogated by the full commission for approximately 20 minutes to a half an hour. They wanted a feel from the community. I know that when I went two years ago to the convention in Reno, Nevada that again they were impressed. The questions were a little more disburbed between the Chief. I don't know if they had asked you any questions or not but again they were impressed that we had municipal representation. I can tell you that from my own person experience and the Town Administrator can say whatever, when you sit there on the day of preparation and the day that you have to present your organization and subject it to questioning in front of whatever number of other police departments are being represented, there's nothing more heart wrenching than to see some municipality being called up and you have a police chief and one police officer walking in. You say they have no support whatsoever.

Selectman Coutu explained we sit there with a contingent ready to discuss the issues of the day. Two years ago I talked openly about police shootings going on in the country. I wanted them to let them know that even here in the northeast we know what's going on continentally in the United States and what we as a community and how we as a community would speak to and address those kinds of issues if they confronted us. Having been a police officer gave me a little bit of an advantage and they were also very receptive to here's a former police officer serving a municipal government. I think and the Board will do what the Board will do and I won't get upset. I state affirmatively in agreement with what you stated which is I think it does us justice to have a municipal representative attend these meetings that could be made available to any interrogatories that committee may have relative to the community's response not the police response. I'm sure they speak on behalf of the community as well but still they're law enforcement with a bias. We don't have to have a bias. I can go in there and criticize them if I wanted to about whatever just to be negative. I think its worthwhile sending a member of the government body.

Selectman McGrath had a couple of things. I was out at the police station the other day for Captain DiNapoli's going away luncheon. It became clear to me and because I was liaison to that department last year and I met with them on several occasions, Captain DiNapoli was a key figure in going through the CALEA process and getting that reaccreditation. Now he's no longer employed with the Town of Hudson. We're going to have to have someone else that's going to carry that task forward in his place and I think it's important that that person while training goes through that process and does the traveling that's going to be necessary. Also I believe that here's probably a need to send a second person from the Police Department as backup for that effort in addition to the Chief and whoever else normally attends.

As far as the Board of Selectmen, Selectman McGrath questioned whether or not we'd be meeting with them when they came out here to do the reviews and we will be. I think that each one of us as a member of the Board of Selectmen we don't need to travel to Nevada or wherever they're going to do this process next. I think that we can certainly convey to them how important we feel this process is for our community, and for our Police Department. I can tell you based on my years of living in this town and the problems that we had long ago with the Police Department that this department has come a great distance. They're one that we can be and I can be proud of and I have no hesitation in saying that. I think that we can convey that meeting with them here. We don't need to travel to do that. Let me just say that if this Board decides that traveling by one of the members of the Board of Selectmen is necessary, I believe it should be the liaison

to that department and if not that it be either the Chairman or the Vice-Chair that travels but I don't feel that it's necessary.

Chairman Luszey thought the Board knows where I stand from day one. During re-evaluations or accreditations, I know it's nice to have someone out there but at this point I think the Town Administrator is the voice of the community. Having sat in on the questions and answers at the last one up at the police station, I think anything they need from the Board of Selectmen is asked at that time. I would look to spend those dollars and put them into additional training for the police force and not have a Selectman travel. That's my opinion. I guess with that I would need a motion on the will of the Board.

Motion by Selectman McGrath, seconded by Selectman Routsis, for traveling for CALEA reaccreditation for the Police Department that it be assigned to the Police Department and any officers that they deem necessary to travel as well as the Town Administrator, carried 4-1. Selectman Coutu in opposition.

Selectman Coutu asked the Town Administrator to tell the police to get me a ticket. I am going and I will pay my own expenses.

G. Fiscal Year 2019 Budget Parameters

Chairman Luszey recognized Town Administrator Steve Malizia.

Steve Malizia said you apparently already discussed at the last meeting. In anticipation, I had just put together some parameter paperwork but it sounds like the Board has already established a parameter. One thing of importance that you need to note this year, capital reserve funds will no longer be allowed to be budgeted in the operating budget. So any appropriation to an existing reserve fund will need to be done by warrant articles.

Selectman Routsis asked for every single one. How many is that going to make? Steve Malizia said there are somewhere between 13 and 20 depending on which ones you want to fund. Probably about 13 that are pretty routine. I would say the most popular one is the ambulance capital reserve which has been in existence since probably the late '70s and has been very successful in replacing the ambulances. Selectman Routsis said people can now say no. Mr. Malizia said that would be correct. Chairman Luszey said it's going to be a huge change. Selectman Coutu said there's been a lot of years where people have said no on everything. Mr. Malizia said you've isolated it and basically what it basically says is no I don't want that. Here's the conundrum. Let's say you had 15 reserved funds you wanted to fund. Do you put 15 more articles on the ballot and then walk in and say why do I have all this paper? Do you put it one or two super big warrant articles and say well I like that but I don't like this one and I'm voting no. What do you do?

Selectman Morin stated I spoke with the Finance Director at the beginning of the week on this and hypothetically the budget - and this is just to throw out some numbers - the budget would drop \$1 million but it would also show up in the warrant articles so people would see this budget drop and then they can say no on the warrant articles and then we're in big trouble. She is coming in on the 22nd to explain all this so we'll have a better idea what exactly it means but she had some concern and she would like to come in and talk to the Board and see where we want to go with this and how we're going to deal with it. She said if you take the warrant articles that we normally get and then add these, we could have up to 30 warrant articles that people would have to vote on.

Steve Malizia said that is the concern that you have a lengthy warrant. We all know that even though it may not be if you had it all it might be the same number, it's perceived to be something else. The very last page of the document that was in your packet if you look at both sides. It gives you an idea of the reserve funds that we're talking about. Again there may be some that the Board can sit there and quite frankly fund through the operating budget. For example replacement of weapons for the Police Department. If we tried to save to do it, you must just every third year replace weapons and that will be it. Ambulance has been such a successful program, it would be a shame to not be able to do that but we have no choice. It is passed into law.

Chairman Luszey thought what will happen is especially on large equipment, it will force us into a different model and we've already started and that is go to strictly a lease environment on that type of stuff where

you're paying a fixed annual rate for three years they're replaced. It becomes an item in the budget versus saving out, going out to bid, and getting a better deal each time we have to do it. It is going to change our behavior in thinking about how we go about doing things.

Selectman Routsis said I get it but I just have to say it. That's everybody. That's us, that's school, say library.

Chairman Luszey noted the school just started one right for the special education. It's going to kill them. Steve Malizia said I'm not aware that they're exempt from it. People who operate under our form of government have to deal with it. I'm not so sure cities do it the same way. They're cities and different. What I'm saying as far as our town goes, this legislation is very clear.

The way Selectman Morin understood it the cities and anybody that has a charter does not have to follow this. It's just the way we have our meeting. Selectman Coutu said we'll have to look at a new form of government. We should be a city. Mr. Malizia indicated it certainly is a challenge. As I understand it when we're looking at the budget, those items would be removed from everybody's operating budget and would have to be considered presumably separately if that is what the Board would like to do. In other words, you'll have the option of what you want to do. Do you want to do a bunch of warrant articles? Do you want to do one super warrant article? Do you want to do no capital reserve funds?

Selectman Routsis asked and it's only to put new monies in them, it doesn't change anything existing about them. Steve Malizia said they exist as they are. They have a balance right now. This year's appropriation went in. When the Board is the agents to expend, you can still spend that the same way. The ones that are voted by warrant, we'd still have to go to the ballot like we do at the ambulance. That part hasn't changed. To establish a new reserve fund - in other words we want to do some X, Y, Z project, we still have to always go to the ballot to do that. Now it's for all the ones we've had for many years now we have to go and get appropriations for them. This was brought to the legislators' attention, by us. We were not successful in getting this killed for lack of a better word. So we have to deal with this. It is now the law.

Selectman Coutu commented the State interfering with our local operation. Steve Malizia said let me be frank, it seems to be the DRA that really laid the wood on us on this one. I don't know why. Quite honestly they seem to really be carrying the water.

Chairman Luszey noted there was an article in one of the things that we get every now and then. It talked a little bit about it and there is a feeling that some communities may have too many capital reserve funds and they're using those to plow money into needlessly and it's inflating the tax rate. This way here, the voters get...Steve Malizia indicated that would be up to the voters. It shouldn't be up to the DRA. It's up to us. When we establish them, it's our own way to fund them. It's our voters. Don't tell me it's not transparent. We've had meeting, after meeting, on TV, it's on the web. Chairman Luszey didn't disagree with you. I said it's how the perception. It's going to cause a change in our behavior I know that. Other than that was there anything else at the budget...Selectman Morin said no.

H. Revenues and Expenditures

Chairman Luszey recognized Town Administrator Steve Malizia.

Steve Malizia said basically you have what is pretty close to the revenue and expenditure. What I mean by that is the auditors haven't come in yet. Occasionally they make adjustments to things. I will say that that town ended strongly. We had about 6/10th of one percent left of our appropriation which is about \$144,000 which out of \$27 million is pretty close. We also had a very good year in automobile registrations. Ambulance went well and I believe the revolving funds cable and senior supported themselves in the expenditure column. So this took care of all of our earned buy outs and what not. We had a small balance left. We had more revenue which is always good. It will go to the surplus which will help replenish that after we've done the fire station. Overall it was a very good year. Again there still will be an audit. I don't expect any major changes. Nonetheless until it's done, done, this is where we're at.

I. Setting Goals and Objectives for the Town Administrator

Chairman Luszey stated a couple weeks ago when we met, I asked everyone to send their thoughts of what they would like to have or goals and objectives and I asked that they be measurable and quantifiable. When I went through them, what I found was the goals that most of you wrote other doing yearly performance reviews, that's a nice goal yet and you can measure that he gets that done on time or not. A lot of the other ones are actually our goals. If we want to move the Rec. Dept. from its current location on Oakwood down to the Community Center, that's us. We need to make that decision and then we can task it to the Administrator and it becomes a goal. Most of these right now the way they are are something that we would have to make a motion on and fund if you will to decide that it becomes a goal for the Administrator.

Selectman Routsis asked isn't that kind of what us sending it was for was for us to discuss what we would like to see done and for Steve to do so hence exactly what you said. Chairman Luszey said yes but the way I would have worded that one would be summed to the affect the goal is - because we're looking to have the general goals in his contract so that the next Board of Selectmen in a year from now can sit down and have a conversation with the Administrator saying here's where you did good, here's where you didn't do so good, and here's areas where we think you can improve upon. Moving a rec. center, that would be a project or a task that we agreed to task him with and yeah we can talk about that. The goal that I believe that you would have in the contract would be something to the effect of carrying out effectively and efficiently according to the schedule outlined and a task by the Board of Selectmen. That way there any of these you decide you want to do, you now know what the goal is. You have to tell him when you want it done, what the price tag is that you're going to fund, and you can measure them against that. We don't do that today.

The way Selectman Morin said I looked at this, I read his job description when I did this before I did this. What I took it as those were already in his job description. We can already rate those. It's already there. The ones that I gave you go along with what the Board had come up with for a plan. When I looked at this, I understand we've got to tell them but at some point we need to do and come up with a plan. This would be the plan to get that started. When the plan is done as long as he met what we asked him to do whether we approve it or not, he did what we asked him to do. That's what I was looking at when I submitted the three that I gave you. It was not that we were going to spend the money or tell him you've got this much money but we keep saying we need a plan 5, 10 year plan. Well we can start on that.

Chairman Luszey agreed. That is a goal to yours to create the plan. Here's a goal that you can go off and do that and the only thing that's missing is when do you want to see that plan? Selectman Morin said what I also looked at is why I did such a limited one because I understand he's got all the other roles and responsibilities so we can take and say this is the one, or these two or these three are the ones we want done in a year. Chairman Luszey stated you just said the few key words that I would have said is we should only be tasking him with probably 3 to 5 of all the things that everybody has sent out and which ones are those. I agree the plan on what we need to get done in this town over the next 3 to 5 years yes. We also have to give him context of what's in that plan. The renovation to Central is done. You're going to have a new fire station for the replacement of Burns Hill. What's your next big challenge? I think this Board needs to decide that and next workshop is what we're talking about. Well we actually have that and possibly one other workshop. September was to talk about that updating those items up there around the infrastructure and the needs of the town. Like we did the last time, we'll have all the department heads here and at that point, that would then detail what should be in Steve's master plan for the next 3 to 5 years.

Chairman Luszey mentioned the one around personnel, the performance reviews. The performance reviews that I've seen in this town is a check sheet - fill in the box. That to me is not necessarily a performance review. That's an exercise for the sake of saying I did something. There should be certain areas of a performance review that should have 2 to 3 paragraphs that tell a person what's going on in terms of their job performance. That's what I would look for. For the Town Administrator, I'm not sure how you put it but its how do you measure whether or not the town is being managed effectively, efficiently and cost effectively. That is probably his primary goal. You've got copies of all of these. How do we want to condense them down to the 3 or 5?

Selectman Routsis asked Chairman Luszey where are yours. Chairman Luszey said I wouldn't do them because I'm not here. This is this Board's because I will not be here to input on the result. I'll lead you through this discussion but really it is this Board's expectation of the Town Administrator for the next year. I'm a short timer. Selectman McGrath noted I might be too. Chairman Luszey said in essence we all are.

We are all the short timers. The Town Administrator and everybody that's an employee of the town are the long terms. We are here to give guidance and direction and I hope we're doing that well. We'll find out in the newspaper. I'm open for comments right now.

Selectman Routsis stated I understand that we want to look at things for boards in the future or whatever to be able to kind of replicate year after year for him. So those every year goals but I think if we give him some attainable things to do yearly and each board's vision may be very different than this current board, previous boards, or the next boards. So things are going to change for you yearly. I think the department head thing is part of what he should be doing and he knows that. Having it be a goal - hey next June how did your department head reviews go? Great everyone is done, or great I have one left, or whatever it may be so they get done yearly and then adding some little pieces of things that we know we're going to be needing to do like we're outgrowing this building. Well figure out how we're going to make it work or what we're going to do to.

Chairman Luszey thought Selectman Coutu actually had it somewhere in the whole review of all the buildings. Wasn't that yours Roger? If you want to do it tonight, we can do the 3 or 5 goals that talks to the plan and be done with it and maybe add whatever comes out of the September workshop. In that master plan, I totally agree with that statement. We have a bunch of buildings. We're going to have another building that may or may not be excess called the "Burns Hill Fire Station". We've got two recreation centers. We've got a space problem within Town Hall that needs to be addressed. It may be one of the goals that we would like for him to tackle. It's kind of two in one. Selectman Coutu to that is take a look at all the buildings that we got, see which ones we don't need any more if there are any as well as the parcels of land and redo that. Then make a recommendation as to how to alleviate the space problems within this building for the next budget process. Everything is tied to that budget process. Anything we do here that talks to money, you're talking an 18 to 24 month cycle. If we want to really do something like that, we got to get it into the budget this next process. The voters got to approve it and then you're working on it the following July. Is that one that this Board would like to add?

Selectman Morin said I had that on my list.

Selectman Routsis said we're only growing.

Chairman Luszey asked are you talking of future expansion or are you talking about better space utilization of what we got. Future expansion conjures up the notion and I know you've talked about it and that is working with the Land Use Director to come up with a future town center/hall. Selectman McGrath said to co-locate police, fire, and municipal building. Chairman Luszey asked do you want him to go down that avenue or just look at what we got. Selectman Morin said I would wait until the new Land Use person starts and just have the Town Administrator go what we have presently. Let's see where we're at before we move forward. Selectman Routsis said the space one.

Chairman Luszey indicated the goal would be to inventory all of our town owned buildings and properties, identify those which are excess and should be sold. Steve Malizia noted excess is in the eye of the beholder. Selectman Coutu said that's an ongoing project. Chairman Luszey stated it's ongoing to some extent. In terms of properties, yes. Buildings I would not. Selectman Coutu agreed. I think there's a strong argument to sell the recreation building across the street. Chairman Luszey said willing to move people into to make space here.

Selectman Coutu asked how many out buildings are we going to have municipal employees and is that the best approach. I don't know whether it was Selectman McGrath or Selectman Morin who said it but I think until such time as the person that's going to fill the new position is in town and has had an opportunity to do the tour with you - all of our municipal structures and acquaint himself with the municipality and see what we have. The vision was John Cashell had this vision on 111 the old center trying to resurrect it. I've gone there time and time again and I just couldn't get that vision out of - the traffic has increased significantly over the years. This is the center as far as I'm concerned. This is the central of municipal operations we have a fire and municipal building that co-exist. Do we look at the Hills and see if we can put part of the Police Department in there to have part of the police structure down here. Is that not feasible? Can we add on to the Hills and do that? There's a lot of things that are possible because we have an empty building across the street. I consider it an empty building. It's an empty building. There's quite a bit of land adjacent to it and this will all be part of a complex? Can we fit it in the corner? Do we close this end of the street and

everybody comes around and goes down this way and around? Do we look at our traffic pattern? I think that he would be he combined with your knowledge and experience can come up with designing some sort of a plan for our municipal structure to create a central municipal complex -fire, police.

Selectman Morin thought this was going to involved all the department heads. You have to see what they're going to need. Steve Malizia said I couldn't tell you what the Police Department needs. Selectman Morin said not to cut anybody off but we're kind of doing it already for them tonight with the discussion we're having. Take the buildings, go through them, see what we need, see what we don't need, get a plan and we'll take it from there next year. It's not going to be just you. You're going to have to get after the Town Planner, all the department heads. You're going to have to get all their input.

Steve Malizia said the conversation if I may that you referred to on September 5th will probably also be very helpful too just to get an idea. I have no idea what Chief Lavoie is thinking.

Chairman Luszey suggested that there should be at least two outputs of this one task. Using what we got and then building something brand new and what happens if you were to do the new route what would the plan be with everything you got. For me, you'd sell it off and all that to offset the cost. There is these two alternatives to fixing the issue. You have to talk with everybody else and find out what their needs are to kind of figure all that out.

Selectman Coutu said we all agree employee evaluations. So that's one. I think that we can come to some sort of a consensus now without having to prolong this that we need to look at our municipal structure - buildings and what not. Did you say September 5th? Chairman Luszey said yes that's our workshop. Selectman Coutu noted I'll be in Bermuda. I'm leaving August 28th. I'll be there for 10 days. I think that's a huge project and you might be able to incorporate in that something to do with IT and combining dispatch. We'd have to hear what the others have to say. If you want to defer this until then until at least we've heard from our department heads. Chairman Luszey thought we've already got two of them outlined. Selectman Coutu said municipal buildings and assessing department heads. That's good and any other one that may be...Chairman Luszey said let's listen to everybody else because I don't know if it would be combined dispatch or water. Does that help you kind of understand where we're headed with all this? Mr. Malizia said no but I will adapt. I've been adapting for 12 years. Chairman Luszey said hopefully it's more for the Board that's sitting here to understand what you're supposed to be up to for the next year. We will finalize this at the first September regular meeting the actual goals.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman McGrath - I guess I just have two things and I almost forgot one of them. At the last Planning Board meeting that I was in attendance a couple of weeks ago, the Chairman asked me to really to the Board of Selectmen that he would like us to get in touch with NRPC to see what they can do to help us with the traffic problems on Lowell Road. I bit my tongue which wasn't easy and I didn't say anything about Irving Oil that they had just approved at the previous meeting. I'm conveying that message to this Board that he wants NRPC. I guess what I would say about that is when the new Land Use Director comes in we can talk to him about it and see if we can get a conversation going.

The other thing that Selectman McGrath would like to say is that tonight we approved the Fire Chief seeking permission to apply for grants for Homeland Security. That after today is abundantly clear that we need that program. We're living in very scary times. That's all I have. Thank you.

Selectman Morin – The Zoning Board of Adjustment is finishing up a policy for the Board that they've never had before. That will be coming shortly. Benson's Committee - they're moving forward. After our meeting, we discussed it a little more at their Benson's Committee meeting and we're moving forward. Did everybody get a copy of the expenses from the Town and the Highway Department what's being spent on the park? Any questions on that? Selectman McGrath noted I may have the next time I see you.

Selectman Morin noted the other thing is I just wanted to make you all aware that they had a person jump in the river the other night. Just a week before that, we had gone down with the Conservation Commission and took a look at where they bring the boat down. If it hadn't been between the fire and police because fire didn't have enough people when the first arrived and that gentleman was in the water and with the help of the police, they got the boat down there. You've got to understand if you've ever been done there the

end of Maple Street, that's 2 to 3 footsteps. So we had talked briefly about maybe getting that fixed. I'm going to work on doing that. From the time they responded from the fire station, the police were already there to the time they got the gentleman was 11 minutes. That's for everything they went through at 2 o'clock in the morning. The guy from what I understand was pretty much at his end. I'm going to work on seeing if we can get that to be a little easier to go down and get the boat into the water.

Selectman McGrath asked Selectman Morin. You mentioned the Zoning Board that they're going to be bringing in a policy. Are you talking about their ZORC? Well ZORC is planning and zoning. They've been working on that and - I can't think of what they were working on last month. I didn't go because it was a workshop. Selectman Morin said they were just finishing up and were going to do a few minor changes to it. They had some wording changes they wanted to get changed. Selectman McGrath said that document isn't for the Board of Selectmen. Selectman Morin said they're putting it together so everybody knows. I didn't say they were coming just so they have something. They never had it before in the past.

Selectman Routsis - I actually just wanted to thank the Chief and everyone that sat on the board for going through the interviews, taking the time to learn the bids and ask the questions, and bring us the presentation so we can get started on the fire station.

Selectman Coutu - Nothing.

Selectman Luszey - I have a couple of things and I do want thank you for the time you put in on the bid proposals. Going through all those, it is a lot of hard work. I do thank you. A couple of things.

- NHMA - free on demand training

Back in April, Chairman Luszey said we talked about some free on demand training from our friends at NHMA because of the dues that we pay. The only one that folks were interested in was the Right to Know. We said we'd do that after July due to vacations and workshops. Is that still something folks are still interested in? If it is, it would be in October. Right in the heart of budget season.

Selectman Morin asked will we have time. Chairman Luszey said it's per calendar year so we have until December.

Selectman Routsis said if it's the same as what it was last time, they did it at the rec. center and it was during the day. This one they come to us.

Chairman Luszey said its two hours in length. Steve Malizia said this is specific for us. The one at the rec. center was I think open to other communities. What the talk about is because of our dues paying status, they would come in and give you a training session on Right to Know Law. They could give you a training session on a few of the other topics they have here. There is a myriad of topics. You would get one free. It's not one on one, it would be us. More than likely Attorney Buckley and his associate would come in here. You could certainly arrange to go up there but why would you. They'll come here.

Chairman Luszey asked is it something that the Board is interested in. Selectman McGrath asked for further explanation. Chairman Luszey indicated it's a two hour training event that they would come in and they would present the ins and outs of the Right to Know Laws to the Board. There's a whole list. Everybody got this and everybody circled Right to Know. Given everything, I would say it probably would be a December workshop. Selectman Morin indicated if they can't do it here if they have a seminar, I'll take it. I'm interested in that. I don't know if they do just seminars on the outside. Steve Malizia said they do an annual conference which they do it on a Wednesday/Thursday up in Manchester where they have a whole myriad of programs. They always do Right to Know. It's very helpful. They do it over two days.

Selectman Coutu noted we're going to have somebody come in here for two hours, that's a waste of time. We're not going to learn anything in two hours. That a very complex law. Mr. Malizia said it is but you folks are fairly converse in it already so you're not starting from zero. You'd get more specificity. In other words, here's a scenario yes or no. Here's another scenario. We all know the basics of it. It would just be fine tuning it. Again it's free.

Chairman Luszey indicated I had a conversation with Mr. Harold Parker. He works for Governor Sununu. He manages his schedule. Would that be his Chief of Staff? I can't remember his title. Anyways I had a conversation with him. During the conversation on the other item, I brought up our traffic woes. I had talked to Governor Sununu a few months back just prior to him being elected. He is open to working with us to figure out how to help us with DOT, the federal government, and of course us to possibly do something with that circumferential highway land. In order to get the ball rolling we - this Board - needs to send the Governor a letter stating what our issues are and what we're looking for help.

Selectman Coutu said no. Whoever is bringing the Governor her for the 9/11 ceremony is to keep him in the car at 5:00 p.m., bring him across the bridge - not Nashua, down at the south end of town, and bring him up Lowell Road to Benson Park. All the way up Lowell Road.

Selectman Luszey said we can do that but this will get on his desk and it will start the process officially rolling. If this Board wants to do that, then I'll have the Administrator put together a letter, we'll sign it, and we'll get it up there on his desk. If we do it real quick, we may be able to have a partial conversation on the 9/11 because he'll be here of what we're up to. Steve Malizia asked is he definitely coming to that. Selectman Luszey didn't know yet. Selectman Coutu said we have a presentation for him, yeah he better be. Selectman Luszey said I haven't heard either way yet. Mr. Malizia said he expressed an interest. I hadn't heard. Selectman Luszey said I called him on something. Donna Graham noted said he wanted to get our date as to when it was and he was going to look at his schedule. Selectman Luszey said we'll get that up to Mr. Parker...Selectman Coutu said he was the Events Coordinator.

10. NONPUBLIC SESSION - None

11. ADJOURNMENT

Motion to adjourn at 10:13 p.m. by Selectman Coutu, seconded by Selectman Morin, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

Thaddeus Luszey, Chairman

Marilyn McGrath, Vice-Chairman

Roger E. Coutu, Selectman

Angela Routsis, Selectman

David S. Morin, Selectman