

HUDSON, NH BOARD OF SELECTMEN  
January 26, 2010

1. CALL TO ORDER by Chairman Coutu the meeting of January 26, 2010 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE, led by Town Administrator Stephen Malizia.
3. ATTENDANCE

Board of Selectmen: Roger Coutu, Ken Massey, Shawn Jasper, Rick Maddox and Ben Nadeau (arrived at 7:06 pm)

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Police Chief Jason Lavoie, Lisa Nute, IT Director; Jim Michaud, Assistant Town Assessor; Brad Seabury, Chairman of the ZBA; Pat Nichols, Normand Martin, and Doug Robinson

4. PUBLIC INPUT

Does anyone in the audience wish to address the Board on any issue at this time? Seeing none.

5. NOMINATIONS & APPOINTMENTS

Chairman Coutu stated there were no nominations or appointments this evening.

6. CONSENT ITEMS

[Chairman Coutu] Does any Board member wish to remove any item for separate consideration?

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

A. Assessing Items

- 1) 2007 Abatement Application Settlement Agreement (BTLA), Map 147, Lot 26
- 2) Veteran Tax Credit Applications - Map 248, Lot 077; Map 175, Lot 087; Map 177, Lot 005, Sub 088; Map 203, Lot 111; Map 190, Lot 030; Map 138, Lot 005, Sub 008; Map 216, Lot 014, Sub 046, w/recommendation to grant
- 3) Multiple exemption applications - Disabled Exemptions Map 168, Lot 034; Map 168, Lot 098; Elderly Exemptions - Map 175, Lot 144; Map 149, Lot 001, Sub 020, w/recommendation to grant
- 4) Tax Deferral Application - Map 145, Lot 011, Sub 022, w/recommendation to grant
- 5) 2009 tax abatement, Map 158, Lot 8 - 8 High Pine Drive, w/recommendation to approve

B. Water/Sewer Items - None

C. Licenses & Permits

- 1) Request to Solicit Funds by the Friends of Jackie
- 2) Outdoor Gathering Permit by the Hudson Kiwanis Club
- 3) License to Purchase Scrap Metals by Granite State Salvage Co., Inc.
- 4) Raffle Permit by Nottingham West Elementary School

D. Acceptance of Minutes

- 1) Minutes of the Board of Selectmen's Meeting of January 12, 2010

E. Calendar

01/27 7:00 Planning Board - Community Development Meeting Room  
01/28 3:00 Trustees of the Trust Fund - Community Development Meeting Room  
01/28 7:00 Zoning Board of Adjustment - Community Development Meeting Room  
01/30 9:00 a.m. Hudson School Board Deliberative Session - Community Center

02/01 6:30 Hudson School Board - BOS Meeting Room  
02/02 7:00 Board of Selectmen Workshop - BOS Meeting Room  
02/03 7:00 Planning Board - Community Development Meeting Room  
02/04 6:30 Recreation Committee - BOS Meeting Room  
02/04 7:00 Benson's Committee - Community Development Meeting Room  
02/06 9:00 a.m. Town Deliberative Session - Community Center  
02/08 7:30 Conservation Commission - Community Development Meeting Room  
02/09 7:00 Board of Selectmen - BOS Meeting Room  
02/10 7:00 Planning Board - Community Development Meeting Room  
02/11 5:30 Sewer Utility Committee - BOS Meeting Room  
02/11 7:00 Zoning Board of Adjustment - Community Development Meeting Room  
02/15 Town Hall Offices Closed - Presidents' Day  
02/15 6:30 Hudson School Board - BOS Meeting Room  
02/15 7:00 Energy Committee - Community Development Meeting Room  
02/16 7:00 Cable Utility Committee - BOS Meeting Room  
02/17 5:00 Water Utility Committee - BOS Meeting Room  
02/17 7:00 Seniors - Community Development Meeting Room  
02/17 7:00 Library Board of Trustees - BOS Meeting Room  
02/18 7:30 Budget Committee - Community Development Meeting Room  
02/22 6:00 Recycling Committee - BOS Meeting Room  
02/22 7:00 Moderator's Meeting - Community Development Meeting Room  
02/23 7:00 Board of Selectmen - BOS Meeting Room  
02/24 7:00 Planning Board - Community Development Meeting Room  
02/25 3:00 Trustees of the Trust Fund - Community Development Meeting Room  
02/25 7:00 Zoning Board of Adjustment - Community Development Meeting Room

7. OLD BUSINESS

A. Vote taken after Nonpublic Session on January 12, 2010

- 1) Motion to adjourn at 10:41 p.m. by Selectman Massey, seconded by Selectman Maddox, carried 5-0.

B. Appointment on Recreation Committee

- 1) Eric Horton - Mr. Horton replaced Mr. Boland, therefore his term should expire 12/31/2010 and not 12/41/2012.

Chairman Coutu stated that the notation here was that Eric Horton who replaced Mr. Boland as a permanent member on the Recreation Committee. He believed the motion was for his term to expire on 2012. It's not 12/31/2012. That should be amended to be 12/31/2010. If there are no questions, he'll entertain a motion to bring that to fruition.

*Motion by Selectman Jasper, seconded by Selectman Maddox, to appoint Eric Horton as a regular member to the Recreation Committee with a term to expire 12/31/2010, carried 5-0.*

C. Alternates serving on Zoning Board of Adjustment

Chairman Coutu recognized Mr. Bradford Seabury, who is the Chairman of the ZBA, and asked him to give us opening comments and we'll get into the discussion.

Good evening gentlemen. Mr. Seabury guessed among other things that he needed to try to unconfused some of the issues. There's been 2 things that we've been taking about in the spade of e-mails going back and forth. One is that a regular member of the Zoning Board resigned recently - a week ago. He was quite concerned about that because until very recently, there's been agitation amongst the governing forces in the State stating that because of the way they read the RSAs, alternates could not be seated in place of resigned members. That doesn't make a lot of sense to him, but that's the way they read the law. Because it wasn't specified, that resigned members was one of the things they were seated for, their argument is therefore you can't seat them. So Mr. Seabury expressed concern because he has a case coming up in 2 days, as a matter of fact, which has legal maneuvering on both sides already. So he wanted to have a full Board. That was one of the issues that he was raising.

If you would Mr. Seabury because Chairman Coutu knew - that escaped his mind. We've had a couple of personal e-mails back and forth relative to that. He would like to put that behind us because he heard that he is ready to make a recommendation to fill that position at this time if he's not...under the changed RSA, which was made effective this past August, Mr. Seabury has the authority and he has appointed an alternate to sit in place of Mr. McInerney until such place as this governing body gets around to appointing a regular member in his place. He appointed Ms. McGrath, and she will sit in place of him until such time as you all appoint a regular member. He's presuming that in the event for any reason she's not able to attend any particular meeting, Mr. Seabury will have the authority to replace her since she's there as a replacement of a regular member. Chairman Coutu asked if Mr. Seabury was satisfied to proceed in that - okay, he's fine with that. So now we can move on to the alternate.

Mr. Seabury said the other issue - when he was there on the night that you were appointing people to the Zoning Board, he took advantage of the opportunity of being here to suggest that the Board of Selectmen appoint 2 more alternates to the Planning Board. Apparently, some of the members of this Board didn't hear him say Planning Board. The reason that he did that is the Planning Board only has 3 alternates. Historically, apparently, that's all they've ever had. The RSAs say that the legislative body has the right to authorize up to 5. The issue is, as Selectman Jasper brought up, which he missed the first time around is he didn't know at this time whether the legislative body which is the Town Meeting ever specified a number at all. We know that they did for the Zoning Board, but we don't know if they did for Planning. Whether they did or not, Mr. Seabury still thought the argument can be raised that there should be 5 alternates sitting on the Planning Board. The reason for that is he believed that there should be as a representative body as possible sitting on all those cases. In too many cases as he mentioned that evening, the Planning Board has made decisions with 6, 5, and even just 4 people present, which he didn't think is fair to the applicants and it's not fair to the town. He thought they tried to avoid doing that with applicant cases, but they've made a lot of internal decisions which to his mind is just as important with just a few people there, which is unfortunate. He didn't think was reasonable. In addition, he's one of those people who feel that serving as an alternate is great training to become a regular member. So he thought there ought to be more people there. That essentially is what it was. Some where along the way apparently people thought he was asking for more people on the Zoning Board. That isn't quite it.

Chairman Coutu said the research that our Executive Assistant did was relative to the ZBA, which allows up to 5 alternate members. No research, he believed, had been conducted with regard to the Planning Board. So we know presently we have 2 alternates on the Planning Board approved, correct? Selectman Maddox stated 3. Chairman Coutu asked how many are sitting? Selectman Maddox said 3. Chairman Coutu then asked if all the positions were filled. Selectman Maddox said no. The gentleman we appointed during the December appointment cycle told the Town Planner that he was going to be out of town until February. So we're waiting until next month to know if that's going to happen. He didn't know he was going to be appointed. So he was sure that there were some things that he had to clean up and whatever. At this point Mr. Chairman, we had that seat open for almost a year. Again, it's great to say we'll have 5 members but unless you have a better net that we do, its tough getting people to want to volunteer.

Selectman Jasper thought perhaps on the Zoning Board of Adjustment it's a little bit different. Generally, and he recognized not always but generally ZBA cases tend to be more of a one-time event than the Planning Board which can go on for months and months. He's not saying that that doesn't happen in the ZBA, but he can tell you as an applicant before the Planning Board and luckily and thankfully he has not been before the Planning Board in many years now but in the process of converting from the farm and getting site plans, he was there quite frequently. From an applicant's point of view, he thought the last thing you want to have is a whole bunch of different people coming and going when you're having your site plan reviewed. People have new questions. Things come up, and it can be a never ending process. He appreciates what Mr. Seabury is saying but unless the Planning Board were to make the request, he thought that we ought to just take it as a comment and move on. Certainly from everything that Selectman Jasper knows, we don't have the authorization on the Planning Board. That would have to be a warrant article for a future year. That ought to only be done if that's what the Planning Board requests. Then as he said in one e-mail, there's only 5 of them. We're almost always here. He thought if they needed an alternate for every member, we need to look at who we're appointing to the Boards particularly in the Planning Board. It's very, very important to the applicant that there be consistency in who is seated.

Having been a member of the Planning Board for now a dozen years, half as the Selectman's Rep. and 6 before that as a member of the Planning Board, Selectman Maddox can only remember a few times that we got down to the 4s and 5s. That was St. Kathryn's because many of the members were parishioners. So they decided to step down. We could have 8 members and 10 members and if they were members of St. Kathryn's they might have done the same thing. So he will also respectfully disagree. The time it gets down low is mostly workshops. That's just a function of sometimes people don't want to go to the workshops. The

regular meetings, he can't remember a time in his time as the Selectman's Rep. that we had been down at 5 or that number. Again, he agreed with Selectman Jasper. With 7 members and 3 alternates, it's enough representation he guess he would say whereas the ZBA because of some of the members you have jobs that take them away and do whatever, it would be incumbent upon us to try to find some alternate members to fill in some of those seats that we have the authority to do.

Chairman Coutu said we have the one vacancy - Mr. McInerney's son resignation you're appointing temporarily. You'll still have 2 alternates. One is being vacated as a result of this temporary appointment, correct? Mr. Seabury said yes. Chairman Coutu asked if Mr. Seabury was satisfied with that make up presently. If you feel you need more alternates, you'll let us know. Mr. Seabury said he'd like to have all that he can get. Selectman Jasper said we need to keep advertising for those vacancies. The feeling Chairman Coutu gets here, and none of us are averse to appointing if we had 5 qualified applicants as alternates to the ZBA.

Selectman Maddox said that Mr. Seabury has a great way and at Thursday night's meeting maybe you can get there 15 minutes early and cut a promo for cable to run periodically to say here are the statutory duties, here's a place to look, we'd really like you to come to a meeting and see if it is something you'd like to do. Let's see if we can get that on cable to run regularly either in conjunction with the ZBA meetings or whenever and utilize your knowledge and your skill to persuade and get some people to sign up.

Let me say this about that. Mr. Seabury said in olden days back when Mr. Massey and he were appointed, the selectmen went out looking for people. They didn't wait for people to come in. They didn't have to take potluck with whoever did come in. They went looking for people that they thought would be good for the position. He would strongly urge the present Board of Selectmen to do the same thing. You all are connected with people in the community and you know who would be good. Selectman Jasper has just pointed out that there may be an issue with the people that have been appointed to some of these boards but outside of saying you people are the ones who appointed them, it seems to him that his argument would be it's up to you to find good people.

Chairman Coutu certainly didn't have a problem with the quality of people we have presently serving on our boards or commissions. Selectman Jasper said he was speaking only to the attendance not the quality. Selectman Maddox thought there was a balance. If Mr. Seabury will maybe appease with trying to do something and we will also. He thought he's always been afraid of the impression that we're stacking these boards if we go out and do that. If people watch on television and say I can do that; he did that 12 years ago. He sat in the back of the room for a number of months and said, "I think I can do that" and signed out. If we go out and find people, then people will say well you're just putting on only your people. He thought they needed to find that balance of new people that have never served on any board. If we were in a crisis and we needed to fill that spot because you only had 3 members, we could certainly go out and find people. Again, it's a function of people wanting to do it, not being arm twisted to do it.

Selectman Jasper has very bad memories of the late 70s early 80s where the impression was that the Board of Selectmen had stacked the ZBA and the Planning Board with members of the builders community. Mr. Seabury said, "and they had". Selectman Jasper said that's why he has never attempted to recruit members for either one. He's certainly when people have complained well apply then. Don't just sit back and apply, but that was a very tremulous time and there was a lot of bad blood relative to the perceived bias on the Planning Board particularly but he thought to some degree the ZBA as well. Less so probably on the ZBA. Chairman Coutu said, "ladies and gentlemen, if this doesn't serve as a promo nothing will". The Zoning Board of Adjustment, which is chaired by Mr. Bradford Seabury, a distinguished member of our community, is begging you to serve. As Chairman of the Board of Selectmen, he respectfully requests that if you're sincerely interested in wanting to serve the community in one capacity or another that land use boards is a very good opportunity for you to get to learn an awful lot about our town, especially the rules and regulations as they apply to what you can and cannot do on your private property.

Chairman Coutu would suggest that if you haven't already, although Mr. Seabury is not the strongest advocate or promoter of getting people to watch ZBA meetings on television because he claims them as being ever so boring, they are at times he'll admit and he sits through the boring parts as well as those parts that are interesting, but it's a good way to take advantage of discovering what the ZBA does and the purpose for which they serve our community. Granted it's a volunteer position. Municipalities would not function if we didn't have citizens within our community who shared the same concerns and love of our community as we do and be willing to serve in one capacity or another. The ZBA, if nothing else, is very interesting. It's very educational, and you couldn't ask for a classier guy to lead you than Brad Seabury. He welcomes any citizen who would like to serve on the ZBA to file an application with the Board of Selectmen. If you get an opportunity, come on down. Their regular meetings are on Thursday evenings - Mr. Seabury said the fourth

Thursday of the month with the second Thursday if we get too many cases. Chairman Coutu said when they're inundated; they will hold 2 meetings a month, which you said will be the second Thursday as well. Mr. Seabury is pretty good with timekeeping. Most meetings do not go beyond 11 p.m. because staff is not allowed to stay beyond 11 p.m. as a result of a directive issued by a previous Board of Selectmen. However, cases may go beyond 11 p.m., but any case that is started before 11 p.m. will be the last case of the evening. You seldom get out of there any later than 11:30 is that correct? Mr. Seabury said that's correct. Chairman Coutu welcomed them again to call the Selectman's office, file an application, or you can go on line at our town website and pull the application and submit it for consideration. We welcome having new people apply for positions on our boards and commissions. Mr. Seabury would be very grateful. Mr. Seabury said if you'd just run that every 3 days and take my name out of it, it would be good (inaudible) right there.

Selectman Maddox said that Mr. Seabury brings up an interesting point about the alternate that is seated as the regular member if they weren't - we would take the recommendation of the Chairman of the ZBA as to who he would appoint. So it's the longest serving alternate. He's just saying maybe they should just appoint that person now and that way there that position has a member. Chairman Coutu asked Mr. Seabury if he wanted to weigh on that and pine on it or do you want us to take action. Mr. Seabury didn't even know if she filed an application. She said she would if the other one didn't and the other one said she would if Ms. McGrath didn't. Selectman Maddox thought they had already worked it out. Chairman Coutu said no. He and Brad had some e-mails and we're just going to let them play out. Selectman Jasper thought we ought to let the normal procedure run its course - advertise, see who comes in, and do that. Mr. Seabury presumed that the Board would want to follow its policy. He just took advantage of a recent change in the RSAs to make sure that he would have a full board for that case this week.

Chairman Coutu thanked Executive Assistant Donna Graham for the research she did with regards to the ZBA alternate appointments. He appreciated it.

8. NEW BUSINESS

- A. Donation offer of \$100 from GFWC - Hudson Junior Woman's Club to the Fire Department

Chairman Coutu recognized the Town Administrator Stephen Malizia.

Stephen Malizia recommended that they accept this donation. It was his understanding that this would go towards smoke detectors for elderly residents of town who may not be otherwise able to afford it.

*Motion by Selectman Maddox, seconded by Selectman Nadeau, to accept the donation of \$100 from GFWC - Hudson Junior Woman's Club with the Board's thanks, carried 5-0.*

- B. Donation offer of \$100 from the Nashua Emblem Club

Chairman Coutu recognized the Town Administrator Stephen Malizia.

Stephen Malizia said that this donation is from the Nashua Emblem Club in the amount of \$100 for the police department, and they would like it to go towards drug awareness and internet safety programs if you accept it.

*Motion by Selectman Massey, seconded by Selectman Nadeau, to accept the donation of \$100 from the Nashua Emblem Club with the Board's thanks, carried 5-0.*

- C. Budget to Actuals

Chairman Coutu recognized the Town Administrator Stephen Malizia.

Mr. Malizia said you have in front of you the budget to actuals through December 31, 2009, which is 50 percent or half way through this fiscal year. A couple of new things he's done here. He's given them some verbiage very brief in the comp. of the revenues where there were revenues that looked like they were trailing or maybe required some explanation. It's brief, but we can certainly talk about it. He's also taken a look at and put together a little bit further down into this general fund interest. As we can all see, our interest - there isn't any. We'd be better off putting the money in a mattress at this point in time. He can tell them with the tax revenues that have recently come in that the Treasurer has invested in some CDs, but they're not paying much better than some of the regular sweep account money. It is in something, the best we can get it in. The Treasurer has looked around at other investments. To be frank, there's not a lot out there right

now. Mr. Malizia will make this a regular feature also. This just shows you the interest so you can see where we were, where it is. Again, interest doesn't necessarily - as CDs mature, you'll have different maturity dates. You might see some positive stuff going on here. But there's no way we're going to hit any target this year.

From the car registrations, again, you can see that for the first half of the year it looks like we've taken in 1.7 million. So if you extrapolated it out, that could be 3.4 million. Again, it's not always in a perfect 50 percent for half the year. You see trend data here. It's not too, too bad compared to last year. Again, not as strong as it could be or you'd like it to be. Going forward this year, we have \$4 million budget. He believed they budgeted the 4 million for next year or 3.9. He couldn't remember. Selectman Massey thought 3.9. For next year, Mr. Malizia was thinking prospectively. Again, if the economy hopefully improves, maybe that line will get better. Right now, that's where it's at.

From the rest of the budget prospective, Mr. Malizia didn't see anything that causes great alarm. Again, we don't always spend in 1/12<sup>th</sup> increments. For example, we have encumbered the entire trash contract which spikes those numbers. Looking at what he sees year over year, it looks pretty reasonable. We look like we're doing okay on the expenditure side of things. Again, it's the revenue that's probably caused the most heartburn. Certainly, he thought we're not alone in that with car registration and interested again. There is no real market for interest. So that's it through December.

Selectman Jasper had 2 comments - at least on the revenue side. Although one of them really isn't revenue. It's the overlay where we budget for property tax abatements essentially where we've only expended 10 percent of that. So we're very strong with that. So that will give us some relief there hopefully to the tune of if we continue on the way we're going. It will give us potentially \$350,000 or so relief to offset a portion of that \$500,000 dream on the interest, which we're at \$14,000 on a \$500,000 budget. He thought for the next year we had gone down to \$200,000. We're probably not going to make that next year.

The other thing Selectman Jasper had was in some ways unfortunate but the bright spot on the revenue is the ambulance billing, which is...Selectman Massey said he was looking at that. That's quite nice. Selectman Jasper said yes, that's up. Mr. Malizia said that's a tough one really. It is. The ambulance revenue is where it is. Selectman Jasper said that's why he said, it's sort of a double edged sword. You hate to see people need to use the ambulance but on the other hand...Mr. Malizia said they are and that's what the number is.

Selectman Maddox said that was just billed not collected. So that may not be as silver lining as we hoped. Mr. Malizia said again, generally with our revenues when you look at motor vehicles that is building collected because you can't register your car. Property taxes are billed not necessarily collected either. Selectman Maddox asked a question on the solid waste. Where are we as far as our recycling? He knows that we were starting to slip a little bit. Will that impact any of this line item because we're paying X amount of dollars per ton over and above a certain amount. He was just wondering if we might see some issues with running out of money in that line item.

In terms of the recycling, Selectman Jasper understood that it's not actually a slippage in the tonnage on recycling. Our overall tonnage is going up. Some of that is probably attributed to us having the landfill open and more people realizing that the landfill is open 12 times a year. So there's probably more stuff that is now going over there. Mr. Malizia said we also pay, he believed, a fixed cost for that. Those are a fixed price. There's a number of roll offs, i.e. large dumpsters. There's the leaf pickup. Those have a fixed price to them. As far as the recycling, he didn't have the numbers in front of him. If he just looked at this report here where it shows what we spent. We've expended \$775,000. We still have encumbered, i.e. the balance of the contract of \$841,000. Even with all of that, we still have another \$48,000 we haven't encumbered or spent. Unless people stop recycling all together, we should be okay.

Selectman Maddox has heard that same thing. Maybe it was the tonnage that was going up. Again, it's \$176 a ton. It adds up. So he's just making sure that somebody is, and he's sure Kevin is, but just a question for tomorrow's meeting is how is it tracking over the last 3 months and what would that extrapolate out to. One of the things Chairman Coutu is going to do is he remembered the person who seat he took over for, former Selectman Doug Robinson who's in the audience, made what he thought was a real good video relative to recycling. He thought it was even timely today that we should probably start running that again and hopefully encourage more and more people to recycle with a message that recycling keeps our costs down overall with regard to the tonnage that's just being thrown out there. He didn't want to do like one of our neighboring communities was doing which is the Massachusetts Town of Tyngsboro they had a recycling police going around snooping in people's barrels. If they found a recyclable in your barrel, you got a fine.

That's how they were raising revenue. So he hated to see them go to that. He didn't think anyone mentioned doing that have they?

Selectman Massey said this is a two-edged sword thought. There are several organizations in town that have got recycling bins set out collecting paper goods. So every pound that goes into those containers does not go in our containers, which it's good for them because they're generating revenues, but it's bad for the town because it increases the cost to the overall population. So we ought to be a little sensitive that if we start really pushing it, maybe even more organizations will figure they can get on the bandwagon. It's a concern at least he's thinking of. If we really want to get to the recycling business, we have organizations in town that are doing the same thing.

D. Senior Center Capital Reserve Fund

Chairman Coutu said that this item was on the agenda as a result of Selectman Massey having caught it and he'll let him make a presentation.

As the Chairman said, Selectman Massey said a couple of weeks ago he was asked how much money was in the budget for the Senior Capital Reserve Fund. He said gee he didn't know. He'll have to go look. He looked and much to his surprise and chagrin, it wasn't in there. Had he known at the time it wasn't in there, he would have suggested that we put it in there. The reason why it's not in there is because last year was the warrant article that created the capital reserve fund. As such, there was no line item in the budget that would have captured it for our attention this year. So if you think it's appropriate, he would recommend that we amend...

Selectman Jasper said he had a problem with his language here before you...Selectman Massey said if he had better language, please say it. If you don't mind, Selectman Jasper moved to authorize that 2 motions be made on behalf of the Board of Selectmen.

*Motion by Selectman Jasper, seconded by Selectman Massey, to amend Warrant Article #10 (Town Operating Budget of \$27,477,550) by adding Line Item 5940-450 "Senior Center Capital Reserve Fund" for \$25,000 and to amend General Fund #4999 "Use of Fund Balance" by adding \$25,000, thus increasing the "Use of Fund Balance" to \$625,000.*

Selectman Massey wanted to make sure that if we increase, wouldn't we have to also that we had changed the operating budget to. Chairman Coutu said you just introduced 2 separate motions. Selectman Jasper said no. We can't amend either of these. So his motion would authorize one of us, he's assuming Selectman Massey to make those motions on behalf of the Board. That's why the detail isn't really important Ken because this is just an authorization so that nobody can say - well is that a motion on behalf of the Board and this says yes in fact he is acting on behalf of the Board by offering that motion.

For the record, Selectman Massey believed that because they have already gone past the budget cycle setting and therefore we kind of fixed in the voters minds what the plan potential tax rate is going to be that by taking it out of the use of fund balance, we won't impact any additional tax increase that would accomplish the same thing by putting the money into the capital reserve fund. Chairman Coutu was glad he clarified that because he's sure they have some questions relative to this proposal. This will not impact the budget as far as the tax rate is concerned. It will impact the budget. It won't change the proposed tax rate.

Vote: Motion carried 5-0.

E. Fiscal Year 2011 Warrant Article Speaker Designation

Chairman Coutu recognized Town Administrator Stephen Malizia.

As in the past, what Mr. Malizia has tried to do when we propose this is look at the liaison assignments who may or may not have worked on a specific labor contract. Again, when it comes to the operating budget, the Budget Committee Chairman takes the lead on that one. So that's why you don't see one of your names there. It's not intended to not include somebody. This just happens to fall the liaison assignments. Once again, you draw the short straw because you don't have any. Selectman Maddox said he's already gone through the Planning Board. Chairman Coutu asked if they should give him Warrant Article 15. It's a land use article. Would you accept that Selectman Maddox? Selectman Maddox said no, not without guidance from this Board. Personally, Selectman Massey didn't think they should comment on that one. Mr. Malizia said it is a petitioned article. It is the petitioner's responsibility, he believed, course of things to explain their

article. Our attorneys will be there so that if people have questions about can they legally have to comply with this, we can get that answered. He left it open because he didn't know if the Board wanted to articulate any sort of position at the meeting.

Selectman Jasper said it will be showing up on the warrant as not recommended by the Board of Selectmen. The Radziewicz's assumably will present their case. He thought it was incumbent on them to inform the voters as to why we respectfully disagree with their petition. He thought it would not send a very good message if we sat there in silence. So Selectman Jasper thought although it may be primarily responding to their points...Is Chairman Coutu mistaken, either of you, in that this is a non-binding referendum. We're not bound by this. Selectman Jasper said no we are not. Selectman Massey said that was the clarification he wanted. His understanding was that the Town Moderator was going to seek independent clarification as to whether or not that was the case. He was going to talk to the municipal association. Mr. Malizia wasn't sure if he has. He wasn't sure he would even do that if we have our attorney telling us what it is. We can get 5 different opinions, but we'd get 5 different opinions. We have one attorney that works for us. So he's asked him for an opinion. Selectman Massey asked what his...Mr. Malizia said he has not received it in writing, but it is his understanding that it's not enforceable. Just like it wouldn't be enforceable to everybody to wear stripes in town. That's their first response to it. He has not seen it in writing, but that is his understanding.

Selectman Jasper was going to say - this is similar to the nonbinding warrant article that we do follow such as we don't put new personnel in the budget. We don't put raises for nonunion personnel in the budget. Those were warrant articles that were passed by Town Meeting and we follow those. The selectmen have the history of following the nonbinding ones; he thought they have legal reasons why we should not follow this. It would be bad precedent for the Town of Hudson. Selectman Jasper thought we needed to be able to articulate that so that when people - and a lot of people do watch the Town Meeting to find out how they are going to vote when they go to the polls in March. He thought that if the 5 of them sit there like bumps on the log and let the Radziewicz's make their case, people are going to say the Selectmen have recommended that we vote against it, but they have not given us one single reason to vote against it. If this were to pass overwhelmingly - Selectman Jasper doesn't like to go against a clear will of the people. So he thought they need to tell the people why this is a bad idea. So he did think we should speak.

Chairman Coutu thought that because of the legal ramifications and the precedent that has been set with regards to warrant articles, he thought he'd lean towards the suggestion being entered or made by our Town Administrator is that perhaps we ought to let our legal counsel play our defense. He's going to be there anyway. Steve can give him the rationale for why we decided not to support the warrant article, and he can present a more professional and legal opinion, and express the reasoning behind our decision not to support this warrant article. If anyone of us, and you've never been afraid to get up and speak, if you feel it's necessary to further clarify our position or any member of the Board fro that matter, he lean with you Selectman Massey. Chairman Coutu would rather leave it alone. Selectman Massey thought on the basis and what Selectman Jasper has just said and also thinking back on the warrant article, he believed it was 1994 when it was passed that basically required the town to bring all, and it was for the schools too, there was a warrant article that year for the schools that required all raises and positions be brought to the Town Meeting. We know we have legal opinion that says that is a nonbinding resolution, but Selectman Jasper is right with one exception that's been followed - actually 2 exceptions. With two exceptions that's been followed ever since 1994. One exception was for extraordinary reasons. The other one the Budget Committee saw fit to actually take the money out of the budget that year, which didn't keep us from if we wanted to provide the raises because of the line items. The Budget Committee made it pretty clear that they thought the precedent of the people should be followed. Selectman Massey thought that was true. He also thought it should be a selectman and not our attorney or Town Administrator. It is the selectmen saying no. He didn't have any problems with whoever wants to talk about it, but he thought it does have to be a selectmen. To him given that it is a land use article, that would fall to either Selectman Maddox or himself. But Selectman Jasper has made a pretty strong case for why we shouldn't do it. If he was of a mind to do it, he would certainly support that as well.

Selectman Jasper said if no one else wants to, he would be willing to speak to it. He thought that a lot of people know that he was leaning the other way for quite a while until he got more information that caused him to continue to support this. He can do it. Again, Selectman Maddox is torn for the fact that this case is still wandering through and it could come back to the Planning Board. So depending on how well he does in March. If gets up and speaks against this, then he's already stated his case of sitting there on the Planning Board. We could flip a coin. It doesn't matter. Either one of us could do it.

By consensus, Chairman Coutu said why don't we allow Selectman Jasper to make the presentation for the Board. Then if somebody has an interrogatory and anyone of us might have an answer, we can answer it. Mr. Malizia said the town attorney could certainly be available. Chairman Coutu said he is available. Mr.



Malizia said he is there and he can say what he can't say and what he can't say. Selectman Jasper has one request because they couldn't find it the night they were here. That piece of paper that was spoken about that says "permit required". He would like to have a copy of that with him.

Just one other thing. It would be Selectman Massey's intention based on the Board supporting the amendment to the operating budget that as soon as the Budget Committee Chairman Mr. Luszey makes his presentation that he would put the amendment on the floor at the beginning. It wouldn't be something that would be done at the end. From his perspective from transparent perspective, it should be at the front end of the discussion on the operating budget. Chairman Coutu said he could work that out with the Moderator. Selectman Massey will let him know and he'll give him a copy. Chairman Coutu asked if he wanted to do it immediately after the Warrant Article 10. Selectman Massey said no, as soon as Mr. Luszey makes his presentation before any other questions are entertained, he would ask the Moderator to recognize the Board and he would then make the 2 motions. Mr. Malizia asked if everyone was comfortable at this point. Chairman Coutu said everybody was comfortable he believed.

F. Economic Development and Web Site

Chairman Coutu didn't know that we are going to enter into a discussion. Are we going to defer this? Can we enter into a discussion on economic development web site? There's no one here from IT. Donna Graham indicated that she said she was going to be late. She had a prior engagement and she wanted to be last. Chairman Coutu stated if there's no objection, we will defer the item, although we're at the end.

Selectman Maddox said this is just putting lipstick on a pig in his estimation. It's just color basically of what we already have. He thought that we should look into the student interns Mr. Chairman that we've both talked about with doing some things in town for at least the data entry. He thought that staff should just get it done and not have to pay some outside person. That's his opinion. He's having a tough time spending half of the money we have for economic development on snazzing up our web site by not much.

Selectman Massey has sat through and watched the actual and have seen a mock up of these changes. He'd have to tell you that there's consistency in it; there's cohesion; and there is a look and feel to every page that says this is the same town you're dealing with. So we're not talking about some beautiful graphics that were done. There's an awful lot of structure behind what the IT Director has put here. He thought it would be worthwhile to listen to what she has to say. The only area he's going to explore is the funding mechanism, but that's for a different part of it. Selectman Massey has seen the mock ups. He would tell you that when you look at them, when you see them on the screen in full color and see the consistency and the structure that's behind them, it is one of the better web sites he's seen.

Ms. Nute arrived for the presentation. Chairman Coutu said they were putting off until you show up your proposal for the redesigning of our town web site. Without further ado, Lisa Nute, IT Director.

Thank you Mr. Chairman. When Lisa Nute first started as the IT Director a few years ago, it was one of our goals to go ahead and redo and revamp the web site. We've only made some minor reorganization changes and things that we could. Then she came before the Board and asked for a student intern to assist us in getting to where we really wanted to go. We took the student as far as we could. He was a very good programmer. He did a lot of good things for us, but the site ended up with a few things that really were not quite right to be able to go on line with it that were above and beyond what his capabilities were. So the chore was for us to continue this and finish it up in house. As you've heard her say on countless occasions during budget times, we just have a very large work load here, a lot of people to support, a lot of different type businesses within each department to support. Even though we do get to this when we can, it's another project that just keeps being pushed and other things take priority.

Right now it's virtualization. As you know we have a grant that she's allowed to spend through the Department of Energy. So that is at the forefront. So there is always something. This is the thing that keeps getting pushed. She understands from this Board and from Mr. Massey who met with her, that there might be some money to go ahead and just finally get this up and running. So what she's done is shown them what the problems are, what she believed is the cheapest solution as far as getting to where she thought that they need to go with little money. Ms. Nute has looked at a number of different options that we have. So what she is proposing to them is a consultant that she did find who does this work on the side. He did meet with him. He understands what we need. His previous work that she's looked at with other sites certainly has shown her that he is capable of getting us where we need to go. She wasn't sure if they had a chance to read through this, she did show them some samples of the pages that we currently did do, where we are right now with our site that the student intern assisted with, and she's outlined what the issues were and

what the hours by the consultant would be she felt necessary based on her discussion with them on what he would need to fix those issues and get the site up.

These pictures that you presented to us of the town web site, Chairman Coutu said these are obviously taken from the computer. It's been programmed. Ms. Nute said correct. This can't go live until we fix some issues. Chairman Coutu said the issues are the links. As he read this, it's linkage? Ms. Nute said the calendar is just really inadequate. If you notice on the right hand side of page 2 where it says "News", it scrolls off. It's not a user friendly kind of look. We've got some real cumbersome issues on the back end. When a user goes to have to update this, it is really cumbersome. When you're not an IT person, and even for us IT people, getting in there it's like okay. It's very, very cumbersome. It's not like a real user friendly kind of thing. So that's first and foremost, it really needs to be fixed because we're going to expect someone like Donna to be able to post her own minutes, her own agendas to get it up there very quickly and not have to go through IT for everything. Powering the user to maintain their own content has always been our goal all along. The student was helping us get there, but it's just not where it really should be.

The font is a little - some tweaks and things that is always going to be an ongoing thing. It really needs to be ready when you roll it out and have it there. We've had Captain Morin do a lot of the photos for us. At the top there, Vin Guarino is also a professional photographer on the side, so he's given Ms. Nute some things too. She's used some things from resident Dana Jutras who did some work for the Conservation Commission through a Girl Scout project. She used some of her photos and things too. We do have some photos that we can use; that's going to be a huge thing too. It can always be tweaked and ongoing. It's fixing the major problems with the site itself and the templates themselves so that we can go ahead and put that information in there easily and departments can update their content readily and easily without having a lot of computer know how to do that. As the consultant tweaks, it may change just a little bit because that seal on the bottom is a problem. As you get more content, that Town of Hudson seal scrolls right off the screen. It has to be moved, placed up at the top of the banner, reworked up there, and minor things like that but it's time.

As Chairman Coutu understands the Recreation Department has its own web site. Ms. Nute said they do. Just like the police department. Chairman Coutu asked if those will all be interlinked from our home page. Can we get those accessible from our home page or do they like that being separate? Ms. Nute said they currently are accessible from our home page as well. The thing is that years ago we never had a consolidated web site with every department being the same. So we went off on our own with the police department before the town even had a site she believed. Rec. went off and did their thing as well to fit their needs. So it's understandable that it happened that way. What he'd like to do at least for the start is to have every department uniform, have the front page like you have on page 4 with the Highway. It would be something like that where you've got immediate phone number, the contact information, the office hours, maybe department responsibilities readily available right there in front. So every department would have that first page with that information. Then they would branch off to their own sites until eventually we could rebuild those and add them in to our own.

[Chairman Coutu] In order to rectify this situation your proposing...Ms Nute said they're proposing to spend the money for a consultant. This is cheap money to do what we need to do and to have it done now. When you compare what other towns and municipalities do, they have this hosted off site at an annual cost. We would not have that. We would still maintain everything in house. The goal has always been the same from the start - have our own people maintain the content and to have our own IT staff maintain that here and be in control of that without an annual cost. So that would still not change. So the money that you'd be putting out here is to allow us to get this up and running very quickly versus unknown. She didn't know when they could continue to get this totally ready.

Selectman Maddox is going to say what he said before Mr. Nute got here. This just looks like putting lipstick on a pig. It looks like the same basic website, but he'll go along with Selectman Massey. He was just wondering if we should spend the money. How long is it going to take to get it done in house? We've waited 2 months until we've made this a 4 member high priority. Do we spend this money out of our economic development money when get it done internally as soon as you can. You know that it's a driving force that this Board wants, and utilize the high school has a program where they'll get us interns that are free, and we could utilize them for at least the data input as opposed to spending monies. So he's just not in favor of spending this money Mr. Chairman. Thank you.

Selectman Jasper said we don't have a very pretty web site and frankly he doesn't really care. He can find the information that he needs and that's what counts to him. He's been to a lot of web sites that are a lot prettier, but this is Hudson and we've never gone for show anyhow. If people feel it's important to do this and this is the way to get it done, he could support it. What he can't support is taking the money out of the

economic development fund. He really didn't think this is economic development. He didn't think this was going to create one job, bring anybody to town. He thought yes if we were a business that was selling a product, and you can say well we are selling ourselves, but we're not really. People aren't going to say well Hudson doesn't have a nice web site so I'm not coming to Hudson. He might go on to a company's website and say this is a pretty lousy web site, so he might stay away from their product and look for somebody who seems to have it. They're not going to be dealing with the Town of Hudson Board of Selectmen. They're going to be going out and finding a building that they're going to put their people in. So they're really not going to care about this. He didn't see it as economic development. He was fine with dressing it up and having something that we can all look at say isn't this nice. For him, he really didn't care one way or another.

Selectman Massey said that Selectman Jasper took the words right out of his mouth. You'll recall that before Ms. Nute came in, he said he had some questions about the funding. He, too, don't - he's been thinking about it over the last week after thinking about this. Although he could make a strained case that it's because of development that we're doing this, he would be really hard pressed with a straight face to do that. If we were to go forward with this, he would recommend we take this out of the Selectmen's contingency fund. Selectman Jasper would agree. That would probably be the only place we could find it at this time.

Selectman Nadeau had a couple of things. He liked the idea of Selectman Maddox about seeing what the school has to offer us as far as that. This absolutely kills me here - \$70 an hour. He can't imagine that we can't find somebody for half of that to do this type of work. There are so many people out of work in the IT field that he didn't feel that we should be paying \$70 an hour. If we have to spend the money, he'd like to see it posted and see what we get for resumes before we even think about giving \$70 an hour out. He thought that we need to see what we can do in house first to dress this up quickly. If we have to spend the money, then he would agree with Selectman Massey that we'll come up with a proposal and we'll find the money. He didn't think it should come out of economic development either as much as we are trying to sell the town. We need to get something a little bit firmer on the numbers and see where we can go.

Selectman Jasper had 2 things. He keeps hearing let's go to the high school. We've already had an intern in here who didn't have the capability, and he assumed that was probably a college student who didn't have the capability to get this up and running. We're not going to go to the high school and get somebody who can do what we want done. The IT Department didn't bring this forward and say hey we need to gloss up this. The Board of Selectmen brought this forward, specifically you. He looked at this stuff and he said wow this looks a heck of lot better than we do. Now you're saying its lipstick on a pig. So now he's sitting here going he doesn't have a clue what you're looking for. This looks really nice to him. But you think it's just lipstick on a pig. So he doesn't know where he wants to go. All he knows is you don't want to spend the money. Mrs. Nute has already told us that her staff has too many things to do this. So let's see how fast we can get this done. This is something the Board of Selectmen wanted done. So don't pretend they're going to be able to get it done. They're not. We didn't hire web designers. To him, there's a whole different set of skills between maintaining computer equipment in a network that we have here and being a designer. That's like asking my brother-in-law who builds houses to be the interior decorator. That's the analogy he comes up with. It's a different skill set. We're either happy with what we've got, or somebody go out and find somebody who's a web designer. Let's not kid ourselves and think that high school kids are going to do our web site. He bet they didn't the school's web site. Let's not beat up the IT Department over this at all.

Selectman Maddox was talking about for the high school Selectman Jasper. On the last page, there's a temporary clerical help or the \$1,144. That's where he was looking to utilize the high school person. Number two, this goes back to what he said 3 years ago when we hired the IT staff of having 3 fixed people. He's always wanted to have 2 fixed people and one to consultant that would be able to do the Town's needs. But we're not there. He just thought Mr. Chairman that we have an IT Department that is responsible to the Selectmen, to the Town, put it as a higher priority than what it has been, and see where we are. He just didn't see to spend money unnecessarily. Get it done. They know it's a priority. When it gets done, we'll have a new web site. Thank you.

Chairman Coutu didn't want to put Ms. Nute on the spot, but Selectman Jasper made an argument relative to the skill set that's required to do web page design as opposed to maintenance. Selectman Maddox's argument is that you could do both and you need to prioritize.

Ms. Nute said Selectman Jasper was right on. Our student was a very good programmer and what he did for us is not lost. It was a huge amount of work for us with all the back end programming. That is like building the foundation, and that's the first step. The front end, all the pictures and the pretty things like that that you're always asking for is there's a whole different set of skills. The programmer put stuff here and put stuff there. Then it was a next set of skills that needed to be done. This consultant does design web sites, and that's exactly the type of person she went after. When you mentioned the whole 2 people versus 3 - she

thought they know, just very unrealistic. To go back there again - we get it done when we get it done if that's the way you want to go. Mr. Jasper is correct. You asked her here so she's not understanding why.

Selectman Jasper said this whole idea of well let's hurry up and get it done. Let's use some kids for the 65 hours of clerical work. Well Alvirne gets out about 2:15. So let's say they get here at 2:30. We close at 4:30. So we get 2 hours a day if we can find somebody. So 30 some odd weeks later, we get the clerical work done. In the meantime, we've hired somebody to do the other work who needs clerical backup - you've only got that 2 hours. It just doesn't make sense. Either that or we say we don't do this until the summer when we can have somebody if we can find somebody with the skill set to do this type of clerical work. We sit here and we just throw out things like well we think we can get these people from the high school. We don't know. If we're interested in doing this and if this is something that we want to do, then we either say well let's put a committee together to go talk to whomever at the high school and find out if they have students who meet the criteria who can do this, and then we'll put this project off to the summer when they can do it. He had no idea at all.

Selectman Jasper said he knows his daughter who's a sophomore and he's thinking he didn't see that this is something at the high school level is necessarily going to meet our needs. Again, then he's hearing people say, or at least Selectman Maddox say, well make this a priority. So okay we're going to tell somebody hey guess what we're working on this pretty web site today and your printer is going to be down for 3 days, or something that you need to run your department is going to be down because the Board of Selectmen has decided having a pretty web site is a higher priority. We don't even know what their real workload is. He believed Mrs. Nute. We've hired her to do a job. She says they're doing all they can to keep up with the work that we hired them to do. Now we'd like to do a job that they're really not qualified to do. This doesn't really make a lot of sense. Either we want this done and if we do, then we have to go outside because they don't have the skill set, or we don't want them. It's as simple as that. Let's not try to Mickey Mouse this together by trying to just off the top of our head figure out who's going to do it and how they're going to do it.

Selectman Massey would like to move this forward because we're here because we said this was a high priority for the Board; that we wanted it because we felt there needed to be some things on there that made it more appealing for people coming to our town for development and on that basis, he is willing to this point to accept the IT Director's recommendations.

*Motion by Selectman Massey, seconded by Selectman Jasper, to authorize the IT Department to spend up to \$6,400 from the Selectmen's Contingency Fund, Account #5940-298, for web development consultant fees and temporary help for data entry per the IT Director's recommendation dated January 21, 2010.*

Chairman Coutu asked Ms. Nute based on her presentation which was provided us in our Selectmen's packet last week. Looking over your recommendation with regards to the consultant and the adjunct work that's going to need to be done in order to bring this to fruition, how quickly can we have these people working on this and overall what would you say would be approximate date - he's not going to hold her to it - that we would have this web site operational. Ms. Nute said she could have him starting tomorrow. Chairman Coutu knew that clerical is something else, but are you going to a temp. agency for clerical? That's where Ms. Nute got that figure from. If we had in-house people, it would be her preference because she needs to train them anyway. If we don't have the in-house staff, that's a temporary agency. The hours that she gave them, this is just part-time work. He owns this business. He would be doing it at night. So she's not quite sure how long that would take. Seventy-four hours is all she would need out of him. Ms. Nute can call him tomorrow and get more of an estimate as to how long that would take him.

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

Before we leave economic development, Selectman Massey said that there was an article in the paper today that indicated that Benchmark Electronics has moved 500 jobs over to the old Sander facility on Spit Brook Road. In the same article, it said that the reason for that transfer of jobs was because BAE needed the space, which to him translates to jobs. So he thought he would ask the Board to allow the Chairman of the Board to contact the manager of the BAE facility to get some indications of what they are planning as to the number of jobs they are talking about coming forward with.

Chairman Coutu indicated he was a little bit ahead of him in that he had had some interrogatories relative to whether or not - and he's glad he opened it up for discussion; he had it under his remarks. One of his concerns that was expressed to him personally since the article appeared - it wasn't today it was yesterday's Telegraph - was that someone raised a concern that perhaps we might have known about it and we didn't react to it. There is nothing further than the truth than any one of us - he can speak for himself and he's spoken with you, he didn't think a single member of the Board knew what was going on at BAE and at

Benchmark. The article was quite clear to him even though some people were in panic mode yesterday. It appeared on the basis of a couple of e-mails and a phone call he received that these jobs are leaving our community. As Chairman Coutu read the article, and he's communicated with the Town Administrator this morning and asked him specifically to see if he can have somebody on board who is familiar with people at BAE and Benchmark to direct those interrogatories to them and hopefully have a response for this evening's meeting. He will defer to the Town Administrator shortly. There is no doubt in his mind based on the article. The language was pretty clear. They weren't closing shop. They were just relocating, and they were relocating on the basis that BAE Systems - the only thing he was aware of at BAE is that they were undergoing several modifications to some of their buildings over there, and he didn't anticipate that they were going to expand. He expected that they were just redoing their heating and air conditioning systems. They had a company down from Maine. How Chairman Coutu got wind of that is because they were frequenting the store in between work jobs that they were doing on site.

The people who are working at Benchmark have been relocated just across the river from Nashua or we had hoped that they had chosen Hudson. They did shop Hudson, and he'll defer that section to the Town Administrator. Like you eluded to Selectman Massey, it's quite evident that they are expanding and he didn't know other than having some communication in the past with people at human resources directly at BAE, he's communicated with them in the past. He felt it was more appropriate rather than Chairman Coutu making phone calls today, that he would ask the Town Administrator to see if he could get the Assistant Town Administrator, who happened to be out of town, well Mr. Cashell make some phone calls.

Stephen Malizia said that Mr. Cashell did make some inquiries, phone calls, whatever. There's 2 buildings on that piece of property. BAE owns both of the buildings. Benchmark was a tenant. Apparently unbeknownst to us at some point, BAE business is doing great. They received some more contracts; they need the space; they apparently from what we can glean either gave Benchmark some advance warning - hey we're looking to expand; we need some space in that building. Benchmark from what he understood looked at a building on Executive Drive or down in that office park, the Sagamore Park - actually he thought it was the old Lowell Shoe building. They need a certain size building. From what Mr. Malizia understood, there weren't any other buildings that fit their criteria because of the relatively quick nature, or the notice, or whatever they were given from what he understood didn't feel they had the time to go through the planning process and all the other permitting processes to possible build something if they could even find land. It's Mr. Malizia understanding that the building that they were looking at got sold. Somebody else bought it basically before they could get to it. So somebody is in that building and is looking to lease out half of it. They're not interested in half of it. Benchmark is being very tight lipped. Nothing is coming from them. They don't even put out a press release - nothing - zip. They're just being quiet, and they've gone over to Nashua for basically from his understanding space considerations. Again, they were told by BAE as we understand that BAE needed to take some of that space in their building.

From Mr. Malizia's understanding some of the stuff that was in Merrimack is coming to Hudson. Again, this is stuff that John Cashell was able to glean. So when he says stuff, he's assuming that also means jobs. He doesn't know how many jobs. He wouldn't even say 500 jobs is an accurate number because Benchmark has not said anything. He didn't think they're going to say anything. It's estimated that there were 500 jobs. When you're dealing with defense companies and stuff, they tend to be very closed lipped about what they're doing. Sometimes that's required. Obviously the Department of Defense, whatever they work on, and that's a known location for programs that are top secret. So you're probably not going to get a lot of information. Suffice to say, taxes are being paid on the building. It looks like there are programs probably moving into that building. It would be great if Benchmark could have stayed in another building in Hudson. As far as Mr. Malizia knew, they didn't approach anybody here in Hudson. They didn't approach any professional staff. They didn't make any inquiries to us. It's his understanding that whatever they looked at was not sufficient. He didn't think it was any fault of the Board. You can't be everywhere and you can't know everything. From what he understood what they look at might have been sufficient but apparently got bought out before they could get to it. Again, he's referring to the Lowell Shoe building.

That's what we know right now. Again, he gave it to John because he figured John's been more involved in economic development. We don't want all different kinds of people speaking and all different kinds of people giving different messages. John did send a paragraph or two e-mail. It should be in your mailboxes if you didn't already see it. If you want John to do additional, John would be more than willing to do something additional. Again, we still have one of the lowest tax rates, a very stable water rate, a very low sewer rate, and proximity to the highway. We have a lot going for us. Exit 1 over there, which was the old HP plant he thought is where they're going, also has proximity to the highway. So he's assuming it was a business decision based on the criteria that they had to satisfy, which is something fairly quick in the area. It's unfortunate they couldn't find something in Hudson. Unfortunately, we don't build buildings. That's what we know.

So if Mr. Cashell should glean any further information, Chairman Coutu indicated that he's been advised by the Town Administrator to share that information so that he can be on top of it. Hopefully Selectman Maddox, he knows it has been a major concern of yours and it has not become a pet project of ours to really take a good look at where we're going in terms of creating a situation in our community where we're proactive and not reactive. In light of the state of the economy, that we prepare ourselves for hopefully better days financially all around in the future. With the amount of vacant buildings we have in our economic development sites, we can attract some industry. It would behoove us to steer Mr. Pearson in the direction of making contacts with all of our industrial base organizations within the community and get to know these people, and hopefully in the future they'll have somebody within government that they can contact if there's a need that should arise for them, and we can work and try to entice them to stay within our community.

On that note, Selectman Nadeau say that he did send letters out to all of the business in the industrial parks with all of his information. It is up on the Chamber's web site, and it is on the town web site. Chairman Coutu sent a letter thanking Brenda at the Chamber for doing that for our community. That's one of the things that we talked about is having the Chamber work hand in hand, and he knew that was a concern of Selectman Jasper.

One thing Mr. Malizia would also point out too on the web page if you have an opportunity later tonight or tomorrow to go on it, you'll see some links now to economic development which opens some other menus. They may not be all pretty, but there's a lot of information there. One of the things he did notice, and he spoke to Mr. Pearson late today, was somehow linking to brokers. Brokers really control a lot of this and where people get scared and - real estate brokers for the industrial properties. We've got to work to cultivate that segment. They're the ones that maybe direct clients to certain places. So he didn't notice any kind of link to any sort of broker organization or broker listings. That was just something he noticed from what they've done that's posted today, there's some great information. He just thought that's just one more piece that we need to foster, develop, and get relationships with. Sometimes Mr. Malizia thought they may control things more than we think. Just a point that he made today that he just wanted to address.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - continued along with that. The problem that he had with that web site is he thought they were trying to drive that fact home. The more he looked at web sites, it is short attention span of America driven. Very economic development in big bold letters, follow here. When you follow ours, it's a spread sheet that's all one color. It's just not what you see out there for most businesses. So hopefully Selectman Massey has more patience that he does and it will get better. We just try to sell the product which is Hudson. He thought that we have some valuable information on there; it's just tough to get to. So hopefully that will get better. What he saw was just basically our web site different color. You really need to almost drive it to - he didn't want to splash or something that says "economic development, go here", but it needs something much more catchy he guessed is the lack of a better word. We can't know everything that's going on with all the business community because they're not going to tell you until its time. Selectman Maddox thought that he does get to do from his job go around to a number of places throughout New England and there's a lot of empty industrial parks. He thought that for the most part ours is no where soft and probably a little better off than most. We are right over the border from the Commonwealth. So we just need to find a way to make, again, that knowledge there that we do have a great tax rate. We do have the sewer and water in at least one of those industrial parks for those types of applications. He just wished we could get there. He's just not as patient as the four of you.

Selectman Nadeau - A couple of things. First one from the Highway Department. With the snow storms and stuff that we've had recently, they haven't had any major breakdowns on their equipment. Things have been going relatively well for them. A few minor pieces of equipment breaking here and there and stuff. But other than that, things have been going good with the Highway Department.

The other thing is the Town Report. He talked with a couple of people over the weekend about it. He thought if we put in the cover, second page in, third page in, however we want to do it - thank you to the servicemen for them defending the country. Then list the ones from New Hampshire, in memory of if you wanted to do it that way. He thought that would be a good thing. We've looked at some of the other Town Reports. They did do it during WWII, but they did not do it for the Vietnam War, the Korean War, and that was about all that he saw. He went up and looked at them the other day after he talked with Selectman Maddox.

The other thing is we did lose 2 town employees this year. One of that was currently working for us, which was Joyce Pike. The other one who was a long-time employee of the town, which was Moose Anger, or

Paul Anger. He thought that we should put that in there also whether it be on the opposite page, the following page in the Town Report.

One other thing is, he thought about this and he's talked to Selectman Maddox about it, this year Charlie O'Donaghue passed away. He did a lot of the Police Department with the CHIPS program. He did a lot for the town at the different parades and stuff that we did. He set up his sound system for the town. He thought it would be a person that we could dedicate this year's Town Report to would be Charlie O'Donahue. Chairman Coutu wanted to let you know that the School Department was dedicating theirs to Charlie O'Donaghue. That was voted on yesterday evening. Selectman Nadeau didn't get that part of the School Board meeting. So if they're doing that then if we could just do ours with the servicemen from New Hampshire and the 2 town employees that have passed away this year, he thought that would be sufficient. Selectman Massey asked if that was a motion. Selectman Nadeau will make it as a motion if you...Selectman Jasper said it was different than dedication. He's assuming what you're actually saying is "in memoriam" he believed is the word, which is probably the Latin. Chairman Coutu had no objection to that.

*Motion by Selectman Nadeau, seconded by Selectman Massey, listing the veterans from New Hampshire who were killed in action in Afghanistan and IRAQ plus the two town employees, Joyce Pike and Paul "Moose" Anger, in the Town Report as "in memoriam".*

Just as a follow up, Selectman Maddox respected where Selectman Jasper came from on this, but he went up because he watched the replay and looked at the Town Reports that are in the Town Hall. He wanted to see that there was a precedent that was done for a time, and then it didn't. All he's saying he agreed that maybe this was just before your time. They didn't do that. Selectmen made changes from board to board. He found some history to support that statement. So he's glad that we've gotten over that hurdle and he thought this is something that the town can be proud of. Thank you.

*Vote: Motion carried 5-0.*

Chairman Coutu asked if he wanted to include in the "In Memoriam" the 2 employees and Charlie O'Donaghue. He had no objection to that as well. Selectman Jasper said the school is dedicating...Mr. Malizia said past practice is if the school dedicates it, we dedicate something different or we do something different.

Selectman Massey - He took it upon himself to work with the IT Department to get some of this material up in as quickly as we can. In point of fact he didn't know if anyone of you have seen it but our Assistant Town Assessor has created a bar graph that shows in graphic detail that the Town of Hudson tax rate is the lowest tax rate in the surrounding communities. It includes Londonderry, Merrimack, Derry, and he can't remember the other 5. He thought there were 8. So he's going to see about getting that on as quick as we can. Mr. Malizia said it's actually on there in one of the links in the economic development section. Selectman Massey said it's there, but he thought we're going to make sure that there's some place on the front page that says look at me please. Thanks to Mr. Michaud for putting together that information because it was quite interesting. We were looking at \$16 and change, and he thought it went all the way up to about \$22 is about right. Mr. Malizia thought it was higher than \$22.

Selectman Jasper - Thank you Mr. Chairman. The only thing he wanted to talk about, and he did bring it last month when we all received the water report, the amount of water we are buying from Pennichuck during the winter, and last month it was the Weinstein Well was down, but when you looked at the other productions from the other wells, they were down as well which didn't make any sense. The same thing happened again in December. We've got 3 million gallons more a month now we're authorized to draw out and our well production on all of our wells are way down. He spoke to Gary Webster about that. He was going to look at it. We're buying a lot of water from Nashua in the middle of the winter when our wells should be producing. We all saw the articles today that we're in the wettest periods. We've got authorization and we're pumping less water out of our wells and buying water from Nashua. Something is wrong.

As the liaison, Selectman Massey will take it upon himself because his expectations were that the pumps at Taylor Falls should have been shut off the first of November. So he has to find out why. Mr. Malizia told them why the pump was not shut off the first of November. The work for the Weinstein well commenced on October 28 and didn't finish until somewhere in the mid November range. So we needed to do that. That was the reason why because you took 1.2 million gallons of water off line for over 3 weeks. The connection is, as he understood it, is off now. We don't truly buy it in the winter. Selectman Jasper said we bought a hell of a lot of water in - he couldn't find his report. He put it in his packet. Mr. Malizia said it was actually the November frame because he and Gary looked at it and we debated it 6 ways to Sunday. We actually did, and he can certainly go over it with the liaison which we'll do, we try to look at the year over year results. So

he wanted to share that data with them. He didn't bring all of it because it's a long spreadsheet that we're looking at. Over all, the yield that we took out of the Dame/Ducharme was within the range of what we're supposed to be taking out pre the permission which we recently got to take out another 100,000 gallons a day. The Weinstein Well, up until recently, was producing right about where it should be. It appears that when we took the well down, that was supplemented by the Pennichuck Water. When we looked at the whole thing, we did take some more water from Pennichuck. However, it occurred towards the end of the year calendar wise when we looked at taking it down for the reclaim, the rehab. We tried to look at it 6 different ways to Sunday he and Gary. We have all the meters going here and there and we're saying what's going on. He thought it was just timing from what he's seen.

Selectman Jasper said he just told him the well went back in line the middle of...Mr. Malizia said it was off until at least November. So when Selectman Jasper brought this up last month, that was the explanation you gave him. Now he looked at the December numbers...which Mr. Malizia said we took 4 million gallons, which is certainly a lot less than the 16 million the month before. Selectman Jasper understood but 4 million gallons, we got permission to pump 3 million more and you look at the well yields compared to - it just didn't make any sense. He went over the numbers with Gary as well. He's just concerned. This is not anything that historically we have been doing in December. We just need to look at this very carefully and figure out why. Mr. Malizia said he and Gary spent 3 hours today at least starting that process. So rest assured, he has a lot of numbers there we can look at.

Selectman Coutu - For those of you who are watching parents of any of the kids that play basketball at Alvirne High School, he went to Nashua North last week and watched without a doubt the most exciting basketball game he has ever seen in his entire life, and he coached for 2 years for CYO, and he's seen an awful lot of basketball games both in Boston to watch the Celtics. He sat on the floor many times and watched a lot of games. He had the privilege of being there on the night that its present general manager was introduced as a player - Danny Ainge. He had the privilege of being there when he was introduced, and he was only going to be introduced and they threw him in at the 4<sup>th</sup> quarter. So it was a privilege to watch them. But watching Alvirne High School go into double overtime, and they lost it in the last few seconds. It was a heartbreaker, but he'll tell you, it was an exciting game to watch. These kids are very, very good and he thought they're going to go on this year and get themselves in the playoffs. They have a 5 and 2 record at present and they're doing very well. The Junior Varsity played against his grandson's team at Nashua North, and they beat them. So his heart was torn between the two, but he did root for his grandson at Nashua North for that game.

In light of the conversation we had relative to the industrial development in our community, he had mentioned to you in the past that he has a friend that owns one of the buildings in the industrial park. He's pleased to announce that the federal government did award a significant amount of money for a contract to CNM Machinery which is owned by his good friends Paul and George Villemaire. They just bought another building within the park, and they're going to retrofit that in order to accommodate the product which they're going to manufacture for our war effort in the Middle East. That's sufficient for him to say that. This will create from the outset about 50 plus jobs in the \$50,000 to \$55,000 a year range. It will also entail involving at least one other company within the industrial park who will be augmenting some of the work, and they may have to add on to their work force as well. He's very proud of Paul and George and their aggressiveness in securing this contract. Their patience in waiting for the government to come through with the award, and we're looking forward to our community working with them to assist them with retrofitting and getting their building up and running for meeting the requirements of the contract which they were awarded.

The next thing Chairman Coutu wanted to bring to their attention is that this Tuesday evening there will be a workshop, he's been asked to entertain Jay Leonard and Bob Clegg who are deeply involved in the Sagamore Crossing project, which is the Greenmeadow project. They want to come before us, let us know where they stand presently. Selectman Jasper you're more a tune to what's going on, although the Governor is aware of his feelings about the gambling legislation. There's a study being conducted now by a committee appointed by the Governor, and they're recommendations are forthcoming relative to whether or not they would recommend that the State go the gambling route in order to enhance its revenue base in the State of New Hampshire. He didn't know if Selectman Jasper knew how far along that's gotten. He believed he was still waiting, but it's eminent and he thought that the Sagamore Crossing project - something is going to happen there, and he thought it was time that we at least be brought on board and let us know what their plans are and what their thinking is. So he's invited them here this coming Tuesday to make their presentation. They had requested it. He'd rather be hearing it up front than after the fact.

The last thing he wanted to bring to everyone's attention is that our Road Agent, Kevin Burns, is trying to catch up with some of us in terms of age. He will be turning 50 on Saturday. So if any of you out there who know him want to rib him about it, please do so. He'd appreciate it. Happy birthday Kevin. He hoped he



had a great 50<sup>th</sup> birthday, and he said that not only from himself he's sure, you have the mutual respect of every member of this Board. He was sure that they concur with him in wishing him the very best on his 50<sup>th</sup> birthday.

10. NONPUBLIC SESSION

Motion by Selectman Jasper, seconded by Selectman Maddox, to enter nonpublic session under 91-A:3 II (a) by roll call, carried 5-0

Nonpublic session was entered into at 8:45 p.m., thus ends the televised portion of the meeting. Any votes taken upon exiting nonpublic session will be listed on the Board's next agenda. The public is asked to leave the room.

Open session was entered into at 9:12 p.m.

Motion by Selectman Massey, seconded by Selectman Jasper, to authorize hiring Jamie Iskra as Police Records Manager in accordance with the Hudson Supervisors Association contract, Step 1, at \$53,006.00 per year, and to transfer Debra Graham from Records Clerk to Communications Technician effective Sunday, January 31, 2010, carried 5-0.

11. ADJOURNMENT

Motion to adjourn at 9:13 p.m. by Selectman Maddox, seconded by Selectman Nadeau, carried 5-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder

**HUDSON BOARD OF SELECTMEN**

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Roger E. Coutu, Chairman

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Kenneth J. Massey, Vice-Chairman

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Shawn N. Jasper, Selectman

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Richard J. Maddox, Selectman

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Benjamin J. Nadeau, Selectman