

**0HUDSON, NH BOARD OF SELECTMEN**  
**Minutes of the October 13, 2009 Meeting**

1. **CALL TO ORDER** by Chairman Coutu the meeting of October 13, 2009 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. **PLEDGE OF ALLEGIANCE**, led by Selectman Maddox.

3. **ATTENDANCE**

Board of Selectmen: Roger Coutu, Ken Massey, Shawn Jasper, Rick Maddox, Ben Nadeau

Staff/Others: Steve Malizia, Town Administrator; Mark Pearson, Assistant Town Administrator; Jim Michaud, Assistant Assessor; Kathy Carpentier, Finance Director; David Yates, Recreation Director; Jason Lavoie, Police Chief; Lisa Nute, IT Director; Gary Webster, Acting Town Engineer; Randy Bell, Superintendent; Jeremy Griffus, Donna Graham, Executive Assistant; Gina Votour, HLN; and a Scout Master and several Boy Scouts

4. **PUBLIC INPUT**

Chairman Coutu presented a Certificate of Appreciation to Lisa Nute, IT Director, of the Information Technology Department for 25 Years of Service and read the following:

"Lisa Nute has been with the Town of Hudson for the past 25 years and is currently serving as the Information Technology Director. Lisa began her employment with the Hudson Police Department as a Police Dispatcher in October 1984. In February 1988 she was assigned to the Records Division where she solely managed the department needs. In 1988 she was promoted to Information Manager and assumed a multitude of duties and responsibilities to include records, communications, and the department's newly acquired computer system.

In 1990 Lisa returned to college and attended Franklin Pierce College at which time she maintained a GPA of 3.4 and made the Dean's List. Realizing that the police profession was becoming more and more computerized, she attended courses in computers and became proficient in programming and maintaining computers. Lisa was instrumental in helping the Police Department through various stages of achieving National Accreditation.

Lisa further became involved in the community by initiating the Police Department's blood drives, which continue to be a success today. She has received numerous letters from the Red Cross for her ability to organize one of the most successful blood drives in Southern New Hampshire. Lisa is also active in the Hudson Junior Women's Club. She is a resident of Hudson, married to Steve, and has 3 beautiful children."

On behalf of the Town of Hudson and the Board of Selectmen, Chairman Coutu would like to thank Lisa for her 25 years of dedicated public service to the Town of Hudson. Chairman Coutu presented Lisa with a gift certificate and Certificate of Appreciation.

No one in the audience addressed the Board when the Chairman opened the floor for public comment.

5. **NOMINATIONS & APPOINTMENTS**

A. **Local River Management Advisory Committee**

David Scaer, 12 Farmington Drive, Hudson, NH

Chairman Coutu stated that we received Mr. Scaer's letter indicating his interest to serve on the Local River Management Advisory Committee. He's sure as he as well as the Board members have read Mr. Scaer's letter and background. Chairman Coutu asked Mr. Scaer to summarize his interest and why he was interested in serving on the Local River Management Advisory Committee.

Mr. Scaer indicated he stumbled across the group on the internet. He joined the group with the current members and was invited by Bob Robins, who he's known for several years. Mr. Robins thought Mr. Scaer would be an asset to the organization since he lives on the river. His business - he's the General Manager at the Nashua Country Club, and we are a major user of the river; we water our irrigation system. He's an avid

kayaker, and his backyard will some day, hopefully in our life times, the trail system will go through. The rights to his back yard are already there. Mr. Scaer represents uniquely more aspects than most from all ends.

Selectman Maddox saw that Mr. Scaer attended the meetings regularly for a while. Mr. Scaer stated yes. Selectman Maddox thinks this is a great application. As a member of the committee years ago, Hudson is well represented and it is something that it's one of those committees that work way, way in the background. Without their help, the Planning Board wouldn't be where they are. It helps out the conservation. Selectman Maddox hopes that this nomination would be successful.

Chairman Coutu was aware that Selectman Maddox had previously served on that committee and had hoped we'd have some input from him just as he just presented to us. If there are any further questions at this time.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to nominate Mr. David Scaer as a Hudson representative to the Lower Merrimack River Local Advisory Committee, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Maddox, to authorize the Chairman of the Board of Selectman to sign the nomination form on behalf of the Board of Selectmen, carried 5-0.

## 6. **CONSENT ITEMS**

Motion by Selectman Maddox, seconded by Selectman Nadeau, to approve consent items A-E, as noted or appropriate.

Selectman Maddox asked if it would be appropriate this early in the month to put on the calendar when the Town is going to observe Halloween, as it's not on the calendar. The question is, is it going to be on Saturday, October 31<sup>st</sup>? Chairman Coutu asked Chief Lavoie if Halloween would be celebrated the last Saturday of the month, which would be the 31<sup>st</sup>, and it would be from 6 to 8 p.m. in Town. Chief Lavoie indicated yes. Selectman Jasper said it is the policy of the Town of Hudson to hold trick-or-treat always on the 31<sup>st</sup>. Selectman Massey said it hasn't always been though. There was a policy a number of years ago, Selectman Jasper said, he didn't remember the last time it wasn't, but he knows that the Board just made a motion a number of years ago. It had to be more than 6 or 7 that it was just whatever day Halloween fell on is when we had trick-or-treating. Chairman Coutu said we could also ask the Cable Committee to post it as well Selectman Massey. He thinks he's accomplished the posting by virtue of our conversation.

Vote: Motion carried 5-0.

### A. **Assessing Items**

### B. **Water/Sewer Items**

### C. **Licenses & Permits**

- 1) Request to solicit funds by Nashua Pastoral Care Center from Nashua, NH
- 2) Raffle Permit by Hudson Firefighters Relief Association from Hudson, NH
- 3) Request to solicit funds by Nashua Police Athletic League from Nashua, NH
- 4) Request to solicit funds by New England Voices in Harmony from Nashua, NH
- 5) Raffle Permit by Friends of Alvirne Ice Hockey (FAIH) from Hudson, NH

### D. **Acceptance of Minutes**

### E. **Calendar**

- 10/13 7:00 Board of Selectmen in BOS Meeting Room
- 10/14 3:30 Hudson School Board in CD Meeting Room
- 10/15 7:00 Benson's Committee in BOS Meeting Room
- 10/15 7:30 Budget Committee in Community Development Meeting Room
- 10/17 10 - 7 Pumpkin Fest at Hills House on Derry Road
- 10/19 6:30 Hudson School Board in BOS Meeting Room
- 10/19 7:00 Conservation Commission in Community Development Meeting Room
- 10/20 4:30 Hudson School Board in Community Development Meeting Room
- 10/20 7:00 Board of Selectmen Budget Review in BOS Meeting Room

10/21 5:00 Water Utility Committee in BOS Meeting Room  
 10/21 7:00 Library Trustees in BOS Meeting Room  
 10/21 7:00 Hudson Seniors in Community Development Meeting Room  
 10/22 7:00 Board of Selectmen Budget Review in BOS Meeting Room  
 10/22 7:30 ZBA in Community Development Meeting Room  
 10/24 9:00 Board of Selectmen Budget Review in BOS Meeting Room  
 10/26 4:30 Hudson School Board in Community Development Meeting Room  
 10/26 6:00 Recycling Committee in BOS Meeting Room  
 10/26 7:00 Green Team in Community Development Meeting Room  
 10/27 3:30 Hudson School Board in Community Development Meeting Room  
 10/27 7:00 Board of Selectmen in BOS Meeting Room  
 10/28 7:00 Hudson School Board in Community Development Meeting Room  
 10/29 3:00 Trustees of the Trust Fund in Community Development Meeting Room  
 10/29 7:00 Board of Selectmen Budget Review in BOS Meeting Room  
 10/31 6:00 - 8:00 Halloween  
 11/02 6:30 Hudson School Board in BOS Meeting Room  
 11/03 7:00 Board of Selectmen in BOS Meeting Room  
 11/04 7:00 Planning Board in Community Development Meeting Room  
 11/05 6:30 Recreation Committee in BOS Meeting Room  
 11/09 7:00 Conservation Commission in Community Development Meeting Room  
 11/09 First Day to Accept Zoning Petitions  
 11/10 7:00 Board of Selectmen in BOS Meeting Room  
 11/11 Veteran's Day - Town of Hudson closed  
 11/12 5:30 Sewer Utility Committee in BOS Meeting Room  
 11/12 7:30 Zoning Board of Adjustment in Community Development Meeting Room

**7. OLD BUSINESS**

**A. Vote taken after Nonpublic Session on October 6, 2009**

Motion to adjourn at 11:01 p.m. by Selectman Jasper, seconded by Selectman Maddox, carried 5-0.

**8. NEW BUSINESS**

**A. State of NH DOT - 2010 Aerial Photography Initiative**

Jim Michaud, Assistant Assessor, has given the Board quite a bit of data on what the State of New Hampshire is intending to do for 2010. They're intending to do a state-wide fly over at a 1-foot pixel level. They're offering up communities an opportunity to buy in at a 6-inch pixel level. Currently the last aerial imagery project that we did was in 2005. So by 2010 this will be around 5 years old. He's listed some of the recent subdivision activity and real estate activity in the memo since 2005. Generally speaking, those are the industry recommended approximately a 5-year time frame between aerial imagery projects. The benefit of working with the State on this and potentially area communities is instead of it costing roughly \$25,000, which it cost us in 2005, this would cost in the range of \$5,000 to \$8,700. Obviously the more communities that buy in that surround us, the cheaper it will be. The less communities that buy in around us, the more expensive it will be. But that is their general estimate of what it will cost. The State hasn't signed a contract yet with the aerial imagery company, but they've received some money from USGS grant money and also State money would be part of this. It's a good opportunity to possibly at one-third cost get updated aerial imagery.

What's important about aerial imagery that we would use here that we've been using compared to something you might get on the internet through Google Earth or something, this is integrated. In one word that's the big difference between going off and looking at aerial imagery through an internet website versus those are using it within this building and hopefully out on the public counter and on the internet someday is that it's integrated with our tax map data, tax map and lot, its integrated with our ownership data, our assessing data. All the layers of an onion that form GIS. This would be integrated with those. So we'll also be able to see a history as we currently do of the 1998 aerial flyover, as well as the aerial imagery, as well as the 2005 aerial imagery. Mr. Michaud has talked with department heads, he went up to the State, and he's talked with Steve.

In terms of funding resources, that's the second part of the memo. Basically the Planning Board tax map update fund does have an available balance to it if that is something conceptually the Board

want to go with the idea, then it would be probably Mr. Michaud's mission to go to the Planning Board and see if it would be their idea to use that fund. There are no funds allocated within this current budget. He hasn't put any money in for FY2011 to conduct this. He kind of looked at the tax map update fund as a likely fund. It was also the fund that was used to do the 2005 flyover. Some other communities have gotten a little creative and used police forfeiture money and the like, but he hasn't gone down that road just because we do have a fund that seems to be happily named for this.

Chairman Coutu said when he looked at the GIS expenditure and revenues, the second sheet, just so we're clear, it would appear that if he's reading the numbers correctly that we have more than sufficient monies in that account to cover that. Mr. Michaud indicated that that was correct. Chairman Coutu assumed that these are cumulative numbers. They're not cumulative numbers. They are individual numbers by year, but we can accumulate them to come to what we presently have in the FY2009 account, correct? Certainly [Mr. Michaud]. Mr. Michaud stated that those funds are derived when subdivisions come in and site plans come in. Developers actually pay money per lot or per site to update that fund. That fund is multipurpose. It's not just for something like this. It also assists the Town in updating the tax maps each year, putting the tax map PDFs on the website, and items like that.

In preparing this document, Chairman Coutu asked if gets the actual amount of money that is in the account as of today. Mr. Michaud indicated that he didn't get it through today. He got it probably 3 weeks ago from the Finance Director. Chairman Coutu stated that after that date you had a cumulative number that is in the account. Mr. Michaud said yes and that is that number approximately.

Selectman Massey had a couple of questions. For technical purposes, his assumption is that 6-inch pixel quality means that every pixel on the picture represents an inch of real estate. Is that correct? That is Mr. Michaud's understanding and he believes, although it doesn't say it that way, but it's in the specs that the DOT provided. Secondly, Selectman Massey would be in support of this absolutely. He thinks that given what we knew when we did the 2005, we have to do this early in the spring or it's of no value, or it's of lesser value because you want it before the trees get their canopy. We did the flyover, he believes last year or in 2005 either in early or mid April when there was still enough visibility onto the ground. That brings it to the real value of this. Unlike the other maps we have in Town, this aerial flyover which is in color, you can see very good wetlands that come into play when the Planning Board and the Conservation Commission and even the Zoning Board are looking at applications where wetlands. It's a pretty good indication of what things look like. As we have learned at the Planning Board in recent cases, having these aerial maps every few years gives us a benchmark and a data point for certain conditions that the land existed in under certain zoning ordinance situations. So Selectman Massey would wholeheartedly support us moving forward to this at this price as opposed to trying in 2012 to put a warrant article that we know would be a lot more.

*Motion by Selectman Massey, seconded by Selectman Maddox, to authorize the Assistant Town Assessor to work with the Planning Board to secure the funds to engage with the State on doing the 2010 aerial photography project, carried 5-0.*

Mr. Michaud indicated that before any contract is signed, etc., there might be a revisit just to make sure. Chairman Coutu would expect that and given an update.

## **B. 2009 Tax Rate**

Chairman Coutu recognized Kathy Carpentier, Finance Director and Superintendent Randy Bell. As the Superintendent took his seat, Chairman Coutu wanted him to know that he watches his meetings regularly. He's very impressed with the direction his budget has taken and with the innovated ways and creative ways he's come up with saving the Town some money. Chairman Coutu appreciated it as a representative of the people. Thank you.

Kathy Carpentier - Steve and I requested Randy to come because this is a tax bill for the whole Town, so we wanted to represent both the Town and the school. She comes before the Selectmen to set the tax rate for the fall 2009 property tax bill. The first bill of the year is based on last year's tax rate, and now we need to set the actual rate with the Department of Revenue. She presented to them as budgeted the use of \$1.2 million of the budgeted surplus, which would approximately set the tax rate at \$15.15 per thousand. This would be a 5.1 percent decrease over last year's tax rate,

leaving us a balance of \$3,782,570. On page 5 Ms. Carpentier proposed alternative solutions if you choose to use a different number, but the 1.2 million is what was budgeted for this year. Superintendent Bell said from the school side, it's pretty clear. They had a fortunate year. They have received \$1 million additional in State aide on adequacy aide and also had a fortunate year with their fund balance. Their budget is down primarily because a bond issue was paid off. There were a lot of things that contributed well. So on the school side, he thinks they're down \$.92 on the tax rate for which we're appreciative. We're not always in that particular situation.

Selectman Massey asked for a clarification for Superintendent Bell. Could you explain something to me? On the schools it lists one item called "Less: Adequate Education Grant" and then another item "Equalized Valuation". They are both the same amount. Based on what he is looking at, they're both counted. What's the difference between those 2 and are they the same every year? Mr. Bell said the Adequate Education Grant is based upon a number of factors dealing with student enrollment and needs of the district. The formula from the State changed between what you see for the '08 calculation and the '09 calculation. We were among 10 communities that gained \$1 million or so on the State calculation. The second piece is State education taxes. That's the state-wide property tax, which is called a state-wide property tax even though it's collected locally, kept locally, and spent locally. So when you're really looking at the 2, that's what is combined is really the tax effort of the community to look at. Just so Selectman Massey is looking at the right numbers because of the way this is presented. Under the school line itself it shows state education taxes for this year of \$6.1 million. There is another line called "Equalized Valuation Stated Education" and it's the same number. It looks to him like we have 2 revenues coming from the State. One from the State directly, if he understands correctly and the other one through the property tax, which is collected locally and stays locally. Is Selectman Massey reading that correct?

Superintendent Bell said they are based on different equalized valuation. The State is required to impose a particular tax rate for the state-wide portion of the property tax. That calculation does not include utilities. So the rate differs. The rate is \$2.22. It is calculated on the equalized valuation of the community and not the assessed valuation. It is without utilities.

Selectman Massey has one last question to the Finance Director. What would be your assessment if we were to instead of taking \$1.2 million out of the unfunded non-expended balance, the surplus if you will? He knows it would increase slightly the tax rate, but what impact would it have for next year when we would not have that \$1.2 million in the revenue stream. We'd have only 1 million. Have you looked at that? Ms. Carpentier doesn't believe the Board has decided on what's going to be used next year for the surplus. Selectman Massey said she's indicated in her memo that that is what she is recommending is that the Board use \$1.2 million. Mr. Malizia said that's what was budgeted during the process. All she's done is come forward with what was budgeted. Selectman Massey asked to follow up on that. Then if we were to use the \$1.2 million, we would be looking at this proposed rate of \$15.15? That is correct [Kathy Carpentier]. Selectman Massey said so the question is what would be her estimation or the prudence of dropping that from 1.2 million to 1 million? Chairman Coutu said if we went from 1.2 million down to zero - straight across the top - 1.2 million down to zero will tell you what the rate is and what the affect is, the percentage decrease on the tax rate. So as Selectman Massey is looking at it, it would increase the proposed rate from \$15.15 to \$15.22, but it would mean next year that the revenue would be \$1 million that we would be looking at covering. Maybe Selectman Jasper since he's up on this same issue might have an observation.

Selectman Jasper stated that the problem with using any surplus is that we then have to use surplus again the following year to keep the tax rate from rising. So from a strictly budgetary situation, the best thing to do this year is to use none and then if you can use any the following year, you can drop the tax rate. If we were to a million this year, if we use anything less than a million next year, the tax rate goes up. We're in a very interesting situation here and unusual in that the tax rate is now \$15.96. If we use nothing, the tax rate falls by \$.40. Combine that with the school district's \$.92, we have the perfect storm sort of the other way because we can...Ms. Carpentier said the \$15.56 includes the school's piece. Selectman Jasper apologized. [Selectman Jasper] We can still drop the tax rate \$.40 by doing nothing. So we really ought to look at where we are in terms of our total unreserved balance and where we want to be. Be mindful that we started off this year with \$6.3 million. Our best situation if we use none, we only have 4.9. So we're still going down. Even if we don't use any, our fund balance is dropping by \$1.4 million.

If Selectman Massey reads it correctly, it's if we use the 1.2 then...he misread it. Selectman Jasper said if we use the 1.2, we follow all the way down to 3.7. So we've cut our fund balance from 6.3 to

3.7. His recommendation actually would be to go somewhere in the middle and use only \$800,000 and thereby still dropping the tax rate by \$.67. Based on the conversation Chairman Coutu had with Ms. Carpentier with regards to the application of the 1.2 million versus not and the effect on the tax rate this year versus next year, would you say that Selectman Jasper adequately represented what we had discussed and what you had pointed out to him? Yes [Kathy Carpentier].

Selectman Maddox agreed with Selectman Jasper. He thinks that we're still not sure where we are going. He agrees that this is one of those years and for the people watching at home - we're talking about \$245 average savings at the \$1.2 million and \$203 savings. He thinks that the \$800,000 is prudent. We're still not sure where it is going to go. That \$400,000 in subsequent years could make a big difference. Selectman Maddox doesn't want to go to zero even though that would be great. He thinks we need to balance. The \$800,000 in Selectman Maddox's mind, Mr. Chairman, is a reasonable number. Chairman Coutu reflects back on conversations held last year when they discussed the surplus balance and Selectman Jasper was quite concerned. You're saying you would be comfortable if we took the \$80,000.

Selectman Jasper said he'd rather take less, but looking at everything as a balance, at least now we're closer than if we have a problem it's not as dramatic. Chairman Coutu indicated Selectman Jasper was very concerned last year. Selectman Jasper said if you look at the 1.2 that only leaves us with 6.6 percent. The recommendation is between 5 and 7.5 percent. \$800,000 leaves at the high range, and we can expect we'll probably drop again next year. If we were to go all the way down, we could easily fall under 5 percent next year, which would not be a good thing. Mr. Malizia stated why don't we think about 6 because it's half of the 1.2 and kind of gives us 6 for next year so that we have the same number going into next year as this year. The other concern he has is and he just wants to find out - you have \$1 million this year unanticipated. Are we still going to get the \$1 million next year? Superintendent Bell said we'll have the \$1 million in the adequacy presuming that the legislature doesn't go too far astray. There was a 2 year thing. It should be available for next year. We're budgeting that for next year. Just keeping all those variables in mind, Mr. Malizia said in the areas when he says 6 is because if you put 6 in this year, you can budget 6 in next year and be where you would have been if you'd use the 1.2. From a taxpayer perspective, you're talking you'd be at a \$180 savings as opposed to 200. Just trying to find that kind of fine line, that middle ground just because it gives you at least something to work with going into next year because we don't know where we're going to be. We're going to need something for next year. That's just a thought to think about.

Selectman Nadeau indicated he was leaning toward 400. He thinks that 600 is half of where we were going to start tonight. So he thinks 600 would probably be a better number. You're going to be looking at about \$175 savings roughly for the average house in Hudson. Mr. Malizia said about \$180 if he actually just split the 203 and the 161. You're looking at about \$180 in savings.

The concern Selectman Massey has is exactly - first of all he didn't think they were going to 1.2 million. That's why he raised the original question. There are some concerns we need to be thinking about. Unfortunately we understand because we play with these numbers all the time but it is going to be difficult in the future to think about it he thinks for most people. When we look at our current plans, the town is about \$900,000 less our revenues this year from last year. The school is approximately \$1.4 million down, but they are offsetting that by a 1.1 million increase. So between the two of us, we're about \$1 million short overall in the total revenues to the Town. So if the same numbers apply for next year, then a \$600,000 wouldn't be that difficult to do. He thinks we really would have to be at that case very clear next year when we're looking at what we're talking about. On that basis, thank you Mr. Chairman.

*Motion by Selectman Jasper, seconded by Selectman Massey, to authorize to use \$600,000 to offset the tax rate and to authorize the Finance Director to use any unanticipated revenues to further reduce the tax rate, carried 5-0*

### **C. Capital Reserve Funds**

Kathy Carpentier read the following from her memo to Steve Malizia dated October 7, 2009:

"The default budget was approved by the voters for fiscal year 2010. Within the default operating budget there were funds approved to be appropriated to specific capital reserve funds. There are 3 (three) appropriations that are in excess of the budgeted request. It has been the practice of my department to transfer funds at the beginning of the new fiscal year for the budgeted appropriations.

Because 3 appropriations were in excess, I felt it necessary to come before the board and ask the board for direction on how to proceed with those 3. I would like to obtain your authorization to go ahead and transfer the funding for the budgeted default, with the exception of the cable access center, the Nashua Wastewater, and VacCon truck replacement with these being taken up at the end of the year based on available funds.”

Selectman Jasper thinks its clear when you say the exception - no monies for those items would be transferred, and the monies that would be transferred would be at the rates of the default budget. Ms. Carpentier said that was correct.

*Motion by Selectman Jasper, seconded by Selectman Massey, to authorize the Finance Director to transfer the budgeted funding in the amount of \$439,500 to the Trustees of the Trust Fund with the exception of Cable Access Center, Nashua Waste Water, and VacCon Truck Replacement with these exceptions being revisited before June 30, 2010.*

Selectman Maddox stated it's just confusing. The motion should just be to transfer the amount of 439 to the Trustees of the Trust Fund. The exceptions don't need to be there because the 439 is all it adds up to. Mr. Malizia said when you look at history; it's easy when they are there to find out what we didn't do. It's just would make it easier just for the record. The way Selectman Massey would read this if at the end of the fiscal year there's money in those 3 accounts, we could consider moving money into those 3 - actually we can't do it for the wastewater capital because we had zero money off of that line item, which was the reason why we put \$1 in the cable access so that would give us the ability to put more money in there. That's the way he's interpreting this motion. At the end of the year if there's money left over in the cable access or the highway department, we could consider transferring. Is that the way Selectman Massey is reading it? Kathy Carpentier stated that was correct. That was her interpretation of the legal opinion. That's why she worded it that way. Selectman Maddox said something with attached as per page 2 or something (Selectmen talking over each other). That's why Selectman Jasper said that, and he thinks that would be reflected in the minutes.

*Vote: Motion carried 5-0.*

#### **D. Ottarnic Pond Cooperative Sewer/Water Project Close Out**

Steve Malizia, Town Administrator, stated that the Acting Town Engineer Gary Webster is here to provide some information but the bottom line the Ottarnic Pond Coop. Sewer/Water project is complete as he understands it and we're looking to actually formulate. Yes [Gary Webster].

Gary Webster said we are doing the final closeout of the project. Everything is done out there. The engineers had to do some of their own work out there (inaudible) to the pump house. But we are finished. In light of that once we are done, the people at Ottarnic Pond would like to start paying us back, so would like to get the final numbers, give it to KC, and she's going to come up with the payment by January. At that same time, what Mr. Webster did was we lost our DES funding as part of the projected 2010 with DES. He's redoing the grant to DES for the money for the upcoming years. It's completed and ready to go. It's signed, sealed, and delivered - the grant will be \$117,892 that they would owe us, which is 20 percent of the sewer out there at the project. That includes the additional money that we paid the engineer for the inspection out there. He has it all broken down. It's time for the project to be done. It's out of our hands. The only thing left is we do have retainage on the project with the contract DBU. That will be to December 15<sup>th</sup> will be the final to pay them back. It's just a retainage. They are all done. The punch list is done. Kevin and everyone else has been out there. The engineers from observing the project are all set. The only thing they owe us is the operation manual for the pump house.

Chairman Coutu wanted to know what the pay back number - years on payback for the loan. Mr. Webster believed it was 3 ½ percent for 20 years. We had no contract with them. Before we all got started with this, Mr. Webster had them sign a Promissory Note until we had the final figures to present them what their payments were going to be. We're in our end of it now. The only thing now is the audit. There's some expense to that. It will be included in this. Once we get that done, then there's just a matter of sitting down and coming up with a - I know KC is very busy right now - these people are looking to start January 1<sup>st</sup> in that billing quarter. He's not sure if they are going to do it annually or quarterly. We know it's going to be for an annual basis once we get this all done. It looks very nice out there. If you haven't been out there, it looks 100 percent better than when we started.

Chairman Coutu asked what the warranty or guarantee on the equipment that's on the property. Mr. Webster indicated there's a one-year warranty on everything, but the equipment is a little longer than that. He believes its 2 years on the pump house and so forth. It's not working very hard out there. The sewer usage out there is very limited. It's really a nice system. Eventually when we have time, he'd like to bring them out there. It came out really nice. It was a headache job, but it did come out nice.

Selectman Massey had two things. Number one - it's his understanding that the payment structure for this cooperative was the same that we did for Glenn Drive. The same interest rate and the same payment. Right [Steve Malizia]. The other thing unless something has changed, the payment is going to be made not by the individual owners but by the cooperative. We only have to send one check or one bill each quarter for the sewer and once a month for the water. Mr. Webster indicated that was correct.

Selectman Maddox didn't see in the packet, and he's sure Mr. Webster has it, what was the final cost for engineering opposed to their estimate? Mr. Webster indicated the original contract with the engineers was \$87,600. Then we signed another contract with them for another \$12,000 and it was \$99,000. Then we signed one back for \$68,000 and change, which included \$12,000 of that was in there. We actually spent on that second last contract \$50,184. Mr. Webster didn't spend it all, and they're not getting it.

Motion by Selectman Jasper, seconded by Selectman Massey, to accept the work done by DBU Construction, Inc. on the Ottarnic Pond Cooperative Sewer and Water Project and to authorize the Chairman of the Board of Selectmen to sign the Certificate of Final Completion of Work, carried 5-0.

**E. Lowell Road (Route 3A) Sidewalk Project #13100 Close Out**

Chairman Coutu recognized Steve Malizia, Town Administrator. Mr. Malizia deferred to Acting Town Engineer. Mr. Webster that the deadline for this project - everything is finished out there. As you realized, he came back to do the paving out there. He did the extra work on the paving. We've been paid by the DOT. He's come up and he's sent the last bills up for his time out there and some land taking. That's up there now at the DOT. We don't owe the contractor one dime. He's been paid in full and the project is ready to be accepted. So Mr. Webster can get the paper up to DOT and close out this project. In the corridor account, there is money still left over there. There wasn't much, but there's still money in the Lowell Road account. Originally we wouldn't have almost anything, but we worked out and we saved money. The money we saved, you can actually see it out there now, is the paving. We changed a few things with the striping out there. It was a nice project. Chairman Coutu said it looked good.

The end of the sidewalk where it just ends at the brook, Selectman Maddox asked where the crosswalk was? Gary Webster said there's a handicapped area. There's a crosswalk that is painted. You'll see the signs. Selectman Maddox was talking about the call button. Mr. Webster said there's a pole on both sides where they hit. It's there. Selectman Maddox said he's so worried about hitting that curb that just kind of comes out of the...Mr. Webster said that's why we restriped everything. That way we did a taper. He heard enough about that. The guy that plows that wasn't very last year either. Now we've got it done. We do put a marker out there. Eventually someday, Mr. Webster won't be here, maybe they'll continue the sidewalk down the road. That was a concern Chairman Coutu had raised. Mr. Webster stated that everybody had. With the painting of the lines now, Chairman Coutu doesn't know what it's going to be like in the winter time when you have snow and slush on there. Someone is going to go over that sidewalk. He's more concerned about the plow hitting that.

Motion by Selectman Massey, seconded by Selectman Maddox, to accept the work done by Pichette Brothers Construction Co., Inc. on the Lowell Road (Route 3A) Sidewalk Project #13100 and to authorize the Chairman of the Board of Selectmen to sign the Certificate of Final Completion of Work, carried 5-0.

Selectman Massey stated that we really owe Mr. Webster a sincere thanks. He has bird dogged this project from beginning to end. With all the frustrations and setbacks we had on obtaining the easements in particular. Thank you for sticking through and having us have a little more sidewalk in town. Mr. Webster said thank you and he's smiling now. The Board thanked Mr. Webster as well.

**F. Request to use Hudson Community Center - District 13 Alkathon Committee on December 24 and December 25, 2009 for a fee of \$400**

Steve Malizia, Town Administrator, stated that this group under the authorization of the Board used the Community Center last year to provide a safe environment for folks who have alcohol problems. They used the Community Center on December 24<sup>th</sup> and 25<sup>th</sup> to host an event that help some folks get through the holidays. As he understood it, they left the hall cleaner than when they started. It was well attended and a good event and they're asking for permission to use the Community Center again for the 24<sup>th</sup> and 25<sup>th</sup>. Chairman Coutu stated that the Board should all recollect a conversation they had last year with regards - they had raised some concerns and the reports he had were very positive from Chairman Coutu's perspective. He sees no problem with allowing them to do it again this year.

*Motion by Selectman Nadeau, seconded by Selectman Maddox, to authorize the District 13 Alkathon Committee of Alcoholics Anonymous to use the Hudson Community Center on December 24 & 25, 2009 for a fee of \$400, carried 5-0.*

**G. Eayr's Pond Park**

David Yates, Recreation Director, was at the meeting to see what the Board's wishes are on going forward with a playground on the piece of property on the corner of Eayr's Pond and Chestnut Street. There is a 5-acre parcel there. It's a very flat piece of land. There are no wetlands at all on it. It's in the south end of town, which we all know we need something in the south end of town. If it's approved by the Board, there is \$122,000 in the recreation fees that could be used for this project if approved by you and the Planning Board. The park would include a walking path and playground, picnic area. He believed they would have 20 parking spots and they are all off-street parking along with a couple of volleyball courts and some green space in the middle. So we're here tonight if the Board wants to go the next step and go forward with this project.

Selectman Maddox said it looks like a great project but having a long history with this parcel out there for proposals like this he would suggest that before we give final approval, we give the residents the courtesy of being heard and hold a public hearing on this. Chairman Coutu has no problem with that. He thinks that was the best advice, best counsel he give us at this time.

To that end, Selectman Massey thinks that there are a couple of other things that need to be looked at before they can be certain that this is the appropriate thing. First of all, all of those streets down there are very narrow. Most of them are one way. They are not streets that to his knowledge would meet town standards even when they were constructed they did not meet town standards. If you had noticed, Eayr's Pond Road the way this is drawn comes to a dead end so if an emergency vehicle had to get in there it might present some problems. Because of the narrowness of the streets and given the type of activities there, 22 parking spaces may not be enough. If you had 3 volleyball courts going at once and they had regulation teams that would be 36 players for the 3 courts. He is not clear whether they would come in 36 separate - probably not, but maybe more than 22. That was something else he thinks we'd have to look at.

For the record, Selectman Massey, Chairman Coutu stated that this is not for organized sports at all. This is a passive recreation neighborhood park. We want to dissuade and clear the air. This is not for organized sports. This is a neighborhood passive recreation park. That's the only purpose of this design. Mr. Malizia asked if it would be similar to Merryfield Park where you have folks can go and utilize the playground, utilize the sand volleyball courts at their leisure or convenience. That certainly doesn't have 30 parking spots. That's in proximity to other neighborhoods. It's more of a drop-in park. In the past, Mr. Malizia knows they've talked about soccer there. They had a hearing and it was about soccer. People were vehemently against it because of the influx of 500 cars showing up at the same time. He understands that the plan that Mr. Yates is presenting, it's just to have a neighborhood park.

Chairman Coutu said that's all it is. That's the only intent, and he doesn't think that based on the conversations and the work that the Recreation Committee did, and in the preparation of this document when they discussed it, it clearly, clearly was stated that we would not even entertain the idea of somebody coming along and saying we are an organized athletic group and we want to use this park for organized sports. We wanted to get away from that because as you know, Chairman Coutu wasn't there. The history of this piece of land as Selectman Jasper pointed out and as Selectman Massey, there was some contention in the neighborhood with regards to allowing

organized sports. That's when you get the influx of a large number of automobiles, parents, and coaches. This is designed merely as a south end neighborhood very passive recreation. It's going to be a walking trail that completely surrounds the park - the outer perimeter of the walking trail. There's going to be a solid tree buffer to separate the park from the rest of the neighborhood. The 20 parking spaces are off street off of Chestnut Street. He's been up and down that area in the past 5 months at least 2 dozen times to make sure that this was a good fit for the neighborhood. The volleyball courts are merely there - we're saying volleyball courts, we could probably throw in a couple of basketball courts. You can do a lot of things with that area. As it was designed, it was designed as volleyball courts. The playground area and equipment, Jeremy Griffus, who is the new Chair person of the Recreation Committee suggested that we may be able to save a considerable amount of money in that area if he could muster together a core group of volunteers. He has that expertise. You did it at Hills Garrison. So we may be able to save a considerable amount of money there if we have the volunteers put in the playground equipment for that corner of the park. Again, it's merely a passive recreational neighborhood design park. By the way because somebody else had asked this question, you'll notice that on the right hand side if you're looking at the document as Chairman Coutu is as it's presented to us, you'll see an indication by dotted lines of Pine Drive. That does not exist. It may be the former right-of-way. Selectman Massey indicated it was a paper street and there were several of them in that area. The good news is because the Town owns both parcels, the paper street is effectively discontinued and the Town owns it. Chairman Coutu would have no reservation notifying the citizens of that neighborhood that we're interested in doing this and having them come before us. With this approach, he thinks they would be much more receptive to the idea. In all fairness, we should listen to their concerns if they have any or their endorsement of the park.

Selectman Maddox asked if we owned the parcel on the other side of Chestnut. Chairman Coutu said we own a small portion. Mr. Yates said yes. There is a small portion on the opposite side. The original plan - what Selectman Maddox is getting at is that would be a buffer as well. Selectman Massey said he would think then 2 things because he was looking at the same thing. If in fact we own the other parcel, one thing that he suggested we do is change the intersection from being to round off the corner a little bit more. It does change the whole dynamics of this by switching it to non-organized sports. On that basis, Selectman Massey thinks it has lesser problem with parking. It would be worthwhile to recontour that intersection to have a wider turn capability. Chairman Coutu didn't think of it until he was looking at it, and he's glad Selectman Massey made that recommendation. You know Selectman Massey, we both come from the south end of town. A place for recreational activity we have none and we had anticipated that we get the Stop N Shop. He knows he shares the same concerns as he does for the people at the south end. This is palatable. He thinks that we are going to make it very clear and as long as Chairman Coutu is on the Board of Selectmen or not on the Board of Selectmen if anybody ever in the future should propose formalizing a recreational activity at that park, he will vehemently oppose it. He thinks that he would do the same. If we're going to make a promise to the neighborhood, we should make sure we maintain that promise. If we have to put it in the form of a motion we'll accept it as a condition, then we will do that.

Selectman Nadeau had 2 things. He asked if this was run by the fire department as far as access in and out of here with the fire truck. The other thing is he noticed the road dead ends down here. Like you guys were saying if there's a way to widen the corner to make it easier to get in and out of the street. But if we can get together with the road agent and the fire department as far as the right cut and maybe if we have to make this street down here a cul-de-sac and use part of our land to do that so it makes it easier access to get in and out of there with the trucks, he thinks that is something that needs to be looked at. Chairman Coutu asked Mr. Yates to get a hold of the Road Agent and go over this with him as well as speaking to Chief Murray.

Selectman Jasper doesn't disagree with what Selectman Nadeau said. He thinks that you'll actually find on the ground where this is a map, the actual conditions on the ground are a little bit different. It's not as severe a corner there. He was still on the fire department when there was a fire at the end of Chestnut Street. Former moderator Mike Keenan had a building - it wasn't his house that burned, but there was a building and we did have a lot of apparatus. It was a shed. We did have a lot of apparatus there that night, so we were able to get down there. He knows there are issues with the plowing of dead ending that and there may be a way if we're doing construction out there to work with a road agent and correct some other problems that currently exist. A good idea. Is it the intent that this plan if approved would be sent to the Planning Board for review? Chairman Coutu believed it would have to go to the Planning Board in order to get the money.

Selectman Maddox would hope that we would send it to the Planning Board for a couple of reasons. Number one is to alleviate the fears that the neighbors could have. If that was a stipulation on the plan, clearly stated, recorded, there wouldn't be any we have to go look through 10 years of minutes. It would be on the document. If you're going to use their money, he thinks that the Planning Board wouldn't like you to skip by them. Then it would give you a forum for the public hearing that you're looking for. They are already set up to do that rather than coming into a selectmen's meeting and getting into some of those details. Just if we agree with it in concept, have them go through and see John Cashell and we'll waive all the fees and just get it on the Planning Board's agenda for do they believe that's a good expenditure of recreation fee monies, and utilizing the Stop N Shop monies, and then coming up with a plan and putting it on the agenda. The reason why Chairman Coutu used the word "stipulation" is because that's synonymous with planning. He expected it would go to planning.

Selectman Jasper still thinks it should come to the Selectmen for a hearing because we're the ones who really get to make the decisions. It goes to the Planning Board and it's not quite the same level of decision making, and he thinks it could speed up the process quite a bit if they heard those things early on before things get to that point of going forward with the Planning Board. Chairman Coutu is amenable to either or, or both. It would appear at this juncture maybe both would be appropriate. S

*Motion by Selectman Jasper, seconded by Selectman Nadeau, that we hold a public hearing on the conceptual plan in front of the Board of Selectmen at the first regular meeting in November with the intent to send the plan to the Planning Board if approved by the Board of Selectmen after a public hearing.*

Selectman Maddox asked that the current balance of \$122,000 if that was just in the Rec. fund or was that inclusive of the Stop N Shop monies. Mr. Yates thought that includes the Stop N Shop money. Chairman Coutu indicated that should include the Stop N Shop money.

*Vote: Motion carried 5-0.*

Before you leave Mr. Griffus, Chairman Coutu thanked him. He almost missed it. He decided to run downstairs and go on his computer before he left. Chairman Coutu hoped the Board would extend him the courtesy while Jeremy was there. He passed the documents back to Jeremy and gave him the opportunity to talk about, because he thought it was important now that the Halloween is upon us, his expertise with handling the C.H.I.P.S. program.

Mr. Griffus had sent an e-mail to Chairman Coutu asking if he would briefly mention during selectmen comments that C.H.I.P.S. Committee will be hosting their annual Freight Night. Last year we had a bit of a scare with lack of funds. This year we're all set to go, and planning is well under way. We're good to go. Basically he's asking if Chairman Coutu would mind mentioning during selectmen comment section if anybody were interested in volunteering, that's one thing that we do need is volunteers. We can never have enough volunteers in order to make sure that the event goes smoothly and safely. It should be a great event. We're not doing too much new, but we have it planned for October 23<sup>rd</sup> which is a Friday. Doors are opening at 6 p.m. If you are interested in volunteering, please feel free to give him a call at home 765-9270. Chairman Coutu asked Jeremy to provide the information to Leo so that he could get it on cable so that people could call and volunteer. He doesn't know how many selectmen went last year - Chairman Coutu was there as well as Selectman Massey and Selectman Nadeau. There's a large number of kids who really have a good time. It's well organized and the kids are well behaved because there's so much activity going on. With the number of volunteers that you have every year, last year it was touch and go whether or not it was even going to be put on. The police department was able to secure the funding at the last minute. It was a great time. The kids had a ball. If you've never been, you've never taken your children, he recommends that you go. If you can help at all, please call Jeremy and let him know you're interested in helping. The contact person at the police department is Officer Chris Cavallero. Chairman Coutu thanked Jeremy and wished him much success. Good luck as the new Chair of the Recreation Committee.

#### **H. Health/Deputy Health Officer**

Steve Malizia, Town Administrator, stated that Bill Oleksak's term as Health Officer is scheduled to expire on the 6<sup>th</sup> of December, 2009. In order to reappoint Bill to the position as Health Officer for the Town, the Board must approve and sign the Local Health Officer Nomination form and return it to the State for certification. In addition, Bill is recommending that the Board appoint Gary Webster,

Acting Town Engineer; Blake Miller, the Part-Time Building Inspector; and Animal Control Officer Jana McMillan as Deputy Health Officer to assist Bill should the need arise. Basically we're looking for a nomination of William Oleksak for the position of Health Officer with Deputy nominations for Gary Webster, Blake Miller, and Jana McMillan.

*Motion by Selectman Massey, seconded by Selectman Nadeau, to nominate William Oleksak for the position of Health Officer for the Town of Hudson and to nominate Gary Webster, Blake Miller, and Jana McMillan as Deputy Health Officers for the Town of Hudson.*

Selectman Jasper's only question was, and he didn't remember, we may have multiple deputies now. Mr. Malizia indicated that we did. Looking at the letter from the State, Selectman Jasper indicated that it stated "if you should decide to choose one". Mr. Malizia indicated that we have multiple. We've had for the last few years. Selectman Jasper couldn't remember for sure. The language caught him so he thought he'd ask.

*Vote: Motion carried 5-0.*

#### **I. Rockingham Economic Development Corporation**

Steve Malizia, Town Administrator stated that the Rockingham Economic Development Corporation offered the Town of Hudson an opportunity to become a member of their organization. The Rockingham Economic Development Corporation is basically a regional development corporation and serves Hudson as one of the communities under the State's Community Development Finance Authority. It's nonprofit. Its mission is economic development. It provides assistance technically, possibly alternate financing and referrals to businesses to business and municipalities in Hillsborough and Rockingham Counties. It may not do much for us. It may also be another weapon in our arsenal of economic development. There's no cost to it. It's been extended to us. Again, if it can help some company or someone who's trying to decide where to located to come to Hudson. It's probably worth the investment of a signature.

Chairman Coutu asked if a delegate needed to be appointed to represent the Town in any of their meetings. Mr. Malizia said they haven't asked for that. He would assume that John Cashell and his role as Town Planner would participate. John's had discussions with the Executive Director out there so he's reviewed the materials. He also recommends it. Again, at this point they're not asking for anything specific other than would you like to be a member. It's a regional effort. As Mr. Malizia said, Hudson may or may not get anything out of it but for no cost, we may just have it as another weapon in our arsenal.

Selectman Massey had a question about funding. In the documents it says "What does participating cost your town?" It says nothing. Well where do they get their funding and what are we committing to? Are we able to pull out of this if we ever decided to because the cost was not something that we were willing to bear? It's clearly costing money to run this organization. So if the towns aren't paying anything, what's their source of revenue and what's the withdrawal mechanism if the source of funding turns out to be it has to be the towns? Mr. Malizia stated that given it's a voluntary in, it's a voluntary out. He's assuming that if you don't like it you can just take a motion and get out. Selectman Massey indicated it would be kind of hard to get out if you've asked them to do a project for you and they start working on it and then they say the funding has gone out and all of a sudden we're faced with...he would just be interested in knowing what their source of funding is. That's all. It's not evident in any of this stock invitation what it is.

Chairman Coutu asked Mr. Pearson if he was familiar with - as he's from Salem, he assumed that he might be familiar with them. Mr. Pearson indicated he was not familiar with this particular group. To the question that Mr. Massey just raised, we debated whether we should have the representative from this agency come here tonight to actually speak to you to probably answer your questions. Mr. Cashell also asked Mr. Pearson if he should be there as well. Mr. Pearson wanted to bring it to the Board and see if there's a need. If the Board wishes, he could have the representative from that commission/agency come here and answer all those questions. Chairman Coutu indicated that it sounded good to him.

Selectman Massey wants to make sure that we understand where the source of funding is coming from. He doesn't think they needed to have the representative there to know that. Selectman Maddox wanted to know how many other Hillsborough communities are signed up. When it has the name "Rockingham", he didn't think anybody really comes...but that maybe just they've taken over

for a group that went away or whatever. He would ask the same question. Is there a cost downstream? What would happen if we needed to get out? How many other communities in the Hillsborough or at least this general area are a part of this? Selectman Massey played off of Selectman Maddox as his question kind of goes to that. Since this is called the "Rockingham Economic Development Corporation" if push comes to shove, how do they handle priorities between a Hillsborough County municipality and a Rockingham County municipality? If they're looking to expand their organization, would they change it as an example in thought to the Rockingham/Hillsborough community. So he thinks all those questions would be worthwhile knowing. Mr. Malizia said from that perspective, you may want to just think of it as if somebody is interested in coming to Hudson they may be able to work for us. He's not under any illusion that these people are going to recruit or do anything other than be there if we need something. They can call themselves the Timbucktwo Regional Group if it helps one company come to Hudson and it doesn't cost us anything. That was the whole intent. He hears what they're saying about being committed, he's also curious about the gift horse thing. They come in and then the next year they need this fee. It appears for the last 10 years they've run this without any contribution from the communities. Just perusing the documents, they're either somehow getting federal grants or they get something on the business end when they help somebody locate. Again, no guarantees but.

Selectman Maddox said a lot of these quasi governmental setups take our population count. So our 25,000 would go into their number for some federal funding formula. He just doesn't know if it hurts something that is here more local. Again, he'd like to know more details before we just say yes, and it goes away, and then a year from now it bite us in the butt because we didn't think about or know about "X". The Rockingham kind of throws him, but maybe they just - economies have scaled. They want to use our 25,000 for a federal formula to gain more revenues. Chairman Coutu indicated that that makes sense. Numbers are a factor in ascertaining how much money you're going to get. You may have hit the nail on the head. He still thinks that if we don't want to entertain the idea of having the agency representative come here, we can get Mr. Cashell to secure more information for us and then have him make a presentation to us.

Mr. Massey would prefer to have the agency come in especially since the set of questions that Selectman Maddox. Chairman Coutu stated that by consensus that it would be under old business.

## 9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Ken Massey - Has one thing tonight. He had indicated that he would have on the agenda tonight the Senior Programs Director position. It occurred to him that by the time he was going to be able to get all the materials together he wouldn't make the deadlines for the submission for materials. He will have it on the agenda officially as "Old Business" on October 27, which is our next meeting. We're going to cover three things: 1) the makeup of the committee - Selectman Massey will make a proposal for what the committee should look like; 2) the issue about the building itself, because one of the things he thinks you're going to have think about is the footprint of the building will drive the amount of parking spaces which will in turn then drive where you could potentially site it; 3) finally, whether or not you wish to go forward, which would mean going forward with the agreements with the agency. He'll have all that stuff together by the early part of next week so you'll have plenty of time to look at for your agenda packets.

Selectman Shawn Jasper -

*Motion by Selectman Jasper, seconded by Selectman Massey, to authorize the expenditure of up to \$250.00 out of the Benson's operating fund for the printing of material for the Benson Park soft opening*

Selectman Jasper said it may not be necessary. They're working on donations but given the limited time frame, we wanted to have the flexibility to have monies available if needed. Chairman Coutu asked Selectman Jasper to state the purpose of the printing. Selectman Jasper said it was for brochures, maps, and things they're putting together. The work at the back of the room there is putting a lot of it together, but it will be an informational brochure. Chairman Coutu indicated he knows she's got signs up because he was given his signs today to be put up in his store. The purpose of it is to make sure that when we have sufficient handouts for the visitors who come to familiarize themselves with what's been done, the trail work, and offer an opportunity for them to come and see it and potentially sign up as volunteers for future work.

*Vote: Motion carried 5-0.*

Selectman Jasper indicated he finally had good weekend weather wise for Benson cleanup. They had about 15 to 20 people on site on both days. Not a huge crew, but particularly on Sunday split into 3 different crews. There were crews both days working on the trails. They made some very significant progress on getting things opened up there. There was another crew of a couple gentlemen were working on securing the gorilla cage. They made significant progress there. A number of others worked up at the elephant barn. There people inside doing some painting of the old wood just to brighten it up. Then many of us over the 2 days ended up working on the lion cage outside, which was tangled in vines. It's amazing how much dirt builds up on top of asphalt over the years. He knows Selectman Maddox was out there as they were coming along pretty good on that. It makes the whole entrance look significantly different. There's a lot of work to do. There'll be another cleanup this coming weekend, again from 8 to 2 both Saturday and Sunday we hope weather permitting. We'll see how that goes.

Finally, the soft opening on the 24<sup>th</sup> and 25<sup>th</sup>. There will be a training session for people who are interested in helping guide people around the park and answer questions. That will be taking place on the 19<sup>th</sup> at the Rec. Center on Oakwood Drive. He believes it's at 7 p.m. Chairman Coutu confirmed Monday, October 19. The training will be given by Curt Laffin. Selectman Jasper said things are coming along there. Hopefully we'll get some more entrusted, particularly after that. He was also on site today with the Road Agent. He'll be having some crews in there taking away the brush and some of the debris and doing a little bit more work on cleaning up some of the paved paths. We also looked at the area in front of the A-Frame that we've talked about having grubbed out. This is a good time for his crews right now, because they're in the transition between winter and construction. So they can go in and do some of the grubbing out. Hopefully we'll have a better visual of that field area and what it can be. Things are progressing. That's all he has for the Benson Park Project. Chairman Coutu wanted to know who the company was, but Jerry Desrosiers was kind enough to have another pizza company...Selectman Jasper indicated they had 2 actually. On Saturday they had Professor's Pizza out on Derry Road, and on Sunday we had pizza from Dominos. We very much appreciate it for that sustenance. Chairman Coutu thanked Jerry for begging them again for more food for these people. Selectman Nadeau indicated there is an ongoing list.

Finally, Selectman Jasper said he knew that Chairman Coutu will be reading a statement relative to this, but he wanted to touch on it as well since he received a call this afternoon. He received a call, the person said hello this is Mike with the firefighters of Hudson. We're doing a fund raiser. Well Mike's not a firefighter, and he asked him if he was a professional fundraiser. He said no, he was just working with the firefighters. Selectman Jasper told him he'd have to think about that. The caller indicated that you can call back and he gave him 2 numbers, one of them being the business line for the fire department. So Selectman Jasper called the Chief. He indicated that it was not authorized and they should not be using the phone for that. So be weary of that. He didn't want to take away Chairman Coutu's thunder, but since he personally received the call just today.

Selectman Rick Maddox - Couple of things Mr. Chairman. As we talked about this Rockingham Economic Development Corporation, a couple of months ago we got the State to agree to have 2 of our industrial parks designated as revitalization or whatever the term is. Who probably knows that besides the 5 of us and 1 person at the State? He would think that they would work with Mr. Cashell, Mr. Pearson, and the owners of the park. If we could put up a tasteful sign at the entrance of these, to work with the park owner to highlight this, if somebody was in at least driving through looking at it...Is it on our website? Something to say to people as they're looking at Hudson as opposed to X, Y, Z town that we have these funds. We have this designation that would help our community fill up some of those parks.

To that point, Chairman Coutu stated that he had a meeting with Mr. Webster this past Monday. Among one of the things they discussed was precisely that. We need to, and we're going to work on some sort of a plan to present to the Board, we need to promote those parks. We need to promote them with the knowledge that the designation is there and there are State funds available for relocation purposes for companies to come in. So he and Mr. Webster are going to work on something and make an informal or formal presentation if need by. He believes that Mr. Pearson is aware of the designation as is Mr. Cashell, and as is Mr. Webster. Chairman Coutu indicated that one of the subjects that came up that we were primarily here this week because you know officially because he happened to tell him in a conversation that there is a company that may be moving into one of our parks. That was one of the subjects that we touched upon with the company if they were taking advantage of relocation monies. Unlike the other company that fell by the wayside temporarily because of financial constraints, this company if we can pull this off we're looking at 110 to 150 jobs in that \$50,000 range. We're talking very quickly. We're taking about inception of their plan by November 1<sup>st</sup> ordering the equipment to put into the buildings, getting on to the Planning Board because there's no retrofitting. It's just a change of us. It's manufacturing. They're just going to go in and get the conditions, one sign, and he thinks it's going to be an easy in and easy out for them. Talks went very, very well on Monday with them, and we hope to have something formal and have them before the Board of

Selectmen at the next regular meeting. Chairman Coutu did ask to put them on the agenda for the 27<sup>th</sup>. The company officials will be here. We will have pretty much cemented quite a bit. We'll make a formal presentation to the Town of what they want to do and what kind of an industry it is. It's in the solar energy field. I think you'll be favorably impressed with their presentation.

Selectman Maddox thinks that we need to do something more than wait for people to come to us. He thinks we need to do a better job selling our town. Chairman Coutu agreed. We need to start selling our Town and industrial parks. Selectman Maddox said he knew that there were 17,000 from the economic development. Did that revert back in? Is that still an active account somewhere? Mr. Malizia indicated that was under a community grant. That's been long gone. Selectman Massey believes that money should still exist because he was just going to bring that up. When we had the conference 2 years ago, that money still existed. They used some of the money, he believed, from that to run that. Chairman Coutu asked if it would be in an escrow account somewhere, or is it in planning. Mr. Malizia said we could check but generally community grants we raise the money if it didn't get expended. Selectman Jasper said he didn't know what happened to it. He knows it was in a passbook that Web Palmer had had that. It got turned over. He doesn't know if it was combined, but there was a...Selectman Nadeau indicated 17,000. Selectman Jasper does recall that when they had the expo down at Alvirne, there were monies used from that. So it may still be out there.

Selectman Maddox asked so you're saying that will be able to fund our signs, getting something on the - we need to fill those parks up as best we can to help put jobs into those buildings. Chairman Coutu asked if we could look in to see what we have for funding available to do a couple of signs. See if the account exists and what it would cost. You might want to meet with Steve and tell him what would be the appropriate size. It would have to be something that is visible from the road obviously, and people can go in and see. Mr. Malizia said he sent 2 letters to property owners in that park about less than a year ago because he thought that was designated about a year ago. One of them was not Integris. He had 2 inquiries sent. If you read the article recently that the business writer for The Telegraph put in the paper regarding a plant closure. There was a company going out. Mr. Malizia did make it a point, and she did quote it, and it is in that article. So we do bring it up whenever we have the opportunity to. He did point out that park as well as the one on Clement Road was an economic development revitalization zone. So we're keeping it out there when we can. Obviously the State, because it is really their program, is another resource of people who are watching. Chairman Coutu asked if Mr. Malizia was talking about the article that related to the loss of the 120 jobs that are going to take affect next year. Mr. Malizia stated correct. He made it a point to mention that because when they were quoting and talking about that, he wanted to put it out that hey we do have this zone. This is how it works; here it is. She quoted it. It was in that article. So we do try to get the word out when we can. Selectman Maddox indicated any method we can use. Chairman Coutu agreed.

The other thing Selectman Maddox had is we're starting the budget season. He for one and he knows that it's tough for this Board to make a decision because it possible could change, but he thinks that if we have no intention of filling the Town Engineer's position, the records manager in the police department, the secretary in Community Development, he doesn't think we should put those monies in the budget. Or if we do, it is completely transparent that if we do not hire those positions, those monies revert to the general fund. No using this money as a cushion. If this Board feels that we might be hiring a Town Engineer for 2011, then the money should be there. If it's not our intent, it shouldn't be there as a cushion. So he would hope that when we go through those line items at the budget, that we reflect on that and again he doesn't want to tie the hands of a future board, but he thinks its incumbent on us to put in a budget that reflects what we believe we are going to do. So if we're not going to fund those positions, those monies should come out of those line items. Thank you.

Selectman Massey stated we are regardless who is on this Board next July. These 5 members will be the ones that set that budget. So it doesn't matter who's sitting here in July of next year. We're the ones that are going to set that. He shares his thoughts on those 3 positions. He thinks they need to look at them as part of the overall budget process. In the final analysis, Chairman Coutu stated that the voters will set the budget.

Selectman Ben Nadeau - He did also receive the same phone call that everyone else received. That was the only thing that he had was if they knew about it because they know about most of the other ones that come before us. That's all he had.

Selectman Roger Coutu - As you know of late as was mentioned by Selectman Jasper and Selectman Nadeau alluded to the fact that he also received a phone call. There has been an effort by a telemarketing firm to solicit funds on behalf of the Hudson Fire Department in the Town of Hudson. In light of the legalese that is involved in these kinds of things and with regards to our contracts with the firefighters, the Town Administrator had our attorneys review a prepared statement that the Fire Chief asked Chairman Coutu to

deliver this evening. As a result of that, the attorney made a couple of changes. He's going to read the following to the citizens of the Town of Hudson. In light of the fact that this is an ongoing practice despite the fact that Selectman Jasper, Chairman Coutu, and couple of other citizens in this Town have done everything they could to this point to try to dissuade them from calling our citizens. Chairman Coutu read the following as an official statement from the Chairman of the Board of Selectmen through the auspices of the fire department:

"Recently there have been fundraising efforts directed to citizens of Hudson by a telemarketing company of behalf of the Professional Firefighters of Hudson Local 3154, the labor union that represents employees of the Hudson Fire Department.

This telemarketing company targets Hudson and other area residents and claims to be raising funds to benefit the Hudson Fire Department. In some cases the caller states that the telemarketing fundraising effort is sanctioned by the Hudson Fire Department. Sometimes the callers further represent themselves to be employees of the Hudson Fire Department. Any such statements are incorrect and misleading. **The Hudson Fire Department does not solicit donations through telemarketer campaigns.**

Telemarketers are required by law to register with the Attorney General's Office and they are required to provide specific telemarketing talking scripts setting forth what they will say to people they are calling. While this telemarketing company involved with these recent telephone solicitations has complied with the registration and reporting requirements of state law, there have been complaints made as to certain representations made concerning sponsorship by the Hudson Fire Department. A number of complaints have been received by the Fire Department and passed onto the Attorney General's Office.

As with any solicitation for donations, residents are cautioned not to donate money to fundraising organizations that do not clearly fully disclose who they are fundraising for. Chief Murray apologizes to the Residents of Hudson who may have received these fundraising telephone calls and who were led to believe it is the Hudson Fire Department who is soliciting these funds."

Chairman Coutu also cautions you. He's received phone calls. Several citizens have. He has received several e-mails from concerned citizens. The phone call he received at his home and he will be supplying an Affidavit as are several other citizens to the Fire Chief to present to the Attorney General's office so that we can put a stop to this once and for all. The person, who called Chairman Coutu's home spoke to him directly, identified himself as a member of the Hudson Fire Department. When he asked him what station he worked at he hemmed and hawed and said "well I'm not really a fireman in the Town of Hudson". Chairman Coutu informed him that at that point he had totaled misrepresented himself and he had violated the law. Before he let him hang up, he asked him, "Sir, I just have one question before I let you go, could you tell me how much of every dollar he would be willing to donate to this cause would be made available to the Hudson Fire Department?" He stated to Chairman Coutu that he didn't have that figure. Again, he reminded him that also was a violation of the law. Please do not donate money to telemarketers representing themselves from the Hudson Fire Department.

Selectman Massey wanted to follow up on it. He, too, got the call and when he asked the individual who he worked for, he told him the Hudson Fire Department. Since he knows telemarketers don't work for organizations, he asked him, "No, who do you specifically work for?" and he got the click hung up. Again, as far as he understands, telemarketers are required to answer 2 questions if you ask them. The first question is who pays their paycheck, not who they are collecting money for, but who is the physical company they work for and how much of every dollar they collect goes to the organization that they are collecting for? You would be surprised the last time he asked that question he found out \$.70 of every dollar that you contributed to that fundraiser went to the fundraising company. He would say universally in the telemarketing world when you hire a telemarketing company to telemarket for you, you are giving up a significant portion of what is being asked to be raised to the telemarketing company. In other words, please be cautious about phone solicitations for monies for organization you really don't know who they are. Thank you.

## 10. **NONPUBLIC SESSION**

*Motion by Selectman Jasper, seconded by Selectman Maddox, to enter Nonpublic Session under RSA 91-A:3 II (a), (b) and (e) carried 5-0 by roll call.*

Nonpublic session was entered into at 8:37 p.m., thus ending the televised portion of the meeting. Any votes taken upon exiting nonpublic session will be listed on the Board's next agenda. Open session was entered into at 10:20 p.m.

11. **ADJOURNMENT**

*Motion to adjourn at 10:23 p.m. by Selectman Jasper, seconded by Selectman Maddox, carried 5-0.*

Recorded by HGTV and transcribed by Donna Graham, Recorder

**HUDSON BOARD OF SELECTMEN**

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Roger E. Coutu, Chairman

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Kenneth J. Massey, Vice-Chairman

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Shawn N. Jasper, Selectman

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Richard J. Maddox, Selectman

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Benjamin J. Nadeau, Selectman