

HUDSON, NH BOARD OF SELECTMEN
Minutes of the February 8, 2016 Meeting

1. CALL TO ORDER - by Chairman Maddox the meeting of February 8, 2016 at 7:02 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Captain Avery.
3. ATTENDANCE
Board of Selectmen: Rick Maddox, Roger Coutu, Pat Nichols
Absent: Marilyn McGrath, Ted Luszey
Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Fire Chief Rob Buxton

Chairman Maddox asked to take out of order the recognizing and nominations of appointments. We only have one this evening. It's for 25 years of service and it's Police Chief Jason Lavoie.

4. RECOGNITIONS, NOMINATIONS AND APPOINTMENTS
 - Police Chief Jason Lavoie - 25 years of service

Chairman Maddox read the following:

"Police Chief Jason Lavoie began his career with the Hudson Police Department on February 19, 1991. He is a graduate of Alvirne High School and Plymouth State College where he majored in Business and Psychology with a minor in Economics. Chief Lavoie became a Sergeant in December of 2002, Captain in July of 2006, and Chief of Police in January of 2009. He led successful re-accreditations of the Hudson Police Department with the most recent being in Reno, Nevada, in March of 2015. He's an active member of the community and serves as the Secretary of the Hudson Chamber of Commerce. Chief Lavoie is active playing basketball, loves the outdoors, and enjoys spending time on Squam Lake. He resides in Londonderry with his wife Denise, and has two children, Tyler and Kayleigh, and 3 stepchildren, Miranda, Kyle and Nicholas. On behalf of the Board, a small token of our appreciation for 25 years of service and the hope to see you for 25 more years."

This is the best part and Selectman Coutu says it all the time is being the Chairman. You get to recognize people that you know we see every day and we don't realize the amount of time and the effort that you have put in to be our Police Chief. Thank you and congratulations from us. This is a small token of our appreciation.

5. PUBLIC INPUT

Chairman Maddox asked does anyone in the audience wish to address the Board on any issue which the Board has control of at this time. If so, your name and address for the record.

Jared Stevens, 36 Barretts Hill Road, Hudson. I'm here tonight and I know you have in front of you guys a Code of Ethics complaint in regards to the Library Board of Trustees, and the Director, and so forth. I'm not really sure where it stands but I know our current Board I guess we have some issues in regards to the way that we conduct the investigation and how it gets reported to us. It seems like the way that this last one was reported to us is reported by a group of people and that would be the Board of Selectmen anonymously voted for us to hear the complaint. However our current board of the Code of Ethics disagrees that we can actually look at that complaint because it wasn't addressed by an individual person. I'm asking the Board today if they would direct our Code of Ethics Committee to a meeting to look at our current Statute and RSA and update them with the State of New Hampshire's guidelines that they use as Code of Ethics and other towns that could allow anonymous reporting to our board and we would resolve the issue that stands before us today as myself and our fellow board members don't know how to address the issue because there's a conflict with the procedures on how our last complaint was given to us.

Chairman Maddox indicated the Chairman of the Ethics Committee Diane Emanuelson called me just before I left for this meeting. She said that you're having a meeting on Thursday.

Jared Stevens said she's cancelled our meeting several times but this is separate. I'm asking for the Board to direct maybe something separate outside of that meeting and I think that the Board of Selectmen has that right to have us conduct a meeting and see if it makes more sense for us to change. I know this was edited in 1991 and then again in 1994 to take anonymous out and to really shrink it to about 6 pages and it really doesn't cover a lot of the issues that are even about us on the table to discuss right now.

Chairman Maddox noted it really wasn't anonymous just it was brought up here and because we have so few of these and they are an elected board, we sent it off to Ethics because again the Library Trustees do not work for the Board. We kind of sent it where we thought it should go. In hindsight, we probably should have sent them a letter saying either come in and talk with us or whatever. Like in March they have a lot of training after the elections and I think this just a lapse in understanding of the RSAs and the Right to Know Law. Again this kind of went around the pole if you would is how it got discovered and sent to the Ethics Committee. As I understand it from your Chairman that should go to the Town Clerk - a written complaint needs to go to the Town Clerk. At this point as I understand it you're having a meeting on Thursday to have us direct you to do something I think would be better for you at your meeting to come to us and say we would like to change the Town Code for this reason rather than us directing you.

Jared Stevens said I don't think we can do that unless we're directed by the Board of Selectmen.

Selectman Coutu asked Mr. Stevens have you received a copy of the letter that was forwarded to Diane Emanuelson dated January 19, 2016 and signed by Steve Malizia at the direction of the Board of Selectmen. Mr. Stevens answered I have received a copy of that. Selectman Coutu noted I think that's sufficient. The Board of Selectmen has voted unanimously to file a complaint to the Ethics Committee regarding a violation of RSA 91-A the Right to Know Law by the Hudson Library Trustees. Then it goes on and then at the end it says "according the Board of Selectmen respectfully requests that the Ethics Committee investigate the allegation that the Hudson Library Board of Trustees violated RSA 91-A the Right to Know Law. Thank you for your immediate attention to this matter. Sincerely Steve Malizia, Hudson Town Administrator." A motion has been made by this Board has directed them to conduct an investigation. The letter was sent by our Town Administrator on behalf of this Board. We've taken the appropriate action. We've done exactly what we've asked us to do. If she doesn't meet on Thursday night, then I think at that point you have the right to come back to us and make a statement to the affect that...

Jared Stevens agreed with Selectman Coutu. I believe that Diane Emanuelson had a conversation with Steve in regards to cancelling our last meeting. I agree that you guys followed the procedures. Steve Malizia said I actually never talked to her. She sent correspondence. Mr. Stevens said all right cool because she sent me a text saying that but I think that's fine. I think you guys did the right thing as far as it says under 53-6 you did the right thing. My only thing is for future I'm asking you that regardless of the case on hand right now push that to the side, I'm saying in the future I think that we should look at our Code of Ethics guidelines in the future and make some amendments to it and bring it more in line with our State's ethics guidelines and other towns that surround us. I'm not talking about the current situation on hand. I'm asking you guys to think about it and possibly direct a meeting for us to have in regards to editing that or adding amendments to it. We wouldn't be discussing the current situation right now if we went under the State guidelines. We would have already had a meeting. We would have already made our decision and it would have been to you guys. I think the biggest key that we've taken out of this and shrunk it down so much is made it anonymous. You guys weren't present on the Board at the time. It goes back to 1991. They've taken that key out of it so that there wouldn't be anonymous complaints.

Mr. Stevens thought the biggest thing is if you put anonymous back in there maybe you'll see our part of government functioning more effectively versus when somebody has to come in and make a complaint. They don't always feel safe in doing that if they have to be put on the spot. I think we miss a lot of things in making it a completely functioning government by allowing it to be anonymous. It just goes back to other parts of the Code of Ethics board. For example when somebody is elected to any type of office whether it be Board of Selectmen, or Zoning Administrator, Road Agent, sewer foreman, or Library Director for instance the Code of Ethics should be verifying that their FIDF requirements have been fulfilled. That doesn't happen in their Financial Disclosure forms. I think if we were to review this in whole, I think we could make some good amendments to it.

Selectman Coutu didn't disagree. However in my conversation just a little while ago with Chairman Maddox, it's incumbent upon the Board of Ethics to meet and to go over your By-Laws and rules. That's number one. Number two - every elected official is afforded an opportunity to go to the Municipal Association. They offer various coursed. If there's a fee that applies, you come to the Town Administrator and he will pay the fee for you. If it's a matter of transportation to Concord, we will reimburse you for the mileage and you attend the seminars. There are seminars on Code of Ethic.

Jared Stevens interrupted and said I think we're getting off topic. I'm not asking...

Selectman Coutu said no I'm not getting off topic. I'm addressing what you stated about re-writing rules and by-laws and they will direct you on what the proper procedure is for the rules and by-laws for an ethics committee. As far as this particular issue, this is not anonymous by any means. We all know who made the complaint so that's not anonymous. Mr. Stevens said it's not but our Board originally they wouldn't meet because they're saying all right well if Jasper said this statement but Jasper didn't complain. Jasper went to whoever it was and said it that way but Jasper never made the complaint to us. So our Board felt like listen it wasn't made by the

citizen so we're not going to look at it. I disagree with the Board. I say we look at it. That's why we haven't had a meeting.

Chairman Maddox noted you didn't have a meeting because the Chairman had a death in the family. Mr. Stevens stated no that isn't why. I'll have those text e-mails available for you if you'd like to. The reason why we didn't have a meeting is because they felt that it was made anonymously. I agree with you guys that it wasn't. You guys had a vote which you guys are considered a group under our current by-laws here. You guys are a group and you guys are allowed to do that so they had a misinterpretation. They're thinking it was anonymous. I'm only here like I said regardless of this, let's not think about it, I think that as a town we need to take a look at our current chapter here and maybe make some amendments to it so we don't have these future problems.

Selectman Coutu said the Board of Ethics should look at that and make recommendations.

Jared Stevens said so we will. We meet Thursday and I'm going to come back here again and say okay I'm going to ask you guys again. That's all I'm asking. We're going to come here twice and we're going to waste more time but you guys can think about it because I will come back again next time. I think it's a problem and I think the points that I've stated to you guys today and I will be more prepared with those e-mails to show you that it wasn't just because there was a death. You guys don't have a full Board here and we don't need a full board.

Selectman Coutu said we're not going to get into personal attacks of various boards.

Chairman Maddox thought that we have covered this. I guess I'm having a question of how you decided not to have a meeting without having a meeting to know what it was about. I think that there is some fuzziness there on your side too. At this point have your meeting on Thursday. We're going to talk I think about this a little later on if you want to stay. At this point, we got the gist of your issue and let's see if we can address it.

6. CONSENT ITEMS

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

Motion by Selectman Coutu, seconded by Selectman Nichols, to approve consent items A, B, C, D, E and F as noted or appropriate, carried 3-0.

A. Assessing Items

- 1) Veteran Tax Credits - Map 156, Lot 006, Sub 018 - 39 Cricketfield Lane; Map 198, Lot 024 - 7 County Road; Map 147, Lot 001, Sub 020 - 1 Scenic Lane; Map 185, Lot 006 - 2 Flying Rock Road; Map 184, Lot 016 - 3A&B Gordon Street, w/recommendation to grant
- 2) Tax Deferral Application - Map 145, Lot 011, Sub 002, w/recommendation to grant
- 3) 2015 Tax Abatement - Map 149, Lot 1-33 - 21 Glasgow Circle, w/recommendation to approve

B. Water/Sewer Items - None

C. Licenses & Permits

- 1) Request to Solicit Funds - American Legion Post 247
- 2) Request to Solicit Funds - Live and Let Live Farm Rescue and Sanctuary
- 3) Request to Solicit Funds - Honor Flight new England
- 4) Raffle Permit - Bay State Industrial Welding & Fabrication, Inc.

D. Donations

- 1) \$100 from Sno Men into the Recreation Donation Account
- 2) \$200 from the Rotary Club of Hudson-Litchfield into the Senior Center Donation Account

E. Acceptance of Minutes

- 1) Minutes of the December 22, 2015 Meeting

F. Calendar

2/09 PRIMARY ELECTION
2/10 7:00 Planning Brd - Buxton CD Meeting Room
2/15 PRESIDENT'S DAY - TOWN HALL CLOSED

2/16 7:00 Cable Utility Cte - HCTV Ctr.
2/17 5:00 Municipal Utility Cte - BOS Meeting Room
2/17 7:30 Senior Affairs Cte - Buxton CD Meeting Room
2/18 7:00 Benson Park Cte - HCTV Meeting Room
2/18 7:00 Budget Cte - Buxton CD Meeting Room
2/22 7:00 Sustainability Cte - Buxton CD Meeting Room
2/23 7:00 Board of Selectmen - BOS Meeting Room
2/24 7:00 Planning Brd - Buxton CD Meeting Room
2/25 7:30 Zoning Brd of Adjustment - Buxton CD Meeting Room

7. OLD BUSINESS

- A. Public Hearing - Amendments to Town Code Chapter 317, Sections 317-15 Violations and penalties and 317-19 Parking Restrictions

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia stated at your last meeting Mr. Burns the Road Agent came into the Board of Selectmen's meeting and made his case to forward a fine for impeding snow removal operations. The fine will be \$100. The Board agreed and decided and voted to send it to a public hearing. The public hearing has been scheduled for this evening. It's a public hearing to take input from the public regarding the interference with snow clearing operations and adding a fine of \$100 for that.

Chairman Maddox asked this is the only one we need to have.

Chairman Maddox opened the public hearing at 7:19 p.m. With the weather and with snow, it is going to be a little challenging but at this point, I will close the public hearing at 7:20 p.m.

Selectman Coutu told the Chairman we've had quite a bit of discussion relative to this. I think that whereas it comes from the Road Agent and the Police Chief and no one has come to speak against it, I would entertain a motion if you have one.

Motion by Selectman Coutu, seconded by Selectman Nichols, to amend Town Code, Chapter 317 "Vehicles and Traffic", Article III "Parking Restrictions", Section 317-15 "Violations and penalties", by adding a new fine "interference with snow-clearing operations" of \$100.

Chairman Maddox commented I just happened to be listening to the scan of the radio and the police were dispatched at least a half a dozen times today to help get people to move their vehicles. Again it's something that needs to be done otherwise we have plows sitting waiting to go around cars or whatever. This is probably the least painful of the options we looked at.

Selectman Coutu hoped daytime plowing to me is a lot different than night time plowing. Businesses are open. People need to have access to businesses and in some instances, they have to park on the street and they don't know when a plow is coming or not. They will use proper discretion before they would issue a \$100 fine especially daytime plowing. At night there's no excuse. This is not new not parking in the streets from 11 p.m. to 7 a.m. Some people absolutely refuse to put their cars and as the Road Agent stated we're talking about maybe 40 people at best. If they haven't learned by now then let's give them a \$100 ticket. Daytime - proper discretion. If somebody is going to be obnoxious about it, then you know.

Chairman Maddox noted as the police liaison, I'm sure you'll convey that.

Vote: Motion carried 3-0.

8. NEW BUSINESS

- A. Library Trustee Code of Ethics Complaint

Chairman Maddox recognized Town Administrator Steve Malizia.

Steve Malizia noted the Board of Selectmen had directed that a letter be sent to the Code of Ethics Committee regarding a possible violation of the Right to Know Law by the Library Trustees. That correspondence was addressed and sent to the Chairman of the Committee. You see some correspondence that it's gone back and forth. I'm here to tell you at this point in time that based on the last correspondence they had, they weren't going to hear it. That's kind of how I read it. I came to the Board to say what would you like to do. If you read the packet that I've given you and you look at the information, they're telling us some proper procedure is to have an individual file a complaint.

Chairman Maddox said all I can tell you is that I talked to the Chairperson Diane Emanuelson tonight and she said they're meeting Thursday. They're going to talk about that. I see the Library Trustee in the audience. Do you want to come up?

Selectman Coutu commented rather than put her on the spot which I think is unfair at this point, I'm just going to disclose what I know if you don't mind. I'm not trying to belabor this but. The Chairman of the Library Board of Trustees came to me and expressed serious concern about all of this and understandably. I want people to understand that all of our boards and commissions and our committee are all volunteers. They're giving of their time to serve the public at no cost to the public. They were not aware based on my conversation with the Chair of the Library Board of Trustees that what they did was in violation of the Right to Know Law. She was very apologetic. She doesn't have to apologize to me. She doesn't have to apologize to anybody. I can understand that when you don't have experience in government and maybe what we ought to do is anyone who's elected to public office we should make a copy of that RSA and make sure they're well aware of it. There's no denying that a phone call was made on a particular matter to get opinion to let them know that this is what the Library was going to recommend. It had to do with pay raises. I guess they took a vote over the telephone. That is a violation of the Right to Know Law. Slapping on the wrist I think is about all that's going to happen here from my perspective. Let this be a lesson to not just them but to all boards and commissions.

Selectman Coutu said for the most part, most of our boards and commissions and our committees. A lot of them are long-standing when most of them when they become Chair they are aware of what the rules and regulations are. From my perspective anyway, I thought everybody knew that any business that involves especially the expenditure of money is something that should be conducted in public. That's common sense to me but I truly believe after having conversed with her and I didn't solicit her she came to me that it was an oversight on their part. However I think that we need to do due diligence to the Ethics Committee. It was serious enough that somebody made mention of it publicly at Deliberative Session. We've discussed it here. We directed the Town Administrator to send a letter to more or less order them to have a meeting. I think that the Ethics Committee now can decide what to do, and what would be the proper procedure, and then we can decide whether we think that it's too harsh, or not too harsh, or maybe we have no jurisdiction. I'm not really clear on that. Do you know Steve?

Steve Malizia said I have not spent any time legally finding out if you have jurisdiction. We just received a complaint and I forwarded it.

Selectman Coutu thought that whatever their final decision is we should probably at that point maybe make a decision to pass it onto our attorney on behalf of the Ethics Committee to get a final review of their decision regarding this matter. I don't think there was any criminal intent here. It was an oversight. I think that the Chair understands and has learned a valuable lesson and was apologetic. She had no reason to have to apologize to me. I understand that this can happen. These are all volunteers. The person that's sitting in the audience we know volunteers not just for the Library Board of Trustees but for a lot of things. A lot of things you conflict with. Government conflicts sometimes what you do in a private organization which is completely different. You can make phone calls and ask each person. They're not subject to governmental Right to Know Laws as we are. I think there's a lesson to be learned here by everybody.

Chairman Maddox did not disagree. I was going to ask if they get the Municipal Association pamphlets and whatever.

Steve Malizia assumed they're eligible to. I couldn't tell you if the Director gets it at the Library. I would presume that he could also easily get that.

Chairman Maddox said right after the elections they always have those training seminars. Again for my two cents, I think they have to have that vote that they had on the phone in a public meeting, put it on an agenda, and restate the case. If they've already done - Linda Kipnes noted we do. Chairman Maddox asked so that was already done after the phone poll or whatever it was.

Linda Kipnes didn't remember in this case but usually we do.

Selectman Coutu thought you did.

Chairman Maddox noted part of that training. They should know what those are. Again at this point I think the Board is going to back out until the Ethics Committee comes back with whatever they'd like to do. I know Mr. Stevens says he will be back and that's fine. I think we would be better served by them bringing stuff to us rather than us directing because they're the ones that deal with it. If you can convey that to the committee, that would be appreciated.

B. Revised Use of Town Hudson Meeting Rooms Policy

Chairman Maddox told Selectman Coutu we kind of waited for you a little bit because the season is basically over other than I guess Rubio was in one of the schools and the School Department handled that. Hilary is tonight at the high school.

Selectman Coutu said those are municipal buildings that we really have no control over. For me it was the use of the Community Center only because it is the single probably largest gathering building that we have. I saw no reason not to want to rent it out but there would be some conditions. Those conditions would be they would absorb all costs which would be the cost of a custodian, the cost if necessary if a Donald Trump for example were to come, the hall doesn't hold 3,000 people but 2,000 to 3,000 people could show up and want to try to get in. We're going to need crowd and police control. They made that mistake at the Tsongas Arena when he went there. They needed a lot more police officers than what they had original agreed to pay for and they sent him the bill. I'm sure he can say it wasn't in the contract I don't have to pay it or he may just - I don't know what he's going to do. Even though the Telegraph thinks he and I are associated somehow, we have nothing in common. In all fairness, it is the end of the year. I would like to defer until we have a full Board so that I know that we have a solid majority not just a 2 to 1, or 3 to 0. I'd like it to be 5 to 0 or 4 to 1 I'll be happy.

Steve Malizia interjected and said you do not need a public hearing because that's only a policy of the Board. It's not in Code. Code already dictates what the fees and the schedule of fees are for the rental of the hall and whatever.

Chairman Maddox said as long as it's isolated to the Community Center, I have no angst whatsoever. You don't want to get in here and all that. Steve Malizia noted you're not going to have meetings in here. Selectman Coutu stated they have a right to come in here and shake hands and meet people. Mr. Malizia said this is a free country. Anybody can come in and shake my hand but if you want to have a rally in this room...Selectman Coutu noted in this room it's not going to happen.

Chairman Maddox noted we're going to hold off until we have a full Board downstream because it's not until November at this point because they'll be out of here with a tail wind by about 9 o'clock tonight. With that, I just want to remind everybody that tomorrow Tuesday is Election Day. It is already the 9th of February and the election is tomorrow. Folks please come out and vote. There may be lines for a short bit as we get people through but again you heard Paul Inderbitzen, the real problem is the parking lot. If you can try to make that swing around the building and find a parking spot on the other side, I'm hoping that Kevin and his personnel I'm sure will be out late tonight clearing as much of this snow as possible so we have as many parking spaces and come on down.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Coutu - I hope Selectman McGrath recuperates well. We need her tomorrow but if she can't make it, certainly we'll understand. This weather is not good for her. I wish her the best.

Selectman Coutu just wanted to say I did some thinking today and I was thinking that since this Primary has begun, someone somewhere close to \$400 million has been spent so far on this campaign. That would fund this municipality for the next 18 years. It's overwhelming for me to think that we have a couple million people starving in this country. A couple million people starving in this country. We have still a lot of people without any medical insurance. These politicians don't put their money where their mouth is. They just throw it away. You've heard comments in this election that one candidate spent \$113 million just in the past campaign in Iowa and didn't even come close to winning. You think about all that money and the good that it could do for America. Donald Trump I'm appealing to you to donate \$1 million to the Town of Hudson so that we can open up an opioid program and bring in professionals to work with our kids. These are the kinds of things that they should be doing with their money. Putting their money where their mouth is and not just talking about it. We all know when I say leave New Hampshire, they're going to forget New Hampshire for the next four years.

Chairman Maddox said no they'll be back in November. Selectman Coutu commented. Mr. Malizia said four electoral votes - not a priority. Selectman Coutu said these people are not going to remember New Hampshire they never do. I never thought that New Hampshire got the fair share of federal block monies that were available. I saw today that \$500,000 went to the City of Lowell to help them with their opioid crisis and other things out of some federal grant. Some other town also got money. The University of Lowell got several thousand dollars to help them. This was all federal seizure money. Their seizure money and not Lowell seizure money came out of the money that the federal government gets and they were giving out all this money whether it's because we didn't apply for it or New Hampshire just never gets considered. It just seems to me like a big waste of money for a lot of these people who should have got out of the way a long time ago and taken their campaign treasuries because they can do it and donate it to charity and some of the charity could be municipal government so that we can set up opioid crisis centers and feeding our needy in our communities.

With that, again we will be at the polls tomorrow. We'll be working. We'll be there all day. Stop by and say hi. Come in and buy a cup of coffee and buy some pastry from the Junior Woman's Club and help them out. That's how they raise their money is there. We'll try to keep things under control. I'm sure you'll be soliciting people to serve on some of our boards and commissions and I'm going to try to do the same. Get out and vote.

Selectman Nichols - Just have to agree with Selectman Coutu. It's the amount of money they spend on mail to send the political junk. They're spending good money. I just find that this is a little bit much. Constantly every single day you go to the mailbox to get junk, junk, junk. It's money that's being spent. I could see them making homes for our Veterans, taking care of them and get them off the streets. Some of them are on the sidewalks. They have no place to go and that money could be used for something else. I really agree with you 100 percent even.

Selectman Coutu noted the great thing about American is we have a right to disagree without being disagreeable.

Selectman Maddox - I would just like to thank everyone that made the Deliberative Session on Saturday. It was sparsely attended unfortunately. It went fairly smoothly. There were a few questions and good questions and we got some input into where we need to look at. Again to Mr. Inderbitzen and the cable people that pulled that off so that you might not be able to go on a beautiful Saturday morning but you can watch that meeting I'm sure for the next month as we keep playing it so that people understand what the warrant articles are about. Yes government is an interesting adventure. Tomorrow we will see people that we don't see in the March elections for whatever reason. Hope to push them through quickly.

10. NONPUBLIC SESSION

Motion by Selectman Coutu, seconded by Selectman Nichols, to enter into Nonpublic Session under RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

Selectman Coutu questioned why do we have to go into Nonpublic Session. Steve Malizia noted it's compensation of an employee. Selectman Coutu commented I don't see anything here that's confidential. We're asking for a temporary assignment. Why is that confidential? Steve Malizia said it qualifies under the Statute. Whether you want to do that or no...Chairman Maddox said if one of you said and I don't think that's going to happen wanted to say something that was in opposition to that. If you don't want to, then don't make the motion.

Selectman Coutu was opposed to going into Nonpublic Session because of this. I think we should be doing it out in public. Chairman Maddox said I'm not going to argue with you but I disagree. I think that again if you start choosing which ones you're going to decide we do go in and some we don't, then it's going to be confusing for staff and for...Selectman Coutu said this is cut and dry. Chairman Maddox didn't disagree with you. That's why I'm saying I'm not going to spend a lot of time arguing with you.

Vote: Motion carried 2-1 by roll call. Selectman Coutu in opposition.

Chairman Maddox Nonpublic Session is being entered at 7:39 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 was entered into at 7:45 p.m.

Motion by Selectman Coutu, seconded by Selectman Nichols, to temporarily assign Helen Cheyne to the position of Executive Secretary at a rate of \$23.00 per hour, step 5, of the Hudson Police, Fire and Town Hall Supervisors Contract for a period not to exceed six (6) months, carried 3-0.

Motion by Selectman Coutu, seconded by Selectman Nichols, to advertise and post for the Fire Department Executive Secretary position, carried 3-0.

11. ADJOURNMENT

Motion to adjourn at 7:46 by Selectman Nichols, seconded by Selectman Coutu, carried 3-0.

Recorded by HCTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Richard J. Maddox, Chairman

Roger E. Coutu, Selectman

Pat Nichols, Selectman