

HUDSON, NH BOARD OF SELECTMEN
Minutes of the September 8, 2009 Meeting

1. **CALL TO ORDER** by Chairman Coutu the meeting of September 8, 2009 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. **PLEDGE OF ALLEGIANCE**, led by Acting Town Engineer Gary Webster.
3. **ATTENDANCE**

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

Staff/Others: Steve Malizia, Town Administrator; Mark Pearson, Assistant Town Administrator; Kevin Burns, Road Agent; Kathy Carpentier, Finance Director; Gary Webster, Acting Town Engineer; Jim Michaud, Assistant Assessor; Ruth Parker and Len Lathrop from the Hudson Historical Society; Gina Votour, HLN; John Collins, SUN; Priscilla Boisvert, Recorder

4. **PUBLIC INPUT**

Len Lathrop and Ruth Parker, Hudson Historical Society - Len Lathrop, Chairman of the Board of Directors, and Ruth Parker, Treasurer, were representing the Hudson Historical Society to clarify the position of the Society in regard to several statements made in previous Selectmen's meetings and other matters relative to Benson Park. The Society holds a \$1,000 donation from the estate of Joseph Arcaris, the long-time lion tamer at the former Benson Wild Animal Farm. This money was received in May 2004 and has been in a separate CD with Citizens Bank. The CD will mature in June 2010. The Board was provided with copies of a handout from Mr. Lathrop of the letter from the estate, the vote of acceptance from the Society's Board of Directors and a certificate of deposit maturity notice. Mr. Lathrop said these were the only funds the Society has that are solely reserved for the memorialization of the Benson Wild Animal Farm. The Board of Directors felt the need to bring this information to the Selectmen, as statements relative to the Society's holding money for the purchase of Benson's memorabilia were alluded to in the Selectmen's meeting of August 25. The time the Board of Selectmen has spent on the Benson's Park project over the past several months became clear that this information was very important. Mrs. Esther McGraw, a member of the Society, brought a request to the Society's Board of Directors from the Vice Chairman of the Benson's Committee to use the Society's 501-C-3 tax status to receive donations for the Benson's Committee. While the Society has always seen Benson's Wild Animal Farm as an important part of Hudson's history, that type of use may be outside the intent of the United States Tax Code. This is not to say the Society is not, or would not, be willing to help in the salvation of memorabilia, but the donations must be made to the Society, with the control of those donations resting solely with the Society.

Chairman Coutu asked if someone was willing to make a contribution for the preservation of historical memorabilia for Benson's, they may do so to the Historical Society and it would be set aside as memorabilia for the Benson's Park project. Mr. Lathrop said in the past, they have accepted those donations because there was no other mechanism. At this point, they would probably point them towards the Benson's Committee first, and towards the Society secondarily. The Society is very willing to help and they have a few pieces of Benson's memorabilia that have been donated to them, but it's nothing of great significance. They just wanted it understood that there isn't a big pot of money sitting with the Historical Society to purchase memorabilia. Mr. Arcaris' estate was pretty specific in determining how they would like the money used. The Society didn't want to get down to a slippery slope later on and he felt they needed to come before the Board to clarify their position.

Chairman Coutu said he didn't recall what was said at the August 25th meeting, but thanked Mr. Lathrop for clarifying any questions anyone may have had with regards to any monies being held by the Historical Society.

Selectman Jasper said he was looking through the minutes, trying to figure out what was said, but couldn't find anything. This was a surprise to him. He knew there was some money someplace from the Arcaris estate, but he didn't know it was in the possession of the Society. He wasn't aware that the Society had any money. There was a request some time ago to set up the ability to receive funds and artifacts for this, but he didn't know if anything had been given. He thought he mentioned that he did want to speak to the Society as they get going along to see if the Society would be interested in more or less having an annex where the Society would own, perhaps...he was trying to figure out how to create another museum out there and have it done the right way. The wheels are turning, but he didn't have anything formulated. He'd like to come in and have a discussion with the Society to see if there was any interest in the Society taking part in that venture of having a Benson display at Benson Park. While nothing has been formulated, he thought most of the Selectmen see the Elephant Barn as a potential site for a museum, but there is a realization a museum is not something that the town wants to put money into creating. There's a lot of things that have to happen.

Mr. Lathrop said Mr. Jasper was always welcome to visit with the Society; he knows the Society well as he is a lifetime member. The Society acts as a board, so it would be inappropriate for him to comment on its interests. They are always interested in anything that deals with Hudson's history, and Benson's did play a big role in Hudson. If Selectman Jasper needed a special time, he'd be given that consideration. Selectman Jasper said he's lost track of what the Society meets. Mr. Lathrop said the next meeting is the last Thursday of this month and it's a potluck supper. Mr. Nadeau is this year's president, so he can set up a meeting with the Board of Directors. Any of them are easy to find. If the Society can offer any type of help, even through computer programs, Ruth and her crew have become proficient in ascending artifacts into history for the society and that type of computer information is always helpful.

Chairman Coutu thanked Mr. Lathrop and Ms. Parker for their attendance and applauded the work the Society does in the preservation of the town and their offer to help in regards to Benson's.

Certificate of Appreciation presented to Gary Webster of the Engineering Department for 20 years of dedicated public service.

Chairman Coutu said Gary Webster has been with the town of Hudson for 20 years and is serving as the Acting Town Engineer. Gary's primary responsibility is inspecting road construction projects. He also reviews plans for water and sewer compliance. The demands of these responsibilities often extend beyond the normal workday and Gary can be found on-site until the mission is accomplished, coming to work early, staying late, or working on the weekend. Gary has attained the level of Master Road Scholar as a result of his participation in educational classes sponsored by the NH DOT and UNH. Gary is also active in American Legion Hudson Post #48 and has been a volunteer for American Legion Baseball for over 20 years. Gary was raised in Hudson and currently resides in town with his wife, Connie.

5. CONSENT ITEMS

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

A. Assessing Items

- 1) 2006, 2007, 2008 Abatement, Map 198/Lot 150, w/recommendation to approve.
- 2) 2006 Abatement, Map 209/Lot 8, w/recommendation to approve.

B. Water/Sewer Items

Request for sewer allocation, 77 Derry Road, Unit B-1, Map 165/Lot 155, w/recommendation to approve.

C. Licenses & Permits

1. Request to fundraise by the Hudson Kiwanis at SAM's Club on September 19.
2. Request to fundraise by the Boys & Girls Club of Greater Nashua at SAM's Club on October 17 & 18.
3. Request to fundraise by Campbell HS Varsity Spirit Team at SAM Club on September 13.
4. Request to fundraise by Cub Scout Pack 261 at Wal*Mart on September 19 and October 17.
5. Request to fundraise by Knights of Columbus at various locations on September 11, 12 and 13.

D. Acceptance of Minutes

Minutes of the Board of Selectmen's Meeting of August 25, 2009

E. Calendar

9/09 8:00 am Highway Safety Committee in BOS Meeting Room
9/09 7:00 Planning Board in Community Development Meeting Room
9/10 5:30 Sewer Utility Committee in Community Development Meeting Room
9/10 7:00 Benson Park Committee in Community Development Meeting Room
9/14 6:30 Hudson School Board in BOS Meeting Room
9/14 7:00 Conservation Commission in Community Development Meeting Room
9/15 7:00 Cable Committee in BOS Meeting Room
9/16 5:00 Water Utility Committee in BOS Meeting Room
9/16 7:00 Library Board of Trustees in BOS Meeting Room
9/16 7:00 Hudson Senior Council on Aging in Community Development Meeting Room
9/17 7:30 Budget Committee in BOS Meeting Room
9/19 10:00 Parade for Litchfield's 275th Anniversary
9/22 7:00 Board of Selectmen's Meeting in BOS Meeting Room
9/22 Noon - 7:00 Police Department sponsored Red Cross Blood Drive at the Community Center
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

6. OLD BUSINESS

Votes taken after Nonpublic Session on August 25, 2009

Motion to adjourn at 11:40 p.m. by Selectman Massey, seconded by Selectman Jasper, carried 5-0.

7. NEW BUSINESS

A. Reorganization of Existing Office Position

Road Agent Kevin Burns said there is an opening in his department because the part-time, 20 hour per week Dispatcher Clerk resigned. At the same time, the Operations Assistant, the person who has been with him a long time, is planning on retiring within the next year or so, but she would like to continue to work part-time. His request was to change the part-time position, which is the lower rate of pay, to the full-time position and have the full-time position changed to part time, 20 hours with no benefits. It would be extremely beneficial to him because then he'd have someone who could train because the person who has been with him for 20 years is still here. Her knowledge

and experience is vast. This switch would save the town about \$3,500 annually, with a more significant cost savings in the future because he would probably not recommend filling the Operations Assistant position again, but go with a part-time clerk, at a lower rate of pay.

Motion by Selectman Jasper, seconded by Selectman Maddox, to approve the request to reorganize, as outlined by the Road Agent in his memo of August 25, 2009, "Reorganization of Existing Office Position," carried 5-0.

Motion by Selectman Massey, seconded by Selectman Jasper, to authorize the Road Agent to advertise for the position of Dispatch Clerk, carried 5-0.

B. Request to post Position of Senior Accounting Clerk

Finance Director Kathy Carpentier said this position has been open since August 23 and she has also updated the job description. This is a critical position that needs to be filled. She plans to advertise internally because she believes there may be some candidates who would be qualified for this position, if they apply. The union contract says the job will be posted internally for five days prior to going outside.

Motion by Selectman Jasper, seconded by Selectman Nadeau, to authorize the Finance Director to post the position of Senior Accounting Clerk, to approve the job posting on September 9, 2009 and job description [as revised on 9/3/09], the attachments to the memo from the Finance Director dated September 3, 2009, carried 5-0.

C. Water Utility - Weinstein Well Redevelopment

Acting Town Engineer Gary Webster said every five years, the wells have to be regenerated. Next year will be the Dame-Ducharme wells. The last time it was done was in 2004. They come in and take everything apart, video inspect the well, inject a solution of acid chemicals into it and clean it. It's like people who own pools who have a sand filter. After awhile, the pressure keeps building up and it has to be back-flushed, which will bring the pressure back to normal again. This is the same idea. It takes quite awhile to surge the wells, about 40 hours. By doing this, it gets more water capacity out of the well. These same people did the wells in 2004 and they are willing to do it in 2009 at the same price. Weston & Sampson does the water inspections and makes sure the water is clear and clean so there are no problems before it goes back on line. The intent is to do it this fall, while they are still connected to the Nashua water supply. They have to shut down the well completely and will be off for a few weeks. This well is a major contributor that runs 24/7, compared to the other two. Doing this rejuvenation results in more efficiency and a better quality water.

Selectman Massey said this was a very specialized project and it's appropriate to go with Weston & Sampson. This money is funded in the current water utility budget and the cost is being borne by the ratepayers, not by the tax rate.

Selectman Maddox asked if Weston & Sampson was doing the work, as well as overseeing it. Mr. Webster said they hire someone to do the work and will oversee the project. Mr. Malizia said Pennichuck doesn't perform this service, so the town has used the engineering firm of Weston & Sampson, who takes the project from start to finish. They hire someone else to get in the well and do the grunt work.

Motion by Selectman Massey, seconded by Selectman Jasper, to award the contract for the cleaning and the redevelopment of the Weinstein Well to Weston & Sampson in the not to exceed amount of \$22,100 with funding for this project to come from Water Utility Account 5593-252, Water Supply, Other Professional Services, carried 5-0.

D. Increase Pumping Capacity Dame and Ducharme Wells

Acting Town Engineer Gary Webster said for the past few months, the Water Utility has been talking about looking for new wells. When the town bought the system from Consumers, the town voluntarily, because of the pond there, Kettle Pond, kept drawing down and they were worried about the water table, the town volunteered to pull 0.79 million gallons per day out of the Dame-Ducharme well. Because of the rain, etc., he's been taking well readings. They have observation wells around the Dame-Ducharme area and the pond. Every month when he reads the meters, he also does the well readings, which he forwards to DES and Weston & Sampson, so they've got a feel as to what's happening out there and they've come up with the number they try to increase the flow out there to 0.89 million, which is 100,000 gallons a day, which would be a big asset for the town. Over a period of time, it's almost 3 million gallons, which the town wouldn't have to buy from across the river. DES felt that was a safe limit. They're not trying to go for another million gallons, but trying to increase by a slow process to make sure they aren't drawing too much of the ground water. This will help the town, especially in the summer. If the water table drops, they will have to go back to the 0.79 MGD gallons per day. Right now, the water table is very high, but they will keep an eye on it via the observation wells because they don't want to hurt the environment. When the wells were first tested, they yielded 1.5 MGD. At one time, though, they were over-drawing the wells and that's when they saw the problem with Darrah Pond.

Selectman Massey said he sat in with the DES and the town of Litchfield back in 2003 and 2004. The town of Hudson did voluntarily agree to reduce to 790,000 GPD and they also agreed to monitor the locations near the wells. All of the tests indicate that drawing water from the wells isn't affecting the level of Darrah Pond. This is a prudent measure. For

100 cubic feet of town water drawing out of the three wells, it's approximately 2¢. That same 100 cubic costs \$1.161 that the town takes from Pennichuck, so this represents a significant cost savings.

Motion by Selectman Massey, seconded by Selectman Jasper, to authorize the Chairman of the Board of Selectmen to sign the letter to the New Hampshire Department of Environmental Service Water Supply Engineering Bureau, requesting an increase in the withdrawal limit from 789,000 GPD to 890,000 GPD for the Dame and Ducharme Wells, carried 5-0.

E. Route 102 Sidewalk Project #13894 Update

Acting Town Engineer Gary Webster said they went out to bid in June, but there was a delay because of the ARRA money. On July 30, the contract with Pichette Bros. was signed. On August 13, they had a preconstruction meeting with Pichette, DOT, etc. and on August 20, they had a meeting with the Labor Compliance Board. The problem was the storm water plan wasn't complete. CLD is overseeing the project to make sure everything is OK before they get started. They sent a letter August 28 to Pichette Bros., asking for the SWPPP plan because they had a deadline of September 30 to complete the project. The following Tuesday, they finally got it, but it was not complete and the ball was in their court to get it done, and he wrote a letter to that effect. They did a layout last week. He was out there on Friday and there is a gas main in conflict with the drainage that wasn't shown on the plan and they will try to resolve the issues. The SWPPP plan is about 99.9%; instead of putting Derry Street, they put Derry Road and a few other small things. He is caught in between the state, the contractor and the engineers but they will work together to resolve the drainage issues, hopefully tomorrow and Thursday. Once that is done, they will get the notice to proceed. Obviously, they will have to extend the contract into October. The trailer got moved there today for the engineers and they are ready to go. He hopes to get everything done before paving season ends. They figure it's a 45 day project. If they can get the basins, curbing and base in and the loam down, so they probably will have to go into next year, but the ARRA money is good until 2011. The idea is to get started and they have to get monthly reports to the DOT. He hopes to have more answers tomorrow after he sits down with everybody. If they don't start moving pretty soon, they stand to lose the ARRA money and they don't want to do that. Selectman Jasper said Derry Road goes from Elm Avenue out and Derry Street is from Elm Avenue in. He mentioned that because Mr. Webster had said it in reverse.

Selectman Massey said if they have to carry this over to next year, and all they have is a base coat, the Road Agent will not plow it because with just a base coat, the plow could tear it up. Mr. Webster said it won't be plowed. Selectman Massey said it won't be any different than if there was no sidewalk there, if they are not able to plow it during the wintertime. They had that problem when they did the lower end of Derry Street. If the sidewalk is not completed and in the estimation of the Road Agent, it would do more harm to try and plow it than to leave it.

Chairman Coutu asked if Mr. Webster was satisfied that Pichette Bros. would be ready to do this project, once they get the green light. Mr. Webster said they are ready to go and were just waiting for the notice to proceed to start.

F. Shadan Construction Proposal - A Frame Building

Assistant Town Administrator Mark Pearson said at the last meeting, he told the Board he'd come back with a proposal for the painting of the A-frame, which is part of the construction project that needed to be completed. A copy of the proposal, in the agenda packet, was for \$875. He thought the Board should either accept or reject the offer.

Selectman Jasper said they had been talking primarily about the new wood, but this proposal was for the entire structure. Mr. Pearson said no, it was just for the new wood, the front side and the back side and inside—anyplace where there is new wood, and the new boards that will be the fascia boards. After that project is done, he'd stain it so the whole building would look the same. Selectman Jasper said this was what they needed for the back charge. He was hoping this would be deferred because there was talk on the Benson Committee that there were people who were ready to paint the whole structure and the committee is meeting again Thursday night, so he'd like for them to discuss it again to find out if there are, in fact, people who are willing to paint the structure. If that happens, they don't need to spend the \$875 and they'll have the whole thing done.

Mr. Pearson said the purpose of this was for a back charge, so it didn't make any sense to have volunteers spend their time on this work when they could be doing something else. This will be back charged against the contractor who didn't complete the work. Selectman Jasper said they need this to see what it would have cost to do the work. However, the whole structure should be painted, so to spend \$875 to paint a piece here and a piece there doesn't make a lot of sense. They can back charge this, saying, "Here's a quote for what you should have done," so they get the \$875, but the volunteers do the work. There's no hurry, so deferring this makes sense.

Motion by Selectman Jasper, seconded by Selectman Maddox, to defer this item to September 22, 2009.

Selectman Massey said he opposed the motion. While he applauds the volunteerism, the A-frame is an extremely steep slope and unless they have the equipment to get up there and the liability insurance for Workmen's Comp, it wouldn't be a wise idea. Shadan will have both the proper equipment and insurance, so the volunteers should be asked to look for something else.

Selectman Jasper said he understood that rationale, but understood that the volunteer was a professional painting contractor, but he has to find out more. If it's not people with the right equipment and insurance, then he'd be willing to award the contract that was before them tonight. Selectman Massey concurred.

Chairman Coutu said he would support the motion on the basis of exactly that. He would not have supported a motion to approve the proposed contract because he felt the amount was excessive for spot painting and two fascia boards on each end. However, he will support the motion to defer in the belief that the committee will do its due diligence to ensure it's a contractor with proper equipment and Workmen's Comp.

Vote: Motion carried 5-0.

G. Donation Offer for Benson Park

Selectman Jasper referred to the letter from Mr. Kalil in the agenda packet relative to the donation of the lion's cage, but he hasn't taken this to the committee yet. He is confident the committee would be interested in it and he wanted to move this along as quickly as possible. If there is interest by the Board, he would have to find out how it would be transported down here, the size truck, etc. Personally, he thinks this would be an interesting item to have. It goes on the big block on the back side of the Elephant Barn; that's where it belongs.

Chairman Coutu said they are not building Benson's Wild Animal Park, it's a park with walking trails. He didn't see the value of hauling something down here. He didn't see any useful purpose to put up a bunch of pipes in the form of a cage. He didn't see any historical significance to it. He didn't see any value to the town. There's nothing definitive. They don't know if Mr. Kalil is going to bring it down and to go up to bring it down, there would be a cost involved. He didn't see this as having any purposeful value to the Benson's Park, as he sees it. He was not interested in this donation.

Selectman Jasper said the letter still needs to be responded to and he didn't have any particular feelings, one way or the other.

Selectman Massey said there are still so many things to get done at Benson's, and this does not fit the concept of the park, itself. There are too many negative aspects associated with cages; it's not the wave of the future and he wouldn't want to perpetuate an image of caged animals. Therefore, he wouldn't support accepting this donation.

Selectman Nadeau agreed that there are more important things they could be doing at Benson's and he was opposed to accepting this donation at this time.

Motion by Selectman Jasper, seconded by Selectman Massey, that the Chairman write a letter to Mr. Kalil, thanking him for his offer of a donation, but declining on behalf of the town, carried 5-0.

8. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox said there was a scroll on the cable bulletin board that incorrectly said the trash pickup was on a normal schedule, but it is not; it is delayed on day. If people's trash didn't get picked up today, it will be picked up tomorrow.

►9/11 Observance. An email went out for the Board to see what they wanted to do. He was a little disheartened in that today is the 8th and there was talk about not pulling something together at this late date. They never made a motion to not do it, so he was surprised that they are in the position of having to decide what they want to do. They have done it in the past. It's one of the things they get elected to represent. If it's only Selectman Massey and him there, so be it. It's important that men and women that allow them the freedom to talk about all the things they do, they need to show some reverence to that. He hoped there was something that would happen.

Motion by Selectman Massey, seconded by Selectman Nadeau, hat they hold a 9/11 memorial service at Library Park on Friday, September 11 at 10:30 a.m.

Selectman Massey said he was flexible with the time, but he was stunned and disappointed with himself when he realized that he had not brought this up, but they still have time. If he and Selectman Maddox are the only ones there, it's worth it. The reason he chose 10:30 was to give any of the schools the opportunity to participate as a civic activity.

Selectman Nadeau said he has been in contact with the Legion and would call them tomorrow, now that they have a firm time, because they were interested in doing something. Between him and Selectman Massey, they would get this all worked out. They will also make sure it gets posted on the web and cable channel.

Selectman Maddox said in the past, it had been done at 6:00 p.m. Selectman Massey said, given it's on a Friday, they would have a better chance of people attending at 10:30 or 11:00 in the morning that they would at 6:00 p.m.

Chairman Coutu said he wholeheartedly endorsed this, but hoped the Board understood that he wouldn't be available because of a prior commitment to an all day charitable event for a scholarship foundation. The event starts at 7:00 a.m. and he expected that it would continue through the evening hours. He was there last year and will be there in thought and prayer this year. If one

has to stand alone to remember the purpose of the day, then so be it, but he believed Selectman Massey, Selectman Nadeau and Selectman Maddox would be there. Selectman Maddox said he thought it was going to be at 6:00 p.m., so he'd have to try to change some plans, but thought he'd be able to do that.

Vote: Motion carried 5-0.

Selectman Massey said 9/11 was the only subject he was going to bring up.

Selectman Jasper said he had an update on the flat roof over the ladder bay at the Fire Station. He did not get here early enough to check in, but his understanding was there's only one section of the metal decking that is going to have to be replaced. It's all stripped off. Where the door comes out and people used to walk out there, where many people used it to have a cigarette for many years, is quite rotten. It's a good thing nobody fell through. That is outside of the contract, but it's relatively minor in scope.

Chairman Coutu said the Chief called him today to relay that information to him. The contractor is going to look for the most appropriate way to fix it to secure it at a minimal cost. As soon as he has that report, he will present it to the Board to look at. Selectman Jasper said it shouldn't wait two weeks. The roof is off and it needs to be done and approved through the Town Administrator's Office. Chairman Coutu said that was correct. Selectman Massey said the Chairman has the authority to authorize anything between \$1,000 and \$10,000. Between the Chairman and the Town Administrator, they are covered.

Selectman Coutu said he didn't have anything.

Selectman Nadeau wanted to know where the Board wants to go with the position in the Community Development Department because budget season was coming up. They had taken this out of the budget last year, but were still currently filling it. He wanted to be able to give the liaison some guidance for this position, and what the Board intends to do with it. It was his intent to take the money out at the last budget season, but they are still funding the position. At the last meeting, the Assistant Town Administrator said he could live without the position, but it's good to have. He'd like to know what the feeling of the rest of the Board was on this.

Selectman Jasper said things have come into focus a little better. They've just authorized the posting of two positions, so they should let that process go through and the person in that position may be wise to apply for one or both of those other positions and see how things play out, rather than act prematurely.

Selectman Massey didn't believe the two issues are tied together. One does not follow from the other. They either should or should not continue to fund the position because it's the right thing to do, not because it may lead to something different. He heard the Assistant Town Administrator say that while he believes the job is important to his department, if he had to, he'd be able to survive, but it would come at a price, which would mean a slow down in some of the work in the department. He would support a motion to continue funding the position. However, he will not support putting the money into next year's budget if the Board votes to eliminate it from this year's...from a practical perspective, since the position is in the tax rate, if they take it out now, it won't affect this year's tax rate, and if they put it back in next year, it will affect the tax rate, so everybody will ask why they did it. If they take it out now, they should take it out for next year, too. Personally, he was persuaded by the Assistant Town Administrator's presentation at the last meeting that the times have changed and it was important to do it.

Chairman Coutu said it was his understanding they could remove the funding, but keep the line item. Selectman Massey said that was correct. If they don't fund it, the position is still in the organizational table.

Selectman Jasper said they are all talking in the wrong terms. The funding is there. They can take that dollar amount and transfer it to another account. That's all they can do, but that doesn't really do anything because the person is still in the position. They are talking about laying off the person in the position. The work that he's seen coming out of that department has increased and the justification has been made. However, if there are three votes to lay that person off, from a humanistic standpoint, he would rather let that person know they ought to apply for another position within town and that would take care of itself. If there aren't three votes, they ought to just end this discussion tonight. Chairman Coutu said a motion should be made and they either do it or don't do it tonight. This person shouldn't have to hang in limbo week after week after week.

Motion by Selectman Nadeau, seconded by Selectman Maddox, to lay the person off with a two week notice, effective September 27, 2009.

Selectman Nadeau said he sees a slowdown in the building and planning world, so he sees this as saving money and just doing what they said they were going to do. Selectman Jasper said he wasn't going to put up a long fight, but he's always been bothered by saying they were going to do what they said they were going to do. At that particular time, they had a Community Development Director who made absolutely no case to keep that position. There was no justification in that, and why the Board made the decision. In the reorganization, they created the position of Assistant Town Administrator and he made a case for what that department is doing. He's seen the volume of work increase and for the small dollars involved in a \$26 million operation, he'd rather have the public better served by having the filing done correctly, by responding to people's inquiries quicker and getting the work done than to say they saved a quarter of one cent on the tax rate. He will not support the motion because there is justification for it and they will sacrifice public service in probably the most visible department in terms of interaction with the public, other than the Town Clerk's Office, but even there, people don't come in that often.

Selectman Massey said he agreed with Selectman Jasper's comments 100%, except this action will not change the tax bills that the citizens will get this year. It will not change the tax bills the citizens get in June 2010 and if the position gets refunded next year, it will affect the tax rate. People will say they don't understand why the tax rate didn't change even though they laid someone off. If they want this to have meaning to a taxpayer, you have to consider that the average person is going to look at that in October 2010. The Assistant Town Administrator did make a case far better than the previous Community Development Director for why the position should be funded. It's important they continue to have this position filled.

Chairman Coutu said last year, the former department director came in and made no argument whatsoever to salvage the position. However, there was a consensus amongst the Board members at that time when they were deliberating making cuts and where they would be most appropriate. In consensus, they all agreed that the workload in that department had decreased significantly. Since that time, they brought on a new department administrator and gave him a different title, with the responsibility to supervise that position. From his perspective and from what he is being told, that department has been streamlined and is more productive because it's more proactive because people now have direction and they know what their jobs are and they've all been reassigned, with one to Planning and one the ZBA. In terms of a secretarial staff, they have a pool of three. For the past six months, they have been deluged with Benson's work, which he thought was a little overboard. He will support the motion because there is no need for the position.

Vote: Motion carried 3-2. Selectmen Massey and Jasper voted in opposition.

Selectman Maddox said he had something that he forgot, not because of its importance, but because it lurks in the corner. This is Priscilla's last meeting with the Board. Several members interrupted to say it wasn't nice to say she was lurking in the corner; Chairman Coutu said she was working in the corner. Selectman Maddox felt he was speaking for the Board by putting her on the hot seat and saying thank you very much for her service. She stepped up even when they had a lurch in filling the position. On your first day as Selectman, you go, "I won," and then the reality sets in of how you do all of this stuff. Priscilla guides you, lets you wander off the reservation and then points out the fence. The support and the commitment to the town that Priscilla has shown over all these years has been greatly appreciated by new Selectmen and certainly by all of the old Selectmen. On behalf of himself and he was sure the entire Board, "Thank you, Priscilla." Following a round of applause, she thanked Selectman Maddox, as well as the rest of the Board.

9. **NONPUBLIC SESSION**

91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected has a right to a meeting and requests that the meeting be open, in which case the request shall be granted; (b) The hiring of any person as a public employee.

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

This ends the televised portion of the meeting. Any votes taken upon exiting nonpublic session will be listed on the Board's next agenda. Nonpublic session was terminated at 8:35 p.m.

► 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.

10. **ADJOURNMENT**

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

Recorded by HGTV and transcribed by Priscilla Boisvert, 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