

HUDSON, NH BOARD OF SELECTMEN
Minutes of the December 22, 2009 Meeting

1. CALL TO ORDER by Chairman Coutu the meeting of December 22, 2009 at 7 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE, led by Selectman Maddox.

3. ATTENDANCE

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

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Gary Webster, Acting Town Engineer; Police Chief Jason Lavoie; Fire Chief Shawn Murray; Jim Michaud, Assistant Assessor; and several firefighters

4. PUBLIC INPUT

1) Certificate of Appreciation presented to Captain Steve Gannon of the Hudson Fire Department

Chairman Coutu recognized Captain Steve Gannon.

Chairman Coutu read the following:

Captain Steve Gannon was hired on December 15, 1989. Steve was promoted to Lieutenant in April of 1997 and to Captain in March of 2002. During his 20 years of service to the Town of Hudson, Captain Gannon has obtained certification as a Level III Firefighter, EMT - Paramedic, Fire Officer I & II, Hazmat Technician, and Fire Instructor. Captain Gannon has also received training in Incident Command and the National Incident Management System. Captain Gannon is currently assigned to Group 4.

Steve lives in Hudson with his wife Melanie.

The Town of Hudson appreciates the service and dedication that Steve has provided the Town over these past 20 years. The Town would like to congratulate Steve on reaching this milestone in his years of service and wish him the best in his future years.

Steve, it gives Chairman Coutu great pleasure on behalf of the Board of Selectmen to present you with this Certificate of Appreciation in recognition of your 20 years of dedicated public service and a small token of our appreciation. Thank you Steve.

Does anyone in the audience wish to address the Board on any issue at this time? If anybody does wish to address the Board and if anybody does wish to address the Board, please step forward and state your name and address for the record.

Good evening. Thank you for allowing me to speak briefly. Chief Lavoie wanted to let the Board of Selectmen know about this past Saturday basically what the Town of Hudson was able to do. For a number of years now we've been participating in the Toys for Tots program, and we've been partnering with Wal-Mart and being out there and trying to raise toys for children with the help of the Marine Corp. As you know, there's been a big shortage this year. He was really impressed with the Town's generosity. WMUR ran a news story on the shortage, and people saw that, and the residents of the Hudson and the immediate surroundings were unbelievable. They came out in droves. We collected bags, and bags, and bags full of toys from Hudson residents, and other people coming to the Town of Hudson to do business. He wanted to publicly thank them and let the Board know about the generosity of the Town of Hudson once again. Chief Lavoie wanted to say thank you.

Chairman Coutu wanted to let the Chief know to that end, we had a Toys for Tots collection box in our store. It stayed vacant for the longest time. This past week it was filled to over capacity. They came in today and picked it up. Again, it attests to the generosity to the people of our community. Thank you Sir.

5. NOMINATIONS & APPOINTMENTS

Just for the record, Chairman Coutu wanted everyone to know that when they get to B, D and G, we'll be interviewing 3 incumbents who are here this evening. Without objection, we'll take these in order. When we

get to their respective committees, we'll interview them and then we'll make our selection. They are all incumbents.

A. Benson's Committee - (8 members, 2 terms to expire 12/31/12; 1 term to expire 12/31/10)

Chairman Coutu indicated that first would be Benson's Committee. We have 2 terms to expire on December 31, 2012, and one term to expire December 31, 2010.

Selectman Jasper asked how would you like to do the nominations this evening. Would you like to do them individually, or by term of office, or in groups? Chairman Coutu thought it would be best if we did it in terms of office, and we can deal with incumbency first. That would be his suggestion.

Patricia A. Nichols (Incumbent) - Interviewed 12/8
Leo C. Bernard - Interviewed 12/8
Richard Empey - Interviewed 12/8
Crista Gagnon - Interviewed 12/8
John Leone - Interviewed 12/8
Michael Pitre (wants to be on Building Subcommittee)

Motion by Selectman Jasper, seconded by Selectman Maddox, to appoint Patricia A. Nichols and Richard Empey to the Benson's Committee with terms to expire 12/31/12, carried 5-0.

Motion by Selectman Jasper, seconded by Selectman Maddox, to appoint Crista Gagnon with a term to expire 12/31/10, carried 5-0.

B. Building Board of Appeals - (5 members, 1 term to expire 12/31/12)

Timothy Malley - Interviewed 12/22

Chairman Coutu recognized Timothy Malley.

For the record, it's Tim Malley, 4 Saint John Street. He applied for this. He has 19 years currently in construction. Even though this committee meets so much, it was very demanding; he decided to throw his hat in it.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to appoint Timothy Malley to the Building Board of Appeals with a term to expire 12/31/12, carried 5-0.

C. Cable Committee - (9 members, 2 terms to expire 12/31/12; 1 term to expire 12/31/10).

D. Conservation Commission - (7 members, 2 terms to expire 12/31/12; 1 alternate to expire 12/31/12)

Sandra Rumbaugh (Incumbent) Interviewed 12/8
Timothy Quinn (Incumbent) Interviewed 12/22
Timothy Nawrocki Interviewed 12/8 (applied for 3 committees - 1st choice - Conservation; 2nd choice - Recycling; 3rd choice - Energy)

Chairman Coutu recognized Timothy Quinn.

Tim Quinn, 1 Fuller Drive, Hudson, NH. He's been a member of the Conservation Commission for nearly 7 consecutive years - a one-year hiatus. Four times elected Chairman. He initiated the Prime Wetlands Study, the Open Space Study, and right now he's working on a Watershed Study with Curt Laffin and the University of NH - a student who will be graduating with a degree in environmental science in April. Most of you know him. If you have any questions, he'd be happy to answer them.

Selectman Massey said he left out one accomplishment Mr. Quinn. You mapped all of the open space in town that belongs to the town. We have a database for it. Mr. Quinn said yes he did. In fact he built an Access Database.

Selectman Maddox stated that he does a lot of the stuff in the background. The amount of work (he had a copy of the spreadsheet) that he had to go and dig through the records and find the deeds. We can't give him up. Chairman Coutu said that the year Mr. Quinn was in hiatus he was sorely missed.

Mr. Quinn indicated that he was applying for a regular opening and not the alternate. He's an alternate already.

Motion by Selectman Massey, seconded by Selectman Jasper, to appoint Sandra Rumbaugh and Timothy Quinn to the Conservation Commission with voting terms to expire 12/31/12, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Nadeau, to appoint Timothy Nawrocki to the Conservation Commission with an alternate term to expire 12/31/12, carried 5-0.

Selectman Massey stated that that would now leave an alternative position open. Is that correct now that Mr. Quinn has gone from an alternate to a - Mr. Quinn, when does your term expire as an alternate? Mr. Quinn said his current term expires in 2 years. Selectman Massey said that there is another opening for an alternate. Chairman Coutu said if there's anyone interested in serving on the Conservation Commission, please let the Board of Selectmen know through our Administrative Assistant. We're also looking for people to serve on the Cable Committee so far.

E. Energy Committee - (5 members, 2 terms to expire 12/31/11)

Donald H. Gowdy Not present at 12/8 mtg

Timothy Nawrocki Interviewed 12/8

Dennis J. White Interviewed 12/8 (applied for 3 committees - 1st choice - Energy; 2nd choice - Planning Board; 3rd choice - Zoning Board of Adjustment)

The question Chairman Coutu had was has Mr. White signified to anybody what his - well he did have his preference. That was his third choice. Open nominations please. Two terms to expire 12/31.

Motion by Selectman Nadeau, seconded by Selectman Massey, to appoint Donald H. Gowdy and Timothy Nawrocki to the Energy Committee with the two terms to expire 12/31/11.

Motion by Selectman Jasper, seconded by Selectman Maddox, to appoint Dennis White to the Energy Committee with a term to expire 12/31/2011.

If you refer to the minutes of 2009, Mr. Nawrocki did put in the 3 positions, and the Energy Committee was his third choice. His second choice was the Recycling Committee. Mr. White did indicate that he was very much interested in working with the Energy Committee. So based on the interest level of the applicant's it would be appropriate that Mr. Gowdy and Mr. White be appointed to these terms. This was not a priority for Mr. Nawrocki and we should respect that.

What's confused Selectman Massey is why isn't there a term 2012? Chairman Coutu said it depends on the rotation. We may have 2 for 12. Mr. Malizia stated that it was a fairly new committee if you recall. So we may not have made it all the way through the cycle of appointing people. Selectman Jasper said we have not. This is only the first year. Mr. Malizia said they were staggered because they weren't all expiring at the same time. Selectman Massey said if they were staggered terms, there would be one up in 2010; one up in 2011; and one up in 2012. Selectman Jasper indicated not if we did 2, 2, and 1. Chairman Coutu said if there's 5 members, it might have been 2, 2, and 1. It just so happens that the 2 for 2011 became vacant. Selectman Nadeau didn't think they had a full set of members. Selectman Massey said they may not simply because if you're having a 3 year term, then a 3 year term starting in January of 2010 would end up in December of 2012. For what we're doing right now, it may be academic. He's surprised that we don't have a position for 2012. The reason he's asking is this may be a 2012 appointment and not a 2011. That's all.

Chairman Coutu said we have 3 people nominated. The best way to approach this is to take them individually. We'll take the easy one first.

Chairman Coutu - all those in favor of Mr. Gowdy being appointed please raise your hand - 4 to 1 (Selectman Maddox opposed). Mr. Gowdy is appointed to a term to expire 12/31/11.

All those in favor of Mr. Nawrocki, please indicate so by a show of hands - 3 - 2 (Selectman Jasper and Selectman Massey opposed).

All those in favor of Mr. White please signify by a show of hands - 4 - 1 (Selectman Nadeau opposed). So Mr. White is appointed to the second position to expire on 12/31/2011.

Selectman Jasper said just to clarify, he thanked the Town Engineer for bringing a Town Report in. There were 2 terms that were expiring in 2009; 3 that were 2008. Selectman Massey said we actually have not a 2, 2 and 1. We have a 3 and 2.

F. Planning Board - (6 members, 2 terms to expire 12/31/12; 1 alternate to expire 12/31/12)

George R. Hall, Jr. (Incumbent) - Interviewed 12/8
Vincent Russo (Incumbent) - Interviewed 12/8
Dennis J. White - Interviewed 12/8

Chairman Coutu indicated that on the Planning Board we have 2 terms that expire on 12/31/2012, and one alternate that expires on 12/31/2012. We have 2 incumbents, Mr. Hall and Mr. Russo who were both interviewed. Mr. Russo is the present Chairman. We have Mr. White who was interviewed and indicated an interest in serving on the Planning Board. That was his second choice. He opened for nominations.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to appoint George R. Hall, Jr., and Vincent Russo to the Planning Board with terms to expire 12/31/12.

For the record, Selectman Massey asked if this was the regular voting members. Chairman Coutu said this would be the regular voting members, yes.

Vote, Motion carried 5-0.

Chairman Coutu asked what the Board's wish was on the alternate position. Selectman Massey indicated that they didn't hear from him. Chairman Coutu said that Mr. White had indicated that he would be willing to serve on more than one committee, and that was his second choice. He felt he had the time to do it.

Motion by Selectman Jasper, seconded by Selectman Massey, to appoint Dennis J. White as alternate to the Planning Board with a term to expire 12/31/12, carried 5-0.

Selectman Maddox said it would have been nice if we had heard from him to know if he really wanted. He did come to a Planning Board meeting. He didn't run out in the middle screaming. He was going to get back to which ones he wanted to be on. Selectman Maddox did not vote for him. Chairman Coutu said he indicated by his choices which ones he would prefer in what order.

G. Recreation Committee - (7 members, 2 terms to expire 12/31/12; 1 term to expire 12/31/10)

Eric Horton (Incumbent) Interviewed 12/8
Michael Regan (Incumbent) Interviewed 12/8
Carl Dubois Interviewed 12/8

Chairman Coutu recognized Michael Regan.

Michael Regan has been a member for 16 years. He'd like to continue for another 3 if possible. We have a great committee right now made up of a lot of diverse people. It seemed like we're doing fairly well. Chairman Coutu thanked him. As you know, he serves as his liaison with the Committee. Mick has been a tremendous resource for us, former Chair of the Recreation Committee as a matter of fact, and very instrumental in assisting with most of the recreation programs that are ongoing in our community that we're very proud to be able to offer our citizens. He wanted to recognize his major contribution as a member of the Recreation Committee. Any questions? Seeing none, thank you Mick. He appreciated his taking the time to come this evening.

Chairman Coutu stated that we have 2 terms to expire on 12/31/2012 and one term to expire 12/31/2010. The incumbents Eric Horton, who is presently the alternate and Mick Regan who's a present full voting member. Mr. Dubois indicated an interest. He moved to the community if you remembered the interview. He said he likes to move near where there's a lot of recreation. He likes to participate with his children. He's indicated an interest in serving on the committee as well.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to appoint Eric Horton and Michael Regan as a regular member to the Recreation Committee with terms to expire 12/31/2012, carried 5-0.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to appoint Carl Dubois as an alternate member to the Recreation Committee with a term to expire 12/31/2010, carried 5-0.

Selectman Maddox said it doesn't say alternate on his page. Mr. Malizia said that there would be now because Mr. Horton was (inaudible - Selectmen talked over each other). Chairman Coutu indicated that we have 3 full terms though. Mr. Malizia believed that Mr. Iannaco was going to apply. He didn't think we've gotten his application yet. It was indicated to him, he didn't know if it was indicated to you that he was looking to apply for his term. Chairman Coutu said he would leave Mr. Dubois as the alternate. Mr. Iannaco was hoping to get it in today. Mr. Malizia wasn't sure if we received it, but he indicated an interest in continuing his service. Chairman Coutu said he has indicated an interest to continue. He just hasn't been able to get to Town Hall with his application. So we'll leave it as it is. Carl Dubois will be the alternate.

H. Recycling Committee - (7 members, 3 terms to expire 12/31/12; 1 alternate to expire 12/31/12)

Connie Owen (Incumbent) - Interviewed 12/8
Lisza Elliot (Incumbent) - Interviewed 12/8
Timothy Nawrocki - Interviewed 12/8

Motion by Selectman Nadeau, seconded by Selectman Massey, to appoint Connie Owen and Lisza Elliot to the Recycling Committee with terms to expire 12/31/12, carried 5-0.

Chairman Coutu indicated that Mr. Nawrocki has applied. Selectman Nadeau said that with his background in recycling, we do have one more regular term to expire in 2012.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to appoint Timothy Nawrocki to the Recycling Committee with a term to expire 12/31/12.

Selectman Nadeau indicated that we'll have a full board this year for the first time. We still have one alternate position open.

Vote: Motion carried 5-0.

Chairman Coutu asked Leo Bernard if he'd like to contribute. Mr. Bernard is on this Committee. We only lost one member and there was one alternate that became a member when one of the members left. He applied to be a regular member..Chairman Coutu said 2 incumbents and obviously somebody didn't reup. According to the Town Report, Selectman Jasper indicated Leo's term expired in 2008. So he assumed he was reappointed. Ted Luszey's term expired 2009; Connie Owen is 2009; Frank Rosier in 2008; then Richard Sevigny and Michael Settanny both 2010. Michael resigned 8 of 2008. Is that seat filled? Mr. Bernard said there were 2 people who moved out of town and we filled those seats. Selectman Jasper asked for what period. Selectman Maddox said that Ted Luszey was '09. Mr. Bernard said yes he was one of them that was up. He's not renewing. Selectman Jasper said Lisza Elliot was an incumbent. Did she fill his seat? Selectman Nadeau said no. She filled one of two..Selectman Jasper said Settanny it said resigned 2010. Selectman Nadeau said she filled his position. Selectman Jasper said that seat wouldn't be up until next year unless when we filled it we only filled it for a year. He didn't know why we would have done that. Chairman Coutu stated that it would appear that Nawrocki is going to be filling Ted Luszey's seat on the basis of what he just heard. Correct? It makes sense by deduction. All right. We're all set. Thank you.

I. Sewer Utility Committee - (5 members, 2 terms to expire 12/31/12)

Catherine Valley (Incumbent) - Not interviewed at 12/8 mtg
Donald Gowdy (Incumbent) - Not interviewed at 12/8 mtg

Chairman Coutu knows that Catherine had been under the weather and didn't make it. Maybe she didn't make it this time to come in to be interviewed because she was busy writing a letter to the editor about the traffic on the day they were repairing the railroad tracks in Nashua.

Motion by Selectman Jasper, seconded by Selectman Massey, to appoint Donald Gowdy to the Sewer Utility Committee with a term to expire 12/31/12, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Nadeau, to appoint Catherine Valley to the Sewer Utility Committee with a term to expire 12/31/12, carried 3-2. Selectman Jasper and Selectman Maddox opposed.

J. Water Utility - (5 members, 2 terms to expire 12/31/12)

Leo C. Bernard (Incumbent) - Interviewed 12/8

Motion by Selectman Massey, seconded by Selectman Nadeau, to appoint Leo Bernard to Water Utility with a term to expire 12/31/12, carried 5-0.

K. Zoning Board of Adjustment - (5 members, 2 terms to expire 12/31/12; 1 alternate to expire 12/31/12; 1 alternate to expire 12/31/11)

J. Bradford Seabury (Incumbent) - Interviewed 12/8
Kevin Houle (Incumbent) - Not interviewed at 12/8 mtg
Normand G. Martin (Incumbent) - Interviewed 12/8
Dennis J. White - Interviewed 12/8

Selectman Massey wanted a point of clarification before the nomination, he understood that Mr. Houle was could not be here tonight. Mr. Malizia said he works for retail and could not be here. Selectman Massey said that was all, just a clarification.

Chairman Coutu said that Mr. Houle and Mr. Martin both presently serve as alternates if he's not mistaken. Mr. Seabury is the Chairman and has applied for reappointment to his term. So he's open for nominations.

Motion by Selectman Maddox, seconded by Selectman Jasper, to appoint J. Bradford Seabury and Normand G. Martin to the member positions of the Zoning Board of Adjustment with terms to expire 12/31/12, carried 5-0.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to appoint Kevin Houle as the alternate to the Zoning Board of Adjustment with a term to expire 12/31/12, carried 5-0.

Selectman Jasper informed the Board that there is another alternate position and he'd like to speak to that. Mr. White has also applied, but he will not nominate him only because we've already appointed him to the Planning Board and to another committee. The last thing he wanted to do is burn out a new applicant. Also, there is a potential conflict because by Statute would only allow 1 person sitting on both boards. He knows Chairman Seabury has asked us repeatedly to appoint another alternate. We need to get more applicants before we can do that. It would not be right to ask Mr. White to sit on both the Planning Board and the ZBA.

That's why Selectman Maddox didn't vote for Mr. White to the Planning Board. He wanted to hear whether he wanted - he would rather he go to the Planning Board to ZBA, whichever one he preferred. That's why he was kind of holding out. If he'd rather do ZBA, we'll just reverse it. Again, he would have rather heard from him. He agreed. We don't want to put him on both.

Selectman Massey said that Chairman Seabury has asked us on at least 2 occasions why we don't have 5 alternates. He's going back in his memories and when he was on that Board, there were 5 alternates. He doesn't understand why we have to do anything special to create these alternates, they're already there. It seems to him that if we had the applicants, we could put 5 alternates on that Board. Chairman Coutu would agree.

Selectman Maddox believed Mr. Seabury was talking about all land use boards and he wanted to put 5 alternates on the Planning Board as well. He believed that's what he was talking about. All land use boards can have up to 5 is what his statement was. So it wasn't just his board on the ZBA but also Planning. Chairman Coutu said that Mr. Seabury felt that we should appoint 5 alternates, and the Board of Selectmen historically he guessed for a while have not appointed 5 but we haven't had applicants for the positions. That's been the problem. It behooves us to continue to advertise if these positions are available and hopefully we can get some citizens to apply. He's been trying to reach out to the younger community. Hopefully they'll take part in our government.

Selectman Jasper said that this issue of having 5 alternates is sort of new to him. He recalled at least one other time when Chairman Seabury has asked that. Sometimes the Statute enables that towns may have to take action by the legislative body to do that. He just asked that we do a little research on that and see if we are authorized to have 5. He's not sure what the Statute says. Chairman Coutu asked the Executive Assistant to research the Statute to see if we're clear to have 5 on both the Planning and the ZBA and just give us a status report on that. If we are, then he would recommend that we consider taking Mr. Seabury's

sage advice and perhaps to afford us an opportunity to get these cases, not have a backlog in the event that building and development should progress that we have enough alternates to be able to conduct meetings at each and every session and we'll appoint 5 alternates providing we get the applicants to fill the positions. At least through 1990, Selectman Massey said there were 5 alternates on the Zoning Board. If he could ask Mr. Martin how many are on there now. Is there just 3? Mr. Martin said there are 4. Now there's 2 openings.

Mr. Martin as Chairman Coutu was saying, you will continue to be Clerk, and you will be a voting member. You're getting your wish. He wanted to thank Normand for his service and hoped he's getting into the learning mode on the Budget Committee.

Chairman Coutu indicated that that will be it for appointments this evening. Again, he wanted to remind everyone, Donna if you could make a list of all of the vacancies once we're done with it so we can get something sent over to cable television and advertise the vacancies on the boards and commissions so people can think that this is not the end all here this evening. We have some vacancies and we'd like to have some people apply. Coming in as an alternate is a great way to learn about a board or a commission. We certainly welcome anyone in the community who wishes to serve on any of these boards to partake in the government process.

6. CONSENT ITEMS

Chairman Coutu asked if any Board member wish to remove any item for separate consideration?

Motion by Selectman Massey, seconded by Selectman Nadeau, to approve consent items A-E, as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) 2009 tax abatement - Supplemental Memo, Map 115, Lot 3 - 99 Old Derry Road, w/recommendation to approve
- 2) 2009 Supplemental Tax Bill, Map 104-024-001
- 3) Multiple Tax Exemptions and Credits for 2010 tax year
- 4) 2007, 2008, 2009 Abatement Application Settlement Agreement (BTLA), Map 216, Lot 10
- 5) 2007, 2008, 2009 Abatement Application Settlement Agreement (BTLA), Map 191, Lot 130 and Map 222, Lot 2

B. Water/Sewer Items

- 1) Sewer Acceptance - Mission Point Units 82 to 102, Map 216, Lot 14, w/recommendation to approve
- 2) Water Acceptance - Mission Point, 200 Lowell Road, Map 216, Lot 14, w/recommendation to approve
- 3) Water Abatement, W-UTL-10-08 (10-09-09) Soap Box Laundromat - Ivan Hoyt, Acct. #3503487005, w/recommendation to approve
- 4) Water Abatement, W-UTL-10-04 (09-02-09) Environamics - FS, Acct. #3500539004, w/recommendation to approve
- 5) Water Abatement, W-UTL-10-05 (09-02-09) Foto Fantasy, Inc., Acct. #3503659801, w/recommendation to approve
- 6) Water Abatement, W-UTL-10-07 (09-18-09) Debra and Brian Cabral, Acct. #3507503802, w/recommendation to deny

C. Licenses & Permits

- 1) Hawker-Peddler License for Michael Bevens from 1/1/10 to 12/31/10 at various locations around Hudson

D. Acceptance of Minutes

- 1) Board of Selectmen's Budget Review Minutes of October 29, 2009
- 2) Board of Selectmen's Minutes of November 10, 2009
- 3) Board of Selectmen's Minutes of November 24, 2009
- 4) Board of Selectmen's Minutes of December 8, 2009

E. Calendar

12/25 Christmas - Town of Hudson offices closed
12/28 7:00 Budget Committee
01/01 New Year's Day - Town of Hudson offices closed
01/04 6:30 Hudson School Board - BOS Meeting Room
01/04 7:00 Budget Committee - Community Development Meeting Room
01/05 7:00 Budget Committee - Community Development Meeting Room
01/05 7:00 Board of Selectmen Workshop - BOS Meeting Room
01/06 7:00 Planning Board - Community Development Meeting Room
01/07 6:30 Recreation Committee - BOS Meeting Room
01/07 7:00 Benson's Committee - Community Development Meeting Room
01/11 7:30 Conservation Commission - Community Development Meeting Room
01/12 7:00 Board of Selectmen - BOS Meeting Room
01/13 7:00 Planning Board - Community Development Meeting Room
01/14 5:30 Sewer Utility Committee - BOS Meeting Room
01/14 7:00 Zoning Board of Adjustment - Community Development Meeting Room
01/20 5:00 Water Utility Committee - Community Development Meeting Room
01/18 6:30 Hudson School Board - BOS Meeting Room
01/19 7:00 Budget Committee - Community Development Meeting Room
01/19 7:00 Cable Committee - BOS Meeting Room
01/20 7:00 Seniors - Community Development Meeting Room
01/20 7:00 Library Board of Trustees - BOS Meeting Room
01/21 7:30 Budget Committee - Community Development Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session

- 1) Motion by Selectman Maddox, seconded by Selectman Massey, to appoint Gary Webster to the position of Town Engineer effective January 3, 2010 at Step 2, \$75,163 per year, in accordance with the Hudson Police, Fire and Town Supervisors Association contract, carried 5-0.
- 2) Motion to adjourn at 11:12 p.m. by Selectman Maddox, seconded by Selectman Nadeau, carried 5-0.

8. NEW BUSINESS

A. Ottarnic Pond Cooperative Sewer Assessment District

Chairman Coutu recognized Gary Webster.

Mr. Webster said that they've been working very hard with Kathy Carpentier to come up with the final figures here so that we can get this into place with the Ottarnic Pond Betterment District. We've come up with a final cost of the project. He handed it KC and they came up with the numbers. We're doing it in quarterly payments with them, and he sent this information to them, and he hasn't heard back. Hopefully they agree. Usually what happens, and he didn't realize that on Glen Drive, they send a yearly statement out and pay quarterly. So this is technically the same thing, and he didn't realize that when he did it. It will be the same exact thing that we did with the Glen Drive Betterment District. The only thing that's going to happen with this thing is if we ever get DS money, which is in place up there, we'll have to recalculate this every time. Instead of trying to put it on the principle, they want to recalculate probably every time the payment and that will draw it down over the 20 years. Instead of saying 18 years on the principle. That's something we discussed, and he thought that was the easiest way to do it. KC didn't have a problem if we get it, hopefully we do eventually.

Chairman Coutu asked if everybody understood the concept of the DES potential refunds for this project. Selectman Massey said yes.

Mr. Webster said they were having a final inspection next Wednesday with DES out there for the final, final. That's it. We're done with them and hopefully they'll take that application and put it in the next funding cycle he hoped.

Selectman Massey wanted to observe that this sewer betterment district is being financed at the same interest rate that the Glen Drive Betterment District was. It's being treated the same as any others in the past.

Just for clarification, Selectman Maddox said if we were to get additional DES money, it will come back before us for the recalculation and then approval. Selectman Massey said that was correct.

Motion by Selectman Massey, seconded by Selectman Maddox, to approve the Ottarnic Pond Sewer Assessment District as recommended by the Sewer Utility Committee and the Town Engineer in the Engineer's memo dated December 10, 2009.

Selectman Massey thought that this was one of those times where it was beneficial to both the town and to the property owners that we were able to create this Betterment District. It's to the credit of Mr. Webster that they moved it along the way they moved it along. We actually wound up saving some money by not hiring the inspector that they wanted to put on site 24/7. The cost to the town and to the Betterment District people was less than it would have been had we followed through with the mandate to "hire" a 24/7 inspector. Again, thanks to Mr. Webster for making that happen.

To that end, Selectman Maddox knew that there was an engineer that came out from Keene on a regular basis. In your spare time Mr. Webster, if we could just have a breakdown of what that final cost was just for the future and that monies that we saved. Again, they gave us a ridiculous amount of money and he thought that Mr. Webster by his action and making them sign for slips and not just billing us blindly is good education for the next time we do this. Chairman Coutu thought too that inspector was more irregular than regular. Mr. Webster said he concurred with Mr. Maddox's comments. That's all he's going to say at this time.

Vote: Motion carried 5-0.

B. Booster Station - Easement Deed, Woodland Heights

Chairman Coutu recognized Gary Webster.

Mr. Webster said he never realized this. He was doing a little research going back and the Woodland Heights, the Booster Station - the water station, was supposed to have been turned over to the Town back in 2003. It never happened. He discovered it by doing some research and asking question that it was never turned over. He got a hold of Manny Sousa. The problem is Manny's turned over the Woodland Heights Condo Association. Brad Westgate prepared everything. Steve Buckley reviewed the plan. We finally did a final draft. It will be from Woodland Heights to the Town of Hudson. All the information he has here should have been turned over in 2003. Everything was done except for the legal documents from Manny or Woodland Heights to the Town of Hudson. He was trying to clarify this paper discrepancy here. So it should have been turned over. The condo association has actually been paying all the expenses out there for the last 6 years. The Town got a deal out of that.

Motion by Selectman Massey, seconded by Selectman Maddox to accept the Easement Deed for the Woodland Heights Booster Station from the Woodland Heights Association in accordance with the memo from the Town Engineer dated December 16, 2009.

The only question Selectman Maddox had was has this been put on to our SCADA system? Mr. Webster said that the only one thing that we haven't done. He planned to do that this year unless someone else wants to tie into our system, we'll make them pay for it. It's not tied in yet. Selectman Maddox said, again, now that we're going to take possession of it he wanted to know that if part of that pump isn't working, or security...That's why Mr. Webster didn't go forward with this because Woodland Heights Association still owned it. We do have money in the SCADA system to have that 24/7 to Pennichuck. That means everything within the SCADA system, even the generator we're working on right now will be on SCADA. Everything on the water will be on the SCADA system. The only one we don't have is this one here. He's already been in contact with the person who does this. He's been working on it until it's officially the Town of Hudson's and then he can act on that end of it. Selectman Maddox asked if the pump is also for fire pump. Mr. Webster said yes.

For the public record, Selectman Jasper - and he certainly doesn't have any problem with it, but its worth noting for the record that Mr. Webster is doing double duty here. He's also President of the condominium association. This has been obviously reviewed and approved by the Water Utility and the deed has been vetted by the Town Engineer. He certainly has no problem with it, but Selectman Jasper thought that in the

interest of disclosure, that should be noted. Mr. Malizia said the Town Attorney has reviewed the documents.

Vote: Motion carried 5-0.

Mr. Chairman also in the interest of full disclosure as the liaison to the Water Utility, Selectman Massey said since this was first brought to the Utility's attention about 2 or 3 months ago, he has encouraged the Woodland Heights Association to file for the one-year abatement on the expenses that they incurred. Again, we should have had ownership of this six years ago. The policy of the Water Utility Committee is not to waive expenses beyond one year. He felt it was the right thing for the town to do to have them file for the abatement. It just happened to be that Mr. Webster is the President. So as Mr. Jasper has rightly said, he's kind of in an awkward position. Selectman Massey felt that on behalf of the Board, we should ask them to file for that abatement. Chairman Coutu said that was a reasonable and fair request. He would concur.

Gary Webster thanked the Board and from the Engineering staff, Betty and himself, he wished a Merry Christmas to all and a Happy New Year.

C. Public Hearing/Postage Increase for Zoning Board of Adjustment

Chairman Coutu deferred to the Town Administrator Stephen Malizia.

Mr. Malizia said whenever we mail out abutter notices for the Zoning Board; we are losing money at \$3.00. Current Certified Mail is over \$5.00. As you are well aware, postage changes all the time. In the Planning Board side of the house, we've adopted language that allows the rate to change its fluid. It changes as the rates change. On the Zoning Board side, it says \$3.00. This language just allows it to be it whatever the current certified postage rate is. That's the intent of this. Because it's in Town Code, we're required to have a public hearing before we change Town Code. The intent is just so that we don't lose money when abutter notices get mailed out. The applicant basically pays.

At this time, Chairman Coutu said it's about 7:53 p.m. He declared a public hearing open on the postage increase for Zoning Board of Adjustment a motion to amend Town Code Section 205-13 Zoning Fees A (2) to read "Postage. Current Certified mail postage rate per abutter (includes recording of decisions). Does anyone wish to speak in favor of the change please step forward. Anyone wishing to speak in opposition? Seeing none, Chairman Coutu declared the public hearing closed at 7:54 p.m. What is the wish of the Board?

Motion by Selectman Massey, seconded by Selectman Maddox, to amend Town Code Section 205-13 Zoning Fees A. (2) to read "Postage. Current Certified mail postage rate per abutter (includes recording of decisions)", carried 5-0.

Just as a side note, Selectman Maddox said that this was a good catch by somebody in our Town Code. As one of our fill in workshop items for next year, we kind of go through that. He was perusing his the other day, and it still states that the Road Agent is an elected position. Again, we need to kind of peruse through that maybe over the next number of months and kind of take a look at some of those things that glaringly stand out like that. This is another one that's cost us money.

D. Public Hearing/Proposed Ordinance 09-03 Installation of Stop Signs

Chairman Coutu recognized the Police Chief Jason Lavoie and the Town Engineer.

Chief Lavoie said a little while back in the last few weeks we had a gentleman - we've been receiving some complaints in the area of Blueberry Lane regarding some excessive speeds and what not and some situations out there where there are kids playing at times, and vehicles traveling on that road as presenting a danger to the children. We sent some patrols out there and made some observations. To include we had Mr. Burns drop down some speed sticks so we could take some counts of what the traffic was doing out there. Long story short is that we brought this before the Highway Safety Committee as well as one of the residents from Blueberry Lane came down to talk with us about it, as well as the Chairman wanted to voice his concerns and some of his observations. Mr. Kevin Burns from the Highway Safety Committee and the Road Agent had an idea of placing stop signs on the bend where Blueberry Lane is. The information made sense that there should be some stop signs there. When you're coming out from Cherry Street onto Philbrook, there's no stop signs there. There's no stop signs when you're on Blueberry and you're turning on to Philbrook. He felt that that might be a safety concern that we should have, and therefore we should place these stop signs at those intersections.

Again, Chairman Coutu said as the Chief indicated - Chairman Coutu appeared before the committee with the citizen. He had had several complaints. He lives on the corner of Dracut and Blueberry. The street sign is on the side of the street where his house is located. He knows that Mr. Burns has been called out there several times because they cut corner coming around Blueberry off of Dracut at a high rate of speed. They cut that corner sharply, go across his lawn, and have taken down that sign on several occasions. He had suggested to Chairman Coutu that he wanted to put a boulder out on the corner. He told him that would be ill advised because the liability would fall upon him if someone couldn't see it and it was at night. He could be subjected to civil suit. It was advised not to.

Chairman Coutu has gone out into the neighborhood and spent some time observing some of the traffic flow. One of the observations he had is that there isn't an awful lot of traffic but there are times that we've had occasion to witness cars speeding down that neighborhood. In one particular occasion, he called the Chief with a license plate number that somebody had observed, and you addressed that issue immediately with that individual who didn't deny doing it. He was warned and there hasn't been any repetition. One of the things that Mr. Burns as the Chief alluded to was that placing stop signs at that intersection may hinder the opportunity for them, assuming that they're going to obey the stop sign, from coming around that corner at a high rate of speed. It's something that the neighbors would have to be cognizant of and adhere to because they never know when the Chief is liable to send a directed patrol out in that neighborhood to see if they're minding those stop signs and the rules that regulate stop signs. For the purpose of full disclosure, Chairman Coutu did appear because he was asked to by this citizen and he did so.

Chairman Coutu declared the public hearing open at 8:00 p.m. on a motion to accept the recommendation of the Hudson Highway Safety Committee for the installation of stop signs at the recommended intersections. Anyone wishing to speak in favor please step forward at this time. Seeing none. Anyone in opposition? Seeing none, Chairman Coutu declared the public hearing closed at 8:00 p.m. What is the wish of the Board?

Motion by Selectman Jasper, seconded by Selectman Massey, to accept the recommendation of the Hudson Highway Safety Committee for the installation of stop signs at the recommended intersections.

Selectman Massey thought this is probably - first of all he travels that area quite frequently. It is prone to lots of people speeding. At some point in time it may happen. The stop signs there are going to be useful. That is one of the shortcuts from Dracut Road to River Road. It's not very hard to get up ahead of steam especially when you come around the corner on the westbound segment of the turnaround. So these are well warranted to have stop signs at those 3 intersections.

Selectman Maddox asked if the data reflected that. Did you get counts to say that 10 percent of the cars are speeding or 70 percent of the cars were speeding? Is it a speed enforcement issue because that's what he seemed to be hearing here as opposed to stop signs? He's just trying to see if 3 people are speeding and that's an obvious concern, but we're putting up stop signs to stop everybody. Again, what did the Highway Safety Committee get out of the data that you had from the...Chief Lavoie said the issue became twofold. The original information was concerning with the speeding motor vehicles. The second issue that came out was the concern of cars not stopping at that intersection at various times and coming through and turning onto Philbrook, Cherry and Blueberry Lane. That became a second concern. As far as the speeding motor vehicles on Blueberry Lane, there were a few cars in excess but the data does not warrant - the original complaint was to reduce the speed limit to 25 mph. The data does reflect that the speed limit needs to be reduced on those roads.

Vote: Motion carried 5-0.

E. Authorization to hire a Police Records Manager

Chairman Coutu recognized the Chief of Police Jason Lavoie.

Thank you Mr. Chairman. Chief Lavoie has come before the Board tonight to talk to you regarding the Information Manager's position. This position that over the past 4 or 5 years we've had various conversations about. During the recent budget process, the Board of Selectmen and the Police Department had come up with some ideas as a way to be able to implement this. His feelings are this has been a need; it is still a need; the need is not going to go away. His thoughts behind this are why wait until July to do this. He's here to ask the Board if the Board would support implementing or allowing him to post this position internally to fill the Information Manager's position following the guidelines that we had set up that we discussed during the budget process, which would be that he would forego one position in records. He felt that money would be sitting there. He believed they were all following him on that one.

Selectman Jasper didn't have any problem with it. The only question he had is in the process of the default, what did we do with the monies there or more specifically, do you have sufficient monies after transfers were made as a result of the default to the...Selectman Massey said whether the default is passed or the operations is passed, the money is there. Selectman Jasper said that this year we made transfers. When we had a budget, we went forward with, we lost it. Chief Lavoie at that time came forward with a series of transfer to fund the operation. Do you have monies sufficient in the salary accounts in this department to accomplish this? Chief Lavoie believed that he did. He'd have to take one more look at that. He didn't believe they eliminated that money because his intent was to make that position in July. Remember he came back before the Board - he's confident that he does have that money available. Mr. Malizia didn't recall specifically. He knows what he's talking about though because we never took it out. He'd have to specifically look.

Motion by Selectman Jasper, seconded by Selectman Massey, to authorize the Chief Lavoie to post for the hiring of a Police Records Manager internally provided that he determines that the funds are available for the remainder in the fiscal year.

Selectman Massey seconded with a friendly amendment. This is in conformity with the plan that the Board funded for next year of the Police Department. Selectman Jasper said sure.

Motion by Selectman Jasper, seconded by Selectman Massey, to authorize the Chief Lavoie to post for the hiring of a Police Records Manager internally provided that he determines that the funds are available for the remainder in the fiscal year and that it is in conformity with the plan that the Board funded for next year of the Police Department.

Just for the record, Selectman Massey said what this basically is doing so if anybody out there is wondering, this is not adding a new person to the work force. It's simply going to rearrange certain positions should this position be filled. It's based on all the knowledge that the Chief has. It's highly likely that the candidate will come from the inside. If he does, or whoever that person is, then there will be no additional personnel added to the police force. It will be a zero increase. It will simply be rearranging where personnel are sitting.

Selectman Nadeau asked if we'd be eliminating a position or just rearranging it. Are we going to take the money out of the budget for the other position or what are we going to do? Selectman Massey said the budget for next year in terms of the information management area only is funding 2 positions instead of 3. Mr. Malizia indicated that we left \$1.00 in place so that the position does not disappear. However, it is not anticipated to be funded next year. We don't give up the job. We leave a \$1.00 in. He believed we did that in several cases with the intent being that we're not giving up a position to give it up but it's not going to be funded or filled.

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

Before we move on, Chairman Coutu had one other new item under New Business that is not on the agenda. It's an item introduced by Selectman Massey.

F. Hudson Litchfield News Thumbs Up, Thumbs Down - negativity regarding George Leilasus

Selectman Massey stated the following: A week ago in the Hudson Litchfield News Thumbs Up and Thumbs Down, an individual gave a Thumbs Down to a named town employee for, and he quotes here, "intimidating his way into our rental accommodations passed my wife, home alone with our small child." In concludes with, and he quoted again, "were lack of professionalism and simply empathy is a discredit to the Town of Hudson." Since the person chose to remain anonymous, this claim cannot be substantiated. The anonymity says more about the Thumbs Down individual than the town employee. He has said on several occasions that Selectmen are fair targets for public accusations of wrong doings. When it comes to town employees however, the appropriate course of action is for the citizen to contact the department head or any one of the Selectmen. Hiding behind the cloak of anonymity is NOT an acceptable way to resolve issues. In fact, in can hinder an investigation of the claim. Our town employees deserve better than this. Anonymous Thumbs Down postings do no justice to the employee. It would be his hope that the HLN would rethink its policy for these types of complaints. Thank you Mr. Chairman.

Chairman Coutu said that certainly wasn't what he anticipated he'd bring up. He thought we were going to talk about Robinson and Ottarnic Ponds. Selectman Massey apologized to his fellow Selectmen. He was going to bring that up in Other Business anyway. Again for the record, he thought it's just absolutely deplorable that town employees are subjected to anonymous, vicious complaints. In this particular case, the individual was given every opportunity to call the police, to call the Town Hall, they did none of that. They hid

behind the cloak of anonymity which the HLN provides them. They can then cast serious accusations against town employees who themselves are not really able to defend themselves. He truly does hope that the HLN would reconsider its policy on posting accusations of this type. Again as he said before, we're fair game. That's why we're elected. He had no problems if somebody in public accuses him of things because he has avenues that he can defend himself if that's the case. Our town employees, as he has said before, deserve better. They don't deserve to be treated this way.

G. Robinson Pond and Ottarnic Pond

Selectman Massey brought this to the Board tonight because he didn't get a chance to put it into the regular agenda because of the time it was going to take to get this done. At the last meeting the Conservation on Monday of last week, the Conservation Commission basically solidified the decision that they made at a special meeting on December 9th.

To just go back a little bit, every year the State Department of Environmental Services ranks all of the various ponds and lakes in the State and then based on the amount of money they have, they go down the list starting with one. Until they run out of money, the offer at the time he believed it was either 60 or 70 percent matching funds to the towns to do this milfoil and fanwort infestation eradication programs. This year Robinson Pond was 16th on the list. Ottarnic Pond was 14th. The State ran out of money at 15. Had they continued to have money for 16, Robinson Pond would have qualified. The Conservation Commission got a notice in October that the DES had come up with some additional monies. However, they were only going to be able to do 30 percent match. So the Conservation Commission at their special meeting on December 9th voted to authorize the expenditure of up to \$60,000, which is based on the information you see in this packet, to do a one time eradication program for Robinson Pond next year. If they get the 30 percent matching funds, then the maximum cost to the Conservation Commission would be \$42,000. They also voted to take it out of the conservation fund, which they are the agents to expend for.

That lead on Monday night of last week to an additional conversation about this is not a unique experience. It's going to be an ongoing problem for well into the future for both Ottarnic Pond and Robinson Pond. Milfoil and fanwort are not easy species to eradicate. It's to the credit of both the Robinson Pond and the Ottarnic Pond Associations that they are doing very herculean efforts to keep as much contamination from getting into the pond as they can. As you know, we already today until December 31st, Ottarnic Pond ramp is closed to motorized vehicles. They asked Selectman Massey if he would bring to the Board a proposal that he believed the Board has handled in the past to create a Pond Reclamation Capital Reserve Fund so that going forward its anticipated some time in the next 5 or 6 years both ponds will have to be retreated and 5 to 6 years after that it would have to be continued. On that basis, they asked him and he said he would bring it. He knows it's late in the game but he felt that this is something that ought to at least see it. If this warrant article be approved, it would not come out of the tax rate. It would come out of the unappropriated surplus of the land use tax. Therefore to get it started before he made the motion, he would at least open up for any questions that the Board may have.

Motion by Selectman Massey, seconded by Selectman Nadeau, to forward to the Warrant, Article L Pond Reclamation Fund. The Article would read: "To see if the town shall vote to create a capital reserve fund under the provisions of RSA 31:1 to be known as the Pond Reclamation Fund for the purpose of management of invasive species, primarily directed at the milfoil and fanwort problems, and to raise and appropriate the sum of \$1,000 from the unappropriated surplus of the land use tax and to name the Board of Selectmen as the agents to expend."

Selectman Massey had one comment. He originally thought that when this was going to come in it was going to be coming in and taking the money out of the tax rate. That's why he recommended to the Conservation Commission that they consider only \$1,000. In light of the fact that this is going to be coming out of the Land Use Change Tax, and understanding that we're talking between \$50,000 and \$60,000 per pond every 5 to 6 years, he wondered if the seconder would accept a friendly amendment to change the number from \$1,000 to \$10,000.

Selectman Nadeau said he would change that amount. So he will be happy to change that. Chairman Coutu said the motion will be amended from \$1,000 to \$10,000, and the seconder agrees. Selectman Massey said that the purpose of this Warrant Article is to create the funds so that over the next 5 years we can put monies into the fund and in 6 years there would be sufficient funds to do the next step. As he's mentioned to the Town Administrator when he was talking about putting this on, we have at least 2 choices with Ottarnic Pond and Robinson Pond. We can do nothing, and we almost certainly will see 2 swamp lands within a very short period of time, or we can accept the fact that we're going to have to do this eradication on

a periodic basis. This is one way to keep it so that we don't have to fund a large amount of money in any one given tax year. Thank you.

Selectman Maddox just saw something on - they were having a conference or whatever on the invasive. His only concern and it says "directed primarily towards milfoil and fanwort", but there's a new one coming up - rocksnot. Brilliantly named. We should just have an invasive species period. Over the next 30 years, who knows what is going to become the visit. It's going to be whatever invasive species they may find - a solution to milfoil, but 3 more have come up. That's the only thing he would say. If this is going to be something that is going to be long term in the 1492 type of set up, it's something that's not going to go away. There's always going to be new invasive species. Selectman Massey said he could accept that and he would just strike the words "primarily directed at the milfoil and fanwort problems". So it would just read, "management of invasive species and to raise and appropriate the sum of \$10,000". Selectman Nadeau said he agreed to that too.

Motion by Selectman Massey, seconded by Selectman Nadeau, to forward to the Warrant, Article L Pond Reclamation Fund. The Article would read: "To see if the town shall vote to create a capital reserve fund under the provisions of RSA 31:1 to be known as the Pond Reclamation Fund for the purpose of management of invasive species and to raise and appropriate the sum of \$10,000 from the unappropriated surplus of the land use tax and to name the Board of Selectmen as the agents to expend.

Mr. Malizia said just as a thought if he may. It's Ottarnic Pond and Robinson Pond. Would there be any other ponds that we'd be looking to eradicate? Should we identify the ponds just for clarity sake? Selectman Massey said the way this is worded, it could be any pond in town. Right now, those are the only 2 that he's aware of that are creating serious problems. Selectman Jasper said Musquash could become one in the future. Selectman Nadeau said it was mostly a swamp now. Selectman Massey said the way it's worded, it would be for any water body in town.

Vote: Motion carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - One of the interesting parts of being a Selectman is we get to ride along with various town employees. As he saw Captain Gannon sitting in the audience, he remembered that one of the times he was out doing a ride along with the Fire Department as a Captain but also as a paramedic. He was right in there. He was really impressed with how our EMTs and paramedics, even though he was a Captain, he was right in the thick of it doing what needed to be done. It is educational, although the plowing killed him, but he did it for 4 hours and he didn't know how they do it for any more than that, but just an observation.

Next, your favorite group Mr. Chairman NRPC - National Regional Planning Commission had a meeting the other night and quite fascinating. The new Director of Office of Planning and Energy was there. She gave a great presentation - slide shows, talked about a number of grants that they are in possession of. He immediately called the next day and gave that to our ZAR for grants. Also he said this was great but there was only 20 people at this meeting. Why not get that message out. He called the cable facilitator the next day also and put him in contact with NRPC. We have a facility. They have some programs that they might want to put on. Here's a use for that building that might get it used more; they would pay for the camera operators. If we've got down time and they've got availability or a need for studio time, here's a marriage that works out well. If she could have done that presentation in front of the cameras and that could have been disseminated to all 14 towns to put on their cable utility, now all those people are aware. Something as simple as water heaters. In the State of New Hampshire there is a \$100 grant for upgrading to a probably more energy efficient water heaters. Again, citizens don't know that. Again, some of this use of the cable utility - he knows his favorite is Frisbee golf, but now there's something else on there that - looking at utilizing that studio for maybe the NRPC as well to get some time on it, utilize it, whatever, and to get this information out. Again, the new Director said she'd be possibly interested. Again, not knowing that that was an available resource. Again, just interesting information. He hoped the Assistant Town Administrator is racing towards a lot of those. Some of them have deadlines. We talked about one - sea moss. He knows all these wonderful terms, but clean air. Hudson because of our proximity to the Commonwealth's border and the amount of cars and the pollution, we are high on the list of being able to get monies for. Again, for upgrading our traffic lights around Library Park, those types of things. Again, hopefully we can take advantage of some of those monies that the federal government is doling out.

Finally, it is again once that time of year. We won't see each other until a new year. He wanted to wish all of his fellow Board members, the community, our employees happy holidays. It has been another year. It's

fascinating how fast it goes by. Selectman Maddox knows some people think these meetings go on for an entire year, but it's just fascinating to see. Thank you.

Selectman Maddox with regards to - Chairman Coutu said that they've had this conversation. You called him about his favorite organization as well as other people. Did you not say to him that there was a plan in the works or some sort of a schematic that was drawn with regards to the Richard Maddox madness highway interconnecting loop? If we could get this, because he had said, shovel ready in the second round of stimulus we may qualify. The Governor had said that we didn't have anything ready and that's why he couldn't accommodate us. If we could get this shovel ready, we may qualify for some monies. Mr. Malizia said that we gave them a list of 10 projects that were shovel ready, believe me, at the beginning of last January.

Selectman Maddox said that the Board should have gotten in your bin a copy of the draft NRPC report on the Maddox madness parkway. He didn't think it was shovel ready by any means. There still has to be engineering. The one thing that the Governor can do for us is secure that land for the Town of Hudson so it cannot be sold out from under us. There is always the possibility and not our legislator, but some legislator might find somebody that's willing to pay enough money for a piece of that kills the whole availability. It would be crucial for us to get possession so that whatever needs to be done could be done whenever. At least we have a figure - Selectman Massey help me because he doesn't remember off the top of his head, but he thought it was 30 something. Selectman Massey said he was pretty sure it was \$20,000. Selectman Maddox said no, the entire cost. Again, it's not something we're going to do tomorrow. It's critical that we possess that corridor. It is how we set up our town as far as zoning.

Two things. Selectman Massey said number one, there are two stumbling blocks. Stumbling block number one is the legislature passed 2 laws 2 years ago. Law number one says that the State must sell the property at fair market value. Law number 2 says they must place the business with a commercial real estate agent. So the days when the State could sell a piece of land back to the towns as first option for a \$1, we have that stumbling block.

[Selectman Massey] The second thing of the stumbling block is on the prime wetlands and whether it ever gets designated a prime wetland or not, the most critical wetland in town, which is the Mile Swamp area, cross that corridor. Based on what he looks at it, that's why he thought the \$20 million, Selectman Maddox, may be way under stated. He believed the only way we'd be able to cross that wetland is through a bridge in order to put the pilings on either side of the wetlands as opposed to in it. There are still some stumbling blocks. It still makes sense to try to figure out some way to secure that corridor. Chairman Coutu said that the DES representative will be here to answer questions relative to the wetlands. Selectman Massey said there will be a representative when that public hearing on the prime wetlands is held in January.

Selectman Maddox had a couple of things. First the price that we had included bridges over those wetlands because of that issue. Its Albuquerque and Hudson. Number two, he thought that that law says though its best use and at best use of a 400 foot wide by 8 mile long is a road way. So if somebody wants to buy it as a roadway, maybe we could - again, there's always that area of grayness that we can look at.

Just for the record, Selectman Jasper thought he had the wrong Swamp. Mile Swamp is between Glenn and Pelham. The circumferential highway does not cross. Selectman Massey said he has the right Swamp. There's actually 3 segments to that area.

Selectman Nadeau - has a couple things tonight. The first one is we have a no parking ban in the town. You'll see that scrolling across your screen for the winter months. The Highway Department has been having some problems with plowing with cars on the roads. He wanted to reiterate to everybody that we do have a no parking ban. It is from 11:00 p.m. until 7:00 a.m. on all town roads.

The other one is he'd like to thank everybody. Again, you heard the Police Chief talk about it. The Toys for Tots, and we also had a basket upstairs for the St. Vincent's food pantry. It is still up there. We'll have it upstairs until January 1st. You can drop off your nonperishable items to Town Hall. They are accepting toys upstairs also.

The other thing is he's had a couple complaints on this one. He knows it's been a long time since we've heard of it, but town employees using cell phones while driving in town vehicles. Somebody called him this week. There was a person in a town car on Greeley Street. They were driving 27 mph, which is under the speed limit, but they were talking on their phone. We do not have a policy in our employee code or our Town Code of talking with cell phones. This is something that we should look into developing a policy for. We do have a new policy of no texting - the new State law that goes into effect January 1st. Our department heads

should talk to their employees and if they are going to be on their cell phones, that they should pull over if they're going to be using them as a matter of safety. He didn't know if we need a town ordinance or a policy on this, but it is something that our department heads should talk to the employees about. He wondered if there was any input from the Board members on this.

Selectman Jasper could not support such a policy without being a total hypocrite because he spends a lot of his driving time on his cell phone. He actually finds it less distracting to be talking on a cell phone than he does if he had somebody in the passenger seat. He tends to look at the person he's talking to whereas on the cell phone he has nobody to look at. Personally a lot of people use Bluetooths, but he's never had an issue with talking on the phone himself. If only the majority of the Board can say well I don't use my cell phone, he knows Ken wouldn't because he didn't think he has a cell phone. For that reason, he couldn't support it and he would hope only that Board members who don't talk on their cell phone personally when driving would support such a ban.

Selectman Nadeau thought it was a safety issue. Selectman Massey agreed with Selectman Nadeau. It is a safety issue. Shame on you Selectman Jasper. It really is a distraction. All of the statistics in the country are proving that to be true. It's not the only distraction, but it's a major one now especially the people that are using it for things other than making a phone call like texting, etc., etc. He would support at least the department heads asking the employees to use a little more thought.

Selectman Maddox asked that the Police Chief maybe get some data from our accidents both town and general to find out how many of those were being distracted by being on the phone. He agreed with Selectman Jasper. He's turned off his radio because he's tired of being screamed at by commercials. He's taken his radio basically and not listen to that for the most part and he talks on his cell phone. Again, it depends on the person. It depends on where you are. If you're in heavy congestion, maybe you might want to shut it off. He's used his speaker phone a few times. All of you keep saying "what", "huh"? It's a technology that works when it feels like it. Before we go and put a blanket policy in place, we really need to see if there's really a need to. Thank you Mr. Chairman.

Selectman Massey - He'd like to echo Selectman Maddox. This is the time of year when you sit back and reflect on all the things that you wanted to get done for the year, the things that you did, the things that you didn't. We're looking forward to next year. He truly hoped that all those out there who are suffering because they either don't have a job, have a diminished job, or any other circumstances are finding it hard to cope. There was good news tonight. It looks like the housing market may be starting to turn around. The GDP was up 2 percent for this last quarter. Hopefully we're beginning to see some glimmer that things are turning around. He really truly wish all of his fellow Board members and all of our citizens a peaceful and joyful New Year. Thank you.

Selectman Jasper - The Fire Chief recently went down south to visit our new ambulance for an inspection down there where it will be in Maine shortly being fitted up, and should be in service here in town in January some time. Other than that, he just wanted to reiterate for everyone that the Town Clerk's office will be closing on Thursday, Christmas Eve, at 2:00 p.m. Therefore will not be having evening hours. Also they will not be open late on Thursday, 12/31, New Year's Eve. They will be closing at 4:30 p.m. the regular time that day. He'd like to wish all members of the Board of Selectmen and their families as well as all town employees and residents of the Town of Hudson a Merry Christmas and a Happy New Year.

Selectman Coutu - He has one item. As you might have read, he's sure you have in the Hudson Litchfield News; again, he wanted to thank each of you for affording him an opportunity to bring in at the last minute a request by the Hudson Litchfield Bears Cheerleading Squad an opportunity to raise money so that they could take the trip to Florida and compete. As you read, they were very successful. They are the American Youth Cheer Division 10 Large National Champions. They did us very proud. He wanted everyone to know that he's invited each and every single member of the cheerleading squad to come here in 2 weeks; he hoped they come in their cheerleading uniforms, so that they can greet us. He's invited them to come and we'll have a little something for each of the cheerleaders and make them feel at home, and thank them for putting Hudson on the map once again.

With that my fellow Board members, he too wanted to express his sincere best wishes to each and every one of you for hoping that you have a wonderful Christmas season and absolutely the best in the New Year. He extended that as well to all of the citizens of Hudson. Please drive very carefully. He knows the festivities go on for 2 weeks. We want all of our citizens to be safe. He urged them to be cognizant of the fact that the roads will be icy. Don't drink and drive. Have a very merry Christmas and a Happy New Year.

Selectman Maddox wanted to remind everybody that Alanon will be open at the Community Center. Its Christmas Eve and all day Christmas Day. Chairman Coutu said all day Christmas at the Community Center - Alanon members and those who may be having difficulties during the Christmas season. It's a good place to go. It's well supervised activities. It affords an opportunity to get into the festive season and have people around you who care and who are willing to assist you on a day that could otherwise be very sad for those people who are in need and having personal problems with alcohol or otherwise.

Chairman Coutu indicated that he and Selectman Jasper went to Concord today. He was going to him if he wanted to give a synopsis of his observations and where we're headed with this. Selectman Jasper said that Chairman Coutu has been working very diligently with the Governor's office to set up a meeting with DOT to explore the possibility of citing a Senior Center on the Benson property. He accomplished the goal of having that meeting today. Certainly the Governor made sure that the heavy hitters were there. His own legal counsel was there along with Assistant Attorney General Bud Fitch along with another member of the Attorney General's staff. Certainly Chairman Coutu got the Governor's attention and in turn, this is getting good attention. We brought a map of this explaining where we were going. He would say in general that everyone was receptive to the idea. There are some logistics. There were federal funds involved originally in purchasing of the Benson property. They have to look at that. We could start building a Senior Center on the old red barn site, but certainly there are some problems with that in terms of how a building would work there and parking. So we talked about the possibility of simply switching the location and explaining that this would involve less disruption of the site, etc. They're going to get back to us with the information as to whether it's even feasible or not. Hopefully within the next couple of months, a time frame of up to 6 months was mentioned, but he got the feeling that the Governor's staff was going to make sure that it didn't drag out that long before we got to the next phase. We shall see where it goes. He's confident that it's not going to drag out as long as the original purchase of the property did.

Selectman Massey did have one thing that he would like to add, and he triggered his memory with it when we talked about the cheerleaders. You often hear that today's young people are irresponsible and don't have a lot to think about. He would have to tell them that this fall in late October and early November several tens of Alvirne High School students contacted many older persons in town and offered to rake their leaves on their lawns. If you see 30 young people descending, and it wasn't on his lawn by the way, but in one place it was described to him that at least 30 of these students showed up at the persons and within a couple of hours they had the whole yard raked and cleaned. So he wanted to commend them for taking the opportunity to serve other people in the community. He knows the senior citizens who took advantage of this were most appreciative of it. It was something that really made the difference in their lives. Thank you to the Alvirne students who accomplished this.

10. NONPUBLIC SESSION

Motion by Selectman Jasper, seconded by Selectman Massey, that following a brief recess we enter Nonpublic session in accordance with RSA 91-A:3 II (a), (b), (c), (d), and (e), carried 5-0 by roll call.

Nonpublic session was entered into at 8:45 p.m., thus ending the televised portion of the meeting. Any votes taken upon exiting nonpublic session will be listed on the Board's next agenda. Open session was entered into at 10:28 p.m.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to seal the minutes of the nonpublic session, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Jasper to accept Chief Lavoie's recommendation to promote an acting captain to \$84,141.00 (Step 5) and an acting lieutenant at \$72,598.00 (Step 4) in accordance with the Hudson Police, Fire, Town Supervisors Association effective 01 July 2009; and to elevate an acting sergeant at \$31.48 per hour according to Police Union Local #3657 (Step 5) effective 01 July 2009. The elevations in rank would be effective Sunday, 27 December 2009. Chief Lavoie to come back to the Board of Selectmen with an update no later than May 1, 2010, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Maddox, to forward to the Fiscal Year 2011 Warrant the multi-year contract negotiated between the Hudson Board of Selectmen and the Hudson Administrative and Support Staff Union for wage and benefit increases, carried 5-0.

Motion by Selectman Massey, seconded by Selectman Maddox, that the Budget Committee Liaison vote no for any increases above zero percent for the first year of the school contracts, carried 4-1. Selectman Jasper abstained.

11. ADJOURNMENT

Motion to adjourn at 10:40 p.m. by Selectman Jasper, seconded by Selectman Maddox, carried 5-0.