

HUDSON, NH BOARD OF SELECTMEN
Minutes of the February 10, 2009 Meeting

1. **CALL TO ORDER** by Chairman Nadeau at 7:01 p.m. in the Selectmen's Meeting Room at Town Hall.

2. **PLEDGE OF ALLEGIANCE** was led by Fire Chief Shawn Murray.

3. **ATTENDANCE**

Selectmen: Ben Nadeau, Rick Maddox, Ken Massey and Roger Coutu. Shawn Jasper was absent.

Staff/Others: Steve Malizia, Town Administrator; Mark Pearson, Assistant Town Administrator; Priscilla Boisvert, Executive Assistant; Fire Chief Shawn Murray; Police Chief Jason Lavoie

4. **PUBLIC INPUT**

No one in the audience wished to speak at this time. Chairman Nadeau stated that Selectman Jasper may be joining them later this evening.

5. **CONSENT ITEMS**

Chairman Nadeau noted that the Planning Board meeting for February 25th was cancelled.

Motion by Selectman Coutu, seconded by Selectman Massey, to approve Consent Items, as noted or appropriate, carried 4-0.

A. **Assessing Items**

- 1) 2008 Abatement Application, Map 247/Lot 82, w/recommendation to approve.
- 2) Veteran Tax Credit for Map 205/Lot 101 and Map 252/Lot 021; Elderly Exemption for Map 156/Lot 056 and Map 161/Lot 052, w/recommendation to grant to the property owners in the request.

B. **Water/Sewer Items**

Sewer Allocation for 6-8 Hampshire Drive, Map 221/Lot 005, w/recommendation to approve.

C. **Licenses & Permits**

Request by Girl Scout Troop 916 Tyngsboro to sell cookies at Sam's Club, Market Basket and Wal-Mart

D. **Acceptance of Minutes**

Minutes of the Board of Selectmen's meeting of January 27, 2009

E. **Calendar**

2/11 7:00 Planning Board in CD Mtg. Rm.
2/12 5:30 Sewer Utility Committee in BOS Mtg. Rm.
2/14 ♥Valentine's Day ♥
2/16 Presidents' Day—Town Hall Closed
2/16 7:00 School Board in CD Mtg. Rm.
2/16 7:00 Republican Committee in BOS Mtg. Rm.
2/17 7:00 Benson's Committee in CD Mtg. Rm.
2/17 7:00 Cable Committee in BOS Mtg. Rm.
2/18 5:00 Water Utility Committee in BOS Mtg. Rm.
2/18 7:00 Library Trustees in BOS Mtg. Rm.
2/18 7:00 Hudson Senior Council on Aging in CD Mtg. Rm.
2/19 7:30 Budget Committee in BOS Mtg. Rm.
2/19 7:30 ZBA in CD Mtg. Rm.
2/23 6:00 Recycling Committee in BOS Mtg. Rm.
2/23 7:00 Green Team in CD Mtg. Rm.
2/24 7:00 Board of Selectmen in BOS Mtg. Rm.
~~2/25 7:00 Planning Board in CD Mtg. Rm. cancelled~~
2/26 3:00 Trustees of the Trust Funds in CD Mtg. Rm.

6. **OLD BUSINESS**

A. **Votes taken following Nonpublic Session at Previous Meetings**

1) **Votes taken after Nonpublic Session on January 27, 2009**

- Motion by Selectman Jasper, seconded by Selectman Massey, to seal the nonpublic session minutes carried 5-0.
- Motion to adjourn at 11:03 by Selectman Coutu, seconded by Selectman Massey, carried 5-0.

2) **Votes taken after Nonpublic Session on February 3, 2009**

- Motion by Selectman Jasper, seconded by Selectman Maddox, to pay Assistant Town Administrator Mark Pearson an annual salary of \$91,611 for 230 days of work with no benefits carried 4-0. Selectman Coutu abstained.
- Motion by Selectman Massey, seconded by Selectman Maddox, to adjourn at 10:16 p.m. carried 5-0.

B. Budget to Actuals (from February 3, 2009)

Town Administrator Steve Malizia said they had this last week at the workshop, at which time it was decided to do these during the Board's first regular meeting on the month. They've applied for the FEMA reimbursement money for the ice storm, coordinated by the Road Agent. One column on the last page of the handout indicated the total expense, the monies the town believes was expended after auditing its records—Highway, Police, Fire, Sewer and Water Departments—of \$159,912. They expect to be reimbursed for 75% of that, which was the other column and he indicated the appropriate labor or equipment accounts. There was a thick package upstairs for the Board members to look at. During the workshop, there was another question that came up about the auto registration budget for next year. It's \$4 million, a decrease of \$200,000 from this year.

Chairman Nadeau asked about the overtime accounts listed in the back, if that took into account the ice storm. Mr. Malizia said the ice storm monies have not been put back in yet, but they've been expended. When the town gets reimbursed, the money will go back into the appropriate accounts.

Selectman Maddox said now they know it's \$120,000. That's why he asked for this. Over half of that is for equipment, not for salaries. He asked if both Police and Fire are going to be within budget when the money is returned. Mr. Malizia said judging from the past, they will come in at or below their budget number, but he couldn't say what lines would be over or not be over. The departments are given some latitude to move monies around, if they have to. That has been the policy of the Board in the past and they work with the departments on a bottom line basis. He's not aware that they will over-expend their bottom lines. Selectman Maddox said he was concerned that the overtime line item gobbles up maintenance, equipment and other things that are in the budget. He was looking at that now instead of in May and saying they wished they could have bought something. If they are going to go over on the overtime budgets, he wanted to know where the department heads were going to get that, if it's a substantial amount. Tracking the way they are, they may be significantly more than \$10,000 over.

Selectman Massey agreed; they need to have at least some understanding going into March and April whether or not the overtime line is projected to be over. Where will they not be spending money? If it means taking things out of operations and maintenance, that is of concern. They should pay attention to that for the next couple months.

Chairman Nadeau said he spoke with the Fire Chief, who has made some changes in his department to try to cut down on overtime. Chief Murray said he has a person out on disability, which could be long term. He was going to try to shift some of that to reduce the overtime. In some ways, they are trending like they usually do with overtime, with a surge in the summer. The suppression budget took a hit from the ice storm. He has a couple of the mechanical lines that are high and being overspent. The cold weather is taking a toll of the equipment this year. His dispatch line is close to 100%, so that may over-expend. They will get some of that back with the FEMA money. They've also had some building maintenance issues, but he was watching it closely and they'll be tracking it and he'll let the Board know if he's getting close to not being able to do something significant that he has to, in order to maintain equipment.

Selectman Maddox said he wanted to be pro-active, rather than reactive in May. They talked about spending some money in that department for maintenance items and he didn't want to be surprised, come May 1. He'd like to get a quick, one-page synopsis of where the department heads believe they will be with their overtime account, if they need to spend money from other accounts, where it might be coming from, so they will be prepared for June 30.

Selectman Massey said in the Police Department, a lot of their overtime is covering the fact they have two people out, so they should see an offset in the salary account that should be less, but he'll follow up with the Chief to get the same kind of information and will bring it to a future meeting.

7. NEW BUSINESS

A. Hiring of Interns for Document Imaging, 2009 (Community Development)

Assistant Town Administrator Mark Pearson said this would be the second year of a three year project to hire summer interns to work 40 hours a week for approximately 14 weeks to scan in documents into the server. Last year, they were able to finish between 30% - 40% of the documents. At the conclusion of this year, they will have scanned in between 60% - 70% of the documents. In the Community Development lobby, there is a computer that allows the public to go into the document server to review the documents. The issue before them is to continue that process. He wrote a memo to the Town Administrator, asking to go forward with the interns. One of the interns from last year is available, so he'd like to hire her, as well as advertise for the second one.

Selectman Maddox said this project was finally getting done, so he'd like it to continue. All of the files that are monotonous to dig through are on an electronic format. It's going to benefit the town and citizens when this is complete. People can use the computer at the counter because it's on the internal server, but he'd like to see that done at the library, as well. It would be easier for the citizens to go to the library instead of standing at the counter in the Community Development Department. People would be able to access this information nights or weekends. Mr. Malizia said at some point, it would be on the World Wide Web. Selectman Maddox said he'd like that, but getting it in the library would be the first step. IT has many concerns about breaking through the firewall, and maybe the library is on this side of that. It would be more useful to the citizens. Mr. Malizia said another concern is the interpretation of

data because the library folks wouldn't be able to answer any of those questions. While it may be helpful, they'd still have to come to the department to ask what something means, depending of the person and the application. Selectman Maddox countered with they could spend a couple of hours at the library on a Saturday afternoon, make up a list of questions and then either e-mail them or come in, they're that much further ahead. A citizen wouldn't have to take two days off instead of one to look up information. He hoped the Board would support this effort. A lot of time and money was spent to get the right equipment.

Motion by Selectman Maddox, seconded by Selectman Coutu, to continue with the Community Development imaging scanning, as outlined in the memo January 15 from the Assistant Town Administrator.

Selectman Massey said the motion should be to hire Kelly Giaquinto and to authorize the Town Administrator to advertise for the second position. Selectman Maddox said he'd take that as a friendly amendment to his motion.

Vote on the motion to continue with the Community Development imaging scanning, as outlined in the memo dated January 15, 2009 from the Assistant Town Administrator and to hire Kelly Giaquinto and to authorize the Town Administrator to advertise for the second position carried 4-0.

B. Request to the Board of Selectmen to Vote to Authorize the Planning Board to conduct the FY 2011 CIP

Selectman Maddox said, imitating Selectman Jasper, "this thing is broken!" Before they vote on this, he requested the Assistant Town Administrator to research the consequences of not authorizing this this year. Nothing is going to go on any CIP for next year with where they are with the economy. It's expending a lot of man hours to go nowhere. He asked if this could be skipped for one year, or was the requirement to do it every single year. They have a plan in place right now. The Legislature made this very convoluted, at best. The town has a CIP, but does it have to be done every single year?

Mr. Malizia said he'd check with the attorney because the concern is the impact fees. One of the things they get out of the CIP is the ability to collect impact fees for the various things the Planning Board or the town deeds appropriate. The concern to present to legal counsel is if they do not do an element for a particular year, if that affects the collection and/or retention of impact fees.

Selectman Maddox said they have to have a Master Plan and a CIP, but it never said whether it has to be done yearly. Could they simply say the town will adopt the 2011 as its 2012? Making the department heads go through the whole CIP dance when they know nothing is going to get done is just a time-consuming exercise. Selectman Massey agreed, except for one caveat. They will be looking at whether or not any capital expenses in the water utility need to be done, and that may or may not wind up being a warrant article. If they do, it will have no impact on the tax rate because it will be funded out of the water utility rates. If they don't have to do it this year, preserving their interest without expending a lot of effort is something that probably isn't going to go anywhere for next year.

Selectman Maddox if they can do this, he'd go to the Planning Board and suggest that the CIP committee look at upgrading or changing the plan. Take that same amount of meeting time and look at other communities, see what other people have done and not just produce a document that everybody says is broken.

Motion by Selectman Coutu, seconded by Selectman Maddox, to defer the request to the Planning Board to prepare the CIP for 2011 until such time as they have the legal opinion, as sought by the Town Administrator, carried 4-0.

Chairman Nadeau said last year, they talked about going two years for the CIP, to see if that would work. Mr. Malizia said he'd ask the attorney the parameters and he'd tell them what they were.

8. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Massey said the town is going to have a new member of the Police Department, Officer Turko, a Belgian Malinois. At full grown, it will weigh 70 lbs. Beginning in March, the new dog handler will be Master Patrol Officer James Conner will be training with Turko. When that training is complete, Turko will be a certified people dog. Training will continue and in the fall, Turko will be a certified drug animal. Officer Sullivan will be assisting Officer Connor in the training. Turko will be much smaller than Akim, but he wouldn't want to meet Turko, after looking at the pictures. He is a very social animal and a good addition to the town force. The monies to fund it came from the local drug enforcement activity, from the drug confiscation program.

Selectman Massey said the sidewalk project on Route 102, from Evergreen to Meadowlark, the bids will be sent out on April 15, due back on May 7 and the award of bid will be on May 12, with mid-June construction. To complete the project, they will have to go to Megan Drive, next to True Value. The bid alternative will be to cost out the final 1,900 feet. Depending on available funds and the construction cycle, they may or may not be able to do the whole project this year.

The bid spec for the Pelham Road Dam will go out May 1, due back on May 22 and the award of bid will be at the workshop on June 2, with construction to begin mid-June. That must be done before school starts in the fall.

The Conservation Commission is working with Alvirne Forestry Department, with the students updating the town forestry plan. They will do the field work in September and update the plan in October.

The first infestation treatment at Ottarnic Pond is scheduled for June 1. He talked with the Town Administrator this morning and expects to get something back from the attorneys to determine whether or not the town can adopt the ordinance, or if the state would have to restrict access for certain motorized water craft.

Selectman Coutu said Selectman Massey said it all for him.

Selectman Maddox said this weekend, he was going through all the stuff that piles up in his bin and he was looking at the After Action Report that was generated by the Police Department with input from Fire and Highway. It's something they need to look at. He didn't know if they could decide on certain elections they are going to hold half of the people in one building and the other half in another building, but they came up with a report. They should look at the options. Can they get the school and be able to utilize those buildings. He didn't think it would happen soon, but four years races by and they'll be in the same predicament. They should look at this sooner rather than later before it gets forgotten about completely. He asked this to be a workshop item when the Fire Department comes in. The After Action Report had some good critique of what happened. It was a great report, now they should do something with it and not just file it.

Selectman Jasper was absent.

Selectman Nadeau did not have any remarks.

9. **NONPUBLIC SESSION**

Motion by Selectman Coutu, seconded by Selectman Massey, to enter Nonpublic Session under 91-A:3 II (a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected has a right to a meeting and requests that the meeting be open, in which case the request shall be granted; 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 4-0 by roll call vote.

Nonpublic Session was entered into at 7:40 p.m., thus ending the televised portion of the meeting. Any votes taken after exiting Nonpublic Session will be listed on the Board's next agenda. Nonpublic Session was terminated at 8:14 p.m.

Motion by Selectman Massey, seconded by Selectman Coutu, to seal the minutes of the nonpublic session carried 3-1. Selectman Maddox voted in opposition.

Motion by Selectman Maddox, seconded by Selectman Massey, to extend the probationary period of Firefighter Ben Crane to August 10, 2009, as recommended by the Fire Chief, carried 4-0.

10. **ADJOURNMENT**

Motion to adjourn by Selectman Massey, seconded by Selectman Maddox at 8:15 p.m. carried 4-0.

Recorded by HGTV and transcribed by Priscilla Boisvert, Executive Assistant.

HUDSON BOARD OF SELECTMEN

Benjamin J. Nadeau, Chairman

Richard J. Maddox, Vice-Chairman

Shawn N. Jasper, Selectman

Kenneth J. Massey, Selectman

Roger E. Coutu, Selectman