

HUDSON, NH BOARD OF SELECTMEN
Minutes of the July 26, 2011 Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of July 26, 2011 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman Nadeau.
3. ATTENDANCE

Board of Selectmen: Shawn Jasper, Rick Maddox, Ben Nadeau, Roger Coutu, Ted Luszey

Staff/Others: Mark Pearson, Assistant Town Administrator; Donna Graham, Executive Assistant

4. PUBLIC INPUT

Chairman Jasper said literally there are only 7 of us in the room. So I won't ask for public input.

5. NOMINATIONS & APPOINTMENTS

A. Water Utility Committee

Bernie Manor, 1 Stable Road

Motion by Selectman Maddox, seconded by Selectman Luszey, to suspend the rules and nominate and appoint Bernie Manor as an Alternate to the Water Utility Committee with a term to expire December 31, 2011, carried 5-0.

6. CONSENT ITEMS

Chairman Jasper asked if any member wished to remove any item for separate consideration.

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

A. Assessing Items

- 1) 2010 Tax Abatement - Map 162, Lot 1-5, w/recommendation to approve
- 2) Elderly Exemption Application - May 216, Lot 018, Sub 045, w/recommendation to approve

B. Water/Sewer Items - NONE

C. Licenses & Permits

- 1) Request to Solicit Funds by Lil' Iguana's Children's Safety Foundation
- 2) Request to Solicit Funds by Lil' Iguana's Children's Safety Foundation
- 3) Outdoor Gathering Permit by Old Home Days
- 4) Outdoor Gathering Permit by All Vehicle Charitable Car Show
- 5) Raffle Permit by Friends of Benson Park, Inc.
- 6) Petition & License for 1 New Pole (311/14S) Robinson Road

D. Acceptance of Minutes

- 1) Minutes of the June 28, 2011 Meeting

E. Calendar

07/27	7:00	Benson Park Committee - Landscape Subcte - BOS Meeting Room
07/27	7:00	Planning Board - Community Development Meeting Room
07/28	3:30	Trustees of the Trust Fund - Community Development Meeting Room
07/28	7:30	Zoning Board of Adjustment - Community Development Meeting Room
08/02	7:00	Board of Selectmen Workshop - BOS Mtg Room
08/03	7:00	Planning Board - Community Development Mtg Room
08/04	6:30	Recreation Committee - BOS Mtg Room
08/04	7:00	Benson Park Cte - Community Development Mtg Room
08/08	7:00	Conservation Commission - Community Development Mtg Room
08/09	7:00	Board of Selectmen - BOS Mtg Room

08/10 7:00 Benson Park Cte - Landscape Subcte - BOS Mtg Room
08/10 7:00 Planning Board - Community Development Mtg Room
08/11 6:00 Sewer Utility Cte - BOS Mtg Room
08/11 7:30 Zoning Board of Adjustment - Community Development Mtg Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on July 12, 2011

- 1) Motion by Selectman Coutu, seconded by Selectman Luszey, to grant annual salary raises to nonunion personnel effective July 31, 2011 in the following manner: Town Administrator: \$105,423; Police Chief: \$95,840; Fire Chief: \$95,840; Road Agent: \$91,840; IT Director: \$84,212; Finance Director: \$84,212; Recreation Director: \$50,000; and Executive Assistant: \$46,875, carried 4-1. Selectman Maddox in opposition.
- 2) Motion to adjourn at 10:46 p.m. by Selectman Coutu, seconded by Selectman Maddox, carried 5-0.

8. NEW BUSINESS

A. Acceptance of a \$200.00 gift certificate for Brigham Industries, Inc. for Belfor Property Restoration

Motion by Selectman Luszey, seconded by Selectman Maddox, to accept a \$200.00 gift certificate to Brigham Industries, Inc. for Belfor Property Restoration to be used within the Fire Department, carried 5-0.

B. Acceptance of a grant in the amount of \$1,125 with State of NH for enforcing Off Highway Recreational Vehicle Laws

Chairman Jasper recognized Assistant Town Administrator Mark Pearson.

Mr. Pearson said contained in your package is a Memo from the Police Chief to you asking you to authorize the Hudson Police Department to accept an OHRV grant from the NH Fish and Game Department in the amount of \$1,125.00. This would run between July 1, 2011 to June 30, 2012.

Motion by Selectman Coutu, seconded by Selectman Luszey, to authorize the Hudson Police Department to accept the Off Highway Recreational Vehicle Laws with the New Hampshire Fish and Game Department in the amount of \$1,125.00 beginning July 1, 2011 to June 30, 2012, carried 5-0.

C. 9/11 Observance

Chairman Jasper recognized Assistant Town Administrator Mark Pearson.

Thank you Mr. Chairman. Mr. Pearson said contained in your package is a Memo from the Town Administrator to you asking you what your pleasure is on the annual 9/11 observance day. As you know, in the past it was held at Library Park and Steve was simply trying to get some advanced planning to get a location and a time for this year's event. This year it falls on a Sunday and he wanted to see what the pleasure was of the Board to have it either at Benson Park or at Library Park and the time.

Selectman Coutu said we plan on dedicating the 9/11 memorial as scheduled on 9/11. We're doing exceptionally well as a matter of fact with the plans. Beginning this week we are going to have weekly meetings because we're going to start the first process of course would be to set the box in the ground so that we can erect the first piece of steel. We have a company that is going to donate the second tower which will replicate the new towers that are being erected. So we'll have the resemblance of the old as well as the new at the park. All of you will be receiving an invitation to appear. We expect that the Governor will probably be here, and we expect a large crowd at this year's 10th anniversary memorial dedication. It will be at Benson Park at 2 p.m.

Motion by Selectman Coutu, seconded by Selectman Luszey, to have the 9/11 observance held at Benson Park and to have the Town Administrator coordinate with Selectman Coutu and the 9/11 Committee to ensure that the events are coordinated.

Selectman Luszey asked if there will be any contingencies if this shouldn't have everything complete would there be a contingency plan to make sure that it would be safe to have the observance there even though it may not be 100

percent complete. Selectman Coutu said not complete. Selectman Luszey said Murphy's Law always comes into plan. Selectman Coutu said it hasn't even entered my mind. We expect it to be complete and there are no contingency plans. We'll discuss them. I'll bring it up tomorrow night and see if they want to have contingency plans.

Selectman Luszey thought Selectman Coutu would want something that if the site is not fully complete and there's still construction going on some way of roping it off and still having the observance there but knowing how to plan about how it would happen. That's my only comment.

Selectman Coutu said the site will be complete.

Vote: Motion carried 5-0.

- D. Request to Negotiate a Successor Contract - Hudson Police, Fire and Town Supervisors Association

Chairman Jasper recognized Assistant Town Administrator Mark Pearson.

Mr. Pearson said contained in your package also is a letter from the Hudson Police, Fire, and Town Supervisors Association dated July 18, 2011 requesting to meet to start to negotiate a successor collective bargaining agreement. The current agreement expired on June 30, 2011 and Steve is recommending that the Board of Selectmen vote to appoint a Selectman liaison to the negotiating team prior to meeting with the association.

Chairman Jasper asked if there was anyone who would like to volunteer for that job. I was the Board's representative to the last contract, which we successfully negotiated however it was turned down by the voters.

Selectman Coutu said in light of the fact that I thought we had an outstanding contract with them, I'm proud to say that I'm not backing down from having recommended that the voters support that. I don't think they necessarily didn't support it as a result of the contract or the language in the contract. I think it was not support because they weren't in a favorable mood for raises last year. I would suggest Mr. Chairman that where you had laid the groundwork that perhaps you should resume that role. Having discussed this with you, it was an excellent contract. I originally had gotten everybody on board with that same type of contract. Inevitably, they agreed to save some considerable money moving out into the future. I would have no objection if you would assume that position for that contract.

Chairman Jasper said he would be glad to do it but I would certainly yield to any member who would like to step into that role. Seeing no volunteers...

Motion by Selectman Coutu, seconded by Selectman Luszey, to appoint Selectman Jasper to the Town's negotiating team for the Hudson Police, Fire and Town Supervisors Association contract negotiations, carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - I have something important to talk about but before I get into that, I want to say that as I stated earlier, the 9/11 Committee has made significant progress in terms of putting the manpower together and their minds together to erect the 9/11 memorial. As always, we're always looking for more money so if anybody hasn't contributed or wanted to give a little more, please do so. We do expect to have the project complete. Any extra monies that are received over and above what our needs would be will be set aside in order to maintain that area in the future.

I asked Hudson Cable Television to give me a brief outline. Presently Jim McIntosh the Cable Facilitator is hosting a video camp at the Access Center. He has about 27 participants who range in age from 7 to 17 who are learning videography, how to edit, and how to use the equipment. It's been and continues through the summer to be well attended and well receptive program for these kids. He and Mike O'Keefe have had discussions with the School Department, and they're going to extend that program in the Middle School and they're going to expand the video Access Center at the school. Lee Lavoie who is the cable facility representative for the School Department and I are going to work closely together in order to make things happen at the high school level. He and I are going to work again this year hopefully to have a student government day here at Town Hall and at the school department offices or the school committee and hopefully we'll get that off the ground this year.

The last thing Selectman Coutu has to say is relative to having watched Selectman Luszey the last senior committee meeting. I have to say that for someone who is relatively new on the board you handled the questions very, very well unlike a lot of other politicians, and I'm not referring to anybody in this room, nation-wide or state-wide wherever they might be, you're not afraid to say you don't know the answer when you don't know the answer as opposed to pot shooting an answer. I understand and I'm sympathetic to the seniors wanting to see some action relative to the senior center. One question I will that you did not have the answer that I will give you directly the answer. I know a lot of them might be watching this evening and that was who said that the Governor would forgive the bill? Selectman Jasper can attest as I will state to you that there is a process. The process is it could be two-fold. If it goes through the legislative process, then it becomes two-fold because the Governor has to sign off on anything that the legislature does. At the legislative level, I understand it's a combination of

House and Senate members who meet and some sort of a committee. If it's approved, then it goes to the House for approval or directly to the Governor for his signature. The other process would be for the Governor to convene at one of his meetings have on an agenda the item of - I'll call it for the lack of the proper terminology - the forgiving of the amount of money that we would have to pay. That in essence is what we said and I said. I maintained again at the last meeting with Chairman Jasper that if at any point in the process we needed to have the Governor's intervention, he would be more than willing to do so. I think Selectman Jasper though they're of opposite parties, we're working and the Governor has an interest and had made a commitment to the seniors many years ago. We would hope that he would be on our side.

With that said, I know that I'm beginning to share their anxiety over the senior center. It's been a long time, and I know that there is a process in place but I also know that the voters voted for the dispensation of some monies in order to put the plans together so we can have an actual cost and a full design of the proposed building. In light of that, and I've been thinking about this all day. I thought about it all weekend long. My wife was wondering what I was pining over. I've decided to do something and I'm going to throw a motion out there. If it's seconded Mr. Chairman, if it isn't, it isn't. If it's seconded, I reserve the right to speak to my motion if you don't mind.

Motion by Selectman Coutu, seconded by Selectman Luszey, to withdraw \$76,500 from the Cable Utility Capital Reserve Fund for the purpose of acquiring the land at Benson Park designated for the senior center.

Selectman Coutu said the process as we all know if it continues at the rate we're going nothing is going to go on the ballot for at least another year and a half. I understand that you had some concerns and you expressed concerns, and I shared those concerns that we wanted to make sure that we moved at a pace where we made sure we covered all our bases. I specifically said we want to make sure we dot the Is and dot the Ts. I believe that even if we were to pay the \$76,500, the process can proceed in order for us to ask them to refund us the money. The difference is that if we continue in the vain that we're going, we're going to delay this process through this election into the next election. God forbid that no action is taken between now and July 1st of next year with regards to this \$76,500. It may go an additional year because we will not have expended the funds in the year in which they were designated to be spent. I feel that we would not be jeopardizing our opportunity to get the \$76,500 refunded to us, and I think it will put us in a position where we can proceed with having the plans drawn, getting the actual costs, and then it gives us a full year to have some serious ongoing discussions with the senior committee with Selectman Luszey as our liaison, and we the Chairman can appoint a subcommittee with an ad hoc committee with Selectman Luszey to prepare the contract that the seniors would like to work out with us. With that, I'm open to hear any other suggestions or observations.

Selectman Luszey said that this was going to be my topic for discussion and thank you for bringing it up. It's not \$76,500. The real number is going to be \$77,700 because of the \$1,200 administration fee. I do agree with moving forward. Selectman Coutu asked if Selectman Luszey would make a friendly amendment to that motion. Selectman Luszey said he would. Selectman Coutu will accept the amendment to change the figure from \$76,500 to \$77,700.

Motion by Selectman Coutu, seconded by Selectman Luszey, to withdraw \$77,700 from the Cable Utility Capital Reserve Fund for the purpose of acquiring the land at Benson Park designated for the senior center.

Selectman Luszey said that would give us, I believe, the ability to respond to the DOT letter and to Selectman Coutu's point, it would then offer the opportunity to start working with the seniors on what that agreement might look like no different than what we've done with The Friends of Benson's and get that work moving so that hopefully we might even have something prepared to show to the voters this next round. Whether they would agree with it or not, at least the foundation and the framework for future discussions can be laid.

Chairman Jasper thought we have a number of legal issues to settle here. First of all, I believe that on the Cable Capital Reserve Account the voters are the agents to expend. I don't think we can do that. That's a question that needs to be answered. Second of all, what we have from the State is an appraisal and an agreement that they would support that. However, we still have to move through the process and until such time as the deed is actually agreed to, I won't necessarily say sign. The next step for this is the Long-Range Planning Committee. We have to get on the agenda for that. I had put a call in last week to Commissioner Campbell based on the letter trying to find that out. He has not responded to my phone call yet. I believe this may be his last week. I did intend to try to get a hold of him again today, and I neglected to do so. In talking with Councilor Wiczorek, he felt we still have a long process ahead of us to get where we need to be. Even after the Long-Range Planning Committee, it needs to go to the Governor and Council for final approval. I believe our warrant article is pretty specific that we have to have the permission. At this point all we have is DOT saying its okay with us however as we recall, the whole deed and all of that had to go through the process. I don't want to throw cold water on this but I don't think this does what you want it to do. Legally I don't think we can take the \$76,500 out of the account.

Selectman Luszey said you're not throwing cold water on it. What I told the seniors is this is exactly what I did not know what the process is. When I read through the letter from DOT, to me it was a two-step process. We go through the Long-Range Committee, and then that goes to the Governor for signature. The minimum that I would like to walk out of here tonight with is an agreement with this Board to respond to DOT with whether we accept this offer, or if we're going to do a counter offer, or whatever that means. To me the department is prepared to bring your request forward. Your request referring to the Town. We need to respond to this.

Chairman Jasper said that's what he was trying to contact the Commissioner to find out exactly what the next detail is. I think at this point in the game frankly, I think the \$76,500 is not terribly important at this stage in the game. What is important I think is the \$1,200 and to find out when that is due. Certainly we can take that out of our contingency account. I think at a minimum we should authorize that to be done so that we can do that part of it as soon as we can get a response back from DOT and get on the schedule for long-range planning, which I don't know when they meet. I have a feeling it's probably not going to be until September. Generally there isn't a lot going on during the summer. I'm not sure of that. Then we're going to have to get onto the Governor Council's agenda. My feeling was at this point that we should move forward with the idea that we're willing to pay the \$76,500 - not throw up our hands in front of DOT and Long Range Planning. I don't think Long Range Planning has the ability to waive that. I think the waiver is going to be at the Governor and Council level. I think what we do is we move through the process with the assumption we pay the \$76,500 and go to the Governor and Council and ask them to waive that. What I have done in talking with Councilor Wieczorek, as we talked at the last meeting about having them have one of their traveling meetings down here, that schedule has already been set. That won't happen. However what may well be better is they have a series of hearings - appointees around the State. They will be having one in Derry at some point. I asked Councilor Wieczorek if we could then have the Council come over here after that because they'll be right in Derry. He agreed. The Governor's Council is not meeting until August 10th. I followed that conversation up with a letter on behalf of the Board formally inviting them down for a tour of the park. We would coordinate that at their convenience. I think it is very important that they see what we have done down here so that they understand that we're building a park for the State. We've put a lot of time and effort, and we had the right to build that senior center there anyhow so it's just a matter of location. I think that's the best way to go. At the end of the day, I think we have to be prepared to pay the \$76,500, but hopefully we won't have to. I think as far as this motion, I'll have to vote against this motion because I don't think we have the legal authority to do that and I don't think it advances the cause at this particular time. I would hope that we would then authorize the \$1,200 administrative fee to be paid. I'm afraid we're going to have to deal with Assistant Commissioner Brillhart on moving this forward to Long-Range Planning but I would certainly try to get a hold of the Commissioner one last time and then we'll look into who's...I don't think Long Range Planning is going to be an issue. I think that part of it is going to be simple. I don't think there will be any objection there. I do not believe they have the ability to waive the fee. The State won't be looking for that check for \$76,500 until we have a deed ready anyhow. I'm afraid that we're still probably into October or November until we have satisfied the conditions of the warrant article to begin to withdraw the monies.

Selectman Coutu's concern is that I would like to see something on the ballot. That was the reason why I proposed the motion in order to have a healthy discussion on where we want to go with this. I'd like to see it completely satisfied this year. I'm totally aware and not naïve about the processes in Concord and how slow they can be. We're a victim of that as well as the rest of us and they're also a party to it like most of them are in Concord but not when it comes to DOT. I know I've said before and I say it again, you are certainly not part of the problem, you're part of the solution here and you've been very forth right. At the same time, please understand my concern relative to the anxiety of the seniors in wanting to get this done. For the life of me it bothers me greatly that this process could take us another year and a half before the voters even have the questions before them. I'd like to see us do anything within our power to try to get this item on the ballot by March 13. If you feel that the process as it stands now could conceivably be resolved, and I'm not holding you to it, sometime between October and November, I still think that given what we have on record and given the plot size that we know we're going to need, an engineering team can get together and put some plans. I'm willing to withdraw my motion at this time if Selectman Luszey will withdraw his second. Selectman Luszey said he will. Selectman Coutu withdrew my motion by I would like to have the Town Administrator look into the processes of the expending of the capital reserve fund for the cable utility. I know a lot of the capital reserve funds we are the agents to expend. I had sent a message to our Finance Director to get the exact amount of money that was in the line item number and I didn't hear from her. I had hoped to see the language when it was originally proposed as to who the agents to expend were. You may very well be right. I'm not going to argue something I don't know. I appreciate your entertaining the motion. I appreciate everybody's attention. I certainly appreciate the work that you do representing us on that committee Sir. Thank you Mr. Chairman.

Chairman Jasper indicated that the motion is withdrawn by consent of the maker and the seconder.

Selectman Luszey asked if we needed a motion to expend the \$1,200. Chairman Jasper thought it would be appropriate to authorize the withdrawal of the \$1,200 for the administrative fees out of our contingency account.

Motion by Selectman Luszey, seconded by Selectman Nadeau, to authorize the expenditure of \$1,200 from the Selectmen's Contingency Account for the administrative fee for the process of changing the deed relative to the Benson Park property.

Selectman Luszey thought by doing that, and I'm kind of on the same page I think that Selectman Coutu is, we have now in front of us what DOT is looking to do or want in order to change the deed. I think in principal we know that we'll get that deed changed. We just don't know how long it's going to take us. I don't think at this point in time we need to have all the Is dotted and the Ts crossed to put in motion the drawings for the building. I think that's what the seniors really are looking to get going on is getting that conceptual drawing work done so that costs can be tied to it so that if we can get the deed done before the ballot time, we would be prepared to put something on the ballot. I think we'd be doing both of these activities parallel. Selectman Coutu asked if we have a time frame.

Chairman Jasper thought the problem is the language of the warrant article. As I recall, we have to have an approval and I think the approving authority is the Governor and Council. I'm going to work on clarifying that. Since it has to go to the Governor and Council, then they have to be the approving authority. The question is how quickly can we move this to Long

Range Planning. I don't believe we can spend all of one until we have that approval. That gets us into the problem of can we get the plan that we need to gain everyone's approval done in order to win the Budget Committee's approval in early January to get that on the ballot. It's a very tight time frame. It is certainly possible. We shouldn't get anyone's hopes up. I think it's best to under promise and over deliver. I think people just need to be prepared. What's really held us up and is very disappointing to me was this long appraisal process, which we started early on as soon as we had the March approval trying to move DOT. That took some time and then a couple of months to get the appraisal. We just got the appraisal after the 4th of July, which was what our Assistant Assessor had indicated he thought would be the timeline right from the beginning when he met out there with him. That's really held up the process. I was really hoping we would be two months ahead of where we are right now. You can be cautious. If we put a plan to the ballot that doesn't have all the Is dotted and the Ts crossed, we're going to lose it. You have a member of the Budget Committee who constantly says when does no mean no. We have to be very, very cognizant of that I believe and don't want to go forward with a plan that doesn't get Budget Committee recommendation. In these economic times, we really have to have a tight plan together here and figure out the financing and make sure that we do it right. I feel badly because I know the seniors want this home and I want to have it for them, I just think that we need to be realistic about the fact that nobody else north of here really cares about our time frame.

Selectman Luszey said he would feel bad if we're sitting here next month on the fourth Tuesday not having the proposal already back to the Long Range Planning Committee. That's my...Chairman Jasper would certainly would expect that we would have it on the agenda for the meeting that they have by then. Again, that's not the Committee I think that needs a lot. I'm not really sure of that. It's not one of those terribly active committees. As I said, I would expect they're not meeting in August at all. I may be wrong about that, but I really would expect that that's probably not likely to happen. I think we're probably looking in September for them and as quickly as we can. Again, I don't know when Councilor Wieczorek is going to be able to schedule a meeting. Obviously we can go to Governor and Council without them having toured the park. I think that may be a mistake as well.

Selectman Luszey said what's unclear for me I'm not even sure what they mean by the request of the Town. Chairman Jasper said the request of the Town is to change the deed and to allow the senior center/cable facility to be built on that separate parcel in exchange for our right to build a red barn. Selectman Luszey asked who would send that up to Concord. Chairman Jasper said that was not clear and that's why I put the call in immediately to Commissioner Campbell. He told me had a sundown rule and that was he returned all his phone calls by sundown of the same day. Well that hasn't always been the case, although he has been good. I really had expected to hear from him by now. I left him a fairly detailed message about what it was I was looking for. That was some guidance on how we move this to the next level.

Selectman Maddox said he was going to support the motion but Mr. Chairman I think that we also should delegate the Assistant Town Administrator to start getting this ball rolling. Steve's on vacation. I know you're tied up with many things. Put the Assistant Town Administrator on finding out what that form requires, what the process is, what the time frames are, let's put him to good use and start chewing through some of this DOT paperwork. As I understood it, I thought the warrant articles had approval of the Department of Transportation. If they get their \$1,200 fee and someone, somehow gave him \$76,500, I thought we met the requirements of the warrant article. That was the things we can also have the Assistant Town Administrator research during the next two weeks.

Chairman Jasper said he frankly would not support that line of thinking anyhow because DOT is not the final authority on this. We could go spend the money and the Governor and Council or the Long Range Planning could say no. I don't think it says Department of transportation. I think it says approvals. I think that was a big concern that people had. We need to, again, make sure we do this right or we're going to put ourselves in a lot of area of criticism and if we start trying to get monies out of the funds, the Trustees are going to look at that, and we could just turn this into a big brew ha-ha.

Selectman Coutu certainly didn't agree with those last statements that Chairman Jasper just made. I know what Selectman Maddox's line of thinking is. Not wanting to have the bill forgiven if we pay the \$77,700 total, they would change the deed and we'd move forward. The process that's holding up the process is we're asking for the forgiveness. Chairman Jasper said we're not at this point. We haven't asked for anything. Selectman Coutu said we haven't but if we paid the \$77,700, I believe DOT will just sign off on it and we can build. Chairman Jasper said they can't. The deed has to be changed and that's under control of the...the moving forward with the Long Range Planning with the Governor and Council has nothing to do with whether we pay the \$77,700. We could tell DOT, Governor, and Council and everybody we'll pay the \$76,000. That doesn't change the process of who it has to go to.

Selectman Coutu said you're saying that the deed change has to go through Long Range..Chairman Jasper said yes. Selectman Coutu said he was told that it had to be changed by the Attorney General. Chairman Jasper said the Attorney General does the deed change but it he doesn't authorize that. Selectman Coutu thought he would do the language and then it would go back to DOT and they would sign off on it. Chairman Jasper said that wasn't his understanding. Selectman Luszey said it says RSA 439-C, which you bring the proposal before the Legislative Long Range Planning and Utilization Committee to get approval and then that goes to the Governor and Executive Council for approval. Chairman Jasper said that has nothing to do with whether we pay or not. That's the process it has to go through. I always was aware of that. What the delay has been getting DOT saying yes we're in favor of this and here's how much money we want and that's delayed this. That's no fault of ours because we've been diligent on that. As Selectman Maddox has said, NHDOT stands for never done on time. That's the problem we're facing here.

Going along the lines of what Selectman Maddox proposed, Selectman Coutu asked if there was anything that at this point we can ask the Assistant Town Administrator to prepare for us. Chairman Jasper wasn't really sure there is. The question has to be asked to the Commissioner. As I said, I put the phone call in and I regret that it slipped my mind today that I was going to try to get a hold of him again. We could certainly formally respond to the letter. Maybe that's the best thing to do at this point is to send it up. We can draft that letter. I didn't want to do that before I talked to the Board anyhow to do anything formally. If the Board is ready to, we can respond. We can enclose the \$1,200 check and we can say we request that we be placed on the next agenda for the Long Range Planning. Selectman Luszey said that's what we should do - get this ball rolling. Chairman Jasper said certainly I think that moves us along and I think with a consensus we can get that done. We can get that letter out in the next couple of days. So we do have a motion to authorize the expenditure of the \$1,200 from the contingency fund. Is there any further discussion on that motion?

Vote: Motion carried 5-0.

Selectman Coutu thanked Chairman Jasper for entertaining the motion.

Selectman Nadeau - I just have a couple of things. First one is its been brought to my attention that we're still having a problem at Benson's with people and their dogs and not cleaning up after them. There are one or two bad apples that are starting to ruin it for everybody else in the park. I'd just like to remind everybody if they're out there walking their dogs in the park that they please clean up after them. A lot of the kids are playing in the field and they're finding a lot of dog waste in the field where they're playing.

The progress is moving along at a very good rate for the playground. They're looking to try to get that in before the fall - September/October time frame. That's going very well.

The Highway Department met with Dave Yates out there with the gentleman who will be ordering all of our equipment for us and went over everything. We discussed the possible problems or no problems. So that all went very well.

An update on the summer program. The before and after care seem to be doing very well. The parents seem to be using that a lot more than I expected it. Everything seems to be going fairly well over at the Rec. Center for the summer program. With the heat that they had the other day, they decided to stay at the Rec. Center and everything went very well there with that.

At Robinson Pond they have the person at the gate checking residency there on the weekends. I don't know if they do it on Friday, Saturday, and Sunday but that's all been going very well. There hasn't been too many problems at the pond. The other problems are at the pond people with their dogs. Again, on the beach walking their dogs on the beach. That's becoming a problem over there. I don't know what we can do about that whether we ask the animal control officers to patrol over there a little more frequently. I don't know if we have any signs over there. I didn't notice any when I went over there this weekend. No dogs on the beach signs. I didn't really pay attention to it because I didn't think it was a problem. People have started talking about that too. I will ask the Recreation Direction when I talk to him this week about that.

Selectman Luszey - We covered mine in detail.

Selectman Maddox - I have a couple of them. Last Thursday it was almost 100 degrees so I figured that would be a perfect time for me to go ride with the Fire Department. I was meeting with them about combined dispatch. It does at least this selectman's soul good to ride. It was a very hot day. I think they did 14 calls that day. I was out on 10 of them. So we did talk about combined dispatch. The care and the service that our EMS people provide are amazing. Just wanted to pass that along. Thanks to the firefighters that helped me learn some new things and, again, the care that is given out by the staff is amazing.

I'm going to read this so I don't screw it up too badly:

"At the last meeting of this Board during public input, comments were made by Ms. Serino accusing our Police Department of being unfriendly to minorities. The nice thing about public input is we get input from our citizens. The bad part is we are unprepared for whatever the issue might be. At this point I'm going to try to address some of those issues that she brought forward.

During public input Ms. Serino charged that the Hudson Police Department profiles minorities. As part of our national accreditation, statistics are kept on the vehicle stops performed in Hudson. According to a January 4, 2011 memo, which I have here with me, from Captain Avery updating compliance of the bias profiling policy that documented that there were 8,353 motor vehicle stops in 2010. The breakdown of the traffic stopped by race were 7,666 white. I guess that's the way it's on the citations and that's what they just check off. Of all these stops are 92 percent. As of the 2010 census data, Hudson is 93 percent white, thus having a minority population of 7 percent making our traffic stops within 1 percent before you account for people driving from other communities that may have a higher percentage of minorities such as Nashua, which is at 16 percent.

There was also a concern regarding the Hudson Police Department and its ties to ICE, which is Immigration and Customs Enforcement. The Hudson Police Department's agreement with ICE ended October 26, 2010. Why ICE was still on the website but again IT is IT and maybe it took a while to get it off. While Hudson was part of the 287G program which ran for approximately 6 years, it was utilized approximately 8 times during that 6 year period. While the perception of immigration and customs enforcement and the Hudson Police Department working together was a bad thing, let me point out that on several occasions having this agreement aided in helping undocumented people's who were victims of crime to be able to report the crime, get justice, and stay in this country because of the Memorandum of Understanding that we have with ICE.

The day after our last meeting I spoke with Ms. Serino at length and asked her to give me specifics to document the allegations that she brought forward before this Board on July 12th. I understand that this is an emotionally charged national issue and Ms. Serino is passionate in her beliefs. I sit here this evening and tell you as the Police Liaison that I have rode with our officers, I've sat in dispatch, and I have met with the Chief and his command staff and nowhere at any time did I see or even perceive that the Hudson Police Department goes out of its way to do anything but enforce the laws of this community, our State, and country fairly and consistently. The Police Chief and his staff have and will continue to meet with minority groups to try and foster better communications between them.

In closing while I am sure that there are stories and rumors regarding undocumented persons in the Hudson Police Department, at this point that's all they are ancient history. I hope that answers some questions. Probably not."

Chairman Jasper thanked Selectman Maddox. That was excellent work. That was very well document information and I think most people in Hudson know that was just an emotionally charged presentation. It's unfortunate that we have to go through the things like. People who are not present should be able to defend themselves and have their reputations sullied. I don't mind having people come down here and come after me. That's something that we sign up for. When someone has even left this community who has served us well for many years and then has their reputation attacked, that should not happen. So again, thank you.

Selectman Coutu thanked Selectman Maddox. It was very important that that be said. I want you to know Mr. Chairman and members of the Board that I'm not going to say I'm extending an olive branch because I don't think it is necessary to extend an olive branch, but I communicated with a person who has a lot to do with the Latino Commission who's been appointed by the Governor, I asked them and said I would coordinate a meeting between Selectman Maddox and I, the Police Chief, and you if necessary and other members of the minority community. The Chairman of the Latino Commission who we have had disagreements with about statements that he's made and to date, and that was two weeks ago, I have not heard a word. The invitation is there. If they want to come to Hudson and sit down and talk with us, and I also expressed some concern from a statement that was made that there are other people from outside of our community that are Latino that would not come and meet in Hudson say with Dr. Urrutia, and I also extended an invitation for them to come for this pow wow that I was willing to hold here in Town. Again, no response. We've opened our doors. They continue to be open and it's up to them to show that they're sincere about what they say. I'd like to see their statistics if they're any different than what (inaudible) as a matter of public record. I believe all of those numbers are filed nationally and they're certainly very important for us to receive our interpretation (inaudible). Again, thank you Selectman Maddox.

Selectman Maddox said earlier this evening you heard the Chairman read the votes taken after nonpublic session which reflected raises to department heads, and I was the lone descending vote. While I spoke at Deliberative Session that we needed to address compensation for several department heads and raises that warranted for the remainder, I could not support the package as it was ultimately put forth by the Board. I was fully on board with keeping our department heads from falling behind. People that worked below them making more money due to voter approved evening contracts. I voted no because in good conscience giving a 10 percent raise to a person that did not have a compression issue and did not match up with what I had said at Deliberative Session. That was the reason that we asked for the additional \$32,000. So I regret not supporting the raises for those that I felt met the criteria, but this was a package that was all or nothing and I had to go with no. I just explained my vote in an earlier discussion.

Selectman Coutu said he resents that it's been presented as an all or nothing package. I feel that at any time I serve on this Board that a motion is presented that I can ask for an amendment or in this particular case, I could have asked or you could have asked that we take each position individually. I'm very pleased with the raise package as we presented it. I thought that we put some thought into it. I know we had discussion about it. It wasn't just flat across the board. There was justification for what we did. To say that this was an all or nothing package is not true. At any time I certainly would have supported any amendment any other Selectmen would have offered at any time on any motion. Certainly something of that magnitude because there were several positions involved. I certainly would have been receptive to have taken each one individually and not as a collective package. It was the way it was present, yes. No one offered any amendment or suggestion that we should take them individually. So we proceeded with the package. I'm not putting you down Rick. I respect your position. When we were voting on it, I suspected you would say no for that one reason. I know in your heart of hearts, and you made it very clear at Deliberative Session that you supported us allocating the money for our budget this year in order to compensate these people who went without a raise for 3 years. I just don't feel it was an all or nothing. Thank you.

Chairman Jasper thanked Selectman Coutu for that. Apparently it's not an issue that's clear on everyone's minds so I will make it clear. Any question can be divided if any part of that motion will stand alone. Clearly in that case that motion was divisible something like 8 different ways. Any of those 8 parts could have stood alone. A request to divide a question will

always be granted by this Chair when separate parts can stand alone. Selectman Maddox said he will keep that in mind for the next time.

For the record, Selectman Coutu knows for a fact you supported everything but that one position. Selectman Maddox said there were probably 3 or 4. Selectman Coutu said he was sorry he spoke.

Selectman Jasper - I have a couple of things. One of them was the senior center, which has been taken care of. The other is just a note to anyone who ever worked at Benson's Wild Animal Farm. There is a reunion of former employees there in the area of the A-frame this Saturday starting around 12 p.m. Cindy Provencher and Arthur Provencher will be there. So if other people are listening who worked there in their youth and would like to meet up with other former employees, that's when it is going to happen. The lower parking lot will be opened so as they're expecting a lot of people. The lower gate will then be open for pedestrian traffic so that people don't have to walk up the hill and then back down again. For this one time, that lower gate we use on cleanup dates will be open and people will be right there at the A-frame if they park down there.

We do have under nonpublic combined dispatch. There may be elements of that which would be appropriate for nonpublic. I happen to think that the larger discussion should be discussed in public. I would certainly like to see that discussion take place at this time while we're on camera so people can hear that public information. I'd like to suggest to those of you who've been involved in that that we are at this time taking up the public discussion of dispatch.

Selectman Coutu said of course you're talking about Selectman Maddox and me because we've been meeting on this. I would caution that as Chairman and your knowledge of procedure and what is proper for nonpublic as we rely greatly upon you. If you hear us wondering in to that territory, we can cease the discussion and move into nonpublic.

Chairman Jasper said I don't know what you want to talk about particularly. For me this should be primarily a public discussion. Selectman Coutu thought that a good portion of the discussion would be. Chairman Jasper said it would really only be when you are talking about an individual that we should move into nonpublic....Selectman Coutu said or potential contracts. Chairman Jasper said the potential contracts in the broad sense is only negotiations. If we're talking the concept of how it would work, what would we do because we have dispatches in two different unions? That broad subject when we get into the specifics of what would happen, that's probably proper to go into nonpublic in terms of pay raises, who would be where. Selectman Coutu said that's not where I was going Mr. Chairman. Some other kind of contract. In thinking about it, I think that if we get close to that subject, I think we can deal with it in generalities as opposed to specifics. Chairman Jasper opened the floor up for the discussion on the dispatch center at this point.

Selectman Maddox said as the person who facilitated the last meeting of this group that we pulled together - the Fire Department and the Police Department as well as the dispatching staffs and the firefighters union. The radio projects that have been ongoing, and I have full size drawings here - mostly for Selectman Luszey because he loves this kind of stuff - showing the radio interoperability between police, fire, IT, how this is all going to mesh. The Fire Department is taking the lead on this. There is a grant that we are presently working through. So in here there is a set of drawings that show the process that we're working on right now. There is another level of radio interoperability and work that we're going to need to do that looks like about \$250,000. They have not yet gotten firm numbers as we were sitting in this meeting and there was 10 of us between IT, selectmen, fire, police, and union. Didn't want to spend a lot of time if this Board has no intention of doing this project. There was a number of concerns as to where, time frame, and all of that. I must tell you Mr. Chairman I did sit at police dispatch one Saturday night and it was eye opening. I think this is one of the areas that we can't talk about in public. I'm going to have to say I'm going to reserve some of that for nonpublic. There are some things that I would say that we don't say in public.

Selectman Maddox said the facility is basically there at the police station. There are 3 stations right now. IT believes that we can virtualize a lot of the equipment at the fire station. I did meet last Thursday with the Fire Chief and Deputy Buxton in regards to if we kept a lot of that equipment at the fire station at a) saving money; b) saving real estate because all the stuff takes up room within the space; and c) what could be virtualized. Again there's a lot of discussion as to whether this Board is ready to move forward with pushing this through as far as personnel, cost, and public safety.

Selectman Coutu wanted to make a couple of statements. Historically the voters when we talk about combined dispatch have always seen on the ballot a million dollar bill. Like most valid questions, all of the detail is not there and as Selectman Maddox always says, "the devil is always in the details". I for one as a voter had that ignorance when that question came to the ballot. It seemed like an excessive amount but I didn't realize we were building an additional to the police station and a lot of other things. I think the primary concern that as Selectman Maddox and I encountered at the meeting was exactly as he put it. There are several people there who have stated that we've been through this process a couple of times and have never gotten anywhere. Though I felt and I'm sure I speak for Selectman Maddox that it was a very receptive move to getting this done. There are obviously some is a lot of detail that still needs to be worked out. As Selectman Maddox said cost and looking at the 2 dispatch units, there is a disparity in the pay scales and then there's a question of unions and things of that nature. I think that to sum up what Selectman Maddox is saying is that basically we are willing to proceed with a study and come back with more detail, hard numbers. We, like the other members that we pulled into this meeting, don't want to waste our time if there is no real support on this Board for us to proceed with it. We feel, and I'm going to say this very generally, as far as the cost is concerned we think it's doable and we think it's doable without having to go to the voters for additional funds. We can get into those details later.

Selectman Luszey said the whole real purpose of doing combined dispatch would be to capitalize on efficiencies and cost savings. Intuitively one thinks that there would be that. Is that like an initial thought when you took a look at what you guys have been looking at? For me, Selectman Coutu said that was a great portion of - part of the process of me deciding that this might be a viable solution to a lot of things, cost factored into it and better use of our personnel. Are there going to be cost savings? I think that when we come back with the numbers, we're going to show you that initially it's going to cost money up front of course because we're changing things. The final analysis is we going to get a return on this money. A number was thrown out there, and I'm not going to quote it because there are no hard facts to support the number that was thrown out there. Is it conceivable to me as a businessman? Pretty good with numbers? Yes. It was conceivable that the number out there could be realized. So yes there's overall long term cost savings. Two, as far as efficiency is concerned with the use of personnel, we're going to have one supervisory unit supervising one group of people who are cross trained and they can handle both emergency services. We're going to have a more proficient force of people working for us. We're going to have a backup communications plan in the event that something disastrous should happen in our community, a contingency is going to be there, and we're going to work as Selectman Maddox said closely with IT in terms of making sure that the equipment is all compatible so that we have to move dispatch in an emergency situation, or we have to have two up and running as a result of a crisis, everyone is familiar with the equipment that's there. Yes there is initial cost from my perspective anyway. Yes long term, better efficient, cost savings, and much better well-rounded staff in emergency response needs for our community.

Selectman Maddox said in your handouts tonight you do have a memo to me from Deputy Chief Buxton that outlines all of the radio part of it. That is being worked towards. We do have the \$150,000 assistance to firefighter grant that is being implemented as the yellow, which is the intermediate step where they're replacing some of the Telco lines with fiber. The ultimate goal is the combined system which is the final one which will utilize the microwave to fill in as well as more fiber thus eliminating all of the Telco lines. That will be a savings if you will over time because of the fact that the Town owns the fiber network. It will also give us better coverage and communications between police and fire. We did do some testing. Again, this is quite the system and there are idiosyncrasies I guess I would call them that they are still trying to work out as they keep progressing. They're going to go up to a different tower on West Road to get better coverage out there. Those type of things. As far as combined dispatch to answer Selectman Luszey's question, I think in the long term there will be better working conditions for our employees. I think there will be better service to our taxpayers, our citizens, and possibly a few dollar savings. I think the real driving force is better conditions, safer conditions, and better customer service.

Chairman Jasper certainly supports moving forward. Obviously I'm not interested in going forward if it's going to be more expensive long term. One of the concerns that I've always had that needs to be addressed is right now the dispatchers also act as receptionists to a large degree for the public coming in and various permits. Particularly burning permits. If we took them out of there, how do we handle that traffic flow? Obviously 8 hours a day they could go to the administration building. Beyond that, people come in and everybody is out on a fire call, how do we handle that. That's an issue that I want to see addressed to make sure that that doesn't mean we now have to hire somebody else to fill in those blanks.

Selectman Maddox thought they looked at some of that Mr. Chairman. A couple of things that we'll rely on IT to support us with is getting out the word that everybody has an 816 number and then calling the Fire Chief at 6011, they dialed either Torrey as a back stop number. Get people to stop going through dispatch when they should be just dialing the direct lines. Why when you call Community Development and they're all on the phone, it defaults to the fire dispatch. It makes no sense. That's what voice mail is there for because the fire dispatcher isn't going to be able to help them if you're calling John Cashell. As far as the permits, they are working on putting them on line and coming up with a system where we have an 816 number dedicated for burn permits. So you would call up and it will say today is Tuesday, July 26, there's no burning today. End of story. Yes there is but only level - whatever the burn criteria is you could just say yes this is permit #67 at Old Derry Road. There is a process that we're working towards to alleviate that concern. I think the only thing would be if somebody walked in to be able to and have burn permits available until 6 p.m. at the administration building, or we may be able to leave a copy at the Town Clerk's office so they could pick it up on a Thursday night. Those type of things. We will look into that avenue but we are looking, again, why the fire department gets phone calls for departments they don't control. We need to take a look at how the phone system is set up. Again, publicize everybody's 816 numbers so that they're not going through the dispatch center for everything.

Chairman Jasper said certainly with that, permits could be obtained here during business hours and if somebody wanted off business, they could go to the police station and still have the dispatchers do the permits as they do now. That was my main concern in terms of making sure that was being addressed in some manner so the public wasn't unreasonably inconvenienced. Certainly I want to look at and see the numbers. Right now there may be times when we have 3 dispatchers on, will we able to drop down to 2 at certain times and save money. Obviously there's a disparity between the two bargaining units and one would assume that they would become one and there would be a cost to that. It would probably offset those costs -the personnel costs and how do we achieve some savings. Selectman Maddox indicated that he has something else that's in nonpublic that might answer that very question. Chairman Jasper thought it was something we should pursue. I was always opposed to it because we were looking at a \$1 million building. We're never going to recoup the costs on that.

Selectman Coutu wanted to make sure that there's consensus there. You did speak.

Selectman Luszey said the only other comment I would make, I think this gets to the statement I've made in the past. It's time we look at what the work is, who's doing it, and do we have the right people in the right place and the right time. It's getting to that.

Selectman Coutu thought Selectman Luszey was right. I think that the advantage that Selectman Maddox and I have working with this is we're working with the two department heads and the deputies. So we're going to have a better feel and the union would also be inclusive in our discussion but we'll get a good handle on their level of expertise, whether or not they can progress into a cross training mode, and be able to satisfy the requirements of that job if it were combined. So we'll take a hard look at that. Your suggestion about the permits and things of that nature and the contact, that certainly was on the radar and was discussed. Selectman Maddox I believed brought it up first and said we've got to look at the permitting and see how we're going to handle that. Those concerns are being addressed. I know Ted that you're very concerned about efficiencies and things of that nature. So am I. Those will be heavily weighed in the final analysis. We want to look at the cost and we'll get into some of that stuff because it is nonpublic. Ben do you support the idea?

Selectman Nadeau said one of the things when I was on the Budget Committee, and this was brought up, was always the million dollar price tag. If there's ways to make this run more efficiently and save us money in the long run, it's something I'm interested in looking at. If we're going to spend \$250,000 not getting any return on spending the \$250,000, I'm not interested in looking at it. What I've seen so far is there's potential of cross training and making better condition. So these are things that I'm interested in looking at and the price tag does not seem to be way out there like a million dollars when it was 5 years ago, 8 years ago, the last time that we looked at this. It is something that I'm interested in looking at. Like Selectman Luszey, I'm interested in seeing if we can do some different stuff. I did have the same problem that Selectman Maddox was talking about just recently last week when I called the town office and was sent over to the fire department to have the phone answered. That was kind of concerning to me. I've asked that question more than once in the past. I'm glad that hopefully IT will straighten that out sooner than later.

Ben to alleviate some of your fears on the costs, Selectman Coutu said you heard Selectman Maddox talk about the grant that they're working on \$150,000. That's all part of that package. These are things that were going to be done anyway. So the impact is not going to be as great. The number seems like a large number but when you fold in the grant that we were going to spend anyway, that really brings it down to \$100,000 for additional equipment. That's the way it was explained to me. We'll get into that detail because that's all equipment costs that are involved primarily. All right we have a consensus.

10. NONPUBLIC SESSION

Motion by Selectman Maddox, seconded by Selectman Coutu, to enter nonpublic session under RSA 91-A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community; (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph; (j) Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A, carried 5-0 by roll call.

Nonpublic Session is being entered at 8:25 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda.

The public is asked to leave the room.

Open session is being entered at 8:45 p.m.

11. ADJOURNMENT

Chairman Jasper declared the meeting adjourned at 8:45 p.m.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Shawn Jasper, Chairman

Richard J. Maddox, Selectman

Benjamin J. Nadeau, Selectman

Roger E. Coutu, Selectman

Ted Luszey, Selectman