

HUDSON BOARD OF SELECTMEN

Minutes of the September 9, 1997 Meeting

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 7:30 p.m.

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Rhona Charbonneau

3. **ATTENDANCE**

Selectmen: E. Lorraine Madison, Rhona Charbonneau, Shawn N. Jasper, Ann Seabury, Terry Stewart

Staff/Others Present: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Sue Snide, Zoning Administrator; Mike Reynolds, Town Planner; Steve Malizia, Finance Director; Lisa Nute, HPD Information Manager; Ray Mello, HPD Prosecutor; John Drabinowicz; Lars Christiansen; Howard Dilworth; Coleman Kelly; Signe, TEL; Tim, SUN; Les, HLN

4. **PUBLIC INPUT**

A. Lars Christiansen, 1 Stonewood Lane, re. House Seat Vacancy -- said it would not pay tribute to David Feng to not fill his seat. David Feng came to this country over 40 years ago, with everything he owned in a suitcase, with freedom, democracy and the protection of civil rights in mind. When he spoke of local control, he was talking about doing away with the Dept of Education in Washington and keeping the money here. He was ultra conservative, but not if it was detrimental to the democratic process. He would not consider it an honor to leave his seat open. The Town could get some money from the School Department to help pay for a special election and the people who work the polls would help out, too.

B. David Caton, 10-B Twin Meadow Drive, re. Issues with a Local Business and Town Personnel -- Mr. Caton was not in attendance.

C. John Drabinowicz, 8 Deerfield Avenue, re. Requested the Selectmen reconsider a previous action and call for a Special Election to fill the House Seat Vacancy -- Mr. Drabinovich read a prepared statement. (Copy attached.)

5. **CORRESPONDENCE RECEIVED**

A. FROM: Susan Snide, Zoning Administrator

RE: Wireless Communication Facilities

REFER TO: New Business

B. FROM: Richard Gendron, Chief of Police

RE: Purchase of Computer Hardware

REFER TO: New Business

C. FROM: Douglas Shawver

RE: Release from Public Servitude extension of Mark Street to Wason Road

REFER TO: New Business

D. FROM: Coleman Kelly

RE: Cablecasting

REFER TO: New Business

E. FROM: Mike Reynolds, Town Planner

RE: ISTEPA Enhancement Funds Project, Route 102, between Evergreen Drive and Old Derry Road

REFER TO: New Business

F. FROM: Jim Michaud, Assessor

RE: Assessing Items

REFER TO: New Business

G. FROM: Sewer Utility Committee

RE: Abatement Requests

REFER TO: New Business

H. FROM: Paula Kelly

RE: Request to Waive Fee for use of Lion's Hall by a nonprofit organization

REFER TO: New Business

I. FROM: Willard Young

RE: Safety Issue at Intersection of School and Second Street

REFER TO: Highway Safety Committee

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to receive Correspondence, Items A-I, to include forwarding Philip Colburn's traffic safety concerns to the Highway Safety Committee, carried unanimously.

6. OLD BUSINESS

A. Computer for Zoning Department

Chairman Madison said before they discuss this item, she would need a motion to reconsider this issue from someone who was on the prevailing side when it was voted down at the meeting on August 26, i.e., Selectmen Stewart, Seabury or Jasper. There was no response, so the Chairman moved on to the next item.

B. Personnel Policies

Chairman Madison recognized Paul, who said this was the first cut at a total re-write of the existing Personnel Policies. The format is different, but similar to what he has used in the past. Before them was a couple sections that was pretty much verbatim, but put into a new format. The Request for Legal Work is a new inclusion, but has been discussed by the Board, as has the Administration of Personnel Records. The section on Employee Ethics has been completely rewritten to expand on what he feels are the necessary points. The entire chapter of conduct is new, utilizing the existing language in some cases and, in others, new language is used. In some instances, the text is italicized, and those are questions of policy. The goal is to do a chapter a month until it is completely rewritten. Chairman Madison said she'd like to go through the document, page by page.

Page 1 -- Principles & Procedures; Purpose and Disclaimers. No changes were made.

Page 2 -- Requests for Legal Work. No changes were made.

Page 3 -- Administration of Employee Personnel Records. No changes were made.

Discussion under Item e., "During an audit, only the Town Administrator or Board of Selectmen may remove items from the respective files, with notification to respective employee and department head." Chairman Madison didn't think the Selectmen should remove anything from the personnel files. Paul said it codifies that those records are sacrosanct and employees can't arbitrarily demand that something be removed. Nothing can be removed without the authorization of someone else. Chairman Madison said an individual Selectman should not be allowed to go through the personnel files with an employee. Selectman Jasper said it means a majority vote of the Board of Selectmen; not an individual Selectman. It would have to be voted on by the full Board at a meeting.

Page 4 -- Continuation of Administration of Personnel Records. No changes.

Page 5 -- Nepotism; Employee Ethics. No changes.

Paul said he did some editorial cleanup, such as the section headings, which he is changing to letters instead of numbers.

Page 6 -- Continuation of Employee Ethics. No changes.

Chairman Madison referred to the definition of the distinction between gifts and gratuities and that it was already in one of the Town's policies. She asked if it should be included in here. Paul said they currently have about three paragraphs that is supposed to cover the entire span of ethical behavior. Within that short section of the current Personnel Regs, there is a section that relates to the \$25 issue. The whole thrust of this is more to the prudent man and to what is right. People have gotten sick of hearing him say, "Sometimes, \$4 is too much." This relates back to the \$25 limit, but it puts it more in perspective than to take some hard and fast number.

Page 7 -- Continuation of Employee Ethics.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to include, under 3a. Political Activities, "With the approval of the Board of Selectmen, an exception shall be allowed when the subject of an election has received the endorsement and support of the

Board of Selectmen (e.g. bond issue." carried unanimously.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to include, under Definitions, Employee, "Exclusions include Selectmen and members of Town boards and commissions," carried unanimously.

Relative to "Immediate Family," Chairman Madison cited, "A family also includes other persons residing in the employee's residence or is financially dependent upon the employee." and said she would have a problem with this if it was just someone living in the house, paying rent. Paul said that his interpretation was that if someone was paying rent, they wouldn't be considered as part of the household. The residence would not include the room that is being rented within the house. For instance, it could be a cousin or a foster child. Chairman Madison thought it should be clarified because, if she had a question about it, others would, too. The other Selectmen thought it was clear enough, as written.

The italicized Item 2 under Procedures, "The Town Administrator shall investigate, or cause to be investigated, all suspicions, allegations, and written complaints of unethical conduct," Selectman Jasper said this section needs to be amended to include something for allegations against the Town Administrator. He suggested including the Town Attorney as part of the process because the Board needs to be left out of it because they would be the ultimate arbitrators. He is concerned about the circle--the Board makes a recommendation to the Ethics Committee, and then they make a recommendation back. It should be investigated by the Town Attorney or Chief of Police. Chairman Madison said she didn't think a department head should be tasked with this, that it should be the Town Attorney. Paul suggested, "The Town Administrator, or Town Attorney at the direction of the Board of Selectmen."

Amendment by Selectman Jasper, seconded by Selectman Charbonneau, to include the wording, "The Town Administrator or Town Attorney, at the direction of the Board of Selectmen, carried unanimously.

Pages 7 (bottom) and 8 (top)

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to accept Item 2, as amended, "The Town Administrator or Town Attorney, at the direction of the Board of Selectmen, shall investigate, or cause to be investigated, all suspicions, allegations, and written complaints of unethical conduct," and Item a."Complaints, which are considered by the Administrator to be serious, may be referred to the Code of Ethics Committee and b. The Code of Ethics Committee shall investigate and hear the complaint, and recommend to the Board of Selectmen any action that they deem appropriate carried unanimously.

Page 8 -- Outside and Dual Employment and Personal Telephone Calls. No changes were

made.

Page 9 -- Political Activities. (Referred back to Paul for re-write)

Selectman Jasper said Item a, "Participation in Local Campaigns," is unconstitutional. They can only direct people while they are in their capacity as Town employees. It is unconstitutional to tell employees what they can or can't do politically. Paul said this is the way you would see it in most personnel regs. The intent provides for "during duty hours." Clearly, an employee can put someone's sign on their lawn, if they so choose. Selectman Jasper said the distinction is made in the paragraph that employees may participate in activities associated with the election of candidates for the Board of Education, which should actually be "Hudson School Board," because it is the other side of the house. The Selectmen wouldn't allow employees to support candidates for the School Board during work, so the exception wouldn't be there. The way it reads doesn't flow.

Chairman Madison asked Paul to rewrite the entire section and that it will come back on the next agenda following everyone's input. Selectman Jasper said it may work just by saying, "Town employees may participate in activities associated with the election of candidates for municipal office to the extent that such activities do not interfere with work schedules or other aspects of his/her employment with the Town of Hudson." Chairman Madison asked the members to see Paul between now and the next meeting so it can come back at the next meeting.

(Start Tape 1, Second Side)

C. Request by the Nashua Panthers Youth Hockey Association to hold Tag Days at Wal-Mart in Hudson on October 25 and December 13, 1997. (Deferred from January, 1997.)

Chairman Madison said Mr. Connolly requested that the date of Oct 25 be changed to Nov 15.

Motion by Selectman Jasper, seconded by Selectman Stewart, to grant the request to hold tag day sales, contingent upon Wal-Mart giving their authorization to do so, carried unanimously.

7. NEW BUSINESS

A. Wireless Communication Facilities (Omnipoint)

Chairman Madison recognized Sue Snide, Zoning Administrator, who introduced Kathleen Silverman, from Omnipoint Communications. Sue said Omnipoint approached the Town about putting a wireless communication facility, a pole, on Town property. The towers they are proposing throughout the region are approximately 180' high. However, they would like to come on Town property and test how tall a tower they do need in this area. This will be a policy decision the Board will need to make at some point, if they want these types of facilities on Town property. She made reference to a legal opinion that Attorney Ciandella had provided.

Chairman Madison said the request tonight was only to authorize Omnipoint to go on to public land to conduct a test; they aren't approving anything else.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to give permission for the tests to be conducted at any site on public land carried unanimously.

Selectman Jasper said before he would consider voting to authorize a tower, they would have to hold a public hearing. Sue said it would have to go through site plan approval, regardless of the location. Chairman Madison said Omnipoint would bring a crane, with an antenna on it, on to the property on which they conduct the tests.

Selectman Seabury asked if they would have to go through Zoning because of the height. Sue said not if they locate on Town property. Selectman Seabury asked how long this process would take. Ms. Silverman said about four hours. They would go onto the property and extend an antenna on the end of the crane and then they will literally drive the area to simulate a broadcast reception pattern to see how far out the coverage objective would be. Testing will be done at more than one place.

B. Purchase of Computer Hardware

Lisa Nute, Information Manager for the Police Department, was recognized. The Police Department applied for a COPS More grant last November, and it was awarded to them in June. She was seeking authorization from the Board to begin spending Phase I of the grant, which includes some purchases from the current FY-98 budget. The current system isn't meeting their needs, which was their impetus in looking for a grant. The COPS More grant is specifically for computer equipment and technological upgrades. They are technologically incapable of utilizing some things, including obligations they have in reporting to the State or FBI because the software is not able to electronically report crimes, victim information, and things like that.

In about six weeks, she will be coming before the Selectmen again, seeking authorization for

the 2nd part of the plan, which is the software. Also, the current laptops get a lot of use and take a beating in the cruisers. They'd like to demo some heavy-duty ones.

They have outgrown the current Digital Micro Vax and are maxed out on storage space. If she has a drive problem, the entire system goes down and nobody can use anything until they get a service in, which is difficult because they are a 24-hour agency. It is extremely slow compared to today's standards. They can access the Town Vax for budgeting purposes and payroll. They have 17 dummy terminals and eight PC's, which they will bring with them to the new system.

The total grant is \$145,000, with \$119,000 federal funding and \$26,000 Town share (the 25% that the Town had to budget for), which is in account 5610-399. She outlined the proposed purchases for the new system. A Windows NT server will take the place of the Digital Micro Vax. If a drive fails, they won't go down completely. They are planning to purchase 17 PC's, upgrade two PC's, purchase a digital camera and a few printers. She distributed copies of the equipment cost breakdown from the FY-98 budget to the Board (copy attached).

Motion by Selectman Jasper, seconded by Selectman Stewart, to approve the expenditure of the funds for Phase I, carried unanimously.

C. Release from Public Servitude extension of Mark Street to Wason Road

Chairman Madison recognized Town Administrator Paul Sharon, who said this request had come in this summer from a resident out on Wason Road, asking the Board to release what had been a paper street under a subdivision back in 1970. It was circulated to the staff for comments, which indicated no objections. A couple staff members brought up the State law which was adopted in 1989, which says if you have had a paper street on the books for 20 consecutive years, if you have not acted to improve it, it automatically reverts back to the abutting property owners. In this instance, this statute does not apply because it was only on for 19 years, at the time of passage of legislation. He recommended that the Board vote to release the street.

Chairman Madison asked for a motion to release from public servitude the extension of Mark Street to Wason Road to be divided to the abutters evenly.

Selectman Seabury asked if this was part of Sunshine Development. Mike Reynolds said it was not. Selectman Charbonneau asked if anyone else was interested in this. Paul said no, that the Assessor's map doesn't even recognize it has a paper street any more. It runs right along his and his neighbor's side yards. Selectman Charbonneau asked what was in the back of his house. Paul said more land locked properties, but this is not enough to access that land locked property. Selectman Charbonneau asked how wide the paper street was. Paul thought it was 30

feet. Selectman Charbonneau said she read in the backup that Mr. Shawver was interested in selling his house. Paul said he was interested in clear title. Selectman Charbonneau wondered how this action would give him clear title, adding that she was leery of this because of the land in the back of his property. If he sells his property, and this paper street is released from public servitude, the land in the back could be developed, and she has a problem with that. Chairman Madison said someone could buy his property and use it as a right of way. Selectman Seabury asked what was on the abutting lots. No one knew.

Selectman Jasper thought there should be a legal opinion on this matter, and was concerned that there wasn't. He, too, had a problem with potentially land locking other parcels and, even though it doesn't show up on the tax map, if there was actually right of way given to the Town of Hudson, they are actually holders of the right of way, and somebody could come in and make a claim to build a road to make access to their lot. For the Town to land lock land, there may be some problem. He thought they should talk to the attorney about specifically showing the paper street.

Lengthy discussion continued, with the consensus being that a legal opinion was needed before they could proceed. Selectman Jasper said they don't even know what the other end of Mark Street is and maybe lots 32, 31, 18, 17 and 16 are in common ownership, in which case they wouldn't be land locking anybody at the other end of the street. They need to know who owns the other lots.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to table, pending legal opinion, carried unanimously.

D. Cablecasting

Chairman Madison recognized the Cable Committee Chairman, Coleman Kelly, who said his reason for asking to be on the agenda was to enlist the Board's support to proceed with their ability to establish cable casting facilities from Town Hall. The Selectmen, as well as prior Boards, indicated a strong desire to establish such a capability. The results of a survey conducted by the Cable Committee in 1995, most of whom were cable subscribers, showed they favored such a capability. Various town and school meetings would be broadcast through cable access. Last year, the Selectmen spent some time getting information out to the electorate because of the split sessions, i.e., deliberative and voting. Television can be a powerful tool in getting the information from the first session out. Of the 11,000 residences in Town, over 6,300 are cable subscribers. Following the efforts expended by the Cable Committee last year, and picking up the School District meeting, the deliberative session of Town Meeting, and Candidates Night, there were many favorable comments. Americable is agreeable to buying the equipment now and giving it to the Town to proceed. Given the accelerated the Town is under because of SB-2, he felt this was an appropriate time to revisit this.

Selectman Charbonneau thought they should proceed. Chairman Madison said she can't vote for it because the people said no. The Selectmen didn't 'sell' it at Town Meeting. She knows that the money reduces the tax rate, but it is paid by the cable users and it is something they should have. A lot of people benefitted by seeing what they did on t.v., seeing what they normally wouldn't. But Town Meeting clearly said, "No," and she didn't see how they could vote to do it, under those circumstances. They should bring it back to Town Meeting and sell the voters on it. Selectman Charbonneau said the people didn't understand; they thought it was going to cost them money. She resents having to pay a franchise fee, without the benefit of having Town meetings broadcast. She felt that people should have a clear understanding of what goes on in a Selectmen's meeting, not just read what someone wants to write in the print media. The franchise fee is to be used for local cable casting, not to reduce the tax rate.

Selectman Jasper said he usually has strong opinions on things one way or the other, but on this, he goes back and forth. He is in favor of getting the equipment, but the right way is to bring it to Town Meeting again and sell it by making the people understand it. Selectman Seabury agreed with Selectman Jasper's remarks. The people enjoyed this on t.v. last year, watching it over and over. Next year, they have to let the people know that the money has already been collected for this.

Selectman Charbonneau said if this isn't passed this year, the franchise should be done away with. Cable users shouldn't be made to pay for something they aren't getting. Coleman said the franchising authority, (the Board of Selectmen), has the option of setting the percentage of the fee. The purpose of the franchise fee is to administer the franchise and conduct public access. There is no administrative costs, with the exception of legal fees, because they are all volunteers.

E. ISTEA Enhancement Funds Project, Route 102, between Evergreen Drive and Old Derry Road

Chairman Madison said the Board has already approved this project. \$84,000 has been reserved, but the project will cost \$90,000 so they need to increase it by \$6,000. Selectman Jasper said agency fee accounts are under the jurisdiction of the Planning Board.

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to request that the Planning Board authorize the expenditure of an additional \$6,000 for the 102 improvement project carried unanimously.

F. Assessing Items

1) Totally & Permanently Disabled Property Tax Exemption (Sandra Tardiff, 326 Fox Run)

Motion by Selectman Seabury, seconded by Selectman Jasper, to grant, as recommended by the Assessor, carried unanimously.

2) Warrant for Collection of Yield Taxes (Presstek)

Motion by Selectman Jasper, seconded by Selectman Stewart, to sign, as recommended by the Assessor, carried unanimously.

3) Intents to Cut Wood or Timber (Kenneth Holton & Manny Sousa)

Motion by Selectman Jasper, seconded by Selectman Stewart, to sign, as recommended by the Assessor, carried unanimously.

G. Sewer Abatement Requests (Reference Nos. 2 and 3)

(Ref #2: Jeff & Lucille Hurley, 44 Central Street, \$26.20; Arthur Ford, 16 Nevens Street, \$26.20; Premier Industries, 20 Executive Drive, \$2,640.53; Donald & Nancy Phaneuf, 33 Adelaide Street, \$9.53. Ref #3: Clayton A. Stultz, Sr., 4 Summer Avenue, \$29.05; and Russell Gavlak and Patricia Trumbo, 32 Quail Run Drive, \$11.91)

Motion by Selectman Charbonneau, seconded by Selectman Jasper, to grant the abatement applications, as recommended by the Sewer Utility Committee, carried unanimously.

H. Request to Waive Fee for use of Lion's Hall by a nonprofit organization

Chairman Madison said the request was on behalf of St. John's and St. Kathryn's CYO cheerleading program. They are looking for a place for the girls to practice cheerleading, October through January. Selectmen Seabury and Charbonneau wondered what days they would be using the hall and for how many hours. Paul said that, if the Board approved the request, usage would have to be during times nothing else was scheduled. He thinks it would be once a week. Selectman Charbonneau said they should have more information before they vote on it.

Selectman Seabury asked if the hall is used a lot on the weekends. Paul said weekend

evenings are largely unbooked. He said he hates to be the grinch, but the policy they are living with right now is community based. As worthwhile as this program is, it's not different than similar organizations that have been denied in the past.

Selectman Stewart said she is a member of a community service organization, and they have been denied the use of this building for meetings without paying a rental fee. She could understand a rental fee if they had held a fundraiser, but not for meetings. Other select organizations use that hall, rent free, for meetings and for fundraisers. There should be a policy that is uniform for everyone from Cub Scouts to the Seniors. The money paid to the Town equates to one less scholarship given out.

Selectman Seabury said the Seniors have first dibs on the building because their money was used to purchase the building. She said the churches have halls that the cheerleaders can practice in. Chairman Madison said that, in the past, when making their decisions on whether or not to waive the fee, the criteria is whether or not it will benefit the entire Town. This request does not meet that criteria. Selectman Jasper thought the church buildings might be too restrictive height-wise.

(Start Tape 2, Second Side)

Chairman Madison said they need to have a policy, outlining who can and cannot use the hall, with rules and regulations. It is public property, but there should be a policy. Selectman Charbonneau agreed, saying that Lions, Rotary, Kiwanis, etc. all do a lot for the community, as well. She said it will be a tough policy to write, but they do have to come up with something. She said she couldn't vote on this request because it was too vague.

Chairman Madison said they need to direct the Town Administrator to draft a policy within the next three or four months. They will be tied up with the budget for the time being.

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to deny the request carried unanimously.

8. OTHER BUSINESS

A. Tot Lot at Merrifield Park

Chairman Madison said this would be taken up later after the Recreation Director arrives.

B. Mayor Davidson's Invitation

Mayor Davidson has invited the Selectmen to join in a regional celebration, in recognition of Nashua being named the #1 city in America in which to live by Money Magazine. The family-oriented gathering is scheduled for Wednesday, September 17 at 6:30 p.m. at Greeley Park. They have asked for an RSVP by Monday, September 15. If anyone wants to attend, they should let Priscilla know.

C. Joint CIP/Budget Committee/Selectmen's Meeting

Don White, Chairman of the CIP, requested a joint meeting on Sept. 18 between the CIP, Budget Committee and Selectmen. However, the Budget Committee is already meeting on the 18th, so they will be unable to attend. Chairman Madison and Selectman Charbonneau are unable to attend, as well. The Board felt that the meeting should be rescheduled.

D. Fire Prevention Day Activities

Lt. Dave Morin has invited the Selectmen to participate in the Fire Department's Fire Prevention Day activities on Saturday, October 11. The parade is from 11 - 12:30 and the Awards Dinner starts at 7:00 p.m. If anyone plans to attend, they should let Priscilla know.

E. Promotion Ceremony for Police Lieutenant and Sergeants

Chairman Madison said Selectman Jasper would be swearing in Sgts. Jason Lavoie and Mike Smith and Lt. Don Breault on Friday, September 19, 1997 at 4:00 p.m. at the Police Station.

9. ACCEPTANCE OF MINUTES

- A. BOS Minutes of the August 19, 1997 Meeting
- B. BOS Minutes of the August 26, 1997 Meeting
- C. BOS Minutes of the September 2, 1997 Meeting
- D. BOS Minutes of the September 3, 1997 Meeting

Motion by Selectman Seabury, seconded by Selectman Stewart, to accept the Minutes, as presented, and refer to file carried unanimously.

10. COMMITTEE ANNOUNCEMENTS (There were no changes or additions to the listing.)

09/10 7:00 Planning Board, P/Z Mtg Rm
09/11 7:30 Zoning Board, P/Z Mtg Rm
09/15 7:00 Library Trustees, Small Conf Rm
09/15 7:00 SWSCOM, Selectmen's Mtg Rm
09/15 7:30 Conservation Cmsn, P/Z Mtg Rm
09/16 7:00 BOS w/Auditor, Selectmen's Mtg Rm
09/18 7:30 Budget Cmt, P/Z Mtg Rm
09/18 7:30 Sewer Utility Cmt, Selectmen's Mtg Rm
09/23 7:30 BOS Mtg, Selectmen's Mtg Rm

11. REMARKS BY THE SELECTMEN

Ann Seabury said she just wanted to make sure she has a ride for Thursday.

Shawn Jasper said he'd like to make some remarks, but he is afraid he will be misquoted or taken out of context, so he won't say anything.

Other Business (cont'd from 8-A)

Tot Lot at Merrifield Park (Keith Bowen, Recreation Director and Mike Reynolds, Town Planner)

Chairman Madison said, according to the Auditor, in order for a purchase order to be issued for the tot lot, the Selectmen must vote to reaffirm, (in this fiscal year), a previously approved action (the Town Planner was authorized to apply for the grant in 1993). A public hearing was held in 1995. The extension, granted by the Feds, expires 12/30/97.

Keith said everything is ready and all they have to do now is order the tot lot, which costs \$16,559. After it gets here, in about six weeks, they will install it. Then they have to get the paperwork in to the State, who

then does an on-site inspection. He was before the Selectmen to ask for authorization to over-expend the line item by \$16,559 which will be reimbursed at a later date by the State. Selectman Jasper asked the Finance Director if the repayment would go back into the general fund. Steve said that it was a wash, from a financial perspective, and he has already checked on that.

Motion by Selectman Seabury, seconded by Selectman Charbonneau, to reaffirm the previous action taken by the Board of Selectmen and approve a purchase order to be written by the Recreation Department in the amount of \$16,599 carried unanimously.

12. NONPUBLIC SESSIONS

Motion by Selectman Jasper, seconded by Selectman Charbonneau, to enter Nonpublic Session at 9:05 p.m. under RSA 91-A:3 II (c) Matters which, if discussed in public, likely would affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting carried unanimously by roll call vote.

Nonpublic Session was entered into at 9:05 p.m. and was terminated at 9:15 p.m.

13. ADJOURNMENT

Motion by Selectman Seabury, seconded by Selectman Stewart, to adjourn at 9:15 p.m. carried unanimously.

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Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

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HUDSON BOARD OF SELECTMEN

E. Lorraine Madison, Chairman

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart