

HUDSON, NH BOARD OF SELECTMEN
Minutes of the November 10, 2008 Meeting

1. **CALL TO ORDER** by Chairman Nadeau at 7:00 p.m. in the Selectmen's Meeting Room at Hudson Town Hall.
2. **THE PLEDGE OF ALLEGIANCE** was led by Selectman Massey.

3. **ATTENDANCE**

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

Staff/Others: Steve Malizia, Town Administrator; Priscilla Boisvert, Executive Assistant; Steve Williams and Camille Pattison from NRPC; Ed Canto; Ernest Thibeault; Vincent Iacozzi; three Ottarnic Pond residents; Michelle Rourke; Mark Levesque; James Stafford-Rogers, Lucille Boucher, Dot Jacobs; Gina Votour, HLN

4. **PUBLIC INPUT**

James Stafford-Rogers, 87 Burns Hill Road, spoke about a newspaper article that was upsetting to the Seniors because it contained a quote by Chairman Nadeau, for which the Seniors felt an apology was in order.

I come as Chairman of the Hudson Council on Aging and I'm speaking this evening to express my disappointment upon reading the remarks of Ben Nadeau, Chairman of the Hudson Selectmen, as published in the Lowell Sun. I specifically, the excerpt from a column, October 24, that's Friday, 2008, where the Benson's...wild topic in Hudson was produced. On 2 November, which the column was produced out of the Lowell Sun, it reads as follows: Hudson Selectman Ben Nadeau was in an especially conversational quotable mood, while being interviewed about New Hampshire's Governor John Lynch offered to help the Senior Council on Aging possibly construct a new senior center on the former Benson's Animal Farm property. That's a crazy idea, said Nadeau, who believes the park should be used only by families for passive recreation only, before adding they, the Seniors, can use the gorilla cage, maybe. That's in quotes. Now that was in the week's column prepared by the City Editor of the Lowell Sun. As Chairman, I received a number of phone calls from friends and relatives in Nashua. I received them as far as Peterborough, New Hampshire, all complaining about that article, and not only are those remarks in poor taste, they were given by Chairman Nadeau, while he was attending a fundraiser for the senior citizens in the case of building a new home for us. His words spoke louder than his actions. This is not the first time the Seniors and other voters have considered the possible use of a portion of Benson's Animal Farm. It was encouraging to hear Governor Lynch speak in support of that idea. Mr. Nadeau, indeed, any citizen has the right to their opinion, either for or against the use of any town property. However, as an elected town official, Mr. Nadeau should know better than to call any idea just crazy because he is not in favor of it. He should be more cautious as to how and when and where to express those opinions. I respectfully ask Mr. Nadeau to issue a public apology to the Seniors for his disdainful remarks. Now that only goes for the Lowell Sun. It's kind of hard to take back those words from 4,000 seniors in this town, the number of seniors that read that article from Nashua, and all the way up to Peterborough. I only can ask that you apologize both in writing to the Seniors and if it's not true, maybe mistaken, whatever you say it is, these are quotes. I would wish to have that published in the Lowell Sun, Hudson-Litchfield News and make an apology to the television people to the Seniors in town. Thank you.

Lucille Boucher, 5 Jackson Drive, said it has taken 16 years and she thought they were working real well with the town and everybody has been happy about the progress they've made, and this has set them back a little bit. Maybe the statement shouldn't have been made, or maybe it was taken out of text. If it was, maybe he could get the Editor, if he's the one, to write a retraction in the paper. She thought he has to apologize to the public today, plus put it in Hudson Litchfield News and the Lowell Sun. That's what people will be looking for. She hoped the rest of the Selectmen didn't all feel the same way.

5. **CONSENT ITEMS**

Selectmen Massey and Maddox removed Item A-4 for separate consideration.

Motion by Selectman Coutu, seconded by Selectman Jasper, to approve the consent items, with the exception of A-4, as noted or appropriate, carried 5-0.

A. **Licenses & Permits**

- 1) Raffle Permit by St. Kathryn's Youth Ministry, Nov 29 & 30, 2008 at St. Kathryn Parish
- 2) Raffle Permit by GFWC Hudson Junior Woman's Club, Dec 6, 2008 at Memorial School
- 3) Petition & Pole License, #9AAXHS, Shoreline Drive, 10 new Poles

4) **Hawker-Peddler License for Brothers Grill, extending permit through Dec 31**

Selectman Maddox said it looked like they already approved the license through November 30. That date was scratched out and the date of December 31 was written in. He asked if that was the only change. Mr. Malizia said that was correct. Selectman Maddox said there is signage around town that is not allowed.

Selectman Massey said he was puzzled that if they are extending this, why there wasn't any comments from town staff for license renewal. Chairman Nadeau said it's not a renewal, it's an extension for one month.

Selectman Massey said the approval went through November 30, so he would want to see the department heads, who normally sign off on these, weigh in on this, one way or the other. This was a different type of an operation than anything that has been there in the past and it's important.

Chairman Nadeau said they are just extending it to the date that should have been there because all hawker and peddler permits expire at the end of December of every calendar year. If someone came in October 30, it would be good only until December 31. This was just a 31-day extension.

Selectman Maddox said in the items they just approved, there was a hawker and peddler's license to sell Christmas trees, and it was for specific dates. When these are granted, they are for specific dates so somebody isn't selling trees at that lot for the entire year. The dates are important. At the very least, it should have been another application, going to December 31. The horse is dead. It's just a matter of procedure.

Selectman Jasper said if they had to go through the application process again, they'd have to pay another \$100 for an additional month. It's \$25 a week or \$100 for the year. If the Board considered the license expired, it would be a new application and not merely an extension of the dates. If there haven't been any complaints, the Board should just let this go through and, if he wants to continue in January, he would need a new application and they could deal with the questions then. He didn't think it was necessary to make a mountain out of a mole hill, but if he has illegal signs up, that ought to be dealt with.

Selectman Coutu asked what the signage was that was illegal. Selectman Maddox said there are signs at every intersection in the Industrial Park, saying that it's now open, and that is not allowed without a permit. After being requested to do so, Ed Canto came forward, saying his business partner was Brent Davis. Selectman Coutu asked if Mr. Canto was aware of the fact that Hudson has a very strict sign ordinance. Mr. Canto said they were not, but have been made aware of it and the signs will be down by tomorrow morning.

Selectman Coutu said he tended to agree with Selectman Jasper and this is exactly what it says it is—an extension through December 31. Had there been any problems, they would have heard about them from police, fire or neighboring tenants within the park. He didn't see any problem with extending the existing permit for one month because doing it any other way would mean a new application. They should grant the extension and, should he apply again next year, they can deal with any problems at that point. He will vote for the extension.

Selectman Massey said the application was through November 30th. It's not intended to be a permanent facility, and he fears what they are going to wind up with is a permanent facility that's in the restaurant business, and it's going to be unfair to all the other restaurants in town that a person is allowed to have a year-round permanent facility selling and not having to pay the same fees for running a restaurant business that the other restaurants in town are. He will not vote for this because he understood at the time that it was going to be a seasonal project, not year-round, and if it's year-round, they have other issues they need to deal with.

Selectman Coutu said that's why Selectman Massey was his mentor; he brought up a very interesting subject. He asked Mr. Canto what their intent was for next year. Mr. Canto said the November 30 date was a typo on his partner's part when he filled out the application. The original intent was to go through the end of the year because they paid the fee, which carried them through December 31. There are five roach coaches that go into that park on a daily basis, and they aren't paying any Hudson taxes and they are in and out of there all day long. His operation is on wheels, just like the others are, but they are there only a specific period of time. If they are going to be told they have to be seasonal and cannot be there in the winter, that should apply to the other roach coaches, too, and get the police down there to enforce them, who are going from business to business, selling the same thing they are, and probably even more. They are just a couple of guys, going in there for a set amount of time, selling hot dogs and sausages. They're not opening up a permanent business. They go in mobile, stay hooked up and leave mobile. There are some guys that go in there in campers with grills, and do a lot more. If it's all or nothing for the Brothers Grill, it should be the same for the others, too. The intent for them is to go through the end of the year and then see what happens, and hopefully, extend that and continue on next year.

Selectman Coutu believed the point Selectman Massey was trying to make is, although Brothers Grill is mobile, they are stationary when in there from 8:00 – 2:00. The typical roach coach goes in and goes out; they're mobile, going from one building to another, from one park to another, from one town to another. Brothers Grill is a restaurant on wheels, that is parking and becoming stationary. If they did that year-round, as opposed to seasonal, and he senses that's the direction this is going in, what they have is a permanent restaurant or diner hours that is on wheels, but it's not moving. It would be like taking his store and putting it on wheels and parking it somewhere in town and getting a hawkers and peddlers permit, being there during the peak traffic hours so he could benefit from that business. He thinks it will create a serious amount of problems. As far as the observations about other similar businesses going in and out of the park, as far as he knew, this was the only business that applied for a permit this year. He thought appropriate action should be taken by the Code Enforcement Officer. The other businesses should be directed to cease and desist

until they come in for a permit. He asked the Town Administrator to so direct the Code Enforcement Officer, or it may take police action, since it is a direct violation of the ordinance. He was going to support the 30 day extension, but if they apply again next year, he forewarned them that if there was any semblance of a permanent restaurant on wheels, he will not support a peddler's license next year.

Mr. Canto asked what constituted a permanent restaurant, the fact that they were in the same spot all the time? Because there are plenty of spots and businesses there that would allow them to do that moving around. The reason they are in one spot, and with the Chief of Police's blessing, it is an ideal location for the 53-footers that pull off the road, and for cars that pull off the road. There are other spots they could go to, but that would cause more of a safety hazard, vehicular or pedestrian-wise. Logistically, it works out great for everyone. It's in the middle of the park and convenient for everyone in the park, which is their intent, and they aren't making that mass exodus out to 3A. Do they have to move around every hour or two?

Selectman Coutu said he didn't write the zoning codes, but they have to be complied with. He will support the extension, but he's only one vote. If it passes, fine, but if they come back next year, he will want to see a clear interpretation of the zoning code. If they are allowed to do this, he should be allowed to take a mobile unit, fill it up with cigarettes, bread, milk and whatever else he wants, and go park it somewhere for six or seven hours and call himself a mobile convenience store. If they can't address it or find an interpretation in the zoning ordinance that prohibits this, then it behooves the ZBA to take a very serious look at this. It could create a serious and complex problem for this town and any other town if, in fact, this is a loophole to establishing a permanent business in a permanent location, by putting it on wheels.

Selectman Maddox said the term roach coach sounds so crass. It's mobile epicurean delivery service. Selectman Massey said that's MEDS. Selectman Maddox said they go into parking lots of facilities—and he even partakes. Brothers Grill sets up in a particular spot. He thought it was through November because that's when the first snow flies, and that's his concern. He drove by it today and it's off to the side and there are a couple of picnic tables there, but when the town plow comes through and plows in the operation, that's going to be the challenge they will have to deal with. There's the underlying mobile operation setup. He will support this till the end of the year, but it's something they are going to have to take a look at the first of the year because he's not sure he's looking for a mobile permanent restaurant.

Selectman Jasper said he was rapidly being talked out of his own position. He didn't think the date of November 30 was a typo. He recalled that that wasn't supposed to be a permanent location. They had the discussion that it was going to be moving around and not staying in the same location all day. That is a concern because then it becomes more of a site plan issue. Moving from one place to another every half hour is not as much of a concern. It's going to be where they are open eight hours a day, paying \$100 a year, but there's no property taxes. There are businesses in that area, at least one in the park, that is paying property taxes and is running a restaurant. Unless the mode of doing business changes for the next application, he will be voting against a new application. He would vote for the extension, somewhat reluctantly, at this point. They should have more information in terms of snowplowing and how that all works out, by then.

Motion by Selectman Maddox, seconded by Selectman Coutu, to extend the permit until December 31 carried 4-1. Selectman Massey voted in opposition.

Selectman Massey said in all fairness, there's only one other hawker peddler who is only in one location for the entire time they are there, and they are there from March to December, so it would be worthwhile, and it's a different type of business, but that person could be construed as running a business and hurting other businesses in that same thing, so it would be worthwhile for them to re-examine what a hawker-peddler itinerant vendor's license really is meant to be and, perhaps, update their Town Code.

Mr. Canto asked if their permit would be approved next year, if it was seasonal and asked if that was the point. Several Selectmen said no. Selectman Maddox said they are going to have to find out from whoever was on the Board when he comes back. Selectman Jasper said three of them might be gone when he comes back—him, Selectmen Coutu and Nadeau.

Selectman Massey asked for a consensus to direct the Town Administrator to re-look at the Hawker-Peddler license to determine whether it needs any restructuring. Mr. Malizia said that's up to the Board and, obviously, they think it does. He asked what they'd like to see because he didn't know what he could come back with. Selectman Jasper suggested getting copies of what other communities have—Derry, Londonderry, Merrimack and Nashua. They could look at those and would probably serve them well. Selectman Massey said that would work for him.

Selectman Maddox said they may need to have a mobile food service; he knows they have to have a state inspection. Selectman Jasper didn't think zoning was the place to go on this. This is an ordinance and they need to have police action. They should notify the Chief of Police to have patrol check and if they see roach coaches, ask them to produce their hawkers and peddler's license and if they can't, they should be fined.

Selectman Coutu said if they are in violation, they are in violation—and that's potential income to the town. They either have a permit, or they don't have a permit. Go after them. Selectman Jasper said they have to cease and desist.

- 5) Hawker-Peddler License for Weir Tree Farms to sell Christmas Trees at Hudson Mall on Route 102, 12/1/08 – 12/22/08

B. Acceptance of Minutes

- 1) Minutes of the Board of Selectmen's Meeting of October 21, 2008 (Budget Presentations)
- 2) Minutes of the Board of Selectmen's Meeting of October 23, 2008 (Budget Presentations)
- 3) Minutes of the Board of Selectmen's Meeting of October 28, 2008

C. Calendar

- 11/11 Veteran's Day Holiday – Town Hall closed
- 11/12 4:00 Hudson School Board in BOS Mtg. Rm.
- 11/12 7:00 Planning Board in CD Mtg. Rm.
- 11/13 5:30 Sewer Utility in BOS Mtg. Rm.
- 11/17 6:30 Hudson School Board in BOS Mtg. Rm.
- 11/17 7:00 Police Department Hearing (CALEA)
- 11/18 7:00 Cable Committee in BOS Mtg. Rm.
- 11/19 5:00 Water Utility in BOS Mtg. Rm.
- 11/19 7:00 Library Trustees in BOS Mtg. Rm.
- 11/19 7:00 Hudson Seniors in CD Mtg. Rm.
- 11/20 7:30 Budget Committee in BOS Mtg. Rm.
- 11/24 6:00 Budget Committee in BOS Mtg. Rm.
- 11/24 7:00 Green Team in CD Mtg. Rm.
- 11/24 7:00 Recycling Committee in BOS Office
- 11/25 7:00 Board of Selectmen in BOS Mtg. Rm.
- 11/27 & 28 Town Hall closed for Thanksgiving Holiday

6. OLD BUSINESS

A. Consideration of Adoption of Ordinance 08-02, Claveau Landing, Limited Entry and No Commercial Vehicles

Chairman Nadeau said the two requisite public hearings were held, one on October 14 and October 28. Tonight it is before us for consideration of adoption.

Motion by Selectman Jasper, seconded by Selectman Massey, to adopt Ordinance 08-02, Claveau Landing, Limited Entry Street and No Commercial Vehicles.

Selectman Maddox didn't think this was necessary. Yes, there is some vandalism down there, but that's going to happen whether or not there is an ordinance. This won't allow the Chairman to take his pickup truck down there to take Opie fishing. The police should patrol that like any other area, but to simply make an ordinance doesn't make any sense. He didn't see how commercial vehicles aren't allowed down there because some company was back-flushing their hydro-seeding equipment. There are enough ordinances in place already in the Town Code and the RSA's to cover anything that's happened down there, so far. This is just punishing people that want to use the pond, whether it's at dusk or have a commercial vehicle.

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

B. Public Hearing on Community Development Block Grant Project—Ottarnic Pond

Town Administrator Steve Malizia said Gary Webster, the Acting Town Engineer, was going to be present this evening, but he has taken ill. As part of the CDBG funding for the Ottarnic Pond sewer project, a public hearing is required to give a brief status of the project. This is a sewer and water project. The majority of the sewer lines have been put in and they are waiting for the electrical power to be hooked up to the pump station to complete that part of the task. The total contract was for \$690,000 and the CDBG portion was \$358,600 of which \$300,762 has been spent. It is his understanding that within a week or two, the electrical service will be hooked up and the pump station should be coming on line by the end of November, and should complete that project. The water is in and the sewer lines are in, but they have to be hooked up. That's a brief status of the project. Under the terms of the CDBG grant, a public hearing must be held, in case anyone has any questions.

Chairman Nadeau opened the public hearing at 7:35 p.m. and asked if anyone wished to speak.

Nancy Lamoureux, 18 Village Lane, said she was the President of the Co-op. The project is where the Town Administrator said it was. They have a temporary first coating of paving on the roads. The sewerage is down the streets, but not hooked into the homes, at this point. They are on town water and just waiting for the pump house to be hooked up and they're ready to go. It's nice to have paved roads.

There being no further speakers, the Chairman closed the hearing at 7:36 p.m.

Selectman Maddox said Mr. Webster told him the engineering review fees are down significantly. They probably spent \$8,000 out of the \$58,000. The Board's actions the other night, making them accountable, is going to reward them with monies left over in this project. Selectman Coutu said Mr. Webster assured him that the proper tests have been conducted and is confident the transition to the full connection and operation is going to be very successful because the tests were positive. Selectman Maddox requested that a letter be sent to the engineering firm, saying the town needs as-built drawings, as part of the final project, and no funds will be released until said drawings are provided. They need those for the Sewer Utility for them to accept those, so they can turn this on and get it going. His understanding is that has not yet been done. Selectman Coutu said that was a good idea because if they require it of other people, it should be required of them, as well. Mr. Malizia recommended a motion be made to that effect.

Motion by Selectman Maddox, seconded by Selectman Massey, that the engineering firm, Clough Harbour, provide as-built drawings for the work done at Ottarnic Pond by the end of November and no invoices will be paid until said drawings have been submitted, carried 5-0.

C. Warrant Article H – VacCon Truck Replacement

Town Administrator Steve Malizia said this item was pending from the budget discussions. Attorney Buckley, in consultation with the Department of Revenue, has provided this warrant article wording for the VacCon truck replacement, the drain suction truck that the Board put on the warrant.

Motion by Selectman Jasper, seconded by Selectman Maddox, to forward Article H, VacCon Truck Replacement, to the 2010 Warrant, carried 5-0.

D. Capital Reserve Fund for Cable Television Access Center

Town Administrator Steve Malizia said Attorney Buckley forwarded a legal opinion regarding the cable capital reserve fund. During budget deliberations, monies were put into the cable budget in the equal amount of whatever the revenues will be. It was anticipated, or budgeted, that those monies would be spent on equipment or other fit-up costs and not directed to the capital reserve fund, as has been the case, in the past. According to Attorney Buckley's opinion, if the Board puts in a specific sum, \$1, \$10, \$100, that is the sum that gets forwarded over to the capital reserve fund for that year. Selectman Jasper said it was worth a try. Now, if they don't spend the money, it will go to the general fund.

Motion by Selectman Jasper, seconded by Selectman Massey, to direct the liaison to the Budget Committee to recommend to the Budget Committee that they take out the \$1 from the capital reserve account and return it to where it was taken from.

Selectman Maddox asked if there was going to be no money in the capital reserve. Selectman Jasper said they hadn't requested any. It was just a place holder, but if that doesn't work, there's no sense in sending a check for \$1, so they might as well take it out and put it back. If they don't authorize the studio and the expenditure, the money...(interruption by cell phone). Selectman Massey said the \$1 was going into the equipment fund, which was the \$95,000. Selectman Coutu wanted to make sure when he goes to the Budget Committee, he'll put the \$1 where it belongs. Selectman Massey asked if the Board could rescind its vote. Selectman Jasper said no, they couldn't, because the budget has already been forwarded to the Budget Committee; it is no longer under the control of the Selectmen. Selectman Massey didn't want to wind up with a warrant article for zero dollars. Selectman Jasper said it's not a warrant article, it's just a line item. Mr. Malizia confirmed that it was a line item, not a warrant article.

Selectman Maddox thought that money should go back into the capital reserve fund in the amount of something, \$80,000 or \$90,000 for a permanent facility. What they are talking about is fitting up a facility between this year's monies and 2010. They are not going to need \$200,000 to fit up a temporary, trial rental location. There should be some monies put in there because whatever isn't put in goes into the general fund. Selectman Jasper called for a point of order, saying the motion was about the \$1. The Board has already taken action on the budget items. If Selectman Maddox disagrees with the action the Board took, he is welcome to go to the Budget Committee and argue the case there, or to the floor of town meeting. The motion is on \$1 and the purpose is so they're not writing a check for \$1 to the Trustees. That's the only discussion at this time.

Selectman Maddox asked the Chairman if Selectman Jasper's point of order was acceptable. Chairman Nadeau upheld the point of order. Selectman Maddox said when they talked about this at budget, they asked for a legal opinion, so he was confused as to how he was out of order. Selectman Jasper said the only reason they went to legal was because he suggested, in case things didn't work out, they might want to leave this line item open so they could transfer the money in the capital reserve, rather than have it go to surplus. The discussion was about nothing else. The argument about the other is out of order and not proper.

Selectman Massey said he believed they were talking about what to do with the \$1. The budget has already gone to the Budget Committee, so the Board can't touch that \$95,000 except to ask the Budget Committee to put it in or to make a motion at the deliberative session. The only thing they are talking about now is the dollar. Selectman Maddox said only because they were misdirected, but now they have the right information. Selectman Massey said they weren't misdirected. They were going to go in with the entire money in the large equipment and no money in the capital reserve fund, and at the time Selectman Jasper said maybe they did want to put money into the capital

reserve fund and the way to do it is to put just \$1 there and, if at the end of the year, there was money left in the cable operating budget, they could transfer it to the capital reserve fund, but they couldn't transfer it if they hadn't made an appropriation. What the Attorney was saying was no, they could only transfer into that capital reserve fund what the budget says you can, and they'd be talking about only \$1. They were not misdirected; they were looking for clarification.

Selectman Coutu said they wanted to know if it was legal for them to have a \$1 place holder, and that's the matter at hand. He will carry the Board's message to the Budget committee. He might disagree with some of the actions that were taken, but he's going to support the budget. If Selectman Maddox can sway the Board on any action that has been taken, he'll take that message to the Budget Committee.

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

7. NEW BUSINESS

A. NRPC Presentation on Phase 2 of the I-93 CTAP Program

Steve Williams, Executive Director of NRPC, was recognized. Mr. Williams said they had a brief update on the Community Technical Assistance Program for the I-93 Project, and introduced the project manager, Camille Pattison. Ms. Pattison referred to the packet of material NRPC had submitted for the agenda. There was a list of finished products that have been developed for Hudson—a Community Assessment Report, an Economic Assets Profile, a couple of applications and a scope. The scope of work is for a discretionary project that will look at a preliminary plan to connect Route 111 at Kimball Hill Road down to 3A at the Sagamore Bridge. The discretionary funds will be used toward that. They've also developed two maps. One was a Natural Services Network Map, showing overlays looking at flood storage, productive soils, water supply lands and important wildlife habitat. The town can keep that map and use it as a resource. The second is a land use overlay map. The packet also contained some color brochures. There will be two more products that are currently in process. They are in the process of developing a build out analysis for the town and an open space assessment and those will be coming to the Board, probably in late winter. Ms. Pattison said she wanted to focus on the resources the town has available that haven't been taken advantage of yet. A good thing about CTAP is there are a number of good resources out there, all free of charge. She passed out a handout.

Selectman Jasper said, for the benefit of Selectman Coutu, in 1492, the full build-out of the Town of Hudson was projected to be 44,000 people. It will be interesting to see what it is today.

Ms. Pattison said there are programs that are available for the town to utilize through May 2009. One is connecting land use and transportation planning, which is what they are going to focus on this winter and will give the town some techniques to address the combination of those two issues successfully. The next one is open space and conservation planning. They will be working directly with the Conservation Commission on this one. There are a couple of other resources, such as local government workshops. There was a section of the packet that goes through all the workshops that are available. There's also some grant writing assistance available, through May. If it's something the town wants to take advantage of, they'll see if they can get moving on that. The programs, later on in the section, are through July 2010, so there's about a year and a half to take advantage of those. Those are looking at high priority natural resource planning, building upon open space assessment. Agricultural resources. Of particular interest to the town is Innovative Training for Local Officials. That will be a Web-based training, available at the end of 2009 to 2010 and there will be meeting modules on meeting management, plan review, affordable housing and conservation subdivision. Many elected officials are so busy with night meetings that someone thought training on the Web might be implemented, which would be more convenient. That will be coming out in about a year from now. The town has already applied for its discretionary projects, but there is collaborative grant funding. If the town is interested in collaborating with another community in the CTAP region, there are additional funds available to work on a collaborative project. That can be taken advantage of in the next year and a half. If there's any change in the CTAP representation, she was looking for those. It can be mailed back to her to keep on file.

Relative to planning, they plan to work with the town, see what recommendations came out of some of these materials, where the town wants to go and how to best take advantage of the resources that are available because there are quite a lot of them, and they are free of charge. If so, give her a call and she'll help them get started.

Selectman Massey said they are not free of charge if you don't belong to NRPC. Mr. Williams said the CTAP resources are available to the town because they are one of 26 communities in the I-93 impact area. They are coming through NRPC, but are available under any situation. Selectman Massey asked what the current status was of the grant request to do the 111 to 3A engineering review to determine what could be done to build a two lane road. Ms. Pattison said there are two rounds of discretionary funding that the town can apply for. One was applied for and granted. They submitted the second one and have yet to hear from that. She can follow up on that. It takes a couple of months to turn around, so she didn't want to bug them yet, but that one is still pending.

Selectman Maddox asked if this was on NRPC's Web site. Mr. Williams said yes, either on NRPC's Web site or the CTAP Web site. Selectman Maddox thought the IT people could link this over. Some of the material was fascinating. Of 14,000 people in the workforce in town, 27 are involved in agriculture. Maybe some of the citizens would like to look at this. The build-out they have for 2030 is only 30,000 so they're not going to get that much bigger that fast. He

hoped they could move forward for something with that corridor. They've had a discussion with NHDOT. They didn't immediately throw up the barricades. They were receptive to at least talking about how they can move forward. There are a lot of people they will need to have conversations with because that's also part of the turnpike system, so they are also involved in this, so it's going to be a lengthy process, but it has been going on for 57 years, so a couple more isn't really going to make any difference.

B. Capital Cost Reimbursement of Water Line Extension at Shepherds Hill

Town Administrator Steve Malizia said the Board had correspondence from the President of Thibeault Properties, the developer of Shepherds Hill, requesting reimbursement for water line extension. When the Town took over Consumers Water Company, it inherited certain agreements for extension and/or reimbursement of consumer accounts. Mr. Thibeault and Mr. Iacozzi were present, requesting reimbursement of water lines of \$268,000. This was first discussed in 2001 with Attorney Buckley.

Mr. Thibeault said it goes back to Town Engineer Mike Gospodarek, Attorney Buckley, bankruptcy court, Attorney Jordan, who has since passed away, and it just goes on and on and on.

Selectman Maddox said in four years as Selectman and 10 years on the Planning Board, the first he heard about this was when he got his packet this week. It must have been somewhere in the bowels of the building, but he wasn't up to speed. He would like some more backup, which he felt was imperative. Selectman Massey said he was on the same wavelength as Selectman Maddox. In the five years he has been liaison to the Water Utility, he's heard a lot of things about the water service to Shepherds Hill, but never this. He thinks there's a lot more work the Selectmen need to do before they even talk to the representatives from the company.

Selectman Coutu said he spent a good deal of time in reviewing the material in the packet that was presented and he concurred with Selectmen Maddox and Massey. In light of all of the documentation they have, going back a considerable amount of years, they need to study this a lot more closely and they might defer it until the Nonpublic Session, where it will come up again.

Selectman Jasper said since he was the lead negotiator when they bought the water company, he recalled that there were certain projects in town where they had an obligation. Those obligations expired at a certain time. They did not negotiate with open-ended liability, but they knew there were some, so they are going to have to review quite a bit of documentation and get to the bottom of that. Those documents exist someplace and were very clear as to what those liabilities were that they were incurring because that was an obvious concern when they bought the water company—exactly what they were agreeing to do in the future. There was some liability, but he didn't know how far into the future it extended, or what those liabilities are today. He recommended deferring this until after they've been able to research the matter.

Mr. Malizia said the Board did have some materials later on in the evening that Attorney Buckley has reviewed, and he was intimately involved in this.

Ernest Thibeault was recognized, saying he was the owner of Thibeault Corporation of New England and the owner and developer of Shepherds Hill. His address was 603 Old Mammoth Road, Londonderry, NH. He could talk on this for hours. He has boxes and stacks. This went through a bankruptcy. His company bought it out of bankruptcy. This is Shepherds Hill Development. During the bankruptcy, they had negotiated between the town and Atty. Buckley and his counsel, Jordan, in which they agreed to all types of different things. They agreed to a Benson's Animal Park fee per closing that they paid at every closing. They agreed to \$220,000 worth of developer fees, which he paid. They agreed to certain water and sewer connection fees, and they've paid every one of those. They've worked well with the town. Some may not have liked the 400-plus unit project, but the approval goes back into the 80's. He was surprised that no one had heard of this because he has stacks and stacks of letters back and forth from Atty. Buckley. He has letters from Mike Gospodarek, the Town Engineer at the time, offering them \$170,000 for the work.

Selectman Coutu said they were getting into attorney client privileges and thought this was a discussion for nonpublic session. Mr. Thibeault said all of the letters were public documents, addressed to them. Vincent Iacozzi, President of Thibeault Properties, introduced himself, saying he is the one who initiated the discussions with Mr. Malizia when Sean Sullivan left. Selectman Coutu asked for a ruling on his point of order.

Selectman Jasper didn't think it was out of order, but it probably would not get them any place at this point because none of them have had a chance to get into the details. Being on the Board of Selectmen when Thibeault purchased the property, he's glad he did because he has done much better with that property than they would have done otherwise, so he appreciates what has been done there, but the Board has to look out for the fiduciary responsibility of the town and, at this point, they are all walking into this blind. This is the first time he's heard about this since they bought the water company. If there were discussions, he didn't recall any of them, so anything that is said now probably won't be helpful.

Mr. Thibeault said not to discuss the dollars or cents of it, the point was that he was very surprised because of the letters back and forth between them Sean Sullivan and Steve Buckley. There were many discussions and he had some of the paperwork with him.

Motion by Selectman Massey, seconded by Selectman Jasper, to defer action on this item until such time as the Board has had a chance to review the item and to be prepared to meet with the representatives of the company.

Selectman Maddox said before they close the motion and send these guys off, he had a couple of questions. Chairman Nadeau allowed it. Selectman Maddox asked what triggered this. Over the years on the Planning Board, he had heard that so many had to be built by such and such a time. He asked what the trigger was to bring them here for this amount on this day. Mr. Thibeault said that was a good question because it is a large amount of money. He thought they had negotiated to a number they all agreed on. This was brought up again last year with Sean Sullivan, who told him he'd bring it to the proper authorities and see if it could be resolved. He didn't really push it very much. There were a lot of issues at Shepherds Hill to work through, building it out. They had a good rapport with the town. It has always been on his radar and there has been a lot of correspondence back and forth over the years.

Selectman Maddox said to that end, they've had numerous exchanges of checks for various things. He was just surprised that, all of a sudden, they are seeing a bill for \$260,000 as opposed to \$10,000 after the first... whatever it may have been. All of a sudden, what triggered this to pop up today? He was having a tough time, with all the things that were in that agreement, as he understood it, that this just came up. Mr. Thibeault said the checks only went one way—to the town. None of it went to him. He didn't mean to be a wise guy, but finally you say this has been going on for years. If they take the time to read the correspondence, finally you just say, "Enough of being a good guy, here. Let's bring resolve to this. Get in front of some decision-makers." This was negotiated down from a much larger amount. If they read the water agreement he feels the town is successor to, there are so many things in there they could charge for, he thought he was being a good neighbor to come down to that type of a number. For not pushing it any further, that's why they were present tonight. The correspondence is there.

Selectman Maddox said he was surprised that if wrote a check for \$100,000 for various things, he's surprised they didn't subtract \$25,000, knowing they had this exposure, and why wait until this magic time for them to just show up? Mr. Thibeault said there were no offsets. It was simply when hookups happened, when a water main was done and increased and things like that. It's a document that has quite a few things in it. There was no exchange for that. One of the initial conversations in the letter was that when he paid the \$220,000 fee to the town, he wanted to offset some of that from the beginning, but was told this was the water precinct and the impact fees were different. The checks were always going one way. He didn't want to be argumentative, but now, it's time he gets reimbursed, even though it's six years later. He can give them all of the documentation they need so they can make an informed decision.

Selectman Coutu didn't want Messrs. Thibeault and Iacozzi to think the Board was being judgmental by deferring this, but they need to read the information to be informed. He already spent a considerable amount of time reading the contract. They retain counsel, who has provided an opinion. Now, they need to review the documents and see if they can make sense out of the advice he has suggested they do. If need be, after reviewing the document again, and sometimes you need to pour over the legalese time and again, they may have to call in their counsel and take another look at how the numbers were arrived at. They are not deferring it because they've prejudged. They want to make an informed and intelligent decision that's fair to all parties concerned. Mr. Thibeault said he could appreciate that. He didn't expect to walk out with a check tonight, as much as he'd love to have that happen. Selectman Coutu said he appreciated the fact that Mr. Thibeault came to the decision-makers because it is the Board that will have to make the decision, but they want to be informed and fair and just to all parties concerned. He agreed with Selectman Jasper that an outstanding job was done on Shepherds Hill.

Mr. Thibeault said he realized that the Board didn't have a lot of information, but asked that, whatever the decision may be, if they could move it along so they can bring some finality to it and whatever happens, happens. Selectman Coutu said the Board may bring Mr. Thibeault in for some questions they may have. Mr. Thibeault said he'd make himself available any time they need him.

Selectman Maddox asked what percentage of the 400 units were complete. Mr. Thibeault said through 300. The amount they talked about originally was going to be paid in full, but it took into consideration only 276 units.

Vote: Motion to defer carried 5-0.

C. Acceptance of Donations--\$500 each from Princeton Technology Corp & Flash Photo Sports to the Rec Dept.

Motion by Selectman Coutu, seconded by Selectman Massey, to accept the \$500 donation from Princeton Technology Corporation to the Recreation Department, with thanks, carried 5-0.

Motion by Selectman Coutu, seconded by Selectman Massey, to accept the \$500 donation from Flash Photo Sports to the Recreation Department, with thanks, carried 5-0.

Chairman Nadeau asked the Town Administrator to get them the amount that is in the Recreation Department's donation account.

Chairman Nadeau declared a recess at 8:18 p.m. The meeting resumed at 8:28 p.m.

8. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Massey:

CALEA -- Selectman Massey reminded all of the citizens in town that next Monday and Tuesday, the Council on Accreditation for Law Enforcement, CALEA, will be sending their assessment team to the town to do the final assessment in preparation for recommending reaccreditation for the Hudson Police Department for three more years. It's critical that if anybody wishes to speak to this commission, they will be able to come to a public meeting in the Community Development room on Monday, November 17, starting at 7:00 p.m. Selectman Massey thought the CD room might not be big enough, so they may have to think about that. If for any reason someone chooses not to come to that public meeting, or they would prefer to do it slightly different, any time between the hours of (background coughing) November 17, by calling 603-816-2247 and talk to a member of the accreditation assessment team. This will be posted on cable and the town's Web site.

Wetlands Mapping Study at Robinson Pond -- Selectman Massey said the next item may take a little time, which they weren't able to get on the agenda in time. A request was received from the two Hudson Youth Football and Cheering Youth Organization and Hudson Youth Baseball Organization. The Town Administrator distributed copies of a handout. Last Thursday night, the two representatives made a presentation to the Recreation Committee, which he attended at the request of Selectman Coutu. They have requested doing the first step in the process to determine the cost of building fields and structures at Robinson Pond. The first step is to do a wetlands mapping project in order to determine the total buildable footprint that's available on Robinson Pond. They've engaged, at their cost, a firm to do the wetlands mapping and they are simply asking the Board permission to grant the engineering firm the authorization to traverse the property in order to do the wetlands mapping study. The entire cost is being borne by these two organizations. It's up to the Board to say yes or no to allowing the engineering firm on site.

Motion by Selectman Jasper, seconded by Selectman Coutu, to allow a mapping study to take place.

Selectman Maddox said just so everyone knows where they are. At the last Planning Board meeting, he asked them to release some monies from the Rec and he was handed his head in a wicker basket because he didn't have any details. They are kind of getting in the same position.

Selectman Massey said the two organizations are very aware that this is not enough to get the Planning Board to give approval to the Board of Selectmen to take funds out. Because they are funding the entire first step, they are accepting the risk that if it goes no further than that, or if the Board is unable to convince the Planning Board to release the funds, that it's a sunk cost that they are risking. Because he was at the meeting of the Recreation Committee in the context of the Planning Board, they can't go to the Planning Board without a plan, and the plan really has to say, "This is what we want to do with the money." It was felt that with a wetlands mapping, they could then look to do a conceptual site plan to show the layout of the ball fields and a potential, down the road, of structures that the town would erect. It would be the request to the Planning Board to release monies, or to approve the release of monies to do the conceptual site plan, and included in that conceptual site plan would be going to the Planning Board with the conceptual site plan to get their comments. On completion of that step, it would then be to do another step, an engineering site plan that includes all the things they have to do. Step 1 is just to have something you can say yes, I know what is buildable. Step 2 would be the monies that the town would be asked to contribute, which would show a conceptual site plan of what can be done with the property. Had they had that kind of discussion with the Planning Board last Wednesday, it might have gone different. Right now, the answer is these two organizations have clearly accepted the risk that if it goes no further than the wetlands mapping, that that's their dime.

Selectman Maddox said they are both going in the same direction. He wanted to make sure it was on the table and understands that this company does the wetlands, then they've kind of got the foot in the door for the remainder of the site plan. Selectman Massey said he also requested from the two athletic organizations that they include in their contract with their engineering firm that the engineering firm is required to provide to the town a copy of the documents. He didn't think about it that night, but thinks it would be appropriate to include it now that, in addition to the scale drawing of the delineated map of the wetlands that they also include the GIS database so if, for some reason, to pick a different firm to do the next step, they would have the work product to start with and they wouldn't have to start over. They said they would ask the engineering firm to provide that.

Selectman Coutu said he and the Committee were truly grateful that Selectman Massey attended their meeting and for his input, as he is a sage advisor, and that's why he looks to him as a mentor. In response to Selectman Maddox, they are not going to be beholden to any company who does the wetlands study. He watched the end of the meeting the other night and it wasn't very contentious, but the point was made that they weren't going to release the funds without certain preconditions, and Selectman Massey reinforced that. They are going to go out for bids, which would exclude the wetlands study. He is reassured by the two nonprofit agencies that have joined together to make this request, and they clearly understand that Robinson Pond is a very valuable piece of land for the town's future recreational needs. The committee and the people who participate in the recreational activities conducted by the town, and the Board of Selectmen, would like to see this built tomorrow morning, but that won't happen. The nature of the economy dictates that a lot of things are going to be put on hold and things are going to be prioritized by the Board, or future Boards, if they are not re-elected. The two nonprofit agencies are well aware of the fact that when they lay out the footprint, the town's needs will be met first. There will be a footprint for a recreational building, size to be determined by the Recreation Committee and, ultimately, approved by the Board of Selectmen, parking and whatever outside recreational lands that are going to be necessary to compliment that recreational building. Any additional lands that

may be available, the two non-profit groups would like to utilize that land to build football and baseball fields, at their expense. Both representatives were present, if the Board had any questions for them. At the Recreation Committee meeting, the record was set straight. He was a little forceful, so he didn't want them to think he disapproved of it, but they needed to realize that the buck stops with the Board of Selectmen and the Recreation Committee can't tell them what they can and can't do, without the Board of Selectmen's approval. That's why this was before them tonight. The Town Administrator has assured them that proper documentation has been presented with regards to insurance conditions for the company that will be going on the land. Those conditions have been met and he will support the motion.

Vote: Motion carried 5-0.

Selectman Maddox:

Voting -- Selectman Maddox thanked the 12,417 plus people who came to visit them last Tuesday. Everyone's patience, understanding... as the person that was yelling most of the day out the door... people were good natured about it. They didn't mind walking—it was a beautiful day—from wherever they parked early in the morning, so thanks to all those people who took the time to come and vote for their patience and understanding. It was a long day, but it was something nice. That was the good part. He'd like to see at least half of them in March. It's great to vote for the President, but the town local stuff is where their taxes really get affected. He said to remember how to get there. Over 1,000 people registered to vote that day. Kudos to all of the people that work the elections. A number of people came over to him and said they should have two or three locations. He does think that maybe for the next presidential, the Selectmen at that time, should look at whether they can use the schools, if that makes sense. But they put the people through the building. It was getting them through the parking lot that was the issue and into the afternoon, even that was addressed. There's a plan that can be built on. There are only so many people that want to work from 6:00 a.m. to midnight, counting ballots and all of that. To spread their resources for the regular elections, and to that end, the first two hours, 2,500 people went through that building, which is their normal voting for an entire day in a March election. It's something they can have a discussion with the School Committee about, if there is a way to do that and really take a look if that building is bigger and will help them. Towards the end of the day, and he's sure some of them would disagree, they found a program that worked and once they got them to the building, they went right through, even the people that were registering to vote that day didn't spend more than 10, 15 minutes in that line. Great hard work by the Moderator, who was probably tired of hearing his voice saying, Mr. Moderator, as he was hunted down for any number of questions. All of the people that sat in those chairs and took down the names. One of the books was almost full. There were 40 names that didn't show up, so a lot of people showed up. Good, all the way around.

VFW's Program Tonight -- Selectman Maddox said he asked Priscilla to call the VFW to RSVP the Board's regrets. They were having their event tonight, but he's sure they understand. To all of those that served, and to those that will serve, thank you very much. He hoped everyone enjoyed Veterans' Day tomorrow and if there was an event in the area, they would attend.

Workforce Housing and Windmills – Selectman Maddox said he was looking for guidance from his fellow Selectmen as he sits at the Planning Board. A couple of issues that came up were recently enacted legislation from Concord in regards to windmills and workforce housing. The timeframes they gave them are very compressed. It's a hot button issue and everyone wants to move this forward, but they realistically want something by July 1, 2009, which means it needs to get on the ballot. It's already November. They have only one workshop in December. He's looking for the Board to say to him how hard he should press to make this happen. On workforce housing, Hudson is probably in good shape, and to just put in all kinds of overlay districts in a hurry, just to meet this deadline is a fool's errand because they are going to make a mistake. They are taking bits and pieces from various ordinances across the state, trying to mix and match them. He's afraid they're going to end up with a problem that will cost real heartache or disappointment. He wanted to slow down; they are working towards something, looking to get the information they need from NRPC, as far as what their calculation is. Without that, he can't see them racing to go somewhere they don't know where they are going. It's an issue that people want to get moving on. He remembers how much fun they had with cell towers. It just takes a long time to get this stuff done and done right and he just didn't see getting either of these issues on the March ballot in a manner in which will do the town right. He was looking to the Board for guidance.

Selectman Jasper agreed that they shouldn't rush things; they need to have NRPC take a look at some of the numbers because they are in good shape with workforce housing. It would be prudent and he hoped a number of communities are working with the Municipal Association to see if there is any proposed language that if a community was undertaking a study to determine the proper way to do this, that they could get a year's extension. Perhaps, at this time, they really need to sit down with the Town Attorney and try to better understand this piece of legislation because he doesn't understand all of it, or if anyone in Concord really does, unless they were working on the specific legislation. He thinks it's a bad piece of legislation and he didn't vote for it, but they should not rush into it. They've done that too many times in the past and made some major mistakes. When you look around town at the number of project they have, such as Shepherds Hill and similar projects, they are not an exclusive town with just single family residences. There's a lot of affordable housing, in terms of the surrounding market, so they need to look at this very carefully. He didn't know anything about the windmill issue.

Selectman Massey said he's always said, "Act in haste, repent in leisure." Both of these legislative actions have the potential to cause serious concern, if they rush into it. Looking at the windmill alone, that's the tip of the iceberg because they're looking at all forms of alternate energy to come under that umbrella. Right now, the town has a 38' height restriction on anything except for, unfortunately, the infamous telecommunication towers. They are going to have to be very careful because if you look at most of these towers, if they are commercially viable, they're in the 200' – 250' height. If they're in the home version, they're certainly over 38'. He would not want to have to rush into it to meet a deadline that people in Concord, who have no

idea what they were going to impose upon people have. He didn't want to be in that position, but if he were, he would relish it, that if he didn't meet the deadline and the state came down and tried to sue the town, he'd pull out Article 28-A and say, "Where was the money to help us get it done in the time schedule YOU mandated that we do?" He was with Selectman Maddox that night and he's with him all the way on this one. They can't afford it. The early indications are they are in fairly good shape for being in compliance with the legislation of workforce housing. The devil is in the details. Make haste slowly.

Selectman Maddox believed he has a basic consensus.

Selectman Jasper:

Newspaper Quote -- Selectman Jasper said he didn't want to speak for the Chairman, but they've had some conversations and thinks the comments were born more out of frustration with the state than anything. He was glad that Selectman Coutu was more optimistic at this point than he has been, but he has been worn down by the NH DOT and Governor's Office after these many years. He can remember back when he was very young that they were promised the transfer would take place in 18 months. He can't remember how many years ago that was now. Selectman Massey interjected it was February 2001. Continuing, Selectman Jasper said it has been a long 18 months since then, and they're still not there. If Selectman Nadeau's comments were born in that vein, when the Governor said, "Oh, yeah, I'll help you remove that restriction..." ... well... He thought to himself, "Just like you helped us get this transfer in the last four years you've been Governor." He didn't hear the comments and didn't see the article in the paper. He's glad he didn't make that comment himself, but at one point, he might have said something similar, out of frustration and not meant as anything against the Seniors. He didn't take it that way and was sorry it was taken that way; it shouldn't have been. They all want to see a permanent home for the Seniors. It would be great if they could make something happen within that park, but every time it has been brought up, it has been, "Yeah, you can rebuild the red barn, but the parking is going to be 500' away." That won't work. The Governor has thrown out this caveat, but so far, there has been no meat behind any of the other caveats. It's not helpful to take comments that are made and try to build some sort of disharmony because this Board has been trying to work in that direction, trying to find something so they can solve a problem. Hopefully, they can put this behind them, but he'll let Selectman Nadeau speak to that. They were all asked to disassociate themselves from that remark, or speak their minds on that remark, and that's what he's had to say.

Elections -- In talking with the Secretary of State, he learned something that was remarkable. The town of Hudson has the third largest single voting place in the United States. Bedford is number one, Londonderry is number two and Hudson is number three. Selectman Coutu asked if he meant in the state. Selectman Jasper said no, in the entire country, Hudson is the third largest polling place, with 12,400 people having one place to vote. It's the third largest number of voters in one location in the entire country, and they did a remarkable job. They should set down with representatives of the Police Department and do a critique of how to make it work better in four years. There's a good chance that none of the Selectmen present will be here in four years, and if they don't put down a plan on paper now, few people will remember exactly what happened in four years. So, within the next week or two, there should be a meeting scheduled, with the full Board participating, probably on an off-night.

Selectman Massey said he has already asked the Chief to start thinking about putting something together. His suggestion would be to let the Police Chief and Fire Chief put together a basic recommendation and to bring that to the Board for discussion. Selectman Jasper said that was a great idea. Litchfield did a great thing—they had a remote location and a bus was provided for the whole day, and that's something Hudson could think about doing. They could work with the Kiwanis and have that hall as a second area for people to go to, then have a bus shuttle people back and forth. That might work well. There are one-way traffic patterns and a number of things. The problem with the Community Center was the parking, so if they could alleviate some of that and run a shuttle back and forth from Kiwanis Hall. The schools don't work, even if they close. Memorial has less parking than the town does. Alvirne's cafeteria is smaller, and they couldn't get all the handicapped people and those with walking disabilities up to the gym, even though the parking is great. Traffic on 102 is horrendous in the mornings and evenings, so that would only complicate things. Having an off-site or remote location to shuttle people in might be a much better solution because he has served as Moderator when there were three locations and it's a terrible way to do things. There will be lines out the door in one place and nobody in another place, and they've divided their resources by three, and that's not an efficient way to do things. The polling place worked flawlessly inside the building, and they can handle as many people as will come to vote, it's just the parking, and they can handle that. The only other election he saw like that was in 1980, when there were Constitutional questions on the ballot and people were in the voting booths for an extended period of time, and that created the problem where there were lines of voters out to Adelaide Street.

Selectman Massey said in 2004, it was the same way. They had a little over 12,000 voters, but they came at a different time. The majority of voters this year came prior to noon. In 2004, the majority of the voters came after 4:00. When they closed the polls at 8:00, people were still standing in line, out the building, up to the telephone pole. The point is they will work with the police and fire to come up with a recommendation to bring to the Board for discussion.

Police Accreditation -- Selectman Jasper said the Board talked briefly about not using the Community Development room, and they shouldn't. The last accreditation, the Hills Garrison cafeteria was used, which was a very nice venue, but if that's booked, there is always the Community Center. In the past, the schools were cooperative in helping, and it was a nice spot. Selectman Massey said the size of Hills Garrison cafeteria is not much larger.... Selectman Jasper said yes, it was substantially larger. Selectman Massey said he'd talk to the Chief tomorrow.

Selectman Coutu:

Veterans -- Selectman Coutu joined Selectman Maddox in thanking the Veterans for their service to the community. Earlier this week, Selectman Massey iterated that this was the first time in a long time that he couldn't make the services tonight. He hoped they would understand that the Board's regrets were sent, along with the reason why the Board couldn't be there. He said they hold the servicemen in their prayers and memories. They respect those who have served the country and appreciate those who are overseas and in the country, protecting USA's interests here and abroad.

Elections -- Selectman Coutu said he read Selectman Jasper's response to a concerned citizen, and he agreed that to do other than what they presently do would only double the cost in conducting an election. In light of what transpired after 4:00, the rerouting of the traffic and the adjustments that were made, things were flowing very well. He and Selectman Maddox acted like busboys and restaurant mangers most of the evening, trying to get people in line and at the tables to register and go vote. Selectman Jasper was a candidate, and he was outside. Selectman Massey was all over the place, and he looked busy. A lot of people came up to him and said they were quite impressed by the way they were able to put the people through. If they can tweak it a little bit and take the sage advice of Selectmen Massey and sit down with the police and critique, maybe they can make it even better. He was very impressed, and this was his first election to work at the polls. He wasn't impressed with what he did because he lost a pair of glasses through the whole process, which cost him \$320. Selectman Massey added that Selectmen Maddox and Coutu did all of the fluff stuff; he and Selectman Nadeau did the grunge work.

Thumbs Up/Down -- Selectman Coutu said most recently via e-mail and through Thumbs Up/Thumbs Down or Letters to the Editor—and he had sworn he'd never comment on stuff like this—but in light of the last article he read from "concerned citizens," who apparently live behind T-Bones, he was not impressed and not threatened by the letters—and was sure that none of them are. He didn't take seriously people who refuse to sign letters or e-mails and make vicious vitriol and attacks on people who work for the town. If someone has a problem with how the town employees are doing their job, and feel that they are stealing taxpayer money and are being deceitful, they should identify themselves and go directly to the supervisors and let them know about the complaint specifics—date, time, places, etc. Don't spew your venom for others in town to hold suspect people who may be very innocent of what they are being accused of doing. As a citizen, and as an appointment member of the Board of Selectmen, he resents the vitriol and wishes it would cease and desist.

Newspaper Quote/Acquiring Benson's -- Selectman Coutu said he was not to defend Selectman Nadeau, but he was standing next to him the night of the Senior Citizens' banquet and not once did he hear Selectman Nadeau say the remarks that were made. It was represented to him that these remarks were made during a telephone conversation, but they weren't said in front of him and he didn't think Selectman Nadeau left his side any time that the Governor was with them. There are people in town, and some who were on the Benson's Committee, who said they were not in favor of having a Senior Center at Benson's, and that's fine. There will be a difference of opinion in what they should and should not do there. He understands where Selectman Jasper was coming from with regards to the longevity and achieving the outcome that they are trying to achieve at this point, which is having the deed to Benson's in-hand. The Governor came to Hudson on election day. Someone came in and told him the Governor was out there and asking for him, so he went out and spoke to the Governor. The Governor said, rather than give the town the deed immediately, if he would feel more comfortable if he were to begin the negotiation process to life some of the restrictions. Selectman Coutu said he made it very clear to the Governor that he would prefer that the town have the deed as quickly as possible, that this has gone on long enough. For him to want to join the Governor to present themselves before other boards and commissions to see if restrictions can be lifted so they can do construction was only going to prolong this for another two years. He didn't say it to the Governor because he didn't want to be disrespectful, but it seemed like a stall tactic. He told the Governor he expected to have the deed in-hand by the end of October, but here they are in November. It looked like this was another delay tactic. The Governor assured him that all of the final documents were being prepared, but he won't give a date. He was prepared to have arranged some sort of deed transfer in Hudson, with news media, or have them go to Concord and do it there. He hoped the Governor would come down here; he has a chauffer and Selectman Coutu doesn't. He understands the Board's frustration and distrust because he's starting to feel it and he hasn't waiting the eight or nine years the other members have. If there was any influence he could use at the Governor's Office, because he owed the town some favors, they would try to pressure him. He felt confident that they were going to resolve this a lot quicker. He's hopeful to have the deed by the end of the year. They shouldn't be pessimistic, but he did understand the concern.

He believed the Senior Citizens know the Board members are individual members of the Board and comments that are made by one or more members of the Board are attributable to that one person. Please do not hold them all in contempt because one person may have slipped. He's not going to defend those remarks. They all know that he does not agree with those remarks or any remarks that may have been made by anyone else with regards to seniors. They all make mistakes. Has he made any? Sure. He can think of two. One he publicly apologized for and that was in reference to his columns and how it affected Selectman Jasper's family. In hindsight, he felt a certain amount of remorse when he thought about the conversation that he had with Selectman Jasper and how it affected him. He apologized privately, and then publicly in this room, and he accepted both times, and they've worked well together, without any animosity between them. He made a mistake of election day. A well-known female television personality from Hudson came in to the voting place and they kind of put their arms around each other and she was walking through and he said, "Oh, let me take you over to where you." She just looked at him and walked away. About five minutes later, she went over to him and asked him if he was serious that she didn't know how to spell her name, or if that was a poor attempt at a joke. He said he was sorry she took it that way; apparently, it was a poor attempt at a joke and he was really sorry she took it personally. He didn't mean to insult her. Everybody misinterprets remarks that are made and he's not defending the remarks that were made if, in fact, they were made. They can all become victims. They've got to be careful of what they say when talking to a reporter. When he was 20, his first venture in owning a business was to own a newspaper and you are never off the record when you're with a newspaper reporter. Be careful what you say.

Selectman Nadeau:

Veterans – Selectman Nadeau thanked the Veterans and the ones currently serving. There are services tomorrow that were listed in the Telegraph this morning. Selectman Massey said 8:00 at Holy Cross Cemetery on Ledge Street, 8:15 at St. Patrick's. Selectman Nadeau said John Cesena from the VFW will be handling that with Color Guards from other Veterans' groups in the area.

DPW – For everyone who is interested in getting rid of their yard waste, the landfill is open the last Saturday of month, year-round, weather permitting.

Voting Day – Selectman Nadeau thanked the Junior Woman's Club and the Ballot Clerks and the Supervisors and the Moderator for doing an excellent job in getting everyone through there, and the Junior Woman's Club for understanding that they had to be moved in moving the lines back. The Moderator did an excellent job in getting things to flow through there, with the help of the rest of the people there. He also thanked the Police and Fire Departments for making the changes that were needed to get everyone through, and lastly, he thanked the voters who came out to vote. The lines were reasonable. He remembers when there were two polling places and at one, there were lines, but none at the other one. Splitting their resources would be very tough. Technology isn't there yet for multiple polling places.

Newspaper Quote – Selectman Nadeau said he told people this weekend that he will have a letter in the paper this week in regards to the issue on the Seniors, and those Seniors know that he does support them. There are things on the ballot this year that came through the Selectmen, and he supported them. He'll have a letter in this week's paper in reference to that.

9. NONPUBLIC SESSION

Motion by Selectman Jasper, seconded by Selectman Maddox, to enter Nonpublic Session under 91-A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled, carried 5-0 by roll call vote.

Chairman Nadeau said Nonpublic Session was being entered into at 9:15 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.

10. ADJOURNMENT

Motion to adjourn by Selectman Massey, seconded by Selectman Jasper, at 10:35 p.m., carried 5-0.

Recorded by HGTV and transcribed by Priscilla Boisvert, Executive Assistant

HUDSON BOARD OF SELECTMEN

Benjamin J. Nadeau, Chairman

Richard J. Maddox, Vice-Chairman

Kenneth J. Massey, Selectman

Shawn N. Jasper, Selectman

Roger E. Coutu, Selectman