

HUDSON, NH BOARD OF SELECTMEN
Minutes of the September 2, 2008 Workshop

1. **CALL TO ORDER** by Chairman Nadeau at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.
2. **PLEDGE OF ALLEGIANCE.** led by Jeremy Griffus of the Recreation Committee.
3. **ATTENDANCE**

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

Staff: Steve Malizia, Town Administrator; Dave Yates, Recreation Director; Ray Zagars, Entegris; Michael Bergeron, NH DRED; Michelle Rourke; Mark Levesque; Recreation Committee members—Sue LaRoche, Keith Bowen, Bob Iannaco, Jeremy Griffus; and Gina Votour, HLN

4. **CONSENT ITEM**

Board of Selectmen's Meeting Minutes of August 12, 2008

Motion by Selectman Massey, seconded by Selectman Jasper to approve the minutes, with a correction to Page 9, "Selectman Massey wished Selectman Coutu a happy birthday," carried 5-0.

5. **DISCUSSION ITEMS**

A. Budget to Actuals

Town Administrator Steve Malizia said the month just ended yesterday, so the budget to actuals weren't ready yet. They could do them either at the next workshop or at the meeting on Monday night. Someone replied that next Monday was fine.

B. Sewer Capacity (Entegris)

Town Administrator Steve Malizia said Mr. Bergeron from NH DRED was present, as was Ray Zagars from Entegris. Mr. Zagars thanked the Board for allowing him time on tonight's agenda. He also thanked them for the allocation. He then thanked them for the consideration on the one-time hookup fee. The Board had told him that if the one-time fee was problematic relative to them locating in Hudson, to come back. Although he wasn't saying that, he wanted to show them the financial considerations they were considering. They haven't given up on Hudson; it's still a primary location, along with other locations. They are looking at some sites in Nashua and in Massachusetts. He had a spreadsheet he handed out. The top part of the spreadsheet were some of the assumptions. The calculations were in peak scenario, when they are running all out, six days a week, 312 days a year. Sewerage would be at 100,000 GPD. They use water beyond the sewerage level for watering the grass, etc., so that average is about 10,000 GPD of sewerage, so when they have 100,000 gallons of sewerage, they have about 110,000 GPD of water needing to be supplied to the plant. For assumption purposes, he has the plant assessed for \$5 million in this calculation, but it is a huge assumption and a question mark. They are considering a couple buildings in Sagamore Park. They are older buildings, built in the early 80's, so there will be significant renovation costs to bring the selected building up to the point where they can move in. He included the sewer fee, water fee and tax for both Hudson and Nashua. The sewer fees are comparable; the water fee is about 90¢ more in Hudson; taxes are higher in Nashua at \$17.40 per \$1,000 while Hudson is \$15.01 per \$1,000. The one-time fee of \$320,000 was 50,000 gallons at the full price and 50,000 gallons at the reduced rate. He also compared the annual expenses between Nashua and Hudson. The sewer fees were about the same. Water is more expensive in Hudson at \$40,000 more per year. Taxes are less in Hudson at \$75,000 compared to \$87,000. The total on-going costs in Hudson would be \$276,098 and in Nashua, \$248,005 or about a \$28,000 annual delta between the two locations. If he divides the one-time fee of \$320,000 by three years, which the town offered them to pay that fee over a three year period, they would be paying \$134,000 a year more to be in Hudson versus Nashua. Over five years, it's \$460,000 and over 10 years, it's over \$600,000. He then averaged things out, using 75,000 GPD. As Entegris is looking where to locate, Hudson has a hurdle. Depending on assumptions and calculations, it's about \$400,000 - \$600,000 more to be in Hudson over a 10-year period. It might not sound like a lot, and they are a big company. They have a high degree of revenue, so this may seem trivial, but they are trying to establish a very cost-effective manufacturing site. That's why they decided to consolidate their manufacturing and they are looking to create the most cost-effective plant they can for the company in the New England area to be as cost-competitive as possible. He's not saying this is driving them away from Hudson, but it is something that needs to be considered, as they are looking at different locations.

Selectman Jasper said he understood their concerns, but there were a couple factors he didn't know how closely they have, or if they can look at it in terms of the facility they can get in Hudson versus the facility and location for the same price in Nashua, with access to the highway. He didn't know that much about the real estate market in Nashua, but it seems difficult to believe they could get the same facility for the same price in Nashua. What he does know that is a real factor is the water fees. Pennichuck is before the PUC right now for something in the vicinity of 22% - 25% rate increase and they will probably get a large percentage of that. The takeover of the water company by the City of Nashua is also very much up in the air. Hudson has owned the water company now for 10 years and never had an increase in the water rates. Hudson has a stable rate, but Nashua's are rapidly moving up. It's difficult for the Board to go beyond what they've done with that one-time fee because everybody else has had to pay it. He asked Entegris to look very carefully at the issues he raised.

Mr. Zagars said on the price of similar buildings, site, etc., it varies considerably. They are looking at buying an existing facility and the different facilities vary greatly from one another. One may be fully air conditioned; one may not have any. To look at the ultimate cost of a location, they need to look at what price they can purchase it for, how much they need to put into it to get it

move-in ready, and it's all over the place. They were approved by their Board of Directors in mid-May, so they've been looking since that time. He has seen over 50 different locations and he's seen the whole spectrum of what's out there. There are competitive locations. There is a place on Dumaine Avenue in Nashua that is quite competitive, for example. It depends also on how anxious the owner wants to sell. Access to the highway is better in Hudson, one of the very favorable aspects of Sagamore Industrial Park—it's so commuter-friendly, right off the highway. Nashua can't beat that. As far as the water rates, that was brought to his attention, but he wasn't knowledgeable in that area. He poked around the internet, and there seems to be a lot of different opinions on the subject. He didn't find that there was any decision on what the water rates were going to do, but he's aware of the uncertainty in that area.

Selectman Maddox said he was going to say much the same as Selectman Jasper; they have to look at the historical trends over the last 10 years. Hudson had no increase in the water fees and very minimal in the sewer fees and the taxes have been relatively stable. All of those factors have to be taken into consideration. Hudson is frugal and tries to keep the tax rate and costs down.

Selectman Massey said at the moment, both the sewer and water utility expenses are just about equal to revenues, so he didn't see that would be an area where they could make any changes. Mr. Zagars said he understands there is basically no markup on that.

Selectman Jasper said on the sewer and water fees, it's likely that Nashua is going to have to have more capital expenditures in their plan and it's likely those fees will increase, where Hudson has been banking money. Hudson owns a percentage of that plant, so when things go forward, Hudson's got the money in the bank, while Nashua will be borrowing. On the water fees, they've asked for 22% - 25%. Even if they get half of that, and he didn't recall ever seeing someone go in asking for a water rate increase not get anything. They usually get at least half, and sometimes the full boat. Another 10% - 12% is 24¢ to 30¢ there. If you look at where their rates have been over the past 10 years and where they are now, the delta between Nashua and Hudson is closing fairly rapidly.

Selectman Coutu said Mr. Zagars knows how he feels. It's a well thought out presentation and when you're in business, you have to take all of the factors into consideration. In the long term, when they consider the things that Selectman Jasper has pointed out, Hudson is the best investment for the buck. The Board can sit there and pitch all night. Hudson is ready to welcome Entegris with open arms and the governing body is ready and willing to work with them. It would be a stretch to go any further than what they already have, but all things considered, Hudson is the best bang for the buck—and there's also a Dunkin' Donuts near the plant they are considering. The Board members and Town Administrator continue to be available. If there's anything they can do, Mr. Zagars should feel free to communicate with them.

Mr. Zagars thanked the Board, saying he felt the need to share the state of their analysis. They're going through due diligence on the sites to see what the best choice for them is. Hudson is still one of his favorite locations.

Selectman Massey said he never thought the payout was cast in concrete and he'd be amenable to change the three year payback to a five year payback, which would result in about a \$40,000 a year change. It would be the same amount of money, but it would take five years to pay it back instead of three.

Motion by Selectman Massey, seconded by Selectman Coutu, to change the payback from three years to five years.

Selectman Jasper said he didn't have any problem with the motion, but he didn't see any point in passing it if that isn't an issue. If it is, he'd be happy to support it. Selectman Massey said they need to be poker players and Mr. Zagars isn't going to tell them that because he needs to maintain his options, but it changes their cash flow by about 30% per year on that one item. In the context of what Selectman Coutu was saying, they'd like to see what they could do to bring Entegris here. Selectman Jasper said he'd like to hear if Mr. Zagars would say anything.

Mr. Zagars said he didn't think they have a cash flow problem; it's just the overall cost. When you work a manufacturing site, if you can come up with a cost savings that worth \$30,000 a year, that's a big deal. When you're trying to create a cost effective manufacturing plant, these expenses aren't trivial. It's not a cash flow problem; it's more of creating a cost effective manufacturing site and making a selection that makes them as cost effective and competitive as they can be. Selectman Massey said he spent many years in manufacturing cost accounting, so he's quite aware of the issue.

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

C. **Presentation on Robinson Pond**

Mark Levesque of 84 Wason Road and Michelle Rourke of 87 Greeley Street introduced themselves to the Board. Mark said they were present on behalf of the Hudson-Litchfield Youth Football and Cheering organization and the Hudson Youth Baseball organization. In the 11 years he's lived in Hudson, both of his children have been involved in sports and there's needs for fields in town. Michelle, who sits on the Board for the football organization, did some research and found that there was a parcel of land slated for recreational use over by Robinson Pond, so they decided to put together a presentation to show what could be done with the property. On August 7, they approached the Recreation Committee and gave the same presentation to them to see if it was something they would back, with the hope to go forward with this. He then distributed a handout, the outline of the presentation, as follows:

The proposed site for the Park/Fields & Recreation Center is a 47 acre parcel located along Robinson Road behind the fire station and abutting Robinson Pond and Robinson Pond Road. (MAP 125,126, 134 & 135) (Lot 4) The purpose of the Park/Fields and

Recreation Center master plan is to provide the residents/tax payers of the town of Hudson a common area to interact and grow as a community. The Master plan incorporates activities for all ages, from our elderly through our youth while preserving nature and beauty of the surrounding area with minimal effect to abutting neighbors. Several considerations noted are as follows.

- ♦ Maintain minimum of 100 tree line boundary around entire parcel to maintain natural environment and privacy to abutters.
- ♦ Maintain wetlands.
- ♦ Accessible from Route 111 & Route 102.
- ♦ Entrance/Exit will be gated and lockable.
- ♦ Emergency facilities location abutting proposed parcel.
- ♦ Park benches & trash/recyclable receptacles scattered throughout complex.

Master plan

- ♦ 300+/- regulation (9x18) vehicle parking spaces (gravel parking area)
 - o Exclusive parking for coaches, umpires, referees and officials and handicap parking.
 - o Gravel drive access path to fields for emergency vehicles.
- ♦ Walking/jogging/nature trail around the entire complex.
- ♦ Bike racks, trash receptacles & Park Benches (Accessories)
- ♦ (1) 360 X 160 Regulation (Game Day) football/soccer field
 - o Bleachers
 - o Lights/score board
 - o Announcer/media booth
- ♦ (2) 360 X 160 Regulation football/soccer practice field.
 - o Lights/score board
- ♦ (1) 130 X 90 Recreation Department Structure
 - o Indoor basketball court
 - o Offices
 - o Restrooms
- ♦ (3) 84 X 50 Outdoor Regulation Basketball courts.
 - o Seating area
 - o Lights
- ♦ (1) 60 X 60 Landscaped playground area.
- ♦ (1) 30 X 20 Landscaped swing set area.
- ♦ (1) 30 X 30 Paved area for hopscotch and four square courts.
 - o (4) four square courts
 - o (2) Hopscotch courts
- ♦ (1) 40 X 30 Covered pavilion area with picnic tables.
- ♦ (1) 28 X 48 structure
 - o Ground floor--- Concession, Mens & Womens Restrooms & Utilities (water & electric)
 - o Football, cheer & baseball offices/document storage, etc.
- ♦ (1) 24 X 40 Grounds maintenance equipment garage/storage structure.
- ♦ (1) Cal Ripken Regulation 60 baseball field.
 - o Dugouts/on-deck batting area.
 - o Backstop fencing.
 - o Announcer booth, score board & bleachers.
 - o Lights
- ♦ (1) Cal Ripken Regulation 70 baseball field. Dugouts
 - o Dugouts/on-deck batting area.
 - o Announcer booth, score board & bleachers.
 - o Backstop fencing.
 - o Lights
- ♦ (1) Babe Ruth Regulation 90 baseball field. Dugouts
 - o Dugouts/on-deck batting area.
 - o Announcer booth, score board & bleachers.
 - o Backstop fencing.
 - o Lights
- ♦ (4) 70 X 14 X 12 Regulation batting cages.
- ♦ (2) 65 X 15 Regulation bullpens & pitching mounds.
- ♦ (2) 90 X 15 Regulation bullpens & pitching mounds.
- ♦ (1) 100 X 100 Fenced (lockable) area for skateboard park ramps/equipment.

Mr. Levesque said no engineering work has been done on any of this, that it was just conceptual, but there is a lot of interest in having a complex such as this in Hudson and a lot of the youth leagues are willing to support it. Selectman Maddox said the former Town Engineer did a similar exercise, but he didn't get anywhere near as much stuff on that parcel, due to wetlands and slopes. Mr. Levesque said they were aware of the wetlands. Ms. Rourke said they heard about that drawing and asked to see it, but she didn't know who had it. Mr. Levesque said the baseball and football organizations were willing to support something like this. He works for a nationally renowned engineering firm out of Boston, who does mostly pharmaceutical and medical work, but

that's how he was able to put together this presentation. He did a lot of research on it and put a lot of time into it. His kids may never get to use it, but other kids in the future may. The goal is to try to push something forward.

Selectman Jasper said he certainly supported the concept, but he thought that most of the area shown as parking was actually wetlands, probably for the first 100' from Robinson Road, and moves uphill. In reality, he's not sure they can get as much as they're showing with the wetlands and slopes. With big equipment, you can do a lot, but none of them are interested in doing anything to the wetlands. This is the type of thing, however, he'd like to see out in that area. Whether all of that will fit, or most of it, he supports doing whatever they need to do to move this forward, to look into it to see what can be done.

Selectman Massey asked about the statement that the baseball and football organizations were willing to support this, if they were talking about something like the Hudson United Soccer Club, or the town funding it. Ms. Rourke said they were talking about a plan similar to the Hudson United Soccer Club. Selectman Massey asked if those two organizations were willing to finance this in its entirety. Ms. Rourke said pretty much. Any other help they could get would be wonderful, but it's something they were going to try to get grants for. Mr. Levesque said they've done a lot of research on grant funding. One caveat was that the Rec Committee was involved with this and they were able to allocate a space and have some input as to what would go there because they didn't want to lose their portion of the parcel, and they'd want that to happen and want then included in whatever Master Plan is there. They would want their portion of whatever they wanted to do to be town-funded.

Selectman Massey said the basketball operations and the office complex didn't strike him as something that those organizations would be looking to fund because they didn't support their particular activity. There is a contract between the town and Hudson United Soccer Club and the way it works is it's a 15-year contract. They did all the work, but the town did put up some money for the electrical system. For the seasons that the soccer club has, they are the prime tenants on that property because they did on the work. On the seasons they are not the prime tenants, then it was open and the Rec Director then scheduled the time on it for those times during the season when they weren't being used for soccer. He asked if that was the same type of working relationship they envisioned.

Mr. Levesque said absolutely; they read all the documentation. Ms. Rourke also agreed. Mr. Levesque said they were on the same wavelength; they were trying to follow that pattern and not reinvent the wheel to make things go a little smoother for everyone involved.

Selectman Coutu said he was not of the opinion that a consensus was arrived at by the Recreation Committee, other than for them to come to the Board of Selectmen. He's sure the Rec Committee agrees in principle that something should be done, but whether or not this plan was acceptable and whether or not the Recreation Committee understands the ramifications of developing such a proposal with the overwhelming majority of land being used for private organizations and the limitations for the use of that land for the Recreation Department. A majority of the committee members were present and he asked if any of them wanted to address the Board to share their feelings. He's sure they were in agreement with the concept, but questioned if the town was in a position to undertake such an expensive proposition. They're not going to be able to build a recreation building for a couple hundred thousand; it's going to cost a considerable amount of money, as well as all of the other amenities. They may find that they are not going to be able to put all of this in that area because of the wetland considerations. Filling in wetlands in Hudson would never pass muster.

Selectman Maddox said before they bring in the Recreation Committee, he's sure these two individuals got a warm and fuzzy feeling from both boards, but now they need to take the next step and put a tentative plan forward. This looks good on paper as far as the facilities, but the devil is always in the details. What is the time frame—10, 15, 30 years? What type of monies? How will they get there? The Recreation Committee probably doesn't know any more than the Selectmen, at this point. It's a great theory, but it has to get into where it's going to go, then the Rec Committee would certainly look at it before the Board of Selectmen to either support or not support it. Until they know the details, asking the Recreation Committee what they think is premature.

Selectman Jasper agreed with Selectman Maddox. The next step is to get down to the real engineering details on the ground to see if those things will fit, how it plays out. They need to work with the Recreation Committee to see if their needs are addressed, as well. The Rec Committee probably realizes that with all of the priorities of the town, that while they might like to develop that whole site for a town-funded facility, that's not likely to happen, so this is something that probably works to everyone's best interest. Once it is engineered and they know what will fit, they can start planning the phasing in of the various components. If the town's responsibility is the building, as long as there is a footprint there for that building, they just keep moving forward with trying to build that facility and nothing they do will negatively impact that.

Selectman Maddox said the Planning Board collects monies for recreation fees, so those monies will be available.

Selectman Massey said town regulations for parking spaces is 10 x 20, not 9 x 18, unless they get a waiver. Overall, however, it looks interesting—especially if it's not the town's dime. Ms. Rourke said they'd love for the town to build all of these things, but she thought they'd wait an awfully long time for that to happen. Selectman Maddox said there was a Senior Center and a Fire Station that had to be built first. Ms. Rourke said this year, football had to turn away almost 60 children because they don't have the space to practice. Right now, they have six teams practicing on one football field. It would be great if they didn't have to turn anybody away.

Selectman Jasper said he'd like to hear any comments the Recreation Department or Committee might have. Recreation Director Dave Yates said they did approach the committee, but no consensus was reached. The committee felt it concept was right, but didn't know if Robinson Pond, necessarily, was the correct area, due to traffic, the pond access, with children being out there, but that's the only big parcel of land available, so that looks like the only place, without purchasing land. The committee agreed with the concept, but didn't vote on it. Vice Chairman of the Rec Committee, Sue LaRoche, said they applauded them for getting the plan started and getting the ball rolling. Everyone knows this town needs fields; there's no question about that. They love the concept, but question if this is the right parcel of land. Are there master plans throughout the town for other fields, i.e., the high school area that may be coming in the near future, so are they going to over-build fields. That was another question they had, one of which they need to have answered before the committee totally backs this area.

Selectman Jasper said the School District has master plans for Alvirne. He didn't know how many more fields, potentially, they are planning to add, if any. They are talking about a performing arts center and thinks of that nature. He didn't recall that they were looking to create a lot more fields because, for school use, they pretty much have what they need. They've been allowing the town to use the capacity that they have, but they are not thrilled about that because it tends to wear down their fields. Those documents are available from the School District. Ms. LaRoche said she'd seen them, and there are more fields to be added, at some point—the 5, 10, 20-year plan. The question is the right location for the concept that is before them now.

Selectman Jasper couldn't recall a time when they haven't been looking for more fields in town. Every once in awhile, they find a place to squeeze one in. This is the only large parcel they could do this on. Even if they are successful with Benson's, that is not an option. Beyond that, there are other areas, but you can't do that sort of building on the town forest or the Musquash conservation area. They're not likely to find anything else. He didn't think that a parcel would suddenly pop up in the middle of town that they didn't know about. Ideally, it would be good to have multiple fields in one location so people aren't traveling here and there and everywhere. Some kids have multiple kids involved and they have to travel from one field to another, and that's a real problem. While it's in an extreme corner of town, it's not like people are traveling on horse and buggy to get there. Rather than worrying about if it's too far, they can continue to talk about this for another 20 or 30 years, or they can move forward. This is the time to say they don't have any other plans for this parcel. They've got hundreds and hundreds of nice, wooded acres in town that are there for people to enjoy, but they don't have enough fields. This is a parcel they can do that with. If it's planned right, he didn't think it would interfere at all with the facility that is already there for swimming at Robinson Pond. It may actually enhance that use, if it's planned with enough parking. He didn't know if any action was needed to be taken by the Board, but he'd like to see that they have the Board's blessing to go forward with engineering to see what facilities will actually fit within the parameters that they've talked about—the 100' buffer is important, not disturbing the wetlands is important and allowing for the facilities that the Rec Department feels they need out there is important. With those parameters, it's time to move forward and see what they can come back to the Board with.

Motion by Selectman Jasper, seconded by Selectman Maddox, to go forward with engineering to see what facilities will fit within the parameters that they've talked about—the 100' buffer, not disturbing the wetlands and allowing for the facilities that the Rec Department feels they need out there, and come back to the Board.

Mr. Malizia asked for clarification relative to engineering, if it was the town's engineering because the town doesn't really have an engineer. Selectman Jasper said no, it was for the two groups. Ms. Rourke asked if the Town Engineer would be able to work with them. Selectman Jasper said they don't have a town engineer right now. Ms. Rourke said she forgot that. Selectman Jasper said that part of it is going to have to be on 'you folks' right now. The town didn't have a budget for it, or anything else. If they wanted town funds, it would have to be by warrant article and another year's delay. Ms. Rourke asked if would take a warrant article for them to lease the land. Selectman Jasper said yes. Selectman Massey said the way they did it with the Hudson Soccer Club was the Board of Selectmen voted to give them the first year and they put a 14-year contract to the voters the following March, so they were fairly confident the voters were going to say yes. Selectman Jasper said that's state law. The Selectmen does not have the legal ability to enter into a contract like this longer than one year.

Selectman Coutu supported the motion, but asked if the engineering design was to be brought directly to the Board of Selectmen or to the Recreation Committee. Selectman Jasper said they need to be working with the Rec Committee so the final product is something the Rec Committee can support, even if it's not 100%. The Board of Selectmen hasn't given up control or jurisdiction over that parcel to the Recreation Committee. The only thing the Rec has control over is the pond. He didn't want to make this too complicated, but he wanted to make sure that this meets the recreation needs.

Vote: Motion carried 5-0.

D. Invitation by VFW Post 5791 to a dedication ceremony of the flag pole and plaque at Town Hall to the late Claude Charbonneau on 9/13/08 at 10:00 a.m.

Selectman Jasper said he'd like to attend, but would not be available that morning. Selectmen Massey, Maddox and Coutu said they'd attend. Chairman Nadeau wasn't sure if he'd be in town.

E. Hiring Process for Chief of Police

Town Administrator Steve Malizia said the Board needs to discuss the process of how they are going to fill the very large shoes of retiring Police Chief Gendron.

Selectman Maddox made a motion to defer this to the next meeting to allow staff time to give the Board information, i.e., what it would cost to do a regional versus a national, what other towns have done, other than just starting from a blank piece of paper. It

would be nice to have some information before them, what other communities have done, what the costs were, other than the five of them trying to design a plan tonight.

Selectman Jasper said they may get there, but it's appropriate for them to have a discussion about where they want to go with this. If they do decide to do that, they can give staff better direction. He's probably heading in a different direction, but it's important to have a discussion, even if at the end of the night, they defer it.

Selectman Massey said there was a motion on the floor, with no second. Selectman Jasper said it died for lack thereof. Selectman Massey said they do need some direction and in talking with the Town Administrator, they have to start with where they are today. Unlike when the town hired Chief Gendron, the town today is nationally accredited, it is a well-implemented community-based policing model instead of being the laughing stock of the state and one of the worst agencies in the state. Hudson is one of the most respected agencies in the state. Having said that, they have to look at where they want to go. He didn't see them making any significant changes in direction. He was also cognizant of RSA 105. For the lack of a better way to put it, for all practical purposes, when you hire a police chief or fire chief, it's a marriage and in practical terms, the only person that can ever declare a divorce in that marriage is the chief because of the powers, especially 105:2-A, so on that basis, in his mind, although the process they can talk about, he still thinks, as this point in time, that no matter who they hire, there's going to be some questions and he thinks, on balance right now, if they can determine amongst the five of them that that chief comes from within the ranks, they achieve several things. They continue down the road they are because everybody in that department right now is attuned to being a community-based policing agency. They're all on board with the accreditation and make no mistake about it, if you go outside, the chief, when they come in, they can give all the lip service they want to accreditation and community-based service, but six months later, if they say oops, I changed my mind and I don't want to go down that road, 105 says that's not a cause for... so, it was his recommendation to the Board that they first, whatever process they use, they look inside first. From his perspective right now, if you look at what he thinks is the appropriate criteria for hiring somebody, there are no more than five officers in that department that would meet those criteria and those criteria, for him, are a Bachelor's Degree, command experience and 15 years of police agency experience.

Selectman Jasper agreed wholeheartedly with Selectman Massey. It would be a mistake to go, at least initially, outside the department to search. It would be demoralizing and they would risk going down the wrong path. While he's only been part of hiring fire chiefs, he has seen the disaster that can occur when they hire from outside. People can be very good at telling you what they think you want to hear and then when they are in there, can be totally different. They have people who they know what they have to offer; they've been working here for years. They know where the department has come from, where it is today, they know the people within it and they know how to keep it on that course. He didn't see any advantage whatsoever for the town to go outside, looking for someone to run the department when they do have experienced, capable people in the organization. It would behoove them, however, to have a couple groups do the initial interviews. There are some people much more qualified than the Board is. They could have a citizens' group interview people and a group of professionals from outside interviewing, and sending their top candidates to the Board. Maybe they'd only have two or three from within the department and maybe at the end of the day, the Board wouldn't be satisfied with that, but he'd be very surprised if they weren't. He thinks they'd do a terrible disservice if they start out that way. He didn't have any interest in going down the road they've gone down before. They got a chief from Steamboat Springs, Colorado, one time and with that chief, came a sympathy card to the Hudson Police Department from the department he was leaving. And there are similar other horror stories.

Selectman Coutu said he was a strong advocate for promoting within. There's nothing more demoralizing than to not look within your own... and that should be the first objective. That's not to say that, failing that, they can't go down the path that Selectman Massey proposed. He feels they have sufficient resources to have an interviewing panel consisting of private citizens and they can also utilize the resources of the NH Police Academy and their staff and through the Department of Safety, they provide a professional team to come in and do some interviewing. He would expect, as well, in some manner or fashion, the Town Administrator and the Police Liaison should also be sitting in on one or both of those panels, especially the citizens' group. He strongly supports promotion from within an agency. In the short time he's lived in Hudson, a little better than 10 years, he has seen nothing but a very professional police department. There is a man leading that department who is very qualified, very professional and he's sure that has rubbed off on many within the command staff and he thinks they can find at least one candidate out of that staff that would qualify to become Chief of Police. If not, then they can go down another path.

Selectman Maddox said he'd be the dissent. He thinks they want the best person they can get for the job and if you're limiting it to two people, that's kind of short-sighted on the Board of Selectmen's point. He'd like to at least see them go out regionally and look at other candidates, but he can obviously see he's going nowhere with this, but he thinks it is short-sighted of the Board to look at two people and say that's all they're going to look at.

Selectman Jasper said Selectman Maddox knows something more than he does because he didn't know how many people within the department would apply. He certainly thinks there are Lieutenants as well as Captains who should apply. He didn't think it should be limited just to Captains, which he assumed Selectman Maddox was referring to. Those people have been appointed with the idea that they would be moving up through the ranks. If the Board wasn't satisfied with candidates they had for Captain, that's the place they should be looking outside. It would be a huge mistake to bring in people from outside the department to run an agency which they do not have intimate knowledge of. They do have another option and he thinks they will find they do have the talent within that department. Right off the bat, they should say to the people in that department not to bother to apply because there are only two people they want to hear from. That does no one a service.

Selectman Massey said as he indicated earlier in his remarks, if you set the criteria for a chief to be 15 years of experience, command experience, 15 years of police agency experience, command experience and a Bachelor's Degree, there are five officers in the department that would qualify. Does he know if they are all going to apply? He has absolutely no clue, at this point, whether any or all of them are going to apply. He's heard rumors about some, but he didn't know, but the other thing, if you're talking about the best (addressed to Selectman Maddox), he pointed out that there was absolutely an imperative that at some point in time, if your agency is in trouble, you go outside. The reason they didn't go outside the last time was because they had an individual inside who had come up through the ranks and was well thought of to run the department and he thinks they've seen the results of that. The key that Selectman Jasper said is they know all these individuals. Some of them have worked close, etc. They have no understanding of someone that comes from the outside, as Selectman Jasper says. They can tell the Board all the questions they want to hear, but Section 105:2 A is where all the power is. You basically are hiring a chief for a long, long time. Finally, if they go outside, you're going to be looking at people, probably looking at well over \$100,000. Well over \$100,000. The current chief in Bedford makes \$103,000 and they're not an accredited agency. Most of the surrounding areas are making a minimum, 2007 salaries, \$95,000 and up, so he thinks, for all those reasons, but the most important one... money, to him, is not the driver on this one... it is the fact that they have a well-run department and if there is somebody inside that the Board thinks, when they go through the interviewing process, fits the bill, they are going to be far better off in the long term doing that way.

Motion by Selectman Massey to initiate the search inside and they have a plan prepared for the Board's September 23rd meeting, two separate panels, one comprised of professionals and one of up to five citizens.

Selectman Jasper said he was in support of the motion, but the only thing he'd like to see them get rolling. If they intend to have citizens involved, that they open that application period up now because if they wait until then, they're going to be into the middle of October because they're going to most likely want to give two weeks to allow people to apply, so if they're intending to have citizen participation, they ought to begin that process now and have that close in two weeks so they'll be prepared to move forward at that time. Selectman Massey said the only question the Board has to decide is whether it's going to be two separate panels that come together and make a joint recommendation or whether it's a single panel that's comprised of both. They'd have a different number of people, depending on which of those models they use. Selectman Jasper said it should initially be two separate interviews and then the two panels should come together and make a joint recommendation because that gives both sides the ability to listen to the opinions of the other and he was thinking along the lines of three or five citizens. At this point, they don't need to decide that, but they should use the Police Standards and Training people, get their own to apply.

Selectman Massey said he'd accept the amendment with one friendly amendment, that at least one member of that citizens' panel be from the School Department. Selectman Jasper said they can't control who is applying. That could be some criteria they take into consideration. He certainly thinks that's important. Realistically, he didn't know if they could get anything in the Hudson News; they probably could tomorrow. Today was the first day they were preparing because, otherwise, now they are pushing it back even. Mr. Malizia said they could put it on TV and the Internet. Selectman Jasper said generally, they don't usually have that many people applying. That would still give a week in the HLN. Selectman Massey said he'd not put that down as a requirement, at the moment. It would be just five citizens and a professional... Selectman Jasper said at this point, all they have to do is announce they are taking applications for citizens on a Chief of Police search committee. Selectman Massey said he accepted that.

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

Chairman Nadeau asked if, for the professional panel, they were going to go through the Police Standards Academy. Mr. Malizia said that's what they had intended to see what the response was and what was available to the town, and if there was any fee associated with that. He said he wasn't qualified, from a police perspective, if someone has the requisite qualifications, but there is an interview process, there is a scenario process. These folks deal with that on a more regular basis and they have it more finely attuned. There are some very good people in the department, but they are looking at a chief. With a professional panel and a citizen panel, at some point they would get together and rank the candidates for the Board's consideration. That would probably be the best way to go. There are other organizations, such as MRI, that deal with this all the time. They have regular panels of professionals that they could tailor it to what the Board wants to do, but there is a cost to that, probably greater than what is offered at the Police Standards & Training. He and Selectman Massey will work together on that for the Board's consideration. Citizen participation is necessary and it's great, but they probably also want professionals involved—unbiased professionals. They may all know something, or think they know something because everyone has their built-in biases, but someone from the outside has the ability to put them through scenarios and then cross talk with the citizenry. Hopefully, the cream will rise to the top and the Board will have some worthy choices to look at.

Selectman Massey said he'd like to make sure the Board concurs that the minimum qualifications are the 15 years agency experience, command experience and a Bachelor's Degree. Even if they wind up ultimately, for whatever reason, go outside, that would still be the minimum qualifications. Selectman Jasper said he tended to agree, but he's not sure he finds 15 years a lot better than 14 years. They've got to draw the line someplace, but he's not sure about the 15 years. He agrees with the Bachelor's Degree. They are going to be doing the posting, but not at this time, so that's something they can talk about to the Chief, how strongly he feels about it. Selectman Massey said when he talked with the Chief, it kind of fluctuates between 10 and 15. Selectman Jasper said he'd feel more comfortable with 12. Selectman Coutu suggested saying 10 – 15. Selectman Jasper said minimum of 12 years. In the police world, 20 years is retirement for most people. Selectman Massey thought 12 would be a good number. Mr. Malizia said if they assume an officer came on board somewhere between 23 and 25, 10 years would bring them to 35—15 years, they've be 40. There's a maturity factor that gets involved in that.

Selectman Coutu said he wanted to make sure they are being fair and not narrow the field intentionally. Selectman Massey said there are five officers in the command staff—two Captains and three Lieutenants. All five of them would meet those three criteria—12 years experience, command experience—i.e., a Lieutenant and above—and the Bachelor's Degree. All five of them would meet the criteria. Even at the 15, it would have been there.

6. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Jasper reminded everyone to vote on Primary Day, September 9. Some people feel they may get only 400 voters, but he hoped that wasn't true.

He asked if the cable facilitator has signed the contract. (Someone indicated that he has.)

Selectman Maddox said he'd wait till next week.

Selectman Coutu said he didn't have anything.

Selectman Massey reminded everyone that next Thursday, they'll be having a 9/11 memorial service at 6:30 at Library Park and he encouraged all town residents to attend.

Selectman Nadeau said he didn't have anything tonight.

7. NONPUBLIC SESSION

Motion by Selectman Jasper, seconded by Selectman Massey, to enter Nonpublic Session under 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, 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; (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.

Nonpublic session was entered at 8:40 p.m., ending the televised portion of the meeting. Any votes taken upon entering open session will be on the Board's next regular agenda. Open session was entered at 9:12 p.m.

Motion by Selectman Jasper, seconded by Selectman Massey, to seal the minutes carried 5-0.

Discussion of the Town Hall reorganization plan that was prepared by the Town Administrator for the Board's consideration.

Motion by Selectman Maddox, seconded by Selectman Massey, that after reviewing information prepared by the Town Administrator for the Board regarding a reorganization of Town Hall operations dated September 2, 2008, the Board adopt the new organization structure.

Selectman Jasper reviewed the information presented and read the list of action items necessary to reorganize the operations:

1. Delete the Community Development Director position.
2. Create the Assistant Town Administrator position.
3. Community Development functions will report to the Assistant Town Administrator.
4. Hire a Zoning Administrator. This position would also be responsible for Code Enforcement.
5. Realign the Engineering Department to report to the Assistant Town Administrator.

Selectman Jasper stated that he was a member of the Board of Selectmen that created the Community Development Department. He sees a need for the separation of the zoning determinations from staff supervision duties and believes there is a need for an independent direct line of supervision of the planning, inspection, zoning and engineering functions and he also believes that this structure brings the engineering function back into its proper place in the organization. He believes that this has been broken for some time and now is time to take action. Selectman Massey was in favor of separating engineering in the past because of the water and sewer components, but after reviewing the proposed reorganization he believes this is the right way to go.

Vote: Motion carried, 5-0.

Motion by Selectman Massey, seconded by Selectman Coutu, to approve the Assistant Town Administrator job description.

Selectman Jasper stated the need for a backup for the Town Administrator so that when the Town Administrator is absent, the Board and the department heads have an individual to go to make decisions. This is a better structure of the responsibilities and will alleviate some of the burden on the Town Administrator and free up some of his time to work on long range projects. Selectman Massey stated that he is not in favor of one-on-one reporting relationships and this does not fall into that category. Selectman Maddox questioned Essential Duties and Responsibilities--"Coordinates with Town Counsel regarding land use issues." Mr. Malizia explained that this was intended to designate the Assistant Town Administrator as the individual who will coordinate land use activities--planning, zoning, code enforcement, etc.--with Town Counsel. The Board agreed that this was appropriate.

Vote: Motion carried 5-0.

Motion by Selectman Massey, seconded by Selectman Coutu, to post the Assistant Town Administrator position, which carried 5-0.

Motion by Selectman Massey, seconded by Selectman Jasper, to direct the Town Administrator to update the Zoning Administrator job description for the Board's review and approval.

Selectman Jasper discussed the need to update the job description to incorporate code enforcement duties and responsibilities. Selectman Maddox stated that code enforcement, as practiced in the past, is not a 40-hour job. The Board feels that it is important to add those responsibilities to the Zoning Administrator job description.

Vote: Motion carried 5-0.

8. ADJOURNMENT

Motion to adjourn by Selectman Massey, seconded by Selectman Jasper, at 9:35 p.m. carried 5-0.

Recorded by Steve Malizia, Town Administrator
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