

HUDSON, NH BOARD OF SELECTMEN

Minutes of the July 10, 2018 Meeting

1. CALL TO ORDER - by Chairman Coutu the meeting of July 10, 2018 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman McGrath.
3. ATTENDANCE  
Board of Selectmen: Roger Coutu, David Morin, Marilyn McGrath, Angela Routsis, Normand Martin  
Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Dave Yates, Recreation Director
4. PUBLIC INPUT

Chairman Coutu asked does anyone in the audience wish to address the Board on any issue or matter which the Board has control of at this time.

Good evening. I'm Jim Barnes, 3 McKinney Drive, formerly of the Benson Park Committee but not currently on that committee. What I want to speak about is having to do with the discussion at the last Board of Selectmen's meeting on spending in the park. First I'd like to make two points. One is I have not discussed this with the Benson Park Committee. This is only my personal opinion. This should not be construed as their opinions. You would need to talk with them about that. I'm only speaking for myself.

Second thing, Mr. Barnes said I have this printed out and I'll give everybody a copy of that after I'm done and Donna I'll send you an electronic version of it as well. Thank you for your time.

As you know, Benson Park is a major attraction for the Town of Hudson. Its popularity on a sunny day cannot be denied. The Park provides a local recreational amenity to many Hudson residents, young and old. People going to the Park patronize the businesses in the proximity of the Park. Benson Park clearly is an asset for the Town.

During the June 26, 2018 Board of Selectmen meeting, there was discussion regarding the amount of spending that has been devoted to the development and maintenance of Benson Park over the years and whether that spending was excessive. The total amount spent from FY2002 through FY2018 plus the budgeted amount for the current year of FY2019 was reported to be \$1,770,288.39 or \$1.8 million.

Let's put that in some perspective. For this analysis, I removed the spending from FY2002 through FY2008 (a total of \$151,448.06) from the following calculations. Several of those years showed minimal spending by the Town. That spending was mostly for planning and removal of unsafe structures from the Park. FY2009 was the year when the property was purchased from the State. The Town spending for the years FY2009 through FY2018 plus the amount budgeted for FY2019 is a total of \$1,618,840.33. The average annual spending for those 11 years comes to \$147,167.30. That's per year for those 11 years. That number is definitely not something to be ignored or minimized, but further analysis shows what a bargain this really is.

According to the 2010 US census (as reported at the web site <https://factfinder.census.gov>) the Town of Hudson had a population of 24,467 and 9156 housing units. Dividing the annual average spending of \$147,167.30 by the 2010 population figure results in an annual average spending figure of \$6.01 per Hudson resident. Let me repeat: \$6.01 per Hudson resident per year. Or, dividing the annual average spending by the number of housing units gives an annual average spending figure of \$16.07 per housing unit. Since the tax base for the Town includes businesses and not just housing, the annual tax impact for Benson Park is less than \$16.07 per housing unit. That sure sounds like a bargain to me.

And note that of the \$1,618,840.33 spent since FY2009, a total of \$207,377.49 was expended from Impact Fee accounts (Shepherd's Hill and Recreation Impact Fees) thus reducing the impact on the taxpayer even further.

The total spending by the Town and tax impact figures ignore the major efforts by volunteers and donors to augment the Town spending on the Park. Some examples:

1. The number of hours spent by volunteers in the Park since it was purchased from the State is hard to estimate. Beginning with the initial clearing of undergrowth and opening of the trails by teams of volunteers working in the Park, through today with the monthly volunteer cleanup days, there undoubtedly have been thousands of hours devoted by volunteers to improving the Park.
2. The Trails team started working in 2009 and continues to work in the Park one or two days per week from early spring to late fall.
3. There are 35+ Adopt-a-Spot landscape areas, ranging from small gardens maintained by a single person, to large comprehensive gardens such as the Butterfly Garden which is maintained by the GFWC Hudson Junior Women's Club.
4. Local businesses and community organizations organize volunteer days to help work in the Park.
5. The 9/11 Memorial was planned, funded and installed with little cost to the Town.
6. The playground equipment was purchased with Recreation Impact Fees and installed with the help of volunteers from the equipment manufacturer and Town residents.
7. The Elephant Barn is being renovated through the volunteer efforts of the Friends of Benson Park, a non-profit organization, in preparation for opening as a museum for Benson's Wild Animal Farm.
8. The benches installed throughout the park are a result of fund raising by the Friends of Benson Park and volunteers doing the installation.
9. Many Eagle Scout projects have been completed throughout the Park, from the rehabilitation of the ticket kiosk, to wildlife observation blinds, to construction of bridges for the hiking trails, to upgrading of the landscaping in front of the Gorilla House.
10. The Dog Park was designed and built by a volunteer team who raised the money and performed the installation work. The Dog Park continues to be maintained and cleaned by volunteers.
11. The Mallory Gray amphitheater structure was funded by donations.
12. And the list goes on... including donations of trees and plants from local nurseries, scout projects to repair the Old Shoe, bat houses installed by a school class, tree grants/trail grants/Moose plate grant, etc.

I'm sure that I've omitted many things. And many of these could not have been accomplished without the support of Town staff, especially the Highway Department. Sometimes it is easy to lose sight of much of this when you just look at a total spending figure for multiple years, but they are important and serve to leverage the investment by the Town of Hudson.

In my opinion, Jim Barnes stated Benson Park is a bargain for the Town of Hudson. Thank you.

Chairman Coutu stated Mr. Barnes you've echoed pretty much my sentiment. I've said it all along this is a jewel. The voters have reciprocated for the amount of work that's been put in by the volunteers by approving warrant articles that were requested for different projects at Benson Park. I think that - enough said. I thank you for your comments. I think we needed somebody who was totally involved and immersed in the project as you were and served as Chairman of the Benson Park Committee - now retired from that position. I appreciate your bringing in the factual data because I know that if there's one thing you're good at, it's tracing and following numbers. You served on the Budget Committee and you excelled at identifying areas where we could save money such as electricity and that's a maze to go through when you're going through the budget building by building trying to ascertain how much the electrical costs are.

Chairman Coutu said what matters to me is not the total amount of dollars spent - of course we care bottom line what is going to be spent and it's not wasted. What matters to me is the end product. The end product is Benson Park. Benson Park is by far the number one attraction in the Town of Hudson. It generates hundreds upon hundreds of cars every single week and a lot of those people stop, eat, and shop in Hudson which benefits our business community and helps them defray their bottom line which includes their taxes. Again the voters not by slim margins have spoken loud and clear in terms of requests made by Benson Park for funds. This year we'll be doing the bathrooms. In previous years we've tackled other projects that they funded. I could tell by the tone of your voice that you weren't happy what was said. I'm never happy when someone is putting down Benson Park because they think it's too expensive or it's costing the taxpayers too much money. Maybe you should tell them at the ballot box and not at a Selectmen's meeting. At the ballot box they're responding with favorable votes for the expenditure of money at Benson Park. Thank you Mr. Barnes.

Good evening Mr. Chairman. Maryellen Davis, 14 Nathaniel Drive, Hudson, New Hampshire. Good evening Mr. Chairman and members of the Board. I am here tonight to respond to one of the discussion items from your Board of Selectmen meeting on June 26, 2018. I do have a prepared statement so that I can remain on point and I can be conscious of the time. I can also turn in a printed copy and send a hard copy.

Ms. Davis stated as you may recall, a discussion item on that agenda reviewed the current process of the Zoning Determinations from the Zoning Administrator, i.e., what is done with them, how they are processed, and who receives them.

During this discussion, Selectman Martin made several unfounded and untrue accusations about me - in an open meeting without my being present for rebuttal - hence my visit here tonight.

Although Selectman McGrath has already stated the reasons why the ZBA is receiving the Zoning Determinations, Ms. Davis said I will reiterate. There have been errors and omissions of significant importance that would require the Zoning Board to either defer or worse yet deny cases at the detriment of the applicants and possibly the town. However, during the discussion, Selectman Martin stated that I *called up* the Zoning Administrator and *demand*ed that he change his determinations and that I appealed zoning determinations (in the plural) - both actions he believed to be wrong.

As I sit here tonight, Maryellen stated I can tell you that I have **never** called the Zoning Administrator and **demand**ed that he change his determinations. I will tell you that I have *called* on occasion and I have questioned numerous via *email* both the Zoning Administrator's determinations and his perspective on the ordinance(s). These good intended actions were to reduce the amount of churn for the applicant which I believe it has done.

In my entire tenure of 15 years with the ZBA, Ms. Davis indicated I have appealed 1 determination - of which the ZBA members and the Town of Hudson and the town staff knew that I was appealing - including Selectman Martin. There has already been a meeting on this - a public meeting and a ZBA decision was rendered. That was in June 2016.

Selectman Martin is raising this item now, a full 2 years later, in a self-serving, attempted 'show of power' - without ever asking the recipients of the data, the users, if stopping the distribution of the determinations would have any impact on the process. Business 101 would tell you that feedback from the user community is primary to stopping any process. I would think that as the liaison to the ZBA, Selectman Martin would have queried the members about this process, its importance to them, and their thoughts about continuing to receive them. However, he failed to do so.

Maryellen Davis continued however what Selectman Martin *has* done by his words and action has impugned my character, my integrity and my reputation. He has accused me of doing things that were improper and untrue. Selectman Martin's unfounded comments and reckless behavior are not the characteristics of a Selectman nor in keeping with the oath of office that he took. I am a

long-time volunteer on the ZBA but I can tell you that if I were a town employee, I would have a grievance against this Board as a Selectman has made disparaging and untrue comment about me by using my name in a public meeting thereby damaging my character and integrity.

Given Selectman Martin's behavior, Ms. Davis said I am requesting the Board take the following actions:

- 1) Provide me with a written apology from the Town of Hudson Board of Selectmen stating that the accusation presented at the meeting of June 26 were unfounded and untruthful;
- 2) That the Board of Selectmen censure Selectman Martin for his irresponsible and reckless commentary; and
- 3) Remove Selectman Martin as Selectman Liaison to the ZBA and replace him with one of the four remaining members as his comments and behavior have clearly demonstrated that he is not acting in the best interests of the ZBA nor the Town of Hudson.

I would respectfully request your response Mr. Chairman to these three requests no later than close of business July 24, 2018.

Finally, Ms. Davis stated I would respectfully remind this Board that I am a long-time *volunteer* for the Town of Hudson. I have dedicated countless hours of my time, my passion and my energy in the hopes of making and keeping this town a better place to live. I would hope that you would recognize that and respect this not only for me but for all of the other volunteers that do the same to serve this town.

Ms. Davis noted I do not have this written down but I would request that any further discussion about this be taken in nonpublic session. I deserve that much. Thank you Mr. Chairman.

Chairman Coutu said we'll discuss the action to be taken if any at some point but not right now.

## 5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS

### a) Recognition

#### 1) Dave Yates, Recreation Director - 20 years of service

Chairman Coutu said it's a pleasure for me to call you up here. You're being recognized for 20 years of service. These are one of the pleasurable moments of a Chairman of the Board of Selectmen as it is for the Board of Selectmen. Mr. Yates longevity has its rewards.

"Dave Yates began working for the Town of Hudson as Recreation Department Director on July 5, 1998. Dave is the town's first full-time Recreation Director and he is responsible for the development, implementation, and coordination of recreation programs for the Town of Hudson.

Dave takes pride in providing clean, safe and attractive recreation facilities for the citizens of Hudson. He works hard to maintain the quality of the existing recreation programs as well as developing new programs such as Lacrosse and Pickle Ball. In addition, Dave spends many hours coaching and referring various youth teams and games. Dave is a certified Recreation Director and a member of the New Hampshire Recreation Professionals Association.

Dave is a retired 20 year veteran of the United States Air Force, retiring with the rank of Technical Sergeant.

Dave and his wife Sue reside in Hudson and are the parents of two children and have four grandchildren."

Chairman Coutu handed Mr. Yates a check as a small token of our appreciation and this Certificate of Appreciation is presented to you Dave in recognition of your 20 years of dedicated public service as a Recreation Director and this is on behalf of the Board of Selectmen. Thank you Mr. Yates. I appreciate it.

Applause.

Chairman Coutu stated we've had quite a few employees who have many years of service in our community and it's one of the reasons why the town is well governed and well managed. It's because of great people out there doing some terrific work on behalf of the taxpayers of the Town of Hudson.

6. CONSENT ITEMS

Chairman Coutu asked does any Board member wish to remove for discussion any item for separate consideration.

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

- A. Assessing Items - None
- B. Water/Sewer Items - None
- C. Licenses & Permits & Policies
  - 1) Request to Solicit Funds - The Salvation Army
  - 2) Hawker/Peddler/Itinerant Vendor's License - Uncle Benz Ice Cream Truck
- D. Donations - None
- E. Acceptance of Minutes
  - 1) Minutes of the June 26, 2018 Meeting
- F. Calendar
  - 07/11 7:00 Planning Bd - Buxton CD Meeting Room
  - 07/17 7:00 Municipal Utility Cte - BOS Meeting Room
  - 07/19 7:00 Benson Park Cte - Cable Access Center
  - 07/23 7:00 Sustainability Cte - Buxton CD Meeting Room
  - 07/24 7:00 Board of Selectmen - BOS Meeting Room
  - 07/25 7:00 Benson Landscape Cte - BOS Meeting Room
  - 07/25 7:00 Planning Bd - Buxton CD Meeting Room
  - 07/26 7:00 Zoning Bd of Adjustment - Buxton CD Meeting Room

7. OLD BUSINESS

- A. Votes taken after Nonpublic Session on June 26, 2018:
  - 1) *Motion by Selectman McGrath, seconded by Selectman Martin, to accept Chief Lavoie's recommendation to recognize and award Lieutenant Tad Dionne and Lieutenant David Cayot each with a \$500 merit award in accordance with the Hudson Police, Fire, and Town Supervisors Association Contract, carried 4-0.*

- 2) *Motion to adjourn at 8:43 p.m. by Selectman McGrath, seconded by Selectman Martin, carried 4-0.*

8. NEW BUSINESS

A. New Hampshire Opioid Litigation Attorneys

Chairman Coutu recognized Attorney Thomas Colantuono.

Thank you very much Mr. Chairman. I'm Tom Colantuono from the Law Firm of Bianco PA, 18 Centre Street in Concord, NH. I live in Manchester myself. Of course I'm very familiar with the Town of Hudson having served as your State Senator for six years and Executive Councilor for three years. That's part of the reason I reached out to the town to see if we could be of service to the Town of Hudson. I was here before about four months ago but I think there's some new members. I had sent an updated brochure to Mr. Malizia.

For the benefit of the new member, Attorney Colantuono stated I'll say a little bit more than might be necessary for the others. My law firm has joined a consortium of law firms around the country that are suing on behalf of municipalities the manufacturers and distributors of the opioid medications that have caused so much trouble and disaster around the country getting people hooked on these pills, and then turning to heroin when they can't afford the pills anymore, or can't get them, and then dying of overdoses, or becoming very ill. It's been a national tragedy that we've all read about and we know about. The States have started suing New Hampshire I believe in 2016 was one of the State's that brought suit in the courts against the manufacturers and distributors but anything the State's recovery would go to the State treasuries and it wouldn't benefit necessarily the cities and town who are on the front lines of fighting this epidemic through your police, fire, social services, welfare, schools, health departments and so forth. Our consortium was the first that started bringing cases against municipalities and was the initiator of the plan to have all these cases consolidated in the federal court. I think in one federal court in what's called "multi-district litigation". So that's what's happening right now. Our consortium as I said originated that and has five of the 22 leadership positions which I've described in here on the multi-litigation panel in the norther district of Ohio and Cleveland where these cases have all been consolidated in front of a Judge named Judge Polster.

Attorney Colantuono explained what's happening now when I was here the last time I believed I quoted that our consortium had about 400 clients and even this one is a little bit dated but more recently we're well up over 500 clients around the country including four that have retained our services here in New Hampshire. The towns of Derry, Londonderry, Laconia, and the City of Franklin. There are other cities in New Hampshire who are working with other firms. Of course the cities of Manchester and Nashua started off I believe last year with different firms. Why should just the big cities in New Hampshire benefit from this. Communities like Hudson and like Londonderry, Derry. The other ones are representing Franklin and we've spoken to Merrimack. We're waiting to hear from them are also feeling the impact about this and you know from talking to your Police and Fire Chiefs that there is an impact in the local towns. Every day we're reading about somebody - family members being impacted by this, overdose deaths, people being on the brink of overdose deaths but being brought back with Narcan and so forth. It's a real problem and we're trying to help communities recover the funds that they've paid in the past and going forward in the future to get funds to promote recovery and to stop the problem.

Attorney Colantuono stated the direct manufacturers and distributors have made billions and billions of dollars. This is big litigation and there's going to be a lot of money involved. Of course as I said last time, there are no guarantees about any recoveries but our consortium leaders believe that communities the size of Hudson will benefit to a good degree. Again I'm not going to put a price tag on it but it should be well worth the town's time and effort. The beauty of it is that it doesn't cost the town anything. For the new member, I want to mention that. We handle this case like most other personal injury cases that you hear about if you've ever had a car accident or something like that. We do it on a contingency fee basis and instead of the usual one-third, it's twenty-five percent

plus costs which we estimate might be another three or four percent. Again it's hard to say because it depends on how litigation goes. The town doesn't have to expend any taxpayer money. It's all going to be revenue coming in if we're successful. The way these mass tort litigation cases work and the way this one is going to be working is that the judge will set trials and he already has set trial date for March of 2019 for three cases to start off. They will be jury trials in Ohio. I believe two of them are cities in Ohio and maybe one is I believe in Illinois. I just got back by the way from a two week trip to Italy last night. If I'm a little fuzzy, it's because it's 1 a.m. on my time. As of the time I left, that was the situation and they call these "bell weather trials". It tests what a jury will think about a particular case and a particular community and based upon if it goes all the way to trial - in other words if there was not a settlement made by the defendants with our consortium and the other consortiums involved if it goes to a jury trial, it will give some indication to everybody what a jury thinks about these cases and what the likely outcome would be if all of them went to trial.

Based upon that, Attorney Colantuono said what happens is the defendants will get together and will generally make an offer with a matrix depending on the size of the community - the population, the extent of the problem, how long it's been a problem in your community. As you know some places have been hit harder than others although generally it is a national problem but NH is one of the hardest hits States as we all know in terms of the number of deaths per population. This matrix is created and then once there's a decision made by the defendants to stop fighting the cases, an offer will be made to each plaintiff town. The towns at that point have the option of accepting the offer of whatever the payments in cash and then future benefits are going to be or whether they want to go to trial themselves. So what happens is practically speaking is if in the four cases we already have, we file suit in the federal court here in Concord, New Hampshire. The case gets transferred out to Cleveland and all four of them who have already been transferred out to Cleveland and they stay there until the decision is made about an offer or a trial. If there has to be a trial, it gets sent back here to Concord and a trial would happen. We don't believe that's really practically going to happen unless a particular community, city, or town thinks they're owed a lot more than what they get offered. I think it's likely in the case of our four communities and then if Hudson, and Merrimack, and any others join us. It's reasonably likely that most of them would be satisfied with the offer made.

Attorney Colantuono indicated the benefits are it doesn't cost anything. It's income that comes into the town. It can be spent any way you want. Obviously you're probably going to want to put it back into the police and fire budgets to make up for some of their costs but you don't have to. You're free to use the money for anything you want. In terms of a timeline as I mentioned, those first bell weather cases are supposed to be scheduled for March of 2019. It's going to be after that that things develop. Again as you all know in litigation, you can never predict not only the outcome but the timing. We expect within several years there should be some results of the cases. That's why I'm here and if the town decides it wants to join us, we would send out the same agreement that we sent to the other towns that they've signed. Have the Town Administrator take a look at it, have you all take a look at it, if you have any questions we can answer them. If you decide to sign up with us, we'd be very pleased to be of service.

In terms of what would happen then, Attorney Colantuono said we would file the suit. It would go out to Cleveland, and then the next steps in terms of what the town would have to do is simply gather information that you have in your records in terms of what the opioid problem here in Hudson, New Hampshire has cost the town in terms of fire, police response, health department, even school district if student's parents are hooked on drugs and they can't take care of them. The students have to go into the system. What that does in the school district has to pay or special education for example. Whatever the case may be, you just help us quantify what your damages are and then that sets out what your requests will be when it comes time to have offers made by the defendants. Our consortium will help with that. I think one of the towns now is going to be talking to us at the end of the week about filing out the questionnaire and so forth so we will assist you with that as well. That's pretty much how it works. I don't know if our new Selectman has particular questions or the others.

Selectman Martin said you answered all the questions that I was thinking of as you were speaking.

Chairman Coutu told the Counselor that I would hope and I know that it will happen, Narcan is in use quite often here in Hudson. We're a growing community. We have felt the pain and the suffering of families as a result of the opioid crisis. While you're here Counselor, I'll entertain a motion.

*Motion by Selectman McGrath, seconded by Selectman Morin, to participate in the New Hampshire opioid litigation as proposed by the New Hampshire Opioid Litigation Attorneys, subject to a satisfactory review of the engagement letter by Town Attorney Lefevre, carried 5-0.*

Chairman Coutu also offered we can do this without a formal motion. We'll do it by consensus. I would like to personally see the response from Attorney Lefevre as well as any contract for us to get a copy. I would like the Board to agree with me that we engage the Town Administrator to sign any papers that are presented by the litigation attorney so that we can get this process moving and not have to wait for us to come in and read all the documents and sign. Is that fine? This will be after we hear from Lefevre, after we look at the litigation. I'd like to see the agreement and then we can at that point turn it over to him. Then when it comes to obviously the final decision on summary or what not, we'll discuss that as a board. Is everybody all right with that having the Town Administrator handle that? We have a consensus. Thank you Counselor.

Attorney Colantuono said I'll send Mr. Malizia a copy of the agreement. Thank you very much for your time.

B. Field of Honor

Chairman Coutu recognized Selectman Morin.

Selectman Morin indicated I've been working with the American Legion Post 48 on this project. What it is is to honor our veterans in town. It's a group the Colonial Flag. Unfortunately I don't remember off the top of my head. What happens is the Legion will sponsor this and people in town will purchase a flag in honor of a family member that's a veteran. What the request is to this Board referenced to this project is that between the second week of May running right through the Flag Day that the flags are able to be set up at the town common Library Park so they are there for the Memorial Day ceremonies.

Selectman Morin indicated the closest town that has this to us right now is Mansfield, Massachusetts. The Legion would enter into a contract of a license is what they call it with the Colonial Flag group that no other town within 50 miles of us would be able to do this. We would encompass this whole area and people purchase the flags. On a short discussion on this, we didn't move forward at all until I came in front of the Board with the idea. If you are on the Ferry Street side would be the general flags for all the veterans. On the intersection of Library and Derry, there would be a section that we have a list of all the soldiers from Hudson who lost their lives in wars. That would be a separate section for them. What you need to understand talking with other towns that have done this, some of them have 300 flags. There's one that has 3,000 flags. Again it will only be up for a month. The Legion will take care of it. The plan is to include the whole community to do this. Boy Scouts, Girl Scouts and I'm just looking for permission from the Board for moving if you would be okay with them setting it up. The second week of May through Flag Day at the Library Park.

Chairman Coutu reiterated what you're saying Selectman Morin is they will plant flags. Selectman Morin said thanks for asking that. It comes with a 7 ½ foot pole, a flag, a top, and then it comes with a piece of rebar that's driven into the ground. The best way to explain it with the directions if you've ever been to a military cemetery wherever you look everything is in a straight line. That's how these flags will do. What the Legion had talked about that each flag that is donated, we would put a short biography of the soldier. It would be attached to that flag so whoever is visiting can go through and read about these soldiers the ones that gave their lives and the ones that served our country. The general flags won't be limited just to Hudson. Soldiers will be the general area but

that one section at Library and Derry would be just for our soldiers, or police officers, or firefighters that have lost their lives in the line of duty.

Speaking with Mansfield, Selectman Morin said what they did last year was they purchased flags for each of the services - a flag for the police and a flag for the fire department which goes in front of the flags of those that lost their lives. It's all there. We would end it on Flag Day. There was discussion that when they have the flag burning ceremony that we do it that day and try to bring some added things to our Memorial Day service and try to get that going again and bring some honor to our members that served in the service.

Chairman Coutu thought that's a great way to commemorate the memories of those who have lost their lives. Based on the literature you provided because people are going to ask, the larger flags which will be driven into the ground will be \$30 and the smaller memorial flags are going to be \$5. Selectman Morin agreed. We haven't discussed if we were going to do the memorial flags yet. We had only discussed the larger flags. Chairman Coutu said they're going to have a campaign to advertise the availability and where the checks will go. Selectman Morin indicated it will go through the American Legion.

Chairman Coutu asked when can they start. Selectman Morin said if I get permission from the Board tonight, we will be setting up a committee right away and get moving and we'll get it out. Selectman Morin didn't want to do anything until we came in front of the Board and made sure it was alright. We had looked at Library Park and we had looked at the 9/11 Memorial but security there isn't the best because at night it's closed and no one is in there. We figured the lighting plus Library Park everybody goes by there. They're going to see it. Chairman Coutu noted the fire memorial is too small to accommodate something like this. It's about the only place really. The visibility is high and the police are always in and out of here for gas and what not. To tell you the truth in bringing that up, Selectman Morin said the reason I saw this is because Mansfield, MA, had one of their local town criminals steal a couple of the flags and it was on all the major Boston news stations and that's actually where I saw it. They stress theirs is in a very visible place. They have lighting and everything. It happens.

Chairman Coutu asked what you're looking for is for this Board to approve the use of Library Park for a memorial field by the American Legion Post 48.

*Motion by Selectman McGrath, seconded by Selectman Martin, to allow American Legion Post 48 to utilize the grounds of Library Park for two (2) weeks prior to Memorial Day and two (2) weeks after Memorial Day to Flag Day.*

Selectman Martin said as a veteran it is a beautiful way to honor those who have departed before us and those who currently serve to provide us the freedoms that we currently enjoy. Thank you for bringing that on.

Selectman McGrath commented I will commit to buying at least one and possibly more.

*Vote: Motion carried 5-0.*

C. Request to Commence Negotiations - Hudson Police Association

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia stated this was nothing complicated. The Police Association has requested to commence negotiation so I forward this to our labor attorney to get the ball rolling, i.e. ground rules meeting. I just wanted to put it to the Board's attention that we have received this. Selectman Martin will be the liaison because he is the police liaison. This is information and just so you're aware that they have asked for this request.

D. NHMA 2019-2020 Legislative Policy

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia indicated this is every other year. It's an advance of the upcoming legislative session. The NH Legislature is a biennial legislature. What ends up happening is in advance of them convening the NH Municipal Association forwards a packet to us of positions that have been voted on by the various communities that make up NHMA representing various positions on various either standing policies, finance, land use, and what not. In a nutshell what I've done is I've given you a document here that NHMA has provided me with a list of policy positions that the Board can either say yes, say no, say nothing. It's up to the Board what the Board wants to do if the Board wants to take any position on any of these items.

Chairman Coutu asked you will be representing us. Mr. Malizia indicated I have been in the past. I can certainly do that if the Board wishes or one of the Board members can certainly attend. It's one vote per community. In the past, I've gone as the Board's representative. It's usually during the day. This year I believe its September 14<sup>th</sup> and basically if the Board has a position, I would vote that position. If not, then I use my best judgement based on arguments that either presented or the position that is articulated.

Chairman Coutu noted everybody will see in your packet beginning on page 13. You can put in favor, opposed, or no position. Not everybody hands them in. I've been faithful but some people don't bother. You turn it into the Town Administrator and if he sees its 50/50, he makes the decision based on what he thinks is in the best interests of the town. If he sees as an overwhelming number 3 of the 5 of us are in favor of something, then he would support it. Would you explain also because I participated in one year the process for - I participated in the sense that I presented legislation for them to consider.

Steve Malizia said the town or any member of the town body has the ability to put forward a request for a floor proposal. If you have a particular item you would like the Municipal Association body to discuss a floor proposal is a way to do that. Those are due by August 10<sup>th</sup>. I've actually got one here that came recommended by the Assistant Assessor at the very back of this. This past legislative session, the legislature voted to reduce the interest made on delinquent taxes. If your taxes are delinquent instead of the I think it's 12 and 18 percent - 12 percent for the first period, 18 percent after six months, they've decreased that to I believe 8 percent for 6 months and 14 percent for after 6 months which is a significant reduction. What the Assistant Assessor is recommending or asking the Board to consider is when we pay for an abatement for example, right now the abatement percentage is 6 percent. He's looking to see if maybe they would change that to 4 percent. They've lowered this side. Maybe they ought to think about lowering our expense. They've lowered our income. We need to maybe have people consider lowering the expense that we have to pay out. Fair is fair. That's a floor proposal that you'll see at the back of this. If this Board is comfortable with that, you could vote to approve that and that would get submitted now so that it would make it in time for the conference for discussion and debate. I may not meet the favor of the majority there but at least it gets it into the conversation.

Chairman Coutu said typically they don't look favorably upon - Steve Malizia indicated it affects everybody. The 12 and 18 percent was intended to be a stimulus or for lack of a better word a deterrence so people paid their taxes. If you're going to be incurring 18 percent interest, you probably want to pay them. Okay fair is fair they've lowered it. Now on the other hand if we have some abatement and we're paying 6 percent, perhaps we should look at paying something like 4 percent. Are they tied together? I think there was at one point some consideration that you're paying here and you're collecting here. It's something I'm putting forward. If the Board wants to do it, we can certainly submit this.

Chairman Coutu asked have you all had a chance to read Mr. Michaud's submission. Any objection about having this presented so we can get this off? Selectman Martin said I'm in favor of that. Steve Malizia said I'd like to get a vote to approve it so we can put a date on this.

Motion by Selectman McGrath, seconded by Selectman Morin, to see if NHMA will support legislation to lower the abatement interest rate from 6% to 4% (RSA 76:17-a) to better align it with the interest rate on delinquent taxes that were recently lowered by the NH Legislature, carried 5-0. Chairman Coutu said if you get a chance, read the - it's a little bit of homework but that's what we're here for - read the different proposals. They'll tell you how they voted on them and then the municipal leaders or their agents or representatives will be at a session to vote on all of these. Please take the time and use the worksheet on the back that highlights each. Mr. Malizia said there's three different sections. Chairman Coutu noted there's 28 this year. Put your yes, no, or your position. Some of it pertains to a small community in the northern most regions like Bethlehem or something like that that doesn't really pertain to us. If you feel that the proposal makes sense and you want to support it, we'll help Bethlehem out a little bit and maybe they'll help us when our time of need.

Selectman Morin asked I might have missed it. When do you need these by? Steve Malizia said the conference is the 14<sup>th</sup> of September so I certainly don't want you wait until the last minute. If you could do something before the end of this month would be helpful. I will submit the floor proposal this week.

#### E. 9/11 Observance

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia explained I walked by the wall. Ms. Barry the Town Clerk posted the State Primary and I noticed it was on September 11<sup>th</sup> from 7 a.m. to 8 p.m. which is typically when that's the day we run our observance. I wanted to point it out to see how we want to handle it. I'm presuming most of you will be working or at least at the polls at some point in time. It is a primary. I'm assuming you participate to some degree. I wanted just to have a conversation what does the Board, if anything, want to do?

Chairman Coutu said 9/11 is the day. I'm sure Selectman Morin would agree with me. It is a day that certainly I will never forget. When Selectman Morin and I are out in the field and we're talking to students in classrooms or visitors who come to the park to look at the 9/11 Memorial, we both encourage people not to forget the date. I would not support any effort to move the observance to other than 9/11 and there's no reason why we have deputies at the polling places. It doesn't even take a half an hour for this ceremony that we could all attend and we can probably carpool in two cars and go up there and participate. I think last year everybody was there. Election is secondary to me when it comes to 9/11.

Steve Malizia said I just wanted to make you all aware. Again I saw it on the board and said wow boy because your meeting that week is actually the night before. I certainly am not asking to move or to recommend. I just wanted to point it out just so you're all aware of it.

Selectman Martin asked do we have a time set for the 9/11. Mr. Malizia said the observance starts at 6:30 as it has for the last few years. Chairman Coutu said it's a draft because we didn't know what we wanted to do if we were going to move it to the 12<sup>th</sup>. Are we asking the Governor to come? Mr. Malizia said no. It's our local event.

Selectman Morin stated we had talked about actually adding to it a little bit this year but due to the day, I would say just...Steve Malizia said the one thing I thought about and I put on here as part of it was the Bee Naturals. I did have a conversation with Mr. Beals. We could probably get a short program of patriotic songs would enhance it. Selectman Morin said with the day it is...Mr. Malizia didn't think you want to do a two hour ceremony. I just wanted to make sure everybody was aware because again when I walked by the Board, I said ugh oh.

Chairman Coutu asked you don't need a motion for this. Steve Malizia said no I don't. I just wanted to make everybody aware.

Before we move on to Other Business and Remarks, Chairman Coutu said I am going to recognize Selectman Morin for a matter which he wishes to bring to our attention.

Selectman Morin stated unfortunately I was unable to attend the last meeting but I did watch it on the Hudson cable channel. There was one portion of the meeting in reference to once again the Planning, Zoning and all that. A lot of discussion. There was some pretty touch accusations made watching that. I did some checking into it. I'd like to discuss that a little bit. As I have stated when we had talked about who was going to run that, I said if this comes again I'm not going to be happy and I'm going to make my opinion known. We're just at a month when we talked about this and we're talking about it again. I want to apologize up front if I say something I shouldn't and if you correct me I will apologize again. I'm pretty sure I'm going to irritate some people in this room too.

Selectman Morin stated this building has a nickname. It's called "clown hall". I've been known to use it myself. We are the ringmasters of the circus and I'm not liking being in the circus. We have discussed upstairs numerous times. We had a request that when forms come in for complaints that whoever makes the complaint signs it. This was all directed at the Dracut Road issue with the gentleman at #9. I got a copy of the form. I wasn't happy when I read it but after thinking about it, I'm kind of glad that I missed the meeting because I did get to think about this a little bit. There's really not one person at fault but all the people involved should have known better. We discussed and I thought we had made a decision that no matter who makes a complaint that person will sign the form. This form here says from the Zoning Officer, "Selectman McGrath via phone call". I actually field a complaint with the Zoning Administrator and I had to sign the form. I couldn't do it on the phone. I had to actually come down here, tell him what I did, filled out the form myself, and signed it.

Through the Benson's Committee, Selectman Morin indicated they have a form when you use the park and I didn't fill out that form and they were very adamant that I did and I went and did that. We had another recent time that another Benson committee person had set up some events in the park and they didn't fill out the form. Again they were very adamant that the form be filled out. That is the process. I'm going to use the word "its past practice". I think we need to stop dealing with this stuff. I can tell you as a Selectman I have dealt with stuff that I dealt with when I was a Lieutenant and a Captain in the Fire Department. Stuff I shouldn't be dealing with. Stuff that shouldn't even made it to us and that's irritating because that's not our job. We need to settle this tonight and it's not just Selectman McGrath's issue here. We have some people upstairs that know that should have been done. There should have been no question. If it was a selectman any of us that went to them and they didn't feel comfortable, there was a chain of command which would be the Town Administrator. They should have went to him to take care of it. We've had employees come to us with problems. They could have come to us and said this is the issue.

Selectman Morin said we need to come up with a policy. This fly by night. Some things fly and some don't. I can tell you my 33 years on the Fire Department stuff came out of the Town Administrator's office and stuff came out of this meeting that was never put in writing, was never made a policy but we followed it. So why this case is any different, there is no policy but it came out of this office and it's what we've always done for all the citizens. We make them sign the form. We're no different. Thank you Sir.

Chairman Coutu told Mr. Malizia I believed that you and I had a conversation last week relative to this very matter. Mr. Malizia noted a couple of weeks ago. Chairman Coutu said it was my impression based on something that was said two or three years ago at a Board of Selectmen's meeting that the policy would always be - and you disagreed with me that there was such a policy - that a citizen would have to come in and file a complaint and sign off on the complaint no exceptions. Now apparently Bruce is allowing people to call in. I don't know if its people or just Selectmen, I can say that I'm as guilty because I went by a business in the south end about I'm going to guess it was in early spring and there was a proliferation of signs in the front of the establishment. It was unbelievable and I called him and said this is going to become a serious problem if a sudden gust of wind comes. All I could see were these signs on metal stands. These metal stands are going to go flying in the road. It's a busy part of one of the roads on the south end

- River Road - and I was concerned. I said if you get a chance - I didn't order him to do anything. I would call you before I do that. I said if you get a chance and you're out doing signs would you go down and look at that particular establishment and ask him to pull the signs in and get them off the front. You're not supposed to have a large number of signs in the front. There were a good 7 or 8 of them on free-standing posts or little frames. The spring ones that go back and forth when the wind comes those kind of things. So I'm as guilty of it. I was calling about a sign ordinance and I was concerned about public safety for that matter. That was basically my purpose on calling. If another citizen is told well you have to come in and you have to sign a complaint, then he should have said to me you know you have to come in and sign a complaint. I guess he's not doing that anymore. He is for some and not for all.

Steve Malizia said what I've instructed him to do is patrol the three main corridors in town - 111, 102, and 3A because as you drive up and down those corridors and I've taken two trips driving up and down those corridors with him, you can observe things as the Zoning Administrator or the Code Enforcement Officer without anybody complaining. I don't need to get a complaint necessarily to go take care of something. If I see it, we need to take care of it. Where it comes into play is when I'm on some side road or back road that I wouldn't normally be patrolling and someone from a neighborhood says I've got a problem with this guy. Well I don't know what the problem necessarily is. You maybe need to articulate it for me if I can't see it because not everything is going to be visible. For example we went down a location off of Trigate Road in that area. You'd never think to go down there. You'd never go see the violation because you can't see it from the street. That's something I've said hey you need to get something in writing for that. Somebody filed a complaint on that. I wouldn't normally see that. If I'm driving down Lowell Road, 102, or 3A, I can see violations. I could get them.

Steve Malizia believed when the Fire Department took over, they established a process with the forms and signing everything. I'm not aware that that was continued that was always done before that. Again my goal or my job is to make sure you clean up and make sure things are kept at bay. For example there's 34 signs in the back of the building. We did sign patrol. Nobody complained about them. We just went out and did it. What I'm trying to say is I think he has some latitude to go do something. If I say Bruce you need to go do something, I'm not going to fill out a complaint form. I'm just trying to tell him I think you need to go on that road and take a look.

Selectman Morin was kind of confused how that has anything to do with this one that was called in. That has nothing to do with it. You're talking about him going to find something. Somebody made a complaint. It's right here. It's the official form and it's not signed by the complainant. I don't understand where you're coming from where he's driving around and finds it. That is totally different and has no relevance. Officially it says "Selectman McGrath via the phone call". Has very brief notes. Knowing Selectman McGrath she's very to the point. She's very knowledgeable in this. I can imagine only assume but I can imagine what she told them is not on this form. If she had written out this form, it would have all been there. Again we make citizens that come in and make a complaint or phone call to come in and sign the form. I'm going to say it again. I did it and I had to. Why didn't it happen in this case?

Steve Malizia said I don't know other than she made a telephone call. I'm assuming he filled out the form as documentation. Selectman Morin said that is my point. Again somebody from that department, I won't mention names, came to us and we had the discussion that they didn't want this happening. They wanted the people to sign it and after we've discussed, low and behold it happens again. Something needs to be done upstairs finally this time and we will talk about that in nonpublic if that's okay with you Mr. Chairman. We need to police ourselves. I can't put this all on Selectman McGrath because there is a chain of command that everybody in this town is aware of that works here. I don't care if you're the newest employee or the oldest employee. No matter what department you're in, there is a chain of command. If the employees didn't feel comfortable, they can go to the Town Administrator or they can go to us. This was just well let this one go. If I had been Joe Schmo citizen and came and did this, I would have had to fill that out and that's wrong.

Selectman McGrath comment. Normally I wouldn't bother but in this case I will. I got a citizen complaint thus my phone call. Steve you've been aware of that for some time now. I've never, never filled out a complaint form. Never asked to, never told to, just never did. If this Board had a discussion about that, either I slept through that discussion or I wasn't here. I have a pretty good memory about most things and I don't think that I was probably here that night. That complaint was based on a citizen's complaint to me and I get them and I pass them on. I think that's what I'm supposed to do. I can't do code enforcement. I might like to but I can't. We have a Code Enforcement Officer upstairs so I pass that information along. Now maybe I should be passing it along to Steve as opposed to the Code Enforcement Officer. If that's the case, I haven't been told that either. I don't know what to tell you other than that's the truth. I personally even though I live in the south end of town, I can tell you that I have never driven by that site because I don't go by it. I drive down River Road. I can tell you that I was in car lately with someone else driving and they drove past that site. Other than that, I hadn't seen it. I wouldn't have known about the activity to complain about it. It was based on a phone call that I got from a citizen.

Selectman Morin said the complaint that I put forward was also by a citizen. I made that clear and I was told that I had to fill out the form. So we have another issue depending on who you are is how we deal with things. Again, we'll talk about that in nonpublic. Again I'm going to defend you, obviously there is a Selectman that has a problem with understanding the system too. So that also tells you that it's never the same. We're paying people a lot of money to make sure that this stuff is being run and I can think of four times we've discussed this one department. I think it's time that I don't know where we start but something needs to be done because we continually have issues. We thought we squared them away twice now. We're having the again. Like I said, we look like a circus because we keep talking about this stuff that we don't need to be talking about. This is not our problem. This is an easy fix. This is a procedure. You do the procedure the same way every single time, there's no issues. They know the procedures in place because we've talked about it. They've asked us to correct it to make sure that it stays that way and it's still getting done. Now it's time that something gets done so this doesn't happen again. Thank you.

Selectman McGrath asked to add one more thing just as an FYI because I've talked to Steve about it. After that complaint was filed with Bruce. I was coming into Town Hall and I was accosted by the gentleman that owns the property in question - not physically but he certainly used some very colorful language. I told him what I just told you that I had gotten a complaint that I turned it in and he was demanding to know who it was. Given his tone and his demeanor, that would be the last thing that I would do.

Selectman Morin said I don't fault you for that not at all. Again my problem is we keep having problems. Selectman McGrath stated I can understand. What's good for one should be good for all. If there's a requirement for those things to be filled out, I don't have a problem doing it but I honestly didn't know.

Chairman Coutu said it was something that, again, to reiterate something that Selectman Morin said is that it seems to be habitual in various departments that a procedure is established. There was no procedure. A procedure is established. It's followed for a short period of time and then it's out of control again. I'm not saying it's out of control but for a lack of better term. It's not being abided by and they go back to yeah I'll take care of it don't worry about it. There are certain things my understanding of what we do as Selectmen. For me a citizen's complaint about an observation that they made is for me to refer them to the proper division that handles that - if it's a fire permit, I would refer them to the Fire Department. If it's zoning, I'd have them call the Zoning Administrator. Like you, I get phone calls from people because we've talked about this in the past. We get citizens who don't want to have to come down here and they don't want to be in the forefront of issuing a complaint. So we try to go out of our way to help them. That's really not our role. Our role is to guide them in the proper direction so that they can make a first-hand observation of what the problem is and for the person in this case the Code Enforcement Officer would assist them and have them fill out the forms and then technically he should be keeping - and I thought initially when the Fire Department was doing it wasn't it agreed that upon that when a person signs it, it doesn't mean we're going to disclose who filed the complaint it would be kept confidential. The Code

Enforcement Officer would act upon the signed complaint and go out and look at the property and see if the complaint exists. Sometimes they do, sometimes they don't. We will still maintain their confidentiality but our role is to really guide them. Now you would deal with a citizen's complaint with the Highway Department a little differently. I would call Mr. Burns and say hey we have a problem. I just got a call from a woman at 22 Main Street. There's a big bathtub somebody dumped in front of her house. What can you do? Yeah I'm right near the property. Ten minutes later I took the tub, it's gone, we're all set. Called the woman and said your tub's gone. She said yeah I saw a truck a guy came by and picked it up. I told her what happened. Each department is a little different but where zoning enforcement can lead to a court case, the procedures should be formalized and in place because we can get sued by a complainant or by the person whose being complained against. Sometimes these things boil over into litigation because of falsehoods then false statements that are made, and the person's reputation is maligned.

Selectman Routsis said the end result of what we're talking about is from this point forward what our policy and procedure should be. So do we do that tonight that the official policy that would have an e-mail that would go out however we want to disburse it would say for any formal complaint I guess, the person has to come in and sign it or can it be an electronic version? I know I've had to fill some things out in the past for other reasons that I'm able to e-mail it in. What do we put in place tonight so effective tomorrow they can get the e-mail that says this is what it needs to be going forward?

Chairman Coutu said I have a motion prepared. I just wrote it out. I'll see if the board supports it.

Selectman Martin thought we can maintain confidentiality of the complainant because they do at the Police Department. When you take a complaint at the Police Department, I've given my name but I wouldn't want my name to be used as the notifier and they do that. I think that's okay but I agree that it should be in some form of writing in the complainant's name. If it goes to court, then it's out of our hands. I think when it comes to the town, you can download that PDF form and fill it out and e-mail it in.

Selectman Morin stated where it could go to court, you need the person who filed the complaint because if it ends up in court, you may need that person. Selectman Martin said confidentiality can be kept I feel prior to any court.

*Motion to require Code Enforcement to have all citizens complaints filed and signed by the complainant.*

Selectman Morin asked to add to that. In the policy it needs to state that if there was no signed written complaint, there will be no follow up. Again somebody is going to try later on, call up, hey this is what's going on. If they don't come in and sign it, we don't investigate it.

*Motion by Selectman Morin to require Code Enforcement to have all citizens complaints filed and signed by the complainant. Failure to adhere to the policy will result with no action being taken.*

Selectman Routsis didn't know that I agree with that part. I don't agree solely with how that's worded. What if it's an egregious serious violation and we're just going to ignore it. There's a difference between having something filled out and just having a piece of paper with so and so called in. Ninety percent of people that do it are going to fill it out. I'm going to use you an example. Say Selectman McGrath said I need this filled out. I'm sure you would have filled something out saying it has been brought to my attention, so on, and so forth, and signed it.

Selectman McGrath noted I would have put on behalf of a citizen complaint.

Selectman Routsis didn't know that saying hey we've come across something that could potentially be harmful. Let's just say it's something harmful and we're just like we're going to turn a blind eye. Ninety-nine percent of people are going to say okay fill out the form and send it in.

Selectman Morin stated if it's that harmful, you'd think they're going to make the complaint and they'll want to get it taken care of. If it's that level of an issue and I'm trying to think of something that would be in zoning that would be that but I understand what you're saying. If it's at that point and they're that concerned about it, then there should be no problem coming down to fill it out. Call us and then fill out the form.

Selectman McGrath asked to make a comment about that. I'm aware of two cases. One complaint was issued to me a couple of years ago that I also passed on. I think I did that by e-mail. Part of the complaint was that it was a neighbor and they were concerned about the safety of the person that they were complaining about because they thought he was hoarding. They could see it just looking out their window at his property and they were concerned about a life safety issue. I'm also aware of another incident concerning hoarding and Chief Buxton talked to me about that. They had gotten a complaint and I don't know if it was an anonymous complaint but again it was a neighbor and they were concerned about the living conditions that this person was living in and also their own safety because it was in close proximity to their unit.

Selectman Morin said Selectman McGrath is exactly right but what's she talking about especially when it's somebody's welfare, that's a whole different thing. Chairman Coutu said yes that should have been handled through the Police Department and do a welfare check. I had that done a couple of times.

Chairman Coutu asked Selectman Routsis what if we changed it to, "Failure to adhere to the policy could result with no action being taken" instead of "will". Selectman Routsis indicated it's all a matter of wording.

Steve Malizia said just to be clear there's no more anonymous complaints. Correct? Chairman Coutu said no. Mr. Malizia said that means board members do this too. I want to be clear. Selectman Morin said absolutely.

Selectman McGrath stated I want to be clear too because I'm willing to support this but if I get a complaint from a citizen and they don't want their name being used, I don't mind filling out the complaint but I'm going to put it as a complaint by a citizen and I'm turning it in for that reason. Selectman Morin said you're still going to sign it anyway. Selectman McGrath understood that but I just want that to be clear because I get a number of them. I don't mind turning them in but I don't want my name being the only one that's focused on like this last case for a number of reasons.

Selectman Morin indicated you just bring up my point. If again knowing you and what you were to wrote, this is all that's on there. Do you know what I'm saying? It would have been totally different.

Chairman Coutu thought for the purposes of clarification, there should be a little more information on those forms - exactly what he's going out there for.

Just further comment, Selectman Martin said before Mr. Malizia made his comment, the complainant's name will remain anonymous to the person they made the complaint about until such time as it goes to court.

Steve Malizia said if it goes to court, you may have to disclose. That's a different ball of wax. Chairman Coutu asked will you relay that to...Mr. Malizia said now that it's clear, I get it.

*Motion by Selectman Morin, seconded by Selectman Routsis, to require Code Enforcement to have all citizens complaints filed and signed by the complainant. Failure to adhere to the policy could result with no action being taken, carried 5-0.*

Selectman Morin asked could we just send out to everyone when we're dealing with forms this will be the procedure no matter what. Steve Malizia asked you're talking all the forms for every other department. Selectman Morin said yes. For every department like the Fire Department have

people come and fill out forms. Police Department is going to do it anyway because they have to. Just so there's no question in the future.

Steve Malizia indicated I can. Chairman Coutu said if there's a form policy. Selectman Morin said yes. I know the Fire Department has one. I know the Police Department has one but I don't know if the Treasurer's office because there's forms that need to be signed. Again they're pretty good. Let's just cover everybody so we cover ourselves and we're done with it.

Chairman Coutu wanted to ask a question and I can say this because I'm a little old man. If a little old lady in the south end of Hudson is going to call the Highway Department with a complaint about something and she doesn't drive and they tell her well you have to file a complaint, you can get it on line. I don't do computers. I don't know how to do that. What do we do? Selectman Morin stated we be the good town and we send somebody out there to help that little old lady and look good. Chairman Coutu said we'll send the Code Enforcement Officer. Selectman Morin stated we should be able to determine who can't do this so we won't have a run on it I hope. We shouldn't but if there is somebody, that's what we're here for to help the citizens. If citizens need help, then we should help them. Chairman Coutu agreed. One of us can probably go out and do it. I've had to do that and I'm sure you have as well.

#### 9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Martin - I don't have anything from committee meetings or anything because the Budget Committee took July off. I will say that I've been seeing some issues from residents at town complaining about trash and out of State plates at Robinson Pond. I didn't look but I'm trying to figure out when did the lake host at the gate and the hours because I went there after seeing the ones on line and I took a picture of a plate from Rhode Island, a picture of a plate from Massachusetts, and there was trash right up by the shed that's up on a hill somewhere.

Chairman Coutu asked do you remember the day Selectman Martin. Selectman Martin said this past Sunday at approximately 4:30 - 5:00ish. Somewhere around that time. I do have the pictures but they were out of State plates. Now could that out of State plate been a Hudson resident? Possible but I don't know. A lot of people were saying that and you keep hearing it and I don't respond to it that often but we pay high taxes and we got a park that's all little and stuff like that. We don't have anybody to clean it up. What can we do as a Board for having a lake host there until the park closes at 8 p.m.?

Chairman Coutu asked what is the policy right now. Steve Malizia said my understanding is there's an attendant there on the weekends typically from - and I don't hold me to 9 o'clock to 4 o'clock but it's in that timeframe. There's an attendant that checks IDs. If you're a Hudson resident, this is Hudson residents only. Typically it's a more mature person. It's not a kid because kids can be bullied and a young kid is not going to really stop that. After those hours on the weekend, there is nobody there. I know Mr. Yates went over there today just to observe to see what he could see. He hasn't reported back yet but he's been over there today just to see what kind of activity is there. I, again, don't have a report from him. In the past we've had this problem and we've basically just stepped up and made sure hey no non-Hudson residents unless you're a guess of a Hudson resident and that happens. Someone comes up from Rhode Island or whatever and the car behind that happens. Just more enforcement. What does that mean, police take notice and we have attendants. Unless you want to have full-time attendants all week long, there's going to be people who go in there possibly. Who's to stop them? It's posted but just because it's posted doesn't mean people pay attention.

Selectman Martin thought it's more on Saturdays and Sundays. Steve Malizia said which is when they have an attendant from again 9 to 4ish.

Chairman Coutu thought that was correct. Another thing too is we don't have directed patrols at Robinson Pond unless we had an issue. A major issue would be that the Town Administrator or I

would ask for directed patrol so that they can monitor whatever activity that we get a complaint about. Typically when the police are doing spot checking, they'll go in and they'll see litter on the ground. I've had police officers come to me and tell me I don't want people yelling at me because I'm not the litter police. They go in and they say hey all this mess I didn't do it. It was like that when I got here. They may have done it. They might not have done it but the police certainly can't accuse somebody of doing something they didn't observe it. A lot of times they do do some of it and a lot of times they don't do it and somebody else came prior to their appearance and the beach is a mess. For the most part so far this year I've gone by three times Robinson Pond. Twice with my wife and one not with my wife. It was fairly clean. Only once on a Sunday, the other two were week days I'll admit that. This hot spell drives a lot of people want to go to the water. There's a beach down in Tyngsboro I went by the other day to see. It's comparatively the same size as ours. I don't know if any of you are familiar with the lake in Tyngsboro - Lake Mascuppic where the old Mary Madeline Church was. Right next to there, there's a beach there and it's typically for town users. There were probably 60-70 people on the beach including kids and it was spotless. I looked at the plates. There was a couple of NH plates. Pretty much all the rest were Massachusetts. I rode down and rode around. I said I better get out of here they'll think I'm just down here doing whatever. I just went by. I just wanted to see what it looked like compared to ours. I'm proud of our beach at Robinson Pond. It's a nice beach. It's underutilized I think. It's a beautiful, natural resource.

Steve Malizia believed the Rec. program uses it in the summer on Fridays. They're typically there so you'll see increased activity there from just the recreation program. You'll see a lot of folks - usually mom and kids type of deal during the week. The weekend, again, you get more use if it's hot and humid. Again there is attendants there to check IDs. So the policy has been Hudson resident and guest.

Selectman Martin said I know there's been ID going in. When I went there, there was no attendant. So it was after the attendant left.

Chairman Coutu said we had a situation a few years ago where was he assaulted or there was some threat. People can be confrontational too when you say hey you can't do that or you can't come in here it's for Hudson residents only. I can come here. I'm a taxpayer in this country and all of a sudden this belongs to the whole country.

Another thing Selectman Martin has been seeing is we have a Town of Hudson Facebook page. Is that correct? Steve Malizia indicated the Town of Hudson has a Facebook page to put out information. Selectman Martin indicated they put out information about the cyclical data collection. I'm pulling my hair out over this. People think it's an invasion of privacy because the town wants more money. Mr. Malizia can you please explain to the people that we're not out looking for more money.

Steve Malizia stated we're trying to make sure that all the valuations are fair and equitable. One way to do that is to make sure you have accurate data. Folks say well you already looked at my house ten years ago or whatever. I don't know what's changed but we do try to make sure we have accurate measurement, accurate data so when the revaluations are done, it's apples to apples. People always have the right to refuse entry. You're not required to have anybody come into your property. You're not required to let them onto your property. You have the option in this State, in this country, in this town to not do that. We are informing you that we're going through a process for people with photo IDs, identification. They will identify themselves. If you don't want to let them on your property or in your property, that is your right to tell them so. People have all kinds of opinions. It is the live free or die State so if people have different opinions about their rights and they have their rights. I'm not sure you want to engage in an argument but the intention is to make sure that everybody is fairly valued versus everybody else.

Chairman Coutu said it's also mandate - an RSA...Mr. Malizia understanding is in the Constitution there's some provision there that you have to have valuations every five years. Years ago it was ten. Now it's been five.

Selectman Martin thank Mr. Malizia for reiterating what I wrote to them in my responses and hopefully they understand. Chairman Coutu said I read your response and I did respond because you were correct. Selectman Martin indicated that's all I have Mr. Chairman.

Selectman Morin - Just a couple of things. Today the Governor signed a cancer bill for firefighters which is going to be huge for their health and welfare as a lot of firefighters are now coming down with cancer due to the toxins and the smoke. It was a large group of people that put this together and worked on it for a long time. Two within Hudson - Chief Buxton and Lynne Ober did a lot of work not to single them out because there were many but because they're from Hudson, I'd like to thank them for their hard work to get that passed. It's going to be a big thing for firefighters.

The second thing is, Selectman Morin said I visited the new office for the company that's going to be taking care of the town water just to make sure everything was what we talked about. Their open house I believe is tomorrow from 10 to 2. That's all I have.

Chairman Coutu stated how come you got that information and we didn't. Steve Malizia explained it's in your box upstairs. Chairman Coutu said they're having it tomorrow and we just got it in our box. Selectman Morin said no it's actually been posted in a couple of places. Mr. Malizia believed they dropped a copy off I believe today but I believe it's been posted in a bunch of places but they made sure there was a copy here.

Selectman Morin said I went there the other day because we had a lot of discussion about that.

Selectman McGrath - I guess I'll make a comment about Mr. Barnes presentation tonight. I don't want anyone to think that I don't appreciate the value that all of the volunteers did for Benson Park. I know that they've put their heart and soul into it and they did a wonderful job. I'm concerned about the continued spending. Every time we get a new request, it's not just a few hundred dollars. It's thousands of dollars and sometimes hundreds of thousands. That's my concern. I've said it before. Apparently some people don't hear me when I say it but I'll say it again. I think that Benson's is a beautiful park. I don't utilize it. But I can see the value in it. Again my concern is the continued large spending projects that we are faced with. For that, I don't want to in any way disparage or not appreciate all of the volunteer's efforts for what they did for the town. That's all that I have. Thank you.

Selectman Routsis - Tomorrow for Whitehouse's open house from 10 to 2 at 4 Candy Lane. That is all I have.

10. NONPUBLIC SESSION

*Motion by Selectman Martin, seconded by Selectman Morin, to enter nonpublic session pursuant to RSA 91-A:3 II (b) The hiring of any person as a public employee and (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant, carried 5-0 by roll call.*

Chairman Coutu entered Nonpublic Session at 8:43 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman Coutu entered open session at 10:05 p.m.

*Motion by Selectman Routsis, seconded by Selectman Martin, o hire Steve Deluca and Jillian Nangle as a Regular Special Shift Employees (HCTV Camera Operators) both at a rate of \$11.00 per hour effective July 11, 2018, carried 5-0.*

11. ADJOURNMENT

Motion to adjourn at 10:07 p.m. by Selectman Martin, seconded by Selectman Morin, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Executive Assistant.

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Roger E. Coutu, Chairman

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David S. Morin, Vice-Chairman

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Marilyn E. McGrath, Selectman

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Angela Routsis, Selectman

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Normand G. Martin, Selectman