

HUDSON, NH BOARD OF SELECTMEN
September 22, 2009

6:30 p.m. - 91-A:2 I (a), Strategy or negotiations with respect to collective bargaining

1. **CALL TO ORDER** by Chairman Coutu at 7 p.m. in the Selectmen's Meeting Room at Town Hall.
2. **PLEDGE OF ALLEGIANCE**, led by Master Patrol Officer Douglas Dubuque.
3. **ATTENDANCE**

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

(Selectman Shawn Jasper absent.)

Staff/Others: Steve Malizia, Town Administrator; Mark Pearson, Assistant Town Administrator; Jason J. Lavoie, Chief of Police; Shawn Murray, Chief of Fire; Rob Buxton, Deputy Fire Chief; several police officers; Kevin Burns, Road Agent; Kathy Carpentier, Finance Director; Lucille Boucher and members of the seniors; Gina Votour, HLN reporter

Chairman Coutu would also like to recognize for the first time at the BOS meetings our Executive Assistant Donna Graham. He wants to thank and congratulate her on her appointment and is looking forward to working with her. If any of these guys rough you up, I think you can handle yourself. Thank you.

4. **PUBLIC INPUT**

Cheryl Freed

Cheryl Freed of 4 Greenfield Drive. She was wondering if the BOS could provide some information pertaining to when the public would be allowed to have access to the Benson Park property.

Chairman Coutu indicated that at this time that answer is not available insomuch as the Benson liaison is not here. He stated that they are working diligently to make the park available to the general public for at least 2 or 3 weekends. He knows that Selectman Nadeau, himself, and Selectman Maddox have expressed a sincere desire to have the park open as quickly as possible. We're waiting for the Benson Committee to take some action to open the park and until they get that answer, that's the best they can do. We could put some pressure on them, but we want to make sure that the park is safe before we allow the public to have complete access to the park.

Cheryl Freed would like a recommendation on who to contact on the Benson Committee to speak to see what the community could do to assist in?

Chairman Coutu suggested Selectman Jasper in light of the fact that he constantly tells him nobody calls him. Ms. Freed should call him and make his day. But she should give him 24 hours to recuperate. Selectman Jasper's telephone number is in the book but if not, she can telephone the Selectman's office and speak to Donna.

Selectman Massey indicated that the Benson's Committee is looking for volunteers to participate. The Committee has four (4) subcommittees right now. He's certain they would entertain Ms. Freed's application.

Certificate of Appreciation presented to Master Patrol Officer Douglas Dubuque of the Hudson Police Department for 20 Years of Service.

Chairman Coutu said Master Patrol Officer Douglas Dubuque began his law enforcement career with the Hudson Police Department on August 1, 1989. Officer Dubuque graduated from the 88th New Hampshire Police Academy on November 17, 1989. He spent time in the Patrol Division, the Legal Bureau, Services Bureau as a School Resource Officer at Memorial School, and in the Detective Bureau. We are once again using his expertise in the Legal Bureau, since he received his Doctorate Degree from Massachusetts School of Law at Andover. Officer Dubuque was an original member of our Hudson Police Bank "Justice" as our drummer. The Dubuque family resides in Manchester. He and his wife, Renée, are enjoying Sonny (he's a Jr.) and he'll be three years old in December. Sonny has two older brothers, Nicholas and Nathan. Chairman Coutu spoke on behalf of the Board and stated he's proud of the service Officer Dubuque has performed and they appreciate everything he's done for the Town. Chairman Coutu noted that there were

several members of the Police Department in attendance to congratulate Master Patrol Officer Dubuque. He state that it speaks very well of a police officer when his comrades are there to recognize and congratulate their fellow officer for his services performed along with the town fathers.

5. **NOMINATIONS & APPOINTMENTS - None**

6. **CONSENT ITEMS**

Motion by Selectman Massey, seconded by Selectman Nadeau to approve consent items A-E, as noted or appropriate, carried 4-0.

A. **Assessing Items**

- 1) 2008 tax abatement, Map 131/Lot 005, w/recommendation to approve

B. **Water/Sewer Items**

- 1) Sewer abatement and refund, Map 129/Lot 061, w/recommendation to approve
- 2) Sewer abatement and refund, Map 215/Lot 007, w/recommendation to approve
- 3) Sewer abatement, Map 149/Lot 026, denial

C. **Licenses & Permits**

- 1) Request to solicit funds by Cub Scout Pack 46 from Tyngsboro
- 2) Request to solicit funds by Cub Scout Pack 7 from Lowell
- 3) Outdoor Gathering by Hudson Kiwanis Club - Pumpkin Fest
- 4) Request to solicit funds by Cub Scout Pack 80 from Dracut

D. **Acceptance of Minutes**

- 1) Minutes of the Board of Selectmen's Meeting of September 1, 2009

Chairman Coutu referred to the minutes of September 1, 2009, page 7, the middle of the page at the first motion made - "Motion by Selectman Jasper, seconded by Selectman Jasper, to pay the \$550 invoice for cleanup of the Elephant Barn". The motion should have read: "Motion by Selectman Jasper, seconded by Selectman Massey, to pay the \$550 invoice for cleanup of the Elephant Barn".

- 2) Minutes of the Board of Selectmen's Meeting of September 8, 2009

E. **Calendar**

- 9/23 7:00 Planning Board in Community Development Meeting Room
- 9/24 3:00 Trustees of the Trust Funds in Community Development Meeting Room
- 9/24 7:30 Zoning Board of Adjustment in Community Development Meeting Room
- 9/24 7:00 Benson Park Committee in BOS Meeting Room
- 9/28 6:30 Hudson School Board in BOS Meeting Room
- 9/28 7:00 The Green Team in Community Development Meeting Room
- 9/28 7:00 Recycling Committee in BOS Office
- 10/1 6:30 Recreation Committee in BOS Meeting Room
- 10/5 6:30 Hudson School Board in BOS Meeting Room
- 10/6 7:00 Board of Selectmen in BOS Meeting Room
- 10/7 8:30 am, Highway Safety Committee in Community Development Meeting Room
- 10/7 7:00 Planning Board in Community Development Meeting Room
- 10/8 5:30 Sewer Utility Committee in BOS Meeting Room
- 10/8 7:30 ZBA in Community Development Meeting Room
- 10/12 7:00 Republican Committee in BOS Meeting Room
- 10/12 Columbus Day - Town Hall closed
- 10/13 7:00 Board of Selectmen in BOS Meeting Room
- 10/15 9:00 - 11:00 Senator Shaheen's Citizens' Hours
- 10/15 7:30 Budget Committee in Community Development Meeting Room
- 10/17 10 - 7 Pumpkin Fest at Hills House on Derry Road
- 10/19 6:30 Hudson School Board in BOS Meeting Room

10/19 7:00 Conservation Commission in Community Development Meeting Room
10/20 7:00 Cable Committee in BOS Meeting Room
10/21 5:00 Water Utility Committee in BOS Meeting Room
10/21 7:00 Library Trustees in BOS Meeting Room
10/21 7:00 Hudson Seniors in Community Development Meeting Room
10/22 3:00 Trustees of the Trust Funds in Community Development Meeting Room
10/22 7:30 ZBA in Community Development Meeting Room
10/26 6:00 Recycling Committee in BOS Meeting Room
10/26 7:00 Green Team in Community Development Meeting Room
10/27 7:00 Board of Selectmen in BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on September 8, 2009:

Motion by Selectman Nadeau, seconded by Selectman Jasper, to hire Mike Pietraskiewicz as Assessment Technician in the Assessing Department at \$21.11 per hour, effective September 27, 2009, in accordance with Step 1 of that position classification in the Hudson Police, Fire and Town Supervisors Association contract, carried 5-0.

Motion to adjourn at 8:35 p.m. by Selectman Massey, seconded by Selectman Maddox, carried 5-0.

B. Shadan Construction Proposal - A Frame Building (deferred from September 8, 2009)

Chairman Coutu indicated that Mark Pearson, Assistant Town Administrator, handed out a packet and wanted to know if the packet was relative to the Shadan Construction Proposal. Mr. Pearson said that there were some pictures in the packet that were related. He indicated that this item could be deferred because there was no need to discuss the matter as there was a mistake. Mr. Shadan mistakenly assumed that his proposal for painting was going to be approved, which was not approved. He didn't realize that and proceed to stain the A-frame boards. The pictures depict the painted boards. Selectman Massey stated that there was no need to defer the matter as the work was done.

Chairman Coutu asked Mark Pearson what the matter was that he handed out. Mr. Pearson thought they were moving forward on the office building. He solicited proposals from Mr. Shadan as a contractor to fulfill the previously executed contract and wrote up the specifications in case the Board wanted to move forward on it. Mr. Pearson asked to have it deferred until the next meeting. Chairman Coutu indicated that because the packet was just handed out, he expressed objection in that it was not included on the agenda and in their packets so it could be reviewed. Selectman Massey indicated that there was an opinion from our attorney that needs to be considered as well. He did not want to discuss the matter further.

C. Senior Center at Benson's Park - Selectman Massey Update

Selectman Massey indicated that 2 meetings ago there was a discussion that the Chairman had been in discussions with the Governor about modifying the terms of the deed to Benson's to allow the construction of a Senior Center on the property. He indicated that he was asked to speak with the Seniors to see if it was something that they would be interested in pursuing. It was a unanimous decision to have the Town work with the Governor about modifying the terms of the agreement to allow the building. The seniors understand that it's not a slam dunk and that it's not going to happen tomorrow. The earliest it would be on a warrant for a building would be next in March 2011. They were happy and said the location would be ideal and that it would be an easy location for most of the seniors. They understand that the real issue is where it is going to be. Selectman Massey expressed that they would look to the seniors to work with them when they start discussions with the Governor and the agreement has been made to help with a site committee to find the best place on the property.

Chairman Coutu indicated that he and the Governor came to a consensus that the senior organization and the Benson's Committee agreed that they were favorably in accord with the idea of exploring the idea. At this stage now as Selectman Maddox reminds us ever so often that government is glacial. These things are not going to move at a rapid pace. Chairman Coutu will contact Governor Lynch and express the consensus of both groups in proceeding to explore the possibility of allocating whatever space found necessary. He wanted to make the Seniors who

attended tonight's meeting aware of a couple of things: 1) hearing will be held at the State, which Chairman Coutu will attend as well as the Governor to seek the exemption and the deed which will allow for the construction of the Senior Center if in fact we do get the exemption; 2) The second thing you have to be aware of is that in order to do that at some point now and then a group of seniors with Selectmen Massey and Coutu will go out to the property. They are going to want to know specifically the acreage and location so it can be identified, outlined and delineate on the map to show that portion as the exempted area for construction. The language we put into, in order to protect the interests of what we're attempting to do, Selectman Coutu will express to the Governor and any aide he may assign to work with Selectmen Massey and himself and will have him join in for the hearings in Concord. We will expressly delineate the property for one exception, which would be the construction of a senior building. We've waited long and hard to find a suitable piece of property for a senior building. If we can get the exemption, it would cost you nothing, us nothing, and the way he sees it and the way members of the Benson's Committee saw it that you couldn't ask for a better group of people to be caretakers for a valuable piece of property. This will not happen over night, but with the consensus, Selectman Coutu will approach the Governor and set the wheels in motion to expedite it as quickly as possible. Selectman Massey will be in contact with the seniors to form a subcommittee to go out and do a land assess with Selectmen Coutu, which he hopes to have done within the next two or three weeks.

8. NEW BUSINESS

A. Budget to Actuals

Town Administrator Stephen Malizia indicated that this is the first report for the new fiscal year that we're current in 2010. We're about a little bit less than 20 percent for the first two months. It's still early to get any real trends. There are some departments that may look like they're spending at a greater rate, but that's because we encumber things like the trash contractor for the whole year. In other words, we make that commitment so we reserve that money for that purpose. There's no big surprise here when he looks at the budget. When he looks at the revenue side, same thing. Car registrations are a big number. As you recall last year, we had a \$4.2 million budget. This year it's a \$4 million budget. So we had already recognized a year in advance that the 4.2 is a hard number to attain. We did recognize the \$75,000 worth of the 8 Pine Road property sale, which is a positive for us in here. Other than that, it's a bit early to develop too many trends.

Chairman Coutu had a couple of questions. He's not going to panic because more accurate numbers like 17 - 20 percent as Town Administrator Stephen Malizia said with 2 months gone by. When he looks at the revenue report, he's a little mindful of where we were last year and what we ended up with. He looked at our estimated revenue in motor vehicles was \$4 million. We're running at a pace with 2 months of \$3 million for the year. He's a little bit concerned about that and wants to watch that number carefully. If you were to multiply the year-to-date revenue by 5, we're a \$300,000 shy. Mr. Malizia indicated that last year we ended up at 3.9 and change for revenue. Revenue sometimes doesn't come in in a 1/12 fashion. It depends on month of birth when cars are registered. We know that April tends to be a bigger month than some of the other months. The bottom line is if we cut this back from \$4.2 million last year, which is the asking 2.4 million this year. So we already took a \$2 million reduction from budget to budget. That was done during the budget process last year when folks here recognized that things were slowing down. He's not panicking at this point in time. Two months doesn't make a very strong trend. Again, the Board has taken action to at least reduce that by 5 percent, which is the \$200,000. You can't always look at everything in a completely 1/12th fashion. We'll certainly keep an eye on it as we have every year. As the year goes on, we'll give probably a more specific car registration report just so you can see year over year.

Chairman Coutu said that the other one that showed him the same trend of significant decrease is the ambulance revenue. Mr. Malizia indicated that that could simply be that the month wasn't booked yet because we depend on the outside vendor to bill. It could be a timing issue. That was a line that was in excess last year of somewhere to 75 to 100. Selectman Maddox and the Chairman share those concerns on both of those items. He's looking at the building permits and motor vehicles. Maybe if the Town Administrator on this report for next month just puts in the right column where they were percentage wise last year. Mr. Malizia said he developed that chart and could show year over year for a couple of years. Selectman Maddox doesn't disagree with Mr. Malizia but when you see 15.2 percent - let's see what it was. If it was at 16.1 last year, I think that would answer some of these questions. There are just one or two items that are the real revenue. Mr. Malizia stated that that's obviously the single biggest item, so it is a big drive.

B. Water Utility Policies and Procedures

Selectman Massey indicated that the water utility company over the last two years has been working very hard to update some of the existing utility policies and create new ones. These are updated policies to the non-payment for disconnection, noncompliance, and another one for abatements. The vote at the Water Utility Committee meeting was unanimous to recommend these two policies for the Board's approval. Chairman Coutu has reviewed the documents and stated that he's by no means an expert on what the policy was and the direction the policy is taking. He's quite pleased with the direction the aggressiveness in which we pursued our collections and the end result of that. Selectman Massey is the liaison and serves on the committee which he's reviewed the policies and serves with the best interest of the Board of Selectmen and citizens of Hudson in mind. He's not a voting member. Chairman Coutu asked, "So based on Selectman's knowledge of the previous policy, the re-written policy, is you in accord Sir?" Selectman Massey stated that he would be prepared to make the motion.

Selectman Maddox indicated that number 1. on the Nonpayment Disconnection - "Delinquent accounts will be reviewed periodically by the Water Utility clerk for potential disconnections." needs to have "periodically" defined. Selectman Massey said they do it on a monthly basis. Selectman Maddox indicated that "monthly" would be a much better word in his mind than "periodically". That means they could do it this month and not for four months. He knows they don't shut down, but a report should still be done. He thinks it's important that the BOS should receive a report on who's on that list and what's happening. He has a problem with it could be 3 months until it gets done. He believes it should be fair to the people that got shut off last month that it gets done every month. It is fair and consistent. It something we have been driving towards. Selectman Coutu said it was a good observation. Selectman Massey asks if Chairman Coutu sees any difficulty with it? Mr. Malizia said that from November through April there is no disconnect policy. You'd be accumulating data. He wasn't sure if it was a problem as he didn't write it. You always look at it, but you're not going to shut off anyone during the winter. Selectman Massey said that they would be putting it in a tickle file that says come April 1st they get put onto the list. There's another policy that says we don't shut off between November 1st and April 1st. Selectman Maddox asked why does Pennichuck do it in Nashua up until December 15th. Selectman Massey said they don't. He would accept that as a friendly amendment to strike the word "periodically" on Financial Operations, item 1, and insert "monthly".

Motion by Selectman Massey, seconded by Selectman Nadeau, to adopt the Non-Payment Disconnection, Non-Compliance Disconnection and Abatements policies and procedures as recommended by the Water Utility Committee dated August 19, 2009 as amended by replacing "periodically" with "monthly" under Financial Operations, item 1., carried 4-0.

C. Pelham Road Dam/Bridge #122.41

Chairman Coutu recognized Gary Webster, Acting Town Engineer, a 20-year veteran of service in the community. Mr. Webster thanked the Chairman for the introduction. He indicated that CLD and Stephens that worked on the project were supposed to attend. Mr. Webster indicated that back in December the project was called the "dam/bridge". That's what it is going to be hopefully, a dam/bridge, because as of June 30th we noticed the award for the bid to Pichette Brothers and right after that CLD applied for the dam permit. They reviewed the plan. There's been a personnel change at DES and at the 11th hour, they didn't like the design after we were ready to put the first shovel in the ground. Finally we got a notice back around July 14th or 15th that they didn't accept it with many reasons. They thought it would be a good idea to have a meeting with DES, Selectman Jasper and himself, John Byatt from CLD, and Bob Stephens from Stephens Associates. The meeting was held with quite a discussion with Mr. Gallagher at DES. We talked about the solution to take care of this instead of trying to redesign everything. Subsequently after this they had a

meeting with CLD and Bob Stephens sat down with the dam people, went over everything, he answered all the questions, and there was a letter to Chairman Coutu from DES rejecting the dam as designed. DES came up with a new idea, which Mr. Webster calls the "Hoover Dam". They wanted to actually pour a wall - we were going to just support the wall as is, and that was the design and that was the intent all the way. We had a warrant article of \$350,000 to do all of this. We got the letter and went over it. After the letter a staff meeting was held and in attendance was the Town Administrator, Gary Webster, Kevin Burns, Jess Forrence, Bob Stephens from Stephens Associates, and John Byatt from CLD. The problem was were we going to fight this with the DES or

are we going to try to make it work. The problem is the added cost to that wall is over in what we had in the warrant article. Mr. Webster mentioned it to DES and if they were going to help fund the project and they looked at him with five heads. The meeting that was held on the 19th. They discussed making it a dam/bridge. By doing this, we can get money from DOT as a 20/80 percent split. The problem is is that two of the bridge projects that have been sitting around since the 90s off the program. They are Melendy Road and County Road. Those two will be taken off the list and push the Pelham Road up in front. After the discussion, we sat down with Nancy Mayville of DOT. She was kind of acceptable of the idea, except that the dam is no part that we get any money from DOT because they just do the bridge and the 10 foot span.

In the packets that you have, there were some sketches and so forth of what the dam was going to be. Mr. Webster received the information on Friday. The idea is that it will be on the upstream side. It will actually be a dam that we control and there will be a bridge there. I have a couple of designs. If its 10 feet, we get the funding. The idea of this is that at some way down the road, we'll eventually have to look at the situation on County Road. If we fix that problem down there, we eliminate the dam altogether and it will be just a bridge. So we don't have to control the water. Now we have to control the water. By doing this dam, DES is telling us it is the same backup and we still have the same capacity as (inaudible) the dam by building on the upstream side with the head walls. We can control it so when the water gets high we can hold more water back into that Musquash swamp. We've gone through the whole gamut here and have come up with some cost estimates. He went up there with John Byatt, Bob Stephens, and Nancy Mayville of DOT. Right after that, they went to Jim Gallagher who is the Chief Dam Bureau Engineer, had a meeting, and in the packets there is some correspondence with them. He was kind of acceptable to the idea. We're still under the gun to fix this dam/bridge.

We came up with a cost estimate which I did break down what CLD gave us. There are some design sketches in there. Mr. Webster is trying to feel this out if we want to continue on trying to do what they're proposing, which is probably a better thing because we have no extra money in the warrant article. By going through DOT, it's going to be a couple of years to get the funding. The idea is that in a couple of years, they've got it broken down; the bridge grand total is \$723,000. The dam itself is \$84,000. If you look at the bottom of the sketch, the State will contribute \$578,400; the Town will contribute \$144,600. The dam is all ours at \$84,000. So the total cost to the town is \$228,600. In the meantime, he broke down everything that we paid CLD and anticipating the next bill, the dam application, all the advertising we did and what we have for a cost - we actually have a balance in the warrant article if we go with the dam/bridge. That's the only way it is going to work because there's no other way we can raise money and do another warrant article to add to build this retaining wall. If we're going to do it right, we might as well do the bridge. Eventually there will be a bridge all the way. We got the funding through the State. At some time, take the County Road and Melendy Road off our list and it will be moved up to 2017. But the bridges are in good shape and this is what we are proposing to you tonight. I don't know if you want act on it, but the idea is we probably do preliminaries to try to see how you feel about this. He was hoping they would be here tonight, but something must have happened. They do have a preliminary design and preliminary costs. Like he said, we took what he had in the warrant article and went through everything that we spent, what they're proposing, and what it's going to cost the town, and we'll still be in the positive on this project. He's glad that we have that wiggle room because there's probably more road design in there that those people that when he went to get all the easements would like to see something done. The road might be raised. He wished they thought of this at the beginning. We should have stuck to the dam/bridge because they wouldn't be here and some of the money that was spent on this project.

Chairman Coutu stated [to Gary Webster] that he remembered their initial conversations with regard to the original proposal that was submitted. When he read the letter when he originally presented it to him as to their objection to the original proposal which wouldn't significantly increase the danger, it would continue the danger of the erosion and downhill flooding, especially the homes at the base where they consider that once the water reaches and exceeds the first level, you're endangering the lives of the inhabitants of those dwellings. He understands the language but when he peruses through the letters from CLD and the subsequent proposal which is the dam/bridge, he's not convinced that they're going to accept that. Chairman Coutu would like to know if Gary Webster has heard anything different that they would be amendable to the plan that we're proposing now. Mr. Webster stated that we're in the preliminary stages. After the meeting with Nancy Mayville, which she is agreeable to except we lose those 2 other bridges in the timetable, Mr. Gallagher felt it was a good solution to the problem out there without costing us more money. This is all in the preliminary stages. We just started working on this and not that we want to get up

and start redesigning everything all over again, he was hoping they'd attend the BOS meeting because they'd have more information than Mr. Webster has tonight. Chairman Coutu is concerned with, as Mr. Webster alluded to, that not just now we talked about this a couple of weeks ago, that there's a new person there now. He's scrutinizing everything that's going before them. He's doing more rejecting than accepting. Chairman Coutu would be willing to poll the Board.

Mr. Webster is looking to proceed and the further we delay this, we could move this out to 2012 and never get this thing built. We need to act now and not just put this on the back burner. The wheels are in motion. It's a matter of continuing the wheels to expedite the whole process so we can get that thing built once and for all. He would like to have gotten a better feel that this is going to pass muster. Gary Webster stated that if we can follow the preliminary stuff and actually sit down with the reviewers and let them look at this stuff and ask how you feel. We should have some type of a temporary approval before we start going through this whole process again. If we go 100 percent and all of a sudden DOT doesn't like it, we don't want that this time. This time here's the plans, is this going to work for you to act the dam and take care of all your concerns. He doesn't want to go in and spend all kinds of money on this thing and not make it work. Chairman Coutu asked that if we were to defer this 2 more weeks and wait to see if we could get a representative here will that okay. Mr. Webster will be available.

Selectman Maddox thinks they are kind of on the same page, but it would be comforting to him if the person who rejected Plan "A" said that he is rejecting it and requesting of the Town of Hudson to do Plan "B", and the State DOT should allow us some latitude in keeping the Melendy and County Roads. One of them says it's bumped and there isn't even a date. He's concerned that at some point we're stifling selectmen downstream. He wants to see that if the DES is willing to say they're the ones that want this change made, this is the design they want, they understand that they to the last hour and hopefully be able to use that as leverage with DOT to be able to not push the other ones out way past where we know they're going to have to be replaced at some point. Even with this dam, there's still going to be an issue at Melendy and County Roads at some point. They're talking 2017 at the earliest, and I know they fly by but that's a lot of years for bridges and culverts to last out for many another 10 years.

Chairman Coutu stated to Gary Webster that he made a point of mentioning how important County Road is. If we have the same type of weather that we had 3 years ago, we have no contingency plan right now. We were anticipating that project on County Road to alleviate that. Mr. Webster indicated no. We have nothing for County Road or Melendy Road. We have no town money put aside to do any of those projects. Mr. Malizia said at few years back around the 1997 time frame, there was a warrant article approved and it was encumbered for a couple of years for County Road and Melendy Road because they were in the bridge aid cue. He doesn't know why and can't explain it, but they didn't get done. They fell out of that appropriation cycle. He does believe they were resurrected again sometime in the 2002 time frame. Again, Mr. Malizia stated it went in and was in the cue - it wasn't in the cue for 2003 with the bridge aid people, but we had to get our appropriation. By the time everybody got in sync, this came up. So those dropped off and we didn't do them. They didn't become a big priority as he understood it. When you say government is glacial, he knows he's referring to the State government because a lot of times that is where the problem is. We're trying to devise a solution. The bottom line is these folks spent a lot of time doing this design, brought it up there, and all along we've been in contact with the people at the Dam Bureau, which they indicated to keep on going. Then we hand them a design and they don't approve it. What do we do now?

Selectman Massey indicated it was we don't like it after the original engineer said go. It was when the new person came on board and they had to make their spurs that they looked at it and said, "No, this is not what I want". Mr. Malizia said that they were planning on the 250 year storm if you read this that way. Mr. Webster would like to suggest that the best thing to do is if he has any information, but what you said is to defer this until October. He's concerned about going back with the proposed design that we have to make that a dam/bridge is the Dam Bureau going to give us the blessing and say we do all this work and we don't like it. Are they going to say we like this idea and we're going to buy into it because we're not going to spend all of our time spinning the wheels here and not go anywhere? What's there now is probably going to be there for another 40 years. We had a plan but we made issues and now we're on that time clock to fix it. Mr. Webster wasn't sure if you've had any more meetings with them or what their feelings are that the dam girl what your proposal was.

Bob Stephens (Stephens Associates) said no. He just knows that they like the idea and their suggestion is that we keep them abreast of what we're doing closely as we move forward. Chairman Coutu's fear is that we've exhausted an awful lot of money and time in the original plan and got no where. Now we're spinning our wheels again and for what. We're spending more money and what if they reject this plan. He'd like to proceed with a little more caution and a little more surety that they're amenable to this and not just keep moving and we'll see. That's basically what they're saying. Mr. Stephens understand Chairman Coutu's concerns. He wouldn't say that we spent a lot of money and got nowhere. There's a lot of work that would be done no matter what the solution and that as virtually all of it been done. The change in design path has been approved by them conceptually. If the town were to proceed, Mr. Stephens would strongly recommend that we get a letter from them saying that this is the course of action.

Selectman Maddox said that maybe we interject our legal side of it. At least send a letter saying that the town had a design approved conceptually. We had gone out to bid, and now they're telling at the last minute we want to know that this plan that they've now come up with is what is going to be approved and no more last minute because you're going to get paid to redesign whatever this is going to be. There are more additional costs, Mr. Chairman, and you're right. There's no guarantee. This was supposed to be built in August before school started. Again, Selectman Maddox is concerned and that he agrees with Chairman Coutu in getting something from DES saying that they're the ones that caused this and to be able to keep moving this forward. He believes we need to interject some ump that this has cost the Town of Hudson money, and we still have no guarantee, and we have no dam/bridge.

Chairman Coutu agrees with Selectman Maddox that if we could get some further clarification and them to be a little more conciliatory in terms of not having us throw away the other 2 projects - Melendy Road and County Road. They shouldn't be put on the back burner. They should be there, probably not as high a priority, but don't move it back to the very end of the process. We acted in good faith. We spent money in good faith and here we are. We're not starting over - all of the money wasn't wasted. We had to address the problem. We had to identify the problem, and we needed to seek a solution. We went beyond that. We came in with a final proposal which we thought would solve the problem. The idea that the bridge would not sustain the amount of water on the overflow and would still create that down flow. A lot of that may or may not be as a result of having the need of a new culvert under 3A going on the other side. We know that's a problem that's going to have to be addressed. Maybe 10 years from now before we address that. Right now we need to dam up the water and that's our problem. We need to meet the height requirements for that 250 year storm.

Robert Stephens indicated the 250 percent of the 100-year storm. Your point is well taken. He thinks an important factor to understand here is that while DES did not approve the design, he doesn't want us to think that they haven't conceded quite a bit. Chairman Coutu would like to see something a little more concrete in writing. Mr. Stephens doesn't believe we're going to get a letter from them [DES] saying that they've caused this. He thinks that we will get a letter saying that they've approved this in concept and will work with us along the way to see it through. Selectman Maddox said we already had that in the first design. Mr. Stephens said what we had basically was a list of e-mail between them and us and interoffice e-mails based on our conversations with us along the way. He thinks it's an unusual step to have a letter from them saying...the important thing here is that the hazard classification for the dam is what drove this to where it is. The hazard classification would require a design for 250 percent of the 100-year flood. Our current proposal to move ahead will address their concerns, but they have agreed that this dam has to overtop in the design flood. Selectman Maddox asked when it changed. Mr. Stephens indicated that it changed upon their review of our design. It took them 6 weeks to come to that realization. Selectman Maddox said that we designed a dam to a certain criteria based upon the State's classification of what they were expecting at that location, and then someone came and said no the classification is wrong? Mr. Stephens said that it's because of the change in personnel there. The classification was not wrong. A different person stepped in. It was never official and a different person stepped in and said this is the classification. Chairman Coutu stated he read things differently. What he did is he sewed his oats.

Selectman Massey agreed that we would never get a State department to say we were wrong, and he doesn't think that's what we're after. He thinks that he doesn't want us to have them say we agree in concept and when we do all the engineer drawings and go back to get the dam permit they indicate that they don't really like that, or by the way, we have a new person now that's reviewing your projects and they have a new set of criteria. There's 2 keys. We need to get a clear letter

from them that say not only do we duly agree in concept that what you're going to do solves the problem, but we will work with you through the design construction phase to make it happen. Secondly, we want County Road bridge to be in the fiscal 2010 budget cycle, except we don't have any money. Mr. Malizia indicated that we're already in 2011. Selectman Massey said that they have in the letter 2011 for County Road over Second Brook. Then you say Melendy Road be placed on the next available. Not the next available, but County Road bridge 2011 and Melendy Road bridge 2012.

The other concern Selectman Massey has is they're saying that the reason why they've changed the requirements is because there is a high probability that in the next 100-year storm people's lives are at risk down stream. He would ask the question are we being penny wise and pound foolish now and should be really go back and really look at it as what they were asking to do with this new person because he's a little concerned that if they think that the issue is downstream liability, he can't see this individual ever telling us I agree with your concept. Not only do I agree with your concept, but go ahead and build it. Unless they're willing to put in writing that a) they agree on the concept, and b) they are ready to work with us to do the engineering and design work through the construction phase we're fooling ourselves. Selectman Maddox agrees. They've got this other little lemon sitting in the back of their heads that says it goes downstream liability.

Chairman Coutu would like to know from Selectman Massey about the idea proposed by Selectman Maddox is that maybe we should have our lawyer intervene at this point and let him do the communications so that we have it in a language that is not necessarily totally binding but protects our interests. Selectman Massey states that in the words of my esteemed colleague, he would like to split the baby. He thinks that any time you inject lawyers into a problem everybody's hackles get set up and we set up an adversarial. He would be willing, however, to have our attorney sit with us and help us draft a letter that come out under your signature. Chairman Coutu doesn't want to see a bunch of e-mails. Selectman Massey said it would be a letter, but it should come from the Board of Selectmen with some consultation with our attorney. That consultation is not part of the disclosures to the State.

Selectman Maddox asks a question to Chairman Coutu. He's driving down Lowell Road and a sign says the speed limit is 30 mph. He knows what the speed limit is. You're saying that these people just change it arbitrarily electronically to 15. There's no set guidelines that say this is what it needs to be designed to. He believes we'll be constantly chasing our tail if there is nothing that says you must build it to an "X" standard. Chairman Coutu stated that it's a matter of interpretation as he understands it. Selectman Maddox said that you can interpret the speed limit sign. You can interpret a number of other things. He agrees that this guy leaves and the new guy says he's going to set his bones...we can be going around in circles here. Robert Stephens states that the key issue is that we are allowed to design this to overtop in the design flood, and that the design flood is maintained at 250 percent of the 100 year flood. That's the key. Chairman Coutu asked that if it's designed to overtop, did they set a limitation on what the overtop is or can be. Mr. Stephens replied, no. Selectman Maddox expressed that ¼ versus 1 inch could mean a big difference in pricing. Mr. Stephens said that it would be several feet in that storm. That's the key issue. We're already a high hazard dam, so it really doesn't get any worse than that from their standpoint. They've already agreed in concept that the dam has to overtop.

John Byatt with CLD Engineers mentions a couple of things. He prepared the letters that will be going to the dam/bureau. He and Bob met with the Dam Bureau to discuss the new option. They kind of agreed in concept. In the letter we requested that the Dam Bureau work closely with the town during the design phase because, yes, we had a problem where the Dam Bureau expects you to submit your final plans and its sort of the first time they see it. We met with them and said this is not a good way to do this. If this is part of the NH DOT bridge program, I explained to them that we have to do an engineering study to determine what's the most cost effective bridge to put in, and we evaluate different things. As part of that engineering study, we can include our study of the dam part of that. We told them we would like to submit that to them and get their approval on the engineering study first. Then there's a preliminary plan phase as part of the NH DOT program. The same thing. We ask them to review it and approve it. Get a letter from them saying we approve this. So we would be working with them as we go down through the design phase and not just get surprised at the end because obviously this was a problem. We did ask for that in a letter, and we can change the wording any way you want. He wanted to point that out.

John Byatt also indicated that another thing was mentioned about another letter to Nancy Mayville. You mentioned that you didn't want to move the other 2 bridges back to far in the program. I would

agree with that. The problem is we're asking NH DOT, they're the ones that are programming it in those fiscal years as opposed to the Dam Bureau. When we met with DOT, the reason they wanted us to move the other bridges back in the program is because the 2 bridge they have now don't have a lot of money program into them. The new one we have is like a \$600 - 700,000 bridge now. So they said we can move it forward in the program so we can do Pelham Road now, but we've got to make up the difference in the money. That's why the DOT wanted to push those back and not the Dam Bureau. We do in the letter ask that we keep County Road. Selectman Coutu said that we don't have any money. Mr. Byatt said that they would have originally sent both of them back to 2018. Selectman Massey said if you say 2011 or 2012 it's going to come back 2012. So we need to put down the date we want. Selectman Maddox said that 2012 is the only thing realistic because we've got to get it into next year's budget. We don't even have that. So 2012 is realistic. Selectman Massey said that if that's the case, then we should just say 2012 for County Road and 2013 for Melendy. Chairman Coutu asked John Byatt if the letter was sent to Nancy. Mr. Byatt said no. Chairman Coutu would like to put 2012 because of our budgetary cycle it makes more sense.

Robert Stephens stated that the key point John is making is we're dealing with 2 separate agencies. The Dam Bureau has no say over what NH DOT allows for the scheduling of the municipal bridge program. Mr. Byatt said that was correct. They may not be able to do that just because of the funding that they have. Mr. Stephens said that the Governor may be able to it. Selectman Massey indicated that if you don't ask, you get what they give. Selectman Massey stated that they've already said they're going to push it back to 2018 if we don't request it differently. Mr. Stephens said that it wasn't official. Selectman Massey thinks that the letter that he wants to send to Gallagher, but he doesn't think that unless there's something in the engineering world that it constructs to. He knows what substantially complete translates to in the engineering community. He's looking at the last paragraph on the letter to Gallagher. It says, "We would like at least provisional approval..." He thinks that if we're going to spend this money, we don't want "at least provisional", we want approval. Provisional says they can come back and change the game again. Mr. Malizia says that because they're the State they can. Selectman Massey expresses that if they're not willing to give us the approval, we need to find out early in the cycle and not after we've spent a lot of money and time.

The problem is what they've already caused us to do is delay construction of that structure from this year to next year. Selectman Maddox said there's costs associated with that. Selectman Massey said it can't be we would like at least provisional approval. We need approval that what you're doing will satisfy them with this 250 percent over the 10-year flood overflow, and that they will work with us to go forward with it. Mr. Byatt said we could make that language stronger. Selectman Maddox stated that before we go too far with that 250 percent, it is his intent to ask them first to use a lower criteria - 100 percent of the 100-year flood would be a good place to start. From there, we work to 250 percent of the 100-year flood. Selectman Massey asked Mr. Byatt if his estimates for the project costs for the dam/bridge was based on 100 percent or 250. Chairman Coutu asked if the estimated cost was at the 250 percent of the 100-year flood. John Byatt said that didn't factor into that. It assumed it would overflow for higher than the 100 percent. The structure resize would pass the 100-year flood, so anything higher would overtop. So for the 250 it would overtop. Selectman Massey asked if the estimates would have to be increased for a 250 percent. Mr. Byatt asked was it to do something to stop the 250 percent, he would assume so. They'd have to raise the road. Selectman Massey indicated it is all the more reason why we need to get them on board on the concept before we go any further. Mr. Byatt said to at least allow the overtopping.

Chairman Coutu suggested that in light of something that triggered his thought process here with regard to this is that in your consultations with both of these gentlemen if at any time we need some intercession by the Governor, would you please let him know. If need be, we'll both either take a ride up to Concord or we'll get on the phone on a conference call with the Governor and see what we can do to salvage County Road and the other project as well as seeing what the we can do, what the Governor's office can do in terms of their making some sort of a commitment. He knows that we've been through this with NH DOT in the past and the minute the Governor's office got involved, their mood changed very quickly.

To that end, Selectman Maddox thinks that maybe we need to add into your letter to Jim Gallagher possibly that the town has acquired Benson's and that 165 acres will not be developed. That might help in some way in the calculations. That water is now being stored on site. It's anything that we can get it to get down to a more reasonable number at 150 percent of the 100-year storm. What really strikes Selectman Massey is if we have to go to the 250, we're not talking about a small construction project; we're talking about an expanded footprint in order to get the rise to be gradual.

Otherwise you're going to wind up with a crown that causes people to teeter totter on the top of it. Mr. Stephens said it's not as bad as you think. What it means is that we have to move the upstream face of the dam out a little more and up a little bit. We would probably just need to size the opening a little bit larger. He doesn't think it would necessarily at this point, we haven't engineered it yet, require or raising the grade of the road. We haven't done the engineering yet. Selectman Maddox has a question and wants to know who is going to be responsible for controlling the levels of the water at this now dam. Mr. Stephens said it was a good question. It would be designed and would be assumed to be designed without operation. Selectman Maddox asked was it automatically going to know that it's overtop and would open up fully. Mr. Stephens said it would be there all the time and when it overtops and the when the flood comes, it would just overtop. Selectman Maddox asked that there's no having it sluiced for any amount of back. Mr. Stephens said the gates are removable and made of stop logs. They're certainly removable. The State will require that we design it so that it can pass the design flood without the removal. In a flood, towns have lots of things to worry about. That was Selectman Maddox's concern and he wanted to know who was responsible for going down and doing whatever. Mr. Stephens said if there was an occasion that you wanted them removed, you could do that or if you needed to replace them, or they wore out or rotted out.

Chairman Coutu stated that they have a pretty good idea of where they'd like to go. If the letters could be redrafted for signature, he'll review them and will have our attorney review them please as well. Mr. Stephens had asked that when he walked in he thought he heard something about delaying something until the next Selectmen's meeting. Chairman Coutu indicated that we were waiting for you. Mr. Stephens had some photographs of other dams that had been passed out earlier.

Chairman Coutu declared a 10-minute recess at 8:10 p.m.

D. Acquisition of single-wide trailer from Library to Hudson Police Department

Chief Lavoie thanked the Board for having him there tonight. Basically not that they've completed the library, they had a couple of buildings on their property specifically the 2 trailers that are there that no longer need. They had sent out an e-mail asking if anyone could use this in the town first before they try to have them removed, etc. He thought that this would be a good opportunity for us. One of the things that they started looking at a few years ago was trying to build something or put up some sort of a shelter up at our current police firing range. It's been part of the plan that we've had where we redesigned our firing range. He thought that this would be a good opportunity for us to take advantage of this and have the single-wide trailer be brought up to our firing range to be used as an indoor classroom. Having been a fire instructor, there's numerous times you're up there for long periods of time and there's no shelter from the elements. A lot of times you have classroom sessions that have to be done. Chief Lavoie would like to ask the Board permission to be able to bring this trailer up to the range so that we could use it as an indoor classroom. What he also worked out was that this would be no cost to the town. Federal Protective Services is one of the agencies that use our range. He contacted them and they said that they would be more than happy to cover the cost of having the trailer moved from the library's location up to the range. Again, it would be zero cost to the town. He thought this would be a good opportunity.

Motion by Selectman Massey, seconded by Selectman Maddox, to approve the Police Department's request to have a single wide trailer moved from behind Hills Memorial Library to the West Road firing range, carried 4-0.

E. Bid recommendation for police cruiser

Chief Lavoie stated that every year this program had been set up some time ago with Chief Gendron and the governing body at the time to buy X amount of vehicles to replace vehicles that are ready to be turned in. We were taking little bites every year as opposed to one large bite. One of things he'd like to try doing this year is moving these vehicles a little bit earlier. The reason being is that normally we'd wait until the spring time. One of the things he's been finding out with Adamson's is they do the major overhaul of the interior of our cruisers. They also have large contracts. One of them is Las Vegas. Last year we were trying to squeeze in 4 or 5 cruisers with Vegas' 225 he believes is the number they had. We're trying to get this done in the fall and he's hoping for a quicker turnaround time on getting these cruisers back to us. We've run into problems with the mileage getting up too high. We're shutting them down, and we don't have sufficient vehicles to run on the street. So Chief Lavoie stated he'd like to try doing it. It would be the same

vehicles he would be getting rid of come spring and would like to start the process now and see if this cycle will work better for us.

Chairman Coutu stated that when he looks at their overall line item for the turnover for the cruisers he asked if we're going to change over 4 cruisers for the schedule that you're on for this year. Chief Lavoie said yes. Chairman Coutu asked if the cost would be as the bid proposal specified as \$63,396 leaving \$73,604 and did Chief Lavoie know off hand if it included the trade in and what he thought it would cost for the fit up for the 4 cruisers. Chief Lavoie stated that often times you find that we're around \$2,000 each to get those done, which doesn't include the stripping of the ones that we're getting rid of. Chairman Coutu asked if it was fair to say that he's right in assuming we're only going to bring in 4 new cruisers this year. Chief Lavoie indicated that was correct.

Selectman Maddox stated that to that end by doing it now as opposed to the spring, some of these cars are not going to have the mileage that we would normally turn them in with which is right around the 80,000 mark. So we're going to be trading some them are worth more money today. You're saying that we're going to have almost \$50,000 left in that line item. So you're not planning on buying any cruisers in the spring, right? Chief Lavoie indicated that he would not be buying any cruisers in the spring. Selectman Maddox said that even at a \$3,000 vehicle that's \$12,000 by the time you take the old stuff out of the old existing cruisers, putting in the new striping. Chief Lavoie said that there's going to be a change. They're losing a couple of the cars in the patrol. He remembers Selectman Jasper talking about before that often times we take some of the cars and we may turn those over to detective cars for the unmarks to go. He would not be buying any more cruisers in the spring time. However, if you remember back to August, we were talking about the shortfall with the State with the retirement plan. He said that he had some money set aside that could help him get there. Selectman Maddox said that we are about to enter silly season. So you're cognizant and we're agreeing now that whatever that fit up cost is whether its \$2,000 or \$3,000 that will be money left over in this line item. The only thing he's concerned about is we're not doing this 6 months earlier. We are going to throw off the miles if you would that we're going to be giving up as opposed to the spring time. If you're putting how many miles a month a cruiser, you're turning them in with 12,000 less miles on them. If everybody understands that and we see the savings, I guess Mr. Chairman we should go along with it.

Selectman Massey believes that one of the advantages we're probably going to get because we're going to do the trade in earlier is the value of the trade in is going to be a little higher. Is that correct Chief? Chief Lavoie said it was a little over. Selectman Massey said for one time only we'll see a higher trade in value when we start doing it next year at the same time, we'll be on the 80,000 at that point, actually for a few years. There's a couple years where we'll get a higher trade in value because we'll be trading cars in slightly earlier. Mr. Malizia said if we get a quicker turnaround, which is what he's trying to attempt to do. Selectman Massey said that when you look at it, 4 police cruisers are averaging out without the changeover for the equipment at about \$16,000 per unit. You can't buy a base level Chevy Impala for that price. It's a good deal for the town. Chairman Coutu concurred. Selectman Nadeau asked what the mileage of the cars that will be turned in. Chief Lavoie said that they range between 60 -77,000 miles.

Motion by Selectman Massey, seconded by Selectman Nadeau to award the bid for four (4) 2010 Chevrolet Impala Police Package Cruisers at the bid price of \$63,396 to the lowest bidder, MacMulkin Chevrolet of Nashua, NH, as recommended by the Police Chief and the Finance Director, carried 4-0.

Selectman Maddox said that there was some consternation about doing all of the vehicles with the new lettering. The Chief has come in, and we know that we're going to have this money available if you add the 12 on to the 63. We're at 75 as opposed to we budget 137. He thinks, Mr. Chairman that we should take some of that savings and letter all of the vehicles with the new logo. Selectman Massey concurs. Chairman Coutu asked the cost. Selectman Maddox said it would cost \$4,000 to do them all and you're done. Selectman Massey disagrees. His recollection is for the past several years we've been around the \$2,000 to \$2,200 to do everything, including the striping on the new cars. Chief Lavoie stated that Selectman Maddox is saying that he had come to the Board in July with the request to outfit the remaining vehicles to have the fleet looking as one unit. Selectman Maddox indicated that we're seeing a considerable saving here with the vehicles. So between the mileages that we're getting higher trade in value. Here's a case where we can stay can stay well within the budget and solve the problem. Fix them all at the same time.

Again, Selectman Maddox said it was an item that the Chief went back and is trying to count his pennies. He thinks there's a considerable savings in this line item that we can solve a problem, move it forward, and have consistency within the fleet and be done with it. The Chief has come in with a great idea here; let's see if we can piggyback onto it. Selectman Nadeau asked how much money. Selectman Maddox said probably less than \$3,000. Chief Lavoie said when he was originally coming in it was around 6. He would have to look again. It was about \$6,000 total. Selectman Maddox said that these are already part of that, so there's 4 vehicles out of that. Selectman Massey said it was 4 plus the ones that we just bought. There's at least 10 vehicles because we bought 6 on this last cycle. So 10 of the vehicles are already going to be lettered.

Chairman Coutu stated that based on the turnovers that we've had and in all fairness to get you to a number, you're looking between \$3 - 4,000. A minimum of 3 and a maximum of 4. If it's going to be over 3, you're looking at closer to \$3,500. That would bring the whole fleet in line. Selectman Nadeau can't spend \$3 - 4,000 on restriping cruisers to change the color from yellow and blue to black and white when we're trying to save money everywhere we can. Here we are going to spend it on vinyl striping again. He's going to vote against it. You're looking at a shortfall in the retirement; you're looking at a shortfall here; you're looking at revenues not coming in here; and here we go spending money again. You save money now you want to spend it. Chairman Coutu concurs with Selectman Maddox's overall position with regard to his willingness to want to see the cruisers striped at this point.

The Chief was successful in securing 3 good bids. The lowest which was MacMulkin. As a result of the budget recommendation for the purchase of the 4 cruisers, and most of those budget recommendations are based on the history of the town's purchases. We're talking very short money. He understands and understood back when Chief Lavoie first presented his arguments to do this that it's a paramilitary organization and everything needs to be uniform. At the time he thought that maybe we ought to wait and see where we're going with the budget and in light of the fact that he is going to have a surplus in this account of approximately \$30,000, \$3,000 is short money to have the cruisers 100 percent uniform. Chairman Coutu supports the motion.

Motion by Selectman Maddox, seconded by Selectman Massey, to expend money out of the 5330402 line item to have all of the police department vehicles lettered with the new design, carried 3-1. Selectman Nadeau voted in opposition.

F. Donation offer of \$2,500 from Wal-Mart

Chief Shawn Murray stated that we're here tonight to request the Board to accept a community grant from Wal-Mart in the amount of \$2,500. This is an annual community grant program that they provide to both the police and fire department. Chairman Coutu asked if the money was set aside in a general account. Mr. Malizia stated it goes into a donation account with the fire department if they want to spend it, they'd come back and tell you.

Motion by Selectman Massey, seconded by Selectman Nadeau, to accept the donation of \$2,500 from Wal-Mart with the Board's thanks, carried 4-0.

G. Application for 2009 Fire Prevention and Safety Grant

Chief Shawn Murray thanked the Chairman and members of the Board. We're here tonight to ask the Board to consider allowing us to apply for the assistance to firefighter's 2009 fire prevention and safety grant. As you recall, we applied for the assistance to firefighter's grant earlier this year. That's the tanker grant. At the end of every year, they release a second grant strictly for fire prevention and safety education. Deputy Buxton approached him and asked him to apply for the grant, and he'd like to give him the opportunity to tell everyone about it.

Deputy Chief Rob Buxton said basically as the Chief said, the purpose of the grant is to promote public education and safety for both the public and members of the fire department. This year, specifically, we're looking to write a grant that would provide for a new fire extinguisher training simulator along with a new hazard house. Both of these types of education are provided from the Fire Prevention Division. Currently the hazard house we've owned for several years now and is used by inspect a trailer when our public education with the kids at the schools, Old Home Days, we've all seen that. The fire extinguisher training that we do provide to the public and to the members of the department has been done with the old fashioned pan, diesel fuel, and cost of extinguishers. This is a simulator that will be in house and is a clean up-to-date technology.

Basically right now under the life safety code anybody that has occupancy of greater than 250 people needs to have what is called "crowd management training". Part of that crowd management training under the State of New Hampshire RSA is fire extinguisher type training. So we have assisted the Hudson schools, with training the custodial staff this past August, we've done members of the department, we've also done private industries. As the Chief said, the grant does require a 10 percent match, which we have identified funds within the fire prevention budget to cover if we are successful in getting the grant. Chairman Coutu asked how much the grant is that they were applying for. Deputy Chief Buxton indicated \$17,000.

Selectman Maddox asked if the Wal-Mart money could be used for the 10 percent match. Chief Murray indicated that it is available in that fund as well as the donation fund. There is already approved budgeted funds for fire prevention and education we would use.

Motion by Selectman Massey, seconded by Selectman Nadeau, to authorize the Fire Chief to apply for the 2009 Fire Prevention and Safety Grant, carried 4-0.

Chairman Coutu thanked the Fire Chief and Deputy Buxton for putting the work together for this fire prevention grant.

H. Hudson Cable TV Facility Lease

Town Administrator Steve Malizia stated that if the Board desires to extend the lease for an additionally year, and there are 2 such contemplated extensions for 2 separate years, but for the next year we need to execute that 90 days before the lease terminates which is December 31, 2009. So if the Board wishes to extend that lease under the same terms, conditions, and rent this motion that he's written would provide for that.

Selectman Maddox would like to know when the facility will be operational. Chairman Coutu said it is operational right now. Selectman Maddox said that people are using it right now to do programs now. Chairman Coutu said that they are doing training classes and he doesn't know what they've set up for programming, but it is available for programming. A second question was asked by Selectman Maddox to see when they would be coming in with the outline and what would constitute this being a success.

Chairman Coutu stated that right now through the summer months they did all the preparation for the facility. They had to get a lot more electrical work done to getting the lighting grids up, the lighting grid in place, the backdrops are in place, and they've been able to acquire several donations for studio props. They are now in the process of acquiring a unit, which he's not familiar with it, but it's what they use in the back room to edit, put the headlines in and what not, dubbing. That's all being acquired now. That's going to be installed. They plan on having an open house in October. We're going to have cameras running, people walking through, and we'll do some sort of interview type show, and it will be done live so people can see that the facility was up and running. He thinks that based on what was suggested by Selectman Massey and proposed by the cable facility, if he's not mistaken, he thinks we're expecting an update from them in December. He believes it was semi-annually an overview of the goals and objectives, and where they're at, and how they've achieved those, and where they're going. He expects that in December they will receive their first full report.

Selectman Maddox is looking to see what this Board, the cable utility are going to qualify as this facility being a useful expenditure. He looked at his cable bill and he's paying \$3.00 for this service. At what point do we say we're spending money for a no good purpose. I'm of the mind to rapidly becoming that former selectmen that use this franchise fee to fill pot holes was a better idea. Mr. Chairman you knew what they wanted to buy for years. They've had this plan. It's been at least 4 months that this things has been almost ready to open. Get it up, get it running, and let's move forward. Here's one of those cases we're spending money and not getting anything for it. Chairman Coutu suggested to Selectman Maddox not to be adversarial. He agreed that we're paying a fee for the use of the cable facility. You need only look at your monitors to see that the people have access to all of our meetings every single week. Both the school committee and the town government as well having access on our public television station, other programming which is being submitted by other communities, and an opportunity for them to come in and learn how to use a camera and do their own programming in town. He knows that the cable committee is addressing the outreach portion as we speak in terms of getting people interested in wanting to develop their own programming. We've established a tremendous linkage this year which we

hadn't had in the past with the school department. We have an active school committee member, Lee Lavoie, who is now actively involved with the cable committee. A linkage has been made with their instructor for cable broadcasting at the school with our cable facilitator, and they're going to work together to coordinate volunteers to do more programming in terms of high school sports and middle school sports, which would be shown on television. Most recently we've had the football games. We're trying to provide a better quality program with announcers for all of the sports activities that are going on within the school system, as well as some of the Hudson Litchfield Bears, the nonprofit agencies that run sporting. They are now learning how to use cameras and they're going to start showing their own nonprofit sporting groups on television. So we've made tremendous headway. He thinks that if for nothing else having the availability of public access to our municipal government is well worth the \$3.00 a week in his opinion.

Selectman Maddox doesn't want to be adversarial either, but that's all done on the government and the educational channels. He doesn't disagree. We have the facilities in place. All he sees in Channel 20 is the senior's trips to the year 2041 and Frisbee golf. That facility that we're paying \$20,000 a year for isn't being used to do any of the things that you've talked about. The sports are done from the press box. These meetings are done here at Town Hall. He's just saying that he would like to see what they expect to justify \$20,000 plus all the other costs for that facility that we are not agreeing to extend the lease on. Chairman Coutu stated that they've been there for a while setting up and it doesn't happen over night. Installing lighting grids, backdrops, getting equipment in there, and setting it all up takes time. We don't have a staff doing it. It's all volunteers. You can only ask volunteers to do so much. These people are not getting paid to do any of this. We only have a facilitator that's working on average 20 to 30 hours a week doing other things as well as that studio. To expect that we're going to have a studio up and running in 30 days - WBZ couldn't do it and they've got millions at their disposal.

Selectman Massey was one of the selectmen who voted not to enter into this lease last year. He was prepared tonight to not vote to extend it either. What he's hearing tonight gives him pause. He's coming down on the level of Selectman Maddox. He will not extend the lease next year if we don't have a clear set of plans, objectives, and a clear set of measureable events that are happening over the next year that warrants spending \$20,000. Contrary to Selectman Maddox wanting to use the surplus for the general fund, he would be more apt if we didn't need all the money that we're getting off of that franchise fee to return it to the people who are spending the money and reduce the percentage. He doesn't think this is money that should go to the general fund. He wants to see a clear set of objectives and a clear set of measurables. It's done when he says it's done. It's done because there's a set of doneness criteria that we can all agree on that says yes when I seem that that's what's happened. Again, he's going to support the motion tonight if it's made. What he's hearing from Chairman Coutu suggests to him that they are at least working towards that goal.

Chairman Coutu said that they are. He, too, felt that if there was no progress they would not support renewing the lease. We're not going to throw money away. They are volunteers and they're doing the best they can to get this thing operational. They want to make full use of the facility. Chairman Coutu concurs with Selectman Massey that the parameters that were set in order for them to acquire the facility were clearly defined and outlined, which they agreed to. The cable committee agreed to establish the goals and objectives as part of the operating process and that they were going to report back to the Board of Selectmen. Chairman Coutu stated he wouldn't expect anything less from them. If they fail to accomplish or meet those goals of that criteria that was established Chairman Coutu will not support the renewal of the lease.

Chairman Coutu indicated that the contract was up for renewal with Comcast so we'll be entering into negotiations with them. He also wanted to make everyone aware that most of the facilities that are open and operating - you can go around the State and the northern tier of Massachusetts. Most communities that have cable facilities operating have full-time employed staff. We do not. We are operating this on a volunteer basis. The studio that Chairman Coutu went to with the Cable Committee Chair Michael O'Keefe had 3 full timers and 4 or 5 part timers working in the studio. It's all paid for with their franchise fees. We're at 3 percent and we can go as high as 5 percent if we wanted to. He thinks some of these communities are at the 5 percent in order to support a staff. We're going to be doing it on a volunteer basis. Again, going back to what Selectman Massey said, the cable committee was fully aware when we entered into this agreement that there was a mandate from this Board that they would meet certain levels of criteria in order to continue in operation. It was made abundantly clear this evening.

Selectman Massey asked the Town Administrator now that the Board of Selectmen can enter into a lease of a year and can the lease period span two fiscal years. Steve Malizia stated that given this was reviewed by the attorney last year and was approved to span 2 fiscal years, he didn't see anything that's changed in the law over last year to this year. Yes we can do that.

Selectman Massey said that an extremely high priority for the cable committee for next year's budget is to provide live streaming video. As it is right now, the only people that can see this meeting live the night it happens and all the other meetings in town is if you have cable. If they go to live streaming video, then anybody in town who has access to a computer will be able to watch the meetings and all the other meetings that are being telecasting. To his way of thinking, that would be an extremely high priority. He understands there's a cost involved but believes it would be worthwhile for people who don't have cable to be able to see the meetings. Chairman Coutu will relay at the next meeting.

Motion by Selectman Massey, seconded by Selectman Nadeau, to authorize the one year extension of the lease with Nadeau Park LLC for the Hudson Cable Television public access center at 98 Old Derry Road. Said extension shall be for the period of January 1, 2010 to December 31, 2010.

Selectman Maddox stated that we're looking at a budget on this group of \$216,000 this year. He expects something for \$216,000. He voted begrudgingly to give them a chance to get it up, but he's tired of Frisbee golf and he's tired of waiting for something that they've promised 2 years ago, which was a fire department related safety training film. Chairman Coutu stated in regards to the fire safety training film, we're waiting for the fire department to provide the film. Selectman Maddox indicated it was taped 2 years ago. Chairman Coutu will look into it. Selectman Massey made the motion because based on what he heard the liaison said their doing, it would be premature to pull the plug. He's with Selectman Maddox on this. He believes that next year if all we're seeing is Frisbee golf and agendas for different organizations on Channel 20, then we haven't accomplished anything and we should then do it. Chairman Coutu reiterated that he understands and concurred.

Vote: Motion carried 4-0.

Selectman Massey indicated that he's repeating his request that the cable committee engage the services of a communications lawyer other than the one used for the current contract. The gentleman from Boston. There ought to be at least one other person in the northeast that does this kind of work. His personal opinion is that he doesn't think the town benefited as much as it could have. He knows that we were part of a consortium at the time, but he understands now that we're going to do this on our own. If that's the basis, he believes we should pick the attorney we want. Chairman Coutu said that came up at discussion at the last meeting. Mr. O'Keefe has sought the advice and council of other cable facility operators in the southern tier of the state to ask them what attorneys were available to do that. They are few and far between. Basically it's the law firm in Boston. However, Londonderry who had the same attorney that we had from that law firm opted to switch. They stayed within the company, but they went to a different lawyer. It was a 180° turnaround. This guy had the personality, he had the interest of the community at heart, he was able to negotiate successfully, and they got everything that they wanted. They recommended that we specifically ask for that attorney as opposed to the one that we had in the past. We would probably have to go to New York to find the law firm that could do this in this area. Chairman Coutu suggested to Mr. O'Keefe that he get some information relative to the firm/lawyer and some feedback from other communities that have used him and present it to the board so we can make a judgment.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - He's kind of reticence because the liaison is not here, but those of you that saw, I asked for an accounting of money spent at Benson's. It is a challenge. As you saw, there's a handout today that was handed to us by the Assistant Town Administrator continuing on with this. A citizen came in this evening asking when we can open this. Not having Selectman Jasper here, he's kind of trying to balance this as opposed to morph. I thought we were going to have more of a discussion him and I. He doesn't see why we can't open 90 percent of that park, deal with sealing off the parts that need to be sealed off - orange fencing is a great thing, and let the people go in there. Selectman Maddox has driven by a couple of times in the last 2 weeks, and there have been cars parked there. People are going in. There is as much danger at Benson's as there is at Musquash, as there is at Merrill Park. There must be rules for those parks as they've been around for a long time. He's having a difficult time with let the Benson's Committee tell us when it is

going to be open. At the rate it's going, it could be next June. Selectman Nadeau indicated that July, August, September of next year might be a better date. Selectman Maddox is having a tough with it. He's looking for consensus from this Board if we want to do something else and we'll give them a time to open rather than them - he knows we sent them off with that and that's why, again, without Selectman Jasper here he's kind of reticent to say give them a date to seal off the parts that are unsafe and open the park with the same rules we're using for Musquash. That's the only item he has this evening and he'd like to see where the Chairman wants to go with it. Chairman Coutu will entertain as a matter of discussion because he knows that it is something that's been on their minds for some time now. He, too, is somewhat reticent about taking action as a result of Selectman Jasper not being here. Time is of the essence.

We're not arriving at the end of September; we're in the first day of fall. We need to take some action. I know that the Benson's Committee plan was to have a couple of weekend openings a couple of weekends. Being in the business that he's in, he's accessible all day long when people come in and talk to him about where we're going to store the animals. They still think we're restoring Benson's Wild Animal Farm, which we're not. Sometimes I wish we had called this Benson's State Park as opposed to just Benson's Park so people would get the concept that it is something for people to walk through and enjoy the outdoors with some trails that have been developed, manicured, and restored. He will vote for a motion this evening to set a date specific to open the park. From his perspective, we need to secure the historical district. He thinks that considering the contacts that have been made by Mr. Desrosiers, who's a member of the Benson's Committee, and Selectman Nadeau with regards to recruiting volunteers, and with the materials that we have stored on the property, we could secure with fencing material - and correct him if he's wrong, with volunteers. Selectman Nadeau indicated that we could if it was not thrown away when they cleaned up around the barns. Chairman Coutu stated that according to Selectman Jasper, it was not destroyed. If it is there, the volunteers could put it up. Selectman Nadeau said that the Benson's Committee is meeting on September 24th, which is this Thursday.

Motion by Selectman Nadeau that the Board of Selectman instruct the Benson's Committee to finalize their plan to open the park on October 1st.

Chairman Coutu asked if the date was realistic. Selectman Maddox said no.

Motion by Selectman Nadeau, seconded by Selectman Maddox, that the Board of Selectman instruct the Benson's Committee to finalize their plan to open the park on October 15th.

Chairman Coutu would like to get a realistic date like a Friday or a Saturday and mid-week. Selectman Maddox indicated that October 15th is a Thursday. Chairman Coutu said to make it the 16th, which would be a Friday. Selectman Maddox said the 17th is a Saturday. Selectman Nadeau want to make it Columbus Day weekend the 12th. Chairman Coutu said that's realistic. He indicated that in one weekend you can put up fencing to secure the property. We could rent temporary fencing for that matter. Selectman Maddox said they could put some orange fencing around areas that are of concern whether they be the culvert. Chairman Coutu would like to know what he means by the orange fencing. Selectman Nadeau said the beautiful snow fence, which comes in green too. Chairman Coutu wanted to know if it is enough to secure the historical district, the railroad station. Selectman Maddox advised that it's just to point out to people that that is an area you shouldn't go in. Chairman Coutu said that we have an investment in those building and he'd like to see those buildings preserved and maintain the integrity of the work that's been done there. Selectman Maddox agrees.

Motion by Selectman Nadeau, seconded by Selectman Maddox, that the Board of Selectman instruct the Benson's Committee to finalize their plan to open the park on October 12th.

Selectman Massey stated that we've given this committee the charge that they should feel comfortable that they can make recommendations to this Board. He would be far more comfortable if this motion were that they come back as their meeting on the 24th and give us a date in October when they can open it. To tell them ahead of time what they're going to do is just another one of our micromanagement issues. He knows that the issue about opening the park is critical, but he thinks we have to give this committee a little bit of leeway. As he said, he'd be more comfortable if the motion would be to direct them on the 24th to have a date in October when the park can be opened. So I will not vote for this motion as it is.

Chairman Coutu said he's not going to hesitate to support the motion. He, too, am concerned that it seems like we're not pulling the plug on the Benson's Committee, but we might be overreacting to one or two people. Almost every day Selectman Massey people come into my store and say to me they went by Benson's and they see all kinds of people walking through there. They are going in anyway. They're finding a way in, and they want to know why we're not opening it officially for the general public. He was not aware

of how much traffic there was in the park until I went out there and looked for myself and saw cars parked. He happened to see people walking in and out and he went over and spoke to a couple of people. They indicated they thought it was open. We come by and walk here every day. We have people walking that park with dogs. They're obviously getting access however they're getting it. You found your way in and got lost in there. You went and found them and you found your way in. Some of us know the codes to get in. He thinks that people are accessing the park anyway. He hears their argument about acting in haste, but he doesn't see where this is haste if people are using it anyway. So just open it to the general public.

Selectman Massey's last point is that there are no rules of engagement for Musquash, town forest, the Ingersoll Preserve. People are using those without any input from anybody in town. The only rules of engagement are on all three of those properties there's a sign that says "no motorized vehicles". But to my knowledge, there is no ordinance in town that underlies those things. So he agrees. People are probably using it, but his concern right now is that what the securing those buildings mean? Orange fencing is not going to keep somebody away from those buildings if they want to go near them. The only thing you could probably keep people away is if you put an 8 foot chain-link fence with concertino wire on the top of it. That would probably be the only way you could keep people from getting at the buildings if we want to secure them. His concern is that we delude ourselves if we think orange fencing is going to keep people from those buildings.

Selectman Maddox indicated that he never thought it was going to keep them out of the buildings. He thought there were some areas in the trails that the pavement is broken up or there could be other issues that that could be used for. He's absolutely right. He doesn't think the construction orange fence is going to keep them out. He's siding with Selectman Massey in as much as he thinks that the motion should say that the Benson's Committee on the 24th will tell us what day in October it will open. If we don't have regulations for the rest of our parks, shame on us. That was one of the things they were working towards. He thinks that the areas they're really concerned with, and he still has not found them on that document that's on line, that once we open this we can't close it. He's still of the mind that we can close parts of this as we so deem for construction, repair, or whatever. To that end, he would ask that the maker just say Selectman Massey's is a much better approach. Asking Benson's when it will be open in October of 2009 and go with that. We're not completely micromanaging, but we're saying get the thing open. He feels bad that Selectman Jasper is not here to vehemently argue with him, but he thinks we need to say to these people that we want to use the park to just go walk around. They don't care about the historic buildings; they don't care about the fountain; they don't care about all this other stuff. If we have to put one port-a-potty in there, so be it. We don't need to have porcelain in the gorilla cage to open the park. He's looking for some change from the maker.

Motion by Selectman Nadeau, seconded by Selectman Maddox, of letting the Benson's Committee set the opening date in October of 2009.

Selectman indicated that there's no porcelain at Musquash and there's not at Ingersoll Rand. He doesn't even know if they have to put any over at Benson's. Selectman Massey indicated that there are no port-a-potties either at those 3 properties. He doesn't think that should be a gate to opening. Chairman Coutu's area that he is of concern of as well, and he may go to the meeting Thursday evening, is that there's that one portion Selectman Massey when you and I did our walkthrough upon my return from my vacation. You remember as we're walking down towards the gorilla cage, there is one path that goes off, and he knows both of them are familiar with this, where the old red barn is. We need to secure and he's very concerned about that. A young child running away from their mother running up that road can just drop 10 feet. We need to secure that one area so that we don't have that immediate drop. Selectman Maddox asked if there were fence in parts of it. Selectman Nadeau indicated that the top part is fenced but the bottom part is not fenced. The Trails Committee on the last Saturday cleaned up all around that area so that you probably could secure a fence from the part that I had flagged off with yellow flagging tape from there to there. Chairman Coutu indicated that's the area he is concerned with. That's the drop. He just wanted to make sure that we don't people blindly walking off there and start twittering or whatever with their telephones and not paying attention, and the next thing you know they're lying on their back 10 feet down. He's sure there are Benson's Committee members watching this evening. We want to make sure that's secure. With that, that pretty much meets with what you suggested.

Vote: Motion carried 4-0 (authorizing the Benson's Committee to set the opening date in October 2009).

Chairman Coutu indicated that maybe Selectman Jasper may have agreed with us. He might not have wanted to discuss this contentiously with you. He might have agreed. Selectman Maddox disagreed.

Selectman Nadeau has a few things this evening. One of the things that we agreed to tonight in our outdoor permits and gathering is on October 17th at the Hills House the Kiwanis Club will be having a Pumpkin Fest.

This is one of the things that the high school got together with the organizations in town, and they will be having tours of the farm and selling pumpkins. The hours are 10 a.m. - 7 p.m. at the Hills House on October 17th. I'm sure you'll see more of that to come.

➤ Selectman Nadeau said that on 9/11 we had an observance at the Town Common at 10:30 a.m. He'd like to thank the VFW, the Legion, the fire and police departments, and all those that took part in the activities on September 11th. It was a well attended event. There were a few people from the Town, a few people that came from town, and a couple from out of town. That was another good thing that the Town did.

➤ Selectman Nadeau stated that the other thing was the Chamber of Commerce had a business expo at Alvirne. The fire and police departments had booths there. They had some things there that businesses commented on. One of the things was what Deputy Buxton spoke about tonight - fire extinguisher safety. He told people that things like that were available and the different programs the Town offered with the police department that were available.

➤ Selectman Nadeau indicated that on that note, one of the things that the Chamber has coming up through the police department is the Hudson police and business are doing an awareness session at the police department on October 21st. It is an informational session open to local business and their employees presented by the Bureau of Liquor Enforcement. You do need to register to attend. It will be at the Hudson police station. It is for alcohol, sales, and detecting of fake IDs, which will be put on by the police department and the State of New Hampshire Liquor Enforcement. It will be on Wednesday, October 21st, from 6 - 9 p.m. If this is something that one of the businesses in town is interested in, you can contact Sergeant John McGregor at the police department.

➤ Selectman Nadeau said that the Highway Department gave him a list of things that they've been up to. The bad news is that they are turning the rest of their trucks into plow trucks and getting them ready to sand for the winter. The Marsh Road generator is 100 percent complete and on line. One of the things they did this week was to clean up the Town Common and around town.

He noticed at the 9/11 observance was the monument that was donated by the American Legion and it told us that we were in the Vietnam War, the Korean War, War World I and World War II. We have the Persian Gulf War on there, but we do not have - over in Nashua they had Desert Storm and Afghanistan on their monument. The American Legion donated that to the Town of Hudson. We are now responsible for the maintenance and upkeep of it. He believes it is something we should look into updating the monument. He took it upon himself to look into it and will get back to the Board with some ideas he's heard from what the American Legion would want to finish out the bottom of the monument with where we are for the wars we've been in and the conflicts.

The roadside mowing, brush cutting, and the street sweeping are still ongoing for the Highway Department. The Highway Department just recently assisted the school district in replacing the drain lines at Alvirne High School. Melendy Road drain was replaced.

Chairman Coutu asked in regards to the monument if it was the new monument. Selectman Nadeau said no. He wants to update the monument near the flag pole. Chairman Coutu thought they donated something new.

Selectman Massey - Two things. The first one is Selectman Maddox asked the Board for the input to provide him and ultimately myself with guidance in the two areas that are being examined by the Planning Board today relative to updates to the ordinance. One is the sign ordinance, and the other one is the wind energy ordinance. He would appreciate it you all would have a chance to read those two proposed ordinance updates and give us your feedback. He believes it will be discussed on October 2nd. Selectman Maddox indicated that wind energy would be discussed tomorrow night. Selectman Massey indicated that the sign ordinance is probably a more critical one to look at because it gets pretty squirrely as to what is, isn't, etc. He would appreciate their inputs on it.

➤ Selectman Massey noted that today was the semi-annual police blood drive. He would like to thank all of the citizens that turned out to support this extremely important community event, which is sponsored twice a year by the police department. As of 6:00 p.m., 211 citizens had come in. We are very close to our goal of 204 collected pints. Obviously everybody that comes in for one reason or another is not able to give. Interesting enough it appears that a lot of people this year were not accepted because of low iron levels. To that end, he would like to thank Jamie Allain from the Hudson Police Department who every year has been the spearhead behind getting this done, and all of the town employees who have worked both up front and behind the scenes to make this an event that is really truly a town-sponsored item.

➤ Selectman Massey stated that finally it is always nice, as he's said before; the town is not bricks and mortar. It's the people and the businesses in town. He would like to publicly thank the following establishments for supporting this: Pizza Man, Nan King, Chick-Fil-A, McDonald's, Kahills, Dominos, Panera Bread, Flowers on the Hill, Sam's Club, Lisa Nute as a Jaffra cosmetic product consultant, Rebecca Bergeron as a Pampered Chef consultant, GS Audio Works, the Boston Red Sox provided an autographed photograph of Kevin Youkilis that's going to be raffled off, (If you signed up to give blood, your name was put into a bowl.) O'Neill Cinemas, Dairy Queen, T-Bones, Dr. Todd's office, the Rotary Club, Girl Scouts, and Unos. So on behalf of the Board of Selectman, he would like to say thank you to all the establishments for helping make the annual, semi-annual event that it has turned into. Again, thank you for all of your support of the event.

Selectman Coutu - Selectman Coutu would like to commend School Committee member Laura Bisson who at the last School Committee meeting made some statements that echoed things that he'd been saying for quite some time. Both on the School Committee, pretty much every single board and commission in town, especially the School Board and the Board of Selectmen offer an opportunity for the public to come before us at public input and to tell us what's on their minds. We witnessed it here this evening and inspired you to act Selectman Maddox. Laura Bisson brought it to mind the other evening at the School Committee meeting.

➤ As you know of late in the past few months there have been a series of thumbs up and thumbs down in the Hudson Litchfield News with regard to problems that were perceived at the Alvirne High School barn. Those charges and innuendoes were thoroughly investigated by the school administration, school officials, and indeed the police department. Superintendent Bell as well as Selectman Shawn Jasper was implicated in some of the thumbs down and in some of the letters and e-mails that were circulated in terms of collusion, and who's going to get jobs, and how the whole situation was handled. As a town father and someone who as followed this very closely, I am very proud of the work that our police department and our school department did investigating all of the accusations that were made, and that appropriate action was taken to resolve any of the problems that existed at the farm. Selectman Massey asked if we were referring to the graffiti. Chairman Coutu said they were referring to animals at the barn where there was a donkey that died, and how the donkey was handled, and this stuff. He's very proud to say that over the past couple of years he's come to know the Superintendent and he finds him to be a most honorable, trustworthy person and someone that he enjoys his company, and very proud that he's heading our school department. With that said, Chairman Coutu recommended that rather than do thumbs up and thumbs down, don't be afraid to come forward and tell us what's on your mind and what's bothering you. That's what we are here for. Sometimes that's the way we hear things, and we need to hear it. If you don't want to come to public input, please contact any one of use and we'll do what we can. Chairman Coutu had a situation this week where a gentleman called him, whom he never met the gentleman in his life, identified himself, told him what his problem was dealing with assessments and Jim Michaud. He contacted Mr. Michaud who was away on training. He responded immediately from wherever he was, and today he contacted the individual and the individual is very happy that somebody contact him, and that's all he needed. That's all that needs to be done, and that's all he needs to say on that.

➤ Selectman stated that the last thing he wants to bring to everyone's attention, again, which is something we're going to have to deal with this fall, is the H1N1 flu. We're starting to have some problems nationally with it. Selectman Jasper may very well have it right now for all he knows, but he's not in that age group that's most susceptible. The H1N1 planning group met this past Monday the 21st in the Board of Selectman meeting room. As the Director of Emergency Planning, Chairman Coutu attended along with the Regional Public Health Coordinator Patty Crooker, the Town Administrator Steve Malizia, as well as the Assistant Town Administrator, Laurie Robichaud who is the school district emergency coordinator, (I believe she's vice principal at the middle school.) the Tom Schofield the Fire Chief from Litchfield who we have a cooperative and joint venture with in terms of H1N1 inoculation, Deputy Chiefs Carter and Buxton of the fire department, EMS Coordinator Michelle Rudolph, the Health Officer Bill Oleksak, and the Executive Secretary to the Fire Department Torrey Demanche, and Police Chief Lavoie.

The following topics and discussions were held. Patty Crooker gave an overview of the current H1N1 flu status and provided information on the sequence of events for the release of the flu vaccine. The initial flu vaccine will go to the hospitals and health care providers for targeting of high risk groups such as pregnant women, citizens with underlying health problems that would be at a higher risk from the flu. First responders are included in this group. School vaccinations will take place once the highest risk populations are taken care of. The Hudson School District has agreed to conduct a vaccination program for school age K-12 children. A meeting at school nurses and SAU administration was held last week to discuss how the program will be conducted. It will be held on a weekend day when the SAU is notified. Logistics related to the delivery of the vaccine and setting up vaccine clinics were discussed. The school district is sending

home informational letters, and I think a lot of them have already been sent to the homes, to parents and students providing them with guidance on the flu signs and symptoms, preventative methods, and reporting your flu symptoms to the schools. The schools are participating in reporting flu issues to the State on a daily basis. The regional help group will provide resources in the way of personnel, back scene, and other resources to conduct these vaccination programs. The town has current point of distribution. It's called a "POD Plan in Place". Chief Murray is formatting the document to mirror the regional plan. The town is concurrently working on the planning for vaccination clinics of the general public to be prepared in case mass vaccination of the public will need to occur. The same resources will be provided by the regional help group as those provided to the schools. The Town of Litchfield will assist the Town of Hudson with planning and resources, as the Town of Litchfield is included as part of the regional plan for Hudson. The Health Officer Bill Oleksak was tasked to provide flu and H1N1 information in cooperation with the school district in order to provide accurate and consistent information throughout the Town of Hudson. He would use local media and internet sources such as the town website to put out swine flu information. The information is already being disseminated through a number of sources statewide. Patty Crooker will provide Mr. Oleksak with a flu information tool kit. Mr. Oleksak is also part of the New Hampshire Health Alert Network that will forward updated information to this planning group when it is received. Patty Crooker stated that there will be enough lead time for the town to prepare for the vaccination clinics based on the delivery of flu vaccines. She cautioned it could be towards December or January before the greater Nashua area meets its vaccination goals. The planning group will continue to meet as the vaccination program evolves over the next few weeks. The group has confidence that it will be able to address the vaccination needs of our community.

Chairman Coutu wants to reassure the general populous of the Town of Hudson that he was favorably impressed with the actions that have already been taken, the pre-planning that is ongoing, the fact that we're going to meeting on a regular basis, and we're going to be communicating with each other on a regular basis as we've all exchanged our e-mails and are now all locked into our Hudson communication through the e-mail services. In the event that there is any sort of outbreak, we will be on top of it. He's confident that we will have it under control, and there's no need for anyone in the Town of Hudson to panic nor in the State of New Hampshire because the pre-planning has been extensive, on target, and he thinks it will achieve everything that it has set out to do.

Selectman Maddox - Selectman Maddox said that as a follow up to Chairman Coutu's comments, he knows that we've been getting the H1N1 updates mostly from the Fire Chief and you probably have it for a shorter period of time than if you read all the documents that we received. Some of them were extensive in their explanation. He would like to thank the Fire Chief who has kept him in line. Selectman Maddox wanted to go ballistic a couple of times because some of the e-mails that were going back and forth. Obviously having the meeting in town and discussing Hudson's needs, the Fire Chief struggled a couple of times and fought for getting some things changed that would have made it difficult for the general populous to make this happen. Utilizing a number of resources that he had available, he was able to get some things done that hopefully will benefit us. Depending upon who you want to listen to, it's coming next week or it's coming in three months. Nobody really knows. So it's going to be a challenge to be able to deal with it quickly when it does happen. Again, kudos to the Fire Chief for being able to deliver on a very difficult, movable target with all the other things he had going on. Chairman Coutu concurs.

10. **NONPUBLIC SESSION**

Selectman Maddox expressed concern that the general populous is not going to know what the subsections are under RSA 91-A:3 II and would like the detailed language included on the web page.

Motion by Selectman Massey, seconded by Selectman Maddox, to enter Nonpublic Session under RSA 91-A:3 II (a), (b), (d), and (e), carried 4-0 by roll call vote.

Nonpublic session was entered into at 9:35 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public was asked to leave the room.

Nonpublic session was terminated at 10:22 p.m.

➤ Motion to approve the hiring of Debra Winter for the position of Dispatcher/Clerk at a rate of \$16.82 per hour (Grade VIII, Step Minimum) effective September 27, 2009, carried 4-0.

- Motion to authorize a temporary salary increase of \$1.50 per hour to Lisa Labrie, Town Accountant, for the period of August 10 through September 26 for performing the Payroll function for that period (\$420), carried 4-0.
- Motion to authorize a temporary salary increase of \$.58 per hour to Jennifer Riel, Water Utility Clerk, for the period of August 10 through September 26 for performing the Accounts Payable for that period (\$162.40), carried 4-0.
- Motion to approve the promotion of Jennifer Riel to the position of Senior Accounting Clerk at a rate of \$17.00 per hour (Step 2) effective September 27, 2009, carried 4-0.
- Motion to authorize the Finance Director to begin the hiring process for the Water Utility Clerk, carried 4-0.

11. **ADJOURNMENT**

Motion to adjourn by Selectman Massey, seconded by Selectman Maddox, at 10:25 p.m., carried 4-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Roger E. Coutu, Chairman

Kenneth J. Massey, Vice-Chairman

Shawn N. Jasper, Selectman

Richard J. Maddox, Selectman

Benjamin J. Nadeau, Selectman