

HUDSON, NH BOARD OF SELECTMEN
Minutes of the September 13, 2011 Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of September 13, 2011 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE - led by Selectman Maddox.

3. ATTENDANCE

Board of Selectmen: Shawn Jasper, Rick Maddox, Ben Nadeau (arrived at 7:02 p.m.), Roger Coutu, Ted Luszey

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Bob Tousignant, Police Captain; Animal Control Officer Jana McMillan; Kevin Burns, Road Agent

4. PUBLIC INPUT

Chairman Jasper asked if anyone in the audience wish to address the Board on any issue over which we have control or jurisdiction.

5. NOMINATIONS & APPOINTMENTS - NONE

6. CONSENT ITEMS

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

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

A. Assessing Items

1) Yield Tax Assessed & Timber Tax Warrant - Map 178, Lot 030, w/recommendation to approve

B. Water/Sewer Items

C. Licenses & Permits

- 1) Request to Solicit Funds by Lowell Cub Scout Pack 7
- 2) Request to Solicit Funds by Boys and Girls Club - Dolphin Swim Team
- 3) Raffle Permit by American Vivekananda Academy
- 4) Raffle Permit by Friends of Benson Park, Inc.
- 5) Raffle Permit by Friends of Benson Park, Inc.
- 6) Petition & License for 1 New Pole (356/24-1) Adelaide Street

D. Acceptance of Minutes

- 1) Minutes of the August 9, 2011 Workshop Meeting
- 2) Minutes of the August 23, 2011 Meeting

E. Calendar

09/14	7:00	Benson Park Cte - Landscape Subcte - BOS Mtg Room
09/14	7:00	Planning Board - Community Development Mtg Room
09/15	7:00	Sewer Utility Cte - BOS Mtg Room
09/15	7:00	Benson Park Cte - BOS Meeting Room
09/15	7:30	Budget Cte - Community Development Mtg Room
09/19	7:00	Energy Cte - Community Development Mtg Room
09/20	7:00	Cable Utility Cte - BOS Meeting Room
09/21	5:00	Water Utility Cte - BOS Meeting Room
09/21	7:00	Council on Aging - Community Development Meeting Room
09/22	7:30	Zoning Board of Adjustment - Community Development Meeting Room
09/26	7:00	Recycling Cte - BOS Meeting Room
09/27	7:00	Board of Selectmen - BOS Meeting Room
09/28	7:00	Benson Park Cte - Landscape Subcte - BOS Meeting Room

09/28 7:00 Planning Board - Community Development Meeting Room
09/29 3:30 Trustees of the Trust Fund - Community Development Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on August 23, 2011

1. *Motion by Selectman Luszey, seconded by Selectman Maddox, to accept Chief Lavoie's recommendation and to authorize hiring Marie Coolidge and Diane Spillane as School Crossing Guard substitutes for the 2011-12 school year with a starting salary of \$13.50 per hour effective August 18, 2011, carried 5-0.*
2. *Motion by Selectman Luszey, seconded by Selectman Coutu, to hire Matthew Sutton as an Intern with the IT Department at the rate of \$14.00 per hour not to exceed 428 hours, carried 4-1. Selectman Maddox in opposition.*
3. *Motion by Selectman Luszey, seconded by Selectman Coutu, to hire Lori Bowen as Soccer Coordinator for a fee of \$1,275.00 and Sherri Lavoie as Assistant Soccer Coordinator for the fee of \$775.00 effective August 24, 2011, carried 5-0.*
4. *Motion by Selectman Luszey, seconded by Selectman Coutu, to hire Ed Peterson as the 2011/2012 Instructional Program Basketball Coordinator for the fee of \$1,000.00; Steve Porter as 2011/2012 Boy's League Basketball Coordinator for the fee of \$2,100; Lori Bowen as 2011/2012 Girl's League Basketball Coordinator for the fee of \$1,600.00; and Andrew Gora as 2011/2012 Teen League Basketball Coordinator for the fee of \$750.00. All positions are effective September 22, 2011, carried 5-0.*
5. *Motion by Selectman Luszey, seconded by Selectman Maddox, to deny Firefighter Greg Rich's Step 2 Grievance for the denial of paying step increases to employees absent a collective bargaining agreement, carried 4-1. Selectman Coutu in opposition.*
6. *Motion by Selectman Maddox, seconded by Selectman Coutu, to terminate the contract with Warren Street Architects relative to the Benson train station for cause, carried 5-0.*
7. Chairman Jasper declared the meeting adjourned at 10:25 p.m.

B. Contract with Warren Street Architects - train station at Benson Park

Chairman Jasper said we did have a discussion following the termination of the contract with Warrenstreet which actually at the time we had no contract with them. There's nothing necessary to withdraw but as we talked about at the workshop, there were a number of issues that came to our attention that were absent before. At this point, we have before us a new contract with Warrenstreet relative to the roof and the foundation for the train station. We had a long discussion last time. We have the contract in front of us.

Mr. Malizia was speaking but is inaudible. This is what you asked for and this is the proposal that he submitted.

Motion by Selectman Luszey, seconded by Selectman Maddox, to enter into a contract with Warrenstreet Architects and the Town of Hudson for the architectural and engineering services for Phase One of the refurbishing of the train station at Benson Park in an amount not to exceed \$9,200. The Chairman of the Board of Selectmen is hereby authorized to sign the contract and any all documents relative to the same.

Selectman Maddox said act in haste repent in leisure. The design fee to put a roof that says "prepare sketch and a written specification for the replacement of the asphalt roof" \$2,500. Again, I just don't know what we're getting for that. I guess if you look at the whole \$9,200 maybe that's just as he breaks it out there, I'm having a tough time making a sketch and saying put on 3 tab shingles for \$2,500.

Mr. Chairman, Selectman Luszey thought what we're really getting is him getting the approval from DOT that we're going to use the asphalt shingles instead of slate and all that. There is some time and effort on his part along with the Town's Engineer to get that moving forward.

Chairman Jasper's understanding of this is it is also construction administration. There's going to have to be a great deal of oversight because of the fact that all of the...Selectman Maddox said that it was a separate line item. Chairman Jasper said no. The design fee is \$2,500 - construction and administration will be provided. Mr. Malizia indicated that on the next page it's broken out where its design, archeological oversight and then construction admin. It's sort of sliced a different way there to get to the \$9,200. Chairman Jasper thought they really had to look at the total package here for what's being done.

Selectman Luszey also wanted to add. I think he's also wrapped in all of this during the night of discussion was the concern for the sheathing underneath and the structural integrity of the wrap and all that. I'm looking at this as if there needs to be some work there, that's what this is going to cover. Chairman Jasper said the fascia along the edge, that's got to be taken care of. Obviously, he's not doing the construction but he's got to oversee the fact that we're pretty much that has all got to be rebuilt as a result of the neglect over the last 25 years. When he was here at the workshop, he did tell us he expected it to come in at a cost not to exceed \$10,000. We have a contract here at a cost not to exceed \$9,200. It's under what he told us to expect.

Selectman Coutu agreed with Selectman Maddox. When I look at the administration fees not to exceed \$3,500, I can find all three of the fees that will add up to \$3,500. I can find the archeological oversight for the \$1,500. I can find that and on the design of \$4,200. I can find the two numbers that add to \$4,200, which is \$2,500 for the roof and \$1,700 for the structural design like this. It boggles my mind that it's going to cost us \$2,500 to design how we put shingles on a roof and only \$1,700 to design how we're going to put a foundation under the building. Those numbers are skewed somehow and I will not support \$2,500 for somebody to tell a roofing contractor how to put shingles on a roof. To say that part of that fee includes him having to go and explain the shingles, I thought Mr. Webster made it clear to us that he was going to tackle that part of the project. He was going to go before DOT or whatever commission has to approve this and he would explain the shingles and they would tell us what was all right to do and what wasn't all right to do. I think that \$2,500 to figure out how to shingle a two sided roof is a little excessive at best and probably we shouldn't be going out to bid to a roofing contractor if they don't know how to put them up. Chairman Jasper pointed out, and it's minor, it's a four sided roof. It's a hip roof.

Point of question. Selectman Luszey's understanding is we need this design document whether we pay nothing for it or \$4,200 for it to go to DOT to get approval to start the work. Is that true? That's Chairman Jasper's understanding. Selectman Luszey said it's either we're going to pay someone now or we're going to let it sit there, continue to deteriorate, and we'll be back here in the spring with a much higher number.

Chairman Jasper is greatly puzzled by what appears to be a reversal of the numbers. Regardless, it's a contract for a total package. It's under what he told us it would be. It would be nice to hear exactly why it's \$2,500 this way and \$1,700 this way. Obviously there's something there that we're not understanding or there's a mistake. Do we want to get this building roofed by the winter? I think yes.

Selectman Coutu thought the more important question is if he can't do this right, can he do the rest of the work right. Chairman Jasper said we don't know that this isn't right.

Unfortunately, Selectman Nadeau has to say that we need to get this done and if this is the documents that we need to have for the State, the we need to do it. He told us last week it was going to be \$10,000; it comes in at \$9,200. Can we go out and find somebody else to do it off the list? Probably can. Now that they all know that's its \$9,200, they're going to come in at \$9,100. If we wait another week, it could be another 3 weeks before we get something out to the bid packages. It could be December or January before we start roofing. I think we need to start moving on this if we're going to move on it. If we're not, then just let the building sits where it is.

Chairman Jasper appreciated that. I think we need to focus on the fact that its \$4,200 for design for the two phases. How it's broken out on the front, the fee is designed for the \$4,200. Assuming authorization to proceed by December 13th, design documents will be complete by the 29th. It's due the 17th. Work will commence the last week of October. If we go any later than that, than frankly this isn't going to happen. If we wait two weeks to get him in here to get an explanation of why \$2,500 and \$1,700 instead of \$1,700 or \$2,500 or however you want to go, I think we've created our problem. I think everybody knows where they want to go.

Vote: Motion carried 3-2. Selectman Maddox and Selectman Coutu in opposition.

8. NEW BUSINESS

A. Benson Park Historical Audio Tour

Chairman Jasper recognized Dominique Kaempf and Elizabeth Abbott.

Dominique Kaempf, 21 Brook Drive, Hudson.

Elizabeth Abbot, 56 Bear Path Lane, Hudson.

Dominique Kaempf stated that they presented for this tour to get approval to start it in the spring. Now we've completed it. With your permission, we have transcripts and maps that we can hand out. We talked to Mr. Schibanoff already from the Benson Park Committee and he read over the script. He agreed with basically what we said. With your permission, we have MP3 players that have the tour on it that we'd like to donate to the Library and we also have it on CDs. If you give us your permission, we'd like to talk to the IT Department to see if they can put it on the website for people to download.

Chairman Jasper thought without objection - when we make the motion to accept that, that will part of the approval to do all of those things.

Motion by Selectman Nadeau, seconded by Selectman Luszey, to accept the donation of the "Benson Park Historical Audio Tour" valued at approximately \$250.00.

Selectman Luszey thought it was fantastic.

Vote: Motion carried 5-0.

- B. Public Hearing - Proposed Changes to Code of the Town of Hudson Chapter 188, "Dogs and Other Animals", and amending Section 188-1, "Dogs to be Controlled by Owners"

Chairman Jasper to recognize Captain Tousignant and Animal Control Officer Jana McMillan.

Good evening Mr. Chairman. Captain Tousignant indicated that you all have a copy of the proposed new ordinance concerning dogs and other animals to be controlled by the owners. It deals with controlling dogs on town property. Also for owners to pick up after their animals.

Chairman Jasper asked if any member had any questions. We have had this before us already.

Mr. Malizia indicated that this is the first of two required public hearings. They're here to answer questions that the public has and to assist you.

Chairman Jasper opened the public hearing at 7:18 p.m.

Does anyone in the audience wish to speak on this item at this time? State your name and address for the record.

Kiarash Taraz, 33 Flying Rock Road. I have quite a bit of issues with it. I wasn't sure if I should just drill down. Chairman Jasper said whichever way you want. You're here to talk to us and however you feel comfortable telling us what you'd like to.

One of the problems Mr. Taraz had with it was the wording. The wording is a bit loose. It's a bit unclear and subjective. Basically one of the things was At-large. It's defined as "controlled by leash, cord, chain or other similar means". Later on, leash is defined as, "chain, rope, or strap not to exceed 6 feet". This kind of led me to believe that if I have a cord it can be over 6 feet. That was one of the things. It's also unclear whether the leash needs to be held by a person or just attached to the collar. What if the leash is tied to a brace, post or a tree? That seems to be finable. It's not clear to me. The other problem that I had with it is that a police dog can be unleashed but a citizens dog that could have gone through similar training would be prohibited from being off leash. Actually this was bit ironic because a police dog that's trained to bit during training would be allowed off leash but a house pet would need to be leashed at all times in public. For the leash, I wasn't quite sure why the limit is 6 feet. What if its 7 feet? All the existing retractable leash owners what do they have to do? Do they have to carry a tape measure out in public? I'm not quite sure how that is going to be enforced.

The other wording was with "physically able and competent". How is that measured? That's a bit unclear and subjective. Also it does not exempt handicapped people. Are they going to be fined if someone that's not physically competent is going to have the dog on the leash?

Regarding dog waste. The wording "immediately remove and dispose". I'm not sure what the definition of "immediately" and "disposal" is. If putting the waste in the bag is that removing or is that disposing? Basically do I have to put in the bag and immediately find a trash can? I'm not quite clear. What if the dog has diarrhea and he goes on asphalt or concrete? It's not exactly easy to clean up if that's going to be a finable offense. Also that the handicapped people are exempt from this and how would you prove the handicapped? Would you need a license from the town like a lot of people in the town are going to end up with back injuries that they can't pick up poop.

Regarding the fines. Who can issue the violations? What kind of violation is it? Can it be challenged? Is it going to have due process and what counsel would conduct he hearing? Is it going to be the same counsel that basically writes the citations or does somebody have to go to court? I'm not quite sure. What's not clear to me is what is the law trying to do? What is the statistics - number of incidents and basically where's the proof that these sorts of restrictions would reduce the risk of such incidents? If something was to actually happen while this law was in place, essentially the owner is going to be responsible anyway. To me, it seems like it's basically taking freedom from the

majority of the people to possibly reduce the risk of some minor incidents that would have the same consequences whether we have the laws in the place or not.

Chairman Jasper thanked Mr. Taraz for his comments.

Leo Bernard - 3 Bungalow Avenue. I don't quite understand the 6 feet. Other people with the extended 15 feet. I didn't see a problem with that. At 9-11 there were a lot of people with dogs and they had the retractable leash and it didn't cause any trouble. I don't see the real need for that. I don't understand that.

Jerry Desrosier - 97 Pelham Road. I agree with most of the ordinance. I have a question - I think "town property" needs more definition. I know parks but is town property streets, sidewalks? I see a lot of thumbs down while people are walking their dogs on the road and the dogs are pooping on neighbors lawns. Does this cover that?

My second opinion is I think the leashes being no longer than 6 feet is a little over the top. I'm now reading tons of articles in the newspaper about people being attacked by dogs with leashes that are too long. I think the number of incidents is pretty low on that. I can't see the rationale for having a leash that's only 6 feet long. Those are my comments. Thank you.

Chairman Jasper declared the public hearing closed at 7:25 p.m.

Chairman Jasper called the folks from the Police Department back up to answer any questions that the Board might have or address any of the comments that you heard if you feel that there may be some changes that maybe appropriate as we go forward or not.

Officer McMillan said she tried to jot down as many of the points as they were taking as I could. If I missed some, please let me know. Obviously we have these hearings so that we can get input from the public to make it a better ordinance. I'm thankful that people are here today to talk about it. I wanted to address the biggest issue is the 6 foot. Obviously that can change. A lot of the cases that I deal with don't make the media. Over 13 years that I've been here, I don't have exact statistics and I could compile those - it would be a little bit difficult but I could get some numbers. On the injuries to the owners, to people walking who don't have the pets, to the pets themselves - I've had at least 2 who've been struck by cars because their owners couldn't reel them in fast enough on these retractable leashes. I've had people hospitalized who've had health problems because they were out walking their dogs and somebody else who couldn't control them on a leash that was retractable wrapped around their legs and took them down. Like I said, there are many stories that I could tell you on those types of things. That's the direction I was going for that.

When the gentlemen brought up who it is attached to, it does address that. "The physical able, competent person". My thinking in this area was we have a lot of children who walk dogs and things like that who aren't capable and it's not safe for them to do so. That was kind of what I was trying to address there.

Selectman Coutu asked if Officer McMillan could point out exactly where that is so I can look at the wording exactly. Officer McMillan said under the "leash" definition. Obviously I can't cover every single type of leash that there's going to be so I tried to just put in the types of things that would be acceptable. There are things that are unacceptable that I've seen.

Chairman Jasper thought one point was, which I would agree with, the at large which then says "leash, cord, chain or other similar" and then go to "leash", that verbiage should be the same there. It does create some confusion. Officer McMillan agreed. We can certainly change that.

[Jana McMillan] The issue about the trained police dogs. Yes they are trained to bit, but they are also trained on recall, which means they come back to their owner when they are told to. Pet dogs don't necessarily do that. So hopefully that covered that. Captain Tousignant said the police dogs go through about 8 months of training. Chairman Jasper said to that comment, we know who the police dogs are. Currently we don't have any but when we do, we know that there are police dogs and know they're training. It would be impossible for us to look and say well dog is trained and that one is not. It's not realistic to think that we would be able to do that. We're not going to stop everybody and say you're dog is not on a leash - well its trained and here's my certificate. That's just not realistic to build something like that. When you're on public property if it's not a dog that's a working police dog or one that is obviously dealing with one that's not a service dog, you can tell when a dog is a service dog. They're usually harnessed anyhow. Otherwise, they don't really provide any service if they're not in a harness, correct, leading someone. Officer McMillan said generally they have some sort of harness on. The other thing if we have residents who have these trained dogs, I doubt they're the ones who are going to be getting in trouble. I don't think that that would be an issue. If they are trained, then they're not a dog that this needs to address.

[Jana McMillan] Also you mentioned about physically handicapped. It doesn't address that because I thought that was a given and it doesn't apply to them. Those dogs, again, are also trained. That was the way that Chairman Jasper took it. It said a working service dog for a disabled person. That would seem to certainly cover it. Physically handicapped is disabled.

Selectman Luszey thought there was another point made there. People would start declaring they have a physical handicapped to exclude themselves from this. Officer McMillan said there's generally paperwork involved with someone who has a service dog. Selectman Luszey said it's not a service dog we're talking about. We're talking about a physically disabled person being exempt, which this doesn't say you need to have a service dog. You just need to be physically disabled to be exempt from the cleanup. I think that was one of the points the gentleman was making. There were two issues on disabled. Officer McMillan read, "by any handicapped person who by reason of his or her handicapped is physically unable to comply". Selectman Luszey said exactly. So what the speaker was I think trying to point out is all of a sudden we're going to have a lot of people with back injuries that can't comply.

Chairman Jasper thought I personally have a problem with this one. If you have a dog and you can take it out into the public domain, I think you need to be able to have the means to clean up after it. I really have a problem with leaving that in. I don't know how the rest of the Board feels, but you can't say I can't bend over. If you can take a dog out on a leash and control the dog on the leash, obviously you may have the argument that somebody who has a service dog should be exempt from that. Selectman Luszey asked about someone in a wheelchair that's walking their dog. They have the dog under control. Chairman Jasper thought, again, if they have the dog under control they have a dog with them, they have to have enough mobility to be able to get some sort of mechanical scooper. I don't think we can just say that certain people can leave their dog waste all over the place except those who have a working service dog. Honestly in my 13 years of doing this too, Officer McMillan has never had an issue with a service dog in that type of situation. I compiled these with the use of 3 other town ordinances. I added that because I was trying to include everyone. Chairman Jasper said he was having a hard time understanding how you're able to care for a dog - control the dog - but not be able to clean up after it. Again, that's my opinion and I don't know what the rest of the Board thinks. It's probably an appropriate time to weigh in on that. Leave it in or take it out?

Selectman Luszey would leave it in.

Officer McMillan asked if "service dog" should be clarified. Selectman Luszey didn't think "service dog" needed clarification. I think we talked about the physically disabled. I think the way its worded captures the general idea of what we're trying to do.

Chairman Jasper indicated that they would leave it alone. Selectman Coutu asked what section it was that we're leaving alone. Chairman Jasper was suggesting that if you're able to take your dog out and control your dog, you ought to be able to clean up the waste and not be exempt from cleaning up the waste. I seem to have to stand alone. Selectman Coutu said if it's in there, then we have to adhere to it. Chairman Jasper said this is giving an exemption saying you don't have to. The question is whether to have the exemption for that or not have the exemption for that. Selectman Coutu said the first person who says I'm incapable of bending over and picking it up because my back hurts, we can't do anything unless we start saying you go get a doctor's note, which will create some problems. I hear both sides of the arguments. I understand what you're saying. If you're capable of taking out the dog, you should be able to take care of the dog. We're giving an exemption. Chairman Jasper said one he didn't think we ought to be giving. Selectman Coutu agreed.

Selectman Maddox said this was starting to sound like a hotdog stand. This is a very minute part of the population. If the animal control officer finds that 80 percent of the people say on the handicapped then we'll have to deal with it. Chairman Jasper thought we needed to deal with one of the realities of why we're even here. It's because of Benson Park and the great number of people in there. Unfortunately, the small minority of people who are telling everybody essentially to drop dead in the park when they say you have to clean up after your dog. Drop dead. You need to put your dog on a leash. Drop dead. Selectman Maddox said they're still going to say that. Why we're here, Chairman Jasper said, is because the police have said there's no way that they can control that. If somebody then says this person was in this car with this license plate, there's a way for the police to deal with it and there's a way to watch for those people. That's why we're here. This is not generally has not been an issue but it is becoming a very big issue within the park because there are a lot of people there. There are a lot of dogs there. I think that's why the 6 foot leash makes more sense. You have 10 foot wide trails. There are a lot of children and people who are afraid of dogs in the park. I can tell you every time I'm in there, not every time but very often while I'm in there, there are dogs that are going at each other which is concerning for particular children and mother's with small children. When you have the paths of that width, 6 feet is a reasonable amount. Everybody shouldn't have to be jumping out of the way for 10 feet because somebody's got a dog on this leash and people can't stay on the roadway. If you want to go in there and you want to do that, then 6 feet is a reasonable leash to have in there.

Captain Tousignant stated that if someone claims some type of disability, it would probably be obvious to the officer or the animal control officer that there is some type of disability. If the disability is not obvious, then if a summons is issued and not a warning, we could actually initiate to see if they are handicapped in some form, which would prevent them from removing that. I think it was said, we're not dealing with a lot of people that would probably be contesting this.

Chairman Jasper felt not able to clean up after your dog, you shouldn't have it on public property. I don't think that means somebody else should have to clean it up. There's a level of responsibility here. If you can't clean up after your dog, don't bring it on public property. That's my position. I guess at this I had 2 to 3 issues so we'll move on.

As to the issue of who issues the fines, Officer McMillan said it would be any police officer or the animal control officer. Obviously there was a question about vagueness in the gray area. There is that in the law so that it's not so strict you can't - I don't want to go out and ticket everybody. I want people to learn and to do the right thing. These are guidelines in order to do that. That gives me something to work with. If people chose not to pay the fines, they absolutely can contest it, and they can contest that in court. It's with a Judge and not somebody from the Police Department.

Town property definition. Officer McMillan didn't know how to further...Chairman Jasper thought that was fairly self evident - town parks, town property, schools. Officer McMillan said school is where we've had a huge issue with dogs at large. Chairman Jasper said certainly sidewalks and streets are town property. That's another reason why Officer McMillan wanted to address this. On our school property alone we get so many complaints. The ordinance we have right now does not cover those properties at all. That's a huge health issue to me to have that on school property. This would allow me to enforce it there.

Chairman Jasper asked if we needed to change that definition to "town or school district property". We are two separate political subdivisions. It might be best just to clarify that by putting town or school district property. That will be an easy fix to avoid some sort of argument in the future. Selectman Luszey asked if that would be the same for the library. Chairman Jasper said that is town property.

That was as fast as Officer McMillan could write so I don't know if I covered every point.

Selectman Luszey had one that wasn't brought up. Its number 3 under the "at large". The "No Defense. Failure of a Keeper to comply with this provision shall not relieve the Owner of responsibility from compliance." How would you handle someone that goes on vacation and basically has a keeper and they're out of town? You're saying that the owner is still responsible for this. Why wouldn't it be the keeper's responsibility period? Officer McMillan said they would be to a certain degree as far as liability is concerned. The owner is always responsible. In our State, we have what's called strict liability which means if you're the owner of the dog, you're responsible anyway. Chairman Jasper said it's your responsibility to make sure that the person you leave your dog with is competent and if they're not, they you bear that responsibility. Officer McMillan said the way strict liability works (inaudible)

Just to the general view about tightening this up and you pretty much covered it, Chairman Jasper said in an ordinance you do need to leave it fairly loose and the Judge is the one who gets to determine what's reasonable. If we tried to cover every situation, we'd have a document here that would take us all night to read.

Officer McMillan stated that obviously the biggest offenses are the dogs being at large and causing harm while they are at large. The definitions just help us get to the point of how severe the violation is in order to address it if that makes any sense.

Selectman Coutu said to Jana that she said that she researched three other communities and incorporated some of their packages into this one. Did you find that in all of those documents there was a definition of the length of the leash? Jana said there was not. As a person who has been trained and has worked for our community, Selectman Coutu said she's been working in her capacity for 13 years. Do you think that it is reasonable to expect that a person with a leash that is 6 feet long and then you have a down slope which restricts the length to approximately 4 ½ feet, although the person will have much better control, do you think that's very restrictive for an animal to be able to walk comfortably with somebody controlling that animal without choking the animal or having the animal choking a lot because they're so close to the owner while they're walking? I think 6 feet is subjective. I'm not saying we should have 15 feet and 20 feet, but I think 6 feet is very subjective and harmful to an animal. From all of the time that I've owned a dog, I've always owned a German Shepherd, which is not a small dog by any means. So now you have a 6 foot leash with a down slope of approximately 18 inches. Now you're down to the length from your knees to the dog for approximately 4 ½ feet. Then you have a dog that's 3 feet long, his tail is only a foot and a half away from you. I think that's restrictive. I just want your opinion with your years of experience on that.

Officer McMillan said she's been the animal control officer for 13 years but probably for 20 plus I've either worked in the retail environment or own a retail environment that sells animal products. I do today own one. The leashes that are sold are in 4 foot lengths and 6 foot lengths. Six foot sells the most but the retractable leashes came out and it gave dogs more freedom. More freedom causes more problems in my opinion. A 6 foot leash gives you proper control of any animal without it being too restrictive in my opinion because the dog can be out walking around and you still have enough physical control to keep it out of harm's way or to get it under direct control closer to you and not harm somebody else. Does that answer your question? That's not the answer Selectman Coutu wanted to hear but I asked for your opinion. I respect your opinion.

Selectman Nadeau indicated that what Officer McMillan just said was very interesting about the leash sizes - 4 foot and 6 foot and then the retractable ones. I took a look at my parent's leashes today and they were 6 foot leashes. They have Newfoundlands. I looked at the leash I had hanging at my house and it was also a 6 foot leash. I have a little Cocker Spaniel mix. I do have a retractable leash. I don't prefer to use that one because the dog tangles up the kids and things like that. I looked at them at Benson's this weekend with September 11th; there were a lot of dogs there. All weekend long when I was in and out of the park I noticed a lot of dogs. Most of the owners that had the leashes, most had 6 or home made 8 foot leashes. They seemed to be pretty good. I was with what Selectman Coutu said 6 feet was too close to having the dog next to you. When you look at the 10 foot wide trails at Benson's and the dogs running across the trails and people trying to go by this way. Some people aren't afraid of dogs but until we get the dog park open across the way, I think 6 foot leashes in the park are probably the way to go. I don't think 6 foot leashes are the best thing for most dogs but I think that's what's probably going to be the best thing to have at the park at this time.

Chairman Jasper announced that the second public hearing will be held on September 27, 2011. There's really only one change. Consistency in the definition between at large and leash and adding the school district to town property. So we'll expect to see those changes for that public hearing.

C. Police Department - Access Control System

Chairman Jasper recognized Captain Tousignant.

Mr. Chairman, Captain Tousignant was here to bring to the attention of the Board that the access control system that the Police Department has and have been using since we've been at the station is obsolete. The current contract we have with our service provider is good until July of 2012. After 2012, we'll have a problem fixing the system if the system breaks down. The parts are no longer made. We've actually had some new door controllers installed a year or two ago. Those are obsolete. It was based off of the same system. We did get a price to update this system and it is attached. It would be adding some software to this current system, replacing wiring and entry control panels. The server would be at the police station. It includes 13 doors that are controlled by this system, which documents access into vital areas, records, evidence, and booking and into the station. It documents the time and date entry is made and either allows entry or denies entry to these certain areas. This system that we have in front of us we could expand off of this system. If the Town so desires to install this type of system in other town buildings, the server could be used at the police station to control the systems in all the town buildings with separate control units at whatever building or facility the Town chooses to install it where they can control who has access to what, when and where. They could all work off of that one server.

Captain Tousignant said what we are asking is a direction. Would the Board like us to propose this system included into our next budget proposals or how the Board would desire to actually even consider replacing it if they wanted to replace it and how to finance that?

Selectman Maddox said he did talk to the Captain and we've e-mailed back and forth. The system is operational. This was a heads up type of situation. It's no longer manufactured. He has done some research in regards to if we could utilize this to control the doors at the fire station, Town Hall. I think those are the kind of things we want to take a look at so that in my opinion Mr. Chairman is to put it in the budget for next year. If at the end of this year there's money in the Police Department's budget and we decide that we want to do it before next year's budget, so be it. As long as IT takes a look at it. I see John Beike's name on here so I'm assuming that it has all been vetted if you would. Again, I was just hoping that we would buy something that had the ability to serve the town downstream so that we wouldn't be buying this one as a standalone unit and find out two years from now it wasn't able to control some of the buildings.

Chairman Jasper said he was confused because I thought that's just what the Captain said. This would be expandable. Selectman Maddox said right. He did. He checked into that because all he has to say is rather than buying a standalone just for the police station would this be able to move forward to take care of other areas? Again, do we replace it now when it's working or do we put it into the budget for next year when we're at the end of this fiscal year and use the money?

That was Chairman Jasper's question. Where are the funds coming from? Captain Tousignant said he's start with is the successions that Selectman Maddox made at the end of the budget. If there are funds left over, we could encumber them to help pay for the new system to see what is left over or include it in this upcoming budget. I'm not sure what type of funding will be left over at the end of this fiscal year. At this particular time if we were to approve the \$17,000, Chairman Jasper indicated that you don't really know where it would come from at the present time. Captain Tousignant said they didn't have that budgeted.

Selectman Luszey talked to the IT Director briefly on this today. One of my concerns is the cabling that they're using - and she's here so if there's a change in my statement she can correct me. My understanding this is copper wiring again. It's just an upgraded copper. My suggestion to her would be to find out if we can run fiber. We're going to be pulling cables and conduit to replace the old stuff. If we're going to have to pull something new, we should be pulling fibers so that we don't have to upgrade it in five years again. Fiber will be a much longer life span.

Ms. Nute wanted to say just one thing about this. IT is also taxed earlier in the summer with the task of getting a cost together because joint dispatch is being talked about. We actually looked at this system but it was going to be housed here in Town Hall so that the Fire Department could have their cameras they needed, etc. At that time, we talked about how the Police Department's is getting obsolete and then what we could do is add them on to this system as well. That's the other point is just to keep in mind about joint dispatch. This is a system that works altogether. It's just a matter of where are we going to house it and how sooner than later are we going to do that, and will it in fact include other departments. It's expandable.

It seemed to Chairman Jasper that since we can't identify the money at the moment, that we're going to have to move along at least for the present time. Hopefully if something goes wrong, there will be a way to get it operational. I know that's a risk but on the other hand, there's probably not the expectation that the system is going to die tomorrow. That would give you a little bit more time to do a little bit more planning into the future as to whether it should be housed here and what should be included in that system. At this point unless there's something else, I think we're going to take this as informational and expect that it will be included in the budget and if need be, we can encumber funds at the end of the year if it looks like it's not going to make it that far.

Selectman Luszey's question there is if we're going to do that, would we want to include what the total package would cost to include fire and Town Hall to upgrade all of them throughout a year to two. Ms. Nute's suggestion would be to do that and the one we did price for the Fire Department was running over the fiber just to let you know. Chairman Jasper said certainly those numbers should come in and we can look at that and see where our budget is and as long as it's something that is expandable, you expend the \$17,000 in the first year and then you may do whatever it takes in the second year and do it as a two-year phase. Selectman Luszey said to have and let the Boards and the Budget Committee know what a 2 or 3 year plan might look like for this.

One of the things Selectman Nadeau indicated we just talked about is expanding it to Town Hall. I think it would be something very good to have over here. We have the Chairmen that have keys to get in now. A lot of times we find that stuff has been left on, things aren't where they're supposed to be, and if we have control of who comes in and when, I think that would be a good system to have here. I don't know if the one at the police station once we take it out of service over there if it is usable for something else or if it's no good, then what do we do with it. Selectman Luszey said the reason we're coming here is parts are no longer going to be available. That's the issue. It's going obsolete. They've obsolete this product.

Selectman Nadeau also asked if this was something that we could use drug forfeiture money to purchase. Have we looked at that as a possible means of funding this? Captain Tousignant said we'd have to confer with the Chief on that. Chairman Jasper told Selectman Nadeau he didn't believe so. When we use drug forfeiture money it has to be something related to the direct enforcement of the drug laws or used for drug enforcement programs. Something like this simply replacing an existing program it would not be something that we could use. I can tell you that right now. Selectman Nadeau didn't know if it was something with the evidence rooms, the controlling of records. Chairman Jasper said it's a system we have in place. A good thought. Selectman Luszey said if we moved the records here then we could probably...As Chairman Jasper recalled when we've gone down this road before, it is very, very tight rules on what you can use drug forfeiture money for. It is not for simply something like this.

Selectman Maddox said there's nothing to say that we couldn't apply for any number of grants to facilitate upgrading your system and providing one for fire. Again, we have some time to be able to look at over avenues of revenue before we put it into the budget. Chairman Jasper said it was certainly worth looking at but I have a feeling with the upcoming federal budget, there's going to be less and less of these things in there when they're trying to take care of a 1.4 trillion dollar deficit. Certainly keep it in mind but don't expect it. Thank you very much.

D. New Clean Up Days Rules

Chairman Jasper recognized Road Agent Kevin Burns.

Good evening. At your last meeting, Mr. Burns indicated that we talked about the solid waste contract. I don't want to repeat everything I said about the landfill other than we're getting taxed heavily up there from what I think surrounding communities and abuse of a program. These are the rules that I suggested. I would like to have them implemented or enforced by January 1st. We would start issuing the tickets on December 1st. Some of the things we wrestled with were how to easily get these tickets to the people. We would issue them not only at my office; we would issue them at the landfill. The Police Chief has agreed to let us use his building up at the firing range, which has heat, electricity, and air conditioning. Lisa from IT said she would help us with a Tough book so it would all be computerized up there. We could inventory and control the tickets. That's it in a nutshell without reading all the rules.

Chairman Jasper had one thing that confused him in here. Number 11. It seems to be pretty clear that the property owner, not the renter, gets the pass. That seems to be something that makes sense because if you have a multi-tenant building you could have 20 passes from one building. Then you say, "If the passes have been previously issued to the tenant for the calendar year", I'm trying to figure out how the tenant would ever get the pass to begin with. It seems like it should just say, "Residential Rentals. Property owner, of properties serviced by curbside collection, as opposed to their renters will be able to collect passes for their rental properties with proper ID." Mr. Burns said he wrestled with this one. I didn't want to limit it to strictly the rentals had the right to come in. Knowing rental properties, people take off and they leave all their junk there. I want it to be property owner also have the ability to come. Some property owners will not come in and support their properties. I wanted the renters to have the ability. I guess I was leaving it up to the property owners to determine whether they want their tenants to have the passes or they want the passes. The one thing I didn't want is for me to be mediating disputes over who took the passes.

Selectman Luszey asked if it would be both. That's a renters legal residence and they are serviced by our service. They may have junk a couple times a year that they want to get rid of. The owner of the property given that they maintain the bill and stuff may need a couple of passes to do their stuff. So it's really two separate things. Mr. Burns said that we're really opening it to abuse. Chairman Jasper thought in that case that's where you have to go get the dumpster or do something else. I see the issue. If you live at Abbott Farms - that's why you have to limit it to those with curbside. I can see certainly a case where it's a house. I have no problem and I think the intent is if you have a barrel, you can get the three passes. The question is who gets the three passes. That's where we have the issue. Your language here is confusing. I guess if you mean for it to be "either property owners or the tenants shall be able to collect passes, however only one pass per residential unit and then the Town will not collect." If the renter shows up first and gets it and the owner comes in afterwards, you say deal with your renter.

Selectman Luszey asked why wouldn't we have the owner get the pass because you put on the pass owner and renter. Have two spaces where the owner can assign a pass to one of the renters as he sees fit. Chairman Jasper thought they were making it way too complicated.

Selectman Maddox stated that many owners don't live in Hudson. You're going to have somebody drive from Maryland to show his picture ID from Maryland to get his permit for the building he owns.

Chairman Jasper thought the language just needs to be clarified that either may get it but in no case shall be both and the Town will mediate. Mr. Burns said that was his intent. Chairman Jasper said to leave that between them because it could be very difficult for some renters to get a hold of the owner particularly if it's a corporate owner, and to get somebody to go to the landfill with them. Just do one or the other but just clean up the language here a little bit. Mr. Burns said that was his intent. I will do that. Chairman Jasper didn't think it was clear. Why don't we let you come back changing that one to the next meeting.

Selectman Luszey had a question on #10. I thought we were going to allow additional passes to be purchased. Chairman Jasper said we had that discussion but I think Kevin won us over that where do you draw the line. You do the 3 and that's it. I had that question but then he talked about getting the dumpsters. Funny enough since we've had that conversation, I've seen the ad on TV or heard it on the radio for such a thing where you get your little dumpster delivered. In this case, it was a bag. Selectman Luszey said you can buy them at Home Depot. You fill it up and have it picked up by weight. Chairman Jasper said if you need more than 3, you go out and get the tote, get dumpsters, whatever and go to the transfer station. It's your problem and not ours.

Selectman Maddox's concern would be #3. We're now going to have people trying to play hide and go seek finding the Highway Department. Then you're going to try to do this while you're at the landfill on land days. They're out onto West Road and now if you're going to have people trying to process and they're in line and for whatever reason - it just sounds like this is going to be an interesting adventure. I'm going to open my hotdog stand there next. Chairman Jasper said the good thing is there is to go up to the building there is a road with a lot of stacking. The building they're

going to take the photo in is up quite a ways so you can drive up there and stack. Selectman Maddox said you're going to have to have multiple highway personnel just to run the ticket giving.

First of all, Mr. Burns thought with this volume of traffic will be reduced significantly. Right now we're averaging 850 to 900 cars a day. That's going to be reduced significantly. As Selectman Jasper said, that was our plan to have a three prong intersection there. People with the yard waste could come in unlimited times and go to the left; people who already have their tickets going up to the dumpster go straight ahead; people who need to get their tickets go to the right. Once we get this going, I don't think I'll need additional personnel. I think at first I will need additional personnel to man the office to issue the tickets. I think as we get control of our volume, I will be able to eliminate the number of people working - the containers making sure the 9,000 people don't throw things everywhere. I think this would be a cost savings. Chairman Jasper said certainly on the tonnage, it's going to save us a lot of money on what you said it's costing us a day now there. Mr. Burns said the last 3 months it's been \$18,000, \$15,000 and \$14,000. Basically if I did not get your support for some sort of controls, I would have probably been coming back in March saying we're now out of money. We're going to have to close it completely. The budget just will not support the tonnage.

Selectman Luszey asked if we started at about 8, right. Mr. Burns said there were times when it was \$5,000. Last summer was between 7,000 to 8,000 per weekend. Now it's doubled. Especially with zero increases, this will not support.

Chairman Jasper said whatever it costs us in additional personnel, we will more than save.

Selectman Maddox asked if we were planning on publicizing this so that people know what we're all looking at. Again, the dump seems to be one of those hot button issues. There are a lot of things in here that are going to change. I think that rather than people finding out after the fact. Chairman Jasper thought it would be appropriate if in December we take these rules and publish them in the Hudson/Litchfield News. It will cost us some money to do that but again when we look at the long-term savings - maybe it's a flyer. A flyer is the cheapest way to do it. Put a flyer/insert into the Hudson/Litchfield News in December. I agree. We need to let people know.

Mr. Burns said his plan was to do it in November since we were going to start issuing the tickets in December. Also, most of my customers are repeat customers. Once these rules are approved, I was going to have them put into a handout and have them handed out. Here's what is coming in January. Be prepared. It doesn't take long to get the word out. I'm sure I'll get phone calls tomorrow.

Selectman Nadeau suggested that we put this in with the tax bills when we send them out. Chairman Jasper said that becomes much more complicated. Selectman Maddox said no sense in aggravating them twice. Chairman Jasper said to remember. It's a separate service. There are a lot of businesses and a lot of empty lots that it's not going to apply to. All the people in Fox Hollow and any place that doesn't have a totter it's not going to apply to. I don't think that's the best use of our resources to put something like this in the tax bills.

Motion to table this until the next meetings so that #11 can be rewritten.

Selectman Luszey asked if we could make a motion to approve with the changes. Chairman Jasper indicated you can if you don't want to see the changes. We're not up against the gun here either. You won't need to come in Kevin. Just get it to Steve. Mr. Burns said he'll probably come in when he comes to do the awards contract for the solid waste bids. So we'll kill two birds with one stone.

On #8, Selectman Maddox said if he took his company pickup truck and wanted to drop off my home trash I wouldn't be able to do that. I'd have to get a separate...Mr. Burns said that was an existing and long-standing rule. If you want me to clarify that, it's amazing how many people with roofing trucks are only taking shingles off their own roofs every Saturday. Selectman Maddox asked if a U-Haul truck would be a commercial vehicle right. Mr. Burns said yes. Chairman Jasper said that wouldn't be allowed. It has to be a pickup truck. Selectman Maddox said he has to be a pickup truck so I can use the town dump. Why don't we just close it?

Chairman Jasper indicated he didn't get a motion. I guess we don't need to technically have a motion. This will just come back.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to change the order of the day and take up item 8. J. at this time, carried 5-0.

J. Town Clerk/Tax Collector - Boat Agent for State of New Hampshire

Chairman Jasper recognized Town Clerk/Tax Collector Patti Barry.

Good evening. Thank you for changing the order. Ms. Barry said she was here tonight to seek the Board's approval to become a boat agent for the State. Right now we can only register boat trailers and we have to send our residents to either Irwin Marine in Litchfield or to a State DMV office to register their boat. Two years ago I inquired with the State about becoming an agent. I was told at that time that they weren't adding any new agents. Since then, the State has been working to upgrade the boat registration system from manual registrations to now having the entered into the State map system, which we are currently using for motor vehicles.

[Patti Barry] The State's finally moving forward with adding 400 new agents. We were notified last week that we are on that list to be added. I'd like to be able to take advantage of offering the residents this convenience of registering both a boat and trailer at our office. It will be a benefit for our residents but will also allow other New Hampshire residents to come into our town and register a boat and not just Hudson residents. It will also give the Town the benefit of increasing revenues generated by these boat registrations. Right now I'm anticipating annual registration fees of \$15,000 to \$20,000. Your approval is the first step necessary to add this service for our residents.

Selectman Coutu indicated that you're anticipating \$15,000 to \$20,000 worth of revenue from the registrations. How much of that stays in the Town? Ms. Barry stated that's the portion that I'm anticipating. Selectman Coutu asked what Ms. Barry was basing those numbers on what. Ms. Barry indicated just talking to other towns. I spoke with Pelham who's a much smaller town than us. They took in last year almost \$30,000 of boat registrations of which their portion was \$10,000. Based on they are half our size. I'm being conservative with \$15,000 to \$20,000. Selectman Coutu applauded Ms. Barry for wanting to take on the extra workload. I agree with you. It will benefit the citizens of our community as well as another revenue source. Thank you.

In addition to boats, Selectman Luszey asked about ATV registrations and snow mobiles. Is that in the same category? Ms. Barry said no. That's Fish & Game. Now we send them over to Hudson Cycle.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to approve the Town Clerk/Tax Collector as a Boat Agent for the State of New Hampshire and obtain training to begin boat registrations.

Selectman Maddox asked since we know how much we're going to get in, what is the cost. Ms. Barry said there is no cost to us. Right now we're a software vendor town. We're not going to be able to do the registrations through our software. We're going to be going on through the State browser. Once the software is implemented it's a matter of adding a code into our cash receipting system that we already have.

Selectman Nadeau indicated this was something I asked the Town Clerk to look into about 2 years ago. When she told me they weren't accepting any more people, I thought that was the end of it. I'm very glad to see this before us tonight not only as a revenue generator for the Town but to make it a lot easier for the resident who have boats and jet skis that need to register them. You do hear every now and then when you're in the office or walking through here, "I can't register my boat here? What do you mean I can't register my boat? I just registered my trailer." I think this is one of those things that will definitely help us all out.

Vote: Motion carried 5-0.

E. Hilltop Estates, Letter of Credit - completion of subdivision

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia indicated that the Board has correspondence from the Planning Board. They reached a decision where they heard the following item to request a release of a Letter of Credit or bond in the amount of \$58,525.00 to use by the Town of Hudson to complete Hilltop Estates' subdivision, which I'm assuming requires paving and other associated roadwork. The Planning Board has approved this. It's now come to the Board for your approval.

Motion by Selectman Maddox, seconded by Selectman Luszey, to request Sovereign Bank to release the sum of \$58,525.00, which represents the surety held by said bank in the form of an irrevocable standby letter of credit No. 4999 and said funds to be used exclusively by the Town of Hudson to complete the Hilltop Estates Subdivision. The Planning Board voted and approved the release of funds at its September 7, 2011 meeting.

Selectman Maddox indicated that the Town Engineer has been trying to do this for a while. Of course I was fighting it because we only have one engineer and he only has so many hours in the day. Since they're not going to do it and we need to get this accomplished, Mr. Webster will get bids to us and we're going to the next step, which is to issue a contract to do this. One thing Mr. Chairman is we're going to hopefully track every dime of our time so that the taxpayers are not paying for a bank to get its road paved. The Town Engineer said he would track every second.

Mr. Webster wanted to add to that. Wednesday night the Planning Board pulled the bond and I found about it Thursday. I inquired to the contractors we had the year before. They updated the contract with the prices and so forth. I met out there. We actually have a contract in hand. I have the survey engineer ready to put the stone

bounds, iron pins, and as-built plan. Also in the agreement that we're going to release the bond is that we will get a road deed. That's very important. A lot of times what happens is if we pull a bond and we don't have a warranty deed for the road. That's part of it. Attorney Buckley sent me an e-mail late Friday afternoon that he's talked to the bank. They understand the incurring costs of the lawyers, other fees, and anybody else. I've tracked my hours. Betty and anybody else who's involved with that project are going to be tracking their hours and we're going to charge that time to it. Obviously we'll have a balance when we finish the project. I have that lined up for the first part of October. We will not start anything until we actually have the bond in hand, which we're ready to sign off on. I do have a contract ready to go with the road improvements. We'll finish the project this year.

Selectman Luszey's question is it's only \$58,000 - so is it my understanding that the bank will pay anything above that. Mr. Webster said we have enough money to finish the project plus we'll have some money left over. That will be an issue where that money goes after if it goes to public works or whatever. I'm not sure if we have to return it. That's one thing I have not looked into. We have enough money to finish the project today.

Mr. Malizia stated that our attorney has alerted the bank, the bank officer that will need a deed for the road and also that we'll be adding costs over and above the paving costs. In other words, I think there's a \$32,000 approximately in pavement. Selectman Luszey said that's what he was asking. There's more than enough money here to cover the whole project. Mr. Malizia said there's \$58,000 in the bond. There's money to pave and there will be some effort on his part and other members of the town staff to make sure that all of that is complied with along with whatever legal and attorney costs we have. Bottom line, we have a small development off of Kimball Hill Road. The developer went bankrupt. I don't know what state the current road is in. It's obviously unfinished and unaccepted. There are people living there that are town residents on an unaccepted street. This gets it to an accepted street status. Correct?

Like Mr. Webster said, we have everything in there. It's actually \$37,500 roughly for the contractor to do everything out there. We've added a few more things to make sure it's done and also the engineer to put all the stone bounds and iron pins and give us the as-built plan. A quick price is around \$44,000 plus we haven't counted the rest of our time. We do have a balance in there. Hopefully if we have to return anything it won't be very much.

Vote: Motion carried 5-0.

Chairman Jasper indicated that he would move onto the second part of it since we're here - to award the bid.

Mr. Webster picked up the contract and met with Continental Paving yesterday. Usually we get going and we really don't have a contract. When I talked to him last week, I wanted a contract and met out there. They gave us a contract. One thing that was missing, we're putting an inch and a half of asphalt on that road instead of the one inch. The other bidders had an inch. It still comes out to any additional costs. We looked out there and they've done a lot of extra work out there. Their price was \$37,570. Our other closest bidder was \$41,500 and \$41,970. I had 3 bids on the project. I've always done 3 bids to make sure that's a fair thing. We've always done it to local people. The first thing I asked him when I found out Wednesday is can they do the work. This is the time of the year when it gets very, very busy. They said they could finish it for us.

Chairman Jasper noticed that there's something to do with a playground out there. Mr. Webster said the playground is in pretty good shape. The owner of that house, which I have to notify, just to make sure that's part of the plan. As new owners, they've cleared out a lot of the trees out there. Mr. Maddox and I were out there a few weeks ago. We have to clean that all up. We're going to mow everything and then look at it and then we'll finish it. Chairman Jasper asked if we needed to do anything with that tonight.

Motion by Selectman Maddox, seconded by Selectman Luszey, to award the bid for Catalpa Drive in Hudson to Continental Paving in the amount of \$37,570.00, carried 5-0.

Without objection, Chairman Jasper declared a recess at 8:26 p.m. for 5 minutes. The meeting was back in session at 8:32 p.m.

F. Shepherds Hill 2009 Tax Abatement

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia believed it was a couple of Board of Selectmen meetings ago that representatives from Shepherds Hill came in requesting abatement from property taxes. The Board, I believe, approved a settlement or an abatement for 2010 and 2011. Unfortunately for Shepherds Hill they did not meet the requisite deadlines for filing or preserving their right to appeal their 2009 value. After reviewing the situation once again with the Town Attorney and Assistant Assessor, they're recommending that the letter on the second page of this memo be sent to Shepherds Hill. What

you have in front of you is a request to approve that letter to Shepherds Hill declining to consider their request for a 2009 tax year abatement.

Motion by Selectman Coutu, seconded by Selectman Maddox, to deny the request from Shepherds Hill Development Co. LLC to grant a tax abatement for the 2009 tax year as recommended by the Town Attorney and Assistant Assessor, carried 5-0.

G. Naming Community Development Meeting Room after Paul Buxton

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia indicated that this letter was received in the Selectmen's office. It was authored by I believe Mr. Howard Dilworth. Mr. Dilworth is asking the Board to consider naming the room that we call the "community development room", which is on the other side of the building where the Planning Board, Zoning Board, and Budget Committee for example meet, naming that after Mr. Paul Buxton. That is the request in front of you from Mr. Dilworth.

Selectman Maddox said it was way before my time. I was just wondering what our criteria is for are we going to have this become a building for named rooms. I'm just trying to figure out where we're going to go with this. Obviously if this person is deserving but I'm sure that there are probably many people that are deserving. How are we going to decide this Mr. Chairman? I think this opens up a can of worms that I'm not sure we want to get into. You can tell us the history because you're the only one that was around in that time.

Chairman Jasper said that this is where Roger will really believe I've been around...Selectman Coutu said at least 1942 the year before I was born. I have to hear this one. Chairman Jasper was actually one of Mrs. Buxton's pall bearers. The Buxtons have been around for many, many years. Paul and Hazel Buxton were good friends of my grandparents. So you know who they're related to, Deputy Buxton is their great grandson. The Buxton family obviously has a very, very long affiliation with the Town of Hudson and are a very dedicated family. It did start with Paul and Hazel but particularly on the Town side with Paul who was Howard spells it out pretty well in his letter. I think it is appropriate. I think it starts and ends when the Board of Selectmen decides it does. We don't have that many public rooms. I don't think we'll start naming offices. This is the Selectmen's meeting room. I don't know that we would want to name the Selectmen's meeting room after anyone. I think that may be the only - you think it ought to be the Ted Luszey...Selectman Luszey said there are a lot of Selectmen I bet you could name it after. Selectman Maddox said I'd call it the "School Board Room" if we'd get them back over here to save \$50,000.

Chairman Jasper thought it would be appropriate to name the Community Development Meeting Room for Paul who was - I didn't have an opportunity to go back and go through all the town reports to see all the boards he was involved with but, again, there's quite a bit here that Howard has laid out. I think it's appropriate but it's the pleasure of the Board.

Selectman Coutu said the information that we have obviously is condensed and is limited. When I first read the proposal and then I reread it and realized that he has served as Chairman of the Planning Board and to quote the letter, "He was instrumental in the creation and adoption of our first zoning ordinance in 1942." While it's easy to modify, amend, and make corrections to an existing document but to create a document, it's very time consuming. You put a lot of time and effort into it. We all know I've worked very closely with Deputy Buxton. I did not engage him in a conversation about this except to ask him if this person was related to him. He told me it was his Great Grandfather. I dropped it because I didn't want people to think there's a bias here. I'll take you at your word. It's fitting to do so and if you have a motion, I'll put the motion on the floor.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to name the Community Development room the "Paul W. Buxton Community Development Meeting Room" and to have a suitable plaque prepared and a dedication at an appropriate time with members of the Buxton family to be invited.

Selectman Coutu wanted to make one comment. The comment is purely this. This was authored by Mr. Dilworth and despite any differences we may have had in the past, Mr. Dilworth still I'm sure realizes that I appreciate his contribution to our community, his historical knowledge of our community, and the people who serve within our community. I think it's commendable that he stepped forward and made such a recommendation. Enough said. Thank you.

Selectman Maddox said he was torn. I heard your story but I think that this is unfair to all the other people that might be just as deserving because we didn't know that there was a contest to name the room. I'm having a tough time just saying that because Mr. Dilworth submitted this letter that that's now the name of the room. I'm sure that people would certainly come out with other people that were just as deserving. I think this is a nice idea but I think it's a bad vote for me. I'm going to vote in opposition only for the fact that I just don't think it was well timed.

Selectman Luszey said he will be supporting it. I think there's a number of things just outlined in Mr. Dilworth's memo that is deserving of such an honor. He started the Nashua Regional Planning Commission. A document is one thing but to start a commission like that that turned into a regional commission that's in place today, there's something to be said there and something to be remembered. I support it.

Chairman Jasper would hazard to guess to say that most of the other people who might be suitable to have that room named for them would probably gladly step aside for Paul Buxton because of his commitment to the Town for an extremely long period of time. If my memory serves me correct and sometimes it doesn't, I think he served right up to within a few years of his death and he was very elderly on Building Board of Appeals. I may be wrong about that, but I think he was on the Building Board of Appeals for many years and probably right up into his 80s. I understand what you're saying.

In Selectman Maddox's 15 years involved in town government, I never heard the man's name mentioned until I saw this from Mr. Dilworth. Again, being on the Planning Board I've heard any number of names and this is not one. So maybe way before my time. Chairman Jasper said that Lenny would have been the only one who would have been somebody that knew him on the Planning Board during your time.

Selectman Luszey had a further comment. I think also to have a contest you'd get 100 names. To have someone put the effort forward to bring forward a name says something about the legacy of that person they're bringing forward.

Vote: Motion carried 4-1. Selectman Maddox in opposition.

Chairman Jasper indicated that we'd get some more information together and talk to the Buxton family and try to get some time. Perhaps what we can do is actually move our meeting over to that room for that night and have a dedication of the room at a Selectmen's meeting. Selectman Coutu said that would be the 4 of us who voted for it. Chairman Jasper said that Selectman Maddox can meet over here and we can give him some two-way communication. Selectman Maddox said if we all thought alike, we'd only need one.

H. Budget to Actuals

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia indicated that these budget to actual are for this fiscal year through the month of August. So it's obviously for the first two months. It's a little early to pick out too many trends or patterns. One area again this year that I continue to monitor is legal. Specifically collective bargaining and any costs associated with the negotiation of contracts and the defense of the town in grievance matters. To that effect, we spent quite a bit in that area. However, that has been tempered by rather low legal bills. We're not in such a litigious period now with our regular legal counsel. As a matter of fact, we're running probably about 50 percent of their monthly budget. If we budgeted approximately \$10,000 for legal, we're only spending 4 or 5. So we managed to balance it off. However, hopefully the climate will improve a little bit and hopefully we'll negotiate some contracts or at least reach some agreements. We can cut that bill down. Again, it's just a simple function that we have to defend or deal with those areas. On the pure legal side, we're not in a very litigious period right now. There doesn't seem to be a lot of development. There's not a lot of lawsuit action that you might expect sometimes when people are doing land use, planning, or liability issues. That's one area that I noted. Again, it's fairly early in the year. Two months gone by it's about 17 percent on a linear basis. Again, things aren't always linear. We commit to, for example, our trash contract. That will skewer a number that would indicate that we spent more. We haven't spent it but we've committed to that contract. That will show up in any encumbrance.

[Steve Malizia] On the revenue side, again, no surprise to anybody. The interest isn't there in the bank accounts. I believe the Board took action to reduce that down to \$40,000. I'd be surprised if we hit \$40,000 this year. I noticed that 3 month TEA bills you could but a \$10,000 TEA bill three months for \$9,999.75. You make a quarter for a 3 month TEA bill. That's just a sign of the times. Again, we continue to keep track of the automobile registrations, which is probably one of the if not the singular biggest item that we have for non tax revenue. We're about 16.3 percent of our \$3.8 million budget. It looks reasonable relatively speaking. I don't see too much of the grading there. It's within the 17 percent. Again we're very early in the year.

Selectman Luszey said under IT there's one line that says IT and it says "town officers", about 42 percent. That's on page two, department 5077. Mr. Malizia stated that was a function of IT purchasing either supplies, printers, or PCs. They'll do that and they'll charge that to the cost center. In other words, it's not going through the IT cost center. They're trying to allocate to the user that's under the control of the IT Director. The IT Director has a budget for each of those areas. The IT Director spends that budget. It could either be a purchase of a replacement PC, printer, or

some combination of that along with consumables. Selectman Luszey indicated that would say we're about 26 or 27 percent through the way.

Mr. Malizia said one could expect that if you have some replacement PCs in there or replacement equipment, you would do a purchase order and encumbrance for \$1,990. As a percentage, that's a big percentage. You're not going to be doing that every month. You're buying 1, 2, or 3...Selectman Luszey's question is, and he's going to ask Lisa, if there's anything that actually contributes to the...Chairman Jasper said if Ted was looking at 5077, the budget is \$2,700 - prior year encumbered \$1,990 - combined it is \$4,690. Mr. Malizia indicated that the \$1,990 was from last year. Chairman Jasper said right but we actually haven't spent a dime there. We have \$1,900 encumbered. The \$1,900 is 42 percent. Selectman Coutu said the 27 is still the balance available. Chairman Jasper said nothing spent out of that line at all. Nothing encumbered except what we encumbered. So that totally skews that. Selectman Luszey was wondering if this had anything to do with the event that we had. Selectman Coutu indicated the meltdown of the computer system - no. This is only for a two-month period - July and August.

I. Fiscal Year 2013 Budget Deliberative Schedule

Motion by Selectman Coutu, seconded by Selectman Maddox, to approve the budget deliberation schedule for Fiscal Year 2013 budget, carried 5-0.

Motion by Selectman Luszey, seconded by Selectman Coutu, to schedule the Town's Deliberative Session for Saturday, February 11, 2012, carried 5-0.

Mr. Malizia said that date has been coordinated with the school. The school will be February 4th. We will be second this year.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Nadeau - The playground has been ordered. The Recreation Committee will be scheduling a time to install that at Benson's. They're hoping to have it done for this fall. When I hear more information on that, I will get back to you.

Selectman Luszey - If you'll indulge me, I have a number of items. First one - senior center. I got a copy of the letter that you sent to the Governor asking for forgiveness. Chairman Jasper indicated that he was going to cover that whole situation in my remarks. If you have any questions that I don't cover, you can ask me then.

Joint Planning. Selectman Luszey said it was slow getting started. We do have some work going on in the IT space but the other spaces we're having difficulty getting resources assigned from the school given that we started during the summer when there really wasn't a whole lot of people around. We now went to the startup of the school and we're now into the budgeting season. I met with the Superintendent and the Assistant Superintendent. What I basically stated is we're going to put the facilities work and the process type work on hold until after the budgeting process. So we really won't get anything out of it for this year. The IT work we're still going forward. It's a little slower than I hoped but I think to use Mr. Maddox's terms, I guess government is a little more glacial than I ever thought it would be. Enough said on that.

In the IT space, I did mention it to the Chairman, we have an issue where the school came in and as part of the joint work said that they would jump onto the Town's fiber network that we're putting up. The reconstruction of Pelham/Lowell Road intersection caused PSNH to move some poles. They had to move the wires. They've yet to complete that work. What that has caused is we have now impacted the school's ability to hook up Nottingham West to the fiber, which was scheduled to be done the end of July very early August so they would have the capability to run the NWEA tests in that school which they're going to do this year. Having talked and met with the Assistant Administrator of the school, I suggested that they implement their contingency plan which was to drop in another Comcast line to give them the capability. We have no commitment from Public Service of New Hampshire as to when they're going to complete that move. I'm not sure how we put any pressure on PSNH to get those lines moved so we can get there. Our short term savings projection will not happen now. The long term savings is still viable when we go back onto to a town owned asset there. As soon as we get a date as to when PSNH will finish their work, we can get a date to the school as to when we can hook up the fiber.

On the budget, a note when out and I forwarded to all of you that our packet is due to the Budget Committee November 17th. I just wanted to make sure - I know I was a big proponent of it is if we have any warrant articles, we do the warrant article worksheets and provide them to the Budget Committee so they have the detail that goes along with the warrant article. It's just not the description. I'll make sure we do our due diligence on that.

Today, Selectman Luszey came into register my vehicles. When I pulled in, there was a town vehicle parked at the very end of the parking spaces in the front of the building, which is painted blue with a very faint handicapped decal on it. Sergeant Briggs was here. Not half joking, I said, "Hey Sarg. I think there's a vehicle out in the handicapped space you ought to ticket and it's ours." I'm sensitive to handicapped spaces. I can go into many stories why. If you look at that space, it appears to be a handicapped space. I went and checked with our Code Enforcement officer. He said unless there's a poll in front of that space, it's not a legitimate handicapped space. It's not a legitimate handicapped space. My question was then do we have a handicapped space out there that's accessible for van type of vehicles. If you take a look at the other two we don't.

My question is why did we decommission that space as a handicapped space and if we did, we should have painted that black.

Mr. Malizia asked to give some history. Somewhere during my tenure upstairs, you know I was Finance Director before so this was when I was upstairs within the last few years, I had a resident come in to the office and basically say hey how come the handicapped spots are down the end of the sidewalk. It's about as far away from the front door as you're going to get. We all assumed that everybody is in a wheelchair but some folks just have ambulatory problems. They can't walk easily. It made sense when we looked at the situation. Those were the two handicapped spots. They were at the end of the 11 parking spaces in the front of this building. After thinking about it, I contacted Kevin. Kevin and his crew came over and took a look at it and moved the two handicapped spaces out there to the front of the building and put up the poles, and painted that black. Every year or so they come back and paint that black. Over the course of a year, whatever material they use either fades or wears. So you can actually see some of the blue and a faint outline of the white. When I heard this today, I said you should be coming back some time pretty soon because Kevin and his crew restripe all the parking spots. The restripe the handicapped symbol that's on the ground for the two we have, and they paint over that with black. It's just faded over the last year. It's a regular practice to paint over those two spots.

Mr. Malizia said we do have the two spots in the front where if you egress from the left or from the right, you have a center lane where folks can either egress out of the right hand side or if they park in the other spot out on the left hand side. There's a break in the sidewalk where they don't have to traverse a curb. It goes right up and they can get to the ramp if they're in a wheelchair or they can come straight up to the front of Town Hall in the most expedient fashion or the most direct route. Again as I said, somewhere a few years ago in my tenure, the only two handicapped spots were at the end which didn't make a lot of sense for a lot of folks because we frequently see older folks that may have some mobility issues but they're not in a wheelchair.

Selectman Luszey understood that but those two spots if there were two vehicles there or one there and a van pulled in with handicapped lift; I don't think they would fit. Mr. Malizia assumed they could download it to that middle area. Chairman Jasper said we haven't had any complaints. Selectman Luszey's real question is are we ADA compliant. Selectman Coutu said 8 feet wide is ADA complaint. Eight feet wide from the outside of each line is the ADA compliance. I just had to do that at my store. Selectman Luszey said that's New Hampshire laws right. Selectman Coutu said ADA. It's national.

Mr. Malizia believed if you have 1 to 25 parking spots, one handicapped...Selectman Luszey said there is a ratio based on...Mr. Malizia said 20 to 50 it's two. So if you count the parking spots that are allocated to Town Hall, there's about 45. From that perspective, we're compliant. There are two raised signs that indicate handicapped parking. They have the two spots in the front. I haven't measured it. Again, when Kevin and his crew laid it out, I'm assuming they went by the rules. Again in my tenure here, I'm not trying to poo poo anything but nobody's come in and say that they couldn't do this, that or the other thing. I'm not trying to saying that's the only reason but I'm not aware that it's been an issue. It was an issue when it was down at the end. It made no sense.

Selectman Luszey's point was we really need to make sure that those don't look like handicapped spots if they're not. Mr. Malizia said we've been diligent in trying to make sure every year that gets painted and restriped. I'm assuming it's on his schedule. I did remind him again when you come back please paint over it. At some point in time, I'm assuming it will fade to complete obscurity but it's taken a while. Selectman Luszey said he won't park there because it's handicapped and I know other people won't think its handicapped.

Selectman Maddox - I certainly don't want to take away from Selectman Coutu but he's probably going to cover a different area. I had the pleasure of being at the 9-11 ceremonies in the background. I had a non speaking part. I got to observe the entire event. I have to say that for the amount of people that were there for all of the things that could have gone wrong, it went off very, very well. The speaker showed up on time. The weather held. It was a reasonable day. The speeches were to the point of 9-11. Again I think it was a great outpouring of a lot of people. The numbers keep varying. Again from where we were sitting, it was just a sea of people on the other side of that memorial. That's all I have tonight Mr. Chairman.

Selectman Coutu - First thing I want to thank you for those remarks Selectman Maddox. The first thing I want to bring to your attention is I received a call today from the Fire Chief. I believe you're aware that the boilers are in disrepair. They are beyond repair. They are rusted out. They have an alternate method of procuring hot water right now. It's a quick fix but he's going to go out and seek at least a minimum of 3 bids. The estimate that was given to him, and I believe it was Harry Wells who came in to give the quick fix, it was Wells. I'm familiar with them. I've used them myself in the past. He's saying to replace the system would cost somewhere between \$10,000 and \$15,000. The Chief has asked me to ask this Board to consider if it needs to be done - it obviously has to be done, that we use contingency money with the proviso that if he has monies left over at the end of the year we can replace it with that. This is something that is going to need to be done. I'm giving you a heads up. He is going to come in with a recommendation and with a bid proposal to replace that. I told him that was appropriate. We're going to have to pay for it. We'll figure that out when we get down to the bid specs. and we look at it. Chairman Jasper said that is truly what contingency is for.

The other Selectman Coutu wanted to do relative to 9-11 is I want to apologize to Representative Jordan Ulery as well as Representative Jonathan Maltz. Neither of them had seats reserved in the dignitary section and they all should have had seats there for them. I know I was able to correct having left Mr. Ulery's name off the list of dignitaries and I got to the Deputy Chief fast enough. I didn't even think about Representative Jonathan Maltz until I was leaving the park and I

happened to see him. I mentioned to my wife that we had forgotten him. We were able to sit Mr. and Mrs. Ulery. Chairman Jasper indicated that he still forgot Representative Jasper. Selectman Luszey indicated Selectman Luszey was omitted. Selectman Coutu stated he was correct. My wife mentioned that. I apologize. There were a few glitches. None were intended and I apologize.

Something happened today that makes all of this a little bit worthwhile. I received a phone call from a woman named Esther Ross. If you were to Google her name, you'll know that she's an author. She spends a considerable amount of time and effort traveling. She's a specialist in people with physical and disabled needs. She gives lectures to fire departments and people across the country. Mrs. Ross lost her cousin in the first tower. In that office was approximately 35 other of his fellow employees who her cousin got to know very well. They socialized. She is from Manhattan and so was her family. Her family still lives there. She migrated to Nashua. She has been following the fact that we were doing our 9-11 memorial here in town. She wanted to have an opportunity to come but she's still like a lot of other people who are personally affected by the tragedy of that day still gets very emotional about it. She's decided that rather than come Sunday and have to deal with the crowd, she would take some personal time and come up on Saturday. Not having ever been to Benson's Park, she came in, started walking up the hill, saw a crane and thought she was in the wrong place. Then she saw a couple of firemen in the area. She saw the blue shirts with our logo on it. She approached them and asked them where it was. They took her up to the top of the hill.

What impressed Mrs. Ross was that a couple of firemen asked her where she was from because it obvious to them she was unfamiliar with the area. Most Hudson residents - there are some I'm sure still don't know we have a Benson's Park, but for the most part they do. She was impressed with them helping her and asked her where she was from. She told them that she lived in Nashua and she wanted to come and visit the park. She said that that day - because she's very grief stricken - turned her grief into a total appreciation because of what we did memorizing the events and tragedies of that day. She was taken by it, and I'm not going to get into all the personal details - we talked at length, she has written a letter to the Editor of the Nashua Telegraph which you will see and beyond that, she has written a letter to the President of the United States acknowledging what we did here in Hudson. She asked from the federal level and from his office that some recognition be given to the Town of Hudson. She was deeply touched by how the firemen treated her that day. She said they uncovered every stone and walked her through the entire monument and explain in detail everything of that day. She walked away a new and a healed person.

The feeling Selectman Coutu got from, and I'm sure you all saw it, by the people who went up to the steel tower and put their hand on it and touched it was emotional or an appreciation for what was done. That's one of the many, many good stories that came out of that day. I will continue to be in touch with Esther. She asked me if we needed any more work. I said yes. It's going to cost some money. She offered to assist us with that. The only thing that we're looking to do is when you reflect back on a situation on any event you say we forgot to do this, we forgot to do that, we forgot to mention so and so. That's why people hesitate to say thank you sometimes because you always omit somebody that was very important and that detracts from the whole intent of what you're trying to do. In this case, this was an observation that became obvious to me as I was going to down the stones and who they were being dedicated for. We totally neglected to put up a stone for all of our military who have been deployed overseas to try protect our country from every having this done again. It is our intent to raise the funds and put in a stone with the 5 military insignias - Army, Air Force, Navy, Marines and Coast Guard - with a few words of appreciation for this service. That will be done.

[Selectman Coutu] I had also suggested and I think that the committee will agree that for those of you who don't know the story of the tree of life when the rubble was being removed from the towers after the dust had settled and after the search had been fairly much complete for the remains of those who were killed on that day, they found the remains of a peach tree which was pretty much dead. Someone took it out and planted it. It is vibrant; it is growing; it is live; it is part of the new monument now in New York. We would like to replicate that and we've already been told that if we needed a peach tree one will be donated. I think we will put it in the area probably closest to the side where the playground is as an additional buffer. Those were for me there were a lot of very good moments that day. Again, I expressed my appreciation to you as well as the Benson's Committee for all of your encouragement and support for this. I think that when you think back on the day and the amount of work that went into this, indeed it's something to be very proud of.

With that said, I'm going to defer to that e-mail from Mr. Martin - a private citizen and member of the Budget Committee. I will defer to a later date and see if he has the courage to come here before the Board of Selectmen in public session as a private citizen and ask us all about all this supposed town money that we spent on the 9-11 memorial. To me it is sacrilegious at this point and it is very personal to me. If he has the courage to come here and face me and this Board, then let him do it.

The other thing Selectman Coutu was a little bit concerned about was I understand that as a result of remarks that I made during the dedication, one or more members of this Board questioned my ability to adequately or fairly represent the wishes of this Board in budget negotiations with the Fire Department. I'm going to say that if any member of the Board of Selectmen has any question about my ability to perform my duties as assigned by the Chairman or this Board that you confront me personally and not have to have me called by the Chairman of the Board of Selectmen - not that he had to call me - but I felt demeaned. I felt I was being treated like a child. I felt that I was being scolded because somebody or some persons were questioning my ability to fairly negotiate a contract with the fire union because I expressed my appreciation and my affection for the firefighters because I worked with them on my hands and knees. I've watched them for the past 17 months and their devotion and commitment to getting this done for which I have a great appreciation. I know that collectively and individually you all do as well. That should not be a reflection on my abilities as a member of the Board of Selectmen. I have stated and

I'm going to reiterate something that I told you Mr. Chairman in our conversation. I stated to many of the members of the Fire Department that when I sit in this chair on Tuesday evenings, or I'm sitting behind in negotiation table, or I'm making judgment pertaining to the Fire Department or arbitration matter, I am a member of the Board of Selectmen. Outside of this room and outside of those responsibilities which are assigned to me, I think of them as brothers. This has been a bond over 17 months. I didn't mean to offend anyone, and I'm sure the firemen were certainly not offended, or give the wrong impression to anyone - and I shouldn't have to apologize for this, that I couldn't adequately perform my duties as a Selectman when it comes to a fire matter.

The other matter that concerned Selectman Coutu greatly was we had several handicapped people who had no access to parking whatsoever. A request was made, and I received this second hand so I'm not pointing the finger at anybody, was to open the upper gate to allow people who had handicapped plates an ability to pull into the upper level and park and to be able to have easy access to our park. I was told, and I'm not naming names, that someone denied them the opportunity to open that gate for handicapped. I think that was an error in judgment. I think it should have been allowed to be opened.

To the citizens of Hudson, I thank you for your attendance - those of you who were able to attend, I thank you for being there. I thank you for all the accolades. I was a facilitator. The hands on people were the members of the Fire Department and other volunteers in the community. Mr. Chairman though I deferred any comment on Mr. Martin's e-mails, I have not read it. I have not received my personal copy. You extended me a courtesy of your copy. If you wish to comment on it, I won't be upset but I'm challenging him to come in here.

With that, I want to thank all the contributors. Thank you very much Mr. Chairman.

Selectman Nadeau - Couple of things that I noticed. One of them was the handicapped parking. If we do other events at Benson's, I hope that we do have some contingency plans for handicapped parking. I did have a couple of people ask about that. Those were comments at the end of the day that I heard.

I'd like to thank the Hudson Police, Fire and Police Explorers who assisted with parking down at meadows and the other places that were outlined, the Hudson CB Patrol and the Salvation Army for the work that they did. It was very, very helpful to us as the Town to have these people volunteer their time to do this. That's all I have to say. Thank you.

Selectman Jasper - I have a couple of things to say which I didn't plan on saying. I'll start and I'm more than a little upset about the comment about the handicapped parking. That was me. I will not knowingly violate the deed to Benson Park. The only vehicles that are supposed to be in there, and I have had quite a time with people who are in there for purposes other than maintenance, there's only supposed to be maintenance motorized vehicles in the park. Deputy Buxton called me on Friday and asked if it was okay to open that up for town personnel to park in there. I told him quite explicitly that no, we can't do that. It's not a parking area. We can't violate the deed. The deed says no motorized vehicles. I cannot authorize that. The same is true. I'm more than a little upset that there was no contingency for handicapped parking. I had nothing to do with the planning for the event for any of that. I could not and there's no way any of us could say that the gate can be opened and we can violate the deed. You can sit there and think that I should have done that. I would be roundly criticized by many if I knowingly violated the deed. Selectman Coutu said that Chairman Jasper drives his truck in there. Chairman Jasper said he does maintenance in there. The only time my truck is in there is when I'm doing maintenance. If you'd like me not to do any more work in there on the cleanup days, I'll be more than happy not to. I bust my tail in there on cleanup days. I use my equipment and my vehicles just like everybody else. On cleanup days, there is not one piece of town equipment in there. There's nothing but volunteers. I am within the deed. Everyone who is in there using their personal vehicles is doing maintenance. I am offended by that.

Chairman Jasper indicated that he's not going to go any further with any other remarks I had tonight. I'm too angry at this point to go into anything else.

Selectman Maddox wanted to address what he read with Mr. Martin's letter. Only just to say that even I, the cheapest probably Selectman here, knew that there would be expenditures of some town resources to make that memorial happen. I never thought in the world that we would not participate in helping through the Highway Department and Fire Department it was not going to be direct tax dollars. If they had an ability to do something with a piece of equipment on Kimball Hill Road or at that memorial, I would expect that we would help out. I don't know where this is coming from but Mr. Chairman we're a community. I think we should try to blend wherever we can. This was a perfect example. Thank you Mr. Chairman.

Chairman Jasper said he did have a couple of other things to talk about. They can wait.

Selectman Luszey figured this question was going to come up about the dollars and cents around the Highway. I actually asked Kevin to put some figures together. This year we've spent over \$16,000 in Benson's from the Highway Department doing maintenance. We are obligated to maintain the park. That included the road around Swan Pond, the new playground site work, and yes some site work on the memorial. The breakdown on that was under \$4,000 on the site work for that. If we take into consideration Greeley Park, Jette Field, and Sousa Field, we are talking less than a quarter of the monies that he has spent this year just in the Benson's Park never mind adding all the other parts. In the grand scheme of things, we have not spent a lot of money of town resources doing something. We are obligated to do in terms of maintaining the park. I will be presenting these numbers to the Budget Committee.

If there is nothing else to come before the Board at this time, Chairman Jasper said we stand adjourned...Selectman Luszey asked about the senior center. I need to know about that. Chairman Jasper said he was a little bit hot right now. Selectman Luszey said he'd wait.

10. NONPUBLIC SESSION - NONE

11. ADJOURNMENT

Motion to adjourn at 9:20 p.m. by Selectman Maddox, seconded by Selectman Luszey, carried 5-0.

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